Part I Overview

Chapter 1　Overview

Section 1. Significance and history of disarmament and non-proliferation

1. The meaning of arms control, disarmament and non-proliferation

"Disarmament" aims to reduce or eliminate 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 concept of arms control originates from the US-USSR 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, weapons and related materials and technologies, all aim to develop certain international rules and to improve the security environment through regulation, control, restriction and reduction of armaments, weapons, and related materials and technologies based on such rules. The genesis of such disarmament and non-proliferation policy comes from a deep, earnest desire of humankind to create a peaceful and secure world.

2. Why do we need disarmament?

Driven by a national determination that "never again shall we be visited with the horrors of war through the action of government," (Preamble to the Constitution of Japan), Japan has made it a basic national policy to exert all its strength and abilities for the benefit of world peace and prosperity, instead of becoming a military power. War threatens people's lives and prosperity, destroys their well-being and cultures, and forces many tragedies on the world. Japan's diplomacy has been conducted on the basis of the Japanese people's deep-rooted

desire for peace and security both nationally and internationally.

If the total elimination of armaments were achieved, there would at least be no conflicts involving armaments. In reality, however, mistrust festers between countries and among ethnic groups, resulting in ever-present tensions and conflicts. Territorial disputes, religious conflicts, ethnic confrontations, etc. exist throughout the world, and have the potential to develop into armed conflicts. 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 order to promote disarmament, it is indispensable to recognize this reality.

Even if armament were 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 capacity of their armaments is necessary.

First of all, 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, uncontrolled 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, lead to unnecessary armed conflicts.

From the economic perspective, huge military expenditures also aggravate the financial situations of the governments involved. An unnecessary military race is a waste of resources. One of the expected effects of disarmament and non-proliferation diplomacy is to pave a path to prioritize spending on economic development and social welfare while reducing the military expenditure as much as possible.

In addition to the restriction on armaments from the humanitarian point of view stemming from the 19th century, international cooperation to bring about

disarmament has been sought since the beginning of the 20th century from the viewpoints described above. The League of Nations, established in the wake of World War I, sought to promote disarmament as one of its major objectives. 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 efficiently and effectively bring about security amongst states.

3. Advent of nuclear weapons and nuclear disarmament

The use of nuclear weapons in Hiroshima and Nagasaki 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 will bring about the indiscriminate killing of an enormous number of non-combatants. Nuclear weapons with such devastating power are not only inconsistent with humanitarian spirit, which gives international law its philosophical base, but they would also endanger the survival of all mankind should a nuclear war deploying the world's powerful nuclear arsenals 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 established based on the devastating experience of World War II, advocated a "disarmament and the regulation of armament" as one of the key items on the agenda for the General Assembly (UN Charter article (1)) and has seriously engaged itself with issues of arms control including nuclear disarmament since the beginning. The fact that the UN established the "Atomic Energy Commission" with its very first resolution and entrusted this commission with the task of making "specific proposals for the elimination from national armaments of atomic weapons and all other major weapons adaptable to 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 USSR soon grew 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, established in 1949) and Warsaw Treaty Organization (WTO established in 1955) confronted each other across the "Iron Curtain," an extremely difficult exercise was undertaken to deter an attack by means of both conventional and nuclear weapons, while still trying to prevent actual use of nuclear weapons under any circumstances.

Negotiation to limit nuclear weapons took place between the US and the USSR repeatedly during the Cold War era. Throughout this period, the US and the USSR 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 be prevented. 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. Against such backgrounds, 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 USSR. MAD is the doctrine of a situation in which both the US and the USSR enhance non-vulnerability (capacity to survive attacks from the opponent) to ensure the survival of at least a part of its own nuclear weapons from the preemptive attack. Having the capacity of secondary attack to destroy the opponent by the

retaliation attack using the survived nuclear weapon, this, in turn, reaches a point where neither side would dare to launch a first strike. In other words, the MAD scenario is to deter an initial nuclear attack from either side by establishing mutual recognition that neither side could attack the opponent without suffering unacceptable damage on its own soil. By limiting the protective capability based on mutual agreement in addition to limiting the offensive capability, the loss and damage from the nuclear attack will be certain and this will further consolidate the deterrence of nuclear weapons, making a nuclear war less likely to occur.

In accordance with such presumption, the US and the USSR concluded the Interim agreement 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 USSR on the limitation of an anti-ballistic missile system (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. The maintenance of global stability in military terms, through maintaining the balance of power and deterrence between the Eastern and Western blocs in terms of the sum of nuclear and conventional weapons, have contributed to avoiding the outbreak of another world war during the Cold War era.

In such an international environment, nuclear weapons came to be seen as the most reliable means to ensure security by mutually deterring military invasion by an opponent. Another aspect of nuclear weapons is that they are considered symbols of being a major power. The UK and France have developed the Minimum Deterrent Strategy, which 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. Recently, in 1998, when India conducted nuclear tests, it was widely said that the tests were implemented not only because of security purposes but also because of a strong desire to be acknowledged as a major power. (Pakistan conducted nuclear tests in 1998 to compete with India.)

4. Danger of proliferation of weapons of mass destruction and their delivery means

While the US and the USSR confronted with each other by targeting enormous quantity of nuclear weapons to the opponent during the Cold War era, there emerged another threat to the world: namely the danger of proliferation of weapons of mass destruction. If an increasing number of countries come to possess chemical and biological weapons, not to mention nuclear weapons, an unstable military situation would 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, would increase the risk of their actual use, which poses a grave threat. 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. Japan experienced terror of weapons of mass destruction when a non-state actor released sarin on subway trains in 1995. Cooperation within the international community to prevent the proliferation of weapons of mass destruction, namely, efforts toward the establishment of non-proliferation regimes have been put forward.

Non-proliferation originally was an issue confined to nuclear weapons. Nuclear weapons were first developed and possessed by the US, then by the USSR and, eventually, by the UK, France, and China. In the 1960s, US President John F. Kennedy had warned that the number of nuclear-weapon 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 of nuclear weapons. 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-weapon states under the International Atomic Energy Agency (IAEA) safeguards.

Prohibition of nuclear testing, which is an essential 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 adopted in 1996. Despite these efforts of the international community to promote global non-proliferation, India and Pakistan, which are non-state parties to the NPT, conducted nuclear tests in 1998. Both countries, however, voluntarily declared moratoria on nuclear testing after conducting these tests. CTBT has yet to be entered into force as some of the countries whose ratification is required for the treaty to enter into force are not prepared to ratify the treaty. It would be safe to say that the increasing international political momentum is transforming the nuclear-test ban into 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, which set out export controls on nuclear related materials and technologies. Thanks to these measures, nuclear proliferation, of which once President Kennedy was so feared, has been largely prevented.

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 was one of the original signatory states to ratify it in 1995 (it was entered into force in 1997). The global movement to regulate ballistic missiles, which can be

used to deliver weapons of mass destruction, has led to creation of the Hague Code of Conduct against Ballistic Missile Proliferation (HCOC) in 2002. Efforts have also commenced to build up an international cooperation regime for the non-proliferation including the export control of materials and manufacturing technology vis-à-vis these weapons and missiles, as with nuclear weapons.

5. The end of the Cold War and new direction toward disarmament

The Cold War era ended with the liberalization of Eastern European states and the collapse of the USSR. 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 Russia have been reducing the huge scale of their nuclear arsenals. Agreements leading to the substantial reduction of nuclear weapons were concluded, and a large number of nuclear weapons have actually been destroyed.

In the light of developments described above, the role of nuclear weapons is to be reviewed. It seems quite unlikely that an age of confrontation and a nuclear arms race between the US and Russia 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 a risk for those states to attack other countries and develop, possess and use such modernized weapons systems irresponsibly.

After the terrorist attacks in the US on September 11, 2001, the danger of weapons of mass destruction falling into the hands of non-state actors such as terrorists has become more acutely felt. How to respond to failed states and terrorists, against which deterrence does not work or is not effective, is a new major security issue.

Despite the recognition of the need to adequately deal with emerging

destabilizing factors, a new security concept has not yet emerged to replace the thinking that ultimately resorts to nuclear deterrence formulated during the Cold War. The nuclear weapons still have an important role to play.

The reduction of nuclear weapons itself is also a new challenge. Russia is in the process of dismantling and destroying a substantial number of nuclear weapons, which incurs enormous cost, but Russia lacks the necessary financial resources to undertake the process on its own. Without adequate control and disposal of fissile materials such as highly enriched uranium and plutonium extracted form the dismantled nuclear warheads, and secure employment for the scientists who were formerly involved in the production of nuclear weapons, these materials and technological knowledge might flow out to other states or terrorist organizations, presenting new kinds of dangers. Negotiation on the so-called Fissile Material Cut-off Treaty (FMCT) which prohibits the production of fissile material for nuclear weapons, the key to manufacturing nuclear weapons, will be one of the most significant issues in the future nuclear disarmament.

In order to promote further efforts towards the total elimination of nuclear weapons, Japan 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 in the international community. 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.

In recent years, the control of conventional weapons has been reviewed from the humanitarian point of view. 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 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 reconstruction activities, was discussed again in 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 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All its Aspects, held in 2001. As a follow-up of the Conference, The First Biennial Meeting of States to Consider the Implementation of the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All its Aspects was successfully held in 2003, chaired by Ambassador Kuniko Inoguchi, Permanent Representative of Japan to the Conference on Disarmament. Also in November 2003, the state parties to the Convention on Certain Conventional Weapons (CCW) adopted a new, fifth protocol on explosive remnants of war, which caused various humanitarian problems even after conflicts ended, at the Meeting of States parties. Such disarmament movements in this area eliminate hindrance to the post-war reconstruction process and contribute to the "Consolidation of Peace." 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 civil society such as NGOs, to which governments respond to work together towards a solution.

As described above, arms control, disarmament and non-proliferation have been pursued from a variety of standpoints. It is important to have a clear understanding of the development of and the background to disarmament and non-proliferation. Then we can advance disarmament and non-proliferation diplomacy that can well address the real needs, thereby making our strong appeal for disarmament convincing and producing specific results.

Section 2. Circumstances surrounding disarmament and non-proliferation

1. Movements in the 1990s

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. Several states including France and China became state parties to the Treaty on the Non-proliferation of Nuclear Weapons (NPT) (both France and China in 1992), and in 1995 it was agreed that there would be an indefinite extension of the 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. In the area of conventional weapons, a noticeable result was achieved by the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Minis and on Their Destruction (entered into force in 1999).

On the other hand, 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. Iraq and North Korea, both state parties to the NPT, were suspected of developing nuclear programs in the early 1990s. Despite the fact that a comprehensive safeguards agreement with the IAEA was applied to Iraq (joined the NPT in 1969) and UN Security Resolution 687 invited Iraq to reaffirm unconditionally its obligations under the NPT, it was revealed after the Gulf War in 1991 that Iraq had been covertly pursuing a nuclear-weapon program, in breach of the safeguards agreement. These events have been posing serious challenges to the nuclear disarmament and non-proliferation regime based on the NPT. As a result, efforts to further enhance the effectiveness of the regime have been made. In 1998 India conducted nuclear tests and Pakistan followed. A big shockwave went through

the international community when these two countries conducted nuclear tests, as they stand in direct contradiction to the international efforts towards nuclear disarmament especially because the CTBT was concluded two years earlier after lengthy painstaking efforts.

At the Conference on Disarmament (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, and was expected to be a matter of priority after the conclusion of the CTBT, have yet to begin.

2. Movements after 2000

As a new movement toward promotion of disarmament and non-proliferation after the year 2000, in the Final Document of the 2000 Review Conference, nuclear-weapon states agreed to the 13 practical steps including "an unequivocal undertaking towards nuclear disarmament" for the systematic and progressive efforts to achieve complete disarmament. The governments of the US and Russia declared in December 2001 the completion of implementation of their obligations based on START I, and in June 2002 they ended the ABM, which had been one of the important legal frameworks for the mutual assured destruction. Then, the Moscow Treaty was entered into force in June 2003, which was meant to reduce the nuclear arsenals of the US and Russia to about one third.

As for the ballistic missiles, the Hague Code of Conduct Against Ballistic Missile Proliferation (HCOC) was launched in November 2002.

At the Summit in Kananaskis in 2002, "G8 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction" was agreed. Under this initiative, G8 countries agreed to support cooperation projects, initially in Russia, to address non-proliferation, disarmament, counter-terrorism, and nuclear safety including the environment.

Photo: Prime Minister Junichiro Koizumi, at the G8 Kananaskis Summit (June 2002: Source, Cabinet Public Information Office)

Furthermore, in May 2003, US President George W. Bush proposed the Proliferation Security Initiative (PSI) to complement the non-proliferation systems centered on the existing export control. Following the proposal, the Statement of Interdiction Principle was issued by the member countries and strenuous efforts for the prevention of proliferation, such as organizing of various exercises, have been made.

Photo: Patrol vessel "Shikishima" in pursuit of suspicious boat in the PSI maritime interdiction exercise. (September 2003, off Australian coast, Source: Japan Coast Guard)

On the other side of such active efforts of the international community, we face an extremely difficult problem: namely, the North Korean nuclear issue. It is a breach of the NPT by a non nuclear-weapon state, which is prohibited, among others, to develop and acquire nuclear weapons, shaking up the existence of the international non-proliferation system based on the NPT from within. The nuclear weapon development problem of North Korea, which declared to withdraw from the NPT in January 2003, poses an extremely serious threat to Japan's security as well. If a new nuclear-weapon state emerges from the NPT state parties, it would fundamentally undermine the treaty's own raison d'etre. If the confidence of state parties in the treaty wavers, no one can deny a risk of further nuclear proliferation, posing a negative influence on the extremely significant issues of nuclear control, for which the international community is striving. The international community needs to continue to exert persistent efforts in this difficult task.

Iran's nuclear issue began with the revelation of the construction of a large-scale nuclear facility in August 2003, and it was discussed intently at the arena of the IAEA and on other occasions. In September and November 2003, the IAEA Board of Governors adopted resolutions requesting Iran to cooperate with the IAEA, promptly and unconditionally conclude an additional protocol, fully implement it, and suspend immediately uranium enrichment related and reprocessing activities. Iran signed an Additional Protocol to its Safeguards Agreement in December 2003 and decided to start the ratification procedure and interim implementation. The IAEA is now conducting verification on nuclear activities by Iran.

Libya announced in December 2003 that it would abandon all weapons of mass destruction programs and allow immediate inspections of the international organization. This decision was welcomed by the international community as having positive synergy in the process of disarmament and non-proliferation of weapons of mass destruction and their delivery means.

3. Movement of the United States

The terrorist attacks on September 11, 2001 have drastically altered the US's perception of threats and brought about significant changes in arms control, disarmament and non-proliferation policies of the US.

First, the US is reviewing the structure of its own military forces and has been seeking to construct a new strategic posture. Partly due to the improved relationship with Russia, 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 US tried to transform its strategy by attaching more importance to the role of non-nuclear defense systems. US withdrawal from the ABM treaty in 2002 and missile defense concepts reflect these movements.

Second, the US has made it clear that the primary threat is posed not by nuclear-weapon states but by "rouge states" and terrorists. Although terrorists are generally not believed to be capable of developing weapons of mass destruction, particularly nuclear weapons, the possibility is addressed that certain nations provide them with such capabilities. The US government currently designates seven countries as state sponsors of terrorism. It imposes sanctions such as bans on the export or sales of weapons and suspension of economic assistance against these countries, contending that they would provide financial support, weapons and materials to terrorists. Materials and weapons such as radioactive sources and man-portable air defense system (MANPADS) are serious causes of concerns because they may be relatively easily obtained by terrorists and they may inflict great damage once placed in the wrong hands of terrorists. Thus, the US calls for further reinforcement of control and regulation for these weapons at such fora as the IAEA and G8 Summit meetings, etc.

Third, the US has adopted a policy of strengthening and utilizing multilateral frameworks so long as they work to its interests. For example, the Comprehensive Nuclear-Test-Ban Treaty (CTBT) is not regarded as advantageous to the US, and this leads to its non-support for the CTBT. On the contrary, the US continues to

strongly support the NPT.

It takes a deliberate assessment to see how such attitudes and activities of the US influence the future course of arms control, disarmament and non-proliferation.

(Reference) Seven Proposals concerning non-proliferation of weapons of mass destruction by US President George W. Bush

Reflecting recent international developments such as investigations on the outflow of the nuclear related technologies from Pakistan, and the decision of Libya to abandon weapons of mass destruction programs (See "Part II: Regional Non-Proliferation Issues and Efforts of Japan" for both), specific activities in the broad-based international proliferation, the so-called "Underground Network," are brought under bright lights. US President Bush in his speech on February 11, 2004 indicated the existence of such an "Underground Network," and to close the loopholes in the international non-proliferation regimes, proposed the following seven actions.

(1) Expansion of activities of the "Proliferation Security Initiative"
(2) Early adoption of the UN Security Council Resolution on non-proliferation
(3) Expansion of the G8 Global Partnership
(4) Prevention of proliferation of enriched uranium and reprocessing equipment and its technologies
(5) To oblige the importing countries of equipment for the civil nuclear programs to sign the IAEA Additional Protocol
(6) Creation of the Special Committee for Safeguards and Verification
(7) To exclude states under investigation for proliferation violations from the IAEA Board of Governors or the Special Committee for Safeguards and Verification

Section 3. International regime for disarmament and non-proliferation

Current regimes for disarmament are aimed to regulate and control weapons of mass destruction (nuclear, chemical and biological weapons) and certain conventional weapons.

The Treaty on the Non-proliferation of Nuclear Weapons (NPT) prohibits the non-nuclear weapon states, among others, to receive, manufacture and acquire nuclear weapons and oblige the nuclear weapon states to pursue negotiations in

good faith toward nuclear disarmament. As a regime to verify state parties' compliance with the NPT, each state party is required to accept safeguards of the IAEA.

The development, production and stockpiling of biological and chemical weapons are completely prohibited by Biological Weapons Convention (BWC) and the Chemical Weapons Convention (CWC), respectively. As a means to secure compliance with the Treaty obligations, the CWC set forth effective verification systems; it requires state parties to declare in writing to the Organization for the Prohibition of Chemical Weapons (OPCW) their activities pertaining to chemical materials. In response to the declaration, the OPCW undertakes inspection. It also includes a "challenge inspection" at any facility or site that is undeclared. As for the Biological Weapons, the necessity for the reinforcement of the Treaty has been urged since the BWC did not stipulate verifications. Negotiations over a protocol that would establish a verification system started in 1995, but were subsequently suspended without reaching an agreement in November 2002. Instead, state parties adopted a three-year work plan on other measures to strengthen the BWC in November 2002 than adopting the Verification Protocol. State parties agreed to promote common understanding and effective action by discussing sequentially from 2003 on five areas (national implementation measures, security control of hazardous biochemical agent (biosecurity), suspicious outbreaks of disease, disease surveillance, and codes of conduct for scientists).

The Hague Code of Conduct against Ballistic Missile Proliferation, the first comprehensive international rule concerning the proliferation of ballistic missiles, was adopted in 2002; and the state parties publicly announced their political intention to exercise maximum possible restraint in the development and stockpiling of missiles and not to support any ballistic missile project.

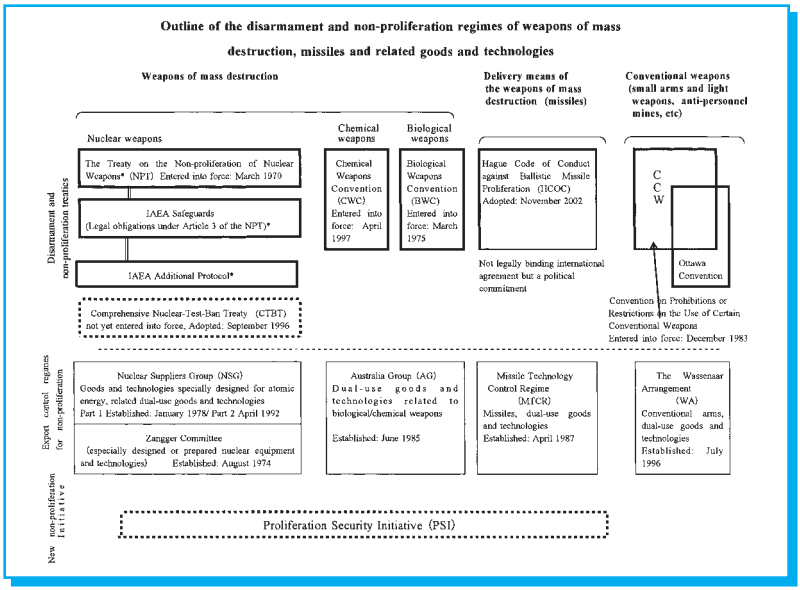
The use of certain conventional weapons with highly inhumane effects has been gradually prohibited. The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction (the Ottawa Convention) and the Convention on Prohibition or

Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW) are cases in point.

It is also crucial to prevent weapons of mass destruction, particular conventional weapons and their means of production methods and raw materials from being transferred to countries of concern or other actions of concern. For that purpose, several international regimes for export control have been established.

Furthermore, in May 2003, US President George W. Bush proposed the "Proliferation Security Initiative" to complement the existing non-proliferation mechanisms. The concept of the Initiative is for the participating countries to consider possible collective measures to prevent proliferation of weapons of mass destruction and related materials.

The figure below shows the relationships among the various regimes. In addition to these regimes which appear on the figure, there are also bilateral or regional treaties, such as the US-Russian arms control agreements and the Treaty on Conventional Forces in Europe (CFE).



Section 4. Japan's basic stance and efforts on disarmament and non-proliferation

1. Japan's basic stance

(1) Desire for peace and mission as the only country in the world to have suffered the devastation caused by the use of atomic bombs

After World War II, Japan chose to establish its position in the international community as a nation dedicated to peace, with strong determination that the devastation of war never be repeated. Such philosophy of peace is advocated in the Constitution of Japan. It is clear to everyone that Japan has pursued the following policy goals: achieving economic development through peace, not through military build-up, increasing the welfare of the Japanese people, and promoting international peace and stability as a prerequisite for these aims. Japan takes a pride in its adherence. Japan's mission, as the only nation that has suffered the atomic bombs, is to strongly appeal to the world that the devastation of the nuclear weapons should not be repeated and nuclear weapons should be completely eliminated. Japan exerts strenuous efforts to promote disarmament and non-proliferation, which is one of the important pillars of its foreign policy, because Japan aspires to bring about peace and stability in the world. At the same time, there is also an aspect of the dissemination of the Japanese model in the area of disarmament and non-proliferation to the rest of the world.

(2) Security viewpoint

However, that is not the only significance of disarmament and non-proliferation for Japan. It is obvious from the regional security environment how significant it is for Japan to vigorously promote disarmament and non-proliferation.

Two of Japan's neighbors, China and Russia, are major powers with vast territories and enormous military capability that includes nuclear weapons. The adjacent areas contain unstable elements such as North Korea, which allegedly has nuclear weapons program and possesses ballistic missiles, and the Taiwan Strait. Even after the Cold War ended, many tensions, and unclear and uncertain

elements still linger in the Northeast Asian region where Japan is located. The fact that the ballistic missile "Taepodong 1" fired by North Korea flew over the Japanese territory and landed in the Pacific Ocean in August 1998 was viewed as a serious threat to Japan. Furthermore, in January 2003, North Korea declared its intention to withdraw from the NPT, and has since made repeated references hinting about possessing nuclear weapons. It is clear from the terrorist bombing attack in Bali, Indonesia in October 2002 that international terrorist groups are taking firm hold in Asia as well, and the connection between terrorist groups and weapons of mass destruction in this region has emerged as a new threat.

In order to ensure peace and security in Japan, it is imperative to stabilize as much as possible the military situation of the surrounding area. Japan has to make certain that the states in the region will not create a dangerous situation by initiating a reckless arms race. It is also important to prevent weapons of mass destruction and their delivery means from proliferating to failed states and terrorists. 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 maintenance of its defense capability and the Japan-US Security Arrangements. Maintaining and strengthening the international regime of disarmament and non-proliferation and establishing a new international framework to deal with the emergence of a new threat have been essential elements in Japan's diplomatic efforts to ensure national security. It is possible to make the international environment surrounding Japan safer by prohibiting weapons of mass destruction in line with certain rules, by curbing proliferations in the region, and by thoroughly discussing an appropriate level of armaments in the region with our neighboring states. That is why it is important for Japan to utilize and strengthen the framework of disarmament and non-proliferation as a part of its national security policy.

(3) Humanitarian approach

The humanitarian approach in the field of disarmament and non-proliferation

is gaining significance because the misery of war has been aggravated seriously as destructive and killing power of weapons increases. The Declaration of St. Petersburg (1868) forbidding the use of certain inhumane weapons by defining "'the technical limits within which the necessities of war ought to yield to the demands of humanity" and the protocol banning the use of poisonous gas (the Geneva Protocol, 1925) are some of the first examples of this approach. The Convention on the Prohibition of the Use, Stockpiling, Producing and Transfer of Anti-Personnel Mines and their Destruction (the Ottawa Convention) entered into force in 1999 and it is one recent example of a humanitarian-oriented disarmament convention. Japan, in addition to the security viewpoint, makes much of the humanitarian viewpoint, and it participated in the Ottawa Convention as an original signatory state in December 1997 and accepted it in September 1998.

(4) Human security viewpoint

Significance is attached to disarmament and non-proliferation from the viewpoint of "human security" in recent years. "Human security," which is a relatively new concept, is defined as "Concept that focuses on the viewpoints of individuals to protect them from threats to human lives, livelihoods and dignity and to bring out the full potential of each individual." (Diplomatic Blue Book, FY 2003) In association with disarmament and non-proliferation, weapons such as anti-personnel landmines, small arms and light weapons threaten the safety and lives of people in conflict areas even after ceasefire, and therefore, they pose problems closely related to "human security." Efforts in the issues on anti-personnel landmines, small arms and light weapons are quite important in the security building process as a prerequisite for reconstruction and peace and have considerable significance in realizing "human security."

2. Japan's efforts

Based on the basic concepts described above, Japan has conducted active disarmament and non-proliferation diplomacy. In addition, it is safe to say that

Japan has been playing a leading role in nuclear disarmament and non-proliferation issues. Specifics of Japan's efforts will be detailed in each section later. The following is an overview.

(1) Multilateral disarmament and non-proliferation regimes

Currently, Japan participates in all of the multilateral disarmament and non-proliferation regimes mentioned in the table of the Section 3 and has been making active efforts to reinforce them. In order for the multilateral regimes in the area of disarmament and non-proliferation to function effectively, the following five factors need to work appropriately and adequately: ① rule making, ② implementation of the rules by each party, ③ verification of the compliance with the rules, ④ remedy against a non-compliance of the rules, and ⑤ expansion of participants of the rules (universalization)

Japan plays significant roles in each aspect of them.

① Japan has made active contribution, for example, to the launch of the Hague Code of Conduct against Ballistic Missile Proliferation (HCOC), as well as to formulating the IAEA's Model Additional Protocol. In addition, as an activity at the preparatory stage for the establishment of rules, Japan submits nuclear disarmament resolutions to the UN General Assembly every year, indicating the direction that the nuclear disarmament negotiations should take. Additionally, in the area of conventional weapons, UN resolutions concerning small arms and light weapons and the UN Register of Conventional Arms are submitted every year to set the direction for the future rule-making activities.

② Regarding the implementation of rules, obligations under disarmament and non-proliferation treaties have become so advanced and complicated that some developing countries have difficulties in implementing them. Japan provides various types of assistance to deal with these problems and to help developing countries implement the rules. For example, with regard to the Comprehensive Nuclear-Test-Ban Treaty (CTBT), Japan has implemented, among others, the human resources development programs in developing countries by offering global seismic observation training, and provided

seismic observation instruments.

③ Japan has contributed to the reinforcement of the IAEA safeguards measures, which is a verification mechanism in the area of nuclear non-proliferation. The IAEA's Model Additional Protocol was adopted in 1997 at the IAEA to fundamentally reinforce the existing safeguards system in the wake of the revelation of Iraqi's covert nuclear-weapon programs. Japan made great contribution to the process of establishing the Additional Protocol. After the adoption, Japan supported seminars held in South America and Central Asia for the universalization of the Additional Protocol and hosted the international conference on Wider Adherence to Strengthened IAEA Safeguards in Tokyo in December 2002 to reinforce IAEA safeguards regime.

④ As far as remedial action against a non-compliance of the rules is concerned, Japan has been actively involved in the efforts for peaceful resolution of the nuclear issue in North Korea on the occasion of the Six Party Talks, etc.

⑤ For the universalization of multilateral disarmament and non-proliferation treaties such as the NPT and the CTBT, Japanese high-ranking officials have been inviting as many countries as possible to participate in the regimes. Particularly for the CTBT, Japan has been spearheading in the international efforts to bring it into force. (See Chapter 3, Part III) As mentioned in ③ above, Japan is actively involved in an effort for the universalization of the IAEA Additional Protocol, and the IAEA General Assembly resolution was adopted in September 2003, in which such Japanese initiatives were highly evaluated.

(2) "Disarmament in Action"

Various types of international agreements have been formed in the area of disarmament and non-proliferation, but especially after the Cold War, keen interests have been widely shared to promote international cooperation in order to make the outcomes of these agreements a reality.

The international community recognizes the significance of international cooperation in the early disposition of Russian weapons of mass destruction and others that have been bequeathed as negative legacy of the Cold War. As a part of "The G8 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction" adopted at the G8 Kananaskis Summit 2002, Japan has actively participated in cooperative efforts with a view to establishing an international regime for the control and disposition of the surplus plutonium possessed by Russia. At the same time, Japan promotes dismantlement projects (the so-called "Star of Hope") of decommissioned nuclear submarines in Far East Russia. The dismantlement of the nuclear submarines is important also to protect the environment in the Sea of Japan from radioactive contamination.

As the "collection and disposal of weapons, including demining" is listed among priority issues of the Japanese ODA Charter, which was revised in August 2003, Japan makes active efforts in the conventional weapons arena. Japan proposed the "Zero Victim Program" and announced that it would contribute 10 billion yen for the cooperation in mine-clearance and victims assistance over five years from 1998 at the signing ceremony of the Ottawa Convention in December 1997. This goal was achieved in October 2002. In Cambodia and Kosovo, Japan is carrying out a project for collection of small arms and light weapons in cooperation with concerned countries and organizations.

"Disarmament in Action," which calls for implementations of specific projects within a framework of international cooperation for the disarmament and non-proliferation, continues to be one of the major pillars of Japan's disarmament and non-proliferation diplomacy.

(3) Bilateral cooperation in disarmament and non-proliferation fields

Japan has held bilateral consultations with major countries for the close exchange of views, and, when necessary, made specific demarches on these occasions. The senior-official-level talks held in 2002 and 2003 are listed in the table below. Japan is expected to exercise its diplomatic power more

effectively by organically combining these bilateral talks with deliberations at multilateral fora such as the UN and the Conference on Disarmament as well as with regional or like-minded countries meetings such as the G8, the ASEAN Regional Forum, and the Asia-Europe Meeting. Japan intends to further promote its cooperative relationships with other countries in the field of disarmament and non-proliferation.

The bilateral senior-official-level talks (director-general level) held in 2002 and 2003 in the field of disarmament and non-proliferation

Date	Name of Consultation	Location
2002		
February 13	Japan-UK 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
March 9	Japan-UK Consultation on Disarmament and Non-proliferation	Tokyo
August 26	The Japan-US 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 Consultation on Disarmament and Non-proliferation	Paris
September 6	Japan-UK Consultation on Disarmament and Non-proliferation	London
September 24	Japan-China Consultation on Disarmament and Non-proliferation	Tokyo
2003		
January 24	The Japan-US Commission on Arms Control, Disarmament, Non-proliferation, and Verification (5th meeting)	Tokyo
July 12	Japan-Iran Consultation on Disarmament and Non-proliferation	Tehran
August 1	The Japan-US Commission on Arms Control, Disarmament, Non-proliferation, and Verification (6th meeting)	Tokyo
August 14	Japan-China Consultation on Disarmament and Non-proliferation	Beijing
September 5	Japan-Germany Consultation on Disarmament and Non-proliferation	Berlin
September 9	Japan-ROK Consultation on Disarmament and Non-proliferation	Tokyo
September 18	Japan-Russia Consultation on Disarmament and Non-proliferation	Moscow
December 9	Japan-France Consultation on Disarmament and Non-proliferation	Paris

Chapter 2. Nuclear disarmament and non-proliferation

1. Current situations

Nuclear disarmament and non-proliferation made significant progress just after the end of the Cold War between the Eastern and Western blocs, reflecting the substantial reduction in the nuclear threat posed by the former Soviet Union (Russia). As a first step, the US and Russia signed 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 (1992 in both case). Furthermore, other states, such as South Africa, Ukraine, Belarus, Kazakhstan, Argentina and Brazil, became non-nuclear-weapon state parties to the NPT after renouncing possessed nuclear weapons, deployed nuclear weapons, or nuclear weapon development programs. Thus the universalization of the NPT was enhanced considerably. The number of states parties to the NPT has increased to 189 (138 as of 1990), indicating that most countries are now participants in the nuclear non-proliferation regime, with the NPT as its cornerstone.

In 1995, an important decision was made to indefinitely extend the NPT. At the same time, another important decision 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. In this decision, the nuclear-weapon states reaffirm their commitment, as stated in article VI, to pursue in good faith negotiations on effective measures relating to nuclear disarmament, and based upon it, a political commitment was made to complete the negotiations on the CTBT, which aims to comprehensively ban nuclear tests, including underground nuclear tests no later than 1996. The CTBT was formally adopted at the United Nations General Assembly in September 1996, following negotiations at the CD in Geneva. US-Russian nuclear disarmament negotiations as well as multilateral ones have been stalemated since the adoption of the

CTBT. However, the UK and France have implemented large-scale unilateral reduction of their nuclear arsenals since the early 1990s, and nuclear-weapon-free zones were established in Africa and Southeast Asia. (The former was adopted in 1995 but has not yet entered into force. The latter was adopted 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 comes under suspicion of developing nuclear weapons because of the major inconsistency 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 prevent diversion of nuclear materials to military use with greater certitude.

The issues of development of nuclear weapons by some states parties to the NPT such as Iraq and North Korea 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 the South Asian region but also had a significant negative impact on the international nuclear non-proliferation regime based upon the NPT.

In addition, a series of 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 the Japanese territorial airspace in August 1998.

Furthermore, the rejection of the ratification of the CTBT by the US Senate (in October 1999), and the severe criticism by Russia and China of US promotion 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 several 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 with an unequivocal undertaking to accomplish the total elimination of the nuclear arsenals by nuclear-weapon states. This success reflected the fact that the international community correctly recognized the significance of the NPT regime.

Although "an unequivocal undertaking to accomplish the total elimination of the nuclear arsenals" was given by the nuclear-weapon states through the adoption of this Final Document, there is no prospect that major practical steps, such as the negotiation on the Cut-Off Treaty at the CD in Geneva, or the early entry into fora of the CTBT, will be implemented soon.

In the area of non-proliferation, there remains a challenge posed by North Korea to the nuclear proliferation regimes and nuclear issues of Iran. Continuous efforts to maintain and strengthen international disarmament and non-proliferation regimes with the NPT as its cornerstone are strongly required.

As far as the bilateral disarmament negotiations between the US and Russia are concerned, in accordance with The Treaty on Strategic Offensive Reductions between the United States of America and the Russian Federation (Moscow Treaty), which entered into force in June 2003, it was agreed to reduce the number of their nuclear warheads to about one-third within 10 years. However, the conventional legal framework designed to secure strategic stability founded on the Mutually Assured Destruction was considerably altered by the US withdrawal from the Anti-Ballistic Missile Treaty (ABM Treaty).

2. Japan's efforts

(1) Basic stance

It is natural for Japan, the only country to have ever suffered nuclear devastation in Hiroshima and Nagasaki, to focus on disarmament and non-proliferation of nuclear weapons (nuclear disarmament and non-proliferation). Given massive destructive power of nuclear weapons, it is also natural from a security point of view that Japan places high priority on nuclear disarmament and non-proliferation. In practice, Japan has played an active role in the international community for this issue, and has made a substantial contribution.

Japan's basic stance on nuclear disarmament and non-proliferation rests with two fundamental requests: ① a request for an effort toward the total elimination of nuclear weapons to improve Japan's security environment as the only country to have ever suffered nuclear devastation, and ② a request not to harm Japan's security, while Japan relies on the United States' deterrence including nuclear one. Based on these fundamental requests, on the one hand Japan does rely on the United States' nuclear deterrent against nuclear threat, on the other hand Japan, being the sole country to have suffered nuclear devastation, adopts a realistic and incremental approach to realize a peaceful world free of nuclear weapons through practical disarmament measures to improve Japanese security environment. These fundamental stances are mentioned in "National Defense Program Outline in and after FY 1996." ("Against the threat of nuclear weapons, rely on the US nuclear deterrent, while working actively on international efforts for realistic and steady nuclear disarmament aiming at a world free from the nuclear weapons.")

(2) 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, Japan explicitly stated, "Japan, as the only nation to have suffered atomic bombings, declares anew to the world its fundamental policy of forsaking nuclear armament." 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 a 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 have 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 atomic bombings, has a humanitarian responsibility to the international community to advocate the total elimination of weapons of mass destruction, in particular nuclear weapons. Therefore, Japan emphasizes the importance of making diplomatic efforts to implement concrete measures based on a practical and incremental approach so as to achieve its objectives of total elimination of nuclear weapons as early as possible. Instead of arousing negative reaction in nuclear-weapon states by making unrealistic and radical requests that may not be acceptable to them, and thereby causing a stalemate in nuclear disarmament, Japan intends to engage nuclear-weapon states in nuclear disarmament and build up feasible measures one by one, taking into account the undeniable reality that nuclear weapons still exist and that they serve as deterrent.

Based on those basic stances on nuclear disarmament and non-proliferation, Japan attaches great importance to the NPT as the foundation to achieve the goals of nuclear disarmament and non-proliferation. In addition, Japan also regards the International Atomic Energy Agency 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 189 state 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, etc). There are three important measures to strengthen the nuclear non-proliferation regime: ①to further enhance the Treaty's universality;②to strengthen the capability to verify the compliance with the obligations under the Treaty by the States Parties; ③to take appropriate measures to rectify the breach of the Treaty when that occurs.

The IAEA safeguards measures play an important role in verification. By ensuring to prevent nuclear materials and activities for peaceful purposes from being diverted to military ends, it makes nuclear non-proliferation effective through controlling nuclear materials. Triggered by covert nuclear weapon development programs conducted by Iraq and North Korea that had been brought to light during the early 1990s, the importance of strengthening the traditional safeguards systems was recognized. As a result of strenuous works and deliberations, the IAEA adopted a Model Additional Protocol in May 1997. The Additional Protocol is designed with the main aims of further enhancing IAEA's capacity to detect undeclared nuclear activities, by expanding the scope of facilities to be inspected by the IAEA and by granting the IAEA to inspect with shorter advance notice.

Japan concluded the Additional Protocol in December 1999 as the first state possessing nuclear-power reactors for commercial use. However, as of December 18, 2003, only 79 states had signed the Additional Protocol, and only 38 of these countries had placed it into effect.

It is an urgent task to universalize the Additional Protocol, so Japan has been vigorously making efforts to this end. In June 2001, Japan co-hosted with the IAEA "the International Symposium for Further Reinforcement of IAEA Safeguards in the Asia-Pacific Region." Japan also supported seminars in Latin

America, Central Asia, the three Baltic States, and Africa. Japan also hosted "the International Conference on Wider Adherence to Strengthened IAEA Safeguards," with 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 nuclear-weapon states to make efforts toward disarmament in good faith. Therefore, if nuclear-weapon states only emphasize the nuclear non-proliferation aspect of the NPT regime and disregard their obligations for nuclear disarmament, it may endanger the credibility of the NPT regime itself, and result in the weakening of the NPT regime. From this perspective, Japan has been persistently urged the nuclear-weapon states to make progress in nuclear disarmament process.

When the indefinite extension of the NPT was decided 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 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, fully convinced of importance to enhance the political significance of the CTBT as an international norm, Japan is determined to continue its efforts to increase the number of signatories and ratifiers of the Treaty primarily targeting the 44 required countries. In addition, Japan also has been making earnest efforts to install monitoring facilities in Japan and to provide technical assistance to other states, since Japan considers it important to establish the International Monitoring System, which is a verification measure of the CTBT, and to set up a network to monitor nuclear tests around the world. (See Section 3, Chapter 3, Part III of this book for details of Japan's efforts for the early entry into force of

the CTBT.)

The next significant issue to the CTBT in the multilateral disarmament and non-proliferation negotiations is the adoption of the Fissile Material Cut-off Treaty (Cut-off Treaty). The Cut-off Treaty, 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. It is an urgent task to activate the Conference on Disarmament for early commencement of negotiations on this Treaty. To this end, Japan put forth a great amount of effort in 2003 when Japan chaired the Conference on Disarmament.

It is also of great significance to develop practical international cooperative projects not only to form agreements, but to implement them for nuclear disarmament and non-proliferation. Such demand has been generated in the international environment after the Cold War, and Japan has deployed active efforts for such projects under the policy so-called "Disarmament in Action."

Japan is cooperating within the framework of G8 to ensure the safe control of fissile materials such as plutonium removed from dismantled nuclear weapons of Russia, to dispose such materials, so that these materials will not be used again in the manufacture of nuclear weapons, and to prevent the outflow of nuclear scientists of Russia and Ukraine. The dismantlement projects of decommissioned nuclear submarines in Far East Russia (the so-called "Star of Hope") (See Section 3, Chapter 5, Part III) are placed in the context of this type of cooperation. Such cooperation is becoming increasingly important not only to promote nuclear disarmament, but also to minimize the risks of nuclear weapons, fissile materials and related technologies falling into the hands of countries of concern or terrorists.

(3) Submission of Japan's draft resolution on nuclear disarmament to the UN General Assembly

The resolutions proposed by Japan to the UN 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 (the Conference takes place every 5 years) 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 mentions "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 marked a stop forward ahead of Japan's resolution "Nuclear Disarmament with a View to the Ultimate Elimination of Nuclear Weapons," and it is safe to say that Japan's resolutions laid the groundwork for this progress.

Based on 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 practical and incremental 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 reduction of nuclear weapons with a

view to their total elimination, while ensuring an appropriate balance between nuclear disarmament and nuclear non-proliferation.

Since 2001, the US has drastically changed its approach from that of the previous US-Russian nuclear arms control regime. While pursuing unilateral reduction of its nuclear weapons, the US took a passive or negative stance against several multilateral treaties on disarmament and non-proliferation: for example the CTBT. Under such circumstances, Japan has continued to submit the draft resolutions on nuclear disarmament to the UN General Assembly. In 2003, Japan submitted a draft resolution on nuclear disarmament entitled "A Path to the Total Elimination of Nuclear Weapons." This time again Japan was inspired by its consistent stance based on the practical and incremental approach and aimed at bringing about a peaceful and safe world free of nuclear weapons through the accumulation of specific measures for nuclear disarmament. The draft was prepared with due consideration to the expression of growing concerns over proliferation of weapons of mass destruction and to increasing emphasis on importance of the compliance with the NPT, thus reflecting widely shared views emerging from recent development in the international scenery. This draft resolution was adopted by an overwhelming majority on 8, December, 2003 at the UN General Assembly: Favor 164, Opposed 2 (the US and India), and 14 Abstains. This time the resolution enjoyed the largest number of votes in favor since Japan started submitting draft resolution on nuclear disarmament in 1994.

Chapter 3 Chemical and Biological Weapons

The first international treaty to prohibit chemical and biological weapons is 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. Later when the resolution to denounce the use of chemical and bacteriological weapons was submitted to the 21st session of UN General Assembly in 1966, and then when the then UN Secretary-General U Thant delivered a report entitled "Chemical and Bacteriological Weapons and the Impact of the Use Thereof" in 1969, the important issue on the regulations of these weapons started to be actively discussed at the Conference of the Committee on Disarmament and meetings at the UN. Finally, it was decided to conclude treaties to ban these weapons including in peacetime. At the beginning, it was aimed to formulate a treaty to ban both chemical and biological weapons in a comprehensive manner; however, in the end, priority was given to the treaty to ban biological weapons since it was assumed that an agreement could be reached relatively easily, followed by the treaty to ban chemical weapons. Specifically, the signing of the Biological Weapons Convention (BWC) took place in 1972 and of the Chemical Weapons Convention (CWC) in 1993, and they entered into force in 1975 and 1997 respectively.

In response to the above-mentioned report from UN Secretary-General U Thant, deliberations had been undertaken at Disarmament Committee conferences during the 1970s. In the 1980s an Ad Hoc working group to ban chemical weapons was established in the Conference of the Committee on Disarmament (renamed the Conference on Disarmament in 1984) and full-scale negotiations to ban chemical weapons started in 1984.

The momentum 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. The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC) was opened for signature in 1993, and entered into force in April 1997.

The CWC 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 after entry into force of the CWC, thus in practice before April 2007). 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 170 OPCW inspectors have carried out more than 1500 on-site inspections over the last six 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 possessor states; and on-site inspections of the facilities that deal with specific chemical materials declared to the OPCW by the states parties that have chemical industries (including Japan). The latter inspection is called "industrial verification," and the purpose is to prevent States Parties from covertly developing chemical weapons under the guise of legitimate chemical industry activities. In addition, in order to identify the possibility of a breach of the treaty under the CWC, States Parties have the right to request an on-site inspection (challenge inspection) of any facility or location on any other State Party. When such inspection request is submitted, the inspection will be carried out unless the Executive Council decides against the inspection within 12 hours of receiving the request, with a three-quarters majority of Council members. This challenge inspection is epoch-making in a sense that the inspection can be carried out at undeclared facilities or locations;

however, this mechanism has never been activated thus far.

With regard to the biological weapons, the Biological Weapons Convention (BWC) was opened for signature as early as in 1972; however, the scope of the application is limited to the comprehensive restriction of biological weapons including in peacetime. Unlike the chemical weapons, it does not stipulate the objective verification system of the compliance with the treaty by the States Parties. Therefore, it has long been an issue as to how to enhance the treaty's effectiveness, and negotiations to draft a Verification Protocol started in 1995 with an aim to establish a verification mechanism through declarations and inspections, as in the case of the treaty on chemical weapons, but were suspended due to the policy change of the US in the summer of 2001.

Later, the States Parties sought to discuss new ways to strengthen the convention, and after many twists and turns, the program of work for the three years prior to the next Review Conference in 2006 was finally agreed upon by consensus at the renewed meeting of the Fifth Review Conference convened in November 2002. It was decided that deliberations are to continue to strengthen the convention in five areas at both the States Parties' and experts' meetings to be held every year for the next three years. Heated discussions took place at the first experts' meeting in line with this program of work in August 2003 on the two areas of the convention among five: namely, national measures to implement the prohibition set forth in the convention, and mechanism to establish and maintain the security and oversight of pathogenic microorganisms and toxins (biosecurity). In response to the outcome of experts' meeting, the annual meeting of the States Parties (November) adopted the Final Document which confirms that these measures are important and the States Parties will continue to work their strengthening. It was also decided that the future process and progress would be reviewed at the next Review Conference scheduled to be held in 2006.

The number of States Parties of the CWC and BWC are 157 and 151 respectively (as of November 2003, including non-members of the United Nations), and it is observed that the universality of the treaties has considerably increased. However, 36 countries among members of the UN including North Korea and some countries

in the Middle East have yet either signed or ratified the CWC, whereas 41 countries, notably from the Middle East and Africa, have yet either signed or ratified the BWC. Current major tasks are to promote the signatory or ratification of these countries and to further enhance the universality of these treaties. Furthermore, it is also vital for States Parties that have already acceded to the treaties to assure the implementation of the treaty obligations. Only about half of the member countries of the CWC and BWC have already developed domestic legal frameworks to comply with the treaty obligations of restricting the use and development of chemical and biological weapons with penalty, and most of the developing countries have not yet set up appropriate legal frameworks. This is because it is assumed that these countries do not consider the domestic implementation of the CWC and BWC to be an urgent issue so long as they do not have the intention nor capacity to arm themselves with chemical and biological weapons.

However, now that the use of the chemical and biological weapons has become a real danger, universality of the CWC and BWC and the enforcement of their domestic implementation are a critical issue in terms of security of the international community. If there are countries which have not signed the treaties or have signed the treaties but have not developed domestic legal frameworks to comply with the treaty obligations, it is likely that a terrorist organization will develop and acquire chemical and/or biological weapons through these countries. Thus, pursuit of universality and strengthening of domestic implementation measures are discussed as major issues at both CWC and BWC meetings. At the CWC Review Conference held in April 2003, the first since the entry into force five years earlier, an agreement was made on the importance of these issues, and as a result, the "Action Plan for the Universality of the CWC" and the "Plan of action Regarding the Implementation of Article VII Obligations (national implementation)" were adopted. With respect to the BWC, discussions are taking place regarding the reinforcement of the domestic implementation of the treaty within the framework of the three-year work program mentioned above. It is perceived that countries in the Asia and Pacific region where chemical industry have been rapidly expanding its foundation and the capacity to produce chemical and biological weapons

has been increasing, gradually come to think that the disarmament and non-proliferation of chemical and biological weapons is an important issue affecting their own interests, and accordingly they start working out thorough domestic implementation of the treaties, in light of the real threat of terrorism.

Japan is not only actively involved in these CWC and BWC efforts, but also promotes an individual approach to non-signatory or non-ratifying countries and provides assistance to countries in need, in particular those in Asia. To be more specific, Japan held the "ASEAN Regional Seminar on Universality of the CWC," to encourage non-ratifying countries to ratify the CWC, and to promote the domestic implementation of the CWC in the States Parties to the treaty by introducing experience in implementation and examples of domestic implementation systems of Japan. Moreover, from the viewpoint of strengthening of the capacity-building in the Asian and Pacific region, Japan held a seminar in September 2003 titled "Seminar on Consequence and Crisis Management of Chemical and Biological Terrorism in Asia-Pacific Region" which dealt with the improvement of the response capacity against terrorism using biological and chemical weapons.

(Reference) Arsenal of Chemical and Biological Weapons, etc.

Unlike nuclear weapons, chemical and biological weapons do not necessary require advanced technologies nor large funding, and therefore, it is more difficult to grasp the arsenal of such weapons. According to the OPCW, a total of 70,000 tons of chemical weapons have been declared by States Parties to the CWC, among which the disposition of 8400 tons has been completed by February 2004. However, these figures do not include the arsenal possessed by non-signatory countries of the CWC. There is no international regime concerning an arsenal of biological weapons and no information concerning the arsenal is available. It is difficult to identify the arsenal of biological weapons due to the characteristics of being easy to proliferate and to destroy.

Chapter 4. Conventional Arms

Conventional Arms generally mean those except for weapons of mass destruction, and cover a wide range of weapons including automatic rifles, combat vehicles, naval ships, fighter planes, artillery guns, missiles and landmines. It was after the end of Cold War and during the 1990s when the international community started to address the importance of disarmament and non-proliferation of conventional arms. An increasing necessity to deal with weapons left uncontrolled during the Cold War and causing casualties in actual conflict areas lies in the background. In the 21st century, a serious threat was posed by surface-to-air weapons falling into the hands of terrorist groups, and thus, an approach from a new viewpoint to deny terrorists' access to conventional weapons has become increasingly necessary.

Under such climate, there were various movements in the 1990s. First of all, the United Nations Register of Conventional Arms (Chapter 4, Part V) was established in 1992. In 1995, the then UN Secretary General Bousros-Boutros Ghali advocated in the report "Supplement to an Agenda for Peace" the importance of efforts for "Micro-Disarmament" to take control of small arms (Chapter 1, Part V) and landmines (Chapter 2, Part V).

Through UN experts' meetings since 1995, the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects adopted the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. This was the first demonstration of a comprehensive international political commitment to addressing the problem of small arms. The First Biennial Meeting of States to consider the Implementation of UN Programme of Action was held.

In the area of landmines, regulation on the use of anti-personnel landmines was strengthened in the Amended Protocol II of the Convention on Prohibition or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or to Have Indiscriminate Effects (CCW: Chapter 3, Part

V), which was adopted in 1996. In 1997, the Convention on Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction (aka. Ottawa Convention) was adopted and not only the use but also stockpiling, production and transfer of anti-personnel mines were prohibited. The issue of explosive remnants of war was raised since they could cause the same extent of humanitarian damages as landmines do. Negotiations on explosive remnants of war continued within the framework of the CCW throughout the year 2003, and a new Protocol was adopted in November.

The main characteristic of conventional arms is the fact that they actually create victims in regions of conflict at the present day. Therefore, practical measures to reduce victims in conflicting regions and to prevent civilians from being victimized are necessary. Unlike the conventional approach to disarmament and non-proliferation of weapons of mass destruction, the task requires an approach from broad and various perspectives including a confidence-building measure through improved transparency, contribution to peace building after conflict, and coordination with humanitarian and reconstruction assistance, in addition to the restriction of the use and production of the weapons themselves.

Based on the points described above, there are mainly two approaches toward the issues on conventional arms that Japan is capable of taking.

One is the reinforcement and universalization of norms and mechanisms that the international community has fostered thus far. Promotion of participation in the United Nations Register of Conventional Arms, active implementation of the Programme of Action on small arms, an encouragement of accession to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction by non-States Parties including military powers such as the US, Russia, China and India are some of the examples. Bringing home a full compliance with norms established by the international community and strengthening the mechanisms would lead to the prevention of any damage that may be caused by conventional arms.

Another is the measures against weapons that have already been circulated and

accumulated and that have caused conflicts and deterioration in security. In this case, measures to prevent new illicit circulation and to collect and destruct weapons are necessary. Japan provides assistance for mine clearance in the world's landmine-affected countries including Afghanistan, and carries a small arms collection project in Cambodia. These practical efforts have just started, and accumulation of experience and knowledge is important for the future. Cooperation with NGOs and international organizations with such experiences and expertise is also indispensable.

These efforts by Japan in working to solve the issues of conventional arms are the embodiment of the diplomatic policy of Japan to "consolidate peace," which is to expend efforts in a rapid and seamless fashion to promote the peacemaking process after conflict, to secure domestic stability and security, and to support the humanitarian and reconstruction process. Japan will continue to play a leading role in the international community in the area of conventional arms, with the two approaches mentioned above as a pair of wheels on a car: namely, the reinforcement and universalization of norms on one hand and the collection and destruction of weapons on the other.

(Reference) Estimated number of dead victims of civil wars and conflicts in the world that broke out after the 1990s (Cumulative total up to 2001)

1. Congo	About 2.5 million
2. Burundi	More than 200,000
3. Algeria	About 100,000～150,000
4. Sierra Leone	About 43,000
5. Russia (Chechen)	40,000～70,000
6. Columbia	More than 35,000

(Source: SIPRI Yearbook 2002)