

A nuclear free world and nuclear policy in Northeast Asia: Issues and roles for parliamentarians

Paper for the Conference

Denuclearization of Northeast Asia and of the World

Tokyo, September 14-16, 2014

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On 5 April 2009, President Obama announced in Prague a vision and commitment to seek a world without nuclear weapons. It was this vision and commitment, primarily, that earned Obama the Nobel Peace prize.

Five years later, are we any closer to a nuclear-weapons-free world? Is such a world indeed possible? Or was President Obama's vision merely an attention-catching pipe-dream? And what part in either the obstacles or solutions to a nuclear-weapons-free world are being played out now in North-East Asia?

Indeed, Obama has faced considerable hurdles and set-backs in implementing the vision to-date. He was able to negotiate a reduction in nuclear stockpiles with Russia, but the price tag Republicans demanded for ratifying new START Treaty was an extra \$14 billion annually (on top of the annual nuclear weapons budget of \$56 billion) to be spent on modernizing the U.S. nuclear weapons complex – something seemingly at odds with the commitment for nuclear disarmament.

In addition, President Obama has been unable to persuade the US Congress to ratify the Comprehensive Nuclear Test Ban Treaty, and the war-clouds over Ukraine render nuclear disarmament negotiations with Russia very unlikely in the near future. On the multilateral front, negotiations on next steps such as a treaty on fissile materials have been blocked for nearly two decades in the Conference on Disarmament, and there has been little progress in addressing the regional nuclear threats in the Middle East or the nuclear weapons and missile program of the Democratic Peoples' Republic of Korea.

¹ The views expressed in this paper are those of the author and do not necessarily reflect the views of all PNND members

Yet, in spite of this, there is some optimism for progress on nuclear disarmament. A new wave of action around the humanitarian consequences dimension of nuclear weapons is emerging. The UN Open Ended Working Group bridged some of the divides between non-nuclear States and the allies under extended nuclear deterrence relations. Parliamentarians globally have become more active through the Inter Parliamentary Union – which comprises 164 parliaments, including those of most of the nuclear-armed States. And the diplomatic approach to resolving the nuclear issues with Iran is progressing.

There are also possibilities that President Obama, no longer shackled by the need of a first-term President to focus on re-election, could use this freedom to take additional bold steps to advance the vision he put forward in 2009. Indeed, his appointment of Chuck Hagel as Secretary of Defence, signaled a nod towards the nuclear disarmament plan of Global Zero, for which Hagel was a member. The Global Zero plan calls for phased reductions in nuclear stockpiles, combined with verification and confidence-building measures, culminating in a nuclear-weapons-free world by 2030.ⁱ

The Global Zero plan is also gaining attention and support around the world. In January 2013 nearly 390 Members of the European Parliament – over half of the parliament - signed a declaration jointly organised by Global Zero and (PNND) supporting the Global Zero plan.ⁱⁱ

In February this year, Senator Ed Markey, Co-President of Parliamentarians for Nuclear Nonproliferation and Disarmament (PNND), submitted the SANE (Sensible Approach to Nuclear Expenditure) Act to the U.S. Senate and Congressman which proposes significant cuts in nuclear stockpiles and spending, based on the Global Zero plan, in order to help stimulate the economy and support environmentally sustainable enterprises.

Nina Tannenwald argues that there has now developed a ‘taboo’ on the use of nuclear weapons that could help pave the way to nuclear disarmament.ⁱⁱⁱ Indeed, this taboo was partially recognized by President Obama in the nuclear posture review (where he affirmed the practice of the non-use of nuclear weapons), was reinforced by statements of the Nuclear Non-Proliferation and Disarmament Initiative on the practice of non, and is being further strengthened by the humanitarian consequences dimension including the acceptance by States Parties to the NPT in 2010 that any use of nuclear weapons would cause catastrophic humanitarian consequences.

However, only limited progress toward a nuclear-weapon-free world will be possible while nuclear-weapon-States and their allies continue to rely on nuclear deterrence for their security. This is why the resolution adopted by consensus at the Inter Parliamentary Union Assembly in March this year is very significant – particularly the agreement by the member parliaments to “*work with their governments on eliminating the role of nuclear weapons in security doctrines*”, and to “*urge their governments to start negotiations on a nuclear weapons convention or package of agreements to achieve a nuclear-weapon-free world.*”^{iv}

Progress will require governments to give greater priority to the goal of a nuclear-weapon-free world. Thus, PNND has called on governments to initiate a high-level process for nuclear disarmament similar to the Nuclear Security Summits initiated by President Obama.^v The decision by the United Nations General Assembly to hold a high-level meeting on nuclear disarmament last year, and to hold a high-level conference prior to 2018 is a start. So too is the establishment by the UN General Assembly of the International Day for the Total Elimination of Nuclear Weapons to be commemorated annually on September 26.^{vi}

Reducing and eliminating the role of nuclear weapons in regional alliances and security environments will assist global efforts for nuclear disarmament.

North East Asia is critical in this equation for a number of reasons.

Firstly, the United States is committed to defending Japan and the Republic of Korea, including through nuclear deterrence. If there is a perception that the US requires a number of readily available nuclear weapons specifically for the NE Asian region – including for a possible first-use against the DPRK, then this will hamper efforts by President Obama to reduce nuclear stockpiles and lower the role of nuclear weapons. On the other hand, if it is perceived that the US can adequately protect Japan and the ROK focusing more on a mix of political approaches and conventional weapons systems (including anti-missile defenses), then President Obama is freer to advance significant nuclear weapons cuts.

This was demonstrated during the development of the US Nuclear Posture Review in 2008-2009. Some US Republicans and a few Japanese voices warned that any significant reduction in nuclear stockpiles coupled with the proposed decommissioning of the US Tomahawk cruise missiles, would leave Japan vulnerable and could lead to them developing their own nuclear bomb. However, the majority view from Japan – as indicated, for example, in a letter to President Obama from 204 Japanese parliamentarians from across the political spectrum^{vii}, was that Japan could be adequately protected – and in fact would support - a less provocative US nuclear posture involving reductions in stockpiles and a move to *sole purpose for nuclear weapons*, i.e. that the only role for nuclear weapons should be to deter other nuclear weapons. This was thus reflected in the final 2009 Nuclear Posture Review, under which President Obama agreed to the decommissioning of the Tomahawk cruise missiles, lowering the role of nuclear weapons to 'primary purpose' to deter other nuclear weapons (with a commitment to move to sole purpose) and emphasizing non-nuclear approaches to strengthening the security of allies.

A second reason that North East Asia is critical in the equation is the challenge the nuclear weapons program of the DPRK puts to the current nuclear non-proliferation regime. The fact that the DPRK has managed to develop a nuclear weapons program despite almost universal opposition and UN Security Council imposed sanctions and controls on technology assistance, indicates the near impossibility of preventing a country going nuclear if they decide it's in their national interests – at least under the current global regime which does not prohibit nuclear weapons outright nor place comprehensive controls on all nuclear facilities.

A strategy to address such nuclear threats in the North-East Asian region can be found in the proposal for a North-East Asian nuclear weapon-free zone (NWFZ). A draft treaty was released in 2008 by PNND Member Katsuya Okada, at that time the Chair of the Democratic Party of Japan's Parliamentary Disarmament Group. It has been the subject of a number of academic and parliamentary meetings in Japan and South Korea since then.

Based on a '3+3 formula'^{viii}, the draft treaty proposes that North Korea give up its nuclear weapons and become subject to verification, but not unilaterally. Under the treaty the other five nations; South Korea, Japan, Russia, China; and the United States, would also have to decrease the role of nuclear weapons in their security doctrines:

- Japan and South Korea would commit to not allowing nuclear weapons on their territories and to not threatening North Korea with nuclear weapons being used by the U.S. in their 'defence'
- The U.S., China and Russia would commit to not deploying nuclear weapons on the territories of Japan, South Korea or North Korea
- The U.S., China and Russia would commit to not using or threatening to use nuclear weapons against Japan, South Korea or North Korea.

The proposal provides a 'win/win/win/win' approach to enhance the security of all States in the region. North Korea would receive binding guarantees, particularly by the United States, that nuclear weapons will not be used against them. Japan and South Korea would receive binding guarantees, particularly by China and Russia, that nuclear weapons will not be used against them. The proposal thus provides a realistic approach to persuading North Korea to give up its nuclear weapons capability. Tensions between China, Russia and the U.S. would be reduced through decreasing the role of nuclear weapons in their doctrines. Furthermore regional tensions regarding the islands in the South and East China Seas would be reduced, as the possible threat from nuclear weapons would be taken off the table.^{ix}

The proposal draws from other nuclear weapon-free zones established in Antarctica, Latin America and the Caribbean, the South Pacific, South-East Asia, Africa and Central Asia. It is nonetheless uniquely designed to address the specific security environment in North-East Asia.

Already the proposal has received considerable political and civil society support. 93 parliamentarians from Japan and South Korea have endorsed a *Joint Statement by Parliamentarians of Japan and the Republic of Korea on Denuclearization of Northeast Asia*, which supports the establishment of a North-East Asian NWFZ. Endorsers include former foreign ministers and other high-level parliamentarians from both government and opposition parties.^x In Japan, mayors and other heads of over 400 local authorities have supported a statement to create a nuclear weapon-free zone in North-East Asia.^{xi}

NWFZs are part of a process of phasing out the reliance on nuclear deterrence globally. At the global level, one of the most important conceptual and political developments has been the release in 2008, by UN Secretary-General Ban Ki-moon of a Five-Point Proposal for nuclear disarmament.^{xii} This envisions achieving a nuclear-weapons-free world through a global nuclear abolition treaty to be negotiated concurrently with interim measures including nuclear stockpile reductions, establishing additional nuclear-weapons-free zones, strengthening controls on nuclear materials, providing non-nuclear security assurances, and making progress on complementary disarmament issues including on other weapons of mass destruction, missile control and conventional disarmament.

The UN Secretary General's proposal has been supported worldwide, including by unanimous resolutions of the Inter-Parliamentary Union in 2009 and 2014.

Recognising the vital role of parliamentarians in implementing the political aspiration and legal obligation to achieve a nuclear-weapons-free world, the UNSG sent a letter to every parliament in February 2010 in which he noted that:

Parliamentarians and parliaments play a key role in the success of disarmament and non-proliferation efforts. Parliaments support the implementation of treaties and global agreements contributing to the rule of law and promoting adherence to commitments. They adopt legislation that increases transparency and accountability, thus building trust, facilitating verification and creating conditions that are conducive to the further pursuit of disarmament. At a time when the international community is facing unprecedented global challenges, parliamentarians can take on leading roles in ensuring sustainable global security, while reducing the diversion of precious resources from human needs. As parliaments set the fiscal priorities for their respective countries, they can determine how much to invest in the pursuit of peace and cooperative security. Towards this end, parliaments can establish the institutional infrastructures to support the development of necessary practical measures. I would therefore like to take this opportunity to encourage all parliamentarians to join in efforts to achieve a nuclear-weapon-free world... ^{xiii}

This inspired numerous parliaments to adopt resolutions supporting the UNSG's plan. These resolutions, along with a global parliamentary declaration supporting a nuclear weapons convention, were presented to the UNSG and the States Parties to the NPT in May 2010. This may have been influential in moving the States Parties to agree that:

"All States need to make special efforts to establish the necessary framework to achieve and maintain a world without nuclear weapons. The Conference notes the Five-Point Proposal for Nuclear Disarmament of the Secretary-General of the United Nations, which proposes inter alia the consideration of negotiations on a nuclear weapons convention or a framework of separate mutually reinforcing instruments backed by a strong system of verification";

The IPU followed up its 2009 resolution by developing a *Handbook for Parliamentarians on Supporting Nuclear Non-Proliferation and Disarmament*,^{xiv} which was launched in October 2012 and circulated to every parliament in the world, as well as to the United Nations representatives of every country in New York and Geneva. The handbook provides an update on key nuclear nonproliferation and disarmament issues, underscores the important role that parliamentarians play in the achievement of nuclear non-proliferation and disarmament commitments, gives examples of effective parliamentary action in a range of countries (nuclear-armed States, non-nuclear States and allies of nuclear weapon States) and provides recommendations for additional parliamentary action.

In 2009, PNND held a conference on the margins of the UN in New York on how to implement the UNSG's Five-Point Proposal. A number of leading PNND members from countries under extended nuclear deterrence, including Japan and the Republic of Korea, used the occasion to release a paper discussing other approaches for phasing out nuclear deterrence.^{xv}

They argued firstly that the key security issues in the 21st Century are non-military threats which require international collaborative and non-military responses. These security threats include climate change, poverty, the spread of diseases, resource depletion and financial crises. The provocative approach of nuclear deterrence prevents rather than assists the global collaboration required to meet these security issues.

Secondly, the military threats that continue to exist can be better met by non-nuclear means. Nuclear weapons have no role in civil wars. Nor can nuclear weapons deter terrorists. International aggression is better prevented and responded to by collective action under United

Nations authorization rather than by the threat or use of nuclear weapons. And the threat of a nuclear attack by a rogue state is also best addressed by either UN collective response, or if necessary by conventional military force.

Thirdly, regional security is better met by security mechanisms and mutually-beneficial economic and trade relationships rather than nuclear deterrence. International security mechanisms include the United Nations Security Council, International Court of Justice, International Criminal Court and various arms control and disarmament treaties. Regional security mechanisms in Europe, for example, include the European Union, Organisation for Security and Cooperation in Europe, Conventional Forces in Europe Treaty, and the NATO partnership program.

In short, there is now sufficient rationale, political support and diplomatic opportunities for regional and global nuclear disarmament initiatives to be negotiated, including a North-East Asian NWFZ and a global treaty or package of agreements to achieve a nuclear-weapons-free world. It is the role of parliamentarians – working in conjunction with civil society – to ensure that political leaders take up this call and dedicate their countries to the task.

ⁱ See Global Zero Action Plan at www.globalzero.org/get-the-facts/GZAP

ⁱⁱ See 389 Members of European Parliament support Global Zero declaration, at www.baselpeaceoffice.org/article/389-members-european-parliament-support-global-zero-declaration

ⁱⁱⁱ The Nuclear Taboo: The United States and the Non-Use of Nuclear Weapons Since 1945, Nina Tannenwald, Cambridge University Press, Dec 20, 2007

^{iv} *Toward a Nuclear Weapon Free World: The Contribution of Parliaments*, resolution adopted by the 130th Inter Parliamentary Union Assembly on March 20, 2014. At www.ipu.org/conf-e/130/Res-1.htm

^v See Parliamentarians call on Nuclear Security Summit process for nuclear abolition, at www.pnnd.org/article/parliamentarians-call-nuclear-security-summit-process-nuclear-abolition.

^{vi} *UN General Assembly resolution 68/32*. See Sep 26: International Day for Total Elimination of Nuclear Weapons at www.unfoldzero.org

^{vii} See 204 Japanese parliamentarians deliver letter calling on President Obama to reduce the role of nuclear weapons, Hiroshima Peace Media, 23 February 2010. www.hiroshimapeacemedia.jp/?p=14961

^{viii} The 3+3 formula would involve three intra-zonal States (Japan, South Korea and North Korea), and three ‘neighbouring’ nuclear weapon-States (China, Russia and the United States). The ratification of all six States would be required for the treaty to enter-into-force.

^{ix} As such there is some talk about also inviting Taiwan to join a North-East Asian nuclear weapon-free zone. However, the complications regarding the status of Taiwan might preclude this. China might not be agreeable to Taiwan joining the treaty as a State. Taiwan and the U.S. might be hesitant for Taiwan to join the treaty in any other status.

^x “NE Asia NWFZ – moving toward sustainable regional security”, *PNND Update*, 32 (April 2012). <http://www.gsintstitute.org/pnnd/updates/32.html#13>.

^{xi} “The heads of more than 400 local authorities express support for a Northeast Asia Nuclear-Weapon-Free Zone”, *Peace Depot*, August 13, 2012.

^{xii} See Secretary-General's Five Point Proposal, www.un.org/en/events/peaceday/2009/sgproposal.shtml

^{xiii} See, UN Secretary-General's letter to all parliaments on the topic of nuclear non-proliferation and disarmament, http://archive.pnnd.org/docs/UNSG_Eng.pdf

^{xiv} IPU/PNND Handbook: Supporting Nuclear Non-proliferation and Disarmament, at www.pnnd.org/resources/ipu-pnnd-handbook

^{xv} Implementing the vision – time to close the nuclear umbrella, at http://archive.pnnd.org/pubs/10_12_09_Implementing.pdf