

Part III

Measures for Defense of Japan

Chapter 1

Operations of Self-Defense Forces for Defense of Japan and Responses to Diverse Situations

Section 1. Frameworks for Responses to Armed Attack Situations

Section 2. Effective Responses to New Threats and Diverse Contingencies

Section 3. Preparation against Full-Scale Aggression



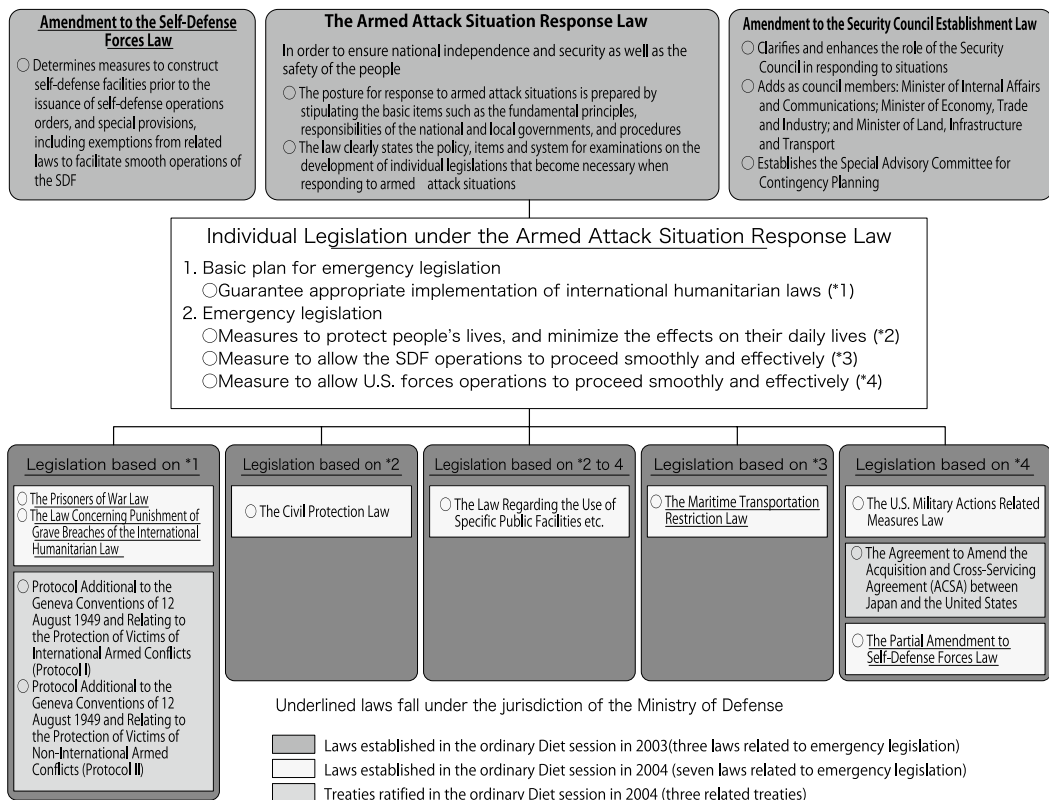
Section 1. Frameworks for Responses to Armed Attack Situations

In the administrative policy speech of 2002, then Prime Minister Koizumi clearly stated that the Government would seek the concrete development of legal systems “so as to advance building of a nation that is strong in emergencies.” In light of this, three legislations for responses to situations were enacted in 2003. Furthermore, seven legislations for responses to situations were enacted in 2004 and three related treaties were ratified in 2004. With this, a basis for emergency legislation¹ was established. The development of these legal systems reflects many of results of the so-called “Emergency Legislation Study”, which had been conducted by the (then) Defense Agency since 1977. (See Fig. III-1-1-1)

It is of utmost importance for the national government to establish a national response framework as a basis for an SDF operational structure, to deal with serious situations which 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 situations (both to armed attack situations² and to situations where armed attacks are anticipated³) and contributes to the deterrence of an armed attack, and is also vital from the perspective of achieving civilian control in an armed attack situation.

This section outlines the key aspects of Japan’s response framework in the event of an armed attack situation, and the SDF operational structure that is based on this framework.

Fig. III-1-1-1 Outline of the Emergency Legislation

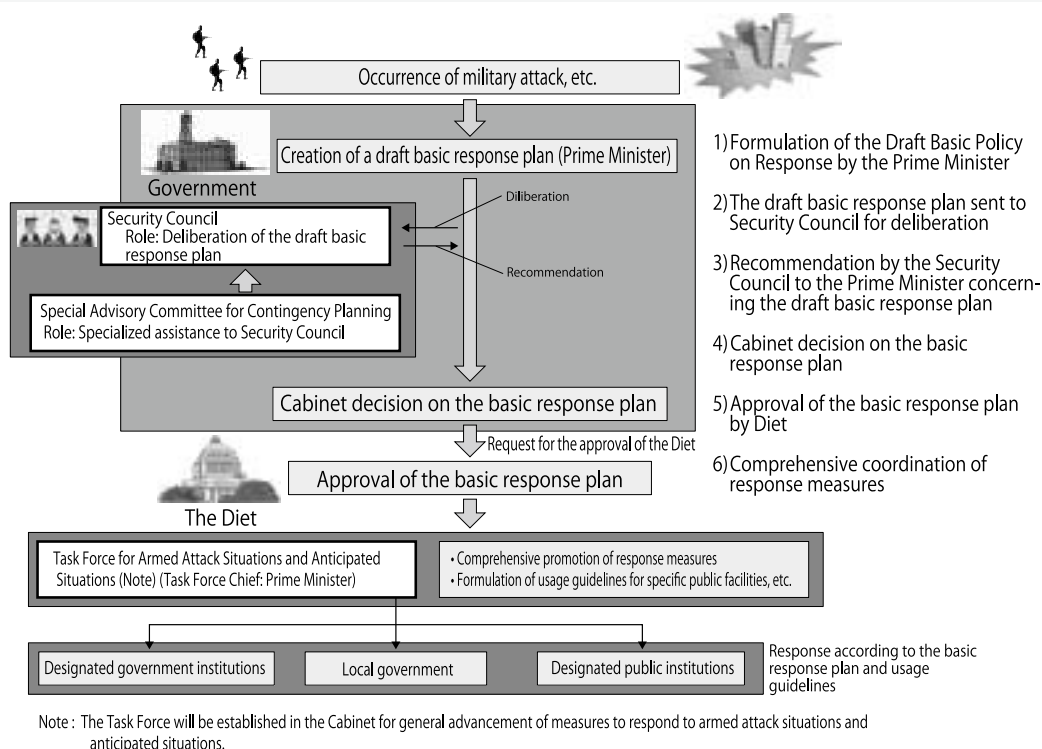


1. The Framework for Responses to Armed Attack Situations

1. Responses to Armed Attack Situations

The Armed Attack Situation Response Law⁴ determines the fundamental nature of Japan's response to armed attack situations and defines basic principles, basic policies (the Basic Response Plan) and the responsibilities of national and local governments in the event of an armed attack situation. Based on this legislation and on other emergency legislation, such as the Civil Protection Law, the relevant organizations (designated government institutions, local governments and designated public institutions⁵) cooperate to implement coordinated response measures. The establishment of this legislative framework enables the country as a whole to implement a thorough response to armed attack situations. (See Fig. III-1-1-2) (See Reference 24-25)

Fig. III-1-1-2 Procedures for Responding to Armed Attack Situations



(1) Response Measures

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

a. Measures to Bring Armed Attack Situations to an End Depending on the Progress of the Situation

- 1) The use of military force, unit deployment and other activities conducted by the SDF;
- 2) Provision of materials, facilities and services and other measures to facilitate the smooth and efficient implementation of the SDF and U.S. forces' operations;
- 3) Diplomatic measures other than those described in paragraphs 1) and 2) above.

b. Measures to Protect Lives, Bodies and Properties of the People, and to Minimize the Effects on People's Lives and Economy

- 1) Warnings, evacuation instructions, rescue of disaster victims, emergency restoration of facilities and installations, and other measures; and
- 2) Price stabilization, distribution of necessities of daily life, and other necessary measures.

(2) Responsibilities of the National and Local Governments

The responsibilities of the national and local governments as defined in the Armed Attack Situation Response Law are outlined in Fig. III-1-1-3.

(3) 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 head of local governments or other relevant individual.

Fig. III-1-1-3 Responsibilities of the National and Local Governments

Main body	Responsibility
Government	<ul style="list-style-type: none">•Has a unique mission to defend Japan, protect the homeland and the lives, bodies and properties of the people•Respond to armed attack situations and take every possible measure by using all organizations and functions•Implement all possible measures as a whole nation
Local Government	<ul style="list-style-type: none">•Has responsibilities of protecting the region and the lives, bodies, and properties of the residents•Implement necessary measures in mutual cooperation with the national government, other local governments and other institutions
Designated Public Institutions	<ul style="list-style-type: none">•Implement necessary measures in the scope of their work, in mutual cooperation with the national government, local governments and other institutions
People	<ul style="list-style-type: none">•Strive to provide necessary cooperation for implementation of response measures taken by the designated administrative institutions, local governments or designated public institutions

(4) Report to the U.N. 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 Law provides for appropriate and rapid response measures to be implemented in emergency situations⁶ 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.

In addition, based on changes in various situations surrounding Japan, such as the appearance of unidentified vessels or mass terrorism incidents, measures shall be taken including the following:

- 1) Development of the systems for assembling information, analysis, and situational evaluations;
- 2) Preparation for formulating response measures in accordance with various situations;
- 3) Rapid implementation of measures to strengthen levels of coordination between the SDF, the police, the Japan Coast Guard and other relevant organizations.

(1) Emergency Response Situation Response Plan

In an emergency response situation, the Cabinet must decide the following items for those policies concerning emergency response situations (emergency response situation response plan) and must obtain the approval of the plan by the Diet. Also, on the approval of the emergency response situation response plan, the Headquarters for the Emergency Response Situation will be temporarily established within the Cabinet to deal with the relevant situation.

- 1) Certification of an emergency response situation and the facts supporting the certification;
- 2) General plan for responses; and
- 3) Important matters relating to emergency response measures.

(2) Emergency Response Measures

The designated government institutions, local governments, and designated public institutions will implement the following emergency response measures based on legal provisions, during the period between the formulation and termination of an Emergency Response Situation Response Plan:

- 1) Measures most appropriate to end the emergency response situation and measures to prevent or suppress attacks during emergency response situations.
- 2) In order to protect the lives, bodies, and properties of the people from attacks or to minimize the impact on their daily lives and economic conditions in emergency response situations, the following measures will also be implemented according to current developments in the emergency response situation: the issuance of warnings, evacuation instructions, the rescue of disaster victims, the emergency restoration of facilities and equipment, etc.

2. Measures Based on the Armed Attack Situation Response Law

1. Measures to Protect the Lives etc. of the People and to Minimize the Effects on the Daily Lives of the People

Japan established the Civil Protection Law⁷, which prescribes measures for necessary items to protect the lives etc. of the people in armed attack situations and emergency response situations. (See 3 of this section)

2. Measures to Terminate Armed Attack Situations

(1) Facilitation of SDF Operations

Japan enacted the Maritime Transportation Restriction Law⁸, which enables the implementation of measures to restrict the maritime transportation of foreign military supplies in Japanese territorial waters or in international waters surrounding Japan.

Furthermore, Japan revised one part of the SDF Law, and special provisions were newly established for the appropriate application of relevant laws, such as measures for the construction of defense facilities prior to issuance of a defense operations order, provisions related to emergency traffic on issuance of a defense operations order, or relating to the Road Law.

(2) Facilitation of U.S. Forces Operations

- a. Japan established the Law Related to Measures Conducted by the Government in Line with U.S. Military Actions in Armed Attack Situations⁹, etc. (U.S. Military Actions Related Measures Law). In accordance with the Japan-U.S. Security Treaty, it prescribes measures to be implemented so that U.S. forces may smoothly and effectively take the necessary actions to terminate armed attacks against Japan.
- b. The Diet approved partial amendment of the Agreement between the Government of Japan and the Government of the United States of America Concerning Reciprocal Provision of Logistic Support, Supplies and Services between the SDF of Japan and the Armed Forces of the United States of America (ACSA - Acquisition and Cross-Servicing Agreement)¹⁰. The scope of application for this Agreement has been widened so that it now additionally applies to responses to armed attack situations, the efforts of the international community to contribute to global peace and security, and for disaster response measures. Also, the revision of one part of the SDF Law has enabled the SDF to provide logistic support, supplies, and services to U.S. forces implementing these actions. (See Chapter 2, Section 3)

(3) Other (Coordination of the Use of Facilities of Ports and Airfields, Roads and Others)

Japan established the Law Regarding the Use of Specific Public Facilities¹¹, ensuring that the SDF and U.S. forces' actions and measures to protect the people of Japan can be implemented appropriately and promptly. The Law enables the comprehensive coordination of specific public facilities etc. (ports, airfields, roads, territorial waters and airspace, and radio frequencies) that may be required in armed attack situations.

3. Guarantee of Appropriate Implementation of International Humanitarian Laws

- (1) Japan established the Law Concerning the Treatment of Prisoners of War and other Detainees in Armed Attack Situations (Prisoners of War Law)¹². The Law was created to ensure that prisoners are always treated humanely in armed attack situations and to ensure that prisoners' lives, bodies, health, and dignity are always respected and protected from any violations or threats.
- (2) Japan established the Law Concerning Punishment of Grave Breaches of the International Humanitarian Law¹³ prescribing appropriate punishment for "grave breaches" of international humanitarian laws applicable to international armed conflicts.
- (3) Along with these individual emergency legislations, the Protocol Additional to the Geneva Conventions¹⁴ of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts (Protocol I¹⁵) and the Protocol Additional to the Geneva Convention of 12 August, 1949 and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II¹⁶), which are the main International Humanitarian Laws, were ratified.

- (4) Japan has established legislation to protect cultural properties during armed conflict establishing a system to provide international protection for those cultural properties that can be considered valuable cultural assets for the entire human race, as well as legislation to cooperate with the International Criminal Court which ensures the appropriate implementation of International Criminal Court regulations.
- (5) In addition to these laws, three treaties relating to the protection of cultural properties at a time of armed conflict and the regulations of the International Criminal Court were concluded in 2007.

4. High Readiness for Armed Attack Situations

With the passing of the emergency legislation, Japan has established a legal foundation but still needs to confirm the legislation's effectiveness and also ceaselessly strive to maintain the effectiveness of the required operational infrastructure to ensure an appropriate response in an ever-changing security environment.

As part of these efforts, during peacetime, the Special Advisory Committee for Contingency Planning, under the jurisdiction of the Security Council, will study responses to emergency situations, such as armed attacks, terrorist attacks, or the appearance of unidentified vessels. In addition, it will formulate plans for the specific response measures to be implemented by designated government institutions, local governments, and designated public institutions in armed attack situations. The Council will also take steps to formulate role-related plans and ensure that these plans are reflected into policies and operations.

The government also works to utilize a range of opportunities to educate the public on all of the important measures that it will implement to protect the lives, bodies, and properties of the people in armed attack situations. Also, it verifies the effectiveness of its operational structure through methods such as training, and maintains high levels of readiness for armed attack situations.

3. Efforts for Civil Protection

1. Measures for Civil Protection in Armed Attack Situations

All organizations and functions of the government will implement their measures for civil protection in armed attack situations (civil protection measures) based on the Basic Response Plan and the basic guidelines for civil protection in armed attack situations. Also, the country as a whole will give its unfailing support for all civil protection measures implemented by local governments and designated public institutions.

Local governments will implement their respective civil protection measures based on the national government policies, and will be responsible for the overall coordination of the civil protection measures to be implemented by relevant authorities in their jurisdiction.

2. The Basic Guidelines for Civil Protection

In 2005, the government established the Basic Guidelines for Civil Protection (hereinafter the "Basic Guidelines")¹⁷, based on Article 32 of the Civil Protection Law.

Designated government institutions and prefectural governments, etc. established the plan concerning civil protection (the Civil Protection Plan) based on the Civil Protection Law and the Basic Guidelines.

3. Roles of the SDF in Civil Protection

In 2005, the then Defense Agency and Defense Facilities Administration Agency, both designated government institutions, established the Civil Protection Plan¹⁸, based on the Civil Protection Law and the Basic Guidelines. The Plan included measures to be implemented in full force by the SDF to terminate armed attacks, a primary mission of the SDF. In addition, the Plan described civil protection measures to be implemented within feasible range, relating to evacuation, relief support, and responses to armed attack disasters. (See Reference 26)

Civil Protection Training in Preparation for Biological or Nuclear Terrorist Attacks

In order to strengthen coordination among relevant organizations and to boost collective capability to address emergency response situations, the Ministry of Defense and the SDF have, since 2005, participated in Civil Protection Joint Training programs organized by the central government and local municipalities under the Law Concerning Measures for Protection of the Civilian Population in Armed Attack Situations (Civil Protection Law). In the face of a growing possibility, in recent years, of terrorist acts employing biological agents such as the smallpox virus or radioactive substances such as cesium 137, Japan's response capability against terrorism employing such weapons must be urgently upgraded and guidelines for joint operation with relevant organizations established. In FY 2008, in order to inspect and verify operational effectiveness, civil protection joint training simulating a terrorist attack with the smallpox virus was carried out in Miyazaki and Ehime Prefectures and similar training simulating a "dirty bomb" (a bomb that scatters radioactive material) incident were held in Kanagawa Prefecture with the participation of Ground, Marine and Air Defense Forces in Regional Defense Bureaus concerned.



Civil protection training in Ehime Prefecture

Through these training operations it has become clear that it is vital that there be comprehensive cooperation and coordination with organizations possessing specialized expertise, such as the Ministry of Health, Labour and Welfare, health centers, the National Institute of Infectious Diseases and other medical institutions in the case of a biological terrorist attack, the Nuclear Safety Commission, the Ministry of Education, Culture, Sports, Science and Technology and the National Institute of Radiological Sciences in the case of a nuclear terrorist attack. In addition, coordination with the police and fire fighting authorities is necessary in the case of a natural disaster.

(1) Civil Protection Dispatch

a. Dispatch Procedure

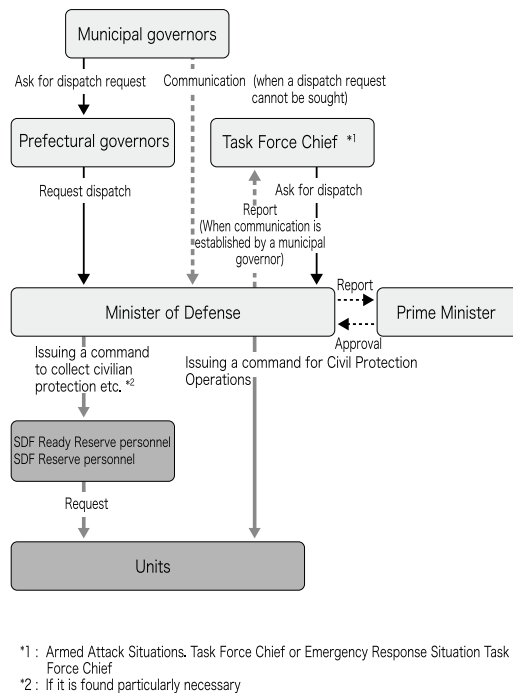
For situations where it is recognized that a dispatch is required, the Minister of Defense may issue a civilian protection dispatch order to dispatch relevant units to implement civil protection measures following a request by a prefectural governor or the Task Force Chief¹⁹. (See Fig. III-1-1-4)

Also, when a defense operations order has been issued in an armed attack situation, or on the issuance of a public security operations order in an emergency response situation, the Minister of Defense may implement civil protection measures or emergency response protection measures if they constitute a part of the consistent defense or public security operations strategy.

b. Authorities

Only in cases when police officers, etc.,²⁰ are not at the scene, the SDF personnel ordered for a civil protection dispatch operation are authorized to execute evacuation and other measures as prescribed by the Law Concerning the Execution of Duties of Police Officials. In addition, only in cases when the municipal mayors, etc. are not at the scene, the SDF personnel ordered for a civil protection dispatch operation are authorized to execute evacuation instructions and other measures.

Fig. III-1-1-4 Mechanism of Civil Protection Dispatches



c. Temporary Organization of Units

During civil protection dispatch operations, the Minister of Defense may temporarily organize special units based on necessity and call SDF ready and reserve personnel to duty.

d. Emergency Response Protection Measures

The same provisions as measures in armed attack situations, based on the Civil Protection Law and the Basic Guidelines etc., shall apply for measures in emergency response situations.

(2) SDF Measures

a. Evacuation of Residents

The SDF will collect and distribute essential information, coordinate with relevant organizations, and provide guidance and transport services for the evacuation of residents.

b. Relief of Evacuated Residents

Centered on measures for the relief of human life such as search and rescue, and following a request from the Task Force Chief or other authorized persons, the SDF will implement measures to support the lives of the people when necessary such as distributing hot meals and supplying water.

c. Responses to Armed Attack Disasters

The SDF will carry out the following response measures: confirming the extent of damage, providing monitoring support, implementing measures for relief of human lives, preventing damage expansion, and removing dangerous substances as a result of nuclear, biological or chemical (NBC) attacks. Otherwise, the SDF will implement other important measures to ensure the security of facilities such as those related to daily life.

d. Emergency Recovery

While implementing emergency recovery measures for SDF facilities and equipment based on a request from a prefectural governor etc., support operations will be conducted including the removal of dangerous wreckage.

4. Activities by the Ministry of Defense and the SDF to Facilitate the Peacetime 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 coordinate with other ministries and agencies, local governments, and other relevant organizations.

The Ministry of Defense and the SDF actively participate and cooperate in civil protection training implemented by government organizations or local governments. The Ministry of Defense and the SDF intend to continue such efforts to strengthen coordination and response capabilities. (See Reference 27)

(2) Coordination with Local Governments in Peacetime

During peacetime, the Ministry of Defense and the SDF closely coordinate with local governments etc. The Provincial Liaison & Coordination Division was established within the GSDF 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.

In addition, GSDF, MSDF, and ASDF members have been appointed as members of the civil protection consultative committees of prefectures and municipalities, which were established to actively solicit opinions from a wide range of citizens and to coordinate the implementation of civil protection measures. Moreover, a staff of each Regional Defense Bureau, which is a designated local administrative organization, is appointed as a member of the Committee.



SDF personnel participating in civil protection training in Fukui prefecture

4. The Joint Operational Structure of the Self-Defense Forces

In 2006, the Ministry of Defense and the SDF shifted to a joint operational structure. This has established the basis for unified SDF operations among the GSDF, MSDF, and ASDF in peacetime, and is enabling the SDF to fulfill its expanding range of already diversified duties in an effective and prompt manner.

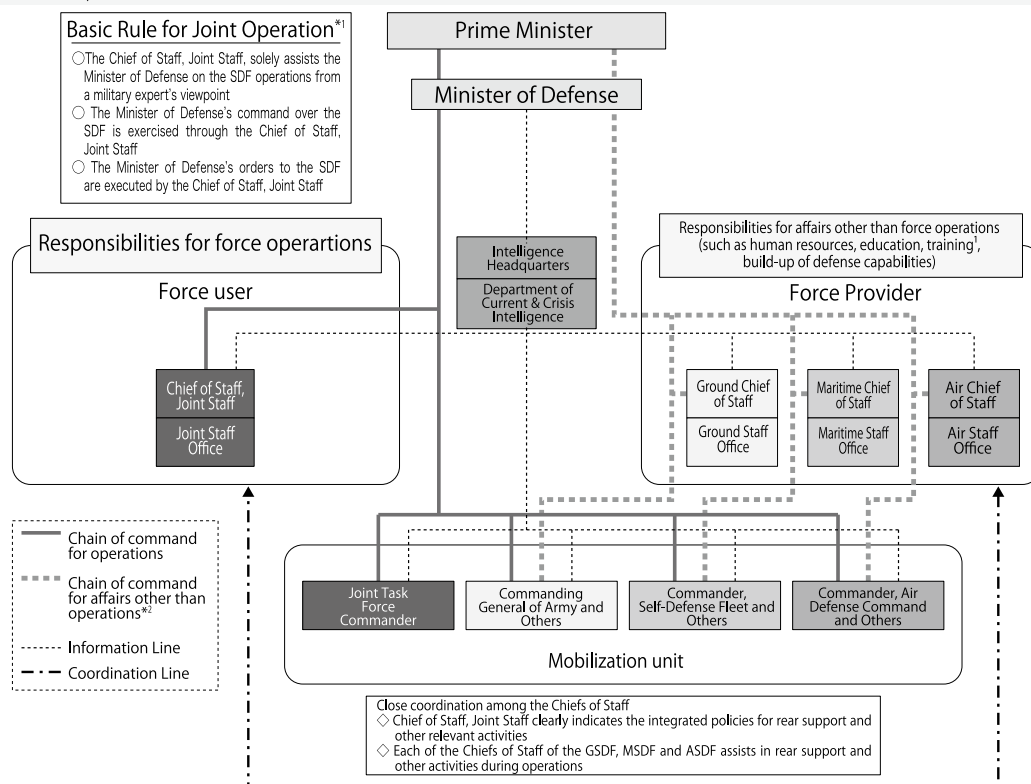
1. Outline of Joint Operational Structure

(1) Role of the Chief of Staff, Joint Staff

- a. The Chief of Staff, Joint Staff develops a joint operations concept for the operations, and solely supports the Minister of Defense on operations from a military expert's perspective.
- b. The Minister's commands concerning the operations of SDF shall be delivered through the Chief of Staff, Joint Staff and orders concerning operations of SDF shall be executed by the Chief of Joint Staff. In doing this, the Minister's commands and orders shall be delivered through the Chief of Joint Staff not only in cases where a joint task force²¹ is organized, but also in cases where a single SDF unit is employed to take responses.

Fig. III-1-1-5

Operational System of the SDF and Roles of the Joint Chief of Staff and the Chiefs of Staff of the Ground, Maritime and Air Self-Defense Forces



(2) Relationship between Chief of Staff, Joint Staff and Other Chiefs of Staff

The Joint Staff undertakes the functions relating to those SDF operations that were transferred and consolidated from the GSDF, MSDF and ASDF Staff. The GSDF, MSDF and ASDF Staff Offices continue to undertake functions for unit maintenance, such as personnel, building-up defense capability, and education and training.

In addition, from the perspective of facilitating the smooth SDF joint operations, the Chief of Staff, Joint Staff creates medium- to long-term defense concepts and strategies, and annual planning policies to clarify the requirements of the GSDF, MSDF and ASDF functions. Each of the Chiefs of Staff of the GSDF, MSDF and ASDF will implement all measures in accordance with these plans.

The information necessary for the SDF to carry out its operations is provided by the Defense Intelligence Headquarters to the Joint Staff and the relevant units. (See Fig. III-1-1-5)

2. Establishment of Infrastructure to Enhance the Joint Operational Structure

Within the joint operational structure it is essential that the Joint Staff and each SDF unit maintain systems to communicate commands accurately and to share information promptly. With this in mind, in March 2008, the SDF Command and Communication Squadron was established to strengthen communication functions. Also, a wide-ranging and mobile information communications structure has been created employing information and

communication technologies available at home, overseas.

Furthermore, at the unit level, commanders²² of major units who may be required to take command of a joint task force will create plans for such force's operations during peacetime. Also, they need to maintain a posture capable of executing duties through joint training and other methods. For this purpose, staff from other SDF branches is to be stationed at major command headquarters during peacetime, and if necessary, the number of Joint Staff personnel will be increased.

Deliberation continues aiming for a more effective joint operational structure and necessary measures to be taken, while bearing in mind past accomplishments. This deliberation includes topics such as the improvement of education and training, the SDF headquarter structure, and the development of human resources and common equipment to fit joint operations.

3. Placing the Defense Intelligence Headquarters under the Direct Command of the Minister of Defense

Following the shift to a joint operations posture, the Defense Intelligence Headquarters, which had been under the control of the Joint Staff Council (at that time), became a special institution under the direct control of the Minister of Defense. Its position and role were identified as the central intelligence organization of the Ministry of Defense. This change has enabled the intelligence organizations of the Ministry of Defense to strengthen the following functions: to collect extensive intelligence and carry out high quality analysis based on the intelligence needs of each government ministry and agency and more prompt, accurate, and direct reporting to the Minister of Defense.