

Period III (2)-ii. Preparation of the draft by the United States and the United Kingdom

The outcome of the discussion was reflected in the draft text, with the adoption of the simple structure set out in the United States draft, and the agreement to clearly refer to the three islands in response to the United Kingdom's emphasis on clarifying Japan's territory

No.41 **JOINT UNITED STATES/UNITED KINGDOM DRAFT OF A JAPANESE PEACE TREATY PREPARED DURING THE DISCUSSIONS IN WASHINGTON, APRIL-MAY 1951** May 3, 1951
 FY2018/P20

Overview

The joint United States/United Kingdom draft (dated May 3) drawn up in the final stage of the discussions held between the two countries from April 25 to May 4, 1951. Attached to the memo drawn up by the British Foreign Secretary to report on the results of the discussion to the Cabinet (dated May 23).

In this document, the provisions based on the United Kingdom proposals are indicated by a single line drawn on the left margin, while the provisions based on the United States proposals are indicated by double lines drawn in the right margin. Furthermore, sections on which the United Kingdom reserved their position are indicated between square brackets [].

In their discussions, the United States and the United Kingdom concurred on adding reference to the three islands that Japan would renounce its right to (→No.41), as shown by the text in Article 2 of the joint draft produced in the discussions, stating that "Japan renounces all rights, titles and claims to Korea (including Quelpart, Port Hamilton, and Dagelet)."

Moreover, there are no square brackets enclosing the wording of Article 2 "Japan renounces all rights, titles, and claims to Korea (including Quelpart, Port Hamilton, and Dagelet)", which indicates that the United Kingdom did not reserve their position on this section.

Excerpt

ANNEX A
 JOINT UNITED STATES/UNITED KINGDOM DRAFT OF A JAPANESE PEACE TREATY PREPARED DURING THE DISCUSSIONS IN WASHINGTON, APRIL-MAY 1951
 [United Kingdom contributions are single sided; United States contributions are double sided.]
 (text omitted)

 Chapter II. - Territory
 ARTICLE 2

Japan renounces all rights, titles and claims to Korea (including Quelpart, Port Hamilton and Dagelet), [Formosa and the Pescadores]; and also all rights, titles and claims in connexion with the mandate system [or based on any past activity of Japanese nationals in the Antarctic area]. Japan accepts the action of the United Nations Security Council of 2nd April, 1947, in relation to extending the trusteeship system to Pacific Islands formerly under mandate to Japan.
 (United Kingdom reserves position on passages between square brackets.)
 (text omitted)

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SECRET

ANNEX A

**JOINT UNITED STATES/UNITED KINGDOM DRAFT OF A JAPANESE
PEACE TREATY PREPARED DURING THE DISCUSSIONS IN
WASHINGTON, APRIL–MAY 1951**

[United Kingdom contributions are single sidelined; United States contributions are double sidelined.]

PREAMBLE

..... hereinafter referred to as "the Allied Powers," of the one part, and Japan, of the other part;

Whereas the Allied Powers and Japan are resolved that henceforth their relations shall be those of nations which, as sovereign equals, co-operate in friendly association to promote their common welfare and to maintain international peace and security, and are therefore desirous of concluding a Treaty of Peace which will settle questions still outstanding as a result of the existence of a state of war between them and will enable Japan to carry out her declared intentions to apply for membership in the United Nations Organisation and in all circumstances to conform to the principles of the Charter of the United Nations; to strive to realise the objectives of the Universal Declaration of Human Rights; to seek to create within Japan conditions of stability and well-being as defined in Articles 55 and 56 of the Charter of the United Nations and already initiated by post-war Japanese legislation; and in public and private trade and commerce to conform to internationally accepted fair practices;

Whereas the Allied Powers welcome the intentions of Japan set out in the foregoing paragraph;

Have therefore agreed to conclude the present Treaty of Peace, and have accordingly appointed the undersigned Plenipotentiaries, who, after presentation of their full powers, found in good and due form, have agreed on the following provisions.

Chapter I.—Peace

ARTICLE 1

The state of war between Japan and each of the Allied Powers is hereby terminated as from the date on which the present Treaty comes into force between Japan and the Allied Power concerned.

Chapter II.—Territory

ARTICLE 2

Japan renounces all rights, titles and claims to Korea (including Quelpart, Port Hamilton and Dagelet), [Formosa and the Pescadores]; and also all rights, titles and claims in connexion with the mandate system [or based on any past activity of Japanese nationals in the Antarctic area]. Japan accepts the action of the United Nations Security Council of 2nd April, 1947, in relation to extending the trusteeship system to Pacific Islands formerly under mandate to Japan.

(United Kingdom reserves position on passages between square brackets.)

ARTICLE 3

Japan will concur in any proposal of the United States to the United Nations to place under its trusteeship system, with the United States as the administering authority, the Ryukyu Islands south of 29° north latitude, the Bonin Islands, including Rosario Island, the Volcano Islands, Parece Vela and Marcus Island. Pending the making of such a proposal and affirmative action thereon, the United