

Memorandum of Cooperation between the Ministry of Internal Affairs and Communications of Japan and the National Telecommunication Agency of Brazil

The **Ministry of Internal Affairs and Communications of Japan (MIC)** and the **National Telecommunication Agency of Brazil (Anatel)** (hereinafter referred to collectively as “the Participants” and individually as a “Participant”),

CONSIDERING the important bilateral partnership between MIC and Anatel, based on a shared interest in effective telecommunications regulation that promotes competitive markets, technological innovation, and reducing the digital divide,

BEARING IN MIND the opportunities to be availed and the challenges to be overcome by both countries in the current telecommunication’s regulatory environment,

CONSIDERING the important role that the regulatory bodies of both countries play in promoting the development of telecommunications services in their respective countries,

DETERMINED to strengthen the relationship between the Participants by means of increased engagement and regulatory policy dialogue,

Welcome this Memorandum of Cooperation (hereinafter referred to as “this MoC”) in the spirit of mutual benefit and institutional cooperation.

ITEM I. PURPOSE

- A. Through cooperation consistent with this MoC, the Participants intend to establish a nonbinding mechanism for the mutually beneficial exchange of ideas in the field of telecommunication regulatory policy, with the purpose of contributing to the development of advanced communications in both countries. This MoC does not create any legal and binding rights or obligations for either Participant but serves as a statement of the Participants’ intent to enter into a cooperative relationship. It does not modify or supersede any domestic or international laws, regulations or agreements in force applying to each of the countries. The items of this MoC will not be interpreted as an international agreement within the meaning of the Vienna Convention on the law of Treaties done at Vienna on 23 May 1969 and will not entail rights and obligations in the international law area.
- B. The Participants intend to carry out information exchange and technical cooperation, in accordance with their respective national laws, regulations and international obligations within the limits of their respective annual budgetary appropriations, in the field of

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telecommunications and related facilities/services and within their respective mandates.

ITEM II. SCOPE

- A. The Participants have identified specific areas of common interest, as set forth in Attachment I (Work Plan).
- B. Cooperation between the Participants in these areas may be carried out through activities that include:
 - 1. Information exchanges, best practices sharing, and capacity building efforts;
 - 2. Bilateral meetings, seminars, and workshops, either through digital videoconferences (DVCs) or through the deployment of duly qualified personnel; and/or
 - 3. Other forms of cooperation as may be mutually deemed appropriate.

ITEM III. IMPLEMENTATION

- A. **FUNDING AND RESOURCES:** This MoC does not obligate funds for any particular expenditure, nor does it authorize the transfer of funds or resources. For activities carried out under this MoC, each Participant is expected to cover its own costs and resources in relation to those activities, under the condition of governing law and the availability of funds, within the limit of the Participants' respective annual budgetary appropriations.
- B. **DESIGNATED POINTS OF CONTACT:** In order to facilitate the implementation of this MoC and associated activities, each Participant intends to designate a point of contact in Attachment II.

ITEM IV. GENERAL MATTERS

- A. **COMMENCEMENT:** This MoC is nonbinding and cooperation under this MoC is intended to commence on the date it is signed by the Participants.
- B. **DURATION:** The Participants intend to carry out their cooperative activities under this MoC for an initial period of one year. This MoC is intended to automatically renew for an additional period of one year at the end of the initial period and on an annual basis thereafter.
- C. **DISCONTINUATION AND TERMINATION:** Either Participant may discontinue cooperation under this MoC at any time. A Participant is expected to provide written notice of its intent to discontinue cooperation under this MoC and this MoC will be terminated immediately upon receipt of such written notice.

- D. MODIFICATION: This MoC may be modified at any time with mutual consent in writing.
- E. CONFIDENTIALITY: In exchanging documents under this MoC, any document which either Participant wishes to maintain as confidential will be clearly marked as confidential prior to the exchange. Participants intend to exercise utmost diligence to protect any such received document from public disclosure and maintain its confidentiality, to the extent permitted by the recipient Participant's national laws and regulations.
- F. CONSULTATION: Any difference in views concerning the interpretation of this MoC is expected to be resolved through friendly consultation between the Participants.

Signed in Brasilia, Brazil, on August 9, 2023, in two original copies in English.

On behalf of MIC:

野村 栄悟

NOMURA Eigo
Director-General for International Affairs,
Global Strategy Bureau
Ministry of Internal Affairs and
Communications of Japan

Date: 9. 8. 2023

On behalf of Anatel:

Carlos Manuel Baigorri

Carlos Manuel Baigorri
Chairman, National Telecommunication
Agency of Brazil

Date: 9. 8. 2023

ATTACHMENT I: Work Plan

In order to define the scope of the cooperative activities proposed by this MoC, the Participants have reached the following recognition.

I. TOPICS

Pursuant to ITEM II.A of this MoC, the Participants have identified the following topics of mutual interest:

- A. Promotion of interoperability in International Mobile Telecommunications (IMT) equipment, including:
 - 1. Exchange of information on new technologies related to Open Radio Access Networks (OpenRAN) expansion and others in Japan and Brazil;
 - 2. Sharing knowledge on the advantages and evolution of OpenRAN, including Green, promotion of innovation, implementation in rural areas, and others;
 - 3. Cooperation between Japan and Brazil to promote OpenRAN in Latin American countries;
 - 4. Promotion of cooperation in activities related to the development of OpenRAN with Japan and Brazil and other countries around the world which promote OpenRAN;
 - 5. Exchange information and experiences about public policies to promote open and secure mobile network including OpenRAN, such as test beds, spectrum policies, public-private joint initiatives, etc.
- B. Furthering collaboration, cooperation and coordination in international fora.

The Participants may identify other topics of mutual interest, and this Work Plan may be modified, in writing, as necessary by mutual consent.

II. POINTS OF CONTACT

Point of Contact – MIC:

OKAMOTO Yoshikazu

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Point of Contact – Anatel:

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