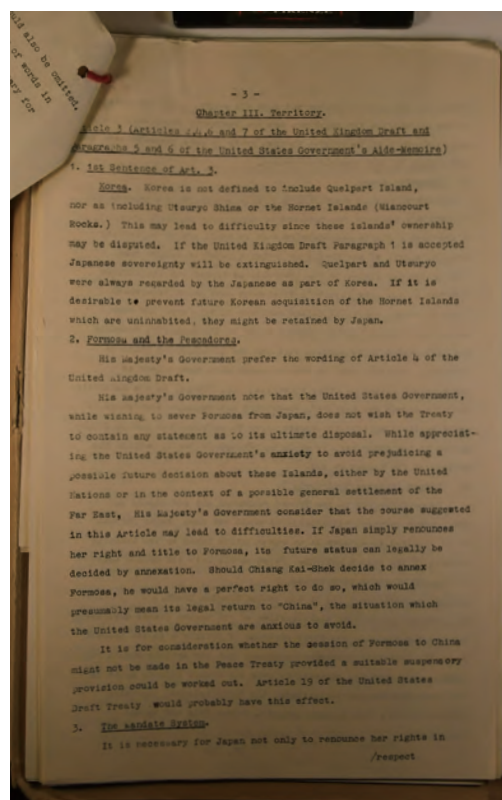
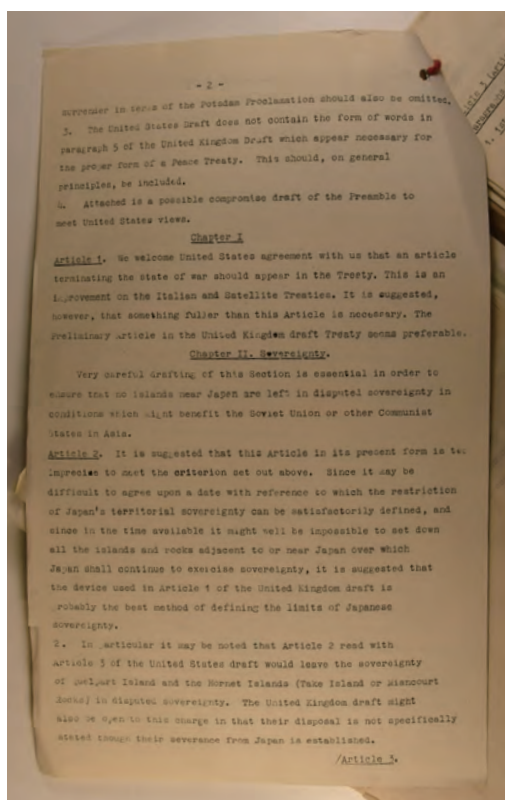


**Period III** (2)-ii. The UK's view of the provisions related to Japan's territory in the draft treaties, as seen in the internal documents from the British government

**In its comments towards the United States draft, the United Kingdom attached importance to delineating Japan's territory clearly by showing the borders on a map. With regard to Takeshima, it presented the view that it could possibly belong to either Japan or Korea**

**No.39** **Draft Brief on the United States Provisional Draft Peace Treaty with Japan** April 23, 1951  
**NEW**



Repository: National Archives of Australia  
 (Image provided by the Japan Institute of International Affairs)

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## Overview

This is a statement of the opinions on the United States draft by the Foreign Office of the United Kingdom that was made just before the working level discussions/conference with the United States in April-May, 1951. The document was shared by the British foreign office with the Australian foreign ministry on April 30, 1951. The same document dated April 23, 1951, is held in the National Archives of the United Kingdom (\*1), showing that Australia was aware of the United Kingdom's views on the United States draft.

This document first explains the reasons for adopting the method of marking out Japan's territory with lines. The United Kingdom explains that "Very careful drafting of this Section is essential in order to ensure that no islands near Japan are left in disputed sovereignty in conditions which might benefit the Soviet Union or other Communist States in Asia." On top of that, it points out that the United States draft "would leave the sovereignty of Quelpart Island and the Hornet Islands (Take Island or Liancourt Rocks) in disputed sovereignty."

On the other hand, with regard to the United Kingdom draft, it expresses concern that "The United Kingdom draft might also be open to this charge in that their disposal is not specifically stated though their severance from Japan is established." Even if Japan were to renounce its rights over the islands lying outside the lines round the areas under its sovereignty, these islands would not automatically be transferred to the ownership of any particular country; the same applied to the United Kingdom draft.

With regard to Takeshima, it states that "If it is desirable to prevent future Korean acquisition of the Hornet Islands (that is, Takeshima) which are uninhabited, they might be retained by Japan." In short, this document shows that while the United Kingdom draft placed Takeshima outside of the line surrounding Japan's territory, the United Kingdom attached importance not to the disposal of Takeshima as such but to the clear disposal of the islands lying between Japan and Korea by drawing the line; the line proposed by the United Kingdom was arbitrary and it did not have any concrete evidence to support their reasoning for putting Takeshima outside of the line.

## Excerpt

## Chapter II. Sovereignty.

Very careful drafting of this Section is essential in order to ensure that no islands near Japan are left in disputed sovereignty in conditions which might benefit the Soviet Union or other Communist States in Asia.

Article 2. It is suggested that this Article in its present form is too imprecise to meet the criterion set out above. Since it may be difficult to agree upon a date with reference to which the restriction of Japan's territorial sovereignty can be satisfactorily defined, and since in the time available it might well be impossible to set down all the islands and rocks adjacent to or near Japan over which Japan shall continue to exercise sovereignty, it is suggested that the device used in Article 1 of the United Kingdom draft is probably the best method of defining the limits of Japanese sovereignty.

2. In particular it may be noted that Article 2 read with Article 3 of the United States draft would leave the sovereignty of Quelpart Island and the Hornet Islands (Take Island or Miancourt Rocks) in disputed sovereignty. The United Kingdom draft might also be open to this charge in that their disposal is not specifically stated though their severance from Japan is established.

## Chapter III. Territory.

Article 3 (Articles 2,4,6 and 7 of the United Kingdom Draft and Paragraphs 5 and 6 of the United States Government's Aide-Memoire)

1. 1st Sentence of Art. 3.

Korea. Korea is not defined to include Quelpart Island, nor as including Utsuryo Shima or the Hornet Islands (Miancourt Rocks.) This may lead to difficulty since these islands' ownership may be disputed. If the United Kingdom Draft Paragraph 1 is accepted Japanese sovereignty will be extinguished. Quelpart and Utsuryo were always regarded by the Japanese as part of Korea. If it is desirable to prevent future Korean acquisition of the Hornet Islands which are uninhabited, they might be retained by Japan.

2. Formosa and the Pescadores.

His Majesty's Government prefer the wording of Article 4 of the United Kingdom Draft.

\*1 TNA, Attaches New Edition of draft Brief on US Provisional Draft Peace Treaty with Japan on which discussion will be held in Washington FJ1022/302, (FO371/92543)