

Part III

Measures for the Defense of Japan

Chapter 1

Self-Defense Forces Operations

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 4. Anti-Piracy Efforts



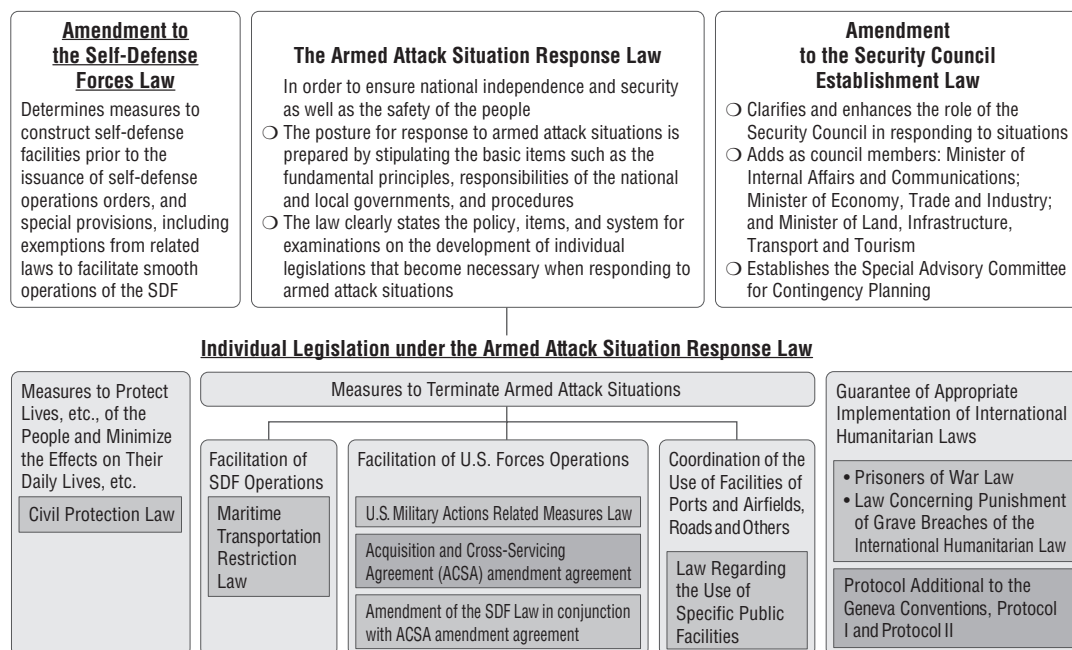
Section 1. Frameworks for Responses to Armed Attack Situations

Under the administrative policy announced in 2002, 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 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 legislation¹ was established. The development of these legal systems reflects many of results of the “emergency legislation study,” which had been conducted by the former 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 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 situations (both to armed attack situations² and to situations where armed attacks are anticipated³), 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



Underlined laws fall under the jurisdiction of the Ministry of Defense.

- Laws established in the ordinary Diet session in 2003 (three laws related to emergency legislation)
- Laws established in the ordinary Diet session in 2004 (seven laws related to emergency legislation)
- Treaties ratified in the ordinary Diet session in 2004 (three related treaties)

1. The Framework for Responses to Armed Attack Situations

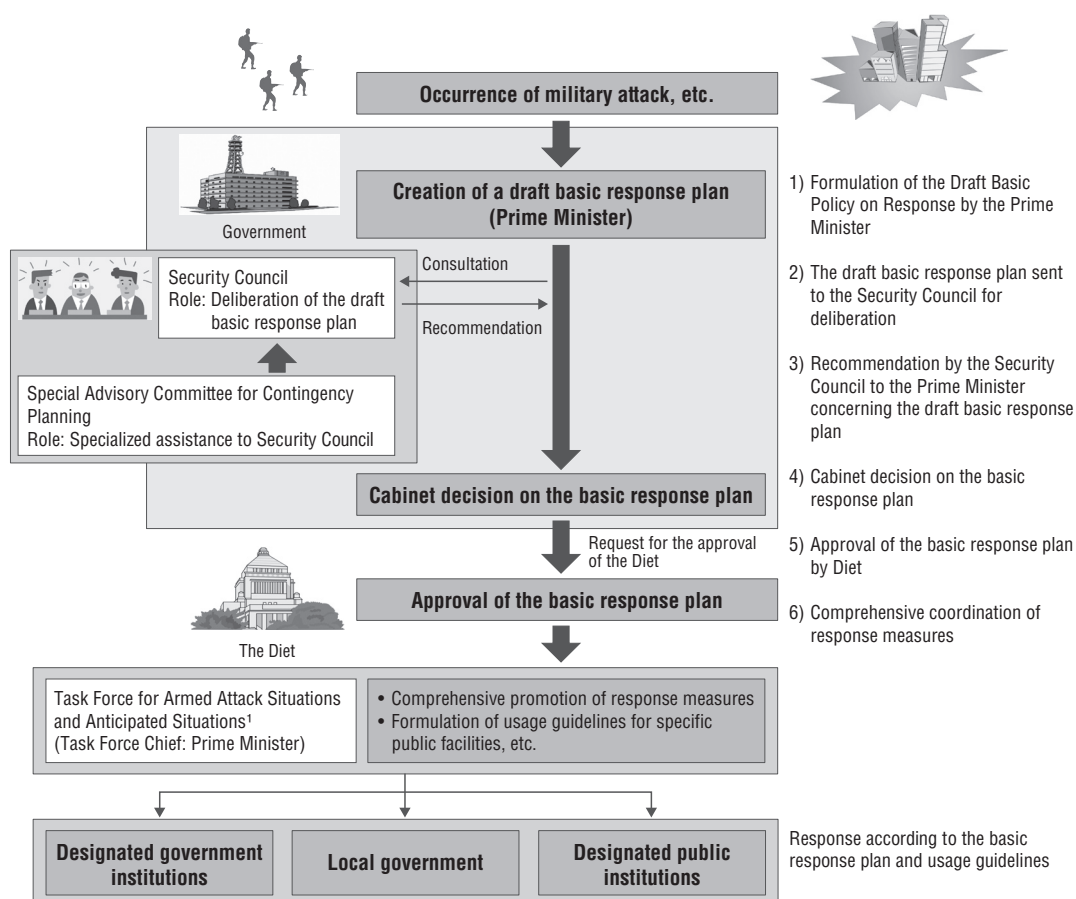
1. Responses to Armed Attack Situations

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. That is to say, this legislation and other emergency legislation, such as the Civil Protection Law, prescribe that the relevant organizations (designated government institutions, local governments and designated public institutions⁵) cooperate to implement coordinated response measures in the event of an armed attack situation or similar event. 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)

(1) Basic Response Plan, etc.

In situations such as armed attack situations, 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

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



Note 1: The Task Force will be established in the Cabinet for general advancement of measures to respond to armed attacks and other situations.

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 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 items 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.
- 2) Price stabilization, distribution of necessities of daily life, and other necessary measures.

(3) 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.

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) 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 (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 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
- 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

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 Law⁷ that was enacted in June 2003. Based on that the framework to enable necessary measures for responding to armed attack situations to be taken was prepared. The following items summarize that.

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 Law⁸, which prescribes measures for three necessary items to protect the lives, etc., of the people in armed attack situations and emergency response situations⁹. In addition, it prescribes similar measures in the case of emergency response situations. (See 3 of this section)

2. Measures to Terminate Armed Attack Situations

(1) Facilitation of SDF Operations

The Emergency Legislation Study, resulting from the partial amendment of the SDF Law at the same time the Armed Attack Situation Response Law was enacted, required enactment of Classification 1 (laws pertaining to the Ministry of Defense) and Classification 2 (laws pertaining to ministries other than the Ministry of Defense) legislation, so that new laws were enacted such as measures for the construction of defense facilities before orders for defense operations, laws pertaining to emergency activities during defense operations, and specific regulations necessary for application of laws related to road and other laws.

Japan also enacted the Maritime Transportation Restriction Law¹⁰, which enables the implementation of measures to restrict the maritime transportation of foreign military supplies (weapons, etc.) in Japanese territorial waters or in international waters surrounding Japan.

(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 Situations, etc.¹¹ (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)¹². 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 Facilities¹³, 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)¹⁴. 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.



Treatment of prisoners during a joint international humanitarian task training exercise

(2) Japan established the Law Concerning Punishment of Grave Breaches of the International Humanitarian Law¹⁵ 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 Conventions¹⁶ of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts (Protocol I¹⁷) 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 II¹⁸), which are the main International Humanitarian Laws, were ratified.



Vehicles being deployed from transport vessels during an SDF joint exercise

(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. Efforts towards 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.

The government conducted joint international humanitarian training in October 2009, in order to practice the main tasks based on the Prisoners of War Law, etc., to improve knowledge and skill in treating prisoners of war, etc.

In addition, the Ground, Maritime and Air Self-Defense Forces conducted field exercises¹⁹ in November 2009 based on plans created by the Joint Staff, to maintain and improve their capabilities to jointly utilize those functions and capabilities. Furthermore, in January 2010 Japan and the United States conducted joint training (command post exercises) to verify and improve the proficiency of the SDF in a variety of situations pertaining to joint Japan–U.S. responses to situations surrounding Japan in the defense of Japan and Japan–U.S. cooperation, in order to maintain and improve bilateral joint operations capabilities.

(See Chapter 4, Section 1-3)

3. Efforts for Civil Protection

1. Measures for Civil Protection in Armed Attack Situations (Civil Protection Measures)

All organizations and functions of the government will implement their measures for civil protection in armed attack situations based on the Basic Response Plan²⁰ 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 to be 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 March 2005, the government established the Basic Guidelines for Civil Protection (hereinafter the “Basic Guidelines”), based on Article 32 of the Civil Protection Law. The Basic Guidelines presumes four types of armed attack situations, including amphibious landing invasion, guerilla or special forces unit attacks, ballistic missile attacks, and air attacks, and prescribes matters requiring attention to implement civil protection measures in response to each of them. In addition, it prescribes the content and distribution of roles for implementation of measures by the national, prefectural and municipal governments and designated public institutions for civil protection measures in response to evacuation, relief and disasters.

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 October 2005, the Defense Agency and the Defense Facilities Administration Agency, both designated government institutions, established the Civil Protection Plan²¹, based on the Civil Protection Law, Article 33, Section 1, and the Basic Guidelines. 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 evacuation, relief support, and responses to armed attack disasters.

(See Reference 26)

(1) Civil Protection Dispatch

The outline of the stipulations of Civil Protection Dispatch is as follows.

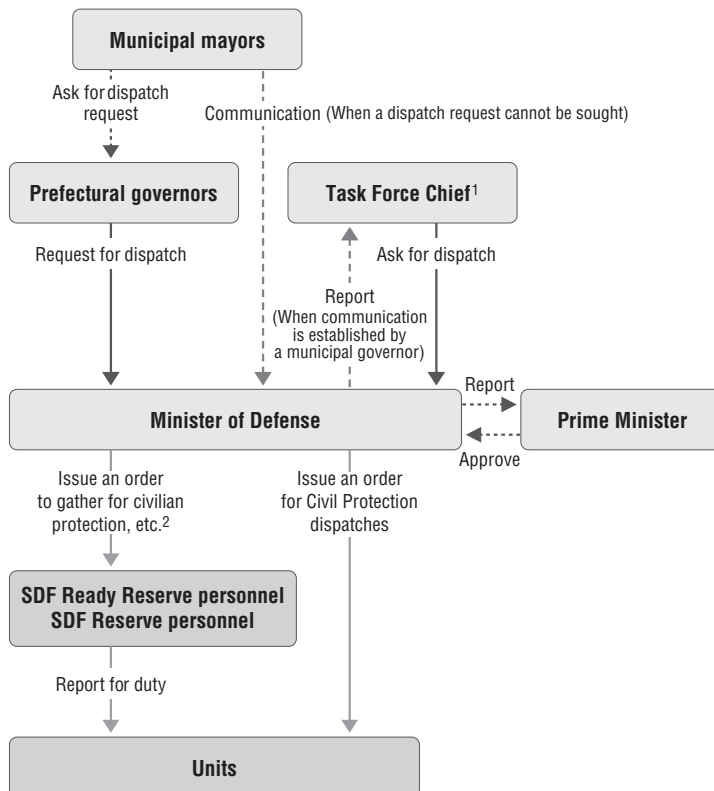
a. Dispatch Procedure

For situations where it is recognized that a dispatch is required, the Minister of Defense may issue a Civil Protection Dispatch order to dispatch relevant units to implement civil protection measures following a request by a prefectural governor or the Task Force Chief²².

(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 as a response measure in an emergency situation, the Minister of Defense may implement civil protection measures or emergency response protection measures as a part of the consistent defense or public security operations strategy without civil protection dispatch orders.

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



Notes: 1. Armed Attack Situations Task Force Chief or Emergency Response Situation Task Force Chief.

2. If it is found particularly necessary.

b. Authorities

Only in cases when police officers²³ are not at the scene, the SDF personnel ordered for a civil protection dispatch operation are authorized to execute evacuation and other measures, to prevent and control crime, and to enter private premises. And only in cases when officials other than police officers are not at the scene the SDF personnel are authorized to use weapons, 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, perform emergency public duties, to establish areas on alert, to request cooperation of residents and other measures.

c. Special Organization of Units

When civil protection dispatch operations are being conducted, special units may be organized temporarily based on necessity, and SDF ready and reserve personnel may be called 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) Measures to be implemented by the SDF

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 lives (search, rescue, and emergency medical care) and following a request from the Task Force Chief or other authorized persons, the SDF will implement measures to support medical care activities (transporting injured people, etc.), to support the lives of the people when necessary (distributing hot meals, supplying water, transporting relief materials, etc.), and to gather safety information, etc., as required.

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 lives (search, rescue, providing emergency medical care, etc.), preventing damage expansion (supporting evacuation of surrounding residents, extinguishing fires, etc.), 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 (guidance and advice, dispatching personnel, etc.) and other necessary measures as ordered by the Prime Minister.

d. Emergency Recovery

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

4. Activities by the Ministry of Defense and the SDF to Facilitate the Civil Protection Measures

(1) A scene from Training for Civil Protection (Oita prefecture)

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

From this perspective, the Ministry of Defense and the SDF actively participate and cooperate in civil protection training implemented by the Cabinet Secretariat, prefectural government organizations, or local governments. The Ministry of Defense and the SDF intend to continue such efforts to strengthen coordination and response capabilities.

Joint exercises between the national and local governments regard civil protection were started in FY2005 and field exercises were conducted in 5 prefectures that year including field exercise in Fukui Prefecture; and exercises were conducted in 14 prefectures and cities in FY2009, including field exercises in Hyogo Prefecture and Tokushima Prefecture, and map exercises in Tokyo.

(See Reference 27)



A scene from Training for Civil Protection (Oita prefecture)

(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.

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. Furthermore, related staff of the Regional Defense Bureaus, which are designated regional government institutions, are assigned to be members.

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.

(See Fig. III-1-1-5)

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 the SDF shall be delivered through the Chief of Staff, Joint Staff and orders concerning operations of the 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 force²⁴ is organized, but also in cases where a single SDF unit is employed to take responses.

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

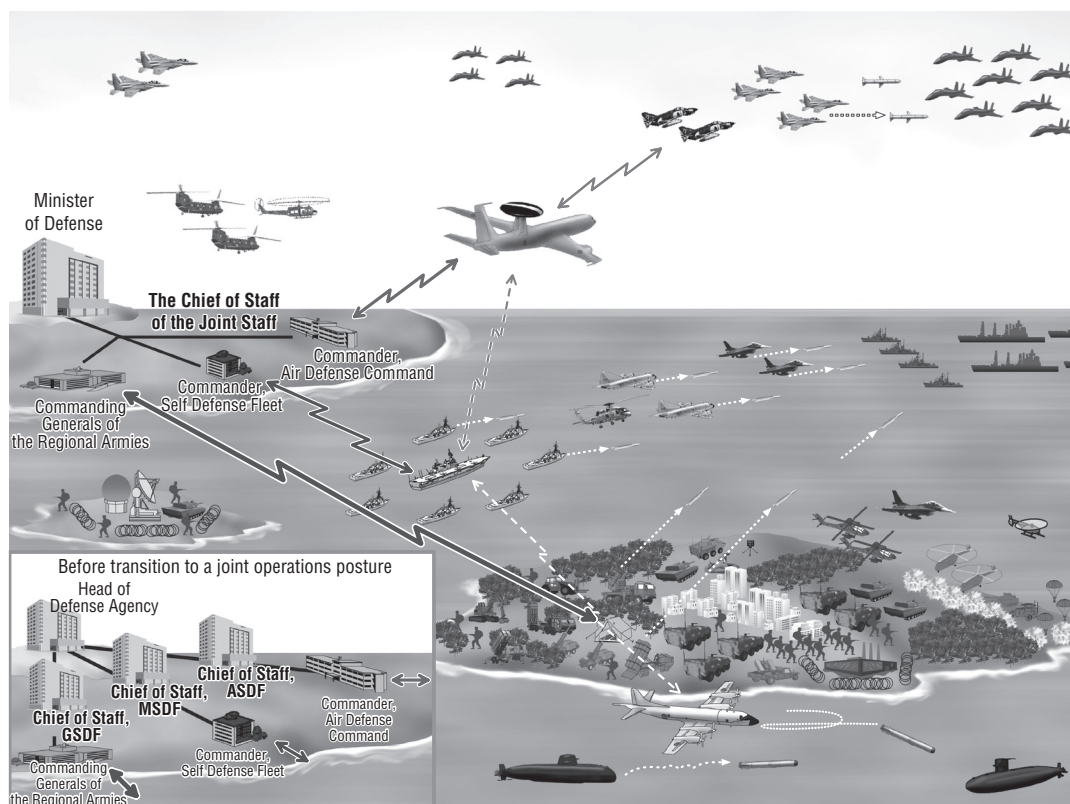
The Joint Staff undertakes the functions relating to those SDF operations that were transferred and consolidated from the GSDF, MSDF and ASDF Staff. The GSDF, MSDF and ASDF Staff Offices continue to undertake functions for unit maintenance, such as personnel, building-up defense capability, and education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

In addition, from the perspective of facilitating 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.

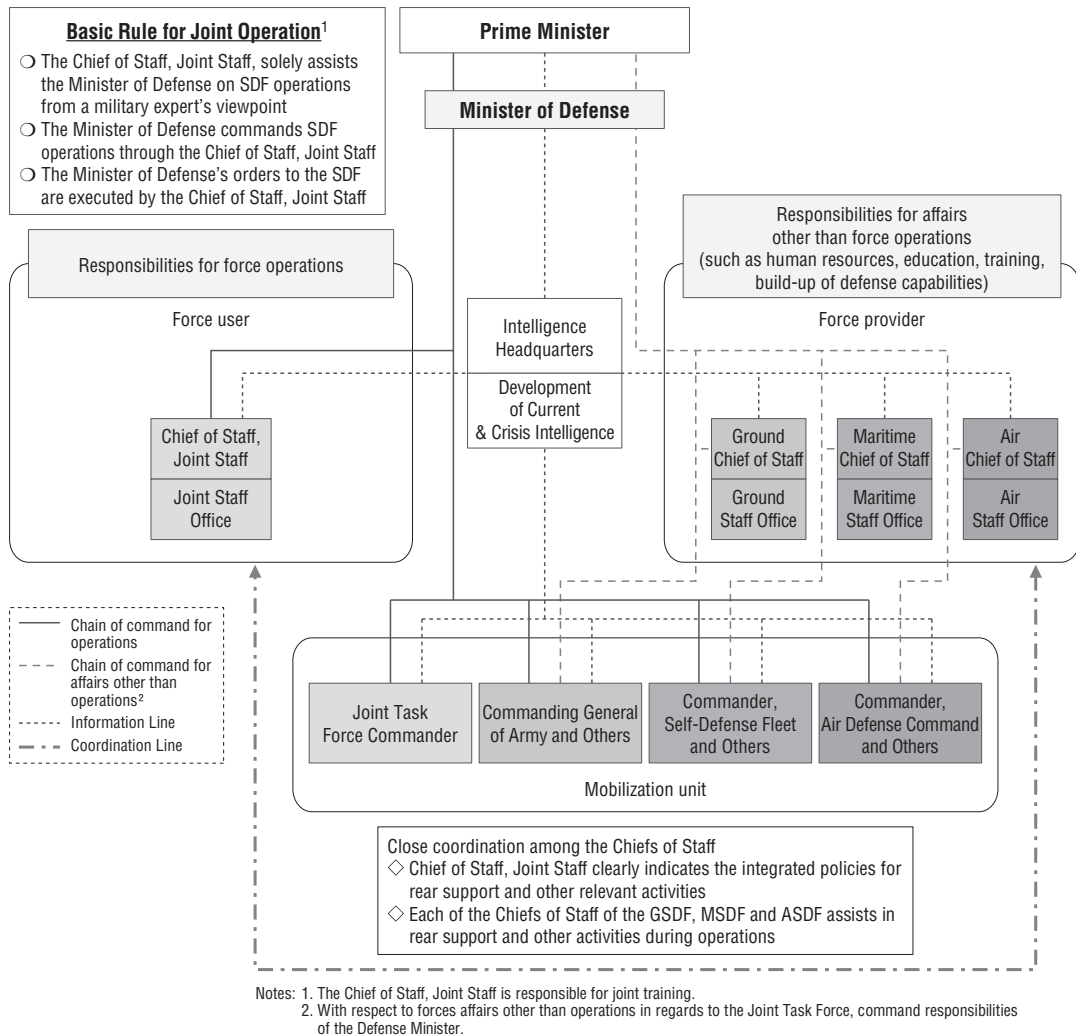
(See Fig. III-1-1-6)

Fig. III-1-1-5 Situation Response with the Joint Operations Posture (Image)
(Diagram of an Example of a Response to an Invasion of Japan's Remote Islands)



Note: The Chiefs of Staff are not military commanders of units, but provide expert military perspective as advisors to the Minister of Defense. Before the transition to the joint operations posture, orders from the Minister of Defense for SDF operations were executed through the Chiefs of Staff of the Ground, Maritime, and Air Self Defense Forces, but since the transition to the joint operations posture, orders from the Minister of Defense relating to SDF operations go through the Chief of Staff of the Joint Staff to be executed in a centralized manner.

Fig. III-1-1-6 Operational System of the SDF and Roles of the Chief of Staff, Joint Staff and the Chiefs of Staff of the Ground, Maritime, and Air Self-Defense Forces



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, commanders²⁵ of major units who may be required to take command of a joint task force will create plans for such forces' operations during peacetime. Also, they need to maintain a posture capable of executing duties through joint training and other methods. For this purpose, personnel from other SDF branches are 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 organization of the Ministry of Defense, and more prompt, accurate, and direct reporting to the Minister of Defense.