

ACCORD ON SUPPORT FOR UKRAINE AND COOPERATION BETWEEN THE GOVERNMENT OF JAPAN AND UKRAINE

Preamble

The Government of Japan and Ukraine (hereinafter referred to individually as a “Participant” and collectively as the “Participants”),

Recalling the Joint Declaration of Support for Ukraine (G7 Joint Declaration) adopted by President of Ukraine Volodymyr Zelenskyy and the Leaders of the G7 on 12 July 2023 on the margins of NATO Summit in Vilnius;

Being unwavering in support for Ukraine’s independence, sovereignty and territorial integrity within its borders, which have been internationally recognized since 1991, including the territorial sea;

Expressing the steadfast condemnation and opposition, in the strongest possible terms, against Russia’s ongoing aggression, which clearly infringes upon sovereignty and territorial integrity of Ukraine, and constitutes a serious violation of the principles of the Charter of the United Nations (UN), in particular the prohibition on the use of force;

Recognizing that UN Member States must cooperate with each other to maintain peace and security;

Recognizing that the Participants are the Special Global Partners, as stated in the Joint Statement on Special Global Partnership between Japan and Ukraine issued on 21 March 2023, sharing the basic principles such as freedom, democracy and the rule of law, which have enormous potential in their further bilateral cooperation;

Determined to achieve as soon as possible a comprehensive, just and lasting peace in Ukraine based on the principles of Ukraine’s Peace Formula in line with international law, to strongly oppose any unilateral attempts to change the status quo by force or coercion, and to uphold and strengthen the free and open international order based on the rule of law with a conviction that the security in Euro-Atlantic and Indo-Pacific regions are inseparable; and

Recognizing and supporting the Euro-Atlantic aspirations of Ukraine;

Have jointly determined to strengthen their bilateral long-term cooperation as well as commitments and arrangements in the areas, including security and defence, humanitarian support, and recovery and reconstruction by pursuing the measures referred to in this Accord.

I. Purpose

The purpose of this Accord is to clarify the areas of support and cooperation as well as commitments and arrangements, including security and defence, humanitarian support and recovery and reconstruction for the realization of strategic objectives of a free, independent, democratic and sovereign Ukraine, within its borders, which have been internationally recognized since 1991, including the territorial sea, in accordance with respective constitutional and legal requirements and regulations.

II. Areas of support and bilateral cooperation

1. Security and Defence assistance and cooperation

Recalling that Japan has provided various support in response to the request from Ukraine, including the provision of non-lethal equipment such as trucks and drones as well as contribution to NATO-Ukraine Comprehensive Assistance Package (CAP) Trust Fund, the Japanese side will continue to provide support for Ukraine in accordance with its constitutional and legal requirements and regulations, as Ukraine defends its sovereignty and territorial integrity against the ongoing aggression. Such support in the field of security and defence includes, but not limited to, the following areas:

- (1) Provision of non-lethal equipment and goods;
- (2) Cooperation through Coalitions in which Japan is a member, formed by Ukraine Defense Contact Group, including IT and Demining Coalitions;
- (3) Contribution to NATO-Ukraine CAP Trust Fund;
- (4) Treatment of injured Ukrainian service members; and
- (5) Cooperation in the area of intelligence in the security and defense sector.

The Participants seek to conclude an agreement on the security of information between Japan and Ukraine for the purpose of reciprocally protecting classified information exchanged between the Participants, and expanding and facilitating information sharing between relevant agencies of the Participants.

To ensure above-mentioned objectives, the Participants will hold senior-level bilateral Security Policy Dialogue.

2. Humanitarian, recovery and reconstruction, technical, and financial support

Recalling that Japan has continuously provided various assistance in response to Ukraine's immediate, medium and long-term needs since the beginning of Russia's aggression, and acknowledging the important role of the Multi-agency Donor

Coordination Platform, the Japanese side will provide appropriate level of humanitarian, recovery and reconstruction, technical and financial support as a responsible member of the G7, in accordance with its constitutional and legal requirements and regulations, including, but not limited to, in the following areas in (1) and (2):

(1) Humanitarian assistance to fulfil the immediate needs of the Ukrainian population in the face of the ongoing aggression, including support in health and medical sector, support for vulnerable people including women and children and winterization support. The Japanese side will continue its humanitarian assistance, including through the mechanisms of Official Development Assistance of Japan.

(2) Recovery and reconstruction support such as:

(a) Humanitarian mine action and debris clearance;

(b) Improvement of the humanitarian situation and livelihood reconstruction, including that of women and children;

Economic reconstruction and industrial enhancement, such as

(c) Development of agricultural sector;

(d) Innovative manufacturing including biotechnology;

(e) Digital and IT/ICT;

(f) Creating fundamental basis for recovery, including enhancing protection, resilience and reconstruction of critical infrastructure, such as transportation and energy infrastructure;

(g) Anti-corruption measures and enhancement of governance; and

(h) Basic government functions.

(3) Recalling that the Participants successfully conducted the Japan-Ukraine Conference for Promotion of Economic Growth and Reconstruction on 19 February 2024, with the announcement of 56 signed cooperation documents, and noting its significance in maintaining and increasing the momentum for international support to Ukraine, the Japanese side continues to make every effort to encourage the Japanese private sector's involvement in the recovery and reconstruction projects in Ukraine, including through the close coordination and cooperation with relevant domestic institutions and organizations such as Japan International Cooperation Agency (JICA), Japan External Trade Organization (JETRO), Japan Bank for International Cooperation (JBIC) and Nippon Export and Investment Insurance (NEXI). The participants acknowledge the importance of applying the advanced technologies which the Japanese companies possess in the field of recovery and reconstruction to enhance Ukraine's resilience and flexibility. The Japanese side will take into account the

perspective of Women, Peace and Security (WPS) through all phases of the recovery and reconstruction.

(4) Japan has committed and provided to Ukraine the financial, humanitarian and other assistance worth a total value of over 12 billion US dollars since March 2022, including 4.5 billion US dollars support for 2024. In this context, the Participants recognize the importance of reforms by Ukraine as articulated in the part IV. of this Accord and monitor progress including through bilateral dialogues. The Japanese side stands behind Ukraine's International Monetary Fund (IMF) programme goals of sustaining economic and financial stability, restoring debt sustainability and promoting reforms that support Ukraine's recovery.

(5) The Japanese side will continue to support Ukraine under this Accord for the duration of this Accord.

3. Other areas of support and cooperation

Recalling that attempts to destabilize Ukrainian society are on-going, and recognizing that resisting these attempts will support Ukraine's efforts to defend its sovereignty and territorial integrity as well as to realize rapid recovery and reconstruction, the Japanese side will provide support for Ukraine in accordance with its constitutional and legal requirements and regulations, including, but not limited to, in the following areas:

(1) Cybersecurity

The Participants will cooperate in the area of cybersecurity to counter Russian cyber attacks in the ongoing aggression through strengthening their bilateral cooperation, including by conducting their cyber dialogue, information and experience sharing and providing international technical assistance to Ukraine.

(2) Countering foreign information manipulation and interference

The Participants will seek to collaborate to support each other's efforts to counter information manipulation and interference by Russia and other hostile state and non-state actors. The Participants will seek to collaborate to improve both countries' capabilities to counter information security threats, primarily Russia's propaganda and disinformation campaigns. This will be achieved through joint efforts, including through the exchange of information and experience.

(3) Combating serious and organized crime

- (a) The Participants will explore opportunities for international cooperation to take actions to counteract the activities of serious and organized crime, by individuals and groups that are trying to infiltrate across Ukrainian society, which have criminal influence in certain regions including the temporarily occupied ones, and that are actively used as a tool of hybrid warfare to counteract the processes of recovery and reconstruction in Ukraine.
- (b) The Participants recognize the need to fight against illicit financial flows aimed at undermining Ukraine's sovereignty and territorial integrity, as well as its internal stability.
- (c) Those will be achieved through joint efforts including information analysis and best-practices sharing.

(4) Maritime order

The Participants recognize the importance of the maritime order based on international law, in particular, the United Nations Convention on the Law of the Sea (UNCLOS). In this regard, the Participants will endeavor to ensure the freedom of navigation and overflight and to promote safety of sea lanes open for international trade and free navigation. The Participants will coordinate their efforts on strengthening international cooperation and collaboration in this domain.

(5) Industrial cooperation

The Participants will explore collaboration to develop Ukraine's industrial base including through involving the private sectors, creating joint ventures and launching joint research demonstration, with the recognition that such cooperation contributes to Ukraine's efforts to defend its sovereignty and territorial integrity.

The Japanese side will work to actively contribute to Ukraine's economic recovery and industrial modernization including advanced technological areas, while closely coordinating with the private sector. The Japanese side will encourage its private sector to partner with Ukraine's industry in assisting the latter's efforts to modernize and increase industrial capacity in the key sectors including machine-building, food-processing, energy, advanced materials, robotics, electronic equipment, manufacture and others.

(6) Countering chemical, biological, radiological and nuclear (CBRN) risks

Recalling that the Japanese side takes part in realization of point 1 of Ukraine's Peace Formula (Radiation and Nuclear Safety), the Participants intend to further expand their existing bilateral cooperation to strengthen Ukraine's resilience against nuclear risks.

The Participants also intend to explore the possibility of further bilateral and multilateral cooperation to counter the threat of biological and chemical weapons, including through the Organization for the Prohibition of Chemical Weapons (OPCW) and in the framework of Biological Weapons Convention (BWC).

The Japanese side will continue its support to Ukraine in enhancing the nuclear safety, security and safeguards, including those of the Zaporizhzhia Nuclear Power Plant, through the International Atomic Energy Agency (IAEA), including through joint efforts on the point 1 of Ukraine's Peace Formula.

III. Cooperation in the Event of Future Armed Attack

1. In the event of a future Russian armed attack against Ukraine, the Participants, at the request of either of the Participants, will consult within 24 hours, bilaterally or via other channels they both deem appropriate, in order to determine appropriate next steps.
2. The Japanese side intends, in accordance with its constitutional and legal requirements and regulations, to provide as appropriate swift and sustained defence and security assistance as well as economic assistance, to impose economic and other costs on Russia, and to consult with Ukraine on its needs as it exercises its right to self-defence enshrined in Article 51 of the UN Charter.
3. In order to ensure the widest and most effective collective response to any such future armed attack, the Participants may modify commitments in the part III of this Accord in order to align with any mechanism that Ukraine may subsequently establish with its other international partners, including the participants in the G7 Joint Declaration of 12 July 2023.
4. In view of ensuring effective response to any such future armed attack and to avoid such a situation, the Participants intend to consult with each other to make sure that relevant information is duly shared between the Participants.
5. In the context of international peace and security, the Participants express their support for the role played by the International Court of Justice (ICJ), the principal judicial organ of the UN in upholding the rule of law in the international community.

IV. Support to Ukraine's reform agenda

1. The Participants reaffirm that inclusive reform is indispensable for Ukraine's current and future security and prosperity, its democracy and the resilience of its institutions. The legacy effect created by the war, such as the liberation of occupied territory, the transition from martial law, and the need to meet public expectations, will require Ukraine's institutions to be well adapted to manage such challenges.
2. Ukraine will strive to continue its ambitious reform path including in the framework of its European Union (EU) accession process and the IMF benchmarks. Ukraine is committed to implementing the full set of policy requirements as set out in the IMF programme, including meeting these through the quarterly review monitoring processes during the lifetime of the programme to 2027. Ukraine will continue its systemic reforms in the defence and security sectors, including as regards civil control of the security and defence forces and the efficiency and transparency of the defence institutions and defence industry of Ukraine. Ukraine will strive to deepen the key reforms in the fields of justice and rule of law, fight against corruption and money laundering, the modernization of its state apparatus, decentralization, the protection of the rights of national minorities, and improvement of transparency and good governance in both the economic sector and the defence and security sector. The implementation of these reforms will contribute to strengthening democracy, respect for human rights and fundamental freedoms, and the modernization and resilience of the Ukrainian economy.
3. The Japanese side will continue to support Ukraine in delivering on its comprehensive reform agenda, including through bilateral dialogues, which is crucial for supporting sustainable and inclusive economic growth and securing active engagement by the private sector in its recovery and reconstruction, in line with mutually consented priorities and in coordination with other donors.
4. All reforms will be conducted according to the priority reform areas for accession to the EU and the IMF benchmarks in close coordination with major donors, in particular the international financial institutions, the EU and the G7.

V. Compensation for losses, injuries and damages caused by Russian aggression

1. The Participants recognize that Russia is to be held accountable for its internationally wrongful acts including the damage it has caused to Ukraine, and must pay for the long-term reconstruction of Ukraine.
2. The Participants will continue to work together with other states, including G7 members, to explore all possible avenues to aid Ukraine in obtaining compensation from Russia, consistent with their respective legal systems and international law.

3. Consistent with Japan's legal system, Russian sovereign assets in Japan's jurisdiction will remain immobilized until Russia pays for the damage it has caused to Ukraine. The Japanese side will continue to participate in G7's efforts in exploring all possible avenues, consistent with respective legal systems and in accordance with international law, through which Russian sovereign assets could be used to support Ukraine's recovery and reconstruction.

4. The Participants will continue to work towards the establishment of a compensation mechanism to provide compensation for damage, loss, or injury caused by Russia's aggression in consistent with international law, as envisaged by the Statute of the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine adopted by the Resolution of the Committee of Ministers of the Council of Europe CM/Res(2023)3.

VI. Just peace

1. The participants will work together for a just and lasting peace in Ukraine that has broad global support. The Japanese side welcomes Ukraine's efforts to create a just and lasting peace based on the principles of Ukraine's Peace Formula.

2. The Japanese side participates in the implementation of Ukraine's Peace Formula, in particular co-leads in point 1 (Radiation and Nuclear Safety), and continues its diplomatic efforts to promote such Ukrainian efforts including through its global partners.

VII. Sanctions

1. The Participants will continue working to ensure that the costs to Russia for its aggression continue to rise, including through sanctions and export controls. The Participants recognize the value of sanctions in restricting Russia's ability to continue its war of aggression, in bearing down on Russia's revenue streams and in deterring future attacks.

2. The Japanese side will continue to impose severe sanctions against Russia, including sectorial sanctions, and work on pursuing robust sanctions against those in Russia and outside who are supporting the war of aggression or assisting in sanction evasion as long as Russia's war of aggression against Ukraine continues. The Japanese side continues to counter, in close cooperation with third countries, any attempts to evade and circumvent its sanctions and export control measures.

3. The Participants will provide each other with up-to-date appropriate information relating to sanctions, in compliance with relevant national laws.

VIII. Accountability

1. The Participants reaffirm their commitment to holding Russia accountable for causing losses or damage to individuals and entities, as well as to the state of Ukraine, as a result of its internationally wrongful acts in Ukraine or against Ukraine, including its aggression in violation of the UN Charter.
2. The Participants reaffirm that there must be no impunity for war crimes and other atrocities and that Russia must bear the legal responsibility, including by making reparation for any damage caused by such acts, which will also help deter future attacks and support Ukraine's recovery.
3. The Participants will seek to hold to account those responsible for war crimes and other international crimes committed in or against Ukraine in the context of Russia's war of aggression, consistent with international law, including by supporting the work of the Office of the Prosecutor General of Ukraine and the International Criminal Court (ICC) to ensure allegations of war crimes and other international crimes are fully and fairly investigated by independent, effective and robust legal mechanisms.
4. The Participants will continue their engagement in the “Core Group on options for the establishment of a tribunal on the crime of aggression against Ukraine”.
5. To further promote international efforts to pursue accountability, Ukraine will ratify the Rome Statute of the ICC, as mentioned in the EU-Ukraine Association Agreement, on the way to its membership in the EU.
6. The Participants share the importance of pursuing Russia’s accountability based on sound legal basis to ensure broad international support and legitimacy. In this regard, Ukraine commends Japan’s efforts on this issue as the G7 Presidency throughout the year 2023 to promote the rule of law.

IX. Implementation and governance

1. The Participants will implement this Accord in accordance with constitutional and legal requirements and regulations as well as budgetary appropriations of their states.
2. The Participants will, if necessary, designate authorized bodies for the development and implementation of bilateral commitments in accordance with the areas of cooperation specified in this Accord, as well as to oversee the progress of the support, cooperation and commitment, and keep close communications between relevant officials and experts.
3. Any dispute arising out of the implementation of this Accord will be settled amicably through consultations between the Participants.

X. Time frame and other matters

1. This Accord is valid for ten years from the date of its signature.
2. At the same time, in accordance with the G7 Joint Declaration of 12 July 2023, the Participants share the opinion that this Accord is without prejudice to Ukraine pursuing a pathway toward future membership in the Euro-Atlantic Community.
3. This Accord may be discontinued by either Participant at any time by written notice of its intention to end the Accord to the other Participant. This Accord will be discontinued six months from the date of receipt of such notice.
4. This Accord may be modified and supplemented by mutual consent of the Participants, which will be made in writing.
5. This Accord will come into effect immediately upon signature.

Signed in Savelletri di Fasano (Apulia) on 13 June 2024, in duplicate, in the Japanese, Ukrainian and English languages. In case of any divergence, the text in English will prevail.

For the Government of Japan

For Ukraine

Kishida Fumio
Prime Minister

Volodymyr Zelenskyy
President