

F Efforts for the Enhancement of International Relations through International Law

Overview

In today's international community, the role that international law should play is expanding further in resolving various issues in international relations while coping with the advancement of globalization and, thereby, in smoothly deepening international relations. Against this background, international rule-making is progressing on multiple levels in a range of areas including politics and security, economy, human rights, and the environment. Japan is making active efforts to ensure that these steps contribute to the security and prosperity of the Japanese people. Moreover, Japan is striving for the resolution of the issues through the appropriate interpretation and application of international law in cooperation with countries and international organizations concerned.

(a) Building Basic Frameworks for Japanese Diplomacy and Security

The smooth and effective implementation of the Japan-US Security Treaty continues to be essential for strengthening the foundation of Japanese diplomacy and security. From this standpoint, Japan is currently tackling major issues including the realignment of the United States (US) forces in Japan, consistent with the Japan-US Security Treaty and its related arrangements, as well as undertaking efforts for the conclusion of the new special measures relating to host nation support of the US forces in Japan (signed on January 23, 2006). With the aim of improving the East Asian security environment, Japan continues to engage in negotiations toward the normalization of relations with North Korea and conclusion of a Japan-Russia peace treaty.

The fight against terrorism is also a critical issue for ensuring the peace and security of Japan. The country has been taking a firm stance against terrorism and is engaging in the formation of international frameworks for the prevention and eradication of terrorism. As part of these endeavors, Japan signed in September the International Convention for the Suppression of Acts of Nuclear Terrorism adopted in April, while also participating in negotiations related to the amendments to the Convention on the Physical Protection of Nuclear Material (CPPNM) adopted in July, and amendment to the International Convention for the Suppression of Unlawful Acts Against the Safety of Maritime

Navigation, 1988, settled in October. At present, steps are being taken among the ministries and agencies concerned with a view to the early conclusion of these conventions upon the establishment of the necessary domestic laws.

(b) Efforts for the Protection and Enhancement of Benefits for Japan in the Economic Arena

In order that the rules of the multilateral free trade system that have supported Japan's post-war economic development come to be accepted by a greater number of countries including developing countries, and to ensure that Japan can continue to enjoy the benefits of free trade, it has been actively participating in World Trade Organization (WTO) rule-making and the implementation of these rules. Furthermore, with a view to complementing and strengthening these efforts, Japan is also engaging in the rule-making negotiations, notably, the conclusion of Economic Partnership Agreements (EPA) and investment agreements with many countries with close ties with Japan, primarily in Asia.

In addition, in early 2006, Japan signed a new tax convention with the United Kingdom (UK) and a protocol amending the current tax convention with India, which would respectively promote further investment exchanges. Japan also signed a social security agreement with Canada that would avoid the double payment of social security premiums and promote people-to-people exchanges. Japan is thus endeavoring to make specific rules to protect concrete benefits of people actually engaged in economic activities overseas.

(c) Participating in International Rule-making in Various Areas

Due to the advancement of globalization, building legal frameworks to address various diversified and interrelated international issues is becoming vitally important. For instance, in the areas of health, sports, and culture, the WHO Framework Convention on Tobacco Control entered into force in February, and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions as well as the International Convention Against Doping in Sport were adopted at the United Nations Educational, Scientific and Cultural Organization (UNESCO) in October. Japan has been participating in the discussions from the drafting stage of

these conventions and making efforts to ensure that such international rules are accepted by a greater number of countries. In the area of marine resources, Japan has negotiated and concluded various fishing-related conventions to ensure the stable development of the Japanese fishing industry and the sustainable use of resources. Japan concluded the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC) in July, and is at present taking steps toward the early conclusion of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.

In creating the new rules, Japan is participating more actively than ever before from their formulation stage to protect Japan's interests, naturally, as well as to ensure that these rules are more universal and effective.

(d) Cooperation with Countries and International Organizations Concerning the Development of International Law

Japan also participates actively in the progressive development of international law and the codification of customary international law mainly at the United Nations (UN). For instance, Japan has contributed to the codification of international law at the International Law Commission (ILC) and the Sixth Committee of the UN General Assembly, as well as to the drafting of conventions in the area of private international law at such meetings as The Hague Conference on Private International Law (HCCH) and the United Nations Commission on International Trade Law (UNCITRAL). Moreover, Japan continues to exchange views with major countries and international organizations with a view to Japan becoming more actively involved in the formation of international law. In December, Japan invited Registrar Bruno Cathala of the International Criminal Court (ICC), and meetings with such people as relevant government officials, Diet members, scholars, and journalists deepened the understanding of the ICC within Japan, and meaningful exchanges of views were held for the accession of the Rome Statute of the ICC.