

Japan and UN Peace Operations

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Abstract

Japan created ‘the PKO Law’ in 1992 to provide a legal framework for international peacekeeping activities, following its financial involvement in the Gulf War of 1991. This paper argues that the PKO Law imposed certain restrictions which complicated the missions of the Japanese Self Defence Forces (SDF) and civilian personnel in operational fields. Post 11 September (2001), the Japanese government created a new legal framework for counter-terrorism and dispatched its SDF personnel to the United Nations Transitional Administration in East Timor (UNTAET) and the United Nations Mission of Support in East Timor (UNMISET).

The relationship between Article 9 of the Japanese Constitution and collective defence should be reconsidered in the light of Japan’s new commitment to UN peacekeeping operations. Japan’s participation in peacekeeping should be motivated by several factors, such as its desire to develop a distinctive international policy, its regional considerations, and the military benefits that will derive from peacekeeping. Several official UN reports, such as *An Agenda for Peace* in 1992 and *the Brahimi Report* in 2000, urge Japan to broaden its options in the types of missions that it undertakes. The peacekeeping training system in Japan also requires strengthening. This paper will describe the evolution of Japan’s policy towards UN peacekeeping operations.

1 Introduction

Undoubtedly, United Nations peacekeeping operations have contributed to the maintenance of international peace and security. As of 31 October 2003, 43,531 peacekeepers from 92 member states were involved in 13 UN peacekeeping operations as military observers, civilian police, and troops. As far as Japan’s recent contribution to UN operations is concerned, Japan is sending 442 peacekeepers in the form of UN troops, to the UNDOF in the Golan Heights, and the UNMISET in East Timor. This figure ranks Japan 26th amongst contributing UN member states.¹ However, Japan’s

¹ Contributors to UN Peacekeeping Operations: Monthly Summary of Contribution, as of 31 October 2003, Department of Peacekeeping Operations, the United Nations, <http://www.un.org/Dept/dpko>.

policy towards UN operations has been complicated by several domestic factors such as its Constitution and the right of collective defence. Meanwhile, various changes in the international political climate and the increasing demand for conflict resolution have compelled Japan to seek a new approach to participation in UN peacekeeping. This paper explains that the Gulf War in 1991 and the 11 September 2001 terrorist attacks in the US were catalysts in the evolution of Japan's policy towards peacekeeping, and identifies several operational problems caused by the state's restraining domestic laws. Finally, the paper clarifies the national interests of Japan in relation to UN peacekeeping and advocates options for the state's peacekeeping policy in the near future.

2 Historical Backdrop

2.1 Japanese peacekeeping policy after the 1990 gulf crisis

It is generally accepted that the first significant domestic controversy about a Japanese military role within the international community was brought about by the outbreak of the Gulf Crisis, the Iraqi invasion of Kuwait in August 1990. US President Bush recognized the Japanese constitutional restraints and requested of Japanese Prime Minister Kaifu that Japan contribute minesweepers and other logistical support. However, Kaifu was very reluctant to accede to the US President's request.

Although Ichiro Ozawa, the Secretary General of the Liberal Democratic Party (LDP) insisted that the SDF's dispatch abroad would be constitutional, Kaifu did not agree. Instead, the Japanese government submitted a 'Bill Concerning Cooperation to the UN Peace Effort (UN Peace Cooperation Bill)' to the Diet on 16 October 1990, which would enable the SDF to be dispatched abroad. This Bill envisaged creating a UN Peace Cooperation Corps (UNPCC) to consist of non-SDF government employees, private citizens directly subordinate to the Prime Minister, and members temporarily transferred from the SDF. The proposed law specified that activities of the corps could include: overseeing cease-fire agreements, monitoring elections, medical activities, disaster relief measures, transportation, telecommunications, and other logistical support. Furthermore, the government announced that the UNPCC members would be allowed to carry small firearms in order to defend themselves.

However, this Bill lacked consistency and coherence. For example, Kaifu claimed that while the UNPCC could transport weapons and ammunition, such duties could be connected with the use of force. Furthermore, the government found it difficult to define what weapons 'unarmed' corps members could carry and whether they could fight if attacked by hostile troops while carrying out their duties.² The Japanese government also had to consider the contradictions in Japanese public opinion; while the majority of them were opposed to Japan's finance-dominated role in the Gulf Crisis, they were also against the idea that the SDF would be sent to the region. The deliberations of the

² Purrington, C., 'Tokyo's Policy Responses during the Gulf Crisis', *Asian Survey*, 31(4) (April 1991): 312–313.

Diet rekindled the old debate on the constitutionality of the SDF, and finally the Bill was abandoned before the completion of its deliberations.

The LDP and two other minor opposition parties agreed that organizations other than the SDF should be established for the purpose of peacekeeping operations, whereas the Social Democratic Party (SDP), the major opposition party, was totally opposed to the idea. Ultimately, the Japanese Diet did not reach a consensus on the issue. Instead, Japan made a huge financial contribution to the international coalition force led by the US, amounting to an eventual US\$13 billion. It was an enormous amount, considering that the total UN peacekeeping budget at the time was US\$3 billion a year. To collect this contribution, the Japanese government had to impose special taxes on its citizens.³

After the commencement of the airstrips of the international coalition on Iraq in January 1991, Japan's 'non-bloodshed' policy was the subject of much criticism from the international community. US pressure on Japan was particularly significant. Former US Secretary of State, James Baker, said during a speech to the Japan Institute for International Affairs in Tokyo in November 1991, 'your chequebook diplomacy like our dollar diplomacy of an earlier era is clearly too narrow'.⁴

In Japan, the clamour for a larger role in world affairs was pervasive. The Foreign Ministry White Paper of 1991 stated that military personnel contributions were indispensable. According to the prescription of Prime Minister Miyazawa, Japan's international contribution 'should include some "sweating" or dispatch of personnel to assist UN peacekeeping operations' rather than relying solely on 'a lavish scattering around of aid'.⁵ Gradually, a consensus was developing among the main political parties and the Japanese public that Japan must play a more active role in maintaining international peace and security rather than simply contributing money to solve global problems.

The opinions of the Japanese public and the major political parties shifted significantly after the Gulf War. According to an opinion poll conducted by the largest newspaper company in Japan, while in June 1988 only 22.5% of Japanese citizens said, 'it is preferable that the SDF can be dispatched to peacekeeping operations', this figure rose sharply to 67.8% after the Gulf War in April 1992.⁶

On 6 June 1991, the ruling LDP created a 'Special Study Group on Japan's Role in the International Community' chaired by LDP General Secretary Ichiro Ozawa, which was simply called 'the Ozawa Commission.' This Commission claimed that the Preamble of the Japanese Constitution⁷ had a clear provision for Japan's pursuit of peaceful

³ Ito, M., 'Expanding Japan's Role in the United Nations', *The Pacific Review*, 8(2) (1995): 285.

⁴ *The Daily Yomiuri*, 12 February 1992.

⁵ *Mainichi Daily News*, 20 October 1991.

⁶ Ishizuka, K., 'A Japanese Perspective to the UN Peacekeeping Operations', MA Dissertation, Department of Politics, University of Nottingham, England, September 1996, p. 78.

⁷ The Preamble starts: 'We, the Japanese people, acting through our duly elected representatives in the National Diet, determined that we shall secure for ourselves and our posterity the fruits of peaceful cooperation with all nations and the blessings of liberty throughout this land, and resolved that never

cooperation with all nations', and therefore that the dispatch of the SDF to UN forces under Articles 42 and 43 of the UN Charter would be constitutional. The Commission also maintained that on the subject of so-called 'multi-national forces' authorized under UN Security Council resolutions, like the one in the Gulf War, Japan would be able to contribute with a logistical unit. Its conclusion, which was published in November 1991 strongly, recommended Japan's participation in UN peacekeeping operations. The US Ambassador Armacost also stated on 13 March 1991 that whether Japanese contingents could be dispatched to Cambodia (UNTAC) would be a touchstone of the provision of its peacekeeping commitment in the future.⁸ The second bill, the International Peace Cooperation Bill, the so-called 'PKO' Bill, was finally presented to the Diet by the government in September 1991.

This Bill differed from the first bill in several respects. For example, the purpose of this Bill was more clearly specified than the first one: participation in UN peacekeeping operations and humanitarian assistance. This Bill required the approval of the Diet in the case of the SDF's dispatch. Furthermore, this Bill included the so-called 'Five Principles' for the participation of a Japanese contingent in peacekeeping operations.

- 1 Agreement on the ceasefire shall have been reached among the parties to the conflicts.
- 2 The parties to the conflict, including the territorial states, shall have given their consent to deployment of the peacekeeping force and Japan's participation in the force.
- 3 The peacekeeping force shall maintain strict impartiality, not favouring any party to the conflict.
- 4 Should any of the above guideline requirements cease to satisfy the government of Japan, she may withdraw its contingent.
- 5 Use of weaponry shall be limited to the minimum necessary to protect personnel's lives, etc.⁹

The Democratic Socialist Party and Komeito called for the creation of a separate organization from the SDF for Japan's peacekeeping participation. The Socialist and Communist parties were adamant in their opposition to the Bill on the grounds that the SDF's dispatch to peacekeeping was unconstitutional. However, more precisely, all of the three largest political parties – the LDP, the Socialists, and Komeito – contained factions that favoured the SDF's participation in UN peacekeeping, and ones that opposed it as well.

It was clear that the issue of the creation of a separate organization from the SDF was meaningless. Whether the SDF or not, organizations that participate in the

again shall we be visited with horrors of war through the action of government, do proclaim that sovereign power resides with the people and do firmly establish this Constitution.⁷

⁸ Mizuno, H., *Kaigai Hi-hahei no Ronri (The Theory of no Foreign Dispatch)* (Tokyo: Shinpyouron, 1997), p. 190.

⁹ The Defence Agency, 'Defence of Japan', White Paper of the Defence Agency, *The Japan Times*, Tokyo, 1995, p. 99.

military sector of peacekeeping operations are internationally regarded as military organizations. The important thing was not 'who would act as the Japanese contingent' but 'what the Japanese contingent could do as a peacekeeper'. This issue was, however, sidelined. Providing the SDF with opportunities to participate in UN peacekeeping operations would help to broaden the international perspective of the SDF and defence authorities. It would also enhance public understanding of the SDF and, externally, to increase transparency of the real image of the SDF and eventually to build confidence in Japan. However, the above benefits did not receive attention in the debates. Public opinion was divided. A poll conducted by *the Asahi Daily Paper* indicated that 41.6% of respondents favoured SDF participation in UN peacekeeping operations, while 36.9% did not.¹⁰ Finally, the PKO Bill was voted into law in June 1992 after stormy deliberation and resistance with an attempt at resignation by all members of the Socialist Party. Thus, the new International Peace Cooperation Law (the PKO Law) became the legal authority for SDF participation in all UN peacekeeping operations.

One can identify both positive and negative aspects in this stormy debate in the Diet in passing the second PKO-related Bill. On the positive side, it was extremely significant that this debate was the first opportunity for both the Japanese Diet and public to seriously discuss the possibility and perspectives of their country's first 'physical commitment' to international peace and security. This issue was something which they preferred to avoid raising in consideration of their country's desire to continue its consistent commitment to an economically oriented society, and of its wish to maintain amicable diplomatic relations with its neighbouring Asian countries. However, international criticism of Japan in the aftermath of the Gulf War urged Japan to seek a consensus on how Japan could win international respect in terms of conflict management on the world stage. This can be recognized by the fact that the PKO Bill was only passed after three deliberations in the House of Councillors. Furthermore, the Japanese public was hardly familiar with UN peacekeeping operations before this debate. If anything, the term 'peacekeeping operations' raised in the minds of the Japanese public an image of an enforced peace, through strong military intervention, in situations which were very tense, volatile, and even intractable.

2.2 *Japan's response to international conflicts after 11 September 2001*

The 11 September terrorist attacks in the US have had a huge impact on perspectives of how international peace and security should be maintained in the future. On the day after the attacks, the UN Security Council unanimously adopted Resolution 1368 (2001), which called on member states 'to work together urgently to bring to justice the perpetrators, organizers and sponsors of these terrorist attacks'.¹¹ On 28 September 2001, a further Security Council resolution to combat international terrorism, namely, Resolution 1373 (2001), was also adopted unanimously. It should be noted that this

¹⁰ *The Asahi Shimbun (The Asahi Daily Paper)*, 12 June 1992.

¹¹ UN Document S/RES/1368(2001), 12 September 2001.

resolution included the phrase ‘*Acting* under Chapter VII of the Charter of the United Nations.’ Resolution 1373 provided a wide-ranging list of measures, which all States are legally obliged to implement, such as preventing the financing of terrorists acts, preventing the movement of terrorists by effective border controls, and finding ways of intensifying and accelerating the exchange of operational information regarding the actions of terrorist persons and networks.¹² The adoption of these resolutions indicated that Japan’s policy towards international peace and security in the post-11 September era should also respond to more complicated operations.

Meanwhile, since the PKO Law was established in 1992, several laws involving security for Japan have been modified or newly created. In June 1998, the PKO Law was reviewed for the first time since its creation in order to meet the demand from the changing climate of international security and the crisis management system. Although the 1992 Law accepted election-monitoring organized only by the UN, the current regionalization of conflict resolution led to the amendment of the PKO Law expanding the scope of Japanese contingents’ election monitoring to that sponsored by regional organizations such as the OAS and the OSCE. Likewise, one of the Five Principles in the 1992 Law included an agreement on ceasefires among parties to the conflicts. However, this principle required more flexibility in the post-cold war era when many reckless and even brutal belligerent factions fought each other in anarchy. Therefore, the newly modified law would not require this principle in the case of the participation of Japanese personnel in humanitarian missions involving the UNHCR. As far as the use of weapons was concerned, the 1998 Law accepted their use by the SDF when their senior officers ordered them to do so.¹³ Furthermore, the post-11 September period in Japan witnessed an unprecedented legal advance in crisis management, namely, the passage of the Anti-terrorism Bill, and the further amendment of the PKO Law.

The passage of the Anti-terrorism Bill. The day after the terrorist attacks in the US, Japanese Prime Minister Koizumi ordered his cabinet members to consider the possibility of dispatching the SDF for counter-terrorist activities in the near future.¹⁴ On 13 September 2001 he also mentioned in a press interview that Japan would fully support the US and not hesitate to provide the necessary assistance and cooperation to the international community.¹⁵ The Director of the LDP, Yamazaki also said in a TV programme, ‘it is against the national interest not to use the SDF for counter-terrorism measures. It is possible under the current PKO Law for the SDF to conduct humanitarian activities even in non-peacekeeping areas under UN resolutions as long as international organizations actually Japan to do so.’¹⁶ On 23 September, the government and the LDP

¹² UN Document S/RES/1371 (2001), 28 September 2001.

¹³ Under the 1992 Law, the use of force was conducted by the judgement of individual SDF personnel. *International Peace and Japan’s Cooperation* (Tokyo: Centre for Education of Japanese Economy, 2001), p. 4.

¹⁴ *The Yomiuri Shimbun*, 13 September 2001.

¹⁵ *The Yomiuri Shimbun*, 14 September 2001.

¹⁶ *The Yomiuri Shimbun*, 16 September 2001.

reached a consensus to create a new law to enable the SDF to join counter-terrorism operations. Thus, the prompt response of the Japanese government to the 11 September incident witnessed not only the government's strong desire to overcome the 'trauma' of the Gulf War in 1991 but also its commitment to contribute to the international community in this crisis.

According to a diplomatic source, the US expected Japan to play a diplomatic role and to provide intelligence. In fact, US President Bush positively evaluated Japan's role in the Afghan conflict in sharing intelligence and providing US\$40 million in financial aid to Pakistan.¹⁷ However in the final analysis, the primary request from Washington to Tokyo in the Afghan conflicts was, to 'Show the Japanese flag'¹⁸ or to play a physical role in the operational areas.

On 29 October 2001, the SDF Anti-terrorism Bill was passed after exceptionally speedy deliberations in the Diet. Prime Minister Koizumi said in the deliberations, 'The focus of the legislation was whether we think of the terrorist incidents in New York and Washington on 11 September as other people's business or as our own affair'.¹⁹ This Anti-terrorism Law would cover such activities as providing supplies and services including medical treatment to US forces and their allies. It would also legalize the SDF to engage in search-and-rescue activities and to provide humanitarian relief to refugees overseas with the consent of host governments. This law contrasted significantly with the PKO Law. Under the PKO Law, the SDF would be involved in operational areas where conflicts have ended, and the SDF would take a neutral position. Under the Anti-terrorism Law, the SDF, although their activities are limited to logistical missions, would put themselves in volatile areas, committed to universal objectives of exterminating terrorists. Likewise, whereas under the PKO Law the SDF was allowed to use weapons to protect themselves only, the Anti-terrorism Law would approve the use of weapons to protect those under the SDF's care including refugees and wounded foreign services members. In this context, in order to add flexibility to current restrictions on the use of force, this Law would have a two-year time limit. Furthermore this Law would oblige the government to seek Diet approval within 20 days of an SDF dispatch.²⁰

The response from foreign states was largely positive. The US Ambassador to Japan, Howard Baker, said that the move was an important step for the bilateral alliance.²¹ The Pakistani President also stated that his country would warmly welcome the SDF since the Japanese Force was different from those of other countries.²² In a press interview the Thai Prime Minister expressed his support for the SDF dispatch to the Indian Ocean.²³ Meanwhile, in South Korea a senior official expressed his concern, stating that

¹⁷ *The Yomiuri Shimbun*, 27 September 2001.

¹⁸ *The Yomiuri Shimbun*, 18 September 2001.

¹⁹ *The Yomiuri Shimbun*, 30 October 2001.

²⁰ *The Japan Times*, 30 December 2001.

²¹ *The Japan Times*, 30 October 2001.

²² *The Yomiuri Shimbun*, 3 November 2001.

²³ *The Yomiuri Shimbun*, 9 November 2001.

he understands that the legislation is aimed at eradicating terrorism, but that the new bills should never be allowed to harm peace and stability in Asia.²⁴

Thus, the prompt passage of this Bill indicated the enthusiasm of the Japanese government to react to the new security climate in the post-11 September era. However, it should be noted that in the Diet debate very few argued the constitutional validity of the expected operations in terms of the issues of collective security or collective defence. A vague but general consensus on this issue in the Diet was that logistical support would not be 'unified with combat'.²⁵ In addition, the SDF would not be allowed to supply and transport armed equipment and ammunition. However, in reality, missions that were conducted under this law would be collective security missions. Furthermore, in counter-terrorism measures, it would be highly probable that urgent situations would inevitably require the Japanese SDF to engage in conduct beyond the missions within the new law. This urgent, flexible, and expedient decision of the Japanese government bypassed the core issue.

The Amendment to the PKO Law. In September 2001, the Japanese government had an initial meeting to discuss sending SDF personnel to the UN peacekeeping operation in East Timor (United Nations Transitional Administration in East Timor: UNTAET). Japan's role of simply providing logistical support in UN peacekeeping operations had been long debated since the establishment of the PKO Law in 1992. This issue was viewed as increasingly more urgent from September 2001. This was because the government was expected to seek a broader role for the SDF in dispatch to Afghanistan and neighbouring states as peacekeepers. For example, the Director of the Pakistan Office in UNHCR stated that he expected the Japanese SDF to play a major role in supplying minesweepers.²⁶ Meanwhile, there had been reports from some ex-Japanese peacekeepers with experience of UNDOF in the Golan Heights that the current situation negatively affected Japanese SDF co-operation and unity with forces from other countries. A Director of the Department of Peacekeeping Operations (DPKO) in the UN also urged amendment of the 1992 Japanese PKO Law:

UN peacekeeping operations require each participating state's co-operation. Strict restrictions among states would lose flexibility in operating peacekeeping units.²⁷

The Japanese public became more aware of the necessity of the SDF's missions in international crisis management. According to an opinion poll, 44% of the respondents supported the SDF's participation in UN peacekeeping forces (PKF) beyond logistical contributions, whereas 27% did not support it. As for the question, 'What do you think

²⁴ *The Japan Times*, 30 October 2001.

²⁵ 'Unified with combat' is a popular term among the government and the Diet in assessing the SDF activities in terms of collective defence.

²⁶ *The Yomiuri Shimbun*, 7 December 2001.

²⁷ *The Yomiuri Shimbun*, 29 December 2001.

is the most important issue for the SDF?', 47 per cent of the respondents answered 'Strengthening the ability to counter terrorism'.²⁸

The Five Principles in the 1992 PKO Law was reassessed after the terrorist attack in New York. For example, 'the consent of the parties to the conflict,' one of the Five Principles, was questioned as to its practicality, since there might be a case in which one could not clearly identify the parties to the conflict in the post-11 September era. Therefore, *the Yomiuri Daily Paper*, suggested that Japan should modify the PKO Law so that the SDF's participation in UN peacekeeping could be approved if one receives consent from the government of a territorial state.²⁹ The issue of being 'unified with combat' became less significant in the post-11 September debate.

The Bill to amend the 1992 PKO Law was finally passed in the Upper House on 7 December 2001 in order to expand the scope of the SDF's participation in UN peacekeeping operations. The Bill was supported by the three ruling parties and a majority of the largest opposition Democratic Party. The revised Bill would lift a 'freeze' on SDF participation in UN peacekeeping forces engaged in such activities as monitoring cease fires, disarming local forces, patrolling demilitarized zones, inspecting the transport of weapons, and collecting and disposing of abandoned weapons. The use of weapons by SDF personnel under the revised PKO Law was similar in scope to that of the Anti-terrorism Law mentioned before; the 2001 PKO Law would legalize the use weapons by the SDF to protect 'those under their control', such as troops from other countries, refugees, government officials and personnel from the UN and other international organizations. The revision also lifted a ban on the application of Article 95 of the SDF Law, which stipulated that weapons might be used to protect weapons stores.³⁰

3 Analytical part

3.1 Lessons learnt from participation – several practical problems

Following the establishment of the new peacekeeping law, Japan sent the SDF to Cambodia (UNTAC) in September 1992, Mozambique (ONUMOZ) in December 1992, Zaire and Tanzania as part of the Rwanda mission (UNAMIR) in 1994, and the SDF has been stationed in the Golan Heights (UNDOF) since January 1996, and in East Timor (UNTAET and UNMISSET) since March 2002.

Japanese peacekeepers have been playing a more significant role. Whereas no SDF personnel were appointed to headquarters in UNTAC, five SDF personnel were assigned as staff officers to the ONUMOZ headquarters in Mozambique. Japan sent the SDF to carry out humanitarian international relief operations as part of UNAMIR. The SDF's deployment in Bona and Zaire was not a mission which was requested by the

²⁸ *The Yomiuri Shimbun*, 31 October 2001.

²⁹ *The Yomiuri Shimbun*, 29 October 2001.

³⁰ *The Japan Times*, 8 December 2001.

UN Secretary General, nor a joint mission with other countries. It was an independent and voluntary mission by the SDF. Furthermore, as for UNDOF,³¹ although its mission has been limited to transportation services, it is a classic military operation in the most politically and militarily tense area in the world, namely the Middle East. Japan's dispatch of 690 SDF personnel to East Timor in March 2002 was its largest contribution to a UN peacekeeping operation.

However, several practical problems have been identified as a result of the SDF's involvement in the above missions, due mainly to operational constraints and inconveniences caused mainly by the PKO Law.

In Cambodia, for example, when the Khmer Rouge refused to disarm and actually ignored the cease-fire during the SDF's deployment, the Five Principles were broken. The Japanese government did not, in fact, consider the SDF's withdrawal; the Five Principles were not applied consistently in a real peacekeeping area. The government decision not to withdraw was criticized by some political parties such as the Social Democratic Party. Meanwhile, *The Washington Post* said:

According to UNTAC sources, after the first casualties in UNTAC, at least six Japanese police abandoned their post near Ampit and went to Thailand [by claiming that the local situation was against the Five Principles]. By contrast when a police officer from Colombia was killed on April 30 [in 1993] in an ambush by suspected bandit, none of his 146 colleagues in the Colombian contingent abandoned post, the official said.³²

Japan's attitude of strongly adhering to the Five Principles, in other words, claiming only Japanese contingents' withdrawal from dangerous areas in emergencies, could be regarded as egoism rather than nationalism. Mr. Yasushi Akashi, who was a head of UNTAC and UNPROFOR, replied when questioned by the press:

If Japan had withdrawn from UNTAC when a Japanese staff member died, Japan would have been mocked. Japanese politicians and citizens would know that, for example, the French and British battalions implemented their missions despite the fact that the French had more than 50 UN fatalities and the British had nearly 30 in UNPROFOR.³³

In UNAMIR, the SDF was deployed not in Rwanda but in its neighbouring countries, Zaire and Tanzania, because deployment in Rwanda, where the cease-fire had not been agreed, would have been regarded as a breach of the Five Principles. This also indicated the inconvenience of the Five Principles. Furthermore, Professor Susumu Takai at the National Institute for Defence Studies expressed a negative view towards the participation of the SDF in UNAMIR as it was an individual and voluntary mission:

An individual and voluntary mission without official appointment from the UN meant there was no security guarantee from the UN. There would have

³¹ Its main duty has been the monitoring of the separation of Syrian and Israel forces.

³² *The Washington Post*, 7 May 1993.

³³ In the interview with a Japanese magazine, *SAPIO*, 28 February 1996, p. 96.

been no compensation from the UN in the case of casualties and fatalities amongst the Japanese SDF staff. In retrospect, no casualties among the Japanese contingents in Zaire was simply fortunate.³⁴

It was also noted that the standard of 'minimum force' was different in Japanese PKO Law from the Standard Operating Procedure (SOP) stipulated by the UN. The UN allowed peacekeeping forces to use weapons not only for their own protection but also for the removal of any impediment to the completion of the assigned task, whereas Japanese PKO Law allowed only the former. Hence, serious questions remained over whether Japan alone was to act on its own initiative in the use of weapons.³⁵ The most critical issue for Japanese peacekeeping was that this law was not applicable to emergency situations. For example, if other contingents were attacked by local factions, the Japanese SDF could not go and rescue them because of the limitation of minimum force. In fact, in UNAMIR, the SDF was criticized by other contributing states when they refused a request to look for missing staff from UN headquarters because of Japan's domestic law. In a similar context, in UNTAC, only the Japanese civilian police could not accept a newly added mandate to arrest those who violated the election process.³⁶

In UNTAC, the operational situation inevitably required the SDF to extend their original missions, which occasionally included the 'frozen part' of the core assignments of peacekeeping. Close to election day in Cambodia, the Japanese engineer units became engaged in so-called PKF missions, such as patrolling, securing election monitoring, and transporting ballot boxes. A Japanese field researcher in UNTAC said:

While I was researching UNTAC, I came across the scene many times where the SDF were patrolling and guarding and where they were saying 'I am a member of the Japanese army'. Their missions were camouflaged in the name of 'information gathering'. . . . It was doubtful whether the tremendous amount of debates, pledges, and amendments to the new PKO Law in the Diet were meaningful.³⁷

The SDF has also dispatched its personnel to UNTAET and UNMISSET³⁸ in East Timor under the amendment of the PKO Law as mentioned before. However, the SDF's participation in UNTAET and UNMISSET has not significantly differed from previous

³⁴ Interview with Professor Susumu Takai, the National Institute for Defence Studies, 20 September 1997. Takao Takahara also supported Takai's opinion: 'There was great scepticism about the relevance and effectiveness of sending the SDF to a refugee camp for just three months. There were also anxieties over whether SDF might be put in a situation where the single machine-gun which they brought with them had to be used. Fortunately, no serious incident occurred.' [Takahara, T., 'Japan', in Findlay, T. (ed.), *Challenges for the New Peacekeepers*, Oxford: Oxford University Press, 1996, p. 62.]

³⁵ Chuma, K., 'The Debate over Japans Participation in Peace-keeping Operations', *Japan Review of International Affairs* (Fall 1992): 244.

³⁶ Jinyo, T., *Shin Kokuren Ron (The New Theory of the United Nations)* (Osaka: Osaka University Press, 1995), p. 243.

³⁷ Maeda, T., *PKO To JIEITAI (PKO and the SDF)* (Tokyo: Iwanami, 1996), p. 53.

³⁸ Currently, 412 troops from the SDF are deployed in UNMISSET. Contributors to UN Peacekeeping Operations, *Ibid.*

missions involving activities such as construction and transportation. The Japanese SDF, an engineering battalion, has been working in the areas close West Timor, namely, Covalima, Bobonaro, and Oecusse, and ten military engineers have been based at PKF Headquarters in the capital Dili. The work of the SDF focuses on the maintenance of the main PKF supply routes, including paving Dili airport, and fixing bridging and holes on main roads. The writer's field research in East Timor in September 2003 provided evidence that the Japanese engineering units have exerted a high degree of skills and professionalism. Many SDF have achieved fame and popularity with the Timorese public.

However, in specific terms, the Japanese SDF in East Timor face similar issues to those involved in participation in UNTAC and UNDOF. While SDF personnel are working in border areas viewed as security risks, they are mostly unarmed and unprepared for combat. They rely on the New Zealand battalions in Covalima, the Portuguese ones in Bobonaro and Dili, and the Koreans in Oecusse. One NGO group has seriously criticized the Japanese SDF in East Timor:

Although both the Japanese and East Timorese governments speak the humanitarian assistance of Japan's SDF in East Timor, it is unclear how their contribution is humanitarian in any direct way. The SDF presence does nothing to provide local employment, and in fact seems to take jobs away from the East Timorese. It is also unclear why peacekeeping troops who are unprepared for combat are working in border areas where they may indeed face armed conflict.³⁹

Some East Timorese activists also complained about Japanese SDF's presence in East Timor; they claimed that the request for the Japanese government to apologize for the Japanese occupation during WWII should also include an apology for the 24 years that the Japanese government supported Indonesia's victimization of hundreds of thousands of East Timorese.⁴⁰ Despite the SDF's distinguished professional skills, East Timor's case indicates the difficulties faced in dispatching the SDF. There are problems of history, diplomacy, and law.

It can be concluded that there are several problems for Japanese peacekeepers under the current law. In UN peacekeeping operations, several contributing states have to cooperate with each other under a common command and the SOP, and Japan cannot be the exception. It was Japanese personnel who felt humiliated when they came across a situation where Japanese law restrained the scope of their activities in operational areas. A peacekeeping operation is an *ad hoc* mission. Furthermore, peacekeeping is not a military task, but a task conducted mainly by military personnel. Therefore, the pursuit of these conventions of UN peacekeeping inevitably leads to several difficulties for the Japanese contingents under the PKO Law. The changing security situation

³⁹ The La'o Hamutuk, The East Timor Institute for Reconstruction Monitoring and Analysis, 'Japanese Peacekeepers in East Timor', *The La'o Hamutuk Bulletin*, 3(6) (August 2002): 6.

⁴⁰ *Ibid.*, pp. 5–6.

for the Japanese missions comes into conflict with the practical consequences of the application of the domestic law for real operations. East Timor's case is particularly complicated. There was an impression that the priority for the Japanese government was to make the use of the SDF overseas a *fait accompli* for diplomatic purposes.

3.2 *The Relationship between Article 9 of the Japanese Constitution and collective defence in the post 11 September era*

The issue of the relationship between Article 9 of the Japanese Constitution and collective defence has been the primary focus in Japan's consideration of participation in UN peacekeeping operations. In fact, many factors surrounding Japan and its international affairs in the post 11 September era encourage the amendment of its Constitution in order to improve collective defence measures.

First of all, there is a huge gap between the spirit of Article 9 and the changing climate of international conflicts. As mentioned in this paper, most of the conflicts on the international stage are internal or civil wars, which have brought about more civilian casualties than before. Therefore, most of the UN peace operations have presented coercive mandates based on Chapter VII in the UN Charter. On 21 August 2000, *the Report of the Panel on United Nations Peace Operations* or the so-called *Brahimi Report* was presented to UN Secretary General Kofi Annan. This report was created due to the significant change in the types of international conflicts and the difficult adaptation of current UN peacekeeping operations to them. As a new report reviewing UN peacekeeping, it advocated the following in terms of peacekeeping doctrine and strategy:

once deployed, United Nations peacekeepers must be able to carry out their mandates professionally and successfully and be capable of *defending themselves, other mission components* and missions mandate, *with robust rules of engagement*, against those who renege on their commitments to a peace accord or otherwise seek to undermine it by violence.⁴¹

Thus, *The Brahimi Report* as an official document requires each contributing state to defend not only its own troops but also other countries' in the operational areas under coercive missions. They include peace enforcement. This requirement exceeds the sphere of the revised PKO Law, and Japan's full commitment to *the Brahimi Report* would require reconsideration of Article 9 of the Constitution.

Second, it is doubtful whether Japan can contribute to the international and domestic security system under the current Constitution. In fact, after 11 September 2001, this issue re-emerged among academics and political figures which had more realistic views to counter-balance international demand. At a meeting of the research committee into the Constitution in the Diet on 25 September 2001, Professor Yasuaki Onuma of Tokyo University pointed out that Japan had neglected to positively

⁴¹ UN Document A/55/305-S/2000/809, 'Report of the Panel on United Nations Peace Operations', 21 August 2000, para. 55.

participate in the international security system by adhering to a strict interpretation of Article 9. Meanwhile, Professor Takashi Inoguchi of Tokyo University also said:

Normally, the word ‘collective security’ has been considered to be used for conflicts and warfare among states. However, currently, regardless of nationality, anybody in the world is facing risks to their lives. Therefore, it should be defined that individuals are united with each other universally as collective security measures.⁴²

Thus, the concept of ‘human security’ as well as ‘state security’ has been emphasized in the international community twenty-first century. State security and human security should be interlinked. On the one hand, states alone cannot guarantee international security. In fact, international and regional organizations, the NGOs, and civil society are contributing to the maintenance of human security through such issues as HIV AIDS, mine-clearance, and the reporting of human rights violations. On the other hand, as Sadako Ogata stated in the report of the Commission on Human Security, *Human Security Now*, published in May: 2003:

Human security does not seek to supplant state security, but rather to complement. States have the fundamental responsibility of providing security. . . . As the multitude of violent conflicts and extreme poverty demonstrates, states cannot be secure if people’s security is at stake. But neither can people be secure in the absence of strong, democratic and responsible states, as the multitude of collapsed states in the world illustrates.⁴³

Thus, the maintenance of human and state security would require Japan to create a rigid security framework. In this sense, the outdated constitution should be clarified in the post-11 September era.

Third, the security situation in Asia is still tense. Japan and the other East Asian states face the threat of North Korea, whose government has officially admitted that its country is producing nuclear weapons. Asked about North Korea, Japanese Prime Minister Koizumi said that the recent spate of provocative acts increased the perception of a threat felt by many Japanese.⁴⁴ Japanese citizens have been victims of North Korean kidnapping, a state policy for a quarter of a century. Thus, state terrorism in North Korea has reconfirmed the significance of the Japan–US alliance. However, an unclear interpretation of collective defence in accordance with the Japanese Constitution would blur Japan’s capacity to take action against North Korea. In the case of a probable pre-emptive strike by North Korea on Japan, would it be constitutional for Japan to assist US troops not only on Japanese territory but also in its vicinity such as in the Japan Sea?

⁴² *The Yomiuri Shimbun*, 6 October 2001.

⁴³ Ogata, S., ‘Human Security Now’, Remarks by Sadako Ogata, Fifth Ministerial Meeting of the Human Security Network, Graz, Austria, 8 May 2003.

⁴⁴ *The Latest News in English*, Chigasaki Press, 74 (May 2003): 14.

Fourth, the relative decline of the UN's status was recognized by the pre-emptive attack of the US on Iraq without UN authorization in March 2003. In a news conference held on 20 March, 2003, Japanese Prime Minister Koizumi stressed the importance of the Japan–US alliance and supported the engagement of the US military in Iraq. He said, 'The people of Japan should not forget that the fact that the US regards an attack on Japan as an attack on itself is a great deterrent against any country attempting to attack Japan.'⁴⁵ However, Mr. Koizumi's statement indirectly weakened Japan's long-standing 'UN-centred policy.' Current US unilateralism mainly based on its so-called 'neo-conservative' ideology would require Japan to engage in tasks which would be conducted in 'grey zones' under the interpretation of collective defence in the Japanese Constitution. Japan would be expected to play a more positive role in regional or international stability through the military engagement of the SDF. In fact, in late 2003 the Japanese SDF was strongly requested by the Bush Administration to send its troops on humanitarian missions in Iraq,⁴⁶ and the Japanese government accepted its request, deciding to send up to 600 ground forces to south-eastern Iraq in a mission to last six months to one year.⁴⁷ However, in reality, the terrain in Iraq is so volatile due to the potential for terrorist attacks⁴⁸ that there is no 'relative safe area' in which the SDF could be deployed that meets the requirements of Article 9 of the Constitution.

Fifth, whether the status of the UN has declined or not, it is true that Japan desires to become a permanent member of the UN Security Council. This can be recognized by the fact that Japan has been involved diplomatically and militarily in UN peacekeeping operations since UNTAC in 1992. If Japan becomes a permanent member of the Security Council, it will be expected to play the role of political and military leader in conflict resolution in its own region. However, membership will not be easy to achieve. *The Asahi Shimbun* or *the Asahi Daily* has pointed out that Japanese desire for permanent membership of the Security Council cannot proceed because of Japan's constitutional restraints.⁴⁹

The above five factors are convincing indicators that Japan faces the necessity of clarifying, reviewing, and amending Article 9 of the Constitution. The changing international and regional political climate, increasing the demand for Japanese military

⁴⁵ Ibid.

⁴⁶ For example, US Secretary of Defence Donald Rumsfeld told Shigaru Ishiba, the director-general of the Defence Agency in November 2003 that Japan, as a sovereign nation, should decide on its own what it deems an appropriate contribution in Iraq. (*The Asahi Shimbun*, 17 November 2003).

⁴⁷ *International Herald Tribune*, 11 December 2003. Prime Minister Koizumi stated in the interview: 'The ideals and the will of Japan as a nation are being questioned. Japan's spirit is being tested. We are no longer in a situation where we can only pay money. We must perform our utmost. . . . The US is Japan's only ally, and it is striving very hard to build a stable and democratic government in Iraq, Japan must also be a trustworthy ally to the US (Ibid.).

⁴⁸ In this context, Yukio Okamoto, special advisor to Prime Minister Koizumi, visited Iraq in November 2003. In response to a question about whether SDF would be safe in Iraq, he said, 'Logically, Japan cannot avoid being a target (of terrorists) unless it pulls out of Iraq completely' (*The Asahi Shimbun*, 2 December 2003).

⁴⁹ *The Asahi Shimbun*, 3 May 2003.

involvement, its relationship with the US, and Japan's own prestige indicate limitations in the current collective defence system. In May 2003, Prime Minister Koizumi stated that it is desirable that the Constitution be amended⁵⁰ so that the SDF can be defined as the official military force seeking to protect Japan's peace and independence.⁵¹

This view is supported by the results of a survey conducted by *the Yomiuri Shimbun*, among members of the Diet in May 2002. Seventy one percent of the members supported the amendment to the Constitution, and when asked why it should be supported, they answered, 'Because we have problems in terms of international contribution which cannot be solved by the current Constitution.' Likewise, 51% of the respondents supported the right of collective defence within the Constitution.⁵²

3.3 *Japan's peacekeeping operations in the twenty-first century: why and how?*

Why?: national interests for Japan's participation in peacekeeping. Contributing states to international peacekeeping normally have self-interest, not simply a charitable purpose behind their decision to participate. Factors in addition to 'altruism' or 'internationalism' make contributing states more disposed towards peacekeeping dispatches. In other words, as Professor Alan James, an acknowledged world-authority in the field of peacekeeping studies, says, 'states will move if they judge that response to be in their national interests, nationally conceived'.⁵³ Therefore, it is important to consider the national interest in Japan's participation in UN peacekeeping operations in the current twenty-first century.

One interest would be to develop a distinctive international policy as a new political power. Peacekeeping operations could provide Japan with the opportunity to own a new originality in its diplomacy. For example, the reason why Canada and Ireland have been consistent international peacekeepers is based on this conception; they needed to establish an original diplomatic policy to counterbalance their 'overbearing neighbours', the US and UK, respectively. Unlike multi-national forces, UN peacekeeping operations are conflict resolutions with which superpowers have not been positively involved. Japan has also been placed under 'the US umbrella' in both diplomatic and military respects. Japan's consistent commitment to UN peacekeeping would broaden its diplomatic options on the international political stage. Japan could have a more influential voice at the UN, and maintain its 'UN-centred policy.' This is very important for Japan in the current post-11 September period, when US unilateralism, which bypasses the UN, has been noticeable. While, Japan inevitably complies with the decisions and

⁵⁰ In order to ratify an amendment of the Japanese Constitution, it must have the support of two-thirds of the membership in each Diet Chamber, and garner a majority of all votes cast in a national referendum.

⁵¹ *The Sankei Shimbun (The Sankei Daily Paper)*, 21 May 2003.

⁵² *The Yomiuri Shimbun*, 22 March 2002.

⁵³ James, A., 'Comparative Aspects of Peacekeeping: The Dispatching End – The Receiving End', paper written for National Center for Middle East Studies, Cairo and the Jeffee Center for Strategic Studies, Tel Aviv University, 1995, p. 1.

policies developed by the US to a considerable extent, participation in UN operations would ensure that Japan has a balance between valuing its alliance with the US and its UN-centred policy.

The political difficulties of North Korea, Afghanistan, India-Pakistan, China-Taiwan, and Sri Lanka mean that Asia is potentially one of the most insecure areas in the world. Regional stability in Asia will be in the interests of Japan for economic and political reasons, and can be promoted through its commitment to peacekeeping operations. In fact, the dispatches of the SDF to UNTAC in Cambodia, and UNTAET and UNMISSET in East Timor were on a major scale in terms of personnel (1,216 in UNTAC and 1,370 in UNTAET and UNMISSET). Asia does not have a regional military alliance such as NATO. This means that regional peacekeeping such as the NATO-led Stabilization Forces (SFOR) in the former Yugoslavia cannot be established in Asia. Multi-national forces led by European troops might be one option. However, in many cases, multi-national forces are deployed only when local situations are too volatile for peacekeeping. They are interim measures, and therefore they are normally replaced by UN peacekeepers after situations become more stable as in East Timor in 1999.

The terrorist attacks of 11 September led the US to a much more hawkish policy that marginalized peacekeeping operations. For example, President Bush's National Security Adviser, Condoleezza Rice, said in an interview with the *New York Times*:

The US is the only power that can handle a showdown in the Gulf, mount the kind of force that is necessary to protect Saudi Arabia, and deter a crisis in the Taiwan Strait. And extended peacekeeping detracts from our readiness for these kinds of global missions.⁵⁴

Therefore, Japan's physical commitment to Asian security will need to be high and its participation in peacekeeping in Asia will enhance its political status as a regional power. This will also play a role in regional confidence building.

Furthermore, activation of the SDF for peacekeeping operations would be significant in terms of motivation. There would be several benefits deriving from the participation of the SDF in peacekeeping services:

- 1 It provides experience of an operational nature, which cannot be gained in training in Japan.
- 2 It provides an opportunity to develop and evaluate the leadership of SDF officers under operational conditions.
- 3 It reinforces home training, enabling personnel to practice and develop individual and team skills.
- 4 By working as part of an international force or as observers, it provides an opportunity to evaluate strengths and weakness *vis-à-vis* other nationalities and armies.
- 5 It has a positive effect on morale.

⁵⁴ Quoted from Ishizuka, K., 'Peacekeeping Operations After 9/11', *The Newsletter of the British International Studies Association*, No. 74 (July 2002): 13.

The above benefits would be especially significant for the SDF, which has not experienced conventional warfare since its establishment. The experience, which the SDF could obtain from peacekeeping services, would also be beneficial in their domestic mission of national defence.

How?: suggestions for Japan's PKO policy. As mentioned before, Japan's policy towards UN peacekeeping operations is evolving. The following is what the author suggests for further improvement of Japan's role as a contributor to UN peacekeeping.

First of all, the more multi-functional tendency of peacekeeping operations in the twenty-first century would encourage Japan to increase the number of civilian personnel dispatched to UN peacekeeping. As Michael Williams put it, 'One of the most striking features of second-generation interventions (including peacekeeping operations) was their unique and previously unknown configuration of civil-military relations.'⁵⁵ From the Japanese point of view, the dispatch of civilian personnel has fewer legal restraints than that of the SDF. In December 2002, the so-called 'Meeting for International Peace and Co-operation' was chaired by Mr. Yasushi Akashi, and its final report was submitted to Prime Minister Koizumi. This meeting advocated the consistent involvement of Japan in the process of conflict resolution, from preventive measures to peace building.⁵⁶ It is to be noted that this multi-lateral approach to conflict resolution has been strongly encouraged and put into practice since the former UN Secretary General Boutros Boutros-Ghali advocated it in *An Agenda for Peace* in 1992.⁵⁷ Japan would be expected to train and recruit a number of civilian personnel in fields such as government, administration, medical, education, infrastructure, and civilian police. In reality, the quality of civilian police in international peacekeeping has not been assessed positively in terms of its function and effectiveness,⁵⁸ and, therefore, the Japanese police force, which is of the highest international standards, can assist in this area. For example, Germany, which has similarities in historical background and military constraints, has dispatched 455 police personnel to UN peacekeeping operations.⁵⁹ In fact, there is a relatively increasing demand for civilian police in UN peacekeeping. In 1993, the proportion of civilian police as a percentage of all peacekeeping personnel, including military observers and troops, was merely 1.5%. By 2003 it had increased to 14%. In fact, a shift in emphasis from military to non-military efforts in peacekeeping by the SDF was strongly recommended in the symposium organized by the Ministry of

⁵⁵ William, M., 'Civil-Military Relations and Peacekeeping', Adephi Paper No. 321, International Institute for Strategic Studies (IISS), August 1998, p. 13.

⁵⁶ Yamanaka, A., 'Why Japan Needs to Contribute to International Peace now', *Gunshuku Mondai Shiryou (Journal for Disarmament Issues)* (March 2003): 35.

⁵⁷ UN Document, A/47/277-S/24111, 17 June 1992.

⁵⁸ See, for example, Hills, A., 'International Peace Support Operations and CIVPOL: Should there be a Permanent Global Gendarmerie?', *International Peacekeeping*, 5(3) (Autumn 1998): 26–41.

⁵⁹ Nagata, H., 'Japan's PKO Policy', *Kokusai Anzen Hoshou (Journal for International Peace and Security)*, 29(1) (1999): 79.

Foreign Affairs in February 2002.⁶⁰ In retrospect, despite the many options that Japan has as a possible contributor to UN peacekeeping, there has been little debate on how it can most effectively participate. The debates concentrated excessively on internal constitutional issues.

Second, the revised PKO Law enables the SDF to join infantry battalions for UN peacekeeping. This is not to say that Japan should shift its missions from logistical to military support completely. In fact, the Department of Peacekeeping Operations (DPKO) at UN Headquarters has faced difficulty in securing logistical support from member states. Logistics requires high levels of training and skills in communication, engineering and transportation, exactly what Japan has supplied for UN peacekeeping. In peacekeeping roles, which primarily focus on mediation and arbitration, the coercive nature of the super powers may make host states feel insecure. On the other hand peacekeeping is a para-military role, which requires appropriate military equipment, mission skill, discipline of soldiers, and high morale amongst troops. Japan could possess such capabilities. Currently, the Japanese Engineer Units in UNMISSET have a high reputation for their standard of skills. In reality, the DPKO has not had difficulty in recruiting troop contributors to provide infantry battalions. This is because this mission is popular among developing countries, since they can supply infantry with quite simple military equipment and skills. For Japan, it would be necessary to respond to the current demands of the DPKO, regardless of the revision of the PKO Law.

Third, the peacekeeping training system needs to be strengthened in Japan. Currently, peacekeeping training is conducted in the Prime Minister's Office or the Defence Agency, depending on the category of mission and the rank of personnel dispatched. However, it has been suggested that a training centre specifically for peacekeeping operations should be established, such as those in operation in the Nordic States, Canada, and Ireland. In this context, the writer suggests that Japan should create a 'Joint Peacekeeping Training Centre for the Asia-Pacific Region' which should be located in Japan with the cost borne by the Japanese government. If Japan does so, both the Japanese public and politicians would be able to obtain proper knowledge about peacekeeping operations by observing the Japanese SDF personnel in special training for peacekeeping tasks with other Asian soldiers. This programme would also act as an incentive for SDF personnel and assure neighbouring states that Japan's participation in peacekeeping operations is not motivated by re-militarization objectives or neo-imperialism. This view is supported by Mr. Yasushi Akashi,⁶¹ and even the Director of Japanese Studies at the Korean Institute for Defence Analysis.⁶²

⁶⁰ Keynote Address by Professor Hisashi Owada, Director of the Japan Institute of International Affairs (JIJA), at the international symposium 'From Peacekeeping to Peacebuilding: Japan's Role', co-organized by JIIA and the Ministry of Foreign Affairs, Tokyo, 5 February 2002.

⁶¹ Jinyo, T., *Kokusai Heiwa Kyouryoku Nyumon (Introduction to International Co-operation)* (Tokyo: Yuhikaku, 1995), p. 263.

⁶² Leitenberg, M., 'The Participation of Japanese Military Forces in UN Peacekeeping Operations', Maryland/Tsukuba Papers on US-Japan Relations, June 1996, p. 40.

Fourth, it is proposed that Japan should join a UN Stand-by Arrangement (UNSAS). UNSAS was one of the major pillars of the reform of UN peacekeeping operations advocated by several contributing states such as Poland, Sweden, Malaysia, Canada, Holland and Austria in 1994. At present, as many as 73 member states have joined this system. The main aim of the system is to provide the UN with a database of military units and equipment available from member states for UN peacekeeping operations and the amount of time needed to respond to a UN request.⁶³ By joining this system, a certain number of the SDF forces selected for UNSAS would have rapid-reaction capabilities while training their special skills for UN peacekeeping operations.

4 Conclusion

Since the Gulf War in 1991, Japan's policy towards UN peace operations has been in a state of evolution. The PKO Law was created after many stormy debates in order to meet the demand for conflict resolution in the post-Cold War period. However, as mentioned above, practical missions involving the Japanese contingents encourage further review of the current law. Such a review will not be meaningful unless the legislation results in practical implementation of peacekeeping in operational fields. Furthermore, the significant ambition of the UN to reform UN peace operations can be recognized by its official reports, such as *An Agenda for Peace* in 1992 and *the Brahimi Report* in 2000. The current 11 September era requires more coercive, emergent, multi-functional, and flexible peacekeeping operations. The legislation of the Anti-terrorist Law and the revised PKO Law in 2001 would be a positive move that contributes to this need.

The significant changes in the nature of conflicts and UN policy will compel Japan to review the Japanese Constitution itself including Article 9. Peacekeeping policy as well as many other factors, such as the current regional instability in Asia, the threat of more terrorism, and Japan's ambition to be a permanent member of the UN Security Council, all force Japan to commit itself to this review.

In retrospect, both the Japanese government and its citizens did not discuss seriously enough the national interests of Japan's commitment to UN peacekeeping operations. The content of their discussions merely focused on the constitutionality of peacekeeping and its relevance to collective defence. As mentioned above, Japan's interests in UN operations would be to develop a distinctive international policy with a stronger voice in the UN, to take an initiative in Asia as a regional leader, and to activate the SDF. The maintenance of its UN centred-policy by participation in peacekeeping operations is recommended for Japan, which will inevitably support the current US unilateralism in the post-September 11 period. Japan's peacekeeping policy should reflect these interests.

⁶³ Kozai, S., 'Japan and PKO: Japanese Experiences and its Policy', *Journal for International Studies* (Osaka Gakuin University), 12(2) (December 2001): 107.

At the same time, Japan should consider how effectively it could contribute to UN peacekeeping operations. This paper indicated the increasing significance of civil-military relations in peacekeeping and the necessity for Japan to respond to its demand. Japan's expertise in logistics in peacekeeping will continue to be required by the DPKO.

In conclusion, the writer believes that Japan should continue to recognize that it has an obligation with all member states of the UN to contribute to peacekeeping operations, and that Japan should maximize UN peacekeeping operations in line with its own interests.