

AGREEMENT WITH JAPAN CONCERNING THE
RYUKYU ISLANDS AND THE
DAITO ISLANDS

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

THE AGREEMENT BETWEEN THE UNITED STATES OF
AMERICA AND JAPAN CONCERNING THE RYUKYU
ISLANDS AND THE DAITO ISLANDS, SIGNED AT
WASHINGTON AND TOKYO ON JUNE 17, 1971



SEPTEMBER 21, 1971.—Agreement was read the first time and, together
with the message and accompanying papers, was referred to the
Committee on Foreign Relations and ordered to be
printed for use of the Senate

U.S. GOVERNMENT PRINTING OFFICE

THE PRESIDENT OF THE UNITED STATES

LETTER OF TRANSMITTAL

THE WHITE HOUSE,
September 21, 1971.

To the Senate of the United States:

I am transmitting for the Senate's advice and consent to ratification the Agreement between the United States of America and Japan concerning the Ryukyu Islands and the Daito Islands, signed at Washington and Tokyo on June 17, 1971. The Agreement was negotiated in accordance with the understandings I reached with Prime Minister Sato during my meetings with him in November 1969.

I transmit also, for the information of the Senate, the following related documents:

Agreed Minutes,

Memorandum of Understanding concerning Article III,

Exchange of notes concerning the Voice of America facility in Okinawa,

Exchange of notes concerning submerged lands,

Letter from Minister for Foreign Affairs Kiichi Aichi to Ambassador Meyer concerning treatment of foreign nationals and firms,

Memorandum of Understanding on air services to and through Okinawa, and

The Arrangement concerning Assumption by Japan of the Responsibility for the Immediate Defense of Okinawa.

The enclosed report from the Secretary of State describes the Agreement and the related documents.

When Prime Minister Sato arrived in Washington on November 19, 1969, I observed that "whether peace survives in the last third of the century will depend more on what happens in the Pacific than in any other area of the world." I took that particular occasion to emphasize this fact to the American people and to the world because of my strong feeling then, as now, that Japan, as one of the major powers in the Pacific area, will play a central role in determining what happens in that vital region.

Japan's phenomenal economic growth represents a most significant development for us and for the other nations of the Pacific. Japan is now the third largest producer in the world and has developed with us the greatest transoceanic commerce in the history of mankind. The potential for cooperation between our two economies, the world's most productive and the world's most dynamic, is clearly immense. For this among other reasons, Japan and the United States have a strong mutual interest in the peace and security of the Pacific area. This interest is recognized in our Treaty of Mutual Cooperation and Security, which both our countries recognize as a keystone of our security relationships in that part of the world. I think all Americans also

realize that a close and friendly relationship between Japan and the United States is vital to building the peaceful and progressive world both of us want for all mankind. The problems involved in strengthening the fabric of peace in Asia and the Pacific will undoubtedly be challenging. But if Japan and the United States go separate ways, then this task would be incomparably more difficult. Whatever differences may arise between our nations on specific policy questions, it is essential that the basic nature of our relationship remain close and cordial.

When Prime Minister Sato came to Washington in 1969, there was still one great unsettled issue between the United States and Japan arising out of World War II: the Okinawan question. Almost one million Japanese on Okinawa were still living under foreign administration nearly 25 years after the end of the Second World War. This situation subjected the entire relationship with our major Asian ally to strain. It was clear that our continued administration of Okinawa was incompatible with the mature relationship which both we and Japan recognized as the only possible basis for lasting cooperation between nations, especially between two great world powers such as the United States and Japan.

The Prime Minister and I therefore agreed that our two Governments would immediately enter into consultations concerning specific arrangements for accomplishing the early reversion of Okinawa to Japan. We determined that it was essential for this to be done without detriment to the security of the Far East, including Japan. We further agreed that the consultations should be concluded as quickly as possible with a view to accomplishing the reversion during 1972, provided that agreement could be reached on the terms and conditions of the reversion and that the necessary legislative support in both countries could be secured.

In undertaking these negotiations, the United States recognized, as a matter of basic principle, that it was consistent with neither our national character nor our national interest to continue to administer a territory which has been historically connected with Japan and whose people desire to rejoin their mother country. Japan recognized that the presence of United States forces in the Far East constituted a mainstay for the stability of the area, and that the security of countries in the Far East was a matter of serious concern for Japan. More specifically, Japan recognized that United States forces in Okinawa played a vital role in the present situation in the Far East and agreed that the United States would retain, under the terms of the Treaty of Mutual Cooperation and Security, such military facilities and areas in Okinawa as required in the mutual security of both countries.

After intensive negotiations, agreement was reached on the terms and conditions for reversion and the Agreement which I now commend to the Senate was signed on June 17, 1971.

This Agreement is founded upon the common security interests which are reflected in the United States-Japan Treaty of Mutual Cooperation and Security signed in 1960 and in the Communique which Prime Minister Sato and I jointly issued on November 21, 1969. The Agreement stipulates that, even after reversion, the Mutual Security Treaty and related arrangements, such as the Status of Forces Agreement of 1960, will apply to Okinawa without modification. The same

will be true of the Treaty of Friendship, Commerce and Navigation, signed in 1953.

The new Agreement provides that after reversion Japan will grant the United States the use of facilities and areas in the Ryukyus in accordance with the Mutual Security Treaty of 1960 and its related arrangements, such as the Status of Forces Agreement. This means that the United States will continue to have the use of bases in Okinawa necessary for carrying out our mutual security commitments to Japan and for maintaining peace in the Far East. Under this Agreement, these facilities will be provided to us on the same terms as those now available to us in Japan. After reversion, a sovereign friendly government will give us permission to maintain these facilities in the Ryukyus, as in Japan, in recognition of mutual security interests. This is the only sound basis for long-term cooperation and I am convinced that it will enable us effectively to protect our own security interests.

The Agreement and related arrangements also deal with other important matters. They provide for appropriate payment to the United States for assets to be transferred to the Government of Japan and for certain costs which will be involved in connection with reversion. They provide protection for United States business and professional interests in Okinawa after reversion. They transfer to Japan responsibility for the immediate defense of the Ryukyus, which will result in substantial savings for the United States, in terms of both budget and foreign exchange.

In summary, then, I am strongly convinced that this Agreement is in the best interests of both countries. It meets United States security needs and it places our relationship with our major Asian ally on a more sound and enduring basis. It fulfills long-held aspirations of the Japanese people, including the people of Okinawa, for the reunification of these islands with Japan.

I believe the return of Okinawa to Japanese administration will be one of the most important accomplishments of our postwar policy in the Far East. It should enhance the prospects for peace and stability in that area, and it is essential to the continuation of friendly and productive relations between the United States and Japan. I therefore urge that the Senate give its early and favorable consideration to this Agreement so that reversion can take place during 1972.

RICHARD NIXON.

LETTER OF SUBMITTAL

DEPARTMENT OF STATE,
Washington, September 5, 1971.

The PRESIDENT,
The White House.

THE PRESIDENT: I have the honor to submit the Agreement between the United States of America and Japan concerning the Ryukyu Islands and the Daito Islands signed at Washington and Tokyo on June 17, 1971, with the recommendation that you transmit it to the Senate for its advice and consent to ratification.

The Secretary of Defense and the Chairman of the Joint Chiefs of Staff join in this recommendation and in the hope for early and favorable Senate action.

I also submit the following related documents for the information of the Senate:

- Agreed Minutes,
- Memorandum of Understanding concerning Article III,
- Exchange of notes concerning the Voice of America facility on Okinawa,
- Exchange of notes concerning submerged lands,
- Letter from Minister for Foreign Affairs Kiichi Aichi to Ambassador Meyer concerning treatment of foreign nationals and firms,
- Memorandum of Understanding on air services to and through Okinawa, and
- The Arrangement concerning Assumption by Japan of the Responsibility for the Immediate Defense of Okinawa.

The United States authority over the Ryukyu Islands and the Daito Islands derives from Article 3 of the Treaty of Peace with Japan, signed September 8, 1951, which provided the United States with the right to exercise all powers of administration, legislation and jurisdiction over the territory and inhabitants of the islands referred to in Article 3. While Article 3 contemplated that these islands might ultimately be placed under United Nations trusteeship, the United States delegate to the Peace Treaty Conference, John Foster Dulles, stated that the United States considered that the article permitted Japan to retain "residual sovereignty" over the islands. The United States returned a part of the group, the Amami Islands, to Japan on December 25, 1953. Subsequently, successive American Presidents reaffirmed Japan's residual sovereignty over the remaining islands and stated the intention of the United States eventually to return them to Japan. In 1967 President Johnson and Prime Minister Sato agreed that the two Governments should keep under joint and continuous review the status of the Ryukyu Islands guided by the aim of returning admin-

istrative rights over these islands to Japan. They also agreed on the return to Japan of several additional islands mentioned in Article 3 of the Peace Treaty, including the Bonin Islands. These were returned on June 26, 1968.

In November, 1969 you and Prime Minister Sato agreed that the two Governments should enter immediately into consultations regarding specific arrangements for accomplishing the early reversion of Okinawa without detriment to the security of the Far East including Japan. You and Prime Minister Sato further agreed to expedite the consultations with a view to accomplishing the reversion during 1972 subject to the conclusion of these specific arrangements with the necessary legislative support.

As a result, negotiations between the United States and Japan began in March 1970 and culminated in the signature on June 17, 1971, of the Agreement and certain related documents I am submitting to you today. The negotiations were conducted for the United States by Ambassador Armin H. Meyer in Tokyo, with the support and assistance of United States military authorities and of the High Commissioner of the Ryukyu Islands. Instructions to the negotiators came from the Departments of State, Treasury and Defense. The Department of Commerce also participated in the formulation of these instructions when its interests were involved.

The Agreement consists of a preamble and nine articles. The preamble recalls President Nixon's meeting with Prime Minister Sato in November 1969 and notes that the two Governments have reaffirmed that the reversion of Okinawa is to be carried out on the basis of the Joint Communique issued on November 21, 1969. A copy of that Communique is enclosed. It expresses *inter alia* the intention of both Governments to maintain the United States-Japan Treaty of Mutual Cooperation and Security (which will also apply to Okinawa after reversion), Japan's recognition of its stake in the security of the Far East, and Japan's view that Okinawa reversion should not hinder the effective discharge of the international obligations assumed by the United States for the defense of countries in the Far East including Japan.

The preamble also recites the willingness of the United States to relinquish its rights and interests under Article 3 of the Treaty of Peace and Japan's willingness to assume full responsibility and authority over the Ryukyu Islands and the Daito Islands.

Under paragraph 1 of Article I the United States relinquishes in favor of Japan its rights and interests with respect to the Ryukyu Islands and the Daito Islands under Article 3 of the Peace Treaty, and Japan assumes full responsibility and authority for the exercise of all governmental powers over these islands. Paragraph 2 of Article I defines these islands for the purpose of the Agreement. An agreed minute to Article I describes the territory by geographical coordinates.

Article II confirms that treaties and other agreements between the United States and Japan become applicable to the Islands upon reversion.

Paragraph 1 of Article III commits Japan to grant the United States upon reversion the use of military facilities and areas in Okinawa in accordance with the 1960 United States-Japan Treaty

of Mutual Cooperation and Security and its related arrangements. By a Memorandum of Understanding concerning Article III, the two Governments have agreed upon the specific facilities and areas to be granted for use by the United States armed forces upon reversion, pursuant to the provisions of the Agreement under Article VI of the Treaty of Mutual Cooperation and Security, regarding Facilities and Areas and the Status of United States Armed Forces in Japan (the so-called SOFA).

Paragraph 2 of Article III refers to the provision of the SOFA which exempts the United States from any obligation to restore facilities and areas to their original condition upon their return and which exempts Japan from any obligation to compensate the United States for any improvements made by the United States on facilities and areas which are returned to the Government of Japan. This paragraph fixes the condition of the property for purposes of these exemptions as that existing at the time United States armed forces first used the facilities and areas. It also clarifies that Japan need make no specific compensation to the United States for improvements in facilities and areas made prior to reversion.

Under Article IV Japan waives all claims of Japan and its nationals against the United States and its nationals and against local authorities arising out of the United States administration of the Islands, except for certain claims specifically recognized under United States law or local laws applicable during the United States administration (which include the claims set forth in the Agreed Minute to Article IV). Paragraph 2 of Article IV grants authority to the United States to maintain a claims office on Okinawa to settle any claims remaining after reversion. Paragraph 3 of Article IV provides that the United States will make *ex gratia* contributions to Japanese nationals whose lands in the Islands were damaged prior to July 1, 1950, and were released from the use of United States authorities after June 30, 1961. In paragraph 4 of Article IV Japan recognizes the validity of all official acts and omissions of the United States during the period of its administration.

Article V concerns civil and criminal jurisdiction. Paragraph 1 provides Japanese recognition of the validity of final judgments rendered before reversion in civil cases. It obligates Japan to continue such judgments in full force and effect. Paragraphs 2 and 3 provide for the assumption by Japan of jurisdiction over civil and criminal cases pending at the time of reversion without in any way affecting the substantive rights involved. Paragraph 4 provides that Japan may continue the execution of any final criminal judgments rendered prior to reversion. An agreed minute to Article V deals with the question of exercise of criminal jurisdiction over members of United States armed forces with respect to offenses committed prior to reversion; Japan will not exercise jurisdiction over such cases.

Article VI transfers to the Government of Japan certain properties of the United States. The major part of such properties consists of public utility corporations. During the period of its administration the United States created certain new lands by reclamation from the sea, or otherwise acquired such lands. These reclaimed lands will also become the property of the Government of Japan upon reversion. The

United States is not obliged to compensate Japan or its nationals for any alteration made prior to reversion to lands upon which properties to be transferred to the Government of Japan are located.

Article VII constitutes the payment provision of the Agreement. Considering, *inter alia*, the transfer of assets to the Government of Japan under Article VI, the fact that reversion will be carried out in a manner consistent with the policy of the Government of Japan as described in paragraph 8 of the Joint Communique of November 21, 1969, and certain extra costs borne by the Government of the United States resulting from reversion, the Japanese Government will pay the United States \$320 million in stated installments within five years of reversion. The first installment of \$100 million is to be paid within one week after reversion.

Article VIII contains authority for the Voice of America relay station on Okinawa to continue in operation for a period of five years after reversion, with consultations regarding future operation of the station to begin two years after reversion. Additional details regarding the operation of the Voice of America station are contained in an exchange of notes concerning the Voice of America facility on Okinawa.

Article IX provides for ratification of the Agreement and for its entry into force two months after the instruments of ratification are exchanged. In accordance with Article I, reversion will take place on the date the Agreement enters into force.

Certain important arrangements involved in Okinawa reversion are dealt with in the other documents submitted herewith. These include arrangements concerning the treatment of foreign nationals and firms on Okinawa, the assumption by Japan of the responsibility for the immediate defense of Okinawa, and commercial air services to and through Okinawa.

The arrangement concerning the treatment of foreign nationals and firms is contained in a letter of June 17, 1971, from then Foreign Minister Kiichi Aichi to Ambassador Meyer. The letter sets forth the policies decided upon by the Japanese Government respecting points that were of major concern to American business and professional interests in Okinawa. The provisions of the letter were worked out after close consultations with the representatives of the business and professional community on Okinawa, and we believe that the arrangement should provide a satisfactory basis for the post-reversion period.

The Arrangement concerning Assumption by Japan of the Responsibility for the Immediate Defense of Okinawa, signed on June 29, 1971 on behalf of the United States Department of Defense and the Japan Defense Agency, sets forth the agreed modalities for necessary coordination in connection with the deployment of Japanese Self Defense Forces in Okinawa after reversion. The Arrangement provides for Japanese takeover or joint use of certain installations or sites now used by United States forces on Okinawa, describes generally the missions and strengths of the Japanese forces to be deployed to Okinawa following reversion, and sets timetables for full assumption of the missions described.

A Memorandum of Understanding of June 17, 1971 concerning air services to and through Okinawa after reversion preserves existing

traffic rights for American commercial air carriers now serving Okinawa. In addition there will be a five year "no charge" period following reversion during which the benefits American carriers receive by serving Okinawa will not be taken into account in calculating the overall balance of benefits which the United States receives under the bilateral air transport agreement with Japan.

The Agreement and related documents take account of essential American interests in Okinawa and the Far East. Under the Agreement the United States will retain its essential military bases on Okinawa under provisions of the United States-Japan Treaty of Mutual Cooperation and Security, which has proved very satisfactory in Japan proper. The treaty arrangements and Japan's recognition of its own stake in the security of the Far East should ensure effective operation of our bases on Okinawa and contribute to peace and security in the region.

More fundamentally, Okinawa's reversion will resolve the last remaining issue between the United States and Japan arising from World War II. Reversion is essential to the preservation and further development of relations with Japan. It will fulfill our pledge to the people of Japan and Okinawa and will enable them to realize their goal of reunifying Okinawa with Japan. It will, in short, be a unique historic act reflecting both the strength of the ties between the United States and Japan and the character of both nations.

Because of the unusual importance of the Agreement, I hope that the Senate will give it early and favorable consideration.

Respectfully submitted.

WILLIAM P. ROGERS.

(Enclosures: (1) Agreement between the United States of America and Japan concerning the Ryukyu Islands and the Daito Islands. (2) Related documents: (a) Agreed minutes; (b) Memorandum of Understanding concerning Article III; (c) Exchange of notes concerning the Voice of America facility on Okinawa; (d) Exchange of notes concerning submerged lands; (e) Letter from Minister for Foreign Affairs Kiichi Aichi to Ambassador Meyer concerning treatment of foreign nationals and firms; (f) Memorandum of Understanding on air services to and through Okinawa; (g) Arrangement concerning Assumption by Japan of the Responsibility for the Immediate Defense of Okinawa. (3) Joint Communique of November 21, 1969.)

other than those with respect to which such right has already been returned to Japan in accordance with the Agreement concerning the Amami Islands and the Agreement concerning Nanpo Shoto and Other Islands signed between the United States of America and Japan, respectively on December 24, 1953 and April 5, 1968.

ARTICLE II

It is confirmed that treaties, conventions and other agreements concluded between the United States of America and Japan, including, but without limitation, the Treaty of Mutual Cooperation and Security between the United States of America and Japan signed at Washington on January 19, 1960, and its related arrangements and the Treaty of Friendship, Commerce and Navigation between the United States of America and Japan signed at Tokyo on April 2, 1953, become applicable to the Ryukyu Islands and the Daito Islands as of the date of entry into force of this Agreement.

ARTICLE III

1. Japan will grant the United States of America on the date of entry into force of this Agreement the use of facilities and areas in the Ryukyu Islands and the Daito Islands in accordance with the Treaty of Mutual Cooperation and Security between the United States of America and Japan signed at Washington on January 19, 1960 and its related arrangements.

2. In the application of Article IV of the Agreement under Article VI of the Treaty of Mutual Cooperation and Security between the United States of America and Japan, regarding Facilities and Areas and the Status of United States Armed Forces in Japan signed on January 19, 1960, to the facilities and areas the use of which will be granted in accordance with paragraph 1 above to the United States of America on the date of entry into force of this Agreement, it is understood that the phrase "the condition in which they were at the time they became available to the United States armed forces" in paragraph 1 of the said Article IV refers to the condition in which the facilities and areas first came into the use of the United States armed forces, and that the term "improvements" in paragraph 2 of the said Article includes those made prior to the date of entry into force of this Agreement.

ARTICLE IV

1. Japan waives all claims of Japan and its nationals against the United States of America and its nationals and against the local authorities of the Ryukyu Islands and the Daito Islands, arising from the presence, operations or actions of forces or authorities of the United States of America in these islands, or from the presence, operations or actions of forces or authorities of the United States of America having had any effect upon these islands, prior to the date of entry into force of this Agreement.

2. The waiver in paragraph 1 above does not, however, include claims of Japanese nationals specifically recognized in the laws of the United States of America or the local laws of these islands applicable during

the period of United States administration of these islands. The Government of the United States of America is authorized to maintain its duly empowered officials in the Ryukyu Islands and the Daito Islands in order to deal with and settle such claims on and after the date of entry into force of this Agreement in accordance with the procedures to be established in consultation with the Government of Japan.

3. The Government of the United States of America will make ex gratia contributions for restoration of lands to the nationals of Japan whose lands in the Ryukyu Islands and the Daito Islands were damaged prior to July 1, 1950, while placed under the use of United States authorities, and were released from their use after June 30, 1961 and before the date of entry into force of this Agreement. Such contributions will be made in an equitable manner in relation to the payments made under High Commissioner Ordinance Number 60 of 1967 to claims for damages done prior to July 1, 1950 to the lands released prior to July 1, 1961.

4. Japan recognizes the validity of all acts and omissions done during the period of United States administration of the Ryukyu Islands and the Daito Islands under or in consequence of directives of the United States or local authorities, or authorized by existing law during that period, and will take no action subjecting United States nationals or the residents of these islands to civil or criminal liability arising out of such acts or omissions.

ARTICLE V

1. Japan recognizes the validity of, and will continue in full force and effect, final judgments in civil cases rendered by any court in the Ryukyu Islands and the Daito Islands prior to the date of entry into force of this Agreement, provided that such recognition or continuation would not be contrary to public policy.

2. Without in any way adversely affecting the substantive rights and positions of the litigants concerned, Japan will assume jurisdiction over and continue to judgment and execution any civil cases pending as of the date of entry into force of this Agreement in any court in the Ryukyu Islands and the Daito Islands.

3. Without in any way adversely affecting the substantive rights of the accused or suspect concerned, Japan will assume jurisdiction over, and may continue or institute proceedings with respect to, any criminal cases with which any court in the Ryukyu Islands and the Daito Islands is seized as of the date of entry into force of this Agreement or would have been seized had the proceedings been instituted prior to such date.

4. Japan may continue the execution of any final judgments rendered in criminal cases by any court in the Ryukyu Islands and the Daito Islands.

ARTICLE VI

1. The properties of the Ryukyu Electric Power Corporation, the Ryukyu Domestic Water Corporation and the Ryukyu Development Loan Corporation shall be transferred to the Government of Japan on the date of entry into force of this Agreement, and the rights and

obligations of the said Corporations shall be assumed by the Government of Japan on that date in conformity with the laws and regulations of Japan.

2. All other properties of the Government of the United States of America, existing in the Ryukyu Islands and the Daito Islands as of the date of entry into force of this Agreement and located outside the facilities and areas provided on that date in accordance with Article III of this Agreement, shall be transferred to the Government of Japan on that date, except for those that are located on the lands returned to the landowners concerned before the date of entry into force of this Agreement and for those the title to which will be retained by the Government of the United States of America after that date with the consent of the Government of Japan.

3. Such lands in the Ryukyu Islands and the Daito Islands reclaimed by the Government of the United States of America and such other reclaimed lands acquired by it in these islands as are held by the Government of the United States of America as of the date of entry into force of this Agreement become the property of the Government of Japan on that date.

4. The United States of America is not obliged to compensate Japan or its nationals for any alteration made prior to the date of entry into force of this Agreement to the lands upon which the properties transferred to the Government of Japan under paragraphs 1 and 2 above are located.

ARTICLE VII

Considering, inter alia, that United States assets are being transferred to the Government of Japan under Article VI of this Agreement, that the Government of the United States of America is carrying out the return of the Ryukyu Islands and the Daito Islands to Japan in a manner consistent with the policy of the Government of Japan as specified in paragraph 8 of the Joint Communique of November 21, 1969, and that the Government of the United States of America will bear extra costs, particularly in the area of employment after reversion, the Government of Japan will pay to the Government of the United States of America in United States dollars a total amount of three hundred and twenty million United States dollars (U.S. \$320,000,000) over a period of five years from the date of entry into force of this Agreement. Of the said amount, the Government of Japan will pay one hundred million United States dollars (U.S. \$100,000,000) within one week after the date of entry into force of this Agreement and the remainder in four equal annual installments in June of each calendar year subsequent to the year in which this Agreement enters into force.

ARTICLE VIII

The Government of Japan consents to the continued operation by the Government of the United States of America of the Voice of America relay station on Okinawa Island for a period of five years from the date of entry into force of this Agreement in accordance with the arrangements to be concluded between the two Governments. The two Governments shall enter into consultation two years after the date of entry into force of this Agreement on future operation of the Voice of America on Okinawa Island.

ARTICLE IX

This Agreement shall be ratified and the instruments of ratification shall be exchanged at Tokyo. This Agreement shall enter into force two months after the date of exchange of the instruments of ratification.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

DONE at Washington and Tokyo, this seventeenth day of June, 1971, in duplicate in the English and Japanese languages, both equally authentic.

For the United States of America:

WILLIAM P. ROGERS

For Japan:

KIICHI AICHI

RELATED DOCUMENTS

AGREED MINUTES

The representatives of the Government of the United States of America and of the Government of Japan wish to record the following understanding reached during the negotiations for the Agreement between the United States of America and Japan concerning the Ryuku Islands and the Daito Islands, signed today:

Regarding Article I:

The territories defined in paragraph 2 of Article I are the territories under the administration of the United States of America under Article 3 of the Treaty of Peace with Japan, and are, as designated under Civil Administration Proclamation Number 27 of December 25, 1953, all of those islands, islets, atolls, and rocks situated in an area bounded by the straight lines connecting the following coordinates in the listed order:

North Latitude:

28 degrees
24 degrees
24 degrees
27 degrees
27 degrees
28 degrees
28 degrees

East Longitude:

124 degrees 40 minutes
122 degrees
133 degrees
131 degrees 50 minutes
128 degrees 18 minutes
128 degrees 18 minutes
124 degrees 40 minutes

Regarding Article IV:

1. The claims of Japanese nationals including the municipalities of the Ryukyu Islands and the Daito Islands which the Government of the United States of America will deal with and settle pursuant to paragraph 2 of Article IV include the following:

(1) Claims arising from damages done to land and those relating to Declarations of Taking the settlement for which is provided for in High Commissioner Ordinance Number 20 on Acquisition of Leasehold Interest;

(2) Claims falling within the competence of the United States Land Tribunal for the Ryukyu Islands established by High Commissioner Ordinance Number 19;

(3) Claims the settlement for which may be sought under the laws of the United States of America respecting foreign claims;

(4) Claims of the employees of the Government of the United States of America or its instrumentalities protected under the laws of the United States of America respecting compensation for work injuries or under High Commissioner Ordinance Number 42 on Workmen's Compensation Benefits;

(5) Claims of the employees of the Government of the United States of America or its instrumentalities relating to remuneration and other benefits; and

(6) Others.

2. The procedures to be established under paragraph 2 of Article IV will also provide for a suitable arrangement for the ex gratia contributions to be made under paragraph 3 of Article IV as well as for that through which the Government of the United States of America or its instrumentalities will complete the payments of their debts owed to Japanese nationals including the municipalities of the Ryukyu Islands and the Daito Islands outstanding on the date of entry into force of the Agreement.

3. The Government of the United States of America will in consultation with the Government of Japan take necessary measures to secure sufficient public knowledge and easy availability of the procedures.

Regarding Article V:

1. The words "final judgments" referred to in paragraph 1 of Article V include final decrees and orders.

2. The words "any court in the Ryukyu Islands and the Daito Islands" mean the courts of the Government of the Ryukyu Islands and of the United States Civil Administration of the Ryukyu Islands.

3. The military authorities of the United States will exercise criminal jurisdiction over the members of the United States armed forces with respect to offenses committed in the Ryukyu Islands and the Daito Islands prior to the date of entry into force of the Agreement in accordance with relevant provisions of Article XVII of the Agreement under Article VI of the Treaty of Mutual Cooperation and Security between the United States of America and Japan, regarding Facilities and Areas and the Status of United States Armed Forces in Japan signed on January 19, 1960; and Japan will not exercise criminal jurisdiction over such cases.

Regarding Article VI:

1. The United States armed forces in the Ryukyu Islands and the Daito Islands will be entitled to the use of public utilities and services only under conditions comparable to those presently enjoyed by such forces in mainland Japan in accordance with the relevant provisions of the Agreement under Article VI of the Treaty of Mutual Cooperation and Security between the United States of America and Japan, regarding Facilities and Areas and the Status of United States Armed Forces in Japan signed on January 19, 1960.

2. The properties of the Government of the United States of America to be transferred to the Government of Japan under paragraph 2 of Article VI include:

- (1) Naha Airport facilities including the Miwa non-directional beacon;
- (2) Administrative structures including:
 - (a) Justice Building at Naha;
 - (b) English Language Center at Naha;
 - (c) Naha, Nago, Ishikawa, Miyako and Yaeyama Cultural Centers;
 - (d) The Government of the Ryukyu Islands Executive Building at Naha;
 - (e) Yaeyama Civil Administration Headquarters; and

(f) Miyako Civil Administration Headquarters;
(3) Road structures including traffic lights, road signs, bridges and other fixtures of the following routes:

Route:	Approximate length:
1	66 km;
5	13 km;
6	7 km;
7	9 km;
8	10 km;
13	62 km;
16	8 km;
24	13 km;
44	12 km; and

Others

(4) Air navigation facilities related to airports:

(a) Non-directional beacons on Minamidaito Jima, Kume Jima, Ishigaki Jima and Yonaguni Jima;

(b) Air-ground communications facilities and inter-islands communications-navigation system on the above islands and Miyako Jima;

(5) Navigation aids:

(a) Short range aids to navigation; 14 light structures, 17 lighted buoys, 2 sets of channel range lights and others; and

(b) LORAN-A transmitting station on Miyako Jima;

(6) Installations at Naha Wheel Area and on those parts of the areas at Naha Air Force/Navy Annex and Tokashiki Army Annex to be released for use by the Government of Japan.

3. The properties the title to which will be retained by the Government of the United States of America include the housing for State Department personnel at Hamakawa, Chatan Village.

Regarding Article VII:

With respect to computation and payment of the separation payments to be made to the Japanese employees of the United States armed forces in the Ryukyu Islands and the Daito Islands (including non-appropriated fund organizations) after reversion, the Government of the United States of America will pay the amount computed for the entire employment periods of such employees beginning from April 30, 1952, including their pre-reversion employment periods, applying the computation formula provided for in the Master Labor Contract, the Mariner Contract and the Indirect Hire Agreement in mainland Japan.

Regarding Article VIII:

In case of relocation of the Voice of America outside Japan and in the event it would be found that a substitute facility will not be completed within the five-year period referred to in Article VIII due to unforeseen circumstances, the Government of Japan is prepared to give full recognition to the need for continued operation of the Voice of America on Okinawa Island after the said five-year period until completion of the substitute facility.

TOKYO, June 17, 1971.

ARMIN H. MEYER.
KIICHI AICHI.

MEMORANDUM OF UNDERSTANDING

The attached represent the results of discussions held between the representatives of the Government of the United States of America and of the Government of Japan concerning Article III of the Agreement between the United States of America and Japan concerning the Ryukyu Islands and the Daito Islands signed today.

TOKYO, June 17, 1971.

ARMIN H. MEYER,
Ambassador Extraordinary and Plenipotentiary
of the United States of America to Japan.
KIICHI AICHI,
Minister for Foreign Affairs of Japan.

LIST A

The following are the installations and sites which the Government of the United States of America and the Government of Japan are prepared, unless otherwise agreed between them, to agree in the Joint Committee, within their present boundaries, or as indicated in the remarks, as facilities and areas pursuant to Article II of the Agreement under Article VI of the Treaty of Mutual Cooperation and Security between the United States of America and Japan, regarding Facilities and Areas and the Status of United States Armed Forces in Japan signed on January 19, 1960 (hereinafter referred to as the "SOFA") for the use by the United States armed forces as from the date of reversion. The agreements in the Joint Committee will be concluded on the day of entry into force of the Agreement between the United States of America and Japan concerning the Ryukyu Islands and the Daito Islands, and every effort will be made to complete the preparatory work well in advance of that day.

Number nomenclature	Present nomenclature	Remarks
1. Northern Training Area.....	Marine Northern Training Area.....	
2. Aha Training Area.....	Aha Training Area.....	SOFA II-4(b) use.
3. Kawata Training Area.....	Kawata Training Area.....	Do.
4. Okuma Rest Center.....	Okuma Rest Center.....	
5. Ie Shima Auxiliary Airfield.....	Ie Shima Auxiliary Airfield.....	
6. Yaetake communication site.....	Yaetake communications site.....	
7. Gesashi communication site.....	LORAN-A-C Transmitting Station, Gesashi.	
8. Sedake Training Area.....	Sedake Training Area No. 1.....	SOFA II-4(b) use.
9. Camp Schwab.....	Camp Schwab.....	
	Camp Schwab Training Area.....	Cf. list C.
	LST Ramp Camp Schwab.....	
10. Henoko Ordnance Ammunition Depot.....	Henoko Ordnance Ammunition Depot.	
	Henoko Navy ammunition storage facilities.	
11. Camp Hansen.....	Camp Hansen.....	Cf. list C.
	Camp Hansen Training Area.....	Do.
12. Kushi Training Area.....	Kushi Training Area.....	SOFA II-4(b) use.
13. Onna communication site.....	Onna Point Communications Annex.	

(10)

Number nomenclature	Present nomenclature	Remarks
14. Camp Hardy.....	Camp H. F. Hardy.....	
15. Onna site.....	Onna Point Army Annex.....	Cf. list B.
16. Yaka training area.....	Yaka training area.....	SOFA II-4(b) use.
17. Gimbaru training area.....	Gimbaru training area.....	
	Kadena Site No. 3.	
18. Yaka Rest Center.....	Yaka Rest Center.....	
19. Kin Red Beach training area.....	Kin Red Beach training area.....	
20. Kin Blue Beach training area.....	Kin Blue Beach training area.....	
21. Bolo Point trainfire range.....	Bolo Point trainfire range.....	
	Kadena Site No. 1.	
	Bolo Point Army Annex.	
	Yomitan Army Annex No. 1.	
22. Kadena ammunition storage area.....	Kadena Ammunition Storage Annex.	
	Site Hizagawa.	
	Hanza Ammunition Storage Annex.	
	Joint ordnance explosive demolition area, Yomitan.	
	Army CSG Ammunition Storage Annex.	
	Chibana Ordnance Ammunition Depot.	
	Kadena VORTAC Site.	
	Kadena TACAN Site.	
	Higashionna Ammunition Storage Annex.	Cf. list C.
23. Chibana site.....	Chibana Army Annex.....	Cf. list B.
	Kina Radio Relay Annex.	
24. Ishikawa Army Annex.....	Ishikawa Army Annex.....	
25. Yomitan Army Annex.....	Yomitan Army Annex No. 2.	
26. Sobe Communication Site.....	Naval Communications Site, Sobe Annex.	
	Sobe Direction Finder Site, East.	
27. Yomitan Auxiliary Airfield.....	Yomitan Auxiliary Airfield.	
	Site Nakano.	
28. Tengan Pier.....	Tengan Pier.....	
29. Camp Courtney.....	Camp Courtney.....	Cf. list C.
30. Tengan Communication Site.....	Starcom Transmitter Site, Tengan.	
31. Camp McTureous.....	Camp McTureous.....	
32. Camp Shields.....	Camp Shields.....	Do.
33. Camp Hauge.....	Camp Hauge.....	Do.
34. Deragawa Communication Site.....	Deragawa Transmitter Site.	
35. Hanza Army Annex.....	Site Hanza.	
36. Torii Communication Station.....	Torii Station, Sobe.	
	Starcom Receiver Station, Sobe.	
37. Kadena Air Base.....	Kadena Air Base.	
	Camp Sansone.	
	Army Housing Area.	
38. Kadena Housing Area.....	Kadena Housing Area.	
39. Sunabe Warehouse.....	Warehouse Sunabe.	
	Air Force furniture repair shop.	
40. Sunabe Army Annex.....	Site Sunabe.	
41. Kashiji Army Annex.....	Site Kashiji.	
42. Koza Communication Site.....	Koza Radio Relay Annex.	
43. Camp Kue.....	Camp Kue.	
44. Camp Sukiran.....	Camp Sukiran.	
	Camp Foster.	
45. Sukiran Communication Site.....	Sukiran Propagation Annex (Sukiran Area "C").	
46. Awase Communication Station.....	Awase Communications Annex.	
	Naval Air Facility Transmitter Unit, Awase.	
47. Nishihara Army Annex.....	Nishihara Army Annex No. 1.	
48. White Beach Area.....	Naval port facility, White Beach.	Cf. list C.
	Kachin Hanto Army Area.	
	White Beach Tank Farm.	
	Kadena Site No. 2.	
49. Awase Storage Area.....	Nishihara Army Annex No. 2.	Cf. list B.
	Awase Ammunition Storage Annex.	
50. Kubasaki School Area.....	Camp Kubasaki.	Cf. list C.
51. Futenma Air Station.....	Marine Corps Air Station, Futenma.	
	Futenma Army Annex.	
	Marine Corps Air Station Communications Annex, Futenma.	
52. Camp Mercy.....	Camp Mercy (Machinato Area "H").	
53. Camp Boone.....	Camp Boone (Machinato Area "J").	

25. Camp Hansen (approximately 390,600 square meters) (No. 11)
26. Camp Hansen Training Area (approximately 177,400 square meters) (No. 11)
27. Higashionna Ammunition Storage Annex (approximately 947,100 square meters) (No. 22)
28. Camp Courtney (approximately 396,200 square meters) (No. 29)
29. Camp Shields (approximately 603,000 square meters) (No. 32)
30. Camp Hauge (approximately 53,600 square meters) (No. 33)
31. Camp Kubasaki (approximately 64,700 square meters) (No. 50)
32. Yozadake Air Station (approximately 72,600 square meters) (No. 72)
33. Kume Shima Air Station (approximately 44,500 square meters) (No. 79)
34. Miyako Jima Air Station (approximately 97,700 square meters) (No. 87)

NOTE.—There are also other installations and sites to be released by virtue of Article VI of the Agreement between the United States of America and Japan concerning the Ryukyu Islands and the Daito Islands.

EXCHANGE OF NOTES CONCERNING THE VOICE OF AMERICA FACILITY ON OKINAWA

(JAPANESE NOTE)

(Translation)

JUNE 17, 1971.

EXCELLENCY: I have the honor to refer to Article VIII of the Agreement between Japan and the United States of America concerning the Ryukyu Islands and the Daito Islands signed today and to propose the arrangements referred to in the said Article as follows:

1. The Voice of America relay station (hereinafter referred to as "the relay station") will consist of the following facilities owned by the Government of the United States of America:

A. Transmitting station at Okuma, Kunigami Village:

- 14 operational buildings,
- 14 residence houses,
- 22 antennas, and
- auxiliary facilities.

B. Receiving station at Manzamo, Onna Village:

- 3 operational buildings,
- 27 antennas, and
- auxiliary facilities.

C. Housing and administrative facilities at Hamakawa, Chatan Village:

- 9 residence houses,
- 1 administrative building,
- 1 operational building,
- 5 antennas, and
- auxiliary facilities.

2. The scope of the transmission activities of the relay station shall be as set forth below:

(1) Medium wave broadcasting

- a. Frequency: 1,178 KC
- b. Power: not exceeding 1,000 KW
- c. Transmission hours per day: not exceeding 6 hours.

(2) Short wave broadcasting

(a) Number of Transmitters: not exceeding

100 KW	1
35 KW	2
15 KW	1
5 KW	1

b. Frequency-hours per day: not exceeding 32.5 hours.

c. Number of antennas: not exceeding 6.

(3) Languages used: No languages other than those presently used.

(4) Matters concerning frequencies and other basic characteristics of emission used by the relay station for broadcasting, radio teletype and communication links other than those listed above will be approved by the competent authorities of the Government of Japan on the basis of the existing characteristics. Any subsequent changes in the characteristics thus approved will be subject to approval of the competent authorities of the Government of Japan. In exceptional cases, the relay station may extend, on an ad hoc basis, its broadcasting hours beyond the limits provided for in (1)c and (2)b above with the approval of the competent authorities of the Government of Japan.

3. The Government of the United States of America will notify the International Frequency Registration Board of frequency assignments, including seasonal high frequency broadcasting schedules, for the relay station in accordance with the Radio Regulations attached to the International Telecommunication Convention. The competent authorities of the Government of the United States of America will inform those of the Government of Japan of the particulars of such notification.

4. The Government of the United States of America will take necessary steps to remove, as quickly as possible, any jamming or interference caused by the relay station to radio stations or radio receiving facilities regulated by the relevant radio laws of Japan.

5. The Government of the United States of America shall be responsible for just and expeditious settlement of all claims against the relay station or its employees arising from or in connection with its activities.

6. Sole responsibility for the programs relayed through the relay station will rest with the Government of the United States of America. The Government of Japan, however, reserves the right to express its views on the said programs as it considers necessary, and the Government of the United States of America will respect the views so expressed.

7. Details for the implementation of these arrangements will be agreed upon as may be necessary between the competent authorities of the two Governments.

I have further the honor to propose that the present Note and Your Excellency's Note in reply confirming the foregoing arrangements on behalf of the Government of the United States of America shall be regarded as constituting an agreement between the two Governments, which will enter into force on the date of entry into force of the Agreement between Japan and the United States of America concerning the Ryukyu Islands and the Daito Islands signed today.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

KIICHI AICHI,

TOKYO, June 17, 1971.

No. 314.

His Excellency KIICHI AICHI,
Minister for Foreign Affairs of Japan.

EXCELLENCY: I have the honor to acknowledge the receipt of Your Excellency's Note of today's date, which reads as follows:

"I have the honor to refer to Article VIII of the Agreement between Japan and the United States of America concerning the Ryukyu Is-

lands and Daito Islands signed today and to propose the arrangements referred to in the said Article as follows:

"1. The Voice of America relay station (hereinafter referred to as 'the relay station') will consist of the following facilities owned by the Government of the United States of America:

"A. Transmitting station at Okuma, Kunigami Village:

14 operational buildings,
14 residence houses,
22 antennas, and
auxiliary facilities.

"B. Receiving station at Manzamo, Onna Village:

3 operational buildings,
27 antennas, and
auxiliary facilities.

"C. Housing and administrative facilities at Hamakawa, Chatan Village:

9 residence houses,
1 administrative building,
1 operational building,
5 antennas, and
auxiliary facilities.

"2. The scope of the transmission activities of the relay station shall be as set forth below:

"(1) Medium wave broadcasting

a. Frequency: 1,178 KC
b. Power: not exceeding 1,000 KW
c. Transmission hours per day: not exceeding 6 hours.

"(2) Short wave broadcasting:

a. Number of transmitters: not exceeding

100 KW	1
35 KW	2
15 KW	1
5 KW	1

b. Frequency-hours per day: not exceeding 32.5 hours.

c. Number of antennas: not exceeding 6.

"(3) Languages used: No languages other than those presently used.

"(4) Matters concerning frequencies and other basic characteristics of emission used by the relay station for broadcasting, radio teletype and communication links other than those listed above will be approved by the competent authorities of the Government of Japan on the basis of the existing characteristics. Any subsequent changes in the characteristics thus approved will be subject to approval of the competent authorities of the Government of Japan. In exceptional cases, the relay station may extend, on an ad hoc basis, its broadcasting hours beyond the limits provided for in (1)c and (2)b above with the approval of the competent authorities of the Government of Japan.

"3. The Government of the United States of America will notify the International Frequency Registration Board of frequency assignments, including seasonal high frequency broadcasting schedules, for the relay station in accordance with the Radio Regulations attached to the International Telecommunication Convention. The competent

authorities of the Government of the United States of America will inform those of the Government of Japan of the particulars of such notification.

"4. The Government of the United States of America will take necessary steps to remove, as quickly as possible, any jamming or interference caused by the relay station to radio stations or radio receiving facilities regulated by the relevant radio laws of Japan.

"5. The Government of the United States of America shall be responsible for just and expeditious settlement of all claims against the relay station or its employees arising from or in connection with its activities.

"6. Sole responsibility for the programs relayed through the relay station will rest with the Government of the United States of America. The Government of Japan, however, reserves the right to express its views on the said programs as it considers necessary, and the Government of the United States of America will respect the views so expressed.

"7. Details for the implementation of these arrangements will be agreed upon as may be necessary between the competent authorities of the two Governments.

"I have further the honor to propose that the present Note and Your Excellency's Note in reply confirming the foregoing arrangements on behalf of the Government of the United States of America shall be regarded as constituting an agreement between the two Governments, which will enter into force on the date of entry into force of the Agreement between Japan and the United States of America concerning the Ryukyu Islands and the Daito Islands signed today.

"I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration."

I have further the honor to confirm the above arrangements on behalf of the Government of the United States of America and agree that Your Excellency's Note and this reply shall be regarded as constituting an agreement between the two Governments, which will enter into force on the date of entry into force of the Agreement between the United States of America and Japan concerning the Ryukyu Islands and the Daito Islands signed today.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

ARMIN H. MEYER.

EXCHANGE OF NOTES CONCERNING SUBMERGED LANDS

TOKYO, June 17, 1971.

No. 313.

HIS EXCELLENCY KIICHI AICHI,
Minister for Foreign Affairs of Japan.

EXCELLENCY: I have the honor to refer to the Agreement between the United States of America and Japan concerning the Ryukyu Islands and the Daito Islands signed today and to confirm the understanding reached between the two Governments that the Government of the United States of America will undertake, in consultation with the Government of Japan, to complete necessary preparations as expeditiously as possible for settlement of the question arising out of the submersion of lands in the military port of Naha through disposition of the lands reclaimed and now held by the Government of the United States of America in these islands to the extent necessary for this purpose.

I should be appreciative if Your Excellency would confirm the foregoing on behalf of your Government.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

ARMIN H. MEYER.

(JAPANESE NOTE)

(Translation)

JUNE 17, 1971.

EXCELLENCY: I have the honor to acknowledge the receipt of Your Excellency's Note of today's date, which reads as follows:

(U.S. NOTE)

I have further the honor to confirm the foregoing understanding on behalf of the Government of Japan.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

KIICHI AICHI.

LETTER FROM MINISTER FOR FOREIGN AFFAIRS KIICHI AICHI TO AMBASSADOR MEYER CONCERNING TREATMENT OF FOREIGN NATIONALS AND FIRMS

(Translation)

TOKYO, June 17, 1971.

HON. ARMIN H. MEYER,
Ambassador of the United States of America.

DEAR MR. AMBASSADOR: With reference to paragraph 9 of the Joint Communiqué between Prime Minister Sato and President Nixon issued on November 21, 1969, and to the recent talks between the representatives of the two Governments concerning the treatment after

reversion of foreign nationals and firms in Okinawa, I wish to inform you that the Government of Japan, desirous of treating the matter in a sympathetic manner, has decided on the following policies:

I. BUSINESS ACTIVITIES

1. Each firm will be requested to make application, within a reasonable period of time after the reversion of Okinawa, for validation under the Law Concerning Foreign Investment and, with certain business activities, for licence or permit under other laws of Japan. Individual entrepreneurs will not be required to obtain validation under the Law Concerning Foreign Investment.

2. The Government of Japan will promptly accord the said validation, licence or permit through the above-mentioned procedure to those firms and individual entrepreneurs which are legitimately engaged in business in Okinawa as of this date, in order to ensure the continuation of their business in accordance with presently valid licences of the Government of the Ryukyu Islands or other authorization, provided that:

(a) the said validation, licence or permit will not cover the establishment of a new branch and the removal of their fixed base of business to any other place in Japan outside Okinawa, for which a separate application will be required, and

(b) certain firms will have to make the adjustments requested by the Government of Japan in accordance with the understandings between the Japanese authorities and the firms concerned.

3. Pending the completion of the procedure mentioned in preceding paragraphs, necessary transitional measures will be taken under which the firms concerned will be allowed to continue their business operations in the meantime.

4. Subject to the conditions mentioned in paragraph 2 above, these firms and individual entrepreneurs may engage in transactions throughout Japan after reversion in accordance with the relevant laws and regulations of Japan.

II. PRIVATE PROPERTIES

1. The private properties of foreign individuals and firms in Okinawa, including the ownership and leases of private lands and houses duly acquired, will be respected after reversion under the Japanese laws and regulations as in the case of such properties of foreign individuals and firms in mainland Japan.

2. Those foreign investors desiring assurances that principals of and profits accruing from technical assistance contracts, beneficiary certificates, debentures, claimable assets and stock acquisition not affecting business management be paid in foreign currency should apply after reversion for the validation of such contracts or rights under the Law Concerning Foreign Investment. Such validation will promptly be given.

III. LEASING OF STATE AND PREFECTURAL LANDS

With respect to the leasing of state and prefectural lands in Okinawa, necessary measures will be taken so that such leasing may continue for a period of one year after reversion under the same condi-

tions as in the present. The leasing of such lands for the period to follow will be subject to arrangements to be made between the parties concerned during the said one year period.

The leasing of state and prefectural lands in Okinawa after reversion will be made under the relevant laws and regulations of Japan, and no discrimination will be made against United States lessees for the reason that they are foreign lessees.

IV. REMITTANCE IN FOREIGN CURRENCY

1. With respect to the investment validated under the Law Concerning Foreign Investment, conversion into convertible foreign currency as well as free remittance to foreign countries of principals and profits accruing from the investment are guaranteed under the said law. Remittance of profits or funds generated through liquidation in the case of individual entrepreneurs will automatically be approved upon verification.

2. Foreign residents who hold dollar deposits in an Okinawan bank at the time of reversion may continue, after reversion, to hold dollar accounts or may convert them into yen accounts.

The remittance abroad of such accounts will be governed by the provisions of the Foreign Exchange and Foreign Trade Control Law.

V. PROFESSIONALS

The treatment of foreign professionals in Okinawa after reversion will be as follows:

(1) *Lawyers*

Foreign lawyers who have been continuously practicing in Okinawa since January 1, 1971, will be allowed to practice, as in the present, concerning foreign laws after reversion subject to the approval by the Supreme Court of Japan, provided that each lawyer will maintain his office in Okinawa.

(2) *Doctors and dentists*

(a) Foreign doctors and dentists licensed under the pertinent laws in Okinawa as of the date of reversion will be allowed, for a considerable length of period, to practice, after reversion, as in the present in Okinawa, and will be qualified to take the National Medical Examination or the Preparatory Examination for the National Medical Examination for doctors or dentists under the relevant laws and regulations of Japan during the said period of time. If necessary, such examination will be given in English, provided that those who will have passed the National Medical Examination in English will be allowed to practice in Okinawa.

(b) Recognizing the necessity of continuation of operations of the Adventist Medical Center in Naha City, doctors or dentists who will come to Okinawa after reversion to practice at the Adventist Medical Center will be qualified to take the National Medical Examination or the Preparatory Examination for the National Medical Examination for doctors or dentists under the relevant laws and regulations of Japan. If necessary, such examination will be given in English, provided that those who will have passed the National Medical Examination in English will be allowed to practice at the said facility.

(3) *Veterinarians*

Those veterinarians licensed under the pertinent laws in Okinawa will be allowed to practice after reversion in Okinawa.

(4) *Certified public accountants*

Those certified public accountants who have been legitimately operating in Okinawa, have been certified in a foreign country such as the United States with requirements corresponding to those of Japanese certified public accountants and who possess sufficient knowledge of Japanese laws and regulations concerning accounting, will be allowed to practice upon the approval of their qualifications by the Minister of Finance of Japan and the registry of their names with the Japanese Institute of Certified Public Accountants. Such approval will promptly be given after reversion.

VI. TAXATION

1. The Government of Japan confirms that it has no intention to impose after reversion any retroactive taxation under Japanese tax laws and regulations in respect of activities or property in Okinawa before reversion. This does not mean that the Government of Japan renounces the right to impose taxation in accordance with the provisions of the tax laws in Okinawa (including USCAR Ordinances), which will be deemed as having the validity as Japanese tax laws and regulations, in case where taxation which should have been imposed on activities or property of foreign firms in Okinawa prior to reversion under the tax laws in Okinawa (including USCAR Ordinances) have not been imposed properly in accordance with such laws.

2. (a) With respect to the business losses based upon the filing of Blue Returns, for which a carry-over could have been approved under the Corporation Tax Law in Okinawa but has not actually been applied, the Government of Japan will in principle permit a carry-over thereof after reversion in accordance with the provisions of the Japanese Corporation Tax Law. The same treatment will be extended with respect to net losses presented in Blue Returns, carry-over of deduction of which is permitted under the Income Tax Law in Okinawa.

(b) Paragraph (a) above will be also applied with respect to Enterprise Tax and Local Inhabitants Tax imposed by local authorities.

VII. IMPORT QUOTAS

The Government of Japan, as indicated in the Cabinet Decision of November 20, 1970, will give special consideration, where necessary, with respect to the importation of goods into Okinawa on an item-by-item basis, with a view to alleviating any impact which the application of the relevant laws and regulations of Japan may have on the livelihood of residents and the business activities of firms in Okinawa.

With respect to imports of goods under quantitative restrictions, the Government of Japan will, in the light of the above-mentioned decision, grant quotas to individual foreign firms on the basis of the past records of imports of such goods into Okinawa and also take into account the necessity for a reasonable increase of such imports in the light of the market situation and other relevant factors.

In implementing the policies mentioned in the said Cabinet decision and granting such quotas, the Government of Japan will not discriminate against foreign firms.

VIII. BROADCASTING

With respect to the operation of the Far East Broadcasting Company, the Government of Japan will take the necessary measures concerning the licensing after reversion of radio stations for the Far East Broadcasting Company as follows:

(1) The Government of Japan will permit broadcasting in the Japanese language by the "Zaidan Hojin Kyokuto Hoso" in accordance with the relevant laws and regulations of Japan.

(2) With respect to broadcasting in the English language now conducted by the Far East Broadcasting Company, such operation will be authorized to continue for a period of five years after reversion. The operation will be carried out under the conditions provided for by the relevant laws and regulations of Japan.

Sincerely yours,

KIICHI AICHI,

Minister for Foreign Affairs.

(2) Naha Wheel—JGSDF units and such other JSDF units as may be required.

(3) White Beach and Naha Port—JMSDF units. SOFA Article II-4-(a) arrangements as necessary will be worked out for JMSDF's use of piers, staging areas and others.

(4) The facilities and areas in use of NIKE, HAWK and aircraft control and warning units—JSDF surface-to-air missile units and aircraft control and warning units being deployed.

b. The United States will cooperate in the location of JSDF communications receiver and transmitter sites and will consider their accommodation within US Facilities and Areas where possible.

4. Air Defense

a. JASDF will:

- (1) deploy units to Naha Airport beginning on or about R-day,
- (2) assume air defense alert with F-104J aircraft by R-day plus 6 months and,
- (3) assume operation of the aircraft control and warning system by 1 July, 1973.

b. JASDF NIKE Group and JGSDF HAWK Group will deploy to Okinawa, so as to assume the surface-to-air missile defense mission by 1 July, 1973.

c. Operational responsibility for the air defense of Okinawa will be retained by the USAF until JSDF assumes the responsibility by 1 July, 1973.

Command, however, of JSDF and US forces will be exercised through their respective national command channels.

5. Surface-to-Air Missile and Aircraft Control and Warning System

In the interest of facilitating the early assumption of the air defense of Okinawa, JDA intends to buy and the US Government, through the US DOD, offers to sell, on terms and conditions to be specified separately, the basic aircraft control and warning system and the NIKE and HAWK surface-to-air missile systems to be agreed upon.

6. Ground Defense, Maritime Defense Patrol and Search and Rescue

JSDF will assume the responsibility for ground defense, maritime defense patrol and search and rescue to be assigned to JDA in Okinawa, as JSDF deployed forces become operational, within 6 months after R-day. JSDF and US forces representatives will in concert prepare detailed plans for the deployment to Okinawa of forces associated with the foregoing functions.

7. Detailed Implementation Plans

For the purpose of implementing the aforementioned JSDF's assumption of the defense mission and its deployment program, detailed implementation plans and arrangements for coordination will be worked out between representatives of JDA and US DOD.

Tokyo, 29 June 1971.

For JDA:

TAKUYA KUBO,
Chief, Defense Bureau,
Japan Defense Agency.

For DOD:

WALTER L. CURTIS, Jr.
US Senior Military Representative

JOINT COMMUNIQUE BETWEEN PRESIDENT RICHARD NIXON AND HIS EXCELLENCY PRIME MINISTER SATO OF JAPAN

1. President Nixon and Prime Minister Sato met in Washington on November 19, 20 and 21, 1969, to exchange views on the present international situation and on other matters of mutual interest to the United States and Japan.

2. The President and the Prime Minister recognized that both the United States and Japan have greatly benefited from their close association in a variety of fields, and they declared that guided by their common principles of democracy and liberty, the two countries would maintain and strengthen their fruitful cooperation in the continuing search for world peace and prosperity and in particular for the relaxation of international tensions. The President expressed his and his government's deep interest in Asia and stated his belief that the United States and Japan should cooperate in contributing to the peace and prosperity of the region. The Prime Minister stated that Japan would make further active contributions to the peace and prosperity of Asia.

3. The President and the Prime Minister exchanged frank views on the current international situation, with particular attention to developments in the Far East. The President, while emphasizing that the countries in the area were expected to make their own efforts for the stability of the area, gave assurance that the United States would continue to contribute to the maintenance of international peace and security in the Far East by honoring its defense treaty obligations in the area. The Prime Minister, appreciating the determination of the United States, stressed that it was important for the peace and security of the Far East that the United States should be in a position to carry out fully its obligations referred to by the President. He further expressed his recognition that, in the light of the present situation, the presence of United States forces in the Far East constituted a mainstay for the stability of the area.

4. The President and the Prime Minister specifically noted the continuing tension over the Korean peninsula. The Prime Minister deeply appreciated the peacekeeping efforts of the United Nations in the area and stated that the security of the Republic of Korea was essential to Japan's own security. The President and the Prime Minister shared the hope that Communist China would adopt a more cooperative and constructive attitude in its external relations. The President referred to the treaty obligations of his country to the Republic of China which the United States would uphold. The Prime Minister said that the maintenance of peace and security in the Taiwan area was also a most important factor for the security of Japan. The President described the earnest efforts made by the United States for a peaceful and just

(2) Naha Wheel—JGSDF units and such other JSDF units as may be required.

(3) White Beach and Naha Port—JMSDF units. SOFA Article II-4-(a) arrangements as necessary will be worked out for JMSDF's use of piers, staging areas and others.

(4) The facilities and areas in use of NIKE, HAWK and aircraft control and warning units—JSDF surface-to-air missile units and aircraft control and warning units being deployed.

b. The United States will cooperate in the location of JSDF communications receiver and transmitter sites and will consider their accommodation within US Facilities and Areas where possible.

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a. JASDF will:

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b. JASDF NIKE Group and JGSDF HAWK Group will deploy to Okinawa, so as to assume the surface-to-air missile defense mission by 1 July, 1973.

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Command, however, of JSDF and US forces will be exercised through their respective national command channels.

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In the interest of facilitating the early assumption of the air defense of Okinawa, JDA intends to buy and the US Government, through the US DOD, offers to sell, on terms and conditions to be specified separately, the basic aircraft control and warning system and the NIKE and HAWK surface-to-air missile systems to be agreed upon.

6. Ground Defense, Maritime Defense Patrol and Search and Rescue

JSDF will assume the responsibility for ground defense, maritime defense patrol and search and rescue to be assigned to JDA in Okinawa, as JSDF deployed forces become operational, within 6 months after R-day. JSDF and US forces representatives will in concert prepare detailed plans for the deployment to Okinawa of forces associated with the foregoing functions.

7. Detailed Implementation Plans

For the purpose of implementing the aforementioned JSDF's assumption of the defense mission and its deployment program, detailed implementation plans and arrangements for coordination will be worked out between representatives of JDA and US DOD.

TOKYO, 29 June 1971.

For JDA:

TAKUYA KUBO,
Chief, Defense Bureau,
Japan Defense Agency.

For DOD:

WALTER L. CURTIS, J

JOINT COMMUNIQUE BETWEEN PRESIDENT RICHARD NIXON AND HIS EXCELLENCY PRIME MINISTER SATO OF JAPAN

1. President Nixon and Prime Minister Sato met in Washington on November 19, 20 and 21, 1969, to exchange views on the present international situation and on other matters of mutual interest to the United States and Japan.

2. The President and the Prime Minister recognized that both the United States and Japan have greatly benefited from their close association in a variety of fields, and they declared that guided by their common principles of democracy and liberty, the two countries would maintain and strengthen their fruitful cooperation in the continuing search for world peace and prosperity and in particular for the relaxation of international tensions. The President expressed his and his government's deep interest in Asia and stated his belief that the United States and Japan should cooperate in contributing to the peace and prosperity of the region. The Prime Minister stated that Japan would make further active contributions to the peace and prosperity of Asia.

3. The President and the Prime Minister exchanged frank views on the current international situation, with particular attention to developments in the Far East. The President, while emphasizing that the countries in the area were expected to make their own efforts for the stability of the area, gave assurance that the United States would continue to contribute to the maintenance of international peace and security in the Far East by honoring its defense treaty obligations in the area. The Prime Minister, appreciating the determination of the United States, stressed that it was important for the peace and security of the Far East that the United States should be in a position to carry out fully its obligations referred to by the President. He further expressed his recognition that, in the light of the present situation, the presence of United States forces in the Far East constituted a mainstay for the stability of the area.

4. The President and the Prime Minister specifically noted the continuing tension over the Korean peninsula. The Prime Minister deeply appreciated the peacekeeping efforts of the United Nations in the area and stated that the security of the Republic of Korea was essential to Japan's own security. The President and the Prime Minister shared the hope that Communist China would adopt a more cooperative and constructive attitude in its external relations. The President referred to the treaty obligations of his country to the Republic of China which the United States would uphold. The Prime Minister said that the maintenance of peace and security in the Taiwan area was also a most important factor for the security of Japan. The President described the earnest efforts made by the United States for a peaceful and just

settlement of the Viet-Nam problem. The President and the Prime Minister expressed the strong hope that the war in Viet-Nam would be concluded before return of the administrative rights over Okinawa to Japan. In this connection, they agreed that, should peace in Viet-Nam not have been realized by the time reversion of Okinawa is scheduled to take place, the two governments would fully consult with each other in the light of the situation at that time so that reversion would be accomplished without affecting the United States efforts to assure the South Vietnamese people the opportunity to determine their own political future without outside interference. The Prime Minister stated that Japan was exploring what role she could play in bringing about stability in the Indochina area.

5. In light of the current situation and the prospects in the Far East, the President and the Prime Minister agreed that they highly valued the role played by the Treaty of Mutual Cooperation and Security in maintaining the peace and security of the Far East including Japan, and they affirmed the intention of the two governments firmly to maintain the Treaty on the basis of mutual trust and common evaluation of the international situation. They further agreed that the two governments should maintain close contact with each other on matters affecting the peace and security of the Far East including Japan, and on the implementation of the Treaty of Mutual Cooperation and Security.

6. The Prime Minister emphasized his view that the time has come to respond to the strong desire of the people of Japan, of both the mainland and Okinawa, to have the administrative rights over Okinawa returned to Japan on the basis of the friendly relations between the United States and Japan and thereby to restore Okinawa to its normal status. The President expressed appreciation of the Prime Minister's view. The President and the Prime Minister also recognized the vital role played by the United States forces in Okinawa in the present situation in the Far East. As a result of their discussion it was agreed that the mutual security interests of the United States and Japan could be accommodated within arrangements for the return of the administrative rights over Okinawa to Japan. They therefore agreed that the two governments would immediately enter into consultations regarding specific arrangements for accomplishing the early reversion of Okinawa without detriment to the security of the Far East including Japan. They further agreed to expedite the consultations with a view to accomplishing the reversion during 1972 subject to the conclusion of these specific arrangements with the necessary legislative support. In this connection, the Prime Minister made clear the intention of his government, following reversion, to assume gradually the responsibility for the immediate defense of Okinawa as part of Japan's defense efforts for her own territories. The President and the Prime Minister agreed also that the United States would retain under the terms of the Treaty of Mutual Cooperation and Security such military facilities and areas in Okinawa as required in the mutual security of both countries.

7. The President and the Prime Minister agreed that, upon return of the administrative rights, the Treaty of Mutual Cooperation and Security and its related arrangements would apply to Okinawa without

modification thereof. In this connection, the Prime Minister affirmed the recognition of his government that the security of Japan could not be adequately maintained without international peace and security in the Far East and, therefore, the security of countries in the Far East was a matter of serious concern for Japan. The Prime Minister was of the view that, in the light of such recognition on the part of the Japanese Government, the return of the administrative rights over Okinawa in the manner agreed above should not hinder the effective discharge of the international obligations assumed by the United States for the defense of countries in the Far East including Japan. The President replied that he shared the Prime Minister's view.

8. The Prime Minister described in detail the particular sentiment of the Japanese people against nuclear weapons and the policy of the Japanese Government reflecting such sentiment. The President expressed his deep understanding and assured the Prime Minister that, without prejudice to the position of the United States Government with respect to the prior consultation system under the Treaty of Mutual Cooperation and Security, the reversion of Okinawa would be carried out in a manner consistent with the policy of the Japanese Government as described by the Prime Minister.

9. The President and the Prime Minister took note of the fact that there would be a number of financial and economic problems, including those concerning United States business interests in Okinawa, to be solved between the two countries in connection with the transfer of the administrative rights over Okinawa to Japan and agreed that detailed discussions relative to their solution would be initiated promptly.

10. The President and the Prime Minister, recognizing the complexity of the problems involved in the reversion of Okinawa, agreed that the two governments should consult closely and cooperate on the measures necessary to assure a smooth transfer of administrative rights to the Japanese Government in accordance with reversion arrangements to be agreed to by both governments. They agreed that the United States-Japan Consultative Committee in Tokyo should undertake overall responsibility for this preparatory work. The President and the Prime Minister decided to establish in Okinawa a Preparatory Commission in place of the existing Advisory Committee to the High Commissioner of the Ryukyu Islands for the purpose of consulting and coordinating locally on measures relating to preparation for the transfer of administrative rights, including necessary assistance to the Government of the Ryukyu Islands. The Preparatory Commission will be composed of a representative of the Japanese Government with ambassadorial rank and the High Commissioner of the Ryukyu Islands with the Chief Executive of the Government of the Ryukyu Islands acting as adviser to the Commission. The Commission will report and make recommendations to the two governments through the United States-Japan Consultative Committee.

11. The President and the Prime Minister expressed their conviction that a mutually satisfactory solution of the question of the return of the administrative rights over Okinawa to Japan, which is the last of the major issues between the two countries arising from the Second World War, would further strengthen United States-Japan relations which are based on friendship and mutual trust and would make a major contribution to the peace and security of the Far East.

12. In their discussion of economic matters, the President and the Prime Minister noted the marked growth in economic relations between the two countries. They also acknowledged that the leading positions which their countries occupy in the world economy impose important responsibilities on each for the maintenance and strengthening of the international trade and monetary system, especially in the light of the current large imbalances in trade and payments. In this regard, the President stressed his determination to bring inflation in the United States under control. He also reaffirmed the commitment of the United States to the principle of promoting freer trade. The Prime Minister indicated the intention of the Japanese Government to accelerate rapidly the reduction of Japan's trade and capital restrictions. Specifically, he stated the intention of the Japanese Government to remove Japan's residual import quota restrictions over a broad range of products by the end of 1971 and to make maximum efforts to accelerate the liberalization of the remaining items. He added that the Japanese Government intends to make periodic reviews of its liberalization program with a view to implementing trade liberalization at a more accelerated pace than hitherto. The President and the Prime Minister agreed that their respective actions would further solidify the foundation of overall U.S.-Japan relations.

13. The President and the Prime Minister agreed that attention to the economic needs of the developing countries was essential to the development of international peace and stability. The Prime Minister stated the intention of the Japanese Government to expand and improve its aid programs in Asia commensurate with the economic growth of Japan. The President welcomed this statement and confirmed that the United States would continue to contribute to the economic development of Asia. The President and Prime Minister recognized that there would be major requirements for the post-war rehabilitation of Vietnam and elsewhere in Southeast Asia. The Prime Minister stated the intention of the Japanese Government to make a substantial contribution to this end.

14. The Prime Minister congratulated the President on the successful moon landing of Apollo XII, and expressed the hope for a safe journey back to earth for the astronauts. The President and the Prime Minister agreed that the exploration of space offers great opportunities for expanding cooperation in peaceful scientific projects among all nations. In this connection, the Prime Minister noted with pleasure that the United States and Japan last summer had concluded an agreement on space cooperation. The President and the Prime Minister agreed that implementation of this unique program is of importance to both countries.

15. The President and the Prime Minister discussed prospects for the promotion of arms control and the slowing down of the arms race. The President outlined his Government's efforts to initiate the strategic arms limitations talks with the Soviet Union that have recently started in Helsinki. The Prime Minister expressed his Government's strong hopes for the success of these talks. The Prime Minister pointed out his country's strong and traditional interest in effective disarmament measures with a view to achievement of general and complete disarmament under strict and effective international control.