

② 韓国の要求と米国の回答



米英共同草案に対する韓国の修正要求を拒否することを伝える書簡

ラスク国務次官補から梁裕燦駐米韓国大使に宛てた書簡(控)

1951年(昭和26年)8月10日

資料概要

米国国務省ラスク極東担当国務次官補(国務長官に代わって)発梁駐米韓国大使宛書簡(1951年8月10日付、米国務省側の控え)。同年7月19日(→No.8)及び8月2日の韓国政府による条約草案修正要求に対する米国政府の回答。

竹島に関連した第2条a項に対する韓国の修正要求について、米国政府は、「残念ながら同意できない」とした上で、要点を次のとおり説明している。

- ・対日平和条約において、日本が、1945年8月9日(ママ)のポツダム宣言の受諾によって、同宣言が扱う地域に対する主権を正式又は最終的に放棄したとする理論を採るべきだとは考えていない。
- ・竹島については、「朝鮮の一部として取り扱われたことが決してなく、1905年頃から日本の島根県隠岐島庁の管轄下にある。この島はかつて朝鮮によって領有権の主張がなされたとは見られない」。
- ・パラン島の記載についての要求は取り下げられたものと理解する。

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内容見本

I have the honor to acknowledge the receipt of your notes of July 19 and August 2, 1951 presenting certain requests for the consideration of the Government of the United States with regard to the draft treaty of peace with Japan.

With respect to the request of the Korean Government that Article 2(a) of the draft be revised to provide (text omitted), the United States Government regrets that it is unable to concur in this proposed amendment. The United States Government does not feel that the Treaty should adopt the theory that Japan's acceptance of the Potsdam Declaration on August 9, 1945 constituted a formal or final renunciation of sovereignty by Japan over the areas dealt with in the Declaration. As regards the island of Dokdo, otherwise known as Takeshima or Liancourt Rocks, this normally uninhabited rock formation was according to our information never treated as part of Korea and, since about 1905, has been under the jurisdiction of the Oki Islands Branch Office of Shimane Prefecture of Japan. The island does not appear ever before to have been claimed by Korea. It is understood that the Korean Government's request that "Parando" be included among the islands named in the treaty as having been renounced by Japan has been withdrawn.

The United States Government agrees that the terms of paragraph (a) of Article 4 of the draft treaty are subject to misunderstanding and accordingly proposes, in order to meet the view of the Korean Government, to insert at the beginning of paragraph (a) the phrase, (text omitted), and then to add a new paragraph (b) (text omitted)

The Government of United States regrets that it is unable to accept the Korean Government's amendment to Article 9 of the draft treaty. In view of the many national interests involved, any attempt to include in the treaty provisions governing fishing in high seas areas would indefinitely delay the treaty's conclusion. It is desired to point out, however, that the so-called MacArthur line will stand until the treaty comes into force, and that Korea, which obtains the benefit of Article 9, will have the opportunity of negotiating a fishing agreement with Japan prior to that date.

With respect to the Korean Government's desire to obtain the benefits of Article 15 (a) of the treaty, ...

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:
Dean Rusk

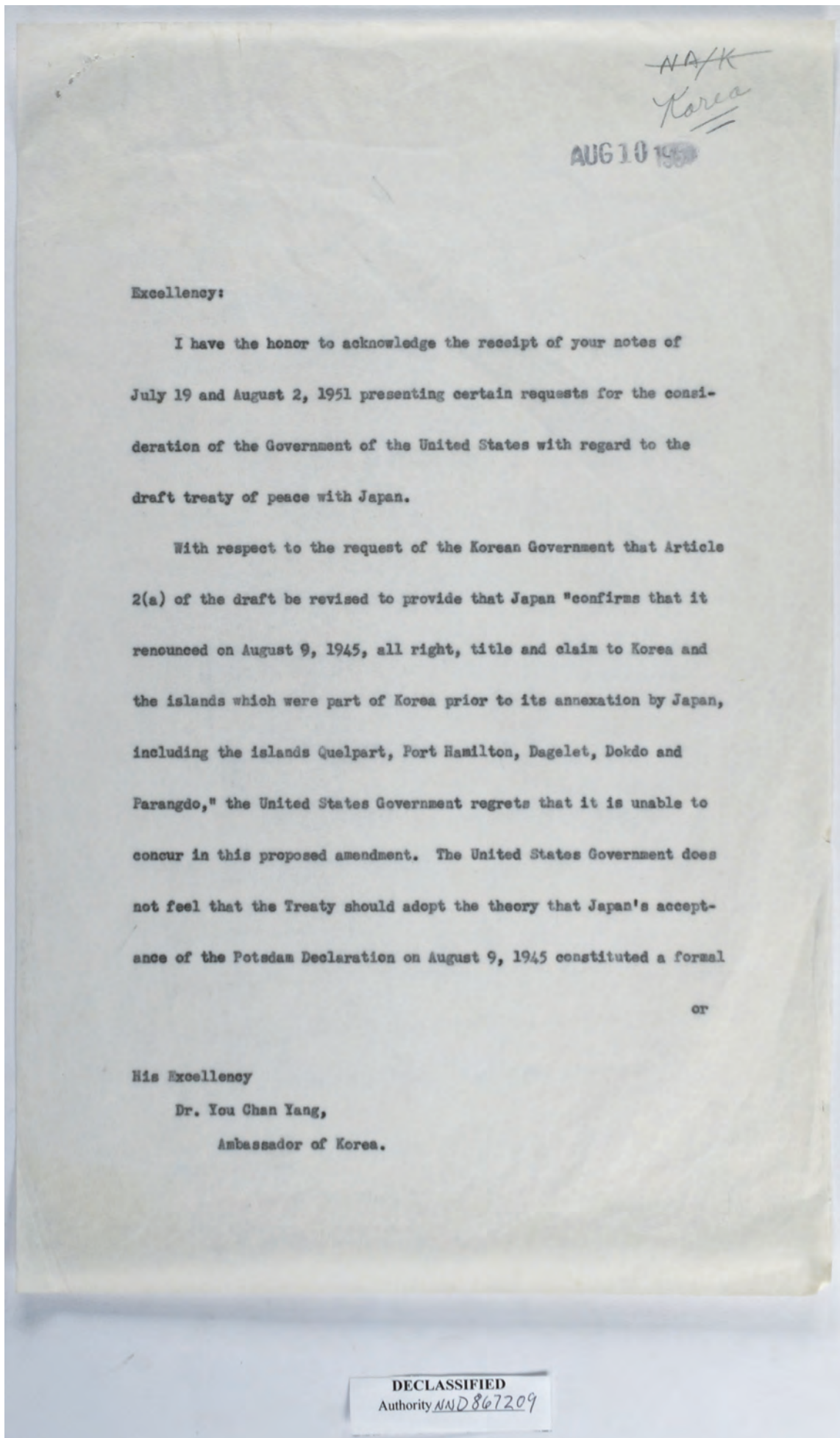
日本語訳

(翻訳省略)

草案第二条a項につき、「日本は1945年8月9日に、韓国並びに、济州島、巨文島、鬱陵島、独島及びバラン島を含む日本の韓国併合以前に韓国の一部であった島に対するあらゆる権利、権原及び請求権を放棄したことを確認する」と規定するよう修正を求めるとの韓国の要請に関し、米国は、残念ながら、この修正提案には同意できない。米国政府は、1945年8月9日(ママ)の日本によるポツダム宣言受諾が、同宣言によって扱われる地域に対する日本の正式かつ最終的な主権の放棄となるとは見ていない。独島又は竹島ないしリアンクール岩として知られる島に関しては、この通常無人である岩島は、我々の情報によれば朝鮮の一部として取り扱われたことが決してなく、1905年頃から日本の島根県隠岐支庁の管轄下にある。この島は、かつて朝鮮によって領有権の主張がなされたとは見られない。

(翻訳省略)

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or final renunciation of sovereignty by Japan over the areas dealt with in the Declaration. As regards the island of Dokdo, otherwise known as Takeshima or Liancourt Rocks, this normally uninhabited rock formation was according to our information never treated as part of Korea and, since about 1905, has been under the jurisdiction of the Oki Islands Branch Office of Shimane Prefecture of Japan. The island does not appear ever before to have been claimed by Korea. It is understood that the Korean Government's request that "Farangdo" be included among the islands named in the treaty as having been renounced by Japan has been withdrawn.

The United States Government agrees that the terms of paragraph (a) of Article 4 of the draft treaty are subject to misunderstanding and accordingly proposes, in order to meet the view of the Korean Government, to insert at the beginning of paragraph (a) the phrase, "Subject to the provisions of paragraph (b) of this Article", and then to add a new paragraph (b) reading as follows:

(b) "Japan recognizes the validity of dispositions of property of Japan and Japanese nationals made by or pursuant to directives of United States Military Government in any of
the

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the areas referred to in Articles 2 and 3".

The present paragraph (b) of Article 4 becomes paragraph (c).

The Government of the United States regrets that it is unable to accept the Korean Government's amendment to Article 9 of the draft treaty. In view of the many national interests involved, any attempt to include in the treaty provisions governing fishing in high seas areas would indefinitely delay the treaty's conclusion. It is desired to point out, however, that the so-called MacArthur line will stand until the treaty comes into force, and that Korea, which obtains the benefits of Article 9, will have the opportunity of negotiating a fishing agreement with Japan prior to that date.

With respect to the Korean Government's desire to obtain the benefits of Article 15(a) of the treaty, there would seem to be no necessity to oblige Japan to return the property of persons in Japan of Korean origin since such property was not sequestered or otherwise interfered with by the Japanese Government during the war. In view of the fact that such persons had the status of

Japanese

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Japanese nationals it would not seem appropriate that they
obtain compensation for damage to their property as a result of
the war.

Accept, Excellency, the renewed assurances of my highest con-
sideration.

For the Secretary of State:

Dean Rusk

FE:NA:RFEAREY:SB
August 9, 1951.

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