

**The Joint Committee Agreement on the framework for reciprocal report
of the judicial or other dispositions under Japan-U.S. SOFA**

1. The notification required by paragraph 6(b) of Article XVII of the Status of Force Agreement shall be deemed satisfied by the following:

(a) Reciprocal monthly reports through the Joint Committee by the United States Armed Forces authority and the Japanese authority of the judicial dispositions of all cases over which the State not having the primary right to exercise jurisdiction exercised jurisdiction in accordance with Article XVII of the Status of Force Agreement; and

(b) Reciprocal monthly reports through the Joint Committee by the United States Armed Forces authority and the Japanese authority of any of judicial dispositions, and of non-judicial and disciplinary dispositions in relation to the United States Armed Forces authority, of all cases over which either State exercised the primary right to exercise jurisdiction which involved offenses allegedly committed against the other State or nationals of the other State. Said reports will also include cases which involved offenses allegedly committed against the other State or nationals of the other State and where the State which has the primary right to exercise jurisdiction advised the authority of the other State that it would exercise its jurisdiction in accordance with the procedure as provided for in No.40, but made decisions not to bring indictment, not to refer to the U.S. court-martial, and not to make any of non-judicial and disciplinary dispositions in relation to the United States Armed Forces authority.

(c) The reports mentioned in paragraphs (a) and (b) above shall contain the name and organization of the person who was determined or alleged to have committed an offense, nature of offense, substance and date of dispositions, and title of the authority which made such dispositions. The reports mentioned in paragraph (b) above shall also contain the fact and date of decisions mentioned in paragraph (b) above, and title of the authority which made such decisions.

(d) Nothing herein shall prohibit provision of informal reports at the local level by the United States Armed Forces authority or the Japanese authority to

the authority of the other State, upon request, of any of judicial dispositions, and of non-judicial and disciplinary dispositions in relation to the United States Armed Forces authority, of any cases over which either State exercised jurisdiction in accordance with Article XVII of the Status of Force Agreement. Said reports may also include decisions made by either State of not to bring indictment, or decisions made by the United States Armed Forces authority of not to refer to the U.S. court-martial or not to make non-judicial or disciplinary dispositions in relation to the United States Armed Forces authority.

- (e) (i) Upon the receipt of the reports mentioned in paragraphs (a), (b) and (d) above from the authority of either State, the authority of the other State may release to the public the following contents therein:

judicial dispositions of any case;

the fact that non-judicial and/or disciplinary dispositions were made for any case; and,

the number of cases for which judicial dispositions, non-judicial dispositions and/or disciplinary dispositions, or decisions mentioned in paragraph (b) above were made.

- (ii) Upon the receipt of the reports mentioned in paragraphs (b) and (d) above from the authority of either State, the authority of the other State may release to the victim of any case, or the victim's family if the victim is incapable of receiving the information, the fact that decisions not to bring indictment, not to refer to the U.S. court-martial, and not to make any of non-judicial and disciplinary dispositions were made for that case.
- (iii) Upon the receipt of the reports mentioned in paragraphs (b) and (d) above from the United States Armed Forces authority, and provided that it was informed by that authority that the consent has been given in accordance with subparagraph below, the Japanese authority may release to the victim of any case, or the victim's family if the victim is incapable of receiving the

information, non-judicial and/or disciplinary dispositions of that case, consistent with the consent given.

Upon request of the victim of any case, or the victim's family if the victim is incapable of making such a request, conveyed by the Japanese authority, the United States Armed Forces authority intends to ask the person who was alleged to have committed an offense for consent to release non-judicial and/or disciplinary dispositions to the victim or the victim's family, and to inform the Japanese authority whether or not the consent has been given and the extent of the consent given."

2. The shared understanding on the terms used in paragraph 1 above is as follows:

(a) the term "judicial dispositions" means any of the results of criminal procedures determined by the Japanese court, the U.S. court-martial or the U.S. court;

(b) the term "non-judicial dispositions" means the imposition of punishment which may be imposed upon an alleged offender by U.S. commanding officer or other U.S. authorized officer as a result of procedures without the intervention of a court-martial, under Subchapter III., Chapter 47 – Uniform Code of Military Justice, of the United States Code; and,

(c) the term "disciplinary dispositions" means any of the results of the disciplinary procedures determined by the military authorities of the United States, which exclude the aforementioned dispositions.

3. This agreement will apply to the offences alleged to have been committed on or after January 1, 2014.