

Northeast Asia Nuclear-Weapon-Free Zone-Necessity and Challenges

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Nuclear-Weapon-Free Zone (NWFZ) as a Mechanism for Regional Peace

GPAC Northeast Asia has placed the establishment of a Northeast Asia NWFZ in high priority through the 2005 Regional Action Agenda, Statement of the 2005 UN Global Conference, and the 2006 Mt. Kungang Action Plan. Although the first target of the governmental Six-Party Talks is to denuclearize the Korean Peninsula, this process also aims to create "lasting peace and stability" for the whole of Northeast Asia.¹ The conclusion of a Northeast Asia NWFZ treaty would be effective as one way to realize such a sustainable peace framework in the region.

One of the leading models of the Northeast Asia NWFZ proposed in the 1990's is the "3 plus 3" proposal. This is to have a NWFZ treaty among the three non-nuclear-weapon states Japan, the Democratic People's Republic of Korea (DPRK) and the Republic of Korea (ROK), with the back up of three nuclear-weapon states—the US, China and Russia—providing guarantee of security of the three non-nuclear-weapon states. (A model of the Northeast Asia NWFZ treaty has been announced by Yokohama-based NPO *Peace Depot*.²)

The fundamental basis behind the "3 plus 3" proposal consists of the 1992 Joint Declaration for Denuclearization of the Korean Peninsula, Japan's Three Non-Nuclear Principles, and the negative security

¹ The fourth paragraph of the Joint Statement of the Fourth Round of the Six-Party Talks, September 19, 2005, declares that "the Six Parties committed to joint efforts for lasting peace and stability in Northeast Asia."

² Peace Depot, A Model Treaty on the Northeast Asia Nuclear-Weapon-Free Zone: <http://www.peacedepot.org/e-news/workingpaper1.pdf>

assurance (NSA) commitments by the nuclear-weapon states to the non-nuclear-weapon states to neither use nor threaten to use nuclear weapons. This proposal is based on the existing non-nuclear policies and provides a feasible suggestion which suits the existence of nuclear powers in the region. However, the road to realization is not easy. The following are the key challenges in the road to a NWFZ in Northeast Asia.

Key Challenges

The first challenge is how to solve the current nuclear problems on the Korean Peninsula. Denuclearization of the Korean Peninsula has to be achieved as a premise of a Northeast Asia NWFZ. In order to achieve this, full implementation of agreements at the Six-Parties Talks is essential. However, there are numerous issues that must be overcome in order to achieve this.

- Efforts for the abandonment of the nuclear programs in DPRK should be unlinked from any discourse of regime change in the country. It is essential that the denuclearization process be pushed forward by peaceful diplomacy and dialogue in such an environment that the DPRK regime would not feel threatened for its survival. The DPRK must abandon its nuclear programs immediately and with transparency. Some arguments, including in the US and Japan, to try to link the nuclear problems to a regime change are counterproductive in achieving this goal.
- Abandonment of the DPRK nuclear programs must be conducted with a credible verification mechanism in place. In addition to verification by the International Atomic Energy Agency (IAEA), some verification measures operated by neighboring countries—possibly engaging non-governmental experts—may be necessary. The DPRK may demand verification of non-nuclear status of the US bases in the ROK. Verification mechanisms and/or confidence-building measures will be necessary through the entire Korean Peninsula.
- Normalization of diplomatic relations between the US and the DPRK, and between Japan and the DPRK should be promoted in parallel with the process of abandoning the nuclear programs. Sincere dialogue between Japan and the DPRK on the abduction issue is essential, so are the issues of colonization and wartime crimes by Japan. The abduction issue must not provoke support

in Japan for a regime change of the DPRK. Rather, such efforts for a thorough investigation and remedies for human rights violations in the cases should be pursued in order to overcome the past and achieve reconciliation.

The second challenge relates to Japan's nuclear policies. This includes both the issue of the Japan-US military and nuclear strategy, and the issue of Japanese nuclear energy policy. It is important to understand that the issues in Japan's nuclear policies mirror the issues in solving the current problems on the Korean Peninsula. This will be further examined later in this paper.

The third challenge relates to nuclear and conventional disarmament in the region. The "3 plus 3" concept is based on the prior denuclearization of Japan, the DPRK and the ROK, with the backing of the three nuclear powers. However, in order to ensure a sustainable NWFZ in the region, nuclear and conventional disarmament engaging the nuclear powers is essential. To promote regional disarmament and confidence building, political and security environments should be improved in terms of the US-China relations, the Taiwan Strait, the territorial disputes and energy supply in the region.

The fourth challenge is about the relationship between regional nuclear disarmament and the global disarmament regime. How does the regional process for a Northeast Asia NWFZ promote the Comprehensive Nuclear Test Ban Treaty (CTBT)-which the US and China have not ratified- entering into force? How will it work for universalization of the Chemical Weapons Convention (CWC) and Biological Weapons Convention (BWC)? How would the process in Northeast Asia help other NWFZ treaties, including those of Southeast Asia and Central Asia, in having the protocols enter into force and being strengthened? All these issues should be taken into account in launching a NWFZ process in Northeast Asia.

The Role of Nuclear Weapons in the Japan-US Security Arrangement

Having premised these key challenges, this paper focuses on the problems related to Japan's nuclear policy and the nuclear dimension in Japan-US relations. The first focus is the relation between a Northeast Asia NWFZ and the Japan-US security arrangement. The idea of a Northeast Asia NWFZ is based on the Japanese Three Non-Nuclear

Principles and the negative security assurance, or the pledge of no threat or use of nuclear weapons, by the nuclear-weapon states, including the US. The key questions here are, especially in terms of the US nuclear strategy, whether these non-nuclear pledges are currently in effect and would be in effect in a NWFZ, and what should be done to make them properly effective in a NWFZ.⁰

After the DPRK nuclear test last October, the debate over Japan's nuclear armament was highlighted in both domestic and international media. Domestically, the argument for a nuclear option has been calmed down shortly after the sensational immediate response to the test, and the current debate can be summarized as follows.

On one hand, with regard to the question of whether remaining as a non-nuclear-weapon state serves Japan's national interest, the vast majority of the public has answered yes. In addition to the abhorrence against atomic bombs rooted in the public with the memory of Hiroshima and Nagasaki, the political leaders have gained public support in claiming that being under the Nuclear Non-Proliferation Treaty (NPT) and the "nuclear umbrella" of the US is the most reliable way in terms of its security and the use of energy. Domestically this is the majority and mainstream viewpoint. The government and the ruling parties are keeping the same line.³

On the other hand, as for the Three Non-Nuclear Principles in that Japan commit to "not possessing, producing or permitting the introduction of nuclear weapons," it should be noted that there are claims that it is necessary to reexamine the third Principle of "not permitting the introduction of nuclear weapons" while keeping the other two.⁴

The Three Non-Nuclear Principles have been announced as a "fixed line of national policy" since the 1972 Diet resolution. However, despite the third Principle, numerous testimonies and declassified official documents have shown that there were secret agreements between the governments of Japan and the US that allows the passage and port-calls of nuclear armed US vessels and that such an agreement was valid from the very beginning of the Three Principles. (the Japanese government officially continues denying this.) While Japan is under the legal obligation of "not possessing and producing" as a NPT non-nuclear-weapon party, there is no legal provision which binds Japan "not to permit the

³ Former Defense Minister Shigeru Ishiba is one of the frequent media contributors to represent this position.

⁴ For example, Lower House member Takashi Sasagawa's remark at the Liberal Democratic Party (LDP)'s meeting on November 7, 2006.

introduction" of nuclear weapons. Since Japan adopts national policy that relies on US nuclear deterrence as well as having the Three Non-Nuclear Principles, there is a big conflict whether it is possible to limit the deployment and passage of the US nuclear weapons while depending on the US nuclear deterrence. It is believed that the governmental secret agreements on passage and port-calls are still valid. The "reexamination of the third Principle only" is a claim to allow bringing US nuclear weapons into Japan for its defense in the cases of emergency.

Realistically speaking the possibility of Japan and the US choosing this option is not high, however the emergence of this kind of argument represents Japanese "expectations" on not only the provision but also the positive application of the US nuclear deterrence. In the wake of the DPRK nuclear test, some members of the public and the leaders of Japan are placing higher importance on the nuclear role in the Japan-US security arrangement. This is not equal to a call for Japan's own nuclear armament, but is definitely a dangerous trend which is counterproductive for a NWFZ in Northeast Asia.

Is No-First-Use Policy by Japan-US a Possibility?

At the beginning of the Six-Party Talks in August 2003, a high-rank official of Japan requested the US "not to affirm the non-threat or use of nuclear weapons towards the DPRK."⁵ Also, in contradiction to the declared official policy that "nuclear deterrence is to respond to nuclear threats,"⁶ the government officials have frequently and openly stated, at meetings with NGOs and other occasions, that the nuclear deterrence is necessary even in response to the biological and chemical threats and thus that the government of Japan cannot support a no-first-use policy. For the US, Japan's stance can be seen as urging the preservation of nuclear offensive in the region.⁷ Under such

⁵ The Yomiuri Shimbun, August 22, 2003

⁶ National Defense Program Guideline reads, "To cope with the threat of nuclear weapons, Japan continues to rely on the nuclear deterrent provided by the United States: /www.mod.go.jp/e/defense_policy/japans_defense_policy/4/ndpgf2005/1.pdf

⁷ See, for example, Christopher A. Ford, the US Special Representative for Nuclear Nonproliferation, 'Achieving and Sustaining Nuclear Weapons Elimination,' March 17, 2007: "Significantly, the U.S. deterrent will continue to serve the interests of disarmament by helping prevent regional arms races. Today, for example, the United States is working hard with other countries in the Six-Party Talks to convince North Korea to terminate its nuclear weapons program. ...At the same time, given the recent nuclear detonation by North Korea, States Party in Asia have made clear the importance of U.S. nuclear deterrent capabilities in helping keep the situation there under control. In the face of North Korea's nuclear provocation, U.S. allies in Asia have placed increased reliance upon recent assurances by Secretary of State Rice that the United States will fulfill its security commitments." (Emphasis added.) <http://www.state.gov/t/isn/rls/other/81943.htm>

circumstances, there is no room for a non-use pledge by the US, which is a condition for creating a Northeast Asia NWFZ.

Internationally, proposals for no-first-use policies among nuclear nations are recurring. The Final Document of the 2000 NPT Review Conference sought "a diminished role for nuclear weapons in security policies." The 2006 Report of the Weapons of Mass Destruction Commission (WMDC) chaired by Hans Blix recommended all nuclear-weapon states to "declare categorical policy of no-first-use" that covers "retaliation for attacks involving chemical, biological or conventional weapons."⁸ Recently Japan's biggest opposition Democratic Party became vocal toward a no-first-use pledge to be demanded of the US by Japanese government.⁹

Is the role that Japan plays one of supporting an US nuclear attack, or is it one of containing it and reducing the role of nuclear weapons in regional security? In order to achieve a Northeast Asia NWFZ, a clear commitment to negative security assistance by the US is vital. Japan should play a large role in making this a reality. In addition, if nuclear non-use pledges are established among nuclear powers of the US, China and Russia, it would promote broader disarmament among the nuclear powers, including regulations on non-strategic nuclear weapons and promotion of confidence-building measures.

Reprocessing, Enrichment and the Regional Energy Framework

Another dimension in Japan's nuclear policy is spent fuel reprocessing and uranium enrichment which both directly concern the peaceful use of nuclear energy and nuclear non-proliferation.

In the 1992 Joint Declaration on the Denuclearization of the Korean Peninsula, the DPRK and the ROK declared not to "test, manufacture, produce, receive, possess, store, deploy or use nuclear weapons" and to "not possess nuclear reprocessing and uranium enrichment facilities." To reinstate the contents of the Joint Declaration, both the North and South will have to reconfirm and continue to agree on not possessing reprocessing and enrichment facilities. And thus, solving the verification issue will be vital, as previously mentioned.

⁸ Weapons of Mass Destruction Commission, *Weapons of Terror, Recommendation 15*, Stockholm, 2006. <http://wmdcommission.org>

⁹ Interview with the Former DPJ Head Katsuya Okuda, *Asahi Shimbun*, November 10, 2006

At the same time, Japan is in the final testing phase before starting to operate the large scale reprocessing plant in Rokkasho-mura (Aomori Prefecture) this autumn as the first non-nuclear-weapon state to conduct commercial reprocessing. The Japanese government claims that it operates strictly in accordance with international verification, and therefore it should not be in a position to be criticized for any proliferation concern.

However, it is highly questionable if such an international order is sustainable given that on one hand Japan's activity is acceptable, whereas on the other hand any such activity is prohibited on the Korean Peninsula. If Japan starts conducting its reprocessing, public pressure may arise in the ROK to claim that it is entitled to do the same. It may even back up Iran's hard-line stance on the "right to peaceful use of nuclear energy." Japan's reprocessing may thus trigger a chain-reaction of proliferation of sensitive nuclear technology.

To achieve the denuclearization of the Korean Peninsula, how to deal with the DPRK's claim for the right to peaceful use of nuclear energy is one of the key questions that all the parties should tackle immediately. Promoting a Nuclear-Weapon-Free Zone in Northeast Asia would pose a question of how reprocessing and enrichment can be regulated throughout the whole region. This would be followed by wider questions of nuclear fuel supply and waste management in the region. The IAEA and others have proposed multilateral control on reprocessing and enrichment, but their validity and feasibility are questionable in the region.

Hans Blix's WMDC recommended that "the production of highly enriched uranium should be phased out" and that "states that separate plutonium by reprocessing spent nuclear fuel should explore possibilities for reducing the activity."¹⁰ It also proposed a Middle East WMD-free zone where all states in the region, including Israel and Iran, should suspend or renounce sensitive fuel-cycle activities for "a prolonged period of time."¹¹

Japan needs to pay attention to such international calls, freeze its reprocessing plans, and make all efforts to find solutions to the problem of reprocessing and enrichment in Northeast Asia. The 2005 GPPAC Northeast Asia Action Agenda mentioned the issue of "regional

¹⁰ Ibid. Recommendation 9

¹¹ Ibid Recommendation 6

cooperation on energy." Civil society in the region bears the responsibility to tackle this issue to find ways to solutions.

**Role of Citizens of a Region that Experienced
the Horrors of Nuclear Weapons**

Striving for a NWFZ in Northeast Asia poses such fundamental issues as the Japan-US security arrangement and the future of nuclear energy in this region. Civil society needs to consider ways to remove the role of nuclear weapons from the US alliance and to promote "security without nuclear weapons" as well as to establish a regional energy framework that will not pose the concern of nuclear proliferation.

None of these issues can easily be solved in one step. However, as citizens of a region that experienced the devastation of nuclear weapons in the 1945 bombings of Hiroshima and Nagasaki (which should be seen as a "regional experience" and not solely a "Japanese experience"), it is vital to establish a fundamental recognition that people can live in peace only when their region is freed from any threat of nuclear catastrophe. Denuclearizing the region would lead a worldwide process to eliminate all nuclear weapons. With this comprehensive vision in mind, it is important to continue to promote dialogue over concrete steps that the governments and citizens can and should take to achieve a NWFZ in Northeast Asia.