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PROPOSAL

From: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 27 April 2018

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of
the European Union

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Subject: ANNEX to the Joint Proposal for a Council Decision on the signing, on
behalf of the European Union, and provisional application of the Strategic
Partnership Agreement between the European Union and its Member
States, of the one part, and Japan, of the other part

Delegations will find attached document JOIN(2018) 10 final - Annex 1.

Encl.: JOIN(2018) 10 final - Annex 1



HIGH REPRESENTATIVE
OF THE UNION FOR
FOREIGN AFFAIRS AND
SECURITY POLICY

Brussels, 27.4.2018
JOIN(2018) 10 final

ANNEX 1

ANNEX

to the

Joint Proposal for a

Council Decision

on the signing, on behalf of the European Union, and provisional application of the Strategic Partnership Agreement between the European Union and its Member States, of the one part, and Japan, of the other part

ANNEX

STRATEGIC PARTNERSHIP AGREEMENT BETWEEN THE EUROPEAN UNION AND ITS MEMBER STATES, OF THE ONE PART, AND JAPAN, OF THE OTHER PART

THE EUROPEAN UNION, hereinafter referred to as "the Union",

and

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE REPUBLIC OF CROATIA,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

HUNGARY,

THE REPUBLIC OF MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Contracting Parties to the Treaty on European Union and the Treaty on the Functioning of the European Union, hereinafter referred to as 'the Member States',

hereinafter referred to as the 'Union Party',

of the one part,

and

JAPAN,

of the other part,

hereinafter jointly referred to as "the Parties",

REAFFIRMING their commitment to the common values and principles, in particular democracy, the rule of law, human rights and fundamental freedoms, which constitute the basis for their deep and long-lasting cooperation as strategic partners;

RECALLING the increasingly close ties forged between them since the issuance of the Joint Declaration on Relations between the European Community and its Member States and Japan in 1991;

WISHING to build on and to enhance the valuable contribution to their relations made by the existing agreements between them in various fields;

RECOGNISING that the increasing worldwide interdependence has led to the need for deepened international cooperation;

CONSCIOUS, in this regard, as likeminded global partners, of their shared responsibility and commitment to set up a just and stable international order in accordance with the principles and purposes of the Charter of the United Nations, and to achieve peace, stability and prosperity of the world as well as human security;

RESOLVED, in this regard, to work closely to address major global challenges that the international community has to face, such as proliferation of weapons of mass destruction, terrorism, climate change, poverty and infectious diseases, and threats to common interest in the maritime domain, cyberspace and outer space;

RESOLVED also, in this regard, that the most serious crimes of concern to the international community as a whole must not go unpunished;

DETERMINED, in this regard, to strengthen their overall partnership in a comprehensive manner by expanding political, economic and cultural ties and by agreements;

DETERMINED ALSO, in this regard, to enhance their cooperation and to maintain the overall coherence of the cooperation, including by strengthening consultations at all levels and by taking joint actions on all issues of common interest; and

NOTING that in case the Parties decided, within the scope of this Agreement, to enter into specific agreements in the area of freedom, security and justice which were to be concluded by the European Union pursuant to Title V of Part Three of the Treaty on the Functioning of the European Union, the provisions of such future specific agreements would not bind the United Kingdom and/or Ireland unless the European Union, simultaneously with the United

Kingdom and/or Ireland as regards their respective previous bilateral relations, notifies Japan that the United Kingdom and/or Ireland has/have become bound by such future specific agreements as part of the European Union in accordance with Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union; likewise, any subsequent EU-internal measures which were to be adopted pursuant to that Title V to implement this Agreement would not bind the United Kingdom and/or Ireland unless they have notified their wish to take part in or accept such measures in accordance with Protocol (No 21); also NOTING that such future specific agreements or such subsequent EU-internal measures would fall within Protocol (No 22) on the position of Denmark, annexed to those Treaties,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

Purpose and general principles

1. The purpose of this Agreement is for the Parties to:

- (a) strengthen the overall partnership between the Parties by furthering political and sectoral cooperation and joint actions on issues of common interest, including regional and global challenges;
- (b) provide a long-lasting legal foundation for enhancing bilateral cooperation as well as cooperation in international and regional organisations and fora;
- (c) contribute jointly to international peace and stability through the promotion of peaceful settlement of disputes in conformity with the principles of justice and international law; and
- (d) contribute jointly to the promotion of shared values and principles, in particular democracy, the rule of law, human rights and fundamental freedoms.

2. In pursuance of the purpose set out in paragraph 1, the Parties shall implement this Agreement based on the principles of mutual respect, equal partnership and respect for international law.

3. The Parties shall strengthen their partnership through dialogue and cooperation on matters of mutual interest in the areas of political issues, foreign and security policy and other sectoral cooperation. To this end, the Parties shall hold meetings at all levels, including those of leaders, ministers and senior officials, and promote wider exchanges between their people as well as parliamentary exchanges.

ARTICLE 2

Democracy, the rule of law, human rights and fundamental freedoms

The Parties shall continue to uphold the shared values and principles of democracy, the rule of law, human rights and fundamental freedoms which underpin the domestic and international policies of the Parties. In this regard, the Parties reaffirm the respect for the Universal

Declaration of Human Rights and the relevant international human rights treaties to which they are parties.

2. The Parties shall promote such shared values and principles in international fora. The Parties shall cooperate and coordinate, where appropriate, in promoting and realising those values and principles, including with or in third countries.

ARTICLE 3

Promotion of peace and security

1. The Parties shall work together to promote international and regional peace and security.
2. The Parties shall jointly promote the peaceful settlement of disputes, including in their respective regions, and encourage the international community to settle any dispute by peaceful means in accordance with international law.

ARTICLE 4

Crisis management

The Parties shall enhance the exchange of views and endeavour to act jointly on issues of common concern in the area of crisis management and peace-building, including by promoting common positions, cooperating with regard to resolutions and decisions in international fora and organisations, supporting national efforts of countries emerging from conflict to achieve sustainable peace and cooperating on crisis management operations and other relevant programmes and projects.

ARTICLE 5

Weapons of mass destruction

1. The Parties shall cooperate in strengthening the non-proliferation and disarmament regime to prevent the proliferation of weapons of mass destruction ("WMD") and their means of delivery through full compliance with and implementation of their obligations under international law, including relevant international agreements and other international obligations, as applicable to the Parties.
2. The Parties shall promote the Treaty on the Non-Proliferation of Nuclear Weapons ("NPT"), which is the essential foundation for the pursuit of nuclear disarmament, the cornerstone of the global nuclear non-proliferation regime, and the basis for the promotion of the peaceful uses of nuclear energy. The Parties shall also pursue policies and continue to contribute actively to global efforts with a view to seeking a safer world for all, underlining the importance of addressing all challenges to the non-proliferation and disarmament regime

and the need to uphold and strengthen the NPT, and to create the conditions for a world without nuclear weapons, in accordance with the goals of the NPT in a way that promotes international stability, and based on the principle of undiminished security for all.

3. The Parties shall continue to counter the proliferation of WMD and their means of delivery, notably by developing and maintaining an effective system of export controls of dual-use and WMD-related goods and technologies, including end-use control and effective sanctions for breaches of export controls.

4. The Parties shall maintain and enhance their dialogue in this area to consolidate the Parties' undertakings as set out in this Article.

ARTICLE 6

Conventional arms, including small arms and light weapons

1. The Parties shall cooperate and coordinate in the area of transfer control of conventional weapons, as well as dual-use goods and technologies, at global, regional, sub-regional and domestic level with a view to preventing their diversion, to contributing to peace, security and stability, as well as to reducing human suffering at each of those levels. The Parties shall develop and implement their transfer control policy in a responsible manner, inter-alia, with due consideration to each other's security concerns at the global level and relating to their respective regions as well as other regions.

2. The Parties, reaffirming their respective commitments to the framework of relevant international instruments, such as the Arms Trade Treaty, the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects and relevant resolutions of the United Nations, shall cooperate and, as appropriate, coordinate under those instruments to regulate international trade and to prevent and eradicate illicit trade in and diversion of conventional arms, including small arms and light weapons, as well as ammunitions. The cooperation in accordance with this paragraph shall, as appropriate, include promoting the universalisation, and supporting the full implementation, of that framework in third countries.

3. The Parties shall maintain and enhance dialogue that will accompany and consolidate their undertakings in accordance with this Article.

ARTICLE 7

Serious crimes of international concern and the International Criminal Court

1. The Parties shall cooperate to promote the investigation and prosecution of serious crimes of international concern, including through the International Criminal Court and, as appropriate, tribunals established in accordance with the relevant resolutions of the United Nations.

2. The Parties shall cooperate in promoting the objectives of the Rome Statute of the International Criminal Court, done at Rome on 17 July 1998. To this end they shall:

(a) continue to promote the universality of that Statute, including, as appropriate, by sharing experiences in the adoption of measures required for its conclusion and implementation;

(b) safeguard the integrity of that Statute by protecting its core principles; and

(c) work together to further enhance the effectiveness of the International Criminal Court.

ARTICLE 8

Counter-terrorism

1. The Parties shall work together at bilateral, regional and international level to prevent and combat acts of terrorism in all its forms and manifestations in accordance with applicable international law, including international counter-terrorism related agreements, international humanitarian law and international human rights law, as applicable to the Parties, and the principles of the Charter of the United Nations.

2. The Parties shall enhance cooperation taking into account the United Nations Global Counter-Terrorism Strategy and relevant resolutions of the United Nations Security Council.

3. The Parties shall promote dialogue and exchange of information and views as regards all acts of terrorism, and methods and practices thereof, while respecting the protection of privacy and personal data in accordance with international and domestic law.

ARTICLE 9

Chemical, biological, radiological and nuclear risk mitigation

1. The Parties shall enhance cooperation in the prevention of, reduction of, control of and response to chemical, biological, radiological and nuclear risks.

2. The Parties shall enhance cooperation in view of strengthening institutional capacities in third countries to manage chemical, biological, radiological and nuclear risks.

ARTICLE 10

International and regional cooperation and reform of the United Nations

1. The Parties shall endeavour, in support of their commitment to effective multilateralism, to exchange views and enhance cooperation and, where appropriate, to coordinate their positions in the framework of the United Nations and other international and regional organisations and fora.

2. The Parties shall cooperate to promote the reform of the United Nations in order to strengthen the efficiency, effectiveness, transparency, accountability, capacity and representativeness of the whole United Nations system, including the Security Council.

ARTICLE 11

Development policy

1. The Parties shall enhance exchange of views on development policy, including through regular dialogue, and, where appropriate, coordinate their specific policies on sustainable development and poverty eradication at the global level.

2. The Parties shall, where appropriate, coordinate their positions on development issues in international and regional fora.

3. The Parties shall endeavour to further encourage exchange of information and cooperation between their respective development agencies and departments and, where appropriate, coordination of in-country activities.

4. The Parties shall also endeavour, in the area of development assistance, to exchange information, best practices and experience and to cooperate with a view to curbing illicit financial flows as well as preventing and combating irregularities, fraud, corruption and other illegal activities affecting their and recipient countries' financial interests at all levels.

ARTICLE 12

Disaster management and humanitarian action

1. The Parties shall enhance cooperation and, where appropriate, promote coordination at bilateral, regional and international level in the prevention of, mitigation of, preparedness for, response to and recovery from disasters in order to reduce the risk of disasters and to increase resilience in this field.

2. The Parties shall endeavour to cooperate in humanitarian action, including emergency relief operations, with a view to providing effective coordinated responses.

ARTICLE 13

Economic and financial policies

1. The Parties shall enhance the exchange of information and experiences with a view to promoting close bilateral and multilateral policy coordination to support their shared objective of sustainable and balanced growth, fostering job creation, countering excessive macroeconomic imbalances and combating all forms of protectionism.

2. The Parties shall enhance the exchange of information on their financial policies and regulations with a view to strengthening cooperation to ensure financial stability and fiscal

sustainability, including by improving regulatory and supervisory regimes for accounting, auditing, banking, insurance, financial markets and other parts of the financial sector in support of the work currently undertaken in relevant international organisations and fora.

ARTICLE 14

Science, technology and innovation

Based on the Agreement between the European Community and the Government of Japan on Cooperation in Science and Technology, done at Brussels on 30 November 2009, as may be amended, the Parties shall enhance cooperation in the area of science, technology and innovation with special emphasis on priorities of mutual interest.

ARTICLE 15

Transport

1. The Parties shall seek cooperation by enhancing the exchange of information and dialogue on transport policies, practices and other areas of mutual interest in all modes of transport and coordinate, where appropriate, their positions in international transport fora.

2. The areas of cooperation referred to in paragraph 1 shall include:

(a) the aviation sector, such as aviation safety, aviation security, air traffic management and other relevant regulations with the objective to facilitate broader and mutually beneficial air transport relations, including, if appropriate, by pursuing technical and regulatory cooperation and further agreements based on mutual interest and consent;

(b) the maritime transport sector;

(c) the railway sector.

ARTICLE 16

Outer space

1. The Parties shall enhance the exchange of views and information on their respective space policies and activities.

2. The Parties shall endeavour to cooperate, where appropriate, including through regular dialogue, in the exploration and peaceful use of outer space, including in the mutual compatibility of their navigation satellite systems, in earth observation and monitoring, in

climate change, in space science and technologies, in the security aspects of space activities and in other areas of mutual interest.

ARTICLE 17

Industrial cooperation

1. The Parties shall promote industrial cooperation to improve the competitiveness of their enterprises. To this end, they shall enhance the exchange of views and best practices on their respective industrial policies on areas such as innovation, climate change, energy efficiency, standardisation, corporate social responsibility, and on the improvement of the competitiveness of and support for the internationalisation of small and medium-sized enterprises.

2. The Parties shall facilitate cooperation activities established by their public and private sectors with a view to improving the competitiveness and cooperation of their respective enterprises, including through dialogue between them.

ARTICLE 18

Customs

The Parties shall enhance cooperation in the area of customs, including facilitation of legitimate trade, while ensuring effective customs control and compliance with customs legislation as based on the Agreement between the European Community and the Government of Japan on Co-operation and Mutual Administrative Assistance in Customs Matters, done at Brussels on 30 January 2008, as may be amended. They shall also exchange views and cooperate in relevant international frameworks.

ARTICLE 19

Taxation

With a view to promoting good governance in tax matters, the Parties shall endeavour to enhance cooperation in line with internationally established tax standards, in particular by encouraging third countries to enhance transparency, ensure exchange of information and eliminate harmful tax practices.

ARTICLE 20

Tourism

The Parties shall enhance cooperation regarding sustainable development of tourism and enhancement of competitiveness of tourism industries, which can contribute to economic growth, cultural exchange and people-to-people exchange.

ARTICLE 21

Information society

The Parties shall exchange views on their respective policies and regulations in the area of information and communications technologies to enhance cooperation in key areas, including:

- (a) electronic communications, including internet governance and online safety and security;
- (b) interconnection of research network, including in a regional context;
- (c) promotion of research and innovation activities; and
- (d) standardisation and dissemination of new technologies.

ARTICLE 22

Consumer policy

The Parties shall promote dialogues and exchange of views on policies and legislation aiming at a high level of consumer protection and enhance cooperation in key areas, including product safety, enforcement of consumer legislation, and consumer education, empowerment and redress.

ARTICLE 23

Environment

1. The Parties shall enhance exchange of views and information, including best practices, on environmental policies and regulations, and enhance cooperation in areas such as:

- (a) efficient use of resources;
 - (b) biological diversity;
 - (c) sustainable consumption and production;
 - (d) technologies, goods and services that support environmental protection;
 - (e) conservation and sustainable management of forests, including, where appropriate, illegal logging; and
 - (f) other areas decided under the relevant policy dialogue.
2. The Parties shall endeavour to enhance cooperation in the framework of relevant international agreements and instruments, as applicable, as well as in international fora.

ARTICLE 24

Climate change

1. The Parties, recognising the need for an urgent, deep and sustained reduction in global emissions of greenhouse gases so as to hold the increase in global average temperature to well below 2°C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1.5°C above pre-industrial levels, will take the lead in combating climate change and the adverse effects thereof, including through domestic and international actions to reduce anthropogenic greenhouse gas emissions. The Parties shall cooperate, as appropriate, under the United Nations Framework Convention on Climate Change to achieve the objective of that Convention, in implementing the Paris Agreement, and to strengthen the multilateral legal framework. They shall also seek to enhance cooperation in other relevant international fora.

2. The Parties shall, with a view to promoting sustainable development, also seek cooperation by enhancing exchange of information, including best practices and, where appropriate, promoting coordination of policies, on issues of mutual interest in the area of climate change, including issues such as:

(a) mitigation of climate change through various measures such as research and development of low-carbon technology, market-based mechanisms and reduction of short-lived climate pollutants;

(b) adaptation to the adverse effects of climate change; and

(c) assistance to third countries.

ARTICLE 25

Urban policy

The Parties shall enhance the exchange of experience and good practice in the area of urban policies, in particular to address common challenges in this area, including those arising from demographic dynamics and climate change. The Parties shall also encourage, where appropriate, such exchange of experience and good practice among their local governments or city authorities.

ARTICLE 26

Energy

The Parties shall endeavour to enhance cooperation and, where appropriate, close coordination in international fora and organisations, in the area of energy, including energy security, global energy trade and investment, the functioning of global energy markets, energy efficiency, and energy related technologies.

ARTICLE 27

Agriculture

1. The Parties shall enhance cooperation on policies on agriculture, rural development and

forest management, including sustainable agriculture, food security and integration of environmental requirements into agricultural policy, development policy for rural areas and promotion and quality policy for agricultural food products, including geographical indications, organic production, international agricultural outlook, sustainable forest management and links between policies on sustainable agriculture, rural development and forestry, and policies on environment and climate change.

2. The Parties shall enhance cooperation on research and innovation in the area of agriculture and forest management.

ARTICLE 28

Fisheries

1. The Parties shall promote dialogue and enhance cooperation on fisheries policies in accordance with the precautionary and ecosystem approaches, with a view to promoting long-term conservation, effective management and sustainable use of fishery resources based on the best scientific information available.

2. The Parties shall enhance exchange of views and information and promote international cooperation to prevent, deter and eliminate illegal, unreported and unregulated fishing.

3. The Parties shall strengthen cooperation within the relevant regional fisheries management organisations.

ARTICLE 29

Maritime affairs

In accordance with international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982 (UNCLOS), the Parties shall promote dialogue and enhance mutual understanding on maritime affairs and work together to promote:

(a) the rule of law in this area, including freedoms of navigation and overflight and the other freedoms of the high seas as reflected in Article 87 of UNCLOS; and

(b) long-term conservation, sustainable management and better knowledge of ecosystems and non-living resources of the seas and oceans in accordance with applicable international law.

ARTICLE 30

Employment and social affairs

1. The Parties shall enhance cooperation in the area of employment, social affairs and decent work, such as employment policies and social security systems in the context of the social

dimension of globalisation and demographic changes, through the exchange of views and experiences and, where appropriate, cooperation activities on issues of common interest.

2. The Parties shall endeavour to respect, promote and realise internationally recognised labour and social standards and promote decent work on the basis of their respective commitments to relevant international instruments, such as the International Labour Organization Declaration on Fundamental Principles and Rights at Work, adopted in 1998, and the 2008 Declaration on Social Justice for a Fair Globalization.

ARTICLE 31

Health

The Parties shall enhance exchange of views, information and experiences in the area of health to effectively address cross-border health problems, in particular by cooperating in the prevention and control of communicable and non-communicable diseases, including by promoting, as appropriate, international health agreements.

ARTICLE 32

Judicial cooperation

1. The Parties shall enhance judicial cooperation in civil and commercial matters, in particular as regards the promotion and effectiveness of conventions on civil judicial cooperation.
2. The Parties shall enhance judicial cooperation in criminal matters based on the Agreement between the European Union and Japan on Mutual Legal Assistance in Criminal Matters, done at Tokyo on 15 December 2009 and at Brussels on 30 December 2009, as may be amended.

ARTICLE 33

Combating corruption and organised crime

The Parties shall enhance cooperation in preventing and combating corruption and transnational organised crime, including trafficking in firearms and economic and financial crime, including through, as appropriate, promoting relevant international agreements.

ARTICLE 34

Combating money laundering and the financing of terrorism

The Parties shall enhance cooperation, including through the exchange of information, in preventing their respective financial systems from being used for laundering of proceeds of crime and for the financing of terrorism, taking into account universally recognised standards under relevant international bodies, such as the Financial Action Task Force.

ARTICLE 35

Combating illicit drugs

The Parties shall enhance cooperation in preventing and combating illicit drugs with a view to:

- (a) reducing the supply of, trafficking in and demand for illicit drugs;
- (b) preventing the diversion of precursors used for the purpose of illicit manufacture of narcotic drugs or psychotropic substances;
- (c) protecting public health and welfare; and
- (d) dismantling the transnational criminal networks involved in drug trafficking, in particular to prevent their penetration of legitimate commercial and financial business, *inter alia* through the exchange of information, and best practices.

ARTICLE 36

Cooperation on cyber issues

1. The Parties shall enhance exchange of views and information on their respective policies and activities on cyber issues, and shall encourage such exchanges of views and information in international and regional fora.
2. The Parties shall enhance cooperation in order to promote and protect human rights and free flow of information to the maximum extent possible in cyberspace. For this purpose, and based on the understanding that international law applies in cyberspace, they shall cooperate, where appropriate, in establishing and developing international norms and promoting confidence building in cyberspace.
3. The Parties shall cooperate, where appropriate, to enhance the ability of third countries to strengthen their cybersecurity and fight cybercrime.
4. The Parties shall enhance cooperation in preventing and combating cybercrime, including the distribution of illegal content via the Internet.

ARTICLE 37

Passenger name records

The Parties shall endeavour to use, to the extent consistent with their respective laws and regulations, available tools, such as passenger name records, to prevent and combat acts of terrorism and serious crimes, while respecting the right to privacy and the protection of personal data.

ARTICLE 38

Migration

1. The Parties shall promote dialogue on the policies in the area of migration, such as legal migration, irregular immigration, trafficking in persons, asylum and border management, including visas and travel document security, taking into account the socio-economic realities of migration.

2. The Parties shall enhance cooperation in order to prevent and control irregular immigration, including by ensuring the readmission of their nationals without undue delay and providing them with appropriate travel documents.

ARTICLE 39

Personal data protection

The Parties shall enhance cooperation with a view to ensuring a high level of protection of personal data.

ARTICLE 40

Education, youth and sport

1. The Parties shall enhance the exchange of views and information on their policies in the areas of education, youth and sport.

2. The Parties shall encourage, where appropriate, cooperative activities in the areas of education, youth and sport, such as joint programmes, exchanges of persons, and exchange of knowledge and experience.

ARTICLE 41

Culture

1. The Parties shall endeavour to enhance exchanges of persons engaging in cultural activities and of works of art and to carry out, where appropriate, joint initiatives in various cultural areas, including audio-visual works such as films.

2. The Parties shall encourage dialogue and cooperation between their respective civil societies and institutions in cultural sectors to enhance mutual awareness and understanding.

3. The Parties shall endeavour to cooperate on issues of mutual interest in relevant international fora, in particular the United Nations Educational, Scientific and Cultural Organization (UNESCO), in order to pursue common objectives and to promote cultural diversity and the protection of cultural heritage.

ARTICLE 42

Joint Committee

1. A Joint Committee made up of representatives of the Parties is hereby established. The Joint Committee shall be co-chaired by the Parties.

2. The Joint Committee shall:

(a) coordinate the overall partnership which is built upon this Agreement;

(b) request, as appropriate, information from committees or other bodies established under other agreements or arrangements between the Parties and exchange views on issues of common interest;

(c) decide on additional areas of cooperation that are not listed in this Agreement provided that they are consistent with the aims of this Agreement;

(d) ensure the proper functioning and the effective implementation of this Agreement;

(e) endeavour to resolve any dispute arising from the interpretation, implementation or application of this Agreement;

(f) be a forum to explain any relevant modification of policies, programmes or competences relevant to this Agreement;-and

(g) make recommendations and adopt decisions, where appropriate, and facilitate specific aspects of cooperation based on this Agreement.

3. The Joint Committee shall take decisions by consensus.

4. The Joint Committee shall normally meet once a year in Tokyo and Brussels alternately. It shall also meet at the request of either Party.

5. The Joint Committee shall adopt its rules of procedure.

ARTICLE 43

Dispute settlement

1. The Parties shall take any general or specific actions required to fulfil their obligations under this Agreement, based on the principles of mutual respect, equal partnership and respect for international law.

If any dispute arises concerning the interpretation, implementation or application of this Agreement, the Parties shall strengthen their efforts to consult and cooperate with each other to resolve the issue in a timely and amicable manner.

3. If a dispute cannot be resolved in accordance with paragraph 2, any Party may request that the issue be referred to the Joint Committee for further discussion and study.

4. The Parties consider that a particularly serious and substantial violation of the obligations described in Article 2(1) and 5(1), which respectively constitutes an essential element of the basis of the cooperation under this Agreement, its gravity and nature being of an exceptional sort that threatens peace and security and has international repercussion may be addressed as a case of special urgency.

5. In the unlikely and unexpected event that a case of special urgency as referred to in paragraph 4 occurs within the territory of a Party, the Joint Committee shall hold an urgent consultation within 15 days upon the request of the other Party.

In case the Joint Committee is unable to reach a mutually acceptable solution, it shall convene urgently at ministerial level on that matter.

6. In a case of special urgency where no mutually acceptable solution has been found at ministerial level, the Party which made the request referred to in paragraph 5 may decide to suspend the provisions of this Agreement in accordance with international law. In addition, the Parties note that the Party which made the request referred to in paragraph 5 may take other appropriate measures outside the framework of this Agreement, in accordance with international law.

A Party shall immediately notify the other Party, in writing, of its decision and shall apply that decision for the minimum period of time necessary to resolve the issue in a manner acceptable to the Parties.

7. The Parties shall keep under constant review the development of the case of special urgency which has prompted the decision to suspend the provision of the Agreement. The Party invoking the suspension of the provisions shall withdraw it as soon as warranted, and in any case as soon as a case of special urgency no longer exists.

8. This Agreement shall not affect or prejudice the interpretation or application of other agreements between the Parties. In particular, the dispute settlement provisions of this Agreement shall not replace or affect in any way the dispute settlement provisions of other agreements between the Parties.

FINAL PROVISIONS

ARTICLE 44

Miscellaneous

Cooperation and actions under this Agreement shall be implemented in accordance with the respective laws and regulations of the Parties.

ARTICLE 45

Definition of the Parties

For the purposes of this Agreement, the term "the Parties" means the Union or its Member States, or the Union and its Member States, in accordance with their respective competences, on the one hand, and Japan, on the other.

ARTICLE 46

Disclosure of information

Nothing in this Agreement shall be construed as requiring a Party to provide information the disclosure of which it considers contrary to its essential security interests.

ARTICLE 47

Entry into force and application pending entry into force

1. This Agreement shall be ratified by Japan and approved or ratified by the Union Party, in accordance with their respective applicable legal procedures. The instrument of ratification by Japan and the instrument confirming the completion of approval and ratification by the Union Party shall be exchanged at Tokyo. This Agreement shall enter into force on the first day of the second month following the date of exchange of the instruments.

2. Notwithstanding paragraph 1 of this Article, the Union and Japan shall apply the provisions of Articles 1, 2, 3, 4, 5(1), 11, 12, 13, 14, 15 (with the exception of paragraph 2(b)), 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 37, 38(1), 39, 40, 41, 42 (with the exception of paragraph 2(c)), 43, 44, 45, 46, 47, 48(3), 49, 50 and 51 of this Agreement pending its entry into force. Such application shall commence on the first day of the second month following the date on which Japan has notified the Union of the completion of ratification by Japan, or the date on which the Union has notified Japan of the completion of the applicable legal procedure necessary for that purpose, whichever is later. The notifications shall be made by diplomatic notes.

3. The provisions that are to be applied pending the entry into force of this Agreement in accordance with paragraph 2 shall have the same legal effect as if the Agreement were in force between the Parties.

ARTICLE 48

Termination

1. This Agreement shall remain in force unless terminated pursuant to paragraph 2.
2. Either Party may notify, in writing, the other Party of its intention to terminate this Agreement. The termination shall take effect six months after the date of receipt of that notification by the other Party.
3. Either Party may notify, in writing, the other Party of its intention to terminate the application pending entry into force provided for in Article 47(2) . The termination shall take effect six months after the date of receipt of that notification by the other Party.

ARTICLE 49

Future accessions to the Union

1. The Union shall inform Japan of any request for accession of a third country to the Union.
2. The Parties shall discuss, including through the framework of the Joint Committee, any implications that the accession of the third country to the Union may have for this Agreement.
3. The Union shall inform Japan of the signing and entry into force of a treaty concerning the accession of a third country to the Union.

ARTICLE 50

Territorial application

This Agreement shall apply, on the one hand, to the territories in which the Treaty on European Union and the Treaty on the Functioning of the European Union are applied and under the conditions laid down in those Treaties and, on the other hand, to the territory of Japan.

ARTICLE 51

Authentic texts

This Agreement is drawn up in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish and Japanese languages, each text being equally authentic. In case of divergence between the texts of this Agreement, the Parties shall refer the matter to the Joint Committee.

Done at.....[place], this.....day of[month], 2018.

FOR THE KINGDOM OF BELGIUM,
FOR THE REPUBLIC OF BULGARIA,
FOR THE CZECH REPUBLIC,
FOR THE KINGDOM OF DENMARK,
FOR THE FEDERAL REPUBLIC OF GERMANY,
FOR THE REPUBLIC OF ESTONIA,
FOR IRELAND,
FOR THE HELLENIC REPUBLIC,
FOR THE KINGDOM OF SPAIN,
FOR THE FRENCH REPUBLIC,
FOR THE REPUBLIC OF CROATIA,
FOR THE ITALIAN REPUBLIC,
FOR THE REPUBLIC OF CYPRUS,
FOR THE REPUBLIC OF LATVIA,
FOR THE REPUBLIC OF LITHUANIA,
FOR THE GRAND DUCHY OF LUXEMBOURG,
FOR HUNGARY,
FOR THE REPUBLIC OF MALTA,
FOR THE KINGDOM OF THE NETHERLANDS,
FOR THE REPUBLIC OF AUSTRIA,
FOR THE REPUBLIC OF POLAND,
FOR THE PORTUGUESE REPUBLIC,
FOR ROMANIA,
FOR THE REPUBLIC OF SLOVENIA,
FOR THE SLOVAK REPUBLIC,
FOR THE REPUBLIC OF FINLAND,
FOR THE KINGDOM OF SWEDEN,
FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,
FOR THE EUROPEAN UNION,

FOR JAPAN

(END)