

**November 19, 1957**

**Korean Mission in Japan, 'Observation of the Drafts  
for Article 4 of the Draft Agreed Minutes'**

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**Summary:**

An analysis of the Article 4 of the Draft Agreed Minutes on the basis of Miyake's tentative suggestion with some minor revisions in Korea's favor.

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Original Scan

OBSERVATION OF THE DRAFTS FOR ARTICLE 4 OF THE DRAFT AGREED MINUTES

(Comparison of the Cable Instructions with the so-called  
Miyake's Tentative Suggestion)

1. According to the draft as appearing in Annex A, it is the Korean side that initiated reference to the Korean proposal on the Korean claims which the Korean side had submitted at the previous talks, and the Japanese side merely answered that in such case the Japanese side has no objection to discussing for settlement such Korean claims with sincerity. In other words, the Japanese side only interposes no objection to discussing for settlement such Korean claims with sincerity in response to the Korean remarks that the Korean side would submit the same proposal on Korean claims that it had submitted at the previous talks. Therefore, it might be said that the Japanese response lacks in positiveness on discussing for settlement such Korean claims with sincerity.
2. Furthermore, since the Korean side acknowledges that the Government of the Republic of Korea is also of the same opinion with the said Statement, it would amount to the fact that the Korean side has accepted the U.S. Statement in question in its entirety although there is attached a provided clause that the said U.S. Statement does not signify the reciprocal renunciation of the property claims.
3. On the other hand, according to the so-called Miyake's tentative suggestion, the U.S. Statement, in its entirety, does not have to be necessarily accepted by the Korean side. That is to say, although the U.S. Statement in question purports to give a clue to the settlement of the property claims, it does not signify the reciprocal renunciation of property claims and does not prevent the Korean side from submitting the same Korean proposal on Korean claims that it had submitted at the previous talks. And furthermore, in case such proposal is submitted by the

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Korean side at the formal conference to be resumed, the Japanese side commits itself to its willingness to discuss for settlement such Korean claims with sincerity as reflected in the sentence that "the Japanese side will discuss for settlement the Korean claims with sincerity." The Korean side accepts the U.S. Statement in the above context. Thus, our position vis a vis the U.S. Statement would be rather free as far as such portion of the U.S. Statement as is not so favorable to our side is concerned.

According to this draft, it is the Japanese side that started making reference to the Korean claims and the Japanese side, at its own initiative, stated that it will discuss for settlement such Korean claims with sincerity instead of its passiveness as appearing in the clause that "the Japanese side has no objection to discussing for settlement etc.,etc." as appearing in Annex A. Thus, the Japanese side will be in no position to deny the existence of the Korean claims which were submitted at the previous talks.

4. Furthermore, according to Mr. Miyake's draft, our Government is supposed to accept the U.S. Statement not in its entirety but only in such context as reflected in the foregoing part of the draft as Annex B.

5. In conclusion, it is humbly believed that the so-called Miyake's tentative suggestion might be a little more advantageous to our side than the draft as Annex A.

It is in this context that this Office will make efforts to have the Japanese side accept the adding of the clause "...and it does not substantially impair Korean claims" or to settle the issue on Article 4 of the Draft Agreed Minutes on the basis of the so-called Miyake's Tentative Suggestion with some minor revisions in our favour.

Enclosure: Annex A  
Annex B