



Explanation Note on the Statement of the General Assembly (December 2022) calling upon the Government to reconsider its planned amendment of the Law concerning the Science Council of Japan

February 7, 2023

1. In December 2022, the Government of Japan announced its intention to amend the Law concerning the Science Council of Japan (SCJ) (hereinafter "the Law") by presenting a policy document entitled the "Policy Concerning the Science Council of Japan". The amendment bill is currently slated for submission before the Diet in the coming regular session which has just started this January (January 2023).
2. We, Science Council of Japan (SCJ), have grave concerns about the planned amendment, though its details have not yet been disclosed. We have, in particular, serious concern about the amendment which modifies the current selection procedure of the Council members which is through co-optation (i.e. the act of making selecting a new member through choice of existing members). The amendment establishes, separately from the co-optation procedure, a committee composed of non-Council members including non-scientists and possibly authorised to intervene in the selection of members, including the decision on selection criteria and the nomination itself of Council members.
3. We believe that this would place the national academy under political and administrative control or pressure, and thus radically change the character of the national academy, SCJ. The measure would undermine SCJ's scientific freedom, and its freedom of choice in selecting which scholars to appoint to scientific governance bodies, which is the fundamental basis of national academy.
4. What is the most critical is that the policy document guiding the amendment was elaborated without any explanation to and consultation with the SCJ and its members. Furthermore, details of the amendment bill have not been disclosed and have not undergone consultation with the SCJ, academia and the general public. This is despite the fact that the bill is planned to be submitted to the Diet shortly. We have strong concern about such lack of transparency

and of due process. This undermines mutual trust between policy and science.

5. On these grounds, at its General Assembly meeting in December 2022, the SCJ, with the consensus of its members, issued a statement calling on the Government with "strong determination" to reconsider its planned amendment of the Law.

6. The major points of the statement issued by the General Assembly with background information are attached to this document.

7. We understand that in all civilized countries that respect and value freedom and democracy, the autonomy and independence of national academy in its organisation and activities including the selection of its members, are respected and safeguarded without any intervention.

8. We firmly believe that the autonomy of science and scientific freedom are essential conditions for the realisation of democratic values. We also believe that the development of such a situation would challenge the autonomy of science and thus the democratic values in Japan, where democracy and freedom are its national fundamental values.

9. We resolutely and determinedly call upon the Government to reconsider its planned amendment of the Law.

10. We sincerely appeal to the global scientific community, sharing its mission and willingness to contribute to the enhancement of the well-being of humanity, through the quest for truth and the provision of scientific knowledge to society, toward the realisation of a free and democratic world, to call attention to the situation now unfolding in Japan regarding its national academy, the Science Council of Japan.

Major points and background information of the Statement of the General Assembly (December 2022) calling upon the Government to reconsider its planned amendment of the Law concerning the Science Council of Japan

Grave concerns on the planned amendment of the Law concerning the Science Council of Japan

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The Science Council of Japan: its history and role

6. The SCJ was established in January 1949, following the Second World War, and during the

Allied Occupation, as the body representing Japanese scientists and researchers in all academic fields, both in Japan and abroad, "in the conviction that science is the basis of a cultural State (*Kulturstaat*)".

7. The SCJ was established by the 'Law concerning the Science Council of Japan' (hereinafter "the Law") as a body that functions 'independently,' under the jurisdiction of the Prime Minister, and funded by the national treasury.

8. The Law stipulates that the Government may consult the SCJ on important policy and measures relating to science, and the Law also gives the SCJ the ability to make recommendations to the Government on relevant matters.

9. Reflecting on the ravages of World War II, it was a common conviction that independence of scientific activity is critically important as a basis for the democratisation and reconstruction of Japanese society, which is the very foundation of the Law.

10. Initially, Council members were nominated through election, by scientists from all over the country. After several subsequent amendments to the Law, since 2004, Council members are selected through the current co-optation procedure.

11. The term of office of members, which was set originally at three years (re-election possible), is currently set at six years (re-election not allowed).

12. Under the Law, the Prime Minister appoints Council members, but it is understood that the Prime Minister's appointment is based solely on the recommendation of the SCJ, and thus the autonomy of the scientific community in the selection of Council members is institutionally guaranteed.

Rejection of the appointment of six scholars to the Council and the planned amendment of the Law concerning the SCJ

13. In October 2020, the Former Prime Minister Yoshihide Suga refused to appoint six of the 105 nominees as Council members recommended by the SCJ; no reasons were forthcoming.

14. The SCJ has strongly and repeatedly requested the immediate appointment of the six as well as the disclosure of the reasons for the refusal; to date, however, the reasons have not yet been forthcoming:

15. In autumn 2020, the Minister of State for Science and Technology Policy, under instructions from Prime Minister Suga, announced his intention to initiate a fundamental review of the SCJ, and the SCJ was requested to review its activities by itself.

16. The SCJ, on its own initiative, started to review its activities in order to play a better role toward society.

17. To this end, in April 2021, the General Assembly of the SCJ approved a document titled "Towards a Better Role of the Science Council of Japan." Since then, the SCJ has been carrying

out reforms based on this document.

18. At the same time, the aforementioned document identified five conditions to be met to enable a national academy to play its essential role.

19. The five conditions are as follows: (i) status as an institution representing the nation's academic community is granted; (ii) qualification as an official/ public organization; (iii) assurance of stable financial basis supported by public budget; (iv) guarantee of independence from the government in terms of activities; and (v) guarantee of autonomy and independence in the selection of its members.

20. The Government presented a policy document entitled the "Policy Concerning the Science Council of Japan" in December 2022.

21. The policy document and its verbal explanations by the government at the General Assembly last December accuses governance of the SCJ, especially the member selection process, of lacking transparency, without presenting those facts on which they are based. They indicate also the possibility of intervening in the selection process by introducing members from outside academia.

22. In particular, the policy document indicates the Government's intention to modify the current member selection process by establishing, separately from the co-optation procedure, a committee authorised to intervene in the selection of members, including the decision on selection criteria and the nomination itself of Council members. This action may undermine some of the abovementioned five conditions to be met for being a national academy, especially autonomy and independence in the selection of its members.

23. Of particular importance is that the Government plans to apply a new member selection procedure to be modified by the planned amendment to the selection process for the next term (starting in October 2023), which has already started and in progress. To do so, the Government plans to stop the ongoing selection process, and to require the SCJ to cancel member selection and restart it under the new procedure and, even further, plans to extend the terms of office for current members.

24. The autonomy and independence in the selection of members and thus the independence of its activities as a whole risks being seriously undermined.

25. What is the most critical is that the policy document guiding the amendment was elaborated without any explanation to and consultation with the SCJ and its members. Furthermore, details of the amendment bill have not been disclosed and have not undergone consultation with the SCJ, academia and the general public. This is despite the fact that the bill is planned to be submitted to the Diet shortly. We have strong concern about such lack of transparency and of due process. This undermines mutual trust between policy and science.

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