

Act on Cooperation with United Nations Peacekeeping Operations and Other Operations (Tentative translation)

(Act No. 79 of June 19, 1992)

Table of Contents

Chapter I General Provisions (Article 1 to Article 3)

Chapter II International Peace Cooperation Headquarters (Article 4 to Article 5)

Chapter III International Peace Cooperation Assignments, etc.

Section 1 International Peace Cooperation Assignments (Article 6 to Article 26)

Section 2 Dispatch of Self-Defense Officials to the United Nations (Article 27 to Article 29)

Chapter IV Contributions in Kind (Article 30)

Chapter V Miscellaneous Provisions (Article 31 to Article 34)

Supplementary Provisions

Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to set forth a framework for the Implementation of International Peace Cooperation Assignments by stipulating the specifications for preparing Implementation Plans and implementation procedures for such International Peace Cooperation Assignments, and for the establishment of the International Peace Cooperation Corps, with a view to extending appropriate and prompt cooperation for United Nations Peacekeeping Operations, Internationally Coordinated Operations for Peace and Security, International Humanitarian Relief Operations, and International Election Observation Operations, and to take measures to extend Contributions in Kind for those operations, thereby enabling active contribution by Japan to international peace efforts centering upon the United Nations.

(Basic Principles of Cooperation for United Nations Peacekeeping Operations and Other Operations)

Article 2 (1) The Government shall cooperate effectively with United Nations Peacekeeping Operations, Internationally Coordinated Operations for Peace and Security, International Humanitarian Relief Operations, and International

Election Observation Operations by appropriately coordinating the Implementation of International Peace Cooperation Assignments, Contributions in Kind, cooperation extended by non-State entities or individuals related to those operations and contributions under this Act (hereinafter referred to as the "Implementation of International Peace Cooperation Assignments and etc."), as well as by mobilizing the creativity and expertise of the personnel engaged in the Implementation of International Peace Cooperation Assignments and etc.

- (2) The Implementation of International Peace Cooperation Assignments and etc. shall not constitute the threat or use of force.
- (3) The Prime Minister shall represent the Cabinet in the Implementation of International Peace Cooperation Assignments and etc., and shall direct and supervise the respective administrative divisions in accordance with the Implementation Plans for International Peace Cooperation Assignments.
- (4) To achieve the objective of the preceding Article, the heads of Relevant Administrative Organs shall cooperate with the Chief of the International Peace Cooperation Headquarters in the Implementation of International Peace Cooperation Assignments and etc.

(Definitions)

Article 3 In this Act, the meanings of the terms listed in the following items shall be as prescribed respectively in those items.

- (i) "United Nations Peacekeeping Operations" means the operations that are conducted under the control of the United Nations, based on resolutions of the United Nations General Assembly or the United Nations Security Council, to respond to conflicts and maintain international peace and security, by means such as ensuring the observance of agreements to prevent the recurrence of armed conflict between conflicting parties (hereinafter referred to as the "Parties to Armed Conflict"), protection of local populations under imminent threat of violence associated with disruption caused by conflicts and assisting in the establishment and reestablishment of governance systems by democratic means after the cessation of such conflict, and that are implemented by two or more participating countries at the request of the Secretary-General of the United Nations (hereinafter referred to as the "Secretary-General") and by the United Nations, and which are listed as follows.:
- (a) operations that are conducted without partiality to any of the Parties to Armed Conflict, in cases where agreements to cease armed conflict and maintain the cessation have been reached among the Parties to Armed Conflict, and where consent for conducting such operations has been obtained from the countries to which the area where those operations are

to be conducted belongs (or from the authority that administers the relevant area of that country in accordance with resolutions of the United Nations General Assembly or the United Nations Security Council, if such authority exists. The same applies hereinafter) as well as from the Parties to Armed Conflict;

(b) operations that are conducted when armed conflicts have ceased and the Parties to Armed Conflict have ceased to exist in the area where the operations are to be conducted, and in cases where consent for conducting of such operations has been obtained from the countries to which the area where those operations are to be conducted belongs;

(c) the operations that are conducted without partiality to any specific positions, aimed primarily at preventing the occurrence of armed conflicts, in cases where an armed conflict has not yet arisen but the possibility of such a conflict is developing, and where consent for conducting such operations has been obtained from the countries to which the area where those operations are to be conducted belongs.

(ii) "Internationally Coordinated Operations for Peace and Security" means the operations other than those implemented as United Nations Peacekeeping Operations, listed as follows, based on resolutions of the United Nations General Assembly, the United Nations Security Council or the United Nations Economic and Social Council, at the request of the international organizations listed in Appended Table 1, or at the request of the countries to which the area where those operations are to be conducted belongs (this is limited to cases that are supported by any of the principle organs of the United Nations as prescribed in Article 7, paragraph (1) of the United Nations Charter), to respond to conflict situations and maintain international peace and security, by means such as ensuring the observance of agreements to prevent the recurrence of armed conflict among the Parties to Armed Conflict, protection of local populations under imminent threat of violence associated with disruptions caused by conflicts and assisting in the establishment and reestablishment governance systems by democratic means after the cessation of such conflicts, provided that such operations are implemented under the coordination of two or more participating countries which are listed as follows:

(a) operations that are conducted without partiality to any of the Parties to Armed Conflict, in cases where agreement to cease armed conflict and maintain the cessation has been reached among the Parties to Armed Conflict and where consent for conducting such operations has been obtained from the countries to which the area where those operations are to be conducted belongs, as well as from the Parties to Armed Conflict;

(b) operations that are conducted when the armed conflicts have ceased and

- the Parties to Armed Conflict have ceased to exist in the area where the operations are to be conducted and in cases where consent for conducting such operations has been obtained from the countries to which the area where those operations are to be conducted belongs;
- (c) operations that are conducted without partiality to any specific positions, aimed primarily at preventing the occurrence of armed conflicts, in cases where an armed conflict has not yet arisen but the possibility of such a conflict is developing, and where consent for conducting such operations has been obtained from the countries to which the area where those operations are to be conducted belongs.
- (iii) "International Humanitarian Relief Operations" means the operations other than those implemented as United Nations Peacekeeping Operations or Internationally Coordinated Operations for Peace and Security, conducted with humanitarian intentions, and based on resolutions of the United Nations General Assembly, the United Nations Security Council or the United Nations Economic and Social Council, or conducted at the request of the international organizations listed in Appended Table 2, for the purpose of rescuing inhabitants and other persons who are suffering or likely to suffer (hereinafter referred to as "Affected People") due to a conflict that could potentially compromise on the verge of endangering international peace and security (hereinafter simplified as "Conflicts") or restoring damage caused by conflicts, implemented by the United Nations, other international organizations, Member States of the United Nations or other countries (referred to in items (iv) and (vi) below as the "United Nations, etc."), in cases where consent for conducting such operations has been obtained from the countries to which the area where those operations are to be conducted belongs and, should such countries be the Parties to Armed Conflict, agreement to cease armed conflict and maintain the cessation has been reached among the Parties to Armed Conflict;
- (iv) "International Election Observation Operations" means the operations other than those implemented as United Nations Peacekeeping Operations or Internationally Coordinated Operations for Peace and Security, conducted based on resolutions of the United Nations General Assembly or the United Nations Security Council, or at the request of the international organizations listed in Appended Table 3, to ensure the fair execution of elections or voting by democratic means in areas disrupted by conflicts, with the intention of establishing governance systems and held in the process of eliminating such disruption, implemented by the United Nations, etc. where consent for conducting such operations has been obtained from the countries to which the area where those operations are to be conducted belongs and, should such countries be the Parties to Armed Conflict, agreement to cease armed conflict

and maintain the cessation has been reached among the Parties to Armed Conflict;

(v) "International Peace Cooperation Assignments" means the following tasks implemented for United Nations Peacekeeping Operations, the following tasks implemented for Internationally Coordinated Operations for Peace and Security, the tasks provided for below in (m) to (s), (u) and (v) implemented for International Humanitarian Relief Operations, and the tasks provided for below in (h) and (u) implemented for International Election Observation Operations, wherein the incidental tasks are included respectively, provided that those tasks are conducted Overseas:

- (a) monitoring the observance of cessation of armed conflict or the implementation of relocation, withdrawal or demobilization of armed forces agreed upon among the Parties to Armed Conflict;
- (b) stationing in and patrolling of buffer zones and other areas demarcated to prevent the occurrence of armed conflict;
- (c) inspection or identification of weapons, their parts and ammunition brought in or carried out by vehicle, by other means of transportation, or by pedestrians;
- (d) collection, storage or disposal of abandoned weapons, their parts and ammunition;
- (e) assistance with the designation of ceasefire lines or other similar boundaries by the Parties to Armed Conflict;
- (f) assistance with the exchange of prisoners of war among the Parties to Armed Conflict;
- (g) monitoring, stationing, patrolling, inspections at checkpoints and escorts for the security of specified areas, and for the prevention and suppression of injury or harm against the lives, person and property of local populations, Affected People and other populations requiring protection;
- (h) observations or managements of the fair executions of elections for representative assemblies, referendums or any other similar elections or voting events;
- (i) provision of advices or guidance and supervisions related to police administrative matters;
- (j) provisions of advices or guidance and supervisions related to correctional administrative works;
- (k) in addition to what is provided for in (h) and (i) above, provisions of advices or guidance related to legislative, administrative (except for those related to organization as specified in (l) below), and judicial matters;
- (l) tasks as specified below for the purpose of establishing or re-establishing organizations of the Government relating to national defense or other organizations in charge of works equivalent to tasks specified in (a) to (g)

or (m) to (t) in this item:

1. Provision of advices or guidance related to works equivalent to tasks specified in (a) to (f) or (m) to (t) in this item;
2. Provision of education or training for the purpose of providing the basic knowledge and skills required to conduct works as prescribed in (1) above.

(m) medical services (including sanitation measures);

(n) search or rescue of Affected People or assistance in their repatriation;

(o) distribution of food, clothing, medical supplies and other daily necessities to Affected People;

(p) installation of facilities or equipment to accommodate Affected People;

(q) measures for the repairs or maintenance of facilities or equipment damaged by Conflicts, which are necessary in the daily lives of Affected people;

(r) measures for the restoration of natural environments subjected to pollution and other damages caused by Conflicts;

(s) transportation, storage (or stockpiling), communication, construction, installation, inspection or repair of machines and apparatus or replenishment (except for provisions of weapons) in addition to what is listed in (a) to (o) above;

(t) planning, drafting coordination, or collection and updating of information in headquarters offices or coordination offices conducting United Nations Peacekeeping Operations or Internationally Coordinated Operations for Peace and Security, for implementation of tasks listed in (a) to (s);

(u) other tasks similar to those listed in (a) to (t) above, as specified by Cabinet Orders;

(v) protection of the lives and bodies of individuals engaging in United Nations Peacekeeping Operations, Internationally Coordinated Operations for Peace and Security or International Humanitarian Relief Operations or providing support for those operations (hereinafter referred to as "Individuals Engaged in Operations" in this (v) and Article 26, paragraph (2)), in response to urgent requests when unexpected danger to the lives and bodies of such Individuals Engaged in Operations occurs or is imminent, while implementing tasks listed in (l) to (s) or (u) as tasks similar to these as specified by Cabinet Orders;

(vi) "Contributions in Kind" means the transfer, either free of charge or at a cost below market value, of goods that are required for the United Nations, etc. to conduct the following operations:

(a) United Nations Peacekeeping Operations;

(b) Internationally Coordinated Operations for Peace and Security;

(c) International Humanitarian Relief Operations (including operations

prescribed in item (iii) above without the resolution, request, and/or agreement prescribed in the same item, if they are implemented by international organizations listed in appended Table 4; the same applies to Article 30, paragraphs (1) and (3));

(d) International Election Observation Operations

(vii) "Overseas" means areas outside Japan, inclusive of the high seas;

(viii) "Receiving Countries" means foreign countries, not inclusive of the high seas, where International Peace Cooperation Assignments are implemented;

(ix) "Relevant Administrative Organs" means the following organs as specified by Cabinet Orders:

(a) the Cabinet Office or organs prescribed in Article 49, paragraphs (1) and (2) of the Act for Establishment of the Cabinet Office (Act No. 89 of 1999) or in Article 3, paragraph (2) of the National Government Organization Act (Act No. 120 of 1948);

(b) special organs set forth in Articles 40 and 56 of the Act for Establishment of the Cabinet Office or in Article 8-3 of the National Government Organization Act.

Chapter II International Peace Cooperation Headquarters

(Establishment and Duties)

Article 4 (1) The International Peace Cooperation Headquarters (hereinafter referred to as the "Headquarters") shall be established within the Cabinet Office.

(2) The Headquarters shall be responsible for the following duties:

(i) Preparation of drafts of Implementation Plans for International Peace Cooperation Assignments (hereinafter referred to as "Implementation Plans");

(ii) Preparation or revision of implementation procedures for International Peace Cooperation Assignments (hereinafter referred to as "Implementation Procedures");

(iii) Research to identify details of International Peace Cooperation Assignments that must be addressed in Receiving Countries, assessment and analysis of the effects of International Peace Cooperation Assignments already implemented, and liaison with the United Nations staff, etc. in Receiving Countries, with a view to properly implementing revisions under the preceding item;

(iv) Operation of the International Peace Cooperation Corps (hereinafter referred to as the "Corps");

(v) Carrying out requests for cooperation with the Relevant Administrative Organs through the Implementation of International Peace Cooperation

- Assignments, entrustment of transportation, and requests for cooperation from non-State entities and individuals;
- (vi) Contributions in Kind;
 - (vii) Research concerning the Implementation of International Peace Cooperation Assignments and etc. (excluding those listed in item (iii) above), and the dissemination of knowledge;
 - (viii) Duties assigned to the Headquarters under the provisions of laws and regulations in addition to those set forth in each of the preceding items.

(Organization)

- Article 5 (1) The Headquarters shall be under the direction of the Chief of the International Peace Cooperation Headquarters (hereinafter referred to as the "Chief") and the Prime Minister shall serve as the Chief.
- (2) The Chief shall be in charge of general coordination of the affairs of the Headquarters, and shall direct and supervise the staff of the Headquarters.
 - (3) The Deputy Chief of the International Peace Cooperation Headquarters (referred to as the "Deputy Chief" in the following paragraph) shall be assigned to the Headquarters, and the Chief Cabinet Secretary shall serve as the Deputy Chief.
 - (4) The Deputy Chief shall assist the Chief in their duties.
 - (5) Members of the Headquarters (hereinafter referred to as "Members" in this Article) shall be assigned to the Headquarters.
 - (6) Members shall be appointed by the Prime Minister from among the Ministers of State, who shall have been designated in advance under the provisions of Article 9 of the Cabinet Act (Act No. 5 of 1947), the heads of Relevant Administrative Organs, and the Ministers of State for Special Missions prescribed in Article 9, paragraph (1) of the Act for Establishment of the Cabinet Office.
 - (7) Members may advise the Chief on matters concerning the duties of the Headquarters.
 - (8) The Headquarters may establish the Corps as an organization engaging directly in the Implementation of International Peace Cooperation Assignments and undertaking the duties set forth in Article 4, paragraph (2), item (iii) above in Overseas areas, for a specified period under each Implementation Plan under Cabinet Order provisions.
 - (9) The Secretariat shall be established within the Headquarters in order to handle matters pertaining to the duties of affairs in relation to the Headquarters (excluding the affairs handled by the Corps).
 - (10) The Secretariat shall have a Director-General and other staff.
 - (11) The Director-General shall be responsible for the management of the Secretariat under the instructions of the Chief.

- (12) In addition to the matters set forth in the preceding paragraphs, matters necessary for the organization of the Headquarters shall be prescribed by Cabinet Orders.

Chapter III International Peace Cooperation Assignments, etc.

Section 1 International Peace Cooperation Assignments

(Implementation Plans)

Article 6 (1) The Prime Minister shall seek Cabinet decisions on the Implementation of International Peace Cooperation Assignments and on drafts of Implementation Plans, when the Implementation of International Peace Cooperation Assignments by Japan are deemed appropriate and the following consent has been obtained: (on the Implementation of International Peace Cooperation Assignments that are implemented for United Nations Peacekeeping Operations or for Internationally Coordinated Operations for Peace and Security and that falls under the tasks specified in Article 3, item (v), (g), or similar tasks, to be specified by Cabinet Orders in accordance with Article 3, item (v), (u) or tasks specified in Article 3 item(v), item (i), (a) to (c) or item (ii), (a) to (c) above and consent as set forth in items (i) or (ii) of the present paragraph are deemed to be maintained consistently throughout the duration of such operation as well as said Assignment; on the Implementation of International Peace Cooperation Assignments that are implemented for International Humanitarian Relief Operations and fallen under tasks as specified in Article 3, item (v), (g), this is only applied to the cases where consent as set forth in Article 3, item (iii) above and consent as set forth in item (iii) of the present paragraph are deemed to be maintained consistently throughout the duration of such operation as well as said assignment, and consent of the Parties to Armed Conflict regarding such operation and said assignment are obtained and deemed to be maintained consistently throughout the duration of such operation as well as said assignment, should the countries to which the area where those operations are to be conducted belong be the Parties to Armed Conflict):

- (i) With regard to International Peace Cooperation Assignments implemented for United Nations Peacekeeping Operations, consent for the implementation of such assignments from the Parties to Armed Conflict and the countries to which the area where those operations are to be conducted belong; (in cases where the operations fall under Article 3, item (i), (b) or (c), consent for the implementation of such assignments from the countries to which the area where those operations are to be conducted belong (in cases where the operations fall under Article 3, item (i), (c), this is only applied to cases where no clear contrary intention which may impede the implementation of

- said assignment is indicated in said area);
- (ii) With regard to International Peace Cooperation Assignments implemented for Internationally Coordinated Operations for Peace and Security, consent for the implementation of such assignments from the Parties to Armed Conflict and the countries to which the area where those operations are to be conducted belong; (in cases where the operations fall under Article 3, item (ii), (b) or (c), consent for the implementation of such assignments from the countries to which the area where those operations are to be conducted belong (in cases where the operations fall under Article 3, item (ii), (c), this is only applied to the case where no clear contrary intention which may impede the implementation of said assignment is indicated in said area);
 - (iii) With regard to International Peace Cooperation Assignments implemented for International Humanitarian Relief Operations, consent for the implementation of such assignments from the countries to which the area where those operations are to be conducted belongs.
 - (iv) With regard to International Peace Cooperation Assignments implemented for International Election Observation Operations, consent for the implementation of such assignments from the countries to which the area where those operations are to be conducted belongs.
- (2) The matters to be prescribed in the Implementation Plan shall be as follows:
- (i) Basic policy on the Implementation of International Peace Cooperation Assignments;
 - (ii) The following matters concerning the establishment of the Corps and the Implementation of International Peace Cooperation Assignments:
 - (a) type and content of International Peace Cooperation Assignments to be implemented;
 - (b) Receiving Countries and the period for which International Peace Cooperation Assignments are to be implemented;
 - (c) size and composition of the Corps and its equipment;
 - (d) the following matters in cases where the Implementation of International Peace Cooperation Assignments involving the use of Japan Coast Guard vessels or aircraft:
 - 1. Type and content of International Peace Cooperation Assignments involving the use of Japan Coast Guard vessels or aircraft;
 - 2. Size and composition of Japan Coast Guard personnel required to implement International Peace Cooperation Assignments and the equipment thereof.
 - (e) the following matters in cases where Self-Defense Forces Units, etc. (this means the Units, etc. prescribed in Article 8 of Self-Defense Forces Act (Act No. 165 of 1954); the same shall apply hereinafter) are to implement International Peace Cooperation Assignments:

1. Type and content of International Peace Cooperation Assignments to be implemented by Self-Defense Forces Units, etc.;
 2. Size, composition, and equipment of Self-Defense Forces Units, etc. required to implement International Peace Cooperation Assignments.
- (f) the scope of transportation that may be entrusted to the Commandant of the Japan Coast Guard or the Minister of Defense under the provisions of Article 21, paragraph (1) below;
- (g) important matters concerning the cooperation of Relevant Administrative Organs;
- (h) other important matters concerning the Implementation of International Peace Cooperation Assignments.
- (3) When it is found that the Implementation of International Peace Cooperation Assignments is deemed appropriate, the Minister for Foreign Affairs may submit a request to the Prime Minister to seek the Cabinet decision referred to in paragraph (1) above.
- (4) The equipment mentioned in paragraph (2), item (ii) above shall be stipulated in an Implementation Plan within the scope of what is necessary for the implementation of the provisions of the present Section in light of the purpose of the provisions of Article 2, paragraph (2) and the provisions of Article 3, items (i) to (iv), provided that the equipment for International Peace Cooperation Assignments implemented for United Nations Peacekeeping Operations shall be determined within the limit deemed necessary by the Secretary-General.
- (5) International Peace Cooperation Assignments implemented by means of Japan Coast Guard vessels or aircraft shall be stipulated in an Implementation Plan from among the tasks listed in Article 3, item (v), (i) or (k) (only those tasks relevant to functions stipulated in Article 5 of the Japan Coast Guard Act (Act No. 28 of 1948), tasks listed in Article 3 item(v), (m) to (s), or tasks similar to those, as specified by Cabinet Order according to Article 3, item (v), (u), and as deemed appropriate for implementation by means of Japan Coast Guard vessels or aircraft in light of the intent of Article 25 of the above-mentioned Act, provided that such implementation shall not hinder the performance of missions by the Japan Coast Guard.
- (6) International Peace Cooperation Assignments implemented by Self-Defense Forces Units, etc. shall be stipulated in an Implementation Plan from among the tasks listed in Article 3, item (v), (a) to (g) and (l) to (t), tasks similar to those, as specified by Cabinet Order according to Article 3, item (v), (u) or tasks listed in (v), and as deemed appropriate for implementation by Self-Defense Forces Units, etc., provided that such implementation shall not hinder the performance of missions by Self-Defense Forces.
- (7) With regard to International Peace Cooperation Assignments undertaken by

Self-Defense Forces Units, etc., implemented for United Nations Peacekeeping Operations or Internationally Coordinated Operations for Peace and Security, and that fall under the tasks in Article 3, item (v), (a) to (g) and tasks similar to those, as specified by Cabinet Order according to Article 3, item (v), (u) the Prime Minister shall obtain the approval of the Diet for the implementation of such assignments prior to the commencement of dispatch of Self-Defense Forces Units, etc. to be engaged in such assignments in Overseas areas, by attaching an Implementation Plan, in light of the five basic principles governing the participation of Japan in United Nations Peacekeeping Forces (the five basic principles mean the principles of the provisions of Article 3, items (i) and (ii), paragraphs (1) (except for item (iii) and (iv)) and paragraph (13) (limited to the parts related to items (i) to (vi), (ix) and (x)) of the present Article, Article 8, paragraph (1), items (vi) and (vii), Article 25, and Article 26), as well as the purpose of this Act; provided, however, that if the Diet is not in session or the House of Representatives is dissolved, such approval shall be sought without delay at the first Diet session subsequent to the commencement of dispatching Self-Defense Forces Units, etc. engaged in such assignments in Overseas areas.

- (8) When the approval of the Diet is requested from the Prime Minister under the provisions of the main clause of the preceding paragraph, the first House to which the request is submitted shall endeavor to make a decision within seven days after said request is made excluding time in recess, and the other House shall endeavor to do so within seven days after the receipt of a bill passed by said first House excluding time in recess.
- (9) The Government shall terminate without delay International Peace Cooperation Assignments set forth in paragraph (7) above when the Diet reaches a resolution of disapproval under the provision of the said paragraph.
- (10) With regard to International Peace Cooperation Assignments set forth in paragraph (7) above, in order to extend the implementation thereof beyond the day two years after the date of approval of the Diet obtained in accordance with the provisions of the said paragraph, the Prime Minister shall submit, within a period up to thirty days prior to that day, a request to the Diet pertaining to approval of the continuation of such assignments by attaching an Implementation Plan; provided, however, that if the Diet is not in session or the House of Representatives is dissolved, such approval shall be sought at the first Diet session convened thereafter.
- (11) The Government shall terminate without delay International Peace Cooperation Assignments set forth in paragraph (7) above when the Diet reaches a resolution of disapproval under the provisions of the preceding paragraph.
- (12) The provisions of the preceding two paragraphs shall apply mutatis

mutandis with regard to cases where it is planned to further extend the Implementation of International Peace Cooperation Assignments set forth in paragraph (7) above, beyond the period of two years after the original extension of the implementation of such assignments with the approval of the Diet.

(13) The Prime Minister shall seek a Cabinet decision on a draft revision of an Implementation Plan (including revisions pertaining to the termination of dispatch of personnel engaged in International Peace Cooperation Assignments in Overseas areas, which shall be effected in the cases set forth in items (1) to (8) below, and revisions pertaining to the termination of assignments prescribed in items (9) to (11) below, which shall be effected in the cases listed in the respective items. The same shall apply to the immediately following paragraph), when the revision of the Implementation Plan is deemed necessary or appropriate:

- (i) With regard to International Peace Cooperation Assignments implemented for United Nations Peacekeeping Operations (relevant to Article 3, item (i), (a) only): cases where agreement or consent as set forth in Article 3, item (i), (a) above or consent as set forth in paragraph (1), item (i) of the present Article is deemed to no longer exist, or where the impartiality of such operations to the Parties to Armed Conflict is no longer observed;
- (ii) With regard to International Peace Cooperation Assignments implemented for United Nations Peacekeeping Operations (relevant to Article 3, item (i), (b) only), cases where consent as set forth in Article 3, item (i), (b) above or consent as set forth in paragraph (1), item (i) of the present Article is deemed to no longer exist, or where the Parties to Armed Conflict are a deemed to have reestablished in the area of said operations;
- (iii) With regard to International Peace Cooperation Assignments implemented for United Nations Peacekeeping Operations (relevant to Article 3, item (i), (c) only): cases where consent as set forth in Article 3, item(i), (c) above or consent as set forth in paragraph (1), item (i) of the present Article is deemed to no longer exist, where the impartiality of such operations is deemed to no longer be observed, or where the prevention of occurrence of the armed conflict is deemed no longer viable;
- (iv) With regard to International Peace Cooperation Assignments implemented for Internationally Coordinated Operations for Peace and Security (relevant to Article 3, item (ii), (a) only): cases where agreement or consent as set forth in Article 3, item (ii), (a) above or consent as set forth in paragraph (1), item (ii) of the present Article is deemed to no longer exist, or where the impartiality of such operations to the Parties to Armed Conflict is no longer observed;
- (v) With regard to International Peace Cooperation Assignments implemented

- for Internationally Coordinated Operations for Peace and Security (relevant to Article 3, item (ii), (b) only): cases where consent as set forth in Article 3, item (ii), (b) above or consent as set forth in paragraph (1), item (ii) of the present Article is deemed to no longer exist, or where the Party to the Armed Conflict is deemed to have reestablished itself in the area of said Operations;
- (vi) With regard to International Peace Cooperation Assignments implemented for Internationally Coordinated Operations for Peace and Security (relevant to Article 3, item (ii), (c) only): cases where consent as set forth in Article 3, item (ii), (c) above or consent as set forth in paragraph (1), item (ii) of the present Article is deemed to no longer exist, where the impartiality of such operations is deemed to no longer be observed, or where the prevention of occurrence of armed conflict is deemed no longer viable;
- (vii) With regard to International Peace Cooperation Assignments implemented for International Humanitarian Relief Operations: cases where consent or agreement as referred to in Article 3, item (iii) above or consent as set forth in paragraph (1), item (iii) of the present Article is deemed to no longer exist;
- (viii) With regard to International Peace Cooperation Assignments implemented for International Election Observation Operations, cases where consent or agreement as set forth in Article 3, item (iv) above or consent as set forth in paragraph (1), item (iv) of the present Article is deemed to no longer exist;
- (ix) With regard to International Peace Cooperation Assignments implemented for United Nations Peacekeeping Operations, to be implemented as tasks specified in Article 3, item (v), (g) or tasks of a similar nature to be specified by Cabinet Orders in accordance with Article 3, item (v), (u) or tasks specified in Article 3, item (v), (v): cases where agreement or consent as set forth in Article 3, item (i), (a) to (c) above or consent as set forth in paragraph (1), item (i) of the present Article is deemed to be no longer maintained consistently throughout the duration of such operation as well as those assignments, in view of the circumstances regarding the observance of agreements as set forth in Article 3, item (i), (a) and other situations;
- (x) With regard to International Peace Cooperation Assignments implemented for Internationally Coordinated Operations for Peace and Security, to be implemented as tasks specified in Article 3, item (v), (g) or tasks of a similar nature to be specified by Cabinet Orders in accordance with Article 3, item (v), (u) or tasks specified in Article 3, item (v), (v): cases where agreement or consent as set forth in Article 3, item (ii), (a) to (c) above or consent as set forth in paragraph (1), item (ii) of the present Article is deemed to be no longer maintained consistently throughout the duration of such operation as well as those assignments, in view of the circumstances regarding observance of agreements as set forth in Article 3, item (ii), (a) and other circumstances;

- (xi) With regard to International Peace Cooperation Assignments implemented for International Humanitarian Relief Operations, to be implemented as tasks specified in Article 3, item (v), (v): cases where agreement or consent as set forth in Article 3, item (iii) above or consent as set forth in paragraph (1), item (iii) of the present Article or consent of the Parties to the Armed Conflict regarding the operation and assignment to be undertaken where the countries to which the area and where those operations are to be conducted belong is a Party of the Armed Conflict, is deemed to be no longer maintained consistently throughout the duration of such operation as well as those assignments, in view of the circumstances regarding observance of agreement as set forth in Article 3, item (iii) where such agreement is applicable, and other circumstances.
- (14) The Minister for Foreign Affairs may request the Prime Minister to seek a Cabinet decision on revision of the Implementation Plan under the above-mentioned paragraph, when such revision of the Implementation Plan is deemed necessary or appropriate.

(Reports to the Diet)

Article 7 In the cases listed in the following items, the Prime Minister shall report each of the prescribed matters to the Diet without delay:

- (i) In the case of decision or revision of an Implementation Plan: the contents pertaining to such decision or revision;
- (ii) In the case of the termination of International Peace Cooperation Assignments provided for in the Implementation Plan: the results of the implementation of such assignments;
- (iii) In the case of a change pertaining to the period of Implementation of International Peace Cooperation Assignments under an Implementation Plan: the status of implementation of such assignments during the period prior to such change.

(Implementation Procedures)

Article 8 (1) To implement International Peace Cooperation Assignments in accordance with the Implementation Plan, the Chief shall prepare, and revise if necessary, Implementation Procedures that shall provide for specific details concerning the matters listed in (i) to (v) below as well as for matters listed in (vi) to (ix) below:

- (i) Areas where International Peace Cooperation Assignments shall be undertaken and the period during which they shall be implemented;
- (ii) Type and content of International Peace Cooperation Assignments for each area and the period referred to in the preceding item;
- (iii) Means to implement International Peace Cooperation Assignments for

- each area and period referred to in item (i) above (including matters related to the equipment to be used for such International Peace Cooperation Assignments);
- (iv) Matters concerning personnel to be engaged in International Peace Cooperation Assignments for each area and period referred to in item (i) above;
 - (v) Matters concerning the relationship with the relevant authorities and inhabitants in Receiving Countries;
 - (vi) Matters concerning the discontinuation of International Peace Cooperation Assignments, which shall be conducted by personnel engaged in such International Peace Cooperation Assignments, in the cases listed in Article 6, paragraph (13), items (i) to (viii);
 - (vii) Matters concerning the discontinuation of the tasks provided for in Article 3, item (v), (g) or tasks of a similar nature to be specified by Cabinet Orders in accordance with Article 3, item (v), (u) that shall be effected by those who engage in those respective tasks, in the cases listed in Article 6, paragraph (13), items (ix) to (xi);
 - (viii) Matters concerning the suspension of International Peace Cooperation Assignments to avoid danger and other measures to ensure the safety of Corps Personnel;
 - (ix) Other matters that the Chief deems necessary for the Implementation of International Peace Cooperation Assignments.
- (2) With regard to International Peace Cooperation Assignments to be implemented as United Nations Peacekeeping Operations, the preparation and revision of Implementation Procedures shall be carried out so as to conform with the command of the Secretary-General or the person exercising the powers of the Secretary-General in Receiving Countries, except as deemed necessary by the Chief regarding the matters referred to in items (vi) and (vii) of the preceding paragraph.
- (3) If deemed necessary, the Chief may delegate part of his/her authority for the preparation or revision of Implementation Procedures to designated Corps Personnel.

(Implementation of International Peace Cooperation Assignments, etc.)

Article 9 (1) The Corps shall implement International Peace Cooperation Assignments in accordance with an Implementation Plan and Implementation Procedures.

- (2) In light of the intent of the provisions of Article 2, paragraph (1), Corps Personnel shall, when engaged in the duties referred to in Article 4, paragraph (2), item (iii), actively endeavor to collect information and data deemed useful for the proper execution of such duties, in a manner responsive to changes in

circumstances in the places where International Peace Cooperation Assignments are implemented.

- (3) At the request of the Chief for International Peace Cooperation Assignments referred to in Article 6, paragraph (5) as set forth in the Implementation Plan, the Commandant of the Japan Coast Guard may, direct its personnel, as the crew of Japan Coast Guard vessels or aircraft, to undertake International Peace Cooperation Assignments by means of such vessels or aircraft in accordance with the Implementation Plan and Implementation Procedures.
- (4) At the request of the Chief for International Peace Cooperation Assignments referred to in Article 6, paragraph (6) as set forth in the Implementation Plan, the Minister of Defense may direct Self-Defense Forces Units, etc. to undertake such International Peace Cooperation Assignments in accordance with the Implementation Plan and Implementation Procedures.
- (5) Upon Implementation of International Peace Cooperation Assignments under the provisions of the two preceding paragraphs, the personnel of the Japan Coast Guard referred to in paragraph (3) or SDF personnel that belong to Self-Defense Forces Units, etc. referred to in the preceding paragraph (meaning Corps Personnel specified in Article 2, paragraph (5) of the Self-Defense Forces Act; hereinafter the same applies) shall engage respectively in International Peace Cooperation Assignments in accordance with the Implementation Plan and Implementation Procedures.
- (6) The Corps shall maintain close contact with diplomatic establishments abroad as designated by the Minister for Foreign Affairs.
- (7) The heads of diplomatic establishments abroad as designated by the Minister for Foreign Affairs shall, under the instruction of said Minister, extend the necessary cooperation for the Implementation of International Peace Cooperation Assignments.

(Ensuring the Safety of Corps Personnel)

Article 10 The Chief shall endeavor to facilitate smooth and effective Implementation of International Peace Cooperation Assignments, and give due consideration to ensuring the safety of Corps Personnel (hereinafter referred to as "Corps Personnel").

(Appointment and Dismissal of Corps Personnel)

Article 11 The Chief shall appoint and dismiss Corps Personnel.

(Employment of Corps Personnel)

Article 12 (1) For the engagement of personnel in International Peace Cooperation Assignments pertaining to the tasks listed in Article 3, item (v), (d) or (h) to (t) or tasks of a similar nature, as specified by Cabinet Order

according to Article 3, item (v), (u), the Chief may employ Corps Personnel with a specified period, by selection from among those persons who have interest in being engaged in such International Peace Cooperation Assignments.

- (2) In managing employment under the provisions of the preceding paragraph, the Chief shall seek cooperation from Relevant Administrative Organs, local governments or private entities so as to ensure the extensive mobilization of human resources.

(Dispatch of Personnel of Relevant Administrative Organs to the Corps)

Article 13 (1) The Chief may, in accordance with an Implementation Plan,

submit a request to the heads of the Relevant Administrative Organs to dispatch to the Corps Personnel such as those (excluding those listed in each item (except item (xvi)) of Article 2, paragraph (3), of the National Public Service Act (Act No. 120 of 1947)) possessing skills, capabilities and other qualifications necessary for the Implementation of International Peace Cooperation Assignments (except for tasks provided for in Article 3, item (v), (v)) by the Corps; provided, however, that the Chief may not request that personnel other than SDF Personnel be assigned to International Peace Cooperation Assignments pertaining to the tasks listed in Article 3, item (v), (a) to (c) or (e) to (f) and tasks similar to those, as specified by Cabinet Orders according to Article 3, item (v), (u), and that the Chief may not request that SDF Personnel be assigned to International Peace Cooperation Assignments pertaining to the tasks listed in (h) and tasks similar to those, as specified by Cabinet Orders according to Article 3, item (v), (u).

- (2) Upon a request under the provisions of the preceding paragraph, the heads of the Relevant Administrative Organs shall to an extent that does not hinder the performance of the respective duties, dispatch the personnel as described in said paragraph to the Corps with a specified term of mission.
- (3) Except for SDF Personnel, the personnel dispatched under the provisions of the preceding paragraph shall be assigned as Corps Personnel with the term of mission referred to in said paragraph while maintaining their original government positions.
- (4) SDF Personnel assigned under the provisions of paragraph (2) above shall be employed as Corps Personnel with the term of mission referred to in said paragraph and hold both positions simultaneously.
- (5) Personnel assigned as Corps Personnel either maintaining their original government positions under the provisions of paragraph (3) above or holding both Corps Personnel and SDF personnel positions simultaneously, under the provisions of the preceding paragraph shall be engaged in International Peace Cooperation Assignments under the direction and supervision of the Chief.
- (6) With regard to Corps Personnel dispatched by the Minister of Defense under

the provisions of paragraph (2) above (hereinafter referred to as "Corps Personnel from SDF in this Article), the Chief shall divest such personnel of their status as Corps Personnel from SDF in cases where the need for such assignment no longer exists or as otherwise specified by Cabinet Orders. Such SDF personnel shall return to the Self-Defense Forces.

- (7) Corps Personnel from SDF shall be divested of their status as Corps Personnel if they are divested of their status as SDF Personnel.
- (8) For the purpose of application of laws and regulations concerning remuneration, etc. (meaning remuneration other than the International Peace Cooperation Allowance stipulated in Article 17, Accident Compensation and Retirement Allowance as well as that from the Mutual Aid Association System), personnel who possess both positions of Corps Personnel and SDF personnel simultaneously, under the provisions of paragraph (4) above shall be deemed as belonging only to the Self-Defense Forces.
- (9) Matters not included in paragraphs (4) through (8) that are necessary for handling the status of personnel referred to in the said paragraphs shall be specified by Cabinet Orders.

Article 14 (1) When the Commandant of the Japan Coast Guard directs its personnel to implement International Peace Cooperation Assignments under the provisions of Article 9, paragraph (3) above, the Commandant shall dispatch such personnel to the Corps for a specified period. Such personnel of the Japan Coast Guard thus dispatched shall be employed as Corps Personnel while maintaining their original government positions for said period as the term of mission, and shall be engaged as Corps Personnel in the duties referred to in Article 4, paragraph (2), item (iii) above.

- (2) When the Minister of Defense directs Self-Defense Forces Units, etc. to implement International Peace Cooperation Assignments under the provisions of Article 9, paragraph (4) above, the Minister shall dispatch SDF Personnel belonging to Self-Defense Forces Units, etc. to the Corps for a specified period. Such SDF Personnel thus dispatched shall be assigned as Corps Personnel for said period as the term of mission, and shall simultaneously possess both SDF personnel and Corps Personnel status, and shall be engaged as Corps Personnel in the duties referred to in Article 4, paragraph (2), item (iii) above.
- (3) In addition to the matters prescribed in the preceding paragraph, the provisions of paragraph (6) through (9) of the preceding Article shall apply *mutatis mutandis* with regard to the handling of the status of such personnel who possess both the status of SDF Personnel and that of Corps Personnel under the provisions of said paragraph.

(Exclusion of Application of the National Public Service Act)

Article 15 With regard to Corps Personnel employed under the provisions of Article 12, paragraph (1) above, the provisions of Article 103, paragraph (1) as well as Article 104 of the National Public Service Act shall not apply, even if such personnel have assumed the position of an officer, adviser or councilor (hereinafter jointly referred to as an "Officer, etc." in this Article) in entities for the purpose of managing an enterprise for profit described in Article 103, paragraph (1) of the said Act (hereinafter referred to as a "For-Profit Enterprise" in this Article) or have managed their own For-Profit Enterprise, or have assumed the position of Officer, etc. and received compensation, or have been engaged in undertakings or otherwise performed duties in an entity for purposes other than making profit, prior to becoming Corps Personnel.

(Training)

Article 16 Corps Personnel shall receive training as provided by the Chief for the proper and effective Implementation of International Peace Cooperation Assignments.

(International Peace Cooperation Allowances)

Article 17 (1) An International Peace Cooperation Allowance may be paid to personnel engaged in International Peace Cooperation Assignments in view of the working conditions in Receiving Countries where such assignments are implemented and of the characteristics of such assignments.

(2) Matters pertaining to International Peace Cooperation Allowances referred to in the preceding paragraph shall be specified by Cabinet Orders.

(3) The Prime Minister shall hear the opinions of the National Personnel Authority upon the enactment, amendment or abolishment of Cabinet Orders under the preceding paragraph.

(Uniforms)

Article 18 (1) Uniforms of Corps Personnel shall be specified by Cabinet Orders.

(2) Clothing may, be supplied or loaned to Corps Personnel in cases where such clothing is necessary for the performance of their duties, as provided by Cabinet Orders.

(Maximum Total Number of Personnel Engaged in International Peace Cooperation Assignments)

Article 19 The total number of personnel engaged in International Peace Cooperation Assignments shall not exceed two thousand.

(Authorized Strength of Corps Personnel)

Article 20 The authorized strength (or total size) of Corps Personnel shall be

specified by Cabinet Orders for each of the Corps as may be necessary for the implementation of the International Peace Cooperation Assignments under an Implementation Plan.

(Entrustment of Transportation)

- Article 21 (1) The Chief may, under an Implementation Plan, entrust to the Commandant of the Japan Coast Guard or the Minister of Defense, the transportation of Affected People by vessel or aircraft in order to implement International Peace Cooperation Assignments listed in Article 3, item (v), (n) or the transportation of goods by vessel or aircraft in order to implement International Peace Cooperation Assignments listed in Article 3, item (v), (m) to (r) except for transportation of Affected People or goods between points within a Receiving Country or between a Receiving Country and other adjacent Receiving Countries.
- (2) The Commandant of the Japan Coast Guard may, upon entrustment under the provisions of the preceding paragraph, accept and undertake the entrusted transportation to the extent that this does not hinder the performance of other missions by the Japan Coast Guard.
- (3) The Minister of Defense may, upon entrustment under the provisions of paragraph (1) above, accept and undertake the entrusted transportation to the extent that this does not hinder the performance of principal duties by the Self-Defense Forces.

(Cooperation by Relevant Administrative Organs)

- Article 22 (1) If deemed necessary for the Implementation of International Peace Cooperation Assignments by the Corps, the Chief may submit a request to the heads of the Relevant Administrative Organs for cooperation, such as the transfer of goods under their respective jurisdictions.
- (2) The heads of the Relevant Administrative Organs shall upon request under the provisions of the preceding paragraph, extend such cooperation as referred to in the said paragraph to the extent that this does not hinder the performance of the Relevant Administrative Organs' respective duties.

(Possession and Lending of Small Arms and Light Weapons)

- Article 23 The Headquarters may possess the types of small arms and light weapons specified by Cabinet Orders that are necessary for securing the safety of Corps Personnel.

- Article 24 (1) In engaging Corps Personnel in International Peace Cooperation Assignments that the Corps undertakes in Receiving Countries under the provisions of Article 9, paragraph (1) (except for tasks provided for in Article 3,

item (v), (h) and similar tasks provided for in (u) as specified by Cabinet Orders), the Chief may lend to the Corps, during the stationing of Corps Personnel in Receiving Countries, small arms and light weapons prescribed in the preceding Article that shall be stipulated as equipment in the Implementation Plan under the provisions of Article 6, paragraphs (2), item (ii), (c) and paragraph (4), if deemed particularly necessary in view of local safety conditions and other related factors.

- (2) The personnel of the Headquarters designated by the Chief for assuming the responsibility of controlling small arms and light weapons may keep in custody such small arms and light weapons to lend to Corps Personnel under the provisions of the preceding paragraph.
- (3) Necessary matters pertaining to the criteria for lending, control and other aspects of small arms and light weapons shall be specified by Cabinet Orders.

(Use of Weapons)

Article 25 (1) Corps Personnel assigned small arms and light weapons under the provisions of paragraph (1) of the preceding Article who are engaged in International Peace Cooperation Assignments in Receiving Countries may use such small arms and light weapons within reasonable limits given the circumstances, when unavoidably necessary to protect the lives of or prevent bodily harm to themselves, other Corps Personnel who are with them, or individuals who have come under their control during the performance of their duties.

- (2) Coast guard officers and assistant coast guard officers (hereinafter jointly referred to as "Coast Guard Officers" in this Article) engaged in International Peace Cooperation Assignments in Receiving Countries under the provisions of Article 9, paragraph (5) may use small arms and light weapons within reasonable limits given the circumstances, when unavoidably necessary to protect the lives of or prevent bodily harm to themselves, other personnel of the Japan Coast Guard, Corps Personnel who are with them, or individuals who have come under their control during the performance of their duties. The types of such small arms and light weapons shall be specified by Cabinet Order as described in Article 23 and shall also be stipulated as equipment in the Implementation Plan under the provisions of Article 6, paragraph (2), item (ii), (d), 2 and paragraph (4) above.

- (3) Self-Defense Officials engaged in International Peace Cooperation Assignments in Receiving Countries under the provisions of Article 9, paragraph (5) may use weapons, within reasonable limits under the circumstances, when unavoidably necessary to protect the lives of or prevent bodily harm to themselves, other SDF Personnel or Corps Personnel who are with them on the scene, or individuals who have come under their control

during the performance of duties. Such small arms and light weapons stipulated as equipment in the Implementation Plan under the provisions of Article 6, paragraph (2), item (ii), (e), 2 and paragraph (4).

- (4) When a senior officer is on the scene, the use of small arms and light weapons or other weapons under the provisions of the preceding two paragraphs shall be conducted under the orders of the senior officer; provided, however, that this shall not apply in cases where serious injury to lives or bodily harm is imminent and there is no time to await such orders.
- (5) In the cases referred to in the provisions of paragraph (2) or (3) above, a senior officer present on the scene shall give necessary orders with a view to preventing the danger to lives or bodily harm, or disorder through uncontrolled use of small arms and light weapons or other weapons, and to ensuring that the use of small arms and light weapons or other weapons shall be in accordance with the provisions of paragraphs (2) and (3) above, and (6) below.
- (6) The use of small arms and light weapons or other weapons under the provisions of paragraphs (1) to (3) above, shall not inflict injury on any persons, except in either of the cases falling under the provisions of Article 36 or 37 of the Penal Code (Act No. 45 of 1907).
- (7) Self-Defense Officials engaged in International Peace Cooperation Assignments in Receiving Countries under the provisions of Article 9, paragraph (5) may use weapons under the provisions of paragraph (3) in case of an attack against a camp stationing a Self-Defense Force unit (this refers to the area for encampment, identified by an enclosure. The same applies to this paragraph.) where the unit members of armed forces of foreign states are engaged in United Nations Peacekeeping Operations, Internationally Coordinated Operations for Peace and Security, or International Humanitarian Relief Operations as part of the assignment are also stationed jointly, with said members, in order to take measures to protect the lives and bodies of individuals at said camp.

In this case, when applying the provisions of paragraph (3) to (5), "themselves, other SDF Personnel or Corps Personnel who are with them on the scene, or individuals who have come under their control during the performance of duties" in paragraph (3) shall read "individuals who are at the camp stationed by the SDF unit (this refers to the camp as prescribed in paragraph (7). The same shall apply to the next paragraph and paragraph (5).); "the circumstances" shall read "the circumstances, taking into account the situation of measures taken by the unit of armed forces of foreign states prescribed in paragraph (7)"; and "on the scene" in paragraph (4) and paragraph (5) shall read "at the camp".
- (8) The provisions of Article 20 of the Japan Coast Guard Act shall not apply with regard to Coast Guard Officers engaged in International Peace

Cooperation Assignments in Receiving Countries under the provisions of Article 9, paragraph (5).

- (9) The provisions of Article 96, paragraph (3) of the Self-Defense Forces Act shall not apply to Self-Defense Force Officers engaged in International Peace Cooperation Assignments in Receiving Countries under the provisions of Article 9, paragraph (5), pertaining to crimes committed by persons other than SDF personnel.
- (10) The provisions of paragraph (1) above shall apply *mutatis mutandis* to Corp Personnel engaged in such assignments in the case of suspension of International Peace Cooperation Assignments as referred to in Article 8, paragraph (1), item (vi) (to be referred to as "suspension of assignments" in this paragraph), the provisions of paragraphs (2) and (8) above shall apply *mutatis mutandis* to Coast Guard Officers engaged in such assignments in the case of suspension of assignments, the provisions of paragraphs (3), (7) and the preceding paragraph above shall apply *mutatis mutandis* to Self-Defense Officials engaged in such assignments in the case of suspension of assignments, the provisions of paragraph (4) and (5) above shall apply *mutatis mutandis* to the use of small arms and light weapons or other weapons according to the provisions of paragraphs (2) and (3) above as applied *mutatis mutandis* under this paragraph (including cases where applied *mutatis mutandis* under paragraph (7) of the same Article after deemed replacement), the provisions of paragraph (6) above shall apply *mutatis mutandis* to the use of small arms and light weapons or other weapons according to the provisions of paragraphs (1) to (2) and (3) as applied *mutatis mutandis* under this paragraph (including cases where applied *mutatis mutandis* under paragraph (7) of the same Article after deemed replacement) respectively.

Article 26 (1) Self-Defense Officials engaged in International Peace Cooperation Assignments in Receiving Countries listed in Article 3, item (v), (g) or (u) in tasks of a similar nature as specified by Cabinet Orders, under the provisions of Article 9, paragraph (5), in addition to cases where weapons are used under paragraph (3) of the preceding Article (including cases where applied *mutatis mutandis* under paragraph (7) of the same Article), while engaging in their duties, may use weapons which shall be stipulated as equipment in the Implementation Plan under the provisions of Article 6, paragraph (2), item (ii), (e), 2 and paragraph (4), within the limits judged reasonably necessary according to the circumstances, when reasonable grounds are found for the unavoidable necessity to protect the lives, bodies or property of themselves or other individuals, or to eliminate obstructive behavior, in the course of their duties.

- (2) Self-Defense Officials engaged in International Peace Cooperation

Assignments in Receiving Countries listed in Article 3, item (v), (v), under the provisions of Article 9, paragraph (5), in addition to what is provided for in paragraph (3) of the preceding Article (including cases where applied mutatis mutandis under paragraph (7) of the same Article while engaging in their duties, may use weapons which shall be stipulated as equipment in the Implementation Plan under the provisions of Article 6, paragraph (2), item (ii), (e), 2 and paragraph (4), within the limits judged reasonably necessary according to the circumstances, when reasonable grounds are found for the unavoidable necessity to protect the lives or bodies of themselves or individuals associated with the operations that they intend to protect.

- (3) The use of weapons under the provisions of the preceding two paragraphs shall not inflict injury on a person except for either of the cases falling under the provisions of Article 36 or 37 of the Penal Code (Act No. 45 of 1907).
- (4) The provisions of Article 89, paragraph (2) of Self-Defense Force Act apply mutatis mutandis to cases where weapons are used by Self-Defense Officials under the provisions of paragraph (1) or paragraph (2).

Section 2 Dispatching Self-Defense Officials to the United Nations

(Dispatching Self-Defense Officials)

Article 27 (1) The Minister of Defense may dispatch Self-Defense Officials and have them engaged in United Nations tasks and those concerning the overall management of tasks implemented by Self-Defense Forces Units, etc. or units of armed forces of foreign states participating in United Nations Peacekeeping Operations, at the request of the United Nations, with consent of the Prime Minister.

- (2) The Prime Minister shall give consent to a dispatch, provided that the consent as set forth in Article 3, item (i), (a) to (c) regarding United Nations Peacekeeping Operations for which tasks are to be implemented by said Self-Defense Officials to be deployed under the preceding paragraph, is deemed to be maintained consistently throughout the duration of said dispatch, and that any chance of circumstances which would require suspension of said dispatch are not expected to occur.
- (3) If the Minister of Defense seeks to dispatch Self-Defense Officials under paragraph (1), the Minister of Defense shall obtain the consent of the said Self-Defense Officials.

(Status and Treatment)

Article 28 The provisions of Article 3 to Article 14 of the Act on Treatment, etc. of Personnel of the Ministry of Defense Dispatched to International Organizations, etc. (Act No. 122 of 1995) apply mutatis mutandis to the status

and treatment of the SDF personnel dispatched under paragraph (1) of the immediately preceding Article.

(Lease of Small Arms and Light Weapons without Charge)

Article 29 When the United Nations requests a lease without charge of small arms and light weapons for use in activities carried out by Self-Defense Officials dispatched under the provisions of Article 27, paragraph (1), and if it is deemed necessary for the seamless implementation of said activities, the Minister of Defense or those who are delegated by said Minister may make the lease without charge of small arm and light weapons subject to said request.

Chapter IV Contributions in Kind

Article 30 (1) The Government may extend Contributions in Kind if deemed appropriate in order to cooperate with United Nations Peacekeeping Operations, Internationally Coordinated Operations for Peace and Security, International Humanitarian Relief Operations or International Election Observation Operations.

(2) The Prime Minister shall seek a Cabinet decision for Contributions in Kind.

(3) The Minister for Foreign Affairs may submit a request to the Prime Minister for seeking a Cabinet decision concerning Contributions in Kind if it is deemed appropriate in order to cooperate with United Nations Peacekeeping Operations, Internationally Coordinated Operations for Peace and Security, International Humanitarian Relief Operations or International Election Observation Operations.

(4) If deemed necessary for Contributions in Kind, the Chief may submit a request to the heads of the Relevant Administrative Organs for the transfer of goods under their respective jurisdictions.

(5) The heads of the Relevant Administrative Organs shall, upon request under the provisions of the preceding paragraph, transfer the ownership of goods under their respective jurisdictions to the extent that this does not hinder the performance of the respective duties.

Chapter V Miscellaneous Provisions

(Cooperation , etc. of the Private Sector)

Article 31 (1) If it is deemed impossible to fully implement International Peace Cooperation Assignments by means of arrangements under the provisions of Chapter III Section 1 or if it is deemed necessary for the purpose of Contributions in Kind, the Chief may, with the cooperation of the heads of the Relevant Administrative Organs, request that those other than the State

cooperate in the transfer or loan of goods, or the provision of services.

- (2) The Government shall provide reasonable compensation to non-State entities and individuals that extend cooperation under the provisions of the preceding paragraph, and shall make the necessary financial arrangements for any loss incurred by extending such cooperation.

(Waiver of a Right to Claim)

Article 32 Upon participating in United Nations Peacekeeping Operations, Internationally Coordinated Operations for Peace and Security, International Humanitarian Relief Operations, or International Election Observation Operations, and if requested by the United Nations, international organizations referred to in Appendix 1 to 3, Member States of the United Nations or other states participating in these operations (hereinafter referred to as "Participating Countries" in this Article) to mutually waive its right to make a claim against Participating Countries or their national personnel for damages arising from these operations, and if it is deemed necessary to do so when participating in said operations, the Government may stipulate that it waives its right to make a claim against Participating Countries or their national personnel for damages arising in said operations.

(Provisions of Supplies and Services to the Armed Forces of the United States of America, etc. for Operations during Large-Scale Disasters)

Article 33 (1) When Self-Defense Forces Units, etc. are implementing International Peace Cooperation Assignments under Article 9, paragraph (4) or transportation entrusted under Article 21, paragraph (1) as directed by the Minister of Defense, and when the Armed Forces of the United States of America, the Australian Defense Force, the United Kingdom Armed Forces, the Armed Forces of France, the Canadian Armed Forces, the Indian Armed Forces or the Armed Forces of the Federal Republic of Germany (hereinafter in this Article referred to as the "Armed Forces of the United States of America, etc.") are located in the same area as Self-Defense Forces Units, etc. which are undertaking the above mentioned activities, and are undertaking activities specified below deemed as supplementing or supporting United Nations Peacekeeping Operations, Internationally Coordinated Operations for Peace and Security or International Humanitarian Relief Operations related to such International Peace Cooperation Assignments or entrusted transportation, if the Armed Forces of the United States of America, etc. requests Self-Defense Forces Units, etc. to provide supplies necessary for activities of an urgent nature to be undertaken in that area of activities, the Minister of Defense or those who are delegated by said Minister may, to the extent that it does not hinder the performance of their International Peace Cooperation Assignments

or entrusted transportation, provide the Armed Forces of United States of America, etc., with Self-Defense Force supplies:

- (i) Activities for relief operations, medical assistance (including quarantine) and other emergency disaster relief and disaster-related reconstruction, to cope with large scale disasters which occurred or are about to occur in Receiving Countries;
 - (ii) Transportation of staff assigned to undertake activities aforementioned in item (i) above or equipment and other materials necessary for said activities.
- (2) If the Armed Forces of United States of America, etc. request Self-Defense Forces Units, etc. to provide services necessary for carrying out emergency activities to be undertaken in the area of activities as mentioned above, the Minister of Defense may, to the extent that it does not hinder the performance of their International Peace Cooperation Assignments or entrusted transportation, provide the Armed Forces of United States of America, etc., with the requested services of Self-Defense Forces Units, etc.
- (3) The supplies belonging to Self-Defense Forces and the services of Self-Defense Forces Units, etc. related to the following categories may be provided under the preceding two paragraphs: replenishment; transportation; repair and maintenance; medical services; communications; airport and seaport services; base support; billeting; storage and use of facilities (wherein the incidental tasks are included respectively).
- (4) Provision of supplies in paragraph (1) does not include the provision of weapons.

(Delegation to Cabinet Orders)

Article 34 In addition to matters for which special provisions exist in this Act, procedures for the implementation of this Act and other matters necessary for its enforcement shall be specified by Cabinet Orders.

Appended Table 1 (Re: Article 3, Article 32)

- (i) United Nations
- (ii) Organs established by the United Nations General Assembly or the United Nations Specialized Agencies such as the Office of the United Nations High Commissioner for Refugees (UNHCR), or otherwise specified by Cabinet Orders
- (iii) Regional Organizations, as prescribed in Article 52 of the United Nations Charter or organs established by multilateral treaties, acknowledged as having the actual achievements or expertise pertaining to the activities of Internationally Coordinated Operations for Peace and Security such as the European Union or otherwise specified by Cabinet Orders

Appended Table 2 (Re: Article 3, Article 32)

- (i) United Nations
- (ii) Organs established by the United Nations General Assembly or the United Nations Specialized Agencies, which are listed in any of the following or otherwise specified by Cabinet Orders:
 - (a) Office of the United Nations High Commissioner for Refugees (UNHCR)
 - (b) United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)
 - (c) United Nations Children's Fund (UNICEF)
 - (d) United Nations Volunteers (UNV)
 - (e) United Nations Development Programme (UNDP)
 - (f) United Nations Population Fund (UNFPA)
 - (g) United Nations Environment Programme (UNEP)
 - (h) United Nations Human Settlements Programme (UN-Habitat)
 - (i) United Nations World Food Programme (WFP)
 - (j) Food and Agriculture Organization of the United Nations (FAO)
 - (k) World Health Organization (WHO)
- (iii) International Organization for Migration (IOM).

Appended Table 3 (Re: Article 3, Article 32)

- (i) United Nations
- (ii) Organs established by the United Nations General Assembly or the United Nations Specialized Agencies of the United Nations such as UNDP or otherwise specified by Cabinet Orders
- (iii) Regional arrangements as prescribed in Article 52 of the United Nations Charter acknowledged as having the actual achievements or expertise in relation to the activities of International Election Observation and specified by Cabinet Orders.

Appended Table 4 (Re: Article 3)

- (i) Organs established by the United Nations General Assembly or the United Nations Specialized Agencies, which are listed in any of the following or otherwise specified by Cabinet Orders:
 - (a) Office of the United Nations High Commissioner for Refugees (UNHCR)
 - (b) United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)
 - (c) United Nations Children's Fund (UNICEF)
 - (d) United Nations Volunteers (UNV)
 - (e) United Nations Development Programme (UNDP)
 - (f) United Nations Population Fund (UNFPA)
 - (g) United Nations Environment Programme (UNEP)

- (h) United Nations Human Settlements Programme (UN-Habitat)
- (i) United Nations World Food Programme (WFP)
- (j) Food and Agriculture Organization of the United Nations (FAO)
- (k) World Health Organization (WHO)
- (ii) International Organization for Migration (IOM)