

## Section 2

# Efforts for Peace and Stability of Japan and the International Community

### 1 National Security Initiatives

#### (1) “Proactive Contribution to Peace” Based on the Principle of International Cooperation

The security environment surrounding Japan is becoming more testing and uncertain at a remarkably faster speed. Changes in the balance of power in the international arena are accelerating and becoming more complex, and uncertainty over the existing order is increasing. Against such a backdrop, inter-state competitions are prominently emerging, in which states seek to shape global and regional order to their advantage as well as increase their influence. What is more, in the international community, there is a broadening and diversifying array of security challenges that cannot be dealt with by a single country alone. With respect to space and cyber domains, establishing international rules and norms has also been a security agenda. In the maritime domain, there have been cases where a country unilaterally claims its entitlements or takes actions based on assertions that are incompatible with existing international order. These have generated undue infringement to rights accorded under international law, including the United Nations Convention on the Law of the Sea (UNCLOS). Given that national security has been expanding its scope to economic and technological fields in recent years,

the enhancement of efforts regarding the security policy in these fields is necessary. The proliferation of weapons of mass destruction and ballistic missiles, as well as escalating international terrorism, remain grave challenges for the international community. Against such a background, qualitatively and quantitatively superior military powers are concentrating in the areas surrounding Japan, where clear trends are observed in further military buildup and an increase in military activities.

Facing such a security environment and other factors, it has become indispensable for Japan to make more proactive efforts in line with the principle of international cooperation. Japan cannot secure its own peace and security by itself, and the international community expects Japan to play a more proactive role for peace and stability in the world, in a way commensurate with its national capabilities. Japan will continue to adhere to the course that it has taken to date as a peace-loving nation, and as a major player in world politics and the economy, contribute even more proactively to securing the peace, stability and prosperity of the international community, and achieve its own security as well as peace and stability in the region, as a “Proactive Contributor to Peace” based on the principle of international cooperation.

## **(2) Enforcement of the “Legislation for Peace and Security,” and Initiatives based on the Legislation**

In order to adapt to the changes in the security environment surrounding Japan and to secure the lives and peaceful livelihood of its people, it is important to advance vibrant diplomacy to create a stable and predictable international environment. In addition, it is important to enable seamless responses to any situation, and to contribute even more proactively to the peace and stability of the international community under the policy of “Proactive Contribution to Peace” based on the principle of international cooperation. To achieve these objectives, the “Legislation for Peace and Security” took effect in March 2016.

This legislation aims to solidify Japan’s orientation as a peace-loving nation, including adherence to its exclusively defense-oriented policy. Moreover, the legislation strengthens the Japan-U.S. Alliance and enhances the deterrence capability of Japan, thus enabling Japan to prevent conflicts preemptively, and to further contribute to the international community.

Japan has taken advantage of a variety of opportunities to thoroughly explain the “Legislation for Peace and Security” to foreign countries. Not only the U.S., but also a number of countries and organizations including Australia, the Association of Southeast Asian Nations (ASEAN) Member States, European countries, Latin America and the Caribbean countries, and the UN have expressed their understanding and support for this legislation. This clearly demonstrates that the “Legislation for Peace and Security” is legislation that contributes to the peace and security of the world.

## **(3) Territorial Integrity**

Maintaining territorial integrity is a fundamental responsibility of the Government. Japan’s policy to resolutely protect its land, sea and airspace remains unchanged. Japan will continue to maintain its stance of responding firmly but in a calm

manner. Based on this, the relevant government agencies are working in close cooperation to advance measures to ensure a seamless and adequate response to any form of unlawful acts. At the same time, the Government of Japan engages in proactive efforts to promote awareness of Japan’s position on terrestrial integrity among the international community, making use of the contacts and knowledge of our diplomatic missions overseas.

## **2 Japan-U.S. Security Arrangements**

### **(1) Overview of Japan-U.S. Security Relationship**

Under the security environment surrounding Japan, which is becoming increasingly severe and uncertain at a remarkably rapid pace, it is indispensable to strengthen the Japan-U.S. Security Arrangements and to enhance the deterrence of the Japan-U.S. Alliance not only for the peace and security of Japan, but also for the peace and stability of the Indo-Pacific region. The year 2020 was a milestone year that marked the 60th anniversary of the signing and entering into force of the current Japan-U.S. Security Treaty (see the Special Feature page on 217), and the Japan-U.S. Alliance has become more solid than ever. Japan and the U.S. are further enhancing their deterrence and response capabilities under the Guidelines and the Legislation for Peace and Security. Through such efforts, Japan and the U.S. have been expanding and strengthening cooperation in a wide range of areas, including ballistic missiles defense, cyberspace, space and maritime security. Japan and the U.S. have been working closely on the realignment of U.S. Forces in Japan, including the relocation of Marine Corps Air Station (MCAS) Futenma and of approximately 9,000 U.S. Marine Corps in Okinawa to Guam and other locations in order to mitigate the impact on local communities, including Okinawa, while maintaining the deterrence capabilities of the U.S. Forces in Japan.

Special  
FeatureSixtieth Anniversary of the Signing and Entering into Force of  
the Japan-U.S. Security Treaty

On January 19, 1960, then-Prime Minister Kishi Nobusuke signed the Treaty of Mutual Cooperation and Security Between Japan and the United States of America (Japan-U.S. Security Treaty) at the U.S. White House. The Treaty was signed by U.S. Secretary of State Christian A. Herter for the U.S., and by Prime Minister Kishi himself for Japan. In his memoir, Prime Minister Kishi explained that the revision of the security treaty was the policy of the greatest importance for his Cabinet, and because he took full responsibility for the result, he thought it was only natural that he would be the one to sign it.

The Japan-U.S. Alliance, based on the Japan-U.S. Security Treaty, which was signed with such strong will, remains to be the foundation of Japan's diplomacy and security, despite the great changes of the security environment surrounding Japan. The year 2020 marks the 60th anniversary of the signing and entering into force of this Treaty.

On January 17, Foreign Minister Motegi, Defense Minister Kono Taro, U.S. Secretary of State Mike Pompeo, and U.S. Secretary of Defense Mark Esper issued a joint statement on the occasion of the 60th anniversary of the signing of the Japan-U.S. Security Treaty. In the Joint Statement, the four ministers paid tribute to their "predecessors for their wisdom, courage, and vision" and expressed their gratitude "to the men and women of the United States Armed Forces and Japan Self-Defense Forces for their dedicated service in protecting [our] common values and interests." In addition, they reiterated their "unshakeable commitment to strengthen the Alliance and to uphold [our] common values and principles towards the future" while "honoring the achievements of the past 60 years."

On January 19, exactly 60 years since the signing of the Treaty, a reception to Commemorate the Sixtieth Anniversary of the Japan-U.S. Security Treaty was held, co-hosted by the Minister for Foreign Affairs and the Minister of Defense. Among the guests from the U.S. were Ms. Mary Jean Eisenhower, granddaughter of President Dwight Eisenhower, who was President at the time of the signing and entering into force of the Japan-U.S. Security Treaty.

President Trump sent a congratulatory message for the reception praising that "the rock-solid Alliance between the two great nations has been essential to peace, security, and prosperity for the United States, Japan, the Indo-Pacific region, and the entire world over the past six decades."

In his speech, Prime Minister Abe looked back on how his grandfather, Prime Minister Kishi, and President Eisenhower deepened their friendship through golf, took up the challenge of the security treaty revision, and eventually brought it to fruition. He addressed, "Let us keep and enhance the U.S.-Japan Alliance, while making it even more steadfast, shall we not, to make it a pillar safeguarding freedom, liberty, democracy, human rights and the rule of law, one that sustains the whole world, sixty years, one hundred years down the road" and stated "Our alliance being one of hope, it is for us to let the rays of hope keep shining even more."

Today, 60 years since the signing and entering into force of the Japan-U.S. Security Treaty, the Japan-U.S. Alliance is stronger, broader, and more vital than ever before. This is the result of the steady and tireless efforts of both Japan and the U.S. over the past 60 years. Going forward, we will further strengthen the Alliance and contribute to the peace, stability and prosperity not only of Japan and the U.S., but also of the Indo-Pacific and the international community.



Prime Minister Kishi and President Eisenhower at the signing ceremony of the Japan-U.S. Security Treaty (January 19, 1960, Washington D.C., U.S.; Photo: Jiji)



Logo commemorating the 60th anniversary of the signing and entering into force of the Japan-U.S. Security Treaty (Image: U.S. Embassy in Japan)



Prime Minister Abe with Ms. Mary Jean Eisenhower, granddaughter of President Dwight Eisenhower (front row, fourth from the left), at the Reception to Commemorate the Sixtieth Anniversary of the Japan-U.S. Security Treaty (January 19, Tokyo)

## (2) Japan-U.S. Security and Defense Cooperation in Various Fields

### A Efforts Under the Guidelines for Japan-U.S. Defense Cooperation

The Guidelines for Japan-U.S. Defense Cooperation, which were announced at the April 2015 meeting of the Japan-U.S. Security Consultative Committee (“2+2”), reviewed and updated the general framework and policy direction of Japan-U.S. defense cooperation. Through the Alliance Coordination Mechanism (ACM) established under these Guidelines, Japan and the U.S. have shared information closely, established a common understanding of the situation, and provided “seamless” responses from peacetime to contingencies. In the “2+2” meeting held in April 2019, four cabinet-level officials from Japan and the U.S. concurred that the Japan-U.S. Alliance serves as the cornerstone of peace, security and prosperity in the Indo-Pacific region and that Japan and the U.S. will work together to realize a “Free and Open Indo-Pacific (FOIP),” and to strengthen cooperation in cross-domain operations such as improving capabilities in non-conventional domains that include space, cyberspace and the electromagnetic spectrum. They also affirmed that cyberattacks could, in certain circumstances constitute armed attacks, for the purposes of Article 5 of the Japan-U.S. Security Treaty. In March 2021, just two months after the inauguration of the Biden administration, Antony Blinken, Secretary of State, and Lloyd Austin, Secretary of Defense, visited Japan in the first overseas trip made by cabinet members under the Biden administration, and held a “2+2” meeting with Foreign Minister Motegi and Defense Minister Kishi Nobuo. The four ministers reaffirmed that the Japan-U.S. Alliance remains the cornerstone of peace, security and prosperity in the Indo-Pacific region, and renewed the unwavering commitment of both countries to the Japan-U.S. Alliance. They also concurred to further deepen the coordination to strengthen the deterrence and response capabilities of the Japan-U.S. Alliance.



The first Japan-U.S. “2+2” meeting convened under the Biden administration (March 16, 2021, Tokyo)

Furthermore, the U.S. underscored its unwavering commitment to the defense of Japan through the full range of its capabilities, including nuclear. The four ministers affirmed that Article V of the Japan-U.S. Security Treaty applies to the Senkaku Islands and affirmed that both nations oppose any unilateral action that seeks to undermine Japan’s administration of these islands. The four ministers instructed their respective offices to advance concrete works to strengthen the Alliance. They concurred to hold another “2+2” meeting later this year to confirm their outcomes.

In the second half of 2020, in-person visits by senior defense officials of the U.S. continued to take place in spite of the severe environment under the circumstances of the novel coronavirus disease (COVID-19) pandemic. In August, General John Raymond, Chief of Space Operations of the U.S. Space Force paid a courtesy call to the Prime Minister as the first foreign high ranking official to do so since the outbreak of COVID-19. In October, Kenneth Braithwaite, Secretary of the Navy, Ryan McCarthy, Secretary of the Army, and Admiral Philip Davidson, Commander, U.S. Indo-Pacific Command, visited Japan successively. These were followed by a visit by General David Berger, Commandant of the U.S. Marine Corps, in November. In addition, Japan-U.S. bilateral security discussions were held by way of a video teleconference in October, during which both sides confirmed continued close coordination to maintain a free and open Indo-Pacific,

enhance response and deterrence capability, and strengthen the Japan-US Alliance, which is stronger than ever. Through these multilayered efforts, Japan will continue to promote security and defense cooperation with the U.S., further enhancing the deterrence and response capabilities of the Alliance.

### **B Ballistic Missile Defense (BMD)**

Japan has been making steady efforts to develop and engage in the production of the BMD system while continuing cooperation with the U.S., including on the steady implementation of joint development and joint production of the Standard Missile 3 (SM-3 Block IIA) since 2006, and Japan is fully prepared to protect the lives and property of its citizens from the threat of ballistic missiles to Japan under any circumstances. With regard to the ground-deployed Aegis system (Aegis Ashore) that the Cabinet decided to introduce in 2017, the Ministry of Defense announced the suspension of its deployment process in June 2020. As a result of reviews conducted within the Government, the Cabinet reached a decision in December to build two new vessels equipped with the Aegis system in place of the Aegis Ashore system.

### **C Cyberspace**

Based on the necessity for cross-government efforts by both Japan and the U.S., participants from both sides held a follow-up discussion on matters including the outcome of the seventh Japan-U.S. Cyber Dialogue held in October 2019. They also engaged in wide-ranging discussions on Japan-U.S. cooperation in cyberspace, including awareness about the situations, cyber countermeasures in both countries, cooperation in the international arena, and support for capacity building.

### **D Space**

Japan and the U.S. have held discussions on a wide range of cooperation on space through events such as the Seventh Meeting of the Japan-U.S. Comprehensive Dialogue on Space, held in

August. Japan and the U.S. are continuing to cooperate on space security, including through mutual exchanges of information in the field of Space Situational Awareness (SSA) and others, as well as concrete examinations of cooperation over hosted payloads (mission instruments loaded onto other entities' satellites). In December, the Governments of Japan and the U.S. exchanged Notes concerning cooperation on hosted payloads, including the loading of U.S. Space Situational Awareness (SSA) sensors onto Japanese Quasi-Zenith Satellite "Michibiki," (QZS)-6 and QZS-7, scheduled to commence operations in FY2023.

### **E Multilateral Cooperation**

Japan and the U.S. place importance on security and defense cooperation with allies and partners in the Indo-Pacific region. At the Second Japan-Australia-India-U.S. Foreign Ministers' Meeting in October, in order to promote a "Free and Open Indo-Pacific," which is becoming increasingly important in view of the post-COVID-19 world in a concrete way, the four ministers shared the importance of further developing practical cooperation in various areas such as quality infrastructure, maritime security, counter-terrorism, cyber security, humanitarian assistance/disaster relief, education and human resource development, and broadening cooperation with more countries for the realization of a FOIP.

### **F Information Security**

Information security plays a crucial role in advancing cooperation within the context of the alliance. Based on this perspective, both countries continue to hold discussions designed to enhance their cooperation regarding information security.

### **G Maritime Security**

In forums such as the East Asia Summit (EAS) and the ASEAN Regional Forum (ARF), Japan and the U.S. stress the importance of peacefully resolving maritime issues in accordance with international law as reflected in the United Nations



Convention on the Law of the Sea (UNCLOS). The Guidelines announced in April 2015 also provide that Japan and the U.S. will cooperate closely with each other on measures to maintain maritime order in accordance with international law, including the freedom of navigation. Even under the conditions of the COVID-19 pandemic in 2020, Japan and the U.S. continued to conduct joint exercises in the surrounding waters in the region including the South China Sea. Furthermore, cooperation with regional partners including Australia and India was strengthened through exercises such as MALABAR (Japan-U.S.-Australia-India joint exercise) and Rim of the Pacific (RIMPAC).

### (3) Realignment of U.S. Forces in Japan

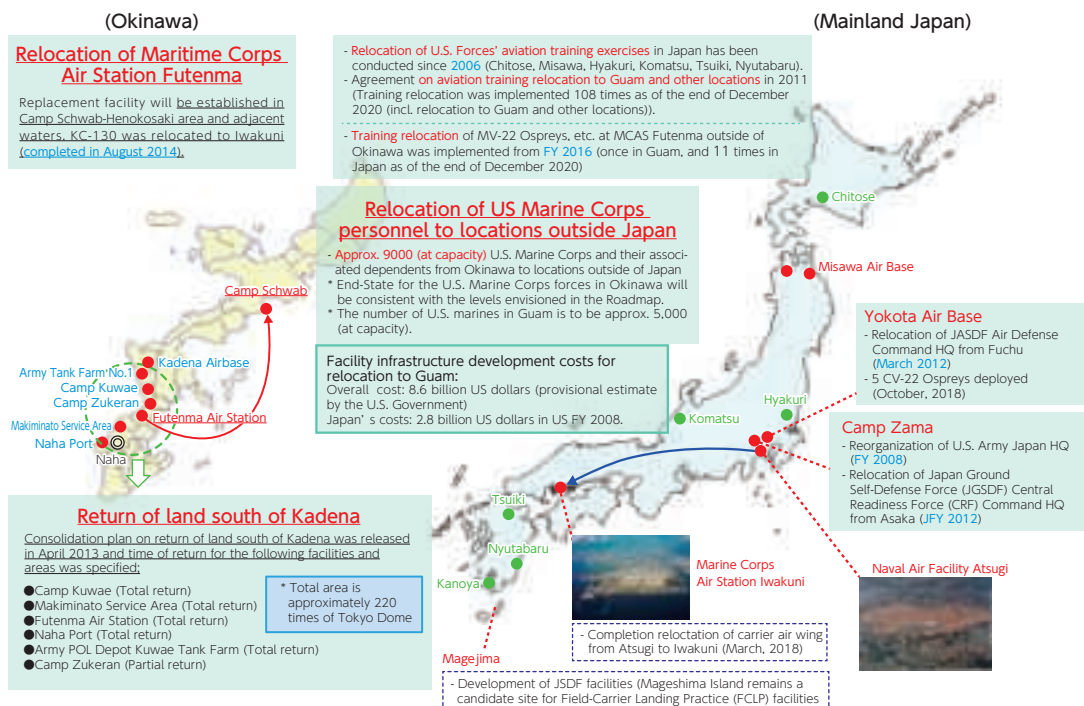
The Government of Japan will continue to make every effort to mitigate the impact on local communities, including Okinawa, by soundly promoting the realignment of U.S. Forces in Japan, including the prompt relocation to Henoko and the

return of MCAS Futenma, while still maintaining the deterrence capabilities of said forces.

In the joint statement issued by Japan and the U.S. in February 2017, the two governments affirmed, for the first time in a document at the summit level, that constructing the Futenma Replacement Facility (FRF) at the Camp Schwab-Henokosaki area and adjacent waters is the only solution to avoid the continued use of MCAS Futenma. Furthermore, in the “2+2” joint statement in April 2019, the two governments reaffirmed their understanding that the plan to construct the FRF at the Camp Schwab-Henokosaki area and adjacent waters is the only solution that avoids the continued use of MCAS Futenma, and underscored their strong determination to achieve its completion as soon as possible.

Japan and the U.S. will also continue to work closely on the steady implementation of the relocation of approximately 9,000 U.S. Marine Corps from Okinawa to outside the country such as Guam, which will begin in the first half of the

## Realignment of U.S. Forces in Japan - An Overview



\*In the “2+2” joint statement released in April, 2012, Japan and the U.S. decided to delink both the relocation of U.S. Marine Corps personnel from Okinawa to Guam and land returns south of Kadena from progress on the relocations of MCAS Futenma

2020s, and on the return of land south of Kadena based on the April 2013 “Consolidation Plan for Facilities and Areas in Okinawa.”

In addition to the return of a major portion of the Northern Training Area (NTA, approximately 4,000 hectares) in December 2017, various return projects were advanced based on this Consolidation Plan. In March 2020, a portion of the warehouse area of the Facilities and Engineering Compound in Camp Zukeran (approximately 11 hectares) were returned, thereby realizing the return of all areas indicated as “Immediate Return” under the Consolidation Plan.

#### (4) Host Nation Support (HNS)

The security environment surrounding Japan is becoming increasingly severe and uncertain at a remarkably rapid pace. From the standpoint that it is important to ensure smooth and effective operation of U.S. Forces, Japan (USFJ) bears the rent for USFJ facilities and areas and the Facility Improvement Program (FIP) funding stipulated within the scope of the Japan-U.S. Status of Forces Agreement (SOFA). In addition to this, under the Special Measures Agreement (SMA), Japan also bears labor costs, utility costs and training relocation costs for USFJ.

In February 2021, the Government of Japan and the Government of the U.S. mutually decided to amend the current Special Measures Agreement, extending its validity through March 31, 2022. They also concurred on continuing negotiations toward an agreement on a new SMA to be effective from April 1, 2022.

#### (5) Various Issues Related to the Presence of U.S. Forces in Japan

To ensure the smooth and effective operation of the Japan-U.S. security arrangements and the stable presence of USFJ as the linchpin of these arrangements, it is important to mitigate the impact of U.S. Forces’ activities on residents living in the vicinity and to gain their understanding and support regarding the presence of U.S. Forces. In

particular, the importance of mitigating the impact on Okinawa, where U.S. Forces’ facilities and areas are concentrated, has been confirmed between Japan and the U.S. on numerous occasions, including the Japan-U.S. Summit Meeting in April 2018 and the “2+2” meeting in April 2019. The Government of Japan will continue to work to address the realignment of U.S. Forces in Japan. At the same time, the Government of Japan has been making utmost efforts to make improvements in specific issues in light of the requests from local communities. Among these issues are preventing incidents and accidents involving U.S. Forces, abating the noise by U.S. Forces’ aircraft, and dealing with environmental issues at U.S. Forces’ facilities and areas, including the sound implementation of the Agreement on Cooperation in the Field of Environmental Stewardship of 2015 and the Agreement on Cooperation with regard to Implementation Practices relating to the Civilian Component of the United States Armed Forces in Japan of 2017. For example, when the large-scale leak of firefighting foam that contains Perfluorooctane Sulfonate (PFOS) occurred at MCAS Futenma in April 2020, Japanese officials accessed the site five times based on the Supplementary Agreement on Environmental Stewardship, conducted water and soil sampling and released the results. In addition, there have been many COVID-19 cases among USFJ personnel since March. In response to this, the Government of Japan and USFJ issued a joint press release in July on USFJ’s efforts to combat COVID-19, and are cooperating closely to prevent further spread of COVID-19 in Japan.

Since 2018, the TOFU: Think of Okinawa’s Future in the U.S. program has been launched to provide an opportunity for high school and university students from Okinawa to witness for themselves what Japan’s alliance partner, the U.S., is truly like, and the role that Japan plays in the international community, as well as to promote mutual understanding by having them interact with local important officials and young people in English.

Column

**Project to Promote Exchanges and Enhance Mutual Understanding between Japan and the United States**

The Ministry of Foreign Affairs, in cooperation with the United States Department of Defense Education Activity (DoDEA), has launched an exchange program since FY2020 between local middle and high school students and the children of personnel from the U.S. Forces, in regions where U.S. facilities and areas in Japan are located. This program aims to deepen mutual understanding among Japanese and U.S. middle and high school students through cultural and educational exchanges, as well as to nurture talents who can take an active role in the international community. The first program was held on December 5 and 6, at Misawa City of Aomori Prefecture. This column features the voices of Japanese students who participated in the program.

**Kawamura Yukino, Daini Junior High School, Misawa City**

At the beginning, simply introducing myself in English made me nervous. However, through interactions between Japanese and U.S. junior high school students, such as playing games and drawing pictures, I felt very happy as we were able to become closer to each other. I learned that despite the differences in language and culture, a strong desire to communicate can lead to mutual understanding between various people. From now on, I will value my own abilities as well as the abilities of others and engage in exchanges between Japan and the U.S. Misawa City has mountains, rivers, seas and lakes, making it a place with abundant resources. During the session where we considered ways to enhance the popularity of Misawa, we compiled and presented the ideas raised by all the participants. Through participation in this project, I feel that I have acquired some skills to listen to the opinions of others and broaden my own ideas. I am truly happy to have taken part in the program.

**Ikeda Reika, Horiguchi Junior High School, Misawa City**

At the start of the program, although I was able to understand what the U.S. participants were saying, I was unable to respond well to them, and I was vexed by the difficulty of communicating with them. However, we were able to exchange opinions with one another through trial and error, such as by drawing pictures, and using gestures. By the end, we had an enjoyable time. During the joint group session between Japanese and U.S. participants, I was amazed by the proactive attitude and leadership of the girls who took action immediately when they had an idea. At the same time, despite the differences in language and culture, I truly felt that working together toward the same goal helped to foster our friendship and deepen our ties naturally. I hope that there will be more such programs in the future that give us the opportunities to communicate directly with people from other countries.



Students engaging in discussions



Students dancing together



Due to the COVID-19 situation, this program was postponed in FY2019. On the other hand, the Project to Promote Exchanges and Enhance Mutual Understanding Between Japan and the United States was launched from December 2020 in cooperation with the U.S. Department of Defense Education Activity (DoDEA) to facilitate cultural and educational exchanges between Japanese and American middle and high school students (see the Column on page 222).

#### **(6) United Nations Command (UNC) and U.S. Forces in Japan**

Coincident with the start of the Korean War in June 1950, the United Nations Command (UNC) was established in July of the same year based on UN Security Council resolution 83 in June and resolution 84 in July. Following the cease-fire agreement concluded in July 1953, UNC Headquarters was relocated to Seoul, South Korea in July 1957, and UNC (Rear) was established in Japan. Established at Yokota Air Base, UNC (Rear) currently has a stationed commander and four other staff and military attachés from nine countries who are stationed at embassies in Tokyo as liaison officers for UNC. Based on Article 5 of the Agreement Regarding the Status of the United Nations Forces in Japan, UNC may use the U.S. Forces' facilities and areas in Japan to the minimum extent required to provide support for military logistics for UNC. At present, UNC is authorized to use the following seven facilities: Camp Zama, U.S. Fleet Activities, Yokosuka, U.S. Fleet Activities, Sasebo, Yokota Air Base, Kadena Air Base, Marine Corps Air Station Futenma and White Beach Area.

In July 2019, a joint board was held between the Government of Japan and UNC that marked the first time in over 60 years that any substantial discussions had been held between the two sides over matters not concerning the usage of facilities and areas. The meetings saw discussions held over the situation on the Korean Peninsula, with the two sides reaching an agreement on notification

procedures in case of unusual occurrences related to the United Nations Command Forces in Japan. The Government of Japan will continue to work closely with the UNC.

### **3 Global Security**

#### **(1) Regional Security**

The security environment surrounding the Asia-Pacific region is becoming increasingly severe for various reasons such as the shift in the global power balance. Meanwhile, it would be difficult to say that the framework of regional security cooperation is sufficiently institutionalized because of the diversity of political, economic and social systems in the region. Therefore, Japan has been making efforts to realize a desirable regional security environment for Japan, by strengthening the Japan-U.S. Alliance, and combining bilateral and multilateral security cooperation at multifaceted and multilayered levels.

Japan works to further strengthen the deterrence and response capabilities of the Japan-U.S. Alliance as well as to enhance security cooperation with various other countries in addition to the U.S.

In relation to ASEAN Member States, Japan is advancing initiatives that contribute to the stability and prosperity of the region as a whole, basing Japan-ASEAN cooperation on the fundamental principles of the rule of law, openness, freedom, transparency and inclusivity as advocated in the ASEAN Outlook on the Indo-Pacific (AOIP) which was announced by ASEAN in June 2019. For instance, Japan offers continuous assistance for improving maritime security including through providing the Philippines, Malaysia, Viet Nam, Indonesia and other countries with patrol boats. Japan is also making progress in defense equipment and technology cooperation, including the conclusion of a contract on the transfer of surveillance radar systems to the Philippines in August as the first overseas transfer of complete equipment from Japan, and the reaching of a substantial agreement for the Agreement concerning

the Defense Equipment and Technology Transfer with Viet Nam in October.

In relation to India, the two leaders concurred on continuing to advance the “Japan-India Special Strategic and Global Partnership” in the summit telephone call held in September, and the Agreement between the Government of Japan and the Government of the Republic of India Concerning Reciprocal Provision of Supplies and Services between the Self-Defense Forces of Japan and the Indian Armed Forces (so-called “Acquisition and Cross-Servicing Agreement,” or ACSA) was signed in the same month. The Agreement will promote closer cooperation between the Self-Defense Forces of Japan and the Indian Armed Forces, and enable them to actively contribute to international peace and security. In October, despite the circumstances of the COVID-19 pandemic, Japan and India took the opportunity of the Second Japan-Australia-India-U.S. Foreign Ministers’ Meeting held in Tokyo to convene the Japan-India Foreign Ministers’ Strategic Dialogue, during which the Ministers affirmed their intention to continue boosting cooperation for the promotion of the “Free and Open Indo-Pacific” vision.

In relation to Australia, at the Japan-Australia Summit Meeting held during Prime Minister Scott Morrison’s visit to Japan in November, the leaders affirmed that Japan and Australia, as Special Strategic Partners, will continue to work together toward the realization of a “Free and Open Indo-Pacific.” They also welcomed the agreement in principle reached between the two countries on the reciprocal access agreement between Japan and Australia (“Japan-Australia RAA”) aimed at elevating bilateral security and defense cooperation to a new level, and for which negotiations have been ongoing. In sectors such as information and communications and critical minerals, the two leaders concurred on continuing to strengthen economic security cooperation.

In relation to the UK, Japan’s “global strategic partner,” and France, Japan’s “exceptional

partner,” at the Japan-UK Foreign Ministers’ Strategic Dialogue in February, the Japan-UK summit telephone call in September, the Japan-France Foreign Ministers’ Meeting as well as the Japan-France summit telephone call in October, inter alia, Japan and both countries affirmed the strengthening of cooperation going forward in areas such as maritime security, toward the realization of a free and open Indo-Pacific. In relation to France, the First Japan-France Working Group on the Indo-Pacific was held online in October, during which both sides confirmed that they would deepen concrete cooperation in the Indo-Pacific region. At the video teleconference meeting held by the Foreign Ministers of Japan and Germany in October, in light of the release of the “Policy Guidelines for the Indo-Pacific” by the Government of Germany, the two Ministers shared the view on strengthening Japan-Germany cooperation toward realizing a “Free and Open Indo-Pacific.” In addition, in the Japan-Netherlands summit telephone call held in December, in light of the fact that the Netherlands had released its own Indo-Pacific Guidelines, the two leaders shared the view of working together to realize a “Free and Open Indo-Pacific.” Japan also concurred on cooperating toward the realization of a “Free and Open Indo-Pacific” with Italy (March, Foreign Ministers’ telephone call), Spain (June, summit telephone call) and Finland (November, Foreign Ministers’ telephone call). In January 2021, Foreign Minister Motegi attended the EU Foreign Affairs Council held in a virtual format, during which he explained Japan’s stance and initiatives related to a “Free and Open Indo-Pacific.” In response to his statement, many of the EU Member States expressed understanding and support for the importance of ensuring rules-based international order in the Indo-Pacific.

In relation to the Republic of Korea, based on the recognition of the importance of Japan-ROK as well as Japan-U.S.-ROK cooperation toward the denuclearization of the Korean Peninsula, the two countries held a Japan-ROK Summit

Telephone Talk (September), Japan-ROK Foreign Ministers' Meetings (January, February, June (telephone call)) and Japan-U.S.-ROK Foreign Ministers' Meetings (January, February). The two sides confirmed that Japan and the ROK, as well as Japan, the U.S. and the ROK, would work closely together.

There are various issues of concern between Japan and China, such as the rapid strengthening of China's military power lacking transparency, its increasing activities in the waters and air spaces surrounding Japan, including the areas around the Senkaku Islands that are an inherent part of Japan's territory, and its enactment of the Coast Guard Law which includes provisions that are problematic from the viewpoint of their consistency with international law. Japan will continue to make use of opportunities at high-level dialogues, including summit meetings and foreign ministers' meetings, to firmly assert its position and resolve the issues of concern one by one, as well as to take a calm and resolute approach while strongly requesting for China's concrete action. As China's military trends are matters of grave interest to Japan, Japan is working on communicating its policies through security dialogues such as the Japan-China Security Dialogue, as well as efforts to build multilayered channels for exchanges. At the same time, Japan is communicating its concerns and urging China to improve transparency in relation to its defense policies and military power. The Maritime and Aerial Communication Mechanism between the defense authorities of Japan and China that commenced operation in June 2018 has great significance in the sense of promoting mutual understanding and confidence and avoiding unexpected collision.

Regarding Japan-Russia relations, in the area of security, the Japan-Russia Security Consultations took place in January, during which both parties held candid discussions on their security policies and various issues related to international and regional security. During the same month, Japan conducted the second joint counter-piracy

exercise with Russian Navy vessels in the Gulf of Aden.

Peace and stability in the Middle East region is vital to the peace and prosperity of the international community including Japan. The Middle East is one of the world's key energy suppliers and approximately 90% of Japan's crude oil imports rely on the region. It is, therefore, extremely important to ensure the safety of navigation of Japan-related vessels in this region. As Japan's independent efforts toward ensuring peace and stability in the Middle East region and the safety of Japan-related vessels, the Government of Japan has made a Cabinet decision in December 2019 on (1) making further diplomatic efforts toward easing tensions and stabilizing the situation in the Middle East, (2) taking thorough measures for ensuring safety of navigation including robust information sharing with relevant stakeholders, and (3) utilizing vessels and aircraft of the SDF for strengthening its information gathering posture. Information gathering activities using SDF vessels and aircraft in the waters of the Middle East began from January 2020.

Japan held the third Politico-Military (PM) Dialogue with Laos in March, as well as the 18th PM Dialogue with the UK in September, the 2nd PM Dialogue with Jordan in October and the 4th PM Dialogue with Bahrain in October.

In addition to the abovementioned efforts to strengthen bilateral cooperation, Japan is also advancing on the establishment of networks for regional peace and prosperity by promoting various forms of cooperation, including cooperation with the U.S. and Australia, with the U.S. and India, and with the U.S., Australia and India (Second Foreign Ministers' Meeting held in Tokyo in October, and telephone call held in February 2021).

In addition, Japan has actively participated in and contributed to multilateral frameworks in the region, including the East Asia Summit (EAS), the ASEAN Regional Forum (ARF) and the ASEAN Defence Ministers' Meeting-Plus (ADMM-Plus), in order to strengthen security cooperation in the

region. The ARF is an important security dialogue framework in which various entities participate including North Korea and the EU, and it aims to improve the security environment of the Indo-Pacific region through dialogues and cooperation on political and security issues. It is also an important forum that focuses on confidence building through various initiatives. At the 27th ARF Ministerial Meeting held in September, participating ministers candidly exchanged views mainly on regional and international affairs, including the issues concerning North Korea and the East and South China Seas, as well as the response to the COVID-19 pandemic. Japan is also making a proactive contribution through, for example, serving as the co-chair of the Inter-Sessional Meetings (ISM) on Maritime Security twice to date.

Furthermore, in addition to government-to-government dialogues (track 1), Japan actively utilizes frameworks where participants from both public and private sectors exchange opinions and explain their security policies (track 1.5). Japan participates in various conferences, including the IISS Asia Security Summit (Shangri-La Dialogue) (Singapore), and Foreign Minister Motegi attended the Munich Security Conference (Germany) in February 2020 as part of Japan's efforts to promote other countries' understanding of Japan's security policies, and to facilitate cooperation and confidence-building in the region.

## **(2) Peacekeeping and Peacebuilding**

### **A On-the-Ground Initiatives**

#### **(A) UN Peacekeeping Operations (UN PKOs)**

As of December 31, 2020, 13 UN PKO missions are on active duty, primarily in the Middle East and Africa, to handle a wide range of duties that include monitoring ceasefires, promoting the political process, and protecting civilians. More than 90,000 military, police, and civilian personnel have been deployed to these missions. In response to the increasing complexity and scale of the mandates and the associated shortages of personnel, equipment, and financial resources,

discussions on more effective and efficient implementation of UN PKOs are underway in various forums, primarily within the UN.

Based on the Act on Cooperation with UN Peacekeeping Operations and Other Operations (PKO Act), since 1992 Japan has dispatched more than 12,500 personnel to a total of 28 missions, including UN PKOs. More recently, since 2011 Japanese staff officers have been dispatched to the UN Mission in South Sudan (UNMISS), while engineering units used to be deployed there from 2012. The engineering units in the South Sudanese capital of Juba and the surrounding areas have undertaken such activities as developing infrastructure that includes roads, supporting displaced persons through the provision of water supplies, as well as site preparation, and concluded their activities in May 2017. As of December 31, 2020, four SDF officers are on active duty at the UNMISS Headquarters, who continue to work toward peace and stability in South Sudan. Additionally, since April 2019, Japan has been conducting activities contributing to peace and stability in the Middle East by dispatching two SDF officers to the Force Headquarters for the Multinational Force and Observers (MFO), which is stationed in Egypt's Sinai Peninsula. Under the banner of "Proactive Contribution to Peace," by building on the past experiences of peacekeeping operations and making use of its own strengths, Japan will continue to contribute proactively in the field of international peace cooperation in the future by means such as enhancing capacity building support and dispatching units and individuals.

#### **(B) ODA and Other Cooperation to Facilitate Peacebuilding**

Post-conflict support that effectively combines humanitarian assistance and development cooperation (humanitarian-development nexus) is important for preventing the recurrence of humanitarian crises. At the same time, in order to prevent the outbreak and recurrence of conflicts that give rise to humanitarian crises, it is important to provide

support for nation-building and social stabilization from a medium- to long-term perspective even during peacetime, as well as to provide support for autonomous and self-sustaining development. Japan has been providing support for peacebuilding based on this “humanitarian-development-peace nexus” approach, and positions peacebuilding as one of the priority issues in its Development Cooperation Charter. The following are some of the main initiatives implemented recently.

#### a. Middle East

Japan has provided comprehensive support for peace and stability in the Middle East. This includes providing food and refugee assistance, as well as support for the development of human resources who can play an active role in nation-building. From 2019 to 2020, Japan received 34 people from Afghanistan, including government officials, expected to contribute to such fields as agricultural, rural, and infrastructure development. This has made up a total of 610 international students and other personnel that Japan has received from Afghanistan to date. Japan’s efforts in human resource development have steadily borne fruit, as seen in past examples such as an international student who became a vice minister of the government upon returning to the student’s home country. Japan also received 16 students from Syria in 2020 to offer education to young people who were deprived of opportunities to attend school due to the Syrian crisis. As for Palestine, in addition to an increase in the refugee population, it is also facing serious deterioration of the living environment, including the deteriorated camp infrastructure as well as unemployment and poverty. In light of this, Japan worked on improving the living environment of refugees through the implementation of the Camp Improvement Project (CIP) at refugee camps in Palestine, and contributed to the stabilization and

improvement of the people’s welfare based on human security.

#### b. Africa

At the Seventh Tokyo International Conference on African Development (TICAD7) in 2019, Japan announced the New Approach for Peace and Stability in Africa (NAPSA). Through support for institution building, resilience of local community, prevention of youth radicalization and others, Japan contributes to peace and stability in Africa under the banner of NAPSA while respecting Africa’s ownership in conflict resolution and addressing the root causes that hamper peace and stability.

For example, Japan has conducted criminal justice training since 2014 for Francophone African countries, and has supported stabilization of the Sahel region by strengthening the capabilities of investigative and judicial bodies. Japan also actively provides support for elections. During the presidential election in Côte d’Ivoire in October 2020, Japan provided support by supplying equipment and in other ways, in cooperation with the UN Development Programme (UNDP). Japan also supported the Central African Republic’s efforts to achieve peace and stability by supplying equipment for the management of elections through UNDP, during the country’s presidential elections held in December. Japan is also providing security equipment to strengthen countries’ ability to maintain security against frequent terrorist attacks and transnational crimes.

In South Sudan, along with dispatching headquarters staff to UNMISS, in response to the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS)<sup>1</sup> signed in 2018, Japan has been supporting the implementation of the agreement and ceasefire monitoring through the Intergovernmental Authority on Development (IGAD), a regional organization

<sup>1</sup> An agreement concluded by bringing together stakeholders in South Sudan in response to the sluggish implementation of the Agreement on the Resolution of the Conflict in South Sudan issued in 2015 by IGAD. It provides matters such as a schedule for fulfilling the ceasefire.



in East Africa. Furthermore, Japan, in collaboration with the UNDP, has disbursed a total of 57 million US dollars between 2008 and 2020 to Peacekeeping Training Centers operated by 13 African countries, contributing to strengthening Africa's capacity for peacekeeping activities.

### **B Initiatives within the UN (Peacebuilding)**

Based on the understanding that many regional conflicts and civil wars are rekindled even after the conflict has ended, and that it is extremely important to provide appropriate support in the post-conflict period, the UN Peacebuilding Commission (PBC) was established in 2005 with the aim of offering consistent advice on assistance, from conflict resolution to recovery, reintegration and reconstruction. The PBC conducts discussions to identify priority issues and formulate peacebuilding strategies in the agenda countries.<sup>2</sup> Japan has served as a member of the Organizational Committee since the PBC's establishment and contributed to its activities.

Based on the "Review of the United Nations peacebuilding architecture" including the PBC of April 2016, the UN Secretary-General issued a report on peacebuilding and sustaining peace (A/72/707-S/2018/43) in February 2018. The report makes a variety of proposals for, inter alia: enhancing financing for peacebuilding; increasing operational and policy coherence of the PBC; and strengthening UN leadership, accountability and capacity. The third "Review of the United Nations peacebuilding architecture" was conducted in 2020, and the UN General Assembly resolution (A/RES/75/201) and Security Council resolution 2558 were adopted in December. While welcoming progress on the implementation of the relevant resolutions of the past, the review affirmed that efforts will be made to continue with the implementation of these resolutions, the importance of the role of the PBC, and the convening of a meeting to discuss sustained financing.

Japan has contributed proactively to the Peacebuilding Fund (PBF) since its establishment in 2006. Announcing its aim to allocate 10 million US dollars in September 2016, Japan has contributed a total of 55.5 million US dollars (3 million US dollars in 2020) and ranks seventh among the major donor countries as of December 2020. In the address delivered by Prime Minister Suga at the General Debate of the United Nations General Assembly in 2020, he announced that Japan will continue to contribute to sustaining peace, including through the PBC, and engaging in strengthening institutions and building capacities.

### **C Human Resource Development**

#### **(A) The Program for Global Human Resource Development for Peacebuilding and Development**

While civilian experts with a high level of skill and expertise have a substantial role to play in the field of post-conflict peacebuilding, the number of those who are capable of fulfilling the role is insufficient, and therefore, the development of relevant human resources remains a major challenge. Japan has been implementing programs for human resource development in order to cultivate civilian experts who can play a leading role in the field of peacebuilding and development. As of the end of the FY2020, more than 800 people have been trained. The trainees who completed the programs have gone on to play an active role in the field of peacebuilding and development in Asia, Africa, and other parts of the world, and have received high acclaim from both the UN and other countries.

In the FY2020 program, a training course for entry level human resources and a training course for mid-career practitioners with experience in the fields of peacebuilding and development were conducted.

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<sup>2</sup> Four countries of Guinea-Bissau, Central African Republic, Liberia and Burundi

### (B) Training for United Nations Peacekeepers of Various Countries

Japan has been supporting peacekeepers from various countries participating in UN PKOs to enhance their capabilities. Since 2015, in conjunction with cooperative efforts among the UN, supporting member states, and personnel-dispatching countries, Japan has provided support for the Triangular Partnership Project (TPP), a framework for innovative cooperation aimed at addressing the urgent need to improve the capabilities of PKO personnel. For example, Japan has sent 172 SDF personnel and other individuals to Kenya and Uganda as instructors and conducted training on the operation of heavy engineering equipment for 277 people from eight African countries that expressed intentions to dispatch engineering units to UN PKOs. Since 2018, this project has been extended to Asia and the surrounding regions. Japan has dispatched 68 SDF and other personnel to Viet Nam and conducted training on the operation of heavy engineering equipment for 56 people from nine countries of Asia and the surrounding regions. Additionally, in October 2019 a Buddy First Aid program was begun in the medical field, a considerably problematic area for UN PKOs. Separate from this project, Japan also dispatches instructors and other personnel to Peacekeeping Training Centers in Asian and African nations while also providing them with financial assistance.

### (3) Initiatives to Combat Security Threats

#### **A** Countering Terrorism and Violent Extremism Measures

In 2020, the COVID-19 pandemic has had profound effects not only on domestic politics, economy and society, but also the international political and economic order, and further, penetrated into people's behavior, mindsets and values. It also brought about major changes to the environment surrounding terrorism. Terrorists continue to carry out their terrorist activities in Asia and other parts of the world while adapting to the new

social circumstances that have resulted from the COVID-19 pandemic, such as the weakening of governance as well as social divisions brought about by poverty and racial and ethnic issues becoming apparent. Furthermore, the increased dependence on information and communications technology by people around the world has motivated terrorists or terrorist organizations to spread extremism through the Internet and social media, as well as to conduct illegal behavior connected to terrorism in cyberspace, such as acquisition of funding for terrorism. There is a pressing need to respond comprehensively to these developments.

Based on the “G7 Action Plan on Countering Terrorism and Violent Extremism” compiled at the G7 Ise-Shima Summit in 2016, Japan has implemented the following actions: (1) concrete measures to enhance counterterrorism capacity, which includes promoting the utilization of Interpol databases and measures against the funding of terrorism, (2) promotion of tolerance in communities through dialogues and other means, in order to prevent violent extremism, which is a root cause of terrorism, and (3) capacity building assistance to developing countries. In particular, it has been pointed out that the spread of various misinformation brought about by the COVID-19 pandemic may further motivate young people who depend on the Internet and social media to commit acts of violence. In light of this, it is more important than ever before to respond to violent extremism, and initiatives through public-private cooperation are also being implemented globally.

Cutting off the funding of terrorism is of great importance to preventing and eradicating it. Based on this recognition, in accordance with UN Security Council resolution 1373, Japan has implemented measures against terrorists or terrorist organizations including the assets freeze in cooperation with the U.S. and the other members of G7. In March, Japan designated three entities to add in the sanction list set out in this resolution.

In 2019, the Islamic State in Iraq and the Levant (ISIL) lost their dominant territories in Iraq and

Syria. In view of this, with respect to the issue of returning and relocating foreign terrorist fighters (FTFs), there are two very important issues: (1) taking measures for properly prosecuting, de-radicalizing, rehabilitating and socially integrating former terrorists and their families, and (2) strengthening people's awareness and resilience of communities at the grassroots level to prevent people from being drawn to violent extremism, especially young people. In addition, Japan is implementing projects through providing financial contribution to international organizations to address imminent issues, such as strengthening maritime security, preventing violent extremism and treating prisoners properly in prisons.

Japan provided contributions in the amount of 2.9 billion Japanese yen (supplementary budget for FY2019) to the projects implemented by international organizations and funds, including the United Nations Office on Drugs and Crime (UNODC), United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), and the United Nations Office of Counter-Terrorism (UNOCT), by using their respective strengths and expertise effectively.

As an initiative that Japan has carried out continuously for the past 16 years, Japan also runs an exchange program inviting Islamic school teachers and providing opportunities to experience interfaith dialogue, school visits and cultural events in Japan. Japan will continue to implement such initiatives in the future, in order to help promote moderation and the creation of more tolerant societies that are receptive to different values.

Through bilateral and trilateral counterterrorism consultations, Japan also exchanges information on the world terrorism situations and affirms the strengthening of cooperation in the field of countering terrorism with other countries.

The Government of Japan has promoted counterterrorism measures in collaboration with relevant countries and organizations. Based on the

view that information gathering is critical for combating terrorism, the Government established the Counter Terrorism Unit - Japan (CTU-J) in December 2015 and has been making concerted efforts to gather information with the Prime Minister's Office serving as the control tower. Regarding the incident in which a Japanese national being detained in Syria was safely released in October 2018, this outcome is owed to CTU-J playing a key role in requesting the cooperation of the countries concerned and handling the situation by leveraging Japan's information network. Following the series of terrorist bombings that occurred in Sri Lanka in April 2019, the Director General in charge of the region and others from CTU-J were immediately dispatched to the area to gather information. To fulfill the critical responsibility of securing the safety of Japanese nationals overseas, Japan will continue to further enhance its information gathering through the CTU-J and take all possible measures to counterterrorism to ensure the safety of Japanese nationals overseas.

## **B Criminal Justice Initiatives**

The UN Congress on Crime Prevention and Criminal Justice ("Congress") and the Commission on Crime Prevention and Criminal Justice are in charge of shaping policy on crime prevention and criminal justice in the international community. The 14th Congress was convened in March 2021 in Kyoto ("Kyoto Congress"). (The Kyoto Congress was scheduled to be held in April 2020 but was postponed due to the situation over the spread of COVID-19. In August 2020, the UN General Assembly decided that the 14th Congress will be held in March 2021.) Japan, as the chair of the Congress, led discussions on the draft political declaration to be adopted and advanced preparations for hosting the Congress in coordination with UNODC, and relevant international organizations and countries. In accordance with the overall theme, "Advancing crime prevention, criminal justice and the rule of law: towards the achievement of the 2030 Agenda," the Kyoto Congress

## Column

## Learning for Empathy - Creating a Peaceful and Sustainable Society Underpinned by Empathy

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We work for UNESCO, and its Constitution adopted in 1945 states that “since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed.” Furthermore, as advocated by the Sustainable Development Goal 4 (SDG 4), there is now a strong need to foster leaders who can take proactive action to resolve the issues that are common to all humankind. To that end, the UNESCO Office in Bangkok, Thailand, with the support of the Ministry of Foreign Affairs, has put in place a project “Together for Peace (T4P),” to promote peace in the Asia-Pacific region through education and culture.

In recent years, UNESCO has been participating in the initiatives to counter and prevent violent extremism under the leadership of the UN Secretary-General and engaging in education activities that focus on the power of education to break the chain of violence. These efforts were initiated based on the assumption that in addition to some human nature which justifies various forms of exclusion for various reasons, leading to structural poverty, inequality and discrimination, willingness and efforts are missing to achieve mutual understanding and cooperation with ‘others’. The “Learning for Empathy” project aims to transform this mindset of our society toward a culture of empathy. This project was launched in 2019 with funding contributed by Japan. Here, empathy refers to the ability to understand the feelings of others and the issues around us in a multifaceted manner, from the perspective of the other party or a third party, and to take action motivated by the desire to help others and resolve the issues. We believe that it is possible to counter structural discrimination and inequality, and to contribute to building a more just and peaceful society, through fostering more and more future leaders who have a strong sense of empathy and the ability to appreciate diversity. Active support for school education that promotes tolerance and cross-cultural understanding is expected to help prevent hatred, violent extremism and conflict. To that end, it is necessary to support teachers, who are role models. The project currently involves school principals and teachers from madrasas (religious schools) and local public junior high schools that have not had opportunities to actively engage in international exchange so far, in the four countries of Bangladesh, Indonesia, Pakistan and Sri Lanka. Despite facing their own challenges, they are striving every day to improve the quality of learning in their respective schools.

Specifically, teachers from the beneficiary countries (countries receiving support) are invited to Japan where they visit UNESCO Associated Schools\* and community learning centers. Based on their interactions with Japanese teachers, parents and students, and the sharing of initiatives by each country, the participants draw up their own action

plans for mainstreaming learning for empathy in their schools. Upon returning to their home countries, they engage in various activities based on their action plans, including sharing the results of initiatives implemented at their schools widely among the teachers of other schools and other countries. A male student from Pakistan who had participated in the activity shared what he had learned—“The other day, I was hit by a bicycle on the road and I was about to lose my temper. However, I was glad that we were able to talk calmly and solve the problem. Perhaps I may be able to change myself and my surroundings gradually, through such small efforts.” It was also learned that the teachers of each country hope for their students to be exposed to diverse experiences beyond the usual sphere of their lives. This initiative may only be a drop in the sea, but we hope to contribute, even a little, to laying the groundwork for encouraging young people to tackle global issues with a sense of solidarity.



Students learning from a teacher who had participated in the program in Japan (June 2020, Indonesia; Photo: UNESCO)



Visiting a UNESCO associated school (a public junior high school in Tokyo) (July 2019; Photo: UNESCO)

\*UNESCO Associated Schools: educational institutions at all levels, including primary and secondary schools, which promote UNESCO values and ideals into schools as members of the UNESCO Associated Schools Network (ASPnet).

adopted a political declaration setting measures on crime prevention and criminal justice, as well as approaches for international cooperation.

Furthermore, Japan provides support to improve the prosecution capabilities of law-enforcement authorities and to enhance capacities related to measures against cybercrime in Southeast Asia by providing financial contributions to UNODC and through financial contributions from the Japan-ASEAN Integration Fund (JAIF).

In July 2017, Japan concluded the UN Convention against Transnational Organized Crime (UNTOC), which establishes a global legal framework for promoting cooperation to prevent and combat transnational organized crime including terrorism more effectively. In accordance with the UNTOC, Japan advances international cooperation that includes international assistance in investigation.

#### **C Anti-corruption Measures**

As a State Party to the UN Convention against Corruption (UNCAC), which sets out provisions for international cooperation and measures to address corruption such as bribery and embezzlement of property by public officials, Japan has actively participated in discussions for the effective implementation of the UNCAC and strengthening international cooperation on preventing and combating corruption. In 2020, the General Assembly adopted a resolution in which it decided to convene the “Special session of the General Assembly against corruption” aimed at strengthening UNCAC initiatives, and Japan is working with other countries to advance preparations for the convention of this special session in 2021. In addition to the international cooperation based on the Convention, Japan has been conducting training for anti-corruption authorities in developing countries with the aim of strengthening their capabilities of investigation and prosecution through financial contributions to UNODC.

Within the context of the G20, the inaugural G20 Anti-corruption Ministers Meeting (in



State Minister for Foreign Affairs Uto participating in the G20 Anticorruption Ministers Meeting (held online) (October 22, Tokyo)

October) was convened online under the Saudi Presidency. State Minister for Foreign Affairs Uto Takashi represented Japan at this meeting, and delivered a speech on behalf of Japan as the former Presidency. In his speech, he announced that Japan will continue to promote the effective implementation of existing international conventions such as the UNCAC and the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, as well as to enhance international cooperation toward preventing and combatting corruption. The outcome documents adopted at this meeting including the G20 Anti-Corruption Ministerial Communiqué were annexed to the Leaders’ Declaration of the G20 Riyadh Summit.

Japan is an active participant in the OECD Working Group on Bribery, which verifies the implementation of the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions by each state party to prevent and combat the bribery of foreign public officials. Japan has also supported the ADB/OECD Anti-Corruption Initiative jointly promoted by the Asian Development Bank (ADB) and the OECD as part of its contributions toward enhancing anti-corruption measures in the region.

#### **D Measures to Combat Money Laundering and the Financing of Terrorism**

Regarding anti-money laundering and counter-terrorist financing — (AML/CFT) measures, the



Financial Action Task Force (FATF) is an international framework that establishes the international standards that countries should implement and conducts peer reviews to assess levels of implementation. As a founding member, Japan has actively participated in these discussions. In recent years, the FATF has been engaged in initiatives to prevent financing for the proliferation of weapons of mass destruction, and has issued the FATF statement that calls for the eradication of illegal financial activities by North Korea. In the Fourth Round of Mutual Evaluations of Japan, conducted by the FATF in 2019, Japan, under cooperation between the Government and the private sector, provided explanations on its AML/CFT measures to the FATF's assessors.

In addition, Japan takes measures to combat the financing of terrorism as a state party to the International Convention for the Suppression of the Financing of Terrorism, and also implements measures to freeze the assets of terrorists and terrorist organizations in accordance with the UN Security Council resolution 1373, and designated by the UN Security Council Taliban Sanctions Committee or the ISIL (Da'esh) and Al-Qaida Sanctions Committee. On March 31, Japan implemented asset freezing measures on three organizations based on the UN Security Council resolution 1373, and four individuals and five organizations designated by the ISIL (Da'esh) and Al-Qaida Sanctions Committee.

Furthermore, in order to support international initiatives to stamp out money laundering and block terrorism financing flows, Japan works with the UNODC to provide assistance for capacity building that includes the development of legal systems in South Asia, including Bangladesh, Maldives and Pakistan.

#### **E Measures to Combat Trafficking in Persons and Smuggling of Migrants**

Japan has strengthened its domestic mechanisms to combat trafficking in persons which involves increasingly sophisticated and latent methods,

while proactively providing assistance to developing countries in accordance with "Japan's 2014 Action Plan to Combat Trafficking in Persons." For example, in 2020, Japan continued to conduct training programs through JICA to deepen mutual understanding on human trafficking countermeasures (especially prevention, protection and support to restore the autonomy of victims) of stakeholders in Asian countries, including Japan, and to promote more effective regional cooperation. With respect to cooperation with international organizations, in 2020, through funding to the International Organization for Migration (IOM), Japan continued to provide assistance for the safe repatriation of foreign victims of trafficking in persons protected in Japan and to carry out social rehabilitation support programs to prevent the repetition of trafficking after they return to their countries. Japan also funded training programs for law-enforcement authorities in Southeast Asian countries through projects organized by UNODC, UN Women and other organizations.

Japan also implemented support projects mainly toward ASEAN and African countries, with a view to preventing the smuggling of migrants.

As a state party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol Against the Smuggling of Migrants by Land, Sea and Air, Japan has also further deepened its cooperation with other countries with a view to combating trafficking in persons and smuggling of migrants.

#### **F Measures to Combat Illicit Drug Trafficking**

Japan works in cooperation with UNODC to investigate and analyze synthetic drugs such as amphetamine-type stimulants and new psychoactive substances in the Asia-Pacific region, provide support for improving the container control capacity of law enforcement agencies at air and sea ports, and put in place measures against illicit drug trafficking, which is spreading across borders. In relation to Afghanistan, the world's largest region

for the illegal cultivation of opium poppy, Japan has contributed 5.3 million US dollars to UNODC in order to strengthen border controls, promote alternative development to drug crop cultivation, and enhance capacity building of narcotics agents in cooperation with neighboring countries.

#### **(4) The Oceans and Seas**

Japan is surrounded by the sea on all sides, and is blessed with a vast exclusive economic zone (EEZ) and long coastlines. It is a maritime nation that has achieved economic growth through maritime trade and development of marine resources, and has pursued “Free, Open and Stable Seas.” “Free, Open and Stable Seas,” which are upheld by maritime order governed by law and rules including freedom of navigation and overflight, rather than force, are essential for the peace and prosperity not only of Japan but also of the international community as a whole. To maintain and develop “Free, Open and Stable Seas,” Japan promotes initiatives to ensure safe maritime transport and cooperate on maritime security. Such initiatives are also important toward securing Japan’s maritime interests, which form the basis for Japan’s economic survival.

Japan is advancing efforts toward the realization of a “Free and Open Indo-Pacific” that aims to bring stability and prosperity to the Indo-Pacific region, in particular, by strengthening maritime order in the region where important sea lanes are located.

#### **A Order at Sea**

##### **(A) Basic Stance**

There is an increasing number of cases where the interests of countries clash with each other from the perspective of securing maritime interests and national security. In particular, in the seas of Asia, there has been an increasing number


of cases of tension arising from friction between countries, and the international community is closely monitoring these cases with much interest. Against this background, at the 13th Asia Security Summit (Shangri-La Dialogue) held in Singapore in May 2014, Japan shared the view that it was necessary to fully uphold the “Three Principles of the Rule of Law at Sea” (see 6(2) on page 268).

Japan also utilizes frameworks such as the G7 and ASEAN-related meetings including the East Asia Summit (EAS) and the ASEAN Regional Forum (ARF)<sup>3</sup> to actively send a message regarding the importance of “Free, Open and Stable Seas,” and Japan’s stance on maritime security as well as the importance of international cooperation in this area. For example, at the EAS held in November, Prime Minister Suga expressed his full support for the ASEAN Outlook on the Indo-Pacific (AOIP), that sets forth the rule of law, openness, freedom, transparency and inclusivity as ASEAN’s principles of action. He also expressed that the AOIP shares many fundamental commonalities with the “Free and Open Indo-Pacific (FOIP)” promoted by Japan and called on each country for their support. In addition, at the Japan-ASEAN Summit Meeting held in the same month, they adopted the Joint Statement of the 23rd ASEAN-Japan Summit on Cooperation on ASEAN Outlook on the Indo-Pacific and affirmed that the AOIP and FOIP share fundamental principles, and Japan confirmed that it will advance cooperation in accordance with the four priority areas<sup>4</sup> set out in the AOIP, including maritime cooperation.

Among the frameworks related to ASEAN, the Expanded ASEAN Maritime Forum (EAMF) and the ARF Inter-Sessional Meeting on Maritime Security are frameworks that are focused on the maritime sector. At the Eighth EAMF hosted by Viet Nam in December, the delegates from Japan

<sup>3</sup> Regional cooperative frameworks with the participation of the 10 ASEAN countries as well as various countries, regions and organizations. In addition to the East Asia Summit (EAS) and ASEAN Regional Forum (ARF), other examples include the ASEAN+3 (Japan, China, ROK) and Asia-Europe Meeting (ASEM).

<sup>4</sup> The four areas of maritime cooperation, connectivity, SDGs and economy.

spoke about the importance of a maritime order based on the rule of law and Japan's initiatives toward the realization of a "Free and Open Indo-Pacific", among other matters. An expert from Japan also made a presentation on the importance of the rule of law at sea based on the United Nations Convention on the Law of the Sea (UNCLOS). Japan also organizes workshops as an official event of the ARF Inter-Sessional Meeting on Maritime Security (see  (B)).

#### (B) United Nations Convention on the Law of the Sea (UNCLOS)

Also known as the "Constitution for the Oceans," UNCLOS is the very basis of maritime order governed by the rule of law. Japan regards maritime order with the Convention at the core as the cornerstone that safeguards Japan's maritime rights and interests while facilitating its maritime activities across the international community. As such, Japan actively contributes to discussions among concerned international organizations at conferences that include the Meetings of States Parties to the Convention, as well as to the sharing of

ideas for achieving stability in the maritime legal order, in order to ensure that the convention will be even more widely applied and implemented appropriately (see 6(2) on page 268).

#### (C) Challenge to Japan's Maritime Sovereignty (Situation Surrounding the East China Sea) (see Chapter 1, 1-1(2) and Chapter 2, Section 2, 3 (1) (D))

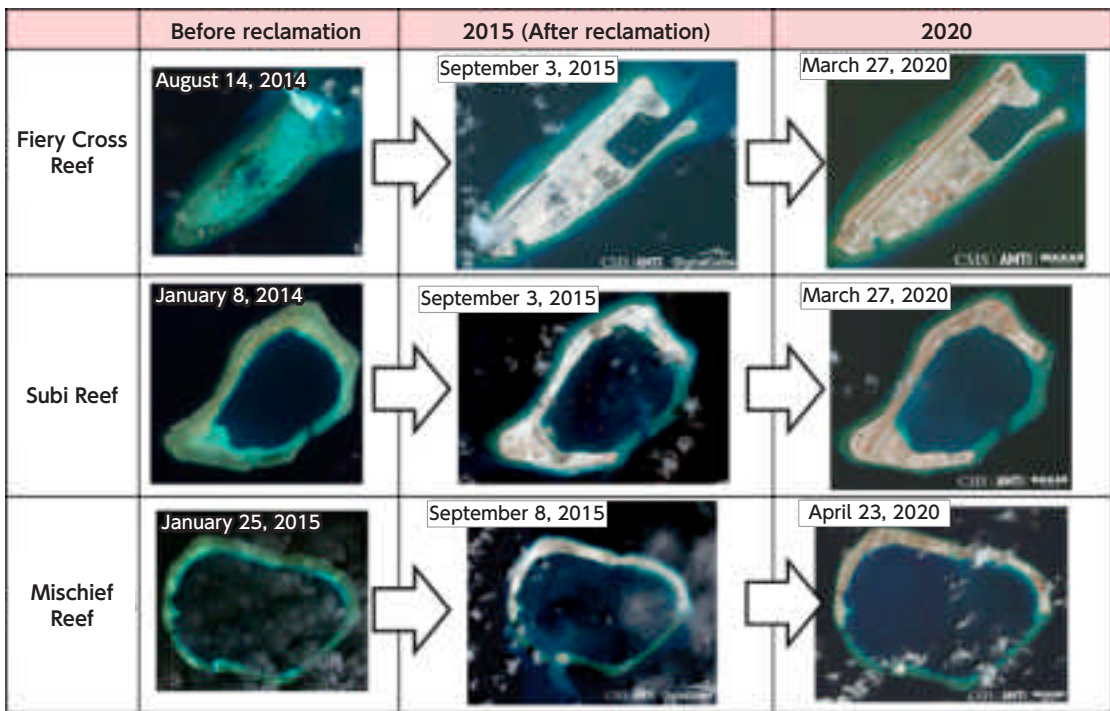
In the East China Sea, China Coast Guard vessels have continued to intrude into Japan's territorial sea around the Senkaku Islands in 2020. The duration of intrusion into the territorial waters and the number of days of navigation in the contiguous zone by China Coast Guard vessels reached a record high, and there were repeated incidents of China Coast Guard vessels approaching Japanese fishing vessels. Chinese military vessels and aircraft are also becoming increasingly active and expanding their operations. In addition, China has been continuing unilateral resource development in areas where the Exclusive Economic Zone (EEZ) and the continental shelf are pending delimitation. In recent years, Japan

#### Uotsuri Island of the Senkaku Islands



Photo: Office of Policy Planning and Coordination on Territory and Sovereignty, Cabinet Secretariat

Large-scale, rapid outpost building in the South China Sea by China



Source: CSIS Asia Maritime Transparency Initiative/Digital Globe

has found numerous research projects being conducted by China in the waters surrounding Japan, such as the East China Sea, without Japan's consent. Given China's continued unilateral attempts to change the status quo in the East China Sea, Japan will carefully monitor the trends and movements around its air and sea spaces, continue to respond in a firm but calm manner while making claims that should be made, and at the same time, promote cooperation with the relevant countries including the U.S. in order to achieve peace and stability in the East China Sea.

(D) Challenge to the Maritime Order (Problems Surrounding the South China Sea) (see Chapter 1, 1-1(2) and Chapter 2, Section 2, 7 (2))

In the South China Sea, China has announced the establishment of new administrative districts called the "Nansha District" and the "Xisha District". China has also been further conducting unilateral attempts to change the status quo and

that run counter to the rule of law and openness, as well as attempting to create a fait accompli. These include the further militarization of reclaimed features. The international community, including Japan, has expressed serious concerns over these actions. China has also continued to take actions that heighten tensions in the region, including repeated military exercises and missile launches. Japan has consistently supported the full enforcement of the rule of law in the South China Sea, while focusing on ensuring freedom of navigation and overflight and ensuring the safety of sea lanes. Japan has also emphasized the importance of all parties involved with the South China Sea to work toward the peaceful settlement of disputes in accordance with international law, in particular the UNCLOS.

The issue with regard to the South China Sea is directly related to the peace and stability of the region and constitutes a legitimate concern of the international community. The issue is also an important matter of concern for Japan, which

depends on marine transport for much of its resources and energy and which is a stakeholder that utilizes the South China Sea. Cooperation within the international community is of great importance in maintaining and developing “Free, Open and Stable Seas.” For this reason, Japan supports the U.S. Freedom of Navigation Operations.<sup>5</sup>

## **B Ensuring Safe Maritime Transport**

Japan actively contributes to ensuring freedom of navigation and overflight and safe maritime transport through anti-piracy measures in Asia and Africa as well as close partnership and cooperation with other countries.

### **(A) Anti-piracy Measures in Asia**

According to the International Maritime Bureau (IMB) of the International Chamber of Commerce (ICC), the number of piracy cases in the seas of Southeast Asia was 53 in 2019 and 62 in 2020. In recent years, there have been some kidnap incidents against seafarers in the Sulu Sea and Celebes Sea, posing a threat to vessels navigating in these waters.

To encourage regional cooperation in coping with incidents such as acts of piracy in Asia, Japan took the initiative in formulating the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP), which entered into force in 2006. Each of the contracting parties provides information and cooperates on incidents such as acts of piracy in the Straits of Malacca and Singapore and other regions, via the Information Sharing Centre (ReCAAP-ISC) established in Singapore under the Agreement. Japan supports the activities of ReCAAP-ISC through personnel (dispatching the Executive Director and an Assistant Director) and financial contributions. Moreover, Japan is carrying out programs to enhance maritime law enforcement and surveillance capabilities of coastal

states in Asia, which have been highly acclaimed in the international community.

### **(B) Anti-piracy Measures Off the Coast of Somalia and in the Gulf of Aden**

According to the IMB, the number of piracy and armed robbery cases (hereinafter referred to as “piracy cases”) off the coast of Somalia and in the Gulf of Aden was 237 at its peak in 2011 but has since declined to a low level (three in 2018, zero in 2019, and zero in 2020). Despite efforts such as maritime operations of the navies and self-defense measures by merchant ships, the root causes of piracy off the coast of Somalia remain unresolved. Pirates off the coast of Somalia still have the intention and capability to carry out acts of piracy, which requires a careful watch on the situation.

Since 2009, Japan has been conducting anti-piracy operations, without any interruption, by deploying Maritime Self-Defense Force destroyers (with coast guard officers on board) and P-3C maritime patrol aircraft off the coast of Somalia and to the Gulf of Aden. To solve the root causes of piracy off the coast of Somalia and in the Gulf of Aden, Japan has been making multi-layered efforts that include support for enhancing the maritime law enforcement capacity of Somalia and its neighboring countries and ensuring the stability of Somalia.

Japan has supported the establishment of Information Sharing Centres in Yemen, Kenya and Tanzania, as well as the construction of the Djibouti Regional Training Centre (DRTC), by contributing 15.53 million US dollars to a fund established by the International Maritime Organization (IMO). Moreover, Japan has contributed 4.5 million US dollars to a trust fund to support Somalia and its neighboring countries. In addition, Japan provided two patrol vessels to the Djibouti Coast Guard in 2015 and has been

<sup>5</sup> The U.S. Government explains its “freedom of navigation” operations as efforts to challenge excessive claims that can infringe freedom of navigation and overflight, and the right of lawful uses of the sea. One example of this is the navigation of the U.S. Navy’s Montgomery littoral combat ship through the waters around the Spratly Islands on January 25, 2020.



supporting the enhancement of its capacity to secure maritime safety and security through JICA's technical cooperation. With a view to promoting the stability of Somalia, Japan has provided a total of 500 million US dollars since 2007 aimed at supporting improvement in basic services and public security through support for the police, as well as revitalization of the domestic economy through vocational training and job creation, among other measures.

#### **(C) Anti-piracy Measures in the Gulf of Guinea**

According to the IMB, the number of piracy and armed robbery cases (hereinafter referred to as “piracy cases”) in the Gulf of Guinea has remained at a high level in recent years, with 64 cases in 2019 and 84 cases in 2020. Many of these occurred in the territorial waters of coastal states, which face the challenge of the need of strengthening their maritime law enforcement capabilities. Japan has provided coastal states with capacity building assistance through training conducted by the United Nations Development Programme (UNDP) and the Japan International Cooperation Agency (JICA). Japan has also been involved in discussions in the international community through participation in the “G7++ Group of Friends of the Gulf of Guinea”<sup>6</sup>, a cooperative and coordination mechanism to address illegal maritime activities in the Gulf of Guinea.

### **Cooperation on Maritime Security**

#### **(A) Capacity Building Assistance**

Japan provides seamless assistance to various countries for capacity building in the area of maritime security, through cooperation between MOFA, the Ministry of Defense and Self-Defense Forces, the Japan Coast Guard and other agencies. The Basic Plan on Ocean Policy approved by the Cabinet in 2018 also affirmed that Japan, in collaboration with allied nations, friendly nations

and international organizations, will promote initiatives to strengthen maritime disciplines including equipment and technology cooperation and capacity building assistance to the coastal states along the Sea Lanes of Communications.

MOFA provides capacity building assistance to law enforcement agencies and other organizations in developing countries, through the provision of equipment such as patrol vessels and human resource development implemented through bilateral ODA. As an example of collaboration with international organizations, Japan contributed about 3 million US dollars toward the Maritime Law Enforcement Capacity Building Project implemented by the United Nations Office on Drugs and Crime (UNODC) under its Global Maritime Crime Programme (GMCP), with the aim of addressing the diverse illegal maritime activities that have been increasing further in recent years. Through this Project training and workshops for practitioners involved in measures to address illegal maritime activities were conducted.

The Ministry of Defense and Self-Defense Forces have provided capacity building in the area of maritime security to Myanmar, Thailand, Malaysia, Viet Nam, Indonesia, the Philippines and Sri Lanka to date. Through these support initiatives, it is strengthening cooperative relations with partners that share strategic interests with Japan.

To provide capacity building assistance to coast guard authorities of coastal states of the Indo-Pacific, the Japan Coast Guard dispatches highly skilled Japan Coast Guard officials with expert knowledge as well as the Japan Coast Guard Mobile Cooperation Team (MCT), a special team that provides capacity building support, to the coast guard authorities of each country. In addition, the Japan Coast Guard also invites the coast guard officials from each country to Japan where it conducts training for them. It also administers

<sup>6</sup> G7++ Group of Friends of Gulf of Guinea: In addition to the G7, other participants include non-G7 countries and international organizations

the Maritime Safety and Security Policy Program, a Master's level education program on maritime policy that accepts coast guard officials from Asian countries. Through this program, the Japan Coast Guard contributes to the development of human resources with advanced practical and applied knowledge, knowledge on international law and international relations as well as research into the relevant case studies, the ability to conduct analysis and make proposals, and international communication skills.

When providing such capacity building assistance, Japan cooperates closely with the above mentioned international organizations as well as like-minded countries including the U.S., Australia, India, the UK and France.

#### (B) Maritime Domain Awareness (MDA)

Consolidating and sharing a wide range of maritime information and understanding maritime domain effectively and efficiently are vital toward the realization of “Free, Open and Stable Seas.” Japan places great importance on international cooperation in such maritime domain awareness (MDA) initiatives.

In recent years, progress has been made in the Indo-Pacific region to establish information sharing centers for the consolidation, analysis and sharing of maritime information, such as phenomena related to the safety of navigation and ship information. Japan has dispatched personnel (Executive Director and Assistant Director) to the ReCAAP-ISC based in Singapore, as well as liaison officers to the Information Fusion Centre (IFC) established by the Republic of Singapore Navy and the Information Fusion Centre – Indian Ocean Region (IFC-IOR) established by the Indian Navy. Furthermore, the authorities of Japan and India exchange information based on the Implementing Arrangement for Deeper Cooperation Between the Japan Maritime Self-Defense Force and the Indian Navy, signed on the occasion of the Japan-India Summit Meeting held in October 2018.

Japan also organizes the “ARF Workshop on

International Cooperation on Maritime Domain Awareness (MDA)” as an official event of the ARF Inter-Sessional Meeting on Maritime Security. In the Second Workshop, co-hosted with Viet Nam in February 2020, active discussions were held on matters such as the utilization of MDA to address maritime challenges such as piracy, terrorism and illegal fishing, cooperative systems between the relevant domestic agencies, and international cooperation initiatives.

#### (5) Cyber

During the COVID-19 pandemic, remote working and education rapidly became popular, while cyberspace has become an indispensable activity base for economies and societies. On the other hand, the scale and impact of cyberattacks have been growing year after year, making cybersecurity a pressing issue.

Against this backdrop, Japan is promoting cyber diplomacy based on the three pillars of “Promotion of the rule of law in cyberspace,” “Development of confidence-building measures,” and “Cooperation on capacity building.”

“Promotion of the rule of law in cyberspace” maintains that existing international law is applicable to cyber activities. From this viewpoint, Japan participates actively in the United Nations Group of Governmental Experts (GGE) and the UN Open-ended Working Group (OEWG), and contributes to discussions on how international law should be applied and the norms that countries should comply with. For example, at the OEWG in June, six countries including Japan expressed grave concern on cyberattacks against healthcare services and facilities, and proposed to consider the medical services and medical facilities as critical infrastructure, like the electricity and water sectors, which should be provided with appropriate protection. At the OEWG Multi-stakeholder Meeting held in December, Japan co-chaired the session on international law. Many participants, in particular representatives from academia, government and private corporations, were invited to

engage in discussions at this session, which contributed to enhancing understanding on the application of international law in cyberspace.

Japan is also actively involved in the implementation of norms in cyberspace. For example, in September, it was included as one of the proposing countries for the formulation of the Program of Action, which covers contents such as the convention of regular meetings focused on the implementation of norms for state behavior.

In addition, Japan collaborates with other like-minded countries in taking initiatives to deter malicious cyber activities. In December 2018, Japan issued a statement resolutely condemning the long-running, widespread attacks perpetrated against private organizations, academic institutions and other organizations by the China-based hacking group APT10. Japan participated in a ministerial-level meeting on cybersecurity hosted by the U.S. in September 2019, and also partook in a joint statement on cooperation toward encouraging the acceptance of responsibility by states acting against frameworks on responsible state behavior in cyberspace. Concerning countermeasures against cybercrime, as the first country from Asia to become a party to the Convention on Cybercrime (Budapest Convention), which is the only multilateral treaty on the use of cyberspace, Japan participates actively in the Plenaries of the Cybercrime Convention Committee and the preparation of a draft Additional Protocol to the Budapest Convention that seeks to improve the effectiveness of investigative cooperation, and also puts efforts into adding more nations to the treaty, especially nations in Asia.

Regarding “Development of confidence-building measures,” gaining a better understanding of one another’s views and enhancing mutual confidence are critical to prevent unforeseen situations stemming from cyber activities. With this purpose in mind, Japan holds consultations and dialogues with 14 countries and regions, and in

2020, has continued with initiatives to develop confidence-building measures mainly through on-line exchanges of opinions with members from cyber-related sectors of various countries. Within the ASEAN Regional Forum (ARF) framework, Japan also leads discussions at inter-sessional meetings on cybersecurity as co-chair.

Regarding “Cooperation on capacity building,” due to the nature of cyberspace, the lack of incident handling capacity of some countries and regions may pose a risk to the entire world. Therefore, capacity building in developing countries is important for ensuring Japan’s security, as well. Japan has been providing support, including the capacity building of the Computer Security Incident Response Team (CSIRT)<sup>7</sup> and the relevant administrative and investigative agencies, mainly in ASEAN countries. For example, in October, the 13th ASEAN-Japan Cybersecurity Policy Meeting was held in Tokyo as an online meeting. At the meeting, Japan and ASEAN member states confirmed the progress of various collaborative activities, and agreed to a new collaborative activity for promoting joint industry-government-academia collaboration to enhance cyber security throughout the ASEAN region.

Japan will continue to provide strategic and effective assistance through the efforts of the entire Government.

## **(6) Outer Space**

In recent years, outer space has become congested due to the diversified use of outer space and increasing number of countries using space. In addition, the increase of space debris due to factors such as Anti-Satellite (ASAT) tests and satellite collisions poses a growing risk to the sustainable and stable use of outer space.

In order to cope with this situation, Japan has been engaging in initiatives such as strengthening Space Situational Awareness (SSA) and mission assurance for space systems, while working on

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<sup>7</sup> A general term which refers to a group that deals with computer security incidents

international rule-making and international space cooperation, which includes cooperation with other countries, notably its ally, the U.S.

#### **A Realizing the Rule of Law in Outer Space**

Based on environmental changes concerning outer space, the international community has been discussing international rule-making concerning outer space activities in a variety of ways. Japan has also been actively involved in these discussions with the aim of establishing and strengthening the rule of law in outer space.

The Committee on the Peaceful Uses of Outer Space (COPUOS) is a permanent committee established under the UN General Assembly, and engages in discussions on matters such as legal issues related to civil space activities. Concerning the Guidelines for the Long-Term Sustainability of Outer Space Activities (LTS Guidelines) adopted during COPUOS held in June 2019, Japan will actively contribute to the discussions in the working group including the implementation of the LTS Guidelines. Japan is also making contributions in the aspect of human resources, such as a Japanese space law expert serving as Chair of the COPUOS Legal Subcommittee in 2020 and 2021. In February, Japan signed a Joint Statement on Space Debris with the United Nations Office for Outer Space Affairs (UNOOSA), which serves as the secretariat of COPUOS.

In the First Committee of the UN General Assembly convened in November, Japan, the UK and other member states jointly proposed a draft resolution seeking international discussions on responsible behaviors in outer space and it was adopted with the support of 150 countries. Thereafter, the draft resolution was adopted at the UN General Assembly convened in December, with the support of 164 countries.

With regard to the Prevention of an Arms Race in Outer Space (PAROS), a Group of Governmental Experts was established by a resolution submitted to the UN General Assembly in 2017. Meetings of the Group were held in January 2018 and March

2019 and attended by experts from 25 countries, including Japan.

#### **B International Dialogues and Consultations on Outer Space**

Japan promotes dialogues and consultations on outer space primarily with major space-faring nations and nations in the Asia-Pacific region.

With the U.S., the Seventh Meeting of the Japan-U.S. Comprehensive Dialogue on Space was held in Tokyo in August, during which both sides exchanged information on their space policies. They also comprehensively exchanged views on a wide range of topics including the civil space and security, and issued a joint statement as the outcome of the Dialogue. This Dialogue also presented an opportunity for the two sides to reaffirm their high-level commitment toward bilateral space cooperation. This was notably demonstrated by the courtesy call to Prime Minister Abe paid by General John W “Jay” Raymond, Chief of Space Operations of the U.S. Space Force, a special participant of the Dialogue, as the first such meeting between Prime Minister Abe and a foreign high-ranking official since the outbreak of the COVID-19 pandemic. Moreover, in December, the Governments of Japan and the U.S. exchanged Notes concerning cooperation over hosted payloads (mission instruments loaded onto other entities’ satellite), including the loading of U.S. Space Situational Awareness (SSA) sensors onto the Japanese Quasi-Zenith Satellite “Michibiki” (QZS)-6 and QZS-7, scheduled to commence operations in FY2023.

In November, Japan held a preparatory meeting with France online ahead of the Third Japan-France Comprehensive Dialogue on Space.

With respect to multinational meetings, the Asia-Pacific Regional Space Agency Forum (APRSAF) Online 2020 was held in November, co-organized by the Ministry of Education, Culture, Sports, Science and Technology and the Japan Aerospace Exploration Agency (JAXA) along with space organizations from Singapore, Viet Nam

and Indonesia, to discuss measures for expanding space business, sustainable space activities for the future, and contribution to social issues.

### **C Space Science and Exploration**

The progress of space exploration and application for peaceful purposes is a common benefit for all humankind, and is also significant in terms of diplomacy. In December, Japan's asteroid explorer "Hayabusa2" successfully completed a mission to bring back samples from the asteroid "Ryugu" to Earth. This achievement of bringing back samples from an asteroid is a successor of "Hayabusa," which returned to Earth in 2010, and attracted the attention of the international community. Space technology brings dreams and hope to many people, and at the same time, is the symbol of the scientific and technological capabilities of a country. Hence, Japan's achievements in space science and exploration contribute to enhancing its international presence.

In October 2019, Japan decided to participate in international space exploration under the proposal of the U.S. (Artemis program). In July, the Minister of Education, Culture, Sports, Science, and Technology of Japan and the Administrator for the National Aeronautics and Space Administration (NASA) signed a Joint Exploration Declaration of Intent for Lunar Cooperation (JEDI), and announced the details of cooperation between Japan and the U.S. In October, eight countries including Japan and the U.S. signed the Artemis Accords, which set out a political commitment to establish principles for creating a safe and transparent environment in promoting outer space activities, including the Artemis program. In December, Japan and the U.S. concluded a Memorandum of Understanding concerning Cooperation on the Civil Lunar Gateway, a human outpost in the lunar vicinity that will be developed as a part of the Artemis program.

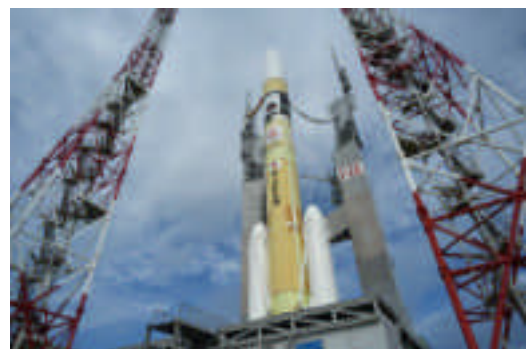
The International Space Station (ISS) is an epic project in which 15 countries participate and has become a symbol of international

cooperation regarding outer space. The ISS/Japanese Experiment Module "Kibo" is capable of deploying cube satellites, and is also used to deploy satellites on behalf of many emerging and developing countries with the aim of providing support for capacity building in the space field. In April, Guatemala's first satellite was deployed through the KiboCUBE program, a cooperative framework between JAXA and UNOOSA that provides developing countries with the opportunity to deploy CubeSats from Kibo. Another example is the Kibo Robot Programming Challenge (Kibo-RPC), a new educational program for students from the Asia-Pacific region who represent the next generation, which was held from June to October.

### **D Overseas Development of Japanese Space Industry**

Leveraging the growth of the expanding overseas commercial markets of space, largely in emerging nations, is important for the Japanese space industry. The public and private sectors of Japan are working in cooperation with the relevant ministries and agencies to promote the entry of Japan's space industry into overseas markets by such means as high-level campaigns and mobilizing diplomatic missions.

In July, the United Arab Emirates (UAE) launched its first Mars explorer, "HOPE," using the Japanese H-IIA rocket. After a Japanese corporation concluded the contract in 2016 for the launch of this spacecraft, the Cabinet Office,



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Ministry of Education, Culture, Sports, Science and Technology, and Ministry of Economy, Trade and Industry of Japan signed a Memorandum of Cooperation with the UAE Space Agency. Based on this Memorandum of Cooperation, the public and private sectors worked together on capacity-building programs such as inviting young UAE engineers to Japan to participate in educational programs on space exploration and space engineering, and providing opportunities for utilization of the ISS/Japanese Experiment Module “Kibo.” As the young UAE engineers who benefited from these programs have played active roles in government agencies and the space industry in UAE thereafter, such initiatives also contribute to strengthening space cooperation in the medium- to long-term.

#### **E International Cooperation Through the Utilization of Space Technology**

Outer space is a unique space that enables the constant observation of the Earth’s atmosphere, land and seas. In recent years, there have been growing expectations toward the role of space technology in resolving global issues such as climate change, forest conservation, water resources management, disaster prevention and food security. Japan promotes international cooperation through utilization of space technology, which is one of Japan’s strengths in the international arena, and contributes to the achievement of the SDGs.

For example, the world’s first greenhouse gases observing satellite “IBUKI” has been capturing information on the concentration of greenhouse gases on Earth for more than 10 years. The 2019 Refinement to the Intergovernmental Panel on Climate Change (IPCC) Guidelines for National Greenhouse Gas Inventories defined, for the first time, the utilization of satellite data to improve the precision of emissions from each country and included examples from the utilization of IBUKI. In addition, the JICA-JAXA Forest Early Warning System in the Tropics (JJ-FAST), developed for the conservation of forests that serve as

an important “carbon sink” for the absorption of greenhouse gases, uses data from the Advanced Land Observing Satellite-2 “DAICHI-2” to provide free information on forest changes in 77 countries around the world. This system is used for purposes such as detecting illegal logging. In the oil spill accident that occurred off the coasts of Mauritius in August, information analyzed by the Japan Coast Guard based on images obtained from DAICHI-2 and other observation sources, were provided to the Government of Mauritius through the Japan Disaster Relief (JDR) teams that were dispatched to the site of the accident.

Japan also provides, at no charge, the Global Satellite Mapping of Precipitation (GSMaP) system, which utilizes multiple satellites to observe the global rainfall situation. This system is applied to wide range of uses, including rainfall situation monitoring, disaster management and agriculture, in 136 countries and regions around the world. Furthermore, Japan took the lead in launching “Sentinel Asia,” an initiative to provide free observational satellite information during disasters to contribute to disaster management in the Asia-Pacific region. To date, this project has responded to more than 300 emergency requests from 28 countries.

#### **(7) Economic Security**

In recent years, innovative civilian technologies that could potentially be diverted to military uses have emerged, and some countries have utilized economic dependency to secure their own strategic interests. Against the backdrop of such trends, there is a growing need to reconsider, from the perspective of national security, events that have till now been treated as a part of laissez-faire economic activities and left to workings of market principles and economic policies (see the Special Feature on page 244). Such efforts have been gaining traction not only in Japan, but also in other major countries in recent years.

For example, the National Security Strategy of the U.S., formulated in 2017, cited President

Special  
Feature

## Establishment of the Economic Security Policy Division

The international community has achieved development through the deepening of economic ties in the world as a result of increased activity in the cross-border movement of capital and labor, as well as the growth in overseas investments and goods and services transactions through trade. However, in recent years, innovative civil technologies that could be diverted to military uses have emerged, and some countries have utilized economic dependency to secure their own strategic interests. Against the backdrop of such trends, we are entering an era in which individual incidents that have already existed such as the obtaining of trade secrets through corporate acquisitions, market control by state-owned corporations supported by subsidies that lack transparency, and the theft of intellectual property through malicious cyber activities could further change the international balance of power and have an impact on the international order.

In other words, countries' national capabilities relative to one another are changing in the international community, and the interdependent economic relations between countries are becoming increasingly complex. Under these circumstances, there is a growing need to reconsider, from the perspective of national security, events that have until now been treated as a part of laissez-faire economic activities and left to the workings of market principles and economic policies. In such an era, it is vital for Japan to position the Japan-U.S. Alliance as the cornerstone of diplomacy and security, and work proactively to build a free and open international order based on the rule of law to strengthen its efforts in the new policy area of economic security.

There are many and varied challenges in advancing with these efforts. For example, efforts to prevent the leakage of technologies not only encompass conventional export controls on the transfer of goods and technologies that are important to national security, but also call for measures that are able to respond to the diversification of leakage channels, such as the acquisition of sensitive technologies through corporate acquisitions, the movement of researchers and other personnel enabled by globalized research and corporate activities, and cyberattacks enabled by increasingly sophisticated information and communications technology (ICT).

Furthermore, with regard to market control through specific products and services including basic infrastructure, as well as society's dependence on that, there is a need to establish rules aimed at correcting unfair market practices that enable market control, and at avoiding or reducing social dependence. Such measures include ensuring and strengthening the observance of rules on subsidies, as well as establishing principles for supporting safe ICT supply-chains and promoting their implementation into the domestic regulations of each country.

Of course, the effectiveness of each type of measures is secured through their implementation not by Japan alone, but in cooperation with the international community. However, when promoting international cooperation in a situation of varying industrial structures and economic scales between each country, there is a need to carefully assess the security interests and economic interests while comprehensively weighing their impact on diplomatic relations.

In light of the needs of the times as described above, and in the face of a rapidly changing global environment, MOFA established the Economic Security Policy Division in August through an expansive reorganization of the previous Emerging Security Challenges Division. The aim is to tackle broad initiatives in a comprehensive manner, including making new rules that meet the needs of the times as well as utilizing the existing legal system. MOFA will cooperate with relevant ministries and agencies based on consistent awareness and recognition of the issues by going beyond the boundaries between national security and economic policy.

Trump's words, "Economic security is national security," and championed the values established by the U.S., while establishing "Lead in Research, Technology, Invention, and Innovation" and "Promote and Protect the U.S. National Security Innovation Base" as key issues to be addressed. To that end, the U.S. is advancing various initiatives. Furthermore, the National Strategy for Critical and Emerging Technologies, formulated in October 2020, sought to promote the development of a science and technology workforce and investment in research and development in the context of national security, through cooperation with like-minded allies and partners. At the same time, with a view to protecting its technology advantage, it also incorporated efforts to ensure that competitors do not use illicit means to acquire United States intellectual property, as well as appropriate export controls and the implementation of investment screening policies.

The European Union (EU) and European countries such as the UK, France and Germany have also demonstrated, through their security policies, a recognition of the need to overcome vulnerabilities in critical infrastructure and support technological innovation, in order to secure their own safety and prosperity. In October, the European Council reached an agreement on a revised regulation setting out the EU regime for the control of exports of dual-use items, and on the policy to tighten measures on the transfers of intangible technology via researchers and other channels. With regard to investment screening, an EU-wide investment screening mechanism commenced operation from November, while information sharing among member states was strengthened with respect to investments from outside of the region and related to sensitive technology and critical infrastructure. In addition, in the "Horizon 2020" framework that offers funding for research and innovation, the EU allocated a total of approximately 80 billion Euros (10 trillion Japanese yen) from 2014 to 2020 toward support for areas that member states find difficult to finance on their

own, such as the development of research infrastructure, high-risk collaborative research, and addressing social issues through innovation.

With regard to Australia, the Department of Foreign Affairs and Trade has been working on its International Cyber and Critical Technology Engagement Strategy since April, and the decision was made in October to establish the Critical Technologies Policy Coordination Office in the Department of the Prime Minister and Cabinet. Amendments to the Foreign Acquisitions and Takeovers Act were passed by the Parliament of Australia in December and enforced the following month. The amended law tightened screening measures for investments in land and businesses related to sensitive national security, and made it mandatory to seek prior approval from the government to establish businesses or invest in businesses that provide goods and services in areas such as national defense and intelligence, regardless of the value of the investment.

China has established the goal of completing its socialist modernization project to make China a "great country" by 2049, and set out a clear timeline under the "Made in China 2025" strategy. Based on this timeline, it is advancing efforts to strengthen the real economy and to acquire and develop advanced technology to support this economy. In the article titled "Major Issues Concerning China's Strategies for Mid-to-Long-Term Economic and Social Development," published in the CPC Central Committee journal *Qiushi* in October 2020, President Xi Jinping set out the new strategy, among others, of further expanding the middle-income group that currently stands at around 400 million people, while establishing an autonomous domestic circulation and drawing global resources toward China, as well as making global industrial supply chains more dependent on China, and keeping to the principle of putting China first in the real economy in sectors such as food and manufacturing. Against the backdrop of this strategy, at the 5th Plenary Session of the 19th CPC Central Committee convened in

October, the emphasis was placed on the need to enhance economic self-sufficiency including making the transition to an economic structure led by domestic demand, the development of a supply chain that is not impacted by external pressures, self-reliance and self-strengthening in science and technology, and the strengthening of efforts to ensure the national economic security. Furthermore, China has also made rapid advancements in the establishment of its domestic legal system in recent years, such as laws related to cybersecurity and data security as well as encryption (enforced in January), and export control law (enforced in December).

In light of these trends in other countries, Japan will continue to strengthen initiatives in the new policy area of economic security from the perspective of working proactively toward the development of a free and open international order based on the rule of law, while positioning the Japan-U.S. Alliance as the cornerstone of its diplomacy and security, with a view to ensuring the survival and prosperity of Japan.

## **4 Disarmament and Non-proliferation and the Peaceful Uses of Nuclear Energy**

### **(1) Nuclear Disarmament**

As the only country to have ever suffered atomic bombings during wartime, Japan has the responsibility to lead the international efforts to realize a world without nuclear weapons.

The global security environment has been severe in recent years. As seen in the situation surrounding the Treaty on the Prohibition of Nuclear Weapons that entered into force in January 2021, there exists an apparent divergence of views on how best to advance nuclear disarmament, a divergence that exists not only between nuclear-weapon and non-nuclear-weapon states but also among non-nuclear-weapon states that are exposed to the threat of nuclear weapons and those that are not. Considering these

circumstances, it is necessary to persistently advance realistic measures while bridge-building between states with divergent views, in order to promote nuclear disarmament.

Japan continues to pursue bridge building between states with divergent views with the aim of realizing a world without nuclear weapons. It has done this through such actions and frameworks as holding meetings of the Group of Eminent Persons for Substantive Advancement of Nuclear Disarmament, submitting the Resolution on Nuclear Disarmament to the UN General Assembly, and the Non-Proliferation and Disarmament Initiative (NPDI) and bilateral consultations. Moreover, Japan intends to promote the entering into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and encourage states to commence negotiations on a Fissile Material Cut-off Treaty (FMCT), build up realistic efforts that nuclear-weapon states can also participate in, such as discussions and exercises toward the realization of effective nuclear disarmament verification, and continue maintaining and strengthening the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) regime.

Japan shares the goal of the Treaty on the Prohibition of Nuclear Weapons, which entered into force on January 22, 2021, to bring about the total elimination of nuclear weapons. On the other hand, while it is vital to advance nuclear disarmament with the involvement of nuclear-weapon states in order to realize a world without nuclear weapons, this Treaty does not currently have the support of nuclear-weapon states. Moreover, it also does not have the support of many non-nuclear-weapon states that are exposed to the threat of nuclear weapons.

As Japan has responsibility to protect the lives and properties of its citizens, in the face of the deterioration of the security environment surrounding Japan, the Government of Japan considers it necessary to address the real security threat in an appropriate manner, including through maintaining and strengthening deterrence, while

realistically pursuing a path for advancing nuclear disarmament. In light of Japan's position as such, it has no intention of signing this Treaty.

#### **A Treaty on the Non-Proliferation of Nuclear Weapons (NPT)**

Japan places great importance on maintaining and strengthening the NPT regime, which is the cornerstone of the international nuclear disarmament and non-proliferation regime. NPT Review Conferences have been held once every five years with the aim of achieving the goals of the NPT and ensuring compliance with its provisions, and discussions that reflect the international situation of the time have been held since the NPT entered into force in 1970. However, at the 9th Review Conference held in 2015, discussions failed to arrive at a consensus regarding the establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction and other issues, and the Conference ended without a consensus document.

2020 is a milestone year, marking 50 years since the NPT entered into force and 75 years since the use of nuclear weapons in Hiroshima and Nagasaki. A Statement by the Foreign Minister was released on March 5 to coincide with the entering into force of the NPT. In the statement, Foreign Minister Motegi expressed appreciation for the NPT's invaluable contribution to the consolidation and maintenance of international peace and security as the cornerstone of the international nuclear disarmament and non-proliferation regime, and spoke about the need to uphold and strengthen the NPT regime. Although the 10th NPT Review Conference scheduled for 2020 was postponed due to the COVID-19 pandemic (as of January 2021, it is expected to be convened in August 2021), Japan will continue to propose and implement realistic and practical efforts toward achieving a meaningful outcome at the upcoming NPT Review Conference.

#### **B Group of Eminent Persons for Substantive Advancement of Nuclear Disarmament**

The "Group of Eminent Persons for Substantive Advancement of Nuclear Disarmament" (EPG; consisting of 17 experts from countries of different positions, including Japan) was launched by Japan in 2017 with the goals of rebuilding trust among countries with divergent views on how to proceed with nuclear disarmament and of obtaining recommendations that will contribute to the substantive advancement of nuclear disarmament. The Group held a total of five meetings leading up to July 2019, and the concrete outcomes were submitted to the second and third sessions of the Preparatory Committee for the 2020 Nuclear Non-Proliferation Treaty Review Conference. In October 2019, the Chair's Report, summarizing discussions at all five meetings of the Group held to date, was published. Thereafter, Japan established "The Track 1.5 Meeting for Substantive Advancement of Nuclear Disarmament" with the participation of experts and government officials from both nuclear-weapon and non-nuclear-weapon states, for the purpose of following up with, and further developing, the discussions of the EPG. The inaugural Track 1.5 Meeting was convened in March 2020, when discussions were held on transparency, nuclear risk reduction, and nuclear disarmament and non-proliferation education as the concrete nuclear disarmament measures that the international community should address immediately.

#### **C The Non-proliferation and Disarmament Initiative (NPDI)**

The NPDI, a group of 12 non-nuclear-weapon states from various regions established under the leadership of Japan and Australia in 2010 has served as a bridge between nuclear-weapon and non-nuclear-weapon states. It leads efforts in the field of nuclear disarmament and non-proliferation through its realistic and practical proposals with the involvement of the foreign ministers of its member states. The NPDI has actively contributed

to the NPT review process through realistic and practical proposals, including the submission of 19 working papers to the 9th NPT Review process and 15 to the 10th NPT Review process.

At the 10th NPDI Ministerial Meeting, co-organized by Japan and Australia and held during the G20 Aichi-Nagoya Foreign Ministers' Meeting in November 2019, an NPDI Joint Ministerial Statement was issued concerning the importance of maintaining and strengthening the NPT regime. In April 2020, the NPDI issued a joint message at the senior officials' level, stating that the NPDI will continue to make efforts to serve as a bridge-builder, and that it remains committed to using the time before the 10th NPT to deepen its positive engagement with nuclear-weapon states and non-nuclear-weapon states.

#### **D Initiatives Through the United Nations (Resolution on Nuclear Disarmament)**

Since 1994, Japan has submitted draft resolutions on the elimination of nuclear weapons to the UN General Assembly. They incorporate issues of the time related to nuclear disarmament, as well as concrete and practical measures toward the total elimination of nuclear weapons. As a means to facilitate the building of a common ground between nuclear-weapon states and non-nuclear-weapon states, the 2020 resolution focused on joint courses of action to be taken immediately by the international community toward nuclear disarmament as well as the importance of future-oriented dialogues. The resolution was adopted with the broad support of 139 countries at the First Committee of the UN General Assembly in November and of 150 countries at the Plenary Meeting of the UN General Assembly in December. The states supporting the resolution have divergent views, and include nuclear-weapon states such as the U.S. and UK as well as many non-nuclear-weapon states. While other

resolutions that comprehensively addressed nuclear disarmament were submitted to the General Assembly in addition to Japan's draft resolution on the total elimination of nuclear weapons, Japan has enjoyed support among a larger number of states. For more than 20 years, Japan's resolutions have continued to enjoy the broad support of states with divergent views in the international community.

#### **E Comprehensive Nuclear-Test-Ban Treaty (CTBT)**

Japan attaches great importance to promoting the entry into force of the CTBT as a realistic measure of nuclear disarmament where both nuclear-weapon and non-nuclear-weapon states can participate. Japan also has continued diplomatic efforts to encourage countries that have not signed or ratified the CTBT, including those countries whose ratifications are required for its entry-into-force. In 2020, despite original plans to hold the Ministerial Meeting of the Friends of the CTBT during the UN General Assembly High-Level Week in September, in light of the impact of the COVID-19 pandemic, the foreign ministers of the respective Friends of the CTBT countries presented video messages in place of the meeting. In his video message, Foreign Minister Motegi stated that this year marks the 75th anniversary of the first ever use of nuclear weapons, and that the tragedies of Hiroshima and Nagasaki must never be repeated. He also underscored the need to promote the entry into force of the CTBT and strengthen its monitoring capabilities to deter nuclear tests.

#### **F Fissile Material Cut-off Treaty<sup>8</sup> (FMCT: Cut-off Treaty)**

A Fissile Material Cut-off Treaty (FMCT) has great significance for both disarmament and non-proliferation as it would prevent the

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<sup>8</sup> A treaty concept that aims to prevent the increase in the number of nuclear weapons by prohibiting the production of fissile materials (such as enriched uranium and plutonium) that are used as materials to produce nuclear weapons and other nuclear explosive devices.



emergence of new states possessing nuclear-weapons by banning the production of fissile materials such as highly-enriched uranium and plutonium for weapons purposes. At the same time, it limits the production of nuclear weapons by nuclear-weapon states. For many years, however, no agreement has been reached on commencing negotiations for the treaty in the Conference on Disarmament (CD). Consequently, it was decided at the 71st UN General Assembly in December 2016 to establish the FMCT High-Level Experts Preparatory Group, and Japan has been actively participating in the Group's discussions. Through discussions at the 1st meeting (August 2017) and 2nd meeting (June 2018), a report was adopted that includes possible options for the outline of a future treaty and content to consider in negotiations. The report was submitted to the 73rd UN General Assembly in 2018. Japan will continue actively contributing to FMCT discussions.

#### **G Disarmament and Non-proliferation Education**

As the only country to have ever suffered atomic bombings, Japan places great importance on education in disarmament and non-proliferation. Specifically, Japan has been actively engaged in efforts to convey the realities of the devastation caused by the use of nuclear weapons to people both within Japan and overseas, through activities such as translating the testimonies of atomic bomb survivors into other languages, invitations for young diplomats from other countries to go to Hiroshima and Nagasaki through the UN Programme of Fellowships on Disarmament<sup>9</sup> (suspended in 2020 due to the COVID-19 pandemic), providing assistance for holding atomic bomb exhibitions overseas<sup>10</sup>, and designating atomic bomb survivors who have given testimonies of their atomic bomb experiences as “Special Communicators for a World without Nuclear Weapons.”

Additionally, as the atomic bomb survivors age, it is becoming increasingly important to pass on the realities of the Hiroshima and Nagasaki bombings across generations and borders. To this end, from 2013 to 2020, Japan conferred the designation of “Youth Communicators for a World without Nuclear Weapons” for more than 400 youths in Japan and overseas.

#### **H Initiatives Toward Future Arms Control**

In the area of nuclear disarmament, in addition to initiatives through multilateral frameworks such as the NPT, the U.S. and Russia have also concluded and maintained a bilateral arms control treaty. On February 3, 2021, the two countries agreed on an extension to the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (New START Treaty). Japan welcomed this extension from the viewpoint that the New START Treaty demonstrates important progress in nuclear disarmament between the U.S. and Russia.

On the other hand, in view of the recent situation surrounding nuclear weapons, it is important to establish a new arms control mechanism that encompasses a wider range of countries beyond the U.S. and Russia, while also including a broader range of weapon systems. For example, Japan has been communicating with China on this issue at various levels. At the ASEAN Regional Forum (ARF) Ministerial Meeting held in September, Foreign Minister Motegi, joining hands with other countries, expressed his desire to encourage China to continue its efforts to fulfil its responsibility as a nuclear weapon state and an important player in the international community, and engage in the bilateral dialogue between the U.S and China on arms control.

Furthermore, the Draft Resolution on Nuclear

<sup>9</sup> Implemented since 1983 by the UN to nurture nuclear disarmament experts. Program participants are invited to Hiroshima and Nagasaki and taught the realities of atomic bombing through such means as museum tours and talks by victims about their experiences in the atomic bombings.

<sup>10</sup> Opened as a permanent exhibition about the atomic bomb in New York, U.S.; Geneva, Switzerland; and Vienna, Austria, in cooperation with Hiroshima City and Nagasaki City.

Disarmament submitted by Japan and adopted in the Plenary Meeting of the UN General Assembly in 2020 also stresses the importance of transparency among nuclear-weapon states, and reaffirms the special responsibility of nuclear-weapon states to initiate arms control dialogues on effective measures to prevent nuclear arms racing.

## **(2) Non-proliferation and Nuclear Security**

### **A Japan's Efforts of Non-Proliferation**

To ensure Japan's security and to maintain peace and security of the international community, Japan has been making efforts concerning non-proliferation policy. The goal of such a policy is to prevent the proliferation of weapons that could threaten Japan or the international community (weapons of mass destruction such as nuclear weapons and biological/chemical weapons, as well as missiles with the ability to deliver those weapons and conventional weapons) and of related materials and technologies used to develop such weapons. In today's international community, economic growth in emerging countries has enabled a growing capacity to produce and supply weapons in those countries as well as materials that could be diverted to the development of such weapons. Meanwhile, methods for procuring these materials are becoming more sophisticated, due in part to increasing complexity in means of distribution. Furthermore, the emergence of new technologies is spurring a growing potential for private sector technologies to be diverted to uses for military purposes, and increasing the proliferation risk of weapons that could pose a threat and of related materials and technologies. Under these circumstances, Japan has been implementing its non-proliferation policies, focusing on maintaining and strengthening international

non-proliferation regimes and rules, taking appropriate non-proliferation measures domestically, and promoting close coordination with and capacity building support for other nations.

Japan's three main measures of preventing proliferation are (1) IAEA safeguards, (2) export control, and (3) the Proliferation Security Initiative (PSI)

Safeguards refer to verification activities conducted in accordance with safeguards agreements between states and the International Atomic Energy Agency (IAEA), and aim to ensure that nuclear energy will not be diverted from peaceful uses to nuclear weapons or other nuclear explosive devices. As a designated member of the IAEA Board of Governors<sup>11</sup>, Japan has made various efforts, including supporting the IAEA. For example, based on the view that the IAEA safeguards are at the core of the international nuclear non-proliferation regime, Japan enhances the understanding and implementation capabilities of safeguards of other countries. Japan also encourages other countries to conclude the Additional Protocol (AP)<sup>12</sup> to the IAEA safeguards agreements. Furthermore, Japan actively contributes to regional and international efforts to strengthen safeguards through efforts such as attending the 11th Annual Meeting of the Asia-Pacific Safeguards Network (APSN) held in December (as an online event), which aims to strengthen safeguards in the Asia-Pacific region, and acting as facilitator in the session on safeguards implementation during the COVID-19 outbreak and human resource development.

IAEA Director General Rafael Mariano Grossi, who assumed office in December 2019, visited Japan in February as a guest of the Minister of Foreign Affairs. During his visit, he paid a courtesy call to Prime Minister Abe and held a meeting

<sup>11</sup> 13 countries are designated by the IAEA Board of Governors. The designated member states include Japan and other G7 countries with advanced nuclear energy capabilities.

<sup>12</sup> An Additional Protocol is concluded in addition to a Comprehensive Safeguards Agreement that is applied on all nuclear materials pertaining to the peaceful nuclear activities in that country, and that non-nuclear-weapon NPT States Parties must conclude with the IAEA pursuant to Article 3 Paragraph 1 of the NPT. The conclusion of the Additional Protocol expands the scope of nuclear activity information that should be declared to the IAEA, and gives the IAEA strengthened measures to verify the absence of undeclared nuclear materials and activities. As of November 2020, 136 countries have concluded the Additional Protocol.

with Foreign Minister Motegi. Japan and the IAEA shared the view that both sides would work together to build a further cooperative relationship. Japan will continue providing utmost support to Director General Grossi, who has extensive knowledge and experience, and will continue to work with other member countries to strengthen the role of the IAEA.

Export control is a useful measure in the so-called supply-side regulation toward countries of proliferation concern, terrorist organizations, and other entities attempting to acquire or distribute weapons or related materials or technologies. There are currently four export control frameworks (international export control regimes) in the international community. Japan has participated in all of them since their inception, engaging in international coordination and practicing strict export control. Each of the four regimes, namely the Nuclear Suppliers Group (NSG) for nuclear weapons, the Australia Group (AG) for chemical and biological weapons, the Missile Technology Control Regime (MTCR) for missiles,<sup>13</sup> and the Wassenaar Arrangement (WA) for conventional weapons, establishes a list of dual-use items and technologies which contribute to weapons development. To ensure the non-proliferation of weapons of mass destruction and conventional weapons, participating countries to the regimes implement export control measures on the listed items and technologies in accordance with their domestic laws. The export control regimes also

exchange information concerning trends in countries of proliferation concern and are engaged in outreach activities to non-participating countries to the regimes in order to strengthen their export control. Japan actively engages in such international rule-making and application of rules, and makes various contributions. Additionally, in terms of international contributions in nuclear non-proliferation, the Permanent Mission of Japan to the International Organizations in Vienna serves as the Point of Contact of the NSG.

Furthermore, Japan seeks to complement the activities of the international export control regimes by actively participating in the activities of the Proliferation Security Initiative (PSI).<sup>14</sup> Through efforts such as hosting the maritime interdiction exercise “Pacific Shield 18”<sup>15</sup> in July 2018, Japan is working to enhance coordination among countries and concerned institutions.

Japan also holds Asia Senior-level Talks on Non-Proliferation (ASTOP)<sup>16</sup> and Asian Export Control<sup>17</sup> every year in order to promote a better understanding of the non-proliferation regimes and strengthen regional efforts, mainly in Asian countries. At the 16th ASTOP, held in December (as an online event), the EU participated for the first time, and discussions were conducted concerning North Korea’s nuclear and missile programs and the strengthening of export control. 33 countries and regions participated in the 27th Asian Export Control Seminar, held in February. At the seminar, participants held discussions

<sup>13</sup> Apart from export control regimes, the Hague Code of Conduct against Ballistic Missile Proliferation (HCCOC), which includes the principle of exercising restraint in their development and deployment, addresses the issue of ballistic missiles. As of December 2020, 143 countries subscribe to the HCCOC.

<sup>14</sup> 107 countries participate in and support the PSI as of December 2020. In the past, in addition to hosting PSI maritime interdiction exercises in 2004, 2007, and 2018, and air interdiction exercises in 2012, Japan also hosted an Operational Experts Group (OEG) meeting in 2010 in Tokyo. Japan has also actively participated in training and related conferences hosted by other countries. This includes a rotation exercise in the Asia-Pacific region and the High-Level Political Meeting in the U.S. in January 2016. Most recently, Japan took part in a High-Level Political Meeting to commemorate the 15th anniversary of the PSI, held in France in May 2018.

<sup>15</sup> Japan, Australia, New Zealand, the ROK, Singapore, and the U.S. contributed assets and personnel to the exercise, which was held in Yokosuka City, off the Boso Peninsula and the Izu Peninsula, and 19 countries from Indo-Pacific region and other countries sent observers.

<sup>16</sup> A multilateral Director-General-level meeting hosted by Japan to discuss various issues related to the strengthening of the nonproliferation regime in Asia among the ten ASEAN Member States, China, India, the ROK, as well as the U.S., Australia, New Zealand, Canada, France, and the EU, which have common interests in Asian regional security.

<sup>17</sup> A seminar hosted by Japan to exchange views and information toward strengthening export controls in Asia, with the participation of export control officials from Asian countries and regions. It has been organized annually in Tokyo since 1993.

concerning measures to strengthen the effectiveness of export control with a view to capacity building for export control personnel in Asian countries and regions.

Furthermore, with regards to the implementation of UN Security Council Resolution 1540,<sup>18</sup> which was adopted in 2004 with the aim of preventing the proliferation of weapons of mass destruction and their means of delivery (missiles) to non-state actors, Japan contributes to maintaining and strengthening international non-proliferation frameworks through Japan's contributions to support the implementation of the resolution by Asian nations.

## B Regional Non-proliferation Issues

North Korea has not carried out the dismantlement of all weapons of mass destruction and ballistic missiles of all ranges in a complete, verifiable and irreversible manner in accordance with a series of relevant UN Security Council resolutions.

North Korea frequently and repeatedly conducted launches of short-range ballistic missiles from May to November 2019, and launched short-range ballistic missiles four times in March 2020. The IAEA Director General's report in September pointed out that some nuclear facilities continued to operate while others remained shut down. It also noted that North Korea's nuclear activities remain a cause for serious concern, and that these activities are clear violations of UN Security Council resolutions and it is deeply regrettable. At the same IAEA General Conference, a resolution

based on the report was adopted by consensus, and IAEA member countries expressed their solidarity on achieving the denuclearization of North Korea.

It is crucial that the international community makes concerted efforts to fully implement the UN Security Council resolutions for dismantlement of all weapons of mass destruction and ballistic missiles of all ranges, in a complete, verifiable and irreversible manner by North Korea. To that end, Japan will continue to coordinate closely with related countries, including the U.S. and the ROK, as well as international organizations such as the IAEA. In addition, from the viewpoint of the full implementation of the UN Security Council resolutions, Japan will work on capacity building for export control particularly in Asia.

With respect to Iran, the IAEA has continuously monitored and verified Iran's implementation of the Joint Comprehensive Plan of Action (JCPOA)<sup>19</sup> since January 2016. In May 2018, the U.S. announced its withdrawal from the JCPOA, and sanctions against Iran were reapplied in August and November. On the other hand, Iran announced a phased suspension of its commitments under the JCPOA in May 2019. Thereafter, it has taken a succession of steps that include exceeding the limit on the stockpile of low-enriched uranium and level of uranium enrichment, conducting activities related to its centrifuge research and development beyond the limits of the JCPOA and restarting uranium enrichment activities at the Fordow Fuel Enrichment Plant. In January 2020,

<sup>18</sup> Adopted in April 2004, UN Security Council Resolution 1540 obliges all countries to: (1) refrain from providing support to terrorists and other non-state actors attempting to develop weapons of mass destruction; (2) adopt and enforce laws prohibiting the development of weapons of mass destruction by terrorists and other non-state actors; and (3) implement domestic controls (protective measures, border control, export controls, etc.) to prevent the proliferation of weapons of mass destruction. The resolution also establishes, under the UN Security Council, the 1540 Committee, which comprises Security Council members and has a mandate to review and report to the Security Council the level of resolution 1540 implementation by member states.

<sup>19</sup> Sets forth detailed procedures for imposing constraints on Iran's nuclear activities while ensuring that they serve peaceful purposes, and for lifting the imposed sanctions.

<Main measures undertaken by Iran>

● Constraints on enriched uranium-related activities

· Limit on the number of centrifuges in operation to 5,060 unit

· Upper limit on enriched uranium at 3.67%, and limit on the amount of stored enriched uranium at 300 kg, etc.

● Constraints on the Arak heavy-water nuclear reactor, and reprocessing

· Redesign / remodeling of the Arak heavy-water nuclear reactor so that it is not able to produce weapon-grade plutonium and to transfer spent fuel out of the country

· No reprocessing including for research purposes, no construction of reprocessing facilities, etc.

Iran announced that it would not be bound by the limit on the enrichment of uranium set forth in the JCPOA. Iran also announced that it had begun producing 20% enriched uranium as well as research and development activities on uranium metal in January 2021. In addition, it suspended implementation of the transparency measures under the JCPOA in February.

Japan, deeply concerned about Iran's continued reduction of its commitments under the JCPOA, strongly urges Iran to comply with the JCPOA, and to immediately return to its commitments, while also strongly urging Iran to refrain from further measures that may undermine the JCPOA. Japan is also calling upon Iran to fully cooperate with the IAEA based on the JCPOA and in accordance with all its nuclear obligations.

Since January 2020, IAEA had demanded access (site visit) to two locations in Iran but Iran had denied it. Concerning this problem, the IAEA Board of Governors adopted its resolution in June 2020, calling on Iran to fully cooperate with IAEA including by providing prompt access to the locations specified by IAEA. At the end of August, Director General Grossi visited Iran, and a joint statement was issued by IAEA and Iran. Accesses to the locations were conducted after that.

### **C Nuclear Security**

With regards to nuclear security that aims to prevent acts of terrorism such as those involving the use of nuclear and other radioactive materials, the IAEA, the UN and like-minded countries have strengthened international cooperation on nuclear security through various efforts. These include the Nuclear Security Summit, which was hosted by then U.S. President Obama and held four times between 2010 and 2016, and the International conference on Nuclear Security. Japan continues to actively participate in and contribute to

these efforts. In February 2020, State Minister for Foreign Affairs Wakamiya Kenji represented the Government of Japan at the International Conference on Nuclear Security organized by the IAEA, where he delivered a speech.

Based on "the Practical Arrangements between the Ministry of Foreign Affairs of Japan and the International Atomic Energy Agency on Cooperation in the Area of Support to the Implementation of Nuclear Security Measures on the Occasion of the Tokyo 2020 Olympic and Paralympic Games," signed by the Ministry of Foreign Affairs and the IAEA in February 2018, relevant Japanese ministries and organizations conducted a table-top exercise on nuclear security measures for major public events with the participation of experts from the IAEA and the U.S. in October, 2019.

## **(3) Peaceful Uses of Nuclear Energy**

### **A Multilateral Efforts**

Along with nuclear disarmament and non-proliferation, the peaceful uses of nuclear energy are considered to be one of the three pillars of the NPT. According to the treaty, it is the "inalienable right" for any country that meets its obligations to non-proliferation to develop research, production and use of nuclear energy for peaceful purposes. Reflecting the increase in international energy demand, many countries use or are planning to use nuclear power.<sup>20</sup>

On the other hand, these nuclear materials, equipment, and technologies used for nuclear power generation can be diverted to uses for military purposes, and a nuclear accident in one country may have significant impacts on neighboring countries. For these reasons, with regard to the peaceful uses of nuclear energy, it is vital to ensure the "3S"<sup>21</sup>: that is, (1) Safeguards, (2) Nuclear Safety (e.g. measures to ensure safety

<sup>20</sup> According to the IAEA, as of January 2021, 443 nuclear reactors are in operation worldwide and 52 reactors are under construction (see the IAEA website).

<sup>21</sup> "3S" is used to refer to the IAEA's efforts toward nuclear safety, nuclear security, and nuclear safeguards, which are typical measures for non-proliferation.

to prevent nuclear accidents), and (3) Nuclear Security. As the country that experienced the TEPCO's Fukushima Daiichi Nuclear Power Station accident, it is Japan's responsibility to share its experiences and lessons learned from the accident with other countries and to contribute to strengthening global nuclear safety. In this regard, Japan and the IAEA have been working in cooperation. The IAEA Response and Assistance Network (RANET) Capacity Building Centre (CBC) in Fukushima Prefecture was designated in 2013 and 26 workshops were held until December 2020 for Japanese and foreign officials to strengthen their capabilities in the field of emergency preparedness and response.

The difficult work of decommissioning, contaminated water management, decontamination and environmental remediation has been progressing steadily at the TEPCO's Fukushima Daiichi Nuclear Power Station by leveraging the collective technologies and knowledge of the world. Japan has been cooperating closely with the IAEA since the accident. In November 2020, Japan received a mission comprising experts on environmental radioactivity from an independent domestic research institute designated by the IAEA, conducted marine monitoring and review, and underwent an IAEA review on marine radiation monitoring efforts in Japan. In addition, the UN Scientific Committee on the Effects of Atomic Radiation (UNSCEAR) published a report in 2014 on the levels and the impact of radiation from the TEPCO's Fukushima Daiichi Nuclear Power Station accident. Since 2018, UNSCEAR had been updating the report in order to carry out assessment based on the latest information, and there are plans to publish the report in 2021.

It is necessary to disseminate accurate

information in a timely and appropriate manner in order to make progress in the decommissioning works and to promote recovery, with the support and correct understanding of the international community. From this perspective, Japan periodically releases comprehensive reports through the IAEA that cover matters such as progress in decommissioning and contaminated water management at the TEPCO's Fukushima Daiichi Nuclear Power Station, results of the monitoring of air dose rate and seawater radioactivity concentration, and food safety. In addition, Japan submits reports on the current situation to all the Diplomatic Missions in Tokyo and to the IAEA every month in principle. Furthermore, Japan has organized more than 100 briefing sessions to all the Diplomatic Missions in Tokyo since the accident (held in February, April and October in 2020), and provided information through overseas diplomatic establishments. With respect to the status of contaminated water management at the TEPCO's Fukushima Daiichi Nuclear Power Station, Japan prepared an information sheet in English in order to clearly explain the difference between contaminated water and ALPS-treated water,<sup>22</sup> which are often confused, to the international community, and distributed the information sheet at international conferences including the IAEA General Conference held in Vienna in September 2019.<sup>23</sup> Japan continues to provide information to the international community in a courteous and transparent manner, based on scientific evidence, and to make explanations securely so as to prevent causing further reputational damage.

Nuclear energy is applied not only to the field of power generation, but also to areas including human health, food and agriculture, environment, and industrial uses. Promoting the peaceful uses

<sup>22</sup> ALPS-treated water is water purified using multiple purification systems, including advanced liquid processing systems (ALPS).

<sup>23</sup> The most recent English language materials that are distributed at IAEA General Conferences and other assemblies and that concern the differences between polluted water and ALPS-treated water are available on the Ministry of Foreign Affairs' website (<https://www.mofa.go.jp/mofaj/files/000564692.pdf>).





of nuclear energy in such non-power applications and contributing to development issues are becoming increasingly important as developing countries make up the majority of NPT member states. The IAEA also contributes to technical cooperation for developing countries and to the achievement of the Sustainable Development Goals (SDGs).

Against this background, Japan has been providing active support to the IAEA's activities, through such means as the Peaceful Uses Initiative (PUI) and IAEA technical cooperation that includes cooperation based on the Regional Cooperative Agreement for Research, Development, and Training Related to Nuclear Science and Technology (RCA). At the NPT Review Conference held in April 2015, Japan announced that it would be contributing a total of 25 million US dollars over five years to the PUI, a commitment that was achieved in April 2020.

#### **B Bilateral Nuclear Cooperation Agreement**

Bilateral nuclear cooperation agreements are concluded to establish a legal framework for securing a legal assurance from the recipient country on nuclear non-proliferation and the peaceful use of nuclear-related material and equipment that are transferred between the two countries, so as to realize cooperation in the peaceful use of nuclear energy between the two countries. Under such bilateral agreements, it is possible to promote cooperation in areas such as the strengthening of nuclear safety.

When considering whether or not to establish a nuclear cooperation agreement framework with a foreign country, Japan considers the overall situation in each individual case, taking into account such factors as perspectives on non-proliferation, nuclear energy policy in that country, the country's trust in and expectations for Japan, and the bilateral relationship between the two

countries. As of the end of 2020, Japan has concluded nuclear cooperation agreements with Canada, Australia, China, the U.S., France, the UK, the European Atomic Energy Community (EURATOM), Kazakhstan, the ROK, Viet Nam, Jordan, Russia, Turkey, the United Arab Emirates and India in the order of effective date.

### **(4) Biological and Chemical Weapons**

#### **A Biological Weapons**

The Biological Weapons Convention (BWC)<sup>24</sup> is the only multilateral legal framework imposing a comprehensive ban on the development, production and possession of biological weapons. However, the question of how to reinforce the convention is a challenge as there are neither provisions governing the means of verifying compliance with the BWC nor an implementing organization for the convention.

Since 2006, decisions have been made to establish the Implementation Support Unit (fulfilling the functions of a Secretariat) and to hold inter-sessional meetings twice a year in between the Review Conferences held every five years. During this time, progress has been made with respect to initiatives aimed at strengthening the regime of the BWC.

Agreement has been reached with regard to discussing the five topics, namely international cooperation, reviews of developments in the field of science and technology, national implementation, assistance for preparedness and response, and institutional strengthening of the convention. The discussions are to be conducted at the inter-sessional meetings up until the upcoming 9th Review Conference.

#### **B Chemical Weapons**

The Chemical Weapons Convention (CWC)<sup>25</sup> imposes a comprehensive ban on the development, production, stockpiling, and use of chemical

<sup>24</sup> Entered into force in March 1975. Total number of state parties is 183 (as of December 2020).

<sup>25</sup> Entered into force in April 1997. Total number of state parties is 193 (as of December 2020).

weapons, and stipulates that all existing chemical weapons must be destroyed. Compliance is ensured through a verification system consisting of declarations and inspections, making this convention a groundbreaking international agreement on the disarmament and non-proliferation of weapons of mass destruction. The implementing body of the CWC is the Organization for the Prohibition of Chemical Weapons (OPCW), which is based in the Hague, the Netherlands. Along with the UN, the OPCW has played a key role in the destruction of Syria's chemical weapons. Its extensive efforts toward the realization of a world without chemical weapons were highly acclaimed, and the organization was awarded the Nobel Peace Prize in 2013.

Japan, which has a highly developed chemicals industry and numerous chemicals factories, also accepts many OPCW inspections. Japan also actively cooperates with the OPCW in many other concrete ways, including measures to increase the number of member states and strengthening national implementation measures by States Parties with the aim of increasing the effectiveness of the convention. Moreover, under the CWC, Japan aims to complete, as soon as possible, the destruction of chemical weapons of the former Japanese Army abandoned in Chinese territory by working in cooperation with China.

### **(5) Conventional Weapons**

Conventional weapons generally refer to arms other than weapons of mass destruction and include a wide variety of weapons ranging from large weapons such as landmines, tanks, and artillery to small arms such as handguns. The problem of conventional weapons, which are used in actual wars and cause injury and death to civilians, is a serious one for both national security and humanitarian concerns. The disarmament agenda presented in 2018 by UN Secretary-General

Guterres categorizes disarmament of conventional weapons as one of the three pillars, “Disarmament that Saves Lives.” Japan is making active efforts involving cooperation and support based on international standards and principles concerning conventional weapons.

#### **A Small Arms**

Described as “the real weapons of mass destruction” due to the many human lives they take, small arms continue to proliferate due to the ease with which they can be obtained and used. They contribute to conflict prolongation and escalation, hindering the restoration of public security and post-conflict reconstruction and development. Since 1995, Japan has been working with other countries to submit a resolution on the illicit trade of small arms to the UN General Assembly, and the resolution has been adopted every year. In areas around the world, Japan has also provided support for projects to address the issue of small arms, including training and the collection and destruction of weapons. In 2019, Japan contributed two million US dollars to a mechanism for preventing small arms established under UN Secretary-General Guterres’ disarmament agenda.

#### **B The Arms Trade Treaty (ATT)<sup>26</sup>**

The Arms Trade Treaty (ATT), which seeks to establish common standards to regulate international trade in and prevent the illicit trade of conventional arms, entered into force in December 2014. As one of the original co-authors of the UN General Assembly resolution that initiated a consideration of the treaty, Japan has taken the lead in discussions and negotiations in the UN and contributed significantly to the establishment of the treaty. Even after the treaty entered into force, Japan has actively participated in discussions at Conferences of States Parties and other opportunities. Japan has continued to contribute

<sup>26</sup> As of December 2020, there are 110 states and regions that are parties to the Arms Trade Treaty (ATT). Japan signed the Treaty on the day that it was released for signing and became a State Party in May 2014.

in ways such as hosting the 4th Conference of States Parties to the Arms Trade Treaty in Tokyo as the first chair country elected from the Asia-Pacific region in August 2018. Japan also places importance on the universal application of the ATT. To that end, it has been encouraging countries, in particular Asian countries, to participate in the ATT. In 2020, Namibia, China, São Tomé and Príncipe, Afghanistan and Niue became new parties to the ATT, bringing the total number of state parties to 110 at the end of 2020.

**C Convention on Prohibition or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (Convention on Certain Conventional Weapons, CCW)<sup>27</sup>**

The Convention on Certain Conventional Weapons (CCW) prohibits or restricts the use of conventional weapons that are deemed to be excessively injurious or to have indiscriminate effects. It comprises a framework convention that sets forth procedural and other matters, as well as five annexed protocols that regulate individual conventional arms. The framework convention entered into force in 1983. Japan has ratified the framework convention and annexed Protocols I to IV, including the amended Protocol II. Prompted by concerns in the international community about the rapidly advancing military applications of science and technology, meetings of the Group of Governmental Experts on Lethal Autonomous Weapons Systems (LAWS) have been held under the CCW framework since 2017. Meetings of the Group were held in March and August 2019, and the High Contracting Parties reached consensus on 11 guiding principles on LAWS. It was decided

that discussions on matters including the guiding principles will be used as a basis for the clarification, consideration and development of normative and operational framework for the future. The 11 guiding principles were reached consensus at the Meeting of the High Contracting Parties to the CCW held in November 2019. In 2020, a meeting of the Group of Governmental Experts (GGE) was convened in September. Japan continued to participate actively in this and contributed to discussions.

**D Anti-personnel Mines**

2019 marks the 20th anniversary of the entering into force of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Treaty)<sup>28</sup>. To date, Japan has continued to promote comprehensive measures with a focus on the effective prohibition of anti-personnel mines and strengthening of support for mine-affected countries. Along with calling on countries in the Asia-Pacific region to ratify or accede to the Convention, Japan has also been steadily engaged in international cooperation through landmine clearance, victim assistance and other activities in the international community, from the viewpoint of the “Humanitarian-Development-Peace Nexus.”

At the Eighteenth Meeting of the States Parties of the Ottawa Treaty held in Geneva in November 2020, Japan looked back on its initiatives and achievements in supporting mine action, and also expressed its continued resolve toward playing an active role in achieving a mine-free world.

**E Cluster Munitions<sup>29</sup>**

The international community takes very

<sup>27</sup> As of December 2020, 125 countries and regions are parties to the CCW.

<sup>28</sup> The Convention, which entered into force in March 1999, bans the use and production of anti-personnel mines while mandating the destruction of stockpiled mines and the clearance of buried mines. As of December 2020, there are 164 states and regions that are parties to the Convention, including Japan.

<sup>29</sup> Generally speaking, it refers to bombs or shells in the form of large containers that open midair and release submunitions that spread over a wide area. They are said to be highly likely to not explode on impact, leading to the problem of civilians being accidentally killed or injured.

seriously the humanitarian consequences brought about by cluster munitions. Japan is therefore taking steps to address this issue via victim assistance and unexploded ordinance clearance<sup>30</sup>, while also continuing its efforts to increase the number of States Parties to the Convention on Cluster Munitions (CCM)<sup>31</sup>. Japan is participating in discussions concerning these issues toward the upcoming Second Review Conference of the Convention on Cluster Munitions to be held in 2021.

## 5 Japan's Efforts at the United Nations

### (1) Japan-UN Relationship

The UN, which celebrated its 75th anniversary in 2020, is an international organization that nearly all the countries in the world are currently members of (193 countries as of December 2020). It addresses various challenges in diverse areas such as conflict resolution and peacebuilding, counterterrorism, disarmament and non-proliferation, poverty and development, human rights, refugee issues, environment and climate change issues, disaster risk reduction and infectious diseases.

The UN has two facets, functioning as the world's largest forum for Member States to gather and engage in negotiations (universality), as well as consolidating information and knowledge from expert organizations and making recommendations for the optimal solution (expertise). Since joining the UN in 1956, Japan has leveraged on both universality and expertise to realize policy aims through multilateral cooperation in a wide range of areas, including the three pillars of the UN—peace and security, development and human rights. An important example of this is the key role that Japan has fulfilled in the maintenance of international peace and security, such as

having served as a non-permanent member of the UN Security Council 11 times, more frequently than any other UN Member State. In order to support such activities, the Government of Japan contributes financially to the UN while also actively engaging in the organizational aspects (management) of the UN. Japan also supports Japanese staff who play active roles in the UN, and puts effort into helping them gain appointment to important posts (see Chapter 5, Section 1, 2(1)).

Today, 75 years since the founding of the UN, we face the pressing challenge of making the UN efficient, effective and appropriate for the 21st century. Japan continues to proactively engage in UN reform, including UN Security Council reform.

### (2) Major Events in 2020

Due to the impact of the COVID-19 pandemic, the high-level meeting of the 75th UN General Assembly was convened in September through the screening of pre-recorded speeches by each member state in the Assembly Hall. It was the first time that the meeting was held in such a format, and it was attended by Prime Minister Suga and Foreign Minister Motegi from Japan.

In his address at the UN General Assembly, Prime Minister Suga called on the international community to unite in solidarity so as to turn the unprecedented COVID-19 crisis into an opportunity to reinforce cooperation based on multilateralism. He stated that the spread of the coronavirus is a human security crisis, and that Japan will lead international efforts toward the attainment of universal health coverage (UHC). He also spoke about the need to “build back better” from the COVID-19 pandemic, and to create a flexible yet resilient society where the SDGs have been achieved. To that end, he emphasized the importance of the following three points that Japan will work on proactively: the UN and multilateralism;

<sup>30</sup> See the White Paper on Development Cooperation for specific efforts on international cooperation regarding cluster munitions and anti-personnel mines.

<sup>31</sup> Entered into force in August 2010, it prohibits the use, possession, or production of cluster munitions, while mandating the clearance of cluster munitions in contaminated areas and the destruction of stockpiled cluster munitions. As of December 2020, there are 110 states and regions that are parties to the Convention, including Japan.

international peace and security; and the rule of law. He also said that Japan will spare no effort to bring about the early resolution of the abductions issue by North Korea, and toward the realization of a world without nuclear weapons. Finally, he expressed Japan's determination to host the Olympic and Paralympic Games Tokyo 2020 in the summer of 2021, as a symbol of overcoming COVID-19.

Prime Minister Suga also took the opportunity of the high-level meeting to hold a telephone call with UN Secretary-General António Guterres. In the talk, they exchanged views on ways to address COVID-19, and Secretary-General Guterres reiterated his appreciation to the contributions made by Japan. At the same time, they agreed that they would continue to cooperate in a wide range of areas, including peacebuilding, development and climate change. As for North Korea, Prime Minister Suga asked for continuous understanding and cooperation toward the early resolution of the abductions issue, for which Secretary-General Guterres expressed his full support. Secretary-General Guterres also emphasized the importance of promoting denuclearization.

In his statement delivered at the high-level meeting to commemorate the 75th anniversary of the UN, Foreign Minister Motegi emphasized the importance of multilateralism in the UN and the need to undertake efforts with a view to the post-COVID-19 world. He also conveyed Japan's position on UN reform, including UN Security Council reform. At the same meeting, the Declaration on the Commemoration of the Seventy-Fifth Anniversary of the United Nations, marking the milestone anniversary of the UN, was adopted.

Foreign Minister Motegi also worked on strengthening the mutual relationship of trust with the foreign ministers of other countries, and to communicate Japan's policies and stance to the international community, such as by attending the Meeting of the Foreign Ministers of the G4 Countries on UN Security Council Reform, the 13th Global Governance Group (3G) Ministerial



United Nations Headquarters  
(Photo: UN Photo/Andrea Brizzi)



Address by Prime Minister Suga at the Seventy-Fifth Session of the UN General Assembly (pre-recorded video)  
(September 26, Photo: Cabinet Public Relations Office)

Meeting, and the high-level meeting on financing the 2030 Agenda for Sustainable Development in the era of COVID-19 and beyond (all of which were convened online), as well as releasing a video message along with the foreign ministers of the respective countries for the Friends of the Comprehensive Nuclear Test Ban Treaty (CTBT).

In November, Foreign Minister Motegi held a telephone call with Mr. Volkan Bozkir, President of the 75th session of the UN General Assembly. During the talk, they confirmed that they will cooperate to further vitalize discussions on human security, as well as work together to promote the reform of the UN including the reform of the Security Council. Foreign Minister Motegi also sought understanding and cooperation toward the early resolution of the abductions issue and gained the support of Mr. Bozkir.

### (3) United Nations Security Council and its Reform

#### A United Nations Security Council

The UN Security Council holds the primary responsibility within the UN for maintaining international peace and security. It is composed of five permanent members and ten non-permanent members that are elected by UN Member States (for two-year terms). Its activities, including Peacekeeping Operations (PKOs) based on UN Security Council resolutions, are diversifying, and the Council's role has been expanding year by year, encompassing the efforts to address new threats such as the proliferation of weapons of mass destruction and terrorism.

Japan has served as a non-permanent member of the UN Security Council 11 times, more frequently than any other UN Member State, and has contributed proactively to discussions on topics such as country-specific situations and peacebuilding. During its term on the Council from January 2016 to the end of December 2017, Japan made every effort to resolve North Korea's nuclear and missile issues, including contributions to drafting the six UN Security Council resolutions adopted in response to North Korea's repeated ballistic missile launches and three nuclear tests conducted in January and September 2016 and September 2017. At the UN Security Council Briefing on Non-proliferation/Democratic People's Republic of Korea in December 2019, Japan was fully engaged in discussions related to maintaining international peace and security by stating that North Korea's ballistic missile launches were in violation of relevant UN Security Council resolutions and posed a serious challenge not only for Japan but also for the international community as a whole, as well as calling for the importance of the full implementation of relevant UN Security Council resolutions. Japan will contribute to the maintenance of international peace and security by seeking to become a non-permanent member of the Council as frequently as possible, until such time as reform, including the admission of Japan as a

permanent member of the Council, is achieved. From this point of view, Japan is running for the Security Council non-permanent membership at the elections to be held in 2022.

#### B Reform of the UN Security Council

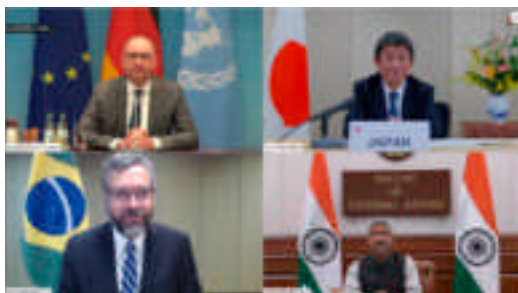
75 years have passed since the UN was established, and the structure of the international community has changed significantly while the UN's functions have grown increasingly diverse. Despite this, the composition of the UN Security Council has basically remained unchanged to this day. There is broad recognition, among the international community, of the necessity for promptly reforming the UN Security Council in a way that improves its legitimacy, effectiveness, representativeness and transparency. In particular, in the Declaration on the Commemoration of the Seventy-Fifth Anniversary of the United Nations, all the leaders of the world committed to "instill new life in the discussions on the reform of Security Council."

Japan has contributed proactively to the international community in areas such as disarmament and non-proliferation, peacekeeping and peacebuilding, and human security, among others. To play an even more proactive role toward the realization of world peace and security through the UN, Japan has been making efforts to convince other countries to pursue the early realization of UN Security Council reform, with the expansion of both permanent and non-permanent seats and Japan's admission as a permanent member.

#### C Recent Activities Regarding UN Security Council Reform

Since 2009, in the UN General Assembly, Member States have been engaging in the Intergovernmental Negotiations on UN Security Council reform. In January, Japan invited the Co-chairs (UN Permanent Representatives of the United Arab Emirates and Poland) of the 74th session of the General Assembly Intergovernmental Negotiations to Japan, and affirmed its cooperation





Meeting of the Foreign Ministers of the G4 Countries (Japan, India, Germany, Brazil) on UN Security Council Reform (September 23, held via videoconference)

toward the realization of Security Council reform. Thereafter, Intergovernmental Negotiations were held once in February and March respectively under the same Co-chairs, but could not be held after that due to the impact of the COVID-19 pandemic. At the end of August, the decision to transfer the work of the 74th session to the 75th session was adopted by consensus at the UN General Assembly.

Mr. Bozkir, President of the 75th Session of the UN General Assembly, reappointed the UN Permanent Representative from Poland to continue serving as a Co-Chair of the Intergovernmental Negotiations as a carry-over from the 74th session, while also appointing the UN Permanent Representative from Qatar to serve as a new Co-Chair of the Intergovernmental Negotiations.

Japan also places great importance on its initiatives as a member of the G4 (Japan, India, Germany and Brazil), a group that cooperates on promoting UN Security Council reform. Foreign Minister Motegi attended the Meeting of the Foreign Ministers of the G4 countries that was held online in September. At the meeting, the G4 Foreign Ministers confirmed their intention to call for a prompt starting of the Intergovernmental Negotiations in the current session of the General Assembly, and to continue aiming for improvement in the Intergovernmental Negotiations process as well as launching substantial negotiations based on a text. In addition, the Foreign Ministers stressed that the increased representation of countries with the capacity and willingness to contribute to the maintenance of international peace and security,

and of Africa, is indispensable to enhance the capacity of the Security Council to deal with contemporary global challenges. The Ministers shared the view that they would further step up their close collaboration with other like-minded countries to achieve an early reform of the Council. Japan will continue to engage proactively in the process for realizing UN Security Council reform, in close cooperation with reform-oriented countries.

#### (4) Organizational Aspects of the United Nations (Management)

##### A Management

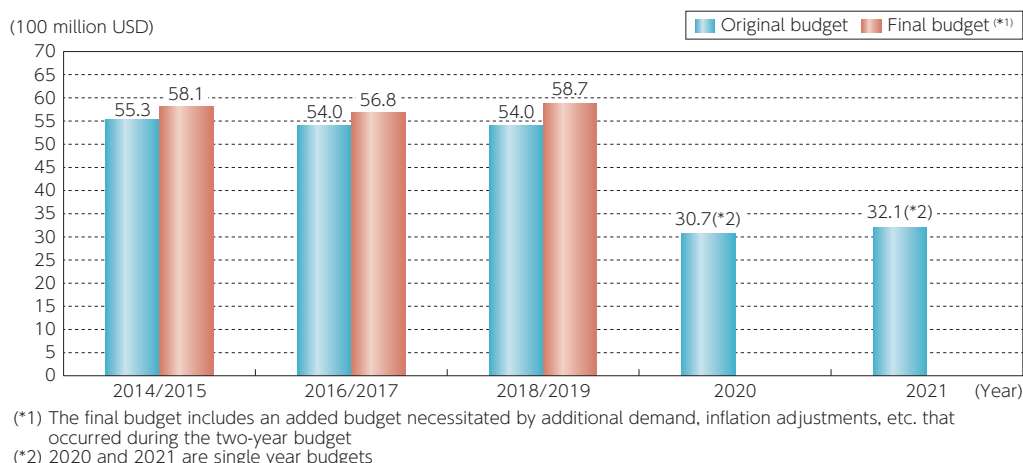
UN Secretary-General Guterres positions the management reform of the UN as a priority issue, alongside efforts for peace and development, and has been working toward enhancing the efficiency and effectiveness of the functions of the UN Secretariat. A new organizational structure was launched in January 2019, and an annual regular budget system was introduced on a trial basis from 2020 (see B below), as a part of the ongoing efforts to promote the effectiveness of the UN's financial, budgetary and human resource management. Japan is supporting the objectives of the reform through deliberations pertaining to the management of the UN at its General Assembly as well as dialogues with the UN Secretariat, with the hope that these efforts will produce concrete results and that the UN will fulfill its mission more effectively and efficiently.

##### B Budget

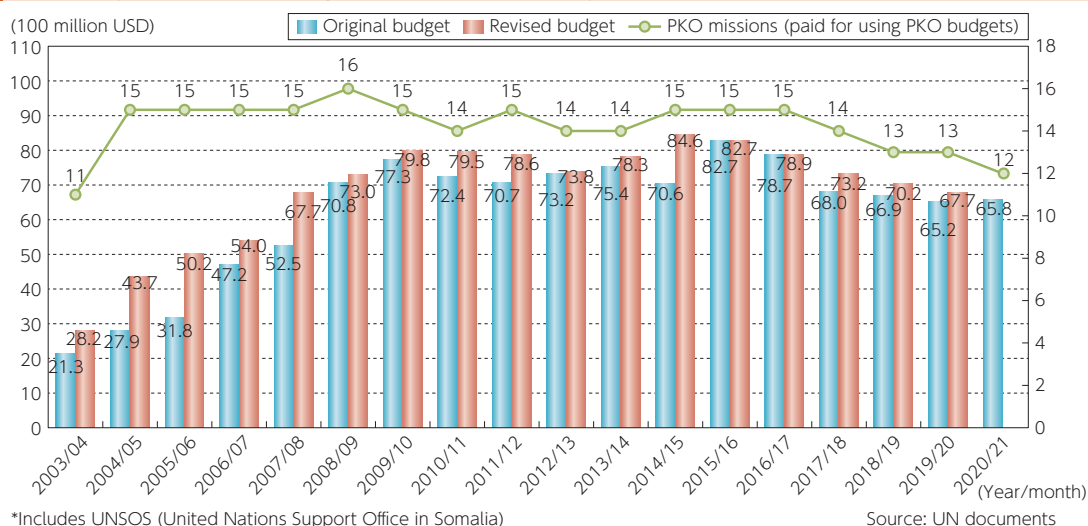
The UN budget is mainly composed of the regular budget for general activities (a biennial budget for the period from January to December of the next year; an annual budget from January to December of the same year has been implemented on a trial basis from 2020 to 2022), and the peacekeeping budget related to peacekeeping operations (an annual budget for the period from July to the following June).

With regard to the regular budget, a budget for 2021 amounting to approximately 3.2 billion US

## Changes in the United Nations regular budget



## PKO budgets and missions paid for with PKO budgets (2003-2021)



## UN regular budget scale of assessments of top contributors (%)

Ranking*	Country	2016 - 2018	2019 - 2021	Change
1	U.S.	22.000	22.000	±0.000
2	China	7.921	12.005	+4.084
3	Japan	9.680	8.564	-1.116
4	Germany	6.389	6.090	-0.299
5	UK	4.463	4.567	0.104
6	France	4.859	4.427	-0.432
7	Italy	3.748	3.307	-0.441
8	Brazil	3.823	2.948	-0.875
9	Canada	2.921	2.734	-0.187
10	Russia	3.088	2.405	-0.683

\*Ranking from 2019 to 2021

## UN PKO budget scale of assessments of top contributors (%)

Ranking*	Country	2018	2019	2020 – 21
1	U.S.	28.4344	27.8912	27.8908
2	China	10.2377	15.2197	15.2195
3	Japan	9.6800	8.5640	
4	Germany	6.3890	6.0900	
5	UK	5.7683	5.7900	5.7899
6	France	6.2801	5.6125	5.6124
7	Italy	3.7480	3.3070	
8	Russia	3.9912	3.0490	3.0490
9	Canada	2.9210	2.7340	
10	South Korea	2.0390	2.2670	

\*Ranking from 2019 to 2021

Source: UN documents

dollars was approved in December 2020 at the UN General Assembly. The budget for peacekeeping operations for the period of 2020-2021 amounting to approximately 6.58 billion US dollars in total was approved in June 2020 (a decrease of approximately 2.6% from the final budget of the previous period).

The budget to support the UN activities is composed of assessed contributions paid by Member States and voluntary contributions provided in accordance with Member States' policy needs. Assessed contributions are revised as necessary based on the financial capacity of Member States. Based on Japan's current scale of assessment of 8.564% (2019-2021), which ranks third after the U.S. and China, Japan contributed approximately 238.57 million US dollars to the UN regular budget for 2020, and approximately 560.78 million US dollars to the peacekeeping budget for 2020. As a major financial contributor, Japan has been encouraging the UN to make more efficient and effective use of its financial resources.

Key bodies that address administrative and budgetary matters of the UN are the Advisory Committee on Administrative and Budgetary Questions (ACABQ) and the Committee on Contributions. These are standing subsidiary committees of the General Assembly and are comprised of members serving in their personal capacities. The ACABQ reviews the overall administrative and budgetary issues of the UN and makes recommendations to the General

Assembly, while the Committee on Contributions submits a proposal on the scale of assessments of the regular budget for a decision to be made by all Member States at the General Assembly. Hence, both committees play an important role. Members from Japan have served continuously on both of these committees.

## 6 The Rule of Law in the International Community

Establishing the rule of law in the international community is of great significance in stabilizing relations between countries and realizing the peaceful settlement of disputes. Japan promotes bilateral and multilateral rule-making and the proper implementation of these rules in various fields that include security, economic and social affairs and criminal justice. Furthermore, in order to promote the peaceful settlement of disputes and the preservation of international legal order, Japan actively cooperates with international judicial organizations such as the International Court of Justice (ICJ), the International Tribunal for the Law of the Sea (ITLOS) and the International Criminal Court (ICC) to strengthen their functions via both human and financial resource contributions. In addition, Japan has been working to enhance the rule of law in the international community, including Asian countries, through provision of legal technical assistance, participation in international conferences, exchanges of views

with various countries, and hosting events on international law.

### **(1) Japan's Diplomacy to Strengthen the Rule of Law**

Strengthening the rule of law is one of the pillars of Japan's foreign policy. Japan opposes unilateral attempts to change the status quo by force or coercion, and strives to maintain its territorial integrity, secure its maritime and economic interests, and protect its citizens. Examples of Japan's efforts in this regard include the consistent affirmation of, and initiatives to promote, the preservation and enhancement of a free and open international order based on the rule of law at various fora, including international conferences such as the UN General Assembly and meetings with relevant states. With a view to promoting the rule of law in the international community, Japan has been contributing to the peaceful settlement of inter-state disputes based on international law, the formation and development of a new international legal order, and the development of legal systems and human resources in various countries.

#### **A Peaceful Settlement of Disputes**

In order to encourage peaceful settlement of disputes via international judicial institutions while striving to comply faithfully with international law, Japan accepts<sup>32</sup> the compulsory jurisdiction of the ICJ, the principal judicial organ of the UN, and constructively contributes to establishing the rule of law in the international community via cooperation in providing human and financial resources to numerous international courts. For example, Japan is the largest financial contributor to the ICC and the Permanent Court of Arbitration (PCA). In terms of human resources, there have been a number of Japanese judges serving on international judicial bodies, including Judge Yanai Shunji to ITLOS (incumbent since 2005, President

of ITLOS from October 2011 to September 2014) and Judge Akane Tomoko to the ICC (incumbent since March 2018). With regard to the ICJ, ICJ Judge Iwasawa Yuji (incumbent since 2018, ICJ's fourth-ever Japanese judge) was re-elected at the ICJ judges elections in November 2020. Through these contributions, Japan strives to enhance the effectiveness and universality of international courts and tribunals. In 2020, the Support Program for Internships at International Courts and other International Organizations was launched with the aim of developing human resources who can play an active role in international courts in the future. Through this project, active support is provided to Japanese interns at international judicial organizations (see the Column on page 265).

To further strengthen the capability of the Ministry of Foreign Affairs in dealing with international litigations, efforts are ongoing to enhance expertise on international judicial proceedings as well as to build up strengthened networks with lawyers in and outside Japan, especially by the International Judicial Proceedings Division (established in 2015) and the Economic Dispute Settlement Division (established in 2020). To win in an international litigation, it is vital to have full knowledge of the context of the trial and its specific legal proceedings. The procedural laws that are applicable to trials in courts such as the ICJ, ITLOS, and the PCA are not necessarily stipulated clearly in writing, and there are also norms that have been accumulated through judicial precedents. In addition, procedural laws are also developing alongside the growing complexity of the facts that are disputed in international trials. The International Judicial Proceedings Division captures information on the trends and developments in law firms and among lawyers who are active in major international trials, and also works together with these lawyers to create an organization that can perform well in international trials. When it

<sup>32</sup> A declaration that States Parties to the Statute of the ICJ recognize the jurisdiction of the ICJ as compulsory ipso facto and without special agreement, in relation to any other state accepting the same obligation, in accordance with Article 36, paragraph 2 of its Statute. Only 74 countries, including Japan, have made such declaration to date.

## Column

**Participation in the Support Program for Internships at International Courts and other International Organizations**

Hiraishi Mari

**1. About the Hague Conference on Private International Law (HCCH)**

For about two months from September 2020, I participated in an internship at the Permanent Bureau of the Hague Conference on Private International Law (HCCH) in The Hague (the Netherlands), with support from the Ministry of Foreign Affairs' Support Program for Internships at International Courts and other International Organizations.

The HCCH began with its first session held in 1893. Thereafter, it became a permanent organization in 1955 with the aim of coordinating among the civil laws and civil procedure laws of different countries, so as to facilitate the smooth resolution of conflicts and problems related to international relations between individuals. It is a small organization with about 30 staff members, but it has to date drawn up about 40 conventions related to private international law and international civil procedure laws. Japan has ratified seven of these, including the Hague Convention (the Convention on the Civil Aspects of International Child Abduction), which it ratified in 2014.

**2. Tasks at HCCH**

The internship at HCCH did not simply involve an experience of the workplace; instead, I was entrusted with various tasks to contribute immediately to the team. Specifically, I carried out research on the digitization of the international transmission of legal documents, as well as comparative research on the electronic signature laws of each country. With the increasing use of IT in judiciary in recent years, the aim of this work was to make it easier to utilize conventions on mutual legal assistance that were drawn up before the widespread use of the Internet. In addition to this, I was also given the opportunity to attend expert meetings on the topic of surrogate births, and meetings on the utilization of electronic signatures. It was stimulating and exciting to gain exposure to the forefront of the legal field.

Furthermore, as the majority of the staff were bilingual, there was no better environment to improve the English and French that I have been learning for many years, and to maintain my motivation for my linguistic studies. I believe my linguistic skills improved significantly in this environment. At the beginning, it took me a long time just to write one business e-mail, but I gradually became accustomed to it and was eventually entrusted to write letters to other international organizations.

**3. Life in The Hague**

The Hague is a city with rich international character. It is safe and very comfortable to live in. My heart skipped with delight on my daily commute on the bicycle, as I passed by rows of adorable brick houses along the canal, the beautiful Peace Palace, and the horse-mounted police patrolling around the city at a leisurely pace. After work and on the weekends, I spent time becoming acquainted with other interns and members of the staff. It was a very enriching and fulfilling time for me.

**4. Participating in the Support Program**

This Support Program allowed me to focus on the internship without having to face any financial difficulties, and made it possible for me to gain many invaluable experiences that cannot be covered in this



Building where the HCCH office is located  
(The Hague, the Netherlands)



Streets of The Hague: The Peace Palace that  
houses the International Court of Justice

column. I had hoped to take advantage of the linguistic skills and knowledge of Japanese law that I have cultivated so far to play an active role as an international lawyer in the future, but had been completely at a loss as to how I could harness my own strengths. Through this internship, I was able to experience for myself the potential and appeal of working as a member of an international organization, or as a lawyer involved in international trials in The Hague. I had the precious opportunity to consider my future career plans carefully. After my legal apprenticeship in Japan, I plan to work in a law firm as a corporate lawyer in the future. I shall never forget this experience and the enjoyment of working in an international organization, and aim to become a lawyer who can contribute to international trials that concern state parties.

comes to addressing disputes of economic nature, the increasing importance of dispute settlements based on international agreements (the WTO agreements, Economic Partnership Agreements and investment agreements) has resulted in growing demand for strengthening MOFA's capability to achieve more strategic and effective resolution of the disputes. To this end, with the view to consolidating the legal experts versed in economic dispute settlement, the International Trade and Investment Economic Dispute Settlement Division under the Economic Affairs Bureau was newly rebuilt into the Economic Dispute Settlement Division and incorporated into the International Legal Affairs Bureau in August 2020. The division engages in litigation work (preparation of written submissions, handling of evidence, preparation and participation in oral proceedings, etc.), analysis of case law and academic theories, and also engages in dispute prevention. All those works are carried out in close collaboration with the relevant ministries and agencies, as well as with private law firms and academic experts and practitioners specializing in international economic law both in Japan and abroad ( see the Special Feature on page 267).

### **B International Rule-making**

International rule-making to respond to issues the global community faces is one of the important efforts toward strengthening the rule of law. Along with actively promoting the conclusion of bilateral and multilateral treaties aimed at building a legal foundation for achieving goals it shares with other countries, Japan is demonstrating initiative

starting at the planning phase in creating rules for developing international laws that reflect its ideals and positions in cross-sectoral efforts in the framework of the UN and other fora. Specifically, Japan has been actively involved in the rule-making processes within various international frameworks that include codification work in the field of public international law at the International Law Commission (ILC) and the sixth Committee of the UN General Assembly, as well as the preparation of conventions and model laws in the field of private international law at fora such as the Hague Conference on Private International Law (HCCH), the UN Commission on International Trade Law (UNCITRAL), and the International Institute for the Unification of Private Law (UNIDROIT). In the ILC, Dr. Murase Shinya, Professor Emeritus of Sophia University, serves as a Special Rapporteur on the topic of "Protection of the Atmosphere," contributing to the development of international law through the deliberations in the ILC, especially those on the draft guidelines of the said topic. Japan also sends Government representatives to various meetings of the HCCH, UNCITRAL and UNIDROIT, taking an active lead in the discussions. In addition, Dr. Kanda Hideki, Professor of Gakushuin University, contributes to the development of the work plan at UNIDROIT. Japan has also been showing its presence as a member nation of UNCITRAL since the founding of the commission, such as through its recommendations on enlargement of the membership of UNCITRAL and new projects.



Special  
Feature

## Establishment of the “Economic Dispute Settlement Division”

In recent years, Japan has been involved in a number of complicated disputes with major countries/ neighboring countries based on economic agreements. In light of this situation, the “Economic Dispute Settlement Division” was established in August 2020 under the auspices of the International Legal Affairs Bureau as a major effort to further strengthen MOFA’s capability to engage in international adjudication and quasi-judicial proceedings, with the aim of achieving more strategic and effective resolution of economic disputes.

The mission of the Division is to carry out well-organized and high-quality litigation work in relation to economic disputes, based on international agreements such as the World Trade Organization (WTO) agreements, Economic Partnership Agreements (EPA), and investment agreements, and at the same time, to take measures necessary to prevent disputes from arising, thereby seeking to secure Japan’s national interests in international economic disputes.

One of the notable latest trends in international economic disputes is that the WTO’s dispute settlement mechanism is being actively utilized, with 598 cases (an average of about 24 cases a year) filed in the 25-year period since the WTO’s establishment in 1995. However, the dysfunction of the WTO Appellate Body since the end of 2019 has become a serious issue that places the system itself at risk. Furthermore, there is a growing number of complex economic disputes that are closely linked to security concerns, such as the increase of tariffs against imports from China by the U.S. based on Section 301 of the Trade Act of 1974, and the measures taken by Saudi Arabia and other Gulf countries against Qatar. In light of the various trends related to economic policies having security implications in each country, the number of economic disputes is expected to increase worldwide, with a further increase in cases that are difficult to resolve.

As for investment agreements, more than 1,000 cases worldwide have been referred to international arbitration to date, by invoking the investor-state dispute settlement (ISDS) provisions. Of these, States lost in 30% of the cases. In this regard, the smallest amount of awards that a State was ordered to pay in 2019 was 7.9 million US dollars, and the largest amount was 8.4 billion US dollars\*. As ISDS procedures are provided for in almost all of the investment agreements concluded by Japan, there needs to be a robust preparedness to respond to a potential claim.

Against this backdrop, to further promote the rule of law, which is one of the cornerstones of Japan’s diplomatic policies, it is important to resolve economic problems between States using legal and technical means, preventing them from becoming diplomatic issues. It is fair to say that the economic dispute settlement system plays a major role to that end. It also contributes to the creation of a business environment that enables Japanese companies and corporations to conduct global economic activities in a much more transparent and predictable manner.

To enable a robust engagement in economic disputes with unified teamwork, the Economic Dispute Settlement Division promotes close cooperation with the relevant ministries and agencies, private law firms both in Japan and abroad, as well as academic experts and practitioners specializing in international law including international economic law.

With this new Division at the core of its efforts, MOFA will further strengthen its capability to proactively engage in international economic dispute settlement.



Securing Japan’s national interests through well-organized litigation work

\*UNCTAD: Investment Policy Hub, Investment Dispute Settlement Navigator (<https://investmentpolicy.unctad.org/investment-dispute-settlement>)



## Development of Domestic Legislation and Other Matters

Japan not only takes steps to appropriately improve its own national laws so as to comply with international law, but also actively supports the development of legal systems, especially in Asian countries, while cooperating internationally on efforts related to further developing the rule of law. For example, the Ministry of Foreign Affairs and the Japanese Society of International Law, supported by the Nippon Foundation, co-organize the Asia Cup. The Asia Cup is an international law moot court competition for students in Asia including Japan, which aims to raise awareness about the importance of the peaceful settlement of disputes, nurture future generations in the field of international law, and strengthen exchange and communication among them. The 21st Asia Cup was held in 2019, but not in 2020 due to the impact of the COVID-19 pandemic. There are plans to continue holding it from 2021. Japan is also engaging in cooperation concerning human resources and finances with the Asian-African Legal Consultative Organization (AALCO), the only inter-governmental organization in the Asia/Africa region that is engaged in international law.

### (2) Initiatives in the Maritime Sector

For Japan, as a maritime nation, maintaining and strengthening maritime order based on the rule of law is an issue of the utmost importance. In his keynote address at the 13th Asia Security Summit (Shangri-La Dialogue) in May 2014, Prime Minister Abe proposed the “Three Principles of the Rule of Law at Sea”: (1) making and clarifying claims based on international law; (2) not using force or coercion in trying to drive their claims; and (3) seeking to settle disputes by peaceful means. Ever since then, Japan has consistently advocated these principles. For example, at the 15th East Asia Summit (EAS), held in November 2020, Prime Minister Suga emphasized that a free and open maritime order based on the rule of law forms the cornerstone of peace and prosperity in

the Indo-Pacific region.

The United Nations Convention on the Law of the Sea (UNCLOS) serves as a foundation for the rule of law at sea. This convention has been ratified by 167 countries, including Japan (including some regions not officially recognized as nations by Japan), and the EU. The convention comprehensively provides for principles governing the sea, including the freedom of navigation and overflight of the high seas. It also stipulates rights and obligations under international law on the development and regulation of marine resources, among other things. The provisions of this convention that concern areas such as territorial waters and exclusive economic zones are widely accepted as established customary international law. In addition, the recognition that activities conducted on the seas ought to be carried out according to the provisions of this convention is widely shared among the international community. As problems concerning the oceans and seas grow more complex and diverse, it will be important to preserve and strengthen the maritime order based on this convention, which serves as a comprehensive and universal legal framework.

Under UNCLOS, the International Tribunal for the Law of the Sea (ITLOS) was established in 1996 in Hamburg, Germany for the peaceful settlement of maritime disputes and the preservation and advancement of law and order at sea. ITLOS deals with a wide range of cases, including the delimitation of maritime boundaries in recent years in particular, and the importance of the tribunal has been growing. Japan attaches importance to the role played by ITLOS and has successively dispatched two Japanese judges to the tribunal since its establishment.

The Commission on the Limits of the Continental Shelf (CLCS) established pursuant to UNCLOS also plays an important role in the operation of the system for defining the outer limits of the continental shelf. Since the establishment of CLCS, Japan has continued to cooperate with the Commission in terms of both human and financial

resources through means such as continuously producing members (Japan's current member of the Commission is Professor Yamazaki Toshitsugu from the University of Tokyo). In the International Seabed Authority (ISA), which was established pursuant to UNCLOS for the primary purpose of managing deep sea-bed mineral resources, regulations on exploitation of deep sea-bed mineral resources were considered at the meeting of the Council held in February 2020 and work on the formulation of the relevant standards and guidelines was carried out. Japan actively takes part in negotiations in order to reflect its standpoint on these rules. It has also traditionally provided support for capacity building to developing countries with deep sea-bed related technologies, and has been taking the lead in the creation of rules governing the deep sea-bed.

The decision was made to convene an intergovernmental conference (IGC) to formulate a new international agreement under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ), which was adopted by resolution 72/249 of the UN General Assembly in December 2017. Three meetings of the IGC were held by August 2019. Although the fourth meeting had been scheduled for March 2020, it was postponed due to the COVID-19 pandemic. The Government of Japan actively takes part in discussions in order to ensure that Japan's perspective is reflected in the new international agreement by putting its emphasis on striking a balance between the dual aspects of conservation and sustainable use of the BBNJ.

### (3) Initiatives in the Political and Security Fields

In order to strengthen its legal basis for diplomatic activities, Japan is actively engaged in concluding international agreements in the political and security fields. In the field of security, Japan advanced efforts to conclude Acquisition and Cross-Servicing Agreements (ACSA), which set out the settlement procedures and other matters

on the mutual provision of supplies and services between the JSDF and foreign armed forces, Agreements concerning the Transfer of Defence Equipment and Technology, which set out provisions on the handling of defence equipment and technologies to be transferred, and Agreements on the Security of Information, which serve as the basis for the sharing of classified information on security with the relevant countries. Japan signed an ACSA with India in September, and reached an agreement in principle with Viet Nam in October on an Agreement concerning the Transfer of Defense Equipment and Technology. Japan is also continuing negotiations including toward the conclusion of a peace treaty with Russia, which is a key issue. In the area of nuclear energy, in light of the UK's withdrawal from the European Atomic Energy Community (Euratom), Japan signed the Protocol Amending the Japan-UK Nuclear Cooperation Agreement in December.

### (4) Initiatives in the Fields of the Economy and Society

The conclusion and implementation of international agreements that bring legal discipline to cooperative relationships with other countries in the economic sphere is becoming increasingly important for promoting the liberalization of trade and investment, as well as people-to-people exchanges, and for strengthening the foundations for the overseas activities of Japanese citizens and companies. The agreements that Japan negotiated and signed or concluded in 2020 include tax conventions, investment treaties, and social security agreements with various countries and regions. Furthermore, Japan also engaged actively in negotiations on Economic Partnership Agreements (EPAs) and other agreements, with the aim of expanding free and fair economic spheres and strengthening wide-ranging economic relationships.

The Japan-U.S. Trade Agreement and the Japan-U.S. Digital Trade Agreement were signed in October 2019 and entered into force in January

2020. The Japan-UK Comprehensive Economic Partnership Agreement (Japan-UK EPA) was signed in October 2020 and entered into force in January 2021. The Regional Comprehensive Economic Partnership (RCEP) Agreement was signed in November 2020.

Furthermore, with a view to protecting and enhancing the livelihoods and activities of Japanese citizens and companies, Japan is working on the proper implementation of existing international agreements as well as utilizing the dispute settlement system of the World Trade Organization (WTO).

In social areas such as human rights, the environment, fisheries, maritime affairs, aviation, labor and social security, which are closely linked to the daily lives of the people, Japan actively participates in negotiations of international agreements to ensure that Japan's positions are reflected and also concludes such agreements. For example, in the aviation sector, Japan signed the Japan-EU Bilateral Aviation Safety Agreement in June. In the field of maritime affairs, Japan concluded the International Convention on Civil Liability for Bunker Oil Pollution Damage (Bunker Convention) and the Nairobi International Convention on the Removal of Wrecks (Nairobi Convention) in July.

### **(5) Initiatives in the Field of Criminal Justice**

The ICC is the first-ever permanent international criminal court for prosecution and punishment, in accordance with international law, individuals who have committed the most serious crimes of concern to the international community. Since becoming a State Party to the ICC Rome Statute in October 2007, Japan has consistently supported the ICC's activities and cooperated with the Court in various ways. Fiscally, Japan is the largest contributor to the ICC, accounting for approximately

15.7% of the entire assessed contributions to the Court as of 2020. With regard to human resources, Japan has consistently produced judges since its accession to the ICC. The current judge, Ms. Akane Tomoko, former Ambassador for International Judicial Cooperation at the Ministry of Foreign Affairs and Public Prosecutor at the Supreme Public Prosecutors Office of Japan, began serving her nine-year term in March 2018. In addition, Japan has cooperated with activities of the ICC from various positions. Mr. Noguchi Motoo, former Ambassador for International Judicial Cooperation and Public Prosecutor of Supreme Public Prosecutors Office of Japan, served as an independent expert of the panel of experts to assist the Committee on the Election of the Prosecutor, while Mr. Kozaki Hitoshi served on the Committee on Budget and Finance. As the ICC evolves into a full-fledged international criminal justice institution, it is imperative to secure cooperation with the ICC, establish the principle of complementarity, and to ensure efficiency and effectiveness in its judicial procedures. Japan actively engages in addressing these challenges, such as through its participation in the working groups of the Assembly of States Parties.

Along with these efforts, in the face of an increase of cross-border crimes in recent years, Japan is further working on ensuring judicial cooperation, such as the mutual submission of necessary evidence. Specifically, as efforts to improve legal frameworks for promoting international cooperation in the field of criminal justice, Japan has been working on negotiations toward concluding international agreements such as the Treaty on Mutual Legal Assistance in Criminal Matters (MLAT)<sup>33</sup>, the Treaty on Extradition<sup>34</sup>, and the Treaty on the Transfer of Sentenced Persons<sup>35</sup>. In August, the Treaty between Japan and the

<sup>33</sup> A legal framework that allows for efficient and prompt cooperation with legal authorities of other countries in criminal investigations and procedures.

<sup>34</sup> A legal framework having comprehensive and detailed provisions regarding the extradition of criminals to enable more effective cooperation for repressing crime.

<sup>35</sup> A legal framework aiming to facilitate the social rehabilitation of sentenced persons by giving them the opportunity to serve their sentences in their own countries.

Socialist Republic of Viet Nam on the Transfer of the Sentenced Persons entered into force.

## 7 Human Rights

The protection and promotion of human rights provide the foundation for peace and stability in the international community. Japan recognizes that the protection of human rights, which is a universal value, is the basic responsibility of all countries, regardless of differences in the method of attaining this goal and their cultures. While speaking out firmly against any serious violation of human rights, Japan considers, under the basic principle of “dialogues” and “cooperation,” that it is important to promote voluntary efforts through bilateral dialogues and cooperation between countries that are working toward democratization and the protection of human rights. In addition, in the area of human rights, with the standpoint of bridge-building in Asia and protection of the socially vulnerable people, Japan puts effort into improving the global human rights situation through bilateral dialogues, proactive participation in multilateral forums such as the UN, and constructive dialogues with the UN human rights mechanisms.

### (1) Initiatives within the UN

#### A UN Human Rights Council

The UN Human Rights Council was established in 2006 as a restructured version of the UN Commission on Human Rights in order to strengthen the UN’s ability to address human rights issues as part of a movement toward mainstreaming human rights in the UN. The Human Rights Council holds sessions throughout the year in Geneva (three regular sessions per year, lasting about ten weeks in total) to discuss issues and make recommendations concerning the protection and promotion of human rights and fundamental freedoms.

Japan served as a member of the Council from June 2006 to June 2011 (the first and the second terms), January 2013 to December 2015 (the third term), and January 2017 to December 2019 (fourth term). Most recently, Japan was elected in the election held in October 2019, and currently serves as a member of the Council from January 2020 to December 2022 (fifth term).

At the high-level segment (meeting of the main representatives of each country) of the 43rd Session in February and March, Parliamentary Vice-Minister for Foreign Affairs of Japan Omi Asako delivered a statement. In her statement, in relation to COVID-19, she called for efforts to prevent the suspension of use of facilities and the calumny against certain persons only for being of East Asian origin. She also expressed Japan’s continued dedication to contribute to the protection and promotion of human rights in Asia and the world, and stressed the importance of the early resolution of the abductions issue. Furthermore, she introduced Japan’s latest initiatives to protect and promote the rights of socially vulnerable people in Japan and abroad, including protecting and promoting the rights of the child, leading international discussions on the elimination of discrimination against persons affected by leprosy and their family members, restoring and promoting the culture of the indigenous Ainu people, and expanding the reception of refugees through Japan’s resettlement program. The resolution on the situation of human rights in the Democratic People’s Republic of Korea (DPRK), submitted by the EU and co-sponsored by Japan, was adopted without a vote at the same session (adopted for 13 consecutive years)<sup>36</sup>. This resolution refers to the urgency and importance of the abductions issue and of the immediate return of all abductees, the long years of suffering experienced by abductees and their families, the immediate return of all abductees of Japan as well as the provision of accurate

<sup>36</sup> Due to the COVID-19 pandemic, the session was suspended after the final meeting held on March 13. It was resumed on June 15, and the resolution on the situation of human rights in the Democratic People’s Republic of Korea (DPRK) was adopted on June 22.

information to the families of victims on the fates and whereabouts of their missing relatives.

At the 44th session held in July, Japan, as the main sponsor, submitted a draft resolution on the elimination of discrimination against persons affected by leprosy and their family members, which was adopted without a vote. The resolution includes the UN Human Rights Council's decision to extend the mandate of the Special Rapporteur on the elimination of discrimination against persons affected by leprosy and their family members for a period of three years, with a view to protecting the human rights of those suffering from leprosy-related discrimination around the world. The resolution also encourages the United Nations High Commissioner for Human Rights and the Special Rapporteur to continue consultations with various stakeholders in relation to discrimination against persons affected by leprosy and their family members.

#### **B The Third Committee of the UN General Assembly**

The Third Committee of the UN General Assembly is, along with the Human Rights Council, the UN's main forum focused on human rights. Generally, in October and November, the Committee discusses a wide range of issues, including those concerning social development, women, children, racial discrimination, refugees, crime prevention and criminal justice, as well as the human rights situations in North Korea, Syria and Iran, among others. Resolutions adopted by the Third Committee are then adopted by a plenary session of the general assembly, contributing to the development of international norms.

At the 75th session of the General Assembly, the resolution on the situation of human rights in the Democratic People's Republic of Korea (DPRK), submitted by the EU and co-sponsored by Japan, was adopted without a vote at a session of the Third Committee in November and a plenary session of the UN General Assembly in December. The resolution refers to the urgency

and importance of the abductions issue and of the immediate return of all abductees, the long years of suffering experienced by abductees and their families, the immediate return of all abductees of Japan as well as the provision of accurate and detailed information to the families of the victims on the fates and whereabouts of their missing relatives.

In addition, Japan participated actively in discussions in the international community toward protecting and promoting human rights, including discussions on the human rights situations in some countries such as Syria and Iran, as well as discussions on various human rights issues that include social development and the rights of the child.

#### **C Ending Violence Against Children**

Since 2018, Japan has participated in the Global Partnership to End Violence Against Children (GPeVAC). Japan has been actively involved in Partnership activities as a "pathfinding country," engaging in ending violence against children. As part of this effort, Japan cooperates with civil society and private companies to formulate a country-specific action plan aimed at ending violence against children. In July, the Government of Japan and ChildFund Japan, a non-profit organization, co-organized a side event on the theme of COVID-19 and ending violence against children on the occasion of the UN High-level Political Forum (HLPF). Japan will continue promoting efforts to end violence against children at home and abroad, in collaboration with the international community.

#### **D National Action Plan (NAP) on Business and Human Rights**

Japan is actively engaged in efforts toward the implementation of the "Guiding Principles on Business and Human Rights (UNGPs)" that was endorsed by the UN Human Rights Council. As a part of these efforts, Japan launched the National Action Plan (NAP) on Business and Human Rights



in October to promote respect for human rights in the context of business activities. Since then, the government has been widely promoting the NAP at international fora such as the UN Forum on Business and Human Rights held in Geneva, as well as meetings organized by business associations and stakeholders. Going forward, Japan will steadily implement the NAP in cooperation with the relevant ministries and agencies (see the Special Feature below).

## (2) Initiatives Concerning International Human Rights Law and International Humanitarian Law

### A International Human Rights Law

In November, at the elections of members of the

Committee on the Rights of the Child held at the 18th Meeting of States parties to the Convention on the Rights of the Child at the UN Headquarters in New York. Ms. Otani Mikiko (lawyer), Japan's candidate, was re-elected to the Committee (see the Column on page 275). Furthermore, with respect to the human rights treaties that Japan has concluded, Japan has faithfully responded to periodic reviews of government reports on the implementation status of the treaties in Japan, pursuant to the rules set forth in those treaties. In March, the Seventh Report of Japan on the International Covenant on Civil and Political Rights was submitted to the Human Rights Committee.

### Special Feature

## Toward Business Enterprises that “Leave No One Behind”; Launch of Japan’s National Action Plan (NAP) on Business and Human Rights

With the progress of globalization of business activities, international interest in the need for business enterprises to respect human rights is growing. Within the United Nations, the “Guiding Principles on Business and Human Rights: Implementing the United Nations ‘Protect, Respect and Remedy’ Framework” (hereinafter referred to as Guiding Principles) received unanimous endorsement at the 17th session of the Human Rights Council held in 2011. The Guiding Principles set out the principles for the state duty to protect human rights, the corporate responsibility to respect human rights, and access to remedy for business-related human rights abuse, and are used as the guidelines for the respect of human rights in business activities.

The UN Forum on Business and Human Rights has been convened since 2012 with the aim of promoting the Guiding Principles. When the UN set out the Sustainable Development Goals (SDGs) that aim to realize a world of “Leave No One Behind” in 2015, it also affirmed the importance of compliance with the Guiding Principles, while demand from investors, civil society and consumers for business enterprises to respect human rights has been increasing.

With such growing interest in “business and human rights” in Japan and abroad, the Government of Japan decided to formulate a National Action Plan (NAP) on Business and Human Rights in 2016 as one of its initiatives toward the steady implementation of the Guiding Principles. The formulation of the NAP is also positioned as one of the main initiatives toward the achievement of the SDGs, and this intention was clearly stated in the SDGs Implementation Guiding Principles Revised Edition, approved by the SDGs Promotion Headquarters led by the Prime Minister in December 2019. Hence, business enterprises are also called upon to respect human rights in their actions for SDGs initiatives.



United Nations Forum on Business and Human Rights (Geneva, Switzerland; Photo: UN Secretariat of the Forum on Business and Human Rights) (Convened as an online event in 2020)

The initial stage in the formulation of the NAP took place in 2018 with the participation of all relevant government ministries and agencies to assess the current landscape of Japanese legislation and policies related to business activities. This was followed by ten consultation meetings with leading organizations in the business sector, the labor sector, bar associations, civil society and other sectors of society to ascertain the situation on the respect of human rights in business activities. The results of the discussions were then compiled in a report.

Toward the formulation of the NAP, an Inter-Ministerial Committee was established to promote coordination among the relevant ministries and agencies in 2019. An Advisory Committee and a Working Group were also established to include a wide range of views. A series of discussions were held to learn the views of the business sector, the labor sector, bar associations, academia, civil society and consumer organizations, as well as overseas experts. Through the discussions, priority areas were identified in July 2019 to be incorporated in the NAP. In February, the draft of the NAP was drawn up, and public comments were invited for one month from February 17. Taking these various viewpoints into consideration, in October, the Inter-Ministerial Committee launched the NAP on Business and Human Rights, with the aim of promoting respect for human rights in the context of business activities.

The NAP lists a series of measures related to business and human rights to be implemented by the

Government. It also sets out expectations for business enterprises to promote introducing human rights due diligence (to identify, prevent, mitigate, and account for how business enterprises address their impacts on human rights) in the context of their business activities.

Through the implementation and promotion of the NAP, and by encouraging responsible business conduct, the Government of Japan will ensure the coherence of policy measures taken by the relevant ministries and agencies with regard to business and human rights. The Government also wishes to contribute to promoting and protecting both the human rights for society as a whole, including international society. Furthermore, the Government hopes that the NAP will serve to enhance company values and Japanese enterprises' competitiveness and will contribute to the achievement of the SDGs.



Cover of the National Action Plan (NAP) on Business and Human Rights (2020-2025)

## Column

## Re-election as Member of the Committee on the Rights of the Child

Otani Mikiko, Lawyer

I was re-elected at the elections of members of the Committee on the Rights of the Child held in New York in November, for which I ran for the second term. Due to the impact of COVID-19, this election was held about five months after the original date.

The Committee on the Rights of the Child is a human rights treaty body\* comprised of 18 experts, and its mission includes the promotion of the implementation of the Convention on the Rights of the Child. The number of state parties to the Convention is 196, more than the number of member states of the UN and the largest number among all treaties of the UN. I have been serving as the first Japanese member of the Committee since 2017. Even before that, I have been learning about the Convention on the Rights of the Child and have been interested in the monitoring systems put in place by human rights treaty bodies in accordance with the provisions of the respective human rights treaties. As a member of an NGO, I have been involved in the review of government reports by human rights treaty bodies for more than 20 years. This work made me realize that, in order for human rights treaty bodies to promote the realization of human rights and the implementation of treaties by states parties, the working methods of each treaty body are an extremely important matter. Based on this understanding, during my first term in the Committee on the Rights of the Child, I worked passionately on the reform of human rights treaty bodies in addition to my primary duties as a member of the said Committee.

The review of human rights treaty bodies has been carried out based on the UN Resolution on strengthening and enhancing the effective functioning of the human rights treaty body system, adopted by the General Assembly in 2014. However, it is a subject that does not attract the interest of many Committee members, because discussions on the working methods of human rights treaty bodies are not related to substantive human rights issues and tend to be undistinguished and technical. In this regard, I have been actively involved in the work aimed at reviewing human rights treaty bodies based on the above-mentioned mindset. In human rights treaty bodies, which are collective bodies of individual experts, it is not an easy matter to hold exhaustive discussions on substantive human rights issues and summarize the opinions raised. The review of working methods is far more difficult than that. Within this process, when coordinating varying opinions and proposing new ideas and concrete solutions to overcome issues, I get an actual sense that I am applying my practical instincts as a lawyer, as well as the experiences in organizational management and budgetary/organizational reforms that I had gained as an executive officer of an NGO. In addition, throughout my experience as an intern at the Office of the UN High Commissioner for Human Rights, and my experience participating as a member of the Japanese delegation and a representative of women in the private sector at the Third Committee of the UN General Assembly, I have continued to hold an interest in, and to learn about, the organizations, budgets and procedures of the UN. This background has served me well in the discussions on the review of human rights treaty bodies.

The committee members of each human rights treaty body do not represent their own governments, but instead, serve as independent and neutral experts. On the other hand, as a Japanese member of the Committee, I feel that doing good work that will be remembered by many people and contributing to the human rights activities of the UN, with the aim of improving the human rights of children and improving the systems of human rights treaty bodies, is a diplomatic activity on the private individual level that contributes to enhancing Japan's reputation in the international community in a broader sense. For the four-year period of my second term, I aim to engage in activities with this fervor and enthusiasm, and with a sense of gratitude for the valuable opportunity that I have been offered.



\*Committees (known as treaty bodies) that carry out monitoring activities on the implementation of human rights treaties by state parties, and which are established based on the main human rights treaties adopted by the UN (such as the Convention on the Rights of the Child, Convention on the Elimination of all Forms of Discrimination Against Women).

### **B International Humanitarian Law**

Japan has actively been engaged in efforts for strengthening the national implementation of international humanitarian law (IHL). In February, a meeting of the National IHL Committee was co-organized with the Japanese Red Cross Society, during which discussions were held on matters such as the activities and roles of the International Humanitarian Fact-Finding Commission (IHFFC). In October, Japan participated in a regional meeting of the national IHL committees of Asia-Pacific countries, where views were exchanged on the dissemination and implementation of IHL at the national level. Furthermore, as it does every year, Japan dispatched instructors to play the part of the judge to the IHL Moot Court Competition, organized by the International Committee of the Red Cross (ICRC), as part of awareness-raising efforts for IHL.

#### **(3) Initiatives Undertaken via Bilateral Dialogue**

In addition to initiatives within the UN and other multilateral frameworks, Japan recognizes the importance of bilateral dialogues in order to protect and promote human rights. The Seventh Japan-Myanmar Human Rights Dialogue was held in Nay Pyi Taw in February, and the 24th Japan-EU Human Rights Dialogue was held via video-conference in May. While sharing information on their respective initiatives in the field of human rights, the parties to these dialogues exchanged opinions concerning cooperation in multilateral fora such as the UN.

#### **(4) Contribution to Refugee Issues**

From the perspective of international contribution and humanitarian aid, Japan started accepting refugees from Myanmar who were temporarily residing in Thailand, under a resettlement program that ran from FY2010 to FY2014 (the transfer of refugees from an asylum country to a third country that agrees to accept them for long-term settlement).

In addition to accepting refugees from Myanmar who had been residing temporarily in Malaysia since FY2015, the Government of Japan allowed accepting eligible family members of those who already resettled in Japan on the condition that mutual aid be provided with those remaining in Thailand. From FY2010 to FY2019, a total of 194 people from 50 families have come to Japan under this program.

While local governments in the Tokyo metropolitan region have traditionally played a central role in operations concerning the resettlement destinations for refugees upon their arrival in Japan, proactive efforts are being made to resettle refugees in municipalities outside of the Tokyo metropolitan area, aimed at promoting a better nationwide understanding of the refugee issue. Since 2008, the refugees who have completed a six-month training program upon arrival in Japan started resettlement in various parts of Japan, and are living independently in their respective areas.

The international situation surrounding refugees is undergoing dramatic change. In light of this movement among the international community and to better balance the burden for the refugee problem among the international community, Japan made the decision in June 2019 to accept more refugees resettling from third countries under part of a new framework. Specifically, beginning in FY2020, Japan will now accept up to 60 refugees temporarily residing in Asia once or twice a year without restriction on their birthplace or region of residence, and any of the family members of the refugees who have already been accepted in Japan under a resettlement program. In light of the COVID-19 pandemic situation in Japan and abroad, the appropriate time for accepting refugees is under consideration as of December.

While the acceptance of resettled refugees has been done primarily by Western countries, Japan is the first country in Asia to accept resettled refugees.

## 8 Women

The “Power of Women” has the greatest potential that has not yet been fully mobilized both in Japan and abroad. By promoting gender equality and the empowerment of women, and thereby enabling women to give full play to their capabilities, is vital toward revitalizing the economy and society as a whole, as well as realizing “building back better” under the conditions of the COVID-19 pandemic. In light of the vulnerable position that women are placed in situations of conflict, it is also important for Japan to prevent the use of sexual violence as a weapon in conflicts, and to contribute actively to international efforts to protect the human rights of women and promote the provision of relief and assistance to women. Going forward, Japan will continue to contribute to the realization of gender equality and the promotion of women’s empowerment while hosting international conferences on women and vigorously promoting assistance to developing countries through cooperation with other countries and international organizations.

### (1) G20 Riyadh Summit

At the session on “Building an Inclusive, Sustainable, and Resilient Future” at the G20 Riyadh Summit held in November, Prime Minister Suga expressed that Japan welcomes the commencement of concrete actions of “EMPOWER,” the Private Sector Alliance for the Empowerment and Progression of Women’s Economic Representation in leadership positions. The launch of this initiative was welcomed by leaders at the G20 Osaka Summit held under Japan’s presidency.

### (2) International Cooperation for the Empowerment of Women in Developing Countries

In May 2016, Prime Minister Abe announced the “Development Strategy for Gender Equality and Women’s Empowerment,” formulated as one of the new thematic policies under the

Development Cooperation Charter, and declared that measures would be implemented to train about 5,000 female government administrative officials and to improve the learning environment for about 50,000 girls over the three years from 2016 to 2018. This was steadily implemented. At the 3rd WAW! held in December 2016, Prime Minister Abe promised to provide support amounting to more than 3 billion US dollars for women in developing countries until 2018, with a focus on the following: (1) promoting women’s and girls’ rights; (2) creating an enabling environment for women and girls to reach their full potential; and (3) advancing women’s leadership in politics, economy and other public fields. These measures were also steadily implemented. At the 5th WAW!, held in March 2019, Prime Minister Abe affirmed his pledge to provide high-quality education and career development opportunities to at least 4 million women and girls over the three years between 2018 and 2020 as a means to expand educational opportunities for women in developing countries.

### (3) Initiatives in the UN

#### A United Nations Commission on the Status of Women (CSW)

The 64th session of the United Nations Commission on the Status of Women (CSW64) was held in March on a much smaller scale for a significantly reduced duration, due to the impact of the COVID-19 pandemic. Opening statements were presented by the CSW64 chair, the Executive Director of UN Women and others, and political declarations, various resolutions and the agenda for the 65th session of the United Nations Commission on the Status of Women were adopted. However, there were no opportunities for member states to present their remarks, including statements.

#### B UN Women

Japan has been strengthening cooperation with UN Women along with increasing its contribution



Meeting between UN Women Executive Director Mlambo-Ngcuka and Parliamentary Vice-Minister for Foreign Affairs Omi (January 7, New York)

of approximately 2 million US dollars in 2013 to approximately 22 million US dollars in 2020. In particular, in the Middle East, such as Egypt, Iraq and Jordan, as well as conflict-stricken countries in Africa that include Nigeria, Niger and South Sudan, Japan provides economic empowerment support through the creation of employment and vocational training, raising awareness toward women's rights and the eradication of violence against women, and psychological and social support, as civil war and other factors in these regions have placed women and girls, who became refugees or internally displaced persons (IDPs), in vulnerable economic and social situations. Moreover, to prevent violent extremism, Japan supports efforts to build resilient communities through women's empowerment, as well as efforts to encourage women's participation in both peacebuilding and in the peace and reconciliation process in Lebanon and Sri Lanka. On January 7, Parliamentary Vice-Minister for Foreign Affairs Omi visited New York, where she engaged in discussions with UN Women Executive Director Phumzile Mlambo-Ngcuka on cooperation between UN Women and the Government of Japan toward women's empowerment.

### **C Dealing with Sexual Violence**

Sexual violence is used as a tactic of war which cannot be overlooked. It is vital to put an end to impunity and to support victims of violence.

Japan has been actively engaging in efforts to ensure that the 21st century is a world where women do not suffer violation of human rights. Japan places importance on cooperating with international organizations that include the UN Action and Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict (SRSG-SVC), as well as participating in international discussions.

In 2020, Japan provided financial support of approximately 1.09 million US dollars to the Office of the Special Representative of the UN Secretary-General on Sexual Violence in Conflict, contributing to strengthening the police and judicial capabilities, as well as the development of support systems for victims of sexual violence in conflicts, in the Democratic Republic of the Congo, Somalia, Central Africa, Mali, Nigeria and South Sudan. In 2020, Japan contributed 2 million Euros to the Global Survivors Fund (GSF), founded by 2018 Nobel Peace Prize laureates Dr. Denis Mukwege and Ms. Nadia Murad for survivors of sexual violence in conflicts. Japan also participates actively in GSF as a member of the Board. Furthermore, Japan continues to make voluntary contributions to the Trust Fund for Victims of the International Criminal Court (ICC), earmarking approximately 650,000 Euros out of a cumulative contribution of about 850,000 Euros for victims of sexual violence. Efforts are also being made to protect victims of such violence.

### **D Women, Peace and Security (WPS)**

Japan formulated a national action plan (NAP) in 2015 to implement UN Security Council resolution 1325 and other related resolutions on women, peace and security (WPS). In March 2019, Japan launched the revised second version of NAP. In accordance with the NAP, Japan has contributed to advancing the WPS agenda in the Middle East, Africa and Asia through various financial contributions to international organizations, mainly UN Women and the UN Office of the Special Representative of the Secretary-General on Sexual



Violence in Conflict. Japan also compiles a report for the monitoring and evaluation of implementation of NAP, which is published on the website of the Ministry of Foreign Affairs. The G7 Women, Peace and Security Partnerships Initiative was established at the 2018 G7 Foreign Ministers Meeting in Toronto. With Sri Lanka as its partner country, Japan has supported the implementation of the WPS agenda including formulating a NAP on the WPS of Sri Lanka since 2019, as well as the economic empowerment project for female headed households, including conflict-affected widows. In December 2020, a dialogue was held between the evaluation committee for the NAP and civic society. During the same month, State

Minister for Foreign Affairs Uto delivered a video message at an International Conference on WPS hosted by Viet Nam, where he noted Japan's initiatives at home and abroad for the implementation of the NAP on WPS.

#### **E Committee on the Elimination of Discrimination against Women**

Since 1987, Japan has continued to provide members for the Committee on the Elimination of Discrimination against Women (CEDAW), which comprises 23 independent experts. Professor Akizuki Hiroko of Asia University was elected to a member of the CEDAW at its member election held in 2018.