

Evaluating Implementation of the NPT 13+2 Steps:  
JAPAN'S REPORT CARD ON NUCLEAR  
DISARMAMENT  
2004

## Reasons for the Evaluation

This "Reason for the Evaluation" was written to explain in detail the criteria for the tasks that we have set and the grounds for the evaluation. It also aims to serve as a practical briefing tool, providing an annual overview of Japanese and global efforts towards nuclear disarmament.

The bold section following the short title of each of the 13+2 Steps below is the exact quote from the NPT Final Document. *The section in bold italics represents tasks, and those that we regard as particularly important (“the important tasks”) are underlined.*

## **(1) Early Entry-into-Force of the CTBT**

1. The importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry-into-force of the Comprehensive Nuclear-Test-Ban Treaty.

*Task 1: The Government of Japan (GOJ) should make repeated appeals on the importance of the early entry-into-force (EIF) of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), taking such occasions as the 2003 Preparatory Committee for NPT Review Conference, the United Nations General Assembly (UNGA), etc. The GOJ should also support other states' proposals with similar policy objectives.*

*Task 2: We are concerned that international interest in the CTBT will deteriorate because of the dim prospect for its EIF. Therefore, the GOJ should make efforts to sustain and to strengthen international interest in it.*

*Task 3: The GOJ should outspokenly criticize the Bush Administration's policy rejecting the CTBT and explain this to the Japanese public. Backed by Japanese public opinion, the GOJ should then urge the Bush Administration to ratify it.*

*Task 4: The GOJ should systematically and constantly promote the ratification of the CTBT by the states other than the U.S. which have not yet ratified it, but whose ratification is required for its EIF, through means appropriate to each state.*

*Task 5: The GOJ is requested to strengthen its technical cooperation with the Preparatory Commission of the CTBTO and work actively for its sustained operation.*

**Grade: B**

### **TASK SETTING**

#### **Task 1 (Call for an Early EIF)**

The number of states that have signed the CTBT increased from 166 to 170, and the number of states that have ratified it increased from 97 to 109 during the evaluation period of February 17, 2003 to February 16, 2004. At this stage, where a large majority of states have already signed the CTBT, it is understandable that the number of new signatories is just four. The number of states that have signed but not ratified was 69 at the beginning of the

evaluation period and twelve more states ratified the CTBT during this period. This pace of ratification is, however, definitely not a satisfactory one. We should work to create greater international interest in the importance of the EIF of the CTBT.

It is especially serious that out of the 44 states listed in the CTBT Annex II as countries that have nuclear technology and whose ratification is a conditional requirement for the EIF (hereafter, “Annex II countries”), 13 have not ratified it yet. At the time of the beginning of this evaluation period, this situation had been stagnant for two years.

Three of the 13 states – India, Pakistan, and the Democratic People’s Republic of Korea (DPRK, North Korea) – have not even signed the Treaty yet. Algeria, China, Columbia, Democratic Republic of Congo, Egypt, Indonesia, Iran, Israel, the United States, and Vietnam have signed, but not ratified it. Among the nuclear weapon states (NWS), the United States and China have yet to ratify it. The U.S. policy that has explicitly rejected the CTBT is a particularly major cause of this grave situation.

In 2001, the GOJ attempted to dilute its usual attitude of calling on the Early EIF of the CTBT when it introduced a draft the 2001 UNGA resolution, facing a change in the U.S. policy on the CTBT. Gradually, however, the GOJ has recovered its posture and has again prioritized the issue of the “Early EIF of the CTBT.” The GOJ should keep calling for the early EIF. For example, it should make strong calls for it on occasions including the Second Preparatory Committee for the 2005 NPT Review Conference (April 28, 2003 to May 9, 2002) (2003 NPT PrepCom, for short), various international conferences related to the CTBT EIF conference, and the UNGA.

### **Task 2 (Maintain and Strengthen Interest)**

As mentioned earlier, we are concerned that international interest in the CTBT will weaken because of the delay in the ratification of Annex II countries and the persistent American rejection of the treaty. The GOJ, as a pro-Early EIF country, should make efforts to maintain and strengthen international interest in it by continuously bringing the issue to the attention of the international community. For this purpose, supporting the CTBT EIF conference is considered to be especially effective.

### **Task 3 (Criticism of the U.S. and Accountability to Citizens)**

At this stage, the biggest stumbling block to the EIF of the CTBT is the U.S. The Senate of the U.S. decided not to ratify the CTBT in October 1999, and the Bush Administration, which came to power in January 2001, began to criticize the CTBT, indicating its flaws. At the 2002 NPT PrepCom, the U.S. officially stated that, “the Bush Administration

has no plans to pursue ratification of the Comprehensive Test Ban Treaty” (April 11, 2002 “Information Paper”). Moreover, at the 2003 NPT PrepCom, which was held at the beginning of this evaluation period, the U.S. again stated explicitly that, “...the United States will not pursue ratification of the CTBT” (May 1, 2003 “Information Paper”). It is already well known that the U.S. “Nuclear Posture Review (NPR)” (issued on December 31, 2001, or on January 8, 2002 according to another source) is behind this policy on the CTBT.

Moreover, the U.S. policy also constitutes a material breach of the Japan-U.S. bilateral defense agreement, because the “Japan-U.S. Joint Declaration on Security” of 1996 calls for the “acceleration of the CTBT negotiations.” It also states that “both governments will coordinate their policies and cooperate on issues such as arms control and disarmament.” Moreover, in March 2000, the two governments set up a “Japan-U.S. Committee on Arms Control, Disarmament, Non Proliferation and Verification” with the intent to promote the early EIF of the CTBT as an issue of the highest priority. The two nations even issued a joint statement celebrating the commencement day of the Committee as a “historic occasion.”

Under these circumstances, it is clear that the GOJ should vigorously protest the change in the U.S. CTBT policy. If GOJ has already done so, it must also inform its citizens about its vigorous protests against the U.S. and remain accountable to its citizenry. This would also be required in order to maintain a healthy Japan-U.S. relationship.

### **Task 4 (Call on States Other than the U.S.)**

In order to change the U.S. policy stance on the CTBT, it is imperative not only to logically criticize its nuclear policy, but also to make efforts to influence the government of the U.S. by rallying international public opinion. One way to achieve this is to make the CTBT more universal by increasing the number of state parties. It is especially important to persuade the twelve states other than the U.S. whose ratification are required for the CTBT to be effective.

In the 2002 UNGA resolution (November 22, 2002, 57/78) “A Path to the Total Elimination of

Nuclear Weapons” (“Path Resolution” for short), the GOJ included the content of “the importance and urgency of signatures and ratifications... to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty.” However, among the states which have not ratified and whose ratification is required for its EIF, five voted for the resolution, including Algeria, Columbia, Indonesia, Iran, and Vietnam. We take this to signify that these states agree on the Early EIF of the CTBT, at least within the administrative apparatus. Therefore, the GOJ should tenaciously call upon each State to promote the ratification of the Treaty, according to each government’s unique circumstances.

### **Task 5 (Cooperation with the CTBTO)**

The primary mission of the Preparatory Commission of the CTBTO, which was established with funding contributions from the signatories on November 19, 1996, is to ensure that a International Monitoring System (IMS) is ready by the time of the coming into effect of the Treaty. Since the GOJ has been requested to install ten monitoring stations, it is imperative that these stations receive approval by the CTBTO. However, it is also desirable for the GOJ to provide technical assistance to other countries in areas where Japan has a technological advantage. Moreover, should the U.S. decide not to cooperate with the CTBT, its financial contribution to the CTBTO will likely dwindle. The GOJ should not limit its role to technical cooperation but assume a much broader responsibility in maintaining the CTBTO.

## **EVALUATION**

In order to turn the early EIF of the CTBT into reality, the implementation of **Task 1** and **Task 2** is not a new but a fundamental mission that has to be continuously undertaken. During the period set for evaluation, we saw some eagerness on the part of the GOJ to achieve these objectives.

In a general speech delivered during the 2003 NPT PrepCom, Ambassador, Permanent Representative of Japan to the Conference on Disarmament, Kuniko Inoguchi stressed that, “the CTBT will not only contribute to preventing the

spread of nuclear weapons, but also to constraining the qualitative improvement of nuclear weapons” (April 29, 2003), presenting the GOJ’s posture to promote the early EIF of the CTBT. In addition, in a working paper submitted by the GOJ to the 2003 PrepCom, the GOJ expressed its concern that “the lack of progress is making the future of nuclear disarmament and non-proliferation less certain,” and “the NPT regime may be negatively affected” by the lack of progress in the CTBT. The paper concluded that the early EIF is “extremely important” (May 6, 2003).

From September 3-5, 2003, the 3<sup>rd</sup> Conference on Facilitating the Early Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty was held in Vienna. Japan created an impression of its positive posture toward the early EIF of the CTBT by having Foreign Minister Yoriko Kawaguchi participate in the conference. In her speech, Foreign Minister Kawaguchi described the GOJ’s efforts towards the early EIF of the CTBT by giving concrete examples of their actions. Immediately before the conference, together with Finnish Foreign Minister Tuomioja who was also the president of the conference and Austrian Foreign Minister Waldner, she sent Annex II states a letter calling for the early EIF of the CTBT.

Japan’s “Path Resolution,” submitted to the 2003 UNGA (December 8, 2003, 58/59) contained a number of problems as a whole. Nevertheless, as far as the issue of the early EIF of the CTBT is concerned, the proposed resolution maintained the traditional level, with an emphasis on “the importance and urgency of signature and ratifications ... to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty.” the fact that the U.S. and India voted against the resolution was indeed an exceptional situation in terms of Japan-U.S. relations, but we would still like to welcome the GOJ’s efforts on this matter.

Nonetheless, we could not see any significant efforts by the GOJ to meet the objectives set in **Task 3**, including criticizing the U.S. vigorously and urging its reconsideration of the policy on the grounds of Japanese public opinion. Nothing can be more destructive to the CTBT than having the most powerful NWS adhere to a policy

of leaving open the option of resuming nuclear tests. Therefore, speeches by Foreign Minister Kawaguchi and Ambassador Inoguchi should have included stronger expressions of demand on the U.S. Even without mentioning the name of the State, the GOJ could have made its attitude more apparent in various ways. The GOJ must explain this to the Japanese public.

The Ministry of Foreign Affairs (MOFA) claims that it has sufficiently appealed the Japanese position to the U.S. through bilateral negotiations. Before, during and after the evaluation period, the “U.S.-Japan Commission on Arms Control, Disarmament, Nonproliferation and Verification” has been held three times, i.e. the fifth conference on January 24, 2003, sixth conference on August 1, 2003 and seventh conference on February 18, 2004. From the U.S. side, Under Secretary of State John Bolton participated in the three conferences. According to MOFA documents, the GOJ conveyed Japan’s position attaching primary importance of the CTBT and urged ratification by the U.S. at all three of conferences. Nevertheless, the importance attached to the CTBT at the conferences seemed to be lower than other agendas on the table. We must consider the fact that, as was explained in the Task Setting section, the Commission was established with the early EIF of the CTBT as an agenda of the highest priority. Given that the U.S. has unilaterally rejected it, the GOJ should pressure the U.S in a way that is visible to the Japanese public.

The GOJ’s ambiguous attitude vis-à-vis the U.S. has made it difficult for many other states as well as NGOs to understand the Japanese government’s diplomatic efforts to promote the early EIF.

With regard to **Task 4**, which urges the GOJ to work with the 12 states outside the U.S., international efforts have borne fruit to the certain degree. Of course, although we cannot give credit to the GOJ alone, its efforts have indeed been a part of the picture. The following three incidents which took place in the evaluation period should be noted. Firstly, among the 12 Annex II states other than the

U.S., Algeria ratified the treaty on July 11, 2003. As a result, the total number of states whose ratification is required for the EIF of the CTBT became 12. The GOJ cooperated in paving the way for Algeria’s ratification by, for instance, providing the technical support required by the monitoring regime that Algeria would need after its ratification. Secondly, there is a possibility that the National People’s Congress of China will complete the CTBT ratification procedure in the near future. Ambassador Zhang Yan stated this in his speech delivered at the Third Conference on Facilitating the Entry into Force of the CTBT (September 4, 2003). The GOJ has also urged China’s ratification at various opportunities through bilateral negotiations. Thirdly, Libya, though not an Annex II state, ratified the CTBT (January 6, 2004). Libya’s ratification holds significant meaning because it is one of the countries whose development of nuclear weapon programs has been suspected.

As for **Task 5**, the GOJ is enthusiastically trying to get approval for the IMS monitoring station, which it established. In November 2002, Japan launched the CTBT National Operation System. Among the 10 facilities that Japan is required to construct for the International Monitoring System (IMS), Takasaki Radionuclide Station began official operations, upon being certified by the CTBTO Provisional Technical Secretariat (PTS) on February 6, 2004 (Vienna time). The GOJ has also cooperated with the CTBTO by providing technical training for international experts and by granting the necessary equipment required by the monitoring regime.

**As a whole, though the countermeasures taken by the GOJ to cope with the devastating U.S. policy have been overly insufficient, we give it a B grade on this item, considering the fact that it has steadily taken up other fundamental tasks in opposition to U.S. intentions.**

## (2) Moratorium on Nuclear Weapon Tests

2. A moratorium on nuclear-weapon-test explosions or any other nuclear explosions pending the entry into force of the CTBT.

**Task 1: The US Government introduced a bill calling for a reduction in the test readiness time to resume nuclear explosive tests. The GOJ should protest this move with a sense of urgency, raise international public opinion against it in order to ensure that the U.S. maintains its nuclear moratorium and inform the Japanese public about its efforts.**

**Task 2: It has become apparent that subcritical tests are being conducted in preparation for the resumption of nuclear explosion tests. The GOJ should clarify its position against subcritical tests.**

**Task 3: At the 2003 NPT PrepCom, Conference on Facilitating the Entry into Force of the CTBT or the UNGA, and on other occasions, The GOJ should call for the continuation of the moratorium on nuclear weapon tests and support similar proposals made by other states.**

**Grade: D**

### TASK SETTING

#### **Task 1 (Protest and devise countermeasures against the US reduction of readiness time to resume nuclear explosive tests)**

From the beginning of the evaluation period, the US Department of Energy (DOE) began to make concrete moves toward a reduction of readiness time for the resumption of underground nuclear tests. Test readiness time is defined as the period between a presidential order for resuming a nuclear test and the time the DOE can actually carry it out. The budget request of the DOE introduced to the US Congress on February 3, 2003 included budgetary measures to reduce the test readiness time from the current 2-3 years to 1.5 years (18 months). The GOJ was expected to take countermeasures to express grave concern toward the U.S. move, and to put the issue of the U.S. nuclear policy which lies behind this idea into the spotlight.

The aforementioned NPR contains a strong message regarding the need to resume nuclear weapon tests. It describes this need from two perspectives.

First, it reports that the U.S. is finding it increasingly difficult to maintain the credibility and safety of its current nuclear arsenals in the absence of underground nuclear weapon tests.

Secondly, it claims that the current nuclear arsenal was developed during the Cold War era, and does not meet the military needs of the post-Cold War era. The U.S. needs new capabilities including new warheads, making the resumption of testing unavoidable (see “9e”).

Moves toward the resumption of nuclear testing went one step further with Section 3142 of the “National Defense Authorization Act for Fiscal year 2003” (November 13, 2002). This law ordered the DOE to make plans for shortening the readiness time required for resuming testing to 6 months, 12 months, 18 months and 24 months.

In the end, the DOE submitted a budget plan concluding that shortening the test readiness time to 18 months would be the most appropriate option.

A show of resolve by the GOJ will be crucial for the early EIF of the CTBT. It should protest and declare itself to be against the moves being taken by the U.S. Even though the U.S.

government promises to uphold its testing moratorium at this stage, the logic and action of moving toward a reduction of test readiness time hold great potential to demolish the global moratorium regime.

Therefore, the GOJ should not only urgently and vigorously oppose the U.S. position, but must also make appeals on the problem to the Japanese and world public in an effort to have the U.S. withdraw this move.

### **Task 2 (Opposition to Subcritical Nuclear Tests)**

The NPR has also made it clear that there is a close linkage between preparations for a nuclear explosion test resumption and subcritical nuclear tests. In this regard, the NPR makes the following three points (quotations from the NPR):

1. "Test Readiness is maintained principally by the participation of nuclear test program personnel in an active program of stockpile stewardship experiments carried out underground,"
2. "Not all of the techniques and processes required to carry out underground nuclear tests...are exercised with the subcritical experimentation work,"
3. To address these concerns... NNSA proposes over the next three years to enhance test readiness by... conducting additional field experiments including additional subcritical experiments ..."

The link between the two is now obvious. The GOJ, which made a commitment to the promotion of the CTBT and to the continued observation of the nuclear test ban moratorium, must cease its usual attitude of acquiescing to the subcritical nuclear tests; it must vigorously oppose them.

### **Task 3 (Call to the International Community)**

With regard to the resumption of nuclear testing, the U.S. is the most dangerous state in the world at the present time. However, the international community should maintain pressure upon other NWSs as well as other states such as India and Pakistan to uphold the moratorium on nuclear weapon tests. To fulfill this task, the GOJ should repeatedly appeal for the continued observation of the moratorium in forums for multilateral

negotiations such as the 2003 NPT PrepCom, Conference on Facilitating the Early Entry into Force of the Comprehensive Nuclear-Test-ban Treaty, and the UNGA.

## **EVALUATION**

As was stated earlier, "US-Japan Commission on Arms Control, Disarmament, Nonproliferation and Verification," which is seen as a place for U.S.-Japan bilateral negotiations, has been held three times during and before and after this evaluation period. Other than this, there have been a number of opportunities for the two countries to negotiate at the high level, including Bush-Koizumi talks. However, with regard to **Task 1**, the GOJ's responses to U.S. moves that put the moratorium regime in danger have remained at a zero or extremely weak level. At the "US-Japan Commission on Arms Control, Disarmament, Nonproliferation and Verification," the GOJ indeed urged the U.S. to continue its observance of the testing moratorium and to ratify the CTBT. Nevertheless, there are no signs that the GOJ demanded a retraction of the U.S. moves, bringing the issue of reduction of test readiness time to the table. This is not to mention that the GOJ has not even attempted to raise international public opinion or to make explanations to the Japanese public.

The U.S. has come to emphasize more intentionally that its policy supporting the continued observance of the testing moratorium has not changed. It has done that on occasions of U.S.-Japan bilateral negotiations, as well as multilateral negotiations such as the NPT PrepCom. Considering this, it is fair to say that the U.S. is concerned about international public opinion, including that of the GOJ. For example, in the U.S. "information paper" submitted to the 2003 NPT PrepCom, it clearly stated, "we continue to support the current moratorium on nuclear testing" (May 1, 2003).

However, we cannot be reassured by this kind of statement, as it did not answer our question, "then, why does the US need to advance its program to reduce the test readiness time for nuclear testing?"

In fact, the U.S. Congress, in the Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136, November 24, 2003), included the statement, "Commencing not later than October 1,

2006, the Secretary of Energy shall achieve, and thereafter maintain, a readiness posture of not more than 18 months for resumption by the United States of underground tests of nuclear weapons.”

The GOJ’s demands toward the US have been too timid under this circumstance.

Looking at subcritical nuclear tests in **Task 2**, even after the new positioning of subcritical tests became apparent in the NPR, the GOJ’s posture of acquiescing to the tests has not changed.

In the evaluation period of this Report, the US undertook a subcritical test, the 20<sup>th</sup> “Piano” (the 7<sup>th</sup> test in the Bush Administration), on September 19, 2003. The GOJ did not register any protest. More importantly, the DOE announced that a new subcritical test, called “Unicorn,” would be conducted in a new configuration, in 2004 (August 22, 2003). According to the DOE release, although all previous subcritical experiments have been conducted in horizontal tunnels, “Unicorn” will be conducted in a vertical hole configuration, the same as that employed in underground nuclear explosive tests. Moreover, the DOE explained that the “Unicorn” subcritical experiment would involve “key Nevada Test Site (NTS) capabilities” not otherwise exercised in experiments carried out in the previous horizontal configuration. It is suspected that this is linked to the reduction of test readiness time. We could not observe any reaction from the GOJ to this move.

There is an argument within GOJ circles that opposing subcritical nuclear testing will only push the US to resume full nuclear testing. Certainly, during the Clinton Administration era, there was an argument that the SSMP (Stockpile Stewardship and Management Program), including subcritical testing, was sufficient to maintain the US nuclear stockpile without undertaking underground nuclear test explosions. Taking into consideration the need to persuade conservative CTBT opposition groups in Congress, the SSMP was said by some proponents of arms control to be a method of expedition for the ratification of the CTBT .

However, subcritical nuclear tests are now utilized for the preparation of underground nuclear tests. The GOJ should speak out based on its primary objective of the abolition of nuclear weapons, and stress the importance of the test ban from its unique historical perspective, rather than

taking U.S. domestic political dynamics into consideration.

The most critical problem facing the Japanese public is that Japan’s dependence on the US nuclear umbrella makes it impossible to adopt this line of action. When the U.S. states, “if we did not resume the underground nuclear testing, we would be unable to provide the nuclear umbrella required by Japan,” will Japan acquiesce to the U.S. position on nuclear testing or will it stop depending on the nuclear umbrella provided by the U.S.? To clarify its position toward subcritical nuclear tests would be a first step toward answering this question. However, during the evaluation period, the GOJ’s consciousness and attitude on this issue have been extremely insufficient.

On **Task 3**, requiring “a continuation of the moratorium on nuclear test explosions” in the NPT PrepCom and in the UNGA, the GOJ has been following its usual policy. Foreign Minister Yoriko Kawaguchi stated with admonishment in the speech delivered at the Third Conference on Facilitating the Entry into Force of the CTBT that “...moratoria on nuclear testing will not replace the Treaty” and she vigorously appealed for the observance of moratorium.

**As a whole, although the GOJ has continuously appealed for the observance of moratorium on nuclear testing, we could not see any innovative response against the extremely devastating moves by the US government toward a reduction of testing readiness time. Therefore, we give it a D grade on this item.**



### **(3) A Program of Work at the CD to Conclude the FMCT Within Five Years**

3. The necessity of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (FMCT) in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives. The Conference on Disarmament is urged to agree on a programme of work which includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years.

**Task 1: In order for the GOJ to play a role in normalizing the Conference on Disarmament (CD), it is imperative that it take a fair diplomatic position over the issues that generate the confrontation. The GOJ should enhance its efforts for bringing the CD to a conclusion on a Program of Work on the subject of the Fissile Material Cut-Off Treaty (FMCT).**

**Task 2: The GOJ should continue to submit UNGA resolutions with the contents of "the commencement of negotiations within a year, and their conclusion within five years." Moreover, it should make efforts to heighten the level of the agreement over the contents of the FMCT on the occasion of multilateral conferences including the CD.**

**Task 3: The GOJ should consider the idea of convening a panel of host experts outside of the CD framework with the objective to identify technical problems which can be dealt with before the EIF of the FMCT.**

**Grade: B**

#### **TASK SETTING**

##### **Task 1 (Normalization of the CD)**

Progress on the issue of the FMCT depends solely on the functional effectiveness of the CD, which was set up as a forum for negotiation. Therefore, contributing to the normalization of the deadlocked CD has been a critical matter for the GOJ, which has been promoting the FMCT process by attaching it importance second only to the CTBT.

The impasse in the CD can be explained by unresolved disputes over the objectives or mandates of the Ad Hoc Committees and/or Working Groups which are supposed to be

established to address the four issues of nuclear disarmament, the FMCT, PAROS, and legally binding Negative Security Assurances (NSA). More precisely, the most notable confrontation in the past was between the US and China over PAROS. It is obvious that the US Missile Defense (MD) plan is behind this confrontation. It is fair to say that this is a manifestation of the destabilizing effect of the U.S. MD plan on international relations.

Even without considering problems related to China, however, we cannot deny the fact that MD has shed light on the importance and

urgency of PAROS in the CD. Since the Bush Administration nullified the Anti-Ballistic Missile Treaty (ABM) on June 13, 2002, there have been no legal restrictions on the deployment of weapons into outer space – except for the Outer Space Treaty of 1967. The Outer Space Treaty merely bans the deployment of weapons of mass destruction (WMD) in outer space and the construction of military facilities on celestial objects. Under these circumstances, when President Bush unveiled his initial 2004-2005 Missile Defense Deployment Plan on December 17, 2002, he said that “kinetic energy interceptor missiles” would be included in the next enhancement plan (Department of Defense). This means that an unprecedented weapon deployment in outer space will be realized within a few years. Therefore, the Chinese argument in favor of granting the Ad Hoc Committee dealing with PAROS a mission to negotiate a treaty is becoming increasingly urgent.

Prior to the evaluation period, a proposal called the “Five Ambassadors proposal” was submitted as a convincing arbitration proposal to overcome the current impasse (August 29, 2002). It is also called the “A5 proposal” as it was proposed by five ambassadors. These “five ambassadors” are Dembri (Algeria), Lint (Belgium), Reyes (Columbia), Salander (Sweden), and Vega (Chile), all former chairmen of the CD. Though the GOJ has supported this proposal, the CD has not been able to take any action since the member states have not reached a consensus. This is the CD’s consensus policy.

Under these circumstances, Japan, as a country once devastated by nuclear bombs, should bring its independent diplomatic position into full play in the process of normalizing the CD.

### **Task 2 (Time Frame of the negotiation)**

At the 2002 UNGA, the GOJ received overwhelming support for its proposal containing more specific objectives than in the past regarding the time frame of the FMCT negotiation. It proposed “the establishment of an ad hoc committee in the CD as early as possible during its 2003 session to negotiate [ a FMCT ] ... with a view to its conclusion within five years” (57/78). The GOJ should hold fast to this position.

There is even a possibility that the aim to conclude the Treaty “within five years,” from the commencement of the treaty negotiations in the Ad Hoc Committee, can be shortened if vigorous discussion and deliberation increase understanding on this issue, particularly through the implementation of Task 3 as follows.

### **Task 3, 4 (Working Outside of the CD Framework)**

We believe it is necessary to proceed with a technical preparation for the FMCT outside of the CD framework until the treaty negotiations commence within the CD. In the past, Japan and Australia co-sponsored a FMCT workshop in Geneva, inviting government officials as well as experts. At the workshop, views were exchanged as to the fundamental obligations under the Treaty, as well as verification and organization of the Treaty. The GOJ should continue such efforts.

During the course of these efforts, the GOJ should utilize this step of the NPT agreement to “consider both nuclear disarmament and nuclear non-proliferation” wisely as a country devastated by nuclear weapons. For countries such as the U.S. and Russia, which have surplus nuclear material stockpiles for military use, the obligations towards nuclear disarmament cannot be fulfilled merely by “prohibiting the future production” of fissile materials for military use. In this regard, Japan should encourage discussions highlighting how to deal with fissile materials “produced in the past.” It may be difficult to include regulations on nuclear materials stockpiles into the Treaty, because these regulations would go beyond the conditions set out in the NPT agreement, namely “in accordance with the special coordinator’s statements made in 1995.” (The agreement is called the “Shannon Report.” It is translated in the Peace Depot’s Yearbook “2002 Nuclear Disarmament and Nuclear Weapon-Free Local Authorities”). However, the Shannon Report also states that the FMCT negotiation process does not “preclude any delegation from raising points to consider in the Ad Hoc Committee, any of the above noted issues,” including past production.

We consider it useful to make an inventory of all nuclear fissile materials possessed by every state regardless of whether they are for military or commercial use, and make it one of the

bases for the FMCT negotiations. As one of the tasks outside of the CD framework, the GOJ should tackle tasks that require expertise.

## EVALUATION

On **Task 1**, the GOJ's contribution to the CD normalization process in relation to the 5 Ambassadors arbitration proposal is the subject of evaluation.

The A5 proposal became an official CD document immediately before the beginning of this evaluation period (January 23, 2003, CD/1693). While the proposal calls for establishing an Ad Hoc Committee for each of the four important issues -- nuclear disarmament, the FMCT, PAROS, and Negative Security Assurances (NSA) -- a negotiation mandate should be given only to the FMCT Committee following the suggestions of the Shannon report, and more limited mandates should be given to the other Committees. The plan takes note of the hotly debated PAROS as follows:

“The Ad Hoc Committee of PAROS shall identify and examine, without limitation and without prejudice, any specific topics or proposals, which could include confidence-building or transparency measures, general principles, treaty commitments and the elaboration of a regime capable of preventing an arms race in outer space.”

The arbitration plan of the five former chairmen was attentive to the concerns of both the U.S. and China. However, it failed to ease the tensions in the U.S.-China relationship in a significant manner, despite the fact that most states were ready to accept it. As a result, the five ambassadors amended the proposal, referring to the possibility of concluding an international legal instrument and appealing for a consensus. The amended proposal reads as follows:

“The Ad hoc Committee (of PAROS) shall identify and examine, without limitation, any specific topics or proposals, which could include confidence-building or transparency measures, general principles, treaty commitments and the elaboration a regime capable of preventing an arms race in outer space including the possibility of negotiating relevant international legal instrument.”

This amendment improved the wording to some extent. Russia expressed its support (July 31,

2003) and China, while stating that “this newly amended mandate is still far from meeting China's position,” expressed support for the amended A5 proposal. It stated, “In order for the CD to restart its substantive work and taking into consideration the concerns of relevant sides, China would like to demonstrate flexibility once again”(August 7, 2003).

The GOJ, as exemplified by Ambassador Kuniko Inoguchi's urging both China and the U.S., with mentioning their names, to make a concession to the A5 proposal in her statement at the first CD session of this evaluation period (February 20, 2003), has actively supported the normalization of the CD based on this proposal and hoped for its realization. However, after China made its concession, the U.S. was supposed to express a constructive attitude on this matter. At that stage, Japan's role as a US ally and a country devastated by nuclear bombs became substantially important. According to the limited information available to us, we fail to see how Japan played a crucial role there.

The speech at the CD given by Ambassador Inoguchi immediately after China's concession focused on the issue of the FMCT; but she mentioned the normalization issue at the outset of the speech (August 14, 2003). Ambassador Inoguchi welcomed China's move by stating “I was also encouraged by the new flexibility that has been shown by the delegation of China on the issue of the program of work of the Conference.” Nevertheless, instead of urging the U.S. to deal with this issue in a constructive matter, she again called upon both nations to engage in discussions to make a breakthrough, calling for “China and the United States further engaging in fruitful discussion on this issue.” This attitude may not have given the impression that Japan acted fairly.

On August 21, Ambassador Inoguchi assumed the CD chairperson's post, when Japan's turn came around to take to role of chair. On September 4, Foreign Minister Yoriko Kawaguchi gave a speech at the CD, the first speech at the CD by a Japanese Foreign Minister in 12 years. Nevertheless, her speech went no further than remarking, “Japan supports any constructive efforts to break the current stalemate of the CD” and did not introduce any new element to break the situational impasse.

In the end, the deadlock concerning the

setting up of a working program in the CD was not resolved during the evaluation period. It is fair to say that the GOJ failed to exercise adequate influence over the U.S.

Behind this attitude, there seems to be an important security issue, namely that the ongoing U.S.-Japan joint Missile Defense regime, exemplified by the launch of the US Missile Defense System, is preventing Japan from taking a positive attitude on PAROS.

With regard to **Task 2**, the GOJ proposed a draft resolution at the 2003 UNGA calling for the commencement of negotiations within a year and their conclusion within five years, and received overwhelming support for it. The GOJ's intention remains the same as the previous year. The resolution proposed "the establishment of an ad hoc committee in the Conference on Disarmament as early as possible during its 2004 session ... with a view to its conclusion within five years ..." (December 8, 2003, 58/59). It was meaningful that the GOJ continued to demonstrate a proactive posture in setting a time limit for the FMCT in the UNGA, especially during a time when the CD was at a standstill. Fixing the time limit of 2004 was

appropriate, in particular, in order for the GOJ to demonstrate some achievements at the 2005 Review Conference.

In addition, it should be noted that the GOJ made proactive efforts at the CD, including the submission of a working paper making concrete proposals about the mandate on the FMCT (August 14, 2003, Later CD/1714, August 19, 2003).

As for **Task 3**, which calls for the convening of a FMCT panel of experts outside of the CD framework, Japan, Australia, and the United Nations Institute for Disarmament Research (UNIDIR) co-organized a workshop on the theme of "Promoting Verification in Multilateral Arms Control Treaties" in Geneva on March 28, 2003. The GOJ has done nothing concrete to make an inventory of fissile materials.

**As a whole, we saw a positive posture by the GOJ toward the FMCT. Though the GOJ's appeals toward the U.S. after China's concessions remain unsatisfactory, its enthusiasm for the normalization of the CD is noticeable. Therefore, we give it a B grade on this item.**

## **(4) A Program of Work to Establish a Subsidiary Body to Deal with Nuclear Disarmament in the CD**

4. The necessity of establishing in the Conference on Disarmament an appropriate subsidiary body with a mandate to deal with nuclear disarmament. The Conference on Disarmament is urged to agree on a programme of work which includes the immediate establishment of such a body.

**Task 1: Breaking the impasse of the CD is an urgent task in order for the CD to agree on a subsidiary body with a mandate to deal with nuclear disarmament. The GOJ should maintain its diplomatic independence as the country devastated by nuclear weapons and make contributions to a breakthrough.**

**Task 2: The GOJ should stress the urgency of promoting not only nuclear non-proliferation but also nuclear disarmament at a time when problems related to nuclear weapon development by Iraq, Iran and the DPRK and the possible use of nuclear weapons by terrorists are attracting international concern.**

***Task 3: The GOJ should express its opinion clearly as the country once devastated by nuclear weapons, to ensure that the subsidiary body to be established is given an effective mandate for nuclear elimination, and that, once established, the subsidiary body operates effectively.***

***Task 4: As one way to rouse international public opinion, the GOJ should make efforts to disseminate the true fact of the devastating effects of nuclear bombing at various international occasions.***

**Grade: D**

### **TASK SETTING**

#### **Task 1 (Breakthrough in the CD Impasse)**

In the five ambassadors proposal to break the impasse of the CD (CD/1693) explained in the previous section, the mandate of the Ad Hoc Committee to address the issue of nuclear disarmament is to “exchange information and views on practical steps for progressive and systematic efforts to attain this objective.” In doing so, the Ad Hoc Committee “shall examine approaches towards potential future work of a multilateral character.” It is fair to say that these contents are very inadequate to us, as we would like the committee to examine a practical process toward nuclear elimination.

If the CD cannot reach a consensus on the

working program to establish this committee; however, no further work can be done at the CD. The GOJ should act proactively to break the CD impasse, maintaining its diplomatic independence from the standpoint of a country once devastated by nuclear weapons, and the hope of the early realization of nuclear abolition.

#### **Task 2 (Appeal the Urgency of Nuclear Disarmament)**

During this evaluation period, a war on Iraq was initiated by the U.S. and U.K. on the pretext of preventing the proliferation of weapons of mass destruction (WMDs) (March 20, 2003). UN resolutions and the will of the UN Security Council, which hoped to continue inspections, were ignored.

In addition to this, nuclear non-proliferation issues, including Iran's uranium enrichment, the DPRK's nuclear weapons program, and Pakistan's pouring out nuclear technology onto the "nuclear black market," have become grave international problems.

There is no doubt that this expansion of proliferation is a grave concern and needs to be addressed with new measures; however, we are concerned by the U.S.-led moves to divert international attention to the nuclear non-proliferation issue. The speech made by John Wolf, Assistant Secretary of State of the U.S., was a typical display of this attitude. Arguing that "the Treaty is dangerously out of balance" and that, while the number of the nuclear weapons is decreasing, "the path for nuclear proliferation is spiraling upward," he stressed the need to enhance non-proliferation measures (April 28, 2003). This policy has been manifested by initiatives including President Bush's proposal on the Proliferation Security Initiative (PSI, May 31, 2003) and proposal of seven measures to counter the threat of WMDs, which was announced at the very end of the evaluation period (February 11, 2004).

The philosophy behind the aforementioned speech by Wolf is wrong. The NPT has been successful in preventing most nuclear proliferation for a long time. In spite of this, the current grave situation of nuclear proliferation has occurred because state parties have failed to legalize nuclear weapons and set up unequivocal norms towards nuclear abolition. The problems include U.S. actions including the development of new types of nuclear weapons and reduction of test readiness time for the resumption of nuclear tests, and they should be severely criticized at the same time.

Under these circumstances, the GOJ should play a role in highlighting the slowness of nuclear disarmament, which lay behind the proliferation crisis.

### **Task 3 (Strengthen the Mandate of a Subsidiary Body and Its Work)**

As was explained in Task 1, the mandates of the Ad Hoc Committee on nuclear disarmament to be established within the CD were set up quite loosely. Proactive leadership at the state level is

required to make the committee not only a mere place for the "exchange of information and views," but to bring it closer to a place of discussion and negotiations on international legal instruments like a "Nuclear Weapon Convention." Countries such as New Zealand have argued that the Ad Hoc Committee should have the authority of discussion and negotiation.

Japan, as a country once devastated by nuclear weapons, should make all possible efforts for the Ad Hoc Committee to be granted effective mandates toward the abolition of nuclear weapons at the final agreement on the CD normalization process. Once the committee is established, the GOJ should make efforts to ensure that the committee operates as effectively as possible.

### **Task 4 (Rousing of International Public Opinion by Informing People about the Real Facts of Nuclear Weapons Devastation)**

If we are to go beyond the impasse in the CD, establish an Ad Hoc committee and empower the Committee with a concrete mandate, we must create a rise in international public opinion calling for nuclear disarmament, as an important element towards this goal.

As was stated previously, the issue of nuclear proliferation and the possibility of nuclear attacks by terrorist groups have resulted in the international community's growing interest in and concerns about nuclear weapons and their means of delivery. The GOJ should appeal the urgent need to abolish nuclear weapons altogether, based on a moral position which stresses the inhumane nature of such weapons. For this purpose, the GOJ should make various efforts to inform the international public about the devastating effects of nuclear weapons at an international setting.

## **EVALUATION**

Our evaluation regarding **Task 1** was already explained in the previous section. Although the GOJ is enthusiastic about promoting the normalization of the CD, it seems to have not been able to play an effective and independent diplomatic role towards the goal of normalization, due to its policy of adopting the U.S. MD system.

On **Task 2**, the GOJ has shown two faces. On one hand, it has repeatedly stated that nuclear proliferation and nuclear disarmament are complementary to each other at multilateral conferences. This is a correct attitude. In her aforementioned speech at the CD, Foreign Minister Kawaguchi said, “Nuclear-weapon States should take seriously the fact that, to date, almost all countries have committed to renounce the option of nuclear armament under the NPT regime...Nuclear-weapon States must respond to such resolute determination of non-nuclear weapon State...by demonstrating tangible progress towards nuclear disarmament” (September 4, 2003). On the other hand, however, the GOJ has not raised a voice of unequivocal criticism against the U.S. moves towards new nuclear weapons and the reduction of test readiness time for the resumption of nuclear tests. Inversely, the GOJ swiftly supported the war against Iraq, which aimed at overthrowing the Iraqi regime with force under the name of nuclear non-proliferation, and welcomed the PSI. To anyone’s eyes, the GOJ is a determined follower of the U.S., which places “non-proliferation over nuclear disarmament.” In other words, the GOJ judges the U.S. with a double standard in terms of nuclear disarmament. Thus, we can fairly conclude that the GOJ has not been implementing Task 2.

The 2003 “Path Resolution” calls for “the establishment of an appropriate subsidiary body with a mandate to deal with nuclear disarmament in the Conference of Disarmament as early as possible during its 2004 session in the context of establishing a programme of work” and adheres to its usual stance. However, regarding the mandate of this subsidiary body, the GOJ has hardly expressed an opinion. This seems to be related to the passive “step-by-step approach“ it has taken. In other words, the GOJ has not articulated a comprehensive vision on nuclear disarmament, which should be discussed

as the next stage of negotiations for the treaty on the FMCT.

Regarding **Task 3**, as the government of a country once devastated by nuclear weapons, the GOJ should make an independent plan for efforts to inform the international community about the true facts of the nuclear devastation as a part of an international initiative towards nuclear abolition. Nevertheless, we cannot say that the government has tackled this issue on its own initiative in 2003.

On the other hand, the GOJ’s stance of supporting NGOs’ activities has remained unchanged. In 2003, the “Hiroshima Nagasaki Exhibitions,” co-organized by the cities of Hiroshima and Nagasaki, were held in Coventry, U.K. and Atlanta, U.S., with the support of local Japanese embassies. The support included sending invitations, giving information to the public, and having ambassadors or consuls attend opening ceremonies. Additionally, although the plan was eventually canceled, the GOJ announced its willingness to support the plan for holding a “Hiroshima Nagasaki Atomic Bomb Exhibition,” co-organized by Hiroshima and Nagasaki City and Hidankyo (Japan Confederation of A- and H-Bomb Sufferers Organizations) at the UN visitor’s lobby during the period of the 2004 PrepCom for the 2005 NPT Review Conference.

**As a whole, we see the efforts on the part of the GOJ on Item 4 to be unsatisfactory. Therefore, we give it a D grade on this item.**

## **(5) The Principle of Irreversibility**

5. The principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures.

**Task 1: The GOJ should demand that both the U.S. and Russia abide by the principle of irreversibility in their implementation of the Moscow Treaty.**

**Task 2: The GOJ should vigorously protest the U.S.'s neglect of the principle of irreversibility as manifested by U.S. moves such as the "reduction of test readiness time for resuming nuclear tests" and "lifting of ban on the research and development of low-yield nuclear weapons" and should strongly call upon the U.S. to observe this principle.**

**Task 3: It is reported that the GOJ asked the Bush Administration to "ignore" its international commitment to Negative Security Assurances. The GOJ should make it clear whether this is true or false, and reconfirm the importance of observing the international commitment to Negative Security Assurances.**

**Task 4: The U.S. Missile Defense (MD) has been one of the causes of the reversal of the trend in nuclear disarmament and other arms control programs. The GOJ should withdraw from its plan to adopt the U.S. MD system and terminate its cooperative technical research on MD, as well as call for the termination of the U.S. MD plan.**

**Task 5: In order to prevent the re-deployment of tactical nuclear weapons aboard ships and aircraft, Japan should codify its Three Non-Nuclear Principles into law and establish these principles as an irreversible national policy.**

**Grade: E**

### **TASK SETTING**

#### **Task 1 (Requirements for the Moscow Treaty)**

The U.S. and Russia signed the "Strategic Offensive Reductions Treaty" (Moscow Treaty, or SORT) on May 24, 2002. The ABM Treaty was abrogated, bringing an end to the Strategic Arms Reduction Treaty (START) process, with the Moscow Treaty established to replace it. However, it became obvious in the NPR that the strategic arms reduction by this Treaty have been implemented with the concept of "responsive force," which is the idea of retaining the weapons reduced under the Treaty in an active state with the possibility of future redeployment. This idea runs counter to the principle of irreversibility.

Moreover, the Moscow Treaty was a

backward step in that it invalidated the commitment to dismantling multiple warhead intercontinental ballistic missiles (ICBMs), which the U.S. and Russia had agreed to within the START II, enabling Russia to maintain them.

Therefore, the GOJ should urge the U.S. and Russia to revise the Treaty before their exchange of instruments of ratification and, after the Treaty enters into force, should appeal to them to affirm the principle of irreversibility, for example, in an additional protocol.

#### **Task 2 (Protest against U.S. Policy)**

As was explained in Step 2 "Moratorium on Nuclear Testing," an act that ignored the U.S. commitment to the principle of irreversibility was



introduced into the U.S. congress immediately before the evaluation period, as it included the “reduction of test readiness time for resuming nuclear tests,” “lifting of ban on the research and development of low-yield nuclear weapons,” and “research and development of Robust Nuclear Earth Penetrator (RNEP).” Research and development of the Nuclear Earth Penetrator will reverse the U.S.’s previous policy to not develop any new type of nuclear weapons or to grant new capabilities to nuclear weapons (cf. Item 9e). In these terms, this is a violation of the principle of irreversibility.

The GOJ should vigorously protest against these actions.

### **Task 3 (Clarify the GOJ's Policy regarding the Observance of the Commitment on Negative Security Assurances )**

All nuclear weapon states have made a commitment not to use or threaten to use such weapons against non-nuclear parties to the NPT, in the United Nations Security Council Resolution adopted on April 11, 1995 (Negative Security Assurances). Nevertheless, in the NPR and “National Strategy to Combat Weapons of Mass Destruction” (December 2002), the Bush Administration has changed its view, placing nuclear weapons as a retaliatory weapon against non-nuclear WMDs and massive conventional weapons, and neglecting its commitment to NSAs.

Against this backdrop, the GOJ, in relation to the issue of DPRK nuclear weapon program, has repeated the view, in unofficial settings, that U.S. deterrence is effective not only against nuclear weapons but also against chemical weapons. In the evaluation period, in relation to the six party talks, it was reported that the GOJ has requested that the U.S. maintain its extension of nuclear deterrence over Japan even after the DPRK abandons its nuclear weapons program and the U.S. grants NSA to the DPRK (October 30, 2003 *Kyodo News*). The GOJ must clarify the truth about this report, and reaffirm the importance of the NSA commitment.

### **Task 4 (Criticism of the MD)**

In Items 3 and 4, we have already pointed out that the U.S. MD plan has been a major cause for the impasse in the CD. It also attaches new

militaristic value to nuclear weapons by precipitating a new arms race. The “Quadrennial Defense Review” (QDR) (September 30, 2001), which serves as the basis for the U.S. NPR, advocates a newly-defined “New Triad” of defense capability which integrates MD and nuclear weapons. This kind of security structure has begun to influence other states’ nuclear strategies. The most direct influence of MD was the realization of the deployment of anti-ballistic missiles at sea, as well as in the air and outer space, due to the removal of a ban based on the ABM Treaty.

Under these circumstances, the GOJ’s launching of a Japan-U.S. cooperative research project on MD implies support for an action that puts the commitment of irreversibility in danger. This action places a great deal of strain on the East Asia security environment and has triggered a new arms race. Moreover, the Japan-U.S. cooperative research project has studied a system called a “Sea-based Midcourse Interceptor System,” which occupies a central place in the overall U.S. MD plan. This means that the joint research is going against the trend of disarmament not only in East Asia, but also throughout the world.

In terms of Japanese security policy, this technical research program violates the Japanese Diet Resolution “On the Fundamentals regarding the Development and Use of Outer Space” (May 9, 1969), as well as “the principle of irreversibility to apply to ... other arms control measures” as stipulated in this item.

Therefore, the GOJ should oppose the U.S. MD Plan and bring the Japan-U.S. cooperative research program to an end.

### **Task 5 (Prevention of Redeployment of Tactical Nuclear Weapons aboard Ships)**

In 1991 and 1992, President Bush and Presidents Gorbachev and Yeltsin agreed to measures to eliminate and withdraw tactical nuclear weapons from ships and aircraft through “unilateral reciprocal measures.” It is especially important to ensure that these measures are irreversible. Japan is a direct beneficiary of this measure because it has been liberated from suspicions regarding the introduction of nuclear weapons by U.S. ships and aircraft, at least during peacetime. It is appropriate

for the GOJ to enact the Three Non-Nuclear Principles into a binding law as a way to ensure the irreversibility of this measure in a host nation of ships and aircraft.

Chief Cabinet Secretary Yasuo Fukuda stated that “the amendment of the principles is also possible” at the press conference (May 31, 2002), and later withdrew his remarks at the Diet (June 10, 2002). In order not to ensure that there is no repetition of such an incident, the enactment of the Three Non-Nuclear Principles into law has to be achieved.

## EVALUATION

Though the principle of irreversibility was one of the most important agreements made at the 2000 NPT Review Conference, the GOJ has not shown any willingness or eagerness to respect it. Since the US abrogated the ABM Treaty in a manner that directly violates this item, the GOJ has appeared to have stopped expressing concern on the issue of irreversibility.

On **Task 1**, since the Moscow Treaty was signed, the GOJ has consistently given it high praise. For instances, on the day of the signature of the Treaty, a MOFA spokesperson made a purely positive remark and expressed the MOFA’s hope for the Treaty to “promote the international movement toward arms control, disarmament, and non-proliferation” (May 24, 2002). In the same vein, Ambassador Kuniko Inoguchi, in her speech delivered at the First Committee of the UNGA, stated, “we highly value the signing of the Treaty on Strategic Offensive Reductions between Russia and the United States, and expect that this Treaty should serve as an important step toward nuclear disarmament efforts” (October 1, 2002). The Moscow Treaty entered into force during the evaluation period. The Path Resolution proposed in the 2003 UNGA did no more than valuing it highly as “the progress...as a step for further nuclear disarmament” (December 8, 2003). This attitude forms a contrast with that of the resolution submitted by the New Agenda Coalition (NAC), which called on the U.S. and Russia to make the Treaty “verifiable, irreversible and transparent” (December 8, 2003, 58/51). This recognition by the NAC is not only

shared among a minority. At the end of the evaluation period, IAEA Director General Mohamed ElBaradei himself noted, “Recent agreement between Russia and the United States are commendable, but they should be verifiable and irreversible” (February 12, *New York Times*). The passive attitude of the GOJ is extremely regrettable.

All of the retrogressive measures in the U.S. nuclear policy described in **Task 2** have been legislated by the “National Defense Authorization Act for Fiscal Year 2004.” These include “readiness posture for resumption by the United States of underground nuclear weapons tests” (Sec. 3113), “repeal of prohibition on research and development of low-yield nuclear weapons” (Sec. 3116), and “research and development of RNEP” (Sec. 3117). In response to this fluid situation, the GOJ has acted quite dully. At the Diet, members of the Democratic Party of Japan (DPJ) repeatedly raised the “small nuclear weapon problem.” However, Prime Minister Koizumi has shown extreme indifference, revealing a lack of understanding of the current situation. At first, Prime Minister Koizumi’s reply went as far as to say, “I think that various arguments should be encouraged (in the U.S. Congress)” (December 15, 2003, the Lower House Special Committee on Iraq). In the end, Koizumi has merely repeated a bureaucratic statement that “the GOJ has urged (the U.S.) to take measures, bearing in mind that international public opinion is concerned over the possibility that the nuclear disarmament and nuclear non-proliferation regime may be negatively affected” (January 21, 2004, Lower House plenary session). He did not even call upon the U.S. to halt the program. On top of this, Koizumi’s remark referred only the “international public opinion,” and included no words about the “Japanese public opinion.” It is regrettable that this represents the reality of Japanese nuclear elimination policy, in which Japan, being a country that suffered from nuclear bombing, can only make harmless remarks to the U.S. The Japanese Diet should firmly recognize and re-examine its responsibility on this matter.

With regard to the GOJ’s response concerning granting a NSA to North Korea in **Task 3**, no official explanation has been given by the government. However, it was reported that the

situation has finally turned out the way that the GOJ preferred. On October 30, 2003, Kyodo News disclosed that, at a closed-door meeting between the U.S., ROK, and Japanese high-level officials on September 29-30, 2003, the U.S. affirmed that it would maintain its nuclear deterrence over Japan after the U.S. offers “security assurance” to the DPRK. Moreover, according to a report in *Asahi Shinbun*, the U.S. has decided not to include the “non-use of nuclear weapons” in the document related to the security assurance offered to the DPRK. Behind this move was the GOJ’s appeal to the U.S. that the provision of a negative security assurance would be an impediment to maintaining the Japanese defense posture based on the U.S.-Japan Security Treaty (November 21, 2003).

The GOJ has not referred to these U.S. moves to nullify its commitment to NSAs.

Regarding MD (**Task 4**), the GOJ moved in the opposite direction of where it should be going in this evaluation period. Instead of appealing to the U.S. to halt the program, it decided in the Cabinet to purchase the system from the U.S. and to incorporate it into its defense system (December 19, 2003). When Japan launched the US-Japan cooperative research project in 1998, the Chief Cabinet Secretary said “the transitions to the development and implementation stages...will be judged separately” (December 25, 1998). His remark is now meaningless because the GOJ has

abruptly decided to purchase the initial MD deployment system from the U.S. This decision has been widely criticized due to the fact that the MD technology has not been proven to be substantially effective.

Japan has agreed to purchase the surface-to-air Patriot Advanced Capability (PAC3) system as well as the Aegis destroyer-based Standard Missile 3 (SM3) system. In terms of irreversibility, the latter is more problematic. SM3 has the ability to intercept middle-range missiles, and is also transferable at sea. On the assumption that the U.S. intervenes in a conflict in the Taiwan Strait with force, and that Japan supports the U.S. operation, it may invite a judgment by China that Japan’s SM3 reduces Chinese nuclear deterrent in the mid-range, resulting in enhancing the capability of missiles armed with nuclear warheads (i.e. increasing the number, multiplying the warheads, and taking other counter measures). In other words, the GOJ policy may potentially promote retrogressive moves by China towards the expansion of its nuclear capability.

As for the legislation of the Three Non-nuclear Principles in **Task 5**, we did not see any change in the unenthusiastic attitude of the GOJ.

**As a whole, the GOJ has taken the issue of irreversibility lightly. We have no choice but to give it an E on this item.**

## **(6) Unequivocal Undertaking by Nuclear-Weapon States for the Total Elimination of their Nuclear Arsenals**

**6. An unequivocal undertaking by the nuclear-weapon states to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all state parties are committed under Article VI.**

**Task 1: The U.S. has initiated various programs related to nuclear weapons, based on the NPR, whose idea is premised upon the semi permanent existence of nuclear weapons. The GOJ should clearly criticize these moves, and makes efforts to raise international public opinion to demand their withdrawal.**

**Task 2: Japan should include, within its UNGA resolution “A Path to the Total Elimination of Nuclear Weapons,” contents “calling upon all nuclear weapon states to formulate their plans of action to implement their ‘unequivocal undertaking for the total elimination of their nuclear arsenals.’”**

**Task 3: The GOJ itself should formulate a plan of action to completely eliminate its dependence on nuclear weapons.**

**Grade: E**

### **TASK SETTING**

#### **Task 1 (Criticism of the U.S.’s Nuclear Program)**

The U.S. has concluded its NPR, with contents that are unworthy of a country that agreed upon an “unequivocal undertaking to accomplish the total elimination of their nuclear arsenals.” The US appears to be implementing its nuclear policy in line with the NPR recommendations step by step.

The NPR reconfirms the importance of nuclear weapons, stating that they will “play a critical role in the defense capabilities of the U.S., its allies and friends.” It goes on to stress the need to obtain new Inter-Continental Ballistic Missiles (ICBMs) by 2018, develop new strategic submarines and new submarine-launched ballistic missiles by 2029, and work toward the development of a new strategic bomber by 2040. In short, the U.S., under the NPR, plans to renew its arsenals on the assumption that nuclear weapons will continue to play a decisive role until the middle of the 21st century.

The US budgets related to nuclear

weapons have been increasing since 1995. The requested budget related to nuclear weapons for FY2004 introduced immediately before the beginning of this evaluation period, includes budgets for the aforementioned “readiness posture for resumption of underground nuclear tests,” “repeal of prohibition on research and development of low-yield nuclear weapons,” and “research and development of RNEP,” and is more than 2.2 times as large as the one for 1995. Even taking the rise in prices into account, the amount has increased by 84%. The average nuclear weapon-related budget in the era of the Cold War was \$4.2 billion, converted into 2003 dollars. The requested budget has reached \$6.4 billion, 1.5 times higher than the average Cold War budget. (This amount does not include the budget for the means of delivering nuclear weapons and command and control. Both are under the control of the Department of Defense (DoD).)

Under these circumstances, the GOJ should rigorously criticize the NPR-based idea of the semi permanent existence of nuclear weapons, as

it does not meet the “unequivocal undertaking,” and should make efforts to raise international public opinion to urge the U.S. to change its strategic policy.

### **Task 2 (Call for a Plan of Action)**

The GOJ’s proposal of a new draft resolution entitled “A Path to the Total Elimination of Nuclear Weapons” at the UNGA in the autumn of 2000 was significant, as it allowed the GOJ to include a request for an implementation plan of the “unequivocal undertaking” for the elimination of nuclear weapons. This proactive initiative was welcomed. The GOJ should now repeat concrete attempts to push the nuclear weapon states, with contents that are worthy of the title of the resolution, towards the implementation of the “unequivocal undertaking.”

One of the essential requirements to be included in the resolution is a demand that the nuclear weapon states formulate “plans of action for the implementation of the total elimination,” as a next step, since they have already committed themselves to the “unequivocal undertaking.” The plans of action could be different for each nuclear weapon state, and therefore it would be realistic to include, in the draft text of the Path Resolution, contents that merely request them to formulate and submit plans of action for the implementation of the “unequivocal undertaking.” The Path Resolutions submitted for far have not included such contents. The GOJ should include this contest for the first time in the Resolution.

### **Task 3 (Total Elimination of Dependence on Nuclear Weapons)**

The task of achieving the total elimination of nuclear arsenals is not only one for the NWSs themselves but also for states such as NATO members, Japan, Australia and the ROK, in which the dependence on nuclear weapons is an important part of their respective security policies. Since the adoption of the “unequivocal undertaking to accomplish the total elimination of nuclear arsenals,” nuclear-dependent states have also made an “unequivocal undertaking” to totally eliminate their dependence on nuclear weapons. Therefore, the nuclear-dependent states should formulate plans of

action for the implementation of such unequivocal undertaking. Japan ought to play a leading role in this movement.

## **EVALUATION**

With regard to **Task 1**, we have already reviewed in previous sections that the GOJ has not acted against the new progress made by the U.S. Congress towards the legislation of nuclear weapon programs. Another alarming move during the evaluation period was the allocation of budget for drawing up plans for a new production facility for the central part of nuclear warheads, called the “pit,” as a primary plutonium explosion activator, or “modern plutonium pit facility (MPF).” This is an initiative to build up production capacity for 450 pits per year, which is almost equal to that during the Cold War era. With this, the possibility of the production of new types of nuclear weapons must be taken into consideration.

Against these moves, which are contrary to the “unequivocal undertaking,” the GOJ has turned a blind-eye, and has demonstrated no posture to tackle the problem at all.

As for **Task 2**, the Path Resolution adopted at the 2003 UNGA (December 8, 2003, 58/59) has shown no improvement compared with that of the previous year. In spite of the fact that the proposal of the Path Resolution began based on the agreement in the 2000 NPT Review Conference, its treatment of the “unequivocal undertaking” has been minimum. This attitude has not changed during the evaluation period, though the trend of making light of the “unequivocal undertaking” has gotten even worse among some states, mainly the U.S. There is no question, therefore, of the GOJ requesting “an implementation plan” as proposed in Task 2, and we cannot see any change in the GOJ toward a posture to bring the “unequivocal undertaking” into focus

What’s more, in regards to **Task 3**, the GOJ has shown no signs of even being aware that the “unequivocal undertaking” is an issue on which it must act on its own.

**As a whole, it is regretful that the GOJ has made little effort to fulfill the tasks under circumstances where the “unequivocal undertaking” is often**

**neglected. Thus, we give the GOJ an E.**

## **(7) The Preservation and Strengthening of the ABM Treaty and the Promotion of the START Process**

7. The early entry into force and full implementation of START II and the conclusion of START III as soon as possible while preserving and strengthening the Treaty on Limitation of Anti-Ballistic Missile System as a cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons, in accordance with its provisions.

**Task 1: The ABM Treaty has been abrogated and the START process has collapsed. Now is the time for the GOJ to explicitly criticize the defects of the current framework consisting of the Moscow Treaty and Missile Defense. In addition, the GOJ should make efforts to improve the cooperative relationship between the U.S. and Russia and formulate a new U.S.-Russia framework to promote the abolition of nuclear weapons.**

**Grade: E**

### **TASK SETTING**

#### **Task 1 (Efforts for Formulating a New U.S.-Russia Framework to Promote Nuclear Disarmament)**

As a result of unilateral action by the U.S., the ABM Treaty was abrogated and became void (June 13, 2002). Then, in a situation where Russia was compelled to follow the U.S. policy, the new Moscow Treaty was concluded and entered into force in this evaluations period (June 1, 2003). This course of action has led to a practical deterioration of the START process. Therefore, in spite of the fact that the state parties to the NPT have agreed upon “the early entry into force and full implementation of START II and the conclusion of START III as soon as possible while preserving and strengthening the Treaty on Limitation of Anti-Ballistic Missile System” as the seventh of the 13 steps, the premise has collapsed. This resulted from the U.S.’s unilateral action, which trampled upon one of the imperative steps of the 13 in the agreement.

The 13 steps, by their nature, were not considered to be paramount measures. They were achieved, in a sense, as a “result of the

compromise,” which allowed the state parties to reach a consensus even under the political circumstances existing at the time. Therefore, the implementation of these steps carries great weight regardless of the numerous defects contained in the 13-step agreement. Since governments have agreed upon these measures, we can adopt the methodology of setting a series of tasks in each step and evaluating the GOJ’s implementation efforts on each task. Accordingly, when the premise of the agreement deteriorates, our attempt to evaluate the GOJ’s efforts needs to be extended into the area which was not assumed earlier.

In concrete terms, concerning this particular Item, 7, this Report faces the question of how the state parties to the NPT will position the current situation of the framework, consisting of the Moscow Treaty and MD depicted in the NPR, at the 2005 Review Conference. This question relates to an extremely grave and intricate international issue involving the dynamics of the international environment brought about by the U.S. and U.K.-led war on Iraq. To predict a point of

agreement that the state parties will reach in the 2005 NPT Review Conference or to make meaningful recommendations is beyond the methodology we take in this Report.

Therefore, the 2003 Report excluded this item from the evaluation objectives. We explained that the lack of GOJ efforts to maintain the ABM Treaty and the START processes were reflected in the same section of the 2002 Report as well as in Item 5 entitled “The Principle of Irreversibility” in the 2003 Report. Moreover, the defects of the Moscow Treaty and the danger of MD have been addressed and evaluated in other sections concerning irreversibility and PAROS.

On the other hand, if we take the comprehensiveness of the 13 steps into consideration, it is true that Item 7 is only one that refers to nuclear disarmament schemes set by the U.S.-Russia bilateral agreement. Thus, from this perspective, the state parties to the NPT must maintain an interest in creating a “new positive framework” between the U.S. and Russia. As the 2005 NPT Review Conference approaches, the concrete content of a “new positive framework” is becoming an issue.

From this point of view, the GOJ’s task is defined as contributing to the construction of a U.S.-Russia relationship that promotes nuclear abolition. As a premise, moreover, the GOJ should clearly express a negative view of the current framework formulated unilaterally with the Moscow Treaty and MD.

## EVALUATION

For the first half part of the **Task 1**, as was explained in Item 5 entitled “the Principle of Irreversibility,” the Moscow Treaty is a violation of the principle, opening the way for the re-deployment of nuclear warheads which are once removed. Moreover, there are a number of defects, including the lack of a verification system, a slower pace in arms reduction compared with that of START III (c.f. Item 9a, Task 2), and the absence of an obligation to dismantle delivery systems. Furthermore, as was

stated in the sections regarding the CD in Item 3 and 4, the MD invites a new military expansion and leads to a number of problems in the arms control sphere. The issues that have been raised include the needs for legal instruments to ban the deployment of weapons in outer space, and needs for addressing the issue of not only non-proliferation but also the disarmament of missiles.

As was stated previously, the GOJ has valued the Moscow Treaty highly and never pointed to its problems. In addition, on the MD, the GOJ has not only carried out the U.S.-Japan cooperative research project, but has also decided in the Cabinet to purchase an initial deployment system from the U.S. and to incorporate it into the Japanese defense posture (December 19, 2003). In all cases, the GOJ has played the role of throwing a wet blanket over the premise of promoting a U.S.-Russia relationship that is favorable for nuclear abolition.

More importantly, due to the GOJ’s immediate support and involvement in the U.S. and U.K.-led war on Iraq, which ignored the UN system, the GOJ has left a negative legacy in its international relations in the future. These actions are dangerous because they may degrade forums for multilateral negotiation into mere places utilized by the superpowers as is convenient for them. Moreover, the GOJ’s actions may lead to increased tension in the U.S.-Russia relationship in the future. The GOJ’s efforts are absolutely contrary to ones that could create an environment advancing nuclear abolition.

**As a whole, the GOJ’s policy to support the war against Iraq was extremely regretful. Moreover, the GOJ has never expressed its objection to the Moscow Treaty’s violation on the “Principle of Irreversibility.” Thus, we give the GOJ an E.**



## **(8) The Completion and Implementation of the Trilateral Initiative between the US, Russia and the IAEA**

**8. The completion and implementation of the Trilateral Initiative between the United States of America, the Russian Federation and the International Atomic Energy Agency.**

***Task 1: Japan should lend its support to the Trilateral Initiative from the perspective of enhancing the verification system with transparency against nuclear weapon states (NWSs).***

**Grade: D**

### **TASK SETTING**

#### **Task 1 (Support for the Trilateral Initiative)**

The Trilateral Initiative was launched in 1996 to deal with the excess fissile materials produced as a result of nuclear arms reductions by the U.S. and Russia. Under it, the two countries agreed to work with the IAEA to ensure that these materials were not used for weapons again. If this system is fully established, it could be applied to other nuclear-weapon states, and consequently has deep significance for the total elimination of nuclear weapons under Article VI of the NPT.

IAEA Director General Mohamed ElBaradei noted to the IAEA General Conference that the preparatory work of the Trilateral Initiative has largely been concluded (September 16, 2002). He reported that the US, Russia and the IAEA have agreed that the technical solutions developed under that initiative were sufficient to allow the IAEA to verify all forms of fissile materials without disclosing sensitive information. He also reported that preliminary estimates of verification costs were made, and a legal framework for this verification was developed. Nevertheless, since then, some disagreements between the parties over the actual implementation of the verification system have remained unsolved, preventing the placement of fissile materials under the IAEA verification system.

The establishment and implementation of

the Trilateral Initiative are crucial tasks, since it is an international verification system with transparency on NWSs. As it promotes the further progress of the disarmament process between the U.S. and Russia, this measure is essential to strengthen the international non-proliferation regime. The GOJ should play an active role in promoting this process.

### **EVALUATION**

Despite the fact that the participants have largely reached agreement, there has been no practical progress on the Trilateral Initiative in the evaluation period. In the 2003 IAEA General Conference, IAEA Director General ElBaradei stated that, although the legal framework developed was ready to be used as the basis for the implementation of the verification system, “we (IAEA) have yet to receive a request by either of the two States” (September 15, 2003).

As for **Task 1**, Japan’s Path Resolution has not specifically touched upon the issue of the Trilateral Initiative. This may be interpreted as meaning that the GOJ opposed the initiative, but, it can also be surmised that the contents related to this Item were combined with the tenth item of the 13 steps, which calls on all the nuclear-weapon states to make similar efforts. However, it is important to

have the IAEA verify the US-Russia nuclear disarmament process, especially under the circumstances where the Moscow Treaty does not provide for a verification system of the implementation of the Treaty.

The GOJ has actively supported Russia in its control and dismantlement of nuclear materials;

however, the aim of this plan is different from that of the Trilateral Initiative, which is to ensure the irreversibility of nuclear weapons reduction.

**As a whole, the GOJ's work has been insufficient. Thus, we give it a D.**

## **(9) “International Stability” and the “Principle of Undiminished Security for All”**

**9. Steps by all the nuclear-weapon states leading to nuclear disarmament in a way that promotes international stability, and based on the principle of undiminished security for all:**

***TASK 1: The GOJ should not use, nor let others use, the “promotion of international stability” or the “principle of undiminished security for all” as reasons for delaying the process of nuclear disarmament.***

**Grade: D**

### **TASK SETTING**

#### **TASK 1 (Preventing Misuse)**

The ninth item contains six steps to be taken, 9a to 9f. Nonetheless, they are covered by a blanket policy, which includes “international security” and the “principle of undiminished security for all.” In negotiation processes, the nuclear-weapon states favored the phrase “strategic stability” as an omnibus term to cover the ninth item. However, the New Agenda countries and others found this to amount to a recognition of the balance of nuclear weapons, and insisted on the wording “international stability.”

In the same way, however, nuclear deterrence and balance of power can be used as a basis for opposing nuclear disarmament through the “principle of undiminished security for all.” For example, many within the Japanese government argue that “the U.S. policy of first-use of nuclear weapons is a necessary deterrent against threats posed by the DPRK.” This is one example of a government resisting steps towards nuclear disarmament with the excuse that those steps might diminish the state’s security.

Rather, “international stability” and “undiminished security for all” should be put forward in such a way that they will be created and maintained through the

promotion of nuclear disarmament by taking steps such as nuclear arms reduction, lowered alert status, enhanced accountability for nuclear weapon stockpiles, the reduction of dependence on nuclear weapons by means such as no-first-use, confidence building, and the promotion of compliance with existing agreements.

### **EVALUATION**

Throughout the evaluation period, the GOJ’s diplomatic policy has placed great weight on the US-Japan security alliance. If we look back the course taken by Japan so far -- the launching of the war on Iraq (March 20, 2003), the adoption by the Cabinet of “the Humanitarian Relief and Iraqi Reconstruction Special Measures Law” (December 9, 2003), and the dispatch of the Self Defense Forces were following the approval of the Diet (February 9, 2004) – it is obvious that the center of Japanese diplomatic policy has been military cooperation for the war in Iraq. Although the objective for sending Self-Defense Force is explained as being humanitarian assistance, everything has been carried out in the context of “a relationship of mutual trust” between the U.S. and Japan. At the end of the evaluation period, Prime Minister Koizumi went as far as to mention that the U.S.-Japan security alliance is more dependable than Japan’s relation to the UN, saying “I don’t think that the United

Nations will launch UN forces to fight for Japan and to protect us from an act of aggression,” and “Japan-US Security Treaty was concluded because Japan by itself cannot ensure its peace and safety” (January 27, 2004).

These remarks represent the idea that Japan’s security can be protected by U.S. military power, rather than through forums of multilateral negotiation. As we all know, the zenith of U.S. military power is nuclear weapons. If Japan continues to place a higher priority on maintaining a favorable relationship with the US rather than promoting nuclear disarmament from this standpoint, it will go against the objectives of Item 9.

In discussions with NGOs, MOFA officials have often stated, “it will be no use to eliminate nuclear weapons if the country is lost and gone.” This is also a manifestation of the notion of prioritizing Japan’s security over the abolition of nuclear weapons. It appears that the GOJ is not convinced that it is precisely nuclear disarmament that will reduce international tensions and contribute definitely to Japan’s security

**As a whole, we give the GOJ a D grade on this item.**

## **(9a) Unilateral Cuts of Nuclear Arsenals**

**9a. Further efforts by the nuclear-weapon states to reduce their nuclear arsenals unilaterally.**

**Task 1 : The GOJ should call upon the U.S. and Russia to unilaterally dismantle weapons which are subject to reduction in the Moscow Treaty.**

**Task 2 : The GOJ should make an independent examination and speak out on issues such as enhancing the speed of the U.S. and Russia's reduction of nuclear arms by unilateral means, non-strategic arms reduction, and unilateral cuts by nuclear-weapon states other than the U.S. and Russia**

**Grade: D**

### **TASK SETTING**

#### **Task 1 (Unilateral Dismantlement of Reduced Nuclear Warheads by the U.S. and Russia)**

As we have already reviewed in Item 5 “the Principle of Irreversibility,” the U.S. and Russia have agreed in the Moscow Treaty (concluded on June 1, 2003) to reduce the number of operational nuclear warheads to a range between 1,700 and 2,200 by 2012. Nevertheless, it has become more apparent that the U.S. is pursuing a policy to retain many warheads as responsive forces. This may induce Russia to retaliate using the same measure. Thus, warheads are not being “reduced” in the true sense of the word.

The GOJ should call upon both the U.S. and Russia to unilaterally dismantle warheads that are subject to reduction in the Treaty. The U.S. in particular should be pressured, given its explicit policy of retaining them. The GOJ should call upon both the U.S. and Russia to observe the principle of irreversibility in the process of ratification of the Moscow Treaty and, after its entry into force, on the additional protocol (c.f. Item 5).

#### **Task 2 (Reduction Speed, Reductions by States Other than the US)**

The speed of the cuts under the Moscow Treaty for the reduction of warheads is slower than that under the START III Treaty that was agreed to

between Clinton and Yeltsin in Helsinki (March 21, 1997). START III aimed to reduce the number of warheads down to a range between 2,000 and 2,500 by 2007. If we count the number of warheads following the same method adopted in the Moscow Treaty, then the numerical value of 2,000-2,500 warheads could be calculated as 1,700-2,200. This is exactly the same number that was presented in the Moscow Treaty. The GOJ should call upon both states to accelerate the speed of the cuts through unilateral measures. .

The unilateral measures that may be taken should not be limited to strategic reductions. It is non-strategic nuclear weapons that are most likely to be used; and thus their unilateral reduction is important in the context of regional security. This will be further analyzed in Item 9c.

Moreover, the U.S. and Russia could take unilateral measures such as the relaxation of the alert status of their nuclear defense systems, and the early retirement of warheads to be reduced under the Moscow Treaty. The U.K., France and China, by taking unilateral measures, should also contribute to the promotion of nuclear disarmament. In particular, China is the only nuclear weapon state that has not yet announced any measures for disarmament. It is hoped that China will make new efforts in this area.

The GOJ should independently examine methods for unilateral disarmament and make its findings available to the international community.

## **EVALUATION**

With regard to both **Task 1 and 2**, the GOJ did no more than to welcome the Moscow Treaty without criticizing its shortcomings. Nor has

it showed any concern for delays in the reduction of warheads in comparison to those that were agreed to between Presidents Clinton and Yeltsin.

**We give a D grade to the efforts by the GOJ on this issue.**

## **(9b) Increasing Transparency**

9b. Increased transparency by the nuclear-weapon states with regard to the nuclear weapons capabilities and the implementation of agreements pursuant to article VI and as a voluntary confidence-building measure to support further progress on nuclear disarmament.

**Task 1 : The GOJ should call upon the U.S. to increase the transparency of its national nuclear weapons research institutes in order to clarify the facts about its ongoing research and development (R&D) activities for new types of nuclear weapons as well as other future R&D plans for strategic weapons.**

***Task 2: Along with its call on the U.S. to increase transparency, the GOJ should call upon China to increase the transparency of its current nuclear arsenal and nuclear posture.***

***Task 3: The GOJ should promote the formation of an inventory and reporting system regarding nuclear weapons, relevant nuclear materials, and delivery systems, both on the global and Asia Pacific regional level.***

**Task 4: The GOJ should call upon the U.S. to abandon its policy of “neither confirm nor deny (NCND).”**

**Grade: E**

### **TASK SETTING**

#### **Task 1 (Examination of Nuclear Weapons Research Institutes in the U.S.)**

The legislative measures submitted to the U.S. Congress, including “reduction of readiness time for resumption of nuclear weapons tests,” “repeal of prohibition on research and development of low-yield nuclear weapons,” and “research and development of RNEP,” have incurred much anxiety and suspicion over U.S. nuclear policy. Why is the U.S. reducing its readiness time for the resumption of nuclear tests, while it has pledged itself to adhere to the testing moratorium commitment? What kind of nuclear warheads is the U.S. attempting to study through the repeal of prohibitions on research on low-yield nuclear weapons? To what degree is the U.S. attempting to reduce the yield of nuclear weapons and collateral damages? Needless to say, these attempts should not be permitted; on top of this, the opacity of these programs has also contributed to the destabilization of the world.

In order to reduce negative influences from U.S. nuclear policy, the GOJ should appeal to the U.S. to increase the transparency of its national nuclear weapons research institutes.

#### **Task 2 (Appeal to China)**

Very little information is publicly available regarding the specifics of China's nuclear arsenal and policy. This has been one of the reasons for Japan's unsubstantiated fear of a nuclear threat from China, and has impeded any healthy discussion on East Asian nuclear security issues.

As long as Japan remains dependent on US nuclear deterrence, however, its appeals to China to increase the transparency of its nuclear arsenals will remain unpersuasive. Though it is imperative for the GOJ to abandon the above policy, it is also imperative for it to persistently call upon China to increase transparency. The GOJ should fulfill this task in correlation with Task 1, which calls upon the

U.S. to improve the transparency of its national nuclear weapons research institutes. This task could be a theme to be discussed at the annual “Japan-China Consultations on Arms Control, Disarmament and Non-Proliferation” conference.

### **Task 3 (Inventory Formation)**

Increasing transparency regarding nuclear weapons and nuclear materials is a task both for the world as a whole and for this region.

The crucial global task is to require all states concerned to give annual reports with full records of nuclear weapons, nuclear weapon usable materials, and delivery systems. Not only will these data be necessary when working to achieve the elimination of nuclear weapons, but will form the foundation for confidence-building in the process toward the goal. The data should be submitted as reports to the NPT Review Conferences and their Preparatory Committees. One way to do this would be for the UN Department of Disarmament Affairs to provide a type of standardized report.

To promote the confidence building and disarmament necessary for peace in Northeast Asia, it is vital to increase transparency regarding the deployment and operational status of nuclear weapons in the region. The GOJ should make efforts to increase the transparency of the nuclear arsenals of China, the Russian Pacific region and the U.S. Pacific region, as well as their delivery systems. This task will be essential for any project to establish a nuclear weapon-free zone (NWFZ) in Northeast Asia.

### **Task 4 (Call for the Abandonment by the US of NCND)**

The US policy of “neither confirm nor deny” (NCND) has been a major obstacle to increasing transparency. Actually, because of the NCND policy, Japanese citizens have retained suspicions that nuclear weapons are being introduced into their country on U.S. ships and aircraft. It is imperative that the GOJ demand that the U.S. change its NCND policy. Such an action would also be significant in terms of encouraging independent efforts by municipal governments, including the “Kobe Initiative” to protect the “Three Non-nuclear Principle.”

## **EVALUATION**

Regarding **Task 1**, increasing the transparency of the U.S. national nuclear weapons research institutes has been a growing international concern, in relation to the issues of the resumption of nuclear testing and development of new types of nuclear weapons. However, the GOJ has not shown any concern.

MOFA officials have often made remarks on **Task 2**, which stresses the necessity to increase the transparency of nuclear weapons possessed by China. However, the GOJ’s appeals to China will remain unpersuasive as long as it fails to challenge the U.S.’s position on the issue – as has already been touched upon in the course of discussing Task 1. Japan’s Delegation, represented by Ambassador Amano, and China’s delegation discussed security issues in the “Japan-China Consultations on Arms Control, Disarmament and Non-Proliferation” talks that were held in Beijing on August 14, 2003. It was reported that the GOJ called upon China to increase its transparency at these talks. China later released a white paper on the prevention of proliferation (December 3, 2003). This was a step forward, but the Chinese initiative is considered to be a response to pressure on proliferation from the U.S. In order to have China increase its transparency in response to pressure on disarmament from the GOJ, the GOJ policy toward the U.S. becomes an issue.

As for inventory formation under **Task 3**, we could not observe any interest from the GOJ.

Regarding **Task 4**, the situation has not changed where municipal governments are often unable to persuade their citizens by simply citing the GOJ’s explanation saying “we did not receive offers for prior consultation; therefore, there are no nuclear weapons aboard US naval vessels.”

These initiatives are evidence that the lack of transparency resulting from the U.S. NCND policy has aroused a sense of insecurity among Japanese citizens. Moreover, considering the responses by China and the DPRK to U.S. military forces in the region, the NCND policy is definitely increasing tensions in the region. Nevertheless, the GOJ has failed to ask the U.S. to change its NCND policy.



As a whole, efforts by the GOJ to urge transparency in response to U.S.

moves, including its research on new types of nuclear weapons, have not been observed. Therefore, we give it an E grade.

## **(9C) Reduction in Non-Strategic Nuclear Weapons**

**9c. The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process.**

**Task 1: The GOJ should oppose R&D activities for new types of non-strategic nuclear weapons, such as earth penetrating nuclear weapons. The GOJ should oppose moves of this kind expected in Russia.**

**Task 2: The GOJ should support the resolution on non-strategic nuclear weapons proposed by the New Agenda Coalition (NAC) at the UNGA.**

***Task 3: The GOJ should support calls on the U.S. to withdraw its nuclear weapons from NATO countries.***

***Task 4: The GOJ should call on the U.S. to make unilateral cuts in nuclear cruise missiles, and call on China to make unilateral cuts in tactical nuclear weapons.***

**Task 5 :The GOJ should call on the U.S. to abandon its NCND policy.**

**Grade: E**

### **TASK SETTING**

#### **Task 1 (Oppose New Types of Non-Strategic Nuclear Weapons)**

There is growing concern that both the U.S. and Russia will increase their dependence on non-strategic nuclear weapons, including the possibility of the development of new types of nuclear weapons. Both “robust nuclear earth penetrators (RNEP)” and “low-yield nuclear weapons,” submitted as an agenda to the U.S. Congress immediately before the evaluation period, are non-strategic nuclear weapons that have been pursued in this new strategic environment. Non-strategic nuclear weapons, furthermore, are highly likely to be actually used in the war on terrorism. Russia, on the other hand, has shown a tendency to balance its weak conventional forces resulting from economic hardship with a dependency on non-strategic nuclear weapons. In addition to that, it is predicted that there will be moves in Russia to follow the development of new nuclear capabilities, as indicated in the U.S. NPR.

The GOJ should pay heed to these new and dangerous tendencies related to non-strategic nuclear weapons and express its intention to oppose

both actions taken by the U.S. and Russia.

#### **Task 2 (Support for NAC Resolution)**

Reflecting the growing urgency to reduce non-strategic nuclear weapons, the NAC emphasized at the 2002 NPT PrepCom that a “further reduction of non-strategic nuclear weapons should be a priority” (April 5, 2002). At the UNGA in fall of the same year, the NAC proposed and allowed the adoption as an independent resolution, “Reduction of non-strategic nuclear weapons” (57/58, adopted November 22, 2002) separately from “Towards a nuclear-weapon-free world: the need for a new agenda,” a resolution the NAC submits every year. States that rely on the U.S. nuclear deterrent, including NATO members and Japan, all abstained on the NAC resolution on non-strategic nuclear weapons. It is reported that these state submitted to the diplomatic pressure of the U.S.

The GOJ should vote for the NAC resolution, “Reduction of non-strategic nuclear weapons.”

### **Task 3 (Removal of Tactical Nuclear Weapons Deployed in NATO)**

The deployment of nuclear weapons in NATO by the U.S. is unique in that they are the only nuclear weapons in the world that are deployed on land outside of a nuclear weapon state's territory. This may constitute a destructive precedent that could lead other nuclear weapon states, especially Russia, to deploy their tactical nuclear weapons on soil outside their territories. International public opinion calling for their withdrawal should be raised.

### **Task 4, 5 (Call for the Abandonment of the US NCND Policy)**

The issue of tactical nuclear weapons is of particular importance to the Japanese government in terms of easing regional tensions and advancing regional security in East Asia. It would be beneficial for Japan, in seeking to ease tensions and promote the denuclearization of the region, to call for a reduction in U.S. nuclear cruise missiles, since they could be brought into Japanese ports aboard U.S. nuclear powered submarines in emergency situations. While pursuing such efforts, it would be effective to call upon China to reduce its tactical nuclear weapons. At such a time, the need for the U.S. to abandon its NCND policy should be addressed again to ensure transparency.

## **EVALUATION**

Regarding **Task 1**, we have already discussed the issue in Item 5 ("Principle of Irreversibility") and Item 6 ("Unequivocal Undertaking"). The GOJ has dealt with the situation extremely insufficiently.

There have also been some moves in Russia during the evaluation period that should be seen with grave concern. Against the backdrop of the Russian political situation, where people were watching the next presidential election, Defense Minister Sergei Ivanov announced a "Guide for Russia's Military Modernization." It was reported that the possibility of using non-strategic nuclear weapons in regional conflicts was examined in the document.

This document was not a "military

doctrine" as has been reported by some media. It was later confirmed that the Russian military doctrine had not changed since 2000. However, the document seems to have been influenced by new lines of thought that appeared in the U.S. NPR and the first strike strategy. Moreover, the document revealed that the utilization of non-strategic nuclear weapons has actually been examined in the new strategic environment in Russia. The GOJ has not taken any actions against these Russian moves.

The NAC resolution mentioned in **Task 2** was again proposed to and adopted by the 2003 UNGA (November 22, 2003). It claimed to accord a higher priority to the reduction of non-strategic nuclear weapons, while setting forth the principle that the reduction of non-strategic weapons constituted an integral part of the nuclear disarmament process and that reductions had to be carried out in a transparent and irreversible manner.

The resolution also called for the formalization of the presidential nuclear initiatives that were arranged unilaterally by the presidents of the U.S. (Bush) and Russia (Gorbachev, Yeltsin) in 1991 and 1992 into legal instruments, urged the enhancement of special security and physical protection measure of non-strategic nuclear weapons, and called upon the NWSs not to develop new types of weapons.

It is regrettable that Japan and the NATO member states again abstained on this resolution. The MOFA has actually shown an interest in reducing non-strategic nuclear weapons. The "Path Resolution" continuously calls for "the further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process." Nevertheless, the GOJ has neither provided positive support to the New Agenda movement nor taken any concrete steps on its own. We cannot help but feel that the MOFA's rhetoric and actions are not mutually consistent.

With regard to **Task 3**, the GOJ took no new action to fulfill the task.

Though **Task 4 and 5** are familiar to people in Japan, the GOJ had done nothing to see to their completion.

**Though the importance of the**

reduction of non-strategic nuclear weapons is increasing, the actions taken by the GOJ have remained formalized and

extremely insufficient. Thus, we give the GOJ an E grade on this item.

## (9d) Reducing Operational Status

9d. Concrete agreed measures to further reduce the operational status of nuclear weapons systems.

**Task 1: The Bush Administration's "Preemptive Strike Strategy" as well as the idea of lowering the threshold between nuclear and non-nuclear weapons, has brought about a change which made the operational status of nuclear weapons more dangerous. The GOJ should vigorously criticize the U.S. position.**

**Task 2: The GOJ should emphasize the de-alerting of all strategic nuclear arms.**

**Grade: E**

### TASK SETTING

#### Task 1 (Criticism of the Preemptive Strike Strategy)

The U.S. DOD's 2002 Annual Report to the President and the Congress (August 15, 2002) attracted attention by explicitly stating that [the U.S. is to use] "all elements of national power" against its adversaries and that "defending the United States requires prevention and sometimes preemption."

This policy has been supported by a more fundamental document for national strategy. The White House in its "National Security Strategy" report explicitly endorsed preemptive strikes in its "war on terror." This statement received a great deal of media coverage. The document also announced that "we [the US] will not hesitate to act alone, if necessary, to exercise our right of self-defense by acting preemptively..."

The preemptive strike strategy was stressed repeatedly in a white paper entitled, "National Strategy to Combat Weapons of Mass Destruction" (December 2002) As mentioned earlier (p.16), it has become apparent that the strategy is based on the "National Security Presidential Directives 17" (NSPD 17) (May 2002).

Meanwhile, the NPR does not distinguish between nuclear and non-nuclear weapons, integrating them into one of the three legs of the

"New Triad" of defense capability. William Arkin, a renowned military analyst, warned that "the danger is that nuclear weapons – locked away in a Pandora's box for more than half a century – are being taken out of that lockbox and put on the shelf with everything else" (*Los Angeles Times*, January 26, 2003). As he warned, the NPR lowered the threshold between nuclear and non-nuclear weapons. Moreover, in order to incorporate the flexibility to use nuclear weapons easily, the NPR stresses the importance of a much more flexible and rapid "Adaptive Planning." In short, it stresses the importance of a plan to address small-scale contingent threats rather than to prepare for large-scale all-out nuclear war as in the Cold War era.

The "preemptive strike strategy," combined with "lowered threshold between nuclear and non-nuclear weapons" has made the "operational status of nuclear weapons" an extremely dangerous one.

Under the circumstances where combat has dragged on in Afghanistan and a war on Iraq was initiated, the GOJ should indicate the dangerous transformation related to the "operational status on nuclear weapons" and criticize it rigorously.

The GOJ should warn against and criticize this dangerous change in the operational status of the U.S.'s nuclear weapons system brought

about by this preemptive strike strategy.

### **Task 2 (Call for De-Alerting)**

President Bush, in announcing the U.S. withdrawal from the ABM Treaty on December 13, 2001, repeated the claim that the hostile relationship of the Cold War era no longer exists: “Neither does the hostility that once led both our countries to keep thousands of nuclear weapons on hair-trigger alert, pointed at each other.” This statement is at least an unintended confession by President Bush that the hair trigger alert is anachronistic. Today, there is no reason for such a high alert status to be continued. Moreover, the maintenance of a hair trigger alert system inevitably increases the risk of the accidental launch of nuclear missiles.

The GOJ should call upon all nuclear weapon states to adopt “de-alerting” measures.

## **EVALUATION**

Preemptive strikes against Iraq were exercised by the US and UK during this evaluation period. If Iraqi forces had used WMD, the U.S. strategic policy might have allowed its forces to use nuclear weapons. Under these circumstances, regarding **Task 1**, the GOJ was in a position to stress the danger related to the operational status of nuclear weapons and to express unequivocal opinions about it.

However, during this period, the GOJ did not speak out in a way befitting the government of a country once devastated by nuclear weapons. Instead, it promptly accepted the preemptive military actions taken by the U.S. and U.K. and showed its eagerness to make its “contribution” by sending troops to Iraq.

The US argued against the argument that it had lowered the threshold between nuclear and non-nuclear weapons. For example, the “information paper” submitted by the U.S. to the 2003 NPT PrepCom stated, “the United States has not lowered the threshold for nuclear weapons use.” The paper said that, due to the strengthening of non-nuclear forces in the area of high-accuracy and precision strikes, “the result is an increase in the threshold for nuclear use” (May 1, 2003). At any rate, the underlying idea has indeed been shifted to the level where the matter is “which is more effective for destroying a target” in making the distinction between nuclear and non-nuclear weapons. This idea is reflected in actions such as development of the nuclear earth penetrator.

On the issue of alerting in **Task 2**, Bruce Blair, president of the Center for Defense Information, and an expert on this issue, recently stated that the both U.S. and Russia are still keeping thousands of missiles in a hair-trigger posture (January 29, 2004, Nuclear Policy Research Institute). The MOFA has shown an interest in discussing the issue of de-alerting and has acknowledged that it was studying concrete proposals to be made within the Ministry on this issue; however, it has not made any further proposals since then.

**As a whole, the GOJ has failed to give warnings about the danger precipitated by the U.S. preemptive strike strategy, and has even accepted this strategy in the war against Iraq. The GOJ has failed to make efforts on de-alerting as well. Therefore, we give it an E grade.**

## **(9e) A Diminishing Role for Nuclear Weapons in Security Policies**

9e. A diminishing role for nuclear weapons in security policies to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination.

**Task 1: The GOJ should vigorously protest against U.S. moves to assign a new role to nuclear weapons instead of diminishing the role, and to attempt to put such ideas into practice. The GOJ should also make efforts to prevent similar moves by Russia.**

**Task 2: By 2005, Japan should eliminate dependence on nuclear weapons from its defense policy. It should formulate an action plan to achieve this. As a part of this, Japan should end its policy of dependence on nuclear deterrence in the review process of its National Defense Program Outline.**

**Task 3: Japan should explicitly deny the argument in favor of its nuclear armament, presenting the grounds for this argument.**

**Task 4: Japan should, as soon as possible, issue a political declaration to work for the establishment of a nuclear weapon-free zone in Northeast Asia. In the declaration, Japan should also call on North Korea to halt its nuclear weapons development plan.**

**Task 5 : Japan should aim to enact its own "Non-Nuclear Law."**

**Grade: E**

### **TASK SETTING**

#### **Task 1 (Criticism of New Types of Nuclear Weapons)**

The NPR emphasized the need for nuclear weapons to fulfill the following roles:

- (1) Defeating Hard and Deeply Buried Targets (HDBT) (the so-called *bunker buster*).
- (2) Mobile and Relocatable Targets.
- (3) Defeat of Chemical and Biological Agents.
- (4) Improved Accuracy for Effectiveness and Reduced Collateral Damage.

As we have mentioned repeatedly in previous sections, including Item 5, U.S. moves to form a budget and legislate the early development of a nuclear bunker buster, called “Robust Nuclear Earth Penetrator” (RNEP), and repeal the ban on the research and development of low-yield nuclear

weapon, which may lead to the development of new types of nuclear weapons other than RNEP, emerged immediately before the evaluation period. These moves did not start in 2003; there was a consistent stream before then. As mentioned in Item 9e, it was predicted as a matter of course that these moves would exert an influence on Russian nuclear policy.

Under these dangerous circumstances, the GOJ should rigorously make a strong protest against the U.S.’s violation of the NPT agreement, as well as to make approaches to Russia not to follow the U.S.’s actions.

#### **Task 2 (Plan of Action to Eliminate Japan’s Dependence on Nuclear Weapons and Revision of the National Defense Program Outline)**

The Task to “diminish the role for nuclear

weapons in security policy,” as set in this Item 9e, has as much relevance for the nuclear-dependent states, such as Japan, as it does for the nuclear weapon states. In order to achieve the total elimination of nuclear weapons, it is also necessary for nuclear dependent states to reduce their dependency on such weapons. Despite the fact that Japan should object to the use of nuclear weapons on moral grounds as the country devastated by nuclear weapons, it has adopted a national security policy that relies on nuclear weapons. As long as the GOJ remains dependent on U.S. nuclear deterrence, all of Japan's nuclear policies will remain within the permissible range of U.S. military policies. The GOJ's calls for the abolition of nuclear weapons will be seen as mere lip service, and a deception of its people, if they can only be made with the permission of the U.S. government. Therefore, the GOJ should set the goal of changing its security policy to one independent of nuclear weapons by the time of the 2005 NPT Review Conference, and formulate a plan of action for achieving that goal. By doing so, it will make a major contribution to the implementation of article VI of the NPT.

The first step is to review its nuclear-dependency policy, taking advantage of the opportunity to review the “National Defense Program Outline,” which is currently underway.

The “National Defense Program Outline” is the sole basic policy document in Japan's security policy that defines its dependence on U.S. nuclear weapons. Based on this Outline, the Guidelines for U.S.-Japan Defense Cooperation also specifically refer to Japan's dependence on U.S. nuclear deterrence. Therefore, the deletion of the clause defining this dependence from the National Defense Program Outline in its review process would be a concrete, essential first task for Japan's implementation of the NPT agreements.

More concretely, this decision should be based on the following backdrop.

The previous National Defense Program Outline, issued in 1976, stated that: “Against nuclear threats, Japan will rely on the nuclear deterrent capability of the United States.” The present 1995 Outline reads: “Against the threat of nuclear weapons, rely on the U.S. nuclear deterrent, while working actively on international efforts for realistic

and steady nuclear disarmament aiming for a world free from nuclear weapons.” Thus, a certain amount of progress was made from 1976 to 1995.

Therefore, the next Outline, to be revised at a time when nuclear-weapon states have made “an unequivocal undertaking to accomplish the total elimination of their nuclear arsenals,” should read as follows, for instance:

“Against the threat of nuclear weapons, while working actively internationally for the implementation of “an unequivocal undertaking” by the nuclear-weapon states to accomplish the total elimination of their nuclear arsenals,’ as agreed to in the 2000 NPT Review Conference, Japan will cease to be dependent on the U.S. nuclear deterrent without delay.”

### **Task 3 (Rejection of the Argument in Favor of Japan's Nuclear Armament)**

In relation to the issue of the DPRK's nuclear weapon program, various arguments concerning Japan's nuclear armament have arisen. The backdrop to this includes frequent remarks by Japanese high officials, Diet members, and other public officers on the legality of nuclear weapons and necessity for reviewing the Three Non-nuclear Policies, and the existence of a logical conclusion that Japan must arm itself with nuclear weapons if the U.S. withdraws its nuclear umbrella from Japan, as an argument in support of the heavy dependence on the U.S. nuclear umbrella.

### **Task 4 (Political Declaration for the Establishment of a Northeast Asia NWFZ)**

The GOJ's rationale for relying upon U.S. nuclear weapons will become nearly irrelevant if a Northeast Asia nuclear weapon-free zone (NWFZ) is established. Japan should, as soon as possible, express a policy direction toward establishing a NWFZ, in a form of a political declaration. Such a political declaration would have a positive effect on relaxing tensions and promoting mutual trust in the region.

The GOJ should also call upon North Korea to utilize nuclear weapons neither as a “diplomatic card” nor as a means of deterrence, while simultaneously clarifying Japan's own



position in regards to the elimination of its dependency on nuclear weapons.

### **Task 5 (Legislation of a Non-Nuclear Law)**

In order for Japan to assert its non-nuclear status, guaranteed by a verification system, the GOJ should enact a Non-Nuclear Law, including a codification of the three Non-Nuclear Principles. By doing so, Japan could set a perfect example for neighboring states that it has fulfilled a step towards “diminishing the role of nuclear weapons in security policy.” This would contribute to the entire NPT regime, and thus strengthen Japan’s moral position as a country devastated by nuclear weapons, increasing its influence on nuclear disarmament issues.

## **EVALUATION**

American moves toward new types of nuclear weapons were legislated under the “National Defense Authorization Act for Fiscal Year 2004” (Public Law 108-136, November 24, 2003) during the evaluation period. The “repeal of prohibition on research and development of low-yield nuclear weapons” (Sec. 3116) opened the way to the development of nuclear weapons with various new concepts, and the “research and development of RNEP” (Sec. 3117) approved a budget for continuation of the programs. It is possible that Russia will follow these moves, as was explained in Item 9c in relation to the “Guide for Russia’s Military Modernization” (October 2, 2003). In regards to **Task 1**, the GOJ has taken no actions to take countermeasures against this on-going situation.

As for **Tasks 2, 3, 4 and 5**, the GOJ does not seem to recognize that the “diminishing role of nuclear weapons” is a task set upon Japan itself. As for the revision of National Defense Program Outline, as explained in **Task 2**, the original plan to complete the draft by 2003 has been delayed. However, it was announced as a Cabinet decision that the on-going review officially incorporated the introduction of the MD system (December 19, 2003). The MOFA has shown little interest in the part concerning nuclear deterrence and no proactive approach toward intervening in the work done by the Defense Agency was observed.

Progress towards the total elimination of nuclear weapons can be made only when the nuclear-dependent states change their thoughts and policies into ones based on the conviction that their national security can be ensured without relying on nuclear weapons. If Japan continues to request a U.S. nuclear umbrella for its defense, then the very same logic could encourage India, Pakistan and a few other new states to go nuclear. Also, requests toward North Korea would be ineffective.

We cannot say which is more dangerous, to “have” nuclear weapons or to “let others have and use” them. Both are obstacles to the total elimination of nuclear weapons. This point is essential for Japan, and we urge the GOJ to reflect seriously as it has shown no sign toward changing its present policy.

In relation to **Task 3**, it was reported that, in a survey conducted by *Asahi Shinbun* during the general election, four incumbent members of the Cabinet said, “Japan’s nuclear armament should be considered depending on the international situation” (November 11, 2003). Under such circumstances, it should be noted that the GOJ’s reaction toward the increasing arguments for Japan’s nuclear armament has been insufficient. It was appropriate and timely for Foreign Minister Yoriko Kawaguchi, in her speech delivered at the CD, to explicitly announce the GOJ’s posture to adhere to the “Three Non-Nuclear Policies” (September 4, 2003). However, her speech was not as impressive enough to include an announcement that Japan would not engage in any activities related to the research and development of nuclear weapons or possess such weapons. Neither did her speech reject the arguments for Japan’s nuclear armament. The speech should have included the following indications: Japan’s nuclear armament would: (1) allow Japan to take a leading role in the deterioration in the nuclear proliferation regime of its own accord, which would result in Japan’s international isolation; (2) deny all of the efforts towards the elimination of nuclear weapons for a long period of time that Japan has engaged in as a country once devastated by nuclear weapons; (3) trigger destabilization and nuclear arms races in Asia; and (4) incur a moral degradation of Japanese politics for atomic bomb survivors (*hibakusha*) and Japanese public opinion.

**As a whole, as we are terribly**

**concerned about the continuation of  
Japan's nuclear weapon dependent security**

**policy, we give the GOJ an E grade.**

## **(9f) Engagement of All Nuclear-Weapon States in a Process Leading to the Elimination of Nuclear Weapons**

**9f. The engagement as soon as appropriate of all the nuclear-weapon states in the process leading to the total elimination of their nuclear weapons.**

***TASK 1: The GOJ should make efforts to realize a conference on nuclear disarmament by all the nuclear-weapon states, through means such as technical meetings in preparation for a verification system, or meetings focusing on non-strategic nuclear weapons.***

**Grade: D**

### **TASK SETTING**

#### **TASK 1 (Efforts to Convene a Five-State Conference)**

There is a need to expand negotiations on nuclear arms reductions, which at the present time are limited to bilateral negotiations between the U.S. and Russia, to all of the five nuclear-weapon states. China, the U.K. and France have suggested that they would not participate in a conference of this type until the U.S. and Russia have cut their arsenals down to levels similar to theirs. India and Pakistan, from the perspective of the Non-Aligned Movement, have said that multilateral discussions in the CD are desirable. Israel's stance is unclear.

Some possibilities could include holding a five-state meeting limited to cuts in non-strategic nuclear weapons, or a preparatory meeting by the five states for a verification system prior to talks on

arms reductions.

### **EVALUATION**

Japan's so-called "Path Resolution" has explicitly come to include this item, since it has been included in the 13 steps agreed to in the 2000 NPT Review Conference. The GOJ continues to include it in the 2002 Path Resolution.

Unfortunately, we have to conclude that the GOJ has not been active in promoting **Task 1** thus far. It would be worthy to consider the proposal to make it a part of the mandate of a subsidiary body to deal with nuclear disarmament in the CD.

**As a whole, since no concrete efforts have been made on the task, we give the GOJ a D grade.**

# **(10) The Placement of Excess Fissile Material under International Control and Its Use for Peaceful Purposes**

**10. Arrangements by all nuclear-weapon states to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes under IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes, to ensure that such material remains permanently outside military programmes.**

***TASK 1: Japan should provide positive cooperation toward a verifiable system to place weapon-usable fissile materials outside military programs. In particular, it should contribute for the promotion of international discussions on how to do this. Public debates should also be held within Japan.***

**Grade: C**

## **TASK SETTING**

### **Task 1 (Cooperation and Public Debates)**

Under the NPT regime, the “disposition for peaceful purposes” of fissile materials is interpreted as progress. However, there are strong objections to this idea among NGOs, because nuclear power generation has its own serious problems, involving issues such as used nuclear fuel management, that are yet to be resolved, including the danger that nuclear power generation may lead to the proliferation of nuclear weapon technology. With the recognition that “peaceful purposes” can provide a cover for the development of nuclear weapons, as exemplified by the cases of Iran and the DPRK, there have been growing calls to discourage nuclear power generation. At a series of conferences held within the NPT review process, NGOs stressed that nations should move away from their dependence on nuclear power and towards other forms of “sustainable energy.”

We have already touched upon the U.S., Russia and IAEA Trilateral Initiative in Item 8. In order to prevent the reduced nuclear weapons and excess fissile materials from being reused as weapons, or from being illicitly transferred to

others, there is a need to place them under some form of international verification system. However, the Trilateral Initiative has yet to be completed, in spite of the three parties’ agreement upon the technical aspects of the Initiative. Similar measures should be taken in the other NWSs other than the U.S. and Russia as soon as possible.

In order to promote this process, Japan and other states will need to provide technical and financial support. The most urgent issue is seen as the disposition of excess fissile materials in Russia following the dismantlement of nuclear weapons; progress has been seen in international cooperation on this issue. In particular, bilateral cooperation between the U.S. and Russia has been carried out on a wide scale.

The “Plutonium Management and Disposition Agreement (PMDA),” a bilateral agreement between the U.S. and Russia that serves as a basis for their activities in this field, was signed in September 2000. It was agreed that each side would dismantle 34 tons of weapon plutonium, and start the operation of facilities to begin carrying out the disposition of 2 tons of

excess plutonium per year by the end of 2007 and at least double this rate at the earliest practicable date. In terms of disposition method, the Joint U.S.-Russia Working Group on Cost Analysis has been narrowing down the alternatives. So far, the two countries have reviewed methods including burning fissile materials in nuclear power plants without reprocessing them later, and mixing them with high-level radioactive wastes and storing them in solid glass.

The U.S., which once adopted the latter method of “glassification,” issued a decision in January 2002 to reprocess fissile materials into Mixed-Oxide fuel (MOX fuel) and burn them in nuclear reactors. At the U.S.-Russian talk in December 2002, the U.S. proposed a plan to construct a copy plant of the U.S. MOX fabrication plant in Russia and then to burn the MOX fuel produced in the plant in nuclear reactors. Russia has agreed the U.S. plan in principle.

However, given the continuing disagreement between the two countries over the issue of liability in case of an accidents after the launch of operations, and the lack of a multilateral agreement to support the activity, the entire plan has been delayed. In addition, it has faced difficulties in terms of funding.

On the other hand, upon a request from the Russia and the U.S., the GOJ has been actively promoting Japan-Russia bilateral cooperation on the disposal of plutonium from dismantled nuclear weapons in Russia. Since Foreign Minister Masahiko Komura’s visit to Russia in May 1999, Japan and Russia have been implementing the “Japan-Russian Federation Joint Efforts for Disarmament and Environmental Protection,” a joint R&D program that includes a provision for technical and financial assistance in the disposal of Russian surplus weapon-grade plutonium taken from dismantled nuclear weapons. In addition to this, the “Japan-Russia Memorandum of Understanding on the Promotion of Cooperation for Nuclear Disarmament, Non-Proliferation and Nuclear Weapons Disposition” was agreed to by the two governments in Tokyo on September 4, 2000. Through this machinery, a joint research program

was initiated with the aim to promote the disposal of surplus weapon-grade plutonium in Russia by burning it as MOX fuel in the Russian BN 600 Fast Breeder Reactor. The Japan Nuclear Cycle Development Institute (JNC) and Russia’s Research Institute for Atomic Reactors have conducted this joint research program. It was reported on April 14, 2002 that the program succeeded in burning 20 kilograms of surplus plutonium (*Asahi Shimbun*, April, 14 2002). According to the article, the JNC decided to provide further technical cooperation to burn between 15 to 20 tons of surplus plutonium out of 34 tons of the material presumed to exist in Russia.

The “G8 Global Partnership against the Spread of Weapons and Materials of Mass Destruction,” agreed to at the Kananaskis G8 Summit (June 27, 2002) gave priority to the disposal of surplus plutonium in Russia. Since then, bilateral cooperation between Japan and Russia has been placed within the multilateral cooperation framework of the G8. Prime Minister Koizumi, in a speech delivered during a visit to Russia in the evaluation period, noted that: “Recently, under Japanese cooperation, twenty kilograms of weapon-grade plutonium, equivalent to two to three atomic bombs, was successfully disposed of with an advanced technology developed by Russian scientists, for the first time in the world. Japan has decided to allocate \$100 million, among the contribution pledged at the Kananaskis Summit, for the G8 plutonium disposition program. I hope this allocation will accelerate Japan-Russia research cooperation in this area” (January 11, 2003).

Needless to say, the GOJ should provide cooperation for international efforts to prevent weapon-grade excess fissile material from being reused in nuclear weapons. However, in consideration of Japan’s particular circumstances, it is necessary to clearly distinguish the issue of providing international cooperation from domestic issues related to its “Plu-thermal” project. This is because the latter has been a subject of continual criticism due to its unsophisticated safety control measures and lack of considerations over cost-effectiveness, and so

on; fundamental consensus has yet to be reached in Japan. Therefore, with respect to the method of disposal, the GOJ should, instead of beginning from the premise of the MOX burning method, make efforts to call international attention to examining the advantages and disadvantages of various methods, including the “glassification” method, from the aspects of non-proliferation, environmental preservation, and safety issues. Domestically, the relationship between technical cooperation on the disposal of plutonium from dismantled nuclear weapons in Russia and Japan’s nuclear fuel cycle, including the “Plu-thermal” project, should be extensively discussed in public forums.

In these public forums, much attention should be given to the fact that Japan will obtain information and expertise related to the Russian weapon-grade plutonium throughout the joint research programs.

## EVALUATION

In the U.S., the expenditure program under the Kananaskis agreement related to the “G8 Global Partnership” is called the “ten-plus-ten-over-ten” initiative. It calls for the U.S. to contribute \$10 billion and the G-8 as a whole, apart from Russia, to contribute \$10 billion in ten years. However, so far, the specific amount of contributions announced to be provided were as follows: U.S. (\$400 million), U.K. (\$110 million), France (\$110 million) and Japan (\$100 million out of the \$200 million expenditure plan that Prime Minister Koizumi promised). Including through such financial contribution, the international community seems to recognize Japan’s active role in the disposal of plutonium from dismantled weapons in Russia.

However, since the beginning, the GOJ appears to have initiated these programs, linking them to Japan’s nuclear fuel cycle within the country. There has been a lack of transparency on this point, and much more open discussions about the relationship between this program and Japan’s MOX plan are needed within the country.

At the request of the U.S., Japan began to take part in Russia’s disposal project using its fast breeder reactor, and at the request of Russia, it decided to utilize a “vibro-pack” approach to making the fuel. The Japan Nuclear Cycle Development Institute (JNC) was selected to carry out this project. According to the JNC, one of the objectives of the Japan-Russia joint research program on burning the “vibro-pack” MOX fuel in the BN600, a Russian fast breeder reactor, is as follows:

“Through the joint research program and from the experiences to be gained through the process, we will attempt to acquire the technology related to Russian vibro-pack approach to making the fuel, as well as to accumulate practical experiences, including on the design of the BN600 reactor core and fuel. JNC will make the best use of this experience for our R&D activities” (JNC Website).

In other words, Japan hopes to make the best use of Russia’s technology and know-how, which Japan acquires through this joint research project on Japan’s “Plu-thermal” project. This attitude is problematic. The project should be dealt with separately as a measure within the effort toward nuclear non-proliferation and disarmament.

Taking into consideration Japan’s particular circumstances, the discussions on the relationship with Japan’s MOX plan need to be much more transparent. Such extensive and fair discussions have yet to be made. Considering it to be an international issue, we can identify problems such as the environmental and safety risks of MOX nuclear reactors, disposal and control of plutonium produced by spent nuclear fuel, the comparative advantage of this method vis-à-vis the “glassification” method under strict control, and safety assurances for the transportation of plutonium. The GOJ has made no contribution to promoting these arguments.

**As a whole, we saw an earnest effort on the part of the GOJ to**

cope with preventing surplus plutonium from being used for military purposes. However, its activities related to the “Plu-thermal” project in Japan are problematic and there have been no

open discussions on the appropriateness of the disposition methods for plutonium. Thus, we give the GOJ a C.

# **(11) General and Complete Disarmament as the Ultimate Objective**

11. Reaffirmation that the ultimate objective of the efforts of states in the disarmament process is general and complete disarmament under effective international control.

*Task 1: As a contribution to the global disarmament process, the GOJ should work to realize the objective of disarmament in Northeast Asia, making the best use of its Peace Constitution. As a point of departure, it should seek a path for frameworks of cooperative regional security regarding problems to be solved, such as weapons of mass destruction (WMD) and missiles.*

*Task2: The GOJ should make proactive contributions toward the objective of “general and complete disarmament” on various international issues, including the prevention of war, chemical weapons, biological weapons, anti-personnel landmines, small arms and light weapons, and certain conventional arms.*

**Grade: D**

## **TASK SETTING**

### **Task 1 (Cooperative Regional Security in Northeast Asia )**

“General and complete disarmament” in this section is defined as the elimination of all weaponry, except those that are required for the maintenance of domestic public order. This was adopted as the ultimate objective in the 1959 UNGA resolution. In order to achieve this goal, the Soviet Union has proposed a draft treaty, and the U.S. has proposed the draft provisions. The process has consisted of three phases. This proposal was a subject of earnest argument from 1959 to 1962.

Some countries, particularly France, have encouraged discussions on the interpretation of Article VI of the NPT, which allows for the subordination of nuclear disarmament to a treaty for “general and complete disarmament.” Such interpretations often play the role of keeping the issue of abolition of nuclear weapons one for the distant future. In setting the thirteen steps to

implement Article VI, the New Agenda countries made it clear that the obligation to negotiate in good faith on effective measures for nuclear disarmament and the responsibility to carry out future negotiations in good faith toward a treaty for “general and complete disarmament,” were related, but were to be pursued separately. In the background of this was the 1996 Advisory Opinion of the International Court of Justice (ICJ), which ruled clearly that there is an obligation to accomplish the negotiations for nuclear disarmament under Article VI.

Here, it is necessary to reaffirm the fact that although nuclear disarmament should be given priority, it is in fact only one part of international security. In particular, increasing the credibility and strengthening existing treaty frameworks on other WMDs – i.e. the Chemical Weapons Convention (CWC) and the Biological and Toxic Weapons Convention (BWC) – can greatly contribute to the elimination of nuclear weapons.



Meanwhile, reaffirming “general and complete disarmament,” which is the chief objective of the UN, and exploring the roles that the GOJ should play to achieve this goal, it is important for the GOJ to think how to maintain its strategic heritage, including the “exclusively defensive defense” posture and “three principles on the prohibition of arms export,” which are derived from Article 9 of the Japanese Constitution, and to make the best use of them internationally. Considering that these heritages have been weakening in domestic politics, the GOJ should pursue a way to make proactive use of them. From this perspective, focusing on the establishment of frameworks of cooperative security in Northeast Asia appears to be an effective approach. Such efforts could start with focusing on weapons of mass destruction and then expanding them to a broad disarmament framework in the region. The Pyongyang Declaration (September 17, 2002) could be pivotal in proceeding to this direction.

On the issue of non-nuclear WMDs in Northeast Asia, we believe in the importance of working for a change from the present situation, where the DPRK is not a state party of the CWC. There is also a need for fair and levelheaded discussions regarding delivery systems for WMDs. For example, Japan cannot construct a persuasive argument for unilateral demands that the DPRK abandon its missile development program, when U.S. naval ships home-ported in Japan have the capability to launch 500 Tomahawk cruise missiles.

If a proposal were made to establish a NWFZ in Northeast Asia, it could be possible to incorporate discussions regarding WMDs other than nuclear weapons into the talks. Moreover, such discussions would allow the GOJ to explain Japan’s exclusively defensive defense policy under the constraints of the Constitution and to emphasize the necessity to promote cooperative security and disarmament in the region as a whole.

### **Task 2 (Various International Issues)**

A variety of international efforts have been made to promote “general and complete disarmament,” the UN’s long-cherished desire. During the evaluation period, the urgent tasks in the efforts toward the “general and complete

disarmament” were to prevent the war in Iraq from breaking out and to resolve the WMD issue involving Iraq through non-military means. Also, international conferences, including the first review conference after the EIF of the Chemical Weapons Convention, and UN conference on small arms and light weapons, were to be organized. The GOJ should make a proactive contribution on international issues, including the above and anti-personnel landmines, and the certification of conventional weapons, in a way befitting a country with a Peace Constitution.

### **EVALUATION**

On **Task 1**, the GOJ has chosen to emphasize military countermeasures, rather than promote the establishment of cooperative security frameworks in the region.

The GOJ’s active support for the war on Iraq, in disregard of the UN system, must have cast a long-term negative influence in Northeast Asia. When the GOJ made the decision to dispatch the Self Defense Force to Iraq based on the Iraq Humanitarian Reconstruction Support Special Measures Law, China expressed deep concern on the possible change to Japan’s exclusively defensive defense policy. On December 9, 2003, Chinese Foreign Ministry Spokesman Liu Jianchao stated, “We hope that Japan will keep on its exclusively defensive defense policy and continuously pursue the way to develop peacefully.” Furthermore, as stated in Item 5 “Principles of Irreversibility,” the decision on the introduction of the U.S. MD system (December 19, 2003) is nothing but a folly inviting an escalation of the arms race in the region. Moreover, against the threat of the DPRK’s WMDs, the GOJ revealed a stance of demanding “Security Assurances” for Japan from the threat, using the U.S.’s nuclear weapons, regardless of this being a violation of its international commitment (Task 3, Item 5).

As such, no efforts by the GOJ toward the establishment of frameworks of regional cooperative security were observed during this evaluation period.

Despite the Pyongyang Declaration’s declaration that the two countries “confirmed the

importance of establishing co-operative relationships based upon mutual trust among countries concerned in this region” and shared “the recognition that it is important to have a framework in place in order for these regional countries to promote confidence-building,” the GOJ has failed to make the best of this opportunity.

Similarly to Task 1, as for **Task 2**, we cannot overlook the fact that the GOJ’s political decision to give prompt support for the attack by the U.S. and U.K. against Iraq has left an indelible stain on the disarmament process not only in Northeast Asia, but also throughout the world. The preemptive strikes taken place while the UN Security Council had still not supported the resolution submitted by the U.S., U.K. and Spain to issue and ultimatum, and was insisting on the continuation of UN inspections. The GOJ supported these actions. These actions clearly go against this Item, “general and complete disarmament.”

Various international inter-governmental conferences on disarmament and arms control issues were held during the evaluation period. In terms of the CWC, the first Review Conference, which was set to be held within one year after the passage of five years since the EIF of the treaty in 1997, was held in Hague on April 28 - May 9, 2003. Regarding small arms, the first biennial meeting on small arms and light weapons as provided by the 2001 UN programme of action (July 2001) was held in New York on July 7-11, 2003. On the issue of anti-personnel landmines, the fifth annual meeting of state parties of Mine Ban Treaty was held in Bangkok on September 15-19, 2003. Regarding certain conventional weapons (CCW), the conference of the states parties to the convention on certain conventional weapons was held in Geneva on November 27-28, 2003. Immediately before the evaluation period, Japan’s elimination of its anti-personnel landmines was completed (February 8, 2003). On these themes, the GOJ activities have gone beyond simply participating in the conferences and have been generally satisfactory.

**As a whole, on the issue of making a contribution to the global disarmament process, the GOJ should have promoted the establishment of a cooperative regional**

**security regime in the region, but such efforts were not observed. The GOJ’s active support for the war on Iraq was a great policy error. However, regarding other international issues, the GOJ had made efforts to a certain degree. As a whole, we give it a D grade on this Item.**

## **(12) Regular Reports on the Implementation of the Obligation of Nuclear Disarmament Recalling the ICJ’s Advisory Opinion.**

12. Regular reports, within the framework of the strengthened review process for the Non-Proliferation Treaty, by all state parties on the implementation of article VI and paragraph 4 (c) of the 1995 Decision on “Principles and Objectives for Nuclear Non-Proliferation and Disarmament,” and recalling the Advisory Opinion of the International Court of Justice of 8 July 1996.

**TASK 1: The GOJ should submit its own regular report. It should also propose a standard format for regular reports to prevent different states from submitting arbitrary reports, on the implementation of the NPT disarmament obligation, including the implementation of the thirteen steps.**

**TASK 2: Japan should formulate and implement a regular report of its own form through an expert panel including Japanese NGOs.**

**TASK 3: The GOJ should submit both its own regular reports and those made according to the international forms to the Diet.**

**Grade: D**

### **TASK SETTING**

#### **Task 1 (Proposal for a Standard Format)**

This obligation is given to all state parties. It is particularly important that nuclear weapon states as well as nuclear dependent states, including Japan, follow through with this task. At the 2002 NPT Prepcom, the issue of a desirable standardized format for reports occupied the attention of many countries and NGOs.

Needless to say, the GOJ should submit its own regular report.

Moreover, in order to prevent a state from submitting arbitrary reports, it is appropriate for the GOJ to propose a concise standard format for regular reports that provides minimum requirements, including reports on the implementation of the thirteen steps. It would be desirable for the requirements to vary among nuclear weapon states, non-nuclear weapon states and other countries.

Japan, as the only country to be devastated by nuclear weapons, has a particular responsibility to faithfully fulfill this obligation. In addition, it should consider adopting its own action plan for ending its dependence on nuclear weapons. It is also urged to discuss these regular reports with the public, which is calling for the abolition of nuclear weapons. Consequently, Japan needs its own form for reports in addition to that based on the international standard.

The format and system proper to Japan could be formulated through discussions in an expert panel that includes NGOs. This Report Card could be a reference for such an attempt. The contents of these reports should be submitted regularly for debate in the Diet.

### **EVALUATION**

#### **Task 2, 3 (Japan’s Own Regular Report)**

With regard to **Task 1**, 29 countries

submitted regular reports to the 2003 NPT PrepCom in the format as NPT official documents. They include: Hungary, the ROK, Croatia, Slovakia, Lithuania, Australia, New Zealand, Morocco, Netherlands, Canada, Malaysia, Switzerland, Indonesia, South Africa, Bulgaria, Finland, Sri Lanka, Sweden, Japan, Brazil, Norway, Belgium, Ireland, Mongolia, Mexico, Romania, Iran, Peru, and the U.K. The U.S. submitted an “information paper” in a non-NPT-registered format.

Among the NWSs, it is especially problematic that Russia, France and China did not submit reports. Moreover, as exemplified by the case of the U.K., which submitted a report focusing on the issue of verification, there is an impression that individual nations arbitrarily provide information on the particular areas that they wish to announce. Reports focusing on some particular areas are also important; but in the regular report, the basic information and the progress, impediments, and retrograde moves in

their progress toward the objects should be constantly recorded.

The GOJ submitted its own “regular report” to the 2003 NPT PrepCom (NPT/CONF. 2005/PC.II/32), in succession to 2002. However, this report was written without sensitivity to the tasks mentioned above. For example, there was no word on Japan’s dependency on the “nuclear umbrella.” And while giving an overview of the achievements of the past, it fails to highlight any efforts in the previous year. A standard format is required so that this kind of arbitrary report becomes unacceptable.

In **Tasks 2 and 3**, which call for Japan’s own initiative, the MOFA has not taken any action at all.

**As a whole, based on our above assessment, we give the GOJ a D grade on this item.**

# (13) The Further Development of Verification Capabilities

13. The further development of the verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear weapon-free world.

**TASK 1: The GOJ should recognize the importance of international verification and provide concrete contributions to enhance it.**

**TASK 2: The GOJ should encourage the idea that the resources now used for nuclear weapon development, maintenance, and management should be diverted to the development of a verification system for a “nuclear weapon-free world.”**

**TASK 3: The GOJ should consider establishing an expert panel in Japan to closely study potential problems in verification for maintaining a “nuclear weapon-free world” and to identify areas to be further studied.**

**Grade: D**

## TASK SETTING

### Task 1 (Attach Importance to Verification)

The importance of verification has drawn much attention in the light of the emergence of international concerns including inspections by the UN and other bodies before plunging into the war in Iraq, and the proliferation of nuclear weapons and other WMDs related to Iran, Pakistan, and the DPRK.

The IAEA is the international organization that carries out inspections in areas related to nuclear weapons. In order to strengthen its function, the IAEA has been striving for the universalization of its “Additional Protocol,” which allows it to inspect facilities without previous notice. In 1999, the GOJ concluded the Additional Protocol, becoming the first country that operates nuclear power generation to do so. Since then, Japan has made active efforts for the universalization of the Protocol. In June 2001, it hosted a symposium for the promotion and facilitation of the Additional Protocol for countries of the Asia-Pacific region in Tokyo. Then, in December 9, 2002, the GOJ, in cooperation with the IAEA, hosted the “International Conference on Wider Adherence to Strengthened IAEA Safeguards.” At this symposium,

the establishment of the “Friends of the Additional Protocol” was proposed and later, launched.

It is believed that the issue of verification will become increasingly important in the future. Thus, the GOJ should provide concrete support to enhance the IAEA’s verification capability.

### Task 2 (Diversion of Resources)

In many cases, it can be said that the individual methodologies and technologies for verification for a “nuclear weapon-free world” are in existence already. The problem is the lack of political agreement and financial resources to effectively organize them. Under the CTBT, a global and reliable verification system is being completed. However, the financial system to maintain it has not yet been consolidated

We should be aware that the military expenditures used to counter nuclear proliferation, as well as the materials and human resources used for the development, maintenance and management of nuclear weapons, could be more efficiently used to ensure security if they were used for the further establishment of a verification system.

### **Task 3 (Establishment of a Study Panel)**

For Japan, as the sole country to be devastated by nuclear weapons, it would be a worthwhile project to launch an expert panel to study and uncover potential problems in verification to maintain a “nuclear weapon-free world” and to identify areas to be addressed further by the international community. When doing so, Japan could use the foundation of experiences and expertise offered by the OPCW, CTBTO and IAEA. The Model Nuclear Weapons Convention formulated by NGOs could also serve as a useful reference.

### **EVALUATION**

During the evaluation period, new moves regarding the improvement of verification capabilities have emerged within the GOJ and within international organizations. Plans concerning international control, including the improvement of verification capability, have been proposed. Such proposals include: IAEA Director General Mohamed ElBaradei’s proposal (October 16, 2003, *The Economist*, etc.) and President Bush’s proposal of seven new measures (February 11, 2004).

On **Task 1**, the GOJ has made continuous efforts, to a certain degree, regarding the universalization of the Additional Protocol. Such efforts have included appeals to the U.S. and Russia to ratify the Protocol at an early stage. Moreover, it has made efforts to make the established “Friends of the Additional Protocol” fulfill its function.

As was explained in Item 3 of “CTBT,” the GOJ, along with Australia and the United Nations Institute for Disarmament Research (UNIDIR), co-hosted a workshop on the theme of FMCT in Geneva on March 28, 2003. This was one manifestation of the GOJ’s contribution in relation to the verification issue.

However, in spite of these efforts by the local posts in charge, the top-level diplomatic corps took actions to completely deny the importance of international verification. Namely, as was explained in Item 11, when the U.S., U.K. and Spain submitted

a UN Security Council resolution giving final notification in order to justify the attack on Iraq, the majority of the Council supported the idea of resolving the WMD issue in Iraq by continuing UN inspections, not by the military strike. However, the U.S. and U.K. pushed forward with their military strikes against Iraq and the GOJ took the lead in supporting the action, instead of opposing it. This policy of the GOJ implies that it is making light of the international verification system. Moreover, it may give the impression to the international community that the GOJ’s efforts on the individual area of verification issue, including the universalization of the IAEA additional protocol, are solely based on a narrow judgment based on its national interests, and that it intends to use the system whenever it is convenient to it.

The idea of “diverting resources,” which is contained in **Task 2**, does not exist within GOJ policy circles. A massive portion of the U.S. government’s budget is being used to materialize the nuclear weapons and Missile Defense plans depicted in the NPR. The GOJ should make a proposal to divert these financial resources to the maintenance and achievement of a nuclear weapon free world and to compensate the past victims of nuclear weapons.

The GOJ has yet to consider **Task 3**.

**In spite of the efforts observed in individual verification areas, the top-level of the government took actions in opposition to such efforts. As a whole, we give the GOJ a D grade on this Item.**

## **(+1) Addition (1) Legally Binding Negative Security Assurances (NSA)**

2. The Conference reaffirms that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons. The Conference agrees that legally binding security assurances by the five nuclear-weapon states to the non-nuclear-weapon state parties to the Treaty on the Non-Proliferation of Nuclear Weapons strengthen the nuclear non-proliferation regime. The Conference calls on the Preparatory Committee to make recommendations to the 2005 Review Conference on this issue.

**TASK 1: The GOJ should make its policy clear regarding the necessity of legally binding NSAs. It should include this call in its UNGA resolution. It should make necessary preparations so that the NPT Review PrepCom can reach an agreement on recommendations for the way to achieve legally binding NSAs.**

**TASK 2: The GOJ should rescind the improper idea of calling upon the U.S. to use nuclear weapons against potential BCW attacks by the DPRK, and pursue a regional security arrangement based on NSAs, including the establishment of a NWFZ in Northeast Asia.**

**Grade: E**

### **TASK SETTING**

#### **Task 1 (Clarification of Position and Active Efforts)**

In relation to this Item, the “final document” of the 2000 NPT Review Conference called upon the PrepCom to take concrete actions toward the 2005 Conference. That is, the 2004 PrepCom must recommend “arrangements to establish legally-binding security assurances.”

At the decision on the indefinite extension of the NPT in 1995, four states – the U.S., Russia, the U.K. and France – declared that they would neither use nor threaten to use nuclear weapons against non-nuclear weapon states that are parties to the NPT, unless they are attacked by a state that is allied with a state possessing nuclear weapons. China declared that it would not be the first to use nuclear weapons under any circumstances. UNSC Resolution 984, on the security of non-nuclear-weapon states of April 11, 1995, reaffirmed the contents of those declarations.

Assuring security, in this way, by pledging not to use nuclear weapons has become known as Negative Security Assurances (NSA), but has yet to become legally binding.

However, unless the nuclear weapon states guarantee the security of non-nuclear-weapon states that make legal pledges not to acquire nuclear weapons, non-nuclear weapon states will suffer a great disadvantage by acceding to the NPT. In other words, NSAs are an important requirement, and can be said to be a foundation for the nuclear non-proliferation regime.

Concerning negotiations to make the NSAs legally binding, an Ad Hoc Committee on security assurances was established in the CD in 1998, but it has not been reconvened since. The “Five Ambassadors” proposal (January 23, 2003, CD/1693), which became a UN official document during the evaluation period, proposed the establishment of an Ad Hoc Committee to negotiate

NSAs, with a vague expression alluding to “arrangements [agreed to by the Committee] that could take the form of an internationally legally binding instrument.” The Japanese government has not been active toward making the NSAs legally binding. The “Path Resolution” did not call for it. Taking advantage of the 2000 NPT agreement, the Japanese government should make its position clear and make positive efforts toward the coming Review PrepCom.

We have already explained in the course of discussing Task 3 of Item 5, “The Principle of Irreversibility” that the US has been neglecting its past commitment to NSAs in strengthening its “war against terrorism” policy. The NPR mentioned non-nuclear weapon state parties to the NPT: North Korea, Iraq, Iran, Syria, and Libya, indicating the possibility of using nuclear weapons against these states. Moreover, the “National Strategy to Combat Weapons of Mass Destruction” (December 2002) not only hinted at the possible use of nuclear weapons as a retaliatory measure against strikes made with WMDs, but also as a preemptive strike option to destroy an adversary’s WMDs. Under these circumstances, it has become increasingly important to demand that the GOJ clarify its policy stance.

### **Task 2 (Abandonment of the Idea of Nuclear Deterrence against BCWs)**

The Japanese government has suggested that it needs to maintain the option of asking the U.S. to use nuclear weapons against potential BCW attacks by the DPRK. In fact, as we have already explained in Task 3 of Item 5, it was reported that at the six-party talks, the GOJ called on the U.S. to maintain its nuclear deterrence over Japan after the DPRK abandons its nuclear weapon program and the U.S. grants a “negative security assurance” to the DPRK (October 30, 2003, Kyodo News). This position, which overrides its statement on nuclear deterrence in the National Defense Program Outline, that “against the threat of nuclear weapons, [Japan] rely[ies] on the US nuclear deterrent,” extends the concept of nuclear deterrence to respond to non-nuclear threats as well. This is not only a violation of the National Defense Program Outline, but also an “escalated” action that violates the

provision of “the diminishing role for nuclear weapons in security policies” in item 9e of the NPT agreements.

Even if the DPRK’s alleged BCWs or ballistic missiles pose a threat to Japan, they should be dealt with by legal instruments to ban BCWs, within a framework of and missile control and disarmament, or through a negotiation process that can lead to the construction of a NWFZ in Northeast Asia.

## **EVALUATION**

On **Task 1**, the New Agenda Coalition (NAC) initiated an important move at the 2003 NPT PrepCom. It recalled the necessity for the PrepCom to provide recommendations, highlighted the importance of the NSA, and proposed a working paper titled “Negative Security Assurances” (May 1, 2003, NPT/CONF.2005/PCII/WP.11). Assuming a legal instrument or new additional protocol for the NPT, this working paper was created to serve a role as a starting point for the discussion over the legally binding agreement.

In contrast to this important move by NAC, Japan’s Path Resolution in the UNGA in 2003 did not address legally-binding NSAs. Even though the GOJ voted in support of the resolution for legally-binding NSAs proposed by Pakistan and others, it could be concluded that the GOJ’s intends to move backward on its policy on NSAs. We demand that the GOJ revise this policy.

In regard to **Task 2**, we have already examined it in Task 3 of Item 5. Based on the report, it is considered that the GOJ called on the U.S. not to eliminate its nuclear strike option, even if the DPRK abandons its nuclear weapon program. Making such a request implies that the GOJ is moving backward from the NSAs. This notion, unfortunately, accords with the idea that the GOJ has explained to NGOs at informal settings. This attitude should not be permitted for a country that has been devastated by nuclear weapons, and Japan is urged to make fundamental changes in its security policy.

**As a whole, we are concerned about the GOJ’s misleading policy of**



promoting the expansion of nuclear deterrence, in spite of being a country devastated by nuclear weapons. Therefore,

we give it an E.

## (+2) Establishment of Nuclear-Weapon-Free Zones

6. The Conference welcomes and supports the steps taken to conclude further nuclear-weapon-free zone treaties since 1995, and reaffirms the conviction that the establishment of internationally recognized nuclear-weapon-free zones on the basis of arrangements freely arrived at among the states of the region concerned enhances global and regional peace and security, strengthens the nuclear non-proliferation regime and contributes towards realizing the objectives of nuclear disarmament.

*TASK 1: The GOJ should continue its activities in support of the establishment of a Central Asia NWFZ.*

*TASK 2: The GOJ should provide possible assistance to promote a nuclear weapon-free Southern Hemisphere, including supporting UNGA resolutions to that effect.*

**TASK 3: The GOJ should adopt a policy to promote the establishment of a Northeast Asia NWFZ with a verification system, and then take actual steps toward this goal.**

**Grade: D**

### TASK SETTING

#### **Task 1 (Assistance for a Central Asia NWFZ)**

The Japanese government has expressed its general support for NWFZs.

It has been working actively towards the establishment of a Central Asia NWFZ covering Kyrgyz, Kazakhstan, Tajikistan, Turkmenistan and Uzbekistan. Specifically, prior to the 2000 NPT Review Conference, it hosted two conferences to draft a treaty in Sapporo, Japan. (The First meeting was held from October 5-8, 1999; the Second from April 3-6, 2000.) These efforts bore fruit when the five nations agreed to the text of a treaty in an expert meeting held in Samarkand, Uzbekistan on September 27, 2002. At one point, it was said that a treaty would soon be concluded; however, there was no further progress reported during the evaluation period. Japan's constant support for the establishment of a Central Asia NWFZ remains essential.

#### **Task 2 (Support and Cooperation for a Nuclear-Free Southern Hemisphere)**

Among international efforts to expand the NWFZ, there is a movement to establish a NWFZ in the entire Southern Hemisphere by combining the existing four NWFZs there in some manner. The UNGA resolutions initiated by Brazil and co-sponsored by many states in the Southern Hemisphere have been adopted with overwhelming support since 1996. The GOJ abstained from voting in the early years but has been voting in favor of these initiatives since 1998. The U.S., U.K. and France have consistently voted against such resolutions. This is an attractive approach towards the creation of a nuclear weapon free world; Japan should actively support it.

#### **Task 3 (Promotion of a Northeast Asia NWFZ)**

With the emergence of the DPRK's nuclear suspicions as a turning point, the significance and necessity of a Northeast Nuclear Weapon-free Zone has been becoming more apparent. Nevertheless, the GOJ has continuously

maintained a negative attitude.

On the other hand, various proposals have been made by NGOs. In Japan, the Peace Declarations of Hiroshima and Nagasaki have repeatedly called for such a NWFZ. In addition, some political parties have adopted policies to promote such an idea.

A proposal by the GOJ for the establishment of a NWFZ in Northeast Asia would not only provide a solution to the DPRK nuclear issue, but also greatly contribute to the relaxation of tensions and confidence building in the region, as well as to global nuclear disarmament. We have already argued this point in Item 9e “a diminishing role for nuclear weapons in security policies” and the cooperative security in Item 11. Moreover, establishing a Northeast Asia NWFZ with a verification system would straighten out the misguided NSA policy of the GOJ, as indicated in the previous Item.

In September 2002, the first visit by a Japanese Prime Minister to the DPRK took place since that country’s founding, and the historic Pyongyang Declaration was issued (September 17, 2002) at the Japan-DPRK summit meeting. The summit, while becoming a starting point for the GOJ on the abduction issue, an extremely difficult to solve, generated various opportunities and possibilities for action. The GOJ should adopt policies to establish a Northeast Asia NWFZ at the earliest possible date and take all possible actions in the rapidly changing social situation in this region.

## EVALUATION

As for **Task 1**, in the UNGA resolution adopted on November 22, 2003 (57/69), the five Central Asian nations’ willingness and international support for it were reaffirmed; nevertheless, no concrete progress on this issue has been made during the evaluation period. The GOJ’s supports have not been visible, either. However, we can basically give positive appraisal to the GOJ’s continued support of the Central Asia NWFZ.

In regards to **Task 2**, the GOJ has continued to support the 2002 UNGA resolution for a Southern Hemisphere NWFZ. The UNGA

resolution is remarkable in calling for an international conference where all the states parties to the existing NWFZ treaties gather together. However, Japan has not expressed specific and positive support for the idea of such a conference.

As for the NWFZ in Northeast Asia as set force in **Task 3**, an important change occurred during the evaluation period. The DPRK’s announcement of its withdrawal from the NPT (January 10, 2003) issued immediately before the evaluation period, became effective after a 90-day a “cooling-off” period, and the DPRK has virtually become a country outside of the NPT regime. Through the good offices of China, six-party talks was held including the U.S., DPRK, and China (August 27-29, 2003), being a tough diplomatic negotiation process. At the negotiation table, the DPRK has set “security assurances” as one of its important demands. Behind this were the preemptive strikes by the U.S. and U.K. against Iraq. After many twists and turns, the Korean Peninsula Energy Development Organization (KEDO) finally announced the suspension of the project for one year from December 1, 2003 (November 21, 2003).

As such, the regional situation has seen continuous difficulties. However, a new element has emerged with the initiation of the six-party talks. As a means to resolve this situation peacefully, the “3 plus 3” Northeast Asia NWFZ initiative, which has been proposed by Japanese NGOs for a long time, is an alternative plan. Under this initiative, Japan, the ROK, and the DPRK make up a nuclear weapon-free zone and the U.S., Russia and China provide security assurances. Naturally, an appropriate verification system will be attached. Prior to the six-party talks at the end of 2003 August, former Secretary of State Henry A. Kissinger contributed an article titled “Toward an East Asian Security System” to the *Washington Post*. Interestingly enough, the gist of his article was quite similar to the “3 plus 3” proposal. His article proposed this idea, stating, “a negotiation that links the nuclear concerns of other countries (other than DPRK) with legitimate security and political concerns of North Korea would have the following components.” His proposal endorsed the fact that the “3 plus 3” initiative is extremely appropriate.

Unfortunately, the GOJ’s passive attitude

toward a Northeast Asia NWFZ has continued. We have already examined the fact that Japan adheres to U.S. nuclear deterrence, in Task 3 of Item 5.

It is crucial to turn the crisis into an opportunity to build on the Pyongyang Declaration and promote confidence building in Northeast Asia, before resorting to military threats or economic sanctions. From this point of view, the GOJ should not miss this opportunity. It should put forward a best option, namely a proposal to establish a Northeast Asia NWFZ. Confidence building can be made possible only by inducing a threat-posing counterpart to participate in the undertaking and by demonstrating that Japan itself is no longer dependent on nuclear deterrence. However, the GOJ's passivity has not helped to move things in this direction. The only hope was found in an MOFA official's remark made during a discussion with the Evaluation Committee about the Japanese government's wish "to study the possibility of a Northeast Asian NWFZ on condition that it is accompanied by an effective verification system." Now with the proceeding six-party talks, the GOJ should seriously examine the establishment of a Northeast Asia NWFZ as an imperative option.

**As a whole, the GOJ has retained its passive attitude toward the establishment of a Northeast Asian NWFZ, which is greatly needed now, while it has generally supported the idea of NWFZs. We give the GOJ a D grade.**

## Acronyms

<b>ABM</b>	Anti-Ballistic Missile System
<b>BWC</b>	Biological and Toxin Weapons Convention
<b>CD</b>	Conference on Disarmament
<b>CTBT</b>	Comprehensive Nuclear Test Ban Treaty
<b>CTBTO</b>	(Preparatory Commission of the) CTBT Organization
<b>CWC</b>	Chemical Weapons Convention
<b>DOD</b>	Department of Defense
<b>DOE</b>	Department of Energy
<b>DPJ</b>	Democratic Party of Japan
<b>DPRK</b>	Democratic People's Republic of Korea (North Korea)
<b>EIF</b>	Entry into Force
<b>FMCT</b>	Fissile Material Cut-Off Treaty
<b>GOJ</b>	Government of Japan
<b>HDBT</b>	Hard and Deeply Buried Targets
<b>IAEA</b>	International Atomic Energy Agency
<b>ICBM</b>	Intercontinental Ballistic Missile
<b>ICJ</b>	International Court of Justice
<b>IMS</b>	International Monitoring System
<b>JNC</b>	Japan Nuclear Cycle Development Institute
<b>KEDO</b>	Korean Peninsula Energy Development Organization
<b>MD</b>	Missile Defense
<b>MOFA</b>	Ministry of Foreign Affairs of Japan
<b>MOX</b>	Plutonium/Uranium Mixed Oxide
<b>MPF</b>	Modern Plutonium Pit Facility
<b>NAC</b>	New Agenda Coalition
<b>NATO</b>	North Atlantic Treaty Organization
<b>NCND</b>	Neither Confirm Nor Deny
<b>NGO</b>	Non-Governmental Organization
<b>NNSA</b>	National Nuclear Safety Agency
<b>NPR</b>	Nuclear Posture Review
<b>NPT</b>	Treaty on the Non-Proliferation of Nuclear Weapons
<b>NSA</b>	Negative Security Assurances
<b>NSPD</b>	National Security Presidential Directive
<b>NTS</b>	Nevada Test Site
<b>NWFZ</b>	Nuclear Weapon-Free Zone
<b>NWS</b>	Nuclear Weapon States
<b>OPCW</b>	Organization for the Prohibition of Chemical Weapons
<b>PAROS</b>	Prevention of Arms Race in Outer space
<b>PMDA</b>	Plutonium Management and Disposition Agreement
<b>PTS</b>	Provisional Technical Secretariat
<b>QDR</b>	Quadrennial Defense Review
<b>RNEP</b>	Robust Nuclear Earth Penetrator
<b>ROK</b>	Republic of Korea (South Korea)
<b>R&amp;D</b>	Research and Development
<b>SORT</b>	Strategic Offensive Reduction Treaty
<b>SSMP</b>	Stockpile Stewardship and Management Program
<b>START</b>	Strategic Arms Reduction Treaty (Talks)
<b>UNGA</b>	United Nations General Assembly
<b>UNIDIR</b>	United Nations Institute for Disarmament Research
<b>WMD</b>	Weapons of Mass Destruction