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Four Issues to be Promptly Addressed Concerning Japan's National Security

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I. Introduction

Keizai Doyukai has so far considered various problems related to Japan's national security, from a wide range of viewpoints. We consider that the maintenance of peace and stability of Japan and the world forms the very basis of the national livelihood as well as economic activity and corporate development.

Ten years after the end of the Cold War, instability in the Asia-Pacific region continues to grow, as indicated by events such as the nuclear tests conducted by India and Pakistan and the launching of the Taepo Dong missile by the Democratic People's Republic of Korea. In addition, dramatic changes are taking place in the global security environment surrounding our country, including the proliferation of strategic arms and technology, rampant terrorism and regional conflict in every corner of the globe, future supply and demand of energy and resources, environmental degradation, food problems, the flow of refugees, smuggling of illegal aliens, trafficking of drugs and arms, and other challenges to the socio-economic order incurred by the growth of an information-oriented society. Amidst these rapidly deteriorating circumstances, we are forced to pay close attention to national security issues, which affect the very existence of the Japanese nation.

II. Issues to be addressed in the current session of the Diet

Based on such an understanding, we propose the following four specific items as security issues to be addressed in the current session of the Diet. We hasten to add, however, that these four items have been selected from the viewpoint of the

nation at large in order to contribute constructively to the Diet deliberations, and are by no means comprehensive. Specifically, we are fully aware of the crucial importance of broader issues in the realm of national security, such as domestic peace and order, energy and resources, Okinawa, and the environment, and intend to address these issues in due course in the future.

1. Prompt passage of legislation related to "the Guidelines for Japan-U.S. Defense Cooperation" (hereinafter referred to as "the New Guidelines)

Seventeen months have already elapsed since the New Guidelines were formulated following the U.S.-Japan Joint Security Declaration of April, 1996. The maintenance of stability in the area surrounding Japan is integral to Japan's national security, and it is essential to preserve the utility of the Japan-U.S. security regime, which acts as the cornerstone of Japanese national security. We hope that the National Diet will pass the legislation related to the New Guidelines as soon as possible so that the U.S.-Japan security alliance can function more effectively.

2. Further efforts to be made in the area of conflict prevention

While the legislative provisions related to the New Guidelines are important, it is equally critical to forestall regional contingencies (crises, emergencies) arising not only in the area surrounding Japan, but also within Japan proper. To that end, we consider the following three items as specific actions to be taken:

a) First, intensify preventative diplomacy, including confidence-building efforts. For that purpose, it is important not only to participate in the ARF (ASEAN Regional Forum), but also to strengthen dialogue with neighboring countries with an view to peace and stability in Northeast Asia. In doing so, we help bring about a deeper understanding of Japan's peaceful intentions and further strengthen the cooperative relationships aimed at regional peace and stability.

b) At the same time, from the standpoint of comprehensive national security it is necessary for Japan to continue to further enhance its intelligence collection and analysis capabilities, including the improvement of the newly-established Defense Intelligence Headquarters. We should move forward promptly with the program to develop and deploy intelligence-collecting satellites, while giving top priority to procuring high-quality equipment in a cost-effective manner. We also welcome the Government's policy of initiating a joint technological study with the U.S. on ballistic missile defense(BMD).

c) Third, we must further strengthen coastal defenses and internal security preparedness. This is necessary, not only because allegations have surfaced of kidnappings of our citizens by foreign agents, but also due to a growing number of incidents such as the smuggling of drugs including psychoactives, unlawful entries of foreigners from neighboring countries, illegal fishing operations by foreign vessels in the Japan Sea and waters off Hokkaido, obstruction and harassment of Japanese vessels, and border incursions. All of these incidents have revealed our country's lack of crisis awareness and absence of concrete countermeasures for the maintenance of safety in peacetime.

3. Review of the exercise of the right of collective self-defense

One of the important problems that inevitably must be addressed in consideration of Japan's defense and international security is the long-held view of the Government concerning 'the exercise of the right of collective self-defense'. Our Government intends to persist in the view that, although 'collective self-defense' is the inherent right of any sovereign country under international law, Japan is not permitted by the Constitution to exercise that right. However, it is increasingly evident that such an unrealistic interpretation is utterly at odds with reality. We strongly urge the Government to review as early as possible its constitutional interpretation regarding the exercise of the right of collective self-defense (Note 1). In addition, we are of the opinion that, essentially, national debate should emerge to consider amending those parts of the Constitution that require amendment. In this context, a Standing Committee on the Constitution, overdue for years, should be established promptly in the Diet.

4. Passage of the essential legislation for dealing with national emergencies

The need to pass comprehensive legislation to cope with national emergencies that may befall Japan has been pointed out for some time, but even now many provisions are not in place. We request first that relevant legislation related to the New Guidelines be quickly put in place, and then that legislation be completed promptly to address contingencies or emergency situations that may arise within Japan itself. Without such precautions, we feel that it will be difficult to satisfy the fundamental national security goal of directly ensuring the safety and existence of our citizens (Note 2).

III. Conclusion

Despite mounting instability in the international environment surrounding our country, many areas of our national security regime, such as internal security, the Okinawa problem and other issues that lie outside the province of our present recommendations, have not been sufficiently discussed. The situation is serious, and we cannot afford further delays.

It is a matter of grave concern that the national security issue, one of the most important government affairs, has been viewed as taboo and therefore received insufficient attention in the Diet, the supreme organ of the State. It is the State's basic mission and responsibility to ensure the life, property and safety of its citizens. We earnestly wish that the current Diet session will pursue not the previous, barren discussions on security, but sincere, substantive debates truly based on the reality of international politics. For our part, Keizai Doyukai is prepared to continue to study and speak out on crucial matters related to national security from a broad and comprehensive viewpoint.

Notes

1. 'The right of collective self-defense' is the right of any state to prevent by force an armed attack on a foreign state with which it has close relations, even in the event that the former state has not itself been subjected to such an attack. The right of 'collective self-defense' is recognized expressly in Article 51 of the United Nations Charter, together with the 'individual right of self-defense', as the inherent right of any sovereign state.
However, the Japanese Government has so far consistently expressed the view that the exercise of self-defense rights permissible under Article 9 of the Constitution (renunciation of war) should be limited to the 'minimum levels necessary for the defense of our country' and that the 'exercise of collective self-defense rights' exceeds this limit.
2. 2. So far, research on national emergency legislation that has been undertaken in consideration of crisis scenarios that might befall Japan has dealt with the following three areas:
 - 1)Laws and regulations under the jurisdiction of the Defense Agency(Category I),
 - 2)Laws and regulations under the jurisdiction of ministries and agencies other than the Defense Agency(Category II),
 - 3)Laws and regulations whose jurisdiction cannot be ascribed to any ministries or agencies (Category III).

As a result, various deficiencies have been identified; e.g., (a) it is impossible to procure necessary materials or to expropriate land in the event of emergency because of inadequate legal justification; (b) the transport of materials or the movement of troops is severely constrained, and encampments (military fortifications) cannot be established on the coast or in forests; (c) it is impossible to take proper measures to protect, provide refuge for, or escort civilians. At present, none of these legislative deficiencies has been adequately addressed.