

Section 4 Anti-Piracy Efforts

Acts of piracy are a serious threat to the preservation of public safety and order at the sea. To maritime countries such as Japan in particular, which rely upon marine transport for a great deal of the food and resources that form the basis of their survival and prosperity, it is a problem which cannot be ignored. In the United Nations Convention on the Law of the Sea⁷⁹, it is provided that all countries are to cooperate to suppress acts of piracy over the greatest possible area. It is equally necessary for Japan to proactively fulfill its international responsibility.

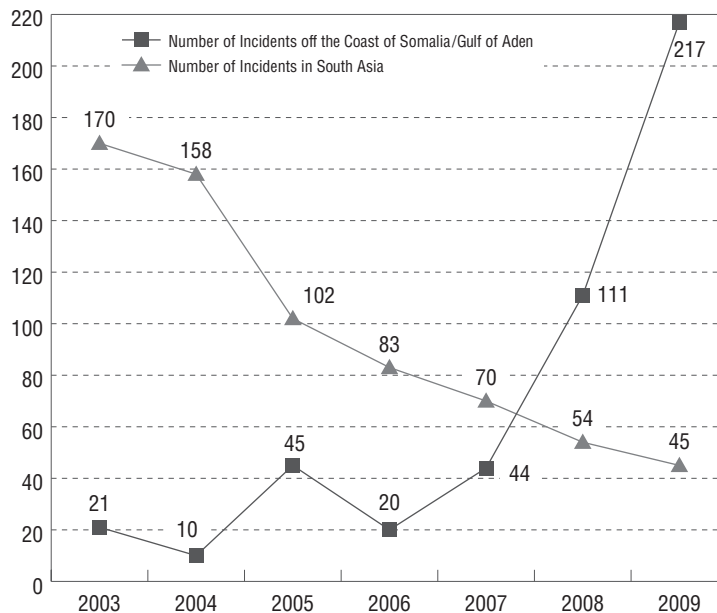
1. Basic Concept

Primarily, it is the Japan Coast Guard which will respond to acts of piracy. However, when it is recognized to be either impossible or considerably difficult for the Japan Coast Guard to respond, the SDF shall address the problem.

2. Situation regarding the Incidence of Acts of Piracy and Efforts by the International Community

In contrast to the decreasing trend in the number of cases of piracy in sea areas such as those of Southeast Asia, in the region off the Coast of Somalia and in the Gulf of Aden there are repeated and increasing cases perpetrated by pirates armed with weapons including machine guns and rocket launchers. The pirates off the Coast of Somalia and in the Gulf of Aden are a threat to the international community including Japan, and a challenge which should be dealt with urgently. (See Fig. III-1-4-1)

Fig. III-1-4-1 Incidents of Piracy Off the Coast of Somalia/Gulf of Aden
(Comparison with Number of Incidents in Southeast Asia)



Notes: 1. The data is based on a report by the International Maritime Bureau of the International Chamber of Commerce (ICC).

2. There have been 110 incidents of piracy off the Coast of Somalia/Gulf of Aden in 2010, as of July 31.



An example of a skiff, a type of ship often used in pirate activities

In successive resolutions⁸⁰ beginning with U.N. Security Council Resolution 1816 which was adopted in June 2008, each country has been requested to take action to suppress acts of piracy off the Coast of Somalia and in the Gulf of Aden, and requested in particular to dispatch military vessels and aircraft to the region.

So far the countries which have dispatched military vessels to the seas off the Coast of Somalia and the Gulf of Aden include the United States, United Kingdom, France, Germany, Italy, Spain, Greece,

Denmark, the Netherlands, Portugal, Sweden, Norway, Belgium, Canada, Russia, Turkey, Singapore, India, China, the Republic of Korea, Malaysia, Saudi Arabia, Yemen, Kenya, Australia, Pakistan and Bahrain. Soon after, the EU also decided in December 2008 to begin operations (Operation ATALANTA), to deal with piracy, involving the escorting of World Food Program (WFP) ships, and surveillance in the region. The North Atlantic Treaty Organization (NATO) also resumed its counter-piracy operations in March 2009.

3. Japan's Efforts

(1) Anti-Piracy Response through Maritime Security Operations



An SDF personnel on the lookout

Establishing new legislation and then taking action is the principle of the SDF's anti-piracy response. However, with the repeated and increasing number of cases of piracy, and the necessity to urgently protect the lives and assets of the Japanese people, as an emergency measure until new laws can be developed, pursuant to the provision of Article 82 of the Self-Defense Force Law, and with the authorization of the Prime Minister based on Cabinet approval, on March 13 2009, the Defense Minister ordered the commencement of security operations at sea (maritime security operations). It was determined that necessary

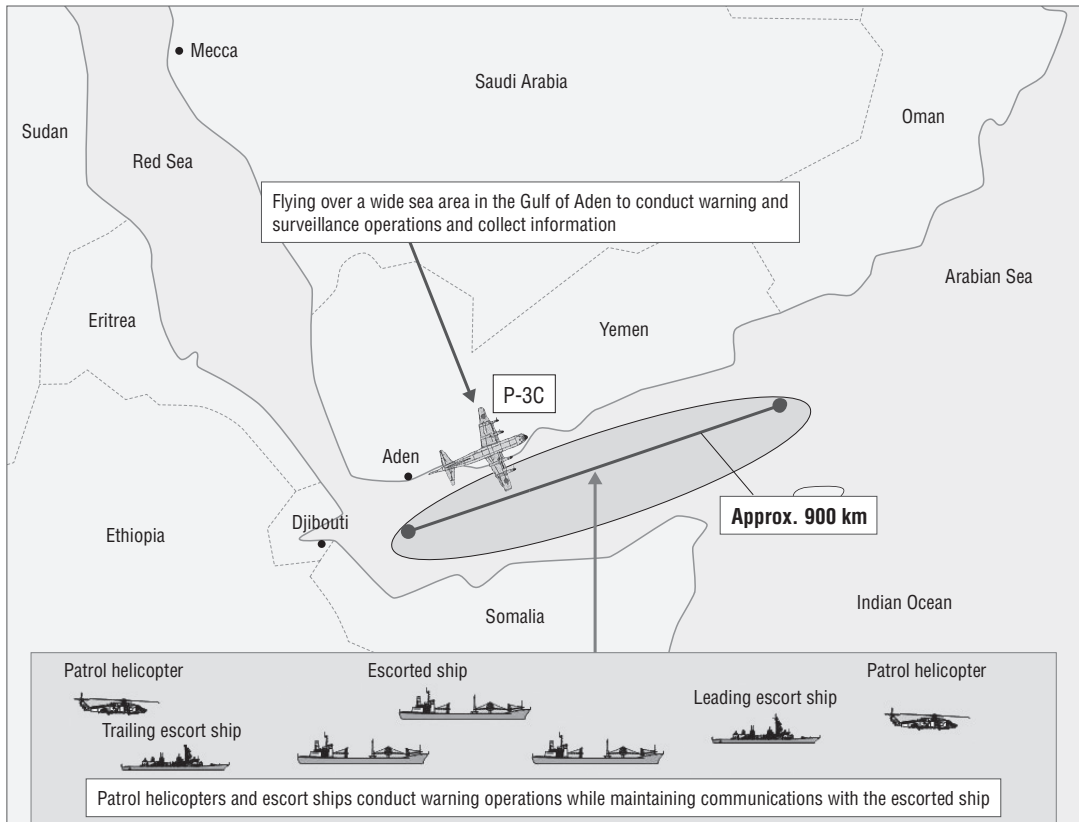
action can be taken to protect ships connected with Japan from acts of piracy off the Coast of Somalia and the Gulf of Aden.

Upon the issue of this order, on March 14, two destroyers *Sazanami* and *Samidare* embarked from Japan, and on March 30 began escorting ships connected with Japan.

In order that anti-piracy activities are more effectively conducted over a large area of sea, on May 15, the order was also given for P-3C fixed-wing patrol aircraft to be dispatched. Thus on May 28, two P-3Cs embarked from Japan to begin warning and surveillance in the Gulf of Aden on June 11. To guard the P-3Cs and other equipment, it was necessary to make use of the capabilities of the GSDF. Hence, as well as carrying out those guarding activities, GSDF officials are also active as air command personnel. This is the first time that a force dispatched abroad has been formed as a joint task force combining the MSDF and GSDF. Furthermore, in order to support these activities, the ASDF has organized an air transport unit composed of the C-130H and U-4 aircraft.

(See Fig. III-1-4-2)

Fig. III-1-4-2 SDF Counter piracy Operations (Image)



(2) Development of Laws for Anti-Piracy Activities

Based on the United Nations Convention on the Law of the Sea, in order for Japan to respond appropriately and effectively to acts of piracy by punishing, deterring, and policing such acts regardless of the nationality or registry of the individuals or ships involved, the “Bill [Law] on Penalization of Acts of Piracy and Measures against Acts of Piracy” (hereinafter, referred to as the “Anti-Piracy Measures Law”) was introduced to the ordinary session of the Diet. It was passed on June 19, and enacted on July 24, 2009. Under this law, the Minister of Defense determined, with the approval of the Prime Minister, to implement anti-piracy operations for a period of one year from that day.

With the duty of Maritime Security Operations, it had been possible to protect only ships connected with Japan. After the enactment of the new law, however, it made it possible to protect ships of all nations from acts of piracy, regardless of their registry. Furthermore, if there were no other means to stop the advance of ships engaged in acts of piracy such as approaching private ships, it could also make it possible to use weapons in a rational manner, to the extent required.⁸¹ An outline of this law is shown as in Reference 35.

(See Fig. III-1-4-3)

On July 6, in order to replace the dispatched destroyers, the destroyers *Harusame* and *Amagiri* embarked from Japan and on July 28 commenced duty in the region based on the Anti-Piracy Measures Law.

Fig. III-1-4-3 Comparison between Maritime Patrol Activities and Counter-Piracy Operations

Behavioral Patterns	Maritime Patrol Activities	Counter-piracy Operations
Issue of instructions and orders	In cases where it is particularly necessary to protect lives and properties, and to maintain security on the sea	When specifically necessary to combat acts of piracy
Procedure for issuance of instructions and orders	The Minister of Defense shall issue an order upon approval of the Prime Minister	<ul style="list-style-type: none"> • The Minister of Defense shall issue an order upon approval of the Prime Minister • The Minister of Defense shall submit an outline of operations to the Prime Minister to gain his/her approval
Report at the Diet	No provisions	The Prime Minister shall report to the Diet without delay, when he/she has approved counter-piracy operations or when a mission has been completed
Ships and vessels to be protected	Japan-affiliated ships	All ships and vessels
Authority of self-defense forces	Application of Article 16 (a request for cooperation to ships in the vicinity), the first clause of Article 17-1 (on-the-spot inspection, and questioning the crew), and Article 18 (route change, spotting the ship) of the Japan Coast Guard Law (Article 93 of the Self-Defense Forces Law)	Application of Article 16 (a request for cooperation to ships in the vicinity) and Article 18 (route change, stopping the ship) (Article 8 of the Anti-piracy Law (draft))
Use of weapons ¹	By applying Article 7 of the Act concerning Execution of Official Police Duties, the use of weapons can be allowed only when it is used for self-protection, the protection of others, or for preventing interference with official duties, to such an extent as is considered reasonably necessary in accordance with the situation	<ul style="list-style-type: none"> • Some as on the left • In addition, when countering acts of piracy, including such acts as approaching excessively close to a ship or following a ship, if any party perpetrating such acts of piracy continues their acts despite the countermeasures of others, and there are reasonable grounds to believe that no other means are available to stop the passage of the ship in question, the use of weapons is permitted to such an extent that is considered reasonably necessary in accordance with the situation

Note 1: By applying Article 95 of the Self Defense Forces Law (Use of weapons for guarding weapons, etc.), the use of weapons can be allowed in either operation.

(3) Daily routine of Self-Defense Forces Engaged in Anti-Piracy Operations

Traveling back and forth across the Gulf of Aden, the two destroyers currently dispatched escort commercial ships. First, escort duties involve, meeting with the commercial ship to be escorted, at an assembly point, one of which is prescribed to both the east and west of the Gulf of Aden. Then, in order to effectively protect the commercial ship (all of which differ in their abilities), from pirates, an appropriate formation is arranged. When the convoy is navigating across the Gulf of Aden, the destroyers defend in front and behind the escorted ships, while patrol helicopters belonging to the destroyers observe the area surrounding the convoy from the sky. In this way, whether day or night, all possible means are taken to ensure the safety of the convoy, while passage through the Gulf of Aden is secured in approximately one and a half days. On board the destroyers are eight officers of the Japan Coast Guard⁸², so that as necessary, the SDF can operate in collaboration with the JCG, enabling judicial policing activities.

The P-3Cs whose base of operations is situated in the Republic of Djibouti use their cruising capability to perform warning and surveillance activities over



The 4th Marine Division destroyer *Onami* performing escort activities for passenger ship *Asuka II* in the Gulf of Aden, while a P-3C carries out warning and surveillance duties.



Vice Defense Minister Kazuya Shimba observing the air fleet dispatched for anti-piracy



Troops protecting a P-3C

the Gulf of Aden, which has an extensive area comparable with that of Japan. The P-3Cs, when launched from Djibouti, work to confirm whether or not any suspicious ships are present among the myriad vessels navigating the Gulf of Aden. At the same time, they provide intelligence to the destroyers working on escort activities and foreign warships, as well as to commercial ships navigating the surrounding area. In addition, they immediately address in fine detail requests such as confirmation as to whether or not the area is safe. The SDF, which has dispatched the two P-3Cs, collaborates with the other countries that have similarly dispatched patrol aircraft to the area, performing warning and surveillance activities which

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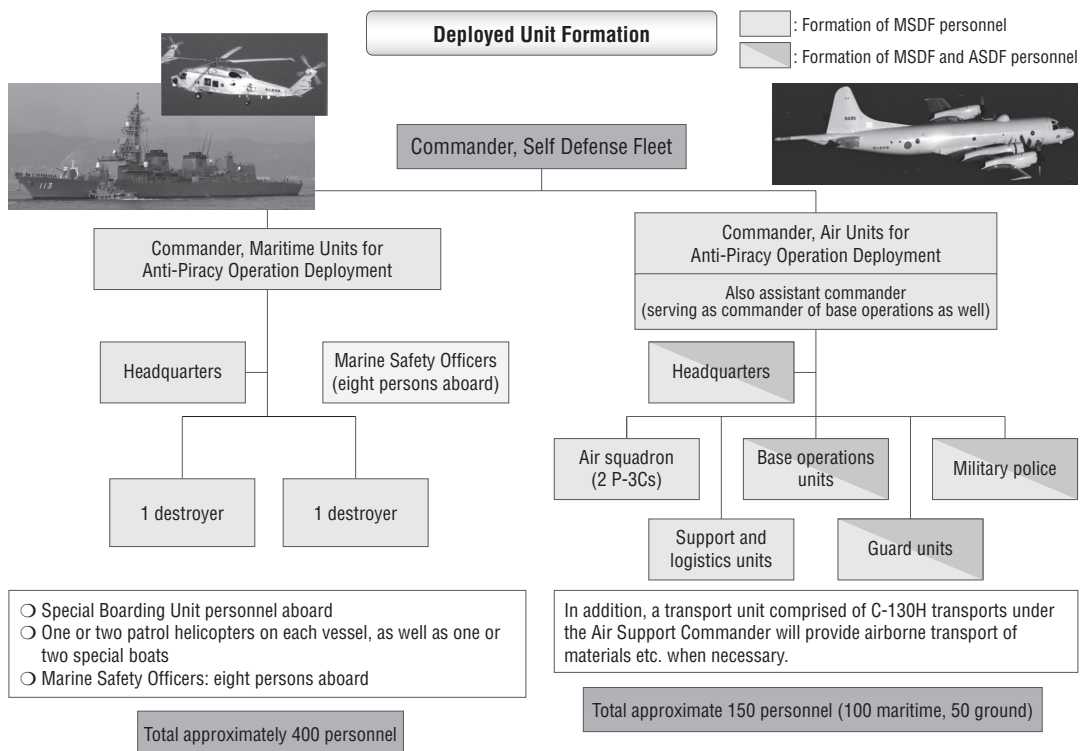
Anti-Piracy in Somalia's Gulf of Aden (voice of a marine safety officer)

**Japan Coast Guard 1st Somalia Dispatch Investigation Unit Chief Yukihiro Takeuchi
(Currently Deputy Director, Guard and Rescue Department International Criminal Investigation Division)**

The Japan Coast Guard's Somalia Dispatch Investigation Unit is primarily engaged in judicial policing activities in cases where pirates have been captured, with its eight unit members on board the MSDF destroyers dispatched to the Gulf of Aden to facilitate the process. Their dispatch is a first for the Japan Coast Guard in many ways. In particular, concerns were raised regarding the issue of on-site coordination, due to the format in which they were to be active on board MSDF destroyers. However, the two sides were quick to gain a mutual understanding. This was helped by their similarities; they both consider the ocean to be their place of work, and felt the sense of responsibility that securing the safety of the sea lanes in the Gulf of Aden was in the national interest. The concerns therefore had proven unfounded. The Surface Unit of the MSDF and Dispatch Investigation Unit of the JCG are confident that they can continue to combine their strengths to fulfill their mission.



Fig. III-1-4-4 Deployed Unit Formation



(4) Achievements of Self-Defense Force Activities

The commercial ship escort activities which began on March 30, 2009 have been painstakingly continued, amid the harsh environment of the Gulf of Aden, with its swirling sand clouds and hot sun bearing down. As of July 31, 1,089 ships have been protected by the destroyers, passing safely through the Gulf of Aden, with not one ship suffering damage at the hands of pirates. This area of sea is a major artery not only to the economy of Japan, but also to that of the whole world, and the sense of safety that has been produced by the escort activities carried out by the SDF is thought to be considerable.

Since commencing operational flights on June 11, 2009, the number of times the P-3Cs have been engaged in the flight missions reached as many as 276 as of July 31, and total flight time amounting to 2,100 hours. 19,000 boats have been identified, while 2,300 instances of intelligence have been provided to ships navigating the surrounding area and other countries engaged in anti-piracy activities.

In particular, the P-3Cs engaged in warning and surveillance within the Gulf of Aden share information with the forces dispatched by each of other countries, such as the United States and those of the EU, as well as other relevant organizations. Their contribution to the anti-piracy effort has been substantial, amongst other things, due to on-board investigation conducted by warships based on information they have received from Japanese P-3Cs. For example, thanks to the activity of a P-3C on September 20, 2009 in finding a suspicious vessel during warning and surveillance operations, and the information subsequently provided, helicopters associated with a German warship fired warning shots at the ship in question, which was in the process of fleeing, thus forcing it to stop. This was followed by an on-board investigation by small motor boats from an Australian warship, which ultimately led to the seizure of a large quantity of weapons and ammunition, including rocket launchers

and AK-47 assault rifles. In cases like this, the information gathered by the SDF P-3Cs, once provided to other countries engaged in regular anti-piracy operations, can bear results that include the suppression of acts of piracy, and the disarmament of ships suspected of being pirate ships.

(5) Trends in Piracy

Incidents of piracy off the Coast of Somalia and in the Gulf of Aden in 2010 numbered approximately 110 as of July 31. Bearing in mind that approximately 150 cases had occurred during the same period in 2009, the number

[COLUMN]

VOICE

Voice of Captain Nakahata who has Achieved the 100th Escort.

**Commander of the 3rd Dispatch Surface Unit for Anti-Piracy Measures (at the time)
Captain Yasuki Nakahata (Currently Joint Staff Office C4 System Division Chief)**

In January 2010, we, the 3rd Dispatch Surface Unit for Anti-Piracy Measures, reached the milestone of 100 escort operations conducted off the Coast of Somalia and in the Gulf of Aden, totaled since the start of escort duties based on maritime security operations by the 1st dispatch, in March of last year. After that escort was complete, I received encouraging messages via video phone from the Defense Minister and Vice Defense Minister, as well as from Parliamentary Secretary for Defense, Daizo Kusuda. It was a feeling that blew away even the fatigue caused by the tense nature of escort work.



With escort duties, it is by no means the number that is important. Whether the ships to be escorted are large or few in number, each and every time, the important thing is to exert all of one's strength to secure the safety of those ships, and to do one's very best to ensure that not even one finger is laid on them by the pirates. Therefore, on the first occasion, just as on the 100th, and even the 101st, one must attend to escort duties with completely the same attitude. I tell this to myself with just as much conviction as I do to my subordinates.

This time, we were able to complete our duty and return back to Japan safely, full of feelings of achievement and fulfillment. This is all thanks to the support and cooperation granted us by an extremely large number of people both on location and in Japan, and I would like to take this opportunity to express to them my heartfelt thanks.



Video meeting with Minister of Defense Kitazawa and Senior Vice Minister of Defense Shimba



Commemorating the achievement of 100 anti-piracy escorts

has clearly decreased; however, these incidents are still occurring at a high rate.

With regard to the ocean regions in which incidents of piracy have primarily occurred, while incidents were concentrated in the Gulf of Aden in 2008, many incidents were seen to occur off the east coast of Somalia and the seas surrounding the Seychelles in 2009, and in 2010, incidents have begun to occur in the east part of the Gulf of Aden, the central Indian Ocean, and the Arabian Sea.

In this regard, it is possible to assume that the area where piracy occurs has shifted to ocean regions other than the Gulf of Aden where it had been comparatively limited, because of the deployment of vessels engaged in antipiracy and patrol aircraft by the various nations including Japan to the Gulf of Aden in 2009 and the later activity of the vessels of the various nations off the coast of Somalia.

The various nations involved continue to be highly concerned over the piracy on the coast of Somalia and in the Gulf of Aden, with the EU extending the time limit for operations in June 2009 to the end of 2010, while NATO extended its limit until the end of 2012 in March of the same year.

However, in addition to the trend in an average year in which cases of piracy off the Coast of Somalia and in the Gulf of Aden increase around the spring and fall when the waves are gentle, another trend has been seen recently, in which pirate activity is expanding from the Gulf of Aden where the warships of various countries are concentrated, to the eastern seas of Somalia, and this is causing continued concern to all countries. A significant factor behind the appearance of pirates in Somalia is the fact that the country itself is in a sustained state of

[COLUMN]

VOICE

Voice of Dispatched Anti-Piracy Air Commander (from the perspective of joint task forces)

1st Dispatched Anti-Piracy Air Command Captain Hiroshi Fukushima (Currently: 201st Air Training Squadron Commander)



Captain Hiroshi Fukushima in Djibouti

As the commander of the 1st Dispatched Anti-Piracy Air Command, I assumed anti-piracy duties off the Coast of Somalia and in the Gulf of Aden in 2009.

Accurate and prompt identification by Japan's P-3Cs over a wide region of sea is contributing significantly to the prevention of acts of piracy. By cooperating with the dispatched forces of other countries, this has led to the seizure of numerous weapons, including rocket launchers.

The foremost special characteristic of the current dispatched force is the fact that this is the first time such a force dispatched abroad has been an integrative force composed of both the GSDF and MSDF, due to the requirement for GSDF know-how to protect the P-3Cs based at Djibouti International Airport. In addition, an ASDF air transport unit is also formed when necessary.

Originally, with this being the first joint force to be dispatched abroad, there was an element of trial-and-error involved. However, all members of the force recognized the importance of their duties, and the difficulties were overcome through a deepening of mutual understanding.

The current deployment, I believe, is a model case for joint operations, having made use of the strengths of each of the three Self-Defense Forces, the GSDF, MSDF and ASDF.

anarchy, with the function of governing institutions failing. Amid these circumstances, in June 2009, the EU extended its period of activity in the area until the end of 2010, while NATO determined in March of the same year to extend its term until the end of 2012.

(6) Continuation of Anti-Piracy Operations

As stated above, numerous acts of piracy off the Coast of Somalia and in the Gulf of Aden continue to occur, and in April of this year, an attempted pirate attack was committed against a Japanese ship. The situation therefore remains in the balance. In addition to calls from organizations such as the Japanese Shipowners' Association for all possible measures to be taken to continue countering piracy, on an international level, NATO, the EU, and others have also expressed their hopes to Japan for further efforts to be made.

Under these circumstances, and in light of the fact that the Japan Coast Guard has difficulty in responding to piracy in the area of ocean in question, the Minister of Defense gained the Prime Minister's approval on July 16

[COLUMN]

VOICE

Voice of Gratitude for Escort Activities

Since the SDF commenced escort activities in the Gulf of Aden in March 2009, a large number of messages of gratitude toward the SDF have been received from crews of commercial ships that have been escorted, and from shipping businesses, both domestic and foreign. A few of them are introduced here.

Yujiro Kita, the Captain of the automobile carrier *Lyra Leader*

"We feel considerable fear and uneasiness when we have to pass through waters where acts of piracy occur frequently. Whenever navigating, I have to be on the bridge around the clock with tension to keep on watch. When the Self-Defense Forces began engaging in anti-piracy measures, we were very thankful and it was so reassuring that I almost cried when I saw a helicopter with the Japanese flag hovering overhead and we were able to communicate by waving our hands. I am overwhelmed with gratitude to the Self-Defense Force members who escorted us as well as to the Japanese government."



Koji Miyahara (The Japanese Shipowners' Association Chairman)

So far, escort forces from the 1st through 5th dispatches have been sent, providing us with anti-piracy operations in the Gulf of Aden. I wish to express my deepest gratitude first of course for the understanding of the Japanese people, and then for the understanding and support of those associated with the Diet.

To the commercial ships which pass through the region, the safety provided by the destroyers and patrol aircraft of the MSDF, is more reassuring than anything else. When I think about the hardships of the MSDF officials and Maritime Safety Officials engaged in escort activities in the region amid the intense heat and tension, I find the sense of gratitude hard to bear. I pray from my heart that they continue to be mindful of their health, and safely fulfill their duties without incident.



to continue anti-piracy operations for one year, and took the decision to continue the anti-piracy measures from July 24 onward.

(7) Evaluation of Efforts by Japan

In a public opinion poll⁸³ concerning the SDF and defense issues conducted by the Cabinet Office in January 2009, a total of 63.2% of people responded that we should be engaged in anti-piracy activities, compared to which 29.1% responded that it was not necessary to do so.

The anti-piracy operations undertaken by the SDF have received high praise from the international community, including words of gratitude from leaders of various countries. The MSDF, currently engaged in anti-piracy activities off the Coast of Somalia and in the Gulf of Aden, has received many messages from the captains of ships which it has escorted, as well as from the ship-owners, expressing their gratitude at having been able to navigate safely across the Gulf of Aden as well as their request for continued safeguarding. The number of such messages as a total from the 1st to 3rd dispatch has already reached 800.

On November 23, a bravery award was conferred by the International Maritime Organization. As this demonstrates, the SDF has maintained complete safety and succeeded in accomplishing its mission in escort activities to date without any acts of piracy occurring⁸⁴.



The awarding ceremony for the IMO Award for Exceptional Bravery at Sea

Notes:

- 1) In Japan, the term “emergency legislation” has no fixed concept; it is rather ambiguous. For example, in the past, a study on legislation concerning operations of the SDF, in which defense operation orders shall be delivered pursuant to Article 76 of the Self-Defense Forces Act was conducted as emergency legislation study. This white paper regards emergency legislation as legislation for responses to situations that have been developed since 2003.
- 2) A situation in which an external armed attack on Japan emerges, or an imminent danger is clearly acknowledged.
- 3) A situation where an armed attack has yet to emerge, but circumstances are growing increasingly strained and an armed attack is expected.
- 4) The Law for Ensuring Peace and Independence of Japan and Security of State and the People in Armed Attack Situations etc.
See <http://www.cas.go.jp/jp/hourei/houritu/jitai_h.html>
- 5) Independent administrative agencies, the Bank of Japan, the Japanese Red Cross Society, the Japan Broadcasting Corporation (NHK), other public institutions, and corporations engaged in public service operations, including the provision of electricity, gas, transportation, communications, and other services.
- 6) An emergency response situation. (A situation arising due to actions that may kill or injure many people which uses methods equivalent to those used in an armed attack situation, or a situation where it is recognized that the relevant actions represent a clear and present threat that necessitate an emergency response by the state). Alternatively, a contingency situation other than an armed attack situation that may have a significant impact on the security of the nation and its people.
- 7) Based on the framework established under the Armed Attack Situation Response Law, and on individual emergency legislation that was prepared, measures were created to protect peoples’ lives, etc., to minimize the effects of armed attacks on their lives, etc., and to implement necessary measures so that the SDF and U.S. Forces might smoothly and effectively take necessary actions to terminate armed attacks against Japan. In addition, this kind of individual emergency legislation required the guarantee of appropriate implementation of international humanitarian laws.
- 8) Law concerning Measures for Protection of the Civilian Population in Armed Attack Situations.
See <<http://kantei.go.jp/jp/singi/hogohousei/hourei/hogo.html>>.
- 9) The responsibilities of national and local governments to minimize the effects on peoples’ lives, measures for the cooperation of the Japanese people and related to evacuation of residents, measures related to relief of evacuated residents, and measures related to responses to armed attack disasters.
- 10) The Law concerning the Restriction of Maritime Transportation of Foreign Military Supplies, etc. in Armed Attack Situations. See <<http://www.mod.go.jp/j/j/presiding/law/yujihousei/002b.html>>.
- 11) The Law Related to Measures Conducted by the Government in Line with U.S. Military Actions in Armed Attack Situations, etc. See <<http://www.kantei.go.jp/jp/singi/hogohousei/hourei/beigun.html>>.
- 12) The Agreement to Amend the Agreement between the Government of Japan and the Government of the United States of America concerning the Reciprocal Provision of Logistics Support, Supplies and Services between the SDF of Japan and the Armed Forces of the United States of America (ACSA).
See <http://www.mofa.go.jp/mofaj/area/usa/acsa/acsa_gaiyo.html>.
- 13) The Law Related to the Use of Specific Public Facilities, etc.
See <<http://www.kantei.go.jp/jp/singi/hogohousei/hourei/koukyou.html>>.
- 14) The Law concerning the Treatment of Prisoners of War and other Detainees in Armed Attack Situations.
See <http://www.kantei.go.jp/jp/singi/hogohousei/houan/youkou/040224_4.pdf>.

- 15) The Law concerning Punishment of Grave Breaches of the International Humanitarian Law.
See <http://www.kantei.go.jp/jp/singi/hogohousei/houan/youkou/040224_5.pdf>.
- 16) There are four Geneva Conventions:
 - 1) The 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) The 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) The Geneva Convention Relative to the Treatment of Prisoners of War (Convention III); 4) The Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Convention IV).
- 17) Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I).
See <http://www.mofa.go.jp/mofaj/gaiko/treaty/pdfs/treaty159_11a.pdf>.
- 18) Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II).
See <http://www.mofa.go.jp/mofaj/gaiko/k_jindo/pdfs/giteisho_02.pdf>.
- 19) This exercise was conducted in the Kyushu region, with the participation of about 41,800 personnel, about 1,170 vehicles, about 300 aircraft, and 6 naval vessels.
- 20) See <<http://www.kantei.go.jp/jp/singi/hogohousei/hourei/050325shishin.pdf>>.
- 21) The Civil Protection Plan of the Ministry of Defense.
See <http://www.mod.go.jp/j/approach/buryokutaio/kokumin_hogo.pdf>.
- 22) The Prime Minister will assume the position of the Director of the Countermeasures Headquarters, although these positions will be legally prescribed as separate entities.
- 23) Police officers, coast guard officers or assistant coast guard officers.
- 24) Based on Article 22, paragraphs 1 and 2 of the SDF Law, a special unit shall be organized to carry out a specific duty, or the required troops will be placed under the authority of a commander outside of their usual command structure. This unit shall be made up of members of the GSDF, the MSDF and the ASDF, or a combination of two or more of the branches of the SDF.
- 25) GSDF Commanding General of Army and Central Response Readiness Force Headquarters; MSDF Commander of the Self-Defense Fleet and Commandant Regional District; ASDF Commander of Air Defense Command, Commander of Air Support Command and Commander of Air Defense Force, ASDF and so on.
- 26) Vessels equipped with Aegis air defense systems, which automatically process a series of activities including target search, detection, identification/classification and attack using high performance computers.
- 27) The Patriot PAC-3 system is one of the air defense systems for countering airborne threats. Unlike the conventional type anti-aircraft PAC-2 missiles, which mainly target the interception of aircraft, the PAC-3 missiles are designed primarily to intercept ballistic missiles.
- 28) Developed since FY1999, radar which enables the detection and tracking of ballistic missiles (formerly referred to as FPS-XX).
- 29) Fire Unit (the minimum fire unit of surface-to-air fire units).
- 30) These refer to objects other than aircraft which are recognized to cause grave damage to human life and property when they fall to earth such as ballistic missiles.
- 31) A specific example of SDF activity is deployment, upon receipt of the appropriate directive from the Minister of Defense, of Patriot PAC-3 units by the ASDF and Aegis destroyers by the MSDF in order to respond to ballistic missiles and prepare for ballistic missiles launched toward Japan. In the event that missiles are launched toward Japan, based on the aforementioned directive, these can be destroyed.

- 32) The United States is steadily enhancing its missile defense systems with research and development while deploying systems as they become technically feasible in what is referred to as the evolutionary spiral development method.
- 33) The radar was later on moved to the U.S. Forces Shariki Communication Site.
- 34) A ballistic missile information processing system.
- 35) The four components are the nose cone, second-stage rocket motor, kinetic warhead, and infrared seeker.
- 36) On the day before the actual launch, incorrect information pertaining to the launch was released due to inefficient handling of information by the Ministry of Defense and SDF. At the time of the actual launch, information was properly collected and transmitted via a multiple checking system for the Shared Early Warning (SEW), including a check by the Chief of Joint Staff.
See <<http://www.mod.go.jp/j/j/approach/defense/bmd/20090515-1.html>>
- 37) For further information about the North Korean missile launch.
See <<http://www.mod.go.jp/j/j/approach/defense/bmd/20090515.html>>.
- 38) Refers to persons engaging in illegal acts such as subversive activities in Japan while possessing weapons with significant killing power, those cooperating with such persons, etc.
- 39) To systematically patrol a specific area for purposes such as prevention of surprise attack and information collection.
- 40) The Agreement on the Maintenance of Public Order in the Event of Public Security Operations which was concluded between the former Defense Agency and the National Public Safety Commission.
- 41) An incident in which members of Aum Shinrikyo spread extremely poisonous sarin gas in subway trains crowded with commuters, claiming the lives of 12 people. The SDF conducted decontamination operations of the trains and stations as well as supported police forensics.
- 42) Since September 2001, postal mail containing anthrax was delivered to individuals including members of the U.S. Senate and those related to the mass media.
- 43) Ratio by country of emergency scramble subject aircraft: Russia, approximately 66%; China, approximately 13%; Taiwan, approximately 8%; North Korea, approximately 3%, and others, approximately 10%.
- 44) Including territorial waters and inland waters.
- 45) Maritime security operations (Article 82 of the SDF Law) refer to actions taken at sea by the SDF with the particular need to protect lives or property, or maintain peace and order. Prime Ministerial approval is required.
- 46) An SDF patrol aircraft (P-3C) discovered two unidentified vessels in a surveillance operation in Japanese territorial waters east of the Noto Peninsula and west of Sadogashima Island. These were suspected to be North Korean spy ships disguised as Japanese fishing vessels. The two vessels were pursued around the clock by patrol vessels, destroyers and aircraft but fled to outside the air defense identification zones (ADIZ). They are presumed to have reached a port in the northern part of North Korea.
- 47) An SDF patrol aircraft (P-3C) discovered an unidentified vessel in a surveillance operation and monitored it with patrol vessels and aircraft. The vessel did not stop despite repeated orders by the Japan Coast Guard. As a result, the JCG fired warning shots after alerting the vessel. However, the vessel continued to make its getaway and made an armed attack on the patrol ship which fired shots in self-defense. The vessel subsequently exploded from possible self-destruction and sunk. Based on facts revealed in the investigation process the vessel was identified as a North Korean spy ship. Further, in 2002, a patrol aircraft (P-3C) discovered an unidentified vessel in waters approximately 400km north-northwest off the Noto Peninsula (beyond the exclusive economic zone of Japan) in a surveillance operation. The vessel was tracked and observed by patrol vessels of the Japan Coast Guard, destroyers and aircraft.

- 48) Six vessels have been commissioned since March 2004 with the following main improvements: 1) Speed improved from 40 knots to 44 knots, 2) fitted with 12.7mm machine guns, 3) bullet-proof measures implemented on the bridge and 4) fitted with night vision devices.
- 49) A special unit of the MSDF newly established in March 2001 to deter expected resistance, and disarm suspicious vessels in the event of on-board inspections under maritime security operations.
- 50) A non-bursting shell launched from 76mm gun fitted on destroyers whereby the flat front edge of the shell prevents scattering.
- 51) The Director General of the Japan Coast Guard, the Director General of the Regional Maritime Safety Headquarters, and the Director of Airport Administrative Office may request disaster dispatch.
- 52) The Ministry of Defense Disaster Prevention Plan.
See <<http://www.mod.go.jp/j/approach/defense/saigai/bousai.html>>.
- 53) Unit commanders may make a dispatch in the event that 1) intelligence gathering is necessary in order to provide information to relevant organizations and bodies, 2) it is deemed impossible for the prefectural governor to make a dispatch request and immediate rescue measures are required, 3) life saving rescue operations occur or a fire or disaster occurs in the vicinity of Ministry of Defense facilities.
- 54) See <<http://www.bousai.go.jp/jishin/law/014-1.html>>.
- 55) The Prime Minister issues an earthquake alert with the endorsement of the Cabinet in the event that an earthquake has been predicted and when it is deemed necessary to urgently implement emergency earthquake disaster prevention measures.
- 56) See <<http://www.bousai.go.jp/jishin/law/002-1.html>>.
- 57) Parks and playgrounds close to the disaster site are suitable for assembly areas. For example, for lodging and the activities of forces on the scale of one GSDF regiment, approximately 15,000m² is required (an area approximately one-third the size of Tokyo Dome) and a division requires in excess of approximately 140,000m² (an area approximately three times the size of Tokyo Dome).
- 58) While heliport sizes differ according to the type of helicopter and the nature of activities, as a rough estimate, each helicopter requires a circle area with a radius of 50 to 100 m.
- 59) Manual for Responses to Disasters in Urban Areas, Hilly and Mountainous Areas, Islands and Special Disasters.
See <<http://www.mod.go.jp/j/approach/defense/saigai/pdf/hyoushi02.pdf>>.
- 60) 1) SDF units can be dispatched to provide assistance upon a request of the Director of the Nuclear Disaster Countermeasures Headquarters, 2) SDF personnel dispatched for nuclear disaster relief may exercise necessary authority, 3) special units may be temporarily formed when necessary for nuclear disaster relief dispatches, and 4) SDF Ready Reserve Personnel may be called up for service in the event of nuclear disaster relief dispatches.
- 61) Special-type disasters may be caused by terrorist or armed attacks using weapons of mass destruction.
- 62) Limited to the case where there are no police officials at the scene, SDF personnel on duty are authorized to make enquiries, undertake evacuation measures and enter property in addition to their authorized duties of preventing and controlling crimes and usage of weapons.
- 63) Facilities and equipment for the storage, accommodation or maintenance of SDF weapons, ammunition, explosives, ships, aircraft, vehicles, wired telecommunications equipment, wireless telecommunications equipment or liquid fuels, barracks, harbors, and airports.
- 64) SDF personnel may use weapons to the extent deemed to be reasonably necessary in situations within applicable facilities in the event that it is considered that the use of such weapons is required to execute duties or to protect themselves or others. Weapons must not be used to cause harm to other people except in cases of self-defense or acts of emergency evacuation.

- 65) Units temporarily organized to be dispatched along with transport units (SDF aircraft or ships) to guide and protect Japanese nationals overseas on site.
- 66) See <<http://www.cas.go.jp/jp/seisaku/ful/kettei/090217keikaku.pdf>>.
- 67) See <<http://www.mod.go.jp/j/news/2009/03/17b-02.pdf>>.
- 68) Domestic birds such as chickens, ducks and quails.
- 69) In order to enhance Japan's capability for gathering image intelligence, five intelligence-gathering satellites have been launched so far. The Ministry of Defense has properly utilized the information provided by these satellites.
- 70) As of the end of May 2010, 49 defense attachés (SDF personnel temporarily transferred from the Ministry of Defense to the Ministry of Foreign Affairs) are posted to diplomatic missions overseas in 38 locations. Utilizing their experience as SDF personnel, these attachés are engaged in military information gathering through exchanges with defense-related personnel of the host country, as well as military attachés from other nations.
- 71) In modern warfare, air operations play a vital role in determining the success or failure of an operation. Therefore, it is essential to secure air superiority ahead of, or concurrently with, land and sea operations.
- 72) A state in which various strategies can be executed without incurring damage from the enemy due to the security of air superiority.
- 73) An automated nationwide command and communications system to deliver and process commands, and track information.
- 74) Long-range and large-caliber howitzers and rockets will be used to destroy or intercept infantry, light armored vehicles and facilities.
- 75) Operations to defeat enemy attack through a charge by tanks and armored vehicles.
- 76) Assault units which parachute to the ground from transport aircraft in the vicinity of important terrain to conduct offensives. These units are specially formed, equipped, and trained to be able to move quickly by air over long distances.
- 77) Assault units that are delivered to the vicinity of important terrain by transport helicopters to conduct offensives. Compared to airborne offensives, the attack criteria are simple and easily executed.
- 78) Relatively safe sea areas established to enable maritime traffic. The area and width of sea lanes vary according to the threat aspect.
- 79) United Nations Convention on the Law of the Sea
See <<http://www.mofa.go.jp/Mofaj/Gaiko/Kaiyo/law.html>>
- 80) Other resolutions include resolutions 1838, 1846 and 1851 adopted in 2008, and Resolution 1897 adopted in 2009.
- 81) The Law defines the following acts committed for private ends on the high seas (including exclusive economic zones as provided in the United Nations Convention on the Law of the Sea) or territorial waters as well as internal waters of Japan by the crew or the passengers of a ship (except for warships and other government ships) as "acts of piracy": 1) seizing another ship in navigation or taking control of the operation of another ship by rendering persons irresistible by assault, intimidation or any other means; 2) robbing property on board another ship in navigation or obtaining or causing others to obtain an unlawful profit by rendering persons irresistible by assault, intimidation or any other means; 3) kidnapping a person on board another ship in navigation for the purpose of taking the person hostage to demand a third person to deliver any property or to take any other unobligated action or to waive that person's right; 4) demanding a third person to deliver any property or to take any other unobligated action or to waive that person's right by taking a person, on board a robbed ship or a ship whose control is taken or kidnapped on board another ship in navigation, hostage; 5) breaking into or damaging another ship in navigation for the purpose of

committing the acts of piracy as referred to in subparagraphs 1), 2), 3) and 4) above; 6) operating a ship and approaching in close proximity of beleaguering or obstructing the passage of another ship for the purpose of committing the acts of piracy as referred to in subparagraphs 1), 2), 3) and 4) above; 7) preparing weapons and operating a ship for the purpose of committing the acts of piracy as referred to in subparagraphs 1), 2), 3) and 4) above.

- 82) Where necessary, judicial policing activities including arrest and questioning are carried out.
- 83) Survey conducted on 1,781 applicable individuals. The response “It is not necessary” was the total of “I tend to feel that it is not necessary” and “It is not necessary”, while “We should be engaged in” was the total of “I tend to feel that we should be engaged in” and “We should be engaged in.”
- 84) Since 2006, the International Maritime Organization (IMO), a special U.N. organization, whose purpose is to encourage international cooperation in relation to maritime issues, has been conferring this award annually in order to gain international recognition for the successes of individuals and organizations who have braved the dangers of the open sea and performed astounding work. (The official name is the “IMO Award for Exceptional Bravery at Sea”).