

〈研究覚書〉

アジア太平洋地域の安全保障と六ヶ国 多国間交渉〔I〕 (2002年～2006年12月8日迄)

The Asia Pacific Region's Security & the Six-Nation Multilateral Negotiations〔I〕 (from 2002 to Dec. 8, 2006)

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Abstract

2006年7月4日、北朝鮮が七発のミサイルを発射した。国連安全保障理事会が北朝鮮非難決議を採択。三ヵ月後の2006年10月3日、北朝鮮は核実験を予告し、10月9日に地下核実験を実施したと発表した。その後、再度、国連の安全保障理事会が開催され核実験非難決議履行を採択(朝日、読売、毎日、北海道新聞各紙)。北朝鮮は挑戦的な姿勢をくずさず、北朝鮮の政権に対して圧力を増大させることは戦争行為であることを主張した。北朝鮮を除く六ヶ国協議参加国も電話で対応を協議した。北朝鮮の核問題をめぐっての多国間交渉は、崩壊の危機に直面しアジア太平洋地域の安全保障を揺さぶる事態となった。多国間交渉の六ヶ国協議の核心は、元米国務長官であったヘンリー・キッシンジャーも指摘するように米朝の交渉担当者が交渉するか否かにあるのではない。特に米国政府の意向が成果を左右するような問題に対しては、米国は平壤との二国間交渉を進展すべきである。また、ジョエル・S.ウィッツなどのように、多国間交渉と二国間交渉を織り交ぜ、CTR (Cooperative Threat Reduction) 方式の紛争解決法を見出すべきという意見を持つ国際問題の研究者も存在する。いずれにしても、多くの課題が多々残されてはいるが、優先すべきは2005年9月の共同声明に原則が盛り込まれた双方の行動に関しての時期と交渉の内容を具体的に書き出し、それとともに北朝鮮による核兵器放棄のタイムテーブルと安全保障と一体となった経済支援計画を形にすべきであろう。以下では、2002年から2006年の12月8日までの六ヶ国協議の交渉プロセス、並びに北朝鮮の交渉戦略、CTR方式交渉・紛争解決法についての考察を加えてみたい(2006年12月20日)記。

Introduction

At the APEC's 14th Leaders' Conference in Hanoi Vietnam on November 19, 2006, leaders of member economies of the Asia-Pacific Economic Cooperation (APEC) outlined their commitment to encouraging and advancing free trade and investment. They also confirmed their intention to enhance human security and building stronger societies and harmonious communities throughout the regions.

Foreign and trade ministers from 21 Pacific Rim economies affirmed their continued support for World Trade Organization (WTO) negotiations on the Doha Development Agenda. The leaders stressed that the consequences of the failure of the Doha Round would be too grave for their economies and for the global multilateral trading system. They also resolved to try to break current deadlocks and achieve "an ambitious and overall balanced outcome of the Round" by focusing on development issues.

With regard to security issues, the APEC leaders expressed their continued commitment to combat terrorism in every form and manifestation and reaffirmed that any measures taken to combat terrorism should comply with international obligations.

The leaders condemned terrorist acts, which are currently posing serious threats world-wide. In keeping with their commitment to advance regional prosperity and sustainable development and their complementary mission of ensuring security for the peoples of the APEC region, they determined to continue their efforts to combat terrorism in every form and manifestation. They reaffirmed that any measures taken to combat terrorism must at the same time comply with their international obligations.

Aside from the aforementioned WTO negotiations, the single most critical issue for the leaders of the APEC conference was North Korea's nuclear ambitions. Foreign Ministers representing the Pacific Rim asserted that it is more urgent than ever to convince North Korea (as of Nov. 16, 2006) to drop its nuclear weapons programs after it staged its first underground test.

Foreign Ministers, who included U.S. Secretary of State Condoleeza Rice, met over breakfast on the sidelines of the annual APEC summit. Australian Foreign Minister Alexander Downer indicated that there was a high degree of unanimity behind the U.N. Secretary Council sanctions against the North Korea and "the six-party process is the right

process.”

The six-nation (party) talks—involving China, Japan, the two Koreas, Russia and the United States—stalled a year ago (2005) when the North Korea walked out over penalties imposed by the United Nations for alleged illegal activities by its government, including counterfeiting and money laundering. The North Koreans agreed on October 31 to return to the negotiations, which are likely to be hosted by China in November, 2005.

Downer stressed that a view very strongly expressed by a number of ministers was that it is one thing to get the six-party talks going again, but that the six-party talks are not the main objective—the six-party talks are a means to an objective, that it's important that these talks be meaningful.

South Korea Vice Foreign Minister Yu Myung Hwan attended the meeting to represent his country as Foreign Minister Ban Ki Moon at that time and stepped down to take on his duties as the new U.S. Secretary General, where he has promised to make North Korea's nuclear program a top priority. Yu also underscored the urgency for progress.

“We haven't reached any conclusion, but participating ministers had a common understanding that there should be concrete and substantive results at the six party talks, and that, if not, the credibility of the six-party talks will collapse fast,” Yu said (Kyodo, Nov. 17, 2006).

North Korea has traditionally used nuclear negotiations to push South Korea, the United States and other countries for aid and security guarantees.

Its nuclear test has raised the stakes, and the foreign ministers are reportedly considering whether to add a paragraph to their leaders' final declaration at the APEC summit or issue a separate statement.

Officials are laying the groundwork to resume the stalled six-party talks, holding a flurry of meetings to forge a united strategy as the issue threatened to overshadow trade questions at the annual 21 member APEC meetings.

While the declaration included no mention of North Korea's nuclear weapons program—which had dominated proceedings in Hanoi all week—Pyongyang tested a nuclear device on October 9, 2006. The group, however, did issue a verbal call for North Korea to stop developing nuclear weapons in verbal form, underscoring sensitivities over the issue and concerns by some APEC nations about interfering in other countries' affairs.

The leaders expressed their strong concern about North Korea's nuclear test, called

for full implementation of U.N. sanctions against the regime and urged the North Korea to fulfill the September 2005 agreement that committed it to give up nuclear arms in return for security and guarantees. Vietnamese President Triet also stated that “we call for concrete and effective steps toward North Korea’s nuclear disarmament.”

Japan and the United States indicated that they were satisfied by the statement, even if it was not included in the joint declaration. The United States and its partners in dealing with North Korea have been jockeying in recent days (in the late fall of 2006) to coordinate their stances ahead of the expected resumption of the six-nation talks next month. The talks involve Japan, the two Koreas, the United States, China and Russia.

This article first reexamines the main process of the six-nation (party) multilateral negotiations which have been underway from 2002 through December 8, 2006, and then outlines a scenario for the future of cooperative threat reduction programs and the key challenges of the multilateral (six-party) negotiations against North Korea. It focuses on North Korea’s negotiation strategies, and discusses a certain steps that need to be taken by nations representing the six-party talks and nonproliferation countries.

Reflection of the Negotiation Process against North Korea

If the reader reflects back on October, 2002, right after meetings between high-level U.S. and North Korean government officials, the United States released a report that North Korea had confirmed suspicions that it had reactivated its nuclear weapons development programs. This, in turn, created an international crisis and also a further dimension to the crisis when North Korea expelled International Atomic Energy Agency (IAEA) inspectors. At the same time, North Korea declared that it would withdraw from the Non Proliferation Treaty. Those who participated in the Korean Energy Development Organization (KEDO), which includes the United States, Japan, South Korea and European Union, firstly, suspended shipments of fuel oil, secondly, cancelled construction of the light-water reactors, the completion of which had been planned for 2003. At this, North Korea officially withdrew from the Nuclear Nonproliferation Treaty (NNT) on January 10, 2003, the first signatory country to do so.

On October 16, 2002, the Bush administration declared that North Korea had revealed to James Kelly, U.S. Assistant Secretary of State, in Pyongyang on October 5, 2006, that it

had a secret nuclear weapons program based on highly enriched uranium (HEU). North Korea had started a secret HEU program in the early 1990s with the help of Pakistan. North Korea, in return, provided Pakistan with intermediate-range missiles in the late 1990s as part of the deal.

In August, 2003, North Korea joined the United States, Japan, South Korea, China and Russia in six-party talks. Representatives from the six nations gathered and met for four rounds of meetings. In September 2005, a preliminary agreement was signed by all parties. North Korea would end its pursuit of nuclear weapons, rejoin NNT and readmit IAEA inspectors. Other signatories would provide security guarantees, energy infrastructure, and aid. Different signatories had different views of what would occur next. Nonetheless, the agreement was scuttled amid tense exchanges. Then, on July 4 (the U.S. time) 2006—on the Declaration of Independence Day North Korea test-launched ballistic missile.

As North Korea launched several missiles (7 missiles as of July 6) which landed in the Sea of Japan off the coast of Russia's Far East, its provocative act was taken as a "violation" of the 1999 missile-test moratorium agreed upon by North Korea.

In the face of near unanimous world condemnation of the seven missile tests on July 5, the North Korean foreign minister made a statement declaring that North Korea had the right to develop and test its own weapons. "Our military will continue with missile launch drills in the future as part of efforts to strengthen our self-defense deterrent." Moreover, if anyone intends to dispute this or put pressure about it, we will have to take stronger physical actions in other forms" (Japan' Broadcasting Company July 7, 2006, & The Japan Times, p. 1 July 8, 2006).

North Korea's aggressive act and defiant stance provoked intense diplomatic activity in world capitals to formulate a response to the tests.

At the United Nations, China and Russia held firm in their opposition to a Japan's drafted resolution that would call for sanctions on North Korea.

As a result, the 15-member-U.N. Security Council may have to resort to a statement which is weaker than a resolution and does not impose any direct action.

The United States and Britain, who co-sponsored the Japanese draft, have veto power of the council, along with France, Russia, and China. A resolution needs 9 votes and no veto whereas a statement needs the approval of all the 15 members.

Negotiations late Wednesday (July 5th), resulted in a statement and envoys consulted

their respective governments. "China and Russia were tough," said a Western participant.

Japan circulated a draft resolution that condemned the launches and would bar any nation from transferring funds, material and technology for North Korea's missile or nuclear program.

Meanwhile, the Bush administration dismissed North Korea's threat and pressed for international efforts to get the secretive Pyongyang's regime to cease and desist from such actions.

The Bush administration had no intention of being pulled into a bilateral confrontation, but no one knows for sure whether the launches were timed to coincide with the launch of the U.S. space shuttle Discovery from Florida to draw American attention.

As the reader recalls, the most recent unforgettable incident occurred on October 9, 2006. North Korea detonated a nuclear test. Pyongyang made a sudden announcement by asserting that it had successfully conducted the test of a nuclear weapon. Other countries confirmed that there had been a nuclear explosion in North Korea. Experts pointed out that it was a plutonium test. The test came after Pyongyang conducted the series of tests mentioned above—in which the test of a long range Taepodong missile failed but the tests of short range Scud and medium-range Nodong missiles were successful.

It was reported by CNN that North Korean leaders were motivated to conduct a nuclear test to restore North Korea's prestige after the failure of the Taepodong test. (CNN News, Oct. 9, 2006).

As we have observed, North Korea's weapons of mass destruction (WMD) and ballistic missiles present a clear and offensive danger not only to the Pacific Rim regions and but also to the entire world. Their verifiable elimination is, therefore, construed as a key element in building peace in the region and in strengthening the hand of the global nonproliferation countries.

While the six-party talks which have been going on for more than a decade or so, should have presented the beginning of that endeavor, which in turn deals with the immediate threat produced by North Korea's nuclear weapons program, the process of eliminating all these programs on nuclear, chemical and biological missiles could still stretch out over the next decade. It would also require hundreds of million dollars, and it would be a difficult process which would necessitate using all available means to secure North Korean agreement as well as providing reasonable assurance that North Korea measures up to its

commitments.

While some scholars believe that cooperative threat reduction programs (CTR) could hold a key to resolving this vexing issue, there are some pessimistic souls that believe that conducting CTR negotiations with a secretive, hostile regime is unrealistic.

A Brief History of CTR

Since 1991, Russia and other countries have been engaged in CTC programs. They involve the host country working closely with others to eliminate the dangers posed by weapons of mass destruction. Such working together types of relationship include securing or eliminating weapons as well as the components and facilities used to produce them. Such work also involves redirecting resources. In 2002, G8 countries decided to spend \$20 billion on such programs. While CTR's attention has been focused on Russia and the former Soviet Union's dominions, the U.S. legislation passed a law in 2005 for the creation of CRT funds for countries such as North Korea. The question remains as to what kind of programs CTR could have.

Cooperative threat reduction programs could operate in five related areas. The first area is one they incorporated into negotiations because negotiations would enhance the chances for peaceful settlements and sustained implementation by providing additional incentives, for instance, for North Korea. Secondly, CTR programs would reduce uncertainty and enhance transparency and bolster verification, critical purposes in dealing with North Korea. Thirdly, these CTR programs would ensure that North Korea remains free of Weapons of Mass Destruction (WMD) over the long-term, not only through cooperative elimination efforts, apart from military uses. Fourth, threat reduction programs would establish beachheads of cooperation since these in turn would have a spill over effect, helping to break down the North Korea's isolation and assist it to integrate with the international community. Fifthly, these CTR programs could encourage North Korea to modernize its civilian economy by shrinking its military sector and redirecting key resources to peaceful uses. (Lecture on *How to cope with North Korean Issues: American policy and Bilateral and Multilateral Negotiations*, Dec. 8, 2006 Lecture Forum, by Wit, Joel S., American Consulate General Sapporo & Zartman (2006) *Multilateral International Negotiation*).

Multilateral or Bilateral Negotiation

The major question is to what can be done achieve success. In our effort to achieve success, Joel S. Wit and his study group stress that a multilateral approach will be desirable because first it will give CTR programs to North Korea the best chance to achieve success (2006). During the past years, Northeast Asia has not been hotbed of multilateralism. The six-party talks have shown a new shared willingness to tackling difficult security problems. Second, a multilateral approach will also enable political and financial burden-sharing that will make it easier to shape effective programs as well as for participants to make and meet commitments. Another advantageous thing is that each country can bring different skills and resources to the table. Countries that have experience with CTR in building nuclear weapons or a cultural and language similarity or affinity with North Korea will be indispensable in shaping and influencing programs. Third, a multilateral approach will also sustain implementation with necessary changes in national governments, disputes arising from implementation or others that are not related to that issue itself.

On the other hand, some experts maintain that a multilateral approach might lack central control making implementation of projects cumbersome, due to the involvement of too many countries. But we can speculate that the risk can be avoided by designating project leaders and limiting the number of participants. By building on the process established in the six-party talks, the five nations and North Korea can be expected to play a role in a cooperative threat reduction program.

Is the Six-Party Talk Applicable?

Henry A. Kissinger, the former Secretary of the State once remarked "Diplomacy is not an academic seminar; it is an accommodation of real national interests in a manner that serve the larger interests of the parties and of the international order." (*Never fail to put pressure on North Korea*, Yomiuri Newspaper, Nov. 2, 2006)

In his opinion, the series of six-party talks has reignited the longstanding debate over whether diplomacy operates by its own internal rules or whether its impetus must derive from a balance of pressure and incentives. The argument in the debate has been distorted by

the controversy over regime change. For some reason, the Bush administration centered both negotiations with a posture of aloofness. It participated by backing the position of other parties that acted as its proxies. While Kissinger mentions that it did not formally conduct talks with countries of the rogue states (axis of evil), which it tried to consign to diplomatic isolation, Libya, however, complied with the offer from the Bush administration to dismantle Libya's nuclear weapon's program. It should be emphasized that since the goal of negotiation is an agreement to be carried out by the parties, diplomacy cannot work if one party seeks to overthrow the other. This is the primary reason why the Bush administration has changed its priorities. It has acted in practical ways that separate nuclear proliferation from the long range goals of regime change. The main issue is no longer whether the United States is prepared to negotiate with North Korea (and with Iran), but in what framework and to what purpose.

Since 2004, for the past two years, negotiations on North Korea have been deadlocked. What are the major reasons for this deadlock? The first reason is inherent in the ideology of a regime that has an extremely restricted national interest in giving up on a program it has pursued for two decades or so in the process subjecting its population to extreme deprivation and starvation. The incentives offered by the five negotiating partners are designed to help improve the standard of living of the people of North Korea regime. By the same token, people will be dependant upon an outside world that North Korea distrusts. Reform and an open to the outside world turn out to be the greatest threat to its survival. North Korea thus enters into revived negotiations about denuclearization with tremendous reluctance and only under persistent outside pressure.

The strategy adopted by North Korea, which will be discussed later, has been to split the five nations—the United States, Japan, Korea, China and Russia—by seeking to negotiate separately. At the same time, it is not in the interests of the United States to find itself in a position where it assumes the entire burden of the negotiation, the blame for its failure, and full responsibility for verifying or enforcing a possible agreement. The second reason for the deadlock is (or has been) that until the North Korea conducted its nuclear tests, there was not enough unity among the other parties to the six-party talks to overcome North Korea's stonewalling with a sustained common policy. South Korea was ambivalent in striking out its negotiation solutions. For a variety of reasons, South Korea was very reluctant to apply economic and other sanctions inasmuch as she is unwilling to punish old compatriots. Russia

was moving slowly because Russia's major focus vis-a-vis nonproliferation is (has been) on Iran.

North Korea's Strategies Towards Negotiations

A lead component in North Korea's strategy was to use the threat that it would abandon the six-party talks—playing on the psychological fears of the other parties. North Korea employed this threat to demand that China should stay on her side and should also provide financial assistance, food and energy, including oil, as payment for North Korean agreement to attend the future six-party talks. Along with these repeated threats, North Korea has made a series of proposals. While several proposals have been reported (2006, *North Korea's Nuclear Weapons Development and Diplomacy* in CRS Report for Congress, by Niksch, Larry), the author of this article would like to spell out the following fifteen different types of proposal which have been purposefully employed by North Korea: (1) The first installment in the late 2003, a formal U.S.-North Korean non-aggression pact; (2) modification of a formal U.S. guarantee that the United States would not attack North Korea, a long-term *freeze* of North Korea's plutonium program; (3) retention by North Korea of a *peaceful* nuclear program; (4) removal of North Korea from the American list of *terrorist-supporting states*; (5) supply of electricity, several billion dollars in *compensation* from Japan; (6) restoration of shipments of heavy oil; (7) constructions of the two light water nuclear reactors under the 1994 Agreed Framework; (8) an end to U.S. economic sanctions; (9) an end to U.S. interference in North Korea's economic relations with other countries. So far North Korea has retained these proposals while adding; (10) the light water reactor and *regional disarmament proposals*; (11) a campaign of denials of *any uranium enrichment (HEU)*; (12) the use of brinkmanship tactics in the process of negotiation to change North Korea's position; (13) in June 2004, an actual boycott of the six-party talks thus enlarging its agenda as part of a strategy to *kill* the Bush administration in June 2004 and creating a long-term diplomatic stalemate on *the nuclear issue*; (14) the application of some kind of resolute attitude or the attitude of defiance when their demand was rejected; and (15) the use of propaganda before the start of negotiation. For instance, while purposefully keeping its proposals vague and ambiguous on content and about its own obligations, North Korea has employed a concerted propaganda campaign to promote its proposals with South Korea,

China, Russia asserting that a U.S. guarantee of non-aggression is necessary to prevent the Bush administration from carrying out a plot to stage an Iraq-like unilateral attack. (2006, Niksch & 2004, Mitarai)

A Key to Progress

Then, what is the key to progress? The key to progress is coordinated efforts and cooperation between the United States and China. China, which is often spoken of as a close ally to North Korea for reasons of ideological sympathy, has also reluctant to punish its own comrade. China has been hesitant to put pressure on North Korea, not, as some allege, as it is indifferent to North Korean acquisition of nuclear weapons or sees some benefit in American discomfiture, but because China's primary interests lies more in Northeast Asia than in North Korea. In other words, China's interests go well beyond the denuclearization of North Korea, and North Korea's series of nuclear tests has brought China and the United States much closer. Thus, if China could persuade Kim Jong II to abandon its nuclear program and accept the new economic assistant program and other guarantee programs, it would prove to be a step of major historic significance. The priority should be for both sides to fill in the details to spell out timing and the nature of the actions shown in the statement of principles of September 2005.

But in 2006 the stalemate in the six-party talks and North Korea's advances in nuclear weapons development have stimulated criticism of the Bush administration in 2006. In the American Congress, a number of members called for the administration to drop its refusal to negotiate with North Korea bilaterally.

In this connection, Joel S. Wit also has proposed that it is high time for the United States to conduct bilateral talks with North Korea, while engaged in the six-party talks within the protocol of CTR projects. Not only Washington, but also South Korea, Japan, China and Russia and other nonproliferation nations should work together to develop model CTR implementation legislation that can anticipate problems and lay out a sound legal structure for all participants in such work. Wit, Joel S. (Lecture on *How to cope with North Korean Issues: American policy and Bilateral and Multilateral Negotiations*, Dec. 8, 2006 Lecture Forum, by Wit, Joel S., American Consulate General Sapporo & 2004, Mitarai on Chapter 2 & 4).

Other scholars in the field of international politics, however, assert that the chief challenge of the North Korean negotiations is not whether North Korea and American negotiators will meet.

The major task may be to move sanctions to the conclusion of the negotiations when setting up the time framework. If the negotiations could be viewed in the context of their denuclearization of North Korea, this would be a major breakthrough in world history and a turning point. Internal U.S. decision-making should be geared to this opportunity. If Japan, China, South Korea, and Russia are unable to achieve an effect so important for world peace, then appeals for diplomacy will become empty. While Kissinger proclaims that the success that now appears within reach could inaugurate a new era of cooperation across the Pacific, it all depends on how the Kim Jong II administration views the future of her country and the meaning of international society and security. The challenge is threefold: maintenance of the sanctions that would help bring a major breakthrough; abstention from making North Korean grievances the primary subject of the first round of the negotiations; focusing on essentials and a refusal to be diverted by side issues not only in the bilateral negotiations, but in all the pre-bilateral negotiations and the six-party talks. The agenda must concentrate on North Korea's abandonment of her nuclear program, and an economic assistance program along with security guarantees. Time is running short, so if North Korea refuses to comply with these requests, the other five nations, together with the United Nations and the European Union, will have to come up with some kind of conflict resolution formula, working together to forestall the advance of conflict matters by devising package proposals through mediators or in some other means. The former President of the United States, Jimmy Carter could step in as a mediator.

Here the present author is reminded of one of the most famous adages Winston Churchill's when, in 1955 he spoke to the British House of Commons with regard to the hydrogen bomb and arms control. According to Michael Hirsh and other reporters, Mr. Churchill was very apprehensive at that time (2006, Newsweek), and Churchill worried about what might happen "if God wearied of mankind;" but he would not give in. "Never flinch, never weary, never despair." The nuclear age is bleak, but Churchill's words might predispose us to see our way forward as we struggle to tame the demon.

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