

**TRILATERAL INFORMATION SHARING ARRANGEMENT
CONCERNING THE NUCLEAR AND MISSILE THREATS POSED BY NORTH KOREA
AMONG THE MINISTRY OF NATIONAL DEFENSE OF THE REPUBLIC OF KOREA,
THE MINISTRY OF DEFENSE OF JAPAN,
AND
THE DEPARTMENT OF DEFENSE OF THE UNITED STATES OF AMERICA**

The Ministry of National Defense of the Republic of Korea (“MND”), the Ministry of Defense of Japan (“MOD”), and the Department of Defense of the United States of America (“DoD”) (each a “Participant,” and collectively the “Participants”);

Having a mutual interest in the sharing of classified information;

Concur in the following:

1. The Participants intend to establish a mechanism to enable the sharing of classified information concerning the nuclear and missile threats posed by North Korea.
2. Classified information exchanged under this Arrangement may be in any form, including oral, visual, electronic, magnetic, or documentary form, within the definitions of information covered by existing bilateral information sharing agreements that the Government of the Republic of Korea (the “ROK”) and the Government of Japan (“Japan”) each have with the Government of the United States of America (“U.S.”), described in paragraph 3.
3. The Participants intend to protect any classified information that is shared among them under this Arrangement pursuant to the following bilateral agreements: the Security Agreement between the Government of the Republic of Korea and the Government of the United States of America governing the Protection of Classified Military Information signed at Washington, D.C., on September 24, 1987 (the “U.S.-ROK agreement”); and the Agreement between the Government of the United States of America and the Government of Japan concerning Security Measures for the Protection of Classified Military Information, signed at Tokyo on August 10, 2007 (the “U.S.-Japan agreement”).
4. When MND and MOD intend to share classified information with each other, each may do so under this Arrangement by providing such classified information to DoD. Such information is to be handled and safeguarded in accordance with the U.S.-ROK agreement and the U.S.-Japan agreement and to be identified as classified information requiring appropriate protection to be shared with the other Participants of this Arrangement in accordance with the relevant bilateral agreement.

5. DoD intends, after receipt of such classified information, to designate the information with an equivalent U.S. security classification and, to the extent practicable, to mark such information with that equivalent U.S. security classification and identify it as classified information to be shared under this Arrangement. DoD then intends to share such classified information with the other Participant, subject to the terms and protections of the U.S.-ROK agreement with respect to Japan-originated classified information to be provided to MND, and subject to the terms and protections of the U.S.-Japan agreement with respect to ROK-originated classified information to be provided to MOD. In this manner, Japan- and ROK-originated classified information may be shared among all Participants, subject to the terms and protections, including those on third-party information sharing, provided by the U.S.-ROK agreement and the U.S.-Japan agreement, as applicable.

6. The Participants intend to make the full text of this Arrangement public.

7. This Arrangement applies to the exchange of classified information concerning the nuclear and missile threats posed by North Korea and the protection requirements contained within the U.S.-ROK agreement and the U.S.-Japan agreement.

8. This Arrangement is not intended to have legally binding effects under international law or the domestic laws and regulations applicable to any of the Participants. The Participants do not intend to affect their respective rights and obligations under existing international agreements. The Participants intend to implement this Arrangement in accordance with the domestic laws and regulations applicable to them.

9. The Participants intend this Arrangement to become operative as of the date it is signed by the last Participant and to remain operative until a Participant notifies the other Participants that it no longer intends to participate in this Arrangement. The Participants intend to give advance notice in writing of any decision no longer to participate. Notwithstanding a decision by any Participant to terminate participation, all classified information shared pursuant to this Arrangement continues to be protected in accordance with the U.S.-ROK agreement and the U.S.-Japan agreement, as applicable.

Signed in triplicate in the English, Korean, and Japanese languages, the three texts being equally official. In case of any divergence of interpretation, the English text should prevail.

FOR THE MINISTRY OF NATIONAL DEFENSE OF THE REPUBLIC OF KOREA:

Baek Seungjoo
Vice Minister of National Defense
December 29, 2014

FOR THE DEPARTMENT OF DEFENSE OF THE UNITED STATES OF AMERICA:

Robert Work
Deputy Secretary of Defense
December 23, 2014

FOR THE MINISTRY OF DEFENSE OF JAPAN:

Nishi Masanori
Administrative Vice Minister of Defense
December 26, 2014