

## **DEFENSE**

### **Cooperative Research**

#### **Agreement Between the UNITED STATES OF AMERICA and JAPAN**

Effectuated by Exchange of Notes at Tokyo August 3, 2020

Entered into force August 3, 2020



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.”

August 3, 2020

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 Government of Japan and the Government of the United States of America recognize that Command, Control, Communications, Computers, Intelligence, Surveillance, and Reconnaissance Capabilities (hereinafter referred to as "C4ISR Capabilities") are important elements in the defense policy of both Japan and the United States of America.

The policy of the Government of Japan is that the strengthening of C4ISR Capabilities is one of the priorities in strengthening capabilities necessary for cross-domain operations as well as strengthening the Alliance's deterrence and response capabilities. The policy of the Government of the United States of America is that modernized C4ISR Capabilities are one of the key capabilities to address competitors' ambitions and enhancement of their capabilities.

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 C4ISR Capabilities within the scope of the above-mentioned policy of each of the two Governments (hereinafter referred to as "the Program"), taking into account the exchange of information

His Excellency  
Toshimitsu Motegi,  
Minister for Foreign Affairs,  
Tokyo, Japan.

DIPLOMATIC NOTE

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 formulation of additional programs for cooperative research under the MDA Agreement. The following is the understanding 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 understanding 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 understanding, 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, as it may be amended, 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 understanding and all arrangements to be made hereunder shall be subject to

budget authorization pursuant to the constitutional and legislative provisions of the respective countries.

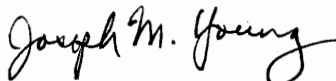
I have the honor to propose that, if the above understanding is acceptable to the Government of the United States of America, the present Note and your reply of acceptance shall be regarded as constituting an agreement between the two Governments, which shall enter into force on the date of your reply 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 you the assurance of my high consideration."

I have the honor to confirm on behalf of the Government of the United States of America that the foregoing understanding 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,

A handwritten signature in cursive script, reading "Joseph M. Young".

Joseph M. Young  
Chargé d'Affaires ad interim  
of the United States of America

書簡をもって啓上いたします。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って、使用に供するものとすることを特に規定しています。

日本国政府及びアメリカ合衆国政府は、指揮、統制、通信、コンピュータ、情報、監視及び偵察の能力（以下「C4ISR能力」という。）が日本国及びアメリカ合衆国両国の防衛政策における重要な要素であることを認識しています。

日本国政府の政策は、C4ISR能力の強化が領域横断作戦に必要な能力の強化並びに同盟の抑止力及び対処力の強化における優先事項の一つであるというものです。アメリカ合衆国政府の政策は、近代化されたC4ISR能力が競争者の野心及びその能力の向上に対処するための重要な能力の一つであるというものです。

この関連で、日本国政府及びアメリカ合衆国政府の代表者は、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M D A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二千十年二月十七日の日本国政府とアメリカ合衆国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。）に従って実施された情報の交換を考慮し、最近、各政府の前記の政策の範囲内で行われるC 4 I S R能力に係る共同研究に関する計画（以下「計画」という。）に関して前記の細目取極を行うために討議を行いました。この討議の結果に関する日本国政府の了解は、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 この了解は、M D A協定及びM D A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 この了解を実施するため、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、二千十年の了解覚書（その改正を含む。）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 この了解及びこの了解に基づいて行われる全ての取極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って予算の承認を得たところにより行う。

本大臣は、前記の了解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貴官の返簡が両政府間の合意を構成するものとみなし、その合意が貴官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、ここに重ねて貴官に向かって敬意を表します。



二千二十年八月三日に東京で

日本国外務大臣

矢野龍溪

アメリカ合衆国臨時代理大使

ジョセフ・M・ヤング殿

Translation

Tokyo, August 3, 2020

Sir,

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.

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Mr. Joseph M. Young  
Chargé d'Affaires ad interim  
of the United States of America

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 C4ISR Capabilities within the scope of the above-mentioned policy of each of the two Governments (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 formulation of additional programs for cooperative research under the MDA Agreement. The following is the understanding of the Government of Japan regarding the results of the above-mentioned discussions:

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5. The financial obligations and expenditures incurred by the Government of Japan and the Government of the United States of America under the present understanding and all arrangements to be made hereunder shall be subject to budget authorization pursuant to the constitutional and legislative provisions of the respective countries.

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MOTEGI Toshimitsu  
Minister for Foreign Affairs  
of Japan