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DEPT FOR OES/OA - ELIZABETH TIRPAK, EAP/J

E.O. 12958: N/A
TAGS: KRVC, TPHY, CH, KS, JA
SUBJECT: GOJ'S RESEARCH CLEARANCE GRANTED TO R/V
MELVILLE IN JAPANESE EEZ (FILE NO. 2007-119)

Ref: 2008 STATE 1194

1. On May 2, Post received clearance in the form of Diplomatic Note No. 1501 of MOFA First North America Division for U.S. research vessel R/V Melville to conduct marine scientific research in Japan's Exclusive Economic Zone (EEZ) from May 5 to 14, 2008.

2. Embassy's informal translation of the Diplomatic Note follows. Post will email a copy of Diplomatic Note and its attachments to OES/OA.

Begin Text:

- First North America No. 1501
- May 2, 2008

- NOTE VERBALE

The Ministry of Foreign Affairs (MOFA) presents its compliments to the Embassy of the United States of America in Japan and has the honor to inform the Embassy that the Ministry has given consent to conduct marine scientific research within the Exclusive Economic Zone (EEZ) of Japan by the marine research vessel of the United States of America, R/V Melville, as requested in the Embassy's Diplomatic Notes No. 10 dated January 7,

2008 and No. 50 dated February 8, 2008. Please note conditions attached to the clearance.

1) In regard to the marine scientific research (research period from May 2 to 14, 2008) by the vessel noted above, the application was submitted as of January 7, 2008. This did not observe the six-month notice rule that Japan requires of other countries in accordance with the United Nations Convention on the Law of the Sea (UNCLOS.) For this reason, in future cases when marine scientific research is conducted within Japan's EEZ, it is requested to provide a diplomatic note requesting consent attached by a research plan at least six months prior to the scheduled starting date of the research.

2) Pay adequate attention if fishing is conducted in areas around the vessel.

3) If the research vessel enters Japan's territorial sea or EEZ, notify us of its date and time, area and activities.

4) In the viewpoint of securing the communication system for emergencies, during the research activities make sure to notify the Operation Center, Administration Division, Guard and Rescue Department of the Japan Coast Guard of the following via fax (+81-3-3581-2853):

a) The starting and ending dates and time, places and subsequent plans of research by the vessel.

b) The position of the vessel once each day (for example, 1200JST).

5) Provide MOFA with research data acquired within Japan's EEZ.

6) Because the research area coincides with places where KDDI Corporation-owned undersea cables are laid (see attachment 1), observe the following conditions to protect the cables:

a) If a cable is positioned at a depth of 500 meters or less: secure a 1,000 or more meter distance from the cable position.

b) If a cable is positioned at a depth of more than 500 meters: secure a distance that is more than triple the cable's depth from the cable position.

7) Because the research area coincides with places where Pacnet Service Japan-owned undersea cables are laid (see attachment 2), secure an adequate distance from the undersea cables to protect them in conducting research.

8) Be adequately cautious regarding the confidentiality of the positions and maps of the above 6) and 7), and pay full attention handling these not to use for other purposes than this research.

9) In conducting the research near the coasts in Okinawa Prefecture, be cautious and pay attention not to cause trouble to fishery operation and fishing grounds.

End Text.
DONOVAN