

Memorandum of Cooperation

on submarine cables for secure, resilient and sustainable global connectivity *between the Ministry of Internal Affairs and Communications of Japan and the European Commission on behalf of the European Union*

I. Background

1. The Japan-EU Summit conclusions of 12 May 2022 established the Japan-EU Digital Partnership. The Digital Partnership is founded on the shared commitment of Japan and the EU on a positive vision of the digital economy and society in which the design, development, governance and use of technology are based on the respect for democratic values and universal human rights, with the objectives to ensure predictability and legal certainty for citizens and enterprises, to promote a secure online environment for consumers engaged in cross-border digital transactions, to remove unreasonable barriers to enterprises, and to prevent discrimination between online and offline activities.
2. The Japan-EU Digital Partnership states that *“both sides may further explore mapping current and future opportunities at the level of connectivity infrastructures between Japan and the EU; as well as assessing the need and design of a reporting system regarding submarine cable outages.”*
3. The Japan-EU Digital Partnership states that *“Both sides intend to promote the deployment of secure, trusted digital connectivity in third countries”*.
4. The Ministerial Declaration of the G7 Digital and Tech Ministers' Meeting held in April 2023, (Gunma, Takasaki), outlined a G7 Action Plan for Building a Secure and Resilient Digital Infrastructure. In the Action Plan, the G7 countries share their willingness to cooperate with other like-minded partners, including developing countries and Small Island Developing States, and to strengthen trusted, multi-layered global connectivity that provides data route diversity and redundancies by ensuring secure routes of international communication infrastructure, such as trans-ocean submarine cables to strengthen network resilience.
5. Submarine cables are important communication infrastructures that cover more than 99% of intercontinental communications. As an integral part of a broader resilience approach, the Ministry of Internal Affairs and Communications and the European Commission, hereinafter referred to as "the sides", would collaborate on trans-oceanic submarine cables in line with the Japan-EU Digital Partnership and the Japan-EU Connectivity Partnership.

II. Scope of cooperation

6. The sides intend to take concrete measures to support secure and sustainable connectivity links as appropriate, which would improve the communication speed, quality and safety between Japan and the EU, promote the diversity and enhance the global redundancy of secure and reliable international communication routes. The sides recognise that these measures contribute to enhance Data Free Flow with Trust between Japan and the EU, and beyond.
7. The sides recognise that the route via the Arctic may reduce data latency and stimulate data flows between Japan and the EU, as well as between Europe and Asia. The sides also recognise the route could be meaningful to enhance the quality of research networks. The Arctic route presents the potential to be expanded to wider European and Asian regions, and to the Atlantic and the Pacific areas. The sides intend to promote concerted actions to develop Arctic connectivity between Japan and the EU, also taking into consideration the intentions of other likeminded countries and companies with a significant interest in these projects, the different options for realising them, as well as various possibilities regarding specific carriers and landing sites, with the requirement to ensure the security of the connectivity links. Provision of this route by trusted suppliers is one of the essential aspects to realise this secure connectivity.
8. The sides envisage to pursue joint work on a system for detecting and reporting of submarine cable outages, given the importance of protecting existing and future submarine cables.
9. The sides could explore possibilities to facilitate utilizing submarine cable for monitoring disaster symptoms, climate change and the environment by utilising appropriate technologies, in cooperation with relevant authorities.

III. Indicative joint support actions

10. The sides intend to explore joint and respective support actions to help deliver the objectives of this Memorandum of Cooperation as appropriate. The actions could include indicatively, awareness raising, financial supports (subject to the availability of resources), demand aggregations, and as appropriate, facilitating relevant administrative processes.
11. The sides intend to join forces to secure connectivity projects by raising awareness about opportunities with the view to encouraging the participation of trusted providers and potential customers. The sides recognise this could be beneficial to create a positive environment for international connectivity and data exchanges, in line with the G7 Action Plan.

12. The sides intend to explore opportunities to provide financial support as appropriate in line with their respective mechanisms. Given common frameworks in place between respective financial institutions, the sides could promote the involvement of government agencies and other organisations.
13. The sides intend to support efforts to consolidate demand for secure sub-marine cable connectivity, from the public and private sectors. Efforts could be made more generally to identify demand from government services, research communities and private partners by utilizing as necessary the framework of their Digital Partnership and other relevant platforms.
14. The sides to the extent of their competences intend to cooperate as appropriate to facilitate relevant administrative processes for the deployment of submarine cables. The sides could cooperate to facilitate the planning and design of submarine connectivity links taking into account their respective economic, societal and geopolitical objectives.

IV. Other Matters

15. The Memorandum of Cooperation does not create legal obligations or rights on either side under international or domestic law but will be based on voluntary cooperation. It aims to implement and leverage existing cooperation mechanisms, not to replace them, and it does not have any financial implications on either side.
16. The Memorandum of Cooperation may continue until the sides confirm that the objectives of this instrument have been achieved or until one side discontinues its participation in this instrument.

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