

# Development of Legislation for Peace and Security and the Self-Defense Forces (SDF) Activities since Legislation's Enforcement

## Section 1

## Framework for Activities of the SDF and Others

This section gives an outline of a full picture of the framework for the Government's responses to various contingencies as well as the main operations of the SDF.

Q See

Reference 10 (Conditions Required for Main Operations of the Self-Defense Forces (Including Diet Approval) and Authority for the Use of Weapons Concerning Main Operations of the Self-Defense Forces)

### 1 Responses to Armed Attack Situations, etc., and Survival-Threatening Situations

The Act on the Peace and Independence of Japan and Maintenance of the Nation and the People's Security in Armed Attack Situations, etc., and a Survival-Threatening Situation<sup>1</sup> specifies items that should be stipulated as basic principles and basic policies (the Basic Response Plan) regarding responses to an Armed Attack Situation and Anticipated Armed Attack Situation (Armed Attack Situations, etc.<sup>2</sup>) and Survival-Threatening Situations<sup>3</sup> as well as the responsibilities of national and local governments in order to establish a system to respond to Armed Attack Situations, etc., and Survival-Threatening Situations and thereby contribute to the peace and independence of Japan as well as the safety of the country and the people.

#### 1 Armed Attack Situations, etc. and Survival-Threatening Situations

Based on the Law for Peace and Independence of Japan and Maintenance of the Nation and the People's Security in Armed Attack Situations etc. (Armed Attack Situation Response Law), in situations such as an Armed Attack Situation, etc. or a Survival-Threatening Situation, the Government is required to adopt the Basic Response Plan, which includes the following items, and ask for approval by the Diet. In addition, once the Basic Response Plan is adopted, a temporary Task Force for Armed Attack Situations, etc., (the Task Force) is to be

established within the Cabinet, to implement these measures.

#### a. The Following Items concerning Situations that Need to Be Dealt with:

- (1) Sequence of events of the situation, the confirmation of occurrence of an Armed Attack Situation, etc., or a Survival-Threatening Situation, and the facts that support this confirmation
- (2) When the situation is confirmed as an Armed Attack Situation, etc., or a Survival-Threatening Situation, the reason why there are no other appropriate means available to ensure Japan's survival and protect its people, and the use of force is necessary to respond to the situation

#### b. An Overall Plan Related to the Response

#### c. Important Matters Related to the Response Measures

Q See

Fig. II-5-1-1 (Procedures for Responding to Armed Attack Situations, etc., and Survival-Threatening Situation)

#### 2 Emergency Situations other than Armed Attack Situations, etc., and Survival-Threatening Situations

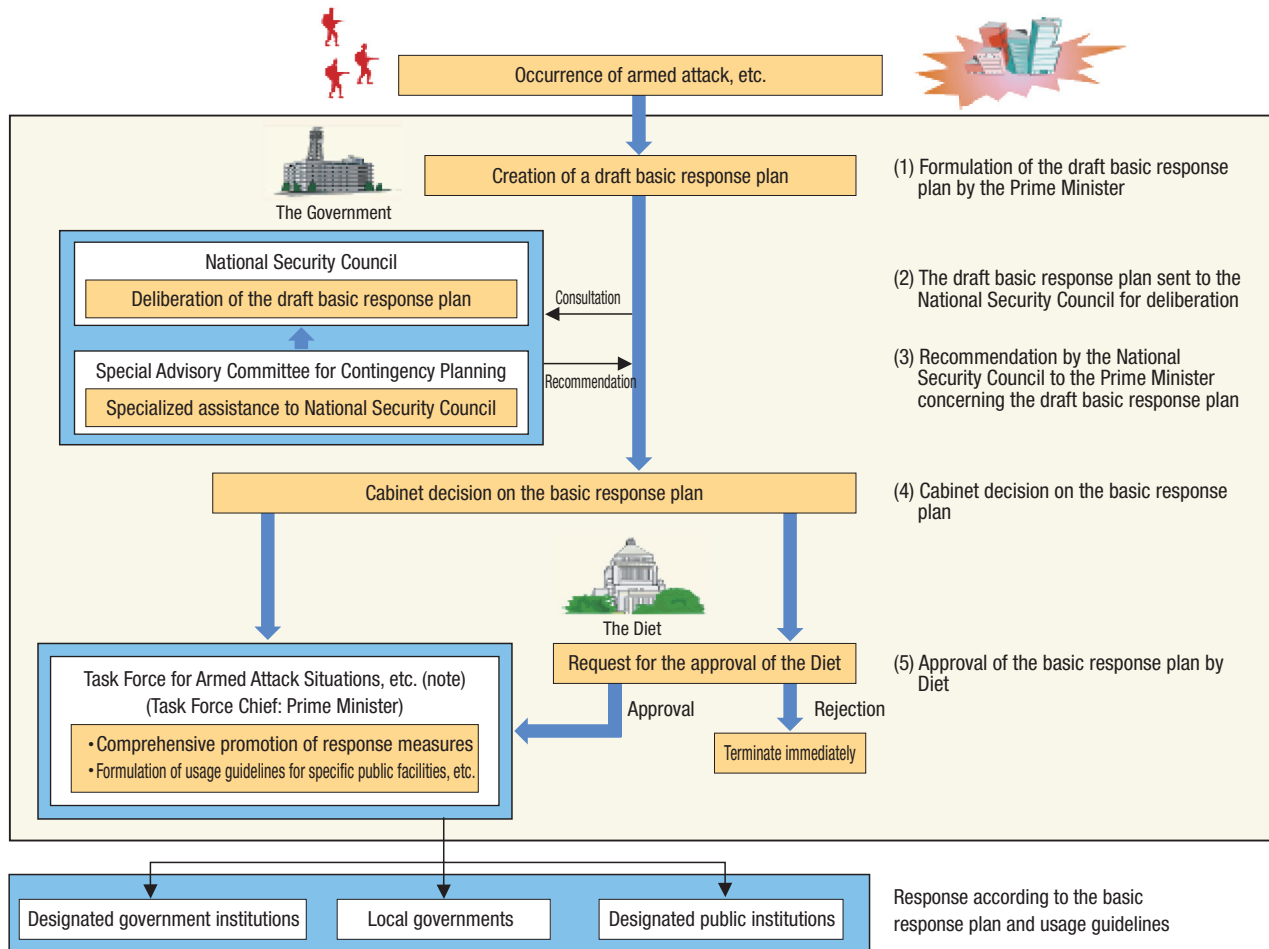
Based on the Armed Attack Situation Response Law, the government will also implement appropriate and rapid response measures in emergency situations other than an Armed Attack Situation, etc. and Survival-Threatening Situations<sup>4</sup> in order to ensure the peace and independence of the country, and to

<sup>1</sup> Official title: Act on the Peace and Independence of Japan and Maintenance of the Nation and the People's Security in Armed Attack Situations, etc., and a Survival-Threatening Situation

<sup>2</sup> "Armed Attack Situations" refers to situations in which an armed attack against Japan from outside occurs or in which it is considered that there is an imminent and clear danger of an armed attack. "Expected Armed Attack Situations" refers to situations in which an armed attack is not yet made but the tension increased and an armed attack is expected. Both situations are collectively called "Armed Attack Situations, etc."

<sup>3</sup> A "Survival-Threatening Situation" means a situation where an armed attack against a foreign country that is in a close relationship with Japan occurs, which in turn poses a clear risk of threatening Japan's survival and of overturning people's rights to life, liberty and pursuit of happiness fundamentally.

<sup>4</sup> A contingency situation, other than an Armed Attack Situation and Survival-Threatening Situation, and a situation that may have a significant impact on the security of the nation and the people, including an emergency response situation (a situation where actions that may kill or injure many people by using methods equivalent to those used in an armed attack, 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).

**Fig. II-5-1-1****Procedures for Responding to Armed Attack Situations, etc., and Survival-Threatening Situation**

Note: The Task Force will be established in the Cabinet for the comprehensive promotion of measures to respond to armed attack situations or a situation where an armed attack against a foreign country results in threatening Japan's survival

maintain the security of the country and its people.

### 3 Responses of the SDF

The Prime Minister can issue a Defense Operation order to the whole or part of the SDF when it is deemed necessary for the defense of Japan in Armed Attack Situations and Survival-Threatening Situations. Prior Diet approval is required for a Defense Operation order in principle. The SDF under Defense Operation duty is allowed to exercise the use of force only when the “three conditions for ‘the use of force’” are satisfied.

### 4 Civil Protection

The Civil Protection Act<sup>5</sup> specifies responsibilities of the national and local governments as well as measures for

evacuation, relief, and response to the armed attack induced disasters in order to protect the lives, bodies and property of the people and to minimize the impact on the livelihood of the people in an Armed Attack Situation, etc. and emergency response. If the Minister of Defense finds it unavoidable after receiving a request from prefectural governors, or receives a request from the Task Force Chief,<sup>6</sup> upon approval by the Prime Minister, the Minister of Defense can issue a civil Protection Dispatch Order to the SDF units, etc. to conduct civil protection measures or emergency response protection measures (including assisting with the evacuation of residents, providing relief to the evacuees and immediate restoration).



Fig. II-5-1-2 (Mechanism of Civil Protection Dispatches), Part III, Chapter 1, Section 2-5 (Initiatives Related to the Protection of Civilians)

<sup>5</sup> Official title: Act Concerning the Measures for Protection of the People in Armed Attack Situations, etc.

<sup>6</sup> The Prime Minister assumes the position of the Director of the Crisis Management Headquarters, but these positions are regulated as separate entities.

## 2 Responses to Situations that Will Have an Important Influence

The Law Concerning Measures to Ensure the Peace and Security of Japan in Situations that Will Have an Important Influence on Japan's Peace and Security<sup>7</sup> aims to strengthen cooperation with foreign countries to respond to the situations that will have an important influence on Japan's peace and security (Situations that Will Have an Important Influence<sup>8</sup>) with the central focus on contribution to the effective operation of the Japan-U.S. Security Treaty by carrying out measures such as logistics support activities and thereby contributing to the peace and security of Japan.

### 1 Coverage

The armed forces, etc., responding to situations that will have an important influence on Japan's peace and security, which the SDF may support, are "U.S. Armed Forces engaged in activities contributing to the achievement of the objectives of the Japan-U.S. Security Treaty," "armed forces of other

foreign countries engaged in activities contributing to the achievement of the objectives of the UN Charter" and "other similar organizations."

### 2 Response Measures to Situations that Will Have an Important Influence on Japan's Peace and Security

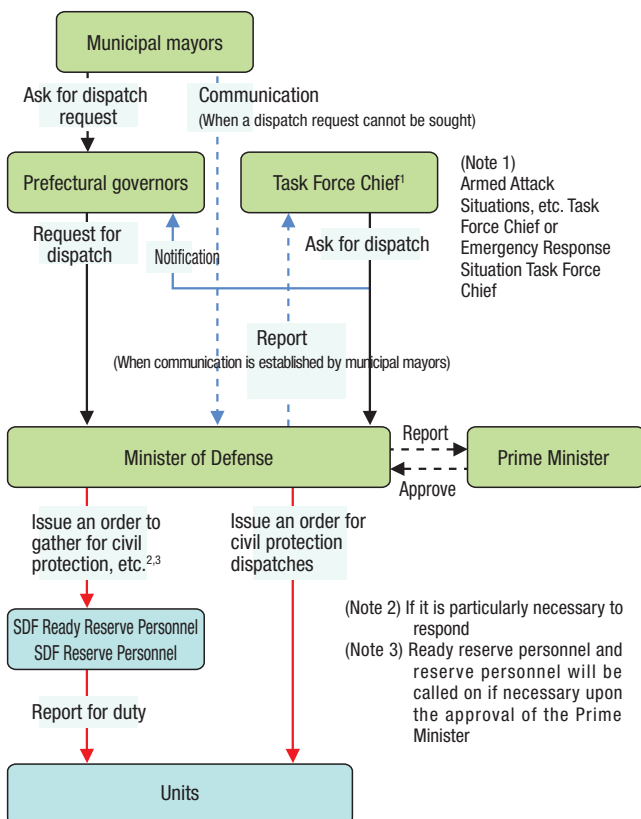
Measures to respond to situations that will have an important influence on Japan's peace and security are: (1) logistics support activities, (2) search and rescue activities, (3) ship inspection operations,<sup>9</sup> and (4) other measures necessary to respond to situations that will have an important influence on Japan's peace and security.

### 3 Measures to Avoid Integration with the Use of Force

The law sets forth the following measures in order to avoid integration with the use of force by a foreign country and also to ensure the safety of the SDF personnel:

- The SDF does not conduct activities in "the scene where a combat is actually taking place." Regarding search and rescue operations, however, when stranded personnel have been located and rescue operations have commenced, the SDF units are allowed to continue search and rescue activities as long as the safety of these units is ensured.
- The commanding officers, etc., of the SDF units order the temporary suspension of activities, etc., if combat operations occur or are expected to occur at the site of their activities or in the vicinity.
- The Minister of Defense designates the area for implementing activities, and if it is deemed difficult to implement operations smoothly and safely in the whole or part of that area, the Minister must promptly change the designation of the area or order the cessation of the activities being implemented there.

Fig. II-5-1-2 Mechanism of Civil Protection Dispatches



<sup>7</sup> Official title: Law Concerning Measures to Ensure the Peace and Security of Japan in Situations that Will Have an Important Influence on Japan's Peace and Security.

<sup>8</sup> "Situations that will have an important influence" refers to situations that will have an important influence on Japan's peace and security, including situations that, if left without response, could lead to a direct armed attack on Japan.

<sup>9</sup> Operations to inspect and confirm the cargo and destination of ships (excluding warships and others) and to request, if necessary, a change of sea route, or destination port or place, for the purpose of strictly enforcing the regulatory measures concerning trade or other economic activities to which Japan is a party, conducted based on the UN Security Council resolutions or with the consent of the flag state (the state that has the right to fly its flag as prescribed in Article 91 of the UN Convention on the Law of the Sea).

### 3 Maintenance of Public Order and Responses to Aggression that Do Not Amount to an Armed Attack .....

#### 1 Public Security Operations

##### (1) Public Security Operations by Order

In the event of an indirect aggression or another emergency situation, the Prime Minister can order the whole or part of the SDF to deploy if it is deemed impossible to maintain public security with the general police force. In principle, the Prime Minister must bring the order to the Diet for deliberation, and request for its approval within twenty days from the day the order has been given.

##### (2) Public Security Operations by Request

Upon consulting with the Public Safety Commission of the prefecture concerned, the governor of that prefecture can request the Prime Minister to dispatch units, etc., of the SDF if it is deemed unavoidable as the situation will have a serious influence on public security. Following such a request, the Prime Minister can order the SDF to mobilize when a situation calls for such action.

**Q See** Part III, Chapter 1, Section 2-3 (Response to Attacks by Guerrillas, Special Operations Forces and Others)

#### 2 Maritime Security Operations

When there is a special need to protect lives or property or maintain public security at sea, the Minister of Defense can order the SDF units to take necessary actions at sea upon approval by the Prime Minister.

**Q See** Part III, Chapter 1, Section 1-2 (Measures against Violation of Japan's Sovereignty)

#### 3 Counter-Piracy Operations

When there is a special need to respond to acts of piracy, the Minister of Defense may order SDF units to conduct operations at sea against such acts upon approval by the Prime Minister. In order to obtain approval, the Minister of Defense shall create a response guideline and submit it to the Prime Minister.

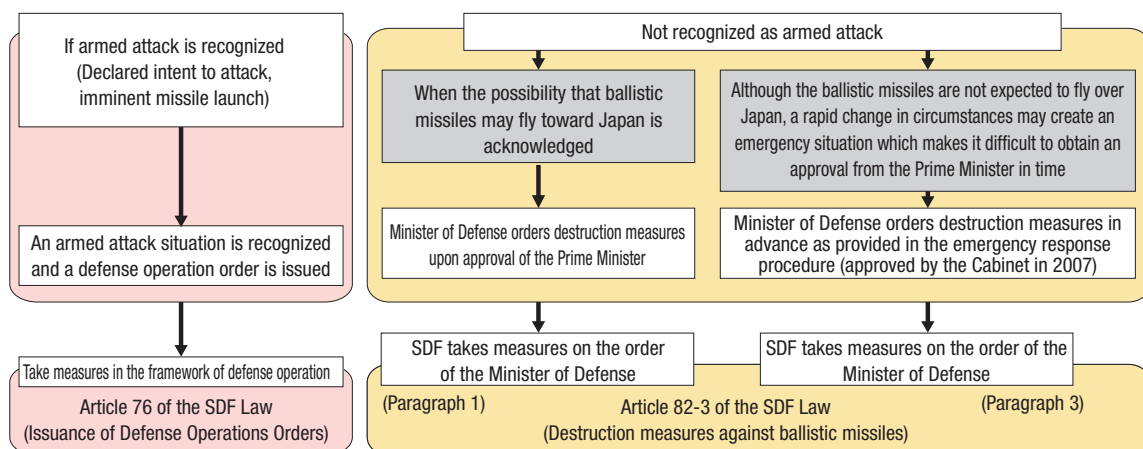
**Q See** Part III, Chapter 3, Section 2-2 (Counter-Piracy Operations)

#### 4 Destruction Measures against Ballistic Missiles or Other Objects

In cases where ballistic missiles or other objects are flying to Japan as an armed attack or flying to Japan in a Survival-Threatening Situation, and where the “Three Conditions” are met, the SDF can respond with the defense operation. In cases where ballistic missiles or other objects are flying to Japan but which are not found as an armed attack, the Minister of Defense can take the following measures:

- (1) If the Minister of Defense judges that ballistic missiles or other objects are likely to fly to Japan and that it is necessary to prevent damage to human lives and property due to its fall in the territory of Japan, the Minister, upon the approval of the Prime Minister, can order the SDF units to take measures to destroy the ballistic missiles or other objects in the airspace over the territory of Japan or the high seas when such

**Fig. II-5-1-3** Flow of Response to Ballistic Missiles



#### Concept of ensuring civilian control of the military

- Response against ballistic missiles requires the government to assess the possibility of missiles flying toward Japan by comprehensively analyzing and evaluating the specific situation and international circumstances. In addition to the SDF destroying the missile, interagency actions are required, for example, measures for civil protection such as alert and evacuation, diplomatic activities, information gathering by related agencies, and enhancement of readiness for emergencies.
- In view of the importance of the matter and the necessity of action by the Japanese government as a whole, the Cabinet and Minister of Defense can sufficiently fulfill their responsibilities upon the Prime Minister's approval (Cabinet decision) and orders by the Minister of Defense. Furthermore, the supervision of the Diet is also defined with a provision in the law stipulating reporting to the Diet.



objects are actually flying to the country.

- (2) In addition to the cases of (1) above, there may be cases where the situation suddenly changes with little information available on the launch, for example, and the Minister of Defense cannot have time to obtain approval from the Prime Minister. In preparation for such cases, the Minister of Defense may create an emergency response manual beforehand and obtain approval from the Prime Minister. Following the emergency response manual, the Minister of Defense can order, for a specified period of time, the SDF units to take measures to destroy ballistic missiles or other objects in the airspace over the territory of Japan or the high seas when such objects are actually flying to the country.

**Q See** Fig. II-5-1-3 (Flow of Response to Ballistic Missiles or Other Objects),  
Part III, Chapter 1, Section 2-2-2 (Response to Missile Attacks)

## 5 Measures against Intrusion of Territorial Airspace

The Minister of Defense may order SDF units to take necessary measures to make intruding aircraft land or withdraw from the territorial airspace of Japan (guiding intruders away, issuing radio transmission warnings, use of weapons, etc.) when a foreign aircraft intrudes Japan's territorial airspace in violation of international law, the provisions of the Aviation Law or other relevant laws and regulations.

**Q See** Part III, Chapter 1, Section 1-2-1 (Warnings and Scrambles in Preparation against Intrusion of Territorial Airspace)

## 6 Rescue and Transportation of Japanese Nationals Overseas

In order to protect Japanese nationals, etc. overseas in emergency situations, the SDF is able to transport those people who need protection of their lives or bodies to a safe place. Moreover, when their lives or bodies can be harmed, the SDF may conduct "rescue measures" that include guarding and rescue of Japanese nationals, etc. if the following requirements are satisfied.

### (1) Procedures

Upon a request from the Minister for Foreign Affairs and after subsequent consultations between the Minister for Foreign Affairs and the Minister of Defense, the Minister of Defense issues an order following approval by the Prime Minister.

## (2) Requirements for Implementation

When all of the following conditions are satisfied, the rescue measures may be implemented:

- It needs to be confirmed that in the areas where the rescue measures are taken, the competent authorities of the country concerned are maintaining public safety and order at the time, and no act of combat will be conducted;
- The country concerned<sup>10</sup> consents to the SDF taking the rescue measures (including the use of weapons); and
- It is expected that coordination and cooperation can be ensured between the units of the SDF and the competent authority of the country concerned in order to carry out the rescue measures as smoothly and safely as possible in response to anticipated dangers.

**Q See** Part III, Chapter 1, Section 5-2 (Response to Rescue and Transport of Japanese Nationals Overseas, etc.)

## 7 Protection of Weapons and Other Equipment of the Units of the U.S. Forces and the Armed Forces of Other Foreign Countries

Based on Article 95-2 of the SDF Law, it has been established that the SDF personnel may protect weapons and other equipment of the units of the U.S. Forces and the armed forces of other foreign countries actually engaging in activities that contribute to the defense of Japan in cooperation with the SDF. The basic principles of the article and the Cabinet's involvement in its operation are provided by "The Implementation Guidelines for Article 95-2 of the Self-Defense Forces Law"<sup>11</sup> decided by the National Security Council.

### (1) Coverage

Weapons, etc. of the units of the United States Forces, armed forces of other foreign countries and other similar organizations, that are, in cooperation with the SDF and are, currently engaged in activities that contribute to the defense of Japan (including bilateral/multilateral exercises but excluding activities in the scene where the combat activities are actually being conducted).

### (2) Procedures, etc.

When a request is made by the United States Forces, etc., and only when the Minister of Defense deems it necessary, SDF personnel provide asset protection.

**Q See** Section 2-3 of this Chapter (The Operationalization of the Protection of Weapons and Other Equipment of the Units of the Armed Forces of the United States and Other Countries (SDF Law Article 95-2))

<sup>10</sup> It includes an organization, if any, that administers the said country in accordance with a resolution of the General Assembly or the Security Council of the UN.

<sup>11</sup> For "The Implementation Guidelines for Article 95 -2 of the Self-Defense Forces Law," see the website of the Prime Minister's Office for Japan (<https://www.kantei.go.jp/content/2016122201.pdf>)

## 4 Disaster Relief Dispatches and Others

### 1 Disaster Relief Dispatches

In principle, Disaster Relief Dispatch is conducted as follows: prefectural governors or other officials ask the Minister of Defense, or an officer designated by the Minister, to dispatch the SDF units, etc., in the event of a natural disaster; the Minister or the designated officer will dispatch the units if it is deemed necessary for the SDF to respond to the disaster.<sup>12</sup> This procedure is based on the idea that prefectural governors and other officials should grasp the overall conditions of the disaster and their own disaster relief capabilities first, and then decide whether to make a request for the SDF disaster relief dispatch.

### 2 Earthquake Disaster Prevention Dispatch and Nuclear Disaster Relief Dispatch

When a warning declaration is issued based on the Act on Special Measures Concerning Countermeasures for Large-Scale Earthquakes<sup>13</sup> or a declaration of a nuclear emergency situation is issued based on the Act on Special Measures Concerning Nuclear Emergency Preparedness, the Minister of Defense is authorized to order dispatching units upon a request of the Director of the Seismic Disaster Warning Headquarters or the Director of the Nuclear Disaster Countermeasures Headquarters (the Prime Minister).

**Q See** Part III, Chapter 1, Section 5 (Response to Large-Scale Disasters)

## 5 Framework for Contributing to the Peace and Stability of the International Community

### 1 Response to Situations Threatening the International Peace and Security that the International Community Is Collectively Addressing

Under the International Peace Support Act,<sup>14</sup> in order to ensure peace and security of the international community, Japan is allowed to conduct cooperation and support operations for the armed forces of foreign countries engaged in operations for international peace and security in Situations Threatening the International Peace and Security that the International Community is Collectively Addressing.<sup>15</sup> From the perspective of enabling seamless responses to any situation, the International Peace Support Law, enacted as a general law, enables Japan to conduct support operations more expeditiously and effectively for the military forces of foreign countries operating for international peace and security, making it possible to proactively contribute to international peace and security on Japan's own initiative.

#### (1) Requirements

The requirement for Japan to offer cooperation and support to the operations of foreign armed forces is the issuance of one

of the following UN resolutions (by the General Assembly or the Security Council).

- a. Resolutions that decide, call upon, recommend or authorize the country, which is subject to Japan's support operations to respond to situations that threaten the peace and security of the international community
- b. Other than (a), resolutions that regard the situations as a threat to peace or a breach of peace and call on United Nations (UN) member states to respond to the situations concerned

#### (2) Response Measures

The following response measures can be implemented in situations threatening the international peace and security that the international community is collectively addressing.

##### a. Cooperation and Support Activities

Supplies and services to armed forces of foreign countries (supply, transportation, repair and maintenance, medical services, communications, airport and seaport services, base services, lodging, storage, use of facilities, training services and construction) are to be provided.

While the provision of weapons is not included as in the

<sup>12</sup> The Commandant of the Japan Coast Guard, the Director General of the Regional Coast Guard Headquarters, and the Director of the Airport Administrative Office may request a disaster relief dispatch. With regard to disaster relief dispatch, earthquake disaster prevention dispatch, and nuclear disaster relief dispatch, (1) SDF personnel ordered for the dispatch may take measures such as evacuation (Article 4 of the Police Duties Execution Law) based on Article 94 of the SDF Law (Authority in Disaster Relief Dispatch, etc.); (2) SDF Reserve Personnel and SDF Ready Reserve Personnel may be called up for service in the event of disaster relief dispatch, and SDF Ready Personnel in the event of earthquake disaster prevention dispatch or nuclear disaster relief dispatch; and (3) special units may be temporarily formed as necessary.

<sup>13</sup> The Prime Minister issues an earthquake alert with the endorsement of the Cabinet in the event that an earthquake prediction was reported by the Director-General of the Japan Meteorological Agency (JMA) and when it is deemed necessary to urgently implement emergency earthquake disaster prevention measures.

<sup>14</sup> Official title: Law Concerning Cooperation and Support Activities to Armed Forces of Foreign Countries, etc. in Situations where the International Community is Collectively Addressing for Peace and Security

<sup>15</sup> These refer to situations that threaten the peace and security of the international community, and the international community is collectively addressing the situations in accordance with the objectives of the UN Charter to remove the threat; Japan, as a member of the international community, needs to independently and proactively contribute to these activities.

Law Concerning Measures to Ensure the Peace and Security of Japan in Situations that Will Have an Important Influence on Japan's Peace and Security, the revised law now allows the "provision of ammunition" and "refueling and maintenance of aircraft ready to take off for combat operations."

#### b. Search and Rescue Activities

#### c. Ship Inspection Operations<sup>16</sup> (Those Set Forth in the Ship Inspection Operations Law)

#### (3) Measures to Avoid Integration with the Use of Force

The following measures are set forth in order to avoid integration with the use of force by a foreign country and also to ensure the safety of SDF personnel:

- Japan does not implement support activities in the scene where a combat is actually taking place. However, when the personnel having been stranded have already been found and rescue operations have commenced, the SDF units are allowed to continue search and rescue activities concerning them as long as the safety of these units is ensured.
- The commanding officers of the SDF units, etc., order a temporary suspension of support activities if combat operations occur or are expected to occur at the site of their activities or in the vicinity.
- The Minister of Defense designates the area for implementing activities, and if it is deemed difficult to implement operations smoothly and safely in the whole or part of that area, the Minister must promptly change the designation of the area or order the cessation of the activities being implemented there.

## 2 International Peace Cooperation Activities

The International Peace Cooperation Act is to set forth a framework for the Implementation of International Peace Cooperation Assignments, with a view to extending appropriate and prompt cooperation for United Nations Peacekeeping Operations,<sup>17</sup> Internationally Coordinated Operations for Peace and Security,<sup>18</sup> International Humanitarian Relief Operations, and International Election Observation Operations, and to take measures to extend Contributions in Kind for those operations, thereby enabling active contribution by Japan to international peace efforts centering upon the United Nations.

## (1) Requirements for Participation

### a. UN PKO

While maintaining the framework of the so-called Five Principles for Participation in PKO,<sup>19</sup> the new law stipulates that the consent for acceptance of countries to which the areas where these operations are conducted belong needs to be recognized as being stably maintained throughout the period of the operations if the SDF conducts so-called safety-ensuring operations or so-called kaketsuke-keigo operations.

### b. Internationally Coordinated Operations for Peace and Security

Japan is able to participate in Internationally Cooperated Operations for Peace and Security whose nature or details are similar to those of UN PKO, when any of the following conditions is satisfied, in addition to the fulfillment of the Five Principles for Participation.

- (1) Based on resolutions of the General Assembly, the Security Council, or the Economic and Social Council of the UN
- (2) At the requests of any of the following international organizations:
  - The UN
  - Organs established by the UN General Assembly or Specialized Agencies, Funds and Programmes of the UN such as the Office of the UN High Commissioner for Refugees or otherwise specified by a Cabinet Order
  - Regional organizations, as prescribed in Article 52 of the UN Charter or organs established by multilateral treaties, acknowledged as having the actual achievements or expertise pertaining to the activities of Internationally Coordinated Operations for Peace and Security such as the European Union or otherwise specified by a Cabinet Order
- (3) At the requests of the countries to which the areas where those operations are to be conducted belong (limited to only those cases that are supported by any of the principal organs of the UN as prescribed in Article 7 (1) of the UN Charter).

## (2) Description of Tasks

- Ceasefire monitoring and humanitarian relief operations for afflicted people

<sup>16</sup> Official title: Law Concerning Ship Inspection Operations in Situations that Will Have an Important Influence on Japan's Peace and Security and Other Situations

<sup>17</sup> "United Nations Peacekeeping Operations" means the operations that are conducted under the control of the United Nations to respond to conflicts and maintain international peace and security, and that are implemented by two or more participating countries at the request of the Secretary-General of the United Nations, and with the consent of the Parties to Armed Conflict, etc.

<sup>18</sup> "Internationally Coordinated Operations for Peace and Security" means the operations other than those implemented as United Nations Peacekeeping Operations to respond to conflicts and maintain international peace and security, provided that such operations are implemented under the coordination of two or more participating countries, and with the consent of the Parties to Armed Conflict, etc.

<sup>19</sup> (1) Agreements on a ceasefire shall have been reached among the Parties to Armed Conflict; (2) Consent for the conduct of UN PKO as well as Japan's participation in such operations shall have been obtained from the countries to which the areas where those operations are to be conducted belong as well as from the Parties to Armed Conflict; (3) The operations shall strictly maintain impartiality, and not favor any of the parties to the armed conflict; (4) Should any of the requirements in the above-mentioned guideline cease to be satisfied, the International Peace Cooperation Corps participating from Japan may terminate the International Peace Cooperation Assignments; and (5) The use of weapons shall be limited to the minimum necessity for the protection of the lives of personnel dispatched, in principle.

- Monitoring, stationing, patrol, inspections at checkpoints and security escort for the protection of safety of specified areas including prevention and suppression of injury or harm against lives, bodies and property of local population, afflicted people and other populations requiring protection (so-called “safety-ensuring” operations)
- Protection of lives and bodies of individuals engaging in international peace cooperation operations or providing support for those operations, in response to urgent requests when unexpected dangers to lives or bodies of such individuals related to operations occur or are imminent (so-called “kaketsuke-keigo” operations)
- Tasks such as provision of advice or guidance related to works for the purpose of assisting in establishing or re-establishing organizations of the Government relating to national defense or other organizations
- Tasks conducted at organizations for supervision and coordination of tasks to include planning, drafting, coordination or collection and updating of information in Headquarters Office or coordination offices conducting UN PKO and Internationally Coordinated Operations for Peace and Security, for the implementation of tasks (of mission headquarters’ operations)

### (3) Others

- Dispatch of uniformed SDF personnel to the UN (dispatch of Force Commanders of UN PKO)

It is possible to dispatch uniformed SDF personnel and have them engage in the tasks of the UN and those concerning overall management of tasks implemented by units of the SDF, etc., or units of armed forces of foreign states participating in UN PKO, at the request of the UN,

with the consent of the Prime Minister.<sup>20</sup>

- Provision of supplies and services to the U.S. Forces, etc., for their operations to cope with large-scale disaster

It is possible for the SDF to provide the U.S. Forces, the Australian Defence Force, or the Armed Forces of the U.K., Canada or France with supplies or services when they request the provision and are located in an area together with the units of the SDF, etc., and is undertaking operations to cope with large-scale disasters, so far as it does not hinder the performance of International Peace Cooperation Assignments, etc., of the SDF.

## 3 International Disaster Relief Operations

When large-scale disasters occur in regions overseas, especially in less-developed regions, and the governments of the affected countries or international organizations request assistance, the Minister for Foreign Affairs shall consult with the chief of relevant administrative agencies including the Ministry of Defense (MOD) as well as the National Public Safety Commission regarding the details of such request if dispatch is deemed appropriate.

Following such consultation, the Minister for Foreign Affairs may consult with the MOD to ask for cooperation with regard to operations of SDF units if there is a special need.

The Minister of Defense can order units of the SDF to carry out rescue and medical activities as well as transportation of personnel and supplies based on the consultation above.<sup>21</sup>

<sup>20</sup> The dispatch of uniformed SDF personnel is limited to cases where the consent of the countries hosting the UN PKO for which the dispatched uniformed SDF personnel will conduct operations and of state parties to the conflict regarding the implementation of the UN PKO (when the state parties to the conflict are nonexistent, the consent of the countries where the UN PKO is to be conducted) is deemed to be stably maintained throughout the duration of the dispatch and where circumstances that lead to the suspension of the dispatch are deemed unlikely to occur.

<sup>21</sup> The Japan Disaster Relief Team is not to be dispatched if the use of weapons is recognized to be necessary in order to protect the lives and bodies of people engaged in international disaster relief operations or transport, and equipment necessary for such operations due to apparent danger in accordance with the level of security in the disaster-affected country. Therefore, members of the team will not carry weapons in the country concerned for the purpose of protecting the lives and bodies of people engaged in international disaster relief operations and equipment necessary for such operations.