

AGREEMENT
BETWEEN THE GOVERNMENT OF JAPAN
AND THE GOVERNMENT OF THE KINGDOM OF SWEDEN
CONCERNING THE TRANSFER OF DEFENSE EQUIPMENT AND TECHNOLOGY

The Government of Japan and the Government of the Kingdom of Sweden (hereinafter referred to as "the Parties"),

Mindful of the existing cooperative relationship between the Parties in the security area, including discussions for possible defense cooperation at regular defense policy consultations and personnel exchanges based on the Memorandum on Defense Exchanges between the Ministry of Defense of Japan and the Ministry of Defence of the Kingdom of Sweden signed in Stockholm on November 29, 2013 and in Tokyo on December 20, 2013;

Desiring that cooperation in the area of defense equipment and technology in which the Parties participate should contribute to international peace and security; and

Recognizing the need to set forth the terms and conditions which should govern the transfer of defense equipment and technology;

Have agreed as follows:

Article 1

1. Each Party shall, subject to the relevant laws and regulations of its country and in accordance with the provisions of this Agreement, make available to the other Party defense equipment and technology necessary to implement joint research, development and production projects or projects for enhancing security and defense cooperation to be determined in accordance with the provisions of paragraph 2. below.

2. Specific projects of the joint research, development and production or for enhancing security and defense cooperation shall be mutually determined, taking into account various factors including commercial viability or the security of the respective countries, and confirmed by the Parties through the diplomatic channel.

Article 2

1. A Joint Committee shall be established as the means for confirming the defense equipment and technology to be transferred for the projects determined in accordance with the provisions of paragraph 2. of Article 1.

2. The Joint Committee shall be composed of two national sections.

The Japanese Section shall be composed of:

a representative of the Ministry of Defense;

a representative of the Ministry of Foreign Affairs; and

a representative of the Ministry of Economy, Trade and Industry.

The Swedish Section shall be composed of:

a representative of the Ministry of Defence; and

a representative each from relevant authorities designated by the Ministry of Defence.

3. The relevant information necessary for confirming the defense equipment and technology to be transferred shall be communicated to the national sections through the diplomatic channel.

4. Based on the relevant information communicated in accordance with the provisions of paragraph 3. above, the defense equipment and technology to be transferred shall be confirmed by the Joint Committee.

5. Each Party shall, subject to its relevant laws and regulations and in accordance with international agreements to which it is a party, conduct export licensing procedures of the defense equipment and technology to be transferred in accordance with the provisions of this Agreement.

6. Detailed arrangements providing for, inter alia, the defense equipment and technology to be transferred, persons who shall be party to the transfer, and the detailed terms and conditions of the transfer, shall be made between the competent authorities of the Parties in order to implement this Agreement. The competent authorities of the Government of Japan shall be the Ministry of Defense and the Ministry of Economy, Trade and Industry; the competent authority of the Government of the Kingdom of Sweden shall be the Swedish Defence Materiel Administration.

Article 3

1. Each Party shall make effective use of defense equipment and technology transferred from the other Party in a manner consistent with the purposes and principles of the Charter of the United Nations, and such other purposes as may be determined in the detailed arrangements, and neither Party shall devote such defense equipment and technology to any other purpose.

2. Each Party shall not transfer to any person not an officer or agent including contractor and subcontractor of such Party, or to any other Government, title to or possession of any defense equipment and technology transferred pursuant to this Agreement, without the prior consent of the Party which transferred such defense equipment and technology.

Article 4

Each Party shall, subject to the relevant laws and regulations of its country, and in accordance with other applicable international agreements between the Parties, or an applicable arrangement between the relevant authorities of the Parties which is subordinate to this Agreement, take necessary measures to protect classified information furnished by the other Party in relation to the defense equipment and technology transferred pursuant to this Agreement. For such arrangement, the relevant authority of the Government of Japan is the Ministry of Defense, and the relevant authority of the Government of the Kingdom of Sweden is the Swedish Defence Materiel Administration.

Article 5

This Agreement and all arrangements to be made hereunder shall be implemented subject to the relevant laws and regulations and budgetary appropriations of the respective countries.

Article 6

Any matter relating to the interpretation or application of this Agreement and all arrangements to be made hereunder shall be resolved solely through consultation between the Parties.

Article 7

1. This Agreement shall enter into force on the date of signature.

2. This Agreement may be amended by written agreement between the Parties. Any amendment to this Agreement shall follow the same procedure as its entry into force.

3. This Agreement shall remain in force for a period of five years and shall be automatically extended annually thereafter unless either Party notifies the other Party in writing through the diplomatic channel ninety days in advance of its intention to terminate this Agreement.

4. Notwithstanding the termination of this Agreement, the provisions of Articles 3, 4 and 6 shall remain in force in respect of the defense equipment and technology transferred under this Agreement.

In witness whereof the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

DONE in duplicate at Stockholm, this nineteenth day of December, 2022, in the English language.

For the Government
of Japan:

For the Government
of the Kingdom of Sweden:

(Signed) 能化 正樹

(Signed) Pal Jonson