

Japan's Government Oil Spill Response System: From the Perspective of Crisis Management

Kazuo Inaba, Cabinet Counsellor
(National Security and Crisis Management)
Cabinet Secretariat

1. The Japanese Crisis Management System

Most accidents and incidents that occur on a day-to-day basis can be sufficiently addressed and resolved by the concerned government organs. Nevertheless, there are also major crises that demand a coordinated response by the entire government. Like other nations, Japan has a crisis-management system for responding to such emergencies.

What, then, are the types of crises that need to be addressed by entire governments?

For example, the Cabinet Law defines such crises as “emergencies that have caused, or are likely to cause, severe material damage to the lives, persons or property of citizens.” Nevertheless, in actual practice, judgments must be made on a case-by-case basis. Specifically, the following types of events may be considered as crises.

- Large scale natural disasters such as earthquakes, volcanic eruptions, and storm and flood damage
- Major accidents such as nuclear power accidents, oil spills, aircraft accidents, and industrial complex fires
- Serious incidents such as hijackings and terrorism resulting in a large number of casualties
- Emergencies requiring the evacuation of Japanese living abroad

Although the necessary measures to respond to these types of crises are primarily the responsibility of local government bodies and the concerned central government ministries and agencies, the preparation of a system

whereby the entire government can promptly mobilize its comprehensive strengths is deemed to be an important role of the cabinet. This is also significant in that government-wide efforts to address such incidents in a highly visible fashion, by themselves, help to secure the peace of mind of the citizenry. Based on this understanding, the Government of Japan has prepared a crisis management system centered around the cabinet, whereby the cabinet functions effectively as a type of control tower to direct the efforts of all government organs.

In general, the ultimate responsibility for all cabinet works lies with the Prime Minister, and the Chief Cabinet Secretary plays a supporting role. Under the present cabinet system, Mr. Bunmei Ibuki is the Minister of State for Crisis Management, and bears the responsibility for the initial cabinet response.

On the other hand, the Cabinet Secretariat includes a Deputy Chief Cabinet Secretary for Crisis Management and other staff who are exclusively responsible for crisis management. When emergencies suddenly arise, the Deputy Chief Cabinet Secretary for Crisis Management is responsible for making the initial judgments regarding the necessary measures on behalf of the cabinet, and for communicating with and providing guidance to the concerned ministries and agencies regarding the initial measures, as appropriate.

How would this crisis management system function in the event of an actual crisis? Let us consider the overall flow of events.

- Various information is collected and processed 24 hours a day at the Cabinet Information Collection Center located within the Prime Minister's Official Residence. The initial information from the site would rush into this Center.
- The information grasped by the Cabinet Information Collection Center would be immediately reported to all the concerned parties, beginning with the Prime Minister, the Chief Cabinet Secretary, and the Minister of State for Crisis Management.
- At this stage, a Countermeasures Office (or Liaison Office) would be established within the Prime Minister's Official Residence, and all the

concerned staff beginning with the Deputy Chief Cabinet Secretary for Crisis Management would promptly assemble at the Crisis Management Center in the Prime Minister's Official Residence. In the event of a large-scale earthquake or similar incidents, the director-generals of all concerned ministry and agency bureaus would also automatically gather at the Crisis Management Center.

- At the Countermeasures Office, information would be collected regarding the general outline of the incident and the damages suffered, and concerning the initial responses implemented by the concerned ministries and agencies. The necessary measures would then be implemented to coordinate these initial responses.
- The status of the government's response would be explained to the people through press conferences and other means by the Chief Cabinet Secretary, the Minister of State for Crisis Management, and the Deputy Chief Cabinet Secretary for Crisis Management.

The present organization of the government's crisis management system was established in 1998. The Minister of State for Crisis Management assumed his duties from January 2001, and the post of Deputy Chief Cabinet Secretary for Crisis Management was established in April 1998. During the few years prior to 1998, Japan suffered a series of unprecedentedly grave incidents including the Great Hanshin-Awaji Earthquake (1995), the release of sarin gas on Tokyo subways (1995), the All Nippon Airways hijack incident (1995), the takeover of the Japanese embassy in Peru (1996), and the shipwreck and oil spill of the Russian tanker *Nakhodka* (1997). These events resulted in a greater awareness regarding the necessity of crisis management, and in response the government has been working to reinforce its crisis management function.

These efforts are also taking place in conjunction with the administrative reorganization of Japan's central government ministries and agencies, which began in 1996 and was completed this January. One of the main thrusts of the reorganization is to strengthen the functions of the cabinet, and the upgrading of the cabinet's crisis management function is consistent with this goal.

Since 1998, under the new crisis management system, the government has responded to several serious situations including the evacuation of Japanese nationals amid the political crisis in Indonesia, responding to the presence of a suspicious vessel in the Sea of Japan, the Tokai Mura uranium processing plant accident, the year 2000 computer problem, and the volcanic eruptions at Mt. Usuzan and Miyake-jima Island. To date, this crisis management system centered around the Deputy Chief Cabinet Secretary for Crisis Management has functioned as initially expected. The government is now working to further upgrade its crisis response function by establishing still closer daily ties among the concerned ministries and agencies, preparing and upgrading all types of manuals, and conducting drills assuming various cases.

2. Government Response to a Major Oil Spill

As demonstrated by the fact that the *Nakhodka* oil spill of 1998 was one of the incidents that sparked the reinforcement of Japan's crisis management system, large-scale oil spills clearly fall under the purview of the nation's crisis management system.

In Japan, the government response to oil spill accidents is stipulated by the Law Relating to the Prevention of Marine Pollution and Maritime Disaster and other legislation, and the government has also prepared a basic response plan and other measures. The necessary countermeasures in response to individual incidents are devised based on these legal and administrative guidelines.

- “National Emergency Planning to Prepare and Respond to Oil Pollution Incidents” (Cabinet Resolution of December 1997)

This Resolution systematically summarizes the government's system for preparation and response to oil pollution incidents, as a “National Contingency Plan for Preparedness and Response to Oil Pollution Incidents” in accordance with the International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990 (the OPRC Convention).

○ “Basic Disaster Prevention Plan” (June 1997)

This plan was prepared based on the Disaster Measures Basic Law, and specifically stipulates the measures to be implemented at each stage of disaster prevention, emergency response, restoration and reconstruction. Chapter 6 of this Plan is entitled “Maritime Disasters,” and specifically stipulates the measures to be implemented by all the concerned ministries and agencies in the event of a shipwreck resulting in a large number of casualties or when a large volume of hazardous materials are released from a vessel resulting in conspicuous marine pollution, etc.

○ “Measures to be Implemented by the Cabinet Secretariat When Oil Spill Accidents Occur” (December 1998)

This document stipulates the Cabinet Secretariat response procedures as part of the government’s crisis management system.

The oil spill accidents that fall under the purview of the government’s crisis management are limited to those of a relatively large scale. What would the cabinet’s crisis management team actually do if a large-scale oil spill were to occur? Fundamentally, the necessary works would be implemented in accordance with the crisis management procedures that I have already explained to you. The government’s essential mission would be to establish a response structure for the specific incident, collect all the relevant information, and arrange a coordinated, comprehensive response by all the concerned ministries and agencies. I will now describe these activities in somewhat greater detail.

(1) The Government’s Response Structure for Specific Incidents

When oil spill accidents occur, it is critical for the government to first establish the necessary response structure. The following type of structure would be established, in accordance with the severity of the incident.

○ Establishment of a Countermeasures Office (or Liaison Office) within the Prime Minister's Official Residence

When oil spill accidents occur, the captain of the vessel that is leaking oil first notifies Japan Coast Guard. Japan Coast Guard contacts the Cabinet Information Collection Center whenever oil spills occur, or are likely to occur, within Japan's territorial waters. Japan Coast Guard also contacts the Cabinet Information Collection Center when oil spills occur outside of Japan's territorial waters, but are deemed likely to cause damage in Japan's territorial waters or exclusive economic zone.

After being contacted by Japan Coast Guard, the Deputy Chief Cabinet Secretary for Crisis Management would establish a Countermeasures Office (or Liaison Office) within the Prime Minister's Official Residence if he deems it so necessary, and the Deputy Chief Cabinet Secretary for Crisis Management and other Cabinet Secretariat staff responsible for crisis management would then assemble at this Countermeasures Office. The liaison personnel from all the concerned ministries and agencies would also be dispatched to the Prime Minister's Official Residence.

○ Establishment of a Precautions Headquarters

A Precautions Headquarters would be established in cases when an incident does not constitute a "large-scale disaster," but when the incident and the range of the damage are still of a sufficient scale to demand a vigorous and well-coordinated emergency response, and the Director-General of Japan Coast Guard would serve as the Director-General of this Precautions Headquarters. Under the provisions of the Disaster Measures Basic Law, an Emergency Disaster Response Headquarters cannot be established until damages actually occur, which was initially the case during the *Nakhodka* incident. Reflecting on this experience, arrangements have subsequently been made to permit the establishment of a Precautions Headquarters in such cases, at the stage prior to the actual occurrence of damage.

The Precautions Headquarters would be responsible for coordinating accident response measures, exchanging information concerning the on-site conditions and evaluations of these conditions, coordinating the collection and deployment of clean-up equipment, and preparing emergency measures for anticipated damage, including coastal areas where the oil is expected to drift ashore.

○ Establishment of an Emergency Disaster Response Headquarters

An Emergency Disaster Response Headquarters would be established in the event of a “large-scale disaster,” and the Minister of Land, Infrastructure and Transport would serve as the Director-General of this Emergency Disaster Response Headquarters. Under the provisions of the Disaster Measures Basic Law, the Emergency Disaster Response Headquarters is responsible for the overall coordination of the emergency response measures implemented by all the concerned ministries and agencies, and has the authority to direct the activities of the concerned ministries and agencies as necessary.

(2) Collection of Disaster Information, and Implementation of Liaison Activities

In the initial stages, along with the establishment of the government’s response structure, the collection of all relevant information is also of the utmost importance. The following types of information would be collected and processed at the Countermeasures Office within the Prime Minister’s Official Residence.

- General Outline of the Incident
 - General information regarding the vessel (or other maritime facility) leaking oil
 - General information regarding the oil spill incident
 - Information regarding the area where the oil spill occurred
- Information Regarding Clean-up Operations
 - Information regarding the organizational structures of the concerned government organs

- Information regarding the organizational structures of the local Coast Guard offices, police, fire departments, etc.
- Information regarding the status of the response taken by the parties who caused the accident
- Information regarding measures taken to prevent secondary disasters
- Other related information

To accurately assess the conditions based on these types of information, the “Concerned Ministries and Agencies Analysis and Evaluation Investigation Commission” would hold a meeting, as necessary. This Commission presently includes seven oil clean-up experts, and the meeting would be held to estimate the volume of spilt oil, determine the likelihood of the spilt oil drifting ashore, determine the existence of facilities that require protection on the coast, evaluate and analyze the conditions of the accident, and consider the required initial response measures.

(3) Coordination among the Concerned Ministries and Agencies

As I explained at the outset, the actual capabilities for responding to oil spill accidents are held by the concerned ministries and agencies, and the cabinet is responsible for the coordination works to ensure that these government capabilities are fully manifest in an effective manner. Specifically, the cabinet would jointly hold the following types of meetings in conjunction with the Precautions Headquarters or Emergency Disaster Response Headquarters that would be established depending upon the severity of the accident, and thus work to confirm and share information regarding the conditions of the incident and the damages, coordinate the emergency response measures, and arrange the government response policy.

- Liaison meetings of the concerned ministries and agencies (at the division director level)
- Meetings of the director-generals of all concerned ministry and agency bureaus
- Meetings of all concerned cabinet ministers

Japan Coast Guard plays a central role in responding to oil spill accidents. When the volume of spilt oil is large, and oil drifts ashore or the conditions otherwise become more severe, many other ministries and agencies such as the Defense Agency and the National Police Agency will participate, with each fulfilling its proper roles (please refer to the Appendix). Under the conditions where a large number of concerned ministries and agencies are actively engaged and mutual liaison is essential, it is particularly effective for all of the parties concerned to gather together in one location at the Prime Minister's Official Residence and coordinate their response measures.

(Appendix)

Roles of the Concerned Ministries and Agencies in the Event of an Oil Spill Accident

While the actual roles fulfilled by the concerned ministries and agencies in the event of an oil spill will vary depending on the type and scale of the accident, these roles may generally be summarized as follows.

Collection and Transmission of Information

- Collection of information and observation of the accident and damage conditions by aircraft, shipping vessel, and satellite:
 - Japan Coast Guard; Defense Agency; Ministry of Education, Culture, Sports, Science and Technology; Ministry of Public Management, Home Affairs, Posts and Telecommunications; Ministry of Land, Infrastructure and Transport; National Police Agency

Resident Evacuation Guidance, Etc.

- Provision of information and evacuation guidance to local residents:
 - National Police Agency; Fire Defense Agency

Oil Clean-up and Recovery Works

- Oil clean-up and recovery works on sea and on land:
 - Self-Defense Forces; Japan Coast Guard; Fire Defense Agency; National Police Agency; Ministry of Education, Culture, Sports, Science and Technology; Fisheries Agency; Ministry of Land, Infrastructure and Transport
- Provision of oil booms and other equipment for clean-up and recovery:
 - Japan Coast Guard; Fire Defense Agency; Self-Defense Forces; Ministry of Education, Culture, Sports, Science and Technology; Agency of Natural Resources and Energy; Ministry of Land, Infrastructure and Transport
- Transport and other support for equipment for oil clean-up and recovery:
 - Ministry of Land, Infrastructure and Transport; Defense Agency;

Fire Defense Agency; National Police Agency

Evaluation and Environmental Preservation Works

- Evaluation of the effects on the environment:
 - Ministry of the Environment (environment); Fisheries Agency (fisheries resources)
- Rescue of Wildlife:
 - Ministry of the Environment
- Surveys of the effects on residents' health:
 - Ministry of Health, Labour and Welfare; Ministry of the Environment

Other Works

- Securing communications means:
 - Ministry of Public Management, Home Affairs, Posts and Telecommunications
- Liaison and coordination with foreign governments:
 - Ministry of Foreign Affairs
- Transport regulation and other measures to prevent secondary damages:
 - National Police Agency; Japan Coast Guard

Measures to be Taken by the Cabinet Secretariat when Oil Spill Accidents Occur

