

Korea-Japan Nuclear Weapon Free Zone (KJNWFZ) Concept Paper

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Korea-Japan Nuclear Weapon Free Zone (KJNWFZ) Concept Paper

Special Report: September 15th, 2010

By the Nautilus Institute[1]

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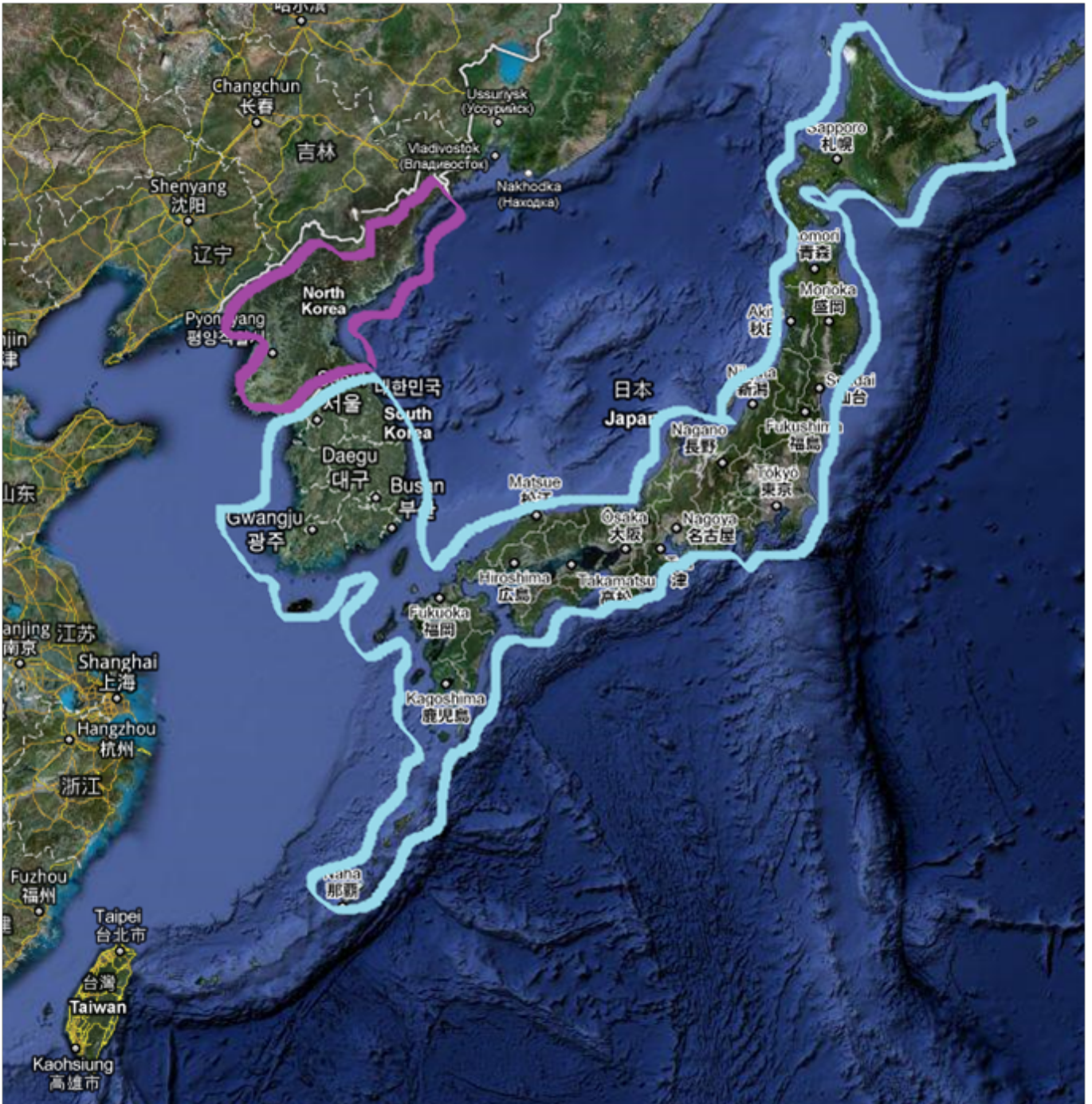
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I. SUMMARY INTRODUCTION



A Korea-Japan [2] Nuclear Weapon Free Zone (hereafter KJNWFZ) is a new concept. Once realized, it could help resolve a number of linked and intractable security issues in Northeast Asia at the same time. This includes the need to respond to North Korea's nuclear breakout without undermining the Global Abolition policy announced by President Obama; the need for Japan and Korea to deepen their non-nuclear commitments to more deeply ingrained "forever" status without hedging; and the need for Japan-Korean cooperation to lay the foundations for a comprehensive security mechanism and long-term regional security institution, including through cooperative nuclear fuel cycle and space development activities.

Section 1 of this paper outlines the core concept of a nuclear weapon free zone (NWFZ), reviews past proposals for Northeast Asia NWFZs, and delineates the minimal and region specific issues that a KJNWFZ must address. Section 2 outlines in more detail the Nautilus KJNWFZ Initiative, lists the possible costs, benefits, and risks posed by a KJNWFZ, and describes the research needed to ascertain the feasibility and desirability of a KJNWFZ. Section 3 explains why a KJNWFZ is timely and apt given the failure to stop North Korean nuclear armament and follow-on effects for US

alliances and regional security.

II. Concept Paper

1. CORE CONCEPT

The proposed KJNWFZ builds on four decades of experience in such zones. In this section, we review the core concept underlying all NWFZs. We describe prior proposals for zones in this region. Finally, we outline the key elements of the Korea-Japan NWFZ proposed in this paper, noting specific issues that must be tailored to the specific characteristics of the security situation in this region facing Japan and Korea.

1.1 Regional Nuclear Weapon Free Zones

The central idea underlying a nuclear weapon free zone is that one or more states commit to the total exclusion of any nuclear weapons from their territories. This idea was anticipated in the Nuclear Non Proliferation Treaty and was sanctioned by the UN General Assembly in 1975, [3] recognizing that new nuclear proliferation was rooted in regional conflicts.[4] Five treaty-based, full-fledged NWFZs are in force (plus a range of other treaties and national declarations banning nuclear weapons from specific territories).[5] These treaties are:

- The 1967 Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean;
- The 1985 South Pacific Nuclear-Weapon-Free Zone Treaty;
- The 1995 Southeast Asia Nuclear-Weapon-Free Zone Treaty;
- The 1996 African Nuclear-Weapon-Free Zone Treaty.
- The 2006 Central Asian Nuclear-Weapon-Free Zone Treaty;

One hundred and twelve states are party to NWFZ treaties covering a large part of the Northern and almost the entire Southern Hemisphere.[6] They are an established and legitimate instrument used by states to realize nuclear non-proliferation and disarmament policy goals. As the UN Disarmament Commission concluded in 1999, “Nuclear-weapon-free zones are an important disarmament tool which contributes to the primary objective of strengthening regional peace and security and, by extension, international peace and security. They are also considered to be important regional confidence-building measures.”[7] The International Commission on Nuclear Non-proliferation and Disarmament concurred, saying they “have made, and continue to make, a very important contribution to nuclear nonproliferation and disarmament”, and recommended both their strengthening and the establishment of new zones.[8]

These NWFZs vary substantially in relation to critical elements—for example, some NWFZs (such as the South Pacific NWFZ) do not commit Nuclear Weapons States (NWSs) party to the NWFZ to not fire nuclear weapons into or out of the zone. Most but not all (the Southeast Asia Treaty is the only exception) do not contain any enforcement mechanism should a NWS party to a NWFZ treaty transgress its zonal obligations. The South Pacific and African NWFZs, like others, prohibit not only nuclear weapons, but also disassembled or partly assembled weapons. In principle, NWFZs still permit peaceful nuclear devices and even actual peaceful nuclear explosions within a NWFZ, even though these are technically indistinguishable from nuclear weapons and nuclear tests or attacks. Only the Southeast Asian and Latin American NWFZs include marine Exclusive Economic Zones in the territory covered by the zone. The issue of transit by air or sea by nuclear capable ships or aircraft that may carry nuclear weapons remains contentious and ambiguous in all the zones.[9]



Source: <http://www.opanal.org/NWFZ/nwz.htm>

These variations are not surprising, considering the diverse historical and security situations in each region, especially the role played by NWSs and alliances, and the existence of NWSs outside of the NPT-IAEA system (Israel, Pakistan, India, North Korea).

In addition to establishing new NWFZs in conflict regions such as the Middle East—and in this case, East Asia—other “state of the art” issues for both existing and new NWFZs include: inter-zonal cooperation, the restriction or elimination of delivery systems; evolution into zones prohibiting weapons of mass destruction or “WMD-free zones” to cover chemical and biological weapons; revision of Nuclear Weapons State (NWS) reservations filed at time of signing specific NWFZs that often qualified obligations with regard to using nuclear weapons in or out of the zone; implementation of UN Security Council Resolutions on nuclear terrorism and non-state actor proliferation; and advancing peaceful nuclear fuel cycle cooperation and integration which the UN Disarmament Commission views as inherent to the concept of a treaty-based NWFZ.^[10] A Korea-Japan NWFZ must address at least some of these new issues.

1.2 East Asia Nuclear Weapon Free Zone

In East Asia, two kinds of NWFZs have been explored conceptually. The first is a nation centered approach, emanating either from non-nuclear Japan or Korea, and expanding concentrically to include the region. The second is a regional approach centered on Nuclear Weapons States that would encompass limited sections of their territory or exclude limited classes of nuclear weapons from the NWFZ (such as intermediate range nuclear weapons), and would also cover non-nuclear states such as Korea and Japan. ^[11]

In Korea, conceptual discussions of NWFZs have been limited mostly to an inter-Korean zone that revives or replaces the 1992 Joint Declaration. In Japan, the proposals have originated from a focus on overcoming the limits of Japan’s current non-nuclear principles resulting in proposed zones that cover the whole Northeast Asian region. Of these, the “3+3” regional zone covering the two Koreas and Japan plus three nuclear weapons states (the United States, Russia, and China) has gained the most traction in the region. In Korea, conceptual discussions of NWFZs have been limited mostly to an inter-Korean zone that revives or replaces the 1992 Joint Declaration. In Japan, the proposals have originated from a focus on overcoming the limits of Japan’s current non-nuclear principles resulting in proposed zones that cover the whole Northeast Asian region. Of these, the “3+3”

regional zone covering the two Koreas and Japan plus three nuclear weapons states (the United States, Russia, and China) has gained the most traction in the region. However, Japan has not supported officially a regional NWFZ in the North East Asia region although current Foreign Minister Okada reportedly favors the concept.[\[12\]](#)

All of these visionary proposals in fact face severe credibility problems that vitiate their practical political effectiveness. Proposals for a Korean Zone face a nuclear-armed DPRK which has nullified the 1992 DeNuclearization Declaration. Until the DPRK denuclearizes then a Northeast Asian zone concept such as “3+3” is blocked. Broader proposals for a Northeast Asian zone that include the territory and nuclear weapons systems of nuclear weapons states face more fundamental obstacles due to asymmetric capacities or interests across countries, dominant alliance partners that would oppose regional NWFZs, an inclination to rely on nuclear extended deterrence, and many technical obstacles to meaningful monitoring and verification for a regional zone in Northeast Asia.

1.3 Proposed Korea-Japan Nuclear Weapon Free Zone

To date, a NWFZ that covers only Japan and South Korea has not been considered.[\[13\]](#) Indeed, many Koreans and Japanese are startled when this idea is raised, so profound is their underlying assumption that animosity between the two countries precludes such cooperation on the one hand, and the related assumption that their security is assured by bilateral nuclear extended deterrence from the United States on the other. Others assume that the absence of nuclear weapons from Japan and Korea is guaranteed by Japan’s three non-nuclear principles on the one hand, and the 1992 Korean Declaration on the other.

For reasons outlined in the next section, it is now time to question these assumptions and to examine the pros and cons of a KJNWFZ in detail. Such a zone must meet the standard and conventional requirements of a treaty-based NWFZ, viz:

1. Effective prohibition of the development, manufacturing, control, possession, testing, stationing or transporting of any type of nuclear explosive device for any purpose;
2. Effective verification of compliance;
3. Clearly defined boundaries;
4. Legally binding commitments to the zone by the nuclear weapon states not to use or threaten to use nuclear weapons against the zone parties (at present, NWFZs are the only instrument that secures such legally binding guarantees, and not in the case of all the zones);
5. Legally binding commitments by nuclear weapon states party not to fire nuclear weapons from within or into the zone against third parties;[\[14\]](#)

A KJNWFZ would also need to address the following region-specific issues:

6. The need to harmonize the different philosophies and principles that exist already in Japan and Korea with regard to nuclear transit and nuclear extended deterrence;
7. The possibility of the entry of the DPRK at a later stage into the zone as a denuclearized, non-nuclear state; and the opposite possibility that the DPRK would try to co-exist as a NWS, or attempt to sign a protocol intended for a NWS;
8. Specific issues that may arise due to the impact of the zone on China’s perceived security interests and thereby on its security relationships with state parties to a KJNWFZ. Such issues might include the implicit United States shift from nuclear extended deterrence to different combinations of enhanced conventional deterrence and what is termed below “existential nuclear deterrence” in US alliance relationships with Korea and Japan, transit through exclusive economic zones, the Taiwan Straits, and theater missile defences.

Two crucial derivative issues also must be addressed to achieve the bilateral trust between

Korea and Japan needed for a bilateral zone to be feasible:

9. Restriction of nuclear-capable missile delivery systems in the Zone, how to distinguish nuclear-capable missiles from space-launch vehicles, and how to ensure Japan-Korea equality of access to civilian space-launch capacities.

10. Korea's goal of achieving full "nuclear sovereignty" on a par with Japan, and ensuring that Korea is treated equally with Japan in any divergence from full nuclear sovereignty—that is, that the zone incorporate some basis for integrated nuclear fuel cycle activity that includes enrichment and reprocessing. Should the DPRK join the Zone, then the need for regional energy security strategies to support this accession is another dimension of "nuclear sovereignty" given the likelihood that this would entail nuclear power stations in the DPRK.

Whether these issues would be included in a KJNWFZ or could be treated in separate but related agreements that support such a zone is an open but important question.

2. PROPOSED KJNWFZ INITIATIVE

2.1 What Do We Propose?

Nautilus decided in December 2010 to strive to realize the following goal: "By January 1, 2012 there will be irresistible momentum within the Japanese and Korean governments and civil society towards establishing a joint Korea-Japan nuclear weapons free zone."

To this end, we will conduct deep research on the proposed KJNWFZ to test its feasibility and desirability, to design the best possible zone that meets all security concerns, and identifies multiple pathways to arrive at the Zone. We further will convene networks of partners and diverse stakeholders to express a diversity of views on the proposed KJNWFZ. Through information services, workshops, and publicity and outreach, we will provide essential information; and via policy studies and research reports, we will create common knowledge necessary for a rigorous examination of the relative costs, benefits and risks associated with various possible KJNWFZ schemes. We will support the consideration by policy makers of the zonal concept arising from these processes in many ways, including policy briefings, parliamentary enquiries, media reports, etc.

2.2 What Are the Impact-Outcomes?

The work will be judged a substantive success to the extent that within two years, the proposed KJNWFZ will be under active consideration by key policymakers in Korea, Japan, and the United States. This may include: support by eminent persons and "champions": policy maker statements and declarations; official deliberations and senior official meetings in either official, semi-official, or private (track 1, 1.5 or 2) channels; substantial media coverage; emerging leaders from different sectors and across generations; and think-tank and commentator response in key sectors in Japan, Korea, and the United States.

2.3 What Are the Specific Benefits of a KJNWFZ?

The Zone arguably will

- Devalue North Korea's nuclear weapons, increase pressure on North Korea to disarm and dismantle its nuclear weapons, and leave the door open for a non-nuclear North Korea to join later;
- Increase the non-nuclear commitment of Japan and Korea beyond the current NPTIAEA non-nuclear weapons state status to more deeply engrained "forever" status without hedging;
- Remove the need for the United States to supply nuclear extended deterrence by replacing it with a combination of existential nuclear deterrence (that is, residual nuclear deterrence that arises from the mere existence of nuclear weapons outside the Zone), UNSC guarantees, and conventional extended deterrence;

- Push China to go beyond its no-first use policy to provide a much stronger commitment to not use nuclear weapons against Japan; and possibly to participate in strategic arms limitation talks with Russia and the United States should Japan commit to the Zone.
- Create an enduring basis for a US troop presence in Korea as a pivotal deterrent between the two Koreas, thereby enhancing Japan's security by serving as a security "fender" between China and Japan.
- Create confidence building measures between traditional antagonists—Japan and Korea—and create forms of inter-dependence that increase cooperation in areas such as the nuclear fuel cycle and access to space;
- Enable the United States to remove a major obstacle to reducing the role of nuclear weapons in international relations by creating a constructive substitute for nuclear extended deterrence, which otherwise blocks the Global Abolition agenda (whilst retaining implicit "existential nuclear deterrence" as a backdrop to the KJNWFZ).[\[15\]](#)

2.4 What Are the Possible Costs of a KJNWFZ?

The Zone could:

- Lead to a conventional arms race based on superior conventional forces;
- Lead to involvement of forces from the zone in extra-zonal conventional force deployments and interventions under US leadership, thereby making other states view them as posing potential security threats - in contrast to their previously nonthreatening status;
- Result in divisive discussions between Japan and Korea over integrated nuclear fuel cycle, nuclear manufacture and exports, and combined space access activities that could undermine rather than build trust and confidence;
- Disrupt US alliances with Japan and Korea in ways that reduce rather than enhance a constructive US presence and leadership role for security affairs in the region. Such a change might occur either if the zone creates joint Korean-Japanese security benefits that lead to a desire for less dependence on the United States, or if the zone reduces the felt need for a strong regional US security presence with respect to great power balancing, in turn converging with domestic pressures in the United States to reduce its alliance commitments. The combination of these two trends might result in a more unilateralist US role in the Western Pacific of great concern to China and other states in the region.
- Distract policymakers from other strategies to deal with North Korea and/or to activate regional security mechanisms and institutions;
- Reduce pressure on North Korea to denuclearize and not pursue Nuclear Weapons State status by distracting states from enforcing or inducing DPRK compliance with its non-nuclear obligations, or by enabling states to accommodate a de facto DPRK nuclear weapon state outside the zone;
- Provoke North Korea into more aggressive political and military use of its nuclear and other military capacities;
- Signal to Chinese security elites that the United States is recasting its leadership of the US-Japan alliance in ways that will "unleash" Japan to become more independent from the United States, and even resume old bad habits from the era of colonialism and imperialism;
- Discomfort other US allies observing the substitution of tacit existential nuclear deterrence for explicit nuclear extended deterrence.

2.5 What Are the Show-Stoppers and Show-Starters of a KJNWFZ?

The Zone could confront a variety of obstacles that make it impossible, whatever its apparent rationality. Such show-stoppers include:

- Korean and Japanese policymakers and civil society organizations are simply uninterested and do

not see nuclear weapons or such a zone as a priority;

- A powerful and concentrated interest group or stakeholder mobilizes to oppose a KJNWFZ (for example, the US 7th Fleet and Russian Far Eastern Fleet will be especially concerned about transit in and out of the Sea of Okhotsk and/or Sea of Japan/Eastern Sea that might be constrained by a stringent KJNWFZ);
- North Korea escalates its nuclear weapons activities over the next two years leading to unilateral American or joint allied military and political action to restrain its actions (for example, export of fissile material or test data);
- No integrated arrangement to achieve co-equal status with regard to the nuclear fuel cycle and/or space access can be identified or implemented that is acceptable to Korea, Japan, and the United States.

Conversely, “show-starters” may also arise. These include:

- Early support for a KJNWFZ from eminent security or political leaders in Korea, Japan, and the United States in Korea, Japan, and the United States;
- Strong support from an international agency (UNSG office, UN Office of Disarmament Affairs, for example);
- A strong showing of support for this concept at the UN NPT Review Conference or other international events;
- Early strong support from key civil society sectors such as influential think-tanks, and media analysts.
- Resumption of the Six Party Talks and immediate introduction of an expanded KJNWFZ that includes North Korea earlier than envisaged in this proposal.

2.6 What Are the First Steps?

The first steps, as detailed in Attachment 1, are to conduct rapid research on show-stoppers and starters, map the institutional terrain in Japan, Korea, and the United States, conduct geostrategic analysis of the feasibility and desirability of a KJNWFZ in the context of Northeast Asian insecurities; undertake conceptual scoping and technical design of a KJNWFZ, especially the protocols that would be presented to Nuclear Weapons States for accession; identify and incorporate specific issues for a KJNWFZ that arise in this region; and review, test, and implement a set of processes that lead to the implementation of strategies to realize the KJNWFZ, including a series of milestones for reconsideration, revision, and mid-course correction. This includes translation into Korean, Japanese and English of all key documents, including, once it is approved, this paper.

3. WHY NOW?

President Obama’s Global Abolition policy accelerates the trend toward removing the nuclear threat from international affairs. This trend includes greater self-imposed and legal constraint on nuclear weapons by nuclear weapons states, increasing effort to control nuclear proliferation by states and non-state actors, and expanding territorial exclusion of nuclear weapons—the subject of this paper.

Like Pakistan and India in South Asia, Israel and potentially Iran in the Middle East, North Korea runs contrary to this global trend. It presents a novel and unruly challenge to the nuclear status quo in the region built on a Cold War system of nuclear threat between the three nuclear weapons states in the region combined with American nuclear extended deterrence to Korea, Japan, Taiwan, and Australia.^[16] No less than four American administrations have failed to reverse North Korea’s nuclear breakout since 1991. The Six Party Talks starting in 2003 were also unable to break the US-DPRK gridlock. Thus, a longstanding and rigid regional structure built around nuclear threat has proven impotent to restrain the DPRK. Moreover, American nuclear extended deterrence may have driven rather than reduced DPRK proliferation propensity. The threat of further proliferation in the

Asia- Pacific region is real in Korea, Japan, Taiwan and Australia.

The primary American response—a recommitment to nuclear extended deterrence to reassure its allies and to deter the DPRK—accelerates rather than slows this trend.^[17] Currently, the United States is attempting to block the DPRK from becoming a full-fledged nuclear weapons state, but has no strategy to achieve this goal, nor to construct an interim multilateral security framework beyond ad hoc security and crisis management. Thus, the DPRK (along with Iran and the unacknowledged Nuclear Weapons States, Israel, India, and Pakistan) stands squarely in the way of Obama’s Nuclear Abolition policy goal by reactivating nuclear extended deterrence and thereby increasing rather than reducing further the role of nuclear weapons in international affairs.

One alternative to nuclear extended deterrence is a regional security framework to manage regional insecurities and to construct cooperative security outcomes. Some policymakers even suggested that a great power concert combined with small power coalitions would flow from the cooperative effort needed to denuclearize North Korea. A Northeast Asia Peace And Security Mechanism Working Group was established at the Six Party Talks to explore this option. Now that these talks have collapsed, the prospects for a comprehensive and inclusive regional security institution are bleak. Likewise, inter-Korean relations run hotcold, and the Korean standoff seems more irresolvable than ever.

It is timely, therefore, to examine other paths “less taken” but nonetheless conceivable in this region. Such strategies would be less ambitious than great power concerts or complex security architectures modeled after the Organization for Security and Co-operation in Europe, let alone a union such as the European Union or looser integrations existing in the Americas. A Korea-Japan Nuclear Weapon Free Zone (KJNWFZ) is one such limited but realistic possibility.

III. Citations

1 Contact Peter Hayes, peter@nautilus.org

2 Throughout this brief, Korea refers to Republic of Korea or South Korea except where specific reference is made to North Korea, by which is meant the Democratic People’s Republic of Korea.

3 According to Article VII, Nuclear Non-Proliferation Treaty, “Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories.” According to General Assembly Resolution 3472B, a NWFZ is “any zone recognized as such by the General Assembly of the United Nations, which any group of States, in the free exercises of their sovereignty, has established by virtue of a treaty or convention whereby: (a) The statute of total absence of nuclear weapons to which the zone shall be subject, including the procedure for the delimitation of the zone, is defined; (b) An international system of verification and control is established to guarantee compliance with the obligations deriving from that statute.” See UN Office of Disarmament Affairs, Establishment of the Nuclear-Weapon-Free-Zones, at: <http://www.un.org/disarmament/WMD/Nuclear/NWFZ.shtml>

4 S. Parrish and J. du Preez provide a useful account of regional conflict factors driving NWFZs in Nuclear-Weapon-Free Zones: Still a Useful Disarmament and Non-Proliferation Tool? Weapons of Mass Destruction Commission, Research Paper No.6, no date, at: <http://www.wmdcommission.org/files/No6-ParrishDuPreez-Final.pdf>

5 Mongolia's 1992 self-declared nuclear-weapon-free status has been recognized internationally through the adoption by consensus of UN General Assembly Resolution 53/77D in December 1998 on "Mongolia's international security and nuclear weapon free status". Other treaties also denuclearize geographic areas, viz: the Antarctic Treaty, the Outer Space Treaty, the Moon Agreement, and the Seabed Treaty. Arguably, the Korean Joint Denuclearization Declaration (1992) also established a NWFZ in Korea, now moribund. Thousands of cities and provinces have established local NWFZs, and even some states (e.g. New Zealand) have written their non-nuclear status into their legal system. However, these are not treaty based zones nor recognized by the UN under international treaty law. The Comprehensive Test Ban Treaty, not yet in force, will ban nuclear explosions, and prohibit and prevent any such nuclear explosion at any place under a state party's jurisdiction or control.

6 S. Duarte, "The Future of Nuclear-Weapon-Free Zones: Maintaining their Relevance and Expanding their Scope," remarks at Preparing for 2010: Striking a Balance between Nuclear Disarmament and Nuclear Nonproliferation, James Martin Center for Nonproliferation Studies, Monterey Institute of International Studies, 7 March 2008, at: http://www.un.org/disarmament/HomePage/HR/docs/2008/2008March07_Annecy.pdf

7 United Nations, "Establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned," Annex 1, Report of the Disarmament Commission, General Assembly, 54th session, Supplement No. 42 (A/54/42), United Nations, New York, 1999, p. 7, at: <http://daccess-ddsny.un.org/doc/UNDOC/GEN/N99/132/20/PDF/N9913220.pdf?OpenElement>

8 Report of the International Commission on Nuclear Non-proliferation and Disarmament, Eliminating Nuclear Threats: a Practical Agenda for Policymakers, Canberra and Tokyo, 2009), paras 16.16-16.20, and Recommendation 54.

9 For an overview of these differences, see M. Marzo, "The Denuclearization Agreements and the Future," September 2005, at: http://www.abacc.org/engl/publications_speeches/publications_articles_article.asp?artigo_id=8

10 Duarte, op cit.

11 See in particular, John Endicott, "Limited Nuclear-Weapon-Free Zones: The Time Has Come", Korean Journal of Defense Analysis, 20:1, March 2008; and Umabayashi Hiromichi, "Towards a Northeast Asia Nuclear Weapon-Free Zone", Japan Focus, August 11 2005, <http://japanfocus.org/products/topdf/1784>. These various proposals are described in Peter Hayes and Michael Hamel-Green, "The path not taken, the way still open: Denuclearizing the Korean peninsula and Northeast Asia," Austral Special Report 09-09S, 14 December 2009.

12 To date, Japan has not supported officially a regional NWFZ, and many officials reportedly oppose the concept because it might restrain the type of nuclear threat projected by the United States towards China or the DPRK. The Japanese Government appeared to support a regional nuclear weapon free zone when Prime Minister Hatoyama Yukio told the United Nations Security Council on September 24, 2009 that "The creation of a nuclear weapon free zone, when coordinated between the five nuclear-weapon States (P5) and non-nuclear-weapon States in the region would also contribute to nuclear disarmament and non-proliferation, and consequently to global and regional peace and security as stated in today's resolution." English text at: http://www.kantei.go.jp/foreign/hatoyama/statement/200909/ehat_0924b_e.html However, the official Japanese text at: <http://www.mofa.go.jp/policy/un/assembly2009/pm0924-1.html> does not

include the phrase “the region” contained in the English official text, which in English, requires a specific referent, for example, Northeast Asia. The Japanese version is consistent with a long history of generic Japanese government statements favoring NWFZs in general rather than in Northeast Asia specifically. Whether this difference was simply a translation error or was the result of official obfuscation as to Japan’s actual policy is unknown. But in response to a question in the Diet on November 2, 2009 asking why the September 24 statement did not refer specifically to the Northeast Asian region, Hatoyama stated that Japan favored denuclearization in Northeast Asia commencing with the DPRK, but did not clarify to which specific region, if any, he referred to in his September 24, 2009 statement at the UN Security Council. In reality, it is not necessary that the DPRK denuclearize before a NWFZ is established in the region, as implied by Hatoyama. The DPRK can be invited to join consultations about a Zone, but as a non-compliant, ex-NPT member state, the DPRK has forfeited its rights to enjoy the benefits of a treaty-based NWFZ. What is critical is that the states that participate in such a Zone achieve consensus; and act freely in establishing a zone. Thus, there is no reason why Japan cannot initiate a zone in the Northeast Asia region with or without the DPRK. See Annex 1, “Establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned,” United Nations, Report of the Disarmament Commission, General Assembly, 44th session, Supplement No. 42 (A/54/42), New York, 1999, pp. 7-10:

http://www.un.org/disarmament/HomePage/DisarmamentCommission/undiscom/A_CN.10_2007_WG.I_CRP.4.pdf

13 S.W. Cheon and T. Suzuki’s 2003 examination of a zone that includes the two Koreas and Japan comes closest and is extremely valuable in anticipating many issues involved in a KJNWFZ, but aims more at facilitating early entry by a denuclearized DPRK into a tripartite zone, whereas the proposal in this paper assumes the DPRK may join only later or never. See their “The Tripartite Nuclear-Weapon-Free Zone in Northeast Asia: a Long-Term Objective of the Six Party Talks,” *International Journal of Korean Studies*, 12, 2, 2003, pp. 41-68.

14 See Hayes and Hamel-Green, *op cit*, for more detail on enabling conditions.

15 Existential deterrence is a phrase coined by McGeorge Bundy during the Cold War; today it refers to the caution induced in decision makers by the mere existence of nuclear weapons, given their awesome and unique destructive potential, including annihilation of cities, countries and even the human species. This caution may arise in the states that deploy nuclear weapons, in states that are vulnerable to nuclear attack, or in third parties who might be affected politically or militarily, or by damages such as radioactive fallout or nuclear winter. It arguably exists as a backdrop to international affairs, even in cases where no nuclear weapons are deployed or targeted.

16 P. Morgan, “Retracting Nuclear Umbrellas in Northeast Asia—the Case of Korea,” forthcoming NAPSNet Policy Forum On-line.

17 See P. Hayes, “Extended Nuclear Deterrence, Global Abolition, and Korea,” *The Asia Pacific Journal*, No. 50. 2009, December 14, 2009, at: <http://japanfocus.org/-Peter-Hayes/3268>

IV. Nautilus invites your responses

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responses to: Scott@nautilus.org. Responses will be considered for redistribution to the network only if they include the author's name, affiliation, and explicit consent.

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