

## “Toward the realization of a seamless security system:

### What Japan should do to ensure the stability of East Asia in the face of the intensifying U.S.-China leadership competition”

#### Introduction

- The severity surrounding the international environment is increasing. Japan also has many problems, such as China’s growing activities over the Senkaku Islands and North Korea risks.
- While the Biden administration aims to strengthen relations with allies and friendly countries, it also demands that “allies bear their share of responsibility and burden.”
- We present our recommendations from the perspectives of "discussions on security without taboos" and "protecting our own security by ourselves," which the Association has continued to advocate.

#### 1. Review the Japan-U.S. Status of Forces Agreement to strengthen the Japan-U.S. alliance.

- January 2020 marked the 60th anniversary of the Japan-U.S. Security Treaty, showing the maturity of the relationship between the two countries. On the other hand, the Japan-U.S. Status of Forces Agreement, which was signed in the same year as the Treaty, is often said to be "unfair" to Japan, although it is considered "extremely important for the Japan-U.S. security system." In particular, problems stemming from crimes committed by U.S. military personnel in Japan and dangers that exist around the U.S. military bases are concentrated unevenly in such areas as Okinawa. Every time a problem arises, demands for a review of the Japan-U.S. Status of Forces Agreement increase. However, it has never been revised in the past 60 years since it was signed.
- Okinawa is located in a position that is pivotal for the peace and security of Japan and the Asia-Pacific region. Securing the safety of local residents and understanding and cooperation of local residents toward the U.S. forces in Japan are indispensable to deepen the Japan-U.S. alliance. The strategic importance of having U.S. military bases in the Japanese archipelago is especially rising for both Japan and the U.S. amid the heightened conflict between the two major powers, the U.S. and China. The Japan-U.S. Status of Forces Agreement should be reviewed in order to make base functions more advanced and more sustainable and to expand the scope of defense cooperation.

#### Recommendation (1):

**In review of the Japan-U.S. Status of Forces Agreement, application of Japan’s domestic laws and adequate information disclosure should be demanded.**

1. **As a general rule, apply Japan's domestic laws to the U.S. forces and civilian workers for the military in Japan.**
  - Currently, as a general rule, Japan’s domestic laws are not applied to the U.S. forces and civilian workers for the military in Japan. However, Japan is an independent sovereign nation and also hosts the largest number of U.S. military personnel in the world. Since it is essential to secure the safety of residents living in the vicinity of bases and to give consideration to their emotional outrage, Japan's domestic laws should be applied mainly to matters related to the lives and property of Japanese citizens.
2. **Revise the exclusive control rights of the U.S. over the bases to a level comparable to that of Germany and Italy.**
  - The Japan-U.S. Status of Forces Agreement states that the U.S. forces "may take all the measures necessary for establishment, operation, safeguarding and control” of their facilities and areas. Therefore, Japanese personnel are restricted from investigating or entering the bases, even in the event of an incident or accident. It is also impossible to regulate the

environmental destruction or other problems within the bases. The government and local authorities should be allowed to enter the bases at a level comparable to that of Germany and Italy.

#### 3. **Clarify the provisions regarding drills and exercises of U.S. military aircraft and the like.**

- Currently, there is no clear provision for such matters in the Japan-U.S. Status of Forces Agreement, which have caused noise damage to residents living in the vicinity of bases and have also become an obstacle to the safe and efficient operation of commercial aircraft. Therefore, drills and exercises conducted outside their facilities and areas by the U.S. forces should in principle be restricted. If it is unavoidable to conduct drills and exercises outside their facilities and areas, prior notice should be required.

#### 4. **Establish rules for information disclosure regarding quarantine to the Japanese government.**

- The Japan-U.S. Status of Forces Agreement states that "members of the United States armed forces shall be exempt from Japanese passport and visa laws and regulations." Therefore, even though soldiers and their family members were confirmed to be infected with COVID-19 at U.S. military bases, the Japanese government was not able to fully grasp the actual situation. Rules should be established in advance for emergencies and other situations.

#### Recommendation (2):

**Review of the Japan-U.S. Status of Forces Agreement should be considered in all possible ways, including revising the Agreement and changing its operation and interpretation.**

- Germany and Italy have revised the Status of Forces Agreement or concluded supplementary agreements as part of the review of the Agreement. Meanwhile, Japan has never revised the Japan-U.S. Status of Forces Agreement since it was signed and has not announced any policy for revision. The government should develop a policy for reviewing the Agreement and consider all possible ways to do so, including revising the Agreement and changing its operation and interpretation, from the perspective of local residents.

#### Recommendation (3):

**An environment should be created in which the Japanese citizens can freely discuss the Japan-U.S. alliance and the Japan-U.S. Status of Forces Agreement.**

- Although the Japan-U.S. alliance and the Japan-U.S. Status of Forces Agreement are indispensable themes for the peace and security of Japan, many citizens are unaware of or indifferent to the actual situation and where the problems lie. Exchange between the bases, local representatives (public administration), and residents living in the vicinity of bases should be more encouraged, and the system for constant and open discussion of problems facing both sides should be further expanded. In addition, awareness should be raised and the environment should be improved so that each and every citizen will become interested in and actively discuss the issue.

**2. Strengthen the partnerships, closeness, and expansion of relationships with allies, the Quad, and other countries that share fundamental values and have geographic and historical ties to the Indo-Pacific region.**

- With a relative decline in the international influence of the U.S., the world is in the process of transforming from "Pax Americana" to "Pax Allied Americana." Under such circumstances, Japan has demonstrated its international presence in diplomacy and security with the vision set out by the former Abe administration in 2016, the "Free and Open Indo-Pacific Strategy."
- Japan is also promoting a partnership known as the "Quad" with the U.S., Australia, and India.

**Recommendation (4):**

**The Quad should strengthen multifaceted and multi-layered relationships that go beyond military affairs and security.**

- The Quad is a symbol of the "Free and Open Indo-Pacific Strategy." The framework of cooperation should be further expanded in a multifaceted and multi-layered manner.
- It should also focus on cooperation in energy, space, trade and other areas in addition to continuing joint drills between Japan, the U.S., Australia and India.

**Recommendation (5):**

**Japan should promote more the "Free and Open Indo-Pacific Strategy" as a maritime power.**

- As a maritime power, Japan should play a leading role in promoting the utilization of marine resources based on the rule of law. At the same time, it is also urgently necessary to enhance the capability of the Japan Coast Guard to respond to the imminent crisis near the Senkaku Islands and in other areas of Japan.

**3. Establish a cooperation system beyond industrial boundaries from the perspective of "economic security."**

- There is an increasing risk that Japanese companies could become involved in export controls by the U.S. and China. In addition, the risk of companies and individuals engaging in economic activities that are contrary to the details of the resolution on economic sanctions against North Korea also remains high.
- There is a limit to the capacity of each company or individual to gather information or take measures to address the issues, such as the impact and risks of export controls or export sanctions by the U.S., China and other countries on their companies, how their products are produced at their suppliers or supply destinations, and how they are used in third countries.

**Recommendation (6):**

**The Japanese government should understand and publicly disclose the actual situation regarding economic security.**

- The government should conduct a survey on companies, universities and laboratories from the perspective of economic security to obtain a full picture of the research results, technologies and products that are "strategically indispensable." After that, it should publicly disclose the actual situation to share recognition throughout the country.

**Recommendation (7):**

**Establishment of a system for information sharing and cooperation beyond industrial boundaries should be promoted in Japan.**

- With regard to export products and technologies that are particularly important for security, the establishment of a system for information sharing and cooperation beyond industrial boundaries should be promoted by utilizing the "Economic Group" set up by the National Security Secretariat, in addition to the efforts of individual companies.

**4. Enhance cyber security by both the public and private sectors.**

- Computer technology is advancing rapidly. In addition to information leaks, there has been an increase in attacks aimed at destruction of the real economy and of industrial and infrastructure systems, unauthorized acquisition of intellectual properties, including leading-edge industries and military secrets, and information manipulation. Furthermore, the importance of responding to cyberattacks is an urgent issue for such reasons as the increase in remote work as a result of the COVID-19 pandemic.

**Recommendation (8):**

**A specialized government agency that oversees and holds responsibility for cyber security for the entire country should be established as soon as possible.**

- Private companies cannot deal with cyberattacks conducted at the national level. At present, the framework of the nation (such as monitoring, analysis, and response) to counter large-scale cyberattacks that threaten the security of the entire country or cyberattacks on critical infrastructure facilities is unclear, including where responsibility lies. The current situation, in which there is no "shield for the nation," should be promptly rectified.

**Recommendation (9):**

**The public and private sectors should work together to raise the level of digital resilience of private companies.**

- A system should be developed so that in the event of a cyberattack on a private company, the intrusion route, attack method, and actual damage can be grasped at an early stage and the actual situation and countermeasures can be widely shared. Also, the Digital Agency should take charge of providing information and joint training to individual companies to raise the level of digital resilience of private companies.

**Conclusion**

- It is becoming more important than ever to look at the economy through the lens of security. Both the business community and individual companies should raise their interest in security and seriously consider countermeasures.
- It is important to continue civil diplomacy with South Korea. Although the relationship between the two governments remains stalemated, it is necessary to continue exchanges at the private level, including the business community and youth.
- Crises such as natural disasters, pandemics, and military tensions suddenly occur. The crisis management capacity of Japan as a whole should be enhanced.