

## Japan's Actions Against Piracy off the Coast of Somalia

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### Introduction

- Japan has taken several actions to prevent piracy off the coast of Somalia in cooperation with international partners.
- Japan is committed to act to protect maritime security and work together with international partners to ensure safe navigation.

## Active participation in the Contact Group

- Japan has actively participated in discussions in the Contact Group established in line with a UN Security Council Resolution and is committed to working together with members of the CG.
- Japan will chair the next CG meeting, probably in September, and is ready to support new member's participation as necessary.

## Deployment of Destroyers

- Japan had deployed two navy ships since the end of March this year, under the provisions of Article 82 of the Self-Defense Forces Law. The ships had escorted 121 Japan-affiliated vessels by July 22.
- The navy ships have just been replaced, following the enforcement of the new Anti-Piracy measures Law on July 24.



## Dispatching P-3C Patrol Aircraft

- Japan has made necessary arrangements to deploy two P-3C maritime patrol aircraft to the Gulf of Aden.
- The actual operation started on June 11 and was conducted twenty two times till July 19.



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## The new Anti-Piracy Measures Law

- Japanese military policy is being formulated under the shadow of Article 9 of the Constitution, which prohibits the use of force.
- The navy ships are initially being deployed to escort only Japan-affiliated vessels under the provisions of Article 82 of the Self-Defense Forces Law, but the new law was enacted in late June after discussion in the Diet and became effective on July 24.
- The new law enables Japan's Self-Defense Forces to protect any ship from pirates regardless of their flag country.

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## Law on Punishment of and Measures against Acts of Piracy

### Outline of the Law

#### Definition of Acts of Piracy

- The Law defines the following acts, committed for private ends on the high seas or territorial sea of Japan by the crew or the passengers of a ship, as “acts of piracy”:
  - (a) seizing another ship etc., (b) robbing property etc. on board, (c) kidnapping a person on board, (d) demanding a third person to deliver property by taking a hostage etc., (e) preparing weapons and operating a ship etc. for the purpose of (a), (b), (c) and (d) above

#### Crimes Relating to Acts of Piracy

- A person who commits an act of piracy shall be punished.
- In the case of causing death, the death penalty or imprisonment with work for life shall be imposed.

Notice: The slide is to be used solely as reference material to aid in the understanding of the Law, and only the original Japanese texts have legal effect. The texts can be downloaded here <[http://www.kantei.go.jp/jp/singi/kaiyou/kaizoku/AMP\\_joubun.pdf](http://www.kantei.go.jp/jp/singi/kaiyou/kaizoku/AMP_joubun.pdf)>

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## Law on Punishment of and Measures against Acts of Piracy

### Outline of the Law -continued

#### Measures of the Coast Guard against acts of piracy

- The Law provides that the Coast Guard takes necessary measures against acts of piracy.
- The Coast Guard may use weapons in order to deter acts of piracy, provided that the pirate disobeys other measures and continues the act and that there is probable cause to believe in the lack of any other measures to stop the act.

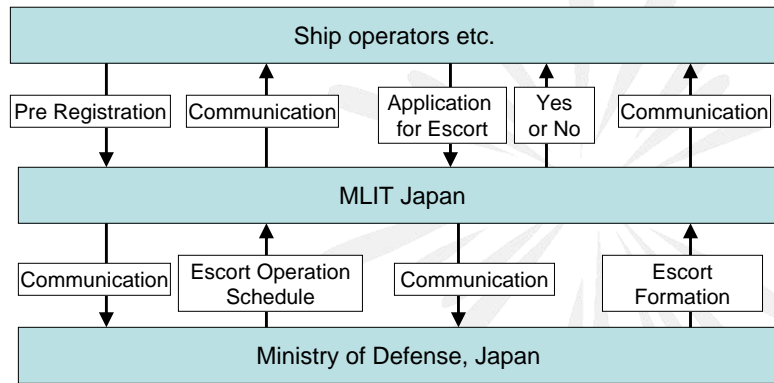
#### Measures of the Self-Defense Forces against acts of piracy

- The Law provides for the Minister of Defense, with the approval of the Prime Minister, to order anti-piracy response operations in case there is an extraordinary necessity to take measures against acts of piracy.
- The Prime Minister will report to the Diet without delay when he/she has given approval and when the operations have ended.
- The relevant provisions for use of weapons by the Coast Guard apply, mutatis mutandis, to the Self Defence Forces.

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## Outline of application for escort



For more detailed procedures, please visit the MLIT website at  
<<http://www.mlit.go.jp/maritime/gaikoh/pirate/index.html>>

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## Role of MLIT Japan as a maritime transport agency

- MLIT Japan has the function of appraising the priority of vessels that apply to be escorted, in view of such aspects as legal applicability and worthiness in terms of quality and quantity, and it forwards such appraisal to the Defense Force for decision.
- After enforcement of the new law, MLIT Japan keeps the same appraisal function within the Government and accepts for appraising non Japan-affiliated vessels although, in principle, Japan-affiliated vessels are given preference for escort. MLIT also requires vessels that apply to be escorted to equip and implement Best Management Practices.

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## Contribution to International Organizations

- The Japanese Diet approved a Supplemental Budget proposed by the Government in May this year to strengthen the anti-piracy measures off the coast of Somalia and in the Gulf of Aden. An amount of 1.4 billion JPY (approximately 15 million USD) from that Budget is to support the implementation of the Djibouti Code by IMO.
- For the implementation of the Djibouti Code, there are four pillars: 1) establishment of a piracy information exchange center in each of Kenya, Tanzania and Yemen, and a regional training centre in Djibouti, 2) capacity building, 3) support for the establishment of new national legislation in each country, and 4) enhancement of Maritime Zone Awareness, by deploying AIS, for example.

## Bilateral approach to improve coastal capabilities

- Japan has sent survey/ODA missions to Yemen and Djibouti to analyze the feasibility of assistance to these countries.
- Japan believes that improving coastal countries' capabilities to prevent piracy and armed robbery is crucial for the resolution of the piracy problem.





**32ND ASIA-PACIFIC ECONOMIC COOPERATION  
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## ***Thank You for Your Attention !***

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