

Toward Missile Control and Disarmament in the Northeast Asia

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The Republic of Korea and the United States agreed October 7 this year to expand the range of the ROK's ballistic missile up to 500 miles, or about 800 kilometers, which had been being limited to be shorter than 300 kilometers under the Memorandum of Understanding (MOU) exchanged in 2001. The expanded range is enough to reach any target in DPRK and even in the northeast and southwest portions of China and Russia. At the same time, both governments agreed to equip the ROK Army with unmanned aerial vehicles, or drones, with 2.5 ton in weight and 300 miles cruising range. The biggest objective for these revisions is, according to the ROK defense officials, "to prevent North Korea's military provocations."

The DPRK, in response, criticized the revisions by ROK-U.S, as that "push the situation on the Korean Peninsula to the extreme pitch of tension and ignite a war against the DPRK any moment", warning that its army and strategic rocket force are "keeping within the scope of strike not only the bases of the puppet forces and the U.S. imperialist aggression forces' bases in the inviolable land of Korea but also Japan, Guam and the U.S. mainland" (*National Defense Commission spokesman, October 9.*)

Those moves will certainly bring about new dimensions to the "missile race" not only in Korean Peninsula but also in the whole Northeast Asia. The provocative rhetoric of the North will provide Japan of the "rationale" for accelerating the Missile Defense (MD) cooperation with the U.S. and may further stimulate the hawkish discussions to pursue the ballistic missile capabilities of its own for deterrence, which have been being prohibited since early 1970s under the "exclusively defensive posture" policy derived from Article 9 of the constitution. In turn, China, who already has various missile capabilities including those of intermediate range enough to reach ROK or Japan, may have intention to preserve or even strengthen such capabilities. Further, we should note the existence of U.S. cruise missiles, named as "Tomahawk (TLAM-C)", deployed on the nine surface ships home-ported in Yokosuka, Japan which the North Korea and China deem as the biggest conventional threat.

Thus, in working out for a concept of comprehensive security framework in this region, consideration on regional "missile control and disarmament" issue should be one of the main pillars. However there are not a few difficulties in dealing it multilaterally.

Firstly, there exists no universal legally binding regime for controlling and/or limiting missiles at the present other than Hague Code of Conduct (HCoC) against Ballistic Missile Proliferation, which entered into force in November 2002. By subscribing it, "members voluntarily commit themselves politically to provide pre-launch notifications (PLNs) on ballistic missile and space-launch vehicle launches (SLVs) and test flights. Subscribing States also commit themselves to submit an annual declaration (AD) of their country's policies on ballistic

missiles and space-launch vehicles.” (*Website. www.hcoc.at/*). The HCoC also requests the signatories “To exercise maximum possible restraint in the development, testing and deployment of Ballistic Missiles capable of delivering weapons of mass destruction, including, where possible, to reduce national holdings of such missiles, in the interest of global and regional peace and security.” (3. (c)). As of November 2012, there are 134 signatories in the HCoC. Among them are the four Six Party Talk members, namely the U. S., Japan, Russia and the ROK while China and the DPRK still reserve the subscription.

The second difficulty in dealing with missile control and disarmament is the “dual-use” characteristics of the space launching vehicles (SLVs) related technologies, i.e. the technologies used in satellite launch for peaceful purpose and those of missiles as weapon systems, including delivering of the weapons of mass destruction, are essentially the same.

Ever since the 1998 launch of the SLV, or “Taepodong-1” in the western states’ term, the DPRK has been insisting that purpose of launches have been bringing non-military satellites into the orbit and have no relation to the development of delivery vehicles for WMDs. On the last unsuccessful launch of “earth observation satellite” in April 13, 2012, the DPRK voluntarily provided pre-notification (PLN) to the International Maritime Organization (IMO) and invited foreign experts and media to the launch site.

The UN Security Council, despite such measures taken by the DPRK, issued the Presidential Statement (S/PRST/2012/13) which “strongly condemn” the launch underscoring it “as well as any launch that uses ballistic missile technology, even if characterized as a satellite launch or space launch vehicle, is a serious violation of Security Council resolutions 1718 (2006) and 1874 (2009).” The DPRK in response issued the Foreign Ministry Statement on April 17 to “resolutely and totally reject the unreasonable behavior of the UNSC to violate the DPRK's legitimate right to launch satellites.” and declared it “will continue exercising the independent right to use space recognized by the universally accepted international laws which are above the UNSC resolutions.”

On the base of these developments, in discussing possible steps toward a missile control and disarmament in the Northeast Asia, several provisions of the HCoC should be taken into consideration while expanding the subject to include not only ballistic missiles but also cruise missiles. The preliminary stage may include:

- * Subscription by China and DPRK to the HCoC.
- * Mutual and indiscriminate acknowledgement of right of launching SLVs for peaceful purposes.
- * Preparation of the permanent regional subsidiary body for promoting the openness and confidence through information exchange and mutual site visits, etc.
- * Joint research and development on technological measures for verification, especially for distinguishing “peaceful” and “offensive” characteristics of the SLVs in problem.
- * Possible criteria for control and disarmament for either ballistic or cruise missiles (including “drones”).

In this course, Japan could play important roles as a non-possessor of the ballistic missiles with advanced space technologies. Anyway, it is essential for all relevant states to address in cool manner the scheduled launch by the DPRK in middle December.