

琉球大学学術リポジトリ

沖縄関係 外務省秘密漏洩/蓮見事件

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5 米国の反赤（含米回国報道振り）

秘 無期限
 官房書記官
 首席事務官
 北米一課長
 アメリカ局長
 参事官

電報漏洩事件に関する米側の反応に
 ついて

昭47.12.5
 米北一

12月5日、在京米大使館に三ツツ参事官代理
 が北米一課長を来訪し、電報漏洩事件
 に関する米政府の反応について、本國政
 府に請訓した結果として述べた以下の
 通り。

1. 同務省の記録によっても、本事件
 に関して米政府の「ステートメント」等の形
 で事柄の正式の反応を示した事実はない。

注
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2. ~~報~~当時、米政府当局者が本事件に
 ついて関心を寄せている (concerned)
 ことは事実であり、また、本事件の犠牲者と
 存する外務省の関係者(在日外務省参事官
 志野局長等)に対して同情の念を抱いて
 いるが、日本政府に対して ^{何らかの} ~~何らかの~~ ステートメント
 (démarche) を与えることは控えた次第
 である。この背景のいふことは、Jack Anderson
 の日米関係に関する暴露記事の際に、
 日本政府が理解ある態度を示したから
 との考慮がある。

3. ~~漏~~ ^誤 に ついて、スライダーの便利非の
 式に抗議を申し込いたことがあり、事実
 であるが、これ以上は米政府にて事態
 が如何に serious であるかを日本政府
 に remind する必要はないものと判断
 した次第である。

号 加配可4211
送付可4.

47. 12. 28

法務省刑事局
近松 公安課長殿

北村一課 佐野

つきに「依頼ありました 沖縄関係記事
を掲載した下記半国裁切抜きを別添の

とおりご送付致します。なお、1971年9月10日
N.Y. Times には沖縄関係記事が掲載して

いたが、右ことは、つきに直接申しあげました
とおりですのび会のため申し添えます。

- 1. ワシントン・ポスト紙 1971. 6. 3日 及び 6. 13日
- 2. N.Y. Times 紙 1969. 6. 3日
1971. 6. 10日
1971. 6. 14日

<p>X 100 91 6 3</p> <p>◎ 吉野 下 17 21. 6 3</p> <p>17 21 1 2 7 2 2 1</p> <p>NY Times</p> <p>17 21 1 2 7 2 2 1 (17.6.10 0.12)</p> <p>17 21 6 14 VON</p> <p>17 21 6 10 21 17 21</p> <p>12/15 夜記</p> <p>加藤 20-21 4</p>
<p>佐野君</p> <p>近 招 公 安 課 長</p> <p>580-4111</p> <p>EXT. 2431</p>

Okinawa Return: Profit for U.S.

By RICHARD HALLORAN
Special to The New York Times

WASHINGTON, June 13—The United States will gain some \$750-million over five years from the return of Okinawa to Japan, according to well-informed sources here. About half of that amount will come from direct payments by the Japanese Government for civilian facilities, such as water works and electrical power systems, built by the United States in Okinawa and the other Ryukyu Islands since the end of World War II.

The other half will come from savings after Japan assumes the cost of defending and administering the strategic island, site of the major American military base in the western Pacific. The United States allocated \$20-million for civil administrative costs in 1970 alone.

Dollars to Yen

In addition, American and Japanese officials have agreed that the United States will suffer no financial loss when the Okinawan economy is converted from dollar to yen currency. About \$100-million is currently in circulation there.

Secretary of State William P. Rogers and Foreign Minister Kiichi Aichi of Japan put the last touches on 18 months of negotiations last week when they met in Paris. They are scheduled to sign the treaty Thursday.

The signing ceremony, which will be held simultaneously in Tokyo and Washington, will be shown on television by a satellite relay. In Japan, the treaty has aroused so much interest that the ceremony will be televised throughout the nation.

The treaty will then go to the United States Senate and the Japanese Parliament for approval. The Senate Foreign Relations Committee is expected to hold hearings next fall that are likely to become a full-scale review of United States relations with Japan.

Diplomatic observers on both sides of the Pacific have said that the return of Okinawa to Japan, where it is an emotional and nationalistic issue, is crucial to those relations.

A precise date for reversion

has not been set, but it was understood, assuming both Governments ratify the treaty, that it would take place in the summer of 1972, possibly on July 1, when the United States fiscal year begins.

Many members of Congress have been advised of progress in the negotiations and some points of the agreement have already been reported in the Japanese press.

The security treaty of 1960 that permits the United States to maintain bases in Japan will extend to Okinawa. It says that the Japanese Government will bear the cost if it requests any relocation of bases. The reversion treaty will provide that the status-of-forces agreement with Japan will be extended to American forces on Okinawa.

Perhaps the most important and most controversial element of the agreement is said to provide that American servicemen in Okinawa who commit crimes while off post or off duty may be tried in Japanese courts. They are now tried in American military courts.

There is reportedly a reference to nuclear weapons in the treaty indicating that any American nuclear arms on Okinawa will be removed. That provision is likely to receive the closest scrutiny in Japan, where antipathy for nuclear arms is strong.

Transmitter to Remain

The powerful Voice of America relay station reportedly will be allowed to continue transmitting from the island, although foreign transmitters are forbidden in Japan itself. Two years after return of the island, American and Japanese officials are to consult on whether the operation will continue.

There is said to be no specific reference to Japan's responsibilities for the defense of Okinawa. American officials have already disclosed that Japan has taken over almost complete responsibility for the defense of her own territory.

The Japanese Government is expected to pay the United States about \$320-million over five years for its assets in the Bank of the Ryukyus, for air and sea navigation aids, roads

and for other capital investments.

The savings to the United States would come from the assumption by Japan of the costs of air defense, support of the local budget, rental of land from private owners, and operation of commercial and military aircraft control installations.

It was estimated, from budget figures of various departments here, that those savings in five years would equal or exceed the direct payment by the Japanese Government to the United States resulting from the transfer of administrative control.

United States aid to Okinawa has already dwindled to about \$4-million this year, from a high of about \$25-million several years ago. Japanese aid has risen sharply, to \$165-million this year.

Currency A Problem

The method by which the United States would recover the \$100-million in currency in use in Okinawa could not be determined. It appeared that Japan would either turn over to the United States the dollars it collects at the time the currency is converted to yen, or would give the United States sufficient yen to purchase the dollars.

Japanese officials are known to have used the Okinawa conversion problem to argue against an upward revaluation of the yen. The Japanese contend that the Okinawans expect to receive 360 yen for each dollar, the current rate of exchange. Anything less, they argue, would cause serious political problems.

The interests of American businessmen and professional persons on Okinawa are to be protected. Although these people will become subject to Japanese laws and regulations, they will be allowed to operate essentially as they do now.

Among the few details the treaty and its appended documents will not resolve is which side of the street traffic will move on. Vehicles in the Ryukyus are driven on the right side, as in America, but cars in Japan are driven on the left. After Okinawa rejoins Japan, it will be up to the Japanese to resolve that question.

U.S. SAID TO PLAN AN OKINAWA DEAL BARRING A-BOMBS

Nixon Decision Reported—Timing Hinges on Terms for Isle's Return to Japan

By HEDRICK SMITH
Special to The New York Times

WASHINGTON, June 2—President Nixon has decided to remove American nuclear weapons from Okinawa once an over-all plan, for turning the island back to Japanese rule has been agreed upon, well-placed informants disclosed today.

The actual timing of the removal of the weapons to other sites in the Pacific area will depend on the terms of the reversion agreement, the sources indicated. Japan wants the weapons removed and the island returned, with the rest of the Ryukyu chain, by 1972.

Mr. Nixon's decision, reportedly made after a National Security Council meeting in late April on the Okinawan question and related issues, is an important one. It is understood to reflect the judgment of the President's civilian advisers that maintenance of sound, long-term relations with Japan is more important than the military advantage of retaining complete freedom of operation on Okinawa.

Negotiations to Continue

Informed sources said Mr. Nixon's decision had not yet been communicated formally to the Japanese Government. But presumably it will be made known in the course of negotiations with Tokyo on the Okinawa issue this summer and fall.

The Japanese Foreign Minister, Kiichi Aichi, met with President Nixon for 40 minutes this morning at the White House to present his Government's request that the Ryukyu Islands, held by the United States since 1945, be returned to Japanese rule by 1972.

Mr. Aichi's call on the President marked the formal beginning of negotiations on the Okinawa issue, though there have been months of preliminary discussions at lower levels. The negotiations are expected to culminate in November with a visit to Washington by Japan's Premier, Eisaku Sato.

Now Under Military Rule

Mr. Aichi told the President today that Japan would like American bases in Okinawa to function after reversion on the same basis as United States installations in Japan's four home islands.

Under present conditions, with the Ryukyus governed by a United States administration headed by a military High Commissioner, the United States has complete freedom to move nuclear weapons to and from the islands and store them there. It can also mount offensive operations against other parts of Asia, such as B-52 bombing raids in Vietnam.

Nuclear weapons are barred from United States bases in Japan proper, and under terms of the two countries' security treaty, the United States must obtain Japan's approval in "prior consultations" before using her bases in Japan for combat operations in other Asian areas.

The Ryukyus were captured by American forces in a bloody battle in the late stages of World War II. The peace treaty provided for United States administration of the islands, but Washington has acknowledged that Japan retained nominal sovereignty over them and gave a pledge that the islands would eventually revert to Japanese rule.

A Defense 'Keystone'

In the intervening years, the United States has built a multi-billion-dollar complex of bases that Defense Department officials describe as the "keystone" of the American defense network in the Pacific.

After years of hearing American commitments in principle to return the islands to Japan, Japanese public opinion has become insistent on obtaining a specific timetable from Washington.

American and Japanese sources reported that President Nixon did not spell out in detail to Mr. Aichi today the American position on nuclear weapons and term for the use of the Okinawa bases. It is not yet

clear whether Washington will try to retain some special rights, while giving ground on the nuclear issue.

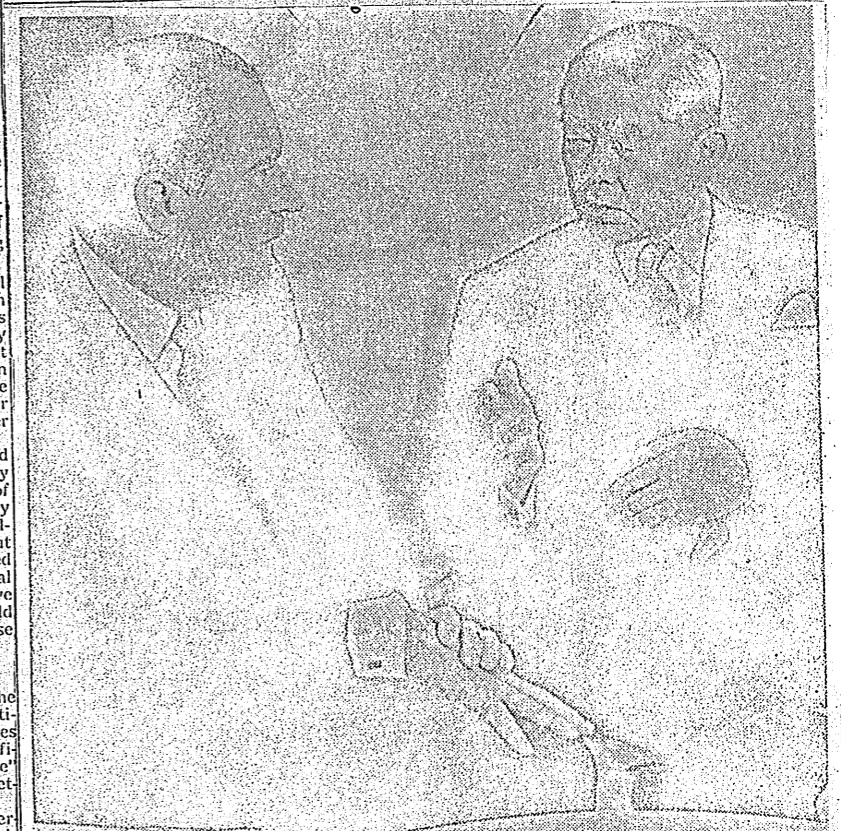
Foreign Minister Aichi is expected to go into greater detail on these issues later this week with Secretary of State William P. Rogers and Secretary of Defense Melvin R. Laird.

Today, the Foreign Minister underscored his country's sensitivity on the question of nuclear weapons on the soil of Japan, the only nation to have been subjected to nuclear attack.

"Mr. Aichi stressed that we Japanese people have unique feelings toward anything nuclear," a Japanese Embassy

spokesman said. "He stressed that, in considering the Okinawa question, President Nixon should also consider the importance of the stability of Japanese politics and future cooperation between Japan and the United States."

Many American officials believe that the pro-American Government of Premier Sato could fall if the Okinawa issue—and the issue of nuclear weapons—is not satisfactorily resolved this year. These concerns evidently prevailed with the President over military arguments that continued complete freedom of use of the Okinawa bases is in the strategic interest of the United States.



MEET IN WASHINGTON: President Nixon with Kiichi Aichi, Foreign Minister of Japan, at White House yesterday. Mr. Aichi presented request for return of Pacific Islands.

The New York Times (By George James)

Rogers and Aichi Report Final Agreement on Okinawa Treaty

By CLYDE H. FARNSWORTH
Special to The New York Times

PARIS, June 9—Secretary of State William P. Rogers and Kiichi Aichi, the Japanese Foreign Minister, announced today final agreement on the terms of a treaty to return Okinawa and the other islands of the Ryuku chain to Japanese Sovereignty. They said they would sign the accord on June 17.

Mr. Rogers and Mr. Aichi, in a two-hour meeting here, put the finishing touches on an agreement that has been worked out in 18 months of difficult and delicate negotiations in Tokyo and Washington.

Under the treaty, full administrative control of the Ryukyus will be transferred to the Japanese Government and Japan's Self-Defense Forces will assume responsibility for the security of the islands, but the United States will keep military forces in many of the big bases it operates there.

The signing of the treaty, ceremonies to be held simultaneously in Washington and Tokyo and transmitted by a satellite television link, will come almost 26 years after Okinawa, about 325 miles south of Kyushu, southernmost of the Japanese home islands, fell to United States forces in World War II.

Promise by Nixon Last Year

Mr. Rogers and Mr. Aichi announced the agreement following their meeting this morning at the American Embassy Residence. Both men were here for a ministerial meeting of the Organization for Economic Cooperation and Development, a group of 23 industrialized nations.

Although the treaty envisages the complete return of the Ryukyus, it is vague on the pre-

cise timing. Japanese sources said there was an understanding that the transfer would be completed by April, 1972.

President Nixon promised last November that Okinawa would be returned to Japanese administration some time in 1972.

The United States uses Okinawa as a strategic and logistical center for the Far East Military Command.

Japanese and Okinawans have demonstrated against stationing of B-52s, used on Vietnam bombing runs, and the American stockpile of atomic weapons on the island. In one demonstration in Tokyo last year nearly 100 policemen were injured.

Okinawa is the largest of the Ryukyus, which lie between southern Japan and Taiwan. The islands have been run by an American high commissioner responsible to the Secretary of Defense.

Under Japanese administration the Ryukyus would become, as before the war, the Okinawa Prefecture of Japan. About a million people live on Okinawa, which is known as "the rock" to American G.I.s.

Captured in Bloody Battle

The United States took Okinawa after one of the bloodiest battles of World War II. Organized resistance ended on June 21, 1945, after 82 days of fighting in which more than 90,000 Japanese and Okinawans and 10,000 Americans were killed.

The treaty would come into effect after approval by the American Senate and Japanese Parliament. However, some

American Senators believe the islands should not be returned until the United States gets sat-

isfaction from Tokyo in current trade disputes.

The United States believes Japan is opening up her economy too slowly to foreign goods and capital. It has also put pressure on Tokyo to increase the value of the yen, a move that would make Japanese goods somewhat less competitive in American markets.

While denying she has any intention to revalue, Japan announced last week an eight-point program of trade liberalization.

One of the complications in the negotiations has been American reluctance to pull out while the war in Vietnam was still going on.

The treaty, among its major articles provides for the removal of all American nuclear weapons and the conversion of Naha Airport into a purely civilian facility.

The Voice of America, which

Under the Okinawa treaty, American installations would be sold to Japan. Japanese sources said the price would total more than \$320-million.

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The treaty, among its major articles provides for the removal of all American nuclear weapons and the conversion of Naha Airport into a purely civilian facility.

The Voice of America, which

beams broadcasts to mainland China, would be permitted to continue operations for five years after the treaty goes into effect. Within two years discussions would begin on the station's future status.

American facilities occupy about a seventh of the island area of Okinawa and provide much of the island's employment.

The Japanese Government has promised measures to diversify and strengthen the economy once it regains sovereignty.

Japan Offers Okinawa Payment

By Selig S. Harrison
Washington Post Foreign Service

TOKYO, June 12—Japan has agreed to cover the costs resulting from the relocation of nuclear weapons now stored or deployed on Okinawa, under the terms of the reversion treaty scheduled to be signed Thursday.

This has become clear for the first time following agreement on a draft treaty in recently concluded Paris discussions between Secretary of State William P. Rogers and Foreign Minister Kiichi Aichi.

It is understood that Tokyo will pay 145 million to cover a variety of military readjustment moves on Okinawa sought by Japan. While details are not available, informed sources state that the biggest single portion of this sum will go to cover the transfer of nuclear weapons from the island to the conversion of existing nuclear installations there and the construction of new nuclear storage and deployment facilities elsewhere, mainly in Guam or another nearby island in the U.S. South Pacific Trust Territories.

American authorities have never officially confirmed the existence of nuclear weapons on Okinawa and have attempted to avoid explicit commitments barring their presence in U.S. bases there, both in the impending treaty and in the Okinawa communique signed by President Nixon and Prime Minister Sato in November, 1969.

In Japan, however, where the nuclear issue is still political dynamite 25 years after Hiroshima, it is taken for granted that Okinawa has been a key nuclear base. The most sensitive aspect of the 1969 agreement for the Sato government was how to reassure the Japanese public that nuclear weapons would be removed while avoiding airtight language that would be unacceptable to the United States.

The formula adopted was a deliberately ambiguous communique clause affirm-

ing Mr. Nixon's "deep understanding" of Japanese antinuclear sentiments and pledging that Okinawa would be returned "in a manner consistent with the policy of the Japanese government" on nuclear weapons, provided that this was "without prejudice to the position of the United States with respect to the prior consultation system" under the Japan-U.S. security treaty.

The "prior consultation" system would give the United States the right to reintroduce nuclear weapons if the Japanese government agreed. While public opinion would not permit this at the present time, Japan's "nuclear allergy" has begun to wane in recent years, and American officials have stressed that the pointed use of the word "policy" in the communique to describe the Japanese antinuclear commitment leaves the door open for their reintroduction.

If a future Japanese government feels that the public temper has changed on the nuclear issue and if it faces a military emergency, officials say, there is nothing in the communique barring them from agreeing to the introduction of nuclear weapons to Okinawa or the other Japanese islands.

These officials stress that the communique carefully avoided referring to the "no war" article of the Japanese constitution, and they point to the contention of hawkish elements here that the constitution would not bar "defensive" nuclear weapons.

Opposition spokesmen have repeatedly attacked the 1969 communique for its "calculated vagueness and ambiguity" on the nuclear issue. But the public has tended to accept, in the absence of evidence to the contrary, government assurances that existing nuclear weapons on Okinawa will be removed as part of the reversion agreement. The opposition has focused its efforts on keeping alive suspicions that some nuclear

weapons will still be secretly stored there and that nuclear-armed U.S. submarines will continue to use Okinawan ports.

So far, the issue of the future reintroduction of nuclear weapons has proved to be too hypothetical to have a strong emotional impact on the general public comparable to pre-1969 agitation over the nuclear issue.

In his agreement with Rogers this week, Foreign Minister Aichi pressed for some form of reaffirmation that nuclear weapons would be removed from the island to counter opposition charges regarding secret storage facilities. Such charges are being made in the current campaign for the June 27 elections for the upper house of the Diet (parliament).

As in the 1969 communique, the United States has again attempted to avoid anything explicit, and the issue will apparently be handled through a treaty provision strongly implying Japanese agreement to pay for U.S. nuclear removal operations.

Article seven of the draft treaty reportedly states that Japan will pay an overall total of \$320 million "in order that the reversion of Okinawa may be carried out in a manner consistent with the policy of the Japanese government" as set forth in the key antinuclear clause of the 1969 Okinawa communique issued by President Nixon and Prime Minister Sato.

Government sources explain that \$175 million covers compensation for U.S. civilian assets and that nuclear removal operations will be the major item covered by the remaining \$145 million.

Since opposition groups have never accepted the antinuclear bonafides of the 1969 communique article

seven has been dismissed in a Socialist statement as "deliberately intended to mislead the people."

But initial indications were that public doubts have been neutralized by the concrete assurances concerning financial provisions for nuclear removal given in official press leaks on article seven.

Prime Minister Sato triumphantly told a Nagoya press conference that the Japanese government has been "fighting very hard to maintain the basic concept" of a nuclear-free Okinawa, agreed on in his talks with President Nixon, but that "we have continued to worry that they might demand special treatment for Okinawa."

Aichi emerged victorious at the Paris talks.

His statement that the treaty would clearly pledge "nuclear free" Okinawa stirred speculation that the final draft now being hammered out here might go beyond the indirect handling of the issue in article seven.

Sato's Liberal Democratic Party is taking no chances in its campaign for the forthcoming Diet elections after setbacks in recent Tokyo, Kyoto and Osaka municipal contests.

Antinuclear sentiment and opposition to the continuance of U.S. bases on Okinawa is more acute on the island itself than in the main islands of Japan. This was reflected in an announcement by Okinawan governor Chobyo Yara that he plans to reject an expected invitation by Sato to attend the signing ceremony as an observer.

WP 6/13/71

U.S., Japan to Sign Okinawa Accord

By Don Shannon
Los Angeles Times

TOKYO, June 2 — The agreement returning the U.S.-ruled island of Okinawa to Japan will be signed June 17, both here and in Washington, Japanese officials disclosed today.

Simultaneous ceremonies will take place at the residence of Prime Minister Eisaku Sato in Tokyo, with Foreign Minister Kiichi Aichi and U.S. Ambassador H. Armin Meyer signing a copy of the agreement and in Washington, where Secretary of State William P. Rogers and Japanese Ambassador Nobuhiko Ushiba will sign. The ceremonies will be televised by satellite so the Tokyo and Washington participants can see each other.

Both Japanese sources and American embassy spokesmen here agreed that three principal issues still remain undecided after nearly two years of negotiations conducted by Richard Sneider, deputy to Meyer, and aides to Aichi. The three points of difference are over the return of Okinawa's civil airport, the continued operation of the big Voice of America broadcasting station on Okinawa and the validity of claims against the United States for Japanese citizens' losses caused by the occupation of the Ryukyu islands since May, 1945.

The airport was to have been turned over in its entirety to the Japanese government but the U.S. military asked that part of it be reserved for the navy intelligence planes removed from Japan last year. The Voice of America station, aimed principally at mainland China, is an embarrassment to Japan in its dealings with Peking but the United States is understood to want to keep it going for at least five years more.

Japan has kept the claims issue alive largely because of the pressure of Okinawan sen-

timent, although under the terms of the San Francisco peace treaty which ended the U.S. occupation of Japan it waived all claims by its citizens although the occupation of the Ryukyus continued after that treaty was signed. U.S. lawyers doubt that this fact confers additional rights to the Japanese citizens on the islands.

Neither Japanese nor U.S. embassy sources would reveal whether a date for the changeover of government

will appear in the document. Despite the lack of agreement on several points, Prime Minister Sato pressed for the staging of the signing ceremony in order to exploit the return of the islands in campaigning for the renewal of one half the seats in the Upper House of the Diet June 27.

Okinawa Transfer Important To Both

The transfer of Okinawa touches major issues of do-

mestic politics in both the United States and Japan.

After the signing, the Nixon Administration intends to submit the agreement to the U.S. Senate for ratification as a treaty. The Japanese government fears that it may get involved in the congressional dispute over Japanese textile imports into the United States.

In Japan, the return of the island is a widely popular cause. Okinawa has a population of 800,000 ethnic Japa-

nese, and there have been repeated riots there against American authorities.

The most difficult question raised by the transfer of jurisdiction was settled two years ago in a compromise under which the United States would retain military bases on Okinawa, but would not store nuclear weapons there permanently.

President Nixon and Prime Minister Sato agreed in November 1969 that Okinawa was to be returned to Japan in 1972.

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So far, the issue of the future reintroduction of nuclear weapons has proved to be too hypothetical to have a strong emotional impact on the general public comparable to pre-1969 agitation over the nuclear issue.

In his agreement with Rogers this week, Foreign Minister Aichi pressed for some form of reaffirmation that nuclear weapons would be removed from the island to counter opposition charges regarding secret storage facilities. Such charges are being made in the current campaign for the June 27 elections for the upper house of the Diet (parliament).

As in the 1969 communique, the United States has again attempted to avoid anything explicit, and the issue will apparently be handled through a treaty provision strongly implying Japanese agreement to pay for U.S. nuclear removal operations.

Article seven of the draft treaty reportedly states that Japan will pay an overall total of \$320 million "in order that the reversion of Okinawa may be carried out in a manner consistent with the policy of the Japanese government" as set forth in the key antinuclear clause of the 1969 Okinawa communique issued by President Nixon and Prime Minister Sato.

Government sources explain that \$175 million covers compensation for U.S. civilian assets and that nuclear removal operations will be the major item covered by the remaining \$145 million.

Since opposition groups have never accepted the antinuclear bonafides of the 1969 communique article

seven has been dismissed in a Socialist statement as "deliberately intended to mislead the people."

But initial indications were that public doubts have been neutralized by the concrete assurances concerning financial provisions for nuclear removal given in official press leaks on article seven.

Prime Minister Sato triumphantly told a Nagoya press conference that the Japanese government has been "fighting very hard to maintain the basic concept" of a nuclear-free Okinawa, agreed on in his talks with President Nixon, but that "we have continued to worry that they might demand special treatment for Okinawa." Until Aichi emerged victorious at the Paris talks.

His statement that the treaty would clearly pledge "nuclear free" Okinawa stirred speculation that the final draft now being hammered out here might go beyond the indirect handling of the issue in article seven.

Sato's Liberal Democratic Party is taking no chances in its campaign for the forthcoming Diet elections after setbacks in recent Tokyo, Kyoto and Osaka municipal contests.

Antinuclear sentiment and opposition to the continuance of U.S. bases on Okinawa is more acute on the island itself than in the main islands of Japan. This was reflected in an announcement by Okinawan governor Chobyo Yara that he plans to reject an expected invitation by Sato to attend the signing ceremony as an observer.

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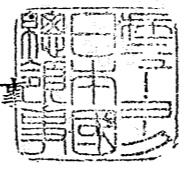
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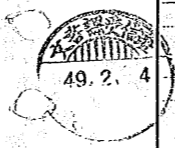
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在外公館

Tokyo Reporter Who Obtained Secret Cables Wins Acquittal

By RICHARD HALLORAN
Special to The New York Times

TOKYO, Jan. 31—A Japanese court today acquitted a news reporter accused of illegally obtaining copies of three secret diplomatic cables.

At the same time, the court acquitted the secretary in the Foreign Ministry who admitted giving the documents to the reporter. The secretary was guilty of violating a secrecy law.

The case was considered the first test of freedom of the press under the postwar Constitution, adopted in 1947. Like the American Constitution, on which it was modeled, it provides that "freedom of assembly and association as well as speech, press and all other forms of expression is guaranteed."

In his ruling today, Judge Takashi Yamamoto of the Tokyo District Court said that Takichi Nishiyama, a 42-year-old reporter for the Mainichi Shimbun, a leading daily newspaper, was not guilty because his actions had not endangered Japan's diplomatic negotiations.

But the judge accepted Mrs. Kikuko Hasumi's plea of guilty to the charge of having passed copies of the three cables to Mr. Nishiyama. She was given a six-month suspended sentence and a year's probation.

The case began early in 1972 when Mrs. Hasumi gave Mr. Nishiyama copies of three documents relating to negotiations with the United States for the return to Japan of Okinawa, the island captured by the

United States in the last days of World War II.

According to Mr. Nishiyama and Mrs. Hasumi, he obtained the documents after having had sexual relations with her.

From the time of his arrest through the verdict today, Japanese newspapers have defended Mr. Nishiyama as having acted in the interest of the people's right to know what their Government has done. The documents related to a completed negotiation, the United States and Japan having agreed to reversion before the secret material became public. Reversion took place on May 15, 1972.

But Mr. Nishiyama and Mainichi Shimbun did not print either the cables or articles based on them. Instead, Mr. Nishiyama slipped copies of the cables to the Socialist opposition party, which made them public during parliamentary debate.

In other words, Mr. Nishiyama and the newspaper did not inform the public of the contents of the documents but allowed a political party to use them for its own political purposes, in this case to attack the Government for the agreement with the United States.

The Government has 14 days to decide whether to appeal the decision. Mrs. Hasumi said through her attorney today that she would not appeal the decision and that she hoped everyone would soon forget the case.