

RELEASE IN FULLCONFIDENTIAL

Japanese Demarches on Declassification

~~Talking Points For Meeting With EAP/J~~

1. The two recent GOJ demarches on declassification--with promise of more to come--raise serious problems for all USG offices and agencies engaged in declassification, in publishing the historical record, and in opening old files. At stake are questions of both broad principle and practical projects, and the problems posed for the latter are aggravated by the fact that once launched on a given course such projects are difficult to turn around, especially when facing tight deadlines such as those dictated by the Foreign Relations acceleration program directed by the President. If we were to accede to the GOJ requests, the following current projects would be severely impacted.

a) A compilation already cleared by the Department (FRUS Volume XVI, Japan/Korea 1955/57) with a tight publishing schedule in order to meet the goals of the President's memorandum. The GOJ requests would affect about one-third of this compilation.

b) A second compilation (FRUS Volume XVI, Japan/Indonesia 1958/60) to be reviewed, cleared and published by 1990. The GOJ request would affect over 60% of this compilation.

c) All 1955/59 Japan central decimal files (ca. 160 boxes) which have been reviewed by NARA declassifiers using guidelines (cleared by State) which designate as releasable two important topics the GOJ has now asked be off limits. The State rereview of these files is just beginning.

d) DOD's systematic review program, which operates concurrently with ours; and

e) Ongoing FOI and mandatory review requests, which require consistent guidelines.

2. In addition to the potential disruption of ongoing projects, the GOJ requests also raise an important question of principle: Can a foreign government exercise control over release of USG information. The answer is clearly no. Our laws, regulations and traditions promote the systematic release of the official record and ensure the public's access. We cannot do for a foreign government what we cannot do for our own.

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3. Of all allied and friendly nations, Japan has been the ~~least supportive of our policy of careful and orderly~~ publication of the diplomatic record in the Foreign Relations series. It has agreed to the release of only one of two dozen GOJ documents referred to it for clearance for the years 1952/57. At the same time, Japan has not coordinated with the USG its release on microfilm of classified diplomatic documents through 1952.

4. Although the GOJ has expressed some apprehension prior to the release of earlier Foreign Relations volumes, we have found these to be exaggerated and are aware of no damage to US-Japanese relations which resulted. Prior to publication (in 1985) of the 1952/54 FRUS, China and Japan, the GOJ informally expressed apprehension to EAP/J over the potential impact of publication of the record of the 1952 negotiations for the Administrative Agreement. In fact, no negative publicity occurred which supports our experience that the best antidote to press sensationalism in the long run is a regular and sustained publication and release program.

5. The Department's 1950/54 files, which were opened last year at the Archives, contain information on some of the topics the GOJ now asks be withheld. The recent incident in which a Japanese communist group located a declassified document on a sensitive topic in the Library of Congress shows the extent to which information can get into the public domain. A program of exaggerated secrecy could only backfire against those promoting it.

6. For these reasons the GOJ should be informed as follows.

a) The USG is well aware of GOJ sensitivities on a number of issues in our bilateral relations extending back to the 1950s, and CDC has been especially careful in its declassification reviews to be responsive to these within limits posed by our laws and traditions. We will continue to do this as well as to clear with the GOJ any documents of GOJ origin which we wish to publish. (A summary of how the issues raised in the GOJ demarches were treated in the 1955/57 FRUS is at TAB A.)

b) We cannot, however, accede to an open-ended GOJ request not to declassify and release information on a wide range of quite general topics. We are, therefore, proceeding with plans to publish the record of our 1955/57 bilateral relations in 1988, and for 1958/60 in 1990, and to open other records on those relations by 1989. If they wish, we will inform the GOJ prior to specific releases.

c) In our ongoing declassification reviews we will continue to exercise restraint on such sensitive topics as the introduction, storage and deployment of nuclear weapons and the confidential understanding concerning prior consultation on the deployment and use of US forces in Japan, and criminal jurisdiction. Other topics such as the Girard case, the Northern Territories and general discussions of security treaty revision are well enough known that any general effort to withhold information would leave obvious gaps in the record. This would raise far greater press curiosity than regular systematic release and certainly lead to a rash of FOIA requests.

(A description of the public record on these issues is at Tab B.)

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