

琉球大学学術リポジトリ

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集文

CONFIDENTIAL

August 31, 1970

OKINAWA REVERSION
U. S. DRAFT GENERAL AGREEMENT

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND JAPAN
CONCERNING THE RYUKYU ISLANDS AND THE DAITO ISLANDS

The United States and Japan:

Noting that the President of the United States of America and the Prime Minister of Japan reviewed together on November 19, 20, and 21, 1969 the status of Okinawa, and 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 and that the Governments of the United States of America and Japan should enter immediately into consultations regarding the specific arrangements with a view to accomplishing the early reversion of Okinawa without detriment to the security of the Far East including Japan;

Recognizing that the Governments of the United States of America and Japan have conducted such consultations and have reaffirmed the agreements and understandings of the President and the Prime Minister as contained in the Joint Communique issued on November 21, 1969;

Considering that the United States of America desires with respect to the Ryukyu Islands and the Daito Islands,

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to relinquish in favor of Japan all rights and interests under Article 3 of the Treaty of Peace with Japan signed at the city of San Francisco on September 8, 1951, and thereby to have relinquished all its rights and interests in all territories under Article 3; and

Considering further that Japan is willing to assume full responsibility and authority for the exercise of all powers of administration, legislation, and jurisdiction over the territory and inhabitants of the Ryukyu Islands and the Daito Islands;

Therefore, agree as follows:

ARTICLE I

1. With respect to the Ryukyu Islands and the Daito Islands, the United States of America relinquishes in favor of Japan all rights and interests under Article 3 of the Treaty of Peace with Japan signed at the city of San Francisco on September 8, 1951, effective as of the date of entry into force of this Agreement. Japan, as of such date, assumes full responsibility and authority for the exercise of all and any powers of administration, legislation and jurisdiction over the territory and inhabitants of said islands.

2. For the purposes of this Agreement, the term "the Ryukyu Islands and the Daito Islands" is understood to mean the group of Islands also referred to as "Okinawa" and as

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Nansei Shoto south of 29 degrees north latitude, including the territorial waters of all the islands, except for those islands and territorial waters covered by the Agreement between Japan and the United States of America concerning the Amami Islands signed at Tokyo on December 24, 1953.

ARTICLE II

Treaties, conventions and other agreements to which the United States of America and Japan are party, including, but without limitation, the Treaty of Mutual Cooperation and Security signed at Washington on January 19, 1960 and its related arrangements and the Treaty of Friendship, Commerce and Navigation signed at Tokyo on April 2, 1953, shall be applicable to the Ryukyu Islands and the Daito Islands as of the date of entry into force of this Agreement.

ARTICLE III

1. The ^{installations and sites} facilities and areas ^{presently retained for use} by the United States of America will ^{continue to be} ^{be used} retained by the United States in accordance with the procedures set forth in the ^{Agreement under Article II of the} Treaty of Mutual Cooperation and Security between the United States of America and Japan ^{and in the Areas and the Status of the United States Armed Forces in Japan signed at Washington January 19, 1960.} However, in the event that arrangements have not been agreed to between the United States of America and Japan concerning specific facilities and areas

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by the date of entry into force of this Agreement, Japan grants to the United States of America the continued use of those particular facilities and areas pending the conclusion of these arrangements.

2. Japan agrees to the continued operation of the Voice of America facility now located in Okinawa according to arrangements to be agreed upon by the two Governments pursuant to Article VI of this Agreement.

CLAIMS
ARTICLE IV MOJ. MOF. (87 11 25 112) ONTA

X. 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 of 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. The foregoing waiver 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.

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

DONE at Tokyo, this day of , 197 , in duplicate
in the English and Japanese languages, both equally authentic.

For the United States of America:

For Japan:

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北米第一課長

(陸軍省記印用)

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Claims

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 of 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. The foregoing waiver 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.

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Judicial

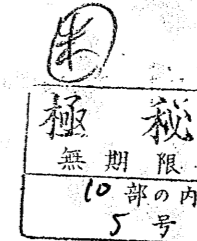
1. Japan recognizes the validity of, and will continue in full force and effect, all judicial acts including, but not limited to, judgments, orders, and decrees rendered in civil cases by any court in the Ryukyu Islands and the Daito Islands prior to the entry into force of this Agreement, provided that such recognition or continuation would not be contrary to public policy.
2. Without in any way adversely affecting the substantive right 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. (A) Without in any way adversely affecting the substantive right and position of the parties concerned, Japan will assume jurisdiction over and may continue to judgment and sentencing criminal proceedings against any persons arrested on a criminal charge, or any such proceedings which are pending as of the date of the entry into force of this Agreement in any court in the Ryukyu Islands or the Daito Islands.

(B)

(B) Japan may, in accordance with its laws and procedures, exercise criminal jurisdiction over those persons in the Ryukyu Islands and the Daito Islands who are serving sentences imposed by any Ryukyuan court prior to the date of entry into force of this Agreement, provided that where such person is in custody as of the same date, he shall continue to remain in the custody of the Japanese authorities pending appropriate disposition.

(C) The Japanese authorities will, in the exercise of criminal jurisdiction over such persons described in paragraphs (A) and (B) above, give due faith and credit to the evidentiary data and material used by the Ryukyuan court in their exercise of criminal jurisdiction over the person concerned.

(陸海軍 印刷用)



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Acts and Omissions

Japan recognizes the validity of all acts and omissions 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 law existing 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.

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5.18 取付

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台1	スニ	
台意訳解	米回答付	(Sch)
台2	スニ	
台3-1	米紙添付	(Sch)
-2	米回答付	
V2/A文	米紙添付	(Sch)
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台5	米紙添付	(Sch)
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台X-1	米回答付	increments (台) (台)
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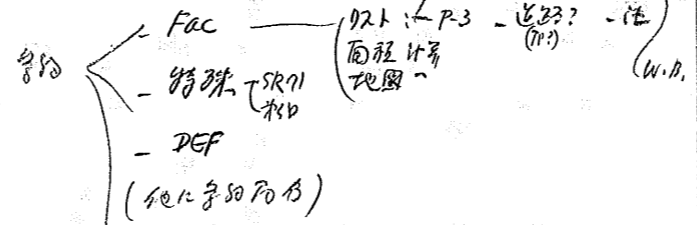
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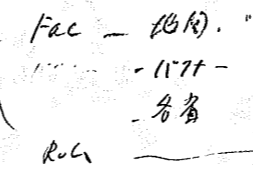
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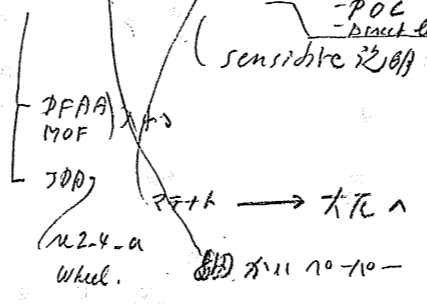
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