

# Part III

## Measures for the Defense of Japan

### Chapter 5

#### Reform of the Ministry of Defense

Section 1. Background/Process of the Ministry of Defense Reform

Section 2. Current Status of Deliberations



The Ministry of Defense has been committed to ministerial reforms which include preventing a recurrence of misconduct and reorganizing its central structures. Following the change of the government in September 2009, the Ministry of Defense has been deliberating how to realize its new reform of the Ministry under the new government, while also reviewing reforms undertaken during previous Administrations. This Chapter describes the background and process of the reform of the Ministry of Defense, as well as the state of ongoing review under the new government.

## **Section 1. Background/Process of the Ministry of Defense Reform**

Defense capabilities are the last resort to ensure the nation's security and cannot be substituted by other means. Nevertheless, these capabilities would not function effectively without the support of the public. Thus, Self-Defense Forces personnel strive on a daily basis to sustain public trust and expectations.

However, a number of incidents of misconduct have occurred in recent years that have shattered public trust in the Ministry of Defense and the SDF.

In response to these issues, the Council for reforming the Ministry of Defense (the Reform Council) was established at the Prime Minister's Office to engage in a fundamental review of the issues related to the Ministry from the viewpoint of the public, with the participation of various experts. The first meeting of the Council was held in December 2007<sup>1</sup>. The Reform Council held 11 meetings, and a report was formulated in July 2008<sup>2</sup>.

In order to follow the basic direction laid out in the report by the Reform Council (the report), the Ministry of Defense established the Ministry of Defense Reform Head Office (the Reform Head Office), headed by the Minister of Defense in July 2008. In August, the Reform Head Office compiled the Basic Policy for Organizational Reform of the Ministry of Defense<sup>3</sup> and the Implementation Plan for Realizing Reform of the Ministry of Defense (the Implementation Plan)<sup>4</sup>.

The Ministry announced revisions of the Implementation Plan twice, in June and August 2009 respectively<sup>5</sup>.

### **1. Report of the Reform Panel**

#### **1. Incidents of Misconduct — Identifying the Issues**

As for the incidents of misconduct that had repeatedly occurred in the Ministry of Defense and the SDF in recent years, which left a considerable impact on society, the Reform Council paid attention to those cases including: mistakes in reporting the amount of refueling, information leakage via the Internet, leakage of special defense secrets related to the Aegis system, the collision between DDG *Atago* and the fishing boat *Seitoku Maru*, and the misconduct by the former Vice-Minister of Defense. The Reform Council points out that it is essential that continuous organization-wide efforts be made to identify goals and nurture a sense of duty, while making every effort to minimize mistakes in order to prevent a recurrence of the incidents of misconduct.

#### **2. Reform Proposal (1) — Reform of the Awareness of Personnel and Organizational Culture**

The Reform Council proposed the following three principles for reform:

- (1) Thorough adherence to rules and regulations
  - (2) Establishment of professionalism (professional awareness)
  - (3) Establishment of a management of work that prioritizes execution of duties, with the aim of total optimization
- (See Reference 86)

### **3. Reform Proposal (2) — Organizational Reforms for Modern Civilian Control**

The Reform Council proposed organizational reforms of the Prime Minister's Office and the Ministry of Defense so that the Ministry of Defense and the SDF can implement the above-mentioned three principles for reform steadily and effectively.

#### **(1) Strategic level — Strengthening Command Functions of the Prime Minister's Office**

The Reform Council proposed that the Prime Minister's Office should utilize the Security Council and other ministerial councils to strengthen the command functions by actively and comprehensively discussing the critical items for security.

(See Reference 86)

#### **(2) Organizational Reforms to Strengthen Command Functions at the Ministry of Defense**

The Reform Council proposed that while basically maintaining the current organization of the Ministry of Defense, a structure should be created through restructuring of its various functions and responsibilities, so as to prevent a recurrence of incidents of misconduct, enable civilian control to function and enable the Ministry of Defense to implement more effective defense policies.

(See Reference 86)

## **2. Major Commitments up to the Present**

### **1. Commitments for Thorough Implementation of the Principle of Reform**

#### **(1) Thorough Adherence to Rules and Regulations**

##### **a. Workplace Education on Adherence to Rules and Regulations**

For the purpose of ensuring the thorough adherence to rules and regulations, opinions were exchanged with personnel in charge of human resource management and education at each of its organizations to analyze the state of workplace education. Based on the results of these analyses, a checklist was compiled featuring notes to enhance workplace education and distributed to units and relevant parties.

##### **b. Thorough Adherence to Rules and Regulations Related to Classified Information**

Along with a thorough dissemination of rules and regulations related to information security, the Ministry established the SDF Intelligence Security Force in August 2009, based on the consolidation of the Intelligence Security Forces of the GSDF, MSDF, and ASDF. In FY2010, the Ministry will also reorganize the Central Military Police, consolidating the special crime investigative functions (addressing leaks of confidential data; bribery, high technology measures, etc.) of the GSDF, MSDF, and ASDF into the GSDF Military Police.

##### **c. Clarification of Responsibilities for Securing Transparency/Competitiveness in Defense Procurement**

In April 2009, the Import Procurement Division that uniformly controls general import procurements was set up in the Equipment Procurement and Construction Office and direct contracting with overseas manufacturers is being promoted. In addition, the Corporate Research Division was created in the Equipment Procurement and Construction Office on April 1, 2010, to enhance auditing capability for companies, cut costs, and improve procurement quality.

In March 2009, a notification was issued, stipulating the basic concepts relevant to the preparation and release of the minutes of major meetings of the Ministry of Defense as a measure to improve the transparency of the decision-making process.

Partial revision of the SDF Law was incorporated in the bill to partially revise the National Public Service Law, etc., submitted to the 174th Diet session in 2010, in order to introduce restrictions on re-employment, etc., of SDF personnel, subject to the restrictions applied to general national civil servants, with due consideration to the special nature of the specialized professional services performed by SDF personnel.

#### **d. Strengthening Inspection**

The Inspector General's Office of Legal Compliance is committed to ensuring further stringency and effectiveness, by addressing the strengthening of the inspection structure such as manpower increase in connection with collusive bidding prevention, as well as by formulating the defense inspection plans annually based on the mid-term perspectives.

#### **(2) Establishment of Professionalism (Professional Awareness)**

In order to develop a sense of professionalism in the field of information communication, the Preliminary Report for Contingency Situations (notification) and detailed implementation procedures were disseminated to all staff. Furthermore, in order to develop a sense of professionalism in the field of information security, security education, which is currently strictly conducted, was examined in a timely manner to verify whether it is tailored to the characteristics of each individual organization.

Moreover, in order to enhance counter-intelligence measures<sup>6</sup>, the Ministry of Defense Counter-Intelligence Committee was established in March 2009. The SDF Intelligence Security Force was organized in August 2009 to effectively collect and share data related to counter-intelligence.

#### **(3) Establishment of a Management of Works that Prioritizes the Execution of Duties, with the Aim of Total Optimization**

##### **a. Establishment of a PDCA Cycle**

In order to promote operational improvements covering from the central organizations of the Ministry of Defense to the SDF and forward forces in the field, the Ministry issued ordinances related to guidelines on operational improvements, based on surveys on excellent operational improvement measures in the private sector. The Ministry also thoroughly notified units and related parties to establish a plan, do, check, act (PDCA) cycle.

##### **b. Promotion of the Integrated Project Team (IPT) Method in Defense Procurement**

In order to enhance the life-cycle cost management of equipment, the Minister of Defense set up a Life-Cycle Cost Management Office in March 2009 in the Equipment Procurement Construction Office. The Ministry also holds liaison and coordination meetings for cross-organizational commitments utilizing the IPT method.

(See Part III, Chapter 4, Section 2)

##### **c. Integrated Public Relations Activities of the Whole Organization**

In order to ensure consistency in public relations activities of the whole organization, the Press Secretary at the Minister's Secretariat will grasp in an integrated manner details of all press conferences by senior personnel of the ministry and information released by the Ministry of Defense and each Self-Defense Force. At the same time, rules will be developed regarding responses to the media by central and local offices, and direct dialogue with the public will be promoted.

In March 2009, some improvements were made regarding the procedures to be taken when SDF personnel publicly express their personal views, including clarification of matters subject to notification and the details of notification, which were then issued as the Notice of the Minister of Defense and disseminated to all SDF personnel.

## 2. Organizational Reform in FY2009

In response to the enactment of the Law Bill, for partial amendment of the Ministry of Defense Establishment Law, the Ministry of Defense implemented organizational reform for FY2009 by strengthening the system to support the Minister of Defense; abolishing the advisory structure by Defense Councilors, which had lost its substance, with the aim of thoroughly ensuring civilian control; and introduced the measures set forth below:

### (1) Establishment of the Defense Council by Law

The Defense Council was legally established as an organization where the Minister of Defense and other political appointees, civilian and uniformed SDF personnel deliberate on basic policies related to matters under the jurisdiction of the Ministry of Defense. The Council comprises the Minister of Defense (chair), the Parliamentary Senior Vice-Minister of Defense, Parliamentary Vice-Ministers of Defense, Special Advisors to the Minister of Defense, Vice-Minister of Defense, Deputy Vice-Minister/Directors-General, Chiefs of Staff, and the Director of the Defense Intelligence Headquarters.

(See Part II, Chapter 1, Section 3 and Part III, Chapter 4, Section 1)

### (2) Establishment of Special Advisors to the Minister of Defense

Up to three Special Advisors can be politically appointed by the Minister of Defense to advise the minister with regard to important matters relating to the Ministry of Defense based on their own knowledge and experience.

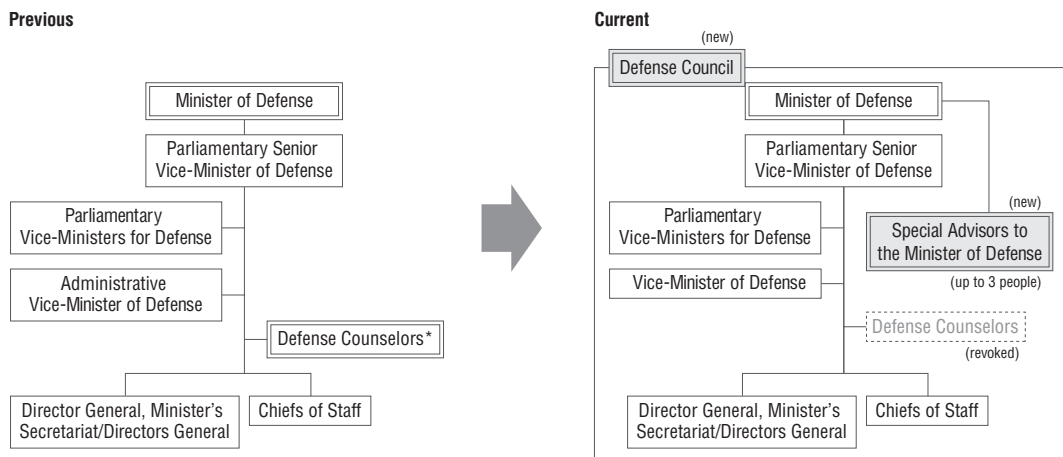
(See Fig. III-5-1)

(See Part II, Chapter 1, Section 3 and Part III, Chapter 4, Section 1)

### (3) Other

The Ministry of Defense Reform Promotion Office was established within the Policy Planning and Evaluation Division of the Minister's Secretariat in August 2009, as an office exclusively devoted to the reform of the Defense Ministry.

Fig. III-5-1 Strengthening Support System for the Minister of Defense



### **3. Other Efforts**

#### **(1) Fundamental Reform of the Maritime Self-Defense Force**

In response to a number of cases of misconduct, including a leak of confidential information regarding the Aegis system and a mistake in reporting the amount of refueling during international peace cooperation missions, and in order to prevent a recurrence of such incidents and to improve organizational integrity in the medium and long term, in March 2008, the Maritime Self-Defense Force (MSDF) established the Committee for the Fundamental Reform of the MSDF (the Fundamental Reform Committee), chaired by the Chief of Staff, MSDF. The Fundamental Reform Committee has exchanged a wide range of views with those on duty and other varied entities, about the mission, education, and organization of the MSDF. Based on these discussions, the MSDF presented all its units with the policy of reform as a Notification by the Chief of Staff, MSDF in December 2008.

To increase the effectiveness of its own fundamental reform and steadily promote various measures, the MSDF created the Committee to Promote Measures for Fundamental Reform of the Maritime Self-Defense Force in the MSDF in December 2008 to carry out further deliberations on the reform, promotion of implementation and supervision of measures.

#### **(2) Efforts for Adherence to SDF Code of Ethics**

In August 1999, the Self-Defense Forces Personnel Ethics Act was established along with the National Public Service Ethics Act, and came into effect the following April. On the basis of this Act, the establishment of the Self-Defense Forces Personnel Ethics Code was decreed by Cabinet Order.

In order to further improve legal compliance and ethics of personnel, the Ministry of Defense has implemented education on ethics, duties, and compliance<sup>7</sup> for SDF personnel, for example, implementing educational programs such as supervisor training and conducting defense inspections. To this date, more efforts are being made to improve education and training as well as utilizing fully the defense inspection system.