

CORRECTION SLIP

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Treaty Series No. 00 (2009) under the crest on the title page (page 1), should read 'Treaty Series No. 05 (2009)'.



Treaty Series No. 00 (2009)

EXCHANGE OF NOTES

between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Japan concerning the Supply of Logistic Support to the United Kingdom Armed Forces

Tokyo, 5 February 2008

[The Exchange of Notes entered into force on 5 February 2008]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
2009*

Cm 7578

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**EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
AND THE GOVERNMENT OF JAPAN CONCERNING THE SUPPLY OF
LOGISTIC SUPPORT FOR THE UNITED KINGDOM ARMED FORCES**

No. 1

*The Minister for Foreign Affairs of Japan to the British Ambassador at Tokyo
Ministry of Foreign Affairs
Tokyo*

5 February 2008

書簡をもって啓上いたします。本大臣は、日本国のテロ対策海上阻止活動に対する補給支援活動の実施に関する特別措置法（平成二十年法律第一号。以下「法」という。）に言及する光栄を有します。

法の目的は、二千一年九月十一日にアメリカ合衆国において発生したテロリストによる攻撃によってもたらされている脅威の除去に努めることにより国際連合憲章の目的の達成に寄与する活動のうち、テロリスト、武器等の移動を国際的協調の下に阻止し及び抑止するためインド洋上を航行する船舶に対して検査、確認その他の必要な措置を執る活動（以下「テロ対策海上阻止活動」という。）の円滑かつ効果的な実施に資するため、テロ対策海上阻止活動に係る任務に従事する諸外国の軍隊その他これに類する組織の艦船に対し日本国の自衛隊に属する物品及び役務の提供（艦船若しくは艦船に搭載する回転翼航空機の燃料油の給油又は給水を内容とするものに限る。）に係る活動を実施することにより、日本国が国際的なテロリズムの防止及び根絶のための国際社会の取組に引き続き積極的かつ主体的に寄与し、もって日本国を含む国際社会の平和及び安全の確保に資することにあります。

本大臣は、更に、法に従ってグレートブリテン及び北アイルランド連合王国（以下「連合王国」という。）の軍隊その他これに類する組織に提供される後方支援の分野における物品又は役務（以下「後方支援、物品

又は役務」という。）に関する両政府間の討議に言及するとともに、それらの討議の結果、次の取極を日本国政府に代わって提案する光栄を有します。

1 法に従って連合王国の軍隊その他これに類する組織に提供され、かつ、これらにより受領される後方支援、物品又は役務の使用は、国際連合憲章と両立するものでなければならぬ。

2 法に従って連合王国の軍隊その他これに類する組織に提供され、かつ、これらにより受領される後方支援、物品又は役務については、日本国政府の事前の同意を得ないで、一時的であれ又は永続的であれ、いかなる手段によっても連合王国の軍隊その他これに類する組織以外の者に移転してはならぬ。

3 日本国政府及び連合王国政府は、この取極の効果的な実施のために相互に協議する。

本大臣は、更に、前記の提案が連合王国政府にとって受諾し得るものである場合には、この書簡及び連合王国政府に代わるその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ずるものとすることを提案する光栄を有します。

本大臣は、以上を申し進めるに際し、ここに閣下に向かって敬意を表します。

二千八年二月五日に東京で

日本国外務大臣

高村正彦

日本国駐在連合王国特命全権大使

グレアム・ホルブルック・フライ閣下

Translation of No.1

Sir Graham Holbrook Fry KCMG,
Ambassador Extraordinary
and Plenipotentiary
of the United Kingdom of Great Britain and Northern Ireland

Tokyo, February 5, 2008

Excellency,

I have the honour to refer to Japan's Law Regarding Special Measures Concerning Supply Assistance Activities in Support of Counter-Terrorism Maritime Interdiction Activities (Law No.1 of 2008, hereinafter referred to as "the Law").

The purpose of the Law is to continue active and voluntary contributions to efforts by the international community for the prevention and eradication of international terrorism, and thereby contribute to ensuring peace and security of the international community including Japan, through activities related to the provision of supplies and services of the Self-Defense Forces of Japan (limited to activities that provide fuel for vessels or rotary wing aircraft carried on vessels and water) to vessels of the armed forces or other similar entities of foreign countries, which are engaged in duties related to activities that contribute to the achievement of the purposes of the Charter of the United Nations by making efforts to eradicate the threat caused by the terrorist attacks in the United States of America on September 11, 2001, and to take necessary measures as the inspection and verification of vessels sailing the Indian Ocean with a view to interdicting and deterring the movements of terrorists, weapons or other material under international cooperation (hereinafter referred to as "counter-terrorism maritime interdiction activities"), in order to assist the smooth and effective implementation of counter-terrorism maritime interdiction activities.

I have further the honour to refer to the discussions that have taken place between our two Governments concerning supplies and services in the field of logistic support (hereinafter referred to as "the logistic support, supplies and services") contributed to the armed forces or other similar entities of the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as "the United Kingdom") in accordance with the Law and to propose on behalf of the Government of Japan the following arrangements as a result of those discussions:

1. The use of logistic support, supplies and services contributed to and accepted by the armed forces or other similar entities of the United Kingdom in accordance with the Law shall be consistent with the Charter of the United Nations.
2. The logistic support, supplies and services contributed to and accepted by the armed forces or other similar entities of the United Kingdom in accordance with the Law shall not be transferred, either temporarily or permanently, by any means to persons outside of the armed forces or other similar entities of the United Kingdom, without the prior consent of the Government of Japan.
3. The Government of Japan and the Government of the United Kingdom will consult with each other for the purpose of effective implementation of the present arrangements.

I have further the honour to propose that, if the proposals set out above are acceptable to the Government of the United Kingdom, this Note and Your Excellency's reply to that effect on behalf of the Government of the United Kingdom shall be regarded as constituting an agreement between the two Governments in this matter, which shall enter into force on the date of Your Excellency's reply.

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

MASAHIKO KOUMURA

No. 2

The British Ambassador at Tokyo to the Minister of Foreign Affairs of Japan

*British Embassy
Tokyo*

5 February 2008

Excellency,

I have the honour to acknowledge the receipt of Your Excellency's Note of today's date concerning the discussions which have taken place between our two Governments concerning the logistic support, supplies and services contributed to the armed forces or other similar entities of the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as "the United Kingdom"), which reads as follows:

[As in No. 1]

I have further the honour to confirm on behalf of the Government of the United Kingdom that the proposals set out in Your Excellency's Note are acceptable to the Government of the United Kingdom and that Your Excellency's Note and this reply shall be regarded as constituting an agreement between our two Governments, which shall enter into force on the date of this reply.

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

GRAHAM FRY



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