

Section 4 Toward an Organization That Can Take on New Roles

The Defense Agency/SDF is an organization that bears the role to secure the peace and independence of Japan, the most fundamental role to the nation's existence. Hence, it is required of the Defense Agency/SDF to keep its own posture and roles always appropriate in light of changes in the security environment.

In this section, as part of such efforts, two major challenges of transition of the Defense Agency to a ministry and promotion of international peace cooperation activities from a secondary mission to a primary mission of the SDF are discussed.

1. Needs for Transition to a Ministry and Promotion of International Peace Cooperation Activities to a Primary Mission of the SDF

(1) Backgrounds

1) Japan's Response to Emergency Situations

In areas surrounding Japan, there exist concerns over proliferation of weapons of mass destruction and ballistic missiles and issues of territorial rights, while within Japan, large-scale natural disasters occur almost every year. Today, we live in a world where rapid and proper management of such diverse risks is needed in order to protect the lives and properties of the people.

2) Changes in the International Environment

In the world today, responses to new threats and diverse contingencies which have emerged after the end of the Cold War, such as international terrorism and developing proliferation of weapons of mass destruction, have become issues. In addition, with interdependence among countries deepening, the peace and security of one country has become closely related to the peace and security of the international community.

Therefore, from the viewpoint of the peace and security of Japan, it becomes an important issue to engage in proactive efforts to improve the international security environment on Japan's own initiatives.

3) Changes in the Roles of Defense Forces in the International Community

Under such international and domestic circumstances, the roles of defense forces are expanding beyond the preventive measures against and responses to full-scale invasions against Japan, to wide-ranging fields including responses to diverse contingencies such as terrorism, peace keeping operations by the United Nations (U.N.) and others, support to nation-building, disaster relief dispatches both at home and abroad, and improvement in credibility of the security aspect of relations with other countries. (See Fig. 2-4-1).

(2) Needs for Transition to a Ministry and Promotion of International Peace Cooperation to a Primary Mission of the SDF

As mentioned above, in the changing security environment surrounding Japan, the SDF has been accumulating experiences of various operations including the UN Peace Keeping Operations, international disaster relief operations, and disaster dispatches for over 50 years since its establishment, and such operations are gaining wider public acceptance⁴⁴.

In these situations, it is important: 1) to enhance and strengthen the response to emergency situations; 2) and to develop a structure that allows for proactive efforts for the peace and stability of the international community on Japan's own initiatives.

As part of the efforts to develop such a structure, it is necessary to give the Defense Agency the status of a ministry in the organization of the Government of Japan with an exclusive "minister in charge" so that it

could appropriately fulfill aforementioned roles of significance. In addition, it is necessary to review the primary missions of the SDF, and to add new activities such as efforts for international peace cooperation activities to the primary missions.

Expanding SDF activities

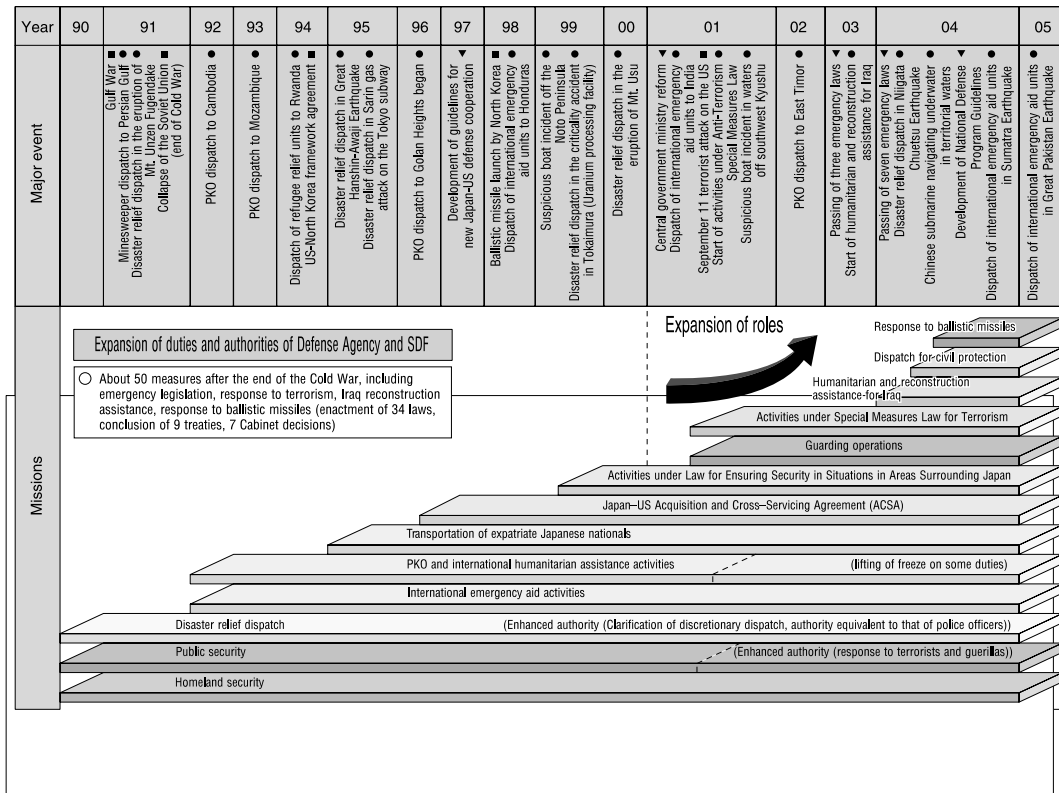


Fig. 2-4-1

2. Examination on Transition to a Ministry

(1) Significance of Transition to a Ministry

The Cabinet is responsible for the Government, and each of the 11 offices and ministries individually has its own exclusive chief, or a minister in charge. For instance, the Finance Minister is in charge of financial affairs, and the Foreign Minister in charge of foreign affairs. On the other hand, the Prime Minister, the Cabinet Office chief, who is responsible for administrative affairs such as gender equality, the Northern Territories issues and finance, serves also as the minister in charge of national defense.

In Japan, organizations responsible for important policies are given the status of a ministry, while the Defense Agency has remained as an agency.

The Defense Agency/SDF assumes a role linked with fundamentals of a state, which is to safeguard the peace and independence of Japan. On top of that, in order to play the roles required of the Defense Agency/SDF today, which will be touched upon later in this section, studies have been conducted on activities such as international peace cooperation operations to be added to the primary missions of the SDF.

In light of these circumstances, transition to a ministry shall have a minister in charge to serve as a chief of national defense of which importance is increasing in the governmental affairs. Transition to a ministry also gives the Defense Agency the status of a ministry equal to that of other organizations responsible for important policies.

As mentioned earlier, transition of the Defense Agency to a ministry has following meanings: 1) to enhance and strengthen the response to emergency situations; 2) and to be able to work proactively for the peace and stability of the international community on Japan's own initiatives.

In the following paragraphs, more elaborate discussions on this matter are presented.

1) Rapid and Appropriate Responses to Diverse Emergency Situations

In the midst of the changing security environment, it is necessary to take measures to ensure the people's safety and reassurances against diverse emergency situations, including terrorism, incidence of suspicious boats, civil protection and disasters. In meeting great responsibilities of response to emergency situations, the Defense Agency/SDF needs to prepare a structure of rapid and accurate responses toward any situation through coordination with relevant governmental organization as well as local governments, and utilization of the personnel, organization and equipment of the SDF.

Transition to a ministry shall secure a more reliable posture of the response to emergency situations of Japan.

- a. The Director-General of the Defense Agency/ Minister of State for Defense shall be called the Minister of Defense just like ministers in charge of other ministries, which will clarify where the responsibility concerning the national defense lies.
- b. Not the Prime Minister but the chief of the ministry shall be able to conduct directly following his or her duties as a minister in charge, which will enhance the structure of policy-making/planning and enable rapid responses to a variety of emergency situations.
- i) Requests to the Prime Minister to call a Cabinet meeting for enactment and amendment of laws concerning security and the SDF. Enactment of the ministry ordinance.
- ii) Requests to the Finance Minister regarding budget requests and implementation. Acquisition of government properties such as training areas.
- iii) Requests to the Prime Minister to call a Cabinet meeting to make decisions on implementation of important activities to protect the lives and properties of the people as maritime security operations.

The authority of supreme commander and authorities to order the SDF defense operations and public security operations, which are traditionally held by the Prime Minister, shall continue to be preserved by the Prime Minister.

- iv) Requests to the Prime Minister to call a Cabinet meeting for approving personnel appointments of major positions at the Ministry of Defense/SDF.

2) Development of a Structure to Engage in Efforts toward the Peace and Stability of the International Community on Japan's Own Initiatives

In order to engage in proactive efforts to improve the international security environment on Japan's own initiatives, the SDF needs to take advantage of the capabilities it possesses more than ever. To that end, it is becoming a significant task for Defense Agency to transfer to an organization that undertakes international peace keeping operations of the SDF and security dialogues and defense exchanges as more important pillars.

Transition of the Defense Agency to a ministry, together with promotion of international peace cooperation activities from a secondary mission to a primary mission of the SDF which will be mentioned later, will clarify both at home and abroad the Japanese stance to engage in the international cooperation for the purposes of the response to emergency situations of Japan and improvement in the international security environment.

Furthermore, as seen in the recent force posture realignment of U.S. forces in Japan and others, the importance of policy consultations over security and defense affairs with a Japanese ally, the U.S. has been increasing. In addition, from the perspective of confidence-building with other countries of the world and cooperation in international peace cooperation activities, security talks with foreign countries have frequently been held.

In the meantime, governmental organizations in charge of national defense of all the countries around the world are either a "Ministry" or a "Department", and only Japan positions such an organization as an "Agency". Both in the U.S. and the U.K., an "Agency" is given a status below the Ministry or Department of Defense which is responsible for policy-making/planning, and refers to an organization that undertakes specific works.

With transition to a ministry, the minister in charge of national defense will have discussions with defense chiefs of other countries as an equal governmental chief both in name and reality, which will deepen confidence-building and cooperative relations further.

(2) Adherence to the Fundamentals of the Defense Policies

The purpose of transition of the Defense Agency to a ministry is to prepare a structure suitable for an organization that takes on the important function of defense planning including response to emergency situations and efforts for the peace and stability of the international community on Japan's own initiatives, in response to both international and domestic security environments.

Hence, transition to a ministry shall never bring about any change in the following fundamentals of the Japanese defense policy: i) the exclusively defense-oriented policy; ii) not becoming a military power that poses threats to other countries; iii) three non-nuclear principles; iv) ensuring civilian control; and v) building of a modest defense capacity, let alone the SDF's relation to the Constitution of Japan.



Defense Agency Office (Ichigaya)

(3) Circumstances regarding the Transition to a Ministry

The Defense Agency was established as an extra-ministerial bureau to the General Administrative Agency of the Cabinet in 1954 when the Safety Agency was abolished. The debate over transition from an agency to a ministry is not a new one, but has been repeatedly raised in the political arena since the inception of the Defense Agency.

In 1964 when the first development plan for defense forces was completed and the framework of defense forces in Japan was tentatively developed, the issue of transition was taken up as a major political agenda, and a bill relating to transition of the Defense Agency to a ministry once reached a cabinet approval, though the bill stopped because short of being submitted to the Diet.

In 1981, the issue was taken up again at the second temporary council of research on public administration system to review the entire governmental organization.

In 1997, the issue of transition to a ministry was raised at the Administrative Reform Conference. Though its final report recommended that the current Defense Agency be continued, it also stated that the fundamental issues of the Japanese national defense under new international situations should be separately discussed in the political arena. Then for the following 8 years, political discussions have continued. During that period, in 2001 the Legislative bill concerning the Defense Ministry Establishment was submitted to the Diet as a lawmaker-initiated legislation, and in December 2002, a consensus was reached among three ruling parties of the Liberal Democratic Party (LDP), the Komei Party and the New Conservative Party to put the issue of transition of the Defense Agency to a *ministry* before everything on the agenda. However, in October 2003, with the dissolution of the House of Representatives, the said legislative bill was abandoned.

Subsequently, reforms have been conducted to prepare an organization that lives up to a ministry. For instance, the so-called emergency legislations were enacted in 2003 and 2004, and with the establishment of the Joint Staff Office, functions of joint operations were enhanced in March 2006. Also, the FY 2006 large-scale overhaul of the internal bureau of the Defense Agency has strengthened its function of policy-making/planning (See Chapter 6, Section 1). And the bid-rigging scandal at the Defense Facilities Administration Agency that was revealed in this year has been accepted as an incident which severely damages public confidence. Efforts are being made to take preventive measures against recurrence of such incidents and to earn the trust of the public (See Chapter 6, Section 3). In light of such circumstances, discussions over the issue of transition to a ministry have continued in the political arena. Specifically speaking, in November 2005, the administrative reform promotion headquarters of the LDP (Chief of headquarters: Mr. Seishiro Etoh) endorsed a submission of a bill concerning transition to a ministry to the Diet with an aim of its enactment, which triggered the debate on this matter within the ruling parties.

Since then, with the security project team of the ruling parties (Chairman: Mr. Taku Yamazaki) at the core, members of the ruling parties have been engaged in lively discussions at relevant committees of the LDP and the Komei Party.

In the course of such discussions, following directions have been presented: i) related bills to be submitted by the Cabinet; ii) to incorporate promotion of activities such as international peace cooperation operations from a secondary mission to a primary mission of the SDF; iii) to incorporate in related bills, a clear indication of substantive matters concerning activities including international peace cooperation operations as agenda for deliberation at the security council which is the Prime Minister's advisory body; iv) to call the new ministry "the Ministry of Defense"; v) and to incorporate in related bills, the implementation of such measures as elimination and consolidation of the Defense Facilities Administration Agency in FY 2007.

After such discussions in the political arena, both of the ruling parties approved submission of related bills to the Diet by the Cabinet (on June 6th through 8th), "the bill concerning Partial Amendment of the Establishment of the Defense Agency and others" was approved at the Cabinet meeting, and the bill was introduced to the Diet (on June 9th).

3. Examination on Promotion of International Peace Cooperation Operations

from a Secondary Mission to a Primary Mission of the SDF

(1) Traditional Concepts

With respect to the missions of the SDF, the principal mission is defense operations to defend the country against direct and indirect invasions. On top of that, the SDF shall be engaged in a mission on as-needed basis, such as civil protection dispatches, public security operations, guarding operations, maritime security operations, destruction measures against ballistic missiles and others, disaster dispatches, earthquake disaster dispatches, nuclear disaster dispatches, and measures against aerial invasions. These missions are called

accessory missions. The primary mission of the SDF comprises the principal mission and the accessory missions⁴⁵.

The SDF has participated in a variety of international peace cooperation operations. Such operations were not given the status of a primary mission, instead they are positioned as a secondary mission that the Chapter 8 (miscellaneous provisions) or the supplementary provisions of the SDF Law provide for, in line with a concept of utilizing the SDF's capacity developed for the defense of Japan under normal circumstances.

In the meantime, the SDF has been engaged in the operations based on the Law Concerning Measures to Ensure the Peace and Security of Japan in Situations in Areas Surrounding Japan, as well as minesweeping and transportation of Japanese nationals abroad, however such roles are considered secondary.

(2) Review on Positioning of Missions

The National Defense Program Guidelines (NDPG) call for proactive efforts for the peace and stability of the international community on Japan's own initiatives in order to consolidate the peace and safety of Japan, and to that end, international peace cooperation operations have been positioned as one of the roles of the defense forces along with responses to new threats and diverse contingencies on top of the preparedness against large-scale invasions. It is also stated in the NDPG that a necessary arrangements should be made in order to engage actively in international peace cooperation operation activities in an appropriate manner, including the promotion of international peace cooperation activities in the SDF missions' priorities.

As to responses to situations in areas surrounding Japan, such situations, if left unattended, may come down to armed attacks against Japan, thereby from the standpoint of ensuring the peace and safety of Japan, they are the issues of significance. Furthermore, not only disposals of the mines abandoned during the Second World War, but also minesweeping activities for the safe navigation of ships are important operations for ensuring the safety of the Japanese people. Furthermore, given the present set of circumstances where many Japanese nationals visiting and staying abroad, transportation of Japanese nationals abroad at the time of situations such as overseas conflicts are also considered important activities to ensure the safety of the people. A structure is needed to be developed so that the Defense Agency could appropriately play these roles required of defense forces in the new security environment.

As part of the abovementioned development of the systems, these operations shall be upgraded from the traditional position of a secondary mission to a primary mission of the SDF.

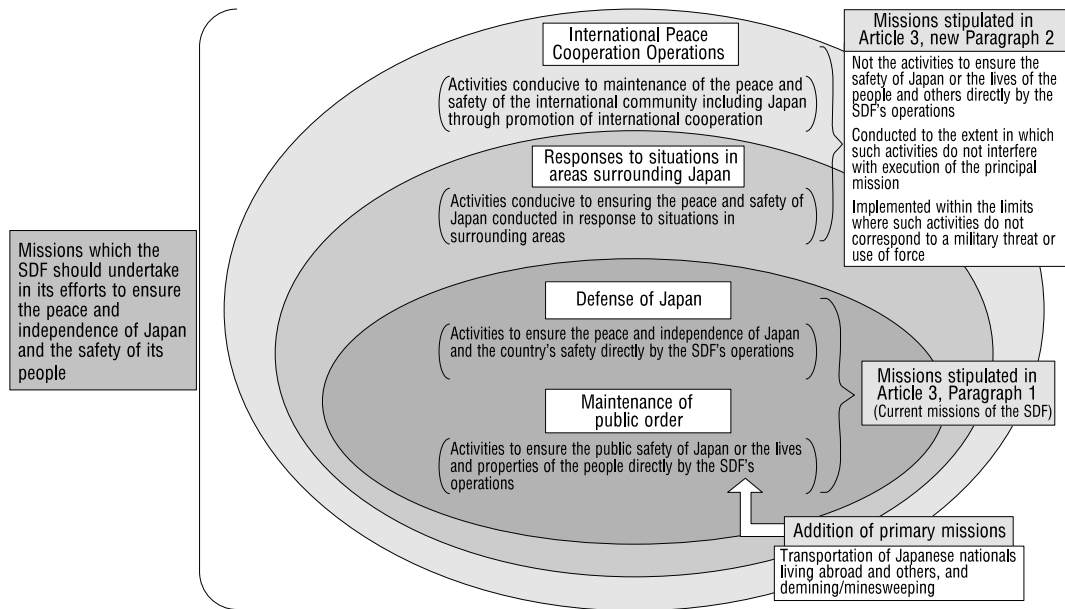
(3) Operations Newly Promoted as a Primary Mission

In concrete, among the operations that were historically positioned as a secondary mission, followings shall be promoted to a primary mission.

- 1) Activities which contribute to maintain peace and security of international community including Japan; such as international disaster relief operations and others; international peace cooperation operations and others; operations based on the Anti-Terrorism Special Measures Law; and operations based on the Law Concerning Special Measures on Humanitarian and Reconstruction Assistance in Iraq⁴⁶.
- 2) Activities conducive to ensuring the peace and safety of Japan responding to Situations in Areas Surrounding Japan; such as, the rear area support and others based on the Law concerning Measures to Ensure the Peace and Security of Japan in Situations in Areas Surrounding Japan; and ship inspection operations based on the Ship Inspection Operations Law.
- 3) Activities to ensure the safety of the lives and properties of the people; such as sweeping of mines and others; and transportation of Japanese nationals abroad

In promoting these operations from a secondary mission to a primary mission of the SDF, substantive matters associated with international peace cooperation operations of the SDF as well as responses to situations in areas surrounding Japan shall be incorporated in the Security Council Establishment Law as the agenda for deliberation at the Security Council, a Prime Minister's advisory body, in order to enhance civilian control further. (See Fig. 2-4-2)

The framework of missions of the SDF associated with upgrade of international peace cooperation activities from a secondary mission to a primary mission



Figs. 2-4-2

4. Development of a Legal Structure related to Transition to a Ministry and Promotion of International Peace Cooperation Activities from a Secondary Mission to a Primary Mission of the SDF

As mentioned earlier, transition of the Defense Agency to a ministry and promoting international peace cooperation activities to a primary mission of the SDF, are for the development of a structure that allows for:

- i) enhancement and strengthening of the systems of the response to emergency situations; and
- ii) proactive efforts for the peace and stability of the international community on Japan's own initiatives.

In order to take measures for the aforementioned purposes, the government submitted a bill concerning partial amendment of the Defense Agency Establishment Law on June 9th.

This bill collectively addresses issues of transition to a ministry, promotion of international peace cooperation activities from a secondary mission to a primary mission of the SDF, and addition of international peace cooperation operations and responses to situations in areas surrounding Japan to the agenda for deliberation at the Security Council. Followings are the outline of the bill.

1) Partial Amendment of the Defense Agency Establishment Law

The Defense Agency Establishment Law shall be amended and changed to the Ministry of Defense Establishment Law which stipulates the missions, jurisdictional functions and organization of the Ministry of Defense.

- Name of the organization : "the Defense Agency" → "the Ministry of Defense"
- Name of the minister : "the Director-General of the Defense Agency/Minister of State for Defense"
→ 「the Minister of Defense」
- Name of the ordinance : "the Cabinet-Office ordinance" → "the Ministry-of-Defense ordinance"

With respect to the missions, jurisdictional functions, and organization of the Ministry of Defense, required amendment shall be implemented pursuant to the provisions stipulated by the existing Defense Agency Establishment Law.

2) Partial Amendment of the SDF Law

a. Matters related to Transition to a Ministry

- There is no change having any impact on the authorities of the Prime Minister as the chief of the Cabinet which is the fundamental framework of the civilian control. (e.g.: the authority of supreme commander of the SDF (Article 7); defense operation orders (Article 76); public security operation orders (Article 78 and 81); and approval of maritime security operations (Article 82))
- Necessary amendment will be conducted including those that the authorities of the Prime Minister as the Cabinet Office chief who is the minister in charge of defense affairs shall be transferred to the Minister of Defense who is the new minister in charge of defense affairs.(e.g. command responsibilities over the Director-General of the Defense Agency (Article 8); supply of goods as measures associated with activities prior to defense operations orders (Article 77-3); rear area support (Article 100-9); and ACSA(Article 100-10, 11); and notification of the areas for expropriation of goods at the time of defense operations(Article 103)).

b. Matters related to Promotion of International Peace Cooperation Activities to a Primary Mission of the SDF

Following activities shall be positioned as a primary mission stipulated in the Article 3 of the SDF Law.

- Activities including international disaster relief operations(Article 100-6 of the SDF Law, the International Disaster Relief Law)
- Activities including international peace cooperation operations(Article 100-7 of the SDF Law, the International Peace Cooperation Law)
- Activities based on the Anti-Terrorism Special Measures Law(Section 17 and 18 of the Supplementary Provisions, and the Anti-Terrorism Special Measures Law)
- Activities based on the Law Concerning Special Measures on Humanitarian and Reconstruction Assistance in Iraq(Section 19 and 20 of the Supplementary Provisions, and the Law Concerning Special Measures on Humanitarian and Reconstruction Assistance in Iraq)
- Removal of mines and others(Article 99 of the SDF Law)
- Transportation of Japanese nationals abroad and others(Article 100-8 of the SDF Law)
- Rear area support and others in situations in areas surrounding Japan(Article 100-9 of the SDF Law, the Law concerning Measures to Ensure the Peace and Safety of Japan in Situations in Areas Surrounding Japan, and the Law concerning Ship Inspection Operations in Situations in Areas Surrounding Japan)

3) Partial Amendment of the Security Council Establishment Law

The Security Council Establishment Law shall be partially amended to incorporate issues of international peace cooperation operations and responses to situations in areas surrounding Japan in the important items for deliberation at the security council.

4) Amendment of Supplementary Provisions and Others

- There shall be a clear statement that the Defense Facilities Administrative Agency is to be eliminated and consolidated into the Defense Agency, the Ministry Proper in FY 2007, which, together with other measures, shall prepare a structure that allows for more appropriate and efficient functioning⁴⁷.
 - Transitional measures following implementation of transition of the Defense Agency to a ministry shall be stipulated.
 - As to 70 related laws, necessary amendment shall be implemented, such as changing the Defense Agency as an extra-ministerial bureau to the Cabinet Office which is pursuant to the Cabinet Office Establishment Law, to a Ministry based on the National Government Organization Law, and changing "the Defense Agency" to "the Ministry of Defense" in the texts of the laws.
- 1) U.S.-Japan Alliance generally represents a relationship between Japan and the U.S. in which they, as nations that share fundamental values and interests, closely coordinate and cooperate in the fields of politics and economy, as well as security, based on the Japan-U.S. Security Arrangements, and is used in that sense.
 - 2) The function of this council was succeeded by the Security Council in 1986.
 - 3) Article 2 of the Atomic Energy Basic Law states that "The research, development and utilization of atomic energy shall be limited to peaceful purpose, aimed at ensuring safety and performed independently under democratic management."
 - 4) Article 2 of the NPT states that "Each non-nuclear-weapon State Party to the Treaty undertakes... not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices..."
 - 5) The Cabinet's control over military matters was limited.
 - 6) Legislators who are the members of the Security Council are the Prime Minister (chairman), Minister designated pursuant to the Article 9 of the Cabinet Law (Ministers of state pre-designated to perform duties of the Prime Minister temporarily when the Prime Minister is absent due to accident, etc.), Minister of Internal Affairs and Communications, Minister of Finance, Minister of Economy, Trade and Industry, Minister of Land, Infrastructure and Transport, the Chief Cabinet Secretary, Chairman of the National Public Safety Commission, and Minister of State for Defense. See Chapter 2, Section 3-1.
 - 7) In addition to this, to support the Minister of State for Defense in successfully administering and managing the SDF, a system to assist the Minister has been established. See Chapter 6, section 2-1. for the organization of the SDF, including the functions to assist the Minister.
 - 8) Go to <www.jda.go.jp/j/library/archives/keikaku/dp96j.htm> for full text.
 - 9) Defined as "new threats including proliferation of the weapons of mass destruction and ballistic missiles and the activities of international terrorist organizations, and diverse contingencies that affect peace and security" in the Cabinet decision.
 - 10) Report of the Council on Security and Defense Capabilities
<<http://www.kantei.go.jp/jp/singi/ampoboue/dai13/13siryu.pdf>>
 - 11) Defined as "new threats including proliferation of the weapons of mass destruction and ballistic missiles and the activities of international terrorist organizations, and diverse contingencies that affect peace and security" in the NDPG.
 - 12) For the content of discussions Japan had with the U.S. on the basis of the direction as set out in the Guidelines, see Chapter 4, Section 2.
 - 13) New threats and diverse contingencies include terrorist attacks and infiltration of armed agents, submerged navigation of foreign submarines in Japan's territorial waters, etc. Also, cyber attacks and Non-combat Evacuation Operation are also considered as countermeasures to deal with new threats and di-

verse contingencies.

- 14) See Chapter 5, Section 1 for specific structure.
- 15) The Mid-Term Defense Program stipulates that the GOJ will improve research and education function of the National Institute for Defense Studies, a think tank of the Japan Defense Agency, regarding security policy .
- 16) See Chapter 3, Section 2 for development of BMD system.
- 17) A total cost incurred from procurement to disposition.
- 18) Based on this comment, on December 24, 2005, with respect to the joint Japan-U.S. technical research on a sea-based upper-tier system of the BMD, it was approved at the Security Council and the Cabinet meeting that the joint Japan-U.S. development should be commenced. In addition, in the comment submitted by the Chief Cabinet Secretary on the same day, it was stated that "as to the weapons requiring provision to the United States for the purpose of this joint Japan-U.S. development, they shall be provided under the strict control, upon coordination with the U.S. regarding the framework for provision of weapons". (See Chapter 3, Section 2)
- 19) In June 2006, when the Chief Cabinet Secretary released a statement to provide grant aid for patrol vessels, which fall under the category of weapons, etc. in the Three Principles of Arms Exports, in support of controlling and preventing terrorism and piracy against Indonesia, export of such patrol vessels were decided to be exempt from the Three Principles of Arms Exports, on the condition that an international agreement is concluded with the importing country to ensure that the vessels are not used for other purposes and that the importing country does not transfer the vessels to a third party without Japan's prior consent.
- 20) See Chapter 5, Section 1, for developing a structure to be in place to appropriately address international peace cooperation activities.
- 21) Creating a small and efficient public administration is one of the Cabinet's important targets, and in the Administrative Reform Program (adopted in the Cabinet Decision of December 24, 2005), it is stated that reforms will be undertaken to significantly cut down on government personnel costs through large reduction in the fixed number of government personnel.
As for SDF personnel, it is also stated in the same Cabinet Decision that net reduction will be conducted pursuant to administrative agencies. In the Law concerning Promotion of Administrative Reform to Realize a Simple and Efficient Public Administration (Law No. 47, 2006), it is also explicitly stated that net reduction of SDF personnel will be performed pursuant to administrative agencies. SDF will make efforts for the personnel costs reduction reform in line with these movements.
- 22) Research into an anti-submarine Morse bomb that can transmit Morse signals to require the submarine for flotation.
- 23) In an effort to restore fiscal health, discussions and studies were conducted at the ruling party concerning annual revenue/expenditure reform. As a result, specific plans for reform concerning defense-related expenditures were laid out in the Basic Policies for Economic and Fiscal Management and Structural Reform (Cabinet Decision, July 7, 2006).
- 24) Procurement of some main front-end equipment e.g. vessels and aircrafts and construction of some billets may take years. To implement such procurement and construction, budgeting is made to allow execution of contracts of under 5 years. This constitutes grounds for executing a contract for which payment is made at a certain point in the future. And the budget receives adjustment in each fiscal year for the payment to be made within the contract period. Of these expenses, the ones as posted for that year and due after the year of contract are called "appropriation expenses", and the ones not yet due and scheduled for future payment are called "charge in after years".

- 25) Representative of this are expenses for house soundproofing projects.
- 26) A situation in which an external armed attack to Japan emerged or a clear and immense risk of emergence of an armed attack is identified.
- 27) Law to Respond to Armed Attack Situation (Law for Ensuring Peace and Independence of Japan and Security of the State and the People in Armed Attack Situations, Etc.), Amendment to the Security Council Establishment Law, Amendment to the Self-Defense Forces Law etc.
- 28) The "Yuuji Housei (contingency legislation)" are used in an equivocal sense, such as "Yuuji-Housei Kenkyu (study into legislation to deal with contingencies)" for study regarding legislation as related to the operation of the SDF under the situation where SDF is ordered defense operation provided in article 76, the SDF law. However, the term "Contingency Legislation (Yuuji-housei)" used in this white paper refer to Legislation for Responses to Situations including Armed Attack Situation enacted in 2003 and 2004.
- 29) A situation that is yet to come to an armed attack situation but things are growing strained and an armed attack is expected to emerge.
- 30) Independent administrative agencies, Bank of Japan, Japanese Red Cross Society (JRC), Nippon Hoso Kyokai (NHK), and other public agencies, and corporations operating electric power, gas, transportation, and other public works, as prescribed in ordinance.
- 31) Emergency situations other than Armed Attack Situations that may seriously affect the security of Japan and its people, in addition to Emergency Response Situations.
- 32) A situation where an act of killing many people by using means similar to the one for armed attack, or an imminent danger of emergence of the said act is clearly recognized, for which an emergency response by the state is required.
- 33) See Chapter 3 for responses of the SDF to various situations.
- 34) Law Concerning the Measures for Protection of the Civilian Population in Armed Attack Situations, etc. (Civil Protection Law)
- 35) Law Concerning the Restriction of Maritime Transportation of Foreign Military Supplies, etc. in Armed Attack Situation (Maritime Transportation Restriction Law)
- 36) Law Related to Measures Conducted by the Government in Line with U.S. Military Actions in Armed Attack Situations, etc. (U.S. Military Actions Related Measures Law)
- 37) Agreement Amending the Agreement between the Government of Japan and the Government of the United States of America Concerning Reciprocal Provision of Logistics Support, Supplies, and Services between the Self-Defense Forces of Japan and the Armed Forces of the United States of America (ACSA; Acquisition and Cross-Servicing Agreement) (See Chapter 4, Section 3)
- 38) Law Related to the Use of Specific Public Facilities in Armed Attack Situations, etc. (Specific Public Facility Use Law)
- 39) Law Concerning the Treatment of Prisoners of War and Other Detainees in Armed Attack Situation (Prisoners of War Law)
- 40) Law Concerning Punishment of Grave Breaches of the International Humanitarian Law
- 41) Geneva Convention consists of (1) Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949 (convention I), (2) Geneva Convention for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea of August 12, 1949 (convention II), (3) Geneva Convention relative to the Treatment of Prisoners of War of August 12, 1949 (convention III), (4) Geneva Convention relative to the Protection of Civilian Persons in Time of War of August 12, 1949 (convention IV).
- 42) Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of

Victims of International Armed Conflicts (Protocol I).

- 43) Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II)
- 44) In "Opinion Poll on the Self-Defense Forces and the Securities Issue" (conducted in February this year), about 85% of the Japanese people said that they have favorable impression of the Self-Defense Forces, and 85% evaluated favorably the Self-Defense Forces' international peace cooperation activities.
- 45) Article 3 of the Self-Defense Forces Law stipulates that "the primary mission of the SDF is to defend our country against direct and indirect invasion, and to maintain public order when necessary."
- 46) See Section 1, Chapter 5 for upgrading the international peace cooperation activities from a secondary mission to a primary mission of the SDF.
- 47) It was pointed out in the discussion among the ruling parties on the transition to a ministry that the relationships between the disbanding and integration of the Defense Facilities Administration Agency in 2007 following the case of bid-rigging at the Agency, and the bill for the transition to a ministry this time is unclear though both are related to the organization of the Defense Agency. The matter of abolishment of the Defense Facilities Administration Agency has therefore been clearly stipulated in the supplementary.