

No. 31553

**JAPAN
and
UNITED STATES OF AMERICA**

Agreement concerning new special measures relating to article XXIV of the Agreement under article VI of the Treaty of mutual cooperation and security between Japan and the United States of America, regarding facilities and areas and the status of United States armed forces in Japan (with agreed minutes). Signed at Washington on 14 January 1991

Authentic texts: Japanese and English.

Registered by Japan on 27 January 1995.

**JAPON
et
ÉTATS-UNIS D'AMÉRIQUE**

Accord concernant de nouvelles mesures spéciales en vertu de l'article XXIV de l'Accord sur les zones et installations et le statut des forces armées américaines au Japon, conclu entre le Japon et les États-Unis d'Amérique conformément à l'article VI du Traité de coopération et de sécurité mutuelles (avec procès-verbal approuvé). Signé à Washington le 14 janvier 1991

Textes authentiques : japonais et anglais.

Enregistré par le Japon le 27 janvier 1995.

AGREEMENT¹ BETWEEN JAPAN AND THE UNITED STATES OF AMERICA CONCERNING NEW SPECIAL MEASURES RELATING TO ARTICLE XXIV OF THE AGREEMENT UNDER ARTICLE VI OF THE TREATY OF MUTUAL COOPERATION AND SECURITY BETWEEN JAPAN AND THE UNITED STATES OF AMERICA, REGARDING FACILITIES AND AREAS AND THE STATUS OF UNITED STATES ARMED FORCES IN JAPAN

Japan and the United States of America,

Confirming that the United States armed forces maintained in Japan under the Treaty of Mutual Cooperation and Security between Japan and the United States of America² and the Agreement under Article VI of the Treaty of Mutual Cooperation and Security between Japan and the United States of America, Regarding Facilities and Areas and the Status of United States Armed Forces in Japan³ (hereinafter referred to as "the Status of Forces Agreement"), both signed at Washington on January 19, 1960 (hereinafter referred to as "the United States armed forces"), contribute to the security of Japan and the maintenance of international peace and security in the Far East,

Recalling that, for the purposes of seeking to maintain stable employment of the workers who are employed by Japan and render labor services to the United States armed forces or to the organizations provided for in paragraph 1 (a) of Article XV of the Status of Forces Agreement (hereinafter referred to as "the workers") and thereby ensuring the effective operations of the United States armed forces, special measures relating to Article XXIV of

¹ Came into force on 17 April 1991, the date of an exchange of notes indicating that it had been approved pursuant to the respective internal legal procedures of the Parties, in accordance with article VI.

² United Nations, *Treaty Series*, vol. 373, p. 179.

³ *Ibid.*, p. 207.

the Status of Forces Agreement which sets forth the principles on the sharing of expenditures incident to the maintenance of the United States armed forces were provided for in the Agreement between Japan and the United States of America concerning Special Measures relating to Article XXIV of the Agreement under Article VI of the Treaty of Mutual Cooperation and Security between Japan and the United States of America, Regarding Facilities and Areas and the Status of United States Armed Forces in Japan, signed at Tokyo on January 30, 1987,¹ as amended by the Protocol, signed at Tokyo on March 2, 1988¹ (hereinafter referred to as "the Special Agreement"),

Noting various changes involving both countries,

Recognizing that, for the purpose of ensuring the effective operations of the United States armed forces, it is necessary to take new special measures relating to Article XXIV of the Status of Forces Agreement,

Have agreed as follows:

ARTICLE I

Japan will bear, for the duration of this Agreement, all or a part of the expenditures in paying the following wages to the workers:

- (a) base pay, daily wage of daily employees, special term employees salary, hourly pay temporary employees hourly pay and theater personnel wage;
- (b) adjustment allowance, discharge allowance, family allowance, remote area allowance, special work allowance, summer

¹ United Nations, *Treaty Series*, vol. 1574, No. I-27499.

allowance, year end allowance, cold area allowance, retirement allowance including retirement allowances for workers separated by the United States armed forces or by the organizations provided for in paragraph 1 (a) of Article XV of the Status of Forces Agreement through reduction in force and for workers whose employment is terminated for duty-connected disability or death due to duty-connected injury or illness, involuntary severance bonus for employees affected by reduction in force, pro rata bonus for employees affected by reduction in force, commutation allowance, conversion allowance, position conversion allowance, term end allowance, night duty allowance, housing allowance, unaccompanied duty allowance, additional schedule pay, overtime pay, hourly pay temporary employees premium pay, holiday pay, night differential, non-work allowance and daily pay authorized for duty-connected illness or injury for hourly pay temporary employees; and

(c) allowance for lump sum payment to mariners for unexecuted annual leave, dangerous cargo allowance, engagement allowance, engine room allowance, engine work allowance, fire-fighting allowance, foreign ship bonus, foreign voyage allowance, labor allowance, reporting allowance, small vessel allowance, tanker allowance, towage allowance and master and chief engineer allowance.

ARTICLE II

Japan will bear, for the duration of this Agreement, all or a part of the expenditures in paying costs of the following procured for

official purposes in Japan by the United States armed forces, or by authorized procurement agencies of the United States armed forces upon appropriate certification:

- (a) electricity, gas, water supply and sewerage from public utilities; and
- (b) fuels for heating, cooking and hot water supply not included in (a) above.

ARTICLE III

Japan will determine, for each Japanese fiscal year, the actual amount of the expenditures that Japan will bear under Article I and Article II respectively and will promptly notify the United States of America of such determination.

ARTICLE IV

Japan and the United States of America may consult on all matters regarding the operation of this Agreement through the Joint Committee provided for in paragraph 1 of Article XXV of the Status of Forces Agreement.

ARTICLE V

The Special Agreement shall terminate on the date of the entry into force of this Agreement.

ARTICLE VI

This Agreement shall be approved by Japan and the United States of America in accordance with their respective internal legal procedures. This Agreement shall enter into force on the date when diplomatic notes indicating such approval are exchanged, and shall remain in force until March 31, 1996.

IN WITNESS WHEREOF the undersigned, duly authorized for the purpose, have signed the present Agreement.

DONE in duplicate at Washington in the Japanese and English languages, both equally authentic, this fourteenth day of January, 1991.

For Japan:

TARO NAKAYAMA

For the United States of America:

JAMES A. BAKER III

AGREED MINUTES TO THE AGREEMENT BETWEEN JAPAN AND THE UNITED STATES OF AMERICA CONCERNING NEW SPECIAL MEASURES RELATING TO ARTICLE XXIV OF THE AGREEMENT UNDER ARTICLE VI OF THE TREATY OF MUTUAL COOPERATION AND SECURITY BETWEEN JAPAN AND THE UNITED STATES OF AMERICA, REGARDING FACILITIES AND AREAS AND THE STATUS OF UNITED STATES ARMED FORCES IN JAPAN

In connection with the discussions on Article I of the Agreement between Japan and the United States of America concerning New Special Measures relating to Article XXIV of the Agreement under Article VI of the Treaty of Mutual Cooperation and Security between Japan and the United States of America, Regarding Facilities and Areas and the Status of United States Armed Forces in Japan (hereinafter referred to as "the Agreement"), the representatives of Japan and the United States of America have agreed to record the following:

It is confirmed that the wages mentioned in Article I do not include those portions which had been already included in the part borne by Japan before the entry into force of the Agreement between Japan and the United States of America concerning Special Measures relating to Article XXIV of the Agreement under Article VI of the Treaty of Mutual Cooperation and Security between Japan and the United States of America, Regarding Facilities and Areas and the Status of United States Armed Forces in Japan, signed at Tokyo on January 30, 1987.

Washington, January 14, 1991

For Japan:

TARO NAKAYAMA

For the United States of America:

JAMES A. BAKER III