

第2部 1951年12月の日米交渉

がふくまれており、会談途上12月13日夕刻わが方の要望を盛つた一般的な陳述および「南方諸島に関する実地的な措置について」がダレス顧問にとどけられたことはすでに記述したとおりである（第6参照）。

1952年4月24日、総理は、南方諸島の地位についての日米間のこれまでの話合いの経緯について内奏された。

総理の内奏の資料として事務当局が4月23日に作成し総理に提出したものを付録40として、便宜、本調書の末尾に収めておきたい。

（1966・4・12 稿了）

付 録

付録 1 1951 年 5 月 18 日午後シーボルト大使から総理へ手渡された書類

SECRET

- A. Signature by Communist Regime.
- B. Signature by National Government, either
 - 1. concurrently and at same ceremony with other Allied Powers;
 - 2. concurrent signature of counterpart at separate ceremony not attended by other signers; or
 - 3. subsequent signing or adhesion as arranged between Japanese and National Governments.
- C. Deferment of any signing on behalf of China until governmental situation clarified.
- D. Any other course that may be suggested.

付録 2 中国代表問題 — 1951 年 5 月西村条約局長作成のメモ —

1. 5 月 18 日午後 2 時シーボルト大使目黒官邸に総理を来訪し、対日平和条約に対し中国のいずれの政府が署名すべきやについて、次のような方式を例示して、日本政府の見解を求めた。大使が残して行つた書き物は、記録にある。
 - A 共産主義政権による署名。
 - B 国民政府による次のいずれかの署名。
 - 1 他の連合国と同時に、同一の儀式において行うもの。
 - 2 他の署名者が出席しない別個の儀式において、別の謄本 (counterpart) に対して同時に行う署名。又は、
 - 3 日本政府及び国民政府間に取り極められたところに従う、後の署名又は加入。
 - C 政府の地位が明らかとなるまで、中国を代表するいかなる署名をも延期すること。
 - D 示唆することのできるいずれかの他の方法。
2. 直ちに研究して結論を出すよう指示をうけたので、島津、安藤、高橋、藤崎の 4 君と条約局長室で、夕刻から午後 9 時まで、議論した。そして、漸く、まとめた結論は、次のとおりである。
 - (1) 共産政権に署名させることに、同意し得ない。自由陣営の一員として共産世界に対抗して行こうとする日本として、これは、明言すべきである。

(2) 国民政府に他国政府と同時に同じ調印式で調印させる方式（Bの1）は、従来からの米国の態度からくる当然の帰結である。米国の方針に同調する意味において、これが一番いいということは、言うべきである。しかし、米国のこの立場が英国その他の中共承認国によつて、反対されているところに問題がある。米国は、この方式に代る方式を探索して、日本の意見を求めている。従つて、日本は、この方式以外のどれがよろしいかを明示してやるのが適当である。

(3) 平和条約に署名すべき中国代表の問題は、現在のところ法律的に解決不能であり、政治的にも、きわめて困難である。関係国すべてを満足させる解決方法はあるまい。見透としては、結局、時日をかけて中国代表問題が解決するまで、中国の条約参加を延期することになる外あるまい。すなわち、Cに帰着しよう。しかし、日本から、この方式がよいということは、米国と国民政府とを失望させる。だから、日本は「中国代表問題のような手続問題のため平和条約の署名が延引されることは、はなはだいかんである。1日も早く1国とでも多くの国と平和関係に入りたいのが日本の熱望であるということを、言つてやることで、満足すべきである。

(4) 従つて、結論として、Bの2か3のうち、どれがよろしいかということになる。2は大多数の国と平和条約を署名すると同日に同じ場所で日本が国民政府と別個に同内容の別の文書（カウンターパート）に署名するものである。3は原文が簡にすぎ、明白でないが、ここにいう署名は、察するところ、一般的調印式の後あまりへだたりのない後日2と同じような方式の署名を行なうとするものであろう。とすれば、この署名は、2に比しておもしろくない。ただし、これは国民政府を選択するという日本の積極的意志が目立ち、将来、中共政権を承認している東南アジア諸国と密接な経済関係に入ろうとする日本にとつておもしろくない結果を生ずるおそれがある。3にいう、加入が平和条約の加入条項に従つてなされる加入であるならば、これは、国民政府の米国政府に対する通告によつてなされるものであつて、目立たず無難である。3の方式をとるならば加入（但し平和条約の条項による）を希望すべきである。3の署名は、とるべきでない。

3. そこで結論をもととして、次のような回答案を作成した。

（問題は、法律的にも政治的にも困難なものである。われわれとしても、自分達の

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回答に大した自信がもてなかつたことを告白しなければならぬ。）

回 答 案

(1) 中国の国民政府と共産政権のいずれが対日平和条約に署名すべきかは、連合国の決定にまかしたい。

(2) しかし、強いて意見を求められるならば、日本政府の意見は次のとおりである。

イ、共産政権の署名は、好まない。

ロ、国民政府が他の連合国と同時に同じ調印式で署名することを好ましいと考える。しかし、この方式に英国その他共産政権を承認しておる連合諸国が反対しておるところに問題があると了解する。

ハ、よつて問題の解決には、Bの2又は3のいずれをとるべきかに帰着する。Bの2すなわち大多数の国と平和条約を署名すると同時に、同じ場所で別に日本政府が国民政府と別個の文書（カウンターパート）に署名することは、あまりに技巧的であるように考えるが、連合国でこの方式を採用されることに異存はない。しかし国民政府が平和条約の加入条項に従つて、平和条約に参加することが最も無難な方法であらうと考える。

(3) 日本政府は、従来くりかえし表明したように、1日も早く1国とでも多くの国と平和関係に入ることを熱望する。この見地から、中国代表問題のような手続問題のために平和条約の署名が延引されることは、極めて、苦痛とするところである。従つて、上述の見解にかかわらず、米国政府がC、すなわち中国代表問題が解決をみるまで同国の署名又は加入を延期せられることになんらの異存もないことを付言したい。

4. 19日朝井口次官から、大磯の総理から連絡があつて、国民政府が他の連合国と同じ調印式で署名するのを希望するという趣旨で返答を用意しようとのことを伝えてきた。これは、前述のわれわれの回答とは、ちがう。この方式に、英国などが反対しているところに問題があるので、米国は他の方式を探索しようとしているとわれわれは考えたのである。しかし、総理の明白な指示に接したので、早急に、高橋君と2人で、次のような簡潔な回答案をつくり、英文を小畑君にたのんで作つた。

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回 答 案

日本政府は、

イ 共産政権の署名を好まない。

ロ 国民政府が、他の連合国と同時に、同一の儀式において、署名することを好ましいと考える。日本政府は、従来多年にわたって関係をもってきた国民政府が同じく自由陣営の一員としてその地位を強化してゆくことに、関心をもつものである。

(日本政府は、早期多数講和を熱望する立場から、手続問題のために条約の署名が延引されることはなほだ苦痛とするところである。従つて、上述の見解にかかわらず、中国代表問題について連合国間に短期間内に妥結点を発見せられることの困難な場合には、米国政府が、「政府の地位が明らかとなるまで中国代表の署名を延期せられる」ことになんらの異存もない。)

A. We do not like signature by Communist regime.

B. We consider it desirable to have the Chinese Nationalist government sign concurrently and at the same ceremony with other Allied Powers. The Japanese Government is interested in seeing the strengthening of the Nationalist Government as a member of the free world.

Because of our fervent desire for an early majority peace we would be much disappointed if the signing of the treaty were to be delayed on account of a procedural question. Accordingly, apart from our position stated above, we would not object to deferment of any signing on behalf of China until governmental situation is clarified, if it should prove difficult to obtain a swift agreement among the Allies on the question of Chinese representation.

5. 総理は、19日午後1時帰京された。井口次官は、回答案について、総理と相談した。その結果、総理の意見で、回答から「日本政府は、国民政府が自由世界の一員として強化してゆくことに関心をもつ」という文句と、「中国代表問題について連合国間に短期間内に妥協点を発見せられることの困難な場合には、米国政府が「政府の地位が明らかとなるまで中国代表の署名を延期せられる」ことになんらの異存もない」の文句とおとし、その趣旨を口頭で付加することになった。

で、わが方の回答は、次のようになった。

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SECRET

A. We do not like signature by Communist regime.

B. We consider it desirable to have the Chinese Nationalist government sign concurrently and at the same ceremony with other Allied Powers.

Because of our fervent desire for an early majority peace we would be much disappointed if the signing of the treaty were to be delayed on account of a procedural question.

6. 19日午後1時半井口次官は、シーボルト大使に回答を交付した。

すると、大使は、吉田総理に、国民政府が他の連合国と同時に署名する方式は英国などの反対で問題となつているので、その代りにどれをとるべきかが問題点であることや中国の署名を延期させる方式は米国上院内の空気からみて条約成立を危険にするおそれがあることや各方式についての長所短所を説明しておいたがと述べて、こちらの回答に意外の感を表した。それでは、話が全くちがうので、井口次官は、そうとなれば問題はきわめて答えやすい。B I もだめ、C もだめとなればBの2か3かということになり、まず2、それから3となろう。3でもかまわぬ。日本は条約を成立させるため必要なら3でもよろしいと答えた。一幸い、われわれの討論の結論と第1次回答案とを、次官は、よんでいたもので、判断がつきやすかつたのである。

これで、この問題は、一応終つた。

話のついでに、シーボルト大使に、かような問題には次官をよんで話してくれ、そうすると、こんな手違はおこらぬ、総理は忙しいので、詳細の事情を付けずに事務当局に問題をおろされる、日本側の反応が米国の期待するところにピタリとこぬことがありうる、といったら、大使は、そうも思つたが、こんどは、ダレス特使からとくに吉田総理の意向をたたけとあつたので、目黒にでむいたのだと説明した。

井口次官から、この話をききながら、彼と僕は微笑した。そして、記録にとどめておくよと、わたくしは、いつた。その記録がこれである。

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付録 3 1951年6月14日付米英共同声明

The following is text of communique issued in London jointly by the British Secretary of State for Foreign Affairs and Ambassador John Foster Dulles on June 14:

"Mr. Herbert Morrison, H.M. Secretary of State for Foreign Affairs, and Mr. John Foster Dulles, Special Representative of the President of the United States, at the conclusion of their conversations on the Japanese Peace Treaty, announce that their talks have resulted in full agreement between them on the draft treaty and on all other main related problems. This agreement is subject to approval by Governments on both sides.

"The fact that agreement has been reached in the talks between the United States and the United Kingdom on this important and complex subject, emphasizes again the deep essential unity of purpose of the two countries. The meetings in London, like Mr. Dulles' recent discussions with the French Government in Paris, are a part of a long process of consultation with governments of countries closely concerned with the Japanese war, including Commonwealth countries. Though these governments are at present in no way committed to the draft, its main outlines are understood to be in accordance with the views held by the great majority of them.

"If approved by the United States Government and by H.M. Government in the United Kingdom, the draft will be first rediscussed with Powers principally concerned in the war against Japan, and shortly afterwards circulated to other Powers at war with Japan, with a request for their comments at the earliest convenient date. Thereafter, it is hoped to proceed with the drafting of the final treaty.

"Both Governments will hope that the Soviet Government, which has been consulted at earlier states of the negotiations, will sign the Peace Treaty. They consider, however, that the treaty should be prepared on a wide basis of consultation among the Powers at war with Japan. They cannot accept the Soviet Government's continued insistence that the treaty must be prepared at a meeting of the Council of Foreign Ministers of the United States, the United Kingdom, the Soviet Union and China."

付録 4 対日平和条約案およびサン・フランシスコ平和会議に関する
米ソ両政府間の往復文書

1. 対日平和条約案

- (イ) 1951年5月7日のソ連覚書
- (ロ) 1951年5月19日の米国回答
- (ハ) 1951年6月10日のソ連覚書
- (ニ) 1951年7月9日の米国回答

2. サン・フランシスコ平和会議

- (イ) 1951年8月12日のソ連覚書
- (ロ) 1951年8月16日の米国回答

- (1) Exchange of notes between the Governments of the U.S.S.R. and the U.S.A. regarding the draft Peace Treaty for Japan

(a) *Russian note, 7 May 1951*

The Government of the U.S.S.R. received on March 29, 1951, from the Government of the United States of America a draft of a peace treaty with Japan. In connection with this, the Soviet Government considers it necessary to make the following remarks.

In spite of the fact that more than 5 years have already passed since the time of the termination of war with Japan, the question of a peaceful settlement for Japan remains unresolved. Such a situation has been created, first of all, as a result of the position taken by the Government of the U.S.A., which under various pretexts has postponed not only the conclusion but the very preparation of a peace treaty. In this connection, the Government of the U.S.A. has repeatedly rejected the proposals of the Soviet Government for the preparation of a peace treaty with Japan jointly with other Governments, as envisaged by the appropriate international agreements. As a result of this, the occupation of Japan by foreign troops has impermissibly dragged on.

1. The remarks of the Soviet Government concern, first of all, the incorrect preparation of a peace treaty with Japan.

In the memorandum accompanying the American draft of a peace treaty with Japan, the Government of the U.S.A. declared that the draft referred to was drawn up after an exchange of opinions between representatives of the Government of the U.S.A. and representatives of the Governments of several other states, including the Soviet Union. It should be noted that this last is not true, since the Soviet Government as early as the beginning of March of this year published a statement concerning its refusal to carry on separate negotiations with representatives of the U.S.A. with regard to the preparation of a peace treaty with Japan. In this connection, the Soviet Government proceeded from the position that the preparation of a peace treaty with Japan cannot be the affair of any one Government or of a query conducted by it of the opinions of other interested Governments, but should be a joint affair of all these Governments, as is provided for by the appropriate international agreements. Nevertheless, the Government of the U.S.A. did not refrain from the separate preparation of a peace treaty with Japan, aiming at arrogating this right exclusively to itself, which is a violation of the obligations undertaken by it concerning the preparation of a peace treaty with Japan jointly with the U.S.S.R., China, and Great Britain, with the participation of other interested states.

In accordance with the Potsdam Agreement of August 2, 1945, a Council of Foreign Ministers of the five powers—U.S.A., U.S.S.R., China, Great Britain, and France—was established, in which connection it was directly stated in the Potsdam Agreement that the Council of Foreign Ministers was being created, in the first instance, for 'preparatory work on peaceful settlement,' and that in drawing up the corresponding peace treaties 'the Council would consist of members representing those states which have signed the terms of capitulation dictated to that enemy state which the given task concerns.' The peace treaties with Italy, Rumania, Bulgaria and Finland were prepared and concluded in conformity with this. That the drafting of a peace treaty with Japan has been laid upon the U.S.A., the U.S.S.R., China and Great Britain, who, as is known, signed the Japanese surrender document, also flows from the Potsdam Agreement referred to. As early as 1947 the Soviet Government proposed calling a special session of the Council of Foreign Ministers composed of the representatives of China, U.S.A., U.S.S.R. and Great Britain in order to embark upon the preparation of a peace treaty with Japan. In this connection, it was envisaged that all states who participated with their armed forces in the war with Japan would be drawn into the preparatory work for drawing up a peace treaty with Japan. But this proposal as well as other repeatedly renewed efforts of the Soviet Government directed toward hastening the

conclusion of a peace treaty with Japan have furnished no positive results, since the Government of the U.S.A. ignores the necessity of calling a Council of Foreign Ministers for the preparation of a peace treaty with Japan as well as calling a peace conference for the consideration of this treaty.

The Soviet Government considers it necessary to mention particularly the impermissibility of excluding China from the preparation of a peace treaty with Japan. It is known that China was subjected during the course of many years to cruel aggression on the part of militaristic Japan, waged a protracted hard war against Japanese imperialism and bore the greatest sacrifices from the aggression of Japan. It is natural, therefore, that the Government of the Chinese People's Republic, being the only legal representative of the Chinese people, has a special interest in the preparation of a peace treaty with Japan and in the establishment of lasting peace in the Far East. It is perfectly obvious that without the participation of the Chinese People's Republic in the work of preparing a peace treaty with Japan a real peaceful settlement in the Far East is not possible.

From this it is seen that the Government of the United States is endeavouring to exclude the U.S.S.R., the Chinese People's Republic and other countries from the preparation of a peace treaty with Japan and to take this matter exclusively into its own hands in order unilaterally to impose upon Japan through the procedure of a dictate conditions of this treaty satisfactory to the Government of the U.S.A., utilizing for this purpose the dependence of the present Government of Japan upon the American occupation authorities.

2. The remarks of the Soviet Government concern, secondly, the fact that the American draft of a peace treaty with Japan contains from the point of view of the substance of the matter, several incorrect contentions incompatible with existing agreements between the powers.

In such known international documents as the Cairo Declaration of 1943, the Potsdam Declaration of 1945, and the Yalta Agreement of 1945 the Governments of the United States of America, Great Britain, China, and the U.S.S.R. took upon themselves definite obligations with relation to a future peace treaty with Japan.

In these documents the territorial borders of Japan were defined and it was pointed out that there should exist in Japan 'a peacefully disposed and responsible government in conformity with the freely expressed will of the Japanese people,' after which the occupation troops should be withdrawn from Japan.

In these documents, as well as in a subsequent agreement between the

powers, it is stated that there should in Japan 'be eliminated all obstacles to the revival and straightening of democratic tendencies among the Japanese people' and that broad possibilities for the development of the peaceful economy of the country should be opened up. Along with this it is stated there that it is necessary to finish with the authority and influence of the militarists and to accomplish the demilitarization of Japan.

The American draft of a peace treaty with Japan ignores in one degree or another these obligations of the powers which flow from the documents referred to above.

First of all, this must be said of territorial questions.

For example, in the Cairo Declaration of 1943 it is directly stated that the Island of Taiwan and the Pescadores Islands should be returned to China. In this American draft it is stated only that Japan renounces all rights to Taiwan and Pescadores Islands, but nothing is said regarding the transfer of Taiwan and Pescadores Islands to China. From this the conclusion can be drawn that the draft leaves the present situation with Taiwan and the Pescadores Islands, which have actually been torn away from China, without change, in violation of the Cairo Agreement concerning the return of these islands to China.

The American draft provides, further, for taking the Ryukyu, Bonin, Rosario, Volcano, Parece Vela, and Marcus Islands out from under the sovereignty of Japan and transferring them under the administration of the U.S.A. under the pretext of establishing a trusteeship over them, allegedly on the part of the United Nations Organization. Inasmuch, however, as the wresting of the islands named away from Japan is envisaged neither by agreement between the powers nor by decision of United Nations in the person of the Security Council, such wresting away does not have any justification.

Those deviations on military matters from the international agreements mentioned above which are contained in the American draft of a peace treaty with Japan possess even greater significance. It suffices to say that the American draft not only does not contain a guarantee against the restoration of Japanese militarism but in general does not set forth any limitations with relation to the size of the armed forces in Japan.

It is known that in the peace treaty with Italy, which together with Japan was one of the primary aggressors in the Second World War, precise limitations on the proportions of the Italian army, the number of naval fleet personnel and also the size of the air forces are contained. Meanwhile, no limitations on the armed forces of Japan are contained in the American

draft. Thus, Japan is placed in a privileged position in comparison with Italy, although there is no basis for this. From this it is seen that Japan itself will decide the matter of the size of its armed forces for so-called 'self-defense.' The Soviet Government considers that this is tantamount to allowing Japan to restore militarism. It is quite clear that such a position can in no way be reconciled with certain agreements of the powers concerning demilitarization of Japan.

Likewise the fact cannot be passed over that the American draft does not establish any period for the withdrawal of occupation troops from Japan and is directly designed to leave American occupation troops and military bases in Japan even after the conclusion of a peace treaty. Consequently, even after that 'peaceful settlement' which the United States is preparing for Japan, the military occupation of Japan will not be discontinued and the United States of America will remain the real master in Japan.

As is known, in the peace treaty with Italy the withdrawal of occupation troops from Italy within a 3-months period after the conclusion of peace was provided for. Thus, Japan falls into a worse position in comparison with Italy, and the U.S.A. receives unlimited right to continue the occupation of Japan after the signing of peace with Japan for an unlimited period. It is quite clear that all this can in no way be reconciled with the Potsdam Declaration of 1945.

It is necessary to add to this that already at the present time the Government of the U.S.A. is utilizing the occupation of Japan by American troops for other purposes than were agreed among the states signing the Japanese surrender document. American occupation troops located on Japanese territory are utilizing the territory of Japan, its material and human resources for armed intervention in Korea, which is incompatible with international agreements according American troops the right of occupation in Japan only for the purposes of carrying out measures for the demilitarization and democratization of Japan.

Finally, the American draft ignores the necessity of removing limitations with respect to the free development of the peaceful economy of Japan. It is quite clear that without the development of the peaceful economy of the country and without the existence of normal trade with other countries it is not possible to create a reliable basis for the economic upsurge of Japan and growth in the welfare of the Japanese people.

The Soviet Government also has other remarks on the draft of the treaty which it intends to set forth at a meeting of the interested powers.

3. The Soviet Government, constantly insisting on a speedy conclusion of a peace treaty with Japan, considers that a peace treaty should be drawn up on the basis of international agreements which were concluded between the powers during the period of the Second World War, and the preparation of a draft treaty should be carried on jointly by representatives of the U.S.A., the Chinese People's Republic, U.S.S.R. and Great Britain with all the member states of the Far Eastern Commission being drawn into the matter.

In conformity with this, the Soviet Government proposes:

First.—To call in June or July of 1951 a session of the Council of Ministers of Foreign Affairs composed of representatives of U.S.A., China, Great Britain and U.S.S.R. in order to embark upon the preparation of a peace treaty with Japan having in view bringing into the preparatory work for drawing up a peace treaty with Japan representatives of all states participating with their armed forces in the war with Japan, in order that a draft of a peace treaty may be submitted for the consideration of a peace conference.

Second.—To conduct the drafting of a peace treaty with Japan on the basis of the Cairo Declaration, the Potsdam Declaration, and the Yalta Agreements, governed by the following basic aims:

A.—Japan should become a peace-loving, democratic, independent state.

B.—Democratic rights should be guaranteed to the population of Japan and the existence of such organizations be they political, military, or of military character whose purpose is to deprive the people of their democratic rights, as was provided in the peace treaty with Italy, should not be allowed.

C.—As a guarantee against the revival of Japanese militarism limitations should be established in the treaty on the size of Japanese armed forces in order that they may not exceed the requirements of self-defense, as was established in the peace treaty with Italy.

D.—No limitations be put upon Japan in the matter of the development of her peaceful economy.

E.—All limitations with respect to the trade of Japan with other states be removed.

Third.—To provide in the treaty that Japan will not enter any coalition directed against any of the states participating with their armed forces in the war against militaristic Japan.

Fourth.—To specify precisely in the treaty that after the conclusion of a peace treaty with Japan all occupation troops will be withdrawn from

Japanese territory in the course of not more than 1 year and no foreign state will have troops or military basis in Japan.

Fifth.—To agree that the states signing the peace treaty with Japan will support the entry of Japan into the United Nations Organization.

Moscow, May 7, 1951.

(b) *The United States reply, 19 May 1951*

The Government of the United States has carefully considered the remarks of the Government of the Soviet Union of May 7, 1951, relative to the draft of a Japanese peace treaty which the Government of the United States submitted on March 29, 1951. These remarks show the persistence of a major difference of opinion as regards procedure. However, as regards substance, the Government of Soviet Union raises objection only to the proposed treatment of (a) Formosa and the Pescadores; (b) the Ryukyu and Bonin Islands; (c) Japan's future security; and even here the differences are only partial, not total. The Soviet Government's analysis would seem to constitute a genuine, if unintended, tribute to the regard for balanced justice with which the draft treaty was prepared.

I

The paragraphs of the Soviet Government's remarks numbered I, deal with procedure.

The Soviet Government asserts that under the Potsdam Agreement of August 2, 1945, 'the drawing up of a peace treaty with Japan has been laid upon the United States, the Soviet Union, China and Great Britain,' constituting for this purpose the Council of Foreign Ministers.

This view of the Soviet Government has been put forward on several occasions and has as often been rejected by the Government of the United States.

The Potsdam Agreement of August 2, 1945, contemplates that the Council of Foreign Ministers thereby established would, 'as its immediate important task,' draw up 'treaties of peace with Italy, Rumania, Bulgaria, Hungary and Finland' and propose 'settlements of territorial questions outstanding on the termination of the war in Europe'. It is then provided that the Council 'shall be utilized for the preparation of a peace settlement for Germany.' It is finally provided that 'Other matters may from time to time be referred to the Council by agreement between the Member Governments.'

Thus, the Potsdam Agreement between the Governments of the Soviet Union, the United Kingdom and the United States did not mention the Japanese Peace Treaty. This was natural, for the war with Japan was then in full vigor and the Soviet Union was then neutral in that war.

The Council of Foreign Ministers can, of course, deal with 'other matters' than the European matters specified, but only 'by agreement between the Members Governments.'

The United States has not agreed and does not agree to the reference to the Council of Foreign Ministers of the matter of making a Japanese peace treaty. The reason, among others, is that the systematic misuse in the Council of veto power militates against the speedy achievement, through the Council, of an early peace treaty. Furthermore, the procedures of the Council would give a secondary role to Allied Powers which bore a greater burden of the Pacific war than did the Soviet Union.

The Government of the Soviet Union urges that the peace-making procedure should fully take account of the interests of China in a Japanese peace treaty. The procedure being presently followed does that. It is true that the United States does not seek guidance from a convicted aggressor, but the real interests of China are fully reflected in the present draft treaty. For example, by Article 11, 'Japan renounces all special rights and interests in China' and Article 19 makes this renunciation automatically effective. It is noteworthy that the Soviet Government, which in Parts II and III of its remarks, deals fully with substantive issues, suggests no modification or addition in favor of China except in relation to Formosa and the Pescadores, as to which it is suggested that Japan should do more than liquidate its own title. This large measure of acceptance by the Government of the Soviet Union of the substantive provisions dealing with China testifies to the scrupulous regard for China's interests with which the draft treaty was prepared.

II

The paragraphs of the Soviet Government's remarks numbered II deal with the substance of the draft treaty.

(a) As to territorial matters, the Government of the Soviet Union suggests that the draft treaty does not faithfully reflect the Surrender Terms because it does not provide that 'the Island of Taiwan and the Pescadores Islands should be returned to China.'

The territorial clause of the Surrender Terms stipulated 'The terms of the Cairo Declaration shall be carried out and Japanese sovereignty shall

be limited to the islands of Honshu, Hokkaido, Kyushu, Shikoku and such minor islands as we determine.' The draft treaty would, in fact, limit Japanese sovereignty accordingly.

The Cairo Declaration provided that 'Manchuria, Formosa, and the Pescadores, shall be restored to the Republic of China'.

The Government of the United States notes that the remarks of the Soviet Government fail to quote accurately the Cairo Declaration. The word 'Manchuria' is deleted and 'China' is substituted for 'the Republic of China.'

In view of the known acquisition by the U.S.S.R. of zones of interest in Manchuria, the United States Government is prompted to inquire as to the significance of the present avoidance by the Soviet Government of reference to the restoration of Manchuria.

Furthermore, in view of the fact that the Government of the Soviet Union has itself pointed out on numerous occasions that the 'Republic of China' is not identical with what the Soviet Government now refers to as the 'Chinese People's Republic,' the Government of the United States inquires of the Government of the Soviet Union whether it in fact now desires that Manchuria, Formosa and the Pescadores should be restored to 'the Republic of China.'

The draft treaty proceeds on the assumption that Japanese sovereignty 'shall be limited' to exclude sovereignty over Formosa and the Pescadores, according to the Surrender Terms and that if this is done by Japan, Japan will have done all that can be required of her and the Japanese people ought not to be denied a state of peace because of a difference of opinion among the Allied Powers as to the subsequent disposition of Formosa and the Pescadores.

The Government of the Soviet Union criticizes the provision that the Ryukyu, Bonin, and certain other islands may be placed under United Nations trusteeship with the United States as administering authority.

It is true that the Surrender Terms, neither by themselves, nor by the incorporated reference to the Cairo Declaration, mention by name South Sakhalin or the Kurile Islands, now occupied by the Soviet Union, or the Ryukyu, Bonin Islands or other islands mentioned in the remarks of the Soviet Government. Since, however, the Surrender Terms provided, as indicated, that Japanese sovereignty should be limited to the four main islands and such minor islands as may be determined, it is consonant with the Surrender Terms for the Allied Powers by treaty of peace with Japan to deal with Japanese islands other than the four main islands mentioned.

(b) As to demilitarization, the Soviet Government complains that the present draft does not guarantee against the restoration of Japanese militarism and does not limit the size of armed forces in Japan. It is said that this cannot be reconciled with 'known agreements of the powers concerning demilitarization of Japan.'

The Soviet Government does not attempt to identify the so-called 'known agreements'. In fact there are none, outside of understandings dealing with the occupation period.

Of the agreements mentioned by the Soviet Government's remarks neither Cairo nor Yalta touch on the subject. The Potsdam Surrender Terms provide that 'until there is convincing proof that Japan's war-making power is destroyed, points in Japanese territory to be designated by the Allies shall be occupied,' and that 'the Japanese military forces, after being completely disarmed, shall be permitted to return to their homes with the opportunity to lead peaceful and productive lives.'

The United States Government is satisfied that 'Japan's war-making power is destroyed.' Apparently the Soviet Government shares that conviction, since it says that the occupation of Japan has 'impermissibly dragged on'. Furthermore, the United States, so far as it is concerned, has in fact completely disarmed the Japanese military forces under its control and has assured that they now lead peaceful and productive lives. Of the belligerents, only the Soviet Government has failed to comply with this provision and, in violation of the Surrender Terms, withholds from return to their homes and peaceful lives approximately 200 thousand Japanese soldiers. The people of Japan eagerly await the return to peaceful pursuits of these thousands of Japanese soldiers, as promised by the Surrender Terms.

With respect to the avoidance of any future offensive military threat from Japan, this is a matter of profound concern to the United States, which bore the burden of Japan's war of aggression for nearly 4 years, as against 6 days of Soviet Union belligerency. It is the belief of the United States Government that the most effective means to the desired end is to make the future security of the Japanese area a matter of collective international concern, which would as a practical matter assure that the measures which the Japanese might take for their own security, would develop as a cooperative rather than as a purely national project.

The President of the United States indicated in this statement of April 18, 1951, that the United States Government is prepared now to take what the President referred to as 'natural initial steps in the consolidation of peace' in the Pacific Ocean area and, as one of such steps, to enter into

a post-treaty security arrangement with Japan. The United States Government contemplates that this arrangement would accept the principle that Japan should not possess military forces which could become an offensive threat.

The United States Government is not disposed to rely upon the dependability of treaty limitations on armament such as were imposed upon Rumania, Bulgaria, and Hungary by the Treaties of Peace, and which limitations already are being grossly exceeded.

(c) As to ending the Occupation, the Soviet Government alleges that the present draft does not establish any period for the withdrawal of occupation troops from Japan. On the contrary, under the draft treaty, the occupation would cease upon the coming into force of the treaty. If, after the treaty comes into force, any allied troops are in Japan they will not be there as occupation troops but pursuant to such collective security arrangements as Japan may make voluntarily. Such arrangement would carry no offensive threat.

The Government of the Soviet Union refers to the fact that the territory of Japan and its natural and human resources are even now being utilized in connection with what is referred to as 'armed intervention in Korea', by which is presumably meant the efforts of the United Nations to repel armed aggression in Korea.

The assistance which the Japanese in fact are rendering to the United Nations action in Korea is within the demilitarization limits established by Far Eastern Commission decisions, is nonbelligerent in character, and is in accord with the Charter and recommendation of the United Nations.

According to Article 2, Paragraphs 5 and 6, of the Charter even 'states which are not members of the United Nations' are required to 'give the United Nations every assistance' so far as may be necessary for the maintenance of international peace and security, and General Assembly Resolution No. A/1771 adopted February 1, 1951, calls upon 'all states and authorities to continue to lend every assistance to United Nations action in Korea.'

(d) As to Japan's peacetime economy, the Soviet Government alleges that the draft treaty 'ignores the necessity of removing limitations with respect to the free development of the peaceful economy of Japan.' In reality, the draft treaty, by restoring to Japan complete sovereignty without any limitation upon the development of its peaceful economy and without imposing burdensome current reparation liabilities, would accom-

plish completely the result which the Government of the Soviet Union professes to desire.

III

The Paragraphs of the Soviet Government's remarks numbered III contain certain proposals designed, in the words of the Soviet Government, to bring about the 'speedy conclusion of a peace treaty with Japan.'

(1) The Government of the Soviet Union suggests, as to procedure, the calling of a session of the Council of Foreign Ministers in June or July of 1951 to be composed of representatives of the United States, China, Great Britain and the Soviet Union to embark upon the preparation of a peace treaty with Japan. For the reasons earlier stated, and because all experience shows that this procedure would not in fact achieve a 'speedy conclusion of a peace treaty with Japan,' the United States Government cannot agree to this procedural proposal.

(2) The Soviet Government proposes that in drawing up a Japanese peace treaty the powers concerned should be governed by certain basic aims. With one qualification, these basic aims are, in fact, reflected in the present draft treaty, namely:

a. Japan should become a peace-loving, democratic, independent state.

Japan already is a peace-loving and democratic state and the Treaty would give it independence.

b. Democratic rights should be guaranteed and organizations to deprive people of their democratic right...should not be allowed.

These matters are taken care of by the Japanese Constitution and by the Declaration, contemplated by the present draft treaty, that Japan will strive to realize the objectives of the United Nations Universal Declaration of Human Rights and to create internally conditions of stability and well-being as envisioned by Articles 55 and 56 of the Charter of the United Nations and already initiated by postwar Japanese legislation.

c. As guarantee against a revival of Japanese militarism, limitation should be established in the treaty on the size of Japanese armed forces in order that they may not exceed the requirement of self-defense.

The proposal of the Soviet Government seems to assume that Japan will have to depend, for defense, solely on its own armed forces; and that its requirement, in this respect, can now be measured definitely, for all time. But the Charter of the United Nations recognizes the inherent right of collective, as well as individual, self-defense. Generalissimo Stalin, in his memorable address of March 10, 1939, pointed out that 'adequate defense

against aggression requires collective security, the policy of collective resistance to the aggressors' and, he says, the policy of 'let each country defend itself from aggressors' means 'conniving at aggression.'

The present suggestions of the Soviet Government that Japan shall have armed forces as required for its self-defense, coupled with the further Soviet proposal (4) that there can be no other troops in Japan, seems a reversion to the principle of 'let Japan defend itself' and consequently, as Generalissimo Stalin said, a 'conniving at aggression.'

Furthermore, to define 'the size of Japanese armed forces' needed for 'requirements of self-defense' as the Government of the Soviet Union now proposes, would not only be difficult, but might be dangerous. Japanese land, sea, and air forces adequate for self-defense under present troubled circumstances might also, under other circumstances, be adequate for offense.

It is the hope and expectation of the United States Government that application of the policy of collective security envisaged by Article 7 of the draft treaty will provide Japan with effective security with much less Japanese armament than would be required if the Treaty reflected the policy of 'let each country defend itself.'

d. No limitation in the matter of development of a peaceful economy should be laid on Japan.

The present draft contains no such limitation.

e. All limitations with respect to trade of Japan with other states be removed.

The present draft imposes no limitations on the right of Japan to trade with others.

(3) The Government of the Soviet Union suggests providing in the treaty that 'Japan will not enter any coalition directed against any of the states taking part with its armed forces in war against militaristic Japan.'

It is the view of the Government of the United States that Japan should not enter into any coalition directed against any state, whether or not it was a belligerent in the war against Japan. This is provided for by Article 6 of the draft Treaty whereby Japan would agree, in accordance with Article 2 of the Charter of the United Nations, to refrain from the threat or use of force against the territorial integrity or political independence of any state.

(4) The Government of the Soviet Union suggests that the peace treaty should provide that 'all occupation forces will be withdrawn from Japanese territory in the course of not more than 1 year and no foreign state will have troops or military bases in Japan.'

It is contemplated by the draft treaty that the occupation will end immediately upon the coming into force of the treaty of peace. It will not be prolonged even for 1 year thereafter.

With respect to the presence in Japan of the troops of any other state the United States Government would not be willing to deny to Japan what the Charter of the United Nations refers to as the 'inherent right of collective self-defense.'

(5) The Government of the Soviet Union suggests that 'the states signing the Peace Treaty with Japan will support the entry of Japan into the United Nations.'

The present draft contemplates that Japan will promptly apply for admission to the United Nations and the Government of the United States welcomes the recognition by the Government of the Soviet Union that Japan is qualified for membership.

IV

The Government of the United States earnestly urges that the Government of the Soviet Union should continue to cooperate in the Japanese peace-making already in process and now far advanced. The United States Government does not seek, as is alleged, to make a 'separate' peace treaty with Japan. On the contrary, it seeks the participation of all concerned.

The Soviet Government complains because the United States Government has taken the lead in the initial stages of formulating peace treaty terms. That complaint seems not well taken by a state which, in the hour of victory, joined in recognizing the unique position of the United States in relation to Japan and in placing upon the United States the sole responsibility for naming and issuing directives to the Supreme Commander for the Allied Powers in an occupation which was designed to prepare Japan for a 'new order of peace, security and justice.' The United States Government accepted that responsibility and has invested in the occupation not only large resources and much effort, but hopes and aspirations for a Japan which would henceforth live with others as a good neighbor. The United States Government would fail utterly in the discharge of the occupation responsibility which the Government of the Soviet Union, among others, placed upon it if it did not take a timely initiative in transforming that occupation into a peace which will be just and durable.

Already the views of the governments principally concerned have been thoroughly canvassed through discussions initiated last September and continuously pursued ever since. The draft submitted on March 29th to

the Government of the Soviet Union, as pointed out in the covering memorandum, to a considerable extent reflects views which the Government of the United States had obtained as a result of cooperation manifested by other governments. Among the views taken into account were the views of the Soviet Government.

The Soviet Government now states that it 'is not true' that there have been 'an exchange of opinions between representatives of the Government of the United States of America and representatives of the Government of the Soviet Union.'

The undeniable facts are that on October 6, 1950, November 20, 1950, and on January 13, 1951, there were personal discussions of the proposed Japanese peace treaty between the Soviet Deputy Minister of Foreign Affairs, J. Malik, and John Foster Dulles. Furthermore, on November 20, 1950, Malik submitted to Dulles on behalf of the Soviet Government an aide mémoire dealing with the principles underlying the proposed treaty and on November 26, 1950, Dulles transmitted to Malik a reply memorandum.

The Government of the United States is thus at a loss to understand what the Soviet Government now means when it says that it is 'untrue' that there has been 'an exchange of opinions' between representatives of the Governments of the United States and of the Soviet Union.

The present remarks on behalf of the Government of the Soviet Union in response to the United States Government's memorandum of March 29, 1951, and in further development of its views heretofore submitted, orally and in writing, shows that the differences which stand between the Government of the Soviet Union and the peace terms embodied in the March draft are not enough to prevent an agreed peace, assuming that there is genuine desire on the part of the Soviet Union promptly to give peace to Japan. Therefore, the Government of the United States trusts that the Government of the Soviet Union will continue to pursue to a favorable conclusion the procedures now under way, rather than to seek now to shift to procedures which, in all candor, it must recognize would not in fact be productive of the 'speedy conclusion' which the Soviet Government states that it seeks.

The United States stands ready to resume prompt and intensive diplomatic discussions with the Government of the Soviet Union under circumstances that will be calculated to advance a just treaty to a speedy conclusion.

(c) *Further Russian note, 10 June 1951*

The Government of the U.S.S.R. received from the Government of the

United States of America on May 19, 1951, a memorandum representing an answer to the 'remarks of the Government of the U.S.S.R. on the United States of America draft peace treaty with Japan' of May 7, 1951.

The Soviet Government takes notice of the statement of the Government of the United States that it, having examined the remarks of the Government of the Soviet Union on the memorandum of the Government of the United States of America of March 29, 1951, considers that the divergencies which exist between the views of the Government of the U.S.S.R. and the peace terms set forth in the American March draft are not so great as to prevent achievement of agreement on a peace treaty.

Inasmuch, however, as along with the statement mentioned, considerations respecting the 'remarks of the Government of the U.S.S.R. on the United States of America draft peace treaty with Japan' of May as set forth in the American memorandum of May 19 which give an interpretation that is incorrect and that in several instances distorts the meaning of these remarks, the Soviet Government for the purpose of introducing full clarity considers it necessary to state the following:

1. *Concerning basic positions in American draft peace treaty with Japan.*

(a) For the Soviet Union as well as for other countries interested in a guarantee of lasting peace in the Far East question that Japan not become an aggressive state again and that revival of Japanese militarism be prevented possesses most important significance.

As is known, little more than 10 years ago a militaristic Japan attacked the Soviet Union in the region of Vladivostok. In the course of 15 years Japanese imperialism, invading China, harassed the Chinese people causing them great hardships. Japanese imperialists did not stop at attacking the United States and later a whole series of states in Asia including India, which unleashed war in the entire Far East.

Is there in the American draft peace treaty with Japan a guarantee against the rebirth of Japan as an aggressive state? Acquaintance with this draft shows that it does not possess any guarantee in this respect.

In connection with this it was stated in the 'remarks of the Soviet Government on the U.S.A. draft peace treaty with Japan' that the 'American draft not only does not contain guarantees against the restoration of Japanese militarism, but in general does not set forth any limitations with respect to the size of the armed forces of Japan,' as was done, for example, in the peace treaty with Italy, although there is no basis for such a privileged position for Japan in comparison with Italy.

Having no possibility of refuting this assertion of the Soviet Government, the Government of the United States of America in its statements on this question in its memorandum of May 19 falls into patent contradiction. On the one hand, in this memorandum it states that allegedly no agreements 'exist in reality' between the powers on the question of demilitarization of Japan 'except decisions concerning the period of occupation.' However, on the other hand, the Government of the United States of America refers here to the Potsdam declaration of the Four Powers concerning the situation of Japan, whereas the basic purpose of the occupation of Japan is set forth there as the task of obtaining 'convincing proof that the capacity of Japan to wage war has been destroyed,' which refers, as is obvious, not only to the period of occupation but also to the subsequent period.

Furthermore, there exist directives of the Far Eastern Commission, which as early as June 19, 1947, took an important decision, contained in its document *Basic Policy with Respect to Japan After its Capitulation*. In this basic document of the Far Eastern Commission adopted with the participation of representatives of Australia, Canada, China, France, India, Holland, New Zealand, the Philippines, U.S.S.R., England, and the United States of America the task was placed in the forefront:

Of accomplishing the physical and spiritual demilitarization of Japan by means of the execution of a series of measures requiring the establishment of a period of strict control, including complete disarmament, the carrying out of economic reform the purpose of which would be to deprive Japan of the possibility of waging war, the eradication of militaristic influences and carrying out of strict justice with respect to war criminals.

Naturally, this decision also concerns not only the period of occupation.

After the facts cited, it becomes clear how far from reality is the assertion of the Government of the United States of America that allegedly no agreement 'exists in reality' between the powers with respect to the demilitarization of Japan 'except decisions concerning the period of occupation.'

After the facts cited, it cannot be denied that, inasmuch as no limitations on the armed forces of Japan are contained in the American draft, there are no guarantees there against the restoration of Japanese militarism and the possibility of repetition of Japanese aggression. It is clear that no state that experienced the aggressive attack of Japan and is interested in the guarantee of lasting peace in the Far East can agree with such a position.

Together with this, the Government of the United States of America, with the help of its occupation authorities, is in reality already carrying out a policy of restoring Japanese militarism. This is evident from the fact that the American occupation authorities are not only not taking measures for the liquidation of military bases in Japan but, on the contrary, are trying to expand them considerably, modernize, and utilize them for aggressive purposes. In Japan they have already begun the recreation of a land army and of naval and air fleets; are restoring and expanding the work of former Japanese military arsenals and military enterprises; are freeing Japanese war criminals; are restoring military organizations, and more and more promoting propaganda of war; and are elevating the role and influence of the supporters of the rebirth of militarism in the governmental apparatus. Moreover, the United States, as the Government of the United States of America basically admits itself in its memorandum of May 19, has already begun the utilization of the industrial and human resources of Japan for its military intervention in Korea which is being carried out illegally under the flag of the United Nations organization.

The draft peace treaty of the United States of America, as well as the policy carried out by the American occupation authorities in Japan, testify to the fact that the Government of the United States of America is not observing obligations it took upon itself in international agreements not to allow the rebirth of Japanese militarism. In essence, the American draft peace treaty with Japan, and likewise the memorandum of the United States of America of May 19 pursue not the peaceful purpose of prevention of a repetition of Japanese aggression but the aggressive purposes of reestablishment of Japanese militarism.

No guarantees are contained in the American draft peace treaty with Japan for assuring the future security of countries which suffered from the aggression of militaristic Japan, although it is clear to anyone that this should be one of the main tasks of the peace treaty. Instead of this it is especially stipulated in the draft that Japan should be accorded the opportunity to make 'a contribution toward assurance of its own security,' which allegedly corresponds to the 'right to individual and collective self-defense' provided for member countries of the United Nations in the United Nations Charter.

This question is even more frankly discussed in the memorandum of the United States of America of May 19. In this memorandum it is stated that the Government of the United States of America intends 'to enter into an agreement concerning security with Japan for the period after the conclusion

of the treaty,' i.e. the conclusion of a military agreement between the United States of America and Japan is envisaged.

From this it follows that the task of not permitting the rebirth of Japanese militarism and guaranteeing in the future the security of countries that suffered from Japanese aggression is being replaced by the Government of the United States of America by the conclusion of a military agreement with Japan which would push Japan ever more toward the restoration of militarism. Inasmuch as it is perfectly obvious that such countries as the Chinese People's Republic and the Soviet Union are excluded from participation in this military agreement of the United States of America with Japan, there can be no doubt that this military agreement of the United States of America with Japan is directed primarily against these very states and possesses an obvious aggressive character.

After this it becomes clear that all references to the Charter of the United Nations, to the 'right to individual and collective self-defense' in this case obviously have no substance and are false throughout.

It is likewise not necessary to prove that the reference of the American memorandum also to the statement of J. V. Stalin, made on March 10, 1939, on the matter of struggle with aggression and the collective security of peace-loving countries are not only completely inappropriate here but are also hypocritical.

Thus, the memorandum of the United States of America of May 19 shows that the American draft peace treaty with Japan not only did not provide guarantees against the rebirth of Japanese militarism which has caused such hardships for peace-loving peoples but, on the contrary, pushes Japan on the path of aggression that has already led the Japanese Government to the verge of ruin, and consequently fundamentally runs counter to the interests of guaranteeing lasting peace in the Far East, as well as to the national interests of Japan itself.

(b) Concerning Termination of the Occupation of Japan and Withdrawal of Foreign Troops from Japanese Territory.

In its comments of May 7, the Soviet Government proposed that precise mention be made in the treaty that 'after conclusion of the peace treaty with Japan all occupation troops should be withdrawn from Japanese territory within not more than one year and that no foreign states should have troops or military bases in Japan.'

As is known, in the peace treaty with Italy, as well as with other peace treaties with European countries, it is specifically mentioned that the occupation should be terminated in the shortest possible time and in any event not more than 90 days from the date of the entry of the peace treaty into force. However, in the American draft peace treaty with Japan no time limit is mentioned for the withdrawal of occupation forces from Japan. The

vague statement contained in the memorandum of the United States of America of May 19 that the 'occupation will cease with the entry of the treaty into force' without mention of any time limit for withdrawal of the occupation troops can only lead to confusion; all the more since it is evident from this memorandum that the United States of America in reality does not intend to withdraw its troops even after the conclusion of the peace treaty but intends to leave its armed forces in Japan, allegedly 'not as occupation troops.'

In refusing to set a time limit for the withdrawal of the occupation troops from Japanese territory, the Government of the United States of America breaks one of its important obligations under international agreements. Leaving foreign troops in Japan after conclusion of a peace treaty, under whatever pretext it is done, contradicts the Potsdam declaration of July 26, 1945, which provides for the withdrawal of foreign troops from Japan, and signifies camouflaged prolongation of the occupation of Japan for an indefinite protracted period.

In intending to prolong the occupation even after the conclusion of the peace treaty, the Government of the United States of America is thus aspiring to remain the real master in Japan for a long time. In such a situation, the Government of the United States of America can count on the preservation of those privileges which it has guaranteed for itself during the years of occupation, it can count on prolongation of the political and economic dependence of Japan on the United States of America and can count not only on the retention but even on the further expansion of its military bases in Japan. It is clear that all this can only harm the course of peaceful settlement with Japan and the strengthening of peace in the Far East.

Therefore it is necessary that in the peace treaty with Japan the time limit for withdrawal of occupation troops from Japanese territory be precisely fixed and that in this treaty it should be established that no foreign state should have troops or military bases in Japan.

(c) Concerning the Inadmissibility of Participation by Japan in a Coalition Against States Having an Interests in Signing a Peace Treaty with Her.

In connection with what has been set forth, it becomes clear why the Government of the United States of America does not agree in its memorandum with the proposal of the Soviet Union to oblige Japan not to enter into a coalition directed against any state having an interest in signing a peace treaty with Japan. The reference of the Government of the United States of America to the fact that Japan should, in conformity with article

2 of the United Nations Charter, refrain from aggression or from application of force against the territorial integrity or political independence of any state is obviously without substance. Experience has shown that the Government of the United States utilizes the political and economic dependence of other United Nations member states (first of all—participants in the North Atlantic Union and the Latin American Republics) in order to transform the United Nations into a weapon for unleashing aggressive war in the Far East. The reference to article 2 of the United Nations Charter in the memorandum of the Government of the United States of America, and also in article 6 in the American draft peace treaty was calculated on utilization of Japan as well for this purpose.

Besides, it is not difficult to understand that the proposal of the Soviet Government concerning the nonparticipation of Japan in a coalition acquires important and immediate significance on the strength of possible military agreement of the United States of America with Japan.

(d) Concerning the Removal of Limitations From the Peaceful Economy of Japan and From the Trade of Japan with Other Countries.

The memorandum of the United States of America of May 19 bypasses the question of the peacetime economy of Japan being placed in servile dependence on the United States of America as the result of all kinds of limitations with respect to the Japanese peacetime economy and the establishment of privileges for American firms sponsored by American occupation authorities. Japan is deprived of the opportunity of engaging in normal trade with neighboring states, which still further harms prospects for the upsurge of Japanese national economy.

The Soviet Government considers that without the effective removal of these restrictions imposed from outside, it would be impossible to create conditions for the upsurge of a peaceful economy and for improving the life of the Japanese people.

(e) Concerning the Guarantee of Democratic Rights to the Japanese People.

Judging from the memorandum of the United States of America of March 19 everything essential has already been achieved with respect to the democratization of Japan. But this is wholly untrue. In fact, in Japan, police suppression of organs of the democratic press, repressions against trade unions and other democratic organizations and persecutions for political convictions are being fully revived, with the cooperation of the occupation authorities, and a return to the pre-war fascist order in Japan when the shameful law on the struggle against 'dangerous thoughts' existed, is taking place.

All this confirms the necessity for adopting those proposals concerning the democratization of Japan which were put forward in the comments of the Soviet Government.

(f) Concerning Fulfilment of the Cairo Declaration, the Potsdam Declaration and the Yalta Agreement With Regard to the Territorial Questions.

As far as the territorial questions are concerned, the Soviet Government proposes only one thing—guarantee of the honorable fulfilment of the international agreements mentioned above, under which stands the signature of the United States of America itself.

As is known, it is stated in the Cairo Declaration that the island of Taiwan and the Pescadores Islands should be returned to the Chinese Republic. Inasmuch as the Chinese Republic has been transformed into the Chinese People's Republic and only the Chinese People's Republic expresses the will of the Chinese people, it is clearly obvious that Taiwan and the Pescadores Islands should be transferred to the Chinese People's Republic. In the contrary event the Cairo Agreement will not be fulfilled and the entire responsibility for this would fall on the Government of the United States of America.

As far as the Ryukyu, Bonin, Rosario, Volcano, Pares Vela, and Marcus Islands are concerned, the memorandum of the United States of America of May 19 contains nothing which would require fresh confirmation on the part of the Soviet Government of what was set forth in the comments of the Soviet Government of May 7.

(g) Concerning Slandorous Attacks Against the U.S.S.R.

In the memorandum of the Government of the United States of America of May 19 it is stated: 'In view of the known fact of the acquisition by the U.S.S.R. of zones of interest in Manchuria, the Government of the United States of America hastens to inquire the significance of the desire of the Soviet Government to avoid references to the return of Manchuria.' The Soviet Government considers it necessary to state in this respect that the U.S.S.R. does not possess any zones of interest in Manchuria, and as is known to all considers Manchuria as an inseparable part of the Chinese People's Republic. In view of this the above-mentioned statement of the American memorandum must be held as deplorable fabrications of idle people and malicious slander of the U.S.S.R.

It cannot be unknown to the Government of the United States of America that the Soviet Union after defeating the Japanese Kwantung army

liberated Manchuria and returned it to the lawful authority of the Chinese people. As far as the rights to the naval base of Port Arthur and to the Chinese-Changchun railway, which were granted to the Soviet Union according to the Yalta agreement and the Sino-Soviet agreement of August 14, 1945, are concerned, the Soviet Government voluntarily and without compensation renounced these rights in favor of the Chinese People's Republic. Appropriate agreements concluded in Moscow on February 14, 1950, were published at the time and of course are known to the Government of the United States of America.

According to this agreement the Soviet Union, as is known, is to liquidate not later than 1952 its naval base at Port Arthur and withdraw its troops thence.

According to the opinion of the Soviet Government it would be much better if the Government of the United States of America would refrain from slander of the U.S.S.R. on the subject of Manchuria and concern itself with the withdrawal of its armed forces from Taiwan and the Pescadores Islands and return these illegally seized territories to their lawful owner—the Chinese People's Republic.

In the memorandum of the Government of the United States of America of May 19 it was also stated that the Soviet Government allegedly 'in violation of the surrender terms is delaying the return of approximately 200,000 Japanese soldiers to their homes and peacetime life.'

There can be no doubt that the Government of the United States of America itself does not attach any credence to this statement. The Soviet Government considers it necessary to recall that as early as April 22, 1950, the official report of the termination of repatriation of Japanese war prisoners from the Soviet Union was published, which, as were subsequent communications on this matter, were brought to the notice of the powers. In the report mentioned above it was pointed out that only 1,487 Japanese war prisoners, convicted and undergoing investigation for military crimes committed by them, 9 Japanese war prisoners subject to repatriation after the completion of medical treatment, and 971 Japanese war prisoners who had committed serious crimes against the Chinese people and would be transferred to the jurisdiction of the Chinese People's Republic, remained unrepatriated.

Consequently, the assertion in the memorandum of the United States of America that the Soviet Government is delaying the return to their homeland of approximately 200,000 Japanese soldiers is a trifling slanderous attack and strikes only slanderers.

As far as the remarks in the memorandum of the United States of America that the Soviet Union participated only 6 days in the war with Japan and that the role of the military efforts of the Soviet Union in this war were allegedly insignificant are concerned, the Soviet Union considers it necessary to state the following: first, the Soviet Union entered the war with Japan exactly at the time fixed at the Yalta conference without any delay whatever. Secondly, the Soviet Army fought a bloody engagement with Japanese troops not for 6 days but in the course of a month, since the Kwantung army continued resistance for a long time in spite of the imperial declaration of capitulation. Thirdly, the Soviet Army smashed 22 Japanese divisions in Manchuria—the main forces of the Japanese Kwantung army, and took about 600,000 Japanese soldiers and officers prisoner. Fourthly, Japan came to capitulation only after the first decisive blow of Soviet troops at the Kwantung army. Fifthly, even before the entry of the U.S.S.R. into the war with Japan, during 1941–45, the U.S.S.R. kept up to 40 divisions on the frontiers with Manchuria and tied up the United States of America in the war against the Japanese militarists.

All these facts are, of course, known to the Government of the United States of America, and if, despite these facts, the Government of the United States of America permits itself to minimize the leading role of the Soviet Union in the matter of the defeat of Japanese militarism, this can only be explained by the fact that the Government of the United States of America does not have any convincing arguments, in view of which it is obliged in this case to resort to slanderous fabrications against the U.S.S.R.

2. Concerning Preparation of an Over-all Peace Treaty with Japan instead of a Separate Treaty.

In addition to the comments on the draft treaty made above, the Soviet Government has in view the expressing of other remarks on the substance of this draft when the meeting of interested countries takes place.

(a) In its memorandum of May 19 the Government of the United States of America has refrained from answering the comments of the Soviet Government where the text of the Potsdam Agreement was cited, from which it is evident that the Council of Foreign Ministers is set up with a composition of the Five Powers—United States of America, U.S.S.R., China, Great Britain, and France—first of all for ‘preparatory work on a peace settlement’ and that in the drafting of the corresponding peace treaties ‘the Council will consist of members representing those states which have signed surrender terms dictated to that enemy state which the given task concerns.’

In the meantime, the references to the Potsdam Agreement cited furnish the basis for drawing the following indisputable conclusions:

First, in setting up the Council of Foreign Ministers composed of the Five Powers, ‘preparatory work on a peace settlement’ was directly mentioned as its main task, moreover the peace settlement was not limited to Europe;

Secondly, the Council of Foreign Ministers should engage on its preparatory work on a peace settlement with a composition of members ‘representing those states which have signed capitulation terms,’ from which it follows that the preparation of a peace treaty with Japan is placed upon four countries—the United States of America, U.S.S.R., Great Britain, and China, which signed the Japanese surrender document.

Consequently, fulfilment of the Potsdam Agreement with respect to preparation of a peace treaty with Japan requires the calling of the Council of Foreign Ministers composed of representatives of the United States of America, U.S.S.R., Great Britain, and China and objection to this on the part of the Government of the United States of America is without grounds.

The unfounded nature of the objections against calling a Council of Foreign Ministers for such reasons as that it could allegedly delay preparations of a peace treaty with Japan is likewise perfectly obvious. These objections have already been put forth for several years past and they have led only to dragging out the matter. Meanwhile preparation of the treaty could already have been finished during this time, and the treaty could have been signed, as took place duly with the peace treaties of five other states—Italy, Bulgaria, Rumania, Hungary, and Finland, which were prepared by the Council of Foreign Ministers.

The statement that the procedure of the Council would accord a ‘secondary role’ to some allied states is also without substance. It is sufficient to point out that under the procedure being imposed by the Government of the United States of America all allied states are in reality excluded from preparation of the treaty since the Government of the United States of America has gone along the path of seizing this matter exclusively into its own hands.

(b) In its remarks of May 7 the Soviet Government emphasized the inadmissibility of excluding China from the preparation of a peace treaty with Japan. These Chinese people were obliged to wage a long and heavy war with militaristic Japan, which had invaded its[sic] territory, and bore uniquely great sacrifices in this struggle, and therefore the government of the Chinese People’s Republic as the sole legal expression of will of the Chinese people cannot be excluded from preparation of a treaty which should serve to establish lasting peace in the Far East. The statement of the govern-

ment of the Chinese People's Republic of May 22, 1951, confirms its legal right and unique interest in the preparation of the treaty which other states cannot ignore.

In the meantime the American draft treaty and the memorandum of the United States of America of May 19 testify to the fact that the Government of the United States of America is going on with direct violation of the national rights of China with respect to its territory in refusing to fulfil the Cairo agreement regarding the return of Taiwan island and the Pescadores Islands to China, as well as with exclusion of China from preparation of a peace treaty with Japan.

In rejecting the established procedure for preparation of peace treaties, the Government of the United States of America is endeavoring to exclude the Chinese People's Republic and the Soviet Union and also other interested countries from preparation of the treaty and, ignoring their legal rights and interests, intends to dictate terms of treaty of Japan in accordance with its own judgment, inasmuch as the Japanese Government, which is dependent upon American occupation authorities, is prepared to enter into such an arrangement with the United States of America.

All this speaks for the fact that the Government of the United States of America does not want Japan to have a peace treaty with all the states that were in a state of war with her. Instead of an over-all peace treaty the United States of America wants to impose upon Japan a separate peace treaty with the Government of the United States of America and its satellites.

It cannot be considered accidental that the Government of the United States of America does not want an over-all peace treaty with Japan, but aspires to a separate treaty. Only with conclusion of a separate treaty can the United States of America secure the dependence of Japan for several years hence, and inasmuch as the conclusion of a military agreement between the United States of America and Japan is also envisaged by the draft treaty it becomes clear that the goal of the separate treaty is the transformation of Japan into a shameful weapon for carrying out the aggressive plans of the United States of America in the Far East.

If the Government of the United States of America does not desist from its intention to exclude the Soviet Union and Chinese People's Republic from the preparation of a peace treaty with Japan and imposes a separate peace treaty on Japan, this will signify, first, that the United States has taken the path of gross violations of its international obligations, including the United Nations Declaration of January 1, 1942, which imposes the obligation not to conclude a separate peace, and, secondly, that the present policy of the United

States of America will lead not to restoration and strengthening of peace in the Far East but to the creation of a new aggressive grouping in the Pacific Ocean.

(c) As far as the repeated statement of the Government of the United States of America that negotiations concerning the draft peace treaty with Japan took place between representatives of the U.S.S.R. and United States of America is concerned, the Soviet Government is obliged again to emphasize that there have not been and could not be any negotiations concerning the working out of a draft peace treaty, since the Government of the U.S.S.R. has stood and does stand against any form of separate negotiations on this question. Of course, personal meetings have taken place between Jacob A. Malik and Dulles at the personal request of Dulles, as have also the transmittal by Dulles of his ideas concerning a peace treaty with Japan and the posing of questions by Malik for clarification of Dulles' views. However, it would be absolutely incorrect to consider such personal meetings as negotiations between the U.S.S.R. and the United States of America concerning the working out of a peace treaty with Japan.

3. *Fully confirming its proposals of May 7, the Soviet Government insists on the following basic principles with respect to a peace treaty with Japan.*

First. The peace treaty with Japan should be over-all and not separate, for which purpose no country participating in the war with Japan should be excluded from the preparation and signing of the treaty.

Second. The peace treaty with Japan should be worked out on the basis of the Cairo declaration, the Potsdam declaration and the Yalta Agreement.

Third. A peace conference of representatives of all states which participated with their armed forces in the war with Japan should be called in July or August, 1951, for consideration of the available drafts for a peace treaty with Japan.

(d) *United States reply, 9 July 1951*

The Department of State, having transmitted to the Embassy of the Union of Soviet Socialist Republics in Washington a revised (July 3, 1951) draft of a prospective Treaty of Peace with Japan, takes this occasion to allude to the memorandum of the Government of the Soviet Union of June 10, 1951, dealing with the earlier draft of March 29, 1951.

Section 1 of that memorandum dealt with the substantive terms of that draft. It failed to cite any language of the draft as objectionable. In es-

sence, the Soviet memorandum objected not to anything contained in the draft treaty but because the treaty would not restrict Japan with respect to the right of individual or collective self-defense, a right recognized by the United Nations Charter as 'inherent'. The Government of the Soviet Union would have the peace treaty deny to Japan the right hereafter to enter into collective security arrangements with other countries of its choosing. This is a viewpoint which the Government of the United States cannot accept.

Section 2 of the Soviet memorandum dealt with procedure. It again 'insists on observance of the Potsdam Agreement' which, according to the Government of the Soviet Union, means that 'preparation of a peace treaty with Japan is placed upon four countries—the United States of America, U.S.S.R., Great Britain, and China' constituting the Council of Foreign Ministers.

This would commit the preparation of the treaty to the veto-bound processes of that Council and would exclude from the preparatory work France and many Pacific and Asiatic countries which bore a far heavier burden in the Japanese war than did the Soviet Union.

The Soviet Government's memorandum does not attempt any reasoned reply to the analysis of the Potsdam Agreement contained in Section 1 of the United States aide-mémoire of May 19, which proves irrefutably that the Potsdam Agreement between the United Kingdom, the Soviet Union and the United States neither mentions nor relates in any way to the Japanese peace, probably because the Potsdam Agreement was made on August 1, 1945, before Japan's surrender and when the Soviet Union was still a neutral in the Pacific war.

In the concluding Section 3 of its memorandum of June 10, 1951, the Soviet Government says that the 'peace treaty with Japan should be multi-lateral and not separate' both as to preparation and as to signing.

The July 3, 1951, draft reflects the operation of those very principles. Many interested nations have participated in its preparation. The fact that they have done so through diplomatic channels makes their participation no less real than if they had participated in some other manner. The terms of the treaty would recognize and protect equally the legitimate interests of each and every state which took part in the Japanese war. At the same time the terms embody not merely the formality of peace, but the spirit of peace. The Government of the Soviet Union will further observe that, as it desires, the text is prepared as a multilateral instrument.

The Soviet Memorandum, after having first demanded that the preparation of a draft treaty should now be started over again by the Council of

Foreign Ministers, suggests, in its final paragraph, that when there are available drafts, there should be a conference of all active belligerents in the Japanese war, for consideration of these drafts.

The Government of the United States anticipates that there will be a general conference early in September to conclude a peace on the basis of the draft of July 3, 1951. It will welcome participation in that conference, and adherence to the resultant Treaty, by the Government of the Soviet Union.

(2) Exchange of notes between the Governments of the U.S.S.R. and the U.S.A. regarding attendance by the U.S.S.R. at the Japanese Peace Conference

(a) Russian note, 12 August 1951

The Minister for Foreign Affairs of the U.S.S.R., in connection with the note of the Governments of the United States of America and Great Britain of 20 July 1951, in which is contained the invitation to the Soviet Government to the conference on the conclusion and the signing of the peace treaty, which has been called by the Government of the United States of America on 4 September 1951 in San Francisco, upon the instructions of the Soviet Government, has the honour to communicate the following:

The Soviet Government will send its delegation to the conference in San Francisco, to take place 4 September 1951, and will present the proposals of the Soviet Government on the question of the peace treaty with Japan.

The composition of the delegation of the Soviet Union is as follows:

A. A. Gromyko, Deputy Minister for Foreign Affairs of the U.S.S.R.; A. S. Panyushkin, Ambassador of the U.S.S.R. in the United States of America; G. N. Zarubin, Ambassador of the U.S.S.R. in Great Britain; S. A. Golunsky, member of the collegium of the Foreign Office of the U.S.S.R.

(b) United States reply, 16 August 1951

The Government of the United States acknowledges the note of the Soviet Union in response to the United States invitation of July 20, 1951, whereby the Government of the Soviet Union advises that it will send a delegation to the San Francisco conference to be convened on September 4, 1951, and will present proposals on the question of the peace treaty with Japan.

The Government of the United States welcomes acceptance of its invitation by the Government of the Soviet Union. In order, however, that there should be no possibility of subsequent misunderstanding, the United States

recalls that the invitation set out that the Governments of the United States and the United Kingdom would 'circulate a final text of the peace treaty,' which has been done, and the invitation was 'to a conference for conclusion and signature of a treaty of peace with Japan on the terms of that text'.

The San Francisco conference is not a conference to reopen negotiations on the terms of peace. The terms of the prospective treaty have been arrived at by intensive multipartite negotiations which, in effect, have constituted an 11-month peace conference which began in mid-September 1950 and the final conclusions of which are embodied in the August 13, 1951, text.

The Soviet Union has participated in this process both through oral exchanges of views and through the exchange between our Governments of not less than 10 drafts or memoranda relating to the terms of the Japanese peace treaty. Thus the Soviet Union has had an equal opportunity with the other allies to shape the various revisions which have now resulted in the final August 13, 1951, text.

The August 13 text is part of a unique cooperative effort. The treaty, both through procedure and through substance, represents the best tradition of those who believe in processes of sovereign equality and the rule of justice.

The United States will welcome the opportunity to explain fully at San Francisco the nature of the treaty, and every nation represented will have opportunity for exposition and statement. In that conference we welcome the participation of the Soviet Union.

駐日ソ連代表部の配布した「対日講和に関するソ連の対米覚書（6月10日付）」訳文（原文のまま）

米国政府にあてたソ同盟政府の対日講和にかんする覚書

（6月11日付「ブラウダ」紙）

本年5月19日米国國務省は駐米ソ大使ア・エス・パーニュシキンにたいし、覚書を手交したが、これは5月7日付「対日講和米国案にかんするソ同盟政府の覚書」への回答を内容とするものである。

6月10日ソ同盟外務次官ヴェ・ア・ゾーリンは駐ソ米大使エ・カークにたいし、米国政府にあてたソ同盟政府の対日講和にかんする覚書を手交したが、これは左記の米国政府の覚書にたいする回答である。

その本文はつぎの通り、

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「ソ同盟政府は本年5月19日米国政府より覚書をうけとつた。これは本年5月7日付「対日講和米国案にかんするソ同盟政府の覚書」への回答である。

米国政府は、1951年3月29日付米国政府の覚書にたいするソ同盟政府の意見を検討したけつ3月の米国案にもられた講和条件とソ同盟政府の見解の間にある不一致は、講和条約にかんし意見一致に達するさまたげとなるほど大なるものでないとみなす旨声明したが、ソ同盟政府はこの声明を了承する。

しかし、右声明とともに、5月19日付米国覚書にのべられている意見は5月7日付「対日講和米国案にかんするソ同盟政府の覚書」にかんし、同覚書の真意をしばしばゆがめる不正な注釈をあたえているので、ソ同盟政府は事態を完全に明らかにするため、つぎのごとく声明する必要があると考える。

1. 対日講和米国案の根本的な条項について、

イ. ソ同盟にとつても、また極東の恒久的平和の保障に関心をもつ他の諸国にとつても、もつとも重要な問題は日本がふたたび侵略国家とならないようにし、日本軍国主義の復活を防止するという問題である。

広く知られているように、10年以上も前に軍国主義日本はソ同盟のウラジオストック地域を攻撃した。15年間にわたつて日本帝国主義は中国を侵略し、中国人民をくるしめ、かれらに多大の苦難をあじわせた。日本帝国主義者たちは何らちゆうちよすることなく米国も攻撃し、ついでインドをはじめとする多数のアジア諸国を攻撃し、こうして全極東に戦火をひろげたのである。

対日講和米国案には日本が侵略国家として復活するのを防ぐ保障があるか？この米国案をよく検討してみると同案にはこの点にかんする保障が全くないことがわかる。

この点にかんし、「対日講和米国案にかんするソ同盟政府の覚書」では「米国案は日本軍国主義の復活にたいする保障をふくまないばかりか」たとえば、対日講和条約でおこなわれたような「日本の軍事力にかんするいかなる制限も一般におこなっていない」のであり、しかも日本にたいし、イタリアよりも特権的な地位をあたる理由は全くない旨のべられてある。

米国政府はソヴィエト政府のこの主張にたいし反ばくをくわえることができず、5月19日付覚書中のこの問題にかんする声明ではあきらかに矛盾におちいついてい

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る。この覚書では米国政府は一方で日本非軍国化問題について各国間には「占領期間にかんする決定以外には」いかなる協定も「事実上なかつた」と声明している。ところが他方では、米国政府は日本降伏にかんする4ヵ国のポツダム宣言に言及しているのであり、しかも同宣言には日本占領の基本目的として「日本の戦争遂行能力が破碎されるような確証」を得ることが任務とされている。これは明らかに占領期間ばかりでなくその次にくる時期にも該当するものである。

なおまた極東委員会の決定も現存しており、同委員会は1947年6月19日「降伏後における対日基本政策」なる文書をはじめ、重要な決定を採用している。極東委員会のこの基本文書は、オーストラリア、カナダ、中国、フランス、インド、オランダ、ニュー・ジラランド、フィリピン、ソ同盟、イギリス、および米国の各代表が参加して採択したものであるが、同文書にはつぎの任務がまつさきにかかげられている。「完全な武装解除、日本の戦争遂行能力をうばうことを目的とする経済改革の実施、軍国主義勢力の粉碎、戦犯にたいする厳重な裁判をはじめとする多数の措置を講じ、このため一定の厳格な監視期間をもうけ、こうして物心両面より日本の非軍国化を実施する。」

もちろんこの決定は占領期間だけにふれたものではない。

以上引用した事実から明らかなように日本の非軍国化にかんしては各国間に「占領期間にかんする決定以外には」いかなる協定も「事実上なかつた」とする米国政府の主張はまったく事実と反するものである。

以上引用した事実をみるとつぎの点を否定することはできない。すなわち米国案に日本の軍備にかんするいかなる制限もふくまれていないのは、日本軍国主義の復活にたいする保障および日本が侵略を再燃する可能性にたいする保障が同案にないことである。日本の侵略的攻撃にくるしめられ、極東の恒久平和の保障に関心をもつ国は、いかなる国といえどもかかる条文に同意できないことは明らかである。

しかも米国政府はすでにその占領当局の手をかり、日本軍国主義を復活させる政策を実施中である。これはつぎの点から明らかである。米国占領当局は日本の軍事基地を一掃する措置をなんら講じないばかりか、反対に、大わらわとなつて軍事基地をいちじるしく拡大し、近代化し、これを侵略目的に利用している。日本ではすでに陸海空軍が再編されようとしている。また日本の旧造兵廠および軍事工場は復

活され、拡大されている。日本の戦犯は釈放されている。軍国主義的な各団体は復活されます戦争宣伝がしようにいされている。軍国主義復活支持者が政府機関内で演ずる役割およびその影響は大きくなっている。しかも、米国政府は5月19日付の覚書でだいたい黙認しているように国連旗の下にかくれ、不法にも朝鮮軍事干渉をおこなうために、すでに日本の工業資源および人的資源を利用しはじめている。

対日講和米国案および米国占領当局の対日政策が証明しているように、米国政府は日本軍国主義の復活をゆるさぬという国際協定にもとづく義務を無視している。事実対日講和米国案は、5月19日付米国の覚書とおなじように、日本の侵略の再燃を防止するという平和な目的を追求するものではなく、日本軍国主義の復活という侵略目的を追求しているものである。

対日講和米国案では、軍国主義日本の侵略にくるしめられた諸国の将来の安全は何ら保障されていない。しかもこのことこそ講和条約第1の任務であることは、万人に明らかである。ところが米国案では日本にたいし「その安全保障に寄与」させると特にのべられており、これがあたかも国連参加諸国が国連憲章の中で規定している「個別的ないし集団的自衛」と合致するかのようにいわれている。

さきの5月19日付米国覚書ではこの問題が公然ととりあげられている。この覚書では米国政府が「講和条約締結後日本と安全保障協定をむすぶ」用意があるとのべられている。すなわち日米軍事協定の締結が予定されているのである。これからわかるように日本軍国主義の復活をゆるさず、しかも日本に侵略された諸国の将来の安全を保障するという任務は、米国政府により対日軍事協定の締結とすりかえられており、これは日本をますます軍国主義復活の方向へとおいやるものである。この日米軍事協定は中華人民共和国およびソ同盟のような諸国を除外するものであることは明白しごとくであるが、そうである以上この日米軍事協定がまずこれら諸国を相手とするものであり、あきらかに侵略的なものであることは、疑いをいれない。

以上から明らかになつたように、国連憲章を云々し、「個別的ないし集団的自衛」を云々しても、それはこのばあい、まったく根拠のないものであり、まやかしである。

また米国の覚書はイ・ヴェ・スターリンが1939年3月10日におこなつた侵

略との闘争および平和愛好諸国の集団安全保障にかんする声明に言及しているが、これはこの場合全く時宜に適しないものであるばかりでなく、偽善的である。

5月19日付米国の覚書がしめしているように、対日講和米国案が平和愛好諸民族をあれほどくしめた日本軍国主義にたいし、その復活をふせぐ保障をあたえていないばかりか反対に日本を侵略の道においやり、日本国家を深淵のふちにみちびいていくものであり、したがって極東の恒久平和を保障することにも日本じしんの国民的な利害にも根本から対立するものである。

ロ．日本占領の終結と外国軍の日本領土撤退について。

ソヴィエト政府は5月7日の覚書で「対日講和条約締結後1年以内に全占領軍は日本領土より撤退し、いかなる国家も日本に軍隊ないし軍事基地をもたない」と条約に明記するよう提案した。

広く知られているように、対日講和条約でも、またヨーロッパ諸国と他の講和条約でも、占領はできるだけ短期間に終結されるべきであり、いかなる事情があろうとも、それは講和条約が効力を発してから90日をこえてはならない旨明記されている。ところが対日講和米国案では占領軍の日本領土撤退に関する期限がなんらしめされていない。5月19日付覚書では「占領は条約が効力を発したのち中止される」旨のばくぜんとした声明がなされており、占領軍撤退の期限についてはなんら示されていないが、これはただ混乱をよびおこすにすぎない。なおまた同覚書を見るとわかるように米国は講和条約締結後も実際にはその軍隊を撤退させる意思をもたず、その軍隊を「占領軍としてではなくて」日本に駐在させる考えである。

米国政府は占領軍の日本領土撤退の期限をはつきりさせず、国際協定に基く重要な義務を破っている。講和条約締結後日本に占領軍を駐在させることは、いかなる口実をつけようとも占領軍の日本撤退を規定した1945年7月26日のポツダム宣言に反するものであり、日本占領の仮装された無期限延期である。

米国政府は講和条約締結後までも占領を延期しようと策動しているが、同政府はこうしていつまでも日本の事実上の主人公となろうとしているのである。こうなつてこそ米国政府は占領期間中に手にいれた特権を維持することができるのであり、米国に対する日本の政治的、経済的従属を延期できるのであり、日本にある軍事基地を維持するだけでなく、さらにそれを拡大できるのである。これらすべてのこ

とが、日本との平和解決をやぶり、極東の平和強化をおびやかすものであることは明らかである。

だから対日講和条約では占領軍の日本領土撤退の期限を正確に決定する必要があるものであり、またこの条約にいかなる外国も日本に軍隊なり、軍事基地をもつことはできない旨明記する必要がある。

ハ．対日講和条約締結に参加すべき諸国を相手とする同盟に日本を参加させてはならないという点について。

ソヴィエト政府は対日講和条約締結に参加すべき国を相手とする同盟に対し日本を参加させるべきでないと提案したのに、米国政府はその覚書でこれに同意していないが、この理由はいままでのでてきたことから明らかである。

日本は国連憲章第2条に基き、いかなる国の領土保全ないし政治的独立に対して、これを侵略ないし武力行使することをつつしまねばならないと米国政府はいつているが、これはまったく根拠のないことである。経験のしめすところによると、米国政府は多数の国連参加国（まず第1に北大西洋同盟加盟国及びラテン・アメリカ諸国）が米国に政治的、経済的に従属しているのを利用し、国連を極東で侵略戦争をはじめるための道具にかえている。米国の覚書及び対日講和米国案第6章で国連憲章第2条を云々しているが、これは日本をおなじ目的につかうことを予定しているのである。

なお、日米軍事協定がむすばれようとしている現在さきのような同盟に日本を参加すべきではないとのソヴィエト政府の提案が重要な現実的意義をもつことは、たやすく理解されるところである。

ニ．日本の平和経済及び日本の外国貿易に対する制限をなくする点について。

米国占領当局が日本の平和経済にあらゆる制限を加え、米国系会社にたいし特権を与えた結果、日本の平和経済は米国に隷属するにいたつたのであるが、5月19日付の米国覚書はこの問題をさけている。日本は隣邦諸国と正常な貿易を行うことができず、このため日本の国民経済を発展させる見通しはますます暗たんたるものとなつている。

ソヴィエト政府は外部から強制されたこれらの制限を現実になくさない限り平和

経済を発展させ、日本人民の生活をよくする条件をつくりだすことは不可能だと考
える。

ホ．日本人民にたいする民主的権利の保障について。

5月19日付米国政府の覚書によると日本の民主化にかんしては必要なことはみ
な達成されたことになっている。だがこれはまったく正しくない。実際には日本で
は占領当局の協力のもとで民主的出版機関にたいする警察の弾圧、労働組合その他
の民主団体にたいする弾圧、政治的見解にたいする迫害が完全に復活されており、
恥ずべき「危険思想」取締り法があつた頃の戦前の日本のファッショ制度に復帰し
つつある。このことはすべてソヴィエト政府の覚書にのべられている日本民主化に
かんする提案を採択する必要があることを確証している。

ヘ．領土問題にかんするカイロ宣言、ポツダム宣言、ヤルタ協定の履行について。

領土問題にかんしてはソヴィエト政府は一つだけ提案する。すなわち前記国際協
定には米国も署名しているからこの協定を誠実に履行するよう保障することであ
る。

周知のようにカイロ宣言は、台湾および澎湖島を中華民国にかえすべきであると
のべている。中華民国は中華人民共和国になつたし、中華人民共和国こそが中国人
民の意志を代表しているのだから台湾と澎湖島を中華人民共和国に返還すべきこと
はまったくあきらかである。そうしなければカイロ協定は実行されないだろうし、
その一切の責任は米国政府が負うべきである。

琉球、西の島をふくむ小笠原諸島、火山列島、沖の鳥島、南鳥島については5月
19日付の米国の覚書にはソヴィエト政府の5月7日付覚書でしるされたもの以外
にはソヴィエト政府として新たにのべることは何もない。

ト．ソ同盟にたいする中傷的な攻撃について。

米国政府の5月19日付覚書にはつぎのようにのべられている。

「ソ同盟が満州の利権地帯を獲得したという周知の事実にかんがみ、米国政府はソ
ヴィエト政府が満州返還について言及することをさけている意味について取急ぎ質
問したい」

ソヴィエト政府はこの点にかんしつぎのことを声明する必要があると考える。ソ
同盟は満州にはいかなる利権地帯ももつてはいないし、周知のように、満州は中華
人民共和国の不可欠の一部分だとみなしている。だから右のような米国覚書の言明

は閑人の思いつきであり、ソ同盟にたいする悪意をもつた中傷だとみなすべきであ
る。

ソヴィエト軍が日本の関東軍を粉碎して満州を解放し、これを中国人民の合法的
な政権のもとに返還したことは米国政府として解つていいるはずである。

ヤルタ協定および1945年8月14日付中ソ協定によつてソ同盟にあたえられ
た旅順の海軍基地と中長鉄道の権利にかんしては、ソヴィエト政府は中華人民共和
国のためにこの権利を無償でみずから進んで放棄した。

1950年2月14日にモスクワで結ばれたこの協定は当時発表されたのだから、
無論米国政府も承知のことだろう。

周知のようにソ同盟はこの協定にしたがつて1952年までに旅順の海軍基地を
明けわたし軍隊を撤退することになっている。

ソヴィエト政府の考えでは米国政府が満州にかんする対ソ中傷をやめて、台湾や
澎湖島から自国の軍隊を引上げ、彼らが不法に占領したこの領土をその合法的な所
有者である中華人民共和国に返すことに気を配つたほうがずっとよいと思う。

5月19日付米国政府の覚書にはまたつぎのようにのべられている。すなわちソ
ヴィエト政府は「降伏条件に違反して約20万の日本兵がその家庭にかえり平和な
生活に復帰することをさまたげている」と言うのだ。

米国政府じしんこの声明を全然信用していないことは疑いない。ソヴィエト政府
はつぎのことをのべる必要があると考える。すなわち1950年4月22日ソ同盟
からの日本人捕虜送還が終了したとの公式発表が公表され、これはこの問題にかん
するその後の発表と同様に各国に通達された。右の発表によると未送還者は戦争犯
罪の告発をうけて審理中の1487名の日本人捕虜と病氣治療後送還さるべき9名
の日本人捕虜および中国人民にたいして重大な犯罪をおかし中華人民共和国に引渡
される971名の日本人捕虜だけである。

したがつてソヴィエト政府が約20万の日本軍兵士の本国送還を妨げているとの
米国覚書の断定はつまらぬ中傷であつて、中傷した本人を傷つけるだけである。

ソ同盟が対日戦に参加したのは6日間だけで、ソ同盟の軍事努力の役割はわずか
なものだと言う米国覚書のしるしについてはソヴィエト政府はつぎのように声明す
る必要があると考える。第1にソ同盟はヤルタ協定で定められた時期におくれるこ

となく正確に対日参戦した。第2にソヴィエト軍は6日間ではなく1ヵ月間日本軍と流血の戦をまじえた。と言うのは関東軍は天皇の降伏宣言に反して長い間抵抗をつづけたからである。第3にソヴィエト軍は満州で関東軍の主力22コ師団を粉碎し約60万の日本軍将兵を捕虜にした。第4に日本はソヴィエト軍が関東軍に最初の大打撃をあたえてからはじめて降伏した。第5にソ同盟の対日参戦前1941—1945年までの間にソ同盟は満州との国境に40コ師団を維持し全関東軍を釘づけにし、このことによつて中国と米国の対日戦遂行をたすけた。

勿論米国政府はこれらの事実を知っているのだが、このような事実にもかかわらず米国政府がなおも日本軍国主義粉碎に演じたソ同盟の大きな役割を無視するのは米国政府がなんらはずきりした論証をもっていないからである。このため米国政府はこんな場合やむなく中傷的な対ソでつちあげを行つていのである。

2 単独講和にかわり対日全面講和条約を準備することについて

ソヴィエト政府は右にのべた条約草案に関する指摘以外に、関係諸国の会議でこの草案の本質について指摘をするつもりである。

ソヴィエト政府は条約の準備手続に関し、この問題についてのポツダム協定を履行するよう主張する。

イ. 米国政府は5月19日付の覚書の中でポツダム協定を引用したソヴィエト政府の意見に回答することを拒否した。ポツダム協定で明かなようにまず「平和解決の準備活動」のために米、ソ、華、英、仏の5つの国からなる外相理事会がつくられ、講和条約の作成にあたつては「理事会は関係敵国に課された降伏条項に署名した国を代表するものによつて構成される。」

しかも右に引用したポツダム協定によつてつぎのような反論の余地のない結論をくだすことができる。

第1に5カ国の外相理事会をひらくにあたりその主要任務は「平和解決の準備活動を行うことであり」しかも平和解決がヨーロッパに限られていないことははつぎりのべている。

第2に外相理事会には「降伏条項に署名した国を代表する」ものが参加して平和解決の準備活動を行うべきであり、したがつて対日平和条約の準備は日本降伏文書に署名した米ソ英華の4国が行うべきである。

したがつて対日講和条約準備に関するポツダム協定を履行するため米、ソ、英、華代表よりなる外相理事会を開くべきであり、米国政府のこれに対する反対には根拠がない。

外相理事会を開けば対日講和条約の準備がのびのびになるという理由でこれに反対することが根拠のないものであることもまつたく明らかである。このような反対は最近数年にわたり行われてきたが、それは事態を長びかせただけであつた。しかもイタリア、ブルガリア、ルーマニア、ハンガリー、フィンランドとの講和条約は外相理事会で準備されたものだが、このようにこれだけの期間があれば条約の準備を終えて調印することができたはずである。

理事会の手続は2、3の連合国にたいして「第2義的な役割」しか与えないという声明も根拠のないものである。米国政府の強要する手続の場合には事実上全連合国が条約の準備から除外されることを指摘すれば充分だろう。というのは米国政府はこの問題を自国だけで処理しようとしているからである。

ロ. ソヴィエト政府は5月7日付覚書の中で対日講和条約の準備から中国を除外すべきでないことを強調した。

中国人民は中国に侵入した軍国主義日本と多年にわたり困難な戦争を行わねばならなかつたし、この闘いで特に大きな犠牲をはらつた。だから中華人民共和国政府は中国人民の意志を代表する唯一の合法的な政府として極東の恒久的平和確立に役立つ条約準備から除外さるべきではない。本年5月22日付中華人民共和国政府の声明はその合法的権利と条約準備にたいする特別の関心を実証するものであり、他の国はこれを見無視することはできない。しかも米国の条約草案と5月19日付米国の覚書はつぎのことを証明している。すなわち米国政府は台湾と澎湖島を中国に返還することをきめたカイロ協定の実行を拒否することにより自国領土にたいする中国の民族的権利を公然とふみにじり、また中国を対日講和条約の準備から除外している。

米国政府は定められた講和条約の準備手続を拒否し中華人民共和国やソ同盟およびその他の関係諸国を条約準備から除外しようとつとめている。しかもこれら諸国の合法的な権利と利益を見無視して日本にたいし思い通りの条約条件をおしつけよう

と考えている。というのは米占領当局に依存する日本政府が米国とすすんでこのような交渉に応じようとしているからである。

これはすべてつぎのことを物語っている。つまり米国政府は日本が全交戦国と講和条約を結ぶことをのぞんでいないのである。米国は全面講和のかわりに米国やその従属国政府との単独講和を日本におしつけようと思っている。

米国政府が対日全面講和をのぞまず、単独講和に努力していることを偶然だと考えてはならない。米国は単独講和をむすんではじめて今後数年にわたり日本を従属させておくことができるのである。というのは条約草案によると日米軍事協定を結ぶ取極があるのだから、単独講和条約の目的は米国の極東侵略計画を実現するために日本を従順な道具にかえることだということがあきらかになつてくる。

もし米国政府が対日講和条約の準備からソ同盟と中華人民共和国を除外する企図を放棄せず、日本にたいして単独講和をおしつけるならばこれは第1に連合国は単独講和をしないと約束した1942年1月1日付連合国宣言をはじめとする国際協定に米国が乱暴に違反する道にはいつたことを意味し、第2に米国の現在の政策は極東の平和を復活させ強化させるものでなく太平洋に新たな侵略グループをつくることだということを意味する。このような政策の結果に対する責任は米国政府にある。

ハ．ソ・米両国代表の間に対日講和草案に関し交渉が行われたとの米国政府の度重なる声明についてソヴィエト政府としては再びつぎのように強調せざるを得ない。

すなわち講和条約草案の作成に関してはいかなる交渉もなかつたし、またあり得るはずがない。というのはソ同盟政府はこの問題についてはいかなる形の単独交渉にも反対してきたし、また反対しているからである。もちろんダレス氏の個人的な要望でヤ・ア・マリクとダレス氏との個人的な会見は行われた。またダレス氏が対日講和について自分の意見を伝え、マリクがダレス氏の意見を明らかにするため質問をしたこともあつた。しかしながらこのような個人的な会見を対日講和条約作成に関する米ソ交渉とみることはまったく誤りでであろう。

3．ソヴィエト政府は5月7日付の自国の提案を完全に確認するとともに対日講和条約に関してつぎのような基本的原則を主張するものである。

第1 対日講和条約は単独講和でなくて全面講和でなければならない。このためには対日戦に参加した国は1国も条約の準備と調印から除外さるべきではない。

第2 対日講和条約はカイロ宣言、ポツダム宣言、ヤルタ協定をもとにして作成されねばならない。

第3 現在ある対日講和条約の諸草案を検討するため、1951年の7月か8月に対日戦に軍隊を派遣して参戦したすべての国の代表よりなる講和会議を開くべきである。

モスクワ 1951年6月10日

右覚書の写しは中華人民共和国、イギリス、フランス、インド、パキスタン、ビルマ、オーストラリア、カナダ、ニュー・ジーランド、オランダ、モンゴル人民共和国、朝鮮民主主義人民共和国の諸政府におくられた。(タス)

付録 5 1951年8月6日付総理のダレス特使宛書簡

August 6, 1951

Dear Mr. Dulles,

Vice Minister Iguchi has reported to me your views on the questions of the peace treaty, Japanese delegation, China, etc., which were informally discussed by him with Ambassador Sebald in the course of their conversation last Saturday, August 4. I wish to state for your information the position of my government vis-a-vis these questions.

(1) I am doing my utmost to send a non-partisan delegation to San Francisco so as to demonstrate the overwhelming support of the Japanese people for the proposed peace treaty as well as their appreciation of the American policy of goodwill and generosity. We plan to convene the Diet shortly, which will approve the appointment of the delegates and also pass a resolution, thanking the American government's—especially, your own—efforts in drafting a fair and magnanimous treaty.

My Party (Liberal), commanding an absolute majority in the House of Representatives, is, of course, united in support of the treaty.

The Democratic Party is reserving the nomination of its representative until after the close of the Diet session, although the Democrats in the House of Councillors favor the party's participation even now. As a matter of fact, none of the Democrats has any objection to the draft treaty. Their wrangling is merely a political move for face-saving.

The Ryoku Fu Kai and minor parties have already agreed to join, as you may have learned from press despatches.

As for the Socialists, they are not in a position to come out in support of the treaty unless and until they modify their party platform for an over-all peace. However, the right-wing and the middle-road members of that party have always indicated their approbation of the treaty. It is anticipated that by the time of ratification a majority of the party will have come round to its support.

(2) I well understand your apprehensions concerning the China problem. For the moment we are planning to send an economic adviser to the Formosa government (Mr. Isao Kawada, former Minister of Finance, is recommended by the Finance Minister), and to set up an overseas government agency on the island following the signature of the peace treaty. I can assure you most definitely that the Japanese government has no intention to conclude a bilateral treaty with the Communist regime.

Let me conclude by thanking you for the kind telegram you sent through Ambassador Sebald. I look forward to the pleasure of seeing you again in San Francisco.

Yours sincerely,

Shigeru Yoshida

His Excellency
John Foster Dulles,
Department of State,
Washington, D. C.,
U. S. A.

付録 6 ダレス特使の意思表示

1951. 8. 14 西村記

1. この総理私信に対し、ダレス特使から左の意思表示があつたことを、8月10日午後の会談で、シーボルト大使は、井口次官に伝えた。

超党派的全権団の実現のための努力を多とし成功を祈る。

中国問題について中共と2国間平和条約を結ばぬとの確約をえたるをよろこぶ。

特使のコメントとして、国府は、全土・全人民に対し実効的な政府ではない事実を

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無視はせぬ。しかしなお正統政府として存立しておる。対日宣戦をし、国連加盟政府であり、他の国際機関加盟政府であり、相当の資源と人口と領土とを支配し、経済的にも日本にとり相当重要である。こういう事実を考慮していただきたい。但し、最終的な決定は、もちろん、日本政府にある。——と付加している。

2. 以上は11日午前箱根で総理に伝えておいた。

付録 7 サン・フランシスコ平和会議第1回全体会議議事録抄

FIRST PLENARY SESSION

Opera House, 10 a.m. September 5, 1951

The Temporary President of the Conference—Dean Acheson: It has been moved and seconded that the Rules of Procedure proposed jointly by the Governments of the United States and the United Kingdom be adopted. Is there any discussion?

The Delegate of the Soviet Union.

The Delegate of the Union of Soviet Socialist Republics—A. A. Gromyko (Deputy Minister of Foreign Affairs): Mr. President, the Soviet Delegation wishes to make some remarks with regard to matters which must be decided before the Rules of Procedure are adopted and before such decision of the Conference is made. The Soviet Delegation would wish to see invited to the Conference the government of the Chinese People's Republic.

In making this proposal the Soviet Delegation proceeds from the indisputable fact that the Chinese People's Republic, which is the sole lawful representative of the Chinese people, is particularly interested in the preparation of a peace treaty with Japan and in the establishment of a durable peace in the Far East.

For many years China was subjected to brutal aggression on the part of militarist Japan and has led a long severe war against Japanese imperialism, having suffered the heaviest losses from Japanese aggression. The people of China for a long time fought singlehanded against Japanese occupationists that have invaded its territory.

Apart from this, it is well known that China is one of the principal parties to international agreements concluded by the Allied Powers during World War II, pertaining to questions concerning conducting the war and the postwar settlement for Japan. Among such agreements are The United Nations Declaration of January 1, 1942, the Cairo Declaration of 1943, the Potsdam Declaration of July 26, the Potsdam Agreement of August 2, 1945,

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and other agreements. Finally, China, together with the United States, Great Britain, and the Soviet Union on September 2, 1945, signed the Act of Capitulation of Japan.

All this goes to prove that the Chinese People's Republic has an indisputable right to take part in the peace settlement for Japan, in the preparation and signing of a peace treaty for Japan, and that without its participation neither a consideration nor, moreover, the conclusion of a peace treaty with Japan can take place.

The government of the Chinese People's Republic in its statements of May 22 and of August 15, 1951, has confirmed its lawful rights and extreme interest in the preparation and conclusion of a peace treaty with Japan which cannot but be respected by other states.

The Soviet Government in its remarks of May 7 and in its note to the Government of the United States of June 10, 1951, regarding the American draft peace treaty with Japan stated that it was inadmissible and unlawful to ban the Government of the Chinese People's Republic from the preparation and conclusion of a Peace Treaty with Japan. The Government of the U.S.S.R. still holds to this position and considers that without the participation of the Chinese People's Republic it is impossible to establish a durable peace in the Far East.

In connection with the above-said, the Soviet Delegation proposes to send the Central People's Government of the Chinese People's Republic an invitation to send its delegation to the present Conference.

Mr. Chairman, in the very beginning I have mentioned that this question, the question of inviting the People's Republic of China, should be decided first, in the opinion of the Soviet Delegation, since this question is basic for the Conference. All those who should participate should do so from the very beginning, in order to consider the Rules of Procedure, the election of the President, and any other questions before the Conference. That is why I am asking the Conference to take a decision on this question now.

The Temporary President of the Conference—Dean Acheson: The Delegate of the Soviet Union has proposed that this Conference at this point in its proceedings consider the question of inviting representatives of the Chinese Republic to attend this Conference.

The matter before this Conference at this moment is the adoption of the Rules. The Rules have been moved and seconded and the debate is upon the adoption of the Rules. I therefore rule that the proposal of the Delegate of the Soviet Union to discuss another matter at this time is out of order.

Is there further discussion?

I must ask the audience please to refrain from expressions of approval or disapproval on the conduct of the proceedings here.

Is there further discussion of the matter of adopting the Rules?

The Delegate from Czechoslovakia.

The Delegate of Czechoslovakia—Gertruda Sekaninova-Cakrtova (Deputy Foreign Minister): Thank you.

At this moment I would like to confine myself only to seconding the motion of the Delegate of the U.S.S.R. I think it is absolutely essential that this decision be taken before we discuss or adopt our Rules of Procedure because only a Conference properly composed can take a decision on its order of business. I ask, therefore, to discuss first the motion of the U.S.S.R.

The Temporary President of the Conference—Dean Acheson: The proposal of the U.S.S.R. has been ruled out of order and there has been no appeal from the ruling of the Chair. Therefore I must deny the request of the Delegate of Czechoslovakia to discuss the proposal of the U.S.S.R. further at this point.

The meeting of the Conference is open for further discussion of the adoption of the Rules. Is there any such discussion?

The representative of the U.S.S.R.

The Delegate of the Union of Soviet Socialist Republics—A.A. Gromyko: Mr. President, the Rules of Procedure have not been adopted yet, and for that reason you cannot say that, because the Soviet proposal is not agreeable to you regarding the invitation to the peoples of the Republic of China, that question should not be discussed.

The Soviet Delegation is not in agreement with your ruling. We challenge this ruling. We consider that the question of the invitation to the Government of the People's Republic of China is a question concerning the composition of the Conference and it is quite certain that this question should be discussed first of all.

I hope you will remember the Conference in San Francisco in 1945. I believe that the representatives of the American Delegation raised the question of participation in that Conference. It was the very first question which was raised and was the first to be discussed.

The question of participation in a conference should always be discussed before the rules of procedure are discussed. I understand very well that the President has stated that the question raised by the Soviet Delegation would be discussed after the adoption of the Rules of Procedure. That would be logical, but we consider the present decision incorrect because in the discussion of rules of procedure all the governments having the right to participate

should be able to discuss those rules. Some other delegations are not in agreement with the ruling of the President. The Conference, and only the Conference, is able to decide the question raised by the Soviet Delegation. This is quite clear; only the Conference is empowered to reach an answer to this question.

I have a high regard for the President and for the rights of the President, but his rights are not absolute.

The Temporary President of the Conference—Dean Acheson: The Soviet Delegation asks the Conference to discuss the question which it has raised and to take a decision thereon. A fellow delegate has appealed from the decision of the Chair and in accordance with proper parliamentary procedure has asked to have a vote of the Conference upon his proposal. The Chair rules that the business of the Conference at the present time is the motion to adopt the Rules and that while the motion is pending the Chair will not permit discussion of other matters. I shall ask for a vote of the Conference as to whether the Conference wishes to sustain the Chair. A vote will be taken by a raising of hands. I shall ask the chief delegate, the chairman of each delegation, to vote for his delegation, and each delegation will have one vote.

After you have raised your hands, will you please keep your hands raised until the Secretary General.....

The Delegate of the Union of Soviet Socialist Republics—A.A. Gromyko: I wish to protest against this ruling. I have opposed this ruling formally. So far I have refrained from doing it but I repeat what I have said that we are opposing this ruling since we consider the rights of the President as being those of the Provisional President or Temporary President, and since any president, if this or any other delegation opposes his ruling, should let the Conference decide on this question, since the Conference alone is empowered to reach it, to decide the question, and certain speeches on this subject must be heard. I am asking you, Mr. President, if we are going to take into account the elementary rules and elementary procedure and take into account the rights of the other delegations so that these rights are absolute and cannot be challenged. I have said already that the position has been taken that at the beginning we should adopt a rule of procedure and that this subject would be raised by the Soviet Delegation. I would have thought that if such had been the decision of the President he would have announced it, but this has not been announced and this is a question which will be raised by the Soviet Delegation. I repeat, the Soviet Delegation will raise this question until the Conference itself as a Conference takes a decision regarding this question.

I am not speaking now of the fact that the situation itself is very strange. We have a motion here. And we have the Delegate of Poland asking for the floor. The President ignores this request for the floor. That is quite extraordinary as a method of conducting a meeting.

The Soviet Delegation, Mr. President, asks you to take into account the elementary rights of the other delegations. We are not asking for anything more than the things we have a right to ask in such circumstances. We are asking you to consider the question which has been raised by us. We do not know which decision will be taken by the Conference regarding the question, either in our favor or against us. This is a question which depends on the various Governments which are represented at the Conference. However, this question should be at least considered, and that is why I have said that until such question is discussed the Soviet Delegation will be asking the Conference to take a decision on it. It seems to us that I am speaking in a way which cannot be opposed, and I must speak on the subject.

The Temporary President of the Conference—Dean Acheson: I think it must be quite clear about the procedure. Now, the Conference has before it a motion which has been duly and properly made and seconded to consider: to adopt the Rules of Procedure which have been mentioned. A delegate has asked that instead of discussing the question before the Conference, the Conference should discuss another question. The Chair has ruled this request out of order. The delegate now wishes to have debate upon that matter. The matter appears to the Chair to be quite simple and needs little debate.

However, the Chair will now rule that the Delegate of Poland may have 5 minutes in which he may discuss this question. I will allow one speech in favor of supporting the ruling of the Chair for 5 minutes. And then I shall put the matter to a vote. The Delegate of Poland is recognized for 5 minutes.

The Delegate of Poland—Stefan Wierblowski (Under Secretary of State): First I would like to protest against the methods by which this meeting is being conducted, for three times this question has been raised by the Polish Delegation, and I have raised my hand to ask for the floor, but have not been recognized.

The Polish Delegation is the delegation of a sovereign country, and I believe that giving me only 5 minutes to speak is something which violates essential rights. Also I wish that normal rules of procedure should prevail, under which there is no reason for limiting the time during which a delegate should speak. This is something unprecedented. I declare that the rulings of the president regarding this question are entirely out of order and without

any legal basis, and that the question regarding the invitation of the Central People's Republic of China is a question which is highly important, regarding the peace of Japan. That is, the Central Government of China is in the very center of the Far East, and those delegates should be able to participate, otherwise the tension in the world cannot be relieved.

There is no representative here of that nation which has borne the heaviest sacrifices in the fight. There is no representative of those who have fought from the very beginning against Japanese imperialism. We meet here on the twentieth anniversary of the historic Mukden incident of September 1931 which was to initiate the march of greedy Japanese militarism against the peaceful Chinese nation.

The entire Chinese nation has fought hard against the aggressor which attempted to conquer all of China. This is the nation which really fought 14 years against the aggressor, long before Pearl Harbor. There is no end to the sacrifices of the Chinese people, yet the representatives of this nation which has suffered so much are not here.

The decision not to invite the representatives of the Chinese nation was taken by the United States and Great Britain, Governments that are thousands of miles from Japan. They have not invited the nation which is an immediate neighbor to Japan and which was the victim of Japanese imperialism. While the matter of a peace treaty with Japan is primarily for those nations which are the neighbors of Japan and which were the planned victims of the militaristic clique of Tanaki, Kanoy, Matsuoki, (*sic*) and Tojo.

From the very beginning of the nineteenth century the United States has oppressed the countries of Asia. At the present moment the Government of the United States is opposing the solution of one of the most important problems in the Far East. It is a shame, an absolute shame. We must protest against such a situation. The world cannot recognize such a situation and such a disregard of elementary rights.

We do not understand, Mr. Chairman, what sort of a peace conference we may have. We consider that even without any international treaties and obligations, even without any international agreements, the facts themselves and the structure of international relations call for the seating of the Government of the Chinese People's Republic in the first row among those nations which should be signing a peace treaty with Japan.

The Temporary President of the Conference—Dean Acheson: The time of the Delegate from Poland has expired. Does any delegate wish to speak for 5 minutes in favor of supporting the Rules of Procedure?

The Delegate from the United Kingdom.

The Delegate of the United Kingdom—K.C. Younger (Minister of State): Mr. Chairman—

(The Polish Delegate continued talking.)

The Temporary President of the Conference—Dean Acheson: The Delegate will please take his seat.

The Delegate will please take his seat. Your time has expired. Will you please take your seat.

The Delegate of Poland—Stefan Wierblowski: I am asking, Mr. Chairman, that the Conference make it its ruling regarding whether I can speak only 5 minutes or if I can speak longer.

The Temporary President of the Conference—Dean Acheson: The Delegate is out of order.

The Delegate of Poland—Stefan Wierblowski: My country is a sovereign nation and its Delegation has the right to put forth its position.....

The Temporary President of the Conference—Dean Acheson: Please take your seat. You will have an opportunity to discuss other matters later in this Conference. At the present moment we are discussing whether or not the ruling of the Chair is to be sustained. You have had your 5 minutes. You will please take your seat.

The Delegate from the United Kingdom is recognized.

(The Polish Delegate continued talking.)

The Temporary President of the Conference—Dean Acheson: The Delegate is out of order. He will kindly take his seat.

(The Polish Delegate continued talking.)

The Temporary President of the Conference—Dean Acheson: The Delegate will kindly take his seat. He is out of order.

The Delegate from the United Kingdom has the floor.

The Delegate of the United Kingdom—K.C. Younger: I wish to support the ruling of the President on this matter. The ruling of the President, as I understand it, does not in any way infringe upon the rights of any delegate here, nor does it prejudice the question of what matters of substance may be discussed at this Conference. I understand that the ruling of the President indicates that the first act of this Conference has been the proposal and the seconding of a motion to adopt Rules of Procedure by which the Conference shall be governed. That is the motion before the Conference and that is the motion which must now be discussed.

I understand that the Delegate of the Soviet Union wishes to put the proposition that something else should be discussed before the matter which

has already been proposed and seconded. That does not seem to me to be the right way to proceed.

After all, we here start as a Conference which has no rules to govern its proceedings, and it is surely right that the first thing that we should do is to consider in what manner we are to proceed and under what rules. Therefore it seems to me to be perfectly right, without prejudice to what matters may subsequently be raised, that we should first consider what is before the Conference, the adoption of the Rules of Procedure.

The Temporary President of the Conference—Dean Acheson: The delegations will now proceed to vote on the question of sustaining the ruling of the Chair. I ask one delegate from each delegation to do the voting. The voting will be by raising of hands. All those delegations who are in favor of supporting the ruling of the Chair will raise a hand. Please keep your hand raised until the Secretary General counts the votes.

The Temporary President of the Conference—Dean Acheson: Thank you. All those delegations that are in favor of the ruling of the Chair, please raise their hands.

Against.....

(Hand vote taken.)

The ruling of the Chair that the business before the Conference at the present time is the question of adopting the Rules of Procedure is sustained by a vote of 35 for, and 3 against.

Therefore, the business before the Conference is the discussion of the original motion to adopt the Rules.

(The Soviet Delegate asked to be recognized.)

The Temporary President of the Conference—Dean Acheson: The Delegate of the Soviet Union rises to a point of order.

The Delegate of the Union of Soviet Socialist Republics—A.A. Gromyko: If the proposal by the Soviet Delegation is not voted upon before the adoption of the Rules of Procedure, the Soviet Delegation reserves its right to raise this question as the very first question after the adoption of the Rules of Procedure.

The Temporary President of the Conference—Dean Acheson: I should observe that no delegate has any authority to reserve anything so far as the proceedings of this Conference are concerned. I take it, therefore, that the Soviet Delegate has given us warning that after this discussion he wishes to raise the question which he just mentioned. We shall have that in mind.

Is there further discussion now on the adoption?

Please have order here in this Conference.

Is there further discussion of the question of the motion by the Delegate

of New Zealand and seconded by the Delegate of Cuba that the Rules of Procedure as circulated by the United States and the United Kingdom jointly should be adopted?

付録 8 総理、アチソン国務長官、ダレス特使会談録

(9月2日午後6時 桑港 パラス・ホテル)

総理より、まず、米国が公正なる平和条約を日本に与えるよう努力し、ここに、会議開催をみるに至ったことに対し謝意を表せられた。

長官は、対日平和推進については、トルーマン大統領の支持のもとにダレス特使が最も尽力したることを述べ、自分もまたこれに協力したることは愉快に思うところであると答えた。

次で、長官は、左の趣旨を述べた。

- (イ) 今度の会議は、平和条約の調印のための会議である。条約の内容について再審議を許さない。関係諸国は過去1年間十分に意見開陳の機会をもち、議論はつくしてある。従つて、軽微の修正といえども認めない方針である。1つの修正をみとめると更に大きな修正の要求を封じ得なくなる。会議の議事規則にこの趣旨をはつきりさせ、且つ、各国代表の発言時間は、1時間に限定する方針である。
- (ロ) 会議参加国のうちには条約に調印するかどうかの態度未決定の国が相当ある。東南アジア諸国にそういう国が多い。ソ連及びその衛星国はさておいて東南アジア諸国に態度不明のものが多くということは米国の大いに関心をもつところである。フィリピンは調印すると思われる。仏印3国も不満はあるようだけれども調印すると思う。パキスタンはどうか。セイロンはどうか。インドネシアはどうであろうか。インドネシアはどちらかといえば調印しない方に傾いているように思う。米国は日本がこれらの国々が条約に調印するように応接し外交力をはつきりしてほしい。
- (ハ) 上述の諸国は第14条(賠償)に不満なのである。だから、日本は第14条について、心よく、誠意をもつて同条の義務をひきうけ、その実施について交渉するという態度をとつてもらいたい。日本が第14条に対して不服を申したてるようでは、これらの諸国の調印はむずかしくなる。但し、日本は、誠意をもつて交渉に応ずるとする態度をとられるだけで十分であつて、この会議中にいくばくを支払うやと承認を求める国があるかも知れないが、そこまでコミットされる必要は決してない。

上記の話があつた後、ダレス特使は、第14条の賠償条項は日本の利益を十分に考慮して規定されている。同条の範囲での賠償は、材料を賠償請求国が日本の遊休施設と遊休労働力に供給し無利潤の原則で移動することによつて、請求国に満足を与えようとするものである。それは同時に日本の施設と労働力に仕事を与え、しかも、その国と日本との間に物資の交流を刺激する一挙兩得の策と信ずる。前大戦後における賠償の経験からみても十分合理的であると思うので、日本側でよく考えてほしいと繰り返し述べた。

総理は先般フィリピン外務次官が来日した際賠償問題について意見を交換したが、外務次官は満足して帰国したと語られた。

ダレス特使は、語をついで最近平和会議が近づいてからの日本国民の態度には遺憾の点がある。それは琉球の問題である。日本の領土にしておかれないといつてハンガーストライキをすることは心外である。（奄美大島のハンガーストライキを指す。）南西諸島を米国は戦略的必要に基いて管理しようとするものであつて領土としようとするものではないことは、貴方によく話したとおりである。主権もそれ以外は、日本に残ることも明らかにした。貴方から住民を日本人としておきたいとか、その外申しでられた希望をいかにして実現しようかと考えてみたいと思つておるところである。そこに、ハンガーストライキのような示威運動がされることは米国の立場をきわめて困難にする。米国は日本の金塊もとらぬことにした。海運その他の経済上の一切の制限も設けぬことにした。その他日本のためいろいろはかつてやつておりながらなお日本国民のデモンストレーションを受けるようでは米国人が納得しない。今少し日本人の自制をのぞみたいと述べた。

総理は、南西諸島に関する条約の規定の趣意については、国会に対してお話の趣旨を述べておいたが議員は満足していたと答えられた。

ラスク次官補は、桑港会議で条約に調印しない国も結局はこの条約と同じ内容の2国間平和条約を締結することによつて日本と平和関係を回復することになる。平和関係の回復という点では同じであるが、日米にとっては、その方法が大事なのであつて、われわれは、1国でも余計に今度の平和条約に調印することによつて平和が回復されることが望ましいと思う。この意味で、日本が会議参加諸国に対して外交力を発揮されるよう希望してやまない。とくに東南アジア諸国に対して——と要望した。

総理は、ついでながら中国問題についてお考を伺いたい。条約第26条の規定は中国

問題について日本に今直ちに国民政府と中共政府のいずれを選ぶかを決定することを要求するものではないと考えてよからうかと訊ねられた。これに対し、長官は、それは左様である。今会議中に日本は第26条によつてどうするということは絶対にいわないでいてもらいたい。国民政府をえらぶといえ、中共を承認している数多の国に対して悪い影響がある。（このときダレス特使、それでは米国の上院が批准しまいと口をさしはさみ満座失笑）日本はこの問題を平和条約成立後じっくり考慮して決定をするという風に応待してもらいたいと答えた。

ダレス特使は、長官の後をうけて総理からの私信で自分は日本が中共と単独講和をされる意思がないことを知つている。国民政府は国土の一部を支配しており相当数の人口をもち国連の加盟政府であり日本と重要な経済関係をもっている。日本側で河田前蔵相を経済顧問として台北に派遣される考がおありだというようなことも聞いている。日本の大体の気持はわかつていように思うが、もちろんこれは日本政府の決定されるべきところであると述べた。

（中国問題については長官がきわめて理論的に冷淡であるに対しダレス特使は明白に国民政府ひいきなることを示して、両者の立場の相違を痛感させた。）

総理は笑つて先般国会における中国問題に関する質問に対する自分の答弁は國務長官をおどろかした（サブライズ）ように新聞は報道したがと述べられると長官は、自分もいつも新聞記者会見では当惑する質問をくつて閉口すると笑つて答えた。

最後に、ダレス特使から、安全保障条約について、両国間の意見は一致しておるけれども外部に対しては、なお交渉をつづけておるとの建前でゆきたい。平和条約調印後になつて交渉がまとまり調印するとの建前でゆきたい。会議中に安全保障条約案が発表されるようなことになればソ連は平和条約の安全保障条項のみならずこの安全保障条約の条項をも非難攻撃してくるであろう。平和条約の安全保障条項のみであればソ連の攻撃の論拠はきわめて薄弱であると述べ長官もダレス特使と全然同意見であるとし、安全保障条約は平和条約の調印後に、日米間に交渉成立して署名することに取計らうということになつた。長官は米国が安全保障条約を重要視するものであつてすでに32箇国と安全保障に関する条約を締結していると述べた。

以上会談をおえた後ラスク次官補が新聞発表の文言を作成する間、総理は國務長官から1915年訪日の追懷談をきいておられた。会談約50分。

付録 9 総理スミス上院議員会談録

9月3日午後2時半 桑港 マーク・ホプキンスにおいて

スミス議員（全権代理）は、シーボルト大使に同伴されて総理をホテルに來訪した。同議員は、キャスル元大使の手紙をもつてきていて、同大使からの伝言を総理に伝えるところがあり、しばらくキャスル元大使の追懷談があつた。

スミス議員は、米国では今回の対日平和条約によつて強い民主日本が独立を回復して米国の友邦となることをひとしく歓迎しておる。民主、共和の両政党を通じて、この平和条約を支持する点において一致しておる。日米親善關係の確立のために、自分はよろこんで、日本をお助けする気持である。米国において懸念されているところは、独立回復後の日本が、その経済的必要から中共大陸と單獨講和を結びはしまいかという点である。昨年日本その他極東地域を訪問し日本の実情も心得ているつもりである。日米親善は必要で又可能であると信ずるというような話があつた。

総理は全く同感であり日本国民も日米友好關係の増進に熱意をもっている。日本と中国の經濟關係は想像されるほど大きなものでなく満州を除けば中国本土と日本との貿易は日本の全貿易の6パーセント位しかなかった。今日の中国は日本が貿易を發展させようとしても中共の方でうけつけまい。中共は中共のタームスで取引しようというにきまつている。日本が中共と單獨講和しようとしても中共がうけつけないであろう——と日本と中共とが一緒になりはしまいかとの先方の懸念の無用なことを説明された。

日本においては今度の平和条約は社会党や共産党を除き、絶対多数によつて支持されている。共産党の勢力は選挙ごとに退歩しつつある。国内勢力としては恐るるに足らぬと断言する。ただ国外における情勢による影響は別問題である。

自分は、今度の旅行で米国の対日感情のいかによくなつているかに驚いた。前回1938年米国にきた時とくらべて隔世の感がある。45年11月マ元帥に日本の經濟使節をワシントンに送りたいと話したところ、マ元帥はワシントンの対日空氣は悪くて使節の安全が保障できぬ。今にこの感情は好転するであろう。それからにしていいではないかと言われたが正にそのとおりになつたのはよろこばしいと語られた。

スミス議員は全米の対日感情はよろしい。昨年日本から立派な議員団の訪問をうけ、われわれは大いに歓迎したと語り米国は衷心から日本が強くなつて民主陣營の友邦であ

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ることを希望する。日本に賠償義務を負わせようとは決して思わぬ。強い日本が早く実現することを望むと言つた。

総理は条約の批准を日本はいそぐがよからうか、あるいは米国の批准があつてからにした方がよいであろうか費見を参考までに伺いたいといわれたに対しスミス議員は米国では批准に困難はなくなるべく早く批准されるよう努める。しかし日本としては米国の批准とは無關係に早くなされた方がいいと思うと答えた。

最後に総理からマ元帥の近況を問ひスミス議員は1月前にあつたが元帥は健康である。今ニューヨークにおられるが會議中に当地にこられるかとも思うと述べていた。

傍にいた者の印象はきわめて友好的な日本の再興のためにはいくらかでも援助しましょう。ただ中共と手をくまれることだけではないでしょうねというもののごとくであつた。

付録 10 パキスタン首席全権チャードリ・モハメッド・ザフラ・

ハーン代表との会談録

(昭和26年9月4日(火)午後5時30分 松井秘書官 記)

吉田総理大臣より先ず「本条約は日本国民の圧倒的的支持を得ておるものであり自分としては貴国政府を含む多数国政府の調印を見ることを希望する」旨の陳述がありこれに対しハーン代表は長々と左のような説明をなした。

「パキスタンにおいては御承知の通り目下キャッシュミール問題というきわめて厄介な問題があるので端的にいつて対日平和条約調印には自分としては出てこない積りであつた。しかしながら今回の条約は過去において全くその例を見ざる戦勝国が戦敗国に対して苛酷な条件を課するという条約でなく、平等と尊厳と満足という諸原則に立脚した条約であり全く新しい試みといわなければならない。私はこういう条約の重要性和パキスタン首相の強い要請により遂にサン・フランシスコにくる決心をいたし昨夜当地に着いた次第である。

この条約に反対を表明している国の内、ソ連の態度は了解することができる。人世觀や世界觀の異なるソ連が反対するのは当然である。中国の反対も良くわかる。中共はソ連と同じ陣營にあり反対するのは当然である。国民政府は条約から除外せられ台湾の帰属も不明であるので反対するのは当然である。しかし印度の不参加は理解し難い。中

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共政府を参加せしめなかつたからソ連と隣接している地理的關係上ソ連に同調したと見るべきであろうが、沖縄、小笠原の信託統治に反対しながら千島の問題に触れていないのは片手落と非難せられても抗弁の余地はあるまいと思う。しかし講和条約に参加しない国も同じような線に沿った条約を日本と単独に結ぶ方法もある。自分としては平和条約問題で日本に援助を与えるものがあればその労を惜しむものではない。できるだけことはいたしたいと思っている。すでにパキスタンには日本政府在外事務所があり日本とパキスタンとの間には貿易協定が締結せられている。

本日も貴大臣の訪問を受けることなく当方より訪問いたしたきところ、御来訪をいただきまことに光榮に存じておる次第である。」

(備考) ふん囲気はきわめて友好的であつた。多少説教めいた感はある。

付録 11 ダレス会談資料(第1次案)

(昭26.11.26)

中国問題

朝鮮問題

賠償問題

行政協定問題

南西諸島問題

平和条約未調印国との国交調整問題

再軍備問題

中国問題

- 1 日本政府は、中共政府と交渉を開始し、外交関係を設定する意図を有しない。
- 2 中国代表問題は、目下のところ米英両国間に意見のへだたりがあるけれども、将来いずれの日にか必ず解決される問題であると信ずる。現に、パリの国連総会において米英代表は軍縮委員会を設置し、これに中共政府代表をも参加させるよう提案された。日本政府は、平和条約第26条による2国間平和条約のための交渉は、中国代表問題が国際的に解決されるまで、見送るべきであると信ずる。
- 3 前記にかかわらず日本政府は、既に在外事務所の設置を実行したが、さらに、遠か

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らず顧問の派遣、台湾と日本との間の経済関係の調整、財産処理の問題につき交渉をなす用意がある。なお、平和条約発効後、国民政府が進んでわが国に対して戦争終了宣言をなすことによつて両政府間に外交関係を回復することに異存がない。

朝鮮問題

朝鮮問題には、ふたつの問題がある。1は朝鮮事変であり、2は日鮮関係である。

1 朝鮮事変

日本政府は、事変が円満に解決されること、少くとも休戦会談が成功して朝鮮における軍事情勢が現在より悪化しないことを希望する。国連が朝鮮において行動を続行する限り日本政府は現在同様の援助と協力を国連加盟国に提供する。平和条約及び安保条約の発効後におけるこの種の協力継続について、必要があれば行政協定交渉の際、所要の取極をなすことに異存がない。

2 日鮮関係

日鮮関係については、日本政府は10月20日以来韓国代表団と交渉を開始したところである。来年2月頃には交渉を再開することとし両国間の基本関係を設定する条約を締結したい意向である。このほか、平和条約の規定するところに従い、両国間の請求権に関する問題(4条)、及び漁業に関する問題(9条)についても交渉を開始し前記条約と同時期に解決に到達し、又、通商関係に関する問題(12条)についてもそれについて交渉を開始してゆきたいと思つておる。

賠償問題

- 1 賠償交渉のためインドネシアからは最初11月中旬代表団が来日する予定であつたが、これが延引し12月上旬交通大臣を首班とする代表団6名及び議員7名からなる日本経済視察団がくる予定である。

フィリピンについては非公式な情報によれば同国政府からわが国に対し12月末又は1月に代表団をマニラに派遣するよう要請してくるものと考えられる。

- 2 賠償問題については、格別の御配慮によつて条約第14条(a)の規定によつて役務賠償ということに決定された。日本政府はこの規定に従つて義務履行のため誠意をもつて最善の努力をつくす積りであり、既に事務当局の間に研究を続けさせている。事務当局の一応の結論は、別添の通りである。これに対する御意見を承りたい。
- 3 条約の建前は、賠償を役務に規定しているが、フィリピン及びインドネシアは共に

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