

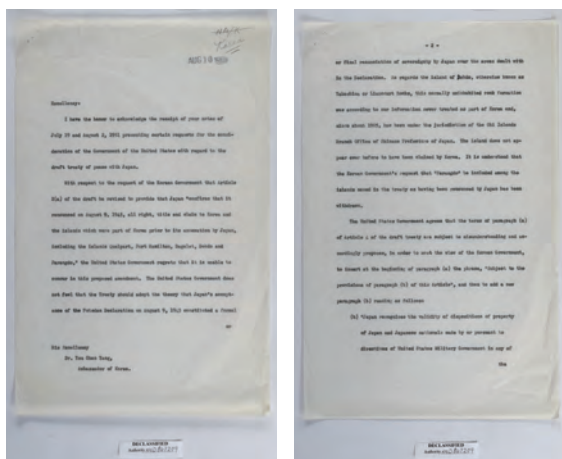
Period III (2)-iii. The Republic of Korea's request for amendment to the draft peace treaty with Japan, and the United States' response

The United States rejected the Republic of Korea's request based on its recognition of Takeshima as Japan's territory, as well as its request to maintain the MacArthur Line

No.43 Letter sent from the U.S. Government to the Republic of Korean Government on August 10, 1951 August 10, 1951

FY2016/p25

(Letter from Dean Rusk, the U.S. Assistant Secretary of State, to Yang Yu Chan, the ROK Ambassador to the United States [The "Rusk's note"])



* These images are taken from the original repositied in the NARA. Available for viewing on the Takeshima Archives Portal

Overview

A letter from U.S. Assistant Secretary of State Rusk (for the Secretary of State) to Ambassador Yang, the Republic of Korea ambassador to the U.S. (dated August 10, 1951, copy retained by the U.S. Department of State). This letter is the response from the U.S. government to the requests made by the Republic of Korea government of July 19 (→No.42) and August 2 for amendments to the draft treaty (*1). With regard to the Republic of Korea's request to amend Article 2(a) on Takeshima, the U.S. government stated that it "regrets that it is unable to concur in this proposed amendment," and explained its key points as follows.

- It 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 its sovereignty over the areas dealt with in the Declaration.
- Takeshima was "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that the Korean Government's request that "Parangdo" be included among the islands named in the treaty has been withdrawn.

Excerpt

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

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