

AGREEMENT AMENDING
THE AGREEMENT BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND
THE GOVERNMENT OF JAPAN
CONCERNING RECIPROCAL PROVISION OF LOGISTIC SUPPORT,
SUPPLIES AND SERVICES
BETWEEN
THE ARMED FORCES OF THE UNITED STATES OF AMERICA AND
THE SELF-DEFENSE FORCES OF JAPAN

The Government of the United States of America and the
Government of Japan,

Recognizing the importance of promoting efficient
performance of the respective roles of the Armed Forces of
the United States of America and the Self-Defense Forces of
Japan in coping with armed attack against Japan and of
expanding cooperation between the Armed Forces of the
United States of America and the Self-Defense Forces of
Japan in operations conducted to further the efforts of the
international community to contribute to international
peace and security, to cope with large scale disasters, or
for other purposes,

Desiring to amend the Agreement between the Government
of the United States of America and the Government of Japan
concerning reciprocal provision of logistic support,
supplies and services between the Armed Forces of the
United States of America and the Self-Defense Forces of
Japan signed at Tokyo on April 15, 1996, as amended by the
Agreement amending the Agreement between the Government of
the United States of America and the Government of Japan
concerning reciprocal provision of logistic support,
supplies and services between the Armed Forces of the
United States of America and the Self-Defense Forces of
Japan signed at Tokyo on April 28, 1998 (hereinafter
referred to as "the Agreement as amended"),

Have agreed as follows:

Article I

The preamble of the Agreement as amended shall be
amended by replacing the words "and humanitarian
international relief operations" by the words "
humanitarian international relief operations and other
operations".

Article II

Paragraph 1 of Article I of the Agreement as amended shall be amended by replacing the period at the end of subparagraph b. with a semi-colon, and adding the following:

- "c. the term "armed attack situations" means situations in which armed attack against Japan occurs or situations in which it is recognized that clear danger of armed attack against Japan is imminent;
- d. the term "situations in which armed attack is anticipated" means situations which are not yet armed attack situations but in which circumstances are critical and armed attack against Japan is anticipated."

Article III

Paragraph 2 of Article I of the Agreement as amended shall be replaced by the following:

"2. The purpose of this Agreement is to establish basic terms and conditions for the reciprocal provision of logistic support, supplies and services, between the Armed Forces of the United States of America and the Self-Defense Forces of Japan, necessary for bilateral exercises and training, United Nations Peacekeeping Operations, humanitarian international relief operations, operations in response to situations in areas surrounding Japan, operations which are necessary for repelling armed attack against Japan in armed attack situations or situations in which armed attack is anticipated, or operations as specified in Article VI."

Article IV

Paragraph 2 of Article II of the Agreement as amended shall be amended by replacing the words "the Annex" by the words "Annex 1".

Article V

Paragraph 2 of Article IV of the Agreement as amended shall be amended by replacing the words "the Annex referred to in Article II" by the words "Annex 1".

Article VI

The following new Articles shall be inserted immediately after Article IV of the Agreement as amended:

"Article V

1. When either Party requests, under this Agreement, the other Party to provide logistic support, supplies and services necessary for operations which are conducted by the Armed Forces of the United States of America or the Self-Defense Forces of Japan, in armed attack situations or situations in which armed attack is anticipated, in accordance with the laws and regulations of the respective countries and which are necessary for repelling armed attack against Japan, the other Party, within its competence, may provide the logistic support, supplies and services requested.

2. The logistic support, supplies and services related to the following categories may be provided under this Article: food; water; billeting; transportation (including airlift); petroleum, oils, and lubricants; clothing; communications; medical services; base support; storage; use of facilities; training services; spare parts and components; repair and maintenance; airport and seaport services; and ammunition.

The logistic support, supplies and services related to each category are specified in Annex 1.

3. Paragraph 2 of this Article shall not be interpreted as to include the provision of weapons systems by the Armed Forces of the United States of America, or the provision of weapons by the Self-Defense Forces of Japan.

4. When the Self-Defense Forces of Japan is requested to provide logistic support, supplies and services under paragraph 1 of this Article by the Armed Forces of the United States of America, it is understood that the provision of logistic support, supplies and services by the Self-Defense Forces of Japan to the Armed Forces of the United States of America will be conducted pursuant to the relevant laws of Japan concerning its actions to cope with armed attack situations or situations in which armed attack is anticipated.

Article VI

1. When either Party requests, under this Agreement, the other Party to provide logistic support, supplies and services necessary for operations, other than those which fall within the scope of Article II, III, IV, or V, conducted by the Armed Forces of the United States of America or the Self-Defense Forces of Japan in accordance with the laws and regulations of the respective countries to further the efforts of the international community to contribute to international peace and security, to cope with large scale disasters, or for other purposes, the other Party, within its competence, may provide the logistic support, supplies and services requested.

2. The logistic support, supplies and services related to the following categories may be provided under this Article: food; water; billeting; transportation (including airlift); petroleum, oils, and lubricants; clothing; communications; medical services; base support; storage; use of facilities; training services; spare parts and components; repair and maintenance; and airport and seaport services.

The logistic support, supplies and services related to each category are specified in Annex 1.

3. Paragraph 2 of this Article shall not be interpreted as to include the provision of weapons systems or ammunition by the Armed Forces of the United States of America, or the provision of weapons or ammunition by the Self-Defense Forces of Japan.

4. When the Self-Defense Forces of Japan is requested to provide logistic support, supplies and services under paragraph 1 of this Article by the Armed Forces of the United States of America, it is understood that the provision of logistic support, supplies and services by the Self-Defense Forces of Japan to the Armed Forces of the United States of America will be conducted pursuant to the provisions of the laws of Japan specified in Annex 2 which are currently in effect."

Article VII

Remaining Articles V, VI, VII, VIII, IX, and X of the Agreement as amended shall be renumbered as Articles VII, VIII, IX, X, XI, and XII, respectively. The references to "Article V" and "Article VIII" in renumbered Article VIII shall be replaced by references to "Article VII" and "Article X", respectively.

Article VIII

The following new paragraph shall be inserted immediately after paragraph 2 of renumbered Article XII of the Agreement as amended:

"3. An amendment of this Agreement agreed to between the Parties shall enter into force on the 30th day after the date of receipt by the Government of the United States of America of a written notice from the Government of Japan of approval of the amendment by Japan and shall remain in force as long as this Agreement remains in force. However, Annex 2 of this Agreement may be modified by agreement between the Parties without amendment of this Agreement. Modifications of Annex 2 shall take effect on the date upon which they have been confirmed by exchange of diplomatic notes."

Article IX

The Annex of the Agreement as amended shall be replaced by Annex 1 attached to this Agreement. Annex 2 attached to this Agreement shall be added to the Agreement as amended as Annex 2.

Article X

This Agreement shall enter into force on the 30th day after the date of receipt by the Government of the United States of America of a written notice from the Government of Japan of approval of this Agreement by Japan and shall remain in force as long as the Agreement as amended remains in force.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

DONE in duplicate, in the English and Japanese languages, both equally authentic, at Tokyo, this twenty-seventh day of February, two thousand four.

FOR THE GOVERNMENT
OF THE UNITED STATES
OF AMERICA:

FOR THE GOVERNMENT
OF JAPAN:

K. A. M. S. L. Y.

川口順子

Annex 1

Category	
Food	food, provision of meals, cooking utensils, and the like
Water	water, water supply, equipment necessary for water supply, and the like
Billeting	use of billeting and bathing facilities, beddings, and the like
Transportation (including airlift)	transportation of persons and goods, transport equipment, and the like
Petroleum, oils, and lubricants	petroleum, oils, and lubricants, refueling, equipment necessary for refueling, and the like
Clothing	clothing, mending of clothing, and the like
Communications	use of communication facilities, communication services, communication equipment, and the like
Medical services	medical treatment, medical equipment, and the like
Base support	collection and disposal of waste, laundry, electric supply, environmental services, decontamination equipment and services, and the like
Storage	temporary storage in warehouse or refrigerated storehouse, and the like
Use of facilities	temporary use of buildings, facilities, and land, and the like
Training services	dispatch of instructors, materials for educational and training purposes, consumables for training purposes, and the like
Spare parts and components	spare parts and components of military aircraft, vehicles, and ships, and the like
Repair and maintenance	repair and maintenance, equipment for repair and maintenance, and the like
Airport and seaport services	services for arrival and departure of aircraft and ships, loading and unloading, and the like
Ammunition	ammunition, provision of ammunition, equipment necessary for provision of ammunition, and the like

Annex 2

Provisions of the Laws of Japan

Articles 6 and 7 of the Law Regarding Special Measures Concerning Measures Taken by Japan in Support of the Activities of Foreign Countries Aiming to Achieve the Purposes of the Charter of the United Nations in Response to the Terrorist Attacks Which Took Place on September 11, 2001 in the United States of America and Subsequent Threats as well as Concerning Humanitarian Measures Based on Relevant Resolutions of the United Nations or Requests made by International Bodies (Law No. 113, 2001)

Article 8 of the Law Regarding Special Measures Concerning the Conduct of Humanitarian and Reconstruction Assistance Activities and Support Activities for Ensuring Security in Iraq (Law No. 137, 2003)



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FACSIMILE TRANSMITTAL SHEET

TO:	FROM: <i>John Maher</i>
<i>Scott Dean</i>	Section for Political Affairs
ORGANIZATION:	DATE: <i>2004/3/1</i>
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER: <i>37</i>
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE:	YOUR REFERENCE NUMBER:

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Scott,
Here's another try. I'll do each of
the four texts separately to try to avoid
gagging my machine.
John Maher