

Roles and Responsibilities of Politicians and Bureaucrats

Agreed at the Ministerial Conference
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It is necessary to review the relationship between politicians and bureaucrats and establish leadership by politicians in order to bring about democracy in the truest sense.

The fundamental principle guiding both politicians and bureaucrats is that of committing their full efforts to the realisation of the public interest, as have been set forth for some time in the Rules Governing Ministers, Senior Vice Ministers and Parliamentary Secretaries, Ethical Practices for Politicians, and the National Public Service Ethics Code. On the basis of this fundamental approach, the following has been compiled as guidelines for the Cabinet to undertake in the near future, with an aim of having an appropriate segregation of duties and cooperative relationship between politicians and bureaucrats.

The specific responses at each ministry will be based on the judgement and instructions of the minister, in keeping with these guidelines.

1. Fundamental Understanding

- [1] As persons having the power to legislate and who represent the people, politicians will carry out their responsibility for oversight, to ensure that public administration is conducted impartially and neutrally. In addition, under the parliamentary system they will join the government as ministers, senior vice ministers, parliamentary secretaries, etc. (hereinafter, “minister/ ministers etc.”) and responsibly formulate, coordinate and decide upon policies for public administration while also engaging in the guidance and supervision of the bureaucrats.

Bureaucrats, as servants of the entire nation, will respect the principle of political neutrality and primarily implement policies and undertake the execution of individual public administrative duties in keeping with their areas of expertise, based on laws and ordinances.

- [2] Politicians will take responsibility for formulating, coordinating, and deciding upon policies. In keeping with the needs of the public grasped during the course of their duties, bureaucrats will assist politicians in formulating, coordinating, and deciding upon policies, such as through providing basic data and information for those policies, presenting multiple options, and so on.
- [3] Politicians and bureaucrats will have a relationship characterised by separate duties. They will act as one in executing their duties for the nation and the people, each on the basis of these separate duties.

- [4] Politicians and bureaucrats must each respect these separate roles for which they are responsible and always endeavour to create a relationship based on trust.

2. Guidelines for Responses

The following measures will be taken from the viewpoint of thoroughly instilling leadership by the Cabinet into decision-making on government policies. With regard to the relationship between politicians and bureaucrats, senior vice ministers and parliamentary secretaries etc. will, based on instructions by the minister, carry out the roles stipulated in the Rules Governing Ministers, Senior Vice Ministers and Parliamentary Secretaries in an appropriate and timely manner.

- [1] Based on the provisions stipulated in Article 5, clause 3 of the Basic Act on Reform of National Public Officers' Systems (Act No. 68 of 2008; enacted June 13, 2008), the creation, retention, and other management of records of the interaction between bureaucrats and politicians and the appropriate public disclosure of that information will be implemented through provisions to be stipulated separately.
- [2] During the process of formulating policies, such as the drafting of bills, reporting to the minister, etc. is to be conducted in cases of politicians other than the minister, etc. making specific requests or approaches to bureaucrats. In principle, bureaucrats will not approach politicians other than the minister, etc. However, exceptions will be made in cases in which these approaches are conducted under the guidance and supervision of the minister, etc. in accordance with relevant established guidelines.
- [3] Bureaucrats will fulfil their reporting duties by not keeping secret any information which should be reported to the minister, etc. and by not providing biased information. Furthermore, in accordance with the spirit of the National Public Service Act, bureaucrats will, as servants of the entire nation, carry out in good faith the duties of bureaucrats as elucidated in the Fundamental Understanding section above.
- [4] Press conferences in which the positions of the ministries are expressed are to be conducted by politicians, namely ministers etc. Administrative vice ministers and other bureaucrats will not hold regular press conferences. However, in some cases bureaucrats will conduct press conferences, when the minister etc. has determined that to be appropriate, due to the need for a high degree of expertise or other such circumstances.
- [5] Senior officials in each ministry will provide guidance and supervision to their subordinates so that inappropriate situations do not arise in relations between politicians and bureaucrats. In addition, where appropriate, they will consult with the minister etc. to assist in resolving the situation. Depending on the nature of the problem, the Cabinet will respond even if the issue is confined to a single ministry.

3. Compliance

- [1] The minister etc. will comply thoroughly with Section 1 (1), “Basic standards for duties”, Section 1 (8), “Obligation to maintain confidentiality”, Section 1 (10), “Relations with civil servants”, Section 2 (1), “Appropriate apportion of duties”, etc. stipulated in the Rules Governing Ministers, Senior Vice Ministers and Parliamentary Secretaries.
- [2] Bureaucrats will comply with the National Public Service Ethics Code. In addition, they will handle social meetings with politicians moderately.

Supplementary Provisions

Until the time that the items in section 2 [1] above, which are to be stipulated separately, are set forth, the following measures will be taken:

- [1] Bureaucrats shall report to the minister etc. in cases in which there are requests or approaches from members of the Diet or their secretaries regarding the enforcement of individual items of public administration (eg, adverse disposition, determination of the delivery of subsidies, permits and licences, contracts) and in which it is extremely difficult to respond because there is the possibility that impartiality and neutrality will not be ensured in implementing policies and measures because of a marked difference with government policy or other reasons. Ministers etc. who receive such reports will confirm the contents with the Diet member who has made the request or approach and will respond appropriately under his or her own responsibility, by ensuring the appropriateness of relations between politicians and bureaucrats or other measures.
- [2] Regarding the items to be reported to ministers etc. in accordance with [1] above, bureaucrats will keep a record of the handling of the situation in question, including dates and times, the developments, the content etc., and retain this record upon receiving the confirmation of the minister, etc. In this case and in cases in which records are retained under the provisions of section 2 [2] above, bureaucrats will take sufficient care to ensure the accuracy of the records, and in cases in which detailed information on statements is retained, they will request reconfirmation from the person(s) making the statements.