APPENDICES
APPENDIX 1

Basic Policy for National Defense

(Adopted by the National Defense Council and approved by the Cabinet on May 20, 1957)

The aim of the national defense is to prevent direct and indirect aggression and to repel any such aggression with the aim of protecting Japan's independence and peace, which are founded on democracy. In order to achieve this, the Basic Policy states as follows:

1. To support the UN activities and promote international cooperation to achieve world peace.
2. To stabilize the livelihood of the people, promote their patriotism and establish the foundations required for national security.
3. Within the limits required for self-defense, to progressively efficient defense capabilities in accordance with the nation's strength and situation.
4. To deal with external act of aggression based on the Japan-US security Arrangements, until the United Nations can provide sufficient functions to effectively prevent such acts in the future.

National Defense Program Guidelines, FY 2005-

(Approved by the Security Council and the Cabinet on December 10, 2004)

Purpose: In order to ensure the peace and safety of Japan and peace and stability of the international community, given the current security environment surrounding our country, the security council and cabinet of the Government of Japan approved "National Defense Program Guidelines FY2005" the guidelines build on the December 19, 2003 Security Council and Cabinet decision, "On introduction of Ballistic Missile Defense System and other Measures."

Security Environment Surrounding Japan

1. The 9-11 terrorist attacks on the US demonstrated that, in addition to such traditional problems as inter-state military confrontations, non-state actors such as international terrorist organizations have emerged as dire threat in today's security environment. Against a backdrop of increased interdependence and growing globalization, the international community is facing urgent new threats and diverse situations to peace and security, including the proliferations of the weapons of mass destruction and ballistic missiles, as well as international terrorist activities. We need to bear in mind that conventional forms of deterrence may no longer work effectively against international terrorist organizations, which have neither states nor citizens to protect.

Ten years have passed since the end of the Cold War. Mutual cooperation and interdependence among major countries have deepened, as exemplified by the growing trust between US and the Russia. Since a stable international environment serves the interests of all nations, greater efforts at international coordination and cooperation on security issues have taken root in the international community, including those within the framework of international organizations such as United Nations.

In this context, the United Nations as the sole superpower continues to contribute significantly to international peace and stability by taking active measures to combat terrorism and to prevent proliferation of weapons of mass destruction.

In the meantime the use of the military force now plays a broader role in the international community than simply deterring and responding to armed conflict: military force is also used for variety of purposes, including the prevention of conflict and the reconstruction assistance.

2. As a result of further expansion and deepening of interdependence among the nations in recent years, greater efforts are also being made to promote and strengthen bilateral and multilateral coordination and cooperation in the Asia-Pacific region. However, Russia has drastically reduced its armed forces in the Far East since the end of the Cold War, massive military might, including nuclear arsenals, continue to exist in the region, and a number of countries are pouring in efforts to
modernize their military forces. The situation on Korean Peninsula is unpredictable and cross-Taiwan strait relations remain uncertain.
North Korea is engaged in the development, deployment and proliferation of weapons of mass destruction and ballistic missiles, and it maintains a large number of special operations forces. Such military activities by North Korea constitute a major destabilizing factor to regional and international security, and are a serious challenge to international efforts.

China, which has a major impact on regional security, continues to modernize its nuclear forces and missile capabilities as well as its naval and air forces. China is also expanding its area of operation at sea. We will have to remain attentive to its future actions.
The close and cooperative relationship between Japan and US, based on the Japan-US Security Arrangements, continues to play an important role for the security of Japan as well as for peace and stability in the Asia-Pacific region.

3. In the light of the security environment surrounding Japan, as outlined above, even-though a full-scale invasion against Japan is increasingly unlikely, Japan must now deal with new threats and diverse situations in addition to regional security issues.

4. In considering Japan’s security, vulnerabilities resulting from limited strategic depth, long coast lines and numerous small islands, a high population density, the concentration of population and industry in urban areas, and a large number of important facilities in coastal areas, in addition to frequent natural disasters due to Japan’s geological and climatic conditions, and the security of sea lines of communication which are indispensable to the country’s prosperity and growth.

III. Basic Principles of Japan’s Security Policy

1. Basic Principles
The first objective of Japan’s security policy is to prevent any threat from reaching Japan and, in the event that it does, repel it and minimize any damage. The second objective is to improve international security environment so as to reduce the chances that any threat will reach the Japan in the first place. Japan will reach these objectives by its own as well as cooperative efforts, with the US, its alliance partner, and with the international community.

To this end Japan will support the activities of UN for promotion of peace and security; make diplomatic efforts to promote cooperative relationship with other countries; further develop its close cooperative relations with the US, based on the Japan-US security Arrangements; establish a basis for national security by preserving domestic political stability; and develop efficient defense forces.

Based on the constitution of Japan and the ideas of maintaining exclusively defensive defense policy by not becoming the military power that might pose a threat to other countries, Japan will continue to uphold the fundamental principles of developing modest defense forces of its own under civilian control and will continue to adhere to three non-nuclear principles.

To protect its territory and people against the threat of nuclear weapons, Japan will continue to rely on the US nuclear deterrent. At the same time, Japan will an active role in creating a world free of nuclear weapons by taking step-by-step measures for international disarmament and non-proliferation. Japan also will play an active role in international disarmament and non-proliferation efforts regarding other types of weapons of mass destruction and their delivery means, such as missiles.

2. Japan’s Own Efforts
(i) basic ideas
based on the premise that any country’s security depends first and foremost on its own efforts, Japan will utilize all appropriate means to prevent any threat from reaching the country. In addition, based on the tradition of acting closely with the international community and its alliance partner – the US – Japan will engage in diplomatic and other activities to improve the international security environment so as to prevent the emergence of any new threats.

(ii) Japan’s Integrated Response
In the event that these efforts fail to prevent a threat from reaching Japan, the Government of Japan will take an integrated response by swiftly making appropriate decisions through mechanisms such as the Security Council, and bringing together all relevant organizations. To this end, the government will improve its ability to collect and analyze information which serves as the basis of the Government’s decision making. The Self-Defense Forces, the Police, Japan Coast Guard and other relevant organizations will improve their close cooperation through increased intelligence sharing, joint exercises, and other activities, while appropriating sharing their roles and improving overall performances. In addition, the government will establish national protection systems including those for responding to different types of disaster, by quickly issuing warning signals and promoting mutual cooperation between the central and local governments.

(iii) Japan’s Defense Forces

Japan’s Defense Forces are the ultimate guarantee of its national security, representing Japan’s will and ability to repel any threat that might reach its shores. Japan’s Defense Forces are developed in accordance with the ‘National Defense Program Guidelines, FY 1996’ (the Security Council and cabinet decision on November 28, 1995) which incorporated the key elements of the Basic Defense Force Concept. The Basic Defense Force Concept espouses the idea that, rather than preparing to directly counter a military threat, Japan, as an independent state, should maintain the minimum necessary basic defense forces lest it becomes a destabilizing factor in the region by creating a power vacuum. Combined with the Japan-US Security Arrangements, this concept has been successful in preventing an armed invasion from occurring.

Given the new security environment, however, future defense forces should be capable of effectively responding to new threats and diverse situations while maintaining those elements of the Basic Defense Force Concept that remains valid. Because the peace and stability of Japan is inextricably linked to that of international community, Japan should voluntarily and actively participate in activities that nations of the world cooperatively undertake to enhance the international security environment.

In developing Japan’s defense forces, we have to take into account the fact that while the role that Japan’s defense forces have to play are multiplying, the number of the young people in Japan is declining as result of low birth rate, and fiscal conditions continue to deteriorate.

From this standpoint, Japan will develop multifunctional, flexible, effective defense forces that are highly ready, mobile and adaptable and multi-purpose, and equipped with state-of-art technologies and intelligence capabilities measuring up to the military-technological level of other major countries. In building such a defense force, without expanding its size, the government of Japan will rationalize and streamline personnel, equipment, and operations so as to attain greater results with the limited resources that are available.


The Japan-US security arrangements are indispensable in ensuring Japan’s security. In addition the US military presence is critically important to peace and stability in the Asia-Pacific region, where unpredictability and uncertainty continue to persist.

Close cooperative relations with the US based on the Japan-US Security Arrangements, play an important role in facilitating international efforts to prevent or to respond to new threat and diverse situations, such as terrorism and ballistic missile attacks.

Japan will proactively engage in strategic dialogue with the US on the wide ranging security issues such as role sharing between the two countries and the US posture, including the structure of US forces in Japan, while working to harmonize Japan’s perceptions of the new security environment and appropriate security objectives.

In doing so, the Government of Japan will bear in mind the need to reduce the excessive burden that the existence of US military facilities places on local communities, while maintaining the deterrent that the US military presence in Japan provides.

In addition Japan will continue to strengthen the Japan-US Security Arrangements by actively promoting such measures as: intelligence exchange, operational cooperation, including in ‘situations in areas
surrounding Japan,' cooperation on ballistic missile defense, equipment and technology exchange, and efforts to make the stationing of US forces in Japan smoother and more efficient.

4. Cooperation with International Community

In order to improve the international security environment and help maintain security and prosperity of Japan, the Government of Japan will actively engage in diplomatic efforts, including the strategic use of Official Development Assistance (ODA).

Based on the recognition that the destabilization of the international community by events such as regional conflicts, proliferation of weapons of mass destruction and international terrorist attacks would directly affect its own peace and security, Japan will, on its initiative, actively participate in international peace cooperation activities as an integral part of its diplomatic efforts.

In particular, stability in the region spreading from the Middle-East to East Asia is critical to Japan. Japan traditionally has close economic ties with this region, its sea lines of communication run through the region, and Japan depends almost entirely on energy and natural resources from overseas. In this context, Japan will strive to stabilize the region by promoting various cooperative actions in conjunction with other countries sharing common security problems.

In order to enable the international community to effectively address the range of new issues in the twenty-first century, measures must be taken to reforms world's only global and comprehensive international organization — the United Nations — to make it more effective and reliable. Japan will actively pursue this goal.

In the Asia-Pacific region, multilateral frameworks for regional security, such as the ASEAN Regional Forum (ARF), as well as multilateral efforts to deal with common agendas such as counter-terrorism and counter-piracy are taking root. By continuing to support these positive developments, Japan will continue to play an appropriate role, together with the cooperation with the United States, to promote a stable security environment in the region.

IV. Future Defense Forces

1. Role of the Defense Forces

Based on the recognition described above, Japan will develop and maintain, in an efficient manner, the necessary Self-Defense Forces posture to effectively carry out missions in the following areas:

(i) effective response to the new threats and diverse situations

Japan will deal effectively with the new threats and diverse situations by developing highly responsive and mobile defense force units capable of responding to various situations and by deploying them appropriately in accordance with Japan's geographical characteristics. Should such a situation emerge, the defense forces will respond quickly and appropriately in smooth and close collaboration with the police and other relevant organizations, thereby providing a seamless response to the situation in accordance with circumstances and designated roles.

Japan's SDF posture to address the key elements of the new threats and diverse situations will be as follows:

a. Response to Ballistic Missiles Attacks

Japan will respond to ballistic missile attacks by establishing necessary defense force structure, including the introduction of ballistic missile defense systems, to deal effectively with ballistic missile attacks. Japan will adequately deal with the threat of nuclear weapons by doing so, in addition relying on US nuclear deterrence.

b. Response to Guerrillas and Special Operations Forces Attack

Japan will maintain necessary defense force structure to respond effectively to attacks carried out by guerrillas and special operations forces. Japan will also enhance the readiness and mobility of the defense force units, and deal with such attacks in a flexible manner.

c. Response to the invasion of the Japan's Offshore Islands

Japan will maintain necessary defense force structure to respond effectively to the invasions of its offshore islands, improve and strengthen capabilities to transport and deploy forces, and deal with invasion in flexible manner.
d. **Patrol and Surveillance in the Sea and Airspace Surrounding Japan, and Response to the violation of Japan's Airspace and the Intrusion of Armed Special-Purpose Ships and Other Similar Vessels.**

Japan will maintain necessary defense force structure including ships, aircrafts, and other assets, to carry out around the clock patrol and surveillance in the surrounding sea and airspace. Japan will also maintain the fighter aircraft units to respond instantly to the violation of its territorial airspace, as well as combatant ships and other assets in order to respond to armed special purpose ships operating in water surrounding Japan, submerged foreign submarines operating in Japan's territorial waters and other similar vessels.

e. **Response to Large Scale and/or Special Type (Nuclear, Chemical, Biological and Radiological) Disasters**

To deal with large scale and/or special type (nuclear, chemical, biological and radiological) disasters, where protection of life and property is desperately needed, Japan will maintain adequate force structure with defense force units, as well as specialized capabilities and expertise to conduct disaster relief operations in any part of the country.

(ii). **Preparation to Deal with Full-Scale Invasion**

The likelihood of full-scale invasion of Japan has declined and is expected to remain modest in the foreseeable future. Japan will modify its current force building concept that emphasized Cold-War type anti-tank warfare, anti-submarine warfare, and anti-aircraft warfare, and will significantly reduce the personnel and equipment earmarked for a full-scale invasion. However, because original role of SDF is to cope with full-scale invasion and reconstructing these forces can not be accomplished in a short period of time, Japan will continue to maintain the most basic capabilities of its defense forces, while also taking into account developments in neighboring countries and making use of technological progress.

(iii). **Proactive Efforts to Improve the International Security Environment**

In order to engage actively in the international peace cooperation activities, Japan will take the following measures:

- Develop education and training systems, highly responsive force posture for relevant units, and transport and other required capabilities, establish necessary infrastructure to quickly dispatch defense force units overseas and to carry out missions continuously and make necessary arrangements to include the promotion of international peace cooperation activities in the SDF mission priorities.
- Japan will strongly promote activities for international peace and stability, including security dialogue and defense exchanges, bilateral and multilateral training and exercises, and arms control and disarmament efforts carried out by international organizations such as the United Nations.

2. **Critical Elements of Japanese Defense Capabilities**

(i). **Enhancing Joint Operation Capabilities**

In order to have the three services of the SDF work integrally and to enable them to execute their missions swiftly and effectively, Japan will employ them wherever possible. Japan will create a central organization to facilitate joint operations, and establish infrastructure for training and education as well as intelligence and communication while doing so the existing organizations will be reexamined so that their efficiency can be enhanced.

(ii). **Strengthening Intelligence Capabilities**

In order to employ Japanese defense forces successfully to respond effectively to the new threats and diverse situations, it is imperative for the Government to be able to identify events at the earliest possible time and to collect analyze and share intelligence promptly and accurately. Japan will strengthen its diversified intelligence collection capability and enhance its analysis and assessment capabilities keeping in mind the security environment and technological trends, SDF intelligence structure including the Defense Intelligence HQ will also be strengthened.

(iii). **Incorporating the Progress in Science and Technology into Defense Forces**

Japan will incorporate the outcome of science and technological progress, in such areas as information and communications technologies, into the defense forces. In particular, Japan will develop the command and control systems and agile intelligence sharing systems that are indispensable for joint operations, in tune with the information and communication technologies available at home and overseas. In addition, Japan will create advanced systems for command and communications and a network for information and communications, with sufficient protection against cyber attacks, to enhance operational and organizational efficiency.
(iv). Utilizing Human Resources More Effectively
Japan will take various measures to maintain high morale and firm discipline within the SDF. Japan will recruit, cultivate, educate and train high quality personnel to meet the challenge of the diversification and internationalization of SDF missions, and the need to properly operate rapidly advancing high-tech equipment. In addition, we will promote activities related to research and education on security issue, and develop human resources.
The defense force level required to fulfill missions described above is indicated in the attached table.

V. Additional Elements for Considerations
1. In developing, maintaining, and operating the defense forces as described in section IV, the following elements will be taken into consideration.
   (i) Mindful of increasingly severe fiscal conditions, we will restrict defense expenditures by further rationalizing and streamlining defense forces. We will also work to make our defense forces successful in carrying out their mission by harmonizing their operations with other measures taken by the government.
   (ii) We will make procurement and research and development (R&D) more effective and efficient by taking the following measures: curbing life-cycle cost, including purchase price, of defense equipment, actively using cutting edge technologies developed by private enterprises, universities and governmental organizations in carrying out R&D as well as by allocating R&D resource in a more focused manner; and appropriately and timely reviewing various R&D projects. At the same time we will work to establish defense production and technological base, especially in core technological areas indispensable for our national security.
   (iii) In order to efficiently develop and maintain defense related facilities, the GOJ will in close cooperation with relevant local authorities, take various measures to make those facilities coexist harmoniously with local communities.
2. These NDPG provide the vision for our defense forces for the next decade. However, five years from now or in case there is a significant change in the international situation, we will review and, if necessary, revise the Guidelines in light of the security environment, technological progress, and other diverse roles as discussed above (IV).
APPENDIX 2

The Constitution of the Empire of Japan (1889)¹


Imperial Oath Sworn in the Sanctuary in the Imperial Palace (Tsuge-bumi) We, the Successor to the prosperous Throne of Our Predecessors, do humbly and solemnly swear to the Imperial Founder of Our House and to Our other Imperial Ancestors that, in pursuance of a great policy co-extensive with the Heavens and with the Earth, We shall maintain and secure from decline the ancient form of government.

In consideration of the progressive tendency of the course of human affairs and in parallel with the advance of civilization, We deem it expedient, in order to give clearness and distinctness to the instructions bequeathed by the Imperial Founder of Our House and by Our other Imperial Ancestors, to establish fundamental laws formulated into express provisions of law, so that, on the one hand, Our Imperial posterity may possess an express guide for the course they are to follow, and that, on the other, Our subjects shall thereby be enabled to enjoy a wider range of action in giving Us their support, and that the observance of Our laws shall continue to the remotest ages of time. We will thereby to give greater firmness to the stability of Our country and to promote the welfare of all the people within the boundaries of Our dominions; and We now establish the Imperial House Law and the Constitution. These Laws come to only an exposition of grand precepts for the conduct of the government, bequeathed by the Imperial Founder of Our House and by Our other Imperial Ancestors. That we have been so fortunate in Our reign, in keeping with the tendency of the times, as to accomplish this work, We owe to the glorious Spirits of the Imperial Founder of Our House and of Our other Imperial Ancestors.

We now reverently make Our prayer to Them and to Our Illustrious Father, and implore the help of Their Sacred Spirits, and make to Them solemn oath never at this time nor in the future to fail to be an example to our subjects in the observance of the Laws hereby established.

May the heavenly Spirits witness this Our solemn Oath.

Imperial Rescript on the Promulgation of the Constitution

Whereas We make it the joy and glory of Our heart to behold the prosperity of Our country, and the welfare of Our subjects, We do hereby, in virtue of the Supreme power We inherit from Our Imperial Ancestors, promulgate the present immutable fundamental law, for the sake of Our present subjects and their descendants.

The Imperial Founder of Our House and Our other Imperial ancestors, by the help and support of the forefathers of Our subjects, laid the foundation of Our Empire upon a basis, which is to last forever. That this brilliant achievement embellishes the annals of Our country, is due to the glorious virtues of Our Sacred Imperial ancestors, and to the loyalty and bravery of Our subjects, their love of their country and their public spirit. Considering that Our subjects are the descendants of the loyal and good subjects of Our Imperial Ancestors, We doubt not but that Our subjects will be guided by Our views, and will sympathize with all Our endeavors, and that, harmoniously cooperating together, they will share with Us Our hope of making manifest the glory of Our country, both at home and abroad, and of securing forever the stability of the work bequeathed to Us by Our Imperial Ancestors.

Preamble (Joyu)

Having, by virtue of the glories of Our Ancestors, ascended the throne of a lineal succession unbroken for ages eternal; desiring to promote the welfare of, and to give development to the moral and intellectual faculties of Our beloved subjects, the very same that have been favored with the benevolent care and

affectionate vigilance of Our Ancestors; and hoping to maintain the prosperity of the State, in concert with
Our people and with their support, We hereby promulgate, in pursuance of Our Imperial Rescript of the
12th day of the 10th month of the 14th year of Meiji, a fundamental law of the State, to exhibit the
principles, by which We are guided in Our conduct, and to point out to what Our descendants and Our
subjects and their descendants are forever to conform.
The right of sovereignty of the State, We have inherited from Our Ancestors, and We shall bequeath them
to Our descendants. Neither We nor they shall in the future fail to wield them, in accordance with the
provisions of the Constitution hereby granted.
We now declare to respect and protect the security of the rights and of the property of Our people, and to
secure to them the complete enjoyment of the same, within the extent of the provisions of the present
Constitution and of the law.
The Imperial Diet shall first be convoked for the 23rd year of Meiji and the time of its opening shall be the
date, when the present Constitution comes into force.
When in the future it may become necessary to amend any of the provisions of the present Constitution, We
or Our successors shall assume the initiative right, and submit a project for the same to the Imperial Diet.
The Imperial Diet shall pass its vote upon it, according to the conditions imposed by the present
Constitution, and in no otherwise shall Our descendants or Our subjects be permitted to attempt any
alteration thereof.
Our Ministers of State, on Our behalf, shall be held responsible for the carrying out of the present
Constitution, and Our present and future subjects shall forever assume the duty of allegiance to the present
Constitution.

CHAPTER I.
THE EMPEROR
Article 1. The Empire of Japan shall be reigned over and governed by a line of Emperors unbroken for ages
eternal.
Article 2. The Imperial Throne shall be succeeded to by Imperial male descendants, according to the
provisions of the Imperial House Law.
Article 3. The Emperor is sacred and inviolable.
Article 4. The Emperor is the head of the Empire, combining in Himself the rights of sovereignty, and
exercises them, according to the provisions of the present Constitution.
Article 5. The Emperor exercises the legislative power with the consent of the Imperial Diet.
Article 6. The Emperor gives sanction to laws, and orders them to be promulgated and executed.
Article 7. The Emperor convokes the Imperial Diet, opens, closes, and prorogues it, and dissolves the
House of Representatives.
Article 8. The Emperor, in consequence of an urgent necessity to maintain public safety or to avert public
calculities, issues, when the Imperial Diet is not sitting, Imperial ordinances in the place of law.
(2) Such Imperial Ordinances are to be laid before the Imperial Diet at its next session, and when the Diet
does not approve the said Ordinances, the Government shall declare them to be invalid for the future.
Article 9. The Emperor issues or causes to be issued, the Ordinances necessary for the carrying out of the
laws, or for the maintenance of the public peace and order, and for the promotion of the welfare of the
subjects. But no Ordinance shall in any way alter any of the existing laws.
Article 10. The Emperor determines the organization of the different branches of the administration, and
salaries of all civil and military officers, and appoints and dismisses the same. Exceptions especially
provided for in the present Constitution or in other laws, shall be in accordance with the respective
provisions (bearing thereon).
Article 11. The Emperor has the supreme command of the Army and Navy.
Article 12. The Emperor determines the organization and peace standing of the Army and Navy.
Article 13. The Emperor declares war, makes peace, and concludes treaties.
Article 14. The Emperor declares a state of siege.
(2) The conditions and effects of a state of siege shall be determined by law.
Article 15. The Emperor confers titles of nobility, rank, orders and other marks of honor.
Article 16. The Emperor orders amnesty, pardon, commutation of punishments and rehabilitation.
Article 17. A Regency shall be instituted in conformity with the provisions of the Imperial House Law.
(2) The Regent shall exercise the powers appertaining to the Emperor in His name.
CHAPTER II.
RIGHTS AND DUTIES OF SUBJECTS
Article 18. The conditions necessary for being a Japanese subject shall be determined by law.
Article 19. Japanese subjects may, according to qualifications determined in laws or ordinances, be appointed to civil or military or any other public offices equally.
Article 20. Japanese subjects are amenable to service in the Army or Navy, according to the provisions of law.
Article 21. Japanese subjects are amenable to the duty of paying taxes, according to the provisions of law.
Article 22. Japanese subjects shall have the liberty of abode and of changing the same within the limits of the law.
Article 23. No Japanese subject shall be arrested, detained, tried or punished, unless according to law.
Article 24. No Japanese subject shall be deprived of his right of being tried by the judges determined by law.
Article 25. Except in the cases provided for in the law, the house of no Japanese subject shall be entered or searched without his consent.
Article 26. Except in the cases mentioned in the law, the secrecy of the letters of every Japanese subject shall remain inviolate.
Article 27. The right of property of every Japanese subject shall remain inviolate.
(2) Measures necessary to be taken for the public benefit shall be any provided for by law.
Article 28. Japanese subjects shall, within limits not prejudicial to peace and order, and not antagonistic to their duties as subjects, enjoy freedom of religious belief.
Article 29. Japanese subjects shall, within the limits of law, enjoy the liberty of speech, writing, publication, public meetings and associations.
Article 30. Japanese subjects may present petitions, by observing the proper forms of respect, and by complying with the rules specially provided for the same.
Article 31. The provisions contained in the present Chapter shall not affect the exercises of the powers appertaining to the Emperor, in times of war or in cases of a national emergency.
Article 32. Each and every one of the provisions contained in the preceding Articles of the present Chapter, that are not in conflict with the laws or the rules and discipline of the Army and Navy, shall apply to the officers and men of the Army and of the Navy.

CHAPTER III.
THE IMPERIAL DIET
Article 33. The Imperial Diet shall consist of two Houses, a House of Peers and a House of Representatives.
Article 34. The House of Peers shall, in accordance with the ordinance concerning the House of Peers, be composed of the members of the Imperial Family, of the orders of nobility, and of those who have been nominated thereto by the Emperor.
Article 35. The House of Representatives shall be composed of members elected by the people, according to the provisions of the law of Election.
Article 36. No one can at one and the same time be a Member of both Houses.
Article 37. Every law requires the consent of the Imperial Diet.
Article 38. Both Houses shall vote upon projects of law submitted to it by the Government, and may respectively initiate projects of law.
Article 39. A Bill, which has been rejected by either the one or the other of the two Houses, shall not be brought in again during the same session.
Article 40. Both Houses can make representations to the Government, as to laws or upon any other subject. When, however, such representations are not accepted, they cannot be made a second time during the same session.
Article 41. The Imperial Diet shall be convoked every year.
Article 42. A session of the Imperial Diet shall last during three months. In case of necessity, the duration of a session may be prolonged by the Imperial Order.
Article 43. When urgent necessity arises, an extraordinary session may be convoked in addition to the ordinary one.
(2) The duration of an extraordinary session shall be determined by Imperial Order.
Article 44. The opening, closing, prolongation of session and prorogation of the Imperial Diet, shall be effected simultaneously for both Houses.

(2) In case the House of Representatives has been ordered to dissolve, the House of Peers shall at the same time be prorogued.

Article 45. When the House of Representatives has been ordered to dissolve, Members shall be caused by Imperial Order to be newly elected, and the new House shall be convoked within five months from the day of dissolution.

Article 46. No debate can be opened and no vote can be taken in either House of the Imperial Diet, unless not less than one-third of the whole number of Members thereof is present.

Article 47. Votes shall be taken in both Houses by absolute majority. In the case of a tie vote, the President shall have the casting vote.

Article 48. The deliberations of both Houses shall be held in public. The deliberations may, however, upon demand of the Government or by resolution of the House, be held in secret sitting.

Article 49. Both Houses of the Imperial Diet may respectively present addresses to the Emperor.

Article 50. Both Houses may receive petitions presented by subjects.

Article 51. Both Houses may enact, besides what is provided for in the present Constitution and in the Law of the Houses, rules necessary for the management of their internal affairs.

Article 52. No Member of either House shall be held responsible outside the respective Houses, for any opinion uttered or for any vote given in the House. When, however, a Member himself has given publicity to his opinions by public speech, by documents in print or in writing, or by any other similar means, he shall, in the matter, be amenable to the general law.

Article 53. The Members of both Houses shall, during the session, be free from arrest, unless with the consent of the House, except in cases of flagrant delicts, or of offenses connected with a state of internal commotion or with a foreign trouble.

Article 54. The Ministers of State and the Delegates of the Government may, at any time, take seats and speak in either House.

CHAPTER IV.
THE MINISTERS OF STATE AND THE PRIVY COUNCIL

Article 55. The respective Ministers of State shall give their advice to the Emperor, and be responsible for it.

(2) All Laws, Imperial Ordinances, and Imperial Rescripts of whatever kind, that relate to the affairs of the state, require the countersignature of a Minister of State.

Article 56. The Privy Councillors shall, in accordance with the provisions for the organization of the Privy Council, deliberate upon important matters of State when they have been consulted by the Emperor.

CHAPTER V.
THE JUDICATURE

Article 57. The Judicature shall be exercised by the Courts of Law according to law, in the name of the Emperor.

(2) The organization of the Courts of Law shall be determined by law.

Article 58. The judges shall be appointed from among those, who possess proper qualifications according to law.

(2) No judge shall be deprived of his position, unless by way of criminal sentence or disciplinary punishment.

(3) Rules for disciplinary punishment shall be determined by law.

Article 59. Trials and judgments of a Court shall be conducted publicly. When, however, there exists any fear, that such publicity may be prejudicial to peace and order, or to the maintenance of public morality, the public trial may be suspended by provisions of law or by the decision of the Court of Law.

Article 60. All matters that fall within the competency of a special Court, shall be specially provided for by law.

Article 61. No suit at law, which relates to rights alleged to have been infringed by the illegal measures of the administrative authorities, and which shall come within the competency of the Court of Administrative Litigation specially established by law, shall be taken cognizance of by Court of Law.

CHAPTER VI.
FINANCE

Article 62. The imposition of a new tax or the modification of the rates (of an existing one) shall be determined by law.

(2) However, all such administrative fees or other revenue having the nature of compensation shall not fall within the category of the above clause.

(3) The raising of national loans and the contracting of other liabilities to the charge of the National Treasury, except those that are provided in the Budget, shall require the consent of the Imperial Diet.

Article 63. The taxes levied at present shall, in so far as they are not remodelled by a new law, be collected according to the old system.

Article 64. The expenditure and revenue of the State require the consent of the Imperial Diet by means of an annual Budget.

(2) Any and all expenditures overpassing the appropriations set forth in the Titles and Paragraphs of the Budget, or that are not provided for in the Budget, shall subsequently require the approbation of the Imperial Diet.

Article 65. The Budget shall be first laid before the House of Representatives.

Article 66. The expenditures of the Imperial House shall be defrayed every year out of the National Treasury, according to the present fixed amount for the same, and shall not require the consent thereto of the Imperial Diet, except in case an increase thereof is found necessary.

Article 67. Those already fixed expenditures based by the Constitution upon the powers appertaining to the Emperor, and such expenditures as may have arisen by the effect of law, or that appertain to the legal obligations of the Government, shall be neither rejected nor reduced by the Imperial Diet, without the concurrence of the Government.

Article 68. In order to meet special requirements, the Government may ask the consent of the Imperial Diet to a certain amount as a Continuing Expenditure Fund, for a previously fixed number of years.

Article 69. In order to supply deficiencies, which are unavoidable, in the Budget, and to meet requirements unprovided for in the same, a Reserve Fund shall be provided in the Budget.

Article 70. When the Imperial Diet cannot be convoked, owing to the external or internal condition of the country, in case of urgent need for the maintenance of public safety, the Government may take all necessary financial measures, by means of an Imperial Ordinance.

(2) In the case mentioned in the preceding clause, the matter shall be submitted to the Imperial Diet at its next session, and its approbation shall be obtained thereeto.

Article 71. When the Imperial Diet has not voted on the Budget, or when the Budget has not been brought into actual existence, the Government shall carry out the Budget of the preceding year.

Article 72. The final account of the expenditures and revenues of the State shall be verified and confirmed by the Board of Audit, and it shall be submitted by the Government to the Imperial Diet, together with the report of verification of the said board.

(2) The organization and competency of the Board of Audit shall be determined by law separately.

CHAPTER VII.
SUPPLEMENTARY RULES

Article 73. When it has become necessary in future to amend the provisions of the present Constitution, a project to the effect shall be submitted to the Imperial Diet by Imperial Order.

(2) In the above case, neither House can open the debate, unless not less than two-thirds of the whole number of Members are present, and no amendment can be passed, unless a majority of not less than two-thirds of the Members present is obtained.

Article 74. No modification of the Imperial House Law shall be required to be submitted to the deliberation of the Imperial Diet.

(2) No provision of the present Constitution can be modified by the Imperial House Law.

Article 75. No modification can be introduced into the Constitution, or into the Imperial House Law, during the time of a Regency.

Article 76. Existing legal enactments, such as laws, regulations, Ordinances, or by whatever names they may be called, shall, so far as they do not conflict with the present Constitution, continue in force.

(2) All existing contracts or orders, that entail obligations upon the Government, and that are connected with expenditure, shall come within the scope of Article 67.
THE CONSTITUTION OF JAPAN

November 3, 1946

PREFACE

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 again shall we be visited with the horrors of war through the action of government, do proclaim that sovereign power resides with the people and do firmly establish this Constitution. Government is a sacred trust of the people, the authority for which is derived from the people, the powers of which are exercised by the representatives of the people, and the benefits of which are enjoyed by the people. This is a universal principle of mankind upon which this Constitution is founded. We reject and revoke all constitutions, laws ordinances, and rescripts in conflict herewith. We, the Japanese people, desire peace for all time and are deeply conscious of the high ideals controlling human relationship and we have determined to preserve our security and existence, trusting in the justice and faith of the peace-loving peoples of the world. We desire to occupy an honored place in an international society striving for the preservation of peace, and the banishment of tyranny and slavery, oppression and intolerance for all time from the earth. We recognize that all peoples of the world have the right to live in peace, free from fear and want. We believe that no nation is responsible to itself alone, but that laws of political morality are universal; and that obedience to such laws is incumbent upon all nations who would sustain their own sovereignty and justify their sovereign relationship with other nations. We, the Japanese people, pledge our national honor to accomplish these high ideals and purposes with all our resources.

CHAPTER I: THE EMPEROR

Article 1: The Emperor shall be the symbol of the State and the unity of the people, deriving his position from the will of the people with whom resides sovereign power.

Article 2: The Imperial Throne shall be dynastic and succeeded to in accordance with the Imperial House Law passed by the Diet.

Article 3: The advice and approval of the Emperor in matters of state, and the Cabinet shall be responsible therefor.

Article 4: The Emperor shall perform only such acts in matters of state as are provided for in this Constitution and he shall not have powers related to government. 2) The Emperor may delegate the performance of his acts in matters of state as may be provided for by law.

Article 5: When, in accordance with the Imperial House Law, a Regency is established, the Regent shall perform his acts in matters of state in the Emperor's name. In this case, paragraph one of the preceding Article will be applicable.

Article 6: The Emperor shall appoint the Prime Minister as designated by the Emperor shall appoint the Chief Judge of the Supreme Court as designated by the Cabinet.

Article 7: The Emperor shall, with the advice and approval of the Cabinet, perform the following acts in matters of state on behalf of the people: (1) Promulgation of amendments of the constitution, laws, cabinet orders and treaties. (2) Convocation of the Diet. (3) Dissolution of the House of Representatives. (4) Proclamation of general election of members of the Diet. (5) Attestation of the appointment and dismissal of Ministers of State and other officials as provided for by law, and of full powers and credentials of Ambassadors and Ministers. (6) Attestation of general and special amnesty, commutation of punishment, reprieve, and restoration of rights. (7) Awarding of honors. (8) Attestation of instruments of ratification and other diplomatic documents as provided for by law. (9) Receiving foreign ambassadors and ministers. (10) Performance of ceremonial functions.

Article 8: No property can be given to, or received by, the Imperial House, nor can any gifts be made therefrom, without the authorization of the Diet.

CHAPTER II: RENUNCIATION OF WAR

Article 9: Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes. 2) In order to accomplish the aim of the preceding paragraph, land, sea, and air
forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized.

CHAPTER III: RIGHTS AND DUTIES OF THE PEOPLE

Article 10: The conditions necessary for being a Japanese national shall be determined by law.
Article 11: The people shall not be prevented from enjoying any of the fundamental human rights. These fundamental human rights guaranteed to the people by this Constitution shall be conferred upon the people of this and future generations as eternal and inviolate rights.
Article 12: The freedoms and rights guaranteed to the people by this Constitution shall be maintained by the constant endeavor of the people, who shall refrain from any abuse of these freedoms and rights and shall always be responsible for utilizing them for the public welfare.
Article 13: All of the people shall be respected as individuals. Their right to life, liberty, and the pursuit of happiness shall, to the extent that it does not interfere with the public welfare, be the supreme consideration in legislation and in other governmental affairs.
Article 14: All of the people are equal under the law and there shall be no discrimination in political, economic or social relations because of race, creed, sex, social status or family origin. 2) Peers and peerage shall not be recognized. 3) No privilege shall accompany any award of honor, decoration or any distinction, nor shall any such award be valid beyond the lifetime of the individual who now holds or hereafter may receive it.
Article 15: The people have the inalienable right to choose their public officials and to dismiss them. 2) All public officials are servants of the whole community and not of any group thereof. 3) Universal adult suffrage is guaranteed with regard to the election of public officials. 4) In all elections, secrecy of the ballot shall not be violated. A voter shall not be answerable, publicly or privately, for the choice he has made.
Article 16: Every person shall have the right of peaceful petition for the redress of damage, for the removal of public officials, for the enactment, repeal or amendment of laws, ordinances or regulations and for other matters; nor shall any person be in any way discriminated against for sponsoring such a petition.
Article 17: Every person may sue for redress as provided by law from the State or a public entity, in case he has suffered damage through illegal act of any public official.
Article 18: No person shall be held in bondage of any kind. Involuntary servitude, except as punishment for crime, is prohibited.
Article 19: Freedom of thought and conscience shall not be violated.
Article 20: Freedom of religion is guaranteed to all. No religious organization shall receive any privileges from the State, nor exercise any political authority. 2) No person shall be compelled to take part in any religious acts, celebration, rite or practice. 3) The State and its organs shall refrain from religious education or any other religious activity.
Article 21: Freedom of assembly and association as well as speech, press and all other forms of expression are guaranteed. 2) No censorship shall be maintained, nor shall the secrecy of any means of communication be violated.
Article 22: Every person shall have freedom to choose and change his residence and to choose his occupation to the extent that it does not interfere with the public welfare. 2) Freedom of all persons to move to a foreign country and to divest themselves of their nationality shall be inviolate.
Article 23: Academic freedom is guaranteed.
Article 24: Marriage shall be based only on the mutual consent of both sexes and it shall be maintained through mutual cooperation with the equal rights of husband and wife as a basis. 2) With regard to choice of spouse, property rights, inheritance, choice of domicile, divorce and other matters pertaining to marriage and the family, laws shall be enacted from the standpoint of individual dignity and the essential equality of the sexes.
Article 25: All people shall have the right to maintain the minimum standards of wholesome and cultured living. 2) In all spheres of life, the State shall use its endeavors for the promotion and extension of social welfare and security, and of public health.
Article 26: All people shall have the right to receive an equal education correspondent to their ability, as provided for by law. 2) All people shall be obligated to have all boys and girls under their protection receive ordinary education as provided for by law. Such compulsory education shall be free.
Article 27: All people shall have the right and the obligation to work. 2) Standards for wages, hours, rest and other working conditions shall be fixed by law. 3) Children shall not be exploited.
Article 28: The right of workers to organize and to bargain and act collectively is guaranteed.
Article 29: The right to own or to hold property is inviolable. 2) Property rights shall be defined by law, in conformity with the public welfare. 3) Private property may be taken for public use upon just compensation therefor.

Article 30: The people shall be liable to taxation as provided for by law.

Article 31: No person shall be deprived of life or liberty, nor shall any other criminal penalty be imposed, except according to procedure established by law.

Article 32: No person shall be denied the right of access to the courts.

Article 33: No person shall be apprehended except upon warrant issued by a competent judicial officer which specifies the offense with which the person is charged, unless he is apprehended, the offense being committed.

Article 34: No person shall be arrested or detained without being at once informed of the charges against him or without the immediate privilege of counsel; and upon demand of any person such cause must be immediately shown in open court in his presence and the presence of his counsel.

Article 35: The right of all persons to be secure in their homes, papers and effects against entries, searches and seizures shall not be impaired except upon warrant issued for adequate cause and particularly describing the place to be searched and things to be seized, or except as provided by Article 33. 2) Each search or seizure shall be made upon separate warrant issued by a competent judicial officer.

Article 36: The infliction of torture by any public officer and cruel punishments are absolutely forbidden.

Article 37: In all criminal cases the accused shall enjoy the right to a speedy and public trial by an impartial tribunal. 2) He shall be permitted full opportunity to examine all witnesses, and he shall have the right of compulsory process for obtaining witnesses on his behalf at public expense. 3) At all times the accused shall have the assistance of competent counsel who shall, if the accused is unable to secure the same by his own efforts, be assigned to his use by the State.

Article 38: No person shall be compelled to testify against himself. 2) Confession made under compulsion, torture or threat, or after prolonged arrest or detention shall not be admitted in evidence. 3) No person shall be convicted or punished in cases where the only proof against him is his own confession.

Article 39: No person shall be held criminally liable for an act which was lawful at the time it was committed, or of which he had been acquitted, nor shall he be placed in double jeopardy.

Article 40: Any person may, in case he is acquitted after he has been arrested or detained, sue the State for redress as provided for by law.

CHAPTER IV: THE DIET

Article 41: The Diet shall be the highest organ of the state power, and shall be the sole law-making organ of the State.

Article 42: The Diet shall consist of two Houses, namely the House of Representatives and the House of Councillors.

Article 43: Both Houses shall consist of elected members, representative of all the people. 2) The number of the members of each House shall be fixed by law.

Article 44: The qualifications of members of both Houses and their electors shall be fixed by law. However, there shall be no discrimination because of race, creed, sex, social status, family origin, education, property or income.

Article 45: The term of office of members of the House of Representatives shall be four years. However, the term shall be terminated before the full term is up in case the House of Representatives is dissolved.

Article 46: The term of office of members of the House of Councillors shall be six years, and election for half the members shall take place every three years.

Article 47: Electoral districts, method of voting and other matters pertaining to the method of election of members of both Houses shall be fixed by law.

Article 48: No person shall be permitted to be a member of both Houses simultaneously.

Article 49: Members of both Houses shall receive appropriate annual payment from the national treasury in accordance with law.

Article 50: Except in cases as provided for by law, members of both Houses shall be exempt from apprehension while the Diet is in session, and any members apprehended before the opening of the session shall be freed during the term of the session upon demand of the House.

Article 51: Members of both Houses shall not be held liable outside the House for speeches, debates or votes cast inside the House.

Article 52: An ordinary session of the Diet shall be convoked once per year.
Article 53: The Cabinet may determine to convoke extraordinary sessions of the Diet. When a quarter or more of the total members of either House makes the demand, the Cabinet must determine on such convocation.

Article 54: When the House of Representatives is dissolved, there must be a general election of members of the House of Representatives within forty(40) days from the date of dissolution, and the Diet must be convoked within thirty(30) days from the date of the election. 2) When the House of Representatives is dissolved, the House of Councillors is closed at the same time. However, the Cabinet may, in time of national emergency, convoke the House of Councillors in emergency session. 3) Measures taken at such session as mentioned in the proviso of the preceding paragraph shall be provisional and shall become null and void unless agreed to by the House of Representatives within a period of ten(10) days after the opening of the next session of the Diet.

Article 55: Each House shall judge disputes related to qualifications of its members. However, in order to deny a seat to any member, it is necessary to pass a resolution by a majority of two-thirds or more of the members present.

Article 56: Business cannot be transacted in either House unless one-third or more of total membership is present. 2) All matters shall be decided, in each House, by a majority of those present, except as elsewhere provided for in the Constitution, and in case of a tie, the presiding officer shall decide the issue.

Article 57: Deliberation in each House shall be public. However, a secret meeting may be held where a majority of two-thirds or more of those members present passes a resolution therefor. 2) Each House shall keep a record of proceedings. This record shall be published and given general circulation, excepting such parts of proceedings of secret session as may be deemed to require secrecy. 3) Upon demand of one-fifth or more of the members present, votes of the members on any matter shall be recorded in the minutes.

Article 58: Each House shall select its own president and other officials. 2) Each House shall establish its rules pertaining to meetings, proceedings and internal discipline, and may punish members for disorderly conduct. However, in order to expel a member, a majority of two-thirds or more of those members present must pass a resolution thereon.

Article 59: A bill becomes a law on passage by both Houses, except as otherwise provided for by the Constitution. 2) A bill, which is passed by the House of Representatives, and upon which the House of Councillors makes a decision different from that of the House of Representatives, becomes a law when passed a second time by the House of Representatives by a majority of two-thirds or more of the members present. 3) The provision of the preceding paragraph does not preclude the House of Representatives from calling for the meeting of a joint committee of both Houses, provided for by law. 4) Failure by the House of Councillors to take final action within sixty(60) days after receipt of a bill passed by the House of Representatives, time in recess excepted, may be determined by the House of Representatives to constitute a rejection of the said bill by the House of Councillors.

Article 60: The budget must first be submitted to the House of Representatives. 2) Upon consideration of the budget, when the House of Councillors makes a decision different from that of the House of Representatives, and when no agreement can be reached even through a joint committee of both Houses, provided for by law, or in the case of failure by the House of Councillors to take final action within thirty(30) days, the period of recess excluded, after the receipt of the budget passed by the House of Representatives, the decision of the House of Representatives shall be the decision of the Diet.

Article 61: The second paragraph of the preceding Article applies also the the Diet approval required for the conclusion of treaties.

Article 62: Each House may conduct investigations in relation to government, and may demand the presence and testimony of witnesses, and the production of records.

Article 63: The Prime Minister and other Ministers of State may, at any time, appear in either House for the purpose of speaking on bills, regardless of whether they are members of the House or not. They must appear when their presence is required in order to give answers or explanations.

Article 64: The Diet shall set up an impeachment court from among the members of both Houses for the purposes of trying those judges against whom removal proceedings have been instituted. 2) Matters relating to impeachment shall be provided for by law.

CHAPTER V: THE CABINET

Article 65: Executive power shall be vested in the Cabinet.

Article 66: The Cabinet shall consist of the Prime Minister, who shall be its head, and other Ministers of State, as provided for by law. 2) The Prime Minister and other Ministers of State must be civilians. 3) The Cabinet shall, in the exercise of executive power, be collectively responsible to the Diet.
Article 67: The Prime Minister shall be designated from among the members of the Diet by a resolution of the Diet. This designation shall precede all other business. 2) If the House of Representatives and the House of Councillors disagree and if no agreement can be reached even through a joint committee of both Houses, provided for by law, or the House of Councillors fails to make designation within ten (10) days, exclusive of the period of recess, after the House of Representatives has made designation, the decision of the House of Representatives shall be the decision of the Diet.

Article 68: The Prime Minister shall appoint the Ministers of State. However, a majority of their number must be chosen from among the members of the Diet. 2) The Prime Minister may remove the Ministers of State as he chooses.

Article 69: If the House of Representatives passes a non-confidence resolution, or rejects a confidence resolution, the Cabinet shall resign en masse, unless the House of Representatives is dissolved within ten (10) days.

Article 70: When there is a vacancy in the post of Prime Minister, or upon the first convocation of the Diet after a general election of members of the House of Representatives, the Cabinet shall resign en masse.

Article 71: In the cases mentioned in the two preceding Articles, the Cabinet shall continue its functions until the time when a new Prime Minister is appointed.

Article 72: The Prime Minister, representing the Cabinet, submits bills, reports on general national affairs and foreign relations to the Diet and exercises control and supervision over various administrative branches.

Article 73: The Cabinet shall, in addition to other general administrative functions, perform the following functions: (1) Administer the law faithfully; conduct affairs of state. (2) Manage foreign affairs. (3) Conclude treaties. However, it shall obtain prior or, depending on circumstances subsequent approval of the Diet. (4) Administer the civil service, in accordance with standards established by law. (5) Prepare the budget, and present it to the cabinet orders in order to execute the provisions of this Constitution and of the law. However, it cannot include penal provisions in such cabinet orders unless authorized by such law. (7) Decide on general amnesty, special amnesty, commutation of punishment, reprieve, and restoration of rights.

Article 74: All laws and cabinet orders shall be signed by the competent Minister of State and countersigned by the Prime Minister.

Article 75: The Ministers of State shall not, during their tenure of office, be subject to legal action without the consent of the Prime Minister. However, the right to take that action is not impaired hereby.

CHAPTER VI: JUDICIARY

Article 76: The whole judicial power is vested in a Supreme Court and in such inferior courts as are established by law. 2) No extraordinary tribunal shall be established, nor shall any organ or agency of the Executive be given final judicial power. 3) All judges shall be independent in the exercise of their conscience and shall be bound only by this Constitution and the laws.

Article 77: The Supreme Court is vested with the rule-making power under which it determines the rules of procedure and of practice, and of matters relating to attorneys, the internal discipline of the courts and the administration of judicial affairs. 2) Public procurators shall be subject to the rule-making power of the Supreme Court. 3) The Supreme Court may delegate the power to make rules for inferior courts to such courts.

Article 78: Judges shall not be removed except by public impeachment unless judicially declared mentally or physically incompetent to perform official duties. No disciplinary action against judges shall be administered by any executive organ or agency.

Article 79: The Supreme Court shall consist of a Chief Judge and such number of judges as may be determined by law; all such judges excepting the Chief Judge shall be appointed by the Cabinet. 2) The appointment of the judges of the Supreme Court shall be reviewed by the people at the first general election of members of the House of Representatives following their appointment, and shall be reviewed again at the first general election of members of the House of Representatives after a lapse of ten (10) years, and in the same manner thereafter.

Article 80: The judges of the inferior courts shall be appointed by the Cabinet from a list of persons nominated by the Supreme Court. All such judges shall hold office for a term of ten (10) years with privilege of reappointment, provided that they shall be retired upon the attainment of the age as fixed by law. 2) The judges of the inferior courts shall receive, at regular stated intervals, adequate compensation which shall not be decreased during their terms of office.
Article 81: The Supreme Court is the court of last resort with power to determine the constitutionality of any law, order, regulation or official act.

Article 82: Trials shall be conducted and judgment declared publicly. 2) Where a court unanimously determines publicity to be dangerous to public order or morals, a trial may be conducted privately, but trials of political offenses, offenses involving the press or cases wherein the rights of people as guaranteed in CHAPTER III of this Constitution are in question shall always be conducted publicly.

CHAPTER VII: FINANCE

Article 83: The power to administer national finances shall be exercised as the Diet shall determine.

Article 84: No new taxes shall be imposed or existing ones modified except by law or under such conditions as law may prescribe.

Article 85: No money shall be expended, nor shall the State obligate itself, except as authorized by the Diet.

Article 86: The Cabinet shall prepare and submit to the Diet for its consideration and decision a budget for each fiscal year.

Article 87: In order to provide for unforeseen deficiencies in the budget, a reserve fund may be authorized by the Diet to be expended upon the responsibility of the Cabinet must get subsequent approval of the Diet for all payments from the reserve fund.

Article 88: All property of the Imperial Household shall belong to the State. All expenses of the Imperial Household shall be appropriated by the Diet in the budget.

Article 89: No public money or other property shall be expended or appropriated for the use, benefit or maintenance of any religious institution or association, or for any charitable, educational or benevolent enterprises not under the control of public authority.

Article 90: Final accounts of the expenditures and revenues of the State shall be audited annually by a Board of Audit and submitted by the Diet, together with the statement of audit, during the fiscal year immediately following the period covered. 2) The organization and competency of the Board of Audit shall be determined by law.

Article 91: At regular intervals and at least annually the Diet and the people on the state of national finances.

CHAPTER VIII: LOCAL SELF-GOVERNMENT

Article 92: Regulations concerning organization and operations of local public entities shall be fixed by law in accordance with the principle of local autonomy.

Article 93: The local public entities shall establish assemblies as their deliberative organs, in accordance with law. 2) The chief executive officers of all local public entities, the members of their assemblies, and such other local officials as may be determined by law shall be elected by direct popular vote within their several communities.

Article 94: Local public entities shall have the right to manage their property, affairs and administration and to enact their own regulations within law.

Article 95: A special law, applicable only to one local public entity, cannot be enacted by the Diet without the consent of the majority of the voters of the local public entity concerned, obtained in accordance with law.

CHAPTER IX: AMENDMENTS

Article 96: Amendments to this Constitution shall be initiated by the Diet, through a concurring vote of two-thirds or more of all the members of each House and shall thereupon be submitted to the people for ratification, which shall require the affirmative vote of a majority of all votes cast thereon, at a special referendum or at such election as the Diet shall specify. 2) Amendments when so ratified shall immediately be promulgated by the Emperor in the name of the people, as an integral part of this Constitution.

CHAPTER X: SUPREME LAW

Article 97: The fundamental human rights by this Constitution guaranteed to the people of Japan are fruits of the age-old struggle of man to be free; they have survived the many exacting tests for durability and are conferred upon this and future generations in trust, to be held for all time inviolate.

Article 98: This Constitution shall be the supreme law of the nation and no law, ordinance, imperial rescript or other act of government, or part thereof, contrary to the provisions hereof, shall have legal force or validity. 2) The treaties concluded by Japan and established laws of nations shall be faithfully observed.

Article 99: The Emperor or the Regent as well as Ministers of State, members of the Diet, judges, and all other public officials have the obligation to respect and uphold this Constitution.

CHAPTER XI: SUPPLEMENTARY PROVISIONS
Article 100: This Constitution shall be enforced as from the day when the period of six months will have elapsed counting from the day of its promulgation. 2) The enactment of laws necessary for the enforcement of this Constitution, the election of members of the House of Councillors and the procedure for the convocation of the Diet and other preparatory procedures necessary for the enforcement of this Constitution may be executed before the day prescribed in the preceding paragraph.

Article 101: If the House of Councillors is not constituted before the effective date of this Constitution, the House of Representatives shall function as the Diet until such time as the House of Councillors shall be constituted.

Article 102: The term of office for half the members of the House of Councillors serving in the first term under this Constitution shall be three years. Members falling under this category shall be determined in accordance with law.

Article 103: The Ministers of State, members of the House of Representatives, and judges in office on the effective date of this Constitution, and all other public officials who occupy positions corresponding to such positions as are recognized by this Constitution shall not forfeit their positions automatically on account of the enforcement of this Constitution unless otherwise specified by law. When, however, successors are elected or appointed under the provisions of this Constitution, they shall forfeit their positions as a matter of course.

THE CONSTITUTION OF JAPAN (November 3, 1946)

I rejoice that the foundation for the construction of a new Japan has been laid according to the will of the Japanese people, and hereby sanction and promulgate the amendments of the Imperial Japanese Constitution effected following the consultation with the Privy Council and the decision of the Imperial Diet made in accordance with Article 73 of the said Constitution.

Signed:
HIROHITO, Seal of the Emperor, This third day of the eleventh month of the twenty-first year of Showa (November 3, 1946).

Countersigned:
Prime Minister and concurrently Minister for Foreign Affairs
YOSHIIDA Shigeru,
Minister of State
Baron SHIDEHARA Kijuro,
Minister of Justice
KIMURA Tokutaro,
Minister for Home Affairs
OMURA Seiichi,
Minister of Education
TANAKA Kotaro,
Minister of Agriculture and Forestry
WADA Hiroo,
Minister of State
SAITO Takao,
Minister of Communication
HITOTSUMATSU Sadayoshi,
Minister of Commerce and Industry
HOSHIJIMA Jiro,
Minister of Welfare
KAWAI Yoshinari,
Minister of State
UEHARA Etsujiro,
Minister of Transportation
HIRATSUKA Tsunejiro,
Minister of Finance
ISHIBASHI Tanzan,
Minister of State
KANAMORI Tokuijiro,
Minister of State
ZEN Keinosuke.
APPENDIX 4

PEACE DECLARATION

This August 6, the 60th anniversary of the atomic bombing, is a moment of shared lamentation in which more than 300 thousand souls of A-bomb victims and those who remain behind transcend the boundary between life and death to remember that day. It is also a time of inheritance, of awakening, and of commitment, in which we inherit the commitment of the hibakusha to the abolition of nuclear weapons and realization of genuine world peace, awaken to our individual responsibilities, and recommit ourselves to take action. This new commitment, building on the desires of all war victims and the millions around the world who are sharing this moment, is creating a harmony that is enveloping our planet.

The keynote of this harmony is the hibakusha warning, "No one else should ever suffer as we did," along with the cornerstone of all religions and bodies of law, "Thou shalt not kill." Our sacred obligation to future generations is to establish this axiom, especially its corollary, "Thou shalt not kill children," as the highest priority for the human race across all nations and religions. The International Court of Justice advisory opinion issued nine years ago was a vital step toward fulfilling this obligation, and the Japanese Constitution, which embodies this axiom forever as the sovereign will of a nation, should be a guiding light for the world in the 21st century.

Unfortunately, the Review Conference of the Nuclear Non-Proliferation Treaty this past May left no doubt that the U.S., Russia, U.K., France, China, India, Pakistan, North Korea and a few other nations wishing to become nuclear-weapon states are ignoring the majority voices of the people and governments of the world, thereby jeopardizing human survival.

Based on the dogma "Might is right," these countries have formed their own "nuclear club," the admission requirement being possession of nuclear weapons. Through the media, they have long repeated the incantation, "Nuclear weapons protect you." With no means of rebuttal, many people worldwide have succumbed to the feeling that "There is nothing we can do." Within the United Nations, nuclear club members use their veto power to override the global majority and pursue their selfish objectives.

To break out of this situation, Mayors for Peace, with more than 1,080 member cities, is currently holding its sixth General Conference in Hiroshima, where we are revising the Emergency Campaign to Ban Nuclear Weapons launched two years ago. The primary objective is to produce an action plan that will further expand the circle of cooperation formed by the U.S. Conference of Mayors, the European Parliament, International Physicians for the Prevention of Nuclear War and other international NGOs, organizations and individuals worldwide, and will encourage all world citizens to awaken to their own responsibilities with a sense of urgency, "as if the entire world rests on their shoulders alone," and work with new commitment to abolish nuclear weapons.

To these ends and to ensure that the will of the majority is reflected at the UN, we propose that the First Committee of the UN General Assembly, which will meet in October, establish a special committee to deliberate and plan for the achievement and maintenance of a nuclear-weapon-free world. Such a committee is needed because the Conference on Disarmament in Geneva and the NPT Review Conference in New York have failed due to a "consensus rule" that gives a veto to every country.

We expect that the General Assembly will then act on the recommendations from this special committee, adopting by the year 2010 specific steps leading toward the elimination of nuclear weapons by 2020. Meanwhile, we hereby declare the 369 days from today until August 9, 2006, a "Year of Inheritance, Awakening and Commitment." During this Year, the Mayors for Peace, working with nations, NGOs and the vast majority of the world's people, will launch a great diversity of campaigns for nuclear weapons abolition in numerous cities throughout the world.

We expect the Japanese government to respect the voice of the world's cities and work energetically in the First Committee and the General Assembly to ensure that the abolition of nuclear weapons is achieved by the will of the majority. Furthermore, we request that the Japanese government provide the warm, humanitarian support appropriate to the needs of all the aging hibakusha, including those living abroad and those exposed in areas affected by the black rain.

On this, the sixtieth anniversary of the atomic bombing, we seek to comfort the souls of all its victims by declaring that we humbly reaffirm our responsibility never to "repeat the evil."

"Please rest peacefully; for we will not repeat the evil."

August 6, 2005
Tadatoshi Akiba
Mayor, The City of Hiroshima
APPENDIX 5

The Nagasaki Peace Declaration

Today the bells of Nagasaki echo in the sky, marking 60 years since the atomic bombing. At 11:02 a.m. on August 9, 1945, a single atomic bomb was dropped from an American warplane, exploding in this same sky above us, instantly destroying the city of Nagasaki. Some 74,000 people were killed, and another 75,000 wounded. Some of the victims never knew what happened. Others pleaded for water as death overtook them. Children, so burned and blackened that they could not even cry out, lay with their eyes closed. Those people who narrowly survived were afflicted with deep physical and mental wounds that could never be healed. They continue to suffer from the after-effects of the bomb, living in fear of death.

To the leaders of the nuclear weapons states: Nuclear weapons must never be used for any reason whatsoever. This we know from painful experience. For sixty years we have repeated our plea, "No more Hiroshima! No more Nagasaki!" International society has also been exerting effort for the prohibition of nuclear weapons tests and the establishment of nuclear-weapon-free zones. In 2000, the nuclear weapons states themselves promised an "unequivocal undertaking" for the "elimination of their nuclear arsenals."

Nevertheless, at the end of the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons held at United Nations headquarters in May of this year, no progress was achieved. The nuclear weapons states, and the United States of America in particular, have ignored their international commitments, and have made no change in their unyielding stance on nuclear deterrence. We strongly resent the trampling of the hopes of the world's people.

To the citizens of the United States of America: We understand your anger and anxiety over the memories of the horror of the 9/11 terrorist attacks. Yet, is your security actually enhanced by your government's policies of maintaining 10,000 nuclear weapons, of carrying out repeated sub-critical nuclear tests, and of pursuing the development of new "mini" nuclear weapons? We are confident that the vast majority of you desire in your hearts the elimination of nuclear arms. May you join hands with the people of the world who share that same desire, and work together for a peaceful planet free from nuclear weapons.

To the government of Japan: Our nation deeply regrets the last war, and our government has supposedly resolved not to engage in actions that might lead to the tragedy of war again. The peaceful ideals of our constitution must be upheld, and the threefold non-nuclear principle of neither possessing, manufacturing, nor allowing nuclear arms within our borders must be enacted into law without delay. The efforts of concerned countries for nuclear disarmament on the Korean peninsula, combined with the concomitant results of the threefold non-nuclear principle, will pave the way for a Northeast Asia nuclear-weapon-free zone. We urge you to adopt a stance that does not rely upon the "nuclear umbrella," and to take a leading role in nuclear abolition.

We would also point out that the atomic bomb survivors have become quite elderly. We further call upon the Japanese government to provide greater assistance to those who continue to suffer from the mental anguish caused by the bombing, and to extend sufficient aid to survivors who now reside overseas.

Here in Nagasaki, many young people are learning about the atomic bombing and about peace, and are engaged in activities that they themselves have originated. To our young people: Remember always the miserable deaths of the atomic bomb victims. We ask each of you to earnestly study history and to consider the importance of peace and the sanctity of life. The citizens of Nagasaki stand behind your efforts. May you join hands with the world's citizens and NGOs, that the bells of peace will ring loud and clear in the sky over Nagasaki.

Today, as we mark 60 years since the atomic bombing, we pray for the repose of the souls of those who died, even as we declare our commitment, together with Hiroshima, never to abandon our efforts for the elimination of nuclear weapons and the establishment of lasting world peace.

August 9, 2005
Iccho Itoh, Mayor of Nagasaki
APPENDIX 6

A PETITION TO THE PRESIDENT OF THE UNITED STATES

July 17, 1945

Discoveries of which the people of the United States are not aware may affect the welfare of this nation in the near future. The liberation of atomic power which has been achieved places atomic bombs in the hands of the Army. It places in your hands, as Commander-in-Chief, the fateful decision whether or not to sanction the use of such bombs in the present phase of the war against Japan.

We, the undersigned scientists, have been working in the field of atomic power. Until recently, we have had to fear that the United States might be attacked by atomic bombs during this war and that her only defense might lie in a counterattack by the same means. Today, with the defeat of Germany, this danger is averted and we feel impelled to say what follows:

The war has to be brought speedily to a successful conclusion and attacks by atomic bombs may very well be an effective method of warfare. We feel, however, that such attacks on Japan could not be justified, at least not unless the terms which will be imposed after the war on Japan were made public in detail and Japan were given an opportunity to surrender.

If such public announcement gave assurance to the Japanese that they could look forward to a life devoted to peaceful pursuits in their homeland and if Japan still refused to surrender our nation might then, in certain circumstances, find itself forced to resort to the use of atomic bombs. Such a step, however, ought not to be made at any time without seriously considering the moral responsibilities which are involved.

The development of atomic power will provide the nations with new means of destruction. The atomic bombs at our disposal represent only the first step in this direction, and there is almost no limit to the destructive power which will become available in the course of their future development. Thus a nation which sets the precedent of using these newly liberated forces of nature for purposes of destruction may have to bear the responsibility of opening the door to an era of devastation on an unimaginable scale.

If after this war a situation is allowed to develop in the world which permits rival powers to be in uncontrolled possession of these new means of destruction, the cities of the United States as well as the cities of other nations will be in continuous danger of sudden annihilation. All the resources of the United States, moral and material, may have to be mobilized to prevent the advent of such a world situation. Its prevention is at present the solemn responsibility of the United States -- singled out by virtue of her lead in the field of atomic power.

The added material strength which this lead gives to the United States brings with it the obligation of restraint and if we were to violate this obligation our moral position would be weakened in the eyes of the world and in our own eyes. It would then be more difficult for us to live up to our responsibility of bringing the unloosed forces of destruction under control.

In view of the foregoing, we, the undersigned, respectfully petition: first, that you exercise your power as Commander-in-Chief, to rule that the United States shall not resort to the use of atomic bombs in this war unless the terms which will be imposed upon Japan have been made public in detail and Japan knowing these terms has refused to surrender; second, that in such an event the question whether or not to use atomic bombs be decided by you in light of the considerations presented in this petition as well as all the other moral responsibilities which are involved.

Leo Szilard and 69 co-signers

Signers listed in alphabetical order, with position identifications added:

1. DAVID S. ANTHONY, Associate Chemist
2. LARNED B. ASPREY, Junior Chemist, S.E.D.
3. WALTER BARTKY, Assistant Director
4. AUSTIN M. BRUES, Director, Biology Division
5. MARY BURKE, Research Assistant
6. ALBERT CAHN, JR., Junior Physicist
7. GEORGE R. CARLSON, Research Assistant-Physics
8. KENNETH STEWART COLE, Principal Bio-Physicist

Source: U.S. National Archives, Record Group 77, Records of the Chief of Engineers, Manhattan Engineer District, Harrison-Bundy File, folder #76.

On July 17, 1945, Leo Szilard and 69 co-signers at the Manhattan Project "Metallurgical Laboratory" in Chicago petitioned the President of the United States.
9. ETHALINE HARTGE, Junior Chemist
10. JOHN CRAWFORD, Physicist
11. MARY M. DAILEY, Research Assistant
12. MIRIAM P. FINKEL, Associate Biologist
13. FRANK G. FOOTE, Metallurgist
14. HORACE OWEN FRANCE, Associate Biologist
15. MARK S. FRED, Research Associate-Chemistry
16. SHERMAN FRIED, Chemist
17. FRANCIS LEE FRIEDMAN, Physicist
18. MELVIN S. FRIEDMAN, Associate Chemist
19. MILDRED C. GINSBERG, Computer
20. NORMAN GOLDSMITH, Junior Physicist
21. SHEFFIELD GORDON, Associate Chemist
22. WALTER J. GRUNDHAUSER, Research Assistant
23. CHARLES W. HAGEN, Research Assistant
24. DAVID B. HALL, position not identified
25. DAVID L. HILL, Associate Physicist
26. SHERMAN FRIED, Associate Division Director, Chemistry
27. FRANCIS LEE FRIEDMAN, Physicist
28. WALTER J. GRUNDHAUSER, Research Assistant
29. CHARLES W. HAGEN, Research Assistant
30. DAVID B. HALL, position not identified
31. DAVID L. HILL, Associate Physicist
32. GEORGE H. HOBSON, Associate Chemist
33. JOHN PERRY HOWE, JR., Associate Division Director, Chemistry
34. HERBERT E. HOBSON, Associate Chemist
35. ROBERT ANTHONY HOWE, Physicist
36. HERBERT E. HOBSON, Associate Chemist
37. JOHN PERRY HOWE, JR., Associate Division Director, Chemistry
38. CHARLES W. HAGEN, Research Assistant
39. DAVID B. HALL, position not identified
40. FRANK G. FOOTE, Metallurgist
41. SHERMAN FRIED, Physicist
42. WALTER J. GRUNDHAUSER, Research Assistant
43. CHARLES W. HAGEN, Research Assistant
44. DAVID B. HALL, position not identified
45. FRANK G. FOOTE, Metallurgist
46. WALTER J. GRUNDHAUSER, Research Assistant
47. CHARLES W. HAGEN, Research Assistant
48. DAVID B. HALL, position not identified
49. WALTER J. GRUNDHAUSER, Research Assistant
50. CHARLES W. HAGEN, Research Assistant
51. DAVID B. HALL, position not identified
52. WALTER J. GRUNDHAUSER, Research Assistant
53. CHARLES W. HAGEN, Research Assistant
54. DAVID B. HALL, position not identified
55. WALTER J. GRUNDHAUSER, Research Assistant
56. CHARLES W. HAGEN, Research Assistant
57. DAVID B. HALL, position not identified
58. WALTER J. GRUNDHAUSER, Research Assistant
59. CHARLES W. HAGEN, Research Assistant
60. DAVID B. HALL, position not identified
61. WALTER J. GRUNDHAUSER, Research Assistant
62. CHARLES W. HAGEN, Research Assistant
63. DAVID B. HALL, position not identified
64. WALTER J. GRUNDHAUSER, Research Assistant
65. CHARLES W. HAGEN, Research Assistant
66. DAVID B. HALL, position not identified
67. WALTER J. GRUNDHAUSER, Research Assistant
68. CHARLES W. HAGEN, Research Assistant
69. DAVID B. HALL, position not identified
70. WALTER J. GRUNDHAUSER, Research Assistant

Source note: The position identifications for the signers are based on two undated lists, both titled "July 17, 1945," in the same file as the petition in the National Archives. From internal evidence, one probably was prepared in late 1945 and the other in late 1946. Signers were categorized as either "Important" or "Not Important," and dates of termination from project employment were listed in many cases. It is reasonable to conclude that the lists were prepared and used for the purpose of administrative retaliation against the petition signers.
Statement by Prime Minister Junichiro Koizumi at the Press Conference
(Provisional Translation)
September 12, 2001

The series of terrorist attacks that occurred yesterday in the United States of America took a great number of precious lives. These extremely vicious acts of violence can never be forgiven. I am outraged by these acts which pose a grave challenge not only to the United States but to the entire free world.

I would like to express once again condolences for the victims and their bereaved families, as well as my heartfelt sympathies to the President and the people of the United States and to all who have suffered.

Japan strongly supports the United States and is resolved to spare no effort in providing necessary assistance and cooperation. We must stand firmly together with the concerned nations of the world to ensure that such acts are never repeated.

We established emergency headquarters in the Prime Minister's Office last night and efforts are being made to gather information and take necessary actions. Furthermore, the National Security Council had a meeting a little while ago with the attendance of all Cabinet members and decided on the following six-item policy.

1. All relevant ministries will work in concert to take every possible measure in order to gather accurate information on the situation including the safety of Japanese nationals concerned and to take all appropriate measures.

2. All possible measures will be put in place to assist Japanese nationals affected. At the same time, the preparations for such measures as the dispatch of a Japan Disaster Relief Team for all those affected will be made, so that actions can be taken promptly if requested.

3. The security of such facilities and establishments related to the United States in Japan will be enhanced, and necessary actions will be taken as appropriate, responding to the prevailing situation.

4. Efforts will be made to provide appropriate information to the people of Japan and to keep the people alert on the situations.

5. Japan will respond in cooperation with the United States and other concerned nations to combat international terrorism.

6. Appropriate measures will be taken to prevent confusion in the economic systems both in Japan and in the rest of the world.

The Government of Japan will do its utmost to respond to the situation based on this policy.

Thank you for your attention.

Resolution 1368

Adopted by the Security Council at its 4370th meeting
September 12, 2001

The Security Council,

Reaffirming the principles and purposes of the Charter of the United Nations,

Determined to combat by all means threats to international peace and security caused by terrorist acts,

Recognizing the inherent right of individual or collective self-defence in accordance with the Charter,

1. Unequivocally condemns in the strongest terms the horrifying terrorist attacks which took place on 11 September 2001 in New York, Washington (D.C.) and Pennsylvania and regards such acts, like any act of international terrorism, as a threat to international peace and security;

2. Expresses its deepest sympathy and condolences to the victims and their families and to the People and Government of the United States of America;

3. Calls on all States to work together urgently to bring to justice the perpetrators, organizers and sponsors of these terrorist attacks and stresses that those responsible for aiding, supporting or harbouring the perpetrators, organizers and sponsors of these acts will be held accountable;

4. Calls also on the international community to redouble their efforts to prevent and suppress terrorist acts including by increased cooperation and full implementation of the relevant international anti-terrorist conventions and Security Council resolutions, in particular resolution 1269 of 19 October 1999;

5. Expresses its readiness to take all necessary steps to respond to the terrorist attacks of 11 September 2001, and to combat all forms of terrorism, in accordance with its responsibilities under the Charter of the United Nations;

6. Decides to remain seized of the matter.

Resolution 1373
Adopted by the Security Council at its 4385th meeting
September 28, 2001

The Security Council,
Reaffirming also its unequivocal condemnation of the terrorist attacks which took place in New York, Washington, D.C. and Pennsylvania on 11 September 2001, and expressing its determination to prevent all such acts,
Reaffirming further that such acts, like any act of international terrorism, constitute a threat to international peace and security,
Reaffirming the inherent right of individual or collective self-defence as recognized by the Charter of the United Nations as reiterated in resolution 1368 (2001),
Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts,
Deeply concerned by the increase, in various regions of the world, of acts of terrorism motivated by intolerance or extremism,
Calling on States to work together urgently to prevent and suppress terrorist acts, including through increased cooperation and full implementation of the relevant international conventions relating to terrorism,
Recognizing the need for States to complement international cooperation by taking additional measures to prevent and suppress, in their territories through all lawful means, the financing and preparation of any acts of terrorism,
Reaffirming the principle established by the General Assembly in its declaration of October 1970 (resolution 2625 (XXV)) and reiterated by the Security Council in its resolution 1189 (1998) of 13 August 1998, namely that every State has the duty to refrain from organizing, instigating, assisting or participating in terrorist acts in another State or acquiescing in organized activities within its territory directed towards the commission of such acts,
Acting under Chapter VII of the Charter of the United Nations,
1. Decides that all States shall:
   (a) Prevent and suppress the financing of terrorist acts;
   (b) Criminalize the wilful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used, in order to carry out terrorist acts;
   (c) Freeze without delay funds and other financial assets or economic resources of persons who commit, or attempt to commit, terrorist acts or participate in or facilitate the commission of terrorist acts; of entities owned or controlled directly or indirectly by such persons; and of persons and entities acting on behalf of, or at the direction of such persons and entities, including funds derived or generated from property owned or controlled directly or indirectly by such persons and associated persons and entities;
   (d) Prohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the commission of terrorist acts, of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons;
2. Decides also that all States shall:
   (a) Refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists;
   (b) Take the necessary steps to prevent the commission of terrorist acts, including by provision of early warning to other States by exchange of information;
   (c) Deny safe haven to those who finance, plan, support, or commit terrorist acts, or provide safe havens;
   (d) Prevent those who finance, plan, facilitate or commit terrorist acts from using their respective territories for those purposes against other States or their citizens;

(e) Ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice and ensure that, in addition to any other measures against them, such terrorist acts are established as serious criminal offences in domestic laws and regulations and that the punishment duly reflects the seriousness of such terrorist acts;
(f) Afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings;
(g) Prevent the movement of terrorists or terrorist groups by effective border controls and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents;
3. Calls upon all States to:
(a) Find ways of intensifying and accelerating the exchange of operational information, especially regarding actions or movements of terrorist persons or networks; forged or falsified travel documents; traffic in arms, explosives or sensitive materials; use of communications technologies by terrorist groups; and the threat posed by the possession of weapons of mass destruction by terrorist groups;
(b) Exchange information in accordance with international and domestic law and cooperate on administrative and judicial matters to prevent the commission of terrorist acts;
(c) Cooperate, particularly through bilateral and multilateral arrangements and agreements, to prevent and suppress terrorist attacks and take action against perpetrators of such acts;
(d) Become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, including the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999;
(e) Increase cooperation and fully implement the relevant international conventions and protocols relating to terrorism and Security Council resolutions 1269 (1999) and 1368 (2001);
(f) Take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum-seeker has not planned, facilitated or participated in the commission of terrorist acts;
(g) Ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists;
4. Notes with concern the close connection between international terrorism and transnational organized crime, illicit drugs, money-laundering, illegal arms-trafficking, and illegal movement of nuclear, chemical, biological and other potentially deadly materials, and in this regard emphasizes the need to enhance coordination of efforts on national, subregional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security;
5. Declares that acts, methods, and practices of terrorism are contrary to the purposes and principles of the United Nations and that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations;
6. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all the members of the Council, to monitor implementation of this resolution, with the assistance of appropriate expertise, and calls upon all States to report to the Committee, no later than 90 days from the date of adoption of this resolution and thereafter according to a timetable to be proposed by the Committee, on the steps they have taken to implement this resolution;
7. Directs the Committee to delineate its tasks, submit a work programme within 30 days of the adoption of this resolution, and to consider the support it requires, in consultation with the Secretary-General;
8. Expresses its determination to take all necessary steps in order to ensure the full implementation of this resolution, in accordance with its responsibilities under the Charter;
9. Decides to remain seized of this matter.
APPENDIX 10

The Anti-Terrorism Special Measures Law
(Tentative English Summary)
October 2001

1. Title
The Special Measures Law Concerning Measures Taken by Japan in Support of the Activities of Foreign Countries Aiming to Achieve the Purposes of the Charter of the United Nations in Response to the Terrorist Attacks Which Took Place on 11 September 2001 in the United States of America as well as Concerning Humanitarian Measures Based on the Relevant Resolutions of the United Nations

2. Purposes (Pertaining to Article 1)
(1) Recalling that UN Security Council resolution 1368 regards the terrorist attacks which took place on 11 September 2001 in the United States (hereinafter referred to as "the terrorist attacks") as a threat to international peace and security,

(2) And also noting that the UN Security Council resolutions 1267, 1269, 1333 and other relevant resolutions condemn acts of international terrorism, and call on all States to take appropriate measures for the prevention of such acts,

The purposes of the Law is to specify the following measures in order to enable Japan to contribute actively and on its own initiatives to the efforts of the international community for the prevention and eradication of international terrorism, thereby ensuring the peace and security of the international community including Japan.

i. The measures Japan implements in support of the activities of the armed forces of the United States and other countries (hereinafter referred to as "Foreign Forces") which aim to eradicate the threat of the terrorist attacks, thereby contributing to the achievement of the purposes of the Charter of the UN

ii. The measures Japan implements with the humanitarian spirit based on relevant resolutions of the General Assembly, the Security Council, the Economic and Social Council of the UN or requests made by the UN, organizations established by the General Assembly of the UN, the Specialized Agencies of the UN, or International Organization for Migration (hereinafter referred to "the UN and Others")

3. Basic Principles (Pertaining to Article 2)
(1) The Government of Japan (GOJ) shall implement Cooperation and Support Activities, Search and Rescue Activities, Assistance to Affected People and other necessary measures (hereinafter referred to as "Response Measures") in an appropriate and swift manner, thereby contributing actively and on its own initiatives to the efforts of the international community for the prevention and eradication of international terrorism, and ensuring the peace and security of the international community including Japan.

(2) These measures must not constitute the threat or use of force.

(3) These measures shall be implemented in the following areas:

i. Japan's territory

ii. Following areas where combat is not taking place or not expected to take place while Japan's activities are being implemented.
   • The high seas, including the exclusive economic zone stipulated in the UN Convention on the Law of the Sea, and airspace above
   • Territory of foreign countries (Implementation shall be limited to cases where consent from the territorial countries has been obtained.)

(4) The Prime Minister shall, representing the Cabinet, supervise and control government agencies based on the

basic plan stipulated in Section 5 below.

(5) Heads of relevant government agencies will cooperate with each other to implement these measures.

4. Measures To Be Taken (Pertaining to Article 3 and Tables 1 and 2)

(1) Cooperation and Support Activities

i. Cooperation and Support activities are the provision of materials and services, convenience and other measures implemented by Japan in support of Foreign Forces.

ii. Relevant government agencies, including the Self-Defense Forces, shall implement these activities.

iii. The contents of materials and services that the Self-Defense Forces provide are supply, transportation, repair and maintenance, medical services, communications, airport and seaport services, and base support. Nonetheless, the Self-Defense Forces shall not undertake the supply of weapons and munitions, the supply of fuel to or maintenance on aircraft preparing to take off on military sorties, and the land transportation of weapons and munitions in foreign territories.

(2) Search and Rescue Activities

i. Search and Rescue Activities are the activities implemented by Japan to search and rescue combatants in distress due to combat in the case of the activities of the Foreign Forces. (Search and Rescue Activities include the transportation of the rescued as well.)

ii. Self-Defense Forces shall implement these activities.

iii. The contents of materials and services that the Self-Defense Forces provide in implementing Search and Rescue Activities are supply, transportation, repair and maintenance, medical services, communications, billeting and decontamination. Nonetheless, the Self-Defense Forces shall not undertake the supply of weapons and munitions, the supply of fuel to or maintenance on aircraft preparing to take off on military sorties, and the land transportation of weapons and munitions in foreign territories.

(3) Assistance to Affected People

i. Assistance to Affected People is transportation of necessities including food, clothing and medicines, medical services and other humanitarian activities implemented by Japan, with regard to the terrorist attacks, based on resolutions of the General Assembly, the Security Council or the Economic and Social Council of the UN or on requests by the UN and Others.

ii. Relevant government agencies including the Self-Defense Forces shall implement these activities.

(4) Other Necessary Measures

i. An example is transportation of foreign nationals while providing transportation to Japanese nationals abroad with aircraft of the Self-Defense Forces.

ii. Relevant government agencies including the Self-Defense Forces shall implement these activities.

5. Basic Plan (Pertaining to Article 4)

(1) The Prime Minister, when he deems necessary the implementation of any of the following Response Measures, shall propose to make a Cabinet Decision on such implementation and on a draft of basic plan with regards to their implementation (herein after referred to as "Basic Plan"):

i. The provision of materials and services by the Self-Defense Force as Cooperation and Support Activities

ii. Other measures implemented by relevant government agencies as Cooperation and Support Activities that require involvement of the Cabinet for their coherent and effective implementation

iii. Search and Rescue Activities

iv. Assistance to Affected People by the Self-Defense Forces

v. Other measures implemented by relevant government agencies as Assistance to Affected People that require involvement of the Cabinet for their coherent and effective implementation

(2) Matters to be specified in the Basic Plan include the following:

i. Basic points with regards to the Response Measures

ii. Kinds and details of the activities stipulated in (1) to (3) of Section 4 above

iii. Sphere of areas to implement the activities stipulated in (1) to (3) of Section 4 above and designation of such areas

iv. Size, organization and equipment of the units of the Self Defense Forces which implement the activities stipulated in (1) to (3) of Section 4 above in foreign territories, and the time period of the dispatch of
(3) (1) above is applied to a change of the Basic Plan.

(4) When Response Measures are implemented in foreign territories, the GOJ shall consult with the territorial countries in order to specify the implementation areas.

6. The Diet Approval (Pertaining to Article 5)
The Prime Minister shall put Cooperation Support Activities, Search and Rescue Activities or Assistance to Affected People implemented by the Self-Defense Forces specified in the Basic Plan, within twenty days after their initiation, on the agenda in the Diet for its approval. When the Diet is in recess or when the House of Representatives is dissolved, however, the Prime Minister shall promptly seek for its approval upon convening of the first Diet session thereafter.
If the Diet disapproves, Cooperation and Support Activities, Search and Rescue Activities or Assistance to Affected People must be promptly terminated.

7. Implementation of the Response Measures by the Relevant Government Agencies (Pertaining to Article 6 through Article 9)
(1) In accordance with the Basic Plan, the Minister of State for Defense will decide guidelines with regards to the provision of services as Cooperation and Support Activities, to Search and Rescue Activities, and to Assistance to Affected People, and, with the Prime Minister's approval, order the Self-Defense Forces to implement them.

(2) The Minister of State for Defense will designate specific implementation areas in the guidelines.

(3) In case all or a part of implementation areas no longer meet the criteria stipulated in this law or the Basic Plan, the Minister of State for Defense must promptly alter the area designation or order the cessation of the activities implemented in the areas.

(4) The commander of the unit of the Self-Defense Forces in charge of the activities stipulated in i), iii) and iv) of Section 5 (1) above, which are implemented in the high seas and airspace above or in foreign territories, or the person designated by him, in case combat takes place or is expected to take place near the area where the activities are implemented, will wait for the steps stipulated in (3) above, while, for example, temporarily suspending the activities or evacuating in order to avoid the danger caused by the combat.

(5) In addition to (1) to (4) above, the Minister of State for Defense and the Heads of other relevant government agencies shall implement Cooperation and Support Activities, Assistance to Affected People and other Response Measures in accordance with relevant laws and the basic plan.

8. Lending Without Charge and Transfer of Materials (Pertaining to Article 10)
The Prime Minister, Cabinet Ministers or those entrusted by them shall be authorized, to the extent that will not affect their duties, to lend without charge or transfer materials (excluding weapons and ammunitions) under their supervision to Foreign Forces or the UN and Others, in cases where there is a request of them for such lending or transfer of materials to be used in their activities, when deemed necessary for the smooth implementation of such activities.

9. Report to the Diet (Pertaining to Article 11)
The Prime Minister shall report to the Diet without delay, (1) the content of the Basic Plan when a decision or change on it is made, (2) the consequence of the implementation of the Response Measures specified in the basic plan.

10. Use of Weapons (Pertaining to Article 12)
(1) Members of the Self-Defense Forces in charge of Cooperation and Support Activities, Search and Rescue Activities or Assistance to Affected People, may proportionately use weapons when an unavoidable and reasonable cause exists for use of weapons to protect lives and bodies of themselves, other members of the Self Defense Forces who are with them on the scene, or those who are with them on the scene and have come under their control while conducting their duties.
(2) The use of weapons stipulated in (1) above, when a senior officer is present at the scene, shall be conducted only under the order of the senior officer, except for cases where offense or danger to lives and bodies are too imminent to wait for such order.

(3) A senior officer present on the scene, in the case as mentioned in (1) above, must give necessary orders with a view to preventing the danger to the lives and bodies and also to preventing disorder by uncontrolled use of weapons, and to ensuring that the use of weapons is done, in accordance with (1) above and (4) below, in an appropriate manner and within the limit necessary to achieve the purpose.

(4) The use of weapons stipulated in (1) above shall not cause harm to persons, except for cases falling under Article 36 (self-defense) or Article 37 (act of necessity) of the Penal Code.

Note: Article 95 of the Self-Defense Forces Law (Use of Weapons for Protection of Weapons) is applied.

11. Others (Pertaining to Additional Provisions)

(1) This Law shall come into effect from the day of promulgation.

(2) The Self-Defense Forces Law shall be amended so that the Self-Defense Forces are authorized to implement Cooperation and Support Activities and other activities, to the extent that will not affect their duties.

(3) This Law shall, in principle, expire upon the passage of two years after its entry into force. If deemed necessary, however, the effect of the law can be extended by not more than two years as set forth by a separate law. (The same applies to further extension of the Law.)
Opening Statement by Prime Minister Junichiro Koizumi at the International Conference on Reconstruction Assistance to Afghanistan
January 21, 2002
Ladies and Gentlemen,
Assalam alaikum,

It gives me great pleasure to welcome you to the International Conference on Reconstruction Assistance to Afghanistan. Today, under the joint chairmanship of Japan, the United States of America, the European Union and Saudi Arabia, representatives from as many as 60 countries and 20 international organizations are meeting together. This clearly shows that the world regards peace and reconstruction of Afghanistan as a challenge that the entire world community has to tackle. Chairman Hamid Karzai and other leaders of the Interim Authority are also here with us today. They carry the tremendous responsibility of showing Afghanistan the way forward as it rebuilds. I look forward to hearing from them about their own vision for the future.

The future of Afghanistan has to be built by its people. The international community can proceed with its efforts for reconstruction, only when the reconciliation process is advanced smoothly by the people of Afghanistan themselves.

The terrorist attacks of September 11th changed the world. Such unforgivable acts challenge the dignity of humanity as a whole. The people of Afghanistan are also victims of the Taliban and al-Qaida. Today, overcoming differences of culture, religion and national boundaries, the international community stands united against the challenge of inhumane terrorists. In order to eradicate terrorism, we must eliminate conditions that allow terrorism to take root. To do so, it is essential that a peaceful and stable Afghanistan be built. This cannot be done in one or two years. The path is long and will require many years. But I am sure that we can make it.

The Bonn Agreement of December last year outlined a path for the political process that can lead to lasting peace and stability in Afghanistan. This conference in Tokyo is expected to indicate the way forward for the process of recovery and reconstruction. After more than two decades of war, Afghanistan is in a state of devastation. It is important more than ever that the Interim Authority in Afghanistan, with assistance from the international community, indicates a path to recovery and reconstruction. This will give hope to all the people of Afghanistan. I want these people to throw away their guns to take up farming tools and to shed their sense of insecurity to nurture confidence. Thus, they can proceed with the task to rebuild their own country. I call on all the nations and international organizations represented here today: we must demonstrate our firm determination to be united in support of the efforts by the people of Afghanistan. Japan will do its utmost to support the reconstruction of Afghanistan. Japan's assistance will focus on supporting the process towards peace and national reconciliation, as well as on people-building. The future of Afghanistan has to be built by its own people. We intend to contribute to such activities as "the resettlement of refugees and internally displaced persons," which is a prerequisite for reconstruction, "education," "medical and health care" and "empowerment of women." Now, for these activities to proceed, security on the ground has to be ensured. To this end, we will also focus on "de-mining." This will include providing equipment and materials that are urgently needed. We also intend to assist de-mining itself, as well as to support victim assistance schemes. Japan will mobilize its resources to develop de-mining technologies. With this vision, Japan will contribute up to 500 million US dollars over the next 2.5 years before the establishment of a permanent government based on the Bonn Agreement. To start, for the first coming year, we are prepared to provide a maximum amount of 250 million US dollars. We would like to work closely with the authorities of Afghanistan to ensure the effective implementation of assistance to meet the needs of its people.

Ladies and gentlemen,

Let me close by expressing my appreciation of the role played by NGOs. Together with their inputs, I am convinced that this Tokyo Conference will prove to be an important springboard for further progress. Thank you very much for your participation and support.

APPENDIX 12

Japanese Prime Minister’s speech during his visit to China9
December 30, 2007
(Provisional Translation)
“Forging the Future Together” Speech by H.E. Mr. Yasuo Fukuda, Prime Minister of Japan at Peking University, Beijing, People’s Republic of China, December 28, 2007

Honorable Tang Jiaxuan, State Councilor of the People’s Republic of China,
Honorable Xu Zhihong, President of Peking University,
Ladies and gentlemen,

Introduction

Greeting the New Year, Fukuda has come here. (“Fuku” means fortune in Japanese and Chinese.)

I have been looking forward to the opportunity to be here at the venerable Peking University today to speak to you, the leaders of China’s next generation.

Peking University, as the most prestigious higher education institution in China, boasts educational standards that are also highly esteemed internationally. Many exchange students from Japan are undertaking their studies here, and I was very happy to learn that active exchanges have been underway for many years between this university and my alma mater, Waseda University. On the occasion of my visit here, I would like to convey to you my strong hopes that you, who have a significant bearing on China of the future will come to know Japan better and learn more about Japan, and grounded in this idea, I will be sharing with you my proposal to further enhance the research on Japan now underway at Peking University as well as its exchanges with Japan. I will be discussing these points in detail later on in my remarks.

I would like to take some time today to explain my long-held thoughts on the relationship between Japan and China.

The Purpose of My Visit to China

The purpose of my visit to China is to strengthen further the foundation of Japan-China relations, which have since autumn of last year been developing at a robust pace, and raise our relationship to a new level.

“For Japan-China relations, there is no other possible option than the one of peace and friendship.” This philosophy that emerged at the conclusion of the Treaty of Peace and Friendship between Japan and the People’s Republic of China is, across the passage of time, still alive as the basis of friendly relations between our two nations.

In the thirty years since we concluded the Treaty of Peace and Friendship, both Japan and China have come to hold positions as major powers at the global level in areas such as politics and economics. There has never been a time in history when Japan and China have had the power to contribute so much to the stability and the development of both Asia and the entire world as they do now.

In facing such an unprecedented opportunity for Japan-China relations, I would like to utilize this visit of mine to China to convey to all the Chinese people that I am of the firmest conviction that Japan and China should become creative partners who establish a bright future for both Asia and the globe.

Before embarking on this visit, I had the opportunity to meet in Tokyo with representatives of the Chinese media. On that occasion, I said that spring is again coming to Japan-China relations. To my eyes, the new spring buds of our desire to create this new Japan-China relationship can be found here and there in both countries.

This visit to China has been one that heralds and welcomes the spring. I hear that there is a saying, “Plum blossoms appear in the bitterest cold bloom along with the cherry blossoms.” I hope that my visit

accompanies the blooming of the plum blossoms, and I am awaiting very eagerly the opportunity to welcome President Hu Jintao around the time when the cherry blossoms are in full bloom.

Japan and China: An Irreplaceable Relationship

Next I would like to ask you what you think of China’s relationship with Japan, your neighbor across the water with whom you have a history of exchanges stretching back two thousand years. Premier Wen Jiabao, in his visit to Japan in April of this year, said in his address to the Japanese Diet, “To reflect on history is not to dwell on hard feelings but to remember and learn from the past in order to open a better future.” I took Premier Wen’s words to heart in a spirit of solemnity. I believe that within our long history, even when there is some unfortunate past, it is our responsibility to look at it squarely and convey that fact to posterity. Japan, which had been reborn as a nation of freedom and democracy after the war, is proud of the fact that it has consistently followed the path of a peaceful nation and has been acting in cooperation with international society. However, I also believe that such pride must be accompanied by remorse for our mistakes and the humility to give proper regard to the feelings of people who suffered. It is only when we look squarely at the past with the courage and the wisdom to feel remorseful for actions towards which remorse is appropriate that we become able to ensure that such mistakes do not happen again in the future.

At the same time, when we overview the long history between Japan and China, we must not forget the fact that we have in the past had exchanges that were longer, fruitful, and prosperous.

In combination with changes in the international situation surrounding our countries, significant changes have been achieved in the relationship between Japan and China, which has already passed through a full generation since our historic diplomatic normalization. Within such a context, the issue is thus how we view our mutual relationship and how we should go about constructing it.

1978 saw China embark on policies of reform and openness, with bold reforms in domestic systems and openness to international society pursued actively. In 2001 China realized its desire to accede to the WTO, and it is now a critical player in the global economy, characterized by the world’s fourth-largest GDP and the third-largest value of trade. This striking economic development has brought about significant benefits for not only Japan, but also Asia and, indeed, the world. Politically as well, China has been increasing its presence and its influence in international society beyond anything it has experienced before and is now assuming interest in various issues in the region and in international society, taking action, and stating its views.

Meanwhile, Japan has been channeling its efforts into economic development and the improvement of its citizens’ quality of life and thereby generating results. In the process, Japan has experienced both a long period of high economic growth and the bursting of a bubble economy. Yet, many of Japan’s economic fundamentals have been strong, and as a result, Japan continues to enjoy its ranking as the economy second in size only to the United States. In the political realm, Japan has come to express its views more clearly to international society than ever in the past, and it has embarked on a course of undertaking international cooperation more actively.

Japan and China have each within the context of their own development paths deepened their mutual exchanges and cooperation with each other in a variety of forms, building a relationship that is closer than anything that has been seen before. To borrow the words of my father, Takeo Fukuda, who as Japanese Prime Minister was engaged in the concluding of the Treaty of Peace and Friendship between Japan and China, the Joint Communiqué of Japan and China built a suspension bridge, and the Treaty of Peace and Friendship resulted in an iron bridge between our two countries. Since then, a great number of people in both Japan and China have crossed this bridge, with the flow of people between our nations now reaching almost 5 million annually. On the economic front too, total trade value between our nations now exceeds US$200 billion per annum, and Japan is China’s largest investor country. Next year will mark the Japan-China Youth Exchange Friendship Year and will also see the holding of the long-awaited Olympics here in Beijing. To accelerate the momentum of Japan-China exchange still further, I would like to make 2008, in which we commemorate the 30th anniversary of the conclusion of the Treaty of Peace and Friendship, the year in which Japan-China relations experience a dramatic advance forward.
Responsibilities and Opportunities
At the same time, mindful of the tidal current of the globe and the overall picture of the era in which we live, it is clear that Japan and China cannot be countries living in friendship only with each other. I believe you too feel directly that Japan and China are now at a level at which they significantly influence the future stability and development of not only this dramatically-changing Asian region but also the entire globe. The entire world is watching us, and in fact expecting much from us. The future issue for Japan and China is not, I would argue, a question of cooperation versus confrontation, but rather a question of how effectively, and through how responsible a form, we engage in cooperation. In that sense, it can be said that the creation of a “mutually beneficial relationship based on common strategic interests” is indeed something demanded by the broader trend sweeping through our times.

As we assess the trends of the times and the tidal shifts around the globe, it becomes clear that the time has come for the nations of Japan and China each to examine squarely the political and economic importance of the other and discuss how we can cooperate in order to resolve the various issues facing our region and international society. The Yi Jing states, “Multiple streams make a great bounty.” I hope that Japan and China, as two parallel streams, thus come to contribute water to the areas surrounding them, bringing bounty to these areas.

Thus the fact that both Japan and China have come to have the power to contribute to the stability and the development of Asia and the world represents a tremendous opportunity for both nations. Our two countries share common interests with regard to numerous issues, and the fact that our shared objectives and common rules have been increasing can be considered an important change as we work to take advantage of this opportunity. Our dialogues and our cooperation will surely deepen still further when both countries execute the international obligations incumbent upon any government, fulfilling not only international economic rules such as those governing the WTO, which are a given, but also responsibilities such as increased transparency and accountability.

At the same time, there are also issues between our countries that still need to be overcome. Between the two major powers of Japan and China it is simply impossible that we would view all issues in the same way or adopt the same stances on them. What is indispensable is the ability to discuss these differences in a level-headed manner and deal with such issues together. That said, the fact is that we lack sufficient mutual understanding and mutual trust, resulting in no small number of people in both Japan and China who have at some point felt dissatisfaction that their feelings were not being properly understood by the people in the other country. We need to also point out the lack of the broad perspective without adequate consideration to the history of Japan-China relations or various issues over the course of their development or furthermore to larger trends within international affairs, or the dangers inherent to moving forward if we get caught up in emotions of the moment.

I would argue that what is important as we face such issues is for us to make efforts to understand the other country in a true light, while discussing the issues sincerely and deepening our mutual understanding as we recognize that differences do exist. In other words, “When you know a thing, to hold that you know it; and when you do not know a thing, to allow that you do not know it - this is knowledge.” Then, based on that, we should direct our attention to the world of common interests that extend to both countries and work to expand them. It is important to adopt an approach under which both parties together search for ways to solve the issues, never losing sight of their shared objectives.

The Three Pillars of a “Mutually beneficial relationship based on common strategic interests”
In order to take advantage of this tremendous opportunity by which we can deepen our dialogue and overcome these issues, the relationship through which both Japan and China intend to carry out their major responsibilities is that of a “mutually beneficial relationship based on common strategic interests.” I would like to address you now about the three pillars that form the core of this relationship, namely the pillars of “mutually-beneficial cooperation”, “contributions to international society”, and “mutual understanding and mutual trust”.

Pillar One: Mutually-beneficial Cooperation

The first pillar of our “mutually beneficial relationship based on common strategic interests” is that of mutually-beneficial cooperation.

Japan and China are at the present experiencing an increasingly deeper interdependent relationship, and smooth development in China is a matter that holds major implications for the development of Japan as well. From this perspective, over the last 30 years, Japan has provided support and cooperation through both the public and private sectors, such as through the provision of ODA, to efforts towards reform and openness in China. In addition, Japan supported China’s accession to the WTO from an early stage. In the background to that, there has also been the strong sentiment of the Japanese public, that support for the reform and openness of China constitutes the correct choice in that it contributes to not only the future of China but also Japan, and also, by extension, Asia and the rest of the globe. In 2008 we should commemorate the 30th anniversary of the policies of reform and openness, and the fact that the Olympic Games will be held here in Beijing in such a year is something truly symbolic, in that China has entered a new stage of development. As I extend my congratulations here let me also add my most sincere wishes for the success of the Beijing Olympics.

At the same time, in China, as recognized in the recent Party Congress, negative impact of the rapid development has also been emerging. Among the examples we can give are the oft-cited issues of environmental degradation and the expanding gap between coastal cities and inland areas.

Japan herself had similar costly experiences with environmental issues in the 1970s. As Japan’s economy was achieving the period of high economic growth, pollution-related problems emerged, including those serious enough to become known as the “big four” pollution issues, including Minamata Disease, Itai-Itai Disease, and Yokkaichi Asthma. These pollution issues later evolved into serious social problems. At about the same time, Japan also suffered the oil crises and they forced us to grapple with energy conservation seriously.

In addition, Japan has long been called an egalitarian society, with it said that Japan has more socialistic characteristics even than socialist countries. Yet as globalization moves ever forward, the problem of gaps in our society is gradually becoming more severe.

Today, I heard from Premier Wen Jiabao of his strong determination to realize his objective of creating a Harmonious Society as part of the push to bring about the “Scientific Outlook of Development” now being promoted by China in order to address these issues. In the future, through consultations with the Chinese side, Japan intends to shift its main focus from support for reform and openness to cooperation to bring about this Harmonious Society. In so doing, the stability and development of China that would result would be something to welcome for Japan as well, as a friend and a neighbor.

Within that context, I consider the areas of particular importance to be those of the environment and energy conservation. Japan wishes to provide examples of its successes and failures for the reference of the people of China, such as our experiences with pollution and how we have addressed it. Japan now boasts world-class energy-conserving technology in which we can take great pride. In order to promote environmental cooperation between Japan and China, I proposed at today’s summit meeting the founding here within China of the Japan-China Environmental Information Plaza and the Energy Conservation and Environmental Cooperation Information Center, which have as their objective data transmission and networking, towards which the Chinese side expressed its support. Moreover, this is an idea in which research on the environment and energy conservation would be conducted at a scale of some 10,000 people over the span of three years, with a large number of Chinese specialists and practitioners to be brought to Japan so that our experiences can be shared with them.

In addition, in order to develop this mutually-beneficial cooperation, it is imperative that we strengthen protections on intellectual property rights. This is not by any means a topic that should generate antagonism between Japan and China. Instead, it is an issue for cooperation between our two nations that is connected to our development. In particular, with regard to a strengthening of measures addressing counterfeit and
pirated goods, Japan and China must cooperate to implement effective measures, from the perspective of the robust development of the economy and the ability to ensure the safety and the peace of mind of the public. In order to fulfill the responsibilities in international society, it is critical for the public and private sectors to work in concert with each other to take the initiative and demonstrate their intention as nations that are forward-thinking regarding the protection of intellectual property.

The other day the First Japan-China High-Level Economic Dialogue was convened here in Beijing, with relevant Cabinet members from Japan and China participating in meaningful discussions that covered environmental protection, the protection of intellectual property rights, and areas such as trade, investment, and the international economy. I very much wish to continue to advance such dialogues in the spirit of mutually-beneficial cooperation, and in the future, I am very much looking forward to cooperation areas between Japan and China emerging from our dialogues and realizing concrete form one by one.

Pillar Two: Contributions to International Society

The second pillar of our “mutually beneficial relationship based on common strategic interests” is that of contributions to international society.

We are aware that the “borderless age,” in which anything—people, goods, capital, or information—can easily cross national borders, involves not only opportunities for both development and partnerships, but also a variety of risks, such as the potential for chain-reaction financial crises and the proliferation of contagious diseases. As such, the governments of Japan and China must join hands to work to expand these opportunities while mitigating the risks. For that reason, our two countries must not become completely absorbed only the management of Japan-China relationship in the narrow sense. Instead, we must each extend our field of vision to the farthest reaches of the horizon of our relations and cooperate for the stability and the development of Asia, and by extension of the globe, in a form that is in keeping with global trends. Here I would like to illustrate a few issues that I foresee.

First of all, I would like to say a few words about the battle against terrorism. Yesterday, former Prime Minister Benazir Bhutto was killed in Pakistan in a terrorist attack. Terrorist acts cannot be justified for any reason, and I condemn this heinous act of terrorism in the strongest possible terms. I would also like to extend my heartfelt condolences to the victims, including former Prime Minister Bhutto. The fight against terrorism is one that is shared by all of international society, including both Japan and China. From this perspective as well I hope for cooperative efforts between Japan and China to advance further.

Next is the issue of climate change. Climate change constitutes the single most important issue now facing the international society. This is also an issue of how sincerely we fulfill our responsibilities to posterity. Japan and China should first come to understand the position of the other and then cooperate on this issue as responsible major powers, making our best possible efforts towards its resolution. I would like to emphasize once more that what is absolutely critical for the resolution of this issue is positive participation by China, which is now a major international player, in the international framework to address climate change.

Furthermore, when concerning the peace and stability of Northeast Asia, the pressing issues are those concerning North Korea. We welcome, to a certain extent, the recent steady progress in the denuclearization process of the Korean peninsula. However we currently stand at an important crossroad, in whether we can advance this process further and consolidate peace and stability within Northeast Asia. Together with the denuclearization issue, I also intend to resolve issues such as the abduction issue, and the missile issues, settle the unfortunate past and, thereby normalize relations with North Korea. For this purpose, I would like to enhance dialogue with North Korea. In this regard, Japan will closely coordinate and cooperate with China, which is serving an important role as the chair of the Six-Party Talks.

We can cite the reform of the United Nations, including the Security Council, as another issue relevant to the peace and stability of international society. In particular, the reform of the Security Council into a body that is reflective of the changes that have arisen over the last sixty-odd years and can fulfill an increasingly momentous role is one that concerns the entire international community. I very much hope to strengthen
dialogues this issue between Japan and China and wish to advance the reform through cooperation between the two countries.

Looking now to Africa, the continent continues to confront stern reality. The number of children in sub-Saharan Africa who die before their fifth birthday because of such reasons as epidemic diseases and malnutrition reaches as much as 166 out of every 1000. In May of next year, the Government of Japan will be convening in Yokohama the Fourth Tokyo International Conference on African Development, also known as TICAD IV, in order to facilitate discussions on strategies and concrete policies for African development, under the main theme of towards a "Vibrant Africa." I understand that China is also hosting a dialogue with the African nations with regard to development efforts on African soil. Given this, I believe that it would be truly wonderful if Japan and China could work cooperatively towards common objectives, such as assisting in the sustainable growth of Africa and emancipating its people from poverty. I very much hope that this can be put into practice.

I hope, in the greatest sincerity, that through collaborative efforts such as these with you and the Chinese people, we are able to bloom a large flower of Japan-China cooperation around the world.

Pillar Three: Mutual Understanding and Mutual Trust

The third and final pillar of our "mutually beneficial relationship based on common strategic interests" is that of mutual understanding and trust.

It is precisely because we are close neighbors that we move more quickly to irritation as we ask ourselves why people in the other country do not understand us. It even seems that our fundamental awareness of how we should understand each other is on less than firm ground. On the Japanese side, this stems in part from the fact that China has achieved tremendous development in an extremely short period of time and people were simply not ready in terms of how to interact with this neighbor that had appeared on the scene as such a massive presence. At the same time, on the Chinese side, it seems that there are many complex feelings about Japan's efforts to assume a greater political role in international society.

What we clearly need is to make efforts once more to deepen our mutual understanding. This is something that everyone recognizes, and yet when it comes down to it, it is not at all an easy thing to do. To advance mutual understanding, active exchanges between our two sides are critical. And true mutual understanding is what first enables the developing of mutual trust. I consider the strengthening of three types of exchange the best means for bringing about the virtual cycle of dialogue, understanding, and trust, specifically youth exchanges, intellectual exchanges, and exchanges in the area of national security.

One type of particularly important exchange has been the activities for large-scale youth exchange that have been underway between Japan and China since last year. You, the younger generation, are the hope of the future. It is you who will be carving out the Japan-China relationship of the future. It goes without saying that politics and the economy are also crucial, but in order to forge a Japan-China relationship that is stable into the future, it is imperative that on both the Japanese and the Chinese side we foster people who will deepen our mutual understanding, respect our mutual differences, and learn from each other, adopting a long-term perspective of fifty or even a hundred years into the future. And, as the proverb says, "It takes ten years to grow a tree, but 100 years to educate people." Therefore, we must undertake a long-term approach in fostering such people.

Chinese high school exchange students who have come to Japan to study invariably return home saying that Japan was quite different from the country they had originally envisaged, or that they have discovered Japan anew. There is no doubt that by seeing with one's own eyes, listening with one's own ears, and experiencing things oneself, preconceived notions and prejudices have been stripped away and understanding of Japan has been deepened.

Naturally the same can be said for Japanese high school students who have visited China. One Japanese high school student, a boy, tells of his memories of his host family at his homestay location in China like this.
“Through the thoroughly enjoyable homestay and the exchange activities with the Chinese school, I came to see that Chinese high school students and Japanese high school students are the same. Extremely kind and totally full of life, these people will become adults at the same time we will, and I think that is when world peace in its truest meaning will come to pass. I would like to say a heartfelt thank you to the people who made this opportunity possible.”

The promotion of intellectual exchanges between Japan and China is also of great importance. It will be of great significance for Japanese and Chinese junior researchers to discuss not merely Japan-China relations but rather a broad spectrum of international affairs. It will be important to have a frame of reference in which there is sensitivity towards how international society is moving and how the era is changing in order to give direction to Japan-China relations. I believe strongly that Japan and China can be world-renowned partners if we act cooperatively, foster eminent persons well-grounded in international perspectives, and develop human resources that can work together to contribute to the resolution of problems in the region and in international society.

For that reason as well, as I mentioned at the beginning of my remarks today, I would like to have you, who will be forging the future China, to come to know Japan better and to study more about Japan. To make that possible, I would like to advance exchanges with institutions of higher learning in China. First of all, I would like to propose a modest plan to strengthen exchanges with Japan here at Peking University, where I have had this opportunity to address you. In concrete terms, I envision, though modest, this “Fukuda Plan for Peking University” as having the following three key components.

The first component would be the convening of symposia. Over the next two years, I envision holding symposia on the theme of global topics, such as reform of the United Nations, aid to third countries, PKO activities, and environment and energy, with researchers from Peking University to be invited to Japan. The second component would be a research program to be implemented next year, under which 100 people from among you, and 50 people from high schools affiliated with this university, would be invited to Japan to conduct research. The third and final component would be to continue support for intensive courses at this university’s Center of Japanese Studies. Through this “Fukuda Plan for Peking University” for strengthening exchanges with Japan, I hope most sincerely that this will lead to even one additional person among you to choose to pursue a career in research on Japan.

In speaking of exchanges in the area of national security, the other day we conducted the first visit by a Chinese vessel to Japan, a landmark event for both Japan and China. I am truly pleased that it has taken place. In 2008, it will be the turn for Japan’s Defense Minister and a Maritime Self-Defense Force vessel to pay a visit to China. National security is the foundation of a nation’s existence and it is also an issue that ties in directly with the sentiments of the public in both countries. This is an area in which it is essential to nip mutual distrust in the bud while fostering confidence building through enhanced transparency. In order to do that, it is necessary to make the exchanges and the dialogues between Japan and China more active in the fields of national security and defense. It is important to promote mutual understanding in a broad sense by creating opportunities for persons involved in defense from both countries to interact with eminent persons and civilians from the other country. At our summit meeting the Japanese and Chinese sides agreed to undertake such efforts.

Forging a Bright Future for Asia and the Globe
And so, I have spoken to you today about the three pillars of a “mutually beneficial relationship based on common strategic interests” between Japan and China. Yet in making a general statement, I believe that it is critical to take an approach by which we forge our future by aligning Japan-China relations with the trends and the larger causes of international society. If both Japan and China make efforts towards “mutually-beneficial cooperation” and “international contributions” while taking on responsibilities in international society in keeping with their status as major powers, looking carefully at the bigger picture in the world and responding to expectations from around the globe, it will become possible to overcome differences in our respective standpoints and then build “mutual understanding and mutual trust.” By doing so, I believe that it is possible for us to become creative partners who together can forge a bright future for Asia and the globe. By undertaking creative efforts jointly between Japan and China, we can build a
relationship in which we receive the trust of nations all around the globe. From this perspective, it gives rise to great hopes, does it not? We should not try to find fault with each other but rather work together towards common objectives, hand in hand, for the benefit of the globe. What I hope for deeply is that Japan and China can be true friends of this sort.

Conclusion
In addressing you here today about these things, I must say that I have been moved anew at both the weightiness of the roles we politicians must fulfill as well as at the unlimited potential that now extends before you. In the future too, the relations between Japan and China may not always follow only a smooth path forward. But it is exactly at those times when the path becomes rough that we politicians must avoid being swept up in emotional remarks that are likely to crop up from time to time. Instead, I believe that we must advance Japan-China relations one step forward, then another step forward, in keeping with global currents and principles. I feel that part of my mission as a politician includes leaving for you a path by which a new future for Asia and the globe can be created.

Japan and China are by no means tied though only our benefits and interests. We are neighboring countries that have enjoyed a long history of exchange with each other, sharing each other’s cultures and traditions, and within that we have come to hold a common foundation that was created through interactions with each other. For example, if we look at the expression “the Meiji Restoration,” which was the dawn of Japan’s transformation into a modern state, we find that the roots lie in ancient Chinese texts. The fact that the numerous exchange activities that took place this year in the Japan-China Exchange Year of Culture and Sports resulted in strong feelings of affinity on both the Japanese and Chinese sides is something that, would you not agree, was possible because of a shared foundation between our two countries?

It is also critical for us to both work towards the common values of human rights, the rule of law, and democracy. I see it as important for us to give serious consideration to the common foundation and values that deeply underlies both Japan and China. With this in mind, I will be making a stop in Qufu during this visit, also having the desire to urge the people of both our nations to recall the special relationship that exists within Japan-China relations.

The magnificent Chinese author Lu Xun, who was also a teacher here at Peking University, had the experience of studying in Japan, and there he met a great many Japanese people, including his mentor Genkuro Fujino. There can be no question that these kinds of encounters had a profound influence on changes in Chinese society after that time, in exactly the same way that exchanges of high school students have enabled many young people to reap countless benefits. Lu Xun, in his story My Old Home, writes as follows:

I thought: hope... is just like roads across the earth. For actually the earth had no roads to begin with, but when many men pass one way, a road is made.

And so in closing today, I ask you, is it not the same for us? Shall we not walk together, passing one way, and in so doing create a road, together forging our future?

Thank you for listening today. It was a pleasure to have had the opportunity to address you.