

Section 2 Frameworks for Responses to Armed Attack Situations

It is of utmost importance for the national government to establish a national response framework as a basis for SDF operational structure¹ to deal with serious situations that threaten the peace and security of the country and its people, such as armed attacks against Japan. This establishment enables an effective response to armed attack situations and anticipated armed attack situations (both to armed attack situations² and to situations where armed attacks are anticipated³) and contributes to the deterrence of an armed attack.

See ▶ *Fig. III-1-2-1 (Outline of the Emergency Legislation)*

1 Framework for Responses to Armed Attack Situations

1 Responses to Armed Attack Situations

The Armed Attack Situation Response Act specifies items that should be stipulated as basic principles and basic policies (the Basic Response Plan) regarding response to armed attack situations and the responsibilities of national and local governments in the event of an armed attack situation. Moreover, in preparation for the outbreak of armed attacks, a framework is being developed which allows relevant organizations (designated government institutions, local governments and designated public institutions⁴) to implement response measures in a coordinated and cooperative fashion based on individual legislations dealing with military emergencies such as the Civil Protection Act, thereby the whole nation can fully prepare for armed attack situations.

See ▶ *Fig. III-1-2-2 (Procedures for Responding to Armed Attack Situations); Reference 21 (Main Operations of the*

¹ Three pieces of legislation for responses to situations were enacted in 2003. Furthermore, seven pieces of legislation for responses to situations were enacted in 2004 and three related treaties were ratified in the same year. With this, a basis for emergency legislation was established. The development of these legal systems reflects many results of the “emergency legislation study,” which had been conducted by the former Defense Agency since 1977. Notes: a fixed concept has not necessarily been designated for the term “emergency legislation.” When used in this white paper, it refers to legislation for responses to situations that has been developed since 2003.

² Situation in which an external armed attack on Japan emerges, or an imminent danger is clearly acknowledged.

³ A situation where an armed attack has yet to emerge, but circumstances are growing increasingly strained and an armed attack is expected.

⁴ Independent administrative agencies, the Bank of Japan, the Japanese Red Cross Society, the Japan Broadcasting Corporation (NHK), other public institutions, and corporations engaged in public service operations, including the provision of electricity, gas, transportation, communications, and other services.

Self-Defense Forces); Reference 22 (Statutory Provisions about the Use of Armed Force and Weapons by SDF Personnel)

(1) Basic Response Plan, etc.

In situations such as an armed attack situation, the Cabinet must decide upon the following items for a Basic Response Plan and ask for approval by the Diet. In addition, when the Basic Response Plan has been decided, a temporary Task Force for Armed Attack Situations, etc., (the Task Force) is to be established within the Cabinet, and it will implement these measures:

- 1) Certification of the facts, and the premises to that certification supporting the armed attack situation or the situation where an armed attack situation is anticipated.
- 2) Overall plan to respond to the pertinent armed attack situation.
- 3) Important items related to the response measures.

(2) Response Measures

When responding to armed attack situations, the designated government institutions, local governments and designated public institutions will implement the required measures based on legal provisions between the period of formulation and termination of the Basic Response Plan.

See ▶ Fig.III-1-2-3 (Measures to be Implemented by Designated Administrative Organizations, Municipal Governments or Designated Public Organizations)

(3) Responsibilities of the National and Local Governments

The responsibilities of the national and local governments as defined in the Armed Attack Situation Response Act are as outlined below.

See ▶ Fig. III-1-2-4 (Responsibilities of the National and Municipal Governments)

(4) Authority of the Prime Minister for Response Measures

Following the stipulation of the Basic Response Plan, for overall promotion of response measures, the Task Force for Armed Attack Situations, etc., (the Task Force) will be established within the Cabinet, with the Prime Minister appointed as leader of the Task Force and appropriate Ministers of State as Deputy Chief and other members of the Task Force.

If the Prime Minister recognizes that there are obstacles to protecting the lives, bodies, and properties of the people, and to eliminating an armed attack, when necessary response measures under comprehensive coordination are not implemented, he may instruct the head of the local government concerned and other relevant persons to implement the necessary measures. In circumstances where necessary response measures are not implemented or if there is an obstacle

to protecting the lives, bodies, and properties of the people, in emergency response situations, the Prime Minister or the Minister of State responsible for operations relating to the relevant countermeasure may take responsibility for and implement the response measures that the local governments or designated public institutions have failed to implement, after notifying the relevant heads of local government or other relevant individuals.

(5) Report to the United Nations Security Council

In accordance with Article 51 of the U.N. Charter, the government will immediately report measures it has implemented to terminate armed attacks on Japan to the U.N. Security Council.

2 Responses to Emergency Situations other than Armed Attack Situations

The Armed Attack Situation Response Act provides for appropriate and rapid response measures to be implemented in emergency situations⁵ other than armed attacks, in order for the government to ensure the peace and independence of the country, and to maintain the security of the country and its people.

3 Measures Based on the Armed Attack Situation Response Act

There were seven pieces of emergency legislation, and three treaties enacted and signed in June 2004 as a result of the Armed Attack Situation Response Act that was enacted in June 2003. Based on that, the framework to enable necessary measures for responding to armed attack situations, etc. to be taken was prepared.

See ▶ Reference 21 (Main Operations of the Self-Defense Forces); Reference 22 (Statutory Provisions about the Use of Armed Force and Weapons by SDF Personnel)

2 Initiatives for Civil Protection

1 Basic Guidelines for Civil Protection and the Roles of the Ministry of Defense and the SDF

In March 2005, the government established the Basic Guidelines for Civil Protection (hereinafter the “Basic Guidelines”), based on Article 32 of the Civil Protection Act. The Basic Guidelines presumes four types of armed attack situations, including amphibious landing invasion, guerilla or special operations forces unit attacks, ballistic missile attacks, and air attacks, and prescribes matters requiring attention to implement civil protection measures in

⁵ An emergency response situation. (A situation arising due to actions that may kill or injure many people which uses methods equivalent to those used in an armed attack situation, or a situation where it is recognized that the relevant actions represent a clear and present threat that necessitate an emergency response by the state). Alternatively, a contingency situation other than an armed attack situation that may have a significant impact on the security of the nation and its people.

response to each of them.

The MOD and the SDF established the Civil Protection Plan based on the Civil Protection Act and the Basic Policy. The Plan included measures to be implemented in full force by the SDF to terminate armed attacks, which is a primary mission of the SDF. In addition, the Plan described civil protection measures to be implemented within a feasible range, relating to support for evacuation and rescue, and responses to armed attack disasters.

In the event of an armed attack situation and an emergency situation, the SDF has the authority to conduct such activities as protection and support of residents, including rescuing evacuees, and emergency recovery as a civil protection measure and emergency response protection measure based on the provision for civil protection.

See ▶ Fig. III-1-2-5 (Mechanism of Civil Protection Dispatches)

2 Activities by the MOD and the SDF to Facilitate the Civil Protection Measures

(1) Participation in Training for Civil Protection

In order to appropriately and promptly implement civil protection measures in armed attack situations, it is essential to jointly coordinate matters related to the implementation of civil protection measures in peacetime with other ministries and agencies, local governments, and other relevant organizations.

From this perspective, the MOD and the SDF have held civil protection training with cooperation from relevant government organizations, or local governments. In addition, the MOD and the SDF actively participate and cooperate in civil protection training implemented by relevant government organizations, or local governments.

In November 2013, the MOD participated in a field training exercise held in Aomori Prefecture by the Special Advisor to the Cabinet, Aomori Prefecture and Hirosaki City. At the event venue, exercises were conducted regarding matters such as the initial response, decontamination, emergency relief aid, transport and medical aid for afflicted people in the event that an explosive device containing radioactive material (dirty bomb) was detonated, based on the many fatalities expected to arise.

Furthermore, the site of the Japan-U.S. Bilateral Command Post Exercise held at Northern Army in 2013 was used for map exercises pertaining to the evacuation of civilians in situations where an armed attack is anticipated, and to strengthen collaboration. The participation of

relevant organizations such as local public authorities, of Hokkaido and other regions, was acquired and the exercises were conducted in cooperation with the Special Advisor to the Cabinet and concerned government ministries and agencies.

See ▶ Reference 27 (Record of Joint Exercises for Civil Protection Implemented by the National and Local Governments (FY 2013))

(2) Coordination with Local Governments in Peacetime

During peacetime, the MOD and the SDF closely coordinate with local governments. The Provincial Liaison & Coordination Division has been posted within the GSDF Regional Army Headquarters to achieve effective implementation for civil protection measures through close coordination. To strengthen functions relating to coordination and cooperation with local governments, etc., a Civil Protection and Disaster Countermeasures Liaison Coordination Officer post was established in each SDF Provincial Cooperation Office.

Civil Protection Councils were established in prefectures and municipalities as institutions to gather opinions from a wide range of citizens, and members of the Ground, Maritime or Air Self-Defense Force were assigned to be council members. In addition, in some cases, retired SDF personnel are employed by local governments as crisis management supervisors to facilitate cooperation with the MOD and the SDF and help to conceive and implement disaster response plans and training programs as experts on civil protection.