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## Three Principles on Arms Exports Need to be Revised

By **TAKAMINE Koushu**

A set of proposals to revise Japan's National Defense Program Guidelines drafted by the subcommittee on the national defense division of the Liberal Democratic Party (LDP) was approved on 9 June. The Subcommittee presented many highly suggestive ideas for future Japan's defense policy, of which "to relax the Three Principles on Arms Exports" is one. The Three Principles on Arms Exports have its root in a statement made by then Prime Minister Sato Eisaku at the Committee on Audit in the House of Representatives on April 21, 1967. The principles originally prohibited the export of weapons to (1) communist states, (2) nations subject to an arms embargo under U.N. resolutions, and (3) nations involved in, or likely to be involved in international armed conflict. In essence, these principles by themselves stood to reason.

However, the character of these principles was distorted by then Prime Minister Miki Takeo, who made an additional statement at the Budget Committee in the House of Representatives on 27 February in 1976, in which he added three items to the Three Principles: (1) to prohibit export of weapons to countries or regions applicable to the Three Principles on Arms Exports, (2) in accord with the pacifist spirit of Japan's Constitution and Foreign Exchange and Foreign Trade Control Act, to refrain from exporting weapons to other areas than are applicable to the Three Principles on Arms Exports, and (3) to treat arms-production-related equipment as arms themselves, when it is claimed to be article of export. Hence, the Three Principles on Arms Exports virtually became "Principles of Non-Export of Arms."

Former Prime Minister Miki was heavily inclined toward the peace mongering left-wing faction in post-war Japan, and must be entirely accused of having seriously skewed Japan's defense policy by distorting the Three Principles as well as setting the defense budget-to-GNP ratio down to one percent. Subsequently on January 14, 1983, Gotoda Masaharu, then Chief Cabinet Secretary of Nakasone administration, announced that Japan should exempt provision of arms-related technologies to the U.S., thereby relaxing the Three Principles solely to the U.S. Although, the Three Principles were further relaxed in 2005, when U.S-Japan joint development of the missile defense system (BMD)

was initiated, they basically remain valid and binding.

The current interpretation of the Three Principles on Arms Exports leads to two major disadvantages. One disadvantage is that Japan cannot take part in any joint development of weapons that involves a country other than the U.S. For example, Japan could not be involved in joint development of next-generation anti-ballistic missile defense systems such as Medium Extended Air Defense System (MEADS), or in the joint development of next-generation (FX) fighters such as F-35 stealth fighter. Apparently, the current interpretation of the Three Principles on Arms Exports runs counter to a worldwide trend to conduct joint development of weapons that requires substantial budget and cutting-edge technology. Besides, if a country does not take part in development of weapons and only purchases finished products, it will for sure fall behind in introducing the weapons and will have to shoulder extra expenses for them.

The other disadvantage is that Japan's defense industry should slip into decline. Defense industry caters to its own government or foreign governments, but is not always profitable when it solely relies on business with its own government. Besides, the financial health of Japan's defense industry has severely damaged as the national defense spending has been curtailed. And the ban on export of arms overseas should no doubt exacerbate the situation. Retention of essential technology and maintenance of domestic production bases of arms are fundamentals for national defense. In order to nurture defense industry in Japan, excessive reliance upon the U.S. should be avoided.

The proposals submitted by the subcommittee on the national defense division of LDP include lifting the ban on joint R&D of arms-related equipment with countries other than the U.S., and applying the ban on export of weapons only to state sponsors of terrorism, countries with insufficient foreign trade control, nations subject to an arms embargo under U.N. resolutions and nations involved in international armed conflict. In other words, these proposals seek to withdraw the inappropriate interpretation of the Three Principles on Arms Exports by former Prime Minister Miki and return to the starting line drawn by former Prime Minister Sato. With the dissolution of "the communist bloc," "state sponsors of terrorism" are included instead. The proposals should be considered all reasonable and be put into practice by all means.

Furthermore, as the Three Principles on Arms Exports has been so abused as to create a "dark period " of Japan's post-war defense policy, I would like to propose that

the Three Principles should now be renamed and updated. I think they should be developed into something like "guideline for arms export and development," which takes into account the proposals submitted by the subcommittee on the national defense division of LDP as well as the necessity, as mentioned above, to foster multi-national joint development of weapons, or to protect and nurture Japan's defense industry. While the Three Principles on Arms Exports were negative principles, we should turn them into more positive ones that are contributive to Japan's national defense policy.

**(This is the English Translation of an article written by TAKAMINE Koushu, Fellow, The Okazaki Institute, which originally appeared on the BBS "Hyakka-Seiho" of JFIR on June 15, 2009.)**