

The Interim Report on the Revision of the Guidelines for Japan-U.S. Defense Cooperation

I. Introduction

At the “2+2” Japan-U.S. Security Consultative Committee (SCC) meeting in Tokyo on October 3, 2013, the Ministers of the two countries set forth a strategic vision for a more robust Alliance in a complex regional environment and a dynamic world. The Ministers reconfirmed our Alliance’s unwavering commitment to Japan’s security and reaffirmed the indispensable role our two countries play in the maintenance of peace and security in the Asia-Pacific region. The Ministers also recognized the Alliance as a platform for international cooperation that would continue to make positive contributions to the region and beyond. As this strategic vision for a more expansive partnership would require enhanced capabilities and greater shared responsibilities, the Ministers called for the revision of the 1997 Guidelines for Japan-U.S. Defense Cooperation.

The revision of the Guidelines fully accords with both countries’ strategic goals and interests, and will benefit the region and beyond. For the United States, the Guidelines revision aligns with the U.S. whole-of-government rebalance to the Asia-Pacific region. For Japan, the Guidelines revision corresponds to its efforts for the defense of its territory and people and the policy of “Proactive Contribution to Peace” based on the principle of international cooperation. The cabinet decision by the Government of Japan on July 1, 2014, for developing seamless security legislation, envisions the expansion of the Self-Defense Forces activities consistent with the Constitution of Japan. The revision of the Guidelines will reflect this cabinet decision appropriately and will strengthen the Alliance and enhance deterrence. The revised Guidelines will also enable the two countries to make expanded contributions to international peace and security.

(1) Description of the Revision Process

At the SCC meeting on October 3, 2013, the Ministers of the two countries directed the Subcommittee for Defense Cooperation (SDC) to draft recommended changes to the 1997 Guidelines to address the evolving security environment surrounding Japan. Discussions have ranged from operational-level deliberations to consider appropriate roles and missions for the respective forces, to policy-level dialogues focusing on defense cooperation.

(2) Interim Report Overview

The SDC has summarized the work which has been conducted under the direction of the SCC and issues this interim report with a view to promoting understanding of the revision both domestically and internationally. Further work may result in

modifications or additions.

This interim report is intended to lay out clearly and transparently the framework and objectives for the revised Guidelines. During the course of preparatory work, the two governments reached a shared recognition on the importance of:

- seamless and effective whole-of-government Alliance coordination;
- taking measures to prevent the deterioration of Japan's security;
- enhancing bilateral cooperation to generate a more peaceful and stable international security environment;
- cooperation in space and cyberspace in an Alliance context; and
- mutual support in a timely and effective manner.

This interim report does not create legal rights or obligations for either government.

II. Aim of the Guidelines and Bilateral Defense Cooperation

Recognizing that emerging and future security challenges require a more balanced and effective Alliance, the SDC has been discussing appropriate roles and missions of the two countries based on the enhancement of capabilities and interoperability, to ensure the peace and security of Japan under any circumstances, from peacetime to contingencies, and to promote a stable, peaceful, and prosperous Asia-Pacific and beyond.

Future bilateral defense cooperation will emphasize:

- seamless, robust, flexible, and effective bilateral responses;
- the global nature of the Japan-U.S. Alliance;
- cooperation with other regional partners;
- synergy across the two governments' national security policies; and
- a whole-of-government Alliance approach.

Looking to the future, the revised Guidelines will update the general framework and policy direction for the roles and missions of the two countries, as well as ways of cooperation and coordination. The Guidelines will also advance peace and security and deter possible conflict. In this way, the Guidelines will promote domestic and international understanding of Japan-U.S. security arrangements.

III. Basic Premises and Principles

The revised Guidelines and programs under those Guidelines will be consistent with the following basic premises and principles.

- The rights and obligations under the Treaty of Mutual Cooperation and Security between Japan and the United States of America (the Japan-U.S. Security

Treaty) and its related arrangements, as well as the fundamental framework of the Japan-U.S. Alliance, will remain unchanged.

- All actions taken by Japan and the United States will be consistent with basic principles of international law, including the peaceful settlement of disputes and sovereign equality, and relevant international agreements such as the Charter of the United Nations.
- All actions taken by Japan and the United States will be in accordance with their respective Constitutions, laws and regulations then in effect and basic positions on national security policy. Japan will conduct its actions in accordance with basic positions, such as the maintenance of its exclusively national defense-oriented policy and its three non-nuclear principles.
- The Guidelines and programs under the Guidelines will not obligate either government to take legislative, budgetary, or administrative measures, nor will the Guidelines create legal rights or obligations for either government. However, since the objective of the Guidelines and programs under the Guidelines is to establish an effective framework for bilateral cooperation, the two governments are expected to reflect in an appropriate way the results of these efforts, based on their own judgment, in their specific policies and measures.

IV. Strengthened Alliance Coordination

The two governments will ensure seamless and effective whole-of-government Alliance coordination that involves all relevant agencies, in order to address any situation that affects the peace and security of Japan, threatens regional or global stability, or other situations that may require an Alliance response. For this purpose, the two governments will improve the Alliance coordination framework, enabling timely information sharing and policy and operational coordination.

The two governments will enhance bilateral planning relevant to Japan's peace and security, through a strengthened planning mechanism which ensures the involvement of all relevant agencies of the respective governments.

V. Seamlessly Ensuring Japan's Peace and Security

In the current security environment, persistent and emerging international threats can have a serious and immediate impact on the peace and security of Japan. There are also cases where swift and robust responses are required to secure the peace and security of Japan even when an armed attack against Japan is not involved. In view of such a complex security environment, the two governments will take measures to prevent the deterioration of Japan's security in all phases, seamlessly, from peacetime to contingencies. Those measures to be described in the revised Guidelines may include, but are not limited to, the following:

- Intelligence, Surveillance, and Reconnaissance;
- Training and Exercises;
- Use of Facilities and Areas;
- Logistics Support;
- Asset Protection;
- Air and Missile Defense;
- Protection of Facilities and Areas;
- Search and Rescue;
- Activities for Ensuring the Effectiveness of Economic Sanctions;
- Noncombatant Evacuation Operations;
- Measures to Deal with Refugees; and
- Maritime Security.

In case of an armed attack against Japan, Japan will have primary responsibility to repel the attack. The United States will provide support, including strike operations as appropriate.

The revised Guidelines will detail cooperation between the two governments in situations involving an armed attack against Japan, and in case of an armed attack against a country that is in close relationship with Japan where Japan's use of force is permitted under its Constitution and in accordance with the cabinet decision by the Government of Japan on July 1, 2014.

In light of lessons learned from the response to the Great East Japan Earthquake, the revised Guidelines will describe cooperation between the two governments in the case of a large-scale disaster in Japan.

VI. Cooperation for Regional and Global Peace and Security

Recognizing the implications of the evolving regional and global security environment, the two governments will expand the scope of cooperation to reflect the global nature of the Japan-U.S. Alliance. The two governments will enhance bilateral cooperation in various areas to generate a more peaceful and stable international security environment. For greater effectiveness of bilateral cooperation, the two governments will promote trilateral and multilateral security and defense cooperation with regional allies and partners. The revised Guidelines will lay out how the two governments will work together to promote security and defense cooperation based on international law and internationally accepted norms. Areas of cooperation to be described may include, but are not limited to, the following:

- Peacekeeping Operations;
- International Humanitarian Assistance/Disaster Relief;
- Maritime Security;

- Capacity Building;
- Intelligence, Surveillance, and Reconnaissance;
- Logistics Support; and
- Noncombatant Evacuation Operations.

VII. Bilateral Responses in New Strategic Domains

In recent years, risks that can impede the use of and free access to space and cyberspace are spreading and becoming more serious. The two governments share a commitment to strengthen stability and security in space and cyberspace by addressing these emerging security challenges seamlessly, effectively, and in a timely manner. In particular, the Self-Defense Forces and the United States armed forces will work to ensure the resiliency of relevant space assets and their networks and systems, while contributing to whole-of-government efforts to secure the safe and stable use of space and cyberspace including improving the cybersecurity of critical infrastructure upon which they depend to accomplish their missions.

The revised Guidelines will describe cooperation in space and cyberspace. Cooperation on space will include sharing information about actions and events that might impede the safe and stable use of space and cooperative ways to build space resiliency. Cooperation on cyberspace will include sharing information from peacetime to contingencies about cyber threats and vulnerabilities as well as strengthening cybersecurity for mission assurance.

VIII. Bilateral Enterprise

The two governments will increase information and intelligence sharing as well as continue to exchange views on international situations of mutual interest by conducting close consultations on various areas. The two governments will also continue to enhance and develop areas of security and defense cooperation, which may include, but are not limited to:

- Defense Equipment and Technology Cooperation;
- Information Security; and
- Educational and Research Exchanges.

IX. Processes for Review

The revised Guidelines will describe the processes for the future review and update of the Guidelines.

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