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North Korea's Nuclear Weapons and Japan's Nuclearization*

Mitsuru KUROSAWA**

Abstract

In Northeast Asia, North Korea declared that it successfully conducted a nuclear weapons test on October 9, 2006. Japan elected a new Prime Minister, Shinzo Abe, at the end of September 2006, who is generally characterized as a hawkish nationalist. Although more than fifteen years has passed since the end of the Cold War, we have not achieved a lasting peace and stability in this area.

In this paper, I would like to take up two issues in connection with nuclear weapons in this area. The first concerns North Korea. North Korea has been developing its nuclear weapons program for a long time, withdrawn from the Nuclear Non-Proliferation Treaty (NPT), and declared its successful conduction of the nuclear weapons test. International community reacted to its test with strong negative message, including the adoption of United Nations Security Council resolution that inflicts economic sanctions on North Korea.

The second regards Japan. Mainly influenced by the North Korea's nuclear test, the argument for a nuclear Japan has been heard among some politicians. Is Japan going to have nuclear weapons under the new administration? It is not a new issue and has been discussed at times, but Prime Minister Abe once argued for it, though indirectly, in 2002.

Finally, I will propose four measures which should be taken in order to lead to the solution of these hot issues surrounding nuclear weapons in Northeast Asia.

Keywords : nuclear weapons, North Korea, nuclear Japan, Six-Party Talks, nuclear test

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NORTH KOREA'S NUCLEAR WEAPONS PROGRAM

Joint Statement in September 2005

North Korea's nuclear suspicion has been growing since the early 1990s and as an interim solution, a Framework Agreement was agreed between the United States and North Korea in October 1994. However, the agreement was not honestly implemented and its framework was dead in 2002. After North Korea withdrew from the NPT, China made efforts to organize Six-Party Talks including North Korea, South Korea, the United States, China, Russia and Japan.

In September 2005, the Six Parties unanimously reaffirmed in the joint statement¹⁾ that the goal of the Six-Party Talks is the verifiable denuclearization of the Korean Peninsula in peaceful manner. The DPRK committed to abandoning all nuclear weapons and existing nuclear programs and returning, at an early date, to the NPT and to the IAEA safeguards. The United States affirmed that it has no nuclear weapons on the Korean Peninsula and has no intention to attack or invade the DPRK with nuclear or conventional weapons.

Unfortunately, there is no substantive negotiation to implement the joint statement so far, mainly because the stubborn attitude and brinkmanship policy by North Korea and the imposition of financial sanction on North Korea-related banks by the U.S.

Missile Launches by North Korea in July 2006

On July 5, 2006, North Korea test-fired seven missiles, including Taepodong-2 missile which is thought to be a failure, all landed in the Sea of Japan near Russia. First, in 1993, North Korea test-fired a medium-range Nodong missile which can reach a part of Japan, and then in 1998, it launched a multistage Taepodong-1 missile over Japan and into the Pacific Ocean which caused a start of joint research on missile defense between Japan and the U.S.

The launches this time show that desperation has caused the reclusive state to take its brinkmanship strategy to a reckless and dangerous new level. These missile launches were apparently intended to send a strong message to Washington that the DPRK wanted to have bilateral negotiations with the U.S., as, in particular, North Korea is suffering from the sanction of the U.S. freeze on North Korean-related account at a bank based in Macao.

The UN Security Council unanimously adopted a resolution 1695 on July 15, 2006 in which the Security Council condemns the multiple launches by the DPRK of ballistic missiles, and

1) Joint Statement of the Fourth Round of the Six-Party Talks, Beijing, 19 September 2005.
[http://www.mofa.go.jp/region/asia-paci/n_korea/6party/joint0509.html]

demands that the DPRK suspend all activities related to its ballistic missile programme, and in this context re-establish its pre-existing commitments to a moratorium on missile launching. The original draft resolution submitted by Japan and supported by the United States that included strong sanctions against the DPRK was watered down without the reference to the Chapter VII of the UN Charter.

Japan, on September 8, slapped additional sanctions against North Korea to put a further financial squeeze on Pyongyang's weapons programs, which include a ban on remittances and freeze on assets of 15 manufactures, trading houses and other business organizations, as well as one individual. The original sanction just after the missile launches includes six-month embargo on port calls by the North Korean vessel *Man Gyong Bong-92*. These measures were largely lead by then Chief Cabinet Secretary and now Prime Minister Shinzo Abe.

A Nuclear Test by North Korea in October 2006

North Korea said that it had set off its first nuclear test, becoming the eighth country in history, and arguably the most unstable and most dangerous, to proclaim that it had joined the club of nuclear weapons states. In its official announcement on the nuclear test, North Korea said it marked a great leap forward in the building of a great, prosperous, powerful socialist nation and will contribute to defending the peace and stability on the Korean Peninsula and in the area around it.

The international community as a whole strongly criticized the test and the UN Security Council started discussion on this issue. The discussion at the Security Council found out the compromise between the United States and Japan that demanded strong and hawkish measures against North Korea and China, Russia and South Korea that opposed military sanction and stringent inspection against suspicious ships.

On October 11, the Japanese Government, prior to the adoption of a Security Council resolution, decided to take additional sanctions to North Korea, that includes the total prohibition of North Korean ships to enter into Japanese ports, the total prohibition of import from North Korea, and the total prohibition of North Korean people to enter into Japan.

On October 14, the Security Council unanimously adopted resolution 1718 (2006), under which the Security Council, acting under Chapter VII and taking measures under Article 41, condemns the nuclear test proclaimed by the DPRK on 9 October 2006 in flagrant disregard of its relevant resolutions.

Under the resolution, it was decided that all member states shall prevent the supply of

military items, freeze the funds, other financial assets and economic resources. However, in order to ensure compliance, all Members are called upon to take cooperative action including through inspection of cargo to and from the DPRK, as necessary. This measure is decided not as a legally binding one, but as a recommendation that is called upon to all member states.

On October 31, it was announced that China, the U.S. and North Korea agreed to the resumption of the Six-Party Talks.

IS JAPAN GOING TO DEVELOP NUCLEAR WEAPONS?

Policy under New Abe Administration

After five and a half tumultuous years under Prime Minister Koizumi, the new Abe Administration will in principle continue the previous Administration's policy, as Mr. Abe worked as a strong supporter and implementer of Koizumi's policy in the position of Deputy Chief Cabinet Secretary and Chief Cabinet Secretary.

Mr. Koizumi was popular because his strong going-my-way style was quite different from the previous administrations under the Liberal-Democratic Party (LDP). He succeeded in domestic policies like deregulation and economic improvement, but his foreign policy, in particular the confrontation with China and South Korea caused by his visits to Yasukuni Shrine, made this regional situation much worse.

In comparison with Mr. Koizumi, Mr. Abe seems to be softer in the attitude, but it is generally said that his political thinking is much harder and more hawkish than Mr. Koizumi. His popularity has increased partly because he took a very confrontational attitude against North Korea on the issue of abduction. He is the first Prime Minister born after the end of World War II and he is now fifty-two years old.

His whole policy is not clear yet, but he has pledged to revise Japan's pacifist Constitution. He plans to revise the U.S.-imposed Constitution, which prohibits Japan from having a full-fledged military; passing permanent legislation to allow Japanese troops to be deployed overseas, and making it possible for Japan to exercise the right to collective self-defense with the United States.

He is one of the initiators of the discussion of Japan's going nuclear that was taboo for a long time. In May 2002, Mr. Abe gave a talk at Waseda University in which he stated that the Japanese Constitution did not prohibit Japan from acquiring tactical nuclear weapons if it was for defense. This is what then Prime Minister Nobusuke Kishi, his

grandfather, talked in the late 1950s. His speech and then Chief Cabinet Secretary Mr. Fukuda's comment on it allowed following arguments for a nuclear Japan in 2003 and after.

One of the concerns on nuclear issue comes from the fact that one of Mr. Abe's security brains is a strong proponent for Japan's nuclearization. Professor Terumasa Nakanishi of Kyoto University stated in 2003; Japan must not hesitate to declare its intension of acquiring a nuclear capability if any of the following three situations becomes reality: (1) the U.S. commitment to Japan's security clearly wavers, (2) China develops a full-fledged naval capability to the high sea and establishes a regular presence around Okinawa and the Senkaku Islands, or (3) the question of North Korea's nuclear capability is allowed to remain ambiguous.²⁾

General Debate on Nuclear Weapons in Japan³⁾

Prime Minister Koizumi stated in June 2002 that his cabinet has never considered nuclear weapons and earnestly abides by the three non-nuclear principles, and then Defense Minister Shigeru Ishiba also stated "Even if North Korea has nuclear weapons, Japan will never go nuclear." Government's position under Koizumi cabinet was clear.

Proponents for a nuclear Japan include following statements:

- 1) Japan should develop nuclear forces, as being independent from the U.S.
- 2) Japan should go nuclear under U.S. approval, as it will approve.
- 3) Japan should keep the nuclear option open.
- 4) Japan should introduce U.S. nuclear weapons.

Passive opponents to a nuclear Japan include following statements:

- 1) The U.S. will never approve a nuclear Japan.
- 2) Japan needs no nuclear weapons because of the U.S. nuclear umbrella.
- 3) Nuclear weapons would be useless as deterrent against North Korea.
- 4) Japan's nuclearization would be impossible from military and strategic point of view.

Active opponents to a nuclear Japan include following statements:

- 1) Japan's nuclearization would jeopardize the U.S.-Japan relationship.

2) Terumasa Nakanishi, "Nuclear Weapons for Japan," *Japan Echo*, No.30, October 2003, pp.48-54.

3) On a more precise analysis of the issue, see, Mitsuru Kurosawa, "Moving Beyond the Debate on a Nuclear Japan," *The Nonproliferation Review*, Vo.11, No.3, Fall/Winter 2004, pp.110-137.

- 2) A nuclear Japan would endanger East Asian security.
- 3) Japan's nuclearization would lead to the collapse of the NPT.
- 4) Japan's international standing would be put at risk by nuclearization.
- 5) Japan should not develop nuclear weapons because of their absolute immorality.

Probability of Japan Going Nuclear

According to the result of recent questionnaire to the members of the Diet in June 2006, no one answered that Japan should have nuclear weapons, and 17% of them replied that we should examine the issue according to international situation. The result is almost the same as one conducted in 2003.

While some Japanese experts argue for a nuclear Japan, many experts are rather negative about the likelihood Japan will go nuclear. They cite not only the passive reasons, such as that it is not necessary or useful, but also cite the active reasons that nuclearization would detract from Japan's security. Taking all arguments above into consideration, the probability that Japan will develop a nuclear arsenal seems to be extremely low for the foreseeable future. The reasoning included in the opponents' viewpoints is very convincing, and overall analysis including traditional anti-nuclear feelings among Japanese people, Japan's national and security interests, Japan's position in the international community and technical, military and strategic difficulties leads us to conclude that a nuclear Japan is not likely.

However, there is a little concern that under the Abe Administration the tendency toward a nuclear Japan may increase because North Korea recently conducted a nuclear test. He has shown very confrontational attitude toward North Korea. If Japan feels imminent nuclear threat, the voice for nuclear weapons might increase.

In order to have nuclear weapons, Japan has to withdraw from the NPT. However, that would be extremely difficult for Japan as a responsible member of the international community.

Japan's Reaction to the Nuclear Test of North Korea

In connection with North Korean test, the domino effect to Japan, South Korea and Taiwan was feared by the international community including the New York Times and the Washington Post.

As was expected, one of the high-ranking politicians close to Prime Minister Abe, Mr. Shoichi Nakagawa who is a chairman of the LDP Policy Research Council said on October 15;

Japan needs to discuss whether it should possess nuclear weapons in response to North Korea's claimed nuclear test. I believe Japan will adhere to the three non-nuclear policies but debate over whether to go nuclear is necessary.

His opinion has flatly rejected by Prime Minister Shinzo Abe and many politicians in the LDP also criticized him. His opinion has been widely criticized by Japanese people in general and by the nuclear victims and peace movement in particular. However, Mr. Nakagawa obstinately repeated his demand for a while.

On October 18, Foreign Minister Taro Asoh also stated that the arguments on nuclear Japan were necessary though the Government abided by the three non-nuclear policies. Although Prime Minister Abe confirms that the Administration strongly supports the three non-nuclear principles, he lets Foreign Minister Asoh and Mr. Nakagawa have their own way to demand launching discussions on a nuclear Japan. That attitude would send incorrect message to the international community in general, and the U.S. and Asian states in particular.

FOUR MEASURES FOR THE SOLUTION OF NUCLEAR ISSUES

Why not Direct Negotiations between the U.S. and North Korea?

Since President Bush's inauguration in 2001, the situation of North Korea's nuclear issue has been getting worse and worse. In 2001, North Korea reportedly had plutonium enough for two nuclear bombs, and now it is believed that it has plutonium enough for 10 nuclear bombs and it keeps producing more plutonium. In the first term, President Bush was reluctant to directly deal with North Korea and in essence did nothing, partly because he was busy at Iraq war. In the second term, he paid little attention to the issue, but mainly asked China to take a lead.⁴⁾

Japan can not take a leading role in this issue because its fundamental position is to follow the U.S. and Japan sticks too much to the abduction issue. China, once played a significant role for the Six-Party Talks, is still expected to play a leading role to resolve the nuclear issue of North Korea, but China can not resolve the issue alone.

The U.S. is a very important state that has enough leverage with North Korea for its return to the Six-Party Talks. Furthermore, the U.S. is the most deeply connected with North Korea since the Korean War in the 1950s, and in nuclear issue, the U.S. is the most

4) Wade L. Huntley, "Ostrich Engagement: The Bush Administration and the North Korea Nuclear Crisis," *The Nonproliferation Review*, Vol.11, No.2, Summer 2004, pp.81-115

interested stakeholder.

For these reasons, it seems reasonable to expect that the United States take a stronger initiative for the peaceful solution of the issue, and preferably proceed to direct bilateral talks or negotiations by high-ranking officials.

Legislation of the Three Non-Nuclear Principles

Since the late 1960s, Japan abides by the three non-nuclear principles as a national fundamental doctrine. Japan will not have nuclear weapons, not produce nuclear weapons, and not permit the introduction of nuclear weapons. Support of these principles has been repeatedly expressed by successive cabinets, but they have refused to develop the doctrine into a law.

The formal response against the demand for its legislation by NGOs is that we sincerely abide by the principles as a national fundamental doctrine, and as a result it is not necessary to make a law. However, a real intent seems to keep flexibility of conduct in the future depending on a changing circumstance. Most likely is the introduction of U.S. nuclear weapons into Japanese territory during emergency, which concerns the third principle.

The first and second principles are included in the obligations under the NPT. It would strengthen the legal obligations on non-receipt and non-production of nuclear weapons if a domestic legislation is successfully adopted.

Japan has also the three principles on non-export of arms that in essence prohibits any export of arms. However, the Koizumi Administration recently eroded the principles by permitting the export of arms to the United States in the context of the joint development of missile defense.

The three non-nuclear principles, even if they are the national fundamental doctrine, could be changed by the decision of a cabinet only. In this sense, it is useful and constructive to make a law which includes the three non-nuclear principles. That would also internationally strengthen Japan's non-nuclear posture.

Establishment of a Nuclear-Weapon-Free Zone in Northeast Asia

Treaty on a nuclear-weapon-free zone in Central Asia was signed on September 8, 2006 as a first zone in the Northern hemisphere. Establishing a nuclear-weapon-free zone in Northeast Asia has been proposed by NGOs for a long time.

Professor John Endicott of Georgia Institute of Technology has been advocating establishing a limited nuclear-weapon-free zone in Northeast Asia since 1992. An original

draft outline was adopted by five experts from the U.S., Russia, China, Japan and South Korea in 1995. After the discussion among 20 to 30 experts as expanded senior panel, a draft treaty was elaborated in 2002.

The draft treaty is limited in two aspects; nuclear weapons regulated by it is limited to tactical and theater nuclear weapons excluding strategic nuclear weapons, and area covered by it is limited to a part of the territory of the U.S., Russia and China. Non-nuclear-weapon states included in it are Japan, North Korea, South Korea and Mongolia.

In Japan, a nuclear-weapon-free zone treaty was drafted by a NGO, Peace Depot in 2004. It intends to establish a zone including Japan, South Korea and North Korea, and ask the three nuclear-weapon states, that is, the U.S., Russia and China, to give the non-nuclear-weapon states in the zone negative security assurances.

The three non-nuclear principles of Japan and the Joint Declaration of the Denuclearization of Korean Peninsula of 1992 could be a base for developing the idea of a nuclear-weapon-free zone in Northeast Asia. Japanese Government is reluctant to discuss the issue as it thinks the idea premature. Although it is true that unless and until North Korea's nuclear issue is resolved by peaceful means, the idea can not be realistically discussed, it is useful to discuss and prepare a draft treaty beforehand.

Northeast Asia Security Framework Based on the Six-Party Talks

Once North Korea's nuclear issue comes to a peaceful solution, we should work for establishing a kind of framework to maintain and improve peace and security in Northeast Asia region. Compared with other regions such as Europe, American continent, or Africa, this region lacks a regional security framework. ARF (ASEAN Regional Forum) is the only such kind of framework, but it is still at a rudimentary stage.

The Six-Party Talks include three nuclear-weapon states and three non-nuclear-weapon states. When North Korea returns to the NPT as a legal non-nuclear-weapon state, it would be possible to establish a nuclear-weapon-free zone in Northeast Asia. Then the three nuclear-weapon states should give a legally binding commitment of negative security assurances, that is, assurances that they never use nuclear weapons against the three non-nuclear-weapon states.

Furthermore, a multilateral security framework consisting of the six states would significantly improve peace and stability in this region through eliminating the ruin of the Cold War.