

# 琉球大学学術リポジトリ

## 復帰準備5

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參考資料



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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, 1951, 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 Kichii 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,

The President,

The White House.

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 administrative 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 Communiqué issued on November 21, 1969. A copy of that Communiqué 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 Communiqué 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 Kijichi 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 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, described

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 spite of the fact that it will be a unique historic act reflecting both the strength and the ties between the United States and Japan and the character of both nations.

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

Respectfully submitted,



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 Kichichi 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 Communiqué of November 21, 1969.



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未読

WASHINGTON

TO THE SENATE OF THE UNITED STATES:

I am transmitting for the advice and consent of the Senate 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 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 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 said, "Today, as we look to the future of the Pacific, we recognize 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 occasion to emphasize this fact to the American people and to the world because I felt then, as I do now, that Japan, as one of the major powers in the area, will play a central role in determining what happens in that vital region.

It is unnecessary to stress the significance to us and the other nations of the Pacific of Japan's phenomenal economic growth. 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.

Nor do I need to stress the mutual interest which we and Japan have in the peace and security of the 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 the area.

I think all Americans realize that the relationship between our two countries will be the most important single factor bearing on future events in the area and that a close and friendly relationship between Japan and the United States is vital to the kind of world both of us want.

The problems involved in the maintenance of peace in Asia and the Pacific will undoubtedly be difficult. But if Japan and the United States go separate ways, there can be no doubt that these difficulties would be



even greater. Close cooperation between us and with others is therefore essential.

When Prime Minister Sato came to Washington in 1969, there was still one great unsettled issue between us arising out of World War II; namely, the situation in which almost one million Japanese on Okinawa were living under foreign administration nearly 25 years after the end of World War II.

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 such great world powers as the United States and Japan.

The Prime Minister and I therefore agreed that our two Governments would immediately enter into consultations with regard to specific arrangements for accomplishing the early reversion of Okinawa to Japan. We agreed that it was essential for this to be done without detriment to the security of the Far East, including Japan. We set a target date for the accomplishment of this reversion during 1972, provided agreement could be reached on the terms and conditions of the reversion and 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 neither in our national character nor in 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.

Its fundamental basis is the common security interests reflected in the United States - Japan Treaty of Mutual Cooperation and Security signed in 1960 and in the Communiqué which Prime Minister Sato and I jointly issued on November 21, 1969. The Agreement confirms that 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 the carrying out of our mutual security commitments to Japan and for the maintenance of 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 proper; namely, permission given by a sovereign friendly government in recognition of mutual security interests. This is the only sound basis for long-term cooperation and will enable us effectively to protect our security interests in the area.

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, both in terms of budget and foreign exchange.

In summary, then, the Agreement is in the interests of both countries. It meets United States security needs in the Far East in assuring retention of our essential military bases on Okinawa under the Mutual Security Treaty. 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 reunification of these islands with Japan proper.

The return of Okinawa to Japanese administration will thus 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. It is also 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 the Agreement so that reversion can take place during 1972.

Enclosures:

1. Report of the Secretary of State.
2. Agreement between the United States of America and Japan concerning the Ryukyu Islands and the Daito Islands.
3. Related documents.
4. Joint Communiqué of November 21, 1969.

THE WHITE HOUSE,