

DEFENSE

Cooperative Research

Agreement Between the UNITED STATES OF AMERICA and JAPAN

Effectuated by Exchange of Notes at Tokyo April 16, 2019

Entered into force April 16, 2019



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

Tokyo, April 16, 2019

Excellency:

I have the honor to acknowledge the receipt of Your Excellency's Note of today's date, which reads as follows:

"I have the honor to refer to the Mutual Defense Assistance Agreement Between Japan and the United States of America, signed at Tokyo on March 8, 1954 (hereinafter referred to as "the MDA Agreement"), which provides, inter alia, that each Government, consistently with the principle that economic stability is essential to international peace and security, will make available to the other such equipment, materials, services, or other assistance as the Government furnishing such assistance may authorize, in accordance with such detailed arrangements as may be made between them.

The Guidelines for Japan-U.S. Defense Cooperation dated April 27, 2015, confirm that the Self-Defense Forces and the United States Armed Forces will conduct bilateral operations to counter ground attacks against Japan by ground, air, maritime, or amphibious forces.

In this regard, the representatives of the Government of Japan and the Government of the United States of America have recently held discussions for the purpose of making such detailed arrangements as mentioned above concerning a program for the cooperative research on Amphibious Operational Technologies (hereinafter referred to as "the Program"), taking into account the exchange of information undertaken in accordance with the Memorandum of Understanding Between the Ministry of Defense of Japan and the Department of Defense of the United States of America concerning projects for cooperative research, signed on February 17, 2010 (hereinafter referred to as "the Memorandum of Understanding of 2010"), made under the Exchange of Notes of the same date between the Government of Japan and the Government of the United States of America concerning a program for the cooperative research on Image Gyro for Airborne Applications and concerning the

His Excellency
Taro Kono,

Minister for Foreign Affairs of Japan

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DIPLMATIC NOTE



formulation of additional programs for cooperation research under the MDA Agreement. The following is the proposal of the Government of Japan regarding the results of the above-mentioned discussions:

1. In accordance with the detailed implementing arrangements to be made under paragraph 4 of this understanding, the Government of Japan and the Government of the United States of America shall mutually provide information, equipment, and materials that are necessary to implement the Program, subject to the laws and regulations of each country. The two Governments shall jointly bear the costs necessary for the execution of the Program.
2. The Program shall be undertaken through contracts with industries of Japan and industries of the United States of America to the extent necessary.
3. The present agreement shall be implemented in accordance with the MDA Agreement and arrangements made thereunder, including the Agreement Between the Government of Japan and the Government of the United States of America to Facilitate Interchange of Patent Rights and Technical Information for Purposes of Defense, signed at Tokyo on March 22, 1956.
4. In order to implement the present agreement, representatives of the competent authorities of the two Governments shall make detailed implementing arrangements that shall be applied to the Program. The detailed implementing arrangements shall consist of the Memorandum of Understanding of 2010 and project arrangements. For such arrangements, the competent authority of the Government of Japan shall be the Ministry of Defense, and the competent authority of the Government of the United States of America shall be the Department of Defense.
5. The financial obligations and expenditures incurred by the Government of Japan and the Government of the United States of America under the present agreement and all arrangements to be made hereunder shall be subject to budget authorization pursuant to the constitutional and legislative provisions of the respective countries.

I have the honor to propose that, if the above proposal is acceptable to the Government of the United States of America, the present Note and Your Excellency's

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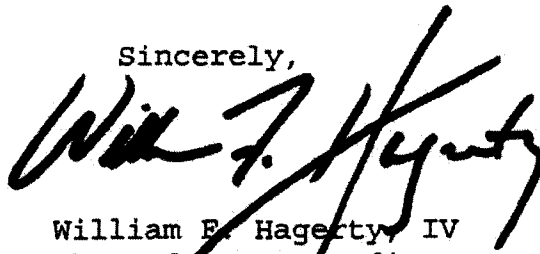
reply of acceptance shall be regarded as constituting an agreement between the two Governments, which shall enter into force on the date of Your Excellency's reply and shall remain in force until six months after the date of the receipt of notice of termination by either Government.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration."

I have the honor to confirm on behalf of the Government of the United States of America that the foregoing proposal is acceptable to the Government of the United States of America and to agree that Your Excellency's Note and this reply shall be regarded as constituting an agreement between the two Governments which shall enter into force on the date of this reply and shall remain in force until six months after the date of the receipt of notice of termination by either Government.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

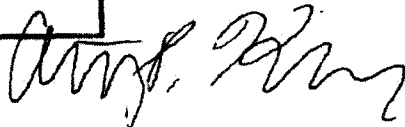
Sincerely,



William F. Hagerty, IV
Ambassador Extraordinary
and Plenipotentiary
of the United States of America



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書簡をもつて啓上いたします。本大臣は、千九百五十四年三月八日に東京で署名された日本国とアメリカ合衆国との間の相互防衛援助協定（以下「MDA協定」という。）に言及する光榮を有します。MDA協定は、經濟の安定が國際の平和及び安全保障に欠くことができないという原則と矛盾しない限り、各政府が、他方の政府に対し、援助を供与する政府が承認することがある裝備、資材、役務その他の援助を、両政府の間で行うべき細目取極に従つて、使用に供するものとすることを特に規定しています。

二千十五年四月二十七日付けの日米防衛協力のための指針は、自衛隊及び合衆國軍隊が、日本国に対する陸上攻撃に対処するため、陸上部隊、航空部隊、海上部隊又は水陸兩用部隊を用いて、共同作戰を実施すると確認しています。

この関連で、日本国政府及びアメリカ合衆國政府の代表者は、航空機器への応用のための画像ジャイロに係る共同研究に関する計画及びMDA協定に基づく共同研究に関する新たな計画の作成についての二千二十年二月十七日の日本国政府とアメリカ合衆國政府との間の交換公文に基づいて作成され、同日に署名された共同研究事業に関する日本国防衛省とアメリカ合衆國国防省との間の了解覚書（以下「二千十年の了解覚書」という。）に従つて実施された情報の交換を考慮し、最近、水陸兩用作戰技術に係る共同研究に関する計画

(以下「計画」という。) に関し、前記の細目取極を行うため討議を行いました。この討議の結果に関する日本国政府の提案は、次のとおりであります。

1 4の規定に基づいて行われる実施細目取極に従い、日本国政府及びアメリカ合衆国政府は、計画の実施のために必要な情報、装備及び資材をそれぞれの国の法令に従って相互に提供する。両政府は、計画の実施のために必要な資金を共同して負担する。

2 計画は、必要な範囲内で、日本国及びアメリカ合衆国の企業との契約を通じて実施される。

3 この合意は、MDA協定及びMDA協定に基づく取極(千九百五十六年三月二十二日に東京で署名された防衛目的のためにする特許権及び技術上の知識の交流を容易にするための日本国政府とアメリカ合衆国政府との間の協定を含む。)に従って実施される。

4 この合意を実施するため、両政府の権限のある当局の代表者は、計画に適用される実施細目取極を行う。当該実施細目取極は、二十年の了解書及び事業取決めから成る。当該実施細目取極につき、日本国政府の権限のある当局は防衛省とし、アメリカ合衆国政府の権限のある当局は国防省とする。

5 この合意及びこの合意に基づいて行われる全ての取決めの下で日本国政府及びアメリカ合衆国政府が行

う財政上の債務の負担及び支出は、それぞれの国の憲法上及び法律上の規定に従つて予算の承認を得たところにより行ふ。

本大臣は、前記の提案がアメリカ合衆国政府により受諾される場合には、この書簡及び受諾する旨の閣下の返簡が両政府間の合意を構成するものとみなし、その合意が閣下の返簡の日付の日に効力を生じ、かつ、いずれか一方の政府による終了の通告の受領の日の後六箇月が経過する時まで効力を有するものとすることを提案する光榮を有します。

本大臣は、以上を申し進めるに際し、ここに重ねて閣下に向かって敬意を表します。

二千十九年四月十六日に東京で

日本国外務大臣

河野太郎

アメリカ合衆国特命全權大使

ウィリアム・F・ハガティ閣下

Translation

Tokyo, April 16, 2019

Excellency,

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His Excellency
Mr. William F. Hagerty IV
Ambassador Extraordinary
and Plenipotentiary
of the United States of America

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Taro Kono
Minister for Foreign Affairs
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