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The Covert Expansion of the US-Japan Security Treaty: Missile Defence Response to the July 5, 2006 North Korean Missile Test by US Naval Vessels Home-Ported at Yokosuka

Umebayashi Hiromichi

Translated and introduced by Richard Tanter

Umebayashi Hiromichi: Missile defense, peace research and the rule of law in Japan

Introduction

For many years Umebayashi Hiromichi from Peace Depot in Yokohama has been prominent in both the use of the US Freedom of Information Act as a research tool and the analysis of United States and Japanese missile defence policy and operations in East Asia. In 2006 Umebayashi published a major study of US naval operations testing capacity to detect and track North Korean missile launches in the Sea of Japan.[1] That research was based on a careful scrutiny of US Navy ship decklogs and command histories, available at the US Naval History Center in Washington.

For researchers on missile defense, the most important finding of the 2006 study was that Umebayashi demonstrated for the first time that the US Navy had established a Ballistic Missile Defense Operations Area (BMD Op Area or BMD Station), 190 kilometers west of the Japanese island of Okushiri, off the southwest coast of Hokkaido, within which the US Navy carried out intensive on-station surveillance and tracking activities.

But for those concerned about the political and strategic consequences of US and Japanese missile defense activities, Umebayashi's most important finding in 2006 was the fact that these US missile defense operations were being carried out by US Navy ships based at Yokosuka. Since the primary purpose of these missile defense operations was the defense of the US homeland, these operations were in violation of the US-Japan Mutual Security Treaty, which limits US operations in Japan to the defense of Japan and the maintenance of peace and security in the Far East. The extension of the Treaty is thus part of the global expansion of the US-Japan security relationship as illustrated by the dispatch of Japan's MSDF to the Persian Gulf and SDF troops to Iraq.

Umebayashi's recent Nautilus Institute Special Report consolidates and confirms the previous research, and deepens both his analytical findings and his political concerns.[2] The 2007 missile defense study focuses on the period leading up to and immediately following the July 5, 2006 North Korean missile tests. Within a few hours on that night, North Korea launched a series of missiles, including a longrange Taepodong II, over the Sea of Japan. Again using ship decklogs and command histories, Umebayashi demonstrated that three US Navy Aegis-class destroyers were on station in the Sea of Japan and the Pacific coast of Honshu in preparation for the launch, and returned to their homeport of Yokosuka immediately afterward.

Through meticulous tracking of the ships' positions over a period of weeks Umebayashi demonstrates that the Navy has now established two Ballistic Missile Defence Operational Areas in the Sea of Japan and in the Pacific Ocean. These operational areas are located on an almost direct line with the US X-Band radar facility deployed at the Shariki Communications Base. The Sea of Japan BMD Operational Area is approximately 285 km west of the Matsumae Peninsula in Hokkaido, and the Pacific BMD Operational Area is about 270 km east of Kujikaigan in Iwate Prefecture. These BMD Operational Areas and the Shariki ground radar site lie beneath great circle missile route to Honolulu from the North Korean launch site at Musudanri.

Politically the 2007 study provides further cause for concern in Japan. Later in 2006 the Aegis-equipped missile cruiser USS Shiloh, with upgraded missile interception capacities, was deployed from Yokosuka to a station in the Sea of Japan. Both the July surveillance and tracking testing operations and the subsequent interceptor deployment were primarily intended for the defense of the United States homeland. Any benefits for Japan and "the security of the Far East" were, in Umebayashi's view, secondary and contingent.

More importantly, Umebayashi is concerned with a persisting democratic deficit in Japanese politics: the state's ambivalent and inconsistent attitude to the rule of law in relation to the US alliance:

"There is in fact a recurring problem of the Japanese government failing to prevent, and indeed, permitting the US military in Japan violate the provisions of the Japan-US Mutual Security Treaty, specifically Article 5 (the defense of the Japanese mainland/proper) and Article 6 (the Far East clause).[3] There has been a serious issue of US bases in Japan being developed into frontline bases and supply bases for Afghanistan, Iraq, and the Persian Gulf.

"This time the situation is different. The use of US bases in Japan directly for the defense of the United States proper is something quite new. Strict rule of law must be followed in relation to the military, and particularly in case of a foreign military using the territory of an independent state. This is the foundation of civilian control."

Umebayashi Hiromichi is a rare bird in many respects. Almost alone amongst Japanese peace and security analysts, Umebayashi carries out significant original research on missile defense, one of the key issues in the current wave of Japanese militarisation and alliance cooperation. More importantly, and again, almost uniquely amongst Japanese researchers, he demonstrates the enormous importance of comprehending the political consequences of military technology and force structure, and the necessity of fine-grained empirical work to reveal the workings of the US and Japanese military. Finally, Umebayashi, as an avowed peace researcher, continues to demonstrate, despite the doubts of many who have never tried, that even in times of increasing official restrictiveness it is possible for critics of the military system to utilize tools such as the US Freedom of Information Act to produce significant and politically relevant research results.

[1] See Umebayashi Hiromichi, (translated by Richard Tanter) US Navy Set Missile Defence Operations Area in the Sea of Japan 190 Kilometres West of Okushiri: Japan as a Base for the Defense of the US Homeland, NAPSNet Special Report 06-42A May 30th, 2006 . See also Umebayashi Hiromichi, Japan as a Base for the Defense of the US homeland: US Navy Missile Defense Operations in the Sea of Japan", NAPSNet Policy Forum 06-43A May 30th, 2006.

[2] Umebayashi Hiromichi, (translated by Richard Tanter), "Missile Defence Response to the July 5, 2006 North Korean Missile Test By US Naval Vessels Home-Ported At Yokosuka", Special Report 07-054A, Nautilus Institute, July 24th, 2007.
[3] Treaty Of Mutual Cooperation And Security Between Japan And The United States Of America, Article V: "Each Party recognizes that an armed attack against either Party in the territories under the administration of Japan would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional provisions and processes." Article VI: "For the purpose of contributing to the security of Japan and the maintenance of international peace and security in the Far East, the United States of America is granted the use by its land, air and naval forces of facilities and areas in Japan." Richard Tanter

Summary
For many years, Peace Depot has studied US Navy internal documents, and over the past year, one research theme has been the activities of Aegis-equipped ships based in Yokosuka engaged in missile defence duties.[1] This analysis of the activities of the US Seventh Fleet around the time of the July 5, 2006 North Korean missile tests is part of this work. This study draws together the results of analysis of the US Navy command histories and deck logs.

The command histories, together with the Congressional testimony of the head of the US Missile Defence Agency, demonstrate that US Navy Aegis-equipped ship patrols in the Sea of Japan after October 1, 2004 are a part of US national missile defence operations that assume the possibility of a North Korean missile attack on the American mainland — specifically long range surveillance and tracking of missiles. These records clearly show that the USS Curtis Wilbur and the USS Fitzgerald were the first and second ships respectively designated with this duty. For the first time, the command histories clearly specify the purpose of these patrols.

The results of the survey of the deck logs of the three Aegis-equipped ships home-ported at Yokosuka — the Curtis Wilbur, the Fitzgerald and the John S. McCain (hereafter, McCain) — clearly show that the three ships were engaged in duties related to the July 5th North Korean missile tests. The records also demonstrate that for the first time the US navy established Ballistic Missile Defence Operational Areas in both the Sea of Japan and the Pacific Ocean. These operational areas are located on an almost direct line with the US X-Band radar facility deployed at the Shariki Communications Base. The Sea of Japan BMD Operational Area is approximately 285 km west of the Matsumae Peninsula in Hokkaido, and the Pacific BMD Operational Area is about 270 km east of Kujikaigan in Iwate Prefecture. The Aegis ships were on standby in two extremely small maritime zones about 30 kilometers across. Although the ships were on station for about three weeks, they headed for their homeport the night after the launch, their launch monitoring duty finished. So for the first time the location and duration of BMD duty of these Aegis-equipped vessels has been clearly identified in this study from US naval records.

This decklog data corroborates the evidence from Congressional testimony and from the command histories that the purpose of these interconnected BMD missions across the northern tip of Honshu is for the missile defence of the United States proper. The specific formation of this deployment is consistent with an assumption by the US military of a possible North Korean targeting of Hawaii with a Taepodong-2 missile.

These operations by US naval vessels homeported in Yokosuka tasked with ballistic missile defence of the US itself is an absolutely new development, one not provided for under the Japan-USA Mutual Security Treaty. This matter must be fully discussed from the point of view of control of military activities by law in both the international and national spheres.

Umebayashi Report

Find a succinct version of the report here.

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