





和平維持の日本は、戦時及び戦後を通じて、常に平和を維持する。蓋しこの平和が最も重要なる事である。戦時及び戦後を通じて、常に平和を維持する。蓋しこの平和が最も重要なる事である。戦時及び戦後を通じて、常に平和を維持する。蓋しこの平和が最も重要なる事である。

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を認せらるる(給)果となるものである。蓋しかかる制約が無くとも日本の實力は日本が戦後所有する船舶に對する有效なる制約となるであらう。この自然的制約の上に條約による人為的制約は新しい民主的日本の再建に對し日本人に益大なるアイスイリユウデジョンを興えるものである。

財政の前途に對しては、占領軍費及び賠償の問題の如き日本の公正且つ恒久の平和を確立する所以ではない。この處は、聯合國の國際平和確立に對する責任に關する既に慎重考慮せられてゐることと信ずるから日本政府は具體的の條項につきその所見を附陳する機会を與へられんことを切望する。之を要するに經濟財政の部面に於ては、聯合國ハコソド、直前にて公約せられた以外及以上に於ては、さむことを期待する。

戦後に附屬して、聯合國の理解ある考慮を求めたい事柄がある。

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経済及び財政に關する條項はその実施がもつとも重要である。いかに條項が設けられてもその実施が不完全又はインオペラティブに終るよりなることになれば、それは置方にとつて有害である。従つて軍國としてかかる條項はその実施の経路に照して適宜實際に應じ改訂しうることを必要である。これは日本が今からその実行を回避せんとするが如き下心があるのでは看過ない、ただ急轉しつづめる國際的及び国内的の客観的事實を無視しては條約の実施が困難となるであらうからである。

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同ポツダム宣言によつて日本に再軍備は許されない。日本はこの義務を誠実に履行すべきは言ひまでもない。そればかりでなく日本はそれ以上に新憲法第九條で陸海軍その他の戦力はこれを保持しない又國の交戦権はこれを認めないと定めて平和條約の成立前本年五月から此の憲法は実施されている。他方來るべき平和條約でカイロ宣言とポツダム宣言との結果により日本の主権は本州、北海道、九州および四國並びに連合國の定める諸小島に局限せらるるであらうと期待される。

前に述べた様に勝利者は敗者の行くべき道を指示する義務がある。日本を民主化するためにマッカーサー元帥は非常な努力をなし日本政府及び國民を指導しているのはその深く感謝する処である。これと同様に対日平和條約の成立と同時に戦力を無くせず又その意思を有しない日本を戦力を必要としない國際環境に置く義務があるのであはなかりか。國際連合が平和維持の機

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開として充分に協議し得ると便宜したる対等平和條約の実施と  
 同時に日本が國際連合に加入することとが不可分の關係に立つと  
 となるのであるか。或は國際連合の實際に於て日本  
 としてはその領土の保全と安全とは自己の責任にかゝりて國際  
 の Good faith と國際正義とに依りて解決する外はないので  
 ありか。それとも平和條約の關係を日本に照らすとともに  
 連合國はこの問題の真正な解決を與えてくれるものと期待し得  
 るのでありか。

外務省

No. 11

General Observation on the  
Forthcoming Peace Treaty (4th Draft)

It is the earnest desire of the Japanese people to re-  
deem their mistaken past and regain a place of honor in the  
community of nations by rebuilding the country on a democra-  
tic foundation and contributing their due share towards the  
progress and prosperity of mankind. Japan's sincerity of  
purpose in this respect has been fully demonstrated by her  
faithful observance of the spirit and letter of the Potsdam  
Declaration.

In the face of manifold difficulties she has carried out  
sweeping political and social reforms. She has promulgated  
a new constitution, upholding fundamental human rights, es-  
tablishing the freedom of speech, of religion and of thought,  
and setting up the machinery for parliamentary government.

Now that the question of an early peace settlement is  
reported to be engaging the attention of the Allied and As-  
sociated Powers, the Japanese Government ventures to submit  
a general observation, indicating its desires and expectations  
relative to the forthcoming treaty of peace, which may be sum-  
marized in the following five points:

- 1. It is desired that when the treaty is being made the  
Japanese Government will be afforded ample opportunities  
to present its views and Japan's national aspirations  
shall receive sympathetic consideration.

It is, we believe, of paramount importance that the

peace settlement is reached in such manner that our peo-  
ple will be convinced of the justice and fairness of its  
procedure, and accept its terms of their own free will.  
Voluntary subscription to a treaty will serve to ensure  
its satisfactory operation far better than all the con-  
tingent provisions for guarantees or sanctions.

- 2. It is expected that the treaty will be drafted in ac-  
cordance with the established principles of international  
law. It is also expected that the treaty will embody the  
spirit of the Atlantic Charter. Above all, it is expected  
that the treaty will conform with the policy and principles  
enunciated in the Potsdam Declaration.

There exist certain recognized principles and prac-  
tices of international law relative to the restoration of  
peace after war. These, we expect, will be fully respected  
by the makers of the forthcoming treaty.

The Atlantic Charter proclaims a set of principles to  
which the United States and Great Britain and other nations  
are committed, and upon which they base their hopes for a  
better world. We trust that the spirit of international  
equity and fair play which characterizes this charter will  
be made the guiding spirit of the peace settlement with  
Japan.

On the other hand, the Potsdam Declaration was issued  
specifically for the purpose of affording Japan an oppor-  
tunity to end war. Hostilities ceased upon our acceptance

of its terms. Consequently it would seem only logical that the terms so accepted should be made the basis of the peace treaty, and the same will incorporate all the assurances economic and otherwise given Japan by the Declaration.

3. It is desired that the Powers will permit Japan to execute the peace treaty on her own responsibility as far as possible.

Since September 1945 Japan has been under military occupation, the authority of her government being subject to the Supreme Commander for the Allied Powers. And it is under his wise direction and benevolent guidance that the country was disarmed and demilitarized, and a comprehensive program for democratization was successfully launched, and a general framework for national reconstruction has already been laid. However, it is presumed that upon the restoration of peace the current system of direction and control will be brought to an end, to be replaced by one of supervision and guidance.

The government and people of Japan will be happy to take upon themselves the responsibility for complete fulfillment of their obligations imposed by the treaty. It is their hope that the Allied and Associated Powers will make it their policy to encourage and rely upon Japanese initiatives in the implementation of the peace terms and to afford them an opportunity to demonstrate their integrity as an independent and responsible nation and to recover confidence in themselves as well as the confidence of the world

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at Tokyo.

4. The Japanese government desires that due consideration will be given to the question of Japan's participation in the United Nations and also to the question of her future membership.

From the ruins of war and defeat Japan is emerging a new nation chastened and free, and thoroughly committed to the ways of peace. She has been completely disarmed mentally as well as physically. She desires to be admitted into the United Nations as soon as possible. Trusting in the justice and faith of the peace-loving peoples of the world, Japan has constitutionally renounced war as a sovereign right and abolished land sea and air forces for all time. She can best maintain this position and policy of peace by joining the Organization of the United Nations.

5. It is desired that the treaty will contain adequate provisions for allowing Japan to maintain a self-sufficient economy and guaranteeing to her people a decent standard of living.

Japan has been always seriously handicapped by the narrowness of territory; scarcity of natural resources; overpopulation, and unfavorable conditions inherent in the character of her foreign trade. Now in consequence of the disastrous war, the country's economic situation is immeasurably worse than ever before. She has lost overseas territories and property. With the millions of her nationals being

maintained

repatriated en masse the population pressure grows apace. Industry is in a terrible plight because of the wholesale destruction of plants and equipment, and the dearth of vital commodities and raw materials. If in addition to the removals of capital equipment and installations, heavy reparations were to be exacted from the current and future industrial production, the nation would be forever denied an opportunity to stand on its own feet.

Obviously, the capacity of Japanese economy to bear reparations is extremely circumscribed. It is most earnestly hoped that special care will be exercised in the determination of the character and scope of the reparations to be imposed on Japan.

In this connection, it is thought equally important that no onerous restrictions are placed upon the trade and other legitimate economic activities of the Japanese people.

Japan looks eagerly forward to the day when a treaty of peace will be concluded with the Allied and Associated Powers. At the same time it is confidently hoped that the above-mentioned five points will be accorded careful and sympathetic consideration by all the Powers concerned in order that a peace settlement may be effected such as will not only facilitate Japanese recovery but also contribute to the rehabilitation and stabilization of the entire world.



On the forthcoming Japanese peace treaty we shall be, I presume, given an opportunity to present our views in due course of time.

However, as the opening of a preliminary conference is reported to be imminent, the Japanese government wishes to be permitted at this juncture to convey informally to the Allied authorities its desires and expectations relative to the peace settlement. If such permission should be granted, we would be ready to submit unofficially a detailed statement of our views on certain concrete issues to be used as reference material in the drafting of the treaty. The principal features of this document may be summarized as follows:

#### 1. Peace-making Procedure

It is desired that while the treaty is in the process of making the Japanese government will be afforded full opportunities to present its views.

We hope that the coming peace conference will be conducted in such manner as to convince our people of the justice and fairness of its procedure. It is highly important, we believe, that the Japanese are made to feel that this is not a dictated peace, but a settlement in which they have been permitted to take part, so that they will subscribe to it of their own free will, and be morally bound to abide by its terms.

#### 2. Basis of the Peace Treaty

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It is expected that the peace settlement will be made in accordance with the established principles of international law. It is also expected that the treaty will embody the spirit of the Atlantic Charter. Above all, it is expected that the treaty will conform with the policy and purposes enunciated in the Potsdam Declaration. X

### 3. Voluntary execution of the Treaty

It is desired that the Powers will permit Japan to execute the peace treaty on her own responsibility as far as possible.

Once the peace treaty is concluded, our government and people can, and would like to, assume the responsibility for complete fulfilment of whatever obligations we have accepted. It is our wish that the peace treaty will be drafted on the premise that Japan is to execute voluntarily the part assigned to her.

### 4. Admission into the United Nations

We hope that the treaty will provide for an early admission of Japan into the United Nations.

From the ruins of war and defeat we are emerging a new nation chastened and free, and thoroughly committed to the ways of peace. Our nation is eager to contribute to the world's progress by joining the United Nations.

Furthermore it is thought that for unarmee Japan

X The Potsdam Declaration was issued specifically for the purpose of giving Japan a chance to end the war. Hostilities ceased upon our acceptance of its terms. Consequently it would seem only logical that the terms so accepted should be made the basis of the peace treaty and all the assurances economic and otherwise given Japan by the Declaration should be incorporated therein.

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her membership in the United Nations will be a potent factor to enhance her sense of security.

#### 5. Internal Peace and Order

It is presumed that with the conclusion of peace the Allied Occupation forces will be withdrawn. In that event there will arise the question of the maintenance of law and order. For the preservation of peace within her borders Japan, totally demilitarized, must rely solely upon her police force, which will be inadequate as it stands at present.

It is desired that the treaty will provide for an increase of our police force to a level such as will be proportionate to our population.

#### 6. Jurisdiction

Currently the nationals of the Allied and Associated powers residing in Japan possess something like an extra-territorial status, being exempt from the jurisdiction of Japanese courts.

It is expected that this anomalous situation will be rectified with the restoration of peace.

#### 7. Territorial Question

The Potsdam Declaration leaves to the Allied Powers the disposition of the minor islands adjacent to the four principal islands of Japan. It is desired that in

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the determination of their territorial status full consideration will be given to the historical, racial, economic, cultural and other relations existing between these islands and Japan proper.

#### 8. Reparations

It is desired that special care will be exercised in the determination of the character and scope of the reparations by keeping in view the following two points:

Firstly, to enable Japan to attain self-sustaining economy and maintain certain standards of living.

Secondly, to make the payment of reparations under the peace treaty all-inclusive and final, so that Japan will be absolved from all further obligations with regard to the war losses or damages suffered by other Powers or their nationals.

#### 9. Economic Restrictions

We desire the removal of all economic restrictions, except such as are necessary for demilitarization.

It is hoped that no onerous restrictions will be imposed upon our trade, shipping (routes and tonnage), fishery (operation areas and types of fishing) and other legitimate economic activities of our people, in order that Japanese recovery may be facilitated and Japan be made a positive factor in the rehabilitation and stabilization of the world.

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