

Chapter 10

The Defense Policy of Japan

The year 2001 marked a turning point in Japan's defense policy. First, following September 11, the Diet passed the Special Measures Law Concerning Measures Taken by Japan in Support of the Activities of Foreign Countries Aiming to Achieve the Purposes of the Charter of the United Nations in Response to the Terrorist Attacks which took place on September 11, 2001, in the United States as well as Concerning Humanitarian Measures Based on Relevant Resolutions of the United Nations (hereinafter referred to as the Anti-Terrorism Special Measures Law).

This law authorizes Japan Self-Defense Forces (SDF) to support the United States and other countries in the elimination of terrorism. In consequence, when taken together with its commitment to United Nations Peacekeeping Operations (U.N. PKO) pursuant to the Law for Cooperation in United Nations Peacekeeping Operations (hereinafter referred to as the International Peace Cooperation Law), Japan committed itself to a new form of international cooperation to prevent and eliminate international terrorism. Second, as a result of an amendment to the International Peace Cooperation Law agreed upon at the end of 2001, the scope of SDF activities was expanded, and they were authorized to participate in core assignments of U.N. peacekeeping (e.g. monitoring the cessation of armed conflict and patrolling buffer zones) for the first time since the law was enacted in 1992. In the suspicious boat incident in waters off southwest Kyushu in late December 2001, Japan Coast Guard patrol vessels ordered the boat to stop by firing warning shots, including those aimed directly at it—the first time the Coast Guard acted in this manner. The suspicious boat fired back using rocket launchers, drawing attention to the need to fortify the Coast Guard's procedures for dealing with suspicious boats in such cases.

In 2002, the government took the following measures in response to these developments. First, it decided to accelerate the process of enacting emergency legislation that had been considered the previ-

ous year, recognizing the necessity to prepare for a national emergency. The government had been studying various bills regarding emergency legislation on and off since 1977, and the bills were submitted to the Diet for the first time. Second, based on the Anti-Terrorism Special Measures Law, cooperative support activities that were implemented in 2001 and scheduled to expire on November 20, 2002 (after a six-month extension), were extended until November 1, 2003.

In February 2002, the Japanese government dispatched a PKO unit, the largest ever, to East Timor. This coincided with Japan's tenth consecutive year of PKO participation since Cambodia in 1992, thus marking a new phase of Japan's international contribution.

1. Emergency Legislation

(1) Bills Submitted to the Diet to Respond to Armed Attacks, and Subsequent Developments

Since 2001, various efforts have been made to enact so-called "emergency legislation." (For information about the circumstances leading to its enactment, see Chapter 8, *East Asian Strategic Review 2002*.) The September 11 attacks and the suspicious boat incident prompted the Japanese government to take a close look at the creation of a crisis management system to deal with national emergencies. In an administrative policy speech at the 154th ordinary Diet session on February 4, 2002, Prime Minister Junichiro Koizumi stated that "it was the duty of our nation to establish a structure in times of peace necessary to ensure the independence and sovereignty of our state and to ensure the safety of our people under the Constitution of Japan," and announced his determination to enact legislation dealing with an armed attack on the country. The ministries and agencies concerned, under the supervision of the chief cabinet secretary, drafted various bills to deal with

such a hypothetical attack. On April 16, the cabinet adopted the bill and submitted it to the Diet the following day, 25 years after the Defense Agency first began studying such legislation in 1977. The Bill to Respond to Armed Attacks consists of a package of three bills: (1) the Bill Concerning Measures to Ensure National Independence and Security in a Situation of Armed Attack (hereinafter referred to as the Bill to Respond to Armed Attacks); (2) the Bill to Amend the Law on the Establishment of the Security Council (hereinafter referred to as the Bill to Amend the Security Council Establishment Law); and (3) the Bill to Amend the Self-Defense Forces Law and the Law Concerning Allowances, etc. of Defense Agency Personnel (hereinafter referred to as the Bill to Amend the Self-Defense Forces Law).

On April 16, Prime Minister Koizumi issued a statement on the nation's defense policy to deal with a national emergency, and asked for the people's support and understanding. In the statement, he reiterated his determination to enact a law to deal with an emergency by an armed attack, saying "under the Constitution of Japan, while defining the basic principle for responding to incidents involving armed attacks, the government will further strengthen the functions of the Security Council of Japan as well as formulate the necessary measures in both the legislative and operational aspects in order to further enhance the government's comprehensive response preparedness and thereby ensure the security of its people."

On May 7, the Special Diet Committee began debate on the bills. At issue, for the most part, were the following three points arising from the Bill to Respond to Armed Attacks. First is the ambiguity of the definition "a situation of an armed attack." The bill divided the term "situation" into three types: a situation when an armed attack against Japan occurs from the outside; a situation where an armed attack is imminent; and a situation where tensions arise and an armed attack is anticipated. Many pointed out that the difference between "imminent" and "anticipated" was not clear. Second, some

argued that the discussion should be about emergencies other than armed attack. Although the bill states that the government will also take the necessary steps to deal with such emergencies, critics maintain that the government should have first submitted a bill designed to deal with a situation similar to the September 11 terrorist attacks and the infiltration into Japan's territorial waters by suspicious boats. Third, others pointed out that the compulsory restriction of individual rights authorized by so-called "legislation to protect the people" was an encroachment on basic human rights guaranteed by the constitution. The government said it planned to enact the legislation to protect the people within two years of enforcing the law to respond to armed attacks, but other voices insisted that the bills should be submitted simultaneously.

At the 154th ordinary Diet session, a lively debate was conducted on these three points. Yet various other issues—the fact that the Defense Agency compiled a list of people who had requested information under the Information Disclosure Law, a cabinet member's remarks about the Three Non-Nuclear Principles, and a dispute between the ruling and opposition parties over holding local public hearings—came to the fore, along with political bickering, resulting in repeated suspensions of deliberations on the bill itself. In the end, with the ruling and opposition parties arguing at cross purposes, the government gave up its plan to push the bill through the Diet in the 154th session, and decided to carry deliberation over to the next session and seek to pass a revised bill that incorporated points made by the opposition.

In a speech at the 155th extraordinary Diet session on October 18, 2002, Prime Minister Koizumi stated that "regarding the legislation related to 'readiness' in the event of a national emergency, in light of the discussions at the previous session of the Diet, we have given consideration to individual legal structures such as the legal structure for the protection of Japanese nationals in addition to the basic framework. Through the deliberations on this bill I intend to strive to gain the understanding and cooperation of the people of

Japan.” He thus expressed his hope for passage of the national emergency bills through the extraordinary session. However, the session focused on economic issues, and the Bill to Respond to Armed Attacks received little attention.

On November 12, the Special Committee for Dealing with a Situation of an Armed Attack (the Special Committee) resumed deliberations on the bill. On the question of defining a situation of an armed attack, the ruling party presented a modified version that divided the situation into two parts instead of three as previously—one an armed attack, and the other an anticipated armed attack—and proposed a discussion on emergency situations not caused by armed attacks, such as incursions by suspicious armed boats or a large-scale terrorist attack, together with specific measures to be taken in response. Chief Cabinet Secretary Yasuo Fukuda also presented an outline of legislation to protect the people, which the opposition parties had been demanding. However, the opposition parties refused to consider the modified version of the bill, and deliberations stalled. As a result, on December 5 the heads of the three coalition parties—the Liberal Democratic Party, the New Komeito Party, and the Conservative Party—decided not to push the bill through the Diet at its extraordinary session. Although the three coalition parties submitted a modified version of the bill to the Special Committee on December 10, the opposition parties rejected it—with the result that the bill collapsed at the opening of 156th ordinary session of the Diet.

Deliberations of bills dividing the ruling and opposition parties—such as the Bill Concerning Guidelines for Japan-U.S. Defense Cooperation and the Bill for International Peace Cooperation—have tended to drag out over several sessions. And deliberations on the Bill to Respond to Armed Attacks were carried over into the next session twice.

(2) An Outline of the Bills

The Bill to Respond to Armed Attacks, submitted to the 154th ordi-

nary Diet session, consisted of the three bills mentioned earlier: the Bill to Respond to Armed Attacks, the Bill to Amend the Security Council Establishment Law, and the Bill to Amend the Self-Defense Forces Law. As seen below, these bills define fundamental principles and posture in the event of an armed attack from the outside, and provide measures necessary to the smooth operation and functioning of the Self-Defense Forces (SDF).

The Bill to Respond to Armed Attacks, one that may be called a basic defense law, provides for the following. First, it divides possible "situations" into "an armed attack against Japan from the outside that has actually occurred," "a situation where an armed attack is imminent," and "a situation where tensions arise and an armed attack is anticipated," and provides basic policies to deal with each. According to the government's view, if a hostile intent to attack Japan from the outside can be presumed, even though it is not "a situation where armed attack is not yet imminent," and if the government can objectively judge that there is a high possibility of attack from outside, these would each be considered "a situation where tensions arise and an armed attack is anticipated." However, some people pointed out that it is difficult to distinguish one situation from the other, and that since this distinction is at the heart of Japan's right to self-defense, it has become the most controversial point in Diet deliberations.

Second, the bill specifies the different responsibilities of the national government and local governments in dealing with an armed attack. The national government plays a major role, and local governments implement measures assigned to them under government policies and perform pertinent operations for them as well. In light of the necessity to ensure the security of the country and the people, the bill requires the people to cooperate and offer their support. These measures are set forth in an Outline of Legislation to Protect the People, presented to the Diet by the government in November 2002. The scope of the powers delegated to local government, as well as the cooperation of the people, will be spelled out in

a bill the government plans to submit to the Diet after 2003.

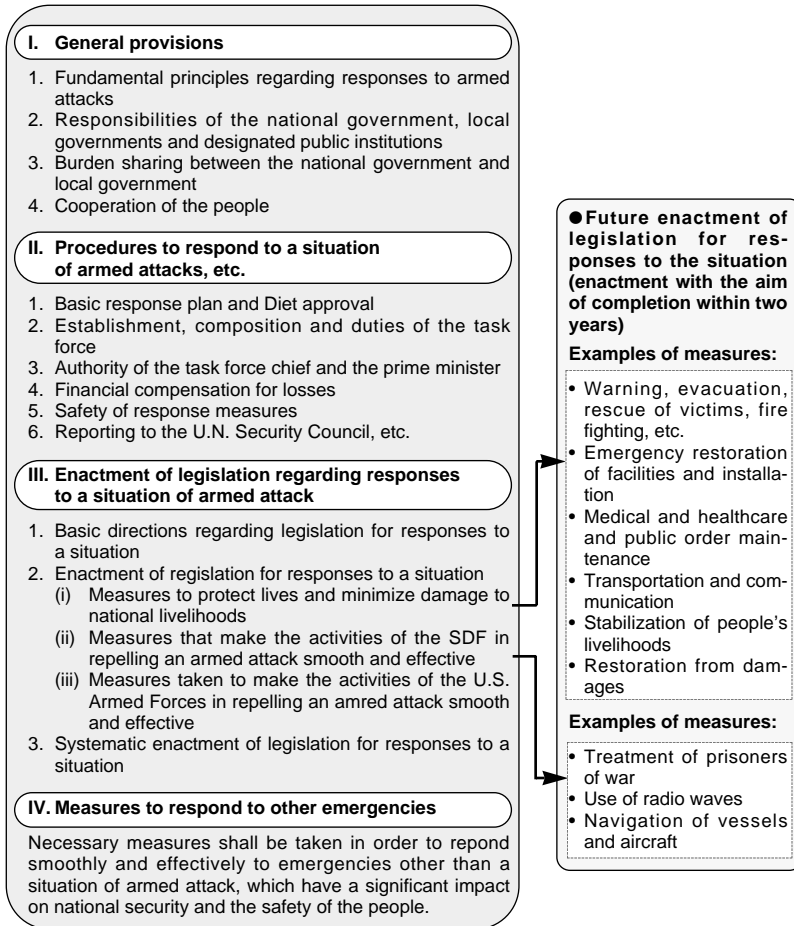
Third, the bill provides for individual pieces of legislation that will become necessary in the event of an armed attack. Laws the government plans to enact within the next two years include: (1) measures to protect the lives of the people and to minimize the negative effects on their livelihood (legislation to protect the people); (2) measures to facilitate and enhance the activities of the SDF in handling prisoners of war and using radio waves; and (3) measures to facilitate and enhance the activities of U.S. forces. Particularly, on the question of (1), some people are concerned about the possible infringement of human rights by the national government and local governments. Therefore, the question of how to redress the damage done to individuals' private rights by such measures has become the most important one in drafting the bill.

Fourth, the bill provides for measures to be taken in emergencies from causes other than an armed attack. In other words, the bill provides that "necessary measures shall be taken in order to respond smoothly and effectively to emergencies other than a situation of armed attack, which have a significant impact on national security and the safety of the people." This applies, for instance, to measures to deal with a new type of threat such as a large-scale terrorist attack or infiltration into Japanese territorial waters by suspicious boats.

Fifth, the bill explicitly provides for measures to be taken by the government and the Diet in case of an armed attack. In such a case, the cabinet must officially acknowledge the existence of a situation caused by an armed attack and decide on a basic policy that requires the cabinet to obtain approval from the Diet for dispatching the SDF. The cabinet will establish a task force for overall coordination to deal with the emergency headed by the prime minister.

Changes effected pursuant to the amendment of the Security Council Establishment Law are as follows. First, the following items will be added to those that may be referred to the Security Council for study and recommendation: (1) a basic policy relating to

**Chart 10-1. Structure of the Bill to Respond to Armed Attacks
(taken up at the 154th Diet session)**



Source: Defense of Japan 2002

measures taken in a situation of an armed attack; (2) important matters the prime minister deems necessary to deal with a situation of an armed attack; and (3) important matters the prime minister deems necessary to deal with a serious emergency. Second, the composition of Security Council membership changed: the min-

ister of public management, home affairs, posts and telecommunications, the minister of economy, trade and industry, and the minister of land, infrastructure and transport were added to the list, while the minister of state in charge of economic and fiscal policy was removed. The third point is the establishment of an organization for the exclusive assistance of the Security Council. For this purpose, a Situation Response Special Committee, headed by the chief cabinet secretary, will be established. This Special Committee will research and analyze matters to speedily and properly deliberate various security measures, and report its findings to the Security Council.

In addition, the Bill to Amend the Self-Defense Forces Law exempted certain SDF activities from laws concerned to facilitate them while on active duty in times of emergency. Most provisions incorporated into the amendment were those the Defense Agency had been studying in relation to emergency legislation since 1977.

As indicated at the outset of the Bill to Respond to Armed Attacks, these emergency-related bills are designed to ensure the peace and independence of this country, and to ensure the security of the country and people.

2. Response to a National Emergency— Response to International Terrorist Activities and Suspicious Boats

(1) The Anti-Terrorism Special Measures Law, and Subsequent Developments

Taking its cue from the September 11 terrorist attacks, Japan enacted the Anti-Terrorism Special Measures Law (for details, see Chapter 8, *East Asian Strategic Review 2002*) as part of its effort to suppress terrorism and cooperate with the international community in the fight. The scope of the law can be broadly divided into cooperation and support activities, search and rescue activities, and assistance to affected people, all of which will be carried out in ac-

cordance with the following principles, as set forth in Japan's constitution.

First, the goal of Japan's activities is to actively and in its own way contribute to international efforts pursuant to U.N. Security Council (UNSC) resolutions. Second, Japan's response must not constitute the threat or use of force. Third, the location of Japan's activities must be limited to those where combat is not taking place nor expected to take place while Japan's activities are being implemented.

Pursuant to this law, a basic plan and an implementation plan were formulated, under which Japan took measures in support of U.S. forces, and assisted affected people in the spirit of humanitarianism since the end of November 2001. Cooperative and supportive activities took the form of refueling U.S. and British vessels by the Maritime Self-Defense Force (MSDF) supply ships in the Indian Ocean, and airlifting materiel to U.S. forces in Japan and overseas by C-130H transports. Humanitarian aid took the form of transporting relief goods to affected people by MSDF minesweeper tender at the end of 2001.

The basic plan initially set the period for cooperation and assistance at six months from November 20, 2001, to May 19, 2002. However, on May 17, 2002, the cabinet decided to extend the dispatch of SDF units for another six months, and submitted a report to the Diet on the same day, as required by the Anti-Terrorism Special Measures Law. This was the only change made at the time.

By virtue of this extension, SDF units continued to carry out their duties between May 20 and November 19, 2002. Immediately prior to November 19, the cabinet again decided to extend the period for another six months, until May 19, 2003, and then reextended to November 1, 2003. The new assignment requiring this additional time was the transport of heavy construction machinery to maintain the facilities of airfields used by U.S. forces in Afghanistan. To carry this out, one transport ship and one escort ship were added to the fleet, and their period of assignment is from December 31,

2002, to March 31, 2003. New locations of activities—ports of loading and unloading personnel and equipment—were also added.

Behind this change was the government's judgment (1) that as the threat of international terrorism posed by remnants of al-Qaeda had not been eliminated, it is proper for Japan to continue to help the international community stamp out international terrorism; and (2) since the work of U.S. forces in Afghanistan has not ended, Japan should carry out the seaborne transport of heavy machinery as requested by the United States.

According to the government report submitted to the Diet on November 21, the government dispatched a total of 17 MSDF vessels. Between December 2, 2001, and November 18, 2002, these vessels refueled U.S. supply ships and destroyers 131 times and British supply ships 9 times, supplying them with a total of about 234,000 kiloliters of fuel at a cost of about ¥8.6 billion (approx. \$69 million). In addition, C-130H transport from the Air Self-Defense Force (ASDF) made a total of 112 flights, in Japan and abroad, between November 29, 2001, and November 18, 2002.

After extending the term of the basic plan, the government decided on December 4 to add Aegis destroyers of the *Kongo*-class to the list of destroyers that may be dispatched, and on December 16, the Aegis destroyer *Kirishima* left its base port of Yokosuka. With every extension of the term of the basic plan since the government first dispatched destroyers the year before, pursuant to the Anti-Terrorism Special Measures Law, opposition parties made the dispatch of an Aegis destroyer a political issue. In response, the government gave the following reasons.

First, it is designed to ensure the rotation flexibility of MSDF vessels dispatched in the region. At present, a destroyer with helicopters (DDH) serves as the flagship of the contingent but Aegis destroyers are equally capable of taking on this role. As the MSDF only has four DDHs, and since some of these might be undergoing repairs and maintenance, there are not enough to be effectively rotated, hence the need to add four Aegis destroyers to the vessels to

Commentary

**A Study of Joint Operations
of the Self-Defense Forces**

Wanting to improve the speed and efficiency of the Self-Defense Forces (SDF) operations, the Japan Defense Agency (JDA) undertook a study aimed at integrating the operations of the Ground, Maritime, and Air SDF. In addition to its fundamental duty to defend the country, the SDF's role, since the end of the Cold War, has increasingly diversified—participating in U.N. peacekeeping operations, dispatching units for international emergency relief assignments, domestic disaster relief operations, and responding to terrorist activities. Due to all these factors, the need for much closer cooperation between the Ground, Maritime and Air SDF is increasing.

The term “joint operations” refers to an arrangement in which two or more services belonging to a country and their units cooperate with one another to achieve a specific objective. After the World War II, the United States, the United Kingdom, Canada, and Australia have integrated their armed forces, and this has since become the wave of the future across the world. Some countries have established a permanently integrated force, while others have created one as the need arises. Many countries have a system under which a single military officer assists the supreme commander of the armed forces (the president or the prime minister) and his defense minister.

In Japan, however, the Ground, Maritime, and Air SDF are run by their respective chiefs of staff in accordance with orders from the director general of the Defense Agency (minister of state for defense). The chairman of the Joint Staff Council does not have power to command the SDF directly, other than for a “special joint unit” formed in the event of national emergency or disaster with units from two or more SDFs. In other words, the relationship between the chairman of the Joint Staff Council and the chiefs of staff of the Ground, Maritime, and Air SDF is not one between superior and subordinate, but one between equals in assisting the director general of Defense Agency. As is obvious, there is no permanently integrated SDF unit in Japan.

This study will review the existing system and try to unify the authority of the chief of staff of each service to execute orders into a “chief of joint staff” (provisional title) that is to be newly established. More specifically, ideas to be studied include: (1) the chief of joint staff assists the director general of the Defense Agency in operating the SDF on behalf of the Ground, Maritime, and Air SDF; (2) commands from the director general of the Defense Agency related to running the SDF are relayed through the chief of joint staff, and orders of the director general of the Defense Agency to the SDF are executed by the chief of joint staff; (3) a joint staff organization will be created under the chief of joint staff; and (4) a joint operational system will be strengthened at the level of the Regional Armies, the Self-Defense Fleet, and the Air Defense Command.

be dispatched, any one of which can serve as flagship of the contingent when called upon .

Second, it is intended to secure the safety of supply vessels using Aegis's sophisticated radar and intelligence-gathering systems. Since refueling is done alongside a U.S. vessel while cruising at the same speed—taking as long as six hours—the operation is vulnerable to attack. In order to secure the safety of these vessels, it is important for the vessel to be able to process intelligence quickly and promptly assess the surrounding area. In this respect, Aegis destroyers are superior to escort ships for the task at hand.

Third, it is aimed at easing the burden and pressure on the crew, who work long hours in a tense environment where the temperature is often over 40°C. The favorable living conditions aboard an Aegis destroyer will have a positive effect on the crew and the jobs they perform.

Those opposed to dispatching an Aegis destroyer to the Indian Ocean argue, “if the destroyer shares intelligence with U.S. forces, this would become an integral part of the U.S. exercise of force.” They maintain that if the United States mounts an attack on a country on the basis of intelligence from a Japanese Aegis destroyer, such an activity would be questionable under the constitution. The government explained, however, that intelligence gathered from an Aegis destroyer is an independent act to assist U.S. forces under the Anti-Terrorism Special Measures Law, and as long as the destroyer performed this role as part of its routine exchange of intelligence with Japan's allies, it did not violate the constitution.



Aegis destroyer Kirishima

(2) Cases of Suspicious Boats, and Japan's Response

On December 16, 2002, the Japan Coast Guard released a report on the 21 foreign boats it had recognized as “suspicious” since 1963,

bringing into sharp relief the reality of suspicious boats repeatedly infiltrating waters off Japan. Of the 21, 18 were seen prowling the Sea of Japan from Hokkaido to Nagasaki, and 12 infiltrated the territorial waters of Japan.

Most shocking was an incident in the southwest of Kyushu on December 22, 2001. Upon receiving a report from the Defense Agency, a Coast Guard patrol aircraft and patrol vessels pursued a suspicious-looking boat that continued to flee despite orders to stop. When the Coast Guard patrol vessels approached after firing warning shots including those directed at the boat, the boat returned fire with rifles and rocket launchers, yet it eventually exploded and sank off Amami Oshima island. Then, what seemed like the corpse of a crewmember, and many pieces of flotsam were collected. The Coast Guard believed it was necessary to refloat the boat in order to identify its nationality and the nature of its intended mission, and after three months of work, the boat was finally refloated on September 11, 2002.

After a thorough investigation of the boat's hull and recovered articles, the government identified the boat as a North Korean spy boat, which was confirmed by Chairman Kim Jong Il at the Japan-North Korea summit on September 17. On October 6, the hull was brought to Kagoshima Port, and the examination of the spy boat continued. The results were reported to the Diet and made public.

The report included the following information: (1) the hull was steel, about 30 meters long with a maximum width of about 5 meters; (2) the boat had four engines, with four screws placed in a horizontal row, and its bow was pointed sharply to facilitate cruising at high speeds. According to an expert, the boat had been built from scratch—rather than remodeled—for spying purposes; (3) in its cargo bay there were two rubber boats; (4) in the stern there was a small boat behind French doors; (5) this small boat, 11 meters long with a maximum width of about 3 meters, had three engines, radar, a global positioning system (GPS), one 1.7-meter-long water scooter, and what appeared to be two suicide bombs.

The suspicious boat carried the following weapons: (1) rocket launchers believed to be RPG-7. One of the two found aboard the ship suggested it had been fired, and the other was loaded with a shell; (2) portable surface-to-air missiles believed to be SA-16 with an effective range of 5,000 meters, and missiles were found mounted on launchers; (3) 14.5mm anti-aircraft machine guns believed to be the ZPU-2 type (14.5mm rounds were found in the ship, and some were also found in the Japanese patrol vessel that was attacked); (4) 82mm recoilless rifles believed to be B-10 with a maximum range of 4,500 meters; (5) four automatic rifles believed to be AKS-74, 7.62mm machine guns, and hand grenades. In addition, Kim Il Sung badges, Japanese-made prepaid mobile phones, pocket computers, radar, and GPS were found on the ship. Further investigations found that the ship had sold illegal drugs to a Japanese crime syndicate in the East China Sea in 1998.

These investigations prompted the Japanese government to take a close look at the current measures for dealing with suspicious boats, and made them realize the need to improve the equipment on patrol vessels. The ministries and agencies concerned—the Defense Agency, the Coast Guard, and the Ministry of Foreign Affairs—have studied ways to deal with suspicious boats in the future. As basic policy, it was proposed that: (1) SDF vessels be dispatched initially as part of operations; (2) information on suspicious boats—even if sketchy—be shared with the Cabinet Secretariat, the Defense Agency, and the Coast Guard at an early stage; and (3) the government will prepare an operational manual for dealing with suspicious boats.

To deal with suspicious boats as a top priority, the Coast Guard is considering building large, high-speed and high-performance vessels equipped with long-range machine guns. And the Defense Agency is also considering further strengthening its ability to deal with suspicious boats in fiscal 2003 and thereafter. For instance, to spot and analyze the identity and movement of suspicious boats, the Defense Agency will strengthen the capability to transmit in-

formation from its P-3C patrol aircraft by equipping them with advanced image-transmission equipment. To better enforce orders that suspicious boats stop, the surface-to-surface firepower of the high-performance 20mm machine guns on MSDF patrol vessels, and the self-defense capability of aircraft, will be strengthened.

Aware of the need to closely coordinate activities of the SDF and police in promptly dealing with armed agents infiltrating Japan, a joint command post exercise was conducted for the first time at Hokkaido Police Headquarters on November 18, 2002. Prior to that, the Agreement on the Maintenance of Public Order in the Event of Public Security Operations, signed by the director general of the Defense Agency (minister of state for defense) and the chairman of the National Public Security Commission in 1954, was modified in December 2000, and the Local Agreements on the Maintenance of Public Order were signed in all prefectures by May 2002. The joint command post exercise above was carried out pursuant to these agreements. It was designed to test and strengthen coordination between the Northern Army of the Ground Self-Defense Force (GSDF) in Hokkaido and the Hokkaido Police Headquarters in dealing with armed agents infiltrating Hokkaido.



A refloated North Korean armed spy boat (Japan Coast Guard photo)

3. The Self-Defense Forces and Their International Contribution—The Tenth Anniversary of PKO Participation

(1) Participation in PKO Activities in East Timor

For the two months between February 21 and April 25, 2002, staff officers of military headquarters of the United Nations Mission of Support in East Timor (UNMISET) and a 690-strong contingent of

the Facilities Corps of the GSDF (“the First East Timor Dispatch Engineering Group”) were sent to East Timor. As the peace in East Timor was disturbed during its pre-independence days, International Force in East Timor (INTERFET), largely consisting of Australian troops, entered East Timor in September 1999, followed by the United Nations Transitional Administration in East Timor (UNTAET) in October the same year. These forces took charge of the overall government and maintenance of law and order until East Timor’s formal independence on May 20, 2002, after which the UNTAET was relieved of its duty. In its place, the UNMISSET was established, cooperating with the government of East Timor in its nation-building efforts.

Following Chief Cabinet Secretary Fukuda’s announcement on November 6, 2001, that the SDF was ready to join the PKO, the Joint Staff Council and the Ground, Maritime, and Air SDF began preparations, and the government sent two fact-finding missions to East Timor to inspect PKO. On February 15, 2002, the cabinet decided on a plan to carry out international cooperation in East Timor, and an engineering contingent was subsequently dispatched.

The first engineering contingent consisted of an engineering unit of the SDF’s Northern Army. Members were deployed to four locations—Dili, Maliana, Suai, and Oecusse—taking over for engineering battalions from Pakistan and Bangladesh, and offered logistical support in the form of maintenance and repair of roads and bridges, maintenance and management of water stations, and providing relief to displaced persons. After about six months, the first engineering contingent returned home in September, and in its place the second engineering contingent, some 680 strong of the SDF’s North Eastern Army, was dispatched the same month. Participation by SDF units in East Timor is expected to continue until 2004.

The SDF’s participation in the PKO in East Timor has four distinct characteristics. First, the number of servicemen and women was the most ever dispatched by Japan—the 600 sent for PKO to

Cambodia in 1992-93 was surpassed by the 680 in East Timor. (In both instances, the SDF dispatched engineering units whose main responsibility has been to repair road and bridges damaged in the conflicts.)



Prime Minister Koizumi visits servicewomen of the SDF dispatched to East Timor.

Second, the number of SDF personnel dispatched to the Military Section Headquarters of the PKO in East Timor was more than on previous occasions. Japan sent five SDF personnel to the U.N. Operation in Mozambique (ONU-MOZ), and two to the United Nations Disengagement Observer Force (UNDOF) in the Golan Heights. This time around, however, Japan sent ten to the PKO in East Timor. Dispatching staff to the headquarters, a form of international peace cooperation, is not only important in itself but is also a way to maintain close communication with headquarters while carrying out PKO assignments. The SDF is also able to gain experience and know-how for managing PKO activities and training its own personnel.

Third, this was the first time for SDF servicewomen—who account for 4.6 percent of the GSDF—to participate in PKO, with seven being sent to East Timor.

Fourth, operations to facilitate the transport of personnel and goods by the Maritime and Air SDF were coordinated and integrated under the Joint Staff Council, contributing to a flexible and effective operation by sea and air, which is expected to serve as a model for future integration. (For further information on SDF integration, see Commentary: A Study of Joint Operations of the Self-Defense Forces.)

Japan's cooperation with a South Korean unit is also worthy of note. The South Korean unit was on a PKO assignment in Oecusse in January, prior to Japan's decision to send its own contingent to East Timor. The South Koreans provided the Japanese with securi-

ty while unloading personnel and goods from *Osumi*, a transport ship, contributing to smooth SDF operations in that port city. Not only did the units from both countries work side by side performing PKO duties, they also became friends through visits and sporting events. Such people-to-people contact is expected to help build confidence between the militaries of the two countries.

As was true with past PKO activities, contact with the local population, operating water stations, and offering humanitarian aid have all helped rehabilitate the economies and stabilize local communities in the region. The PKO by Japan's SDF contingent in East Timor is highly appreciated, here and abroad, and continues to this day.

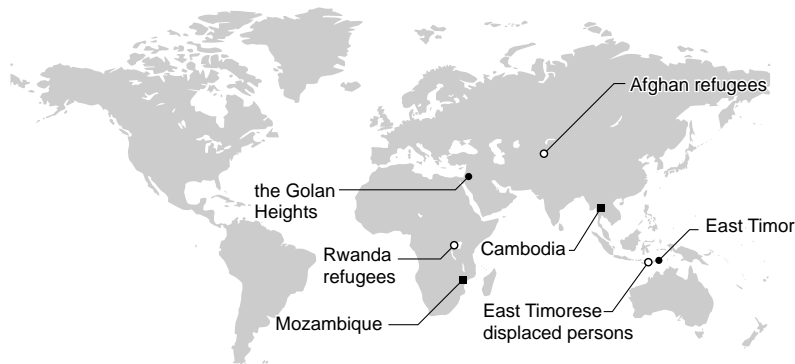
(2) Ten-Year Track Record of PKO Activities

The first SDF involvement in PKO (from September 1992 to September 1993) was the United Nations Transitional Authority in Cambodia (UNTAC), with Japan sending a 600-man engineering unit from the GSDF on a six-month rotation, mainly to build or repair roads and bridges destroyed by the prolonged civil war.

Since then, Japan has dispatched PKO personnel from the SDF to Mozambique and the Golan Heights, with the latter still active. In 2002, the tenth year of Japan's participation in PKO, Japan sent its largest contingent to East Timor.

Since 1948, the United Nations has carried out a total of 55 PKOs—42 since 1988. Of this total, Japan has participated in four (Cambodia, Mozambique, the Golan Heights, and East Timor) since 1992. As of August 31, 2002, a total of 15 PKOs were under way across the globe, composed of more than 45,000 military and police personnel from about 90 countries, with 736 from Japan participating in two operations. This ranks 15th among participating countries. About 5,400 people (including civilian police) from 44 countries are now involved in the PKO in East Timor, with 690 from Japan. U.N.-sponsored PKO activities are recognized by the international community as a means to resolve disputes after the Cold

Chart 10-2. SDF Contingents Dispatched So Far to U.N. PKO



Note 1. ● Countries where Japan is currently participating in PKO
 ■ Countries where Japan participated in PKO in the past
 ○ Countries where Japan carried out humanitarian aid assignments

PKO in Which Japan Participated

PKO in Which Japan Participated	Period	Scale of Participation	Assignments Carried Out
U.N. Transitional Administration Authority in Cambodia (UNTAC)	Sept. '92 – Sept. '93	600-strong engineering contingent (total 1,200 persons), 8 ceasefire monitors (total of 16 persons)	Maintenance and repair of roads and bridges; water supply and transport of materials
U.N. Operation in Mozambique (ONUMOZ)	May '93 – Jan. '95	5 staff members for headquarters (total 10 persons) 48-strong transport coordination unit (total 144 persons)	Planning and coordination of transportation service; transportation of personnel and goods at airports and seaports
UN Disengagement Observer Force in the Golan Heights (UNDOF)	Feb. '96 –	2 members of the staff for headquarters (total 14 persons) 48-strong transport coordination unit (total 344 persons)	Planning and coordination of public information and transport; logistical support for UNDOF (transport of food, storage of goods, and maintenance of roads)
U.N. Transitional Administration in East Timor (UNTAET) U.N. Mission of Support in East Timor (UNMISSET)	Mar. '02 –	10 staff members for headquarters; 680-strong engineering contingent (total 1,360 persons)	Planning and coordination of logistic support (maintenance of roads and bridges); maintenance and repair of roads and bridges, and water supply management, etc.

Source: Compiled from the Secretariat of the International Peace Cooperation Headquarters.

War, and are accepted as part of the defense duties of industrialized countries.

Grateful for the SDF's accomplishments over the past ten years it has been involved in PKO activities, then Minister of State for Defense, Director General of the Defense Agency Gen Nakatani remarked during an inspection tour of East Timor that "the time for apprenticeship is over." Ten years spent participating in four operations may not seem like much, but it is fair to say that SDF personnel acquired valuable experience of making various international contributions and achieved positive results during this time. On December 2, 2002, the SDF heeded a U.N. request and sent a GSDF lieutenant colonel to its headquarters for one year, during which time he will draw up policies and plans at the Military Planning Section of the Peacekeeping Activities Bureau.

Domestic polls show rising support for the SDF's active participation in international peacekeeping operations. According to one opinion poll by the Public Information Office of the Cabinet Secretariat, some 80 percent of respondents approved of the SDF's participation in PKO activities in 2000, up from 45 percent in 1991.

(3) Enactment of the International Peace Cooperation Law and Subsequent Changes

Japan learned a valuable lesson from the debate over its role in the Persian Gulf crisis in 1990, a lesson that influenced its enactment of the International Peace Cooperation Law in June 1992. When Iraq invaded Kuwait in 1990, the government initially contributed

Table 10-1. People's View on the SDF's Participation in PKO

Date polled	Number of respondents	Approve	Tend to approve	Tend to oppose	Oppose
Feb. '91	2,156	20.6%	24.9%	19.1%	18.8%
Jan. '94	2,082	17.1%	31.3%	19.8%	10.8%
Feb. '97	2,114	24.1%	39.9%	10.5%	3.1%
Jan. '00	3,416	40.5%	39.0%	6.0%	2.7%

Note: A random sample of 3,000 people was used in polls carried out from 1991 through 1997, and a sample of 5,000 people in the 2000 poll.

Source: Cabinet Secretariat Public Information Office.

\$4 billion in aid, and submitted to the Diet the U.N. Peace Cooperation Bill, authorizing the government to send peacekeeping troops. However, opposition parties questioned the propriety of sending SDF personnel in the name of “cooperating” with U.N. forces, and debated the constitutionality of working with coalition forces, so the bill eventually fell through. When coalition forces attacked Iraq in January 1991, the government decided to contribute an additional \$9 billion to the effort. Yet despite a financial contribution of as much as \$13 billion, Japan was derided for its “check-book diplomacy,” with little credit given it by the international community.

However, it was widely believed in Japan that the country should contribute manpower to the war effort. The three ruling coalition parties, after the U.N. Peace Cooperation Bill was scrapped, drew up a memorandum on international peace cooperation on November 9, 1990, in the belief that Japan should cooperate in U.N. peacekeeping activities by forming new organization separate from the SDF but in which SDF personnel could participate as members of the SDF. Following receipt of a report from a bipartisan Diet committee in the summer of 1991 based on its inspection of PKO activities, the ruling coalition parties received from the government a draft proposal, “Basic Thinking about New International Peace Cooperation” on August 2, 1991. Believing it necessary to create a system capable of promptly contributing manpower to international peace efforts, the government drew up the International Peace Cooperation Bill.

In the face of strong opposition to sending SDF units on overseas assignments, the International Peace Cooperation Bill, submitted to the Diet in September 1991, survived three tumultuous Diet sessions and passed after a bitter debate. When the bill finally passed, then Prime Minister Kiichi Miyazawa expressed Japan’s commitment to the international community by stating, “by virtue of this law, Japan is now able to play an active role in U.N. peacekeeping activities by contributing manpower, and the involvement of the

SDF in PKO conforms to the ideal of the constitution of this country that seeks to build permanent peace through international cooperation. Japan will actively contribute the most it can to maintain and promote world peace.”

Mindful of the views expressed during Diet deliberations, the government agreed to modify and restrict some of the provisions to win a broader-based understanding from the people. The government agreed that SDF units would not be allowed to take part in core assignments of U.N. peacekeeping (e.g. monitoring the cessation of armed conflict and patrolling buffer zones) until a separate law provides for it—thus ensuring that SDF participation in PKO was placed under certain restrictions.

After carefully checking the constitutionality (Article 9) of the bill, the basic guidelines covering the participation of SDF in a U.N. PKO (the “Five Participation Principles”) were adopted. These principles are: (1) a ceasefire agreement shall have been reached among the parties to the conflict; (2) parties to the conflict, including their territorial state(s), shall have given their consent to the deployment of the PKO and Japan’s participation in the force; (3) the PKO shall maintain strict impartiality, not favoring any of the parties; (4) should there be any change in the above change, the Japanese contingent must be able to withdraw from the operation; and (5) use of weapons shall be limited to the minimum necessary to protect the lives of SDF personnel. The final two principles reflect the idea that SDF personnel will not exercise the use of force except for self-defense purposes and that they will not participate in the use of force by PKO units of other countries.

In light of the experience the SDF had in the course of performing international peace cooperation assignments, the International Peace Cooperation Law was amended twice. Under the law, individual members of Japan’s PKO units were supposed to decide by themselves when to use weapons. In 1998, this provision was changed to require individual members to use weapons only under orders from a superior on the spot. This change is designed to avert

a situation in which the lives of individual members may be endangered by the lack of control over the use of weapons. In 2001, the freeze on SDF participation in core assignments of U.N. peacekeeping was lifted, and the provision relating to the use of weapons was amended. The original International Peace Cooperation Law divided the duties into core assignments and logistic support assignments, and under the law, SDF units were banned from carrying out core assignments until prescribed by a separate law. These special case provisions were abolished. At the same time, two provisions relating to the use of weapons also were revised. First, the list of those to be protected by SDF weapons was extended to include, in addition to SDF personnel themselves and other personnel dispatched to the same place, people “who come under the supervision of SDF personnel as they carry out their duties.” SDF units were authorized to use weapons to protect weapons under their control in the host country.

(4) Future Participation in PKO Activities, and Its Problems

With a ten-year track record since Cambodia, Japan's peacekeeping efforts have entered a new phase. How should Japan go about playing a useful role in PKO in the coming years? People in many quarters are searching for an answer to this question in light of Japan's experience so far. For its part, the government has appointed an Advisory Group on International Cooperation for Peace, under the chairmanship of Yasushi Akashi, former U.N. under secretary-general. This group is a private advisory body to Chief Cabinet Secretary Fukuda comprising experts from various areas. It has been studying what Japan can—and should—do for PKO in the future, from the standpoint of international cooperation for establishing peace and building new nations.

The final report the advisory group released, on December 18, 2002, contains the following recommendations. First, it specifically proposes the following with the objective of “enacting a law to facilitate more flexible international peace cooperation” at the earliest

possible date. (1) Make participation in PKO possible—for example, on the basis of a UNSC resolution—even if the conditions of the so-called “Five Participation Principles” are not entirely fulfilled, such as in a case where parties to armed conflict have ceased to exist and a ceasefire agreement and consent to Japanese deployment have been rendered meaningless. UNTAET was established in October 1999, it was not easy to determine whether the parties to the conflict and the ceasefire agreement existed, so this line of reasoning was behind the proposal. (2) When SDF personnel are carrying out international peace cooperation duties in accordance with international standards, allow escort operations and the use of weapons (known as B-type use of weapons in Japan) to prevent SDF personnel from being forcibly obstructed from discharging their duties. The advisory group says that an SDF contingent that actually participated in a PKO pointed out that in performing a core assignment of U.N. peacekeeping (the freeze on the SDF performing core assignments was lifted by the December 2001 amendment to the International Peace Cooperation Law), it was essential to authorize B-type use of weapons, especially in cases when infantry units are dispatched. (3) In relation to the U.N. Standby Arrangements System, which ensures the speedy implementation of PKO, Japan should, at the very least, participate in Level 1 (under which a participating country notifies the United Nations within a fixed period of the type of unit that can be dispatched, the number of personnel making up such a unit, and the duration for which it can be sent), and if possible Level 2 (submitting in advance a more detailed breakdown of the above). (4) The government should amend the Self-Defense Forces Law to establish international peace cooperation as a duty of the SDF, and prepare units within the SDF with a high level of readiness to ensure their timely and appropriate dispatch.

Second, it specifically proposes the following points with the objective of undertaking broader-ranging peace cooperation activities. Regarding cooperation—logistical support such as medical services,

communications and transport—with multinational forces dispatched pursuant to a UNSC resolution, the laws relating to such cooperation should be realigned. Under the existing International Peace Cooperation Law, “U.N. PKO” covered by it are “activities carried out under the command of the United Nations,” yet “multinational forces” are not covered by it.

Then Minister of State for Defense, Director General of the Defense Agency Gen Nakatani suggested the following three points to deal with PKO in the 21st century. (1) Fundamentally speaking, Japan attaches great importance to its international contributions. (2) SDF units will actively participate in PKO that Japan considers important for its security. (3) The SDF will actively dispatch personnel to the headquarters staff and ceasefire monitors where appropriate. In line with his policy, the Defense Agency has been continuously participating in PKO.

Since the freeze on the participation of SDF units in core assignments of U.N. peacekeeping was lifted, the Diet has been debating whether to dispatch an SDF unit on such an assignment. The debate was touched off by then Minister Nakatani’s comment when he was inspecting an SDF unit in East Timor. He said that in order to dispatch an SDF contingent on a core assignment—the job of guard duty, for example, an important assignment of the PKO infantry unit—and to determine the extent to which SDF personnel are allowed use of weapons, there will have to be candid discussion. For the time being, while the SDF participates in PKO across the world in the area of logistic support, where they have experience, it is necessary to continuously review what the SDF should do in the future. Japan will have to further study the ideals for which Japan participates in PKO, the kind of activities it should undertake, and what form these activities should take.

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