

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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金銭賠償及び実物賠償を希望しており、わが国との交渉に当つては強硬に主張してくるものとする。

のみならずわが国の賠償負担能力、役務の解釈等についても彼我の間にはなほだしい見解の相違が起るものと考えられ、賠償交渉はきわめて困難で長引くことが予想される。交渉が行詰つた場合、(イ)求償国が賠償の権利を放棄すること、及び (ロ)わが国の負担がわが国の財政能力でまかない得る程度に僅少であることを絶対条件として借款供与の方法による経済協力の形式によつて交渉を妥結することを考慮する適否について御意見をもらされたい。

行政協定問題

行政協定については、国会において非常に論議せられた。国民もこれについては重大な関心をもっている。

国会において問題にせられた点は、次の諸点であつた。

(イ) 行政協定によつて規定さるべき事項は、厳に軍の配備の条件に限るべきである。しかもこれらの条件のうち国会の立法事項に属する事項については、国会の立法権を尊重すべきであるとの意見が強かつた。政府は、行政協定によつて国会の立法権が拘束されることがないように努力すると言質を与えた。特に国会で問題にされたのは、駐屯軍の法的地位であつた。この事項は従来話し合いでは行政協定の内容とするということであつたが、これは北大西洋条約諸国の間の条約のように行政協定とは別個の条約としたい。

(ロ) 防衛分担金について非常な関心をもたれた。政府は、国の安全を守つてくれる軍隊の経費についてわが国が分担すべきは当然であると回答した。

本年2月には、経費分担は、英米間に行われているのと同じ原則によりたいとの話しを了承した。しかし最近ドッチ氏は、きわめて高額な分担金を負担すべきであるとの意見を有してられるようであるが、この点については、今年2月の話し合いの後米国政府において何んらか方針の変更があつたものであるか。賠償その他対外関係の考慮からであるのか。真意を承りたい。

(ハ) 行政協定に関する日本の要請については、従来シーボルト大使、又、最近ラスク次官補に詳細提出しておいた。この要請には日米両国国交の大局上よりして最大限の好意的考慮を払われるようお願いしたい。

南西諸島問題

1 南西諸島に関しては、平和条約で、これを日本領土として残し、住民を日本人として残すことにせられたのはまことに感謝に耐えない。米国が南西諸島を管理せられようとするのは、極東の平和と安全のための軍事上の必要に基くものであると了解する。従つて、これらの諸島は、信託統治にせずとも、米国の必要とせられる範囲内で、平和条約第3条後段にいうごとく立法、司法、行政の権限を行使することにせられるよう切望に堪えない。

2 前回6月28日アリソン公使に提出した要請(別添)の線に沿つて、できるだけ早く、両政府間に話し合いを開始して、日本国民特にこれら諸島の住民の熱望に応ずるよう処置してもらいたい。

平和条約未調印国との国交調整問題

1 日本政府は、未調印国とも、逐次平和関係を設定してゆきたいと考える。

最近、インド及びイタリヤとは平和関係設定に関する公文を交換した。ユーゴスラヴィヤとも在ワシントン在外事務所とユーゴ大使館との間に話合中である。

2 最も問題となるのは、駐日ソ連代表団の取扱の問題である。日本政府としては、この問題のために、現在以上日ソ関係を悪化させることを希望しない。

よつてソ連の出方を注視することとし、その間、現在通りの取扱いをカーテシとして事実上与えることとしたい。ソ連代表部のステータスの問題は、条約発効後におけるワシントンにおける極東委員会及び東京における対日理事会のステータスの問題とも関連する問題であるので、この問題が関係連合国で解決されれば、それとにらみ合わせて、日本政府は、処置を考えることとしたい。

再軍備問題

1 再軍備が今直ちに実現できないとの従来の考え方に変更はない。政府は、平和条約及び安全保障条約の国会における審議に際してこの方針をつらぬいた。

2 もつとも、日本が自国の安全保持を米国の好意にまつことは、暫定的な措置であつて、独立回復後において、日本が、有効な自衛力の整備に乗り出すべきであるとの意見には、異存ない。

3 しかしながら、先ず再軍備実施のための基盤を、国の内外において、整えなければならない。

- (イ) 国の財政能力の培養、一般民衆の祖国防衛心のかん養及び国内旧軍国主義の復活防止、国外における日本の軍国主義復活に対する懸念の解消等がこれである。
- (ロ) 再軍備の実施には、日本国憲法第9条の改正が必要である。憲法改正は現在のところ困難な情勢にある。(イ)の諸施策によつて、機が熟するをまたなければならない。
- 4 よつて政府は、当面の対策として、
- (イ) 治安担当の国務大臣を設け、これに、現存の治安担当諸機関を総括させる。
- (ロ) 警察予備隊の装備と訓練を強化する。
- (ハ) 本年夏旧将校の追放を解除し最近までに右のうちより8百名の将校を警察予備隊の幹部として採用し、又、各種の学校を開設し、又は近く開設の予定である。これら8百名を中心として将来軍隊の幹部となるべき人員を養成するため特殊学校を設置し米国の優秀なる軍人を教官として招へいする。
- (ニ) 遠からざる将来警察予備隊の人員を増加し、この増加人員は、将来軍人たるべき者として装備訓練する。

付録 12 ダレス会談資料（第2次案）

(昭26.12.8)

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

自衛力強化問題

中 国 問 題

1. 日本政府は中国との国交を調整し両国の関係をなるべくすみやかに平常化することを熱望する。
2. しかし、サン・フランシスコ平和条約を違法としてこれを否認し、且つ、国連憲章に

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- 違反して朝鮮において行動しておる中共政府を相手として、日華国交調整をなすべき意向は、毛頭ない。
3. 日本政府は、従来台北政府との間に通商協定を締結し、且つ、先般台北に在外事務所を設置して、同政府と公的交渉を維持してきた。日本政府は更に特派使節を派遣して国交調整の下準備をなさしめる用意を進めている。
4. 日本政府は、平和条約の効力発生と同時に同政府との間に国交を回復し大使の交換をなす方針である。
5. 中国代表問題は、将来いずれの日にかかならず解決される問題であると信じ、且つ、その解決の日の速かならんことを希望する。日本政府は、平和条約第26条による2国間平和条約の締結は、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考えてる。

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。交渉の経緯は、別に報告として差し上げるとおりである。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。

日鮮関係については、日本政府の最も重視するところのものであつて、近く最初の特派使節を派遣して今後の両国国交の樹立に資したいと考えておる。

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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月中旬交通大臣を首班とする代表団14名及び議員11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同国政府からわが国に対し賠償交渉のために使節団派遣を要求してきたので1月中旬に同使節団をマニラに派遣するよう目下フィリピン政府と交渉中である。

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、別添のとおりである。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金銭賠償及び実物賠償を希望しており、わが国との交渉に当つては強硬に主張してくるものとする。

のみならずわが国の賠償負担能力、役務の解釈等についても彼我の間にはなほだしい見解の相違が起るものと考えられ、賠償交渉はきわめて困難で長引くことが予想される。両国は、賠償交渉を条約批准に関連せしめ、賠償額など具体的言質を得ようとするに違いないが、わが方は、容易にこれに應ずるを得ないことを了承されたい。

交渉が行詰つた場合、(i)求償国が賠償の権利を放棄すること、及び (ii)わが国の負担がわが国の財政能力でまかない得る程度に僅少であることを絶対条件として借款供与の方法による経済協力の形式によつて交渉を妥結することを考慮する適否について御意見をもらされたい。

行政協定問題

行政協定については、国会において非常に論議せられた。国民もこれについては重大な関心をもっている。

国会において問題にせられた点は、次の諸点であつた。

- (i) 行政協定によつて規定さるべき事項は、厳に軍の配備の条件に限るべきである。しかもこれらの条件のうち国会の立法事項に属する事項については、国会の立法権を尊重すべきであるとの意見が強かつた。政府は、行政協定によつて国会の立法権が拘束

されることがないように努力すると言質を与えた。特に国会で問題にされたのは、駐屯軍の法的地位であつた。この事項は従来話し合いでは行政協定の内容とするということであつたが、これは北大西洋条約諸国の間の条約のように行政協定とは別個の条約としたい。

- (ii) 防衛分担金について非常な関心をもたれた。政府は、国の安全を守つてくれる軍隊の経費についてわが国が分担すべきは当然であると回答した。

本年2月には、経費分担は、英米間に行われているのと同じ原則によりたいとの話しを了承した。しかし最近ドッジ氏は、きわめて高額な分担金を負担すべきであるとの意見を有していられるようであるが、この点については、今年2月の話し合いの後米国政府において何んらか方針の変更があつたものであるか。賠償その他対外関係の考慮からであるのか。真意を承りたい。

- (iii) 行政協定に関する日本の要請については、従来シーボルト大使、又、最近ラスク次官補に詳細提出しておいた。この要請には日米両国国交の大局上よりして最大限の好意的考慮を払われるようお願いしたい。

南西諸島問題

1. 南西諸島に関しては、平和条約で、これを日本領土として残し、住民を日本人として残すことにせられたのはまことに感謝に耐えない。米国が南西諸島を管理せられようとするのは、極東の平和と安全のための軍事上の必要に基くものであると了解する。従つて、これらの諸島は、信託統治にせずとも、米国の必要とせられる範囲内で、平和条約第3条後段にいうごとく立法、司法、行政の権限を行使することにせられるよう切望に堪えない。
2. 話し合いの素材として、日本政府の希望をまとめた書き物を差し上げる。できるだけ早く両政府間に話し合いを開始して、日本国民特にこれら諸島の住民の熱望に応ずるよう処置してもらいたい。

平和条約未調印国との国交調整問題

1. 日本政府は、未調印国とも、逐次平和関係を設定してゆきたいと考える。
最近、インド及びイタリアとは平和関係設定に関する公文を交換した。ユーゴスラヴィアとも在ワシントン在外事務所とユーゴ大使館との間に話合中である。
2. ソ連代表部のステータスは、条約発効後におけるワシントンにおける極東委員会及

び東京における対日理事会のステータスの問題とも関連する問題であるので、この問題が関係連合国で解決されれば、それとにらみ合わせて、日本政府は、処置を考えることとしたい。

自衛力強化問題

日本が自国の安全保持を米国の好意にまつことは、暫定的な措置であつて、独立回復後において、日本が、有効な自衛力の整備に乗り出すべきであるとの方針の下に、当面の対策として、

- (イ) 治安担当の国務大臣を設け、これに、現存の治安担当諸機関を総括させる。
- (ロ) 警察予備隊と海上保安庁の装備と訓練を強化する。
- (ハ) 本年夏旧将校の追放を解除し最近までに右のうちより8百名の将校を警察予備隊の幹部として採用し、又、各種の学校を開設し、又は近く開設の予定である。これら8百名を中心として将来軍隊の幹部となるべき人員を養成するため特殊学校を設置し米国の優秀なる軍人を教官として招へいする。
- (ニ) 遠からざる将来警察予備隊及び海上保安庁の人員を増加し、且つ、その装備と訓練を軍事的に強化する。

TO AMBASSADOR DULLES

On Current Questions

- I. China
- II. Korea
- III. Reparations
- IV. The Administrative Agreement
- V. The Nansei Islands
- VI. Relations with Non-signatories to the San Francisco Treaty.
- VII. Measures toward Self Defense.

I. China

1. We desire to adjust our relations with China and put them on a normal footing as soon as possible.
2. But we have no intention to pick as our partner the Peking Communist regime, which rejects the San Francisco Peace Treaty as illegal, and which, moreover, is fighting the United Nations in Korea.
3. With the Nationalist government in Formosa we have concluded trade agreements in the past. More recently we have set up in Taipei an Over-

seas Agency for the maintenance of official relations. It is our plan to dispatch a special envoy to prepare the way for the restoration of diplomatic relations with that government.

4. We plan to exchange ambassadors with Formosa simultaneously with the effectivation of the Peace Treaty.
5. We believe, the question of which regime represents China will be settled some day, and hope that day will come soon. On the other hand, we believe that the conclusion of a bilateral peace treaty with China as provided for under Article 26 of the San Francisco Treaty, should await solution of the question of Chinese representation.

II. Korea

We are confronted with two problems concerning Korea: (1) The Korean War and (2) Japanese-Korean relations.

1. The Korean War.

As long as the United Nations continues to operate in Korea we will continue to extend to it the same assistance and cooperation as we are extending today. As regards the continuation of such cooperation after the coming into force of the Peace Treaty and the Security Pact, we shall have no objection to incorporate necessary provisions in the coming Administrative Agreement.

2. Japanese-Korean Relations.

Negotiations on the adjustment of Japanese-Korean relations have been going on since the 20th of October last. A report on these negotiations is being presented to you. It is our intention to reopen negotiation in February next and conclude a treaty establishing the basic relations between the two countries. Furthermore, under the provisions of the Peace Treaty we hope to negotiate on the question of claims between the two countries (Article 4) and the question of fishery (Article 9), and reach a settlement at the same time. With the conclusion of the above-mentioned basic treaty, we also hope to open negotiation on trade (Article 12).

Our government attaches great importance to Japan's relations with Korea. We are soon sending a special envoy in January.

III. Reparations

1. Indonesia was to send us a mission for the discussion of the reparation problem. But this has been postponed. Now a 15-man mission headed by the Communications Minister, together with 11 parliamentary members is expected to arrive next week or so on a tour of inspection of Japan's economic conditions.

The Philippines has asked us to send a mission to discuss reparations. We plan to send one to Manila in the middle of January next, and are now negotiating on the matter with the Philippines government.

2. Thanks to your kindness, it has been stipulated under Article 14 (a) of the Peace Treaty that we shall pay reparations in service. Our government will earnestly strive to discharge its obligations in accordance with this provision. The officials concerned have been ordered to study the matter. In fact, these officials have reached a tentative conclusion, as set forth elsewhere. I should like to hear your opinion on it.
3. While the reparation-in-service principle is stipulated in the Treaty, both Indonesia and the Philippines want reparations in cash and in kind, and they are expected to press hard their demands.

Moreover, with regard to our capacity for reparations payment and to the interpretation of the term "service", there seems to exist a wide divergence of view between us and those countries. It is feared the reparations negotiations will be difficult and take a long time. Most likely these countries will try to force Japan to commit herself to their figures and terms by threatening to withhold ratification of the Peace Treaty. You understand, we can't very well yield to such pressure.

Should negotiations be deadlocked, we might propose a solution in the form of economic cooperation in which; (1) the claimant nations renounce their right to reparations; (2) Japan extends them credits strictly within the limits of her capacity. What do you think of this idea?

IV. The Administrative Agreement

The Administrative Agreement is matter of serious concern to Japanese public. It was a subject of extensive debate in the last Diet. The principal points raised were:

(a) The matters for stipulation in the Administrative Agreement should be confined strictly to the conditions for the garrisoning of U. S. troops. And any matter involving legislative action should be determined with due respect for the legislative power of the Diet. The Diet was quite firm on this point. The government promised to see that the Diet's legislative power is not curtailed by the Administrative Agreement. Another point, much discussed, was the legal status of the troops stationed in Japan. This, according to my understanding, will be stipulated in the Administrative Agreement. But we would like a separate treaty covering this point apart from the Administrative Agreement, as in the case of the treaty among the countries of the North Atlantic Pact.

(b) The Diet showed special concern over Japan's share in the defense

cost. The government stated that it was quite proper and natural that Japan should share in the cost of the troops who are here to protect the country.

In February last you said that the cost-sharing plan would follow the same principle as has been adopted between America and Britain. However, Mr. Dodge on his recent visit seemed to have in mind a very high percentage for Japan. Does it mean a change in American policy since February? Or, is it because of consideration of reparations and other external issues of Japan?

(c) Full details of what we desire regarding the Administrative Agreement have been submitted to Ambassador Sebald and Mr. Rusk. I hope favorable consideration will be given these matters from the broad standpoint of Japanese-American relations.

V. The Nansei Islands

1. We are most grateful that the Peace Treaty leaves the Nansei Islands as Japanese territory and their inhabitants as Japanese nationals. I understand that the reason why America wants to administer these islands lies in the military necessity for safeguarding the peace and security of the Far East. It would seem this purpose might be achieved without placing these islands under trusteeship. I earnestly hope that you will decide to exercise only such legislative, judicial, and administrative authorities, as mentioned in Article 3 of the Peace Treaty, to whatever extent deemed necessary by the United States.

2. As materials for conversation a paper setting forth the desires of our government is submitted to you. I hope conversation will be opened as soon as possible and a settlement will be reached in accordance with the wishes of the Japanese people—especially the inhabitants of those islands.

VI. Relations with Non-signatories to the Peace Treaty.

1. We want to put on a peace footing our relations with the non-signatory countries to the San Francisco Treaty.

Recently, we have exchanged notes with India and Italy on the conclusion of peace. Conversation is proceeding in Washington between our Overseas Agency and the Jugo-Slavia Embassy there.

2. The question of the status of the Soviet Mission here is one bound up with the questions of the status of the Far Eastern Commission in Washington and of the Council on Japan in Tokyo, which will arise with the coming into force of the Peace Treaty. We will take appropriate steps in the light of the solution effected by the Allies regarding the latter questions.

VII. Measures toward Self Defense.

It is of course a temporary arrangement that we rely on America for our nation's security. With the recovery of independence we must build up our own power of self defense. Our measures for the present toward that end are as follows:

(a) Appointment of a Minister of State to supervise and coordinate all internal security organs.

(b) Intensification of personnel training and replenishment of equipment for the National Police Reserve and the Maritime Safety Agency.

(c) Of the army officers depurged in summer this year, 800 have been taken into the National Police Reserve as staff officers. Schools of various sorts will soon be opened. With the above-mentioned 800 officers as the core of our future army, we will set up a special school for military training, to which American officers will be invited as instructors.

(d) We will shortly expand the personnel of both National Police Reserve and Maritime Safety Agency, and their equipment and training method will be strengthened from the military standpoint.

付録 13 ダレス会談資料（第3次案）

(昭26.12.10)

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

中 国 問 題

- 1 日本政府は中国との国交を調整し両国の関係をなるべくすみやかに平常化することを熱望する。
- 2 しかし、サン・フランシスコ平和条約を違法としてこれを否認し、且つ、国連憲章に違反して朝鮮において行動しておる中共政府を相手として、中日国交調整をなすが如き意向は、毛頭ない。日本共産党は、近時、北京より指令をうけておる疑がある。だから、日本の内政からみても、中共政府と公的な関係をもつが如きは、なすべからざることである。

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- 3 中国代表問題は、将来いずれの日にか必ず解決される問題であると信じ、且つ、その解決の日の速かならんことを希望する。日本政府は、平和条約第26条による2国間平和条約の締結は、中国代表問題が国際的に、少くとも米英間に、解決されるまで見送るべきであると考え。

- 4 しかし、日本政府は、従来台北政府との間に貿易協定を締結し、且つ、先般台北に在外事務所を設置して、同政府と公的交渉を維持してきた。日本政府は、特派使節を派遣して国交調整の下準備をなさしめる用意を進めている。更に、日本政府は、サンフランシスコ条約の効力発生と同時に台北政府との間に国交を回復し大使の交換をなす方針である。

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日以来韓国代表团と交渉を開始したところである。交渉の経緯は、別に報告として差し上げるとおりである。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っている。

日鮮関係については、日本政府の最も重視するところのものであつて、近く外務省顧問松本俊一を主班とする特派使節を派遣して今後の両国国交の樹立に資したいと考えておる。

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賠償問題

1 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る。賠償問題は、大蔵大臣において、十分考えておるが、問題の重要性にかんがみ、前蔵相津島寿一及び前在ヒ大使村田省蔵を外務省顧問に任命して、同問題に関し援助を求むることとした。平和条約第14条(a)の履行については、大蔵その他関係各省の間に研究をさしている。一応の結論は、別添のとおりである。これに対する御意見を承りたい。

2 賠償交渉のためインドネシアからは最初11月中旬代表团が来日する予定であつたが、これが延引し12月中旬交通大臣を首班とする代表团14名及び議員11名からなる日本経済視察団がくる予定である。これは、大蔵大臣及び津島顧問をして応接せしむる所存である。

フィリピンについては同国政府からわが国に対し賠償交渉のために使節団派遣を要求してきたので1月中旬に津島顧問を首班とする使節団をマニラに派遣するよう目下フィリピン政府と交渉中である。

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金銭賠償及び実物賠償を希望しており、わが国との交渉に当つては強硬に主張してくるものとする。

のみならずわが国の賠償負担能力、役務の解釈等についても彼我の間にはなほだしい見解の相違が起るものと考えられ、賠償交渉はきわめて困難で長引くことが予想される。両国は、賠償交渉を条約批准に関連せしめ、賠償額など具体的言質を得ようとするに違いないが、わが方は、容易にこれに應ずるを得ない。

交渉が行詰つた場合、(i)求償国が賠償の権利を放棄すること、及び (ii)わが国の負担がわが国の財政能力でまかない得る程度に僅少であることを絶対条件として借款供与の方法による経済協力の形式によつて交渉を妥結することを考慮する適否について御意見をもらされたい。

行政協定問題

行政協定については、国会において非常に論議せられた。国民もこれについては重大な関心をもっている。

国会において問題にせられた点は、次の諸点であつた。

(i) 行政協定によつて規定さるべき事項は、厳に軍の配備の条件に限るべきである。しかもこれらの条件のうち国会の立法事項に属する事項については、国会の立法権を尊重すべきであるとの意見が強かつた。政府は、行政協定によつて国会の立法権が拘束されることがないと答えた。特に国会で問題にされたのは、駐屯軍の法的地位であつた。この事項は従来話し合いでは行政協定の内容とするということであつたが、これは北大西洋条約諸国の間の条約のように行政協定とは別個の条約としたい。

(ii) 防衛分担金について非常な関心がもたれた。政府は、国の安全を守つてくれる軍隊の経費についてわが国が分担すべきは当然であると回答した。

本年2月には、経費分担は、英米間に行われているのと同じ原則によりたいとの話しを了承した。しかし最近ドッジ氏は、きわめて高額な分担金を負担すべきであるとの意見を有してられるようであるが、この点については、今年2月の話し合いの後米国政府において何んらか方針の変更があつたものであるか。賠償その他対外関係の考慮からであるのか。真意を承りたい。

(iii) 行政協定に関する日本の要請については、従来シーボルト大使、又、最近ラスク次官補に詳細提出しておいた。この要請には日米両国国交の大局上よりして最大限の好意的考慮を払われるようお願いしたい。

南西諸島問題

南西諸島に関しては、平和条約で、これを日本領土として残し、住民を日本人として残すことにせられたのはまことに感謝に耐えない。米国が南西諸島を管理せられようとするのは、極東の平和と安全のための軍事上の必要に基くものであると了解する。この軍事的必要の許す範囲内において、できるだけ現地住民の希望に應ずるよう措置されるよう切望する。

話し合いの素材として、日本政府の希望をまとめた書き物を差し上げる。できるだけ早く両政府間に話し合いを開始して、日本国民特にこれら諸島の住民の熱望に應ずるよう処置してもらいたい。

平和条約未調印国との国交調整問題

1 日本政府は、未調印国とも、逐次平和関係を設定してゆきたいと考える。

最近、インド及びイタリアとは平和関係設定に関する公文を交換した。ユー

ゴースラヴィアとも在ワシントン在外事務所とユーゴ大使館との間に話合中である。

- 2 ソ連代表部のステータスは、条約発効後におけるワシントンにおける極東委員会及び東京における対日理事会のステータスの問題とも関連する問題であるので、この問題が関係連合国で解決されれば、それとにらみ合わせて、日本政府は、処置を考えることとしたい。

TO AMBASSADOR DULLES

On Current Questions

- I. China
- II. Korea
- III. Reparations
- IV. The Administrative Agreement
- V. The Nansei Islands
- VI. Relations with Non-signatories to the San Francisco Treaty.

China

1. We desire to adjust our relations with China and put them on a normal footing as soon as possible.
2. But we have no intention to pick as our partner the Peking Communist regime, which rejects the San Francisco Peace Treaty as illegal, and which, moreover, is fighting the United Nations in Korea. Moreover, it is generally suspected that the Japan Communist Party here is acting under orders from Peking. This domestic situation of ours also precludes any possibility of our entering into official relations with the Chinese Communist regime.
3. We believe, the question of which regime represents China will be settled some day, and hope that day will come soon. On the other hand, we believe that the conclusion of a bilateral peace treaty with China as provided for under Article 26 of the San Francisco Treaty, should await solution of the question of Chinese representation among the Allies—at least, as between America and Britain.
4. In any case, with the Nationalist government in Formosa we have concluded trade agreements in the past. More recently we have set up in Taipei an Overseas Agency for the maintenance of official relations. It is our plan to dispatch a special envoy to prepare the way for the

restoration of diplomatic relations with that government. We plan to exchange ambassadors with Formosa simultaneously with the effectiveness of the Peace Treaty.

Korea

We are confronted with two problems concerning Korea: (1) The Korean War and (2) Japanese-Korean relations.

1. The Korean War.

As long as the United Nations continues to operate in Korea we will continue to extend to it the same assistance and cooperation as we are extending today. As regards the continuation of such cooperation after the coming into force of the Peace Treaty and the Security Pact, we are prepared to make an arrangement, if necessary, at the time when the Administrative Agreement is negotiated.

2. Japanese-Korean Relations.

Negotiations on the adjustment of Japanese-Korean relations have been going on since the 20th of October last. A report on these negotiations will be presented to you. It is our intention to reopen negotiation in February next and conclude a treaty establishing the basic relations between the two countries. Furthermore, under the provisions of the Peace Treaty we hope to negotiate on the question of claims between the two countries (Article 4) and the question of fishery (Article 9), and reach a settlement at the same time. With the conclusion of the above-mentioned settlement, we also hope to open negotiation on a treaty of commerce and navigation (Article 12).

Our government attaches great importance to Japan's relations with Korea. We are soon sending a special mission, headed by Mr. Shunichi Matsumoto, Foreign Office Adviser, with a view to paving the way for the establishment of diplomatic relations between the two countries.

Reparations

1. Thanks to your kindness, it has been stipulated under Article 14 (a) of the Peace Treaty that we shall pay reparations in service. Our government will earnestly strive to discharge its obligations in accordance with this provision. In view of the importance of the question, we have appointed Mr. Juichi Tsushima, former Finance Minister, and Mr. Shozo Murata, former Ambassador to the Philippines, as advisers to the Ministry of Foreign Affairs, who will give us their assistance in this connection. The officials concerned of the Finance and other Ministries have been

ordered to study the problem. In fact, these officials have reached a tentative conclusion, as set forth elsewhere. I should like to hear your opinion on it.

2. Indonesia was to send us a mission for the discussion of the reparation problem. But this has been postponed. Now a 15-man mission headed by the Communications Minister, together with 11 parliamentary members is expected to arrive next week or so on a tour of inspection of Japan's economic conditions. The Finance Minister Ikeda and Adviser Tsushima are assigned to the task of negotiating with the mission.

The Philippines has asked us to send a mission to discuss reparations. We plan to send one headed by Adviser Tsushima to Manila in the middle of January next, and are now negotiating on the matter with the Philippine government.

3. While the reparation-in-service principle is stipulated in the Treaty both Indonesia and the Philippines want reparations in cash and in kind, and they are expected to press hard their demands.

Moreover, with regard to our capacity for reparations payment and to the interpretation of the term "service", there seems to exist a wide divergency of view between us and these countries. It is feared the reparations negotiations will be difficult and take a long time. Most likely these countries will try to force Japan to commit herself to their figures and terms by threatening to withhold ratification of the Peace Treaty. You understand, we can't very well yield to such pressure.

Should negotiations be deadlocked, we might propose a solution in the form of economic cooperation in which; (1) the claimant nations renounce their right to reparations; (2) Japan extends them credits strictly within the limits of her capacity. What do you think of this idea?

The Administrative Agreement

The Administrative Agreement is a matter of serious concern to Japanese public. It was a subject of extensive debate in the last Diet. The principal points raised were:

- (a) The matters for stipulation in the Administrative Agreement should be confined strictly to the conditions for the disposition of U.S. troops. And any matter involving legislative action should be determined with due respect for the legislative power of the Diet. The Diet was quite firm on this point. The government replied that the Diet's legislative power would not be curtailed by the Administrative Agreement. Another point, much

discussed, was the legal status of the troops stationed in Japan. This, according to my understanding, will be stipulated in the Administrative Agreement. But we would like a separate treaty covering this point apart from the Administrative Agreement, as in the case of the treaty among the countries of the North Atlantic Pact.

- (b) The Diet showed special concern over Japan's share in the defense cost. The government stated that it was quite proper and natural that Japan should share in the cost of the troops who are here to protect the country.

In February last you said that the cost-sharing plan would follow the same principle as has been adopted between America and Britain. However, Mr. Dodge on his recent visit seemed to have in mind a very high percentage for Japan. Does it mean a change in American policy since February? Or, is it because of consideration of reparations and other external issues of Japan?

- (c) Full details of what we desire regarding the Administrative Agreement have been submitted to Ambassador Sebald and Mr. Rusk. I hope favorable consideration will be given these matters from the broad standpoint of Japanese-American relations.

The Nansei Islands

1. We are most grateful that the Peace Treaty leaves the Nansei Islands as Japanese territory and their inhabitants as Japanese nationals. I understand that the reason why America wants to administer these islands lies in the military necessity for safeguarding the peace and security of the Far East. I earnestly hope that as far as this military necessity permits, the desires of the inhabitants will be considered in the disposition of these islands.
2. As materials for conversation a paper setting forth the desires of our government is submitted to you. I hope conversation will be opened as soon as possible and a settlement will be reached in accordance with the wishes of the Japanese people—especially the inhabitants of those islands.

Relations with Non-signatories to the Peace Treaty.

1. We want to put on a peace footing our relations with the non-signatory countries to the San Francisco Treaty.

Recently, we have exchanged notes with India and Italy on the conclusion of peace. Conversation is proceeding in Washington between our Overseas Agency and the Jugo-Slavia Embassy there.

2. The question of the status of the Soviet Mission here is one bound up with the questions of the status of the Far Eastern Commission in Washington and of the Council on Japan in Tokyo, which will arise with the coming into force of the Peace Treaty. We will take appropriate steps in the light of the solution effected by the Allies regarding the latter questions.

付録 14 日韓交渉に関する報告書

Report on Japan-Korea Conversations

1. The Opening and Development of the Current Conversations.

Representatives of the Japanese and Korean Governments have been meeting since October 20, 1951 to discuss questions relating to

- a. the nationality and legal status of Korean residents in Japan,
- b. the development of agenda and investigation of ways and means for bilateral negotiation of all outstanding problems, and
- c. the disposal of certain vessels.

These discussions were made possible through the good offices of Diplomatic Section, SCAP, whose officers do not participate but are present at plenary sessions in the capacity of observers. A memorandum was received by the Japanese Government on September 25, 1951 offering SCAP's good offices in the opening of negotiations with Korean representatives on the question of the nationality of Korean residents in Japan. This offer the Japanese Government accepted, but subsequently another note was received in which it was made known that the Korean Government desired to include another item for discussion, namely, that of the development of agenda and investigation of ways and means for bilateral negotiation of all outstanding problems between Japan and Korea. Owing to the closeness of the date of commencement and the lack of preparation the Japanese Government declined to enter into negotiation on this item, but agreed to entertain any proposals which the Korean Government might desire to present. With this understanding Japanese representatives met with Korean representatives at the first session which was held in a conference room of the Diplomatic Section on October 20, 1951. Introductory addresses were given at this initial meeting by Mr. William Sebald, Chief of the Diplomatic Section, by Mr. Sadao Iguchi, the Chief Japanese Delegate, and by Dr. You Chan Yang, the Chief Korean Delegate. (Copies of these addresses are appended hereto, together with copies of the correspondence

between D.S., SCAP, and the Japanese Government on the inception of the current conversations.)

Business commenced from the 2nd plenary session held on Oct. 22, and up to Dec. 4 ten plenary sessions have been held at which questions of nationality and an agenda for future negotiations were discussed and also questions of certain vessels. The first few sessions were concerned mainly with the determining of the agenda for the current conversations and, after some discussion on the question of legal status in the 3rd and 4th sessions, it was agreed at the 5th session that this matter should be referred to a sub-committee for detailed study. This study is still being continued and although much ground has been gone over and both sides appear now to be well conversant with the view-points of the other, the solution of the problem remains yet to be worked out.

The second item, that of an agenda for future bilateral negotiations, was discussed in later sessions and agreement was reached at the 9th session on Nov. 28. The third item, that of the disposal of certain vessels, was not contemplated in the original plans for these discussions but was first broached by the Korean representatives at the 2nd session held on Oct. 22. It was agreed at that time that the matter should be taken up, however, at a separate conference at which SCAP's observers would not be present. Commencing Oct. 30 and up to Dec. 5 14 meetings have been held. Considerable effort is still required for an early solution of the problems facing this conference.

2. Developments on the Legal Status of Korean Residents.

Under Article 2 of the Peace Treaty Japan recognizes the independence of Korea. From this arises questions concerning the nationality of Korean residents in Japan. Are they to lose Japanese nationality? If they lose Japanese nationality, when do they do so. Discussions have revealed that both sides are in agreement that Korean residents should uniformly lose Japanese nationality. However, on the question of the effective date of the change there is some difference of opinion. Our opinion is that the loss of Japanese nationality will be effective only on the coming into force of the Peace Treaty and that so far as legal processes in Japan are concerned Koreans continuously resident in Japan from before the close of war will remain Japanese nationals until that time. The Korean claim is that Korean nationality was recovered on Sept. 2, 1945. Adjustment of views on this question is yet to be worked out. The Japanese Government is further of the opinion that the disposition of nationality when finally agreed upon should be formalized in a treaty.

In the discussions on nationality the Korean representatives have raised the question of treatment, stating that this question is inseparable from that of nationality. Their position is that Korean residents who are estimated to number over 600,000 constitute a special case and owing to the circumstances which led to their presence in Japan should on becoming aliens be allowed to remain in Japan as permanent residents without further formality. It is claimed further that they should retain all the rights and privileges they hitherto enjoyed as Japanese excepting political rights, such as suffrage; that if they choose to return to their homeland they should be free to take all their property with them; and furthermore that in their case the provisions for deportation of undesirable aliens in the Immigration Control Ordinance should be waived.

The Japanese stand is that Korean residents should be treated in the same manner as all other aliens and that no discrimination can be allowed. The Japanese Government is, however, willing to consider certain temporary and transitional measures calculated to facilitate the change in nationality and to prevent any undue hardship which may result directly therefrom. The sub-committee dealing with this matter has held twelve meetings so far, but it is felt that some more detailed discussions will have to be held before agreement can be reached. The Korean attitude so far has appeared to lack flexibility. This may be accounted for by the considerable pressure from the Korean community, particularly, that arising from radicalist agitation, which the Korean representatives must contend with.

3. The Development of Agenda and the Investigation of Ways and Means for Bilateral Negotiation of All Outstanding Problems.

This subject was first discussed at the 6th session which was held on Nov. 8, when the Korean representatives proposed that discussions should be commenced as soon as possible on property and claims, fishing rights, and commerce and navigation, so that these problems would be cleared up by the time of the coming into force of the Peace Treaty. A specific date in November was suggested for commencement of talks on property and claims and dates in January for the other items. The Japanese Government not being prepared to enter into substantial negotiations on these matters at such early dates, countered by offering to meet with Korean representatives next spring in a general conference to cover all problems between Japan and Korea. After several meetings, it was finally agreed that a conference should be held in Tokyo commencing in the early half of February 1952 and that at this conference the items to be discussed should include the following:

- a. establishment of diplomatic relations
- b. establishing of nationality of residents in Japan of Korean descent
- c. settlement of claims between Korea and Japan
- d. agreement on fishing rights
- e. commencement of negotiations on transfer of marine cables
- f. commencement of negotiation of treaty of commerce and navigation, and establishing of relevant principles to be followed pending conclusion of such treaty (such as principles of most-favored-nations treatment, etc.)
- g. other items to be agreed upon

The Korean representatives have repeatedly stressed their anxiety that all questions should be settled by the effective date of the Peace Treaty and have asked for preparatory conversations to be held beforehand. The Japanese Government has promised to be fully prepared to enter into negotiations in February and once the negotiations are entered into earnest effort will be made to reach the necessary solutions in time. Where possible, they will make preliminary studies in concert with Korean representatives. They are of the opinion, however, that, it would not be absolutely necessary nor, in fact, possible to bring all matters to a conclusion before the Peace Treaty comes into effect. They feel that if certain general principles relating to the establishment of amicable relations between the two parties can be formalized in, for instance, a treaty, the more complicated issues might be dealt with at greater length, interim arrangements being made where necessary.

4. Developments on the Disposal of Certain Vessels

A proposal that questions concerning the disposal of certain vessels of Korean registry should be discussed during the present conversations was made by the Korean representatives at the 2nd session held on Oct. 22. After discussion it was finally agreed at the next session on Oct. 25 that the discussions should be extended to include certain claims to be presented by the Japanese Government and that these discussions should be conducted as a separate conference. A separate group of representatives commenced discussions on this subject on Oct. 30 and after several meetings agreed on Nov. 6 on the following agenda of four items:

- a. Problems concerning return of Korean registered vessels.
- b. Return to Korea of vessels located in Korean waters on or since Aug. 9, 1945.
- c. Return to Japan of 5 vessels on loan to Korea.
- d. Return to Japan of fishing vessels detained in Korea.

To date 14 meetings have been held, but so far discussions have been confined to items a. and b. The Japanese representatives hope to be able to settle these matters on a practical basis. They are finding, however, that an authoritative interpretation of the Ordinance No. 33 dated Dec. 6, 1945 of the United States Army Headquarters in Korea entitled "Vesting Title to Japanese Property within Korea" seems to be involved. As any such interpretation may affect future negotiations on claims and property between the two parties, we hope to be able to agree on the disposal of the vessels in question without committing ourselves on the Ordinance.

5. Preparations for Conference in February 1952

The Japanese Government is now considering for proposal at the conference next February some general agreement which would provide for the commencement of diplomatic relations, define principles relating to nationality, and provide for the direct or eventual solution of pending problems. It is hoped that in this treaty it will be possible to include an agreement concerning fishing rights, arrangements for the settlement of claims and interim arrangements on matters which will eventually be covered by a treaty of commerce and navigation. Although the Korean representatives have expressed their eagerness to enter at once into discussion on the substance of all the questions, the Japanese government does not think it will be able to meet their wishes until the opening of the conference in February. We would as a matter of course be willing to exchange any information in the meanwhile. It has also been proposed and agreed to by the Korean delegate that an emissary of the Japanese Government should visit Pusan for an exchange of friendly wishes and if possible to work out with Korean leaders a ground of good feeling and mutual understanding which will be necessary for the success of the conversations next spring.

December 5, 1951.

Report on Japan-Korea Conversations (Continued)

In our report dated Dec. 5, 1951, it was mentioned that the despatch of an emissary of the Japanese Government was under consideration. The Korean Mission informed us on Dec. 13 that the Korean Government felt that it was yet premature for them to extend an invitation to such an emissary. The existence of infavourable sentiment arising from the failure of the current conversations to arrive as yet at a satisfactory conclusion is cited as one reason.

We feel that there is some misunderstanding on the part of the Korean Government as to the intentions of the Japanese Government. If the current

conversations on nationality and shipping are taking more time than was expected, it is because the problems involved have been found to be more complicated and to have wider implications than at first thought. At the sessions where the discussions are held, we have had no complaints from the Korean representatives with reference to any delay. Rather we find that the Korean representatives tend to depend on us to furnish a great part of the material for discussion and then to refer frequently to Pusan for instruction. Admittedly the progress is slow, but substantial progress is being made. On the problem of nationality, the main subject of the present talks, agreement has been reached on questions of principle. As long as the prevailing conciliatory atmosphere is maintained satisfactory agreements will be arrived at before long.

It was with the hope that a contribution would be made to the strengthening of good feeling that the sending of an emissary to Pusan was contemplated. Korea would be the first Asiatic country to which an emissary would be sent. It is our expectation that the importance which the Japanese Government places upon the establishment of firm friendly relations with her next door neighbor would be made clear and also that a salutary effect would be brought about in impressing our own public with the importance of such relations.

We feel that the Korean Government have been misled by some inaccurate press reports concerning the current conversations. The question of the agenda for the conference next spring has been settled to mutual satisfaction. The discussions on nationality and shipping are being continued in all earnestness. We expect that with concessions on the part of the Korean Government as well as on our part final agreement will be reached at an early date.

December 14, 1951.

ANNEXES

- I. DS Memorandum Dated 25 Sept. 1951.
(Subject: Legal Status of Koreans Resident in Japan)
- II. MFA Memorandum Dated 29 Sept. 1951.
(Subject: Legal Status of Koreans Resident in Japan)
- III. DS Memorandum Dated 9 Oct. 1951.
(Subject: Legal Status of Koreans Resident in Japan)
- IV. MFA Memorandum Dated 11 Oct. 1951.
(Subject: Legal Status of Koreans Resident in Japan)
- V. Opening Statement by Ambassador W. J. Sebald at the Korean-Japanese meeting on October 20, 1951.

- VI. Address by Mr. Sadao Iguchi at the Meeting of Korean and Japanese Representatives on October 20, 1951.
- VII. Opening Statement by Ambassador You Chan Yang at the Korean-Japanese Conference.

ANNEX I

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500

Diplomatic Section

AG. 014.34 (25 Sep. 51) DS 25 September 1951
MEMORANDUM FOR: Japanese Ministry of Foreign Affairs
SUBJECT: Legal Status of Koreans Resident in Japan

1. This Headquarters, in a desire to resolve at the earliest possible moment a problem fundamental to normal relations between Japan and the Republic of Korea, has tendered its good offices to the Korean Diplomatic Mission in Japan in the hope that the latter may avail itself of these offices to negotiate directly with the Japanese Government a definitive understanding of the legal status of those Koreans now resident in Japan. A similar offer has been made informally by the Diplomatic Section of this Headquarters to the Japanese Ministry of Foreign Affairs.

2. The Korean Diplomatic Mission has recently advised that it will accept the offer of good offices and desires that the contemplated negotiations commence promptly in a place to be provided by the Diplomatic Section in the presence of observers selected by this Section.

3. It is the understanding of this Headquarters that the Korean acceptance of this offer is limited to a discussion only of matters pertaining to the legal status of Koreans resident in Japan. It is the further understanding of this Headquarters that the Republic of Korea is prepared to conclude with the Japanese Government a final settlement of this problem effective immediately.

4. It is hoped that the Ministry will likewise accept this Headquarters' offer and will further be prepared to negotiate directly with representatives of the Republic of Korea in a place and at a time designated by the Diplomatic Section in the presence of officers assigned as observers by this Section. The Ministry is assured that any understanding reached in these negotiations may become effective immediately without specific approval of its substance by this Headquarters.

5. If the Ministry is amenable to this suggestion, it is proposed that

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the first meeting of the representatives of the Japanese Government and of the Government of the Republic of Korea take place in the offices of the Diplomatic Section, on Monday, October 8, at 10:00 A.M.

6. An early indication of the Ministry's disposition in this matter is requested.

W. J. Sebald
Chief
Diplomatic Section

Received: 26 Sept. 12.00
Shukan : CG
Copy : C of L. C of P Minister
LCO LLO Jikan
MA AGO D of CS
IA Jicho

ANNEX II

TO : GENERAL HEADQUARTERS, SUPREME COMMANDER
FOR THE ALLIED POWERS. (Attn: Diplomatic Section)

FROM : Ministry of Foreign Affairs.

SUBJECT: Legal Status of Koreans Resident in Japan.

FOM No. 2121 (CG)

29 September 1951.

1. Reference: Memorandum of Diplomatic Section, AG 014.34 (25 Sep. 51) DS, subject: Legal Status of Koreans Resident in Japan.

2. This Ministry acknowledges the receipt of the reference memorandum and accepts with thanks the good offices of the Diplomatic Section, General Headquarters, Supreme Commander for the Allied Powers in negotiating with representatives of the Republic of Korea on matters pertaining only to the legal status of Koreans resident in Japan.

FOR THE MINISTER:

(S. Iguchi)
Vice-Minister,
Ministry of Foreign Affairs.

ANNEX III

Diplomatic Section

AG 014.34 (9 Oct 51) DS 9 October 1951
MEMORANDUM FOR: Japanese Ministry of Foreign Affairs
SUBJECT: Legal Status of Koreans Resident in Japan

1. Reference is made to this Headquarters' memorandum AG 014.34

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(25 Sep. 51) DS, dated 25 September 1951 and the Ministry's Memorandum FOM No. 2121 (CG) dated 29 September 1951, subject as above, as well as conversations between officers of this Headquarters and Mr. Eiji WAJIMA of the Ministry.

2. The Korean Diplomatic Mission has requested a postponement of the discussions on this subject from the date originally scheduled in order to provide for the arrival of special negotiators assigned by the Korean Ministry of Foreign Affairs in Pusan. The Korean Mission has further requested that the scope of the discussions be expanded to include the development of agenda and the investigation of ways and means for bilateral negotiation of all outstanding problems between Japan and Korea.

3. This Headquarters has agreed to the requested postponement and has further agreed to extend its good offices to the expanded scope of these discussions, subject to the concurrence of the Japanese Government.

4. If the Ministry is agreeable to these proposed changes, it is suggested that the first meeting of the representatives of the Japanese Government and of the Government of the Republic of Korea take place in the offices of the Diplomatic Section on Saturday, 20 October, at 10:00 A.M.

5. An early indication of the Ministry's disposition in this matter is requested.

For the Chief, Diplomatic Section:

Charles N. Spinks
Acting Deputy Chief
Diplomatic Section

ANNEX IV

TO : GENERAL HEADQUARTERS, SUPREME COMMANDER
FOR THE ALLIED POWERS,
FROM : Ministry of Foreign Affairs.
SUBJECT: Legal Status of Koreans Resident in Japan.
FOM No. 2212 (CG) October 11, 1951.

1. Reference: Memorandum of Diplomatic Section, AG 014,34 (9 Oct 51) DS, 9 October 1951, subject: Legal Status of Koreans Resident in Japan

2. The Ministry of Foreign Affairs acknowledges the receipt of the reference memorandum.

3. As was initially proposed, the Japanese Government wishes to limit the scope of the coming discussion which is to start on October 20 only to the legal status of Koreans resident in Japan.

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4. However, if the representatives of the Government of Korea who attend the coming discussions desire to communicate to the representatives of the Japanese Government what the former think about the agenda or ways and means for future bilateral negotiation of all outstanding problems between Korea and Japan, after the end of the discussion of legal status of Koreans resident in Japan, the Japanese representatives will be prepared to sit in further conference with the Korean representatives in order to be informed of such matters as are mentioned above. The Japanese Government believes that any information so furnished will no doubt contribute to the future study of such problems and pave the way to early opening of necessary negotiations between Korea and Japan.

FOR THE MINISTER:

(Eiji Wajima)
Chief, Bureau of Control,
Ministry of Foreign Affairs.

ANNEX V

Opening Statement by Ambassador W. J. Sebald at the Korean-Japanese meeting on Oct. 20, 1951.

It is a genuine pleasure to me to be able to say a few words preliminary to the discussions which you gentlemen are about to undertake. At a time when violence is so prevalent throughout the world, it is reassuring to be present when the representatives of two nations sit down in a spirit of calm and sincere purpose to seek solutions to their mutual problems. I feel confident that there is no difference between the Republic of Korea and Japan which can not be solved in this way.

Since the Supreme Commander's Headquarters has taken the initiative in arranging these talks I feel it proper to review the circumstances which have led us to this conference table.

All here will recall that the original intent of our invitation was to bring together both your Governments so that you might independently seek a determination of the nationality and legal status of those Koreans who are resident in Japan. In such a meeting the Japanese Government was assured that it had full power to negotiate and if possible to conclude agreements without the specific approval of the Supreme Commander.

Although both Governments accepted this invitation, the Korean Government subsequently requested that the scope of the proposed discussions be expanded to consider ways and means for the solution of all problems out-

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standing between Korea and Japan. This Headquarters agreed to lend its good offices to an expansion of these talks for the purpose of developing an agenda out of which it is hoped that ways and means to solve these outstanding problems can be found. The Japanese Government has agreed to the expanded scope of the talks and has indicated a desire to be informed of the Republic of Korea's proposals concerning these subjects.

With these understandings clearly in mind, it is anticipated that the representatives assembled here today will have the opportunity to expand more fully on their Governments' positions at this table. In this connection I would like to make clear the function and status of the observers who will be assigned to these talks on behalf of the Supreme Commander. These officers will not take an active part in the proceedings or express binding propositions on behalf of this Headquarters. Their functions will terminate with the scope of the talks which I have outlined above. It is assumed that subsequent bilateral negotiations between the Governments of Korea and Japan will be arranged directly between the two parties at the mutual convenience of each.

I am sure that all you gentlemen are keenly aware of the serious import which these talks hold for the peoples of both your nations. I am sure that you will serve both your Governments and your peoples with distinction. I wish you the greatest measure of success as a foundation for lasting amity between your two nations.

ANNEX VI

Address by Mr. Sadao Iguchi at the Meeting of Korean and Japanese
Representatives on October 20, 1951

Your Excellencies and Gentlemen,

It is indeed a great pleasure for us to meet His Excellency Dr. You Chan Yang, Korean Ambassador to the United States, and other representatives of the Republic of Korea at this meeting today, which was made possible through the good offices of the General Headquarters of the Supreme Commander for the Allied Powers.

I feel this meeting to be a momentous event, as it is the first occasion on which representatives of the Japanese Government are in their own capacity meeting with representatives of the Republic of Korea for conversations on problems of mutual concern, and also for the fact that a start, however small, will have been made in laying anew the foundations for a lasting relationship between our two countries.

As you know, we in Japan are now proceeding to the ratification of the Peace Treaty with the Allied Powers which happily for us was signed recently in San Francisco, and it is our hope that by early spring next year the necessary number of ratifications will have been obtained, causing this instrument to come into force and enabling Japan to join with others as a sovereign nation in the promotion of the common welfare and the maintenance of international peace and security. It, therefore, seems opportune that we should now start thinking of preparing the various arrangements which will be necessary to implement the terms of the Peace Treaty.

In this connection, I am particularly happy that the opportunity has been afforded us to enter into discussion with Korean representatives on a question arising out of the Peace Treaty, namely, that of the legal status of Koreans residing in this country. I think a discussion of what that legal status should be once the Peace Treaty comes into force and of what measures, legal and otherwise, would be necessary to conform with any change in legal status, would be very profitable.

It is, furthermore, my understanding that the Korean representatives have the intention to make some proposals concerning the development of agenda and the investigation of ways and means for the negotiation of all problems outstanding between our two countries. We are glad to have the opportunity to study whatever proposals may be made and shall be only too happy to give them serious consideration.

I feel that discussion of the question of nationality will in any case eventually lead us to the question of making a basic and lasting agreement to regulate the future relations of our two countries. Not only the cultural and economic ties which have for centuries bound us closely together, but also the circumstances in which we find ourselves today, seem to point to the desirability of establishing a basis for formal relationship as soon as the Peace Treaty comes into force. Although this thought has been in my mind for some time, I am afraid we as representatives of our Government are not prepared for the moment to go very far into this matter, particularly, as we shall for some time be preoccupied with matters bearing on the ratification of the Peace Treaty itself. But I think that the matter of a basic agreement is one of major importance which should nevertheless be included in any agenda for future negotiations between our two countries. We would appreciate it very highly if the Korean representatives would be good enough to give us their views on this subject. Their views will receive the most serious consideration on our part, and will I am sure give us a start in paying the way to the opening of negotiations for such an agreement at an early date.

In closing, I would like to renew my greetings to the representatives of the Republic of Korea and to assure them of our good will and sincere desire to work out mutually satisfactory solutions to the various questions which will come up. I would like also to take this opportunity to express the profound gratitude of my Government for the good offices of the General Headquarters of the Supreme Commander for the Allied Powers in making possible this meeting and for the facilities which have generously been provided, particularly the assistance of the officers of the Diplomatic Section who I understand will be present at the coming sessions.

ANNEX VII

REPUBLIC OF KOREA Ministry of Foreign Affairs

October 20, 1951

OPENING STATEMENT BY AMBASSADOR YOU CHAN YANG AT THE KOREAN-JAPANESE CONFERENCE.

I am sure we are all aware of the truly historic significance of this meeting, as we gather here to open the first conference to be held between our two nations in more than forty years. I cannot avoid the feeling that the centuries of the long past are somehow looking over our shoulders. We must seek redress for the mistakes of former times and build together a program that will help the future to atone for the past.

Nature itself placed Korea and Japan side by side on the map of the world. Geography has created ties between our two nations which nothing wrought by human hands can undo. Here we stand; only one hundred and twenty-five miles apart, close neighbors, and for that reason destined whatever we may plan or do to march on toward the future with our hopes and fears more or less intertwined.

There are factors in our past history which are not pleasant to remember. I want to talk with you frankly about this, for frankness is the best basis for the development of honest friendship. We have no intention of presenting to you an outer mask which will conceal the true feelings in our hearts. We want to say to you exactly what is in our minds and we hope you will respond by telling us precisely what you think and feel. In this spirit, and in this spirit only, can we settle down with confidence to work out the solution of the problems that still confront us.

I cannot say to you that we Koreans are going to wipe the past out of our minds. To say this would only be an empty form of words, for human

beings are not passive slates from whose memories events may be erased.

What I can say—and I say it with the utmost earnestness and sincerity—is that we are hopeful we shall be able to work out together a pattern of future relationships which will be so mutually satisfactory to our two peoples that the past will gradually fade away into insignificance.

We have a responsibility to our own and to future generations to lay here in this Conference the beginnings of a secure foundation upon which the peoples of Korea and Japan can stand through all the years ahead on a basis of mutual confidence, trust, and respect. This task is of such importance that we must not permit ourselves to fail.

The years of Japanese occupation left us with problems which cannot be easily solved. From 1905 to 1945 we were not masters of our own house and we could not build the kind of structure we desired.

Our economic processes were tied closely and inexorably into those of Japan and were made to serve as subsidiaries to Japanese development. As a result, our industrial development was unhealthy and was so devised that it should not be able to stand alone.

Similarly, during all those years our own people were barred from technical and managerial training and experience such as is indispensable to any progressive society.

These are handicaps which now have to be overcome. The opportunities which were denied to more than a full generation of our people must now be sought in fullest measure for today and for all the years ahead.

This is the sum of the feelings of our people. Without forgetting the past, we want to live side by side with Japan as equal and sovereign neighbors in the world's community of free nations. On this basis both nations should profit and in this spirit both peoples should prosper.

I shall not attempt to specify these questions now. But I should like to indicate that a fair and full settlement of Korea's just claims will constitute the only basis upon which we can turn from the past to contemplate together the building of a better future.

The period which lies immediately ahead will demonstrate irrevocably the direction in which the peoples of Asia shall go. The choice is between the new fair play of democracy and the old self-seeking militarism. The question we and all other Asian nations must ask is whether Japan has fully and without reservation accepted the necessity and desirability of dwelling beside us in equal partnership and with mutual respect and safeguards for the welfare of us all. There can be no special advantages, no favored people in the time that lies ahead. The problem of supporting our various popula-

tions on a decent standard of living is a problem for all of us alike, and no nation can have priority in its solution. Japan needs markets; so does Korea. Japan needs access to raw materials; so do we. Japan needs further industrialization to support its population; and so does Korea. These are serious problems. But an even more pressing one has arisen.

The real challenge of today is the threat of Communist aggression. In Asia Korea is the key battleground on which that threat is being met and on which it must be defeated. On our soil is being fought the battle that may, and indeed that must, result in winning the war for all the free peoples of the Far East. Ours is the exposed outpost upon which the heaviest blows are falling, and from which the enemy can and must be turned back before he strikes further into other free lands.

In any military arrangements that are made for Asia and the Far East, this key fact must be taken into account. Our nation is paying a fearful price in suffering, destruction and death to stand as a bulwark against further Communist advance. Under these circumstances we cannot be indifferent to the Communist Party in Japan, nor can we deny that it worries us somewhat. For we all know that international communism is one vast subversive machine, obeying one master, and threatening all free men everywhere.

When the challenge came to us, we chose the side of freedom, even though the cost was immeasurably great, and on that ground we proudly stand. We do not intend to deviate from the role of sovereign responsibility which we have assumed at so tragic a price.

So, to our confreres the Japanese, we should like to say: We have never in our long history attacked you. We do not intend to do so. You have attacked and against our will engulfed us. Both of our nations have entered within this present generation into great wars. Yours was to submerge freedom; ours was to preserve it. These are significant factors which cannot be ignored. To refrain from stating them might seem to be more gracious and polite. But as a physician I have long known that enclosed and covered sores are the ones that fester most dangerously. And even a limited experience in diplomacy has served to teach me that the same is true in the relations of nations.

Let us not deceive; let us not pretend. We cannot avoid a certain amount of reserve until we may be positively assured that the past is not to be repeated in the future.

But we have no desire to live with backward vision. The hope for both of our peoples is that a new constructiveness and mutuality of interests may

replace the antagonisms and injustices of the past. The opportunity presented by this conference must not be minimized nor missed. Let us strive together here to lay a sound foundation by first solving the accumulated problems that confront us and on that ground to build new confidence and new trust.

Korea

We are confronted with two problems concerning Korea:

(1) The Korean War and (2) Japanese-Korean relations.

1. The Korean War.

As long as the United Nations continues to operate in Korea we will continue to extend to it the same assistance and cooperation as we are extending today. As regards the continuation of such cooperation after the coming into force of the Peace Treaty and the Security Pact, we are prepared to make an arrangement, if necessary, at the time when the Administrative Agreement is negotiated.

2. Japanese-Korean Relations.

Negotiations on the adjustment of Japanese-Korean relations have been going on since the 20th of October last. A summary report on these negotiations is being submitted to you. It is our intention to reopen negotiation in February next and conclude a treaty establishing the basic relations between the two countries. Furthermore, under the provisions of the Peace Treaty we hope to negotiate on the question of claims between the two countries (Article 4) and the question of fishery (Article 9), and realize their settlement at the same time. With the conclusion of the above-mentioned settlement, we also hope to open negotiation on a treaty of commerce and navigation (Article 12).

Our Government attaches great importance to Japan's relations with Korea. We are soon sending a special mission, headed by Mr. Shunichi Matsumoto, Foreign Office Adviser, with a view to paving the way for the establishment of diplomatic relations between the two countries.

付録 15 賠償処理方針（第2次案付属）

Basic Principles on Reparations

(Tentative)

17 November 1951

The basic principles on reparations stated herein are the conclusions.

arrived at by the Inter-Ministerial Council on Reparations after a series of discussion and debate in 9 meetings since 21 September 1951.

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1. Principles on reparations:
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 - (2) Pre-requisites of reparations
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1. Principles on reparations
 - (1) Formula of reparations

It can be said that the formula of reparations has undergone three stages: first, monetary reparations in connection with the Versailles Peace

Treaty after the World War I; second, reparation in kind stipulated in the Italian Peace Treaty after the World War II; third, reparations by services prescribed in the Japanese Peace Treaty.

Under the formula of reparation by services, the main questions will be that what kind of services will be furnished to what extent. This is fundamentally different from the reparation by money where the total reparation sum is determined to begin with as the starting point of the entire deal.

Article 14 of the Japanese Peace Treaty plainly provides that Japan's reparation obligations are limited to the furnishing of services, reparations by money or in kind being precluded.

(2) Pre-requisites of reparations

Article 14 of the Peace Treaty provides four conditions to the furnishing of services:

- a. Japan is to maintain a viable economy;
- b. Japan should meet other obligations simultaneously with the fulfilment of reparations;
- c. Japan should not impose additional liabilities upon other Allied Powers;
- d. Japan should not be imposed any foreign exchange burden.

The upshot of these four conditions is:

First, services should be furnished within the financial and economic abilities of Japan;

Second, there should be a supply latitude in any type of service desired;

Third, the furnishing of any service should not entail any foreign exchange burden upon Japan;

Fourth, no service in production (processing) which will eventually hamper Japan's normal export can be furnished.

Therefore, Japan will have fully met the Peace Treaty obligations by the furnishing of services within the First, Second, Third and Fourth requirements above.

On the other hand, however, it is presumed that the claimant countries will be required, in order to receive services, to raise considerable amount of capital, or to spend foreign exchange to buy materials in the instance of processing. In this connection, a question may arise that to what extent a particular claimant country will be able to prepare for the acceptance of services. It is considered, therefore, that the scope of service reparations will be confined not merely by Japan's, but also by the claimant countries' abilities.

(3) Relationship of service reparations to economic cooperation.

As it is conceivable that the claimant countries are short of domestic capital or foreign exchange fund to obtain materials for the processing purpose, there is foreseen a possibility that they will ask Japan, in conjunction with reparations, for offer of credit or establishment of joint-corporations.

As to such requests, however, Japan should strictly keep to the stand that it is under no obligation to comply with such requests as reparations except meeting the obligation to furnish services under Article 14 of the Peace Treaty.

If, however, a project which a claimant country desires to accomplish by way of reparation is such as to be eventually beneficial to Japan and, for that matter, desirable to accomplish, it may become necessary that Japan will deal with such project as an instance of "economic cooperation," as strictly distinct from reparations excepting the furnishing of services, and exercise good offices in raising necessary capital by way of private investment or otherwise, or, where such is not feasible and yet there exists certain necessity to give political consideration from the over-all and long-range standpoint, it may be that Japan will have to resort to special steps somehow or other.

2. Types of services and criteria for their selection

(1) The services as referred to in Article 14 of the Peace Treaty are construed, to all intents and purposes, to mean the furnishing of technicians and the processing of materials. In some cases, however, it is possible that the combination of the two will participate in a natural resources development undertaking such as opening-up of mineral mines.

In this connection, it is not unlikely that some claimant countries will take the interpretation that common labor, electric power and transportation are also included in the category of "services" in Article 14. Such an interpretation, however, is not acceptable to Japan. It is necessary, therefore, that Japan consider measures beforehand to settle foreseeable conflicts as regards such interpretation.

(2) Japan's criteria for selecting services.

A. Criteria for the furnishing of technicians

Skill and technique as the object of reparations, which will be offered to the claimant countries by the dispatch of technicians, must be those of which there is supply latitude in Japan in the first place. Then, efforts should be made so that the following types may be selected:

- a. Skill and technique which will help increase production of

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minerals, agricultural and forestry products, etc., which Japan desires to import;

- b. Skill and technique the subsequent consequence of the furnishing of which will very much likely increase Japan's normal export;

- c. Skill and technique which will help strengthen the relationship between the claimant country and Japan.

B. Criteria for the processing

Subject to the following criteria:

- a. No processing should, in its consequence, affect Japan's normal export to the claimant country;

- b. No processing should hamstring Japan's normal export capacity;

- c. No products should be processed which will foreseeably be re-exported by the claimant country to third countries.

Efforts should be made, as far as possible, for the selection of the following products:

- a. Finished products or products of highest possible processing percentage. Primary products such as steel, aluminium ingots, fertilizer, etc., should be avoided;

- b. Such products as will be of help to exploit, or increase the production of, materials which Japan desires to import subsequently from the claimant country;

- c. Such products as will entail, in the future, increased export of them as replacement or of parts thereof;

- d. Such products as of an industry or industries which have production capacity in surplus under normal conditions and which should be encouraged for future development.

C. Criteria for selecting the combination of the furnishing of technicians and processing.

Since this type is necessarily of relatively large dimensions, it may become necessary that the claimant country and Japan provisionally decide upon the kind to start with and, then, conduct a survey on the spot to ascertain actual dimensions.

It is needless to say that criteria for such provisional selection be, primarily, that there should be furnishing latitude in Japan in regard to the technicians and the processing capacity in question. Based upon this requirement, it is desirable that the following be selected as far as possible:

- a. Combination which will help increase production of mineral or agricultural or forestry products, etc., which Japan desires to import;

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b. Combination which will very likely increase Japan's normal export in the future;

c. Combination which will contribute to the economic progress of the claimant country.

In this regard, it is considered necessary that, in order to clarify beforehand Japan's abilities and burdens in such combinations, Japan request the claimant country for detailed information on the desired dimension of the project, the situation or conditions of the project site, etc., and check with it upon its fund ability to finance the work, all prior to the actual survey on the spot.

With respect to the actual survey, it is necessary, to preclude any subsequent conflict, that the claimant country should be unmistakably told beforehand of Japan's acceptance of the request for the combination service in question being pretty much conditional upon the result of such survey: no such service will possibly be rendered in case the survey result shows that the project desired is not suitable for development or exploitation or Japan lacks the ability to provide necessary skill and technique.

3. Responsibilities of claimant countries

From the purport of the reparation clause (Article 14), provision of the following items should be the responsibilities of the claimant countries:

(1) Responsibilities in connection with furnishing of technicians:

A. Materials to be used or consumed in the claimant countries;

B. Living expenses of dispatched technicians in the claimant countries (such expenses should be such as to befit the status of dispatched Japanese technicians);

C. Travel expenses in foreign exchange of dispatched technicians to and from the claimant countries (such expenses should also be such as to befit their status);

D. Expenses in foreign exchange for the training or education of the nationals of the claimant countries in Japan.

(2) Responsibilities in connection with processing:

All materials necessary for the processing (including auxiliary materials, electric power and fuel) should be furnished by the claimant countries prior to the processing.

Therefore:

a. Types of materials which constitute normal Japanese imports should be supplied by the claimant countries. Delivery of such materials should be made on Ex-SHIP Japan basis. In some cases, however, it may be convenient that certain materials be procured in Japan. In such

case, the claimant countries, upon agreement of Japan, can purchase them in U.S. dollars and deliver to the Japanese, or pay to the Japanese Government U.S. dollars equivalent to the price of such materials;

b. Where indigenous materials (including electric power and fuel) are used, the claimant countries should purchase them in U.S. dollars for delivery to the Japanese, or pay to the Japanese Government equivalent U.S. dollars.

(3) Alleviation of responsibilities

There may arise a necessity, depending upon the ups and downs of actual negotiations, to alleviate the responsibilities of the claimant countries as set forth in (1) and (2) above. In such case, Japan might be required to undertake the following burdens as maximum concessions:

A. Travel expenses in foreign exchange in dispatching technicians;

B. Small quantity of auxiliary materials in processing.

4. Restrictions on Reparations

The furnishing of services will be restricted by the following conditions:

(1) Restrictions upon claimant countries

The scope of reparations will be limited by:

A. Whether the claims are reasonable enough when compared with actual damage done during the war;

B. Whether the claimant countries can provide enough fund, by themselves or by the assistance of third countries, to procure thereby necessary materials for processing or efficaciously utilize the Japanese services which will be rendered.

In this connection, there is foreseen a possibility of both parties' arguing over the reasonableness of the estimate of war damages, etc. It is, therefore, necessary to think out, in advance, measures for the settlement of such conflict.

(2) Restrictions upon Japan

A. Japan's fulfilment capacity

Japan's capacity to furnish a particular service must be determined after taking into consideration the requests for the same by other claimant countries;

B. Term of reparation fulfilment

Since it is advantageous and advisable for Japan to carry out reparations in the shortest possible period, it seems that efforts should be made so that the reparation term may be around 5 years.

C. Financial abilities of Japan

Reparation claims, after having been screened by all the restrictions

mentioned above, should not exceed Japan's financial and economic abilities, when screened claims of other claimant countries are added up.

5. Effectuation of reparations

(1) Survey in claimant countries

Where actual surveying on the spot is required, such survey should, generally speaking, be conducted, prior to the conclusion of a reparation agreement, in accordance with the following:

A. Items to be surveyed:

- a. Type of skill and technique, scale of such skill and technique required and the number of necessary personnel;
- b. If materials, machinery or equipment are required in furnishing the service, the kind and quantity thereof be clarified;
- c. Detailed estimation of monetary costs to cover a and b above, and estimation of time required to accomplish the project.

B. Selection of surveyors

Surveyors to be sent will be selected by Japanese Government agency after consultation with the claimant country.

C. Term of survey

Term of survey will be decided upon by consultation with the claimant country.

D. Expenses for survey

Expenses for survey will be taken care of in accordance with 3 (1) above as part of reparations.

(2) Conclusion of reparation agreement

Reparation agreement will be entered into between the claimant country and Japan finally upon the basis of the survey results and so far as Japan can afford the services required. Such reparation agreement will merely provide the type and quantity of the services, the terms in which individual service should be rendered, or the quantity of service annually rendered, and not enter any designation of monetary sum as reparations.

(3) Manner to estimate services rendered

It is not inconceivable that the claimant country will, for internal political considerations, publicly appraise the services rendered by Japan as reparations at a considerably high value. Such appraisal will do no harm to Japan, since it is simply the claimant country's business.

付録 16 賠償処理方針（第3次案付属）

Basic Principles on Reparations (Tentative)

17 November 1951

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 - D. Expenses for survey
 - (2) Conclusion of reparation agreement
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1. Principles on reparations

(1) Formula of reparations

It can be said that the formula of reparations has undergone three stages: first, monetary reparations in connection with the Versailles Peace Treaty after the World War I; second, reparation in kind stipulated in the Italian Peace Treaty after the World War II; third, reparations by services prescribed in the Japanese Peace Treaty.

Under the formula of reparation by services, the main questions will be that what kind of services will be furnished to what extent. This is fundamentally different from the reparation by money where the total reparation sum is determined to begin with as the starting point of the entire deal.

Article 14 of the Japanese Peace Treaty plainly provides that Japan's reparation obligations are limited to the furnishing of services, reparations by money or in kind being precluded.

(2) Pre-requisites of reparations

Article 14 of the Peace Treaty provides four conditions to the furnishing of services:

- a. Japan is to maintain a viable economy;
- b. Japan should meet other obligations simultaneously with the fulfilment of reparations;
- c. Japan should not impose additional liabilities upon other Allied Powers;
- d. Japan should not be imposed any foreign exchange burden.

The upshot of these four conditions is:

First, services should be furnished within the financial and economic abilities of Japan;

Second, there should be a supply latitude in any type of service desired;

Third, the furnishing of any service should not entail any foreign exchange burden upon Japan;

Fourth, no service in production (processing) which will eventually hamper Japan's normal export can be furnished.

Therefore, Japan will have fully met the Peace Treaty obligations by the furnishing of services within the First, Second, Third and Fourth requirements above.

On the other hand, however, it is presumed that the claimant countries will be required, in order to receive services, to raise considerable amount of capital, or to spend foreign exchange to buy materials in the instance of processing. In this connection, a question may arise that to what extent a particular claimant country will be able to prepare for the acceptance of

services. It is considered, therefore, that the scope of service reparations will be confined not merely by Japan's, but also by the claimant countries' abilities.

(3) Relationship of service reparations to economic cooperation.

As it is conceivable that the claimant countries are short of domestic capital or foreign exchange fund to obtain materials for the processing purpose, there is foreseen a possibility that they will ask Japan, in conjunction with reparations, for offer of credit or establishment of joint-corporations.

As to such requests, however, Japan should strictly keep to the stand that it is under no obligation to comply with such requests as reparations except meeting the obligation to furnish services under Article 14 of the Peace Treaty.

If, however, a project which a claimant country desires to accomplish by way of reparation is such as to be eventually beneficial to Japan and, for that matter, desirable to accomplish, it may become necessary that Japan will deal with such project as an instance of "economic cooperation," as strictly distinct from reparations excepting the furnishing of services, and exercise good offices in raising necessary capital by way of private investment or otherwise, or, where such is not feasible and yet there exists certain necessity to give political consideration from the over-all and long-range standpoint, it may be that Japan will have to resort to special steps somehow or other.

2. Type of services and criteria for their selection

(1) The services as referred to in Article 14 of the Peace Treaty are construed, to all intents and purposes, to mean the furnishing of technicians and the processing of materials. In some cases, however, it is possible that the combination of the two will participate in a natural resources development undertaking such as opening-up of mineral mines.

In this connection, it is not unlikely that some claimant countries will take the interpretation that common labor, electric power and transportation are also included in the category of "services" in Article 14. Such an interpretation, however, is not acceptable to Japan. It is necessary, therefore, that Japan consider measures beforehand to settle foreseeable conflicts as regards such interpretation.

(2) Japan's criteria for selecting services.

A. Criteria for the furnishing of technicians

Skill and technique as the object of reparations, which will be offered to the claimant countries by the dispatch of technicians, must be those of which

there is supply latitude in Japan in the first place. Then, efforts should be made so that the following types may be selected:

- a. Skill and technique which will help increase production of minerals, agricultural and forestry products, etc., which Japan desires to import;
- b. Skill and technique the subsequent consequence of the furnishing of which will very much likely to increase Japan's normal export;
- c. Skill and technique which will help strengthen the relationship between the claimant country and Japan.

B. Criteria for the processing

Subject to the following criteria:

- a. No processing should, in its consequence, affect Japan's normal export to the claimant country;
- b. No processing should hamstring Japan's normal export capacity;
- c. No products should be processed which will foreseeably be re-exported by the claimant country to third countries.

Efforts should be made as far as possible, for the selection of the following products:

- a. Finished products or products of highest possible processing percentage. Primary products such as steel, aluminium ingots, fertilizer, etc., should be avoided;
- b. Such products as will be of help to exploit, or increase the production of, materials which Japan desires to import subsequently from the claimant country;
- c. Such products as will entail, in the future, increased export of them as replacement or of parts thereof;
- d. Such products as of an industry or industries which have production capacity in surplus under normal conditions and which should be encouraged for future development.

C. Criteria for selecting the combination of the furnishing of technicians and processing.

Since this type is necessarily of relatively large dimensions, it may become necessary that the claimant country and Japan provisionally decide upon the kind to start with and, then, conduct a survey on the spot to ascertain actual dimension.

It is needless to say that criteria for such provisional selection be, primarily, that there should be furnishing latitude in Japan in regard to the technicians and the processing capacity in question. Based upon this requirement, it is desirable that the following be selected as far as possible:

- a. Combination which will help increase production of mineral or agricultural or forestry products, etc., which Japan desires to import;
- b. Combination which will very likely increase Japan's normal export in the future;
- c. Combination which will contribute to the economic progress of the claimant country.

In this regard, it is considered necessary that, in order to clarify beforehand Japan's abilities and burdens in such combinations, Japan request the claimant country for detailed information on the desired dimension of the project, the situation or conditions of the project site, etc., and check with it upon its fund ability to finance the work, all prior to the actual survey on the spot.

With respect to the actual survey, it is necessary, to preclude any subsequent conflict, that the claimant country should be unmistakably told beforehand of Japan's acceptance of the request for the combination service in question will be pretty much conditional upon the result of such survey: no such service will possibly be rendered in case the survey result shows that the project desired is not suitable for development or exploitation or Japan lacks the ability to provide necessary skill and technique.

3. Responsibilities of claimant countries

From the purport of the reparation clause (Article 14), provision of the following items should be the responsibilities of the claimant countries:

(1) Responsibilities in connection with furnishing of technicians:

- A. Materials to be used or consumed in the claimant countries;
- B. Living expenses of dispatched technicians in the claimant countries (such expenses should be such as to befit the status of dispatched Japanese technicians);
- C. Travel expenses in foreign exchange of dispatched technicians to and from the claimant countries (such expenses should also be such as to befit their status);

D. Expenses in foreign exchange for the training or education of the nationals of the claimant countries in Japan.

(2) Responsibilities in connection with processing

All materials necessary for the processing (including auxiliary materials, electric power and fuel) should be furnished by the claimant countries prior to the processing.

Therefore:

- a. Types of materials which constitute normal Japanese imports should be supplied by the claimant countries. Delivery of such materials

should be made on Ex-SHIP Japan basis. In some cases, however, it may be convenient that certain materials be procured in Japan. In such case, the claimant countries, upon agreement of Japan, can purchase them in U.S. dollars and deliver to the Japanese, or pay to the Japanese Government U.S. dollars equivalent to the price of such materials;

b. Where indigenous materials (including electric power and fuel) are used, the claimant countries should purchase them in U.S. dollars for delivery to the Japanese, or pay to the Japanese Government equivalent U.S. dollars.

(3) Alleviation of responsibilities

There may arise a necessity, depending upon the ups and downs of actual negotiations, to alleviate the responsibilities of the claimant countries as set forth in (1) and (2) above. In such case, Japan might be required to undertake the following burdens as maximum concession:

- A. Travel expenses in foreign exchange in dispatching technicians;
- B. Small quantity of auxiliary materials in processing.

4. Restrictions on Reparations

The furnishing of services will be restricted by the following conditions:

(1) Restrictions upon claimant countries

The scope of reparations will be limited by:

- A. Whether the claims are reasonable enough when compared with actual damage done during the war;
- B. Whether the claimant countries can provide enough fund, by themselves or by the assistance of third countries, to procure thereby necessary materials for processing or efficaciously utilize the Japanese services which will be rendered.

In this connection, there is foreseen a possibility of both parties' arguing over the reasonableness of the estimate of war damages, etc. It is, therefore, necessary to think out, in advance, measures for the settlement of such conflict.

(2) Restrictions upon Japan

A. Japan's fulfilment capacity

Japan's capacity to furnish a particular service must be determined after taking into consideration the requests for the same by other claimant countries;

B. Term of reparation fulfilment

Since it is advantageous and advisable for Japan to carry out reparations in the shortest possible period, it seems that efforts should be made so that the reparation term may be around 5 years.

C. Financial abilities of Japan

Reparation claims, after having been screened by all the restrictions mentioned above, should not exceed Japan's financial and economic abilities, when screened claims of other claimant countries are added up.

5. Effectuation of reparations

(1) Survey in claimant countries

Where actual surveying on the spot is required, such survey should, generally speaking, be conducted, prior to the conclusion of a reparation agreement, in accordance with the following:

A. Items to be surveyed:

- a. Type of skill and technique, scale of such skill and technique required and the number of necessary personnel;
- b. If materials, machinery or equipment are required in furnishing the service, the kind and quantity thereof be clarified;
- c. Detailed estimation of monetary costs to cover a and b above, and estimation of time required to accomplish the project.

B. Selection of surveyors

Surveyors to be sent will be selected by Japanese Government agency after consultation with the claimant country.

C. Term of survey

Term of survey will be decided upon by consultation with the claimant country.

D. Expenses for survey

Expenses for survey will be taken care of in accordance with 3 (1) above as part of reparations.

(2) Conclusion of reparation agreement

Reparation agreement will be entered into between the claimant country and Japan finally upon the basis of the survey results and so far as Japan can afford the services required. Such reparation agreement will merely provide the type and quantity of the services, the terms in which individual service should be rendered, or the quantity of service annually rendered, and not enter any designation of monetary sum as reparations.

(3) Manner to estimate services rendered

It is not inconceivable that the claimant country will, for internal political considerations, publicly appraise the services rendered by Japan as reparations at a considerably high value. Such appraisal will do no harm to Japan, since it is simply the claimant country's business.

Services for Reparations

10 December 1951

Services for reparations are construed to mean two types roughly: the processing of raw materials and the furnishing of technical skill. As to the processing, there exists certain leeway for it in production facilities in certain industries, as explained in paragraph 2. However, its immediate utilization for reparation purpose is considered difficult because of various restrictive elements currently existing as explained in the same paragraph. Therefore, the furnishing of technical skill, rather than the processing, is deemed more practicable and, for that matter, more desirable from Japan's standpoint.

1. Services by technical skill

The following services are considered feasible if desired by claimant countries:

a. Dispatch of technicians

- (1) Geological and mineralogical survey (including physical search for mineral deposits and boring);
- (2) Agriculture (i.e. rice, wheat, barley, vegetable, sugar, cotton, ramie, etc.);
- (3) Livestock industry;
- (4) Forestry (i.e. lumbering including transportation, operation of saw-mills, and afforestation);
- (5) Fishery (ocean and coast);
- (6) Civil engineering, construction and communications (technicians of these are pretty much immediately available).

b. Training of technicians

Training in Japan of the nationals of claimant countries as technicians is feasible.

c. Salvage of sunken vessels

(as per attached Inclosure I)

2. Services by processing

Although it is a fact that in certain industries there exist, to some extent, production facilities and labor which are not fully employed, their immediate and full utilisation appears considerably difficult in view of the current acute shortage of electric power, even though all necessary materials be supplied by claimant countries. Availability of Japan's processing capacity, which claimant countries are expected to call upon the use of, is as follows (actual availability will depend on the type of raw materials—for instance, whether iron ore or steel plate—supplied by claimant countries, on

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the supply situation of electric power and fuel, on whether the products desired are the regular Japan's export, etc.):

a. Items for which production capacity are available and which are not subject, comparatively, to such restrictions as power shortage:

- (1) ships:
 - steel
 - wooden
 - fishing boats
- (2) rolling stock:
 - locomotives (steam, electric, diesel)
 - freight cars
 - passenger cars
- (3) trucks:
 - diesel and others
- (4) tractors for agriculture
- (5) implements for farming
- (6) mining machinery
- (7) civil engineering and construction machinery
- (8) communication equipment:
 - telegram and telephone apparatus
 - telegram apparatus
 - radio
- (9) textile machinery:
 - spinning machinery
 - looms
 - sewing-machine
- (10) printing, and book-binding machine
- (11) wood-working machinery
- (12) paper-manufacturing machinery
- (13) internal combustion engines
- (14) power generating equipment:
 - transformers
 - motors
 - generators
- (15) geodetic apparatus
- (16) certain chemicals for agriculture

Provided that such necessary key materials as steel, pig iron, copper, special steel, timber, etc., be furnished by claimant countries.

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b. Items Japan cannot afford to undertake production of:

- (1) Such as aluminium, chemical fertiliser, steel plates and electric wire, the reason being that electric power consumption rate per product unit is great, though production capacity is available;
- (2) Such as cotton thread and fabric, rayon thread and fabric, staple-fiber thread and staple-fiber fabric, the reason being that their production will affect Japan's regular export thereof.

Inclosure I

Salvage capacity of sunken vessels

(A) Capacity for scrapping of sunken vessels.

1. As to how much scrap iron is produced as a result of the under-water scrapping operation to a sunken vessel, it is difficult to make a definite estimation of the volume, because it is affected by various causes, such as the sinking conditions, size of a sunken vessel, tidal current, water-depth, marine weather, etc.

However, as scrapping operations to sunken vessels in Japan have since in the past been carried out under the "group system", the fact is that if the total number of scrapping operatives are known, it is possible to count approximately how many groups can be organized by them; therefore, the capacity of scrapping operation can be roughly estimated.

The scrapping capacity in Japan's near sea is estimated in such a way as above at about 400 tons per month (operable, 25 days) per group (about 40 persons), the figure of which is approximate to the figure of its actual capacity.

Breakdown of one standard group (40 persons)

Classification	Engineer	Assistant engineer	Clerk	Diver	Rope-man	Worker on board ship
	1	1	1	3	3	5
	Carpenter	Smith	Gas-man	Engine worker	Odd-job man	Total
	1	8	8	4	5	40

Consequently, supposing that a sunken vessel of 1,000 gross tons is completely scrapped and dismantled, and thus about 400 tons of scrap-iron is expected to be produced, it will take about a month to finish such work.

(Note) Scrapping of a sunken vessel is, as a rule, conducted by a group of operatives, because the operation is ordinarily made under water, which are accompanied with various dangers.

2. Total number of the operatives who can be employed by the representative 7 salvage companies in our country (which are nearly approximate to the aggregate number of this kind of workers) are:

Classification	Engineer	Assistant engineer	Clerk	Diver	Rope-man	Worker on board ship
	104	71	60	206	219	380
	Carpenter	Smith	Gas-man	Engine worker	Odd-job man	Total
	72	596	527	241	325	2,801

(Note) These figures include such individuals or companies' employees who become subcontractors of the said seven companies or cooperate with them. (Since in the past there have occurred few cases in which this operation has directly been conducted by the individuals or companies, subordinate to the said companies, in the way of subcontract or cooperation. Hence, there are very few workers who are regularly employed by the companies. In almost cases, they are taking such a way as to work for B Company if the work for A Company was finished.)

While, the number of groups which can be organized by them is 70. Therefore, these 7 companies will be able to produce 28,000 tons of scrap-iron for a month if they work to their maximum capacity. Items classified by the companies are as follows:

Classification	No. of operatives	No. of groups able to be formed	Monthly scrapping capacity	Remarks
Nippon Salvage	513	13	5,200 ton	Operatives include
Harima Dock	483	12	4,800	engineers, assis-
Okada-gumi	470	12	4,800	tant engineers
Iino Industry	287	7	2,800	and clerks en-
Miyaji Kisen	213	5	2,000	gaging in their
Amakasu Industry	597	15	6,000	works on work
Kitagawa Industry	238	6	2,400	sites.
Total	2,801	70	28,000	

Besides, vessels owned by the seven companies are:

Salvage boat (including tug)	36 vessels,	8,554 G/T
Floating-crane	20 vessels,	1,165 tons
		(lifting capacity)

Supposing, therefore, that one floating-crane for every two work-sites is employed, though this scope of employing floating-cranes is varied a little according to the location, etc. of the sunken vessel, the floating-cranes owned by the 7 companies may be employed for about 40 work sites.

3. Therefore, the available scrapping capacity for sunken vessels will be estimated as follows.

1. All groups operable in our country:
70 groups (40 persons)
2. Scrapping capacity or scrap-iron per month and per group:
400 tons (judging from actual experiences)
3. Scrapping capacity of all groups per year:
 $400(\text{tons}) \times 70(\text{groups}) \times 12(\text{months}) = 336,000 \text{ tons}$
4. 55 groups should be reserved for home's and outsidess' demands per year
5. Scrapping capacity of 55 groups per year
 $55(\text{groups}) \times 400(\text{tons}) \times 12(\text{months}) = 264,000 \text{ tons}$
6. Scrapping capacity available for "services" reparations per year
 $336,000 \text{ tons} - 264,000 \text{ tons} = 72,000 \text{ tons}$

However, as 400 tons of scrap-iron accrue from scrapping and dismantling of a vessel of 1,000 tons, the annual scrapping capacity of 72,000 tons of scrap-iron is converted into 180,000 gross tons of vessels.

However, the above calculation is based on 25 working days per month in Japan. Due to the climatic and weather conditions of the southern islands, 15 days should be estimated as maximum operable days for salvage works, thus the above 180,000 gross tons being $180,000 \text{ gross tons} \times \frac{6}{10} = 108,000 \text{ gross tons}$.

(B) Capacity for refloating of sunken vessels. As refloating of sunken vessels is a special operation subject to various factors, it is difficult to compute a definite estimation of its available capacity. At any rate, the capacity was estimated at 300,000 tons per year at the time when the ex-Japanese Navy was engaged in refloating operations by hiring private salvage companies during the war. At the end of the war, due to the loss of materials and equipment necessary for operations, salvage boats and technicians during the war, its capacity was only around 150,000 tons per year that was left in Japan proper. Then, the annual surplus capacity available for reparations by services will be estimated at around 50,000 tons, since about 100,000 tons should be reserved for domestic and foreign demands.

(C) Taking the case of "No. 3 Tonan Maru", for example, how long time and

how much expenditure were required for the salvage works is described in the attached paper.

Progress of Salvage of No. 3 Tonan Maru (Whale-factory Vessel)

1. Circumstances of the sinking of this vessel:

It was while this vessel was anchoring in Truk Island of the South Sea Island as a tanker belonging to the ex-Japanese combined squadron, that due to heavy air-raid on the successive days of the 17th and the 18th of February, 1944, she went upside down to the bottom at the spot of 40 meters deep between Natsu-jima and Aki-jima in the Truk atoll. As the result the bottom of her bow was seen only one meter or so above the surface; her deck was severely damaged hit by two bombs; lots of shot-holes were seen in outer plates; and big bursted holes caused by torpedoes were in the engine room.

2. Particulars of this vessel:

Ship's kind and name:	Whale-factory vessel, Tonan Maru No. 3
Gross tons:	19,209 tons
Engine and H.P.:	Two turbo-steam engines; 7,000 H.P.
Speed:	14.1 knots
Dimensions:	163 m. long×22 m. wide×17 m. deep
Capacity of tanks:	20,613 cubic-meters

3. Detailed survey of this vessel:

As the sending of survey party was approved on 21 April, 1950, a salvage vessel, Kimijima Maru (698 G/T) belonging to the Harima Shipyard, on board which were taken the members of the party with machines and implements required, sailed from Kure Port on 29 April and arrived at Truk Port on 16 May. Then, they launched into detailed survey of this sunken vessel, after which the salvage boat departed from Truk Island on 28 May and returned to Kure Port on 7 June.

4. Commencement of salvage operation:

28 Sept., 1950	Salvage operation was approved.
1 Oct., "	The advance exploratory party of 63 persons for the salvage operation started from Kure Port by Nippon Suisan K.K.'s Gyokuei Maru. Loaded implements: 20 floating tanks, 2 submarine boats and one tug
6 Oct., "	The main operation party of 62 persons started from Kure Port on board the Kimijima Maru.
13 Oct., "	The Gyokuei Maru arrived at Truk Island.
19 Oct., "	The Kimijima Maru arrived at Truk Island.

21 Oct., „	Main operation was commenced.
2 Nov., „	The Second operation party of 40 persons started from Kure Port on board the Hokuju Maru. Loaded objects: 15 floating tanks.
4 Dec., „	The Nippon Suisan K.K.'s Kaiko Maru sailed from the port as a supply boat. Loaded objects: 4 floating tanks, 2 submarine boats and pumps.
10 Dec., „	The hull was towed in a floating condition a spot of 19 meters deep.
23 Dec., „	The 1st lifting-up operation was completed, it listing 92° to right at the straight side.
7 Jan., 1951	The Ryuei Maru No. 10 sailed from Kure as a supply boat. Meanwhile, air-tight and water-proof operations of bursted holes were effected.
3 Mar., „	The 2nd lifting-up operation was completed. At the same time, water inside the hull being pumped out, the vessel was completely refloated.
27 Mar., „	The Gyokuei Maru set about a towing operation of the refloated vessel, and then left Truk Island.
12 Apr., „	Arrived at Tomogashima Strait, Wakayama-ken.
14 Apr., „	Arrived at Harima Dock, Aioi.

Days required:

(1) Detailed survey	40 days
(2) From the departure of and returning to Japan proper	196 days
Total	236 days

Persons required:

(1) Detailed survey	45 persons
(2) Salvage operation	165 persons
Total	210 persons

Expenditures required:

(1) Detailed survey expences	¥ 3,200,000
(2) Salvage expenses	¥198,900,000
(3) Towing expenses	¥ 22,900,000
(4) Supply boats expenses	¥ 75,000,000
Total	¥300,000,000

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Reparations

1. It is stipulated under Article 14 (a) of the Peace Treaty that we shall pay reparations in service. Our government will earnestly strive to discharge its obligations in accordance with this provision. In view of the importance of the question, we have appointed Mr. Juichi Tsushima, former Finance Minister, and Mr. Shozo Murata, former Ambassador to the Philippines, as advisers to the Ministry of Foreign Affairs, who will give the Ministry their assistance in this connection. The officials concerned of the Finance and other Ministries have been ordered to study the problem. In fact, these officials have reached a tentative conclusion, as set forth in a separate document.
2. Indonesia was to send us a mission for the discussion of the reparation problem. But this has been postponed. Now a 15-man mission headed by the Communications Minister, together with 11 parliamentary members has arrived on 13th December. The Finance Minister Ikeda and Adviser Tsushima are assigned to the task of negotiating with the mission.

The Philippines has asked us to send a mission to discuss reparations. We plan to send one headed by Adviser Tsushima to Manila in the middle of January next, and are now negotiating on the matter with the Philippine government.
3. While the reparation-in-service principle is stipulated in the Treaty both Indonesia and the Philippines want reparations in cash and in kind, and they are expected to press hard their demands.

Moreover, with regard to our capacity for reparations payment and to the interpretation of the term "service", there seems to exist a wide divergency of view between us and these countries. It is feared the reparations negotiations will be difficult and take a long time. Most likely these countries will try to force Japan to commit herself to their figures and terms by threatening to withhold ratification of the Peace Treaty. We can't very well yield to such pressure.

Should negotiations be deadlocked, we might consider the advisability of proposing a solution in the form of economic cooperation in which; (1) the claimant nations renounce their right to reparations; (2) Japan extends them credits strictly within the limits of her capacity.

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付録 17 南方諸島に関する「実地的な措置」について

(昭26.12.1)

1

米国政府の了解をえて、本年8月の第11国会において、私は、次のとおり声明した。

「融通性のある（平和条約）第3条の規定は、国際平和と安全上の利益のために合衆国が行う戦略的管理を条件として、本土との交通、住民の国籍上の地位その他の事項について、これら諸島の住民の希望にそうために実地的な措置が案出されることを希望する余地を残すものである。」

平和条約第3条の諸島（以下「南方諸島」という）の問題については、第12国会における平和条約の審議に際しても、強い関心が示された。相互に満足すべきアレンジメントができることは、日米国交のために最も望ましい。

2

米国政府が南方諸島を信託統治制度の下におくための国際連合に対する提案をなさず、軍事上の必要が続く限り、平和条約第3条後段の規定に従ってその権力を行使されることを希望する。しかして、南方諸島に関する日米両国間の実地的な措置として、次のような内容の協立案について好意ある考慮をわずらわしたい。

南方諸島に関する日米協定要綱試案

1. 米国は、南方諸島が日本の主権の下に残り、従って住民の国籍に変更なきことを確認する。
2. 米国は、日本本土と南方諸島間の従前の関係を軍事上の必要な限り回復させることを容認し、特に、次の諸項については、南方諸島が日本国の一部として取扱われることを承認する。

移 住、旅 行

交易（関税を課さない）

資 金 の 交 流

漁 業

日本円を南方諸島の法貨とする。

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(注) このためには、すみやかに準備的措置をする必要がある。

3. 米国は、日本が第3国と締結する経済、社会及び文化上の条約において南方諸島を日本領土の一部として取扱うことを認める。

日本は、第3国にある南方諸島の住民に対して保護権を行使し今後第3国に渡航する住民については、南方諸島に設置されるべき日本政府のエイヂェンシイが旅券を発行する。これは、米国政府がこれらの者にトラヴェル・ドキュメントを発給することを妨げない。

4. 米国政府は、終局的には自己にサブジェクトではあるが、民政事項については原則としてこれらの諸島の自律（セルフ・ルール）を認めることとし、特に次の諸項については、完全なる自律を認めることを宣言する。

現地住民間の民事及び刑事事件に関する裁判権

教育制度及びその実施

5. 米国は、南方諸島にある日本本土在住日本人の私有財産権を確認し、且つ、これらの日本人が従前行っていた経済活動を再開することを容易ならしめるものとする。
6. 以上にかかわらず、米国が現在管治することを軍事上必要としない諸島については、米国は、行政、立法及び司法上の権力を行使することを差し控えて、日本によるその行使を認める。

(注) 南方諸島のうち、米国の軍事施設の設けられているのは、琉球列島の沖縄本島、伊江島及び小笠原諸島中の硫黄島のみであると了解している。

7. この協定は、日本国との平和条約の最初の効力発生と同時に効力を生ずる。

3

別添は、1951年10月13日沖縄群島政府幹部会において議決された「講和条約第3条による米国の統治に関する要望事項」である。住民一般の希望を反映するものと認められる。

米国政府に関係あるものについて好意的考慮を払われるようお願いする。

講和条約第3条による米国の統治に関する要望事項（沖縄群島政府

幹部会において議決）（昭26.10.13）

琉球をなるべく早期に日本に完全に復帰させることを前提として、その実現までの期間左の通り要望する。

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- 1 国籍は日本人とし、日本国旗の掲揚を許す
- 2 琉球に自治政府を置き、首長及び議員は共に公選する
- 3 日本の法規を最大限に採用する
- 4 琉球人に対する米国民政府裁判所の刑事裁判権を琉球の裁判所に移管する
- 5 教育及び文化に関しては、全面的に日本政府が他府県同様に監督、指導及び援助をする
- 6 日琉間の移住、旅行、進学、就学及び就職の自由を認める
- 7 戦災施設の復旧と戦争罹災者の救済は日本及び米国が責任をもつて援助する
- 8 米国の経済救助を今後も継続し、日本も積極的に援助する
- 9 琉球人の労務賃銀を適当に引上げる
- 10 外貨及び見返り資金を琉球自治政府に管理させる
- 11 日本との交易はすべて内国として扱い何等の制限を設けない
- 12 日本の対外条約又は協定には琉球を日本の一部として取扱う
- 13 海外移住民を速かに実施し、実施にあたっては日本及び米国は特別の援助をする
- 14 恩給、年金、預貯金、保険金、国債等の債権に対し早期に支払いをなす
- 15 軍使用地の借地料を早急に支払い、又軍施設による潰廃地の補償をする

“Practicable Arrangement” for the
Southern Islands

1 December, 1951

I

On August 16, 1951, I made to the Diet the following statement, for which the understanding of the United States Government had been obtained:

The flexible provisions of Article 3 of (the Peace Treaty) leave room for us to hope that subject to strategic control by the United States in the interest of international peace and security some practicable arrangements might be worked out to meet the desires of these inhabitants (of the Southern islands) concerning intercourse with the homeland of Japan, nationality status of inhabitants and other matters.

Keen interest in the fate of these islands mentioned in Article 3 of the Peace Treaty (hereinafter referred to as “the Southern Islands”) was evinced throughout the discussions which took place in the course of deliberation on the Peace Treaty in the Diet. It would be most desirable for the friendly

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and cooperative relationship between the American and the Japanese peoples to work out a mutually satisfactory arrangement concerning these islands.

II

I hope that the United States Government will see fit not to make a proposal to the United Nations to place the Southern Islands under its trusteeship and to continue to exercise its right in accordance with the latter part of Article 3 of the Peace Treaty as long as military necessity exists, as this is evidently the desire of the inhabitants of these islands. And, as a “practicable arrangement” between the United States and Japan concerning these islands, I venture to submit for a sympathetic consideration by the United States Government a proposed agreement between the two countries which may embody the following terms:

Outline of Agreement between the United States
and Japan concerning the Southern Islands

1. The United States will confirm that the Southern Islands remain under the sovereignty of Japan and therefore, their inhabitants remain Japanese nationals.
2. The United States will agree to restoring the previous relationship between Japan proper and the Southern Islands so far as compatible with its military requirements and, in particular, will recognize that these islands are treated as a part of Japan in connection with the following matters:

Moving and travelling between Japan proper and the Southern Islands
Trade (no custom or duty to be imposed)
Fiscal transaction
Fishing

The Japanese Yen will be the legal tender in the Southern Islands.

Notes: Preparatory steps should be taken at an early date in order to put this into effect.

3. The United States will admit that the Southern Islands are treated by Japan as a part of its territory in any economic, social or cultural treaty or agreement which Japan may conclude with a third country.

Japan will exercise its protective authority over those inhabitants of these islands are residing in a third country, and passports for those who go to a third country in future will be issued by an agency to be established by the Japanese Government in this area. This does not preclude, however, that the United States Authorities may issue certain travel documents to these latter persons.

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4. The United States declares its intention to permit in principle the self-rule of the inhabitants of these islands in matters of civil administration and, in particular, a complete self-rule in the following matters, although the authority of these islands shall be subject to that of the United States Government in the final instance:

Juridical jurisdiction over civil and criminal cases among the inhabitants themselves.

Educational system and its operation.

5. The United States will recognize the property rights in these islands which belong to the Japanese nationals residing in Japan proper and facilitate the resumption of their business activities.

6. Notwithstanding the above provisions, the United States will abstain from exercising its powers of administration, legislation and jurisdiction and admit the exercising of these powers by Japan over those islands and their inhabitants which the United States does not presently see any military necessity to administer.

Note: We understand that of all the Southern Islands, United States military establishments are located only on the main island of Okinawa and the Ie-jima of the Ryukyu group and the Iwo-jima of the Volcano group.

7. This agreement will come into force at the same time with the first coming into force of the Peace Treaty.

III

Attached hereto is "Desiderata concerning the American administration under Article 3 of the Peace Treaty" which was adopted by the Staff Conference of the Government of the Okinawa Islands in 13 October, 1951. It is deemed to reflect the desires generally held by the inhabitants of these islands.

It is requested that sympathetic consideration be given them by the United States Government so far as they concern it.

Desiderata concerning the American administration
under Article 3 of the Peace Treaty

13 October, 1951

On the premise that the Ryukyu Islands be returned completely to Japan at the earliest practicable opportunity, the following is requested for the interim period:

1. The Japanese nationality be retained and the use of the national flag be permitted.
2. An autonomous government be established for the Ryukyus, with a chief of the administration and members of the legislature to be elected by the people.
3. The Japanese legislation be adopted to the maximum extent.
4. The criminal jurisdiction of the United States military government courts over the Ryukyu people be transferred to the courts of the Ryukyus.
5. With regard to education and culture, the Japanese Government will exercise control, afford guidance and assistance exactly as it does in the other prefectures.
6. Freedom of moving, travel and entering schools and obtaining employment as between Japan proper and the Ryukyus be recognized.
7. Japan and the United States will take the responsibility of assisting in the restoration of war-damaged facilities and the relief of war-victims.
8. The United States will continue to give economic assistance and Japan also will do so positively.
9. The pay of the Ryukyu laborers be raised adequately.
10. The foreign currency and the counterpart fund be put under the control of the Ryukyu Autonomous Government.
11. Trade with Japan proper be treated as domestic trade and no limitation be placed thereon.
12. The Ryukyus be treated as a part of Japan in its treaties or agreements with foreign countries.
13. Emigration to foreign countries be expedited, and Japan and the United States will afford special assistance in putting such program into practice.
14. Payment be made without delay for pensions, annuities, savings, insurance money, government bonds, etc.
15. Rent be paid without delay for the ground being used by the armed forces and compensation be made for the dilapidation of land caused by military establishments.

付録 18 南方諸島に関する「実地的な措置」について

(昭26.12.10)

米国政府の了解をえて、本年8月の第11国会において、私は、次のとおり声明した。

「融通性のある（平和条約）第3条の規定は、国際平和と安全上の利益のために合衆国が行う戦略的管理を条件として、本土との交通、住民の国籍上の地位その他の事項について、これら諸島の住民の希望にそうために実地的な措置が案出されることを希望する余地を残すものである。」

平和条約第3条の諸島（以下「南方諸島」という）の問題については、第12国会における平和条約の審議に際しても、強い関心が示された。相互に満足すべきアレンジメントができることは、日米国交のために最も望ましい。南方諸島に関する日米両国間の実地的な措置として、次のような措置について好意ある考慮をわずらわしたい。

1. 米国は、南方諸島が日本の主権の下に残り、従つて住民の国籍に変更なきことを確認する。
2. 米国は、日本本土と南方諸島間の従前の関係を軍事上の必要な限り回復させることを容認し、特に、次の諸項については、南方諸島が日本国の一部として取扱われることを承認する。

移住、旅行

交易（関税を課さない）

資金の交流

漁業

日本円を南方諸島の法貨とする。

（注） このためには、すみやかに準備的措置をする必要がある。

3. 米国は、日本が第3国と締結する経済、社会及び文化上の条約において南方諸島を日本領土の一部として取扱うことを認める。

日本は、第3国にある南方諸島の住民に対して保護権を行使し、今後第3国に渡航する住民については、南方諸島に設置されるべき日本政府のエイデンシイが旅券を

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発行する。これは、米国政府がこれらの者にトラヴェル・ドキュメントを発給することを妨げない。

4. 米国政府は、終局的には自己にサブジェクトではあるが、民政事項については原則としてこれらの諸島の自律（セルフ・ルール）を認めることとし、特に次の諸項については、完全なる自律を認めることを宣言する。

現地住民間の民事及び刑事事件に関する裁判権

教育制度及びその実施

5. 米国は、南方諸島にある日本本土在住日本人の私有財産権を確認し、且つ、これらの日本人が従前行っていた経済活動を再開することを容易ならしめるものとする。
6. 以上にかかわらず、米国が現在管治することを軍事上必要としない諸島については、米国は、行政、立法及び司法上の権力を行使することを差し控えて、日本によるその行使を認める。

（注） 南方諸島のうち、米国の軍事施設の設けられているのは、琉球列島の沖縄本島、伊江島及び小笠原諸島中の硫黄島のみであると了解している。

“Practicable Arrangement” for the
Southern Islands

10 December, 1951

On August 16, 1951, I made to the Diet the following statement, for which the understanding of the United States Government had been obtained:

The flexible provisions of Article 3 of (the Peace Treaty) leave room for us to hope that subject to strategic control by the United States in the interest of international peace and security some practicable arrangements might be worked out to meet the desires of these inhabitants (of the Southern islands) concerning intercourse with the homeland of Japan, nationality status of inhabitants and other matters.

Keen interest in the fate of these islands mentioned in Article 3 of the Peace Treaty (hereinafter referred to as “the Southern Islands”) was evinced throughout the discussions which took place in the course of deliberation on the Peace Treaty in the Diet. It would be most desirable for the friendly and cooperative relationship between the American and the Japanese peoples to work out a mutually satisfactory arrangement concerning these islands.

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As a “practicable arrangement” between the United States and Japan concerning these islands, I venture to submit the following for a sympathetic consideration by the United States Government:

1. The United States will confirm that the Southern Islands remain under the sovereignty of Japan and therefore, their inhabitants remain Japanese nationals.
2. The United States will agree to restoring the previous relationship between Japan proper and the Southern Islands so far as compatible with its military requirements and, in particular, will recognize that these islands are treated as a part of Japan in connection with the following matters:

Moving and travelling between Japan proper and Southern Islands
Trade (no custom or duty to be imposed)
Fiscal transaction
Fishing

The Japanese Yen will be the legal tender in the Southern Islands.
Educational system and its operation.

Note: Preparatory steps should be taken at an early date in order to put this into effect.

3. The United States will admit that the Southern Islands are treated by Japan as a part of its territory in any economic, social or cultural treaty or agreement which Japan may conclude with a third country.

Japan will exercise its protective authority over those inhabitants of these islands are residing in a third country, and passports for those who go to a third country in future will be issued by an agency to be established by the Japanese Government in this area. This does not preclude, however, that the United States Authorities may issue certain travel documents to these latter persons.

4. The United States declares its intention to permit in principle the self-rule of the inhabitants of these islands in matters of civil administration and, in particular, a complete self-rule in the following matters, although the authority of these islands shall be subject to that of the United States Government in the final instance:

Juridical jurisdiction over civil and criminal cases among the inhabitants themselves
Educational system and its operation

5. The United States will recognize the property rights in these islands which belong to the Japanese nationals residing in Japan proper and facilitate the resumption of their business activities.
6. Notwithstanding the above provisions, the United States will abstain from exercising its powers of administration, legislation and jurisdiction

and admit the exercising of these powers by Japan over those islands and their inhabitants which the United States does not presently see any military necessity to administer.

Note: We understand that of all the Southern Islands, United States military establishments are located only on the main island of Okinawa and the Ie-jima of the Ryukyu group and the Iwo-jima of the Volcano group.

The Nansei Islands

1. We are most grateful that the Peace Treaty leaves the Nansei Islands as Japanese territory and their inhabitants as Japanese nationals. We understand that the reason why America wants to administer these islands lies in the military necessity for safeguarding the peace and security of the Far East. We earnestly hope that as far as this military necessity permits, the desires of the inhabitants will be considered in the disposition of these islands.
2. As materials for conversation the desires of the Japanese government is set forth in a separate paper. We hope conversation will be opened as soon as possible and a settlement will be reached in accordance with the wishes of the Japanese people—especially the inhabitants of those islands.

付録 19 12月12日井口次官、ダレス大使、シーボルト大使会談要録

井 口 次 官

12月12日午前11時半井口次官、シーボルト大使の求めにより司令部を往訪、同席のダレス大使から、全然非公式の話として総理にお伝え願いたいと前提して、要旨次のとおりの内話があつた。

「対日平和条約の上院提案は、多分1月中旬になるはずであるが、これには、国民政府承認の問題が最も重要な関係をもってくるものと思う。御承知のように、上院の批准は、3分の2の多数を必要とするから、多数共和党議員の賛同者を獲得しなければならないのであるが、かれらの中には、国府支持者が相当多い。今回同伴したスミス上院議員のごときは、むしろ穏健派に属する方であつて、熱烈な国府支持者は、日本が米国の国府援助政策に同調することを強く期待している次第である。自分としては、日本との早期和平をとえ、長期にわたる占領継続を主張する

軍その他の説得に成功し、その他英国等における日本の経済制限論、賠償問題、琉球、小笠原における主権問題、最後の捕虜条項挿入問題等について、できるだけ日本側の要請を入れ内外の反対派を説得して桑港調印にまでもつて来たのであるが、国府承認については、総理の御考慮を願いたい。国民政府は、国連諸機関に入っており、従つて日本の国連参加に対してヴィトーをもつておる。少くとも台湾、澎湖島において、現実にコントロールをもつておる a government であるというこの現実の事態を認めてこれと友好関係に入るため、バイラテラルなアグリーメントをすることを、日本側において考慮願えないものであろうか。これは、何も国民政府を、中国全体を支配する the government として承認することを意味するものでなくて、de facto basis においての a government として国民政府と友好関係に入ることになるわけである。この点については、イギリス側とも話し合ったこともあるし、チャーチルの組閣後は、中国問題に対するイギリス側の態度についても、多少変わってくるという風にも考えられ、昨日（11日）デニング大使とも話をしてみたが、シーリアス・オブジェクションはないと思う。国府の勢力の及ばない地域の問題は、今後の情勢に待つということになるわけで、もし中国本土において日本に友好的な政府ができれば、これと話し合いをするということも可能なわけだし、中共地域との貿易についても、国連の決議に反しない限り、もちろん続けて行けるわけである。

もし右様の案に日本側の御賛同をえることができれば、条約批准問題の促進に非常に役立つと思うし、今後の日米間の色々の問題、たとえば行政協定、琉球問題、経済協力の問題等によい影響を与えるものと思う。」

これに対して、井口次官から「早速総理にお話し申し上げることにしたいが、自分の考えを申し上げれば、原則的には、さして異論があるようにも思われない。結局フォーミュラの問題に落着くのではないかと考えられるが、ダレス大使においても案があれば、それもお伺いできたら、話を促進することに役立つと思う。」と述べた。

付録 20 日本国政府と中華民国国民政府との間の正常関係設定に関する協定案（要領）

(昭26.12.13)

日本国政府と中華民国国民政府は、

極東の平和と安定が1951年9月8日サン・フランシスコ市で署名された日本国との平和条約に規定された原則に従つてもたらされることを希望するので、

他方、中国における事態のため、現在のところ、前記の平和条約第26条によつて日本国と中国との関係を全面的に調整することが不可能であることを認め、

前記の平和条約の原則に従つて、且つ、中華民国国民政府が事実上統治の権能を行使している範囲内において、両政府間の関係を正常化し、及び若干の未決の問題を解決することに決定し、

よつて、次の規定を協定した。

- 1(a) この協定の発効と同時に、日本国の領域と台湾及び澎湖島との間には正常の交通が開始されること。
- (b) 同時に、両政府間に特派使節を交換すること。
- 2 両政府は、対日平和条約第4条(a)の取極を締結するために、交渉を開始すること。
- 3 中華民国国民政府は、中国戦争犯罪法廷の裁判を受け日本国で拘禁されている日本国民がこの協定の発効と同時に釈放されることに同意すること。
- 4 日本国と台湾及び澎湖島との通商及び航海は、最恵国待遇の基礎の上におくこと。
- 5 民間航空運送に関する協定が締結されるまで、日本国政府は、この協定の発効の年から4年間、現在民航空運会社に与えている航空交通の権利を引続き与えること。
- 6 以上の規定は、対日平和条約第21条の規定により中国が享有する利益を害するものではないこと。
- 7 この協定は、署名と同時に効力を生ずること。

(注) この署名は、対日平和条約の最初の効力発生後に行うものとする。

Draft Agreement concerning the Establishment of Normal
Relations between the Government of Japan and the
National Government of the Republic of China

(An Outline)

The Government of Japan and the National Government of the Republic of China,

Desiring that peace and stability in the Far East be brought about in accordance with the principles stipulated in the Treaty of Peace with Japan signed at the city of San Francisco on September 8, 1951,

Recognizing, at the same time, that, owing to the situation prevailing in China, it is presently impossible to achieve a complete adjustment of the relations between Japan and China in accordance with Article 26 of the said Treaty,

Having determined to normalize the relations between the two Governments and settle certain outstanding questions, in conformity with the principles prescribed in the said Treaty, and in so far as the National Government of the Republic of China is actually exercising the administering powers,

Have accordingly agreed on the following provisions:

1. (a) On the coming into force of the present Agreement, normal intercourse will be initiated between the territory of Japan on the one hand and Formosa and the Pescadores on the other.
- (b) Simultaneously, special envoys will be exchanged between the two Governments.
2. The two Governments will enter into negotiations for the conclusion of a special agreement mentioned in article 4 (a) of the Treaty of Peace with Japan.
3. The National Government of the Republic of China agrees that the Japanese nationals imprisoned in Japan on the judgements of the Chinese War Crimes Courts be freed on the coming into force of the present Agreement.
4. Trade and navigation between Japan and Formosa and the Pescadores will be on the basis of most-favored-nation treatment.
5. Pending the conclusion of an agreement relating to civil air transport, Japan will, during a period of four years from the coming into force of the present Agreement, continue to grant the air-traffic rights which are presently accorded to the Civil Air Transport.

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6. The foregoing provisions will not prejudice the benefits to which China is entitled in accordance with Article 21 of the Treaty of Peace with Japan.

7. The present Agreement will come into force upon signature.

(Note: The signing will be done after the first coming into force of the Treaty of Peace with Japan.)

付録 21 12月13日総理、井口次官、ダレス大使、シーボルト大使
会談要録

井 口 次 官

12月13日、総理に随行して、外交局にダレス大使及びシーボルト大使を訪ね、午後2時半から約1時間会談した。

総理から、「昨日のダレス大使のお話をきいたが、プリンシプルにおいては、異存がない。事務当局で作成した一案をもってきたから、見てもらいたい、元来、自分としては、中国問題、朝鮮問題などは、武力のみでは、なかなか解決し難いと思う。カウンター・インフィльтраーションによつて、支那の民衆を共産党の勢力下から離す方策を併用することが必要ではないかと思う。この観点からすれば、何といても、同文同種の日本には、英米にくらべて1日の長があるわけだから、この日本側の経験を利用して、自由諸国のために将来一臂の力を添えることができるように考えている。支那が今日のような擾乱に陥つたのも、せんじつめれば、永年にわたる支那における列国の協調政策の破綻に基くわけで、中国問題の解決にはその協調政策の復活が必要である。少くとも英米両国政府間に中国に対する政策に完全な了解の成立することが是非必要だと思う。聞くところによれば、チャーチルは、来月ワシントンを訪問するというところもあるから、中国問題についても、よくお話を願いたい。(自分の意の尽さないところもあるが、これについてはいずれメモにして、お帰りにするまでに貴下の御参考のためにお送りしたい。)」と述べた。

これに次いで、ダレスは、「昨日井口次官に話した要旨を書きものにしておいた」ととて、それを読み上げ、こちらから出した案については、「研究した上でなければ、差し当り自分として意見を申し上げることは難しいが、早速本国政府にも連絡し、又チャーチルが来た際にも、懇談することにしたと思う。イギリス側に対しては、陸でいろいろ

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