

Japan's Disarmament Policy



Edited by
Directorate General, Arms Control and Scientific Affairs,
Ministry of Foreign Affairs

Published by
The Center for the Promotion of Disarmament and Non-Proliferation,
Japan Institute of International Affairs

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Preface to the publication of ‘Japan’s Disarmament Policy’

While progress in science and technology has contributed to the realization of a better human life, it has also drastically changed the nature of armed conflicts by increasing the destructive and killing power of weapons. Disarmament comes from the common desire of all people to create a safer and more peaceful world, and is inseparable from humanitarianism.

The international community has been making efforts in the field of disarmament and non-proliferation. The negotiations on the Chemical Weapons Convention were concluded at the Conference on Disarmament in Geneva in 1992. This is an epoch-making disarmament convention that bans an entire category of weapons with a verification system that includes on-site inspection. The Strategic Arms Reduction Treaty (START) I between the Russian Federation and the United States entered into force in 1994, and an indefinite extension to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was agreed to in 1995. The adoption of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) in 1996, in particular, was expected to be a significant step toward the realization of a world free of nuclear weapons. However, the recent international environment concerning disarmament and non-proliferation remains as critical as ever when such incidents as nuclear tests in South Asia in 1998 and the global proliferation of weapons of mass destruction and ballistic missiles are taken into consideration. The international community must confront and resolve such emerging challenges, which threaten the peace and stability of the world, for the sake of the prosperity of humankind in the 21st century.

As the only country to have experienced the devastation caused by the use of atomic bombs when these were dropped on Hiroshima and Nagasaki, Japan resolved not to possess any nuclear weapons, and it is proud of adhering to this policy. Japan strongly believes that this is the path it should follow to achieve prosperity and to establish an honorable position through making a positive contribution to international affairs. From this standpoint, Japan is making every effort to take a leading role to bring about a peaceful and safe world free of nuclear weapons as soon as possible.

Japan has been active in trying to resolve the problems of landmines and small arms and light weapons such as automatic rifles, since they are the ‘de facto weapons of mass destruction’ and capable of having catastrophic effects on the lives of many people. Japan has also been active in reinforcing the non-proliferation regime including measures against terrorists.

To elucidate the current state of disarmament and non-proliferation and to gain broad understanding and support, we are publishing this book, entitled 'Japan's Disarmament Policy', issued by the Center for the Promotion of Disarmament and Non-proliferation, Japan Institute of International Affairs. I sincerely hope that this book be of assistance in your consideration of disarmament and non-proliferation issues.

The Japanese Government will actively seek diplomatic initiatives in the area of disarmament and non-proliferation with the aim of realizing a world free of nuclear weapons and conflicts as soon as possible, reflecting its people's opinions. I will be most gratified if this book helps you to gain a better understanding of the issues and strengthens your support for Japan's Disarmament Policy.

December 2002

Yoriko Kawaguchi
Minister for Foreign Affairs

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This book is a summary of the international situation and the diplomatic activities concerning disarmament and non-proliferation conducted by Japan in the period up to the end of December 2002 with the minimum update.

Introduction Significance of Disarmament and its History

1. Why do we need disarmament?

Driven by a national determination that ‘the tragedy of war should never be repeated’, Japan has made it a basic national policy to exert all its strength and abilities for the benefit of world’s peace and prosperity, instead of becoming a military power. War threatens people’s lives and properties, destroys their lives and societies, and brings many tragedies to the world. Japan’s diplomacy must be conducted on the basis of the Japanese people’s deep-rooted desire for peace and security both regionally and internationally.

The genesis of disarmament is based on the idea that ‘the best solution is the total elimination of armaments,’ while maintaining peace and stability. In reality, however, mistrust festers between countries and among ethnic groups, resulting in ever-present tensions and conflicts. Territorial disputes, religious conflicts, racial confrontations, etc. exist throughout the world, and have the potential to develop into armed conflicts. Under such circumstances, some states might try to increase their military influence over their neighbors to gain better leverage in political, economic, and other issues. This in turn would mean that neighboring states would feel compelled to prepare against such military influences. It is a grim reality that many countries feel the necessity for arming in order to defend themselves against a possible invasion or a military threat from other countries. In our efforts to promote disarmament, we have to recognize this reality.

Even if armament is necessary for a state’s national security, every state benefits from cooperation and coordination with other states in limiting the scale of armaments to an appropriate level, or if possible, in reducing armaments. When competing states strengthen their military capabilities in order to gain military dominance, they get into the never-ending spiral of an arms race. In order to avoid this situation, states have started to realize that limiting or coordinating the scale and capability of their armaments is necessary.

Among other things, the arms race is likely to jeopardize international peace and security. Even where states do not intend to actually invade their neighbors or threaten them with armed force, expansion of armaments leads to a growing perception and concern among countries that a threat exists. This may destabilize international relations or, in certain circumstances, may lead to unnecessary armed conflicts. Huge military expenditures also aggravate the financial situations of the governments involved. Such expenditure is non-productive and results in the waste of valuable resources. States that need to allocate their budgets to economic

development or welfare would prefer to avoid an unnecessary arms race by restricting military expenditure.

From these viewpoints, international cooperation to bring about disarmament has been sought since the beginning of the 20th century. The League of Nations, established in the wake of World War I, sought to promote disarmament as one of its major purposes. With warships forming the core of armed forces at the time, the treaties for the limitation of naval armaments were concluded as the result of a series of disarmament negotiations amongst the major powers. Since that time, disarmament has been pursued primarily through international cooperation in an attempt to effectively bring about security amongst states.

2. Advent of nuclear weapons and nuclear disarmament

The use of nuclear weapons during World War II ushered in the so-called Nuclear Age and has altered the meaning of disarmament. This is because nuclear weapons cause massive destruction; the detonation of such weapons in an urban area will bring about the indiscriminate killing of an enormous number of non-combatants. Nuclear weapons with such devastating power not only exceed what is required as war-fighting measures, but they also endanger the survival of all mankind should a nuclear war deploying the world's huge nuclear arsenal break out. Therefore, it is natural that the total elimination of nuclear weapons has been actively sought as a common goal for all mankind since the beginning of the Nuclear Age.

The United Nations (the UN), established based on the devastating experience of World War II, advocated from the outset 'reduction and control of armaments' as one of the key items on the agenda for the General Assembly. The fact that the UN established the 'Atomic Energy Commission' with its very first resolution and entrusted this commission with the task of 'studying ways of eliminating nuclear weapons and all other weapons of mass destruction' clearly expresses the UN's firm determination.

However, as confrontation between the Eastern and the Western blocs developed into what became known as the Cold War, the United States (the US) and the U.S.S.R. soon became deeply engaged in a massive nuclear arms race to gain superiority over the rival superpower. The nuclear arms race was drastically accelerated as both countries realized the need to ensure their respective offensive and destructive capabilities. Yet, when the nuclear weapons possessed by both countries increased both qualitatively and quantitatively to an extent that each country had the capacity to destroy the opponent many times over, they had to start thinking about how to restrain the opponent from using its nuclear weapons.

Particularly in Europe, where the North Atlantic Treaty Organization (NATO) and the Warsaw Treaty Organization (WTO) confronted each other across the 'Iron Curtain', they were faced with the extremely difficult situation of deterring a conventional armed invasion with the threat of nuclear retaliation, while still trying to prevent actual use of nuclear weapons under any circumstances.

Negotiations to limit nuclear weapons took place between the US and the U.S.S.R. repeatedly during the Cold War era. Throughout this period, the US and the U.S.S.R. attempted to address the issue of how nuclear weapons could be dealt with in a world where two opposing superpowers that distrusted each other possessed such arsenals. Strategic stability between the two blocs needed to be secured so that the outbreak of a full-scale nuclear war would be prevented.

In other words, arms control was pursued based upon a tacit and mutual recognition of the need to avoid unnecessary nuclear arms races, and above all, to prevent a nuclear war that both sides wanted to avoid. With such considerations, the strategy of 'Mutual Assured Destruction' (MAD) was contrived as a means of containing the risk of a nuclear war between the US and the U.S.S.R. MAD was based on the presumption that neither superpower would be likely to initiate a nuclear war if both superpowers possessed the deterrent capabilities to inflict unacceptable damage on the opponent. According to MAD, both parties would ensure their ability to inflict such damage by constraining both offensive and defensive capabilities, and thus the threshold for a nuclear war would be raised. In accordance with such a presumption, the US and the U.S.S.R. concluded the Interim agreement between the US and the U.S.S.R. on certain measures with respect to the limitation of strategic offensive arms (Strategic Arms Limitation Treaty (SALT) I Agreement) that aimed to limit each other's offensive capabilities and, simultaneously, the Treaty between the US and the U.S.S.R. on the limitation of anti-ballistic missile systems (Anti Ballistic Missile (ABM) Treaty) to limit their defensive capabilities. This is why the ABM Treaty was said to be the symbol of US-Soviet nuclear arms control.

In such an international environment, nuclear weapons came to be seen as a reliable means of ensuring security by deterring a conventional armed invasion by an opponent. The maintenance of global stability (through maintaining the balance of power and deterrence between the Eastern and Western blocs, in terms of the sum of nuclear and conventional weapons) means that we have managed to avoid the outbreak of another world war.

Another important aspect of nuclear weapons is that they are considered a symbol of being a major power. The UK and France have developed the Minimum

Deterrent Strategy that is designed to deter an attack even though these countries possess a smaller quantity of nuclear weapons than their potential opponents. China takes a somewhat similar strategy. Yet to these countries, the more important aspect of possessing nuclear weapons is to secure the status of being a major power. India and Pakistan may have been greatly influenced by this rationale when they conducted their nuclear tests.

Regrettably, arms control has not advanced rapidly towards the total elimination of nuclear weapons. However, Japan continues to believe that practical steps should be taken to achieve that objective.

3. Danger of proliferation of weapons of mass destruction

While the nuclear confrontation between the US and the Russia are less likely than before, there emerged another threat to the world, namely the danger of proliferation of other weapons of mass destruction. As an increasing number of countries come to possess not only nuclear but also chemical and biological weapons, an unstable military situation may arise in many parts of the world which could destabilize regional or international peace and security. Possession of such weapons by a state involved in a dispute with neighboring countries, or aspiring to dominate its region, will expose its neighbors or the region to the threat of devastating consequences inherent in the use of such weapons. Furthermore, there is increasing concern that if such weapons were to fall into the hands of terrorists, the weapons might be used in the course of their subversive activities. The international community, therefore, has been working in concert to prevent the proliferation of weapons of mass destruction, i.e., to construct the framework for a non-proliferation regime.

Non-proliferation originally was an issue confined to nuclear weapons. Nuclear weapons were first developed and possessed by the US, then by the U.S.S.R. and, eventually, by the U.K., France, and China. In the 1960s, US President John F. Kennedy had warned that the number of nuclear weapons states could be expected to increase to between 15 and 20 by the 1970s if they were allowed to proliferate at the existing rate; and he appealed for the need to work toward non-proliferation. The Treaty on the Non-proliferation of Nuclear Weapons (NPT), concluded in 1968 and entered into force in 1970, prohibits any country other than the five existing nuclear weapons states from possessing nuclear weapons, while ensuring peaceful use of nuclear energy by non-nuclear weapons states under the International Atomic Energy Agency (IAEA) safeguards.

Prohibition of nuclear testing, which is an important step in the development of

nuclear weapons, aims at preventing proliferation of nuclear weapons but also blocks further development of nuclear weapons by nuclear-weapon States. The Partial Test-Ban Treaty (PTBT), which entered into force in 1963, banned testing in the atmosphere, in outer space, and underwater; but underground nuclear tests, which were not prohibited in the treaty, continued. The Comprehensive Nuclear-Test-Ban Treaty (CTBT) to prohibit all nuclear testing, including underground testing, was finally concluded in 1996. Despite the efforts of the international community to promote global non-proliferation, India and Pakistan that are non-State Parties to the NPT conducted nuclear tests in 1998. Both countries, however, voluntarily declared moratoriums on nuclear testing after conducting nuclear tests. Based upon these efforts of the international community, the nuclear-test ban seems to be gradually establishing as an international norm.

It is also important to curtail the flow of equipment, materials and technology for manufacturing nuclear weapons, in order to ensure in concrete terms the non-proliferation of nuclear weapons. The Nuclear Suppliers Group (NSG), consisting of nuclear technology states, has been working for this purpose since the adoption of the London Guidelines in 1977 and 1992. In response to President Kennedy's concerns, nuclear proliferation has been largely prevented by these measures.

The Geneva Protocol prohibited the use of biological and chemical weapons as instruments of war as far back as 1925. The Biological Weapons Convention entered into force in 1975, prohibiting the development, production and stockpiling of biological weapons even in peacetime. Japan ratified the Convention in 1982. With regard to the Chemical Weapons Convention, Japan ratified this Convention, which entered into force in 1997, in 1995 as one of the original Signatory States. The International Code of Conduct against Ballistic Missile Proliferation was launched in November 2002 for the global regulation of ballistic missiles, which can be used to deliver weapons of mass destruction. Efforts have also commenced to build up an international cooperation regime for the export control of materials and manufacturing technology vis-à-vis these weapons and missiles, as with nuclear weapons.

4. The end of the Cold War and new directions toward disarmament

The Cold War era ended with the liberalization of Eastern European states and the collapse of the U.S.S.R. The issue of strategic stability in the context of the balance of power between the Eastern and the Western blocs (in which nuclear weapons had played the central role) now seems to be irrelevant. The US and the Russia have been reducing the huge scale of their nuclear arsenals. Agreements

leading to the practical reduction of nuclear weapons were concluded, and a large number of nuclear weapons have actually been destroyed.

The role of nuclear weapons will be seriously reviewed from now on. It seems quite unlikely that an age of confrontation and a nuclear arms race between the US and the Russian Federation will recur at least in the foreseeable future.

On the other hand, modernized weapons systems have come to acquire destructive powers on a tremendous scale, as a result of the dramatic advancement of military technology in the latter half of the 20th Century. Having achieved modernization, many countries are now equipping their military forces with state-of-the-art weapons. There are some states ruled by dictators, and the fact cannot be ignored that there is possibility that those states may attack other countries and use such modernized weapons systems irresponsibly. Despite the recognition of the need to adequately deal with emerging unstable factors, we have not yet found a new security concept replacing the thinking that ultimately resorts nuclear deterrence formulated during the Cold War.

The reduction of nuclear weapons itself is also creating a new kind of problem. The Russian Federation is in the process of dismantling and destroying a substantial number of nuclear weapons, which involves enormous cost, but Russia lacks the necessary financial resources to undertake the process unilaterally.

Without the adequate control and disposal of fissile material such as plutonium extracted from the dismantling of nuclear warheads, and secure employment for the scientists who were formerly involved in the production of nuclear weapons, these materials and technological knowledge could flow out to other states amid the chaotic situation occasioned by the restructuring the states of the former Soviet Union, presenting new kinds of dangers. Another important challenge is to prohibit the production of fissile material, which is the key to manufacturing nuclear weapons. The task ahead of us is to negotiate the so-called Fissile Material Cut-off Treaty (FMCT).

In order to promote further efforts towards the total elimination of nuclear weapons, we must find an effective solution to the problem of how to secure world peace and security, keeping in mind that unpredictable situations can develop at any time. It is important for Japan, which plays a significant role in the moves to secure world peace, to promote practical and concrete disarmament steps, while helping to maintain the security of the international community.

Moves are underway to limit or prohibit the possession and use of certain

conventional weapons, including anti-personnel landmines and small arms and light weapons. This is because these weapons not only cause intolerable tragedies for noncombatants but also cause extremely serious damage to societies and economies that must be repaired after the end of an armed conflict. When the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (the Ottawa Convention) entered into force in 1999, the use, development, production and possession of anti-personnel landmines were prohibited. This was an epoch-making treaty as it was the first such convention to entirely prohibit a certain category of conventional weapons. The importance of the measures to counter the problem of landmines, which inhibit humanitarian support and restoration activities, was discussed again at the International Conference on Reconstruction Assistance to Afghanistan, held in Tokyo in January 2002. Efforts to collect and destroy small arms, and to restrict their distribution were initiated by the United Nations Small Arms Conference, held in 2001. Disarmament in these areas has taken the form of initiatives to bring about world peace by preventing regional conflicts and their recurrence. We are seeing a new trend where the moves to eliminate or curtail such weapons are being developed through the activities of non governmental bodies such as NGOs, which urge the governments of participating states to work towards a solution.

As described above, arms control and disarmament have been pursued from a variety of viewpoints. It is important to have a clear understanding of the development process and the background to disarmament. Then we can advance disarmament diplomacy in a way that is based on reality, thereby making our strong appeal for disarmament sufficiently convincing.

5. Significance of disarmament for Japan

Japan has been actively involved and committed itself in arms control and disarmament activities as one of the main pillars of its diplomacy. Needless to say, building peace and stability, which has been sought through arms control and disarmament, is a strong desire of the Japanese people, and is consistent with the idea of pacifism advocated in the Constitution of Japan.

Japan, as the only country to have suffered from the devastation of atomic bombs, has responsibility to appeal vigorously to the people of the world that we must never repeat nuclear war, and that all nuclear weapons must be eliminated.

However, that is not the only significance of disarmament for Japan. It is also imperative for Japan to vigorously promote arms control and disarmament due to

the regional security situation.

Two of our neighbors, China and Russia, are major powers with vast territories and enormous military capability that includes nuclear weapons. The adjacent area contains unstable elements such as the Korean Peninsula and the Taiwan Strait. The end of the Cold War has substantially altered the global security environment. However, as far as the Northeast Asian region, including Japan, is concerned, many tensions, and unclear and uncertain elements remain persist. Rather, we are experiencing the emergence of a new destabilizing situation wherein North Korea is suspected of conducting nuclear development, and has been repeatedly conducting missile tests since the beginning of the 1990s.

In order to ensure Japan's peace and security, it is imperative to stabilize as much as possible the military situation of the area surrounding our country. We have to make certain that the states in the region will not create a dangerous situation by initiating a reckless arms race. Japan has maintained the basic position of ensuring its peace and security through diplomatic efforts to assure the stability of the international environment, as well as through a moderate build-up of its defense capability, and the maintenance of the Japan-US Security Arrangements. Maintaining and strengthening the international framework of disarmament and arms control has been one of the essential elements of Japan's diplomatic activities in the context of national security. We should be able to reduce the military threats in the international environment surrounding Japan by restricting the development and deployment of weapons of mass destruction, and by thoroughly discussing an appropriate level for armaments in the region with our neighboring states. That is why we need to utilize and strengthen the framework of arms control and disarmament as a part of our national security policy.

6. Conclusion

It is our intention in this book to study the issue of disarmament and non-proliferation on the basis of their significance and history as explained above. In the following chapters, the current status and Japan's basic stance towards disarmament and non-proliferation issues will be discussed.

TEXT

Part I. Overview: Current situation and future perspectives of disarmament and non-proliferation

Chapter 1. Situation concerning disarmament and non-proliferation after the Cold War

‘Disarmament’ aims at reducing or eliminating armaments, while the objective of ‘non-proliferation’ is to curb and prevent the spread of weapons, in particular, weapons of mass destruction such as nuclear, biological or chemical weapons, their delivery means, and related materials and technologies. ‘Arms control’ covers the regulation of arms, verification and inspection, confidence building measures, and restrictions on the transfer of conventional weapons and others. The concepts of arms control originates from the US-the U.S.S.R nuclear arms control negotiations held in the 1970s. These concepts originally aimed to construct a structure to control nuclear weapons between the nuclear superpowers. Arms control, disarmament and non-proliferation, which target armaments and weapons, are regarded as important pillars to complement security policy. At the same time, all these concepts stem from the desire of all mankind to create a peaceful and safe world by controlling and regulating armaments.

Progress in science and technology has drastically increased the destructive and killing power of weapons. Humankind has experienced two World Wars, including the actual use of atomic bombs in the 20th century. On the basis of these experiences and reality, arms control, disarmament, and non-proliferation have been given greater humanitarian meanings, that is to minimize the damage, sacrifice and suffering inflicted on people through the control and reduction of weapons, in particular, weapons of mass destruction.

Needless to say, arms control, disarmament and non-proliferation are heavily influenced by the international political climate and security environments. The developments in nuclear disarmament and non-proliferation culminated in the first half of the 1990s when the tension of East-West confrontation eased after the end of the Cold War. The number of nuclear weapons throughout the world substantially decreased when the Strategic Arms Reduction Treaty (START) I entered into force. Many states including France and China became State Parties to the Treaty on the Non-proliferation of Nuclear Weapons (NPT). In addition, the Comprehensive Nuclear-Test-Ban Treaty (CTBT) that prohibits all nuclear tests including underground tests was adopted at the United Nations General Assembly in 1996.

On the other hand, however, there were increasing signs of negative tendencies to

reverse or block the progress in nuclear disarmament and non-proliferation particularly in the latter half of the 1990s. In particular, Iraq and North Korea, both states parties to the NPT, were suspected of developing nuclear programs in the early 1990s. India conducted nuclear tests and Pakistan followed in 1998. It is said that India conducted nuclear tests not only out of security considerations but also because of a strong desire to be acknowledged as a major power. These events, however, have been posing serious challenges to the nuclear disarmament and non-proliferation regime based on the NPT. In addition, the nuclear arms control negotiations between the US and the Russian Federation stagnated after 1998. This was because the US accelerated its undertaking to develop a missile defense system to protect itself against ballistic missile attacks, and the Russian Federation objected to the US policy, asserting that the US initiative would pose serious threats to the deterrence capability of Russia, and that the strategic balance between the two countries would be severely affected.

China also objected strongly to the US missile defense program, perceiving it as being extremely prejudicial to China, and expressed its opposition on various occasions, including at the Conference on Disarmament (CD), a multilateral forum for negotiating disarmament treaties.

At the CD in Geneva, after concluding the long-pending CTBT negotiations in the summer of 1996, negotiations on substantive matters have stalemated. Negotiations on the Fissile Material Cut-off Treaty (FMCT or so-called Cut-off Treaty), which prohibits the production of materials for nuclear weapons, such as highly enriched uranium (HEU) and plutonium, expected to be a matter of priority after the conclusion of the CTBT, are yet to be started. This stagnation at the CD in Geneva is expected to continue for a while, as the prospects for coordinating the conflicting positions among the major powers are not promising. In the areas of biological and chemical weapons, and conventional weapons, on the other hand, international efforts have been gradually strengthened throughout the 1990s.

At the beginning of the 21st century, the situation surrounding arms control, disarmament and non-proliferation has arrived at a critical crossroads. The environment surrounding arms control, disarmament and non-proliferation has been influenced by the change of the US Administration in 2001. The terrorist attacks of September 11, 2001, in particular, have drastically changed the US's perception of potential threats. As a result, a number of fundamental changes have been taking place in the US.

Firstly, the US is reviewing the structure of its own military forces and has been seeking to construct a new strategic buildup. Partly due to the improved relationship with the Russian Federation, the role of the traditional nuclear

strategy that relies on nuclear deterrence (mainly in the form of strategic nuclear weapons) has been relatively diminished, and the United States transformed its strategy by attaching more importance to the role of non-nuclear defense systems.

Secondly, the United States has made it clear that the primary threat is posed not by the nuclear-weapon states but by the ‘rogue states’, especially those that are regarded as belonging to the ‘Axis of Evil’ by President Bush. The immediate and greatest threat is perceived to be the possibility of weapons of mass destruction falling into the hands of terrorists. Since terrorists are not generally capable of producing weapons of mass destruction for practical use, in particular nuclear weapons, they need to be supported by a state in order to acquire those weapons. States that are potentially capable of providing terrorists with these weapons are the ‘rogue states’, thus, measures to deal with these countries are regarded by the United States as a matter of priority.

Thirdly, the United States has adopted a policy to strengthen and utilize multilateral frameworks so long as they work to its advantage. This view of ‘pro-American’ attitudes was made clear in Under Secretary of State John Bolton’s speech at the CD in Geneva on January 24, 2002.

Such US attitudes and activities will have a significant influence on the future course of arms control, disarmament and non-proliferation.

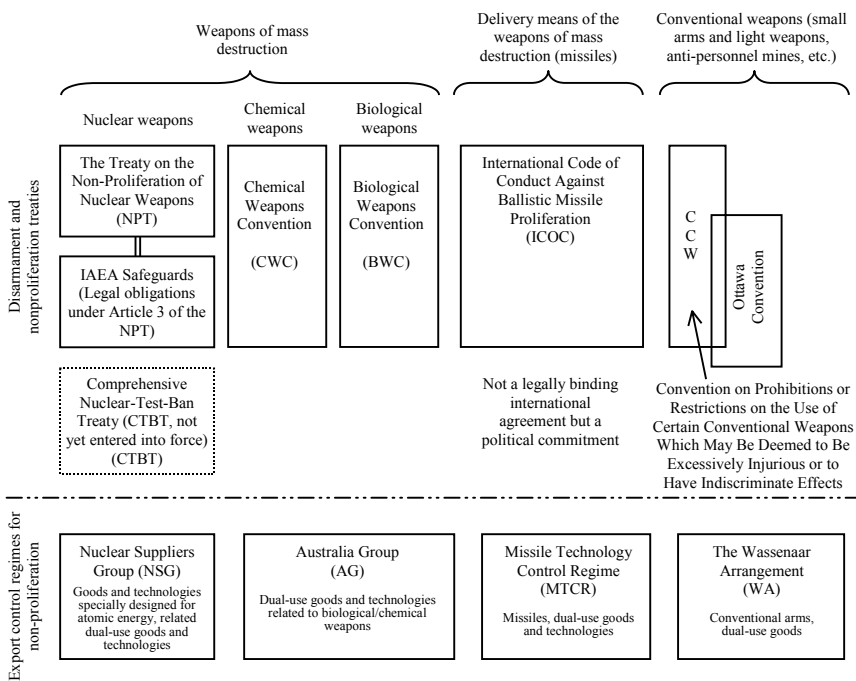
In this chapter, we will first present an overview of a general framework for disarmament and non-proliferation. Following this, we will deal with issues related to weapons of mass destruction (nuclear, chemical and biological weapons) and conventional weapons respectively. Lastly, we will take a look at non-proliferation issues, which have attracted much attention since the 9.11 terrorists attacks.

Section 1. Disarmament and non-proliferation regime

The current regimes for disarmament are aimed to regulate and control weapons of mass destruction (nuclear, chemical and biological weapons) and conventional weapons. The development, production and stockpiling of biological and chemical weapons are completely prohibited by the Biological Weapons Convention (BWC) and the Chemical Weapons Convention (CWC), respectively. The international community has agreed to work toward nuclear disarmament through the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). While conventional weapons disarmament has just got underway, certain inhumane conventional weapons have been banned recently. For example, the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of

Anti-Personnel Mines and on their Destruction (Ottawa Convention) and the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW) represent positive steps in this direction. However, some weapons of mass destruction and conventional weapons have not yet been subject to prohibition, or do not have an adequate verification system. It is necessary, therefore, to have mechanisms for the prevention of the transfer of these weapons, and materials and technologies to produce them to the states of concern. Such mechanisms and the above treaties, as a whole, are non-proliferation regimes. Figure 1 shows the relationships among the various regimes. In addition, there are also bilateral or regional treaties, such as the US-Russian arms control agreements and the Treaty on Conventional Forces in Europe (CFE).

Outline of the disarmament and non-proliferation regimes of weapons of mass destruction, missiles and related goods and technologies



Note: The United Nations Register of Conventional Arms, intended to improve the transparency of conventional arms transfers, established in 1992 and, in addition, the political declaration containing an 'Action Plan' designed to prevent the illicit trade in small arms was adopted at the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in July 2001.

Section 2. Circumstances surrounding nuclear weapons

Nuclear disarmament and non-proliferation made significant progress after the end of the Cold War between the Eastern and Western blocs, reflecting, to some extent, the substantial reduction in the nuclear threat posed by the former Soviet Union (the Russian Federation). As a first step, the US and Russia signed the START I in 1991, under which both states agreed to significantly reduce their deployed strategic nuclear warheads. Two nuclear-weapon states, France and China, also acceded to the NPT in the early 1990s. Furthermore, a number of other states, such as South Africa, Ukraine, Belarus, Kazakhstan, Argentine and Brazil, became non-nuclear-weapon states parties to the NPT after renouncing possessed nuclear weapons, deployed nuclear weapons, or nuclear weapon development programs. Thus the universality of the NPT was enhanced considerably. The number of States Parties to the NPT has increased to 188 as of December 2002 (138 in 1990), indicating that most countries are now participants in the nuclear non-proliferation regime, with the NPT regarded as its cornerstone.

In 1995, an important decision was made to indefinitely extend the NPT. At the same time, another important agreement was made to ensure that the above decision should not be interpreted as an endorsement of the perpetuation of the possession of nuclear weapons by the five nuclear-weapon States. That is to say, a political commitment was made to conclude the negotiations on the CTBT, which aims to comprehensively ban nuclear tests including, in particular, underground nuclear tests, within 1996 based upon the re-confirmation that nuclear weapon states would faithfully comply with their legal obligation to pursue negotiation on nuclear disarmament as stipulated in Article 6 of the NPT. The CTBT was formally concluded at the United Nations General Assembly in September 1996, following negotiations at the CD in Geneva. US-Russian as well as multilateral nuclear disarmament negotiations have been stalemated since the conclusion of the CTBT. However, the U.K. and France have implemented large-scale unilateral reduction of their nuclear arsenals since the early 1990s, and preparations began to establish new nuclear-weapon-free zones in Africa and the Southeast Asia (the former was concluded in 1995 but has not yet entered into force. The latter was concluded in 1995 and entered into force in 1997). It was revealed after the Gulf War in 1991 that Iraq had been engaged in nuclear activities undeclared to the International Atomic Energy Agency (IAEA), such as, among others, nuclear weapons development programs, in spite of being a State Party to the NPT. North Korea came under suspicion of developing nuclear weapons because of the discrepancies found between the North Korean reports to the IAEA and the actual results of inspections conducted by the IAEA in accordance with the Safeguards Agreement. Triggered by these events, the IAEA established the Additional

Protocol as a new measure that would significantly strengthen the safeguards systems in order to further consolidate non-diversion of nuclear materials.

The situation, however, remained generally adverse throughout the latter half of the 1990s. The non-compliance issues, such as the issue of development of nuclear weapons by North Korea and Iraq, which are State Parties to the NPT, have threatened the international nuclear non-proliferation regime from inside. Nuclear tests conducted by India and Pakistan in 1998 have not only threatened peace and stability in South Asia but also had a significant negative impact on the international nuclear non-proliferation regime, with the NPT forming its cornerstone. In addition, the ballistic missile tests conducted by North Korea, India, Pakistan, Iran and other countries clearly showed the steadily continuing proliferation of ballistic missiles capable of delivering weapons of mass destruction. It is still fresh in our memory that North Korea launched a ballistic missile across Japanese airspace in August 1998.

Furthermore, the rejection of the ratification to the CTBT by the US Senate (in October 1999), and the severe criticism by Russia and China of the promotion by the US of its missile defense program made this situation even more critical. This is the major obstacle that has led to a stalemate in substantial negotiations at the CD in Geneva.

In such a difficult situation, the 6th NPT Review Conference was held from April to May 2000. It was the first review conference since the decision in 1995 to indefinitely extend the NPT and, as foreseen, the conference faced critical moments of possible break-up. Despite these difficulties, the conference succeeded in adopting the Final Document, which includes 'practical steps' for nuclear disarmament and non-proliferation. This success reflected the fact that the international community fully recognizes the significance of the NPT regime. The intent and contents of the Final Document were reconfirmed when the resolution submitted by Japan to the United Nations General Assembly was adopted in the fall of 2000.

The future prospects for disarmament and non-proliferation are not promising. There is no prospect that practical measures will be implemented, even though 'an unequivocal undertaking towards nuclear disarmament' by nuclear weapon states was agreed to by the adoption of this Final Document. These practical measures include such questions as when the negotiations on the Cut-Off Treaty will start at the CD in Geneva, whether in the future the US will ratify the CTBT, or when the CTBT will enter into force. Furthermore, while the US withdrew from the ABM Treaty in June 2002, it is unclear at this stage what final form the US missile

defense system will take. The strategic stability between the major nuclear powers will remain a critical issue in the international security environment.

Section 3. Circumstances surrounding Chemical and Biological Weapons

The first international treaty to prohibit chemical and biological weapons was the 1925 Geneva Protocol (Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare.) This protocol banned the use of these weapons only in wartime but did not restrict the possession of such weapons in peacetime. Triggered by the UN General Assembly resolution in 1966 and the report by the UN Secretary-General in 1969, deliberations over these issues became active at the Conference of the Committee on Disarmament (CCD) and meetings at the UN. This led to the conclusion of the treaties that restrict these weapons including in peacetime.

Regarding the ban over biological weapons, where it was assumed that an agreement could be reached relatively easily, the Biological Weapons Convention (BWC) was concluded in 1972 (and entered into force in 1975). The BWC comprehensively prohibits the development, production, and stockpiling of biological weapons. The Convention is, however, rather simple in form, and lacks measures to verify the compliance of States Parties with the treaty. Therefore, the strengthening the Convention has been considered for a long time. As one measure, negotiations over a legally binding protocol that would establish a verification system similar to that for chemical weapons proceeded for more than six years until 2001. However, with the U.S.'s rejection of the draft protocol as a turning point, deliberations on other new measures to strengthen the Convention were initiated.

An agreement was reached on a future program of work at the resumed session of the 5th BWC Review Conference in November 2002. The program of work for the next three years, adopted by consensus, the States Parties would discuss five fields, including the strengthening of national penal legislation and the security of pathogenic micro-organisms. As a result, it was decided that the States Parties would continue discussions over how to strengthen the BWC through annual and expert meetings.

Regarding chemical weapons, the Chemical Weapons Convention (CWC), which had been negotiated at the Conference of the Committee on Disarmament (that later became the Conference on Disarmament (CD)) since the 1970s, was finally concluded in 1992, opened for signature in 1993 and entered into force in April

1997. The universality of the Convention has been considerably enhanced with the number of States Parties already having reached 150 (as of March 2003). The Convention comprehensively prohibits the development, production and possession of chemical weapons such as sarin and, at the same time, stipulates the complete destruction of the chemical weapons possessed by countries like the United States and the Russian Federation within a certain period of time (in principle within 10 years). This is of great significance in the history of disarmament treaties because this is the first Convention to not only completely ban and require the destruction of an entire category of weapons of mass destruction, but also to have an effective verification system to ensure compliance with these obligations. The Organization for the Prohibition of Chemical Weapons (OPCW) was established in the Hague, the Netherlands as the implementing organization with the primary mission of verifying compliance with the Convention. More than 200 OPCW inspectors have carried out more than 1200 or more on-site inspections over the last five and a half years since the establishment of the organization. The inspections consist of two main activities: on-site inspections of the storage sites and destruction facilities of chemical weapons as declared to the OPCW by the United States, the Russian Federations, and other states; and on-site inspections of the facilities where specific chemical materials are dealt with according to the declarations made to the OPCW by the States Parties possessing chemical industries (including Japan). With respect to the former, the destruction of chemical weapons, an agreement was reached in October 2002 to grant, in principle, extensions to the deadlines for the destruction of the chemical weapons stockpiles of the Russian Federation, which possesses the largest stockpiles of these weapons. The latter inspection is called 'industrial verification'. The purpose of this type of inspection is to prevent the States Parties from covertly developing or producing highly toxic substances such as sarin under the guise of legitimate chemical industry activities. They consist of international monitoring activities at facilities where chemical substances, which might be used to manufacture chemical weapons, are manufactured for peaceful purposes.

By 2001, the OPCW was facing a serious financial crisis, and the former Director-General was dismissed in April 2002. Mr. Rogelio Pfrter was elected in July 2002 as the new Director-General and is making efforts to improve the Organization's financial situation and restore confidence in the Organization.

The sarin gas attacks in the Tokyo subway in March 1995 was a disastrous event that remains fresh in the people's memory. The 'Satian No. 7,' the plant used for the production of deadly poison sarin, was declared to the OPCW by the Japanese Government in accordance with the Convention, and was demolished in December 1998 under the strict supervision of the OPCW inspectors.

Section 4. Circumstances surrounding Conventional Weapons

Regarding the regulation of conventional weapons, there have been several new developments since the end of the Cold War. Based on proposals by Japan and the European Community (EC), the United Nations Register of Conventional Arms, a system to register information regarding the import and export of certain categories of conventional weapons with the UN, was launched in January 1992. This is a system that covers seven specific categories of conventional weapons, including tanks, and the scope of the registration was determined based on the experience of the Gulf War. In accordance with the UN Register, some 90 States, including almost all of the key arms exporting countries, have provided the United Nations with designated information and other related information such as policies concerning the export and import of weapons. Given that the number of registered states had increased to 110 in 2002, it can be said that transparency regarding the import and export of conventional weapons has been dramatically improved. By increasing transparency, the following positive effects are expected: the international community is able to detect an excessive accumulation of conventional weapons in a specific region in advance; and this will reduce the possibility of a surprise attack, defusing mistrust, and enhancing confidence building amongst neighbors.

On the other hand, after the Cold War, anti-personnel landmines, small arms and light weapons, such as automatic rifles, have become the major means of killing innocent civilians in regional conflicts and civil wars that have broken out in various parts of the world, including Africa. In addition, the excessive accumulation and unregulated use of these weapons not only intensify conflicts but also create serious obstacles to post-conflict restoration and development.

Regarding anti-personnel landmines, which are assumed to kill or injure about 15,000 to 20,000 people every year, the Convention on the Prohibition of the Use, Stockpiling, Producing and Transfer of Anti-Personnel Mines and their Destruction (Ottawa Convention) was concluded and entered into force in March 1999 with the objective of bringing about their total elimination. This breakthrough was achieved partly due to strong international pressure coming mainly from NGOs. Japan contributed to the universality of the Convention (i.e., an increase in the number of States Parties) by acceding to the Convention in 1998. The conclusion of the Ottawa Convention represents remarkable progress particularly in the sense that the Convention enhances the support given to the victims of landmines and activities to remove landmines. However, the major military powers including the United States, the Russian Federation, China and India, have not acceded to the Convention, and a variety of problems remain.

In addition, the problem of small arms and light weapons is increasing in importance. About 5 million people have become the victims of conflicts that broke out during the 10 years following the end of the Cold War. In these conflicts it was small arms and light weapons, such as automatic rifles, that have been the main weapons used. Detailed studies into the question of restricting small arms and light weapons were carried out at the United Nations Governmental Experts Meetings initiated by Japan in the late 1990s.

The United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was convened in July 2001 in New York, where Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in Its Aspects was adopted. This was the first United Nations conference that had the participation of ministerial-level members, and was important in demonstrating an international political commitment to addressing the problem of small arms.

The first biennial meeting of states to consider the implementation of the Programme of Action will be held in New York in July 2003. It was already agreed that Ambassador Kuniko Inoguchi the Permanent Representative of Japan to the Conference on Disarmament will be appointed to chair the meeting.

Though the progress in the transparency in arms trade tends to slow down beyond a certain point because of the conflicting views amongst states, it is imperative for the international community to strengthen its efforts to deal effectively with the problem since even today the number of victims of conventional weapons, such as landmines, small arms and light weapons, keeps increasing.

Section 5. Current Situation surrounding Non-proliferation

While the end of the Cold War resolved the confrontation between the Eastern and Western blocs, it has led to the creation of a kind of power vacuum at the same time. As a result, regional conflicts that had been suppressed by the confrontation between the two blocs broke out in quick succession. This is exemplified by the Gulf War triggered by Iraq's invasion of Kuwait and the condition of so-called 'low intensity conflicts' in Afghanistan, Somalia, and Sudan. At the same time, the proliferation of weapons of mass destruction and missiles as their means of delivery continued. This fact was clearly demonstrated by North Korea's nuclear and ballistic missile related activities, nuclear tests conducted by India and Pakistan, and the development of ballistic missiles by Iran and other states.

As mentioned earlier, the Bush Administration maintains that the real threat to security is the acquisition of weapons of mass destruction and missiles by so-called 'rogue states.' The terrorist attacks on September 11th and the subsequent anthrax attacks have highlighted the existence of non-state actors such as terrorist groups that could pose such a threat in addition to 'rogue states.'

The international community has been making efforts to prevent the proliferation of weapons of mass destruction since the 1960s. In addition, since the 1980s, the industrialized nations have been applying an approach to control the proliferation of not only weapons themselves but also the materials and technology that may contribute to the development and production of such weapons (especially weapons of mass destruction). This approach was initially taken within the framework of the Coordinating Committee for Multilateral Strategic Export Controls (COCOM) with the aim of restricting exports to communist countries, but is currently implemented with a different objective, namely, as an important way of contributing to non-proliferation. Needless to say, the strengthening of the non-proliferation treaties dealing with weapons of mass destruction such as the NPT, BWC, and CWC and improving their verification measures are of vital importance. A comprehensive international approach to non-proliferation involves the treaties and verification measures mentioned above supplemented by the frameworks for international coordination on export control.

While the initiatives being undertaken in the arena of non-proliferation can slow down the proliferation of weapons of mass destruction and their delivery means, it is extremely difficult to completely halt the proliferation in today's international environment. The ways states seeking to develop weapons of mass destruction and their delivery means procure the necessary materials have become more and more sophisticated and shrewd year by year. Thus, the current situation surrounding non-proliferation can be described as a never-ending tag game between proliferators versus non-proliferation efforts.

The proliferation of weapons of mass destruction and their means of delivery is also taking place in the neighboring area of Japan. In addition to the suspected nuclear weapons development case in 1993, North Korea completed the development of the No-dong missiles with an estimated range of 1,300km, which can cover most of the Japanese territory, and it is said that North Korea has been deploying them. Furthermore, North Korea is currently developing Taepo-dong missiles with an even longer range. North Korea is also said to be providing other countries with missiles as well as missile-related technologies.

Moreover, the September 11th terrorist attacks, the anthrax attacks and the reported attempts by Al-Qaeda to acquire fissile materials and some chemical agents reaffirmed the danger of the possible transfer of materials related to weapons of mass destruction including nuclear materials to non-state actors such as terrorist groups.

Against this backdrop, it is imperative not only for the security of Japan but also for the peace and security of the world to further strengthen international cooperation for non-proliferation.

Chapter 2. Japan's basic stance and efforts on disarmament and non-proliferation

Section 1. Basic stance

In consolidating Japan's basic stance, it is essential to take into account the roles of disarmament and non-proliferation. Such roles can be observed from the following three perspectives: first, the security policy; second, the role from the humanitarian perspective; and third, the role from 'the human security' perspective.

Regarding the role of disarmament and non-proliferation for Japan from the security perspective, it is necessary to return to Japan's basic security policy that consists of the following three pillars: the maintenance of the Japan-U.S. Security Treaty, the maintenance of an appropriate defense capability, and the diplomatic efforts to ensure the stability of the international environment surrounding Japan. Because the purpose of disarmament and non-proliferation is to enhance peace and security, they can be considered to be a part of 'diplomatic efforts' in Japan's security policy. In formulating Japan's disarmament and non-proliferation policy, the extent of its contribution to Japan's peace and security should be regarded as an important yardstick.

Secondly, the humanitarian approach in the field of disarmament and non-proliferation is rapidly gaining significance because the tragic outcomes of wars are becoming more serious due to the improved destructive and killing power of weapons. The protocol banning the use of poison gas (the Geneva Protocol), which was concluded in 1925, is the first example of this approach. The Convention on the Prohibition of the Use, Stockpiling, Producing and Transfer of Anti-Personnel Mines and their Destruction (Ottawa Convention) entered into force in 1999 and is one recent example of a humanitarian-oriented disarmament convention.

Thirdly, the relatively new concept of the 'human security' is defined as 'a range of efforts to secure the freedom and future prospects for mankind whose existence, livelihood, and dignity are threatened by exposure to the menaces of poverty, ecological destruction, exodus of refugees, and anti-personnel landmines.' Examples are the efforts to reduce and control weapons such as anti-personnel landmines, small arms and light weapons. There are various emerging situations mainly in the post-conflict areas where the safety and lives of people are largely influenced by these efforts. As a part of efforts towards security and public order,

which are the prerequisite for the reconstruction and peace and as a measure to realize human security, disarmament and non-proliferation should be considered to be crucial.

Japan has been playing a leading role in the area of disarmament and has been energetically appealing to the international community. While Japan has been expected to advocate the principle of disarmament, in recent years, it has increasingly been expected to fully utilize its capacity and to make a greater contribution to achieving real progress in disarmament in the international community.

In other words, people's expectation toward disarmament has been increasing. It has become more important to implement concrete measures feasible for Japan and to produce 'visible' results in the areas of disarmament and, furthermore, peace building. For example, Japan should consider providing assistance if progress in dismantling nuclear weapons and other weapons is not adequately achieved due to a range of obstacles. Regarding the issues of landmines, small weapons and light arms, Japan can also contribute directly to countries requesting assistance to solve these problems. As such, Japan should promote global disarmament according to the principle of 'Action-oriented Disarmament' through which Japan itself can make direct and practical contributions.

Considering the three perspectives mentioned above, and taking the idea of 'Disarmament in Action' into account, the following is a series of considerations on Japan's basic stance and efforts in disarmament and non-proliferation regarding nuclear and other weapons of mass destruction, conventional weapons, and enhancement of the non-proliferation regime.

Section 2. Japan's efforts regarding disarmament and non-proliferation of nuclear weapons

It is natural for Japan, the only country to have ever suffered a nuclear devastation when atomic bombs were dropped on Hiroshima and Nagasaki, to focus on disarmament and non-proliferation of nuclear weapons (nuclear disarmament and non-proliferation.) Given their massive destructive power, the priority placed on nuclear disarmament is high from a security point of view as well. In practice, Japan has played an active role in this issue, and has continuously made a substantial contribution in the international community.

Japan's basic stance on nuclear disarmament and non-proliferation is a realistic

and progressive approach and is as follows: because Japan has renounced the option of possessing nuclear weapons, the total elimination of nuclear weapons is a prerequisite for the absolute security for Japan. Japan relies on the United State's nuclear deterrent ('the New National Defense Program Outline') so long as nuclear weapons exist. At the same time, Japan has steadily been making efforts through practical disarmament measures to realize a peaceful world free of nuclear weapons, so as to fulfill the responsibility it has assumed as the only country that has suffered a nuclear devastation.

1. Efforts to nuclear disarmament and non-proliferation

Japan ratified the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in June 1976. Upon depositing the instrument of ratification, the Government of Japan explicitly stated, "Japan, as the only nation to have suffered atomic bombing, declares anew to the world its fundamental policy of forsaking nuclear armaments." At the same time, Japan hoped, "as many States as possible will become parties to this Treaty in order to make it truly effective." Furthermore, Japan strongly "urged" the nuclear-weapon States, which have special responsibilities for nuclear disarmament, "to take concrete nuclear disarmament measures such as the reduction of nuclear weapons and the realization of comprehensive nuclear test ban, in accordance with Article VI of this Treaty." Japan made such a statement under the belief that "the nuclear-weapon-States must rectify this discrimination in the future by totally abolishing their nuclear weapons" since the NPT permits only the nuclear-weapon States to possess nuclear weapons and allows them a special status."

The basic stance of Japan on nuclear disarmament and non-proliferation and its support for the NPT has remained unchanged since Japan ratified the Treaty. The realization of a world free of nuclear weapons is the essential condition to ensure Japan's national security because Japan renounced its nuclear option by joining the NPT. At the same time, Japan, as the only nation that has suffered a nuclear devastation when atomic bombs were dropped on Hiroshima and Nagasaki, has a humanitarian responsibility to the international community to advocate the total elimination of weapons of mass destruction, in particular nuclear weapons. Therefore, Japan has always emphasized the importance of making diplomatic efforts to implement concrete measures based on a practical and progressive approach so as to achieve its objective of total elimination of nuclear weapons as early as possible, taking into account the undeniable reality that nuclear weapons still exist.

Based on such a basic stance on nuclear disarmament and non-proliferation, Japan

attaches great importance to the NPT as the foundation for making nuclear disarmament and non-proliferation a reality. In addition, Japan also regards the International Atomic Energy Agency (IAEA) safeguards and the Comprehensive Nuclear-Test-Ban Treaty (CTBT) as major pillars supporting the NPT regime.

The NPT is the most universal disarmament and non-proliferation treaty ratified by 188 States Parties. However, there are states that are not yet parties to the Treaty, as well as countries suspected of developing nuclear weapons clandestinely in violation of the Treaty (North Korea and Iraq). In order to strengthen the nuclear non-proliferation regime, it is of the utmost importance to further enhance the Treaty's universality and to establish mechanisms that ensure all State Parties to the NPT comply with their obligations. In this respect, the IAEA safeguard systems, which ensure nuclear non-proliferation through controlling nuclear materials, is an important pillar of the NPT. Iraq's nuclear weapons development program, which was revealed in 1991, showed the insufficiency of the IAEA safeguards system that existed at the time. It became important to improve the safeguards system in order to strengthen the nuclear non-proliferation regime. For this reason, the IAEA adopted the Additional Protocol of IAEA Safeguards in May 1997; Japan signed the Protocol in December 1999 as the first state signatory possessing nuclear power reactors. However, as of November 2002, only 67 states had signed the Additional Protocol, and only 28 of these countries have ratified it. It is an urgent task to universalize the Additional Protocol, thus, Japan has been vigorously making efforts to this end.

For example, in June 2001, Japan co-hosted with the IAEA "the International Conference on Strengthening the Universality of Additional Protocol" for the Asia - Pacific Region. Japan also supported seminars in Latin America, the three Baltic States, Central Asia, and Africa. Japan also hosted "the International Conference on Wider Adherence to Strengthened IAEA Safeguards", with 82 participants from 36 countries, in Tokyo in December 2002 to wrap up these regional seminars.

While prohibiting non-nuclear-weapon States from developing and acquiring nuclear weapons, the NPT obliges the US and other nuclear-weapons States to make efforts toward disarmament in good faith. Therefore, it is not acceptable that nuclear-weapon States only emphasize the nuclear non-proliferation aspect of the NPT regime and disregard their obligations for nuclear disarmament. It is quite rational for Japan to urge nuclear-weapon States to promote nuclear disarmament in parallel with making efforts to strengthen the nuclear non-proliferation regime.

When the indefinite extension of the NPT was adopted in 1995, the international

community agreed to promote negotiations on the CTBT as one of the nuclear disarmament measures to be implemented by nuclear-weapon States. Japan has been making active diplomatic efforts for the early entry into force of the CTBT since Japan regards the Treaty as an effective and practical measure to achieve both nuclear disarmament and non-proliferation.

The entry into force of the CTBT still seems a long way given the fact that major states such as the US, China, India, Pakistan, and North Korea, whose ratifications are required for the entry into force of the Treaty, have not yet signed or ratified it. Nevertheless, Japan is determined to continue its efforts to increase the number of signatories and ratifiers of the Treaty and thus promote the universality of the CTBT, since Japan considers it important to enhance the political significance of the CTBT as an international norm. Japan also regards the establishment of the International Monitoring System (IMS), which is a meaningful verification measure and setting up of a network to monitor nuclear tests across the world as important and practical. (See Section 3, Chapter 2, Part 2 of this book for details on Japan's efforts for the early entry into force of the CTBT.)

The Fissile Material Cut-off Treaty (Cut-off Treaty or FMCT), intended to ban the production of fissile material that could be used to produce nuclear weapons, is a concrete measure of nuclear non-proliferation and disarmament that should follow the adoption of the CTBT. It is an urgent task to activate the Conference on Disarmament for early commencement of negotiations on this Treaty. Japan is determined to continue to make efforts to accomplish these goals.

It is of a growing importance in the Russian Federation and the other former Soviet Union countries to ensure the safety of fissile materials, such as plutonium removed from dismantled nuclear weapons, and to dispose of such materials, so that these materials will not be used again in the manufacture of nuclear weapons. It is also important to prevent an outflow of nuclear scientists from their respective countries. This is because it is essential to reinforce the effectiveness of nuclear disarmament, and to minimize the risks of nuclear weapons, fissile materials and related technologies falling into the hands of countries of concern, or terrorists. Japan is determined to actively promote the cooperation with the former Soviet states in denuclearization and achieve visible results through Japan's approach of 'Action-oriented Disarmament.'

G8 leaders announced the "the Global Partnership against the Spread of Weapons and Materials of Mass Destruction" in the Kananaskis Summit in June this 2003. Under the Partnership G8 members support cooperation projects, initially in Russia, to address non-proliferation, disarmament, counter terrorism and nuclear

safety issues, and committed to raise up to 20 billion US dollars over the next ten years. Prime Minister Koizumi highly appreciated the Partnership and stated at the G8 meeting Japan would make contribution, for the time being, amounting to a little more than 200 million US dollars. Out of this, 100 million dollars would be allocated to an international organization that G8 would establish for the disposal of surplus weapons-grade plutonium.

2. Submission of Japan's draft resolution on nuclear disarmament to the U.N. General Assembly

The resolutions proposed by Japan to the U.N. General Assembly every year since 1994 summarize and clearly demonstrate the basic stance of Japan on nuclear disarmament and non-proliferation. Japan presented draft resolutions entitled 'Nuclear Disarmament with a View to the Ultimate Elimination of Nuclear Weapons' during the period from 1994 to 1999, which was supported by the overwhelming majority of the international community. This idea of 'the ultimate elimination of nuclear weapons' was incorporated into the document adopted at the NPT Review Conference in 1995 entitled 'Principles and Objectives for Nuclear Non-proliferation and Disarmament'. It was quite meaningful that nuclear-weapon States undertook to pursue the objective of 'the elimination of nuclear weapons' even though it was qualified by the word "ultimate."

At the NPT Review Conference held in 2000, the Final Document was adopted unanimously. The Final Document mentioned 'practical steps for the systematic and progressive efforts on nuclear disarmament' that have to be taken up by the international community, which include the early entry into force of the CTBT, and the immediate commencement of negotiations on the Cut-Off Treaty with a view to its conclusion within five years. In the Final Document, an 'unequivocal undertaking' by the nuclear-weapon States to accomplish the total elimination of their nuclear weapons was agreed on. This undertaking was considered to move Japan's resolution 'Nuclear Disarmament with a View to the Ultimate Elimination of Nuclear Weapons' forward, and it is possible to say that Japan's resolution laid the foundation for this progress.

On the basis of these achievements, Japan submitted a new nuclear disarmament resolution entitled 'A Path to the Total Elimination of Nuclear Weapons,' instead of 'Resolution on the Nuclear Disarmament with a View to the Ultimate Elimination of Nuclear Weapons' at the United Nations Millennium General Assembly in 2000; this resolution was adopted by an overwhelming majority. This resolution indicated a concrete path based on a progressive and practical approach towards the realization of the total elimination of nuclear weapons, with the goal

of ‘a world free of nuclear weapons.’ This resolution contained progressive measures in addition to those in the Final Document of the 2000 NPT Review Conference, including further reductions of nuclear weapons with a view to their total elimination, while ensuring an appropriate balance between nuclear disarmament and nuclear non-proliferation.

At the U.N. General Assembly in 2002, the coordination for the adoption of Japan’s resolution on nuclear disarmament was pursued under severe circumstances, as the US, based on a drastically changed approach from that of the previous US-Russian nuclear arms control regime, emphasized unilateral reduction of its nuclear weapons, and took a passive or negative stance against several multilateral treaties on disarmament and non-proliferation, including the CTBT.

Japan submitted the draft resolution under the same title as that in 2000, ‘A Path to the Total Elimination of Nuclear Weapon’, aiming at realizing a peaceful and safe world free of nuclear weapons by accumulating concrete measures towards nuclear disarmament and through a practical and progressive approach. The resolution was adopted by an overwhelming majority with 156 votes in favor, 2 against and 13 abstentions. Despite all these efforts, the US voted against it, stating the resolution referred to an early entry into force of the CTBT. That being said, the US reconfirmed that its stance on nuclear disarmament would remain unchanged when it gave an explanation of its vote.

Section 3. Efforts in the disarmament and non-proliferation of chemical and biological weapons

The use, development, production of chemical and biological weapons are comprehensively prohibited under the 1925 Geneva Protocol, the Chemical Weapons Convention (CWC) and the Biological Weapons Convention (BWC). The number of the States Parties that are signatories to the CWC and the BWC is 148 for both conventions as of January 2003.

The structure of the BWC is much simpler than that of the CWC, hence how to strengthen the former has been discussed for many years. Negotiations on the drafting of the Verification Protocol continued for over six years but were suspended in the summer of 2001. Since then, the State Parties have been seeking ways of strengthening the Convention other than through the Verification Protocol. As a result, an agreement was reached by consensus on a future program of work for the next three years at the resumed session of the 5th BWC Review

Conference in November 2002. Japan made a substantial contribution to the establishment of this working program. Japan's Foreign Minister Kawaguchi sent a letter to the President of the Conference that highly praised this achievement, and released a statement at the same time. Japan, attaching great importance to a multilateral international legal framework as a measure to counter the threat of biological weapons, is determined to remain fully engaged in order to strengthen the Convention in cooperation with other countries.

At the same time, it is essential to further increase the number of States Parties to these Conventions in order to make the restrictions imposed on chemical and biological weapons more effective. There are still many countries that have not yet ratified these Conventions, in particular, in Asian, Middle Eastern, and African regions. Above all, Asian countries are not only close to Japan geographically but also their domestic industries are developing rapidly with the potential to become sources able to provide materials useful in the manufacture of chemical and biological weapons. From this point, it is important for Japan to keep encouraging these countries to accede to the Conventions as soon as possible and to strengthen their domestic systems to implement the Conventions. As one measure, Japan held a seminar in March 2002 for ASEAN countries to promote the universality and strengthen the implementation system of the Chemical Weapons Convention

Traditionally, the assumption has been that it is states that develop chemical and biological weapons. However, as demonstrated by the sarin gas attacks in the Tokyo subway by the Aum Shinrikyo religious cult in 1995 and the anthrax attacks in the US since October 2001, the use of these weapons by non-state actors such as terrorists is becoming a serious problem. There is now a pressing need to prepare against these threats.

Section 4. Efforts on disarmament and non-proliferation of conventional weapons

The issues of landmines, small arms and light weapons require an urgent solution, and they are primary targets of 'Action oriented Disarmament'.

Japan acceded to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction. (Ottawa Convention) based on a humanitarian point of view, overriding some domestic reluctance arising from security concerns. Japan considers it important that as many countries as possible join the Ottawa Convention, and has been making efforts to call on non-member states to the Convention to accede to it. Japan has been encouraging Asian countries in particular through various efforts

such as holding seminars calling on these nations to accede to the treaty. Also, Japan has been supporting international mine-related activities such as mine clearance, assistance for victims, and mine risk education in cooperation with international organizations, affected countries, and NGOs. (Japan has contributed about 10 billion yen over the five years since 1998.) Japan contributed US\$19.22 million in January (about 2 billion yen) and US\$4.86 million (about 600 million yen) to the United Nations agencies, etc. for mine action programs as a part of the reconstruction of Afghanistan.

As for small arms and light weapons, Japan has been actively engaged in dealing with this issue mainly within the framework of the United Nations since this issue gained prominence within the international community, in particular, after the end of the Cold War. Specifically, the UN Panel and Group of Government Experts were convened twice in response to the resolutions submitted by Japan in order to examine the problem and make recommendations. Consequently, the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was held in July 2001 and the Programme of Action was adopted to mobilize the resolve of the international community to cope with the issue of small arms and light weapons. The First Biennial Meeting of States on the Implementation of the Programme of Action is scheduled in July 2003, and is to be chaired by Ambassador Inoguchi of Permanent Representative of Japan to the Conference on Disarmament.

Through these processes, Japan has tried to raise concerns over the issue of small arms and light weapons in the international community, and has also worked for the prevention of illicit transfers of small arms. In addition, the collection and destruction of small arms and light weapons, which are responsible for many victims, has become a prerequisite for the post-conflict humanitarian support and reconstruction assistance. Thus, Japan is actively promoting the project to collect small arms and light weapons in Cambodia and is to expand its efforts in this field.

Japan has also been actively promoting the transparency of transfers of weapons through the frameworks of the U.N. Register of Conventional Arms and the Wassenaar Arrangement (See Chapter 5, Part 5) from the viewpoint that this will contribute to preventing the excessive accumulation of weapons and enhance confidence building in the region.

Section 5. Efforts to strengthen the non-proliferation regime

Efforts to prevent proliferation of weapons of mass destruction and missiles which

are their delivery means, are multi-faceted and multi-layered, ranging from the study and reinforcement of defense systems, strengthening of domestic systems as well as bilateral and regional diplomatic approaches and the establishment of multilateral frameworks. The risk of proliferation exists as long as there are countries and terrorist groups trying to acquire those weapons, and it is impossible for any single country to contain such risks on its own. Therefore, it is indispensable to promote international cooperation in non-proliferation activities.

There are four international export control regimes which correspond to each type of weapon, namely, nuclear weapons, chemical and biological weapons, missiles and conventional weapons. (See Section 5 for details). These export control regimes serve as frameworks for export control coordination among countries that have the capability to supply weapons and related dual-use items and commit to non-proliferation (primarily advanced industrial countries). Japan is a member of all of the four export control regimes. Export control is a way restricting access to sensitive materials by the countries of concern and terrorist groups, who seek to acquire weapons of mass destruction and related materials, from the suppliers' side. Japan intends to contribute to the strengthening of these export control regimes while actively utilizing them.

However, although the coordination of export control in the international export control regimes has been effective, it is not always perfect as there are loopholes such as procurement of materials from countries that are neither members of those export control regimes nor exercising strict export control. Rather, some developing countries have leveled the criticism that the international export control regimes are discriminatory and are closed clubs for advanced countries that hinder technology transfers. It is therefore important to urge such countries to be involved in non-proliferation efforts. From this point of view, Japan has been attaching importance to enhancing the non-proliferation efforts in the Asian region, and working actively by holding export control seminars inviting officials from Asian countries and also organizing seminars on missile non-proliferation.

In addition, it is also important to establish a new global rule on weapons that are not covered by universally accepted disarmament and non-proliferation treaties as in the cases for weapons of mass destruction (nuclear, biological or chemical weapons). For example, regarding ballistic missiles which pose a great threat when armed with weapons of mass destruction, the new international norm against their proliferation has just been launched in the international community (See Section 1, Chapter 4). Japan has been actively engaged in the deliberations leading up to this launch in order to contribute to Japan's own security and the peace and stability of the world.

Inside Japan, the introduction of the "WMD Catch-All Control" was decided in December 2001 and came into effect in April 2002 as a new measure to ensure the effectiveness of national export controls. Unlike the former regulation which only required the submission of applications for export licenses only when exporting listed items, the new system, irrespective of the types of items, requires the submission of such applications prior to the export whenever there is the possibility that materials for export may be used for development of weapons of mass destruction.

Japan will continue its efforts to strengthen non-proliferation mechanisms through ensuring that our disarmament and non-proliferation efforts are well organized, together with the various measures described above.

Section 6. Bilateral cooperation in disarmament and non-proliferation fields

In addition to participating in multilateral international organizations and forums, including the U.N. General Assembly and the Conference on Disarmament in Geneva, Japan has held bilateral consultations with many countries for the close exchange of opinions, and, when necessary, urged individual countries to make active efforts towards disarmament and non-proliferation. Just considering the agenda for the high-level executive talks held in 2001, we met with all the countries listed in the Table. We intend to further improve our cooperative relationship with other countries in the field of disarmament and non-proliferation.

The Consultations at a high official level, held in 2001, 2002 and 2003 are shown below. Japan is determined to strengthen the cooperative relationships with other countries in the field of disarmament and non-proliferation.

2001

- April 24 Japan-South Korea Consultation on Disarmament and Non-proliferation (Seoul)
- May 11 Japan-U.K. Consultation on Disarmament and Non-proliferation (London)
- June 20 Japan-France Consultation on Arms Control, Disarmament and Non-proliferation (Tokyo)
- July 4 Japan-Canada Consultation on Non-proliferation (Tokyo)
- July 6 The Japan-U.S. Commission on Arms Control, Disarmament, Non-proliferation, and Verification (3rd meeting) (Washington D.C.)
- August 23 Japan-Australia Consultation on Disarmament and Non-proliferation (Canberra)
- November 27 Japan-China Consultation on Disarmament and Non-proliferation (Beijing)
- December 10 Japan-South Africa Consultation on Disarmament and Non-proliferation (Pretoria)

2002

- February 13 Japan-U.K. Consultation on Disarmament and Non-proliferation (London)
- February 14 Japan-France Consultation on Arms Control, Disarmament and Non-proliferation (Paris)
- February 15 Japan-Germany Consultation on Disarmament and Non-proliferation (Bonn)
- April 9 Japan-Germany Consultation on Disarmament and Non-proliferation (Tokyo)
- August 26 The Japan-U.S. Commission on Arms Control, Disarmament, Non-proliferation, and Verification (4th meeting) (Tokyo)
- August 29 Japan-Australia Consultation on Disarmament and Non-proliferation (Tokyo)
- September 2 Japan-Russia Consultation on Disarmament and Non-proliferation (Moscow)
- September 3 Japan-France Disarmament and Non-proliferation Consultation (Paris)
- September 6 Japan-U.K. Disarmament and Non-proliferation Consultation (London)

September 24 Japan-China Consultation on Disarmament and Non-proliferation
(Tokyo)

2003

January 24 The Japan-U.S. Commission on Arms Control, Disarmament,
Non-proliferation, and Verification (5th meeting) (Tokyo)

February 4 Japan-Russia Consultation on Disarmament and Non-proliferation
(Tokyo)

Part II. Nuclear disarmament and non-proliferation

Chapter 1. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT)

Section 1. Overview of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)

The Treaty on the Non-proliferation of Nuclear Weapons (NPT) designates the US, Russia, the U.K., France and China as the ‘nuclear-weapon States.’ While the Treaty aims to prevent the spread of nuclear weapons to other states (non-nuclear-weapon States), it also aims to place the nuclear-weapon States under the obligation to pursue negotiations on nuclear disarmament. The Treaty was opened for signature in July 1968 and entered into force in March 1970. The number of State Parties that are signatories to the Treaty has increased to 188 as of November 2002. Considering the fact that the number of State Parties to the United Nations is 191, this figure is evidence of the overwhelming universality of the NPT. India, Pakistan, and Israel have not signed the Treaty.

The NPT is composed of the preamble, 11 articles and the concluding text. Under the Treaty, a country is defined as a ‘nuclear-weapon State’ if it has manufactured and exploded a nuclear weapon or other nuclear explosive devices prior to 1 January 1967 (Article IX-3) while other countries are defined as "non-nuclear-weapon States". Roughly divided, the Treaty stipulates the following 4 items:

(1) Obligation of nuclear non-proliferation

The NPT prohibits nuclear-weapon States from transferring nuclear weapons (Article I), and prohibits non-nuclear-weapon States from receiving and manufacturing nuclear weapons (Article II). The Treaty obliges non-nuclear-weapon State Parties to the NPT to accept the International Atomic Energy Agency (IAEA) safeguards (Article III). The safeguards system consists of all those measures designed to prevent diversion of fissile materials or equipment from peaceful purposes to military ends. The IAEA judges whether the diversion occurs or not by controlling accurately the amount of nuclear materials stockpiled at, transferred into or out of, lost from, or remaining in a nuclear facility. Non-nuclear-weapon State Parties to the NPT shall conclude the Comprehensive Safeguards Agreements with the IAEA that are applied to all nuclear materials in all peaceful nuclear activities, and are obliged to accept the IAEA safeguards in accordance with the agreements.

(2) Rights to use nuclear energy for peaceful purposes

The NPT aims to prevent non-nuclear-weapon States from diverting fissile materials and equipment to military purposes by obliging those States to accept the IAEA safeguards. On the other hand, the Treaty stipulates the "inalienable right of all the Parties to the Treaty" to develop, research, production and use of nuclear energy for peaceful purposes (Article IV-1). It acknowledges that all the Parties to the Treaty have the right to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy (Article IV-2).

(3) Obligation of negotiations on nuclear disarmament by the nuclear-weapon States

The NPT obligates the State Parties to pursue negotiations in good faith on nuclear disarmament (Article VI), while preventing non-nuclear-weapon States from diverting nuclear energy for military purposes.

(4) Procedural matters

The NPT stipulates that a conference shall be held at intervals of five years in order to review the operation of this Treaty (Article VIII-3), and also to convene a conference twenty-five years after the entry into force to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods (Article X-2). The Treaty was indefinitely extended at the 1995 NPT Review and Extension Conference, which was decided based on this article.

Section 2. Progress in international nuclear non-proliferation regime

1. Progress to date

Thirty years have passed since the NPT entered into force in 1970, and its universality has drastically increased especially in the past decade. South Africa abandoned its nuclear weapons, and acceded to the Treaty as a non-nuclear-weapon State in 1991. France and China acceded to the Treaty as nuclear-weapon States in 1992. Kazakhstan, Belarus, and Ukraine, which became independent from the former Soviet Union, transferred their nuclear weapons within their territories to the Russian Federation and had all acceded to the Treaty as non-nuclear-weapon States by 1994. Also, Brazil and Argentina, after overcoming many years of mutual rivalry, renounced their nuclear development programs and acceded to the Treaty as non-nuclear-weapon States (Argentina

acceded to the Treaty in 1995, Brazil in 1998). Also, Cuba ratified the NPT in November 2002. As of November 2002 the number of the State Parties have increased to 188.

The NPT has been one of the most successful disarmament and non-proliferation treaties, and has greatly contributed to the maintenance of international peace and security since the Treaty entered into force, and has been one of the main pillars of the international nuclear non-proliferation regime. On the other hand, several serious challenges emerged in the 1990s that threatened the international nuclear non-proliferation regime founded under the NPT. These challenges can be divided into two categories: challenges that emerged within the NPT regime, that is State Parties in breach of the obligations under the Treaty (non-compliance); and challenges that emerged from outside the NPT regime. The former is exemplified by the nuclear weapons development program of Iraq (which is a State Party to the NPT), which was disclosed after the Gulf War in 1991, and the suspected nuclear weapons development program in North Korea in 1993 and in 2002. Regarding the latter challenge, it is still fresh in our memories that India and Pakistan, neither signatories to the NPT, conducted nuclear tests one after another in May 1998.

The non-compliance issue, if not adequately dealt with, not only has a negative impact on the credibility of the NPT and may jeopardize the NPT regime from within, but also directly and seriously threatens international peace and stability. Regarding the suspected cases of non-compliance of Iraq and North Korea, the international community, with the deep involvement of the UN Security Council and others, has taken specific measures in relation to both of these countries, according to their individual circumstances.

The IAEA safeguards have also been strengthened as described earlier. When the nuclear weapons development program of Iraq was revealed, the IAEA Board of Governors adopted a Model Additional Protocol in May 1997, which provides the Agency with a new authority to conduct inspections not only of individual nuclear facilities dealing with nuclear materials but also of sites agreed previously. As of November 2002, 67 states signed the Additional Protocol, of which 28 states including Japan, Canada, Australia, had already ratified (the Protocol entered into force in Japan in December 1999). However, the number of signatories is far from sufficient. It is necessary to strengthen the safeguards system through increasing the number of State Parties to the Additional Protocol and promoting its universality. At the same time, there is the task of ensuring that the strengthened safeguards should be effective but not impose an excessive financial burden upon the IAEA.

The nuclear tests conducted by India and Pakistan were a direct challenge to the foundation of the international nuclear non-proliferation regime, and were absolutely unacceptable to the international community. To maintain the NPT regime, the international community must prevent other countries from following the precedent set by India and Pakistan. Taking into consideration the reality that these two countries are capable of manufacturing nuclear weapons, how countries suspected of possessing nuclear weapons, including Israel that has not admitted possession of nuclear weapons, are to be dealt with, is a difficult challenge for the international community.

As such, the NPT regime has been exposed to extremely serious challenges. Under such severe circumstances, the international community is faced with the urgent task of resolving how to maintain, strengthen and universalize the international regime of nuclear non-proliferation and disarmament founded on the NPT.

2. The NPT Review and Extension Conference in 1995 and decision of indefinite extension of the NPT

The NPT stipulates that a conference shall be held at interval of five years after its entry into force in order to review the operation of the Treaty. The NPT also stipulates that, 25 years after the entry into force of the Treaty, a conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. (Article VIII-3 and X-2)

In accordance with these articles, 25 years after the entry into force of the NPT, the NPT Review and Extension Conference was held in New York between April and May 1995. As a result, the Conference decided to extend the NPT indefinitely by consensus without voting and, concurrently adopted the decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament" and "Strengthening the Review Process for the Treaty." It also adopted the "Resolution on the Middle East."

Behind these achievements was the firm determination of the non-nuclear-weapon States to have the nuclear-weapon States commit themselves to the objectives of nuclear disarmament as unambiguously as possible, in return for supporting the indefinite extension of the NPT, as this commitment will perpetuate the distinction between the nuclear-weapon States and the non-nuclear-weapon States which is stipulated by the NPT.

The "Principles and Objectives" adopted at the Conference listed the future nuclear disarmament measures to be conducted mainly by the nuclear-weapons

States, such as: the nuclear-weapon States are to pursue efforts for nuclear disarmament with the goal of ultimate elimination of nuclear weapons; negotiations on the Comprehensive Nuclear-Test-Ban Treaty (CTBT) should be concluded no later than 1996; pending the entry into force of the CTBT, the nuclear-weapon States should exercise the utmost restraint; and the immediate commencement and early conclusion of negotiations on the Cut-Off Treaty.

3. The 2000 NPT Review Conference

The Review Conference subsequent to that in 1995, in which the indefinite extension was decided, was held in New York from April to May 2000. Although the Conference was held in the midst of serious international circumstances that had led to a stalemate in the progress of nuclear disarmament and the progress made in nuclear non-proliferation had been reversed by the nuclear tests conducted by India and Pakistan in 1998, it adopted the Final Document successfully. The Final Document included the "practical steps" toward future nuclear disarmament and non-proliferation, and was adopted by consensus after overcoming several crises when negotiations almost broke down in the course of four weeks of discussions.

The main "practical steps" agreed upon at this conference are listed below. They include a range of measures, some of which should be carried out immediately while others should be fully considered over a long time. Especially notable were the activities of the New Agenda Coalition (NAC) consisting of the following non-nuclear weapon states: Sweden, Ireland, New Zealand, South Africa, Egypt, Mexico, and Brazil. The NAC stated its position in the 8 countries' Joint Declaration in June 1998. (The NAC at that time consisted of eight countries including Slovenia.) In contrast to Non-Aligned Members aiming at nuclear disarmament with a limited timeframe, the Joint Declaration stated that some 'practical steps' which were feasible enough to be implemented should be taken immediately, while aiming at the total elimination of nuclear weapons.

The point made by the NAC that the nuclear-weapon States should make an "unequivocal undertaking" to accomplish the total elimination of nuclear weapons was reflected in the result of the Conference, thus, elimination of nuclear weapons became a more concrete and realistic objective.

- Early entry into force of the CTBT;
- A Moratorium on nuclear testing pending the entry into force of the CTBT;
- To urge the Conference on Disarmament to agree on a program of work which includes the immediate commencement of negotiations on the Cut-Off Treaty with a view to their conclusion within five years;

- To urge the Conference on Disarmament to immediately establish an appropriate subsidiary body with a mandate to deal with nuclear disarmament;
- An unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of nuclear weapons;
- To apply the " principle of irreversibility " to nuclear and other related arms control and reduction measures;
- Steps by nuclear-weapon States leading to nuclear disarmament in a way that promotes international stability, and based on the principle of undiminished security for all (such as, further efforts by the nuclear-weapon States to reduce their nuclear weapon arsenals unilaterally, increased "transparency", the further reduction of non-strategic nuclear weapons, and the engagement of all the nuclear-weapon States in the process leading ultimately to the total elimination of nuclear weapons);
- International control of surplus fissile materials by the IAEA, etc., and their disposition;
- Reaffirmation that the ultimate objective of disarmament is the comprehensive and complete disarmament under effective international control;
- Regular reports on the implementation of nuclear disarmament as stipulated in article VI of the NPT and paragraph 4 (c) of the "Principles and Objectives"; and
- Further development of the verification capabilities for nuclear disarmament.

The agreement by consensus on these 'practical steps' by all countries including nuclear-weapon States demonstrated the political will of the international community to support the nuclear non-proliferation regime that was at stake, and should be highly valued. Japan actively made efforts to coordinate preparations of the 2000 Review Conference from an early stage and these efforts contributed to its success. At the conference, Japan presented the practical "Eight-item Proposals" covering measures designed to advance nuclear disarmament and non-proliferation, and which provided the foundation for consensus building.

It is now the task of the international community to put concrete ideas forward for the implementation of the "practical steps," which need serious discussion backed up by action. Japan is also required to make further diplomatic efforts toward the realization of these measures.

Japan's Eight-item Proposals

- (1) The early entry into force of the CTBT and moratorium on nuclear tests pending the entry into force of the CTBT.
- (2) Immediate commencement of negotiations on a Fissile Material Cut-Off Treaty (FMCT). Negotiations should be concluded preferably before 2003, but no later than 2005. Pending the entry into force of the treaty, a moratorium on the production of fissile material for nuclear weapons.
- (3) The immediate entry into force and full implementation of START II, the early commencement and completion of the negotiations on START III, and the continuation of the process beyond START III.
- (4) Further efforts by the nuclear-weapon States to reduce their nuclear weapons unilaterally, and commencement of negotiations by the nuclear-weapon States for the reduction of nuclear weapons at an appropriate stage.
- (5) Multilateral discussions in the Conference on Disarmament on possible future steps aimed at nuclear disarmament and non-proliferation.
- (6) Early conclusion of negotiations on a Treaty on Nuclear-Weapon-Free Zone in Central Asia.
- (7) Universalization of the IAEA Additional Protocol. Early establishment of the 'Integrated Safeguards' to enhance the effectiveness and to improve the efficiency of safeguards.
- (8) Disposal of fissile materials from surplus weapons, and the placement of such materials under appropriate international safeguards with a view to ensuring the irreversibility of nuclear disarmament.

Section 3. The 2005 Review Process

In accordance with the provision of the Treaty, the next Review Conference is to be held in 2005, and preparations began in 2002. The "Strengthening the Review Process" adopted in 1995 and the Final Document of the 2000 Review Conference specify that the Preparatory Committee was to hold meetings once a year for three years, thus three meetings in total, prior to the Review Conference. (If necessary, a fourth preparatory meeting may be held in the year of the Conference). Accordingly, the first preparatory committee meeting was held in New York in April 2002. Japan's statement and working paper were highly evaluated as comprehensive and well balanced. Japan pointed out to the Chairman the importance of the early entry into force of the CTBT and the strengthening of the

IAEA safeguards. The issues that Japan considered important were included in the Chairman's Summary.

Japan is determined to actively contribute to the new review process which commenced with the first Preparatory Committee. As a first step, Japan held a workshop entitled the 'International Workshop on the Perspective of the NPT in the 21st Century -Towards the 2005 NPT Review Conference'- in February 2002. Non-governmental experts, government officials and others from several countries were invited to Tokyo to sort out issues regarding the NPT and provide the first Preparatory Committee with material for discussion.

Chapter 2. Comprehensive Nuclear-Test-Ban Treaty (CTBT)

Section 1. Overview of the Comprehensive Nuclear-Test-Ban Treaty (CTBT)

The Comprehensive Nuclear-Test-Ban Treaty (CTBT) is an epoch-making treaty on nuclear disarmament and non-proliferation that aims to ban all nuclear tests.

Nuclear tests are considered to be indispensable for the development or improvement of nuclear weapons. Therefore, to ban nuclear tests is very meaningful for the promotion of nuclear disarmament and non-proliferation. Although the Partial Test-Ban Treaty (PTBT) (formal title is the "Treaty for Prohibiting Nuclear Explosion Tests in the Atmosphere, Outer Space, and Beneath the Surface of the Seas") was concluded in August 1963, underground nuclear tests were excluded from the treaty. Since then, the ban on all nuclear tests including underground nuclear tests has been deemed one of the primary tasks of the international community.

Negotiations on the CTBT were commenced at the Ad Hoc Committee for Nuclear Test-Bans, established under the Conference on Disarmament in Geneva, from January 1994. However, since any decision made at the Conference on Disarmament had to be by consensus, after two and a half years of difficult negotiations, the CTBT was not finally adopted due to the opposition by countries such as India.

Then, the draft CTBT made at the Conference on Disarmament was submitted to the UN General Assembly by Australia and other states in September 1996, and it was adopted by an overwhelming majority (votes against: India, Bhutan, Libya. Abstention: Cuba, Syria, Lebanon, Tanzania, and Mauritius).

The entry into force of the CTBT needs the ratification by the specified 44 States (so-called Annex 2 States) which are considered to have the potential to develop nuclear weapons; for example, possessing nuclear reactors is regarded as conferring such potential. However, the prospect for ratification by some of the Annex 2 states is slim. The CTBT has not yet entered into force.

1. Major elements of the CTBT

Besides prohibiting all nuclear tests (any nuclear weapons test explosion or any other nuclear explosion), the CTBT stipulates the establishment of the CTBT Organization in Vienna, and the establishment of the international verification

systems that include measures such as the International Monitoring System (IMS) consisting of 321 monitoring stations and 16 radionuclide laboratories around the world to detect all nuclear tests, on-site inspections, and confidence-building measures. In the event that a State Party conducts a nuclear test, the CTBT stipulates what measures need to be taken, such as restriction or suspension of the State Party's exercise of its rights and privileges under the CTBT, and makes recommendations on collective measures which are in conformity with international law against the State Party.

2. Verification system

In order to verify compliance with the Treaty, the CTBT provides verification systems comprising (1) the International Monitoring System (IMS), (2) consultation and clarification, (3) on-site inspections, and (4) confidence-building measures.

(1) The International Monitoring System (IMS) is designed to monitor nuclear weapons test explosions or any other nuclear explosions that are prohibited under the CTBT, with four types of monitoring stations installed at 321 locations around the world: seismological monitoring stations (Note 1), radionuclide monitoring stations (Note 2), hydroacoustic monitoring stations (Note 3) and infrasound monitoring stations (Note 4). Data obtained by the monitoring activities is sent to the International Data Center established in Vienna for processing.

(Note 1) Nuclear explosions are monitored through the observation of seismological waves.

(Note 2) Nuclear explosions are monitored through the observation of radionuclides in the atmosphere.

(Note 3) Nuclear explosions are monitored through the observation of acoustic waves propagating underwater.

(Note 4) Nuclear explosions in the atmosphere are monitored through the observation of subtle air pressure vibrations.

(2) "Consultation and clarification" is a system by which State Parties clarify and resolve, among themselves or with or through the CTBT Organization, any matter which may cause concern about possible non-compliance, in the event that a State Party is suspected of conducting a nuclear weapon test explosion or any other nuclear explosion. The system includes clarification by the suspected State.

(3) "On-site inspection" is performed by an inspection team sent to a State Party

to clarify whether a nuclear weapon test explosion or any other nuclear explosion has been carried out in violation of the CTBT, and, to gather as much information as possible that might be useful in identifying a suspected violator. The decision to approve of the on-site inspection is made by at least 30 affirmative votes of 51 members of the Executive Council.

- (4) "Confidence-building measures" means measures to be taken by a State Party, that include the timely resolution (with a report to the Technical Secretariat of the CTBT Organization) of any compliance concerns arising from possible misinterpretation of verification data relating to explosions (for example, chemical explosions) carried out, for instance, in a mine.

Section 2. Towards the early entry-into-force of the CTBT

1. Current status of signature and ratification

The CTBT has been signed by 166 states and ratified by 97 States as of December 2002. Of 44 Annex 2 States, 41 have signed and 31 have ratified the treaty. The Annex 2 States that have not signed are India, Pakistan and North Korea. States that have signed but not ratified are Algeria, China, Columbia Democratic Republic of Congo, Egypt, Indonesia, Iran, Israel, the USA and Vietnam.

2. Conference on Facilitating the Entry into Force of the CTBT

The CTBT stipulates that a conference to facilitate early entry into force of the treaty upon the request of a majority of the States Parties be convened if the treaty has not entered into force three years after the date of the anniversary of its opening for signature. Conferences on Facilitating the Entry into Force of the CTBT have been held twice so far, in October 1999 and in November 2001, pursuant to this provision.

The 2nd Conference, convened at the UN Headquarters in New York in November 2001, attended by 117 States, adopted the Final Declaration unanimously, including calling for early signature and ratification by States. The US, which is one of the 44 countries whose ratification is required for the entry into force of the CTBT, has been opposing treaty ratification due to the necessity of maintaining the reliability and safety of its nuclear weapons, and did not attend the conference. India and North Korea which have yet to sign it also did not participate in the conference. (Pakistan, another State that has not signed the treaty, attended the conference as an observer.)

3. Prospects for the Treaty's entry into force

Though the situation has made some progress with ratification of the CTBT by Russia, Ukraine, Chili, and Bangladesh since 2000, the outlook for the entry into force of the CTBT still remains grim. Of Annex 2 States, India and Pakistan, which have not signed the treaty, are committed to continuing the moratorium on nuclear tests and have repeatedly expressed their willingness to make their best efforts to form a domestic consensus. However, they have not set any specific date for signing. China, a nuclear-weapon State that has not ratified the CTBT, is not definite about when the ratification bill will be approved although it has, according to the Chinese authorities, already been presented to the National People's Congress. In addition, the attitude of the US, another nuclear-weapon State that has not yet ratified the CTBT, is also a primary concern as described below.

4. Attitude of the US to the CTBT

The US signed the CTBT in September 1996 during the Clinton Administration. The US Senate, however, rejected ratification with 48 votes in favor versus 51 against in October 1999 despite the cumulative momentum toward entry into force that had gathered in the international community at the occasion of the first Conference on Facilitating the Entry into Force of the CTBT.

Immediately before the Bush Administration was formed in January 2001, the former Chairman of Joint Chiefs of Staff John Shalikashvili presented his report to President Clinton emphasizing the importance of ratifying the CTBT. President Clinton also urged the Senate and the Bush Administration to take action on the CTBT in his statement.

However, on the same day, Colin Powell, the Secretary of State designate (at that time), made a statement at the hearing of the Senate Foreign Relations Committee that the administration would not ask the Senate to ratify the CTBT in its next session, and that there were still flaws with the CTBT. Since then, the passive and negative attitude of the Bush Administration toward the CTBT has become evident.

For example, in August 2001, Secretary of State Powell explained in his reply to a letter from then Japanese Minister for Foreign Affairs Tanaka, which urged the early ratification of the CTBT, that the U.S. Government had no intention of requesting the U.S. Senate to reconsider. From 2001, the US voted against the Draft Resolution on Nuclear Disarmament proposed by Japan to the U.N. General Assembly because the early entry into force of the CTBT was mentioned in it. The

US also did not attend the Second Conference on Facilitating the Entry into Force of the CTBT in November 2001, as mentioned above.

Furthermore, the US manifested its position 'to oppose the ratification of the CTBT' in the explanatory material of the Nuclear Posture Review (NPR) in January 2002. As seen from above facts, the Bush Administration has shown direct opposition rather than just a passive attitude vis-à-vis the CTBT.

Section 3. Japan's efforts to facilitate the entry into force of the CTBT

Japan regards the CTBT, along with the International Atomic Energy Agency (IAEA) Safeguards, as an indispensable pillars of the nuclear non-proliferation and disarmament regime established under the NPT. Accordingly, Japan considers the CTBT's early entry into force as the top priority in the nuclear disarmament and non-proliferation area, and has continued its diplomatic efforts as described below.

1. Contribution to the Conference on Facilitating the Entry into Force of the CTBT

At the First Conference on Facilitating the Entry into Force of the CTBT in 1999, the former Minister of Foreign Affairs Masahiko Koumura attended as the representative of Japan, and presided at the Conference. After that, Japan endeavored to coordinate opinions among states concerned by, among other moves, hosting an unofficial meeting prior to the Second Conference in September 2001 as a "coordinator". At the Second Conference, the Progress Report was presented by the representative of Japan Nobuyasu Abe (currently Japanese ambassador to Saudi Arabia) that called on the States concerned to remain resolutely committed to the Treaty's entry into force.

2. Calling on countries to facilitate the entry into force of the CTBT

Japan dispatched the former Minister for Foreign Affairs Masahiko Koumura in 2000 to Egypt and Algeria, while sending special envoys to Bangladesh, Indonesia, Viet Nam, Russia, Ukraine, Columbia, and the Democratic Republic of Congo, and other countries. In August 2000, then Prime Minister Yoshiro Mori strongly urged the leaders of both India and Pakistan to sign the CTBT at the earliest possible time on the occasion of his visit to Southwest Asia.

Since the inauguration of the Bush administration in January 2001, then Foreign

Minister Yohei Kono urged the US Secretary of State Colin Powell to ratify the CTBT on the occasion of his visit to the US, and then Foreign Minister Tanaka expressed, at the G8 Foreign Ministerial Meeting in Rome and again at the ARF Ministers' Meeting in Hanoi, both held in July, that Japan attached great importance to the early entry into force of the CTBT and expressed the particular wish that the US would send a high level representative to the Second Conference on Facilitating the Entry into Force of the CTBT.

Furthermore, Japan took the following steps prior to the Second Conference on Facilitating the Entry into Force:

(1) Ministerial letters

Then Foreign Minister Tanaka sent letters (dated August 16, 2001) to the foreign ministers of the 12 countries from among 44 Annex 2 States that had either not signed or ratified the CTBT, except North Korea, requesting ministerial level attendance at the Conference and their early signature as well as ratification of the CTBT.

(2) Key States other than Annex 2 States strongly encouraged to ratify

Japan, through its embassies, urged countries that had not signed or ratified the CTBT (19 in the Asia-Pacific region and 47 in other regions), other than Annex 2 States, to sign and ratify the Treaty.

(3) Dispatching the Foreign Minister and the high level officials of the Foreign Ministry to the countries in the Asia-Pacific and other regions.

The high level officials of the Foreign Ministry, as well as the Foreign Minister and Vice Ministers, directly urged the US, Indonesia, Iran, island nations in the Pacific region etc. on the occasion of their visits.

At the Japan-US Foreign Ministers' Meeting (Tokyo) in January 2002, Japan again requested the US to ratify the CTBT. Prime Minister Koizumi called on President Musharraf to sign the CTBT early at the Japan-Pakistan summit talks in March 2002. Foreign Minister Kawaguchi requested ASEAN countries to ratify the CTBT at an early date at the Post Foreign Ministers Conference of ASEAN in August. Prime Minister Koizumi also urged Viet Nam for early ratification of the CTBT at the Japan- Viet Nam summit talks in April and in October.

Japan, Australia and the Netherlands together set up the 'Friends of the CTBT', which was composed of states eager to promote the early entry into force of the CTBT, in order to revitalize promotional activities from around May 2002. A reflection of the significant achievement of these initiatives was the "Friends of

the CTBT" Foreign Ministers' Meeting that was held on 24 September, 2002 at the U.N. Headquarters in New York attended by Foreign Ministers of the countries that had already ratified, including Foreign Minister Kawaguchi and the foreign ministers of Australia and the Netherlands. A joint ministerial statement was issued that called for the Treaty to be signed and ratified as soon as possible and the moratorium on nuclear tests to be continued. This statement was originally signed by the foreign ministers of 18 countries including three nuclear-weapons States, namely the U.K., France and Russia, and went on to win the approval of the foreign ministers of more than 50 countries. Holding this meeting and releasing the statement demonstrated the strong political will of the international community to urge those states, in particular the Annex 2 countries that have not yet signed or ratified the Treaty to do so at the earliest opportunity. They also paved the way for the next conference, which is expected to be convened in 2003.

3. Initiatives to establish International Monitoring Systems

Since 1995, Japan has been engaged in fostering human resources in developing countries through global seismological observation training courses and supplying seismological observation instruments every year as part of the development plan of the International Monitoring System for verifying compliance with the CTBT, and these activities have been highly valued by the Preparatory Commission of the CTBT Organization and other states. A report that contains the expression of gratitude for Japan's contribution was adopted by consensus at the Working Group on verification technology of the Preparatory Commission for the CTBT Organization in February 2002.

4. Establishment of the International Monitoring System in Japan

The establishment of 10 monitoring facilities in Japan, as listed below, is required under the Treaty. The construction of these facilities is to be carried out sequentially from 2002.

- (1) Primary Seismological Station: Matsushiro
- (2) Auxiliary Seismological Station: Oita, Kunigami, Hachijojima, Kamikawa Asahi, Chichijima
- (3) Infrasound Station: Tsukuba
- (4) Radionuclide Station: Okinawa, Takasaki
- (5) Radionuclide Laboratories: Tokai

Although not satisfying the requirements for IMS monitoring stations under the Treaty, there are many seismological stations in Japan, and data collected from

such stations located in the districts designated for the facilities (1) and (2) above are already being delivered to the International Data Center in Vienna.

Chapter 3. The Fissile Material Cut-off Treaty (Cut-off Treaty)

Section 1. Overview of the Cut-off Treaty and its significance

The Fissile Material Cut-off Treaty (generally called the FMCT or the Cut-off Treaty), is a practical and substantial multilateral measure for nuclear disarmament and non-proliferation that is expected to follow the Comprehensive Nuclear-Test-Ban Treaty (CTBT) concluded in 1996. While the NPT aims to prevent the transfer of nuclear weapons and other nuclear explosive devices from nuclear-weapon States to non-nuclear-weapon States, and the CTBT aims to prevent the development of all kinds of nuclear weapons by banning all kinds of nuclear testing, the FMCT aims to prevent the production of any additional nuclear weapons by prohibiting the production of fissile material (such as highly enriched uranium or plutonium).

If the Cut-off Treaty is concluded, it would support the reduction of nuclear weapons by the US and the Russian Federation and prevent non-nuclear-weapon States from acquiring nuclear weapons. Also, it will make it possible to bring a nuclear arms race to a halt. The conclusion of the Cut-off Treaty would not only be significant in the history of nuclear disarmament and non-proliferation but also contribute greatly to stabilizing the international security environment. It is a positive sign that the Bush Administration also supports the commencement of negotiation on the Cut-off Treaty.

The primary objective of this Treaty is to freeze the capability of nuclear-weapon States to produce nuclear weapons and also that of non-State Parties to the NPT, especially India, Pakistan and Israel. The assumed provisions under the Treaty are: (1) not to produce fissile material for research, production and use of nuclear explosive devices; (2) not to assist other states in the production of weapons-grade fissile material and; (3) to accept measures to verify compliance with the Treaty.

Section 2. Background

1. The Conference on Disarmament as a multilateral negotiation forum

The Cut-off Treaty was initially proposed by then U.S. President Clinton in his speech at the UN General Assembly in September 1993. The UNGA resolution recommending negotiations at an appropriate international forum was adopted by consensus in November of the same year. It was later agreed that the Conference

on Disarmament (CD) would be the forum for negotiations.

The establishment of an Ad Hoc Committee on the FMCT was agreed to following the adoption of a negotiation mandate drafted by the Special Coordinator, Ambassador Shannon of Canada, at the end of the first session of the CD in 1995. However, negotiations on the Cut-off Treaty have not got under way, as some member states insisted on linking the commencement of the FMCT negotiations with the adoption of a work program regarding a certain agenda item at the CD.

2. Current situation

The CD again decided to establish an Ad Hoc Committee on August 11th 1998, in response to the emergence of new situations, such as the nuclear tests conducted by India and Pakistan in May of 1998. The re-establishment of the Ad Hoc Committee failed at the 1999 session of the CD due to the repeated disagreement over the program of work.

At the 2000 NPT Review Conference, the CD was urged to agree on a program of work that included the immediate commencement of negotiations on the Cut-off Treaty with a view to their conclusion within five years. This raised the expectation for new progress in negotiations on the Cut-off Treaty during the 2000 session. China, opposing the US Missile Defense, however, insisted that the negotiations on the Prevention of Arms Race in Outer Space (PAROS) must be concurrently commenced with that of the Cut-off Treaty, while the US stated that it would not accept the commencement of negotiations on PAROS. Due to this confrontation between the US and China, negotiations on the Cut-off Treaty have not yet commenced.

Section 3. Basic stance of Japan

The Cut-off Treaty is significant since it would freeze the nuclear capabilities of nuclear-weapons States as well as non-State Parties to the NPT. Japan considers it important to immediately commence and conclude negotiations on the Treaty, and continues to make efforts in this direction.

It may take a long time for the Treaty to enter into force even if negotiations on the Treaty are concluded within five years. It is, therefore, important for nuclear-weapons States to unilaterally declare a moratorium on the production of weapons-grade fissile material pending the entry into force of the Treaty. Japan referred to this point in Japan's resolution on nuclear disarmament, which was

adopted by the overwhelming majority at the U.N. General Assembly in 2002.

Section 4. Japan's diplomatic efforts for the commencement of negotiations on the Cut-off Treaty

Japan has been advocating the early commencement of negotiations on the Cut-off Treaty and its conclusion within five years, on various occasions such as at the 2000 NPT Review Conference and the UNGA First Committee (dealing with disarmament and security affairs). For example, Japan hosted a seminar on the Cut-off Treaty in Geneva in May 1998 (chaired by Hiroyoshi Kurihara, Senior Counselor, the Ministry of Foreign Affairs), mainly from a technical perspective. Japan has also held bilateral talks with the US, the U.K., Canada and Australia to accelerate momentum toward the commencement of Treaty negotiations and to prepare for the actual negotiations. Japan aims to continue these efforts with key states.

In addition, Japan jointly hosted a workshop with Australia in Geneva in May 2001 to help representatives of various countries deepen their knowledge about all areas of negotiations on the Cut-off Treaty. Nearly 100 participants, including diplomats in Geneva (mainly at ambassadorial level), experts, and others from many countries recognized the significance of the Cut-off Treaty in the field of nuclear disarmament and non-proliferation, and confirmed a strong political will toward the commencement of the negotiations on the Treaty.

Chapter 4. Arms control and nuclear disarmament by nuclear-weapons States

Section 1. Overview

The states officially recognized as the nuclear-weapons States under the NPT are the US, Russia, the U.K., France and China, while India and Pakistan, that have conducted nuclear tests, are considered threshold States. Israel has not declared itself as such but is allegedly in possession of nuclear weapons. Both the US and Russia possess the majority of nuclear weapons in the world, therefore, nuclear disarmament by the two states is crucial for global nuclear disarmament.

With regard to the categories of nuclear weapons, those nuclear weapons with the capacity to directly attack an opponent's territory are called 'strategic nuclear weapons' (or 'long-range nuclear weapons' for the US and Russia because of their long flight distance), those nuclear weapons used within a 'theatre of war' are called 'theater nuclear weapons' ('intermediate-range nuclear weapons'), and those nuclear weapons used within a smaller war area are called 'tactical nuclear weapons' ('short-range nuclear weapons'). 'Theater nuclear weapons' for the US and Russia can be regarded as 'strategic nuclear weapons' for other states depending on their geographical positions. 'Theater nuclear weapons' and 'tactical nuclear weapons' are sometimes collectively referred to as 'non-strategic nuclear weapons'.

Section 2. Strategic Arms Reduction Talks between the US and Russia

Negotiations on the Strategic Arms Reduction Treaty (START) were the first of process to reduce strategic nuclear weapons held by the US and Russia that had accumulated during the Cold War. (As for intermediate-range nuclear weapons, the US and the U.S.S.R. signed the Intermediate Nuclear Forces (INF) Treaty in December 1987 to eliminate all ground-based intermediate-range nuclear weapons and have been implementing the Treaty since the Treaty's entry into forces in June 1988). Through this process, the strategic nuclear weapons of both states were substantially reduced, and it can be considered as a desirable development from the perspective of nuclear disarmament. As a result of the START I process, the number of strategic nuclear warheads of the US and Russia was reduced to about 60% of those during the Cold War. START has, therefore, established one of the important foundations for nuclear disarmament.

1. Strategic Arms Reduction Treaty I (START I)

The START I signed by the US and the U.S.S.R. in July 1991 stipulated that both states reduce the three major means of delivery for strategic nuclear weapons, namely, Intercontinental Ballistic Missiles (ICBMs), Submarine-launched Ballistic Missiles (SLBMs), and heavy bombers, to 1600 for each side within seven years after the Treaty enters into force. The Treaty also stipulates that heavy ICBMs possessed by Russia (those ICBMs with massive destruction power, i.e., heavy launch weight or throw-weight such as SS-18 equipped with multiple warheads) are to be reduced to 154 or less. In addition, the number of strategic nuclear warheads deployed is limited to 6000, of which the total number of strategic nuclear warheads mounted on ICBMs or SLBMs must not exceed 4900.

After the collapse of the U.S.S.R., it was agreed that Belarus, Kazakhstan, Ukraine, and Russia, where strategic nuclear weapons were deployed, and the US, would become the parties to the START I, while Belarus, Kazakhstan, and Ukraine would accede to the NPT as non-nuclear-weapon States (the Lisbon Protocol).

The three republics of the former Soviet Union other than Russia were required to transfer all of their nuclear weapons in their respective territories to Russia to place them under the control of Russia. The last nuclear warheads were transferred from Belarus to Russia in November 1996, marking completion of the transfer of all nuclear warheads (Kazakhstan completed the transfer in May 1995 and Ukraine in June 1996). In December 2001, the US and Russia announced that they had completely implemented their obligations under the START I.

2. Strategic Arms Reduction Treaty II (START II)

Even before the entry into force of the START I, the US and Russia reached an agreement on the basic framework of the START II in June 1992. The START II was signed in January 1993, stipulating as follows: the number of deployed strategic nuclear warheads of the US and Russia should be reduced to less than 3,000-3,500 by January 1, 2003, among which the number of nuclear warheads mounted on SLBMs should be reduced to less than 1700-1750; and each ICBM should be fitted with a single warhead, in other words, multiple-warhead ICBMs or heavy ICBMs (SS-18) should be eliminated. The completion date of START II, however, was extended to 2007 under the START II Protocol signed in September 1997.

The Russian parliament approved the Federal Law on the Ratification of the START II in April 2000 on the condition that Russia reserves the right to withdraw from the START II if the US decides to withdraw from the

Anti-Ballistic Missile (ABM) Treaty. Although the US ratified the START II, it did not ratify the START II Protocol, which modified the START II. Upon withdrawal of the US from the ABM Treaty, the Russian Government pointed out that the US rejected the ratification of the START II Protocol and withdrew from the ABM Treaty, and announced in a statement on June 14, 2002, that, ‘the Russian Federation notes the absence of any prerequisites for the entry into force of the START II Treaty, and does not consider itself bound any longer by the obligation under international law to refrain from any actions which could deprive this Treaty of its object and goal.’

3. Strategic Arms Reduction Treaty III (START III)

The US and Russia agreed, in the Joint Statement on ‘Parameters on Future Reduction in Nuclear Forces’ issued after the US- Russian summit talks in Helsinki in March 1997, as follows: the US and Russia are to start negotiations on a START III as soon as the START II enters into force; the number of strategic warheads shall be reduced to 2000-2500 by December 31, 2007 as a basic element of the START III; and the both states shall start negotiating on other issues including tactical nuclear weapons and Submarine Launched Cruise Missiles (SLCMs).

Section 3. The Anti-Ballistic Missile Treaty (ABM Treaty)

1. Overview of the ABM Treaty and its significance

Concluded in May 1972 between the US. and the U.S.S.R., and entered into force in October 1972, the Anti-Ballistic Missile Treaty (ABM Treaty) strictly limited the development and deployment of the missile systems that would intercept strategic ballistic missiles to, initially, two areas (one area each as modified by the Protocol of July 1974 i.e., ICBM base in North Dakota for the US, and in Moscow, the capital of the U.S.S.R.) . The Treaty also stipulated that each state could deploy up to 100 launchers and interceptor missiles per area. The ABM treaty forms the basis of the concept of so-called ‘Mutual Assured Destruction’ (MAD) and enables each state to deter the opponent’s nuclear attack by limiting the capability of ‘the shield’ and by intentionally maintaining a vulnerable defense posture.

2. Overview of the National Missile Defense

(1) The National Missile Defense (NMD) program under the Clinton Administration was a limited concept pursued by the US Defense Department

for the purpose of defending all 50 states against a limited strategic ballistic missile attack. Initially, the US planned to decide in June 2000 whether to deploy the NMD, based on the assessment of the existence of threats and the technical feasibility, and once approved, the US would deploy the system by 2005. However, President Clinton announced in September 2000 that he could not reach a conclusion based on the information available at that time. Namely, there did not exist enough confidence in the technology and the operational effectiveness of the entire NMD system to move forward to deployment and accordingly he decided not to authorize deployment of the national missile defense for the time being. At the same time, however, President Clinton instructed the Secretary of Defense to continue developing and testing the system.

- (2) The US has been actively promoting the missile defense program since the Bush Administration came into power in January 2001. On May 1, 2001, President Bush gave a speech on the new strategic framework including missile defense, referring to the necessity of moving beyond the constraints of the ABM Treaty. The US has been engaged in consultations not only with allies but also with other states such as Russia and China, by sending envoys to these states.

The Administration had actively been engaged in consultations with Russia, a party to the ABM treaty, in particular, in stressing the need that the two states should move beyond the ABM Treaty on the basis of the changes in the strategic environment, as the Treaty was restricting the development, testing, and deployment of various elements of the missile defense system. Based upon this stance, President Bush officially notified the Russian Federation of US's withdrawal from the ABM Treaty on December 13, 2001.

3. Withdrawal of the US from the ABM Treaty

On December 13, 2001, President Bush, with a view to promoting the missile defense program, officially notified the Russian Federation of its withdrawal from the ABM Treaty to end the hostile relationship that had formerly existed between the two states during the Cold War era, and to effectively prepare for the threat of the proliferation of weapons of mass destruction and ballistic missiles. President Putin of the Russian Federation, in response to the notification, observed that such an action by the US was not unexpected, and that the US's withdrawal from the ABM Treaty did not pose a threat to Russia's national security, though he regarded the US's decision as 'a mistake'. President Putin also stated that the relationship between the two states must be maintained at the present level and

that the relationship must be utilized to form a new framework for a mutual strategic relationship as soon as possible. In addition, President Putin made it clear that he intended to seek an agreement between Russia and the US on the reduction of nuclear warheads for strategic offensive weapons to between 1500-2200.

As the ABM Treaty stipulated that a member state needs to notify its withdrawal six months in advance, the withdrawal of the US became effective on June 13, 2002.

Section 4. The Treaty on Strategic Offensive Reductions (the Moscow Treaty)

1. From the beginning, the Bush Administration had emphasized the necessity of establishing a new security structure and missile defense, and had mentioned the possibility of moving beyond the ABM Treaty. Furthermore, since the terrorist attacks in September 2001 in the US, an international cooperative effort to counter terrorism has been established, and the Bush Administration has further emphasized the link between international terrorism and the threat posed by proliferation of weapons of mass destruction as well as ballistic missiles. Based on such an international situation and the US policy, summit talks between the US and Russia were held (in Washington D.C. and Crawford) during November 13-15, 2001. President Bush made it public that he conveyed to President Putin that the US would reduce the number of operationally deployed strategic nuclear warheads to 1700-2200 in the next decade, a level commensurate with US security requirements. In addition, President Bush announced the US's withdrawal from the ABM Treaty on December 13, 2001 (See Section 3 of this chapter). The US's withdrawal from the ABM Treaty meant the collapse of the framework for securing strategic stability between the US and Russia symbolized by the ABM Treaty which was based on the concept of the Mutual Assured Destruction (MAD) during the Cold War (the framework of nuclear arms control). The important issue of international peace and security was what kind of strategic framework might subsequently be established between both states.
2. Eventually, to resolve the question above, the Treaty on Strategic Offensive Reductions, the so-called 'Moscow Treaty,' was signed by the US and Russia at the summit talks held in Moscow on May 24, 2002. A brief summary of the treaty is as follows:
 - (1) The Moscow Treaty is a legally binding treaty which stipulates that the US and Russia shall reduce strategic nuclear warheads to a level not exceeding

1700-2200 respectively in the next decade until 2012 (The Treaty must be ratified by the parliaments of both Parties).

- (2) The Treaty stipulates that the number of operationally deployed strategic nuclear warheads be reduced, rather than destroying nuclear warheads or their delivery systems (missiles such as ICBM, and SLBMs, and bombers). Both Parties are allowed to stockpile the reduced warheads.
- (3) The composition and structure of strategic offensive (nuclear) weapons (to be retained without reduction) shall be determined by each Party (no restriction would be imposed on such matters as the type and number of ICBMs, SLBMs, and strategic bombers, or the possession of MIRV).
- (4) The Parties shall hold meetings at least twice a year of the Bilateral Implementation Commission, for the purposes of implementing the Treaty.
- (5) The verification measures shall be based on the provisions of START I and be entrusted to the Bilateral Implementation Commission.

Section 5. Prevention of arms race in outer space

1. Overview

There are some criticisms on the withdrawal of the US from the ABM Treaty and the development of utilization of outer space for military purposes as discussed in '2. Background of the multilateral negotiations is given below. However, considering the existence of a certain framework as provided by the following three international treaties, it is difficult to assume that an arms race is now in progress in outer space.

(1) The Outer Space Treaty

The Outer-space Treaty (officially named the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies, entered into force in 1967) stipulates that States Parties to the Treaty shall undertake not to place in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies, or station such weapons in outer space in any other manner. It also forbids the establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military maneuvers on the moon and other celestial bodies. This Treaty, however, does not restrict the temporary passing

of any delivery vehicle of weapons of mass destruction (such as ICBMs) through outer space or the deployment of satellites in space for reconnaissance or communication for military purposes.

(2) The Partial Nuclear-Test-Ban Treaty

The Partial Nuclear-Test-Ban Treaty (officially named the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, entered into force in 1963), stipulates that ‘Each of the Parties to this Treaty undertakes to prohibit, to prevent, and not to carry out any nuclear weapon test explosion, or any other nuclear explosion, at any place under its jurisdiction or control’; and exemplifies such ‘places’ as ‘in the atmosphere; beyond its limits, including outer space; or under water, including territorial waters or high seas;’). Nuclear testing in outer space is clearly banned in this Treaty.

(3) The ENMOD Convention

The ENMOD Convention (officially named the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, entered into force in 1978) prohibits the military or other hostile use of environmental modification techniques to change the dynamics etc. of outer space. It stipulates in Article I: ‘Each State Party to this Convention undertakes not to engage in military or any other hostile use of environmental modification techniques having widespread, long-lasting or severe effects as the means of destruction, damage or injury to any other State Party,’ and in Article II: ‘As used in Article I, the term "environmental modification techniques" refers to any technique for changing - through the deliberate manipulation of natural processes - the dynamics, composition or structure of the earth, including its biota, lithosphere, hydrosphere and atmosphere, or of outer space.’

2. Background of multilateral negotiations

(1) Deliberations at the Conference on Disarmament

(A) Development until the establishment of the Ad Hoc Committee

It was declared in the Final Document of the first UN General Assembly Special Session on Disarmament in 1978 that ‘in order to prevent an arms race in outer space, further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Outer Space Treaty,’ calling attention to the necessity of deliberating ‘Prevention of Arms Race in Outer Space (PAROS).’

(B) Deliberation at the Ad Hoc Committee of the Conference on Disarmament (1985-94)

The Ad Hoc Committee on PAROS was established in 1985 at the Conference on Disarmament to discuss the necessity of a new treaty, the prohibition of satellite offensive weapons, the evaluation on anti-ballistic missile systems, and confidence building measures. The Ad Hoc Committee ended in 1994, however, after the confrontation between the former Soviet Union and other Eastern European countries and the US and the U.K.: the former Soviet Union and other Eastern European countries expressed serious concerns about the US's Strategic Defense Initiative (SDI), insisting 'this initiative leads to the militarization of outer space and also violates the ABM Treaty' on the one hand; the US and UK insisted 'a new treaty cannot be formulated in the absence of an effective verification system' and 'there is no need for creating a new treaty since there is no sign of any countries pursuing the development of outer space weapons and arms races are restricted under the existing treaties' on the other hand.

(C) Movements of key countries

No substantial debate has taken place on the PAROS at the Conference on Disarmament since 1994. There were calls for the re-establishment of an Ad Hoc Committee, including Canada's proposal to give the Committee a mandate to 'negotiate on a new treaty to dewaterproof outer space' in January 1998. Consultations were initiated under the Special Coordinator, Ambassador of Sri Lanka, H.M.G.S. Parihakkara, but an Ad Hoc Committee could not be reestablished. Since 1999, with the emergence of the US national missile defense (NMD) issues, China has proposed the reestablishment of an Ad Hoc Committee with a mandate to negotiate a treaty for preventing weaponization of outer space, but no agreement had been reached by the 2002 session. The movements of the key countries are as follows:

(a) China

In 1999, with the emergence of the US NMD program, China proposed to reestablish an Ad Hoc Committee with a mandate to negotiate a treaty to prevent the weaponization of outer space. In February 2000, China proposed that negotiations should be launched in order to reach an agreement on a global treaty on the prohibition of tests, deployment and use of weapons, weapons systems and related components in outer space. In addition, China proposed at the plenary in March 2000 the reestablishment of the Ad Hoc Committee with a mandate 'to negotiate and draft an international legal document to

prohibit the testing, deployment and use of weapons, weapon systems and related components in outer space with the objective of preventing the weaponization of outer space'. China subsequently submitted a document entitled 'Possible Elements of the Future International Legal Document on the Prevention of the Weaponization of Outer Space' at the Conference on Disarmament in June 2001. Furthermore, China, together with the Russian Federation drafted a joint working paper on possible elements of an international legal agreement, and submitted it to the Conference on Disarmament with Viet Nam, Indonesia, Belarus, and Zimbabwe on 27 June 2002. The intent of these two documents is to prohibit the deployment in outer space of mainly conventional arms, rather than weapons of mass destruction whose deployment in outer space is prohibited by the Outer Space Treaty.

(b) Russia

Russia, which was concerned about the US missile defense program, convened in April 2001 an international conference titled 'Space Without Weapons - an Arena for Peaceful Cooperation in the 21st Century' in Moscow, while explaining that it was not intended to be an anti-missile defense campaign. Russian Foreign Minister Igor Ivanov gave a speech at the U.N. General Assembly in September 2001, emphasizing the importance of the efforts of the international community to formulate a comprehensive treaty that would prevent the use of armed force against any object in space. As mentioned above, Russia, together with China, drafted the joint working paper on possible elements of an international legal agreement, and submitted it to the Conference on Disarmament. On the other hand, Russia started to soften its attitude, in contrast to its previous stance of insisting on the inclusion of 'negotiation' in the mandate for the Ad Hoc Committee related to PAROS. Russia now seems inclined towards the 'Amorim's proposal' which uses a more ambiguous expression in this regard, such as 'deal with' instead of 'negotiate on.' The proposal is named after the initiator, Ambassador Amorim, permanent representative of Brazil to the Conference on Disarmament).

(c) The United States

President Bush made it clear in his speech on missile defense in May 2001 that the US intended to move beyond the ABM Treaty, and also stated, 'We also recognize the substantial advantages of intercepting missiles early in their trajectory, especially in the boost phase. ... If based at sea or on aircraft, such approaches could provide limited but

effective defenses. ... We will explore all these options further.’ The US has not excluded the possibility of considering a space-based missile defense system in the future.

Undersecretary of State John R. Bolton told at the Conference on Disarmament in his speech in January 2002: ‘The current international regime regulating the use of space meets all our purposes. We see no need for new agreements.’

(D) Japan’s Position

Japan ratified the Outer Space Treaty in 1967. ‘A Diet resolution concerning principles for the development and utilization of outer space’ adopted at the plenary session of the House of Representatives in May 1969 provides that Japan’s development and utilization of outer space shall be limited to ‘peaceful purposes’.

Japanese government considers that the utilization of outer space by the Defense Agency and the Self-Defense Force is not restricted if such utilization is of a general nature. For example, the use of communication satellites or earth observation satellites by the Self-Defense Force does not contravene the principles of peaceful use of outer space.

Japan recognizes that the proliferation of weapons of mass destruction and missiles as their means of delivery, poses a challenge to its security, and strongly feels that the space development technology must not be used to conceal ballistic missile programs.

Based on such considerations, Japan has been voting in favor of the resolution on ‘Prevention of Arms Race in Outer Space’ at the UN General Assembly, and playing an active role in the international frameworks to deal with the proliferation of ballistic missiles.

(2) Deliberations at the U.N. Committee on the Peaceful Uses of Outer Space (COPUOS)

The UN General Assembly established the Committee on the Peaceful Uses of Outer Space (COPUOS) in 1959 in accordance with the UN General Assembly Resolution 1472 entitled: ‘International co-operation in the peaceful uses of outer space.’

Few substantial deliberations are currently being conducted under the COPUOS, although there had been some activities, including the drafting of

the Outer Space Treaty and deliberation on the outer space order under the agenda item: 'Ways and means for the sustenance of peaceful uses of outer space.' Recently, China has reiterated its insistence on improving the legal frameworks in order to prevent an arms race in outer space. The US is arguing against it, insisting that the disarmament issue should be deliberated at the Conference on Disarmament rather than at the COPUOS, which is a forum for discussing peaceful uses of outer space. In the meantime, Russia is insisting on the commencement of a study at the Legal Subcommittee of the COPUOS to review the current legal structure taking the new circumstances governing the space environment into consideration, and on drafting a new comprehensive treaty on outer space. Russia's arguments, however, have not yet been included in the agenda. (Note: Russia has not mentioned the issue of the prevention of the arms race in outer space in its explanation concerning its proposal for a new agenda.)

Section 6. Movement of unilateral disarmament

1. The United States and Russia

- (1) The US and Russia implemented the reduction of their non-strategic nuclear weapons (tactical nuclear weapons) as a way of responding to the unilateral action of each country in the early 1990s, resulting in a drastic reduction in the tactical nuclear weapons deployed in the European theater by these two countries.
- (2) To be more precise, new and imminent dangers emerged while the former Soviet Union was disintegrating into the several republics; the collapse of nuclear control systems, and nuclear proliferation to the third world. In September 1991, then US President George H.W. Bush, recognizing that the nuclear proliferation issue had become relatively important, announced his nuclear weapons reduction initiatives, took the following measures and, at the same time, called on the international community to cooperate.
 - (A) To withdraw ground-launched tactical nuclear weapons to the US, and destroy all of its nuclear artillery shells and short-range ballistic missile warheads.
 - (B) To preserve the air-delivered offensive nuclear capability in Europe, and to request the Soviet Union to take similar measures, such as destroying nuclear warheads for air-defense missiles and nuclear landmines that only the Soviet Union possessed.

(C) To withdraw all tactical nuclear weapons from US ships and attack submarines, including Tomahawk cruise missiles, as well as those nuclear weapons for land-deployed naval aircraft, to destroy many of these warheads and to centralize those remaining in safe areas, and to urge the Soviet Union to take similar measures.

In response to the US calls, then President Gorbachev announced in October 1991 the elimination of ground- and sea-launched tactical nuclear weapons and others.

- (3) Subsequently, in January 1992, then US President Bush announced his nuclear weapons reduction initiative including: to scale down the B-2 Bomber deployment program from 75 bombers to 20; to cancel the small ICBM program; to prepare to take additional measures to reduce strategic nuclear weapons, including the reduction of the number of warheads on the US submarine-launched ballistic missiles (SLBM) by about one-third, if the CIS (Commonwealth of Independent States) would eliminate all land-based multiple-warhead ICBMs. In response to the above initiative, then Russian President Yeltsin made a comprehensive proposal in his statement on arms control and disarmament policy in the same month, in which he said that he had prepared a proposal to reduce the number of strategic nuclear warheads to 2000-2500, without making any reference to the proposal from the US.
- (4) The US is believed to possess 1120 tactical nuclear warheads for Tomahawk Cruise Missiles and bomber aircraft. Russia is believed to have 3380 tactical nuclear warheads including those for defense purposes (SIPRI Year Book 2002). Most of them have been removed from ships, submarines and aircraft, and collectively stockpiled for their dismantlement.

2. France

Since its announcement to eliminate all ground-to-ground missiles in September 1997, France's nuclear forces are based on its second-strike capability, to survive an opponent's attacks, in the form of highly survivable bomber loaded air- and submarine-launched systems. Based on the above concept, France has taken the following concrete nuclear disarmament measures since 1996: (1) dismantling Hades ground-to-ground missiles; (2) closing down the Plateau d'Albion ground-to-ground long-range missile base (dismantlement of the missiles is underway at present); in view of the changed roles of nuclear weapons after the Cold War, (3) closing the Pierrelatte plant for producing weapon-grade fissile

material, and (4) closing and dismantling the South Pacific nuclear test site (at Mururoa Atoll).

3. U.K.

In its 'Strategic Defense Review' in July 1998, the U.K., while maintaining its security strategy based on nuclear deterrence like France, announced the following measures: to reduce the number of nuclear warheads for the Trident-type nuclear missiles, the U.K.'s only nuclear force, from 300 to fewer than 200; to reduce the number of Trident submarines on patrol at any one time to only one; to reduce the number missiles equipped with nuclear warheads on the submarine from 96 to 48; to lower the alert level of nuclear-powered submarines to detarget its missiles. By doing this, and factoring in the other measures the U.K. has taken, such as the removal of nuclear bombs from bombers, its nuclear forces have been reduced by more than 70% compared with Cold War levels. At the same time, the U.K. announced its holdings of nuclear material; 7.6 tons of plutonium, 21.9 tons of highly enriched uranium, and 15,000 tons of other forms of uranium.

4. China

China, which has not taken any unilateral nuclear disarmament measure, takes the following basic stance concerning the possession and use of nuclear weapons.

- 1) It possesses a small number of nuclear weapons necessary for self-defense purposes only.
- 2) China will not use nuclear weapons first against any state. Nor will it use or threaten to use nuclear weapons against non-nuclear-weapon States.
- 3) China will not participate in a nuclear arms race.

China's nuclear forces, which are not at all comparable to those of the US or Russia, are composed of about 402 nuclear warheads (SIPRI Year Book 2002). Its delivery systems are ground-launched missiles, submarine-launched missiles and bombers. China also possesses a small number of intercontinental ballistic missiles (ICBMs) capable of reaching the east coast of the US.

Chapter 5. Nuclear-Weapon-Free Zones

Section 1. Overview

A ‘nuclear-weapon-free zone’ is defined in general as a ‘zone free from nuclear weapons’ created by an international commitment which (1) prohibits regional states from manufacturing, acquiring, deploying, possessing or controlling any nuclear weapons in the region, and by a protocol under which (2) all nuclear-weapon States (the US, Russia, the U.K., France, and China) shall undertake not to use nuclear weapons against the states in the zone (negative security assurances).

Initially, the concept of a nuclear-weapon-free zone was considered to be a complementary measure on the part of the international community to establish a global nuclear non-proliferation regime, and, during the Cold War, it was taken as a regional approach initiated by non-nuclear-weapon States that were concerned by the prospect of a confrontation between the eastern and western blocs developing into a nuclear war.

Section 2. Japan’s stance

Japan’s basic stance on nuclear-weapon-free zone is that the establishment of a nuclear-weapon-free zone proposed by the states in the region where generally appropriate conditions are met will contribute to the objectives of non-proliferation and others.

Conditions to make the proposal on nuclear-weapon-free zone ‘practical’ are, among others: (1) all the states concerned, including nuclear-weapon States, agree to the proposal; (2) it contributes to the peace and security not only of the states within the zone but of the world as a whole; (3) appropriate inspection/verification measures are provided; and (4) it is consistent with the principles of international law including the freedom of navigation on the high seas.

Section 3. Nuclear-weapon-free zone treaties concluded to date

Nuclear-weapon-free zone treaties have been formulated in Latin America, South Pacific, Southeast Asia and Africa, and the treaties in former three regions have already entered into force.

1. The Treaty of Tlatelolco (The Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, adopted in 1967 and entered into force in 1968)

The Treaty is the first nuclear-weapon-free zone treaty in the world. With the Cuban Crisis in 1962, the idea of the denuclearization of Latin America was developed and a UN resolution calling for the denuclearization of this region was adopted in 1963. Drafting of the Treaty was initiated by Mexico and the Treaty was opened for signature in February 1967, and entered into force in April 1968.

The Treaty applies to 33 countries in Latin America, all of which have already ratified (Cuba was the last to ratify the Treaty in November 2002).

The Treaty prohibits testing, use, manufacture, production, acquisition, storage, and deployment of nuclear weapons in the territories of the State Parties.

The Protocol, which was ratified by all nuclear-weapon States, prohibits the nuclear-weapon States from acting in a way that would contribute to a violation of the obligations of denuclearization as well as from using or threatening to use nuclear weapons against the State Parties to the Treaty.

2. The Treaty of Rarotonga (the South Pacific Nuclear-Weapon Free Zone Treaty, adopted in 1985 and entered into force in 1986)

Against the backdrop of the France's nuclear testing in the South Pacific commenced in 1966, the momentum to oppose nuclear testing increased in this region. The resolution supporting the establishment of a nuclear-weapon-free zone was adopted at the UN General Assembly in 1975. Moves toward the establishment of the nuclear-weapon-free zone accelerated when the Labour Party took office in Australia in 1983. The Treaty was adopted at the plenary meeting of the South Pacific Forum (SPF) and opened for signature in 1985. The Treaty entered into force in December 1986.

The Treaty applies to all 16 member states and areas (self-governing domains) of the Pacific Islands Forum (PIF, formerly SPF). Thirteen states and areas have signed the Treaty as of January 2001 (it has not yet been signed by the Federated States of Micronesia, Republic of the Marshall Islands, and Palau).

The Treaty prohibits the State Parties from manufacturing, acquiring, possessing and having control of nuclear explosive devices, and bans the stationing and

testing of nuclear explosive devices in their territories. It also prohibits the dumping of radioactive material at sea anywhere within the South Pacific Nuclear Free Zone (including high seas).

The Protocol prohibits the nuclear-weapon States from using or threatening to use nuclear weapons against the Parties to the Treaty and from testing any nuclear explosive devices within the zone (including high seas). Of the nuclear-weapon States, although the former Soviet Union (now Russia), China, the U.K., and France ratified the Protocol, the US has signed but not ratified the Treaty yet.

3. The Treaty of Bangkok (the Southeast Asia Nuclear-Weapon-Free-Zone Treaty, adopted in 1995 and entered into force in 1997)

ASEAN (Association of Southeast Asian Nations) has been promoting the 'Zone of Peace, Freedom and Neutrality' (ZOPFAN) to create a free, peaceful and neutral zone to exclude any interference of countries outside the region since its foundation in 1967. The establishment of a nuclear-weapon-free zone has been considered as one component of such a concept.

The concept was developed after the end of the Cold War. The Southeast Asia Nuclear-Weapon-Free Zone Treaty was signed by the leaders of ten states in Southeast Asia at the ASEAN Summit Meeting in December 1995, and the Treaty entered into force in March 1997.

The Treaty applies to the ten states of ASEAN, and all of them have already ratified the Treaty.

The Treaty stipulates that the State Parties undertake not to develop, manufacture, acquire, possess, control, station, transport, or test any nuclear explosive devices. It also prohibits the State Parties from dumping any radioactive material in their territories (including high seas) or discharging the same into the atmosphere within the zone. Furthermore, it prohibits the State Parties from allowing any other states to engage in any of the above activities (except for the transportation of nuclear weapons).

The Protocol prohibits nuclear-weapon States from using or threatening to use nuclear weapons within the zone, including continental shelves and exclusive economic zones in addition to the State Parties' territories. It also stipulates that the nuclear-weapon States undertake to respect the Treaty, and not to contribute to any act, which constitutes a violation of the Treaty or its Protocol. None of the nuclear-weapon States has signed the Protocol yet. However, China and Russia,

which had been reluctant to sign the Protocol, expressed their willingness to sign it at the ASEAN Post-Ministerial Conference in July 1999, on the condition that disputes over the scope of application are resolved. No particular progress has been made to date though a working-level consultation was held between the ASEAN and the nuclear-weapon States in May 2001.

4. The Treaty of Pelindaba (the African Nuclear-Weapon-Free Zone Treaty, adopted in 1996, but not yet entered into force)

The Declaration on the Denuclearization of Africa was adopted at the UN in 1961. In 1964 the Assembly of Heads of State and Government of the Organization of African Unity (OAU) adopted the Cairo Declaration, declaring Africa as a nuclear-weapon-free zone. However, drafting of the treaty had been deferred because it was suspected that South Africa had been developing nuclear weapons. The move toward realization of the Treaty gained momentum when South Africa abandoned its nuclear weapons in 1991 and acceded to the NPT as a non-nuclear-weapon State. The final draft of the African Nuclear-Weapon-Free Zone Treaty was adopted at the OAU Summit Meeting in June 1995. The Treaty was signed by 42 African states in April 1996.

The Treaty applies to 54 African states (including West Sahara which Japan has not yet recognized as a state), and has been ratified by 15 states as of August 2002. The treaty has not yet entered into force, since its entry into force requires the ratification of 28 states.

The Treaty prohibits the States Parties from conducting research on, developing, manufacturing, stockpiling, acquiring, possessing, controlling or testing of any nuclear explosive devices, and from stationing, transporting or testing thereof in the territory of each state.

The Protocol prohibits the nuclear-weapon States from using or threatening to use nuclear explosive devices against the States Parties to the Treaty, and from testing thereof within the zone (excluding high seas). Among the nuclear-weapon States, France, China and the U.K. have already ratified the Protocol, while the US and Russia have signed but not ratified the Treaty.

Section 4. Planned and proposed Nuclear-Weapon-Free Zones

In addition to the above-mentioned nuclear-weapon-free zones, various nuclear-weapon-free zones are planned or proposed. The zones that have been

proposed at the U.N. General Assembly are as follows:

1. The Central Asia Nuclear Weapon-Free Zone

This idea had derived from the Almaty Declaration adopted at the summit meeting convened in February 1997 among the leaders of five Central Asian states: Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan. The expert group organized by the Regional Center for Peace and Disarmament in Asia and the Pacific, UN Department of Disarmament, started drafting the treaty in 1998. A conference of the expert group was held in Sapporo, Japan, in October 1999, and the drafting was almost finished. However, the agreement of the five countries could not be obtained, as Tajikistan and Turkmenistan were absent from the conference. Another conference of the expert group was convened in Sapporo in April 2000, but failed to reach an agreement as Turkmenistan did not participate in the conference once again. The expert group meeting of five Central Asian states, which was held in Samarkand in September 2002, finalized the negotiations on the drafting of the Treaty. Japan has been providing logistical and financial support to help draft the Treaty as demonstrated by the two conferences held in Sapporo.

2. A Nuclear-Weapon-Free Zone in the Middle East/A Middle East Zone Free of Weapons of Mass Destruction

Since the resolution proposed by Egypt that welcomed an initiative on a Nuclear-Weapon-Free Zone in the Middle East was adopted at the U.N. General Assembly in 1974, U.N. resolutions that urge all parties to take necessary steps for the implementation of the proposal have been adopted every year. The 'Principles and Objectives for Nuclear Non-Proliferation and Disarmament' was adopted at the 1995 NPT Review and Extension Conference in 1995, in which the establishment of the Nuclear-Weapon-Free Zone in the Middle East was encouraged. However, the Middle East peace process remains stagnant, and there remain problems. Iraq has been suspected of developing nuclear weapons; Israel, which seems to have a highly advanced nuclear capability, has not yet acceded to the NPT. President Mubarak of Egypt proposed the elimination of all weapons of mass destruction from the Middle East in April 1990, but varied attitudes toward this proposal remain, even among the Arab states.

3. Mongolia's nuclear-weapon-free status

President Ochirbat of Mongolia declared its nuclear-weapon-free status at the U.N. General Assembly in 1992, and urged the nuclear-weapon States to respect the status and give Mongolia security assurances that nuclear weapons would not be

used against it. The U.N. General Assembly adopted the Resolution (53/77D) in 1998 in which Mongolia's declaration was welcomed.

The five nuclear-weapon States issued a joint statement in October 2000 declaring that they would cooperate in the implementation of this resolution and reaffirmed that they would provide negative security assurance to Mongolia, as enunciated in 1995 to non-nuclear-weapon State Parties to the NPT.

In September 2001, an expert group meeting was convened in Sapporo to examine Mongolia's nuclear-weapon-free status from the viewpoint of international law.

Section 5. Demilitarization of the Antarctic, the seabed, outer space, and the moon

In addition to the nuclear-weapon-free zones mentioned above, the deployment of nuclear weapons and other weapons of mass destruction has been banned in specific places by the following treaties:

1. Antarctic Treaty (Adopted in 1959, entered into force in 1961. Ratified by Japan in 1960.)

The Treaty stipulates in Article 1 that 'Antarctica shall be used for peaceful purposes only. There shall be prohibited, inter alia, any measure of a military nature, such as the establishment of military bases and fortifications, the carrying out of military maneuvers, as well as the testing of any type of weapon and others.'

2. Outer Space Treaty (Adopted in 1967, entered into force in 1967. Ratified by Japan in 1967.)

The Treaty stipulates in Article 4 that 'States Parties to the Treaty undertake not to place in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies, or station such weapons in outer space in any other manner.'

3. Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof (Adopted in 1971, entered into force in 1972. Ratified by Japan in 1971.)

The Treaty stipulates in Article 1 that ‘The States Parties to this Treaty undertake not to emplant or emplace on the seabed and the ocean floor and in the subsoil thereof beyond the outer limit (12 miles or further) of a seabed zone , as defined in article II, any nuclear weapons or any other types of weapons of mass destruction as well as structures, launching installations or any other facilities specifically designed for storing, testing or using such weapons.’

4. Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (Adopted in 1979, entered into force in 1984. Japan has not signed.)

The Treaty stipulates in Article 3, Paragraph 3 that ‘States Parties shall not place in orbit around or other trajectory to or around the moon objects carrying nuclear weapons or any other kinds of weapons of mass destruction or place or use such weapons on or in the moon.’

Chapter 6. Assisting denuclearization of the former Soviet Union

Section 1. Overview

The US and Russia signed START I (Strategic Arms Reduction Treaty I) and agreed to eliminate large quantities of nuclear weapons in July 1991. Strategic nuclear weapons were deployed in four of fifteen republics, namely Russia, Ukraine, Kazakhstan, and Belarus when the Soviet Union collapsed in December 1991. It was decided in May 1992 to transfer all the nuclear weapons deployed in Ukraine, Kazakhstan, and Belarus to storage facilities in Russia as part of the nuclear non-proliferation measures.

Due to the political, economic, and social disorder that existed in those countries, there was a concern that the elimination of nuclear weapons and implementation of the nuclear non-proliferation measures might not be fully carried out. Ignoring this situation could lead to the risks of proliferation and accidents involving nuclear weapons, and this represented a serious international security concern.

Japan, in cooperation with the US, U.K., Germany, France and Italy decided, therefore, to provide assistance for safe dismantlement of nuclear weapons of the former Soviet Union and solving the related environmental problems. Japan concluded bilateral framework agreement with the four former Soviet countries (Russia, Ukraine, Kazakhstan, and Belarus) on assisting their denuclearization in the form of several concrete projects. The Japanese government announced its commitment to provide US\$100 million in April 1993, and commenced with assistance to those countries.

At the G8 Summit Meeting in Cologne in 1999, Japan pledged funds amounting to US\$200 million (a portion of it was to be allotted from funds that had already been contributed under the previous arrangements) to the former Soviet Union countries to further promote the projects. The assistance programs are described below.

Section 2. Assistance for Russia

1. Construction of a facility to dispose of low-level liquid radioactive waste ‘SUZURAN’ (Lily of the Valley)

Serious concerns were raised when it was discovered that Russia had been

dumping radioactive waste into the Sea of Japan in 1993. The floating facility for disposing of liquid radioactive waste 'SUZURAN' (installed on a barge) was designed to prevent such dumping.

This treatment facility, constructed on a barge without the capacity for self-propulsion, is capable of treating up to 7,000 cubic meters of liquid radioactive waste per year in order to prevent the liquid radioactive waste, in addition to stored radioactive waste in the Far East (generated as a result of dismantlement of nuclear submarines) from being dumped into sea in the future. The facility was moored in Bolshoi Kamen Bay, located in the vicinity of Vladivostok. After the completion of the construction in April 2000, it was handed over to the Russian government.

2. Supply of emergency response equipment

The Japanese government has a plan to supply emergency response equipment so as to deal with contingencies that could occur during the transportation of nuclear warheads from dismantling facilities to a storage facility.

The Russian Government is interested in receiving such equipment as an automatic radiation leak monitoring system and radiation spectrometers.

Japan is now in consultation with Russia on the details of the arrangement to implement this program.

3. Dismantlement of decommissioned nuclear submarines

The safe dismantlement and disposal of several dozen decommissioned nuclear submarines from Russia's Pacific Fleet has become an internationally important and urgent matter, not only from a nuclear non-proliferation and disarmament standpoint but also to protect the environment of the Sea of Japan.

Japan organized a 'Japan-Russia Joint Operational Project for Disarmament and Environmental Protection' in May 1999 and carried out feasibility studies in Vladivostok on the following projects.

- (1) (a) A project to prepare equipment to remove spent nuclear fuel from decommissioned nuclear submarines, and facilities to provide temporary storage for the containers when transporting spent nuclear fuel.
- (b) A project to reconstruct a 27km length of old railway line between Bolshoi Kamen and Smolyaninovo (located in the vicinity of Vladivostok) so that

the spent nuclear fuel extracted from the nuclear submarines could be transported safely.

- (2) A project for dismantling a Victor III Class multipurpose nuclear submarine moored at the Zvezda Shipyard (located in the vicinity of Vladivostok).
- (3) A project to modify 'Pinega', a factory ship of the Russian Navy used to store and transfer liquid radioactive waste into a transport ship for spent nuclear fuel (between the Kamchatka District and the Primorskii Krai).

Based on the results of the above studies, consultations with Russia are now under way concerning implementation of the railway line reconstruction project (1)(b) and the dismantling of the Victor Class nuclear submarine (2).

4. Control and disposition of surplus weapon-grade plutonium in Russia

In the process of nuclear disarmament involving both the US and Russia, a large quantity of plutonium is extracted from dismantled nuclear weapons. Preventing nuclear material from being reused for military purposes or being handed to other countries or entities has become an urgent task from a counter-terrorism point of view.

The US and Russia, as the parties concerned, have been endeavoring to cope with this issue. However, it has become essential for Russia, which faces economic difficulties, to receive assistance from other countries. Thus providing assistance is now under consideration as a key agenda item in the G-8 process. It was agreed at the Genova Summit in July 2001 to continue negotiating on the framework for disposition of surplus weapon-grade plutonium in Russia by seeking additional donors beyond the G8.

Japan has been an active participant in the consultations among the G8 countries on this issue, emphasizing the importance of preventing surplus weapon-grade plutonium from being reused for any military purposes (irreversibility), disposing of the material as quickly as possible (efficiency), and carrying out the process in a transparent manner (transparency).

A first step in Japan's concrete contribution to this program is research cooperation with Russia to transform surplus weapon-grade plutonium into mixed oxide (MOX) fuel for irradiation in a Russian fast breeder reactor (BN-600). This research cooperation is now under way between relevant agencies of the two countries. .

Section 3. Assistance for Ukraine

1. Assistance for the establishment of a State System for Nuclear Material Accountancy and Control (SSAC)

The SSAC is a system to accurately account for and control over the categories and respective quantities, the inflow and outflow over a specific period as well as the present inventories of nuclear and related materials. At the same time, its purpose is to contain and monitor nuclear material in order to prevent any illicit outflow of such material. This system needs to be developed as a prerequisite for the safeguards system of the IAEA.

Ukraine was obliged to accept the IAEA safeguards agreement by acceding to the NPT as a non-nuclear-weapon State after becoming independent from the former Soviet Union. Japan has provided Ukraine with assistance in coordination with the IAEA, as it was difficult for Ukraine to establish the SSAC by itself. To be more specific, Japan has supplied systems for nuclear material accountancy and control, and physical protection of nuclear and other materials to the Kharkov Research Institute, the Ministry of Environmental Protection and Atomic Power, and the Kiev Research Institute.

2. Supply of medical equipment for nuclear weapon disposal personnel

In June 1995, Japan supplied Ukraine with medical equipment and medicines for the examination and treatment of military personnel exposed to radioactive contamination during the process of dismantling nuclear weapons or non-radioactive contamination from leakage of toxic missile fuels. Japan supplied additional reagents for a range of analyzers in August 1997. Japan supplied additional medical equipment to army hospitals at the request of the Ministry of Defense, and this was completed in August 1998. It also supplied other items including reagents in March 2000. These supplies have also been used for the victims of the nuclear power accident that occurred at the Chernobyl Nuclear Power Plant (which accounted for 34% of the people receiving medical treatment. Additional medical equipment was supplied in June 2001.

Section 4. Assistance for Kazakhstan

1. Assistance for the establishment of the State System for Nuclear Material Accountancy and Control (SSAC)

In order to establish the SSAC that is a prerequisite for the IAEA safeguards, Japan supplied Kazakhstan with flow monitor equipment, a nuclear material protection system, and an accountancy and control system for the Aktau fast breeder reactor (BN-350), and a nuclear material protection system to the Atomic Energy Agency and the Atomic Energy Research Institute.

2. Measures against radioactive contamination of the areas surrounding the Semipalatinsk Nuclear Test Site

- (1) The nuclear test site was set up in Semipalatinsk during the Soviet era, and around 200,000 victims of nuclear radiation still reside in this area. The project was carried out with the full cooperation of the Medical Department, Nagasaki University, at the request of the Kazakhstan Public Health Committee. In August 1999, Japan provided a remote medical diagnostic system and various other study equipment to the Semipalatinsk Medical College and Semipalatinsk Nuclear Medicine and Environment Research Institute, and upgraded their performance in April 2001.
- (2) Japan supplied medical equipment and medicines to the Homeland War Victims Hospital, which treated radioactive contamination survivors in Almaty.
- (3) Japan supplied equipment to measure the radiation levels of sampled teeth to the National Nuclear Center, which is engaged in a radioactive contamination survey in the Semipalatinsk district.

Section 5. Assistance for Belarus

1. Assistance for the establishment of State System for Nuclear Material Accountancy and Control (SSAC)

Japan has provided the Sosny Research Institute, located in the vicinity of Minsk, the capital city of Belarus, with a nuclear material protection system and an accountancy and control system to establish the SSAC that is a prerequisite for the IAEA safeguards.

2. Assistance to the Regional Nuclear Material Control Education Center

Japan has supplied the Sosny Research Center with equipment for nuclear material protection and accountancy and control for the establishment of the Regional Nuclear Material Control Education Center based in the research center.

3. Supply of equipment to the vocational training center for discharged soldiers

Japan supplied equipment, including computers, in February 1999, to the vocational training center in Rider City (an old missile base of the former Soviet Union) to assist former soldiers (discharged upon the disbanding of the strategic nuclear missile force) to find a job in the civilian sector.

Section 6. International Science and Technology Center (ISTC)

The International Science and Technology Center (ISTC) is an international organization whose purpose is to prevent the outflow of scientists and researchers formerly engaged in research on weapons of mass destruction in the former Soviet Union, to provide such scientists and researchers with opportunities to participate in research projects with peaceful applications so as to expedite the military-to-civilian conversion of human resources. Japan signed the 'Agreement for the Establishment of the International Science and Technology Center (ISTC)' with the US, the EU, and Russia in 1992, and has been actively supporting the project since the inauguration of the ISTC head office in Moscow in March 1994.

ISTC is a framework set up to help seek and achieve the objectives of non-proliferation and denuclearization in the former Soviet Union through scientific and technological cooperation on a multilateral basis, and now includes Japan, the U.S., the EU, Russia, Republic of Korea, Norway, Belarus, Kazakhstan, Armenia, Georgia, and Kyrgyz. Assistance worth 482 million dollars has been approved for more than 1690 projects involving more than 36,000 scientists and researchers from the former Soviet Union states (as of November 2002). Japan has provided assistance for the projects amounting to about 56 million dollars.

Part III. Efforts for disarmament and non-proliferation of chemical and biological weapons

Chapter 1. Chemical Weapons Convention (CWC)

Section 1. Overview

The main thrust towards the prohibition of chemical weapons had its start in the ‘Protocol for the Prohibition of the use in war of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare’ (Geneva Protocol) formulated in 1925. Though the use of asphyxiating or poisonous gases in warfare was prohibited along with biological (bacteriological) weapons by the Protocol, the development, production, possession etc. of these weapons were not prohibited. While the development of new chemical weapons continued in the hands of some countries including the US and Russia, the banning of chemical weapons started to be actively discussed in the United Nations and other fora. The opportunity to do this presented itself when U.N. Secretary-General U Thant delivered a report entitled ‘Chemical and Bacteriological (Biological) Weapons and the Impact of the Use Thereof’ in 1969. An Ad Hoc Committee for the Disarmament of Chemical Weapons was established under the Committee on Disarmament in 1980 (CCD: renamed as the Conference on Disarmament in 1984) and full-scale negotiations to ban chemical weapons started in 1984.

The pressure for an early conclusion to the negotiations to ban chemical weapons increased after the use of chemical weapons in the Iraq-Iran War and the start of the Gulf War. The draft Treaty was adopted at the Conference on Disarmament in 1992 and was opened for signature in 1993. The formal title of the treaty was the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC). Japan was the 38th country to ratify the Treaty in September 1995. The sarin gas attacks on the Tokyo Subway in March of the same year raised awareness of the public of the danger that chemical weapons posed and gave impetus to the ratification of the Convention. The CWC fulfilled the conditions for entry into force in October 1996 with ratification by the 65th country, and entered into force six months later on April 29, 1997. The number of States Parties to the Convention reached 150 by March 2003.

Japan made its initial declarations to the Organization for the Prohibition of Chemical Weapons (OPCW - See Section 2 below), fulfilling the basic obligations of States Parties to the Convention upon its entry into force. States Parties are required to declare to the OPCW not only what directly related to chemical

weapons, such as all chemical weapons in their possession (including old chemical weapons produced in or before 1946 which can no longer be used as chemical weapons) and production facilities of chemical weapons (present and past), but also private plants and research institutions that are using, for peaceful purposes, chemical materials which are convertible to chemical weapons. Japan, which has one of the biggest chemical industries in the world, annually declares more than 600 chemical facilities to the OPCW. Japan has accepted the visits of OPCW inspection teams more than forty times up until the present.

Section 2. Organization for the Prohibition of Chemical Weapons (OPCW)

The OPCW is an independent international organization established by the Chemical Weapons Convention (CWC) with its headquarters in The Hague, the Netherlands. It is engaged in verification activities (declarations by the States Parties and inspections by the Technical Secretariat) to verify compliance with the obligations stipulated in the CWC. More than 1,200 inspections have been carried out during the five and a half years since its foundation. The OPCW is composed of the Conference of the States Parties, the Executive Council and the Technical Secretariat. The Technical Secretariat carries out the verification activities. There are several personnel from Japan working in the Technical Secretariat.

Japan is the second largest contributor to the OPCW budget after the US.

Section 3. Abandoned Chemical Weapons in China

The issue of abandoned chemical weapons (ACW) in China is derived from the chemical weapons left behind by the former Japanese army during WWII. The problem emerged for the first time when the Chinese Delegation at the Conference on Disarmament in 1987 made a statement concerning chemical weapons abandoned in China by the former Japanese army. China requested in 1990 that Japan solve the problem.

The entry into force of the CWC in 1997, with both Japan and China as States Parties, obligated Japan to destroy the ACW left in China by the former Japanese army.

Japan and China submitted declarations of the ACW in China to the OPCW in May 1997 based on the results of the joint field surveys carried out by the two countries since 1990. Inspection activities by the OPCW to confirm the details of

the submitted declaration have been conducted ten times (at 16 places in total) up until the present. The joint field surveys by Japan and China are ongoing since most of the ACW are thought to be still buried underground and there is a distinct possibility that more ACW might be discovered.

Japan's basic stance towards the destruction of the abandoned ACW is to have the entire government deal with the issue. Accordingly, by a decision of the cabinet in March 1999, the Prime Minister's Office (named the Cabinet Office after the reorganization of ministries and agencies in January 2001) took charge of the destruction of ACW, and the Office of ACW was established in the Prime Minister's Office in April 1999.

The Governments of Japan and China came to a common understanding on the basic framework concerning the destruction of the ACW and signed a memorandum (formerly entitled the 'Memorandum between the Governments of Japan and China concerning the destruction of Japanese Abandoned Chemical Weapons in China') in July 1999. The first full-scale project led by Japan to excavate and collect abandoned chemical weapons was carried out in the city of Beian, Heilongjian province in September 2000, and 897 abandoned chemical weapons including chemical artillery shells were collected. Excavation and collection were also performed in Nanjing, Jiansu province in 1998, 2000, and 2001 (three times in total) and about 33,000 ACW including poisonous smoke canisters were found and recovered. In Sunwu, Heilongjian province, 347 chemical weapons and four drums containing chemicals were collected in September 2002. Professional and technical consultations are continuing between the governments, while infrastructure improvements including road construction are in progress to facilitate recovery projects in Haerbaling District, Jilin province, where the largest number of chemical weapons is believed to be buried.

Section 4. Destruction of chemical weapons of the former Japanese army and of the Aum Shinrikyo religious cult in Japan

(1) Old chemical weapons at Lake Kussharo in Hokkaido

A member of the former Japanese army revealed in May 1995 that they had dumped chemical weapons into Lake Kussharo in Hokkaido as ordered by superior officers at the end of the WWII. The presence of items suspected to be chemical weapons was confirmed as the result of lakebed searches carried out in September of the same year. Some 26 chemical weapons were salvaged from the lakebed and were then sealed in a concrete container newly installed under the ground near the lake in October 1996.

The Government reported on these chemical weapons to the OPCW as 'old chemical weapons' as stipulated in the Convention in May 1997. On-site inspections were conducted by the OPCW in December 1997 and June 1999 and, subsequently, the disposal of these chemical weapons was commenced in a newly constructed disposal facility near the storage facility from September to November 2000. The inspection team from the OPCW attended to witness the work at the closing stage of the project, thus confirming the completion of the disposal process.

(2) Old chemical weapons in Okunojima Island, Hiroshima

There was a discovery of nine suspicious items described as 'Large Red Gas Pots' manufactured by the former Japanese Army at the site of old air-raid shelters on the south side of Okunojima Island, Takehara, Hiroshima, in March 1999. The 'Large Red Gas Pots' turned out to be toxic smoke bombs filled with sternutatory chemicals. The outer shells of all the nine items were rusty and perforated with many holes while the contents were solidified. The inspection team was able to verify that they were 'Red Gas Pots' produced by the former Japanese army and were designated as 'old chemical weapons' under the Convention. Japan made a declaration to the OPCW on the old chemical weapons in September 2000 and disposal of the weapons was witnessed by an OPCW inspection team in December 2000.

(3) Old chemical weapons found off Kanda Port, Fukuoka

Items suspected to be 18 old bombs of the former Japanese army were found off Kanda Port, Kyoto County, Fukuoka, in November 2000 during dredging of the port and harbor, and were retrieved from the seabed. The items, although no chemicals were detected when they were examined in December of the same year, were identified as 'old chemical weapons' under the Convention due partly to their shape, and were declared as such to the OPCW in May 2001. Preparations are now being made for their destruction.

(Another lot of 38 similar bomb-like items was found near the spot where the 18 items were discovered previously, in November 2000, and then one more such item off Shin Moji Port near the discovery site in December of the same year. The handling of the new items is now being determined.)

(4) The 'Satian No. 7' building of Aum Shinrikyo religious cult

Japan has declared the 'Satian No. 7' building, a plant built by the Aum Shinrikyo sect for the purpose of manufacturing sarin, as a 'chemical weapons manufacturing plant' as defined by the Convention to the OPCW. The OPCW conducted on-site inspections twice in July 1997 and September 1998. The facility was destroyed in December 1998 after the inspection. The destruction

was confirmed by the inspection team of the OPCW, who witnessed the work at the closing stages.

Chapter 2. Biological Weapons Convention (BWC)

Section 1. Overview

Biological weapons refer to weapons intended to attack humans, animals and plants by using biological agents such as smallpox virus, cholera bacteria and anthrax, or by other organisms that possess or transmit such agents. The characteristics of biological weapons are the following; it is difficult to distinguish whether the diseases were naturally caused or artificially generated, and once generated, the effects can spread widely and persist for an extended period.

The first international legal framework developed to prohibit biological weapons was the 1925 Geneva Protocol (formally entitled ‘Protocol For The Prohibition Of Use In War Of Asphyxiating, Poisonous Or Other Gases, And Of Bacteriological Methods Of Warfare’). The Protocol, together with chemical weapons, banned the use of any biological weapons in wartime. At the 21st United Nations General Assembly in 1966, a resolution to denounce the use of chemical and bacteriological weapons was adopted. Furthermore, with the submission of the report by U Thant (then Secretary-General of the United Nations) in 1969 entitled ‘Chemical and Bacteriological (Biological) Weapons and the Impact of the Use Thereof’, the necessity to control these weapons became one of the main issues at the Committee on Disarmament and the United Nations. Although the initial intention was to draw up a treaty to comprehensively prohibit both chemical and biological weapons, a consensus was reached among the member states to first start with a convention to prohibit biological weapons and separate chemical weapons from the treaty. Thus, the Biological Weapons Convention (formally entitled ‘Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction’) was adopted at the 26th United Nations General Assembly in 1971. The Convention entered into force in 1975. The number of States Parties to the Convention is 147 as of November 2002 (Japan acceded to the Convention in 1982).

Section 2. Efforts for strengthening the Biological Weapons Convention (BWC)

The Convention comprehensively prohibits the development, production and stockpiling of biological weapons. However, unlike the Chemical Weapons Convention, it lacks the means to verify the compliance of the States Parties with

the Convention. The strengthening of the Convention in this respect has long been examined.

At the renewed meeting of the Fifth Review Conference convened in November 2002, the program of work for the three years prior to the next Review Conference (in 2006) was agreed upon by consensus. It was decided that deliberations are to be continued to strengthen the Convention in the following five areas at both the States Parties' and experts' meetings.

[Five areas for strengthening the Convention]

- National measures to implement the prohibitions set forth in the convention.
- National mechanisms to establish and maintain the security and oversight of pathogenic microorganisms and toxins.
- Enhancing international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease.
- Strengthening national and international efforts for the surveillance, detection, diagnosis and combating of infectious diseases
- Codes of conduct for scientists.

The BWC Draft Verification Protocol was discussed for more than six years with the object of establishing a verification system similar to that of the Chemical Weapons Convention. It was pointed out, however, that, in contrast to chemical weapons, it would be very difficult to verify compliance since biological agents are much easier to propagate and to sterilize in order to destroy the evidence related to biological weapons. Therefore, with the US policy change in the summer of 2001, the States Parties started to pursue measures to strengthen the Convention other than through the verification protocol. The measures discussed included the enhancement of strict national criminal legislation against BW-related activities, establishment of sound mechanisms for biosafety, and the promotion of international cooperation.

At the Fifth Review Conference convened under the above-mentioned circumstances in November 2001, all States Parties engaged in serious deliberations on ways of strengthening the Convention based on proposals (other than the Protocol) made by many States Parties, including the US. However, the Conference had to be suspended for one year without achieving any concrete result, as no consensus could be reached amongst the States Parties. Coordination efforts continued behind the scenes until the Conference was reconvened in November 2002.

Japan remained fully committed in its efforts to the success of the Conference through many bilateral and multilateral consultations. In the last stage of the Conference, Japan was able to make a substantial contribution by arranging an important informal meeting for consensus building. Japan regards the agreement achieved this time on the program of work as a step towards strengthening the BWC. Japan is committed to actively participating in discussions of the five areas beginning in 2003, and will draw upon its extensive knowledge in these areas.

Part IV. Efforts towards conventional arms disarmament and non-proliferation

Chapter 1. Overview

As seen above, the production and possession of weapons of mass destruction, such as nuclear, biological and chemical weapons, are strictly controlled under various international treaties and conventions.

In contrast, there are practically no international treaties or conventions to control the production, possession, deployment, or trading of conventional weapons including rifles, tanks, warships, fighter planes, artillery and missiles. This is because the production, possession and transfer of conventional weapons are considered essential to safeguard the right of sovereign states to protect themselves from an invasion by other countries.

At the same time, it is mostly conventional weapons that are actually used in armed conflicts in various regions of the world and are responsible for injuring or killing many civilians. If a country unilaterally expands its conventional weapons in a region where little or no mutual trust exists with neighboring states, it will certainly increase tensions, provoke military expansion in other states, and undermine the stability of the region as a whole. In addition, it is easier for conventional arms to be used in domestic conflicts within a state than in orthodox conflicts between states

Based this recognition, two directions have been taken in an attempt to keep conventional arms under control. One is, based on the weapons' inhumane nature, to ban the use, and limit the transfer, as well as to remove, collect and dispose of a specific category of conventional weapons that can be used in an actual armed conflict in large quantities and might cause enormous damage not only to combatants but also to civilians. Efforts on controlling small arms including anti-personnel land mines and automatic rifles, discussed in Chapters 2 and 3, fall under this category.

Another direction is to prevent the excessive stockpiling of conventional weapons in a specific country or region by enhancing the transparency in the international trade of conventional arms, and thus ensure the stability of the country/region. The United Nations Register of Conventional Arms, discussed in Chapter 4, and the Specific Information Exchange on Arms in the Wassenaar Arrangement, discussed in Chapter 5, Part V, are in this category.

Weapons of mass destruction are regarded as inhumane because of their capability to inflict enormous and indiscriminate damage even when used in small numbers. Conventional arms are also termed 'de facto weapons of mass destruction' as they are capable of indiscriminately inflicting just as much damage if stored and used in massive quantities. Japan has been stringently restricting its international trade in weapons, based on its unique policies, including the Three Principles on Arms Exports. By adopting this policy, Japan has made it clear that it will not encourage any current or future military conflicts in the world in any way. However, it may be difficult to unilaterally promote the control of arms transfer across the world, because it is irrefutable that conventional arms contribute, to a certain extent, to maintaining national law and order for self-defense, and regional and global stability. The international community must further increase its efforts in the abovementioned two directions by striking a balance between the idea of minimizing the human cost and potential suffering inherent in the use of conventional weapons and the legitimate requirements of maintaining national and regional stability.

Chapter 2. Landmine issue

Section 1. Present status of landmine issue

Anti-personnel landmines buried mainly regions where conflicts have occurred or are occurring, including Cambodia, Bosnia-Herzegovina, Mozambique, Angora, and Afghanistan, are causing extremely serious problems by inflicting injury and death on non-combatant civilians in a totally indiscriminate manner. Landmines are also major impediments to reconstruction and development after conflicts have come to an end.

According to data from the International Committee of the Red Cross (ICRC) in 1996, the number of people who were being injured or killed by anti-personnel landmines amounted to 70 per day, 2000 per month, or 24,000 per year. It is believed that more than 110 million landmines are buried in 70 countries around the world, which means it would take 1100 years even if we could remove 100,000 landmines a year (data: United Nations 1997). These landmines will not become harmless for a long time, as the devices are corrosion-resistant and remain effective semi-indefinitely (50 to 100 years). They are easily produced and cheap (\$3 to \$10 per mine). Although easy to install, removal can be expensive (about \$100 to \$1000 per mine). Accordingly, a tremendous amount of money will be needed to completely remove these devices, making an extremely serious situation even worse.

Section 2. Efforts of the international community

1. Starting point

Concerns about the anti-personnel landmine issue in the international community were highlighted from early 1990s and the International Committee of the Red Cross (ICRC), Boutros-Boutros Ghali, then Secretary General of the United Nations and then US President Bill Clinton, among others, called for increased efforts to deal effectively with the problem.

2. Control by the Amended Protocol II of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW)

The Protocol II Mines of the CCW adopted in 1980 provided the legal framework

to control anti-personnel land mines. The Protocol II, however, contained a number of problems. For example, the Protocol was not applied to civil wars where anti-personnel landmines are mainly used, and it did not ban the use of undetectable mines. In response to growing concern from the international community on the landmine issue, the Protocol was amended in May 1996 to become the Amended Protocol II. It incorporated a number of reinforced provisions. For example, the Amended Protocol II is now applied to civil wars, bans in principle anti-personnel landmines of a vicious nature such as undetectable anti-personnel landmines or those that lack a self-destructing mechanism, and restricts transfers. The Amended Protocol II was concluded by 68 states, including Japan, as of March 2003. The revision of the main body of the CCW was agreed to at the Second Review Conference of the CCW in December 2001, making all the Protocols of the CCW applicable to civil wars.

3. Convention on the Prohibition of the Use, Stockpiling, Production and transfer of Anti-Personnel Mines and On Their Destruction (the Ottawa Convention)

Based on international criticism that a partial prohibition by the CCW would not result in a fundamental solution to anti-personnel landmines, a path to the Convention on the Prohibition of the Use, Stockpiling, Production and transfer of Anti-Personnel Mines and On Their Destruction was opened through the activities of NGOs, headed by the International Campaign to Ban Landmines (ICBL), and cooperation from various states in favor of the total banning of anti-personnel landmines. The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction was prepared through the so-called Ottawa Process, which originated from an international conference convened under the auspices of the Government of Canada in October 1996. It fundamentally prohibits the use, stockpiling, production, or transfer of anti-personnel landmines, requires all stockpiled anti-personnel mines in each country to be destroyed within four years, laid landmines to be removed within ten years and, at the same time, calls for international cooperation and support to remove landmines and assist the victims of landmines. The Convention was opened for signature in Ottawa in December 1997 and entered into force on March 1, 1999. As of March 2003, 131 states including Japan had concluded the Convention.

The First Conference of States Parties to the Convention following its entry into force was convened in Maputo, the capital of Mozambique in May 1999. The Maputo Declaration, adopted at the conference, called on all countries to accede to the Ottawa Convention, to promote victim assistance, and to continue working

toward the next conference of the States Parties. The Third Conference of the States Parties was convened in Managua, the capital of Nicaragua in September 2001, and adopted the Managua Declaration covering all the major issues to solve anti-personnel mines problems. Japan attended the Conference as the vice chair country and co-chair of the Standing Committee on Victim Assistance, Socio-economic Reintegration and Mine Awareness. At the Fourth Conference of the States Parties held in Geneva in September 2002, active discussions to ensure the concrete implementation of the destruction of stockpiled anti-personnel mines were held. This was due to the fact that the time limit for the destruction of stockpiled anti-personnel mines would run out in February 2003 for many of the States Parties to the Convention, including Japan who became a State Party to the Convention in 1999. The States Parties were reminded of the importance of their compliance with the Convention. In addition, it was decided at this conference that Japan would become the Co-Rapporteur, together with Cambodia, of the Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies, during the 2002-2003 intersessional period.

The US has not yet acceded to this Convention because of security concerns regarding the Korean Peninsula, and Russia has also not taken this step as it feels it must protect its national nuclear power plants. China has failed to accede to this Convention because it views that anti-personnel mines are necessary for a state with long land borders. South Korea has not acceded to the Convention because it considers landmines to be an essential part of its defense against a potential invasion by North Korea. That said, however, the US, China and South Korea have already ratified the Amended Protocol II of the CCW mentioned above, while Russia is now in the process of its accession to the Protocol.

Section 3. Efforts of Japan

Japan proposes a comprehensive approach based on two principles: 1) realization of a universal and effective prohibition of anti-personnel mines; and 2) strengthening its assistance for mine clearance and victim assistance. This was the 'Zero Victims Program' proposed by then Foreign Minister Obuchi at the signing ceremony of the Ottawa Convention, held in Ottawa in December 1997. In addition, Japan announced its assistance amounting to some 10 billion yen over five years from 1998 for mine clearance and victim assistance, which was accomplished by October 2002. At the First Conference of State Parties to the Ottawa Convention held in May 1999, Keizo Takemi, then Parliamentary Vice-Minister for Foreign Affairs, who headed the Japanese Delegation to the Conference, announced Japan's decision to provide active assistance under the

Convention. It was based on three principles, namely: ownership (the importance of autonomous efforts by the countries where mines are still buried), partnership (the collaboration between the donor states associated with the UN and the states where landmines are buried), and human security. Japan's proposal was highly evaluated by the States Parties.

1. Accession of relevant treaties and conventions by Japan

- (1) Japan ratified the Amended Protocol II of the CCW on June 10, 1997 (the fifth state to ratify the Protocol)
- (2) Japan ratified the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (the Ottawa Convention) under the leadership of then Prime Minister Obuchi on September 30, 1998 (the 45th state to ratify the Convention). At the same time, the 'Law on the Prohibition of the Manufacture of Anti-Personnel Mines and Regulation of the Possession of Anti-Personnel Mines' was enacted to guarantee compliance with this Convention within Japan. The early adoption of the Convention by Japan was highly evaluated by Canada and the various NGOs that promoted the formulation of this Convention. Japan played an active role regarding the First Conference of the States Parties to the Ottawa Convention, together with the other organizing countries, by urging all states to attend the Conference. Where opportunities have arisen, Japan has been urging non-States Parties to accede to the Convention. These include a call for the signing to the Convention at international for a such as the Conference on Disarmament, hosting seminars to urge accession to the Convention by the non-States Parties, and bilaterally urging non-States Parties at their capitals to accede to the Convention.
- (3) At the Conference on Disarmament and other for a, Japan has been supporting early convening of negotiations to create a Convention to totally ban the inter-state transfer of anti-personnel landmines, with a view to involve in the process those countries that are not expected to join the Ottawa Convention for the time being.

2. Mine clearance and victim assistance

- (1) The Tokyo Conference on Anti-Personnel Mines (March 1997)
 - (A) The Conference was convened in March 1997 on the initiative of then Prime Minister Hashimoto at the Lyon Summit in 1996, with

representatives from 27 countries (including countries with buried landmines, namely Cambodia, Mozambique, Angola, Bosnia, and Nicaragua, and major donor states such as the member states of the Group of 7 (G7)), the EU and high-level officials of ten international organizations.

(B) At this Conference, the goal of ‘Zero Victims’ was set and the basic guidelines (the ‘Tokyo Guidelines’) were formulated in the following three areas: mine clearance, technology development and victim assistance.

(2) Strengthening of mine clearance and victim assistance

(A) As described above, Japan announced assistance of some 10 billion yen over five years from 1998 to help achieve mine clearance and victim assistance based on the ‘Zero Victims Program,’ with this amount being provided by October 2002.

(B) Exceptions to the Three Principles on Arms Exports and relevant regulations

As a measure to further strengthen the efforts on anti-personnel landmines issue, it was decided not to apply the Three Principles on Arms Exports under specific conditions to the export of equipment needed for landmine removal, (announcement by the Chief Cabinet Secretary on December 2, 1997). Accordingly, only vehicles and mine detectors used for the disposal of anti-personnel landmines were exempted from export licensing in August 2002, since their specifications do not correspond to the definition of weapons as defined by the Principle which says that weapons are used by the military directly in combat.

(3) Recent efforts - assistance to Afghanistan

The Japanese Government considered its support for anti-landmine measures as one of the major pillars of its reconstruction efforts in Afghanistan, and has provided more than 2.5 billion yen for the program on mine risk education, anti-personnel landmine clearance, and victim assistance.

(4) Future efforts

It is necessary to promote the universalization of the Ottawa Convention and to develop an international environment that makes it much harder for anti-personnel mines to be buried. Japan will endeavor to provide visible assistance including the dispatch of personnel and the development of

de-mining technologies, in addition to assistance as in the past such as financial aid through international institutions, grass-roots grant aids and subsidies to assist NGO activities.

Record of assistance (as of the end of August 2002)

1. General anti-landmine measures:	\$2.2 million
(1) Assistance through international institutions:	\$1.83 million
(2) Others:	\$0.37 million
2. Demining:	\$99.83 million
(1) Bilateral assistance:	\$30.83 million
(2) Assistance through international institutions:	\$62.24 million
(3) Grass-roots grant aids:	\$6.46 million
(4) Others:	\$0.3 million
3. Victim assistance:	\$9.06 million
(1) Bilateral assistance:	\$0.93 million
(2) Assistance through international institutions:	\$6.5 million
(3) Subsidies to assist NGO activities:	\$0.66 million
(4) Grass-roots grant aids:	\$0.86 million
(5) Others:	\$0.11 million
4. Mine risk education:	\$1.19 million
(1) Assistance through international institutions:	\$1.04 million
(2) Subsidies to assist NGO activities:	\$0.09 million
(3) Grass-roots grant aids:	\$0.06 million
5. Others:	\$2.52 million
(1) Assistance through international institutions:	\$1.6 million
(2) Grass-roots grant aids:	\$0.01 million
(3) Others:	\$0.91 million

Chapter 3. Small arms and light weapons

Section 1. Background

1. Where problems exist

The weapons mainly used and responsible for killing people in today's conflicts are small arms and light weapons (SALW) such as automatic rifles and small-size missiles, and the casualties inflicted by small arms are estimated to account for more than 90% of the total casualties of all conflicts, which is the reason why SALW are called the 'de facto weapons of mass destruction.' Since SALW had been left out of any set of international regulations, they have caused not only the extension or intensification of conflicts but also hindered efforts for humanitarian aid operations and post-conflict restoration and development by the United Nations and other bodies, as well as re-igniting conflicts and facilitating crimes. Anti-government militants, irregular forces (guerillas), crime syndicates and terrorist groups are said to be using all types of small arms and thus end up creating a vicious circle whereby the general public feel compelled to acquire similar weapons to defend themselves against the threat posed by such groups. Against this background, the problem of collecting and eliminating SALW that have been illegally circulated and excessively accumulated, and controlling illicit trade in SALW have become urgent tasks for the international community.

The first significant international-level initiative to raise the issue of small arms was made by the then UN Secretary-General Boutros-Boutros Ghali in his report, "Supplement to The Agenda for Peace" in 1995. Subsequently, the 'UN Panel of Governmental Experts on Small Arms' was established in 1996 and the 'UN Group of Governmental Experts on Small Arms' was established in 1998, both of which were chaired by Mitsuro Donowaki, Special Assistant of the Ministry of Foreign Affairs (a former Japanese ambassador to the Conference on Disarmament). The reports drafted by the panel and the group contained a number of recommendations for action regarding small arms. Based on these recommendations, the United Nations Conference on Small Arms (formally entitled: The United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects) was convened in New York in July 2001. This was the first ministerial-level international conference dealing with the issue of small arms. The Japanese delegation to this conference was led by Seiken Sugiura, Senior Vice-Minister for Foreign Affairs. The 'Programme of Action' to prevent, combat and eradicate the illicit trade in small arms and light weapons was adopted at this conference. How the international community puts this 'Programme of

Action' into practice will be a key issue for the future.

Section 2. Japan's efforts and policy

1. Activities through the United Nations

Since the issue of small arms and light weapons (SALW) was brought up in the international community, Japan has been working through the framework of the United Nations. Specifically, Japan has presented the draft resolution on small arms and light weapons to the U.N. General Assembly in order to present a prescription to solve problems, including promotion of international public awareness toward preventing the illicit trade in SALW and the establishment of the U.N. panel of experts to discuss the issue. Based on the UN General Assembly resolution presented by Japan, the U.N. Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was convened in July 2001, where the 'Programme of Action' to prevent the illicit trade in SALW was adopted. Japan intends to continue implementing the 'Programme of Action' in cooperation with the international community.

Japan imposes stringent restrictions on manufacturing, possessing, and trading small arms. Specifically, there are strict regulations including the Ordnance Manufacturing Law to control the manufacturing process, the Firearms and Sword Possession Control Law to control possession, the Foreign Exchange and Foreign Trade Law and administrative ordinances (Export: the Export Control Ordinance; Import: the Import Control Ordinance) to control international trade. Japan, in principle, does not export any arms in accordance with the 'Three Principles on Arms Exports.'

2. Achievements at the Kyushu/Okinawa Summit

The document entitled 'G8 Miyazaki Initiatives for Conflict Prevention' was adopted at the Kyushu/Okinawa G8 Summit chaired by Japan in 2000. With respect to the export of small arms and light weapons, the G8 came to an agreement that 'the G8 will not authorize the export of small arms if there is a clear risk that these might be used for repression or aggression against another country', and 'pledges its full support for the effort to reduce existing destabilizing accumulations of small arms', and set them out as a common initiative of the G8. Taking into account the fact that the members of G8 with the exception of Japan are major exporters of conventional arms, the announcement of the initiative is of momentous significance.

3. Financial assistance

Japan extended \$1 million in assistance to Mali in 1997, \$0.96 million to Sierra Leone in 1998, and \$100,000 to Albania in 1999 through the Human Development Fund of UNDP for post-conflict weapons collection and reconstruction and development. Furthermore, Japan contributed to the UN Trust Funds to solve SALW issues in cooperation with the United Nations, as part of the implementation of ‘the G8 Miyazaki Initiatives for Conflict Prevention’ announced at the Kyushu/Okinawa Summit in 2000 (\$277 million at the end of March 2002).

4. Project for collecting small arms in Cambodia

The comprehensive approach to assisting in reconstruction and development and to improving public order in post-conflict areas through the collection of excessive stockpiles of small arms is effective and applicable to many regions. Japan, adopting this approach, has been engaged in the ‘Weapons for Development’ project in Cambodia since April 2001, in collaboration with the EU and the United Nations. Under the project, development assistance are provided to the regions where small arms collection is being carried out, in order to give more momentum for small arms collection.

Chapter 4. UN Register of Conventional Arms

Section 1. Background and the meaning

The United Nations Register of Conventional Arms is the arrangement established by the UN General Assembly resolution entitled ‘Transparency in Armaments,’ jointly submitted by Japan and the EU and adopted by an overwhelming majority in 1991. It was a groundbreaking arrangement that increases transparency and openness regarding armaments, mainly in the area of the international transfer of conventional arms, and aims at building confidence among countries and thus prevent the excessive stockpiling of arms, considering the fact that the excessive stockpiling of arms by Iraq led to the destabilization of the region and culminated in the Gulf War in 1991.

Section 2. Overview

- (1) This arrangement requires the UN member states to keep a record of imports and exports during the preceding year of the seven categories of conventional arms listed below that are classified as offensive arms for massive invasion, specifically, the quantity transferred within the year and the names of the importing and exporting countries, and to provide the record in a designated form to the Register by the end of May every year.
- (2) In addition, the UN member states are invited to provide data on their military holdings, procurement through national production, and relevant policies. Periodic reviews are conducted by the Group of Governmental Experts convened every three years to review and expand the arrangement. The meetings have been held at the UN headquarters in New York in 1992, 1994, 1997 and 2000. The next meeting is scheduled for 2003.

Seven categories of conventional arms that should be reported.

- Battle tanks
- Armored combat vehicles
- Large caliber artillery systems
- Combat aircraft
- Attack helicopters
- Warships
- Missiles and missile launchers

Section 3. Problems of the Register

- (1) The Register covers most international transfers of arms since more than 90 of the UN member states, and, in particular, the major arms exporting states are parties to the agreement. However, it was pointed out by the 2000 Group of Governmental Experts that it would be necessary to hold workshops and seminars to promote further understanding of the Register in African and Middle Eastern countries in view of their reluctance to participate. As the result, it was decided to hold workshops, under the auspices of Japan, the Netherlands, Germany, and Canada, in four regions including Ghana in 2002, the 10th anniversary of the Register, and Indonesia in 2003 as an endeavor to obtain its universal acceptance.
- (2) One of major issues at the meetings of the Group of Governmental Experts has been whether or not the Register should cover not only transfers of arms but also possession and procurement through national production. This has not yet been resolved because of persistent opposition from the developing countries for the security reasons.
- (3) Considering the recent emerging character of arms trade and regional conflicts, the 2000 Group of Governmental Experts discussed the possible inclusion of combat support equipment, such as troop carrier helicopters and air refueling planes, that are not necessarily defined as ‘offensive arms for mass invasion.’ However, no agreement has been reached so far.
- (4) China participated in the Register from 1992 to 1996, but has been boycotting it since 1997 in retaliation to the US commencing to report the fact that it is exporting arms to Taiwan. It remains unresolved to date as the US keeps insisting on the legitimacy of including arms exports to Taiwan in its report.

Section 4. Japan’s efforts

This Register is one of the so-called ‘Japan Items’ because it was established by the resolution jointly sponsored by Japan and the EU, and Japan has been working for its reinforcement and universal acceptance. For example, each time the Group of Governmental Experts held meetings in ‘92, ‘94, ‘97, and 2000, Japan invited governmental experts attending these meetings to Tokyo to hold workshops, and has been actively calling on countries, mainly in Asia-Pacific region, to participate in the Register.

Chapter 5. Conventional Armed Forces in Europe (CFE) Treaty

Section 1. Overview

1. Objective

The Conventional Armed Forces in Europe (CFE) Treaty was the first arms control and disarmament treaty on conventional arms after World War II. It was formulated in 1990 through negotiations between the North Atlantic Treaty Organization (NATO) and the Warsaw Treaty Organization (WTO), in order to maintain the balance in conventional armed forces at a low level in response to the continuing confrontation between the East and the West during the Cold War. It practically entered into force at the summit meeting of the Conference on Security and Cooperation in Europe (CSCE) convened in July 1992. Thirty countries have become States Parties to the Convention as of December 2000.

2. Scope

The Treaty covers a vast geographical area from the North Atlantic to the Urals, establishes a maximum level of possession for five categories of conventional arms (battle tanks, armored combat vehicles, artillery, combat aircraft and attack helicopters) for both Eastern and Western blocs, and stipulates that equipment exceeding the ceiling be reduced, and implements strict inspections to verify how this reduction is being performed and compliance with the treaty.

3. Achievements

Under this Treaty, more than 70,000 individual items belonging to various types of arms groups have been reduced to date, and the capability of the former Soviet Union for massive invasion and surprise attack has been reduced. As a result, the CFE has been highly praised as it has effectively corrected the imbalance that existed among conventional armed forces in Central Europe.

Section 2. Agreement on Adaptation of CFE Treaty

1. Background and results of negotiations

Negotiations on modifications to the CFE Treaty commenced in January 1997 in response to the increased momentum among the States Parties to alter the Treaty in light of the dramatic changes that had taken place in the strategic environment

in Europe, such as the dissolution of the Warsaw Treaty Organization that accompanied the end of the Cold War and the expansion of NATO since the middle of the 1990s. The Agreement on Adaptation of the CFE Treaty was signed at the summit meeting of the Conference on Security and Cooperation in Europe (CSCE) in Istanbul in November 1999.

It was agreed to change the basis for the calculation of the ceiling on holdings of conventional arms, which had previously been based on blocs (the Eastern and the Western blocs), to holdings by state and territory (including the holdings of foreign forces stationed in the territories of the respective member states), and margins for the ceilings were established. Furthermore, each state is obliged to notify all States Parties of any revision to the amount of armaments held 90 days prior to any change taking place. As a result, it ensures transparency and predictability where states increase armament levels, and thereby contributes to confidence building among the member states.

The new member states of NATO, namely Hungary, Czech, and Poland, are not allowed to deploy any arms of foreign military forces in their territories in peace time under the Treaty, thus accommodating to a certain degree the concerns of Russia regarding NATO expansion. Russia also urged that the strict holding restrictions in the North Caucasian military district, where the ethnic conflicts in Chechnya and so on have occurred frequently, and at the same time, the front line vis-à-vis NATO was formed, be relaxed. Eventually, Russia was granted the modification to reduce the area restricted under the Treaty and to increase the ceiling for the number of armored combat vehicles, and so on. It gave Russia greater freedom of movement for its armed forces, and relieved Russian concerns in this regard.

2. Significance of Agreement on the Adaptation of CFE Treaty

The Russian armed services were infected by a sense of crisis as they felt that they were at a disadvantage regarding their conventional forces compared with NATO forces because of the eastward expansion of NATO, and their marginal military budget due to economic difficulties. The above revisions have enabled Russia to maintain their current level of armaments while the conventional forces of NATO have been reduced to some extent in order to correct the perceived imbalance of force between the two powers. It may in turn be expected that the threshold for the use of nuclear weapons by Russia has been raised, as it had retracted its former policy of no-first-use of nuclear weapons, reflecting Russia's inferiority in conventional arms at the European front after the demise of the Soviet Union. This is considered to be a result of a compromise on the part of NATO to assuage

Russian anxieties about the anticipated inclusion of the three Baltic States in NATO.

Part V. Efforts for non-proliferation of weapons of mass destruction

Chapter 1. Overview

There are international agreements to prohibit or control the development, possession, and transfer of weapons of mass destruction, such as nuclear, biological, or chemical weapons, to which many countries have acceded. With regard to nuclear weapons, however, there exist countries such as India, Pakistan, and Israel which are not States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) that possess or are believed to possess nuclear weapons. Moreover, there are States Parties to the NPT that are suspected of being engaged in clandestine development of nuclear weapons.

These multilateral international agreements are not always perfect, and in reality the countries that are not complying with such agreements are seeking to acquire materials and technologies related to weapons of mass destruction and missiles to deliver them. Against this backdrop, non-proliferation efforts aim to ensure national as well as international peace and security. Furthermore, ever since the September 11th terrorist attacks in the US, it has become necessary to strengthen the non-proliferation mechanisms for targeting non-state actors such as terrorist groups, in addition to the traditional approach of targeting only nation states.

The first of such specific measures for strengthened non-proliferation is the strengthening of international treaties related to weapons of mass destruction, including the Treaty on the Non-proliferation of Nuclear Weapons (NPT), the Biological Weapons Convention (BWC) and the Chemical Weapons Convention (CWC). In addition, there are various measures already discussed in this book, including domestic measures such as the implementation of strict export control and the protection of nuclear facilities, diplomatic measures such as urging states of concern to abandon their suspected development of weapons of mass destruction, cooperation to strengthen the non-proliferation mechanisms in the regions, prevention of transfers of technologies to the states of concern, export control harmonization, and the introduction of new universal norms. In this Part, among others, international export control regimes are to be discussed. These are organized by countries committed to non-proliferation, such as the US, European countries, Japan and the Republic of Korea. The regimes coordinate the export control of goods and technologies related to the weapons of mass destruction, and have been playing significant roles in non-proliferation.

The international export control regimes are non-legally-binding frameworks

which are organized by the states committed to non-proliferation and aim to coordinate national export licensing. There are four such regimes as listed below corresponding to different types of weapons.

- 1) Nuclear Suppliers Group (NSG): Nuclear weapons
- 2) Australia Group (AG): Biological and chemical weapons
- 3) Missile Technology Control Regime (MTCR): Missiles
- 4) Wassenaar Arrangement (WA): Conventional weapons

In each of these export control regimes, common understandings on the dual-use items and technologies, which could contribute to the development of weapons covered by the regime, are shared and these are set out in detail. (e.g. rocket systems, high-performance computers, engineering machinery, advanced materials, software. The member states codify these lists domestically and conduct strict national export control. Furthermore, in these regimes, information on the activities of states of concern is exchanged. These regimes are also trying to promote stringent export controls in non-participating countries.

The details of each regime are described from the following page. The Wassenaar Arrangement deals with conventional weapons, related dual-use items and technologies, not with weapons of mass destruction, but is explained here due to its characteristics.

Chapter 2. Nuclear Suppliers Group

Section 1. Overview

1. Overview

The issue of nuclear-proliferation was first recognized as the real problem when India conducted a nuclear test explosion ('a peaceful nuclear explosion according to India') in 1974, although India was partially under the IAEA Safeguards. This event awakened major countries exporting nuclear material, equipment and technology to the necessity of attaching conditions to nuclear-related exports in order to avoid contributing to the risk of nuclear proliferation. Based on this recognition, the Nuclear Suppliers Group (NSG) was created in 1977 (among the countries that are capable of supplying items for nuclear use) to coordinate the conditions for their export.

As of December 2002, 40 countries participate in the NSG including Japan, to control exports in accordance with so-called "London Guidelines," which provides a set of conditions on the transfer of nuclear materials and equipment ('items exclusively for nuclear use') and its related technology. The Guidelines were expanded to include nuclear-related dual use material, equipment and technology that have both nuclear and non-nuclear applications.

These Guidelines are not legally binding but have been implemented by each NSG member in the form of a gentleman's agreement, so to speak, in accordance with their national laws.

2. London Guidelines Part 1.

Each NSG member exercises export control of nuclear material, equipment and technology exclusively used for reactors in accordance with the guidelines called the 'London Guidelines Part 1'. Exports of items such as nuclear materials (plutonium and uranium), nuclear facilities and its related equipment (e.g. heavy-water, reactor-grade graphite, reprocessing plants and enrichment plants) are authorized only if the following requirements are met: (1) suppliers should authorize transfer of items or related technology identified in the trigger list only upon formal government assurances from recipients explicitly excluding uses which would result in any nuclear explosive device; (2) suppliers should transfer items only when it can be confirmed that the receiving states have applied IAEA safeguards requirements; (3) nuclear materials and facilities should be placed

under effective physical protection to prevent unauthorized use and handling; and (4) in the case of retransfer of items or related technology, suppliers should transfer such items or related technology only upon the recipient's assurance that the recipient of the retransfer or transfer will have provided the same assurances as those required by the supplier for the original transfer.

3. London Guidelines Part 2

The guidelines in 1992 (London Guidelines Part 2), issued after the Iraqi covert nuclear development program was revealed at the time of the Gulf War, address exports of nuclear-related dual-use items and related technologies. The items including industrial machinery, materials, uranium isotope separation equipment, equipment related to heavy-water production facilities, equipment related to the development of inner-explosion systems were newly added to the list of regulated items. The London Guidelines Part 2 stipulated that transfers (exports) of nuclear related dual-use material and technology should not be authorized (1) for use in a non-nuclear-weapon State in a nuclear explosive activity, or a nuclear fuel cycle activity lacking the IAEA safeguards, or (2) in general, when there is an unacceptable risk of diversion to such an activity, or when the transfers are contrary to the objective of averting the proliferation of nuclear weapons.

Section 2. Activities of the Nuclear Suppliers Group (NSG) and Japan's efforts

The Nuclear Suppliers Group has been seeking to improve and strengthen the system for controlling exports of nuclear related materials, equipment and technologies, and has held plenary meetings once a year since 1991. The NSG holds the Consultative Group (CG) meeting and several other meetings on an annual basis, in addition to the plenary.

Japan possesses highly advanced nuclear technologies and is actively promoting the peaceful use of nuclear energy. At the same time, Japan assumes responsibility for strictly controlling nuclear related materials, equipment, and technologies that are exported from Japan, in order not to contribute to the development of nuclear weapons by any other country. Therefore, Japan is actively engaged in nuclear non-proliferation efforts through the NSG, and contributes to the NSG. One example is that the Permanent Mission of Japan to the International Organizations in Vienna is serving as the Point of Contact (POC) for the NSG.

Chapter 3. Australia Group (AG)

Section 1. Overview

The U.N. investigation teams revealed that chemical weapons were used by Iraq in 1984 during the Iran-Iraq War. Many of the materials used for the development of chemical weapons by Iraq were so-called dual-use materials, which were widely used in private chemical industries, acquired through ordinary trade transactions. This fact made countries recognize the need to enhance export control on chemical agents usable for chemical weapons development in order to prevent their own chemical industries from being abused by other countries to advance their chemical weapons development. However, as long as there are differences amongst countries in terms of the scope and the degree of implementation of export controls, countries that seek to develop chemical weapons will continue to procure such goods from other countries that have loose regulations. Therefore, Australia proposed that the export control policies of countries that have the capability of producing chemical agents should be coordinated. They convened the first meeting in Brussels, Belgium in June 1985.

This framework is called the ‘Australia Group (AG)’ as it has been chaired by Australia. The Australia Group soon came to include chemical weapons-related dual-use technologies and biological weapons-related dual-use items and technologies subject to control, and has been working to prevent the proliferation of chemical and biological weapons to the states of concern through the coordination of their export controls. As of December 2002, 33 countries and the European Commission are participating in the Group, and the Australia Group holds an annual plenary meeting along with several other meetings.

Section 2. Coordination of export control in the Australia Group

1. Overview

The Australia Group is not a regime based on legally binding international agreements. Each participating state aims to make its national export control more effective by reflecting the information exchange and policy coordination carried out within the Australia Group in its domestic export control system for the purpose of achieving the common goal of non-proliferation of chemical and biological weapons. Specifically, regarding the biological and chemical weapons-related dual-use items and technologies, the participating states first

discuss whether certain items should be regulated and then put the agreed items on the control lists, and then implement this by reflecting the lists in their national laws (in Japan, such laws are the ‘Foreign Exchange and Foreign Trade Laws’, ‘Export Trade Ordinance’ and ‘the Foreign Exchange Ordinance’). The export control is applied to the export of such items to all destinations in any part of the world.

2. Items subject to control

Items subject to control as agreed in the Australia Group are:

- (1) 54 items of raw materials for chemical weapons (chemical agents)
- (2) 10 items that can be used in chemical weapons production facilities (reactor, storage container, etc.) and related technologies
- (3) 80 types of biological agents related to biological weapons (viruses and toxins for human, animals and plants)
- (4) 7 items that can be used in biological weapons production facilities and related technology.

In the licensing process of export of controlled items, the governments of participating states conduct careful examination, so that these items will not be used for the development biological or chemical weapons.

Section 3. Japan’s efforts and the AG’s future prospects

Biological and chemical weapons are called as the ‘nuclear weapon for the poor’ as they are weapons of mass destruction that are relatively cheap to develop and produce compared to nuclear weapons. Their proliferation is a serious concern that the international community is currently facing. Despite the fact that the Biological Weapons Conventions (BWC) and the Chemical Weapons Conventions (CWC) have been established, concerns over development of biological and chemical weapons still remain since, even after the entry into force of the Conventions, there are countries that are not states parties to the Conventions and possibly non-compliant States Parties. Therefore, the presence of the Australia Group is significant in order to complement those Conventions and make the biological and chemical weapons non-proliferation regime effective. Japan attaches great importance to coordinating policies and exchanging information with the AG member states regarding export control on biological and chemical weapons-related dual-use items and technologies through the Australia Group, as one of the pillars of Japan’s efforts in the non-proliferation of biological and chemical weapons.

The Australia Group is an informal gathering that consists of mainly those developed countries that are capable of supplying biological and chemical weapons-related materials. There are persistent criticisms, therefore, from non-participating states including developing countries that the Group is exclusive and discriminatory and impedes the development of the biotechnology and chemical industries of developing countries. Thus, the Group has agreed to enhance public relations activities in order to make its purpose and activities clear to the non-participating countries. The establishment of their own web site and publication of an AG booklet are parts of such efforts.

Although the efforts for non-proliferation of biological and chemical weapons have been mostly focused on preventing states from developing, manufacturing and possessing these weapons, the sarin attacks on the Tokyo subway in 1995 and the anthrax attacks in the U.S. in 2001 clearly showed that the danger of the development, acquisition and actual use of biological and chemical weapons by non-state actors such as terrorist groups is real.

States participating in the Australia Group are unanimous in recognizing the necessity of strengthening measures to prevent the proliferation of biological and chemical weapons-related materials and technologies to non-state actors such as terrorist groups, and they are committed to continue to study concrete measures for that purpose.

Chapter 4. Non-proliferation of ballistic missiles

Section 1. Overview

The revolutionary invention of V1 and V2 rockets by Germany during World War II drastically changed the nature of warfare. Manned aircraft had formerly been the only means for conducting attacks from the air, but the advent of missiles made it possible to strike targets using highly destructive bombs (missile warheads) launched from a safe distance and cause heavy damage. Through advances in missile technology, missiles have been able to carry not only smaller conventional bombs but also larger ones, even nuclear weapons. The nuclear bombs dropped on Hiroshima and Nagasaki were delivered by B29 bombers, but ballistic missiles have since become the most effective means of delivering nuclear weapons. Ballistic missiles can reach targets in a very short time once launched, and they are difficult to track by normal radar, as they are much smaller than bombers. In the absence of effective defensive means at present, ballistic missiles when delivering nuclear weapons or chemical / biological weapons would cause an enormous catastrophe even if their accuracy is somewhat low.

Manufacture and possession of nuclear, chemical and biological weapons have been strictly prohibited or restricted by international agreements. However, such agreements are not perfect, and the existence of non-States Parties or non-compliant states threatens the peace and security of the international community. Therefore, the imposition of restrictions on ballistic missiles, which are an effective means of delivery of weapons of mass destruction, is important as a complementary effort. Yet there are no international agreements that restrict manufacture or possession of missiles.

In an attempt to prevent the proliferation of missiles, the Group of Seven (G7) established the Missile Technology Control Regime (MTCR) in 1987, which has been making efforts to prevent the spread of missile-related technologies through strict export control, and is playing an important role today (33 states participate in the MTCR as of February 2003).

However, it is becoming difficult to completely block the proliferation of missile technologies solely through preventing the transfer of technologies from the advanced industrial countries, as some countries are developing their own missile technology or are receiving cooperation from other countries that already possess missiles. North Korea conducted a ballistic missile (Taepodong) test in 1998, while Iran and Pakistan have also subsequently conducted missile launch tests.

Quite a number of countries have come to possess missile technologies as evidenced by the recent examples of launch tests conducted by India and Pakistan. In particular, the Nodong missiles of North Korea constitute a grave threat to the peace and stability in Northeast Asia.

Countries concerned about this situation have made efforts to formulate the 'International Code Of Conduct (ICOC)' with a considerable number of states deciding to participate. It aims at establishing norms, among others, to confirm the common understanding that ballistic missile proliferation poses a threat to world peace, to ensure self-restraint regarding the development of ballistic missiles, and to control the diversion of space rocket technologies into ballistic missile development. The ICOC was successfully launched with the participation of 93 states in The Hague, the Netherlands in November 2002.

Apart from the ICOC, the U.N. Panel of Governmental Experts on Missiles was convened over the period from 2001 to 2002 to deliberate on the missile related issues facing the international community today. After a total of three sessions, a report was submitted to the 57th United Nations General Assembly of 2002.

Proliferation of ballistic missiles is an important issue from Japan's security point of view. It is necessary to pursue active diplomatic efforts at both bilateral and regional levels and to pursue the formulation of multilateral norms along with defensive measures such as missile defense.

Section 2. Activities of the international community

1. Coordination in export control: Missile Technology Control Regime (MTCR)

The Missile Technology Control Regime is an international framework designed to control the export of missiles capable of delivering weapons of mass destruction and the related dual-use items and technologies that can contribute to the development of such missiles. It was established by the G7 in April 1987, encompassing missiles capable of delivering nuclear weapons and related dual-use goods and technologies, and it was expanded in July 1992 to include missiles capable of delivering not only nuclear weapons but also weapons of mass destruction including biological and chemical weapons and related dual-use goods and technologies. As of February 2003, there are 33 participating countries including Japan, the EU countries, the US, Canada, Australia, Republic of Korea, Argentina, Brazil, and South Africa.

The MTCR is not an international regime based on legally binding international agreements. In the MTCR, participating countries list missiles (including space rockets) and related dual-use items and technologies (navigation systems, software, etc.) as items subject to export control, and control export of the listed items through export licensing in accordance with their domestic laws (in Japan, they are the 'Export Trade Control Ordinance' and 'Foreign Exchange Control Ordinance' based on the 'Foreign Exchange and Foreign Trade Laws' among others).

In the MTCR, the Chair rotates every year (Poland chairs 2002-3). The plenary meeting is held annually and other meetings to review the list of controlled items are held about twice a year in the country of the Chair. The Regime has no independent secretariat of its own: France has volunteered to be the Point of Contact (POC) and chairs monthly POC meetings in Paris.

2. Efforts to create global norms

The Missile Technology Control Regime has succeeded, to a certain extent, in preventing or deferring acquisition of advanced missile capabilities including ballistic missiles by countries that have not adequately committed themselves to international disarmament and non-proliferation efforts. International cooperation in the export control of missiles and the related dual-use goods and technologies through the MTCR, therefore, remains important. Nevertheless, as mentioned above, it has become difficult, in fact, to prevent completely the proliferation of missile technologies solely through the efforts of the advanced countries since proliferation of missiles seems to have become a global trend and domestic development of the technology by states of concern is also advancing. Against this backdrop, it was felt in the MTCR that the creation of a global framework was necessary. The draft 'International Code of Conduct against Ballistic Missile Proliferation' (ICOC), a global norm on missiles, was agreed upon at the plenary of the MTCR convened in Helsinki in 2000. The Chair and other participating countries started to approach the non-MTCR-participating countries worldwide to hear their views.

Some modifications to the draft of the ICOC were agreed to after taking the views of the non-MTCR-participating countries into consideration at the MTCR plenary held in Ottawa in September 2001. The involvement of the MTCR in the formulation of the ICOC ended at that plenary. Then, the contents of the draft and the roadmap to the Launching Conference of the ICOC were to be discussed through negotiations with all the countries concerned based on the principle of equality. International Conferences for the Universalization of the ICOC were

held twice: first in Paris in February 2002 with 78 countries participating, under the auspices of the French Government and again in Madrid in June 2002 with 96 countries participating, under the auspices of the Spanish Government. After the deliberations, the ICOC was finally adopted at The Hague, the Netherlands, with the subscription of 93 countries in November 2002.

The ICOC is a politically binding commitment of subscribing states, and is not a legally binding international agreement. Therefore, the development and possession of ballistic missiles by any subscribing states is not legally prohibited or restricted by this document. However, the subscribing states have undertaken to demonstrate publicly their political intention to restraining these activities and refraining from supporting any ballistic missile programs. The major components of the ICOC include the principle of the non-proliferation of ballistic missiles, self-restraint regarding the testing, development and deployment of ballistic missiles, the principle that ballistic missile programs should not be concealed under the guise of space rocket programs; and confidence-building measures.

Other multilateral frameworks apart from the ICOC, include the U.N. Panel of Governmental Experts on Missiles that analyzes missiles from all aspects, and which submitted a report to the UN General Assembly in 2002; and the Global Control System proposed by the Russian Federation that contains the idea of a pre-launch notification mechanism.

Section 3. Efforts by Japan

The issue of ballistic missiles proliferation is one of the most important issues for Japan's security. There are several ways to tackle the issue ranging from diplomatic efforts to the states of concern, and the control of exports, to the creation of a multilateral framework, in addition to defensive measures such as missile defense. Japan has been attaching great importance to international coordination within the framework of the MTCR, and actively participated in the discussions on the ICOC. Japan has also conveyed its concern to those countries engaged in missile activities on various occasions. In particular, Japan has been strongly urging North Korea, which has been conducting ballistic missile activities including its deployment of No-dong missiles (that place most of Japan's territory within range), to stop the development, testing, deployment and export of ballistic missiles as they constitute a grave threat not only to Japan's security but also to international peace and stability.

Seeking to enhance international efforts in the area of ballistic missile

non-proliferation, Japan held an informal meeting for an exchange of views and a seminar with the Asian countries in March 2001 and March 2002 in Tokyo. The purpose, in particular, was to build a common understanding regarding the issue of ballistic missile proliferation, and to assist these countries to promote their own efforts.

In view of the ongoing various activities to deal with missile problems by the MTCR, the United Nations and others, and bearing in mind the security environment of the Asian region where ballistic missile proliferation has become a real problem, Japan needs to reinforce its efforts both regionally and globally, in addition to defensive measures including missile defense. Japan intends to play an active role in addressing ballistic missile issues in the future through the abovementioned efforts.

Chapter 5. Wassenaar Arrangement (WA)

Section 1. Background of its establishment

The Coordination Committee for Multilateral Strategic Export Controls (COCOM), whose purpose was to control the export of strategic materials by the Western Countries to the Communist states, finished its duties and was dissolved in March 1994 due to the end of the Cold War. On the other hand, new regional conflicts such as Iraq's invasion of Kuwait flared up following the end of the Cold War. Therefore, the necessity of establishing an export control regime was strongly recognized in order to deal with the new challenge, i.e. preventing the excessive transfer and stockpiling of conventional weapons (such as warships and tanks, excluding weapons of mass destruction-nuclear, biological and chemical weapons) that would threaten regional stability and the dual-use goods and technologies required to manufacture such weapons. As the result of consultations for more than two and half years amongst the former COCOM states together with Russia, the establishment of a new export control regime was agreed in Wassenaar, the Netherlands in 1995, and the 'Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies' began operation at the founding meeting in July 1996.

Section 2. Outline

The Wassenaar Arrangement is, so to speak, a gentleman's agreement without legal binding force. Thirty-three states including Japan are party to the Arrangement, and all these countries are capable of producing and supplying conventional weapons and the related dual-use goods and technologies. These states are committed to taking action to prevent the proliferation of such weapons and dual-use goods. While the targeted area of the COCOM was limited to the Communist bloc, the scope of the Wassenaar Arrangement includes all non-participating states, without targeting any specific countries or regions.

Section 3. Activities

The Wassenaar Arrangement aims to achieve its objective of preventing excessive transfers and stockpiling of conventional weapons by (1) defining weapons and dual-use goods subject to the export control and their performance levels (specifically, by preparing and revising the lists of goods subject to export control

along with progress in technologies) through consultations among the participating states, and (2) identifying how many weapons and other goods are stockpiled through the exchange of various information indicating what weapons and/or dual-use goods have been transferred to which countries, etc. The participating states are required to conduct export licensing based on the lists of goods subject to control as agreed within the Wassenaar Arrangement, and to provide a range of relevant information.

Section 4. Recent developments

Regarding the transfer of dual-use goods usable for military purposes, the Wassenaar Arrangement, under which a wide range of goods are subject to export control, has developed various notification systems, in addition to transfer notifications, such as the reporting system of export denial in which participating states exchange denial information of transfers to non-WA-participating countries. However, regarding weapons that directly affect regional stability, it has been pointed out that the level of transparency was not sufficient. That is because the weapons subject to transfer notification are mostly limited to the 7 items contained in the U.N. Register of Conventional Arms such as tanks, fighter planes, warships, etc. (see Chapter 4, Part IV), and an obligatory notification mechanism was applied only to transfer notifications but not to denial notifications. When the review of the function of the Wassenaar Arrangement was carried out in 1999, three years after its establishment, an extension to the scope of transfer notifications was agreed to within certain limits. However, efforts to strengthen the function of the Wassenaar Arrangement including the further enhancement of transparency of arms transfer, among others, are still ongoing. In the 2001 Plenary, the basic document or Initial Elements defining the roles and objectives of the Wassenaar Arrangement was revised. Strengthened counter-terrorism efforts were highlighted. In the 2002 Plenary, the Best Practice Guideline on Export of Small Arms was adopted.

Section 5. Japan's efforts

Japan adheres to the purpose of the Wassenaar Arrangement from the standpoint of maintaining both national security and global peace and stability, and has been actively involved in the establishment process of the Wassenaar Arrangement. Internally, Japan has enacted the related laws and regulations including 'Foreign Exchange and Foreign Trade Law', 'Export Trade Control Ordinance', and the 'Foreign Exchange Ordinance', and been implementing strict export control on the

dual-use goods and technologies that are subject to the scope of the Wassenaar Arrangement. Strongly advocating the enhancement of transparency of arms transfer in the Wassenaar Arrangement and in the U.N. Register of Conventional Arms, Japan, which pledges not to export arms based on the Three Principles on Arms Exports, as its basic national policy, is determined to actively pursue the prevention of conflicts through the enhancement of transparency of arms transfer.

Part VI. United Nations General Assembly and Conference on Disarmament

The United Nations General Assembly and the Conference on Disarmament have been regarded as the two principal fora for multilateral deliberations and negotiations on disarmament and non-proliferation.

Chapter 1. Efforts on disarmament and non-proliferation at the United Nations

Section 1. Discussion at the United Nations

Since its foundation in 1945, the United Nations has always been active in dealing with disarmament issues; however, hardly any progress was made at the UN in this field given the international situation during the Cold War period. Although three special sessions of the UN General Assembly devoted to disarmament were held at the initiative of the Non-Aligned Countries in 1978, 1982, and 1988, as a whole, no actual reduction of arsenals was achieved through the UN. Today, however, the UN has been basically contributing to disarmament in the form of deliberations and adoption of resolutions. The interests and opinions of the international community on disarmament and non-proliferation under the international situation and security environment of the time have been reflected in those discussions and resolutions. This means that the UN has been playing a major role in shaping international public opinion on these issues over the medium to long term.

Section 2. The First Committee of the General Assembly and the UN Disarmament Commission

Issues related to disarmament and non-proliferation are taken up by the following two subsidiary bodies of the UN where all member states are entitled to participate. One is the First Committee of the General Assembly, which is held during the General Assembly. It considers all the themes concerning disarmament and international security. The other is the UN Disarmament Commission (UNDC) where specific items are discussed at each session outside the framework of the General Assembly.

1. The First Committee of the General Assembly

Initially, disarmament issues were discussed along with political, security, and technological issues at the First Committee of the General Assembly. Later, a decision was made at the First Special Session of the General Assembly devoted to Disarmament in 1978 that "the First Committee of the General Assembly shall be assigned the function of dealing with the agenda items of disarmament issues and the related issues of international security only". Since then, issues related to disarmament and international security have been discussed principally at the First Committee. This committee is held for a period of about four weeks after the general session of the General Assembly every autumn.

Every year, the First Committee adopts many resolutions related to disarmament. It is crucial to observe events occurring at the First Committee so as to foresee the direction of international movements concerning disarmament and non-proliferation. Japan has been tabling draft resolutions on important issues in this field every year.

Specifically, each year from 1994 to 1999, Japan had submitted draft resolutions on the "Nuclear disarmament with a view to the ultimate elimination of nuclear weapons". In 2000 and thereafter, Japan has submitted a draft resolution entitled, "A path to the total elimination of nuclear weapons." This presents concrete steps to the total elimination of nuclear weapons based on the results of the 2000 NPT Review Conference. All of the resolutions gained overwhelming support from the international community. Japan has also submitted draft resolutions on small arms and light weapons every year since 1995, since the international community started dealing small arms issues. The draft resolution in 2001, jointly submitted by Japan, South Africa and Columbia, reconfirmed the results of the UN Conference on Small Arms held in July of the same year and stressed the significance of its follow-up. This resolution was adopted by consensus.

2. The United Nations Disarmament Commission (UNDC)

The UN initially established two commissions, the Atomic Energy Commission and the Conventional Disarmament Commission to conduct research and make recommendations on disarmament. These were later integrated to form the United Nations Disarmament Commission (UNDC) at the 6th U.N. General Assembly in 1952 as a new forum to negotiate disarmament issues. The activities of this commission remained virtually dormant for a long time without any tangible achievements, which the commission should have obtained in the field of disarmament. It was decided at the First Special Session of the General Assembly devoted to Disarmament in 1978 to reorganize and reestablish it as the present UN

Disarmament Commission, a subsidiary body of the UN General Assembly with the participation of all member states of the UN.

The UNDC has held a three to four week session from April to May in New York every year since 1979, and it normally deals with the same agenda items for three years in succession. The agenda items dealt with for three years from 1997 to 1999 were "Nuclear Weapons Free Zone," "the 4th Special Session of the General Assembly devoted to Disarmament," and "Practical Disarmament." Two new agenda items, "Method and measures for advancing the nuclear disarmament process" and "Effective confidence-building measures in the field of conventional weapons," have been dealt with from 2000. The conclusion of the final document for these two items was scheduled to be completed in 2002, the third year since abovementioned agendas were undertaken, but was postponed to 2003.

Section 3. The United Nation's Secretary-General's Advisory Board on Disarmament Matters

The United Nation's Secretary-General's Advisory Board on Disarmament Matters is an advisory board of the UN Secretary-General that directly advises the Secretary-General on general disarmament issues. It also functions as the board of directors to supervise the management of the UN Institute for Disarmament Research (UNIDIR) in Geneva. For example, as a part of the reform of institution, the Center for Disarmament Affairs from a sub-bureau of the Department of Political Affairs was upgraded to an independent department, the Department of Disarmament Affairs, in 1998, based on the recommendation of this Advisory Board.

This Advisory Board has its origin in the Advisory Board On Disarmament Studies, consisting of 30 specialists working under the Secretary General, and was established based on a proposal presented by then UN Secretary-General Waldheim at the First Special Session of the General Assembly devoted to Disarmament in 1978. This Advisory Board completed its mandate in 1981 after holding seven meetings. The Board was re-established in 1982 based on the resolution of the 37th General Assembly (37/99K) (revised to the present English name in 1989).

This Advisory Board meets biannually in New York and Geneva. About 20 members of the Board are selected by the Secretary-General on the basis of individual knowledge and on the principle of balanced regional representation. The Board members are appointed in their private capacity. Kuniko Inoguchi, the

Japanese Ambassador to the Conference on Disarmament, has been a member of the Advisory Board since 2002.

The Advisory Board on Disarmament Matters held from the end of January to the beginning of February 2002 reconfirmed the significance of the multilateral framework in the area of disarmament and non-proliferation, taking the serious implication of the terrorist attacks on September 11th, 2001, into account. The Board also had discussions on several issues including weapons of mass destruction and terrorism, and the issue of small arms.

Section 4. The United Nations Conference on Disarmament Issues

1. Background and overview

The United Nations Conference on Disarmament Issues has been held every year since 1989 to provide a platform for dialogue on disarmament and security matters and thereby promote awareness of disarmament issues among the states in the Asia and Pacific Region, including countries that do not have diplomatic relations with Japan. This is sponsored by the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific (initially by the Asia Peace and Disarmament Center) established in 1988. At this conference, high-level government officials and experts on disarmament affairs from various countries participated in their private capacity and discuss on various topics each time. This is different from the UN General Assembly or the Conference on Disarmament where the government delegations of the member states negotiate treaties, adopt resolutions or make appeals.

The Conference on Disarmament Issues has been held in regional cities in Japan with the support of the Japanese Government every year since 1989, based on a proposal made by then Prime Minister Takeshita at the 3rd Special Session of the General Assembly devoted Disarmament in 1988 that Japanese Government was ready to convene a UN disarmament conference in Japan. The conference not only presents a good opportunity to put forward the positive position of Japan on disarmament issues both domestically and externally but is also expected to contribute to raising public awareness on disarmament issues and to respond to it by holding this kind of meetings in regional cities across the country. The Conference has been held in Hiroshima, Nagasaki, Kyoto, Sendai, Sapporo, Akita, and Kanazawa. The last conference was held in Kyoto from August 7 to 9, 2002, where Kenichi Mizuno, then Parliamentary Secretary for Foreign Affairs, gave the opening speech as the government's representative.

The Conference on Disarmament Issues has also been held in Katmandu, Nepal every year since 1989 with three exceptions (Djakarta in 1998, Ulan Bator in 1999, and Wellington in 2001).

(Note): The United Nations Regional Center for Peace and Disarmament in Asia and the Pacific

Known as the 'Katmandu Center': in addition to holding the abovementioned United Nations Conference on Disarmament Issues, the Katmandu Center, since 1995, has been cooperating to organize the Northeast Asia Kanazawa Symposium, which is sponsored by the Japan United Nations Association. The activities of the Center are highly evaluated by various sectors and are referred to collectively as "the Katmandu Process" due to the wide range of activities, including the support for the drafting of the Central Asia Nuclear Weapons Free Zone Treaty, based on the United Nations resolutions in 1997 and 1998.

Section 5. The United Nations Experts' Panel on Missiles

Based on a resolution submitted by Iran at the UN General Assembly in 2000, the establishment of a Governmental Experts' Panel in the UN to analyze missile issues from all perspectives was decided. With the participation of governmental experts, who were selected from 23 countries (including Ambassador Amano from Japan) by the United Nations on the basis of equitable geographical distribution, the panel held three meetings in August 2001, April and July 2002 and submitted a report to the UN General Assembly in 2002 based on the results of discussions in these meetings. It was the first time that these types of experts' meetings on missiles were held in the UN.

Unlike weapons of mass destruction, there are no multilateral treaties on missiles, but the establishment of global frameworks on missile issues, as seen in the International Code of Conduct against Ballistic Missile proliferation and the Global Control System (including the pre-launch notification system of missiles) proposed by Russia, have been pursued. At least, these movements within the international community seem to reflect the recognition by many countries that it is necessary for the international community to make certain efforts for arms control, disarmament, and non-proliferation of missiles, as they at least account for a major part of arsenals and are capable of causing huge disasters when

combined with nuclear weapons. There is certain significance in discussing missile issues in the UN, since missile issues have not sufficiently been discussed comprehensively in multilateral frameworks in the past.

This panel, however, was dissolved without establishing any specific direction or consensus due to the vastly different positions and opinions of the participating states. It is not clear at this stage how the missile issue will be treated in the UN, but Japan is determined to actively participate in discussions on this issue so as to ensure that deliberations in the UN will contribute to improving Japan's security environment, and global peace and security.

Section 6. Disarmament and education

The importance of public education on disarmament and non-proliferation is widely acknowledged as prerequisite to promoting activities regarding these issues within the international community.

1. United Nations Disarmament Fellowship Program

The decision to implement the UN Disarmament Fellowship Program was taken at the First Special Session of the General Assembly devoted to Disarmament in 1978 to train experts on disarmament issues, particularly in the developing countries. Every year since 1979, participants from various states including experienced diplomats and officials of national defense department who are engaged in disarmament, participate in this Fellowship program. Participants deepen their knowledge in the field by visiting international organizations, research institutions related to disarmament and non-proliferation and relevant countries.

With regard to the involvement of Japan in this program, then Prime Minister Zenko Suzuki made a proposal to invite the participants in the Fellowship Program to Hiroshima and Nagasaki at the 2nd Special Session of the General Assembly devoted to Disarmament in 1982. A group of about 25 participants have been invited to visit Japan every year since 1983 and the number of diplomats etc. who had visited Japan totaled more than 450 in 2002, the 20th anniversary of the invitation program. The participants received briefings on the disarmament and non-proliferation policies of Japan and also had opportunities to learn about the unique circumstance of Japan, which is the only country to have suffered from the devastation of the atomic bomb. They visited Hiroshima and Nagasaki where they had an opportunity to gain an insight into the reality of atomic bombing.

A large number of diplomats that participated in the Fellowship Program are now

actively working in the front lines of global disarmament diplomacy, and many of them often comment on the deep impression that their visits to Hiroshima and Nagasaki had on them. As can be seen from these examples, it is very meaningful to invite the Fellowship Program participants to Japan as a way of forcefully communicating the inhuman nature of nuclear weapons to the world, based on the Japanese people's own experience with atomic bombing, and Japan's efforts on disarmament and non-proliferation. From this point of view, Japan will continue to cooperate in carrying out the Fellowship Program.

2. Meeting the United Nations Governmental Experts Group on Disarmament and Non-proliferation Education

At the UN Advisory Board on Disarmament Matters held in New York in 2000, it was pointed out that, in order to break the current stalemate that is blocking progress in nuclear disarmament, it would be necessary to actively educate the younger generation on nuclear disarmament issues. Based on this assumption, a draft resolution was submitted that requested the Secretary-General to carry out preparations for a study on the issue so as to evaluate the current situation and to promote education on disarmament and non-proliferation. The draft was adopted by consensus at the 55th UN General Assembly in the same year.

In accordance with the resolution, the Governmental Experts Group on Disarmament and Non-proliferation Education was organized in 2001, which consisted of 10 members of experts from governments, NGOs, and research institutes of different countries, including Yukiya Amano, then Japanese Minister to the US. The Group met 4 times and submitted a report to the Secretary-General in August 2002.

A draft resolution that requests the implementation of a number of recommendations in the Group's report for activating education on disarmament and non-proliferation was submitted at the 57th UN General Assembly in November 2002 and was subsequently adopted by consensus.

Japan has been making efforts to convey the necessity of nuclear disarmament to the younger generation by measures such as inviting educators on disarmament from the US to give lectures at high schools in order to put the recommendations of the Group's report into practice.

Chapter 2. The Conference on Disarmament (CD)

Section 1. Overview

1. Background of its establishment

In September 1959, during the Cold War era, disarmament efforts led by the UN hardly achieved anything. The Ten-Nation Committee on Disarmament was established by a joint communique of the United States, the U.K., France and the U.S.S.R., as a forum for negotiations on disarmament outside the framework of the UN. This was the foundation of the Conference on Disarmament. Initially, five states each from the Eastern and Western blocs participated in this Committee. Later, it evolved into the 18-Nation Committee on Disarmament (1962 to 1969), the Conference of the Committee on Disarmament (1969 to 1978, with 31 member states at its peak), and the Committee on Disarmament (with 40 members states) based on a resolution of the First Special Session of the General Assembly devoted to Disarmament in 1978. In 1984 it received its current name of the Conference on Disarmament (CD).

2. Activities and achievements to date

The present membership of the Conference on Disarmament (CD) consists of 65 states classified into 3 groups: the Western group including G7 states (24 states); the Eastern group including Russia and the Eastern European states (7 states); and the G21 consisting of developing countries (33 states); and China, which does not belong to any of the groups. Japan has been a member of the CD since 1969 and belongs to the Western Group. The secretariat is located in Geneva, Switzerland. A session that lasts 2-3 months is held three times a year. At the CD, a program of work and other decisions must be adopted annually, and all decisions including procedural matters are adopted by consensus.

The CD is the only global forum where multilateral disarmament treaties are negotiated and is different in its characteristics from the United Nations Disarmament Commission under the UN General Assembly, which is a forum to discuss disarmament issues.

A number of important treaties and conventions on disarmament and non-proliferation have been formulated by the CD and its predecessors. Specifically, the Partial-Test-Ban-Treaty (PTBT, 1963), the Treaty on the Non-proliferation of Nuclear Weapons (NPT, 1968), the Biological Weapons Convention (BWC, 1972), the Chemical Weapons Convention (CWC, 1993), and

the Comprehensive Nuclear-Test-Ban-Treaty (CTBT, 1996. It was however eventually adopted at the UN General Assembly) are the major examples.

Section 2. The stalemate at the Conference on Disarmament (CD) and efforts to break the deadlock

As the only global forum to negotiate multilateral disarmament treaties, the CD is expected to produce results based on the efforts of the international community in the area of disarmament. It plays a very important role for Japan by providing a stage from which Japan can promote its diplomatic efforts on disarmament. However, no substantive negotiations or deliberations have been taken place at the CD after the formulation of the CTBT in 1996. Also, no progress has been seen in negotiations on the Fissile Material Cut-off Treaty (FMCT or the so-called Cut-Off Treaty) despite the fact that many countries asserted the necessity to start negotiations on the treaty.

The reason for the stalemate lies in the lack of consensus among the CD member states on how to deal with the issue of ‘the Prevention of an Arms Race in Outer Space (PAROS)’. The main confrontation is between the United States and China. More specifically, China insists that the ‘Missile Defense (MD)’ which has been advocated by the US will lead to an arms race in outer space and it is a matter of urgency for multilateral arms control and disarmament to ‘negotiate’ on a treaty to prevent such an arms race, while the US argues that PAROS can be ‘discussed’ but not to be ‘negotiated’.

The Final Document adopted by the NPT Review Conference in 2000 urged the CD to agree on a program of work including the immediate commencement of negotiations on the Cut-off Treaty with a view to conclude negotiations within 5 years. In response, Japan called for the establishment of a special committee on the Cut-off Treaty and an appropriate subsidiary body to deal with nuclear disarmament at the CD in its draft resolution on nuclear disarmament, which was adopted by the overwhelming majority at the UN General Assembly in 2000, 2001 and 2002. Furthermore, Japan has been encouraging the countries concerned to reactivate the CD on every available occasion. Japan will continue its efforts in cooperation with other states.

Part VII. Regional Non-proliferation Issues

South Asia

The international nuclear non-proliferation regime was confronted by a major challenge in the latter half of the 1990s, namely, the successive nuclear tests conducted by India and Pakistan in May 1998.

India and Pakistan's nuclear tests, and Japan's stance toward them

Both India and Pakistan are non-State Parties to the Treaty on the Non-proliferation of Nuclear Weapons (NPT).

India conducted nuclear tests on May 11 and 13, 1998 and Pakistan followed on the 28 and 30 of the same month. This series of nuclear tests by both states not only placed the South Asia Region, which had already been strained by the dispute over Kashmir, in an extreme state of tension, but seriously challenged the international nuclear non-proliferation regime based on the NPT and CTBT.

The nuclear tests conducted by both states were extremely regrettable actions that went against the efforts of the international community to create a world free of nuclear weapons and undermined the very foundation of the international non-proliferation regime. Thus, the nuclear tests were totally unacceptable to Japan. From this viewpoint, right after the nuclear tests conducted by India and Pakistan, Japan decided to impose economic measures. These comprised the suspension of grant aid for new projects (except emergency, humanitarian aid, and Grant Assistance for Grassroots Projects), the suspension of yen loans for new Projects and a restrictive approach in providing loans from international development finance institutions including the World Bank and the Asian Development Bank (ADB). The measures were announced through a statement from the Chief Cabinet Secretary. Similar economic measures were also announced by the other developed states, including the US, Germany, and Canada.

Japan's approach

1. Multilateral approach

Japan has made significant contributions to the adoption of common position in the statements by the leaders and foreign ministers of the G8 countries immediately after the nuclear tests, and made proposals to establish the South Asian Task Force, which was assigned to consider how to approach non-proliferation issues regarding India and Pakistan, and practical measures for

easing tensions and building confidence between the two states. Japan's proposal was agreed to and the South Asian Task Force was held nine times in the period up to April 2002. The third meeting held in Tokyo in February 1999 was chaired by Japan. Subsequently, Japan jointly submitted a draft resolution to the U.N. Security Council in conjunction with states that had a particular interest in the issue. The proposal, which included a request for India and Pakistan to eventually abandon their nuclear weapons and to join in the NPT as non-nuclear weapon States, was adopted on June 6, 1998 as the Security Council Resolution 1172.

Based on the resolution, Japan has been urging both India and Pakistan to (1) accede to the CTBT as soon as possible, (2) strengthen and legalize export controls covering nuclear and missile related goods and technologies, (3) suspend the production of fissile materials for nuclear weapons, and (4) observe restraint in the deployment of missiles. At the same time, Japan has been making diplomatic efforts directed at both states to remind them of the importance of the regional stability of South Asia through the promotion of dialogue, relaxation of tensions, and building confidence between the two states.

2. The Tokyo Forum (See Part VIII, Section 2)

Spurred by the nuclear tests conducted by the two states, Japan held the 'Tokyo Forum for Nuclear Non-Proliferation and Disarmament - Facing Nuclear Dangers', on its own initiative, with the participation of experts both from Japan and abroad in August 1998. The then Prime Minister Hashimoto and then Foreign Minister Obuchi were the motive force behind this effort. After four meetings, the proposals were formulated in July 1999 and these contained comprehensive ideas aimed at leading to the elimination of nuclear weapons, some of which were fully integrated into draft resolutions submitted by Japan to the UN General Assembly at a later date.

3. Discontinuation of Japan's economic measures against India and Pakistan

Japan has repeatedly expressed its position to both India and Pakistan regarding nuclear disarmament and non-proliferation issues on a number of occasions including the visit by then Prime Minister Mori to Southwest Asia in August 2000. Consequently, at meetings held between the leaders or foreign ministers, and in replies to the letter sent by then Foreign Minister Tanaka in August 2001 that requested early signing of the CTBT, both India and Pakistan stated that they had maintained their moratoriums on further nuclear tests for the preceding three years and declared their intention to continue doing so. Furthermore, both countries have stated that they would ensure that strict controls on nuclear and missile

related goods and technologies would be maintained. To that extent, Japan's countermeasures can be regarded having a positive outcome.

Japan highly values India and Pakistan's efforts to contribute to strengthening the international coalition against terrorism since the terrorist attacks on 11 September 2001. It was vitally important that Pakistan remains stable and cooperative with the international community in this war against terrorism. In this context, Japan recognized, from the medium to long-term point of view, a genuine need to support Pakistan, particularly in view of Pakistan's difficult domestic situation. At the same time, it was imperative for Japan to strengthen its positive engagement with India, as this country was expected to play an important role in tackling terrorism and enhancing stability in the Southwest Asia region

In view of the above points, the Chief Cabinet Secretary Fukuda issued a statement on 26 October 2001 declaring that Japan had decided to discontinue the economic measures imposed on India and Pakistan taken in May 1998. In January 2003, Japan decided to provide official Development Assistance to India amounting to 110.344 billion yen.

The discontinuation of the economic measures imposed on the two countries should not be interpreted to imply any change in Japan's nuclear non-proliferation policy. There are still many unstable factors undermining the non-proliferation efforts undertaken by India and Pakistan, such as their non-participation in the CTBT, the conducting of successive ballistic missile tests in April 1999, and the Indian National Security Advisory Committees announcement of the draft of its nuclear doctrine.

Japan strongly expects India and Pakistan to contribute to international efforts toward nuclear non-proliferation. Japan will continuously urge India and Pakistan to make progress in the field of nuclear non-proliferation, including signing of the CTBT. Should the situation concerning nuclear non-proliferation deteriorate in India and/or Pakistan, Japan will consider taking appropriate measures including restoring of the discontinued measures.

Middle East

Overview

In the Middle East, the situation wherein Israel has not yet signed the NPT, and Iraq was found to have been clandestinely developing nuclear programs in violation of its obligation under the NPT, continues. How to cope with these situations remains as a major task for the international community. Under such circumstances, in order to realize non-proliferation in this region, a comprehensive approach that takes overall balance of the whole region into account, in addition to appealing to specific nations, should be taken.

The Final Document of the Review Conference of the NPT 2000, in its reference to the issue of non-proliferation in the Middle East region, underlined that the 'Resolution on the Middle East' adopted at the 1995 NPT Review and Extension Conference was the basis for the decision to extend the NPT indefinitely in 1995, and confirmed the significance of accession to the NPT by Israel and the importance of Iraq's complete and continuous cooperation with the IAEA as well as compliance with its obligations under the NPT.

Iraq

Inspections by the United Nations Special Commission (UNSCOM) were carried out in Iraq to remove the threats posed by Iraq's possession of weapons of mass destruction and missiles after the end of the Gulf War in 1991 (Japan dispatched Hideyo Kurata, a member of UNSCOM and experts in the field of chemical weapons and missiles). However, air attacks were conducted by the US and British air forces on suspected facilities in December 1998 because of Iraq's repeated violation of the U.N. Security Council resolution requiring Iraq to accept inspections.

In December 1999, the U.N. Security Council, pursuant to the Security Council Resolution 1284 on issues regarding Iraq, established the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) to replace UNSCOM and operate a new, strengthened and continuous monitoring and verification system. The new Commission is headed by the Executive Chairman Hans Blix, the former Secretary-General of the International Atomic Energy Agency (IAEA). Japan dispatched Takanori Kazuhara, the member of UNMOVIC, and a missile expert and has registered several chemical weapons' experts (inspectors).

Although the Iraqi Government announced its intent to accept inspections by the U.N. on September 16, 2002, the Security Council adopted Security Council Resolution 1441 on issues regarding Iraq on November 8, after nearly two months of negotiations, to strengthen its call for Iraq's disarmament (disposal of weapons of mass destruction) and to enhance the inspection regime. Upon Iraq's announcement of its acceptance of the Resolution on November 13, the inspection team of UNMOVIC and the IAEA resumed their inspections in Iraq to locate weapons of mass destruction and their delivery means, i.e. missiles with a range of more than 150km, on November 27, 2002.

Overview of UNMOVIC

The establishment of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) was based on the Security Council resolution 1284 adopted on December 17, 1999, in order to carry out strengthened and continuous monitoring and implement the verification system. It was designed to replace the former United Nations Special Commission (UNSCOM), which had been carrying out inspections in Iraq in order to locate and dispose of that country's weapons of mass destruction.

The necessary staffing of the secretariat and the College of Commissioners of UNMOVIC with Mr. Blix as the chief inspector has been completed. Takanori Kazuhara, the former Japanese Ambassador to the Permanent Mission of Japan in Vienna, is participating in various activities as a member of UNMOVIC (17 members in total including the chief inspector).

Iran

Japan is continuing dialogue with Iran on non-proliferation issues through bilateral consultations on disarmament and non-proliferation with a view to encouraging Iran to observe restraint in the development of ballistic missiles and to remove the suspicion felt by the international community regarding Iran's development of weapons of mass destruction. Japan is also urging Iran to conclude the Additional Protocol to the Safeguards Agreements with the IAEA, and to ratify the CTBT.

Israel

Japan takes every opportunity to urge Israel to accede to the NPT and to ratify the CTBT.

Situation on the Korean Peninsula

Tensions have heightened once again over the situation on the Korean Peninsula as the US State Department announced in October 2002 that North Korea acknowledged that it had been pursuing a program to enrich uranium. The international community immediately responded to this announcement with grave concern from the viewpoint of maintaining international peace and stability, and demonstrated its firm and clear stance by urging that North Korea immediately give up any nuclear weapons program, including the uranium enrichment program. Such reactions were clearly in evidence at a series of occasions such as the trilateral leaders talks among the US-Japan-Korea, APEC, ASEAN+3, the Executive Board of KEDO and the Board of Governors of the IAEA. North Korea, however, did not respond positively to these demands and expressed its refusal to accept the resolution of the IAEA Board by sending a letter to the IAEA secretariat.

North Korea also failed to respond positively regarding its missile development program. Thus, the security concerns in Northeast Asia are increasing, and it is important for the international community to remain united in urging North Korea to take constructive measures on these outstanding issues.

The issue of North Korea's nuclear weapons program and the Korean Peninsula Energy Development Organization (KEDO)

KEDO is an international organization established by Japan, the Republic of Korea and the US in March 1995, pursuant to the "Agreed Framework" of 1994 between the US and North Korea. Its objectives are to advance the implementation of this Framework by financing and constructing two light-water reactors in North Korea, and to provide North Korea with an alternative energy source until the first of those reactors is completed.

Regarding the suspected nuclear weapons program, North Korea refused the request of the IAEA for a special inspection to the undeclared facilities in February 1993, and in March, announced its decision to withdraw from the NPT. The U.N. Security Council, in response to this announcement, convened unofficial consultations in June to discuss a resolution to impose sanctions on North Korea. Under such circumstance, the former US President Jimmy Carter visited North Korea and spoke with leader of North Korea, Kim Il Song, to see if it were

possible to find a way out of this deadlock, and the US and North Korea signed the "Agreed Framework" in October. Under this Framework, North Korea is obligated to remain a party to the NPT, to accept the verification measures in compliance with its obligations under the IAEA Safeguards agreements, and to implement a freeze and dismantling of nuclear facilities that were either already existing or under construction. It was also agreed that the US would organize an international consortium that would supply light-water reactors with an output of approximately 2,000 megawatts electric (two light-water reactors with an output of approximately 1,000 megawatts electric each) and, in addition, would supply 500,000 tons per year of heavy fuel oil as an alternative energy source to North Korea pending the completion of the first light-water reactor.

KEDO was officially inaugurated in March 1995 when Japan, Korea, and the US signed the 'Agreement on establishment of the Korean Peninsula Energy Development Organization' (KEDO), with these countries serving as members of the KEDO Executive Board. The EU later acceded to the Agreement in September 1997 and became a member of the Board. A supply agreement was signed between KEDO and North Korea for the light-water reactor project in December 1995. Successively, various contracts were signed including the Turn Key Contract between the KEDO and the Korean Electric Power Corporation (KEPCO), a loan agreement between the Korea Import/Export Bank and the KEDO in December 1999, and a loan agreement between the Japan Bank for International Cooperation and KEDO in January 2000. Based on these agreements, full-scale construction work on the light-water reactor started as the Turn Key Contract came into effect in February 2000. The foundation work for the installation of the light-water reactor commenced at the time the construction permit was issued by North Korea in September 2001, and the first concrete was poured into the foundation of the reactor (containment building) in August 2002.

The Executive Board of KEDO requested North Korea in November 2002 to immediately eliminate its nuclear weapons program in a visible and verifiable manner, considering the deteriorating situation on the Korean Peninsula provoked by North Korea's uranium enrichment program, and at the same time, announced the suspension of heavy fuel oil deliveries to North Korea beginning with the December shipment. The Executive Board of KEDO also made it clear that the future fuel oil deliveries would depend on North Korea's concrete and credible actions to dismantle completely its uranium enrichment program, and strongly urged North Korea to take positive measures. The statement also indicated its determination to review other KEDO activities. Therefore, North Korea's behavior in connection with the uranium enrichment program will be the key to future developments regarding this situation.

Missile Issues

It is generally believed that North Korea has been producing and deploying SCUD and other missiles since the mid-1980s and has been exporting them to the Middle East and other regions. It is also thought that North Korea commenced the development of longer-range missiles in the 1990s. It is highly likely that North Korea launched the Nodong missile (estimated range 1,300km) in its test launching of a ballistic missile in May 1993 in the direction of the Sea of Japan. Furthermore, the Taepodong I missile, as classified by the US (estimated range 2,000km), was launched and flew through Japanese airspace in August 1998. While many of the details remain unclear concerning North Korea's missile development program, it seems that North Korea gives a high priority to the development of ballistic missiles not only from the viewpoint of military capacity but also from political and diplomatic standpoints. It is believed that there is a possibility that the inflow of materials and technologies from abroad contributed to the progress of North Korea's missile development, and also the risk of transfers of missiles and related technologies from North Korea to other countries have been pointed out. North Korea's missiles development along with the suspicion that it is developing nuclear weapons has now become a destabilizing factor not only in the Asia-Pacific region but also for the international community as a whole.

Given this situation, Japan, the US and the Republic of Korea are determined to work together closely on policies aimed at North Korea. In the US-DPRK relations, under the Clinton Administration, North Korea announced a moratorium on the launching of missiles in 1999, and consultations on missiles between the US and North Korea continued thereafter. On Secretary of State Albright's visit to North Korea in October 2000, discussions on missile issues with, among others, Kim Jong Il took place. Under the succeeding Bush Administration, policies on North Korea were revised comprehensively. Regarding North Korea's missiles, verifiable control of missile activities and the termination of missile exports have become the basis for the new US administration's policy on North Korea. North Korea expressed its intention in the Japan-DPRK Pyongyang Declaration signed by the leaders of Japan and North Korea (as a result of the summit talks held in September 2002) that it would further maintain its moratorium on missile launching in and after 2003 and acknowledged the necessity of resolving security problems including missile issues. In the Japan-North Korea Normalization talks held in Malaysia in October 2002, Japan requested that North Korea among other issues, take concrete, positive measures for the disposal of the Nodong missiles

that are capable of reaching Japan and are already deployed.

The development and deployment of ballistic missiles by North Korea are serious problems affecting the peace and stability not only of Japan but also of the international community as a whole. It is important for Japan to continue to maintain Japan-US-ROK cooperation and urge North Korea to observe restraint in its missile activities, strengthen the non-proliferation policy coordination on missile-related technologies through the Missile Technology Control Regime (MTCR), urge the states that are believed to be in a cooperative relationship with North Korea in the field of missiles, and formulate as well as strengthen global norms on missile non-proliferation.

Part VIII. The Role of Civil Society

Section 1. Overview

The roles played by civil society including Non-Governmental Organizations (NGOs) in the field of disarmament and non-proliferation have become more significant in recent years than they were before. Collaborations between NGOs, which can act quickly, and governments as well as international organizations are becoming indispensable, particularly in the emergency aid activities in post-conflict regions.

International cooperation including NGOs, exemplified in the so-called ‘Ottawa Process’ on the anti-personnel landmine issue, has been strengthened along with the influence of NGOs on national governments. In the field of nuclear weapons, for example, the representatives of 14 NGOs delivered their statements to the special NGO session, which was held for the first time at the NPT Review Conference in 2000.

The Japanese government shares the view that it is important to take the opinions of NGOs into full consideration and to collaborate with them in its endeavors to promote disarmament. The Japanese government is cooperating with many NGOs by actively exchanging opinions, supporting their symposia and fora on disarmament and non-proliferation and so on.

Section 2. Holding of symposia and workshops

1. The Tokyo Forum

In response to the nuclear tests conducted by India and Pakistan in May 1998, the ‘Tokyo Forum for Nuclear Non-proliferation and Disarmament’ was organized through the initiatives of then Prime Minister Hashimoto and then Foreign Minister Obuchi. A number of internationally recognized experts from the private sector gathered together to consider ways of maintaining and strengthening the international nuclear non-proliferation regime, in particular in South Asia, and to further promote global nuclear disarmament. The Forum was jointly hosted by the Japan Institute of International Affairs and the Hiroshima Peace Institute, supported by the Ministry of Foreign Affairs, and co-chaired by Nobuo Matsunaga, Vice Chairman of the Japan Institute of International Affairs, and Yasushi Akashi, ex-Executive Director of the Hiroshima Peace Institute (currently President, Japan Center for Prevention Diplomacy). About 20 experts from Japan and abroad took

part in this forum in their private capacities.

After having four sessions, the Tokyo Forum published a report containing 17 key recommendations in July 1999, and asked that Kofi A. Annan, the Secretary-General of the United Nations would request the leaders and policy makers of the world to put it into practice. One of the concrete recommendations was to demand that the US and Russia reduce their strategic nuclear warheads down to 1000 with the aim to achieving the complete elimination of nuclear weapons. Japan has been positively incorporating the recommendations of the report into its resolutions on nuclear disarmament to the UN General Assembly. The Japanese Government will continue to promote its disarmament policy aiming at the realization of a 'World Free of Nuclear Weapons' with reference to the recommendations of the report.

2. International Workshops on Nuclear Disarmament and Non-proliferation

Just before the NPT Review Conference held in April-May 2000, an international workshop entitled the 'Nuclear Non-proliferation Regime: in the Face of a Possible Renewed Nuclear Arms Race' was held to discuss how to lead the conference to success. The workshop was hosted by the Center for the Promotion of Disarmament and Non-Proliferation, the Japan Institute of International Affairs. In addition, the 'International Workshop on Nuclear Non-proliferation and Disarmament' (with the same sponsorship as above) was held in August of the same year to consider how to implement the 'practical steps towards nuclear disarmament and non-proliferation' agreed upon at the NPT Review Conference. Experts on nuclear disarmament and non-proliferation from various states, including the US, Russia, China and India, participated in the workshop. In this workshop, lively discussion was held on the promotion of disarmament negotiations that were at a stalemate, the prospects for the entry into force of the CTBT, and the influence of the deployment of Missile Defense.

The Center for the Promotion of Disarmament and Non-Proliferation (the Japan Institute of International Affairs) and the Ministry of Foreign Affairs co-sponsored the workshop, entitled 'Perspective of the NPT in the 21 Century - Toward the NPT Review Conference 2005' at the end of February 2002. This was just before the First Session of the Preparatory Committee for the 2005 NPT Review Conference. A number of experts from the non-governmental sector and government officials from around the world participated in the workshop and engaged in a comprehensive brain storming discussion on the NPT.

3. Assistance for the exhibitions held overseas on the sufferings caused by atomic bombs

Japan, as the only country that has actually suffered from the devastation of atomic bombings, considers it important to convey the message that the tragedy of nuclear devastation should not be inflicted again on the people of other countries. From this standpoint, Japan has been supporting exhibitions held overseas on the suffering caused by atomic bombs. These exhibitions have been sponsored by local governments and NGOs. Recent examples of such assistance are as follows:

- (1) December 1998 - Exhibition in Pakistan (Islamabad), sponsored by the Pakistan-Japan Culture Association and supported by the Embassy of Japan in Pakistan.
- (2) October 2000 - Exhibition in Italy (Forli), sponsored by the City of Forli and supported by the Consulate of Japan in Milan
- (3) November 2000 - Exhibition in Dominican Republic (Santo Domingo), sponsored by the Executive Committee of Japan Festival 2000 and sponsored by the Embassy of Japan in Dominican Republic
- (4) September 2001 - Exhibition in Russia (Volgograd), co-sponsored by the Cities of Volgograd, Hiroshima and Nagasaki with the assistance of the Embassy of Japan in Russia for the transportation of the exhibits.

Section 3. Dialogue and cooperation with NGOs

1. Nuclear disarmament and non-proliferation

The desire of the Japanese people to eliminate nuclear weapons is very strong as Japan is the only country in the world to have experienced disasters caused by atomic bombs. Thus, the activities undertaken by the Japanese NGOs, including organizations of the victims of the atomic bombs and the families of those killed in the bombings, are extremely active in striving for the elimination of nuclear weapons, and their activities have special significance at an international level also.

It is important for Japan to convey the message on the tragedy of Hiroshima and Nagasaki to the world, and to continue its appeal to the international community not to repeat the disasters caused by nuclear weapons. The Japanese government exchanges opinions with NGOs in order to seek ways of advancing the nuclear

disarmament process. For example, the Ministry of Foreign Affairs dispatches its officials to the World Conference Against Atomic and Hydrogen Bombs held in Hiroshima and Nagasaki in August every year. In addition, senior officials from the Ministry visit Hiroshima every two years to exchange opinions with associations of the victims of atomic bombs.

Furthermore, the Ministry has also been active in exchanging opinions and information with various NGO representatives, and attending their meetings in Tokyo or at other conference venues, before, during and after international conferences such as the 2000 NPT Review Conference, UN General Assembly, and the Conference on Facilitating the Entry into Force of the CTBT in 2001.

2. Efforts on the landmine issue

The landmine issue is one of the areas where NGOs have played a most significant role. The International Campaign to Ban landmines (ICBL), in particular, has led international public opinion for the elimination of anti-personnel landmines, and has also made significant contributions to the drafting of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction (the Ottawa Convention). The winning of the Nobel Peace Prize by ICBL in 1997 highlighted the outstanding achievements of this Campaign.

Japanese NGOs are also actively engaged in solving landmine problems, and the Japanese government has exchanged opinions and information with those NGOs on such occasions as international conferences. For example, meetings to exchange views and report results were held with those NGOs before and after the Third Conference of Ottawa Convention convened in Managua, Nicaragua, in September 2001.

The Japanese government has started to remove landmines in Afghanistan, in cooperation with NGOs and various international organizations.

Japan is further strengthening its collaboration with NGOs.

3. Efforts on the small arms and light weapons issue

Cooperation with NGOs has become indispensable for a wide range of activities related to small arms and light weapons including education, collection and disposal, and the prevention of illicit trading.

For example, a special session was held for NGOs to present their knowledge and experiences at the U.N. Small Arms Conference in July 2001. Exchange of information and opinions with NGOs took place at seminars and symposia sponsored by Japan (e.g.: ‘Small Arms Problems and Civil Society, 1999; ‘Tokyo Workshop on Small Arms in the Asian Region’, 2000; ‘Tokyo Follow-up Meeting for the U.N. Small Arms Conference’, 2002 and 2003). Furthermore, in Cambodia, a Small Arms Collection Project has been implemented in cooperation with local NGOs.