

No. 10342

**UNITED STATES OF AMERICA
and
JAPAN**

**Exchange of notes constituting an agreement concerning
co-operation in space activities for peaceful purposes
(with attachment). Tokyo, 31 July 1969**

Authentic texts: Japanese and English.

Registered by the United States of America on 4 March 1970.

**ÉTATS-UNIS D'AMÉRIQUE
et
JAPON**

**Échange de notes constituant un accord de coopération dans
le domaine des activités spatiales à des fins pacifiques
(avec annexe). Tokyo, 31 juillet 1969**

Textes authentiques: japonais et anglais.

Enregistré par les États-Unis d'Amérique le 4 mars 1970.

[TRANSLATION — TRADUCTION]

The Minister of Foreign Affairs of Japan to the Secretary of State

[See note II]

II

The Secretary of State to the Minister for Foreign Affairs of Japan

EMBASSY OF THE UNITED STATES OF AMERICA

No. 535

Tokyo, July 31, 1969

Excellency :

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

Excellency,

I have the honour to refer to recent conversations between the representatives of the Government of Japan and the Government of the United States of America concerning cooperation between the two countries in space activities for peaceful purposes. The understanding of my Government of the results of these conversations is as follows :

(1) The United States Government undertakes, in accordance with United States laws and administrative procedures, to permit United States industry to provide to the Japanese Government or to Japanese industry under contract with the Japanese Government, unclassified technology and equipment listed in the attachment to this Note for the development of Japanese Q and N launch vehicles and communications and other satellites for peaceful applications.

(2) The Japanese Government undertakes (a) to ensure that any technology or equipment transferred to Japan under paragraph (1) above will be used solely for peaceful purposes; (b) to take all available steps in accordance with Japanese laws, regulations and administrative procedures to prevent transfer to third countries of such technology and equipment, and any launch vehicles and communications or other satellites, and components, parts, accessories and attachments thereof manufactured by use of such technology or equipment except by mutual agreement between the two Governments; and (c) to use communication satellites developed or launched with United States cooperation compatibly with the objectives and purposes of the INTELSAT* arrangements as they exist or evolve.

I have the honour to propose that the present Note and your Note in reply confirming the foregoing understandings on behalf of the Government of the United States shall constitute an Agreement which shall enter into force on the date of your Note.

* International Telecommunications Satellite Consortium.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration. Kiichi AICHI

ATTACHMENT TO U.S./JAPANESE AGREEMENT CONCERNING THE PROVISION BY U.S. INDUSTRY OF CERTAIN CATEGORIES OF UNCLASSIFIED TECHNOLOGY AND EQUIPMENT FOR THE DEVELOPMENT OF JAPANESE Q AND N LAUNCH VEHICLES AND COMMUNICATIONS AND OTHER SATELLITES FOR PEACEFUL APPLICATIONS

TECHNOLOGY AND EQUIPMENT

A. The technology and equipment referred to in this Agreement include that software and hardware pertaining to communications and other satellites for peaceful applications, and to Q and N launch vehicles technology, and to associated ground support technology related directly to, and necessary for, placing satellites in geostationary orbit.

Software is understood to comprise information concerning program management, systems engineering and design, testing and manufacture. Hardware is understood to comprise components, parts, accessories, attachments and associated equipment.

B. This Agreement will cover unclassified technology and equipment up to the level of the Thor-Delta vehicle systems, exclusive of reentry and related technology.

C. In exceptional cases, the United States may license the export of hardware rather than export of design, development or production information

D. United States supplying companies will be responsible for filing application for all United States export licenses required. To facilitate the provision of United States technology and equipment, it is understood that each export license application under this program will include a statement by the Japanese Government as to whether the technology or equipment requested is (i) directly for a specified Japanese Government agency (ii) for a Japanese company which is acting pursuant to a Japanese Government contract.

E. The Japanese Government, as referred to in paragraph (1) of the Agreement and in subparagraphs D (i) and (ii) of the Attachment is understood to include the Space Development Corporation, a public corporation which will come into operation in October, 1969.

In reply, I have the honor to confirm on behalf of the United States Government that the foregoing also represents the understanding of my Government. It is the understanding of the United States Government that this Agreement enters into force as of the date of this Note.

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

William P. ROGERS

His Excellency Kiichi Aichi
Minister for Foreign Affairs
Tokyo