

though Japan has no grounds for such privileged position in comparison with Italy.

Unable to refute this assertion of Soviet government, U.S. government falls into obvious contradictions in its statements on this question in memorandum of May 19th. On one hand, it alleges in this memorandum that between powers there actually exist no agreements concerning demilitarization of Japan except decisions concerning period of occupation. On other hand, U.S. government then and there refers to Potsdam declaration of four powers on Japan's surrender which sets as basic aim of occupation of Japan task to obtain "convincing proof that Japan's war-making power is destroyed," which provision quite obviously refers not only to period of occupation but to period thereafter as well.

Besides, there exist decisions of Far Eastern Commission which way back on June 19th 1947, adopted important decision contained in its document "Basic Post-Surrender Policy for Japan." This basic document of Far Eastern Commission, adopted with participation of representatives of Australia, Canada, China, France, India, Holland, New Zealand, Philippines, USSR, Britain and United States, sets primary task: To complete physical and moral demilitarization of Japan through number of measures which call for establishment of period of strict control including full disarmament; for economic reform, task of which is to deprive Japan of her war-making power, for elimination of militarist influences and discharge of strict justice with regard to war criminals.

Of course, this decision does not refer to period of occupation only. Aforegiven facts make it clear how far from truth is allegation of United States government that there actually exist no agreements among powers concerning demilitarization of Japan except decisions concerning period of occupation.

Aforegiven facts make it impossible to deny that inasmuch as American draft contains no restrictions of Japan's armed forces, it does not contain any guarantees against restoration of Japanese militarism and possibility of recurrence of Japanese aggression. It is clear that no state that has suffered from aggressive attack by Japan and is concerned for assuring durable peace in Far East can accept such state of affairs. At same time United States government with help of its occupation authorities is actually carrying out policy of restoring Japanese militarism. This is seen from fact that far from taking measures to liquidate military bases in Japan, American occupation authorities are on contrary seeking considerably to enlarge, modernize and utilize them for aggressive purposes. Recreation of land, army, navy and air force has already been started in Japan; work of former Japanese military arsenals and enterprises of military significance is restored and expanded; Japanese war criminals are released; militarist organizations are re-established and

war propaganda increasingly encouraged; role and influence of those who advocate revival of militarism is enhanced in governmental apparatus. More than that, as recognized on whole by United States government itself in its memorandum of May 19th, United States has already commenced utilizing industrial and manpower resources of Japan for its military intervention in Korea illegally conducted under United Nations flag.

... draft of peace treaty and policy being pursued by American occupation authorities in Japan show that United States government ignores obligations to prevent revival of Japanese militarism which it assumed under international agreements. In point of fact American draft of peace treaty with Japan as well as United States memorandum of May 19th does not pursue peaceful purposes of preventing recurrence of Japanese aggression but pursues aggressive aims of restoring Japanese militarism.

American draft of peace treaty with Japan contains no guarantees of assuring future security of countries that suffered from aggression by militarist Japan, although it is clear to everyone that this should be one of primary tasks of peace treaty; instead the draft specially stipulates granting Japanese possibility to "make contribution to assuring its security" which allegedly corresponds to "right of individual or collective self-defence" envisaged for United Nations member countries in United Nations Charter.

United States memorandum of May 19th is already more outspoken in this respect. This memorandum says that United States government intends to enter into agreement on security with Japan for period following conclusion of treaty. In other words it envisages conclusion of military agreement between United States and Japan.

It follows therefore that United States government replaces task of preventing revival of Japanese militarism and assuring future security of countries that suffered from Japanese aggression with conclusion of military agreement with Japan, which will further encourage Japan to restore militarism. Since it is quite obvious that participation of such countries as Chinese Peoples Republic and Soviet Union in this military agreement of United States with Japan is ruled out, there is no doubt that this military agreement of United States with Japan is primarily directed precisely against these states and is of clearly aggressive nature.

This makes it clear that all references in this case to United Nations Charter, to "right of individual or collective self-defence" are obviously ungrounded and completely false.

It is superfluous to prove that references of American memorandum to I.V. Stalin's statement, made on March 10, 1939, on question of struggle against aggression and of collective security of peace-loving countries, are not only absolutely out of place here but also hypocritical.

Thus United States memorandum of May 19th shows that far from giving guarantees against revival of Japanese militarism which caused so much suffering to peace-loving peoples, American draft of peace treaty with Japan on contrary pushes Japan on to path of aggression that already brought Japanese state to brink of disaster and consequently stands in utter contradiction with task of assuring durable peace in Far East and with national interests of Japan herself.

B. On termination of occupation of Japan and withdrawal of foreign troops from Japanese territory.

These remarks of May 7 of Soviet government proposed that treaty shall explicitly stipulate that "no later than one year after conclusion of peace treaty with Japan all occupation forces shall be withdrawn from Japanese territory and that no foreign state shall maintain troops or military bases in Japan."

As is known, it is explicitly pointed out in peace treaty with Italy as well as in other peace treaties with European countries that occupation must be terminated at earliest possible date and in any case no later than 90 days after peace treaty enters into force. However American draft of peace treaty with Japan does not establish any time limit for withdrawal of occupation troops from Japan. As to vague statement that "occupation will end when treaty enters into force" contained in U.S.A. memorandum of May 19th and setting no time limit for withdrawal of occupation troops, it may only be misleading; all the more so since it follows from same memorandum that actually United States does not intend to withdraw its troops even after conclusion of peace treaty but intends to leave its armed forces in Japan allegedly "not in capacity of occupation troops."

By refusing to establish time limit for withdrawal of occupation troops from Japanese territory, United States government violates one of its most important obligations under international agreements that presence of foreign troops in Japan after conclusion of peace treaty, no matter on what conditions, violates Potsdam Declaration of July 26, 1945, which provides for withdrawal of troops from Japan, and would mean following the conclusion of peace treaty United States Government seeks to remain actual master of Japan for long time. Under such circumstances United States government may expect to retain privileges it has assured for itself during years of occupation, may expect to prolong political and economic dependence of Japan on United States, may expect not only retention but also further expansion of its military bases in Japan. It is clear that all this would undermine cause of peaceful settlement with Japan and the consolidation of peace in Far East.

Therefore, it is indispensable that definite time limit for withdrawal of occupation troops from Japanese territory should be determined in

peace treaty with Japan and that this treaty should stipulate that no foreign state shall maintain its troops or military bases in Japan.

C. On impermissibility of Japan's participation in coalition against governments interested in signing of peace treaty with her.

It becomes clear in connection with above stated why in its memorandum United States government does not agree to Soviet Union proposal that Japan be obligated not to join coalition directed against any state interested in signing of peace treaty with Japan. Statement of United States government that in compliance with Article 2 of United Nations Charter, Japan will have to refrain from aggression or from using force against territorial integrity or political independence of any state is obvious. Experience has shown that United States government utilizes political and economic dependence on it of number of United Nations member states (primarily parties to North-Atlantic Union and Latin-American Republics), for converting United Nations into tool of unleashing aggressive war in Far East. Reference to Article 2 of United Nations Charter in memorandum of United States government and also in Article 6 of American draft of peace treaty obviously aims at utilizing Japan for same ends.

Besides, it is not difficult to understand that Soviet government's proposal for Japan's nonparticipation in coalition acquires important and topical significance in view of possible military agreement between United States and Japan.

D. On lifting restrictions on peace economy of Japan and Japan's trade with other countries.

United States memorandum of May 19th, by-passes fact that as result of all kinds of restrictions on Japan's peace economy and establishment of privileges for American firms, introduced by American occupation authorities, Japan's peace economy has been placed in enslaving dependence on United States. Japan is deprived of possibility to conduct normal trade with neighbouring states, which fact further undermines prospects of development of Japanese national economy.

Soviet Government holds that without real elimination of these restrictions imposed from outside, it is impossible to create conditions for advancement of peace economy, for improving life of Japanese people.

E. On guarantee of democratic rights for Japanese people.

To judge by United States memorandum of May 19th everything necessary has already been attained as regards democratization of Japan. But this is absolutely untrue. Actually police reprisals against organs of democratic press, repression of trade unions and other democratic organizations and persecution for political convictions—are being fully revived in Japan with help of occupation authorities and there is return to prewar fascist order in Japan when ignominious law on combatting "dangerous thoughts" existed.

All this confirms necessity of accepting proposals for democratization of Japan that were put forth in Soviet Government's remarks.

F. On fulfilment of Cairo Declaration, Potsdam Declaration and Yalta Agreement on territorial questions.

As regards territorial questions, Soviet Government proposes only one thing to assure honest fulfilment of aforementioned international agreements which bear signature of United States of America as well.

Cairo Declaration is known to state that islands of Taiwan and Pescadores shall be restored to Chinese Republic. Inasmuch as Chinese Republic has become Chinese Peoples Republic and only Chinese Peoples Republic expresses will of Chinese people, it is quite obvious that Taiwan and Pescadores are to be handed over to Chinese Peoples Republic. Otherwise Cairo Agreement will not be fulfilled and entire responsibility for that will rest with United States government.

As regards islands of Ryukyu, Bonin, Rosario Volcano, Pareses Vela and Marcus, United States memorandum of May 10th contains nothing as would call for new confirmations on part of Soviet government of what was stated in remarks of U.S.S.R. government of May 7th.

G. On slanderous outbursts against U.S.S.R.

Memorandum of United States government of May 19th states: Since it is well-known fact that Soviet Union has acquired zones of interests in Manchuria, United States government hastens to inquire as to what Soviet government effort to avoid reference to restoration of Manchuria means.

Soviet government considers it necessary to state on this occasion that it has no zones of interest in Manchuria and other parts of Chinese Peoples Republic and (considers the charges of the American government as an insult to the Chinese people) and as malicious slander against U.S.S.R.

United States government is sure to know that after routing Japanese Kwantung army Soviet army liberated Manchuria and placed it back under lawful power of Chinese People. As regards rights to naval base of Port Arthur and Chinese Changchung railway, which were granted to Soviet Union under Yalta agreement and under Soviet-Chinese agreement of August 1, 1945, Soviet government of its own will and without compensation waived these rights in favour of Chinese Peoples Republic. Respective agreements, concluded in Moscow on February 14, 1950, were published in due time and are certainly known to United States government.

Under this treaty Soviet Union will liquidate its naval base in Port Arthur in 1952 and withdraw its troops therefrom.

In Soviet government's opinion it would be much better if United States government discontinued its slander against U.S.S.R. concerning Manchuria and saw to it that its armed forces be withdrawn from Taiwan

and Pescadores and that these illegally captured territories be restored to their rightful owner—Chinese Peoples Republic.

Memorandum of United States government of May 19th also alleges that in violation of terms of surrender Soviet government delays return of approximately two hundred thousand Japanese soldiers to their homes and peaceful life.

There can be no doubts that United States government itself has no faith in this statement at all. Soviet government finds it necessary to recall fact that back on April 22, 1950, official statement was published on completion of repatriation of Japanese war prisoners from Soviet Union, which, as well as subsequent statements on this question, was made known to powers. Aforementioned statement points out that only 1,487 Japanese war prisoners convicted or under demand for war crimes they had committed, 9 Japanese war prisoners to be repatriated after they completed medical treatment and 971 Japanese war prisoners who had committed grave crimes against Chinese people and were to be handed over to Chinese Peoples Republic remained unrepatriated.

Consequently statement of United States memorandum to effect that Soviet government delays return of approximately 200,000 Japanese soldiers is the slanderous outburst and harms the interests of the slanderers themselves.

As regards remark in United States memorandum that Soviet Union participated in war with Japan for six days only and that role of U.S.S.R. military efforts in that war was allegedly insignificant, Soviet government deems it necessary to state following. Firstly, U.S.S.R. entered war against Japan precisely in the time stipulated at Yalta conference without any delay whatsoever. Secondly, Soviet army engaged in sanguinary battles against Japanese troops not for six days but for one month since Kwantung army continued to resist for long time contrary to Emperor's declaration of surrender. Thirdly, Soviet army routed twenty-odd Japanese divisions in military forces and captured approximately 600,000 Japanese officers and men. Fourthly, . . . d to by Soviet troops to Kwantung army. Fifthly, even before U.S.S.R. entered war against Japan, i.e., in course of 1941-45, U.S.S.R. maintained up to 40 divisions along frontiers with Manchuria and pinned down entire Kwantung Army thereby facilitating operations of China and United States in war against Japanese militarists.

A. United States government is sure to know all these facts and if despite all these facts United States government permits itself to belittle outstanding part Soviet Union played in routing Japanese militarism, this may be explained only by fact that United States government has no convincing arguments and is therefore compelled in this case to resort to slanderous distortions against USSR.

2. On preparation of omnipartite peace treaty with Japan instead of separate treaty.

Besides above remarks concerning draft of treaty, Soviet government has in view to make other remarks on essence of this draft when conference of all countries concerned takes place.

As regards order of preparing treaty, Soviet government insists on observance of Potsdam agreement on this score.

A. In its memorandum of May 19th United States government evaded answer to remarks of government of USSR, wherein text of Potsdam agreement was cited showing that Council of Foreign Ministers of five powers—United States, USSR, China, Great Britain and France—was set up primarily for "preparation of peace settlement" and that when drawing up respective peace treaties "Council will be composed of members representing those states which were signatory to terms of surrender imposed upon enemy state concerned."

Above given references to Potsdam agreement give ground to draw following irrefutable conclusions: Firstly, when Council of Foreign Ministers of five powers was being set up, it was directly pointed out that its main task is preparation of peace settlement, peace settlement not being limited to Europe; secondly, when conducting preparatory work on peaceful settlement Council of Foreign Ministers should be composed of members "representing those states which were signatory to terms of surrender" from which it follows that preparation of peace treaty with Japan is entrusted to four countries—USA, USSR, Great Britain and China, who were signatories to Japan act of surrender.

Consequently, fulfilment of Potsdam agreement regarding preparation of peace treaty with Japan calls for convocation of Council of Foreign Ministers composed of representatives of USA, USSR, Great Britain and China, and objections to this on part of government of United States have no ground.

Insolvency of objections to convocation of Council of Foreign Ministers for reasons that this might delay preparation of peace treaty with Japan is also perfectly obvious. For several recent years already these objections have been raised and they have only led to delay of matter. Yet in this period preparation of treaty could have been completed and treaty might have been signed as was done at the time with regard to peace treaties with five other states—Italy, Bulgaria, Rumania, Hungary, Finland—which were drawn up by Council of Foreign Ministers.

Statement that Council's procedure would relegate to certain allied states secondary role is likewise groundless. It is sufficient to point out that under procedure foisted by United States Government all Allied States have been to all intents and purposes eliminated from preparation of treaty inasmuch as United States Government has taken this matter exclusively into its own hands.

B. In its remarks of May 7th, Soviet Government stressed impossibility of eliminating China from preparation of peace treaty with Japan. Chinese people had to wage long and arduous war against militarist Japan which invaded their territory and bore exceptionally big sacrifices in this struggle, and therefore government of Chinese Peoples Republic which is sole lawful representative of Chinese people cannot be eliminated from preparation of treaty which should serve establishment of enduring peace in Far East. Statement of government of Chinese Peoples Republic of May 22nd of current year confirms its lawful rights and special interest in preparation of treaty, and other states cannot but take it into consideration.

However, American draft treaty and United States memorandum of May 19 prove that Government of United States follows line of directly violating national rights of China with regard to its territory by refusing to fulfil Cairo Declaration that islands of Taiwan and Pescadores be restored to China, and of eliminating China from preparation of peace treaty with Japan.

By renouncing established procedure for preparation of peace treaties, government of United States is striving to eliminate from preparation of treaty Chinese Peoples Republic, Soviet Union and also other countries concerned, and disregarding their lawful rights and interests, intends to dictate to Japan treaty terms advantageous to itself inasmuch as Japanese government, dependent on American occupation authorities, is ready to enter such complot with United States.

All this proves that government of United States does not wish Japan to have peace treaty with all states that were in state of war with her.

Instead of omnipartite peace treaty, United States wishes to force upon Japan separate treaty with government of United States and its satellites.

It cannot be considered as fortuitous that government of United States does not want omnipartite peace treaty with Japan and is striving for separate treaty. Only through conclusion of separate treaty can United States secure Japan's dependence for number of years to come and inasmuch as draft treaty also provides for conclusion of military agreement between United States and Japan, it becomes clear that aim of separate treaty is to convert Japan into obedient instrument for realization of United States aggressive plans in Far East.

If government of United States does not renounce its intention to eliminate Soviet Union and Chinese Peoples Republic from preparation of peace treaty with Japan and forces upon Japan separate peace treaty, this will signify, firstly, that United States embarked onto path of rude violations of its international commitments, including declaration of United Nations of January 1st, 1942, which obliges not to conclude

separate peace, and secondly, that present policy of United States leads not to restoration and consolidation of peace in Far East but to establishment of new aggressive grouping in Pacific.

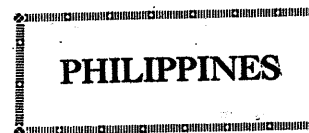
Responsibility for consequences of such policy will rest completely with government of United States.

C. As to repeated statement of United States Government to effect that negotiations concerning draft peace treaty with Japan were conducted between representatives of USSR and United States, Soviet government has to underscore again that no negotiations concerning drafting of peace treaty took place nor could they have taken place because government of USSR always opposed and now opposes any form of separate negotiation on this question.

Of course, there had been personal talks between Y.A. Malik and Dulles, on Dulles' personal request, as well as presentation by Dulles of his considerations with regard to peace treaty with Japan, and questions had been put by Malik to find out Dulles' opinion. However, it would have been absolutely incorrect to regard such personal talks as negotiations between Soviet Union and United States on drawing up of peace treaty with Japan.

3. Fully confirming their proposals of May 7th Soviet government insist upon following basic principles with regard to peace treaty with Japan: 1. Peace treaty with Japan must be omnipartite, not separate, for which purpose not single country which participated in war against Japan should be eliminated from preparation and signing of treaty. 2. Peace treaty with Japan must be drawn up on basis of Cairo Declaration, Potsdam Declaration, Yalta Agreement. 3. To consider existing drafts of peace treaty with Japan, peace conference of representatives of all states whose armed forces took part in war against Japan must be convened in July or in August of 1951. Moscow, June 10th 1951.

Copies of above note have been sent to governments of Chinese Peoples Republic, Great Britain, France, India, Pakistan, Burma, Australia, Canada, New Zealand, Netherlands, Mongolian Peoples Republic and Korean Peoples Democratic Republic.



TEXT OF MR. QUIRINO'S STATEMENT

Manila, July 12, 1951

I have instructed Secretary Romulo to call a meeting of the Japanese peace treaty committee which I appointed and in which all the elements of our people are represented and report to me the result of their deliberation.

Our stand on the Japanese reparations question as I have once stated is a national one. I was not merely expressing my personal feeling but that of the whole nation when I unequivocally stated the Philippines position in my conferences with representatives of the United States in charge of the Japanese treaty.

In view of the fact that the latest draft presented to us practically sidetracks our claims for reparation, I consider it necessary that different elements that assisted me to define our stand be consulted anew.

No issue that I can recall has ever confronted our nation in which there is such unanimity of opinion as our insistence that our right to demand reparations from Japan be recognized. They misread the temper of our people those who refuse to respect that right.

B:4.1.O.16

NATIONALIST
CHINA

0167

TEXT OF MR. CHIANG KAI-SHEK'S STATEMENT
ON JAPANESE PEACE TREATY

Taipei, June 18, 1951

World War II was heralded by the aggression of Japan against the Republic of China and, of all the Allies, we fought the longest. Our losses in lives and property were the greatest. Toward the defeat of the aggressors, China made a significant contribution. Thus, a treaty of peace with Japan without the participation of China is at once unrealistic and unjust.

The USSR through the agency of her protege, the Chinese Communists, took advantage of the weakened condition of China to make further inroads of aggression.

In spite of these circumstances, certain Powers still chose to recognize the puppet regime at Peiping and even to question and oppose the right of participation of the Republic of China in the conclusion of a peace treaty with Japan.

From a purely legal point of view, such doubt and opposition are entirely without justification. First, the Government of the Republic of China is a Government recognized by the United Nations. Secondly, the majority of more than 50 nations in a state of belligerency against Japan recognize the Government of the Republic of China. Thirdly, the Allied bodies dealing with Japan, such as the Allied Council in Tokyo, accept the representatives of the Republic of China among its members.

It is, therefore, obvious that the right of participation of the Republic of China in the conclusion of the treaty of peace with Japan is not subject to challenge by any one Allied Power or any small group of such Powers.

Only through the sincere cooperation of the two neighboring Asiatic countries, China and Japan, may the future security of Asia be assured. Since V-J Day, I have repeatedly stated that China would not adopt an attitude of vengeance against Japan. On various occasions I have both directly and indirectly stressed the necessity of early conclusion of a treaty of peace with Japan on the basis of a reasonably generous policy.

The recent efforts of the United States Government despite the obstructionist tactics of the Soviet Union, in promoting early conclusion of peace with Japan, are timely and are in accord with the policy of the Chinese Government. In its discussions with the United States Govern-

ment, the Republic of China has exercised considerable restraint and demonstrated unstintingly its willingness to cooperate on such important questions as reparations and the security of Japan.

Should the Republic of China be denied the right of equal participation in the conclusion of the treaty of peace with Japan, it would not only dishearten the people now living in Free China, but also dim the hopes of millions on the mainland who await emancipation from Communist rule. The ultimate effect of such an unjust act will not be limited to the effectiveness of the peace treaty but may seriously damage the traditional friendship between the Chinese and American peoples.

In view of the foregoing considerations, I wish to reaffirm that the right of participation of the Republic of China in the conclusion of the treaty of peace with Japan is undeniable, and that the Republic of China can only participate in the conclusion of such a treaty on an equal footing with the other Allies. Any discriminatory treatment would not be acceptable.

Any instrument of peace concerning Japan concluded in violation of the position of the Republic of China would certainly be lacking in both moral force and legal justification and leave an indelible blot on the history of Allied cooperation in resisting aggression. Such an unrealistic peace treaty will not only fail to terminate the state of belligerency of World War II but also add to the confusion prevailing in the Far Eastern situation and sow the seeds of a further world disaster.

TEXT OF MR. YEH'S STATEMENT

Taipeh, July 12, 1951

Since the surrender of Japan the Chinese government has on many occasions advocated an early conclusion of peace with Japan based on nonvindictive policy. For this reason the Chinese government has consistently adopted an extremely conciliatory and cooperative attitude in working out with the United States government a draft treaty of peace with Japan. It is in this spirit that the Chinese Government has made suggestions for the improvement of various treaty provisions.

Some of these suggestions have been embodied in the present revised draft.

While the Chinese government finds the draft treaty generally in line with its policy towards Japan, it cannot but consider Article 23 highly objectionable in that it fails to include China among the signatories to the treaty.

The Chinese government has consistently upheld its right to participate on an equal footing with other countries in the conclusion of a peace treaty with Japan. This right of the Chinese government is based upon the following facts:

1. The common war against Japan was begun with the armed invasion of China on September 18, 1931.
2. The Republic of China was the first country to take up arms against Japanese aggression.
3. The armed forces of the Republic of China suffered the heaviest casualties and the Chinese people were subjected to the direct tribulations and sacrifices.
4. The Republic of China made important contributions to the defeat of Japan.
5. The government of the Republic of China was the government which declared war on and did the actual fighting against Japan.
6. The Government of the Republic of China has been and still is representing China in all international setups for Japan such as the Allied Council for Japan.
7. The Government of the Republic of China is the legal Chinese government recognized by the United Nations and its specialized agencies.
8. The Government of the Republic of China is the legal Chinese government recognized by the majority of the states at war or in a state of war with Japan.

The Chinese government has therefore taken strong exception with the United States government to the version of Article 23 of the draft treaty as it now stands.

B:4.1.O.16

COMMUNIST
CHINA

0170

TEXT OF MR. CHOU EN-LAI'S STATEMENT ON U.S.-
BRITISH DRAFT PEACE TREATY WITH JAPAN
AND SAN FRANCISCO CONFERENCE

Peiping, August 15, 1951

On July 12th, 1951, the Government of the U.S. of America and the Government of the United Kingdom published, simultaneously in Washington and London, the draft peace treaty with Japan. A notification was subsequently issued on July 20th of the same year by the Government of the U.S. of America, calling for a conference at San Francisco in preparation for the signing of a separate peace treaty with Japan. In connection with this matter, the Central Peoples Government of the Peoples Republic of China considers it necessary to authorize me to make the following statement:

The Central Peoples Government of the Peoples Republic of China considers that the draft peace treaty with Japan as proposed by the U.S. and British Governments is a draft which violates international agreements and is therefore basically unacceptable and that the conference which has been scheduled to meet on September 4th at San Francisco, under the compulsion of the U.S. Government, and which audaciously excludes the Peoples Republic of China is a conference which repudiates international commitments and therefore basically cannot be recognized.

Whether considered from the procedure through which it was prepared or from its contents, the U.S.-British draft peace treaty with Japan flagrantly violates those important international agreements to which the U.S. and British Governments were signatories, namely, the United Nation's Declaration of January 1st, 1942, the Cairo Declaration, the Yalta Agreement, the Potsdam Declaration and Agreement, and the basic post-surrender policy for Japan which was adopted by the Far Eastern Commission on June 19th, 1947. The United Nations' Declaration provides that no separate peace should be made. The Potsdam Agreement states that the "preparatory work of the peace settlement" should be undertaken by those states which were signatories to the terms of surrender imposed upon the enemy state concerned. Apart from that, the Central Peoples Government of the Peoples Republic of China has expressed its full agreement to the proposal of the Government of the Soviet Union that all states that participated with their armed forces in the war against Japan should take part in the preparation of the peace treaty

with Japan. However, after having refused for a long time to put into effect the principle embodied in the Potsdam Agreement and thus delayed the preparatory work for a peace treaty with Japan, the U.S. has monopolized the task of preparing the draft peace treaty with Japan as now proposed, excluding most of the states that had fought against Japan and particularly the two principal powers in the war, China and the Soviet Union, from the preparatory work for the peace treaty. Under the compulsion of the U.S. Government, a conference which excludes the Peoples Republic of China has been scheduled to meet in an attempt to conclude a separate peace treaty with Japan. It is evident that in contravention of international agreements, the present action on the part of the U.S. Government, which has the support of the British Government, is intended to obstruct the conclusion of an overall and genuine peace treaty between Japan and all those states which are in a state of war with Japan. The U.S. Government is also compelling Japan, as well as some of the states at war with Japan, to accept a separate peace treaty that is only favorable to the U.S. Government, but not to the peoples of various countries, including those of the U.S. and Japan. It is in reality a treaty for preparing a new war and not a genuine peace treaty.

The above observations of the Central Peoples Government of the Peoples Republic of China are irrefutably based on the basic contents of the United States-British draft peace treaty with Japan.

Firstly, since the U.S.-British draft peace treaty with Japan is the product of the efforts of the U.S. Government and its satellites to seek a separate peace with Japan, therefore it not only ignores the views set forth in a series of statements by the Governments of the Soviet Union and China in connection with the main objectives of a peace treaty with Japan, but also absurdly and openly excludes the Central Peoples Government of the Peoples Republic of China from the ranks of the Allied Powers at war with Japan. After the first World War, Japanese imperialism began its armed aggression against China in 1931 and, in 1937, started the aggressive war against the whole of China, but it did not launch the war in the Pacific until 1941. In the course of the war of resisting and defeating Japanese imperialism, the Chinese people, after a bitter struggle of the longest duration, sustained the heaviest losses and made the greatest contribution. Thus, on the problem of a peace treaty with Japan, the Chinese people and the Central Peoples Government which they have founded are most legally entitled to have a voice and to be a participant. But the U.S.-British draft peace treaty with Japan provides that its article concerning the disposal of the property and rights or interests in Japan of the Allied Powers and their nationals during the war is applicable for the period from December 7th, 1941, to September 2nd, 1945, thus completely ignoring the period before

December 7th, 1941, when the Chinese people were carrying on the war against Japan single-handed. This illegal and truculent action on the part of the U.S. and British Governments in excluding the Peoples Republic of China and in adopting a hostile attitude towards the Chinese people can never be tolerated by the Chinese people, but will be opposed by them with determination.

Secondly, the provisions on territory in the U.S.-British draft peace treaty with Japan are designed entirely to suit the desire of the U.S. Government to extend its occupation and aggression. On the one hand, the draft treaty ensures that the U.S. Government, in addition to the retaining of trusteeship over those Pacific Islands which were formerly placed under Japanese mandate by the League of Nations, shall secure the trusteeship over the Ryukyu Islands, the Bonin Islands, the Volcano Islands, Rosario Island, Papeete Vela and Marcus Islands, thus actually retaining the right of continued occupation of these islands whose separation from Japan has never been provided for in any previous international agreement. On the other hand, in violation of the agreement under the Cairo Declaration, the Yalta Agreement and the Potsdam Declaration, the draft treaty only provides that Japan should renounce all right to Taiwan and the Pescadores as well as to the Kurile Islands, the southern part of Sakhalin and all islands adjacent to it, without mentioning even one word about the agreement that Taiwan and the Pescadores be returned to the Peoples Republic of China and that the Kurile Islands be handed over to, and the southern part of Sakhalin and all islands adjacent to it be returned to, the Soviet Union. The purpose of the latter omission is to attempt to create tense relations with the Soviet Union in order to cover up the extension of U.S. Government to prolong its occupation of Taiwan, a territory of China. The Chinese people, however, can by no means tolerate such occupation and will never give up their sacred duty of liberating Taiwan and the Pescadores. Moreover, the draft treaty stipulates that Japan should renounce all right to Nan Wei Island (Spratly Island) and Si Sha Islands (the Paracel Islands), but again deliberately makes no mention of the problem of restoring the sovereignty over them. As a matter of fact, just like the entire Nan Sha Islands, Chung Sha Islands and Tung Sha Islands, Si Sha Island (the Paracel Islands) and Nan Wei Island (Spratly Island) have always been China's territory. Although they had been occupied by Japan for some time during the war of aggression waged by Japanese imperialism, they were all taken over by the Chinese Government, following Japan's surrender. The Central Peoples Government of the Peoples Republic of China hereby declares: Whether or not the U.S.-British draft treaty contains provisions on this subject and no matter how these provisions are worded, the inviolable sovereignty of the Peoples Republic of China over Nan Wei

island (Spratly Island) and Si Sha Islands (the Paracel Islands) will not be in any way affected.

Thirdly, as is well known, the foremost objectives of a peace treaty with Japan should be to make Japan a peace-loving, democratic, and independent nation, and to prevent the revival of militarism in Japan, thereby ensuring that Japan shall never again become an aggressive nation menacing the peace and security of Asia and of the world. However, the U.S.-British draft peace treaty with Japan not only provides no guarantees in this regard, but on the contrary violates the provisions on such question as contained in the Potsdam Declaration and the Far Eastern Commission's basic post-surrender policy for Japan. The security and political clauses of the draft treaty contain no limitations whatever of the armed forces of Japan, place no ban on the rearmament and reviving militaristic organizations, and provide no safeguard for the democratic rights of the people. As a matter of fact, the U.S. occupation authorities, through all the measures adopted in the past several years, have done their utmost to prevent the democratization of Japan and to revive militarism in Japan. The U.S. occupation authorities are not destroying Japan's ability to make war, but, in violation of the Far Eastern Commission's policy, are expanding Japan's military bases, training Japan's secret armed forces, reviving Japan's militaristic organizations, releasing Japan's war criminals and setting free a large number of purged elements. Especially in the war of intervention against Korea, the U.S. occupation authorities have already started to make use of Japan's manpower, and have restored and developed Japan's war industries, in order to support the U.S. military aggression. In order to make it easy for the U.S. to prolong its occupation of Japan, not to withdraw its occupation forces, and to control Japan in such a manner as to make it an outpost of the U.S. aggression in the Orient, the draft treaty further stipulates that the allied occupation forces, through an agreement with Japan, may remain in Japan for an extended period of time. This scheme of the U.S. Government, which obviously violates the obligations under international agreements, has the support of the Yoshida Government which is a political mainstay of the U.S. occupation of Japan. The U.S. Government and the Yoshida Government are conspiring with each other to rearm Japan, to enslave the Japanese people, and to drive Japan once again onto the path of aggression, which had led Japan to the brink of destruction. It is also a path which reduces Japan to the status of a dependency and a colony, subordinate to the U.S. scheme of aggression, and obliged to pull the chestnuts out of the fire for the U.S. Government. This is a conspiracy to hinder the Japanese people from proceeding along another path which leads to peace, democracy, independence and happiness. In accordance with the provisions of the above-mentioned draft treaty, a U.S. Japanese military agreement is now in secret negotiation.

This military agreement in negotiation, just like the U.S.-British draft peace treaty with Japan, is hostile towards China and the Soviet Union and menaces the security of those Asian states and peoples that had suffered from Japanese aggression in the past. Therefore, it is obvious that the eagerness of the U.S. and British Governments to conclude a separate peace treaty with Japan is not at all for the purpose of preventing the revival of militarism in Japan, promoting democracy in Japan and safeguarding the peace and security of Asia and of the world, but for the purpose of rearming Japan, and preparing a new world war of aggression for the U.S. Government and its satellites. The Central Peoples Government of the Peoples Republic of China feels constrained to oppose this with determination.

Fourthly, for the purpose of stepping up its preparation for a new world war of aggression, the U.S. Government will certainly further tighten its control of Japan's economy. The Central Peoples Government of the Peoples Republic of China has repeatedly declared that there should be no restriction on and monopoly of the development of Japan's peaceful economy and the normal trade relations between Japan and other states. However, since the U.S.-British draft peace treaty with Japan is a separate peace treaty, which is hostile towards China and the Soviet Union and menaces the Asian states, therefore its economic clauses also exclude China and the Soviet Union as well as many other states which cannot accept this draft treaty. In addition, by taking advantage of the privileges which it has already secured in Japan's economy through American corporations, and of the restrictions which it had imposed on Japan's peaceful economy, the U.S. Government can adapt even better these economic clauses to its monopolistic needs. Thus, if this separate peace treaty with Japan were concluded, the colonial status of Japan's economy, depending on the U.S. would be worsened. Not only would Japan's war industry gear its production to the U.S. scheme of world war, but even the industry in general would serve the U.S. economic aggression in Asia, while the normal trade relations between Japan and China and other neighbouring states for the purpose of developing peaceful economy and improving people's livelihood would suffer from even more outrageous and unreasonable restrictions. This would be a calamity for the Japanese people and other Asian peoples. The Central Peoples Government of the Peoples Republic of China deems it necessary to oppose it resolutely.

Fifthly, on the question of reparation, the Central Peoples Government of the Peoples Republic of China, considers it necessary to clear up the confusion purposely created by the United States Government in the U.S.-British draft peace treaty with Japan. While admitting that Japan should in principle pay reparation for the damage and suffering caused by it during the war, the draft peace treaty asserts that Japan

lacks the capacity, if it is to maintain a sound economy, to make reparation and to meet its other obligations. On the surface, it seems as if the U.S. Government were most concerned about . . . of Japan's economy, but actually during the six years of its occupation and control of Japan, the U.S. Government, by making use of the various privileges and restrictions, has stealthily taken and is still stealthily taking reparation from Japan, and has damaged and is still damaging Japan's economy. The U.S. Government does not allow other states which had suffered from Japanese aggression to claim reparation from Japan. The secret design which it would not divulge is precisely to preserve Japan's capacity to make reparation and to meet other obligations for further exploitation by the U.S. monopoly capital. If Japan, as it is alleged, already (lacks) the capacity to make reparation and to meet other obligations, then it is the result of the excessive spoliation and damage done by the United States occupation authorities. As soon as the United States Government abides by the obligations under international agreements, withdraws its occupation forces at an early date after the signing of a peace treaty, immediately (stops building) of military bases, gives up the plan of rearming Japan and restoring the war industry of Japan, abolishes the privileges enjoyed by American business concerns in Japan's economy, and removes the restrictions imposed upon Japan's peaceful economy and Japan's normal foreign trade, then Japan's economy will be brought to a truly healthy state. The Central Peoples Government of the Peoples Republic of China desires to see Japan capable of developing its peaceful economy in a healthy manner and restoring and developing the normal trade relations between China and Japan, so that Japanese people will be free from the menace and damage of war and will have the possibility of real improvement. Meanwhile, those states which had been occupied by Japan, had suffered great losses, and have difficulties in rehabilitation by themselves should reserve their right of claiming reparation.

The above mentioned facts furnish sufficient proof that the United States-British draft peace treaty with Japan completely violates international agreements, damages the interests of the Allied Powers at war with Japan, bears hostility to China and the Soviet Union, constitutes a menace to the peoples of Asia, disrupts the peace and security of the world, and is detrimental to the interests of the Japanese people. In this draft peace treaty with Japan, the United States Government together with its satellites pursues only one central objective, namely, the rearmament of Japan in order to continue and extend its war of aggression in Asia, as well as to intensify its preparation for a new world war. This draft peace treaty, therefore, is absolutely unacceptable to the Chinese people and other Asian peoples who had been victims of Japanese aggression.

With a view to expediting the concluding of a separate peace treaty

with Japan, the United States government, in its notification for the convocation of the San Francisco Conference, . . . excludes the Peoples Republic of China—the principal power which had fought against Japan—and thus completely violates a stipulation in the United Nations' Declaration of January 1st, 1942, to the effect that each of the signatory powers pledges itself not to make a separate peace. It is abundantly clear that the convening of the San Francisco Conference under that compulsion of the United States Government to the exclusion of the Peoples Republic of China is for the purpose of creating division among the Allied Powers at war with Japan, and organizing a new bloc of aggression in the Far East. The so-called "Tripartite Security Treaty" between the United States, Australia and New Zealand and the United States-Japanese military agreement which is now being secretly negotiated, all both be concluded either during the Conference of thereafter, and will constitute a menace to the peace and security of the peoples in the whole of the Pacific area and in Asia. At the San Francisco Conference, with the exclusion of the Peoples Republic of China from participation, it is impossible to conclude a joint peace treaty with Japan; even if the United States and its satellites proceed to conclude a separate peace treaty with Japan, the Chinese people cannot by any means recognize this Conference.

The Central Peoples Government of the Peoples Republic of China has always maintained that it should be on the basis of such principal international documents as the United Nations' Declaration, the Cairo Declaration, the Yalta Agreement, the Potsdam Declaration and Agreement as well as the basic post-surrender policy for Japan adopted by the Far Eastern Commission, and that it should be through joint preparation by the principal powers that had waged war against Japan and through participation by all the states that have fought against Japan that a peace treaty be concluded with Japan within the shortest time possible, a treaty which must be a joint but not a separate one, a just and reasonable one but not one that is coercive and monopolized, and a treaty for genuine peace but not one preparing for war. In order to further the realization of this object, I was authorized by the Central Peoples Government of the Peoples Republic of China to make a statement on December 4th, 1950 on the question of a peace treaty with Japan, and send a note on May 22nd, 1951 to Minister N. V. Roschin, Soviet Ambassador to China, expressing full agreement to the concrete proposals of the government of the Soviet Union regarding the preparation of a peace treaty with Japan. The Central Peoples Government considers that all the concrete proposals regarding a peace treaty with Japan set forth in the above-mentioned statement and note still remain valid.

Now, the Central Peoples Government of the Peoples Republic of China once again declares: If there is no participation of the Peoples

Republic of China in the preparation, drafting and signing of a peace treaty with Japan, whatever the contents and results of such a treaty, the Central Peoples Government considers it all illegal, and therefore null and void.

For the sake of really helping to restore peace in Asia and to solve Far Eastern problems, the Central Peoples Government of the Peoples Republic of China firmly maintains that on the basis of the proposal of the government of the Soviet Union, a peace conference should be convened with the participation of the representatives of the all the states that had participated with their armed forces in the war against Japan, in order to confer on the problem of a joint peace treaty with Japan. At the same time, on the basis of the United Nations' Declaration, the Cairo Declaration, the Potsdam Declaration and Agreement, and the basic post-surrender policy for Japan adopted by the Far Eastern Commission, the Central Peoples Government of the Peoples Republic of China is ready to exchange views on the problem of a joint peace treaty with Japan with all the states that had participated in the war against Japan.

NETHERLANDS

TEXT OF STATEMENT BY NETHERLANDS
INFORMATION BUREAU ON PROPOSED
JAPANESE PEACE TREATY

San Francisco, August 10, 1951

The Netherlands Government considers the latest draft of the Japanese peace treaty as established after Anglo-American consultation an improvement on the former drafts. Notwithstanding, it thinks a number of alterations and additions to be necessary.

Although the Netherlands Government agrees on the principle of a "peace of reconciliation" and recognizes that it would be unwise to demand full reparations for war damages, it has to take for account that public opinion in the Netherlands is taking a vivid interest in these questions affecting a very large number of Dutch people who were the victims of Japanese aggression.

It must be borne in mind that during the war Dutch residents in the former Netherlands East Indies, numbering well over 75,000, of which approximately 30,000 were prisoners of war, have been interned by the Japanese and have suffered undue hardships and in many cases have, in addition, lost all their property. Most of these people have returned to Holland after the war.

Therefore, it can be understood that a waiver of all claims against the Japanese Government would create serious popular resentment.

If parliament fails to approve this waiver it can be expected that the civil judges in the Netherlands will rule that the Government does not have the right to declare null and void legitimate claims of its subjects against a foreign government, and hence might hold the Netherlands Government responsible.

The Netherlands Government, therefore, has suggested that the waiver of claims be restricted to claims of allied powers as such against the Japanese state.

Strong objections are also raised against the article which limits indemnifications to prisoners of war, since more than half of those who suffered hardships in Japanese camps in Indonesia were civil internees. However, as the funds which are to provide for indemnification by liquidation of Japanese assets in former neutral or enemy countries would be insufficient to provide reasonably for all, the Netherlands Government considers that compensation for these hardships should be distinguished from war reparations in the accepted sense of the word. In its view

this compensation need not interfere with the principle that a viable economy should be guaranteed to Japan.

Besides a number of technical amendments which the Netherlands Government has suggested, the question of Japanese fisheries is being raised. An important project in the development of Western New Guinea is the establishment of tuna fishing in the surrounding seas. An important project in the development of Western New Guinea is the establishment of tuna fishing in the surrounding seas. These plans which are in consonance with the aims of the South Pacific Commission in which the Netherlands has always taken an active part, have already passed the planning stage and are actually being put into effect. The Netherlands Government would, therefore, wish to establish an area around the island where tuna fishing by Japanese would be prohibited.

INDONESIA

TEXT OF INDONESIAN NOTE TO U.S.

Washington, August 6, 1951

The Indonesian Government in its deliberations on the question of the peace treaty for Japan is of the opinion there exist certain factors deserving of special attention and foremost among these are the following:

1.—Sovereignty—The first draft of the Japanese peace treaty contained one chapter devoted to discussion of Japanese sovereignty. This chapter has been omitted from the second draft. The Indonesian Government feels it would be fruitful if the missing chapter were included in a definitive text.

2.—Territory—The Indonesian Government would like to see plebiscites held in the territories detached from Japan in order to ascertain the wishes of the inhabitants concerned.

3.—Reparations—Indonesia desires to obtain fair and just reparations and with this end in view, a schedule containing the necessary details is now in the course of preparation.

4.—Procedure—It would be fitting if opportunity were at least provided to attending countries at the San Francisco conference to discuss the final text and exchange views on it. This would be distinctive from opportunity to be given for reading of statements as suggested by the United States.

5.—The Chinese People's Republic and USSR—Should the Chinese People's Republic and Russia desire to participate in the endeavors leading to a peace treaty with Japan, the Indonesian Government feels such a desire should be supported.

B:4.1.O.16

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CORRESPONDENCE BETWEEN MR. YOSHIDA AND
GEN. RIDGWAY ON JAPANESE PEACE TREATY

Tokyo, August 22, 1951

The Department of State and the Department of Defense today made public the following exchange of correspondence, concerning the Japanese Peace Treaty, between Prime Minister Shigeru Yoshida of Japan and General Matthew B. Ridgway, Supreme Commander for the Allied Powers, Tokyo:

July 13, 1951

Dear General,

On the occasion of the publication of the text of the draft Japanese Peace Treaty I desire to convey to you the profound sense of gratification and gratitude on my part of the Japanese Government:

This is an event that marks a definite advance toward the consummation of a peace settlement for Japan, which has been consistently and vigorously advocated by your headquarters during these years past.

Now that we are nearing our goal, we look to you and your headquarters for continued assistance and guidance, which will be given, I trust, as freely and generously as ever.

Your sincerely,
(signed) SHIGERU YOSHIDA

Général Matthew B. Ridgway
Supreme Commander for the Allied Powers Tokyo

July 19, 1951

Dear Mr. Yoshida:

Thank you for your letter of July 13 expressing your gratification and gratitude, and that of the Japanese Government, for the provisions of the draft Japanese Peace Treaty.

The publication of the text of this treaty draft does indeed mark a definite advance toward the consummation of an early and just peace for your country. It brings measurably closer the restoration to Japan of full autonomy and the re-assumption by the Japanese Nation of their full rights and responsibilities among the free and honorable nations of the world.

I believe I but express the sentiments of my people when I state

that I view these provisions with no less gratification, and with the expectation that the proven great talents of the Japanese people and their rich cultural past shall, in the years ahead, make notable contributions to the objectives toward which the free world is so earnestly striving.

The present text is the result of the labors of many distinguished persons, both here and elsewhere, notably among them General of the Army Douglas MacArthur and Ambassador John Foster Dulles, the Personal Representative of the President of the United States.

I should like, with your approval, to feel free to convey your message to those of them whom I can reach, and subject to the pleasure of my government, to the American people.

In conclusion, I wish to assure you that such continued assistance and guidance as my staff and I may be capable of giving will be freely and gladly available to you and to your government.

Sincerely,

(signed) M. B. RIDGWAY
General, United States Army

Mr. Shigeru Yoshida
Prime Minister of Japan, Tokyo

July 19, 1951

Dear General:

I am in receipt of your note of today's date in reply to my letter of July 13, in which I expressed the gratification and gratitude of my government and myself on the occasion of the publication of the draft Japanese Peace Treaty.

You say you would like to convey my message to other persons you can reach, and subject to the government, to the American people.

I shall be very happy and grateful if you will do that. In fact, I myself would have addressed a word of appreciation directly to the American Government and people but for the consideration of the question of propriety of such an act on my part.

Yours sincerely,

(signed) SHIGERU YOSHIDA

General Matthew B. Ridgway
Supreme Commander for the Allied Powers, Tokyo.

B:4.1.0.16

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米國政府ビュレティン(一九五〇、九、一五)(仮訳)

(ワシントン、九、一五) 米國政府当局者の対日平和條約に關する談話

米國政府當局者によれば、同政府の對日平和條約に關する構想... 日本に管轄権を認め、その一切の軍事基地に對して... 米國政府の記者会見でトルーマン大統領が、對日平和條約に... 米國の生活水準を日本再軍備を禁止せず、... 米國は日... 米國の生活水準を日本再軍備を禁止せず、... 米國は日... 米國の生活水準を日本再軍備を禁止せず、... 米國は日... 米國の生活水準を日本再軍備を禁止せず、... 米國は日...

併行して行われるであろう、といわれる。米國の對日平和條約に關する立場は、... 米國の對日平和條約に關する立場は、... 米國の對日平和條約に關する立場は、... 米國の對日平和條約に關する立場は、... 米國の對日平和條約に關する立場は、... 米國の對日平和條約に關する立場は、... 米國の對日平和條約に關する立場は、... 米國の對日平和條約に關する立場は、... 米國の對日平和條約に關する立場は、... 米國の對日平和條約に關する立場は、...

るようである。また彼等は日本の政府その他の代表団と非公式に話し合った。彼等はこの條約が日本臣民を自由世界の幸福を榮せしめる一因となしうるような條約となることを願つてゐるから今後過渡期中に、さらに日本の指導者と非公式な意見交換を行いたいと希望してゐる。

同当局者によれば、経済問題に關しては、米国の戦時買付によつて多くの物資を日本で調達することとなり、米産大陸に依存しない生活水準を向上したから、経済問題は当初考えられたより容易に解決されうるような徴候を最近の情勢は示してゐる、といわれる。朝鮮事件以前には、日本が経済的に自立してゐるは三年ないし五年かかるだろうと見込まれてゐたが朝鮮事件の結果は三年以内の買付計画によつて、三年ないし五年の期間は必要でないようと思われる。

日本は共産大陸に依存せず、健全な経済と向上する生活水準を維持しうることになる徴候がある、と同当局者は述べた。今後数年間のところは、政府の買付計画によつて、かなりよく面倒が見られるし、長期的には機關車、レール、トラック、農機具のよくな資本財を必要とする東南アジア諸国との通商に依存することになるだろう。そのような基礎を立つて、日本は自立できる徴候がある。

日本から分離される台湾についてはイタリイから分離されたがその決定ができたか

つた植民地に關するイタリイ平和條約の條項じような條項の下に於けるかも知れない、と同当局者は述べた。イタリイ平和條約は四大國の間に意見の不一致があつた場合はその問題を國連總會に付託するよう規定してゐる。おそらく、台湾問題は対日講和の討議が行われてゐると同時に、安全保障理事會が總會か或いは兩者で処理されるであらう。

米國は沖縄には基地を保有するが、現在のところ日本の再武装を助ける計画はないと同当局者は強調した。

Source: U.S.G. Bulletin,
Sept. 15, 1950

U.S. OFFICIAL DISCUSSES JAPANESE PEACE TREATY

WASHINGTON, Sept. 15 -- The United States Govt. concept of a possible peace treaty with Japan envisions keeping U.S. armed forces in that country but giving the Japanese control over all their military bases, according to an official of the U.S. Govt.

The official said the statement of President Truman, made at his press conference Thursday, that he has authorized beginning of informal discussions with other member nations of the Far Eastern Commission on a Japanese peace treaty, looks to a treaty which in itself would not prohibit Japanese rearmament and permit a healthy economy and a resultant higher standard of living for the people of Japan.

Although under the treaty as envisioned by the government official, the United States would not have its own military bases in the country, it is expected U.S. troops would remain in Japan for that nation's security. The relationship would be similar to that between the United States and Great Britain where U.S. air force units are based but where the U.S. has no military bases.

Informal discussions on the possibility of writing a treaty and on procedure, are expected to begin very soon, in the form of informal bilateral talks between representatives of the United States and of the twelve other nations represented on the Far Eastern Commission.

According to the U.S. Govt. officer, in as much as the other nations will have representatives at Lake Success for the General Assembly session, it is expected that the informal bilateral discussions will take place concurrently with the General Assembly session.

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The U.S. position visavis the Soviet Union in relation to the Japanese treaty, the Govt. said, is that the U.S. anticipates the matter will be discussed with the Soviet Union. The nature and duration of the discussions will depend a great deal on whether the Soviet Union insists it will not talk about the treaty except in the council of foreign ministers where it has a veto. If Russia does so insist our discussions will be quite brief. The U.S. would naturally prefer that the Soviet Union would cooperate. As to proceeding without Russia, the President's statement that he will cross that bridge when he comes to it, stands. Japanese political leaders have expressed their willingness, if agreement cannot be reached with Russia, to make peace with the other nations while remaining technically at war with the Soviet Union.

One of the most difficult problems is the problem of the future security of Japan, according to the official. Japan, at the present time, is a power vacuum so far as the Japanese are concerned. The country is totally disarmed and even the police has been decentralized. Before the Korean crisis, many Japanese seemed to believe they would be happy and secure as a power vacuum and that they would be a little island of neutrality. However, after the attack of Korea, there has been a growing realization that they might be the next on the list.

What the United States hopes to work out with Japan is some arrangement so that when the treaty goes into force and the occupation is ended, there will continue to be an American force in Japan -- not an occupation force but a force that might have the same relation to Japan as the additional troops the U.S. is sending to Europe will have to European nations. The United States has no desire to have American bases on Japan which would be an American point of offensive power.

What the United States does want is a situation which will not leave Japan as a vacuum of power into which an alien power might move.

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The United States does not contemplate having in the peace treaty any restrictions on rearmament by Japan in case the Japanese people want to rearm, the official states. At the moment, the Japanese constitution has a provision against the recreation of an army. However, that is not interpreted as a prohibition of what the United Nations Charter refers to as "the inherent right of self-defense" so long as the present situation exists. It is possible that the Japanese may want to move along those lines and may feel they can do so consistently with their constitution. At present the Japanese have a decentralized police force of 125,000. This is being increased to 200,000 through recruiting and a greater degree of centralization will be provided.

The official said it is also contemplated that the police force will have some sort of coast guard to detect and prevent infiltration of subversive elements.

As to territorial matters, it is contemplated that the Ryukyus should be made part of the United Nations trusteeship system with the United States as the trust power. This would be similar to the mandate given to Japan over pacific islands after the First World War.

The United States hopes to have a treaty which is liberal in the sense that it does not provide for excessive indemnity or reparations or limit normal economic activities, according to the U.S. official.

Responsible U.S. Government Officials have discussed their ideas and plans with members of the Congress, who seem to favor holding the series of informal talks with other nations. Officials have also talked informally with representative groups in Japan, both government and non-government. The officials hope to find a way in the next few weeks for further informal exchange of views with Japanese leaders because they desire that this be the kind of treaty that will make it possible for the Japanese people to be a happy and prosperous members of the free world.

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As to economic problems involved, according to the official, recent developments indicate these may be more easily solvable than first seemed possible, because the U.S. wartime procurement system involves procuring many items in Japan, thus improved standard of living without dependence on the communist mainland. Before the Korean crisis, it was estimated that it would take three to five years for Japan to get on its feet economically, but the procurement program resulting from the Korean situation makes it appear that the three to five year period may not be necessary.

Indications are that Japan will be able to maintain a healthy economy and a rising standard of living without dependence on the communist mainland, the U.S. official said. The situation for the next few years is pretty well taken care of by the official procurement program and the long range would seem to depend on trade with countries of southeast Asia which need capital goods such as locomotive, rails, trucks, and agricultural machinery, which those countries need. There are indications that, on that basis, Japan can sustain herself.

As to Formosa, where there are areas which will be detached from Japan, they might be under a treaty provision like that in the Italian treaty in regard to colonies which were detached from Italy but where a decision could not be reached, according to the official. The treaty provided that if there were a disagreement among the big four, the question would be referred to the United Nations General Assembly. It is likely that the question of Formosa will be dealt with by the Security Council or General Assembly or both at the same time discussion on the Japanese peace treaty are taking place.

The United States will retain bases in Okinawa but has no present plan for helping Japan to rearm, the official asserted.

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政.政 25/10

昭和二十五年十月十七日

米国の対日講和交渉七原則
 一 対日講和草案の七項目
 二 記者会見で、対日講和問題は十月十四日レイク・サクセスに於ける記者会見で、対日講和問題にかんする極東委員会構成各代表との私的接衝を終り来週からソ連を除く全極東委員会加盟国と「七項目」からなる対日講和條約草案について交渉すると宣言
 三 第二段階に到達したことを明らかにしたが、これより先、十月五日レイク・サクセスで「七項目」の秘密電報は權威筋の内容を話せるものと予備会談のため「七項目」の秘密電報の内容を報じた。次で「七項目」の秘密電報の内容を明らかにする。対日講和條約推進に當り、日本がソ連の支配下に陥るのを防止し、米國は日本を侵略に抵抗できるとの程強力になるまで防衛するための條約上の権利を得べきであるとの原則に基く「七項目」の計画を提出した」と
 四 七項目の内容、ニユーヨーク・ヘラルド・トリビューン紙の報道を対比すれば次の通り
 五 U.P.電の内容、INS電の内容、ニユーヨーク・ヘラルド・トリビューン紙の報道を対比すれば次の通り
 六 報目し、七項目の内容、ニユーヨーク・ヘラルド・トリビューン紙の報道を対比すれば次の通り

手続	加入国	小笠原、琉球
対日戦に参加した国は講和交渉手続の一般方針に従うことに同意すれば、いずれも講和会議に参加でき、交渉手続に於いては拒否権は認められないこととなる。	講和條約が締結されるとともに日本は國際連合への参加を認められる。	日本は朝鮮の獨立を承認し、琉球および小笠原諸島に対する米國の信託統治に同意しなければならぬ。台湾、澎湖島、南樺太および千島の將來は英、
餘約は対日戦に参加した諸國と日本とで結ぶべきである。	餘約を締結した後は、日本が國際連合の資格を得加ふことを支持する。	日本は小笠原諸島、琉球諸島に対する米國の信託統治および朝鮮の獨立を認むべきものとす。台湾と千島の処分は今後一年間の間に四大國で協定
さきに對日戦に参加した諸國はすべて條約に調印する権利を持つ。	條約に調印した諸國は日本がその資格を得た次第に加入することを支持する。	日本は朝鮮の獨立および小笠原諸島と琉球列島のアメリカ信託統治を承認する。

加入約條際国	障保全安の本日
<p>日本は麻薬、漁業などの国際條約を尊重することに同意する。日本は米國あらゆる多角的通商交渉に参加する権利が與えられるが、さしあつては各國の最惠國約款の利益を受けることができる。</p>	<p>講和條約締結後の日本の安全保障については、少くとも日本が自己の軍隊を持つにいたるまでは「日本地域における國際平和と安全維持のため、日本と米國及びおそらくその他の諸國との間で引続き共同責任をとる」との基礎による。</p>
<p>日本は漁業および麻薬に関する現行の國際諸條約を履行すべきものとする。</p>	<p>日本の安全保障は國連がこれを保障しうるまでは米軍がこれを行ひ得るよう、日本は米國に対し一定の便宜を與えるものとする。</p>
<p>日本は國際條約を遵守する。</p>	<p>日本は侵略から自國を保護できるようにならなればその安全保障についてはアメリカと協力する。</p>

属帰の島諸
<p>米、ソ連、中國の四カ國が決定する、講和條約が締結されてから一年以内に右四カ國の間に意見の一致を見ない時は國連總會にその最終的決定を委ねる。</p> <p>なお台湾その他問題になつてゐる地域の將來を決定する方式にはイタリヤの旧植民地の帰属を決定する際に用いられたのとは異なる方式が採用されるものと見られる。</p>
<p>でき次第、またこれかたきぬ場合は國連總會で決めることとする。</p>

賠償の 争紛 理処	賠償 債
賠償請求に關するあらゆる争紛は國際司法裁判所長によつて任命される「特別中立法廷」によつて審理される。	一九四五年九月以前に發生した日本に對するあらゆる賠償請求権は放棄する。ただし各國がその領土内で押收した日本の資産はこれを維持すること及び、各國はこの資産から生ずる利益をもつて戦争中日本によつて損害を蒙つた自國民の損害賠償請求に應ずることが出来る。
賠償請求に對しての一切の争紛は國際司法裁判所で解決し、その他の日本資産にかんする争紛は外交交渉で解決するものとす。	各國は一九四五年九月二日以前の戦災について賠償権を放棄する。すでにおさえた日本の資産は賠償としてこれを獲得する。
これらの要求はすべてハীগの國際裁判所で解決する。	旧敵國はすべて一九四五年九月二日の日本の降伏以前に起きた損害にかんする對日要求を放棄する。

交渉経緯

米國は現在までのところ対日講和條約案について極東委員會構成國たる英、仏、カナダ、印、パキスタン、露、ニュージールランド、オランダ、比の九カ國と討議したが、ビルマ、中國、國民政府及びソ連に對しては米國の立場をアクウエントしていない。
(ニューヨーク十月十四日UP)

法規彙

回覽

昭和二十五年十二月十日

米国の対日平和條約提案の第七点と國際司法裁判所について

條約局國際協力課

保存

米国の対日平和條約提案の第七点と國際司法裁判所について

一九五〇年
條約局國際協力課

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の日本が規程の當事国となる条件の決定については五大国の一が拒否権を行使すれば規程の當事国となることのできないことなる。前記憲章第九十三條二項に從つて國際司法裁判所規程の當事国となつた國は、現在までにスイス國しかない。以下スイス國の規程當事国となつた経緯と條件とを参考までに述べる。事務總長あつて裁判所規程の當事国となりうる條件を確めたいと希望した。安全保障理事會は、一九四六年十一月十五日の會合（第一八〇）でこの件に關する専門委員會の報告及び勸告を審議し、そのまゝ採択した。同年十二月十一日の本會議で第六委員會（法律委員會）の勸告に基いて、安全保障理事會の報告及び勸告を審議し報告及び勸告をその主要な内容に、次のとおり採択した。且つ、スイス國憲法に從つて批准された大の學項を國連事務總長に寄託した日から國際司法裁判所規程の當事国となること。

(2) 憲章第九十四條に基く國連加盟國のすべての義務を受諾すること。
 (3) 總會が隨時スイス國政府と協議の上割り當てる公平な額を裁
 判所經費として拠出することを約束すること。
 安全保障理事會の専門委員會がこのような條件を勸告する
 に當つて報告したところには、注目に値すると思われ、ので次に
 掲載する。
 一 條件の(1)に關し
 上つて定められた條項及び條件に從つて裁判所の管轄を受諾
 する旨を宣言するとの規定があるがこれを前記(1)の條件に用い
 る要は、當然に規程の條項に基き裁判所が行使する権限を受諾
 するものであるからである。
 條件の(2)に關し
 委員會の意見では、憲章第九十四條に基く國連加盟國の義
 務は、憲章第二十五條及び第九十四條に基く國連加盟國の義
 務の限りにおいては、第二十五條及び第九十四條から生ずる補
 足的義務をも含むものである。他方、國連非加盟國たる規程
 の參加國は、第九十四條に基く國連加盟國のすべての義務を
 受諾することによつて第九十四條の規定に關連して第二十五條
 及び第九十三條に基く義務に拘束されることとなる。よつて、

第二章

和平條約に關する紛争についての國際司法裁

國際司法裁の條約に關する紛争について、國際司法裁が請求權に關する紛争を管轄する所であることは、條約の條約に關する紛争の管轄に關する規定が設けられていない限り、請求權に關して紛争が起つたときは、條約の規定が適用されるべきである。但し、條約に關する紛争の管轄に關して、條約に關する規定が設けられていない限り、請求權に關して紛争が起つたときは、條約の規定が適用されるべきである。但し、條約に關する紛争の管轄に關して、條約に關する規定が設けられていない限り、請求權に關して紛争が起つたときは、條約の規定が適用されるべきである。

この規定は、紛争の起つたとき、紛争の管轄に關する規定が設けられていない限り、請求權に關して紛争が起つたときは、條約の規定が適用されるべきである。但し、條約に關する紛争の管轄に關して、條約に關する規定が設けられていない限り、請求權に關して紛争が起つたときは、條約の規定が適用されるべきである。

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他の紛争に關する規定は、米国の對日平和條約に規定した請求權以外の平和條約關係事項に關して、紛争が起つたとき、紛争の管轄に關する規定が設けられていない限り、請求權に關して紛争が起つたときは、條約の規定が適用されるべきである。但し、條約に關する紛争の管轄に關して、條約に關する規定が設けられていない限り、請求權に關して紛争が起つたときは、條約の規定が適用されるべきである。

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