

Interim Report of the Study Group on Japan's Engagement in UN Peacekeeping Operations

4 July 2011

I. Introduction

The Study Group on Japan's Future Cooperation in Peacekeeping Operations started discussions in October 2010 with the task of producing an overview of Japan's cooperation in United Nations peacekeeping and other operations¹ over a nearly 20-year period, since the implementation of the Act on Cooperation for United Nations Peacekeeping Operations and Other Operations (hereinafter referred to as the "PKO Act") in August 1992, and the achievements thereof, as well as discussing how Japan can best cooperate in UN peacekeeping and other operations in the future. The Study Group, chaired by Shozo Azuma, Senior Vice-Minister of the Cabinet Office, with the participation of counterparts from the Cabinet Secretariat, the Ministry of Foreign Affairs, and the Ministry of Defense as well as senior officials from the above-mentioned three Office and Ministries, National Policy Agency and the Japan Coast Guard, had held a total of seven sessions and one expert interview session by July 2011, while also hearing the opinions of those actually engaged in such operations.² During the course of its consideration, discussions were suspended following the occurrence of the Great East Japan Earthquake, as many of those engaged in the Study Group were conducting earthquake disaster response activities at the front lines of the disaster. Recent events in Japan notwithstanding, it was decided that the discussions to date would be compiled into an interim report.

The key points of the discussions are as follows:

1. Over the past 19 years, the expected roles of UN peacekeeping operations have undergone dramatic changes in line with the changes in the international environment. Under such circumstances, it has become increasingly important for Japan to engage in international peace cooperation more actively than before, from the viewpoint of securing Japan's national interests in an increasingly globalized international community. On such basis, the Study Group shared the recognition that Japan should play a greater role in UN peacekeeping and other operations in the future, and set out Japan's new ideas on international peace cooperation.
2. The Study Group identified the wide-ranging issues that must be addressed in terms of legal systems and capacity in order for Japan to engage more actively in international peace cooperation, and provided a basis for future discussions.
3. As many of the issues identified in this Interim Report are difficult to resolve without political leadership, political-level involvement will be essential in future discussions. It will therefore be appropriate to continue studying these issues together with the government ministries and agencies that have participated in the Study Group as the core members, while making necessary decisions at the political level.

¹ Including UN peacekeeping operations, international humanitarian relief operations, and international election observation operations, as provided for in the PKO Act.

² In December 2010, the "National Defense Program Guidelines for FY 2011 and beyond" were formulated, which stated, "[t]aking into consideration the actual situations of United Nations peacekeeping operations, Japan will consider how it will participate in future peacekeeping operations by examining current policies, such as the five principles for participation in peacekeeping operations." The discussions of this Study Group were intended to serve as part of the consideration on "how [Japan] will participate in future peace-keeping operations[.]" as mentioned in the Guidelines.

II. Japan's future international peace cooperation

1. Recognition of the current status

(1) Transition of UN peacekeeping operations and emergence of new issues in line with changes in the international environment

As a result of the globalization of the international community, there has been a growing risk that some form of confusion or a security problem that has occurred in a single country could have an immediate effect on international peace, stability, and prosperity. In addition, such instances of confusion and security problems are currently on the increase. In the case of fragile or failed states, in particular, the country or region concerned will not have sufficient resources and capacity to resolve such problems on its own. Therefore, problems in those countries or regions pose a global challenge, which must be addressed by the entire international community. In light of the fact that these problems have tended to occur in recent years in Middle Eastern and African countries, UN peacekeeping operations are expected to continue to be deployed mainly in these regions in the future.

As interdependency within the international community has deepened along with the advancement of globalization, the probability of large-scale conflicts between major countries has declined. Recent conflicts have shifted in nature from conflicts between countries to civil conflicts within single countries and complex conflicts in which neighboring countries become involved in some manner in a civil conflict within a single country.

In line with such changes, the duties of UN peacekeeping operations have also undergone a diversification process. Specifically, in recent UN peacekeeping operations, instead of focusing solely on peacekeeping in support of a ceasefire agreement between the parties to the conflict, greater emphasis has been placed on the protection of civilians, which is implemented immediately after conflict and at times involves the use of force, on provision of temporary security until the government of the country concerned is able to restore stable peace, and on long-term peacebuilding.

As a specific example of peacebuilding, recent mandates of UN peacekeeping operations have come to include such duties as disarmament,

demobilization, and reintegration (DDR) of former combatants, mine countermeasures, security sector reform (SSR) and other activities associated with the rule of law, protection and promotion of human rights, support for the holding of elections, support for restoration and enhancement of governance, and coordination with entities in charge of humanitarian assistance and social and economic reconstruction and development.

As duties of UN peacekeeping operations have expanded to include post-conflict peacebuilding, there is a growing need to employ in each mission staff from non-military fields with extensive knowledge and expertise such as civil experts and police officers, and to have military, police, and civilian personnel engage in activities in a mutually complementary manner.

At the same time, owing to the increase in large-scale missions, UN peacekeeping operations are overstretched in terms of the number of personnel and resources available. The number of personnel and the budget of UN peacekeeping operations have both increased by a factor of about five over the past ten years. It is an essential task to fill the shortage of troops and personnel, equipment, and other needs, the so-called “capacity gap,” in individual UN peacekeeping operations.

(2) Japan's international peace cooperation to date

Over the 19 years since the implementation of the PKO Act, Japan has participated in 26 international peace cooperation assignments, including UN peacekeeping operations, international humanitarian relief operations, and international election observation operations, based on the Act, and has steadily accumulated achievements and experience in this field. The Japan Self-Defense Forces (JSDF) have contributed 7,000 personnel to 13 international peace cooperation assignments, accounting for half of the total of 26 assignments, in the form of deployment of troop units or individuals. In addition, 82 civilian police personnel have been deployed to three international peace cooperation assignments. The activities of Japan's personnel, JSDF as well as civilian police personnel, have been uniformly successful, earning positive evaluations from the United Nations and the host countries with regard to personnel capacity,

discipline, and morale. It should be remembered as well that, among Japan's civilian and police personnel, a life was lost in the course of activities carried out in Cambodia.

(3) Domestic evaluation of Japan's international peace cooperation

As an outcome of the achievements of Japan's international peace cooperation to date, the opinions of the Japanese people on Japan's participation in UN peacekeeping operations have changed, and many citizens have come to support such participation. In the Opinion Survey on Japan's Diplomacy implemented in FY1994, two years after the implementation of the PKO Act, the total number of respondents who answered that "Japan should participate more actively" in UN peacekeeping operations and those who answered, "Japan should participate to the conventional extent," accounted for 58.9% of all respondents. When the same survey was conducted again in FY2010, the total number of respondents who answered thus increased to 85.2%.

(4) Maximum use of Japan's capacity

A UN peacekeeping operation, which is generally formed in response to a ceasefire in an armed conflict, is a non-forcible activity that is carried out based on a UN Security Council resolution under the principles of the consent of the main parties, impartiality, and non-use of force except in self-defense and defense of the mandate. UN peacekeeping operations use force only as a measure of last resort, when other methods of persuasion have been exhausted, in a restricted manner, according to the rules of engagement specified by the United Nations. UN peacekeeping operations, having these basic characteristics, are widely recognized by the international community as being legitimate. It is thus considered appropriate for Japan to actively participate in such operations within the framework of the Japanese Constitution.

In fact, Japan's cooperation in UN peacekeeping operations to date has been extended in accordance with a system that was constructed restrictively, in consideration of domestic public opinion and international trends at the time of the enactment of the PKO Act, based on the actual status of UN peacekeeping

operations at the time, under the five principles for participation in peacekeeping operations,³ and the operations have been carried out with great deliberation.

Even under such restrictions, Japan has steadily accumulated experience and achievements through its engagement in the 26 international peace cooperation assignments in which it has participated to date. Japan has effectively utilized its strengths in these operations, and its high level of competency in and contribution to the activities undertaken primarily in its areas of strength have garnered a growing international reputation for Japan for successful peacekeeping participation. Japan considers the many messages of condolences and offers of support extended by countries around the world following the Great East Japan Earthquake to have been prompted in part by an awareness of Japan's many years of achievement and contributions in international cooperation, and the good reputation Japan has gained therefrom.

However, in the wider international community, there are many UN member states that are taking a more active role than Japan in deploying their personnel to UN peacekeeping operations. In addition, as mentioned previously, there has been a growing need for police and civilian personnel in recent years, and Japanese civilian experts have worked actively at the sites of UN peacekeeping operations and received high evaluations. Accordingly, there are strong calls from all sides, including the United Nations, for the further participation of Japanese personnel with a high level of capability.

Given such circumstances, Japan considers that the time has come for the country to have a frank discussion as to what kinds of arrangements will be

³ The five principles are as follows:

1. Agreement on a cease-fire shall have been reached among the parties to armed conflicts.
2. Consent to the undertaking of UN peacekeeping operations as well as Japan's participation in such operations shall have been obtained from the host countries as well as the parties to armed conflicts.
3. The operations shall strictly maintain impartiality, not favoring any of the parties to armed conflicts.
4. Should any of the requirements in the above-mentioned guideline cease to be satisfied, the International Peace Cooperation Corps shall suspend International Peace Cooperation Assignments. Unless the requirements be satisfied again in a short term, the Government of Japan shall terminate the dispatch of personnel engaged in International Peace Cooperation Assignments.
5. The use of weapons shall be limited to the minimum necessary to protect the lives of Japanese personnel, etc.

necessary in order to fully demonstrate its capacity in future international peace cooperation and to fully meet the expectations and requests of the international community.

2. Ideas and focus of activity for Japan's future international peace cooperation

(1) National interests and responsibility of Japan in coexisting with the world at large

With the further strengthening of international interdependency as a result of the advancement of globalization, there has been an increasing number of cases in which some form of confusion arising even in a country geographically far removed from Japan has substantial political and economic impacts on Japan's national interests. For example, if the situation becomes unstable in the Middle East or Africa, both of which regions are rich in energy resources, the ensuing instability in the energy supply will have an enormous adverse effect on the Japanese economy. The safety and prosperity of Japan, which is open to the world, can only be secured based on the peace and stability of the international community. Moreover, in the case of acts of international terrorism or large natural disasters, some confusion or a security problem that has arisen in a single country or region has been shown to immediately affect the peace and stability of the international community and, furthermore, to affect Japan's national interests.

In that light, Japan's active participation in UN peacekeeping operations and other joint efforts of the international community for maintaining and promoting a peaceful environment contributes to securing the national interests of Japan, whose destiny is to coexist with the world as a whole. In view of its national strength and its position and influence in the international community as well, Japan has the responsibility to lead such efforts and to play an active role, making full use of its capacity.

(2) Japan-wide comprehensive efforts

In order for Japan to extend cooperation that measures up to its position as a responsible member of the international community, in parallel with its

diplomatic activities for peacebuilding, including conflict prevention, conflict resolution, peacekeeping, and prevention of conflict recurrence, the government ministries and agencies as well as organizations concerned should implement Japan-wide efforts in the medium to long term that also take into account post-conflict reconstruction.

In so doing, it is important that the government ministries and agencies and the organizations concerned do not take actions independently, but ensure sufficient coordination with each other, while maintaining, on an ongoing basis, a shared recognition of the task at hand in the information-sharing and decision-making processes.

In addition, while continuing to entrust the JSDF with activities that can only be handled by the JSDF, active participation should be sought from civilian experts and police personnel depending on the particular UN peacekeeping operation, so that Japan as a whole can achieve further good results in international peace cooperation.

Such efforts are expected to produce substantial effects when combined organically with cooperation under bilateral and multilateral frameworks, in addition to the framework under the PKO Act, and implemented seamlessly throughout the process from conflict prevention to peacebuilding.

(3) Utilization of Japan's areas of strength and excellence in new operations

From the viewpoint of providing the most responsive and effective cooperation in UN peacekeeping and other operations, Japan has been conducting activities in areas in which the country has good knowledge and strong capacity, such as engineering, medical assistance, and transport, and has been evaluated highly by the international community for such efforts.

However, Japan has not participated in the operations of peacekeeping forces (PKF) to date, and discussions need to be continued in the future towards realizing such participation.

With the change in the focus of the duties of UN peacekeeping operations from traditional ceasefire monitoring to long-term peacebuilding activity, Japan, while mainly engaging in its areas of strength and making the most of its

capacity in the fields in which the country excels, should also pursue more extensive cooperation encompassing new areas. Although Japan has been evaluated highly by the international community for its past achievements, rather than being content with its current status, the country should consider expanding its cooperation while achieving a balance between specific peacekeeping needs and its own capacity.

Furthermore, the accumulation of experience in new areas of cooperation and implementation of collaborative work with other countries, international organizations, nongovernmental organizations (NGOs) and others at the locations of PKO activity will also be beneficial from the viewpoint of building the capacity of Japan's troops and personnel.

3. Specific steps towards Japan's active participation in UN peacekeeping and other operations

Given the trend towards the diversification of the duties of UN peacekeeping operations, in order to meet the expanding needs of the United Nations, Japan should engage primarily in activities in its areas of strength, and make efforts to implement such activities more effectively and efficiently. At the same time, while continuing to give sufficient consideration to ensuring security, it should respond with determination and to the extent possible to the expectations of the international community, and should participate more actively in UN peacekeeping and other operations that include more diversified activities than in the past. In order to facilitate such enhanced participation, it is necessary to study ways to address a wide range of issues, including the aspects of institutions and systems.

To date, experts have recommended on numerous occasions such measures as strengthening the integrity of the response by the government, promoting collaborative efforts among the public and private sectors, reviewing the five principles for participation in peacekeeping operations, enabling to conduct the duty of protection, expanding logistic support to units from other countries, reviewing the rules of engagement, seeking the deployment of personnel to high-ranking posts such as Force Commander, and actively deploying civilian

police personnel.

Taking these recommendations into account, the Study Group held discussions from diverse perspectives on various aspects of UN peacekeeping operations, such as the strategic aspect, the legal aspect, including the relationship with the Constitution, and the capacity aspect. The main issues raised are indicated in the annexed table. Among them, those issues that should be addressed given highest priority in the future study process are summarized below.

(1) Strengthening coordination to make Japan-wide efforts

In order for the government, relevant organizations, NGOs, and other entities to make Japan-wide efforts in a unified manner, stronger coordination should be ensured in the process of necessary information-sharing and decision-making. Specifically, (i) strategic and effective coordination should be promoted with diplomatic activities including ODA; (ii) civilian-military cooperation should be promoted, such as coordination of activities between civilian personnel, including NGOs, engaged in humanitarian assistance and social and economic reconstruction and development, and JSDF units on the ground; and (iii) a framework for sharing of information among relevant government ministries and agencies on an ongoing basis should be established.

With regard to the deployment of civilian personnel, including police officers, study should be undertaken on ways of deploying personnel while making the most of Japan's high level of competency and giving consideration to its areas of strength in terms of knowledge and capacity, based on its experience and achievements to date.

As for the matter of the deployment of Coast Guard officers, for which no specific demands were identified in past UN peacekeeping operations, close attention should be paid to the future trends of UN peacekeeping operations in the area of maritime operations, and study should be undertaken on ways of deploying such officers as needed.

(2) Assignments, authority, and related matters

For the purpose of realizing timely, prompt, and effective cooperation in UN

peacekeeping operations, and ensuring that deployed personnel are able to conduct their work in an environment without undue anxiety, and exercising necessary authority in order to carry out those duties, Japan should develop a broad framework and ample capacity. In this regard, a study should be carried out, within the framework of the Constitution, on the treatment of the five principles for participation in peacekeeping assignments, the kinds of assignments which Japan should carry out, and the rules of engagement necessary for implementing such assignments.

(3) Further development of various institutions for the effective conduct of assignments

Institutions for human resource development, education and training of personnel, budgeting for participants' allowance, and support of deployed personnel, including measures for ensuring safety, should be enhanced.

(4) Further public relations efforts

In order to promote the understanding of the Japanese people regarding Japan's participation in UN peacekeeping and other operations, more active efforts should be made to conduct relevant public relations activities, while making clear the significance and the importance of the particular personnel deployment. When the deployment ends, its significance and achievements should be appropriately evaluated and that assessment made available to the public.

4. Factors to be considered in authorizing deployment

In the consideration of a new deployment of Japanese personnel to UN peacekeeping operation missions, it is necessary to ensure that Japan's activities in the mission will be carried out within the framework of Japan's Constitution and laws. In addition, a concrete and comprehensive study should be conducted, mainly from the following viewpoints.

- (1) The deployment should be in conformity with Japan's national interests and

diplomatic and security policies.

- (2) The deployment should be such that it will garner high appreciation from the international community, including allied countries and like-minded countries.
- (3) The deployment should be such that it will receive wide support from the Japanese people.
- (4) A reliable support framework should be established for carrying out the safe and effective deployment of personnel.
- (5) The capacity of the deployed personnel should be appropriately demonstrated, and the deployment should contribute to the capacity-building of the personnel.

III. Follow-up

Japan's future cooperation in UN peacekeeping operations requires important political decisions. The issue must be decided from a larger viewpoint, such as Japan's stance on its position in the international community and on its overall international cooperation, including participation in UN peacekeeping operations, while gaining the understanding of the Japanese people.

This Interim Report provides an overview of Japan's cooperation over a nearly 20-year period in UN peacekeeping and other operations and the achievements thereof, and on such basis, sets out ideas for Japan's future international peace cooperation as well as the wide range of issues that must be studied in order to facilitate more active international peace cooperation. These topics have been discussed by the officials concerned at the level of Vice-Minister from the Cabinet Office, the Cabinet Secretariat, the Ministry of Foreign Affairs, the Ministry of Defense, and other members of the Study Group. Many of these issues, including those regarding legal frameworks, are difficult to resolve without political-level involvement and political leadership.

It will therefore be appropriate to continue studying these issues intensively under the initiative of the government ministries and agencies that have participated in the Study Group, while holding continuous discussions and making necessary decisions at the political level.

(Annexed table) Major issues that have been raised by the Study Group to date

1. Strategy

Regarding a new peacekeeping operations strategy:

- Role of peacekeeping operations in the context of overall Japan-wide international peace cooperation activities (such as utilization of ODA, cooperation with NGOs and the private sector, etc.)
- Utilization of Japan's areas of strength
- Implementation of the operations of peacekeeping forces by units
- Efforts by the Police Agency and the Japan Coast Guard (study on future ways of deployment)
- Effects of public relations and international and domestic evaluations
- Evaluation of various dangers and risks

2. Legal systems

Regarding the five principles for participation in peacekeeping operations:

- Legal nature of UN peacekeeping operations
- Scope of "the Parties to Armed Conflict"
- Agreement to a ceasefire
- Application of the five principles to the activities by civilian personnel

Regarding types of assignments:

- Relationship with the strategy
- Peacebuilding support activities (DDR, SSR, humanitarian demining, etc.)
- Protection (including providing attacked personnel with armed support), activities for ensuring safety and security

Regarding the rules of engagement:

- What constitutes necessary and sufficient authority in the field?
- Divergence from the actual activities of UN peacekeeping operations (protection of UN personnel and materials, defense of the mandate)
- Joint protection of camps

Regarding the theory considering Japan's activity as an integrated part of the use of force by other countries:

- Is the theory not applied too strictly?
- Logistic support (transport, medical care, etc.)
- High-ranking posts, such as Force Commander

3. Capacity, etc.

Regarding the capacity and education and training of troops and personnel:

- Capacity of JSDF units
- Follow-up on equipment left behind at the operation site
- Simplification of import/export procedures
- Capacity of civilian personnel (particularly police)
- Education and training institutions (language, etc.)
- Career path after participation
- Participation by women

Support system for participants:

- Consideration for personnel and their families (honors, compensation, etc.)

Quicker deployment and information sharing:

- Cross-ministry/-agency mechanism

Other matters:

- Legal issues with the United Nations (right to claim, etc.)