

AGREED MINUTES TO THE AGREEMENT BETWEEN
JAPAN AND AUSTRALIA CONCERNING THE FACILITATION OF
RECIPROCAL ACCESS AND COOPERATION BETWEEN
THE SELF-DEFENSE FORCES OF JAPAN AND
THE AUSTRALIAN DEFENCE FORCE

In connection with the Agreement between Japan and Australia concerning the Facilitation of Reciprocal Access and Cooperation between the Self-Defense Forces of Japan and the Australian Defence Force signed today (hereinafter referred to as "the Agreement"), the undersigned hereby record the following understanding which they have reached during the negotiations for the Agreement:

1. Article I(c)

The Parties intend for the definition of Visiting Force to include individuals and groups, whether formed units or not. For Australia, the definition of Visiting Force includes a body, contingent or detachment of the Force of the Sending State. Australia acknowledges that Japan does not precisely distinguish between these terms with respect to the Force of Japan.

2. Articles V and X

Except as specifically provided otherwise in these Articles, the relevant laws and regulations of the Receiving State relating to road use, air traffic and vessel navigation will be applicable.

3. Article XVII(4)

For the avoidance of doubt, civilian workers employed in the Receiving State by the Visiting Force or the Civilian Component will not be regarded for any purpose as being a member of the Visiting Force or the Civilian Component.

4. Article XXIII

- (a) It was not possible for Australia to accept in Article XXIII of the Agreement a text identical with Article VIII 5(g) of the NATO Status of Forces Agreement in accordance with Australian law. In any case, where judgement is entered against Japan, its Force or a member of the Visiting Force or the Civilian Component of Japan in a matter arising out of the performance of official duties, Australia, as the Party responsible for dealing with the claim and liable for payment of any judgement, will meet the judgement so promptly that in practice proceedings for enforcement will not arise.
- (b) The members of the Visiting Force or the Civilian Component of Australia will not be subject to any proceedings for the enforcement of any judgment given against them in Japan in a matter arising from the performance of their official duties in connection with cooperative activities pursuant to the Agreement.

At Tokyo and Canberra, this sixth day of January, 2022

For Japan:

岸田文雄

For Australia:

S. Morrison