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COMMUNICATION FROM VICENTE N. SANTOS, CHAIRMAN, WAR DAMAGE
CLAIMS SETTLEMENT COMMITTEE CONCERNING THE TRUST TERRITORY
OF THE PACIFIC ISLANDS

(Circulated in accordance with rule 24 of the rules of
procedure of the Trusteeship Council)

29 April 1969

Honorable William P. Rogers
Secretary of State
U.S. Department of State
Washington, D.C.

Dear Secretary Rogers:

The War Damage Claims Settlement Committee for the Mariana Islands District has received a copy of the proposed press release and the proposed agreement between the Government of Japan and the Government of the United States of America, with regard to the settlement of pre-war damage claims of the people of the Trust Territory of the Pacific Islands.^{1/} On behalf of the claimants in this district who have turned over their claims to our Committee for settlement, we wish to go on record of opposing the enclosed agreement for the following reasons:

1. No agreement for the settlement of claims by the inhabitants of the Mariana Islands District is considered binding unless the people concerned have been consulted and their advice obtained. The assumption on the part of the United States Government that they have the right to negotiate and enter into binding agreements for the people of the Mariana Islands District without their prior consent is objectionable and unacceptable.

^{1/} Copies of the proposed draft agreement, as well as of the draft exchange of notes between the Governments of Japan and the United States were enclosed with the present communication, and have been placed in the files of the Secretariat for consultation.

2. The first paragraph on page 4 refers to an understanding that all claims of Japan and its nationals against the United States, as Administering Authority, and the residents of the Trust Territory have been disposed of, and Japan and its nationals are fully and finally discharged from all liability under article III of the agreement. We wish to inquire as to what Japanese claims are there against the United States and residents of the Trust Territory?

3. Further, on page 6, the following language is found:

"... the disposition of property of Japan and of its nationals in the Trust Territory and their claims, including debts, against the Administering Authority of the Trust Territory and the disposition in Japan of property of the Administering Authority and residents of the Trust Territory, and of their claims, including debts, against Japan and its nationals..." /emphasis added/

What property and debts are there due Japan by the Administering Authority and what property is there in Japan that belongs to the Administering Authority and residents of the Trust Territory?

4. Article I of the agreement specifies that a total amount due the people of the Trust Territory is \$10 million. On what basis was this amount calculated?

5. Article II of the agreement appears to obligate the use of the \$10 million for the welfare of the inhabitants of the Trust Territory. Will the intent of this article allow payments to individual claimants or is it contemplated that the funds, products and services of the Japanese people will be controlled by the Congress of Micronesia? If so, we wish to interpose an objection on the basis that the losses and suffering were individual and each claimant should be compensated to the degree of his losses.

The attached agreement is unclear to us and appears to be unfair in view of previous settlements made by the Government of Japan. For instance, according to a United Press International news release that appeared in the 23 September 1967 issue of the Pacific Stars and Stripes, the Government of Japan agreed to pay Malaysia an \$8.33 million cash grant as atonement for atrocities committed during World War II. The Republic of the Philippines has been and still is receiving both cash and supplies from the Government of Japan on an annual basis. So, it is difficult to understand why a different and less attractive arrangement for the payment of claims due the people of the Trust Territory.

We would be very pleased to have clarification regarding these matters.

Sincerely yours,

UNSIGNED

Vicente N. Santos
Chairman, War Damage
Claims Settlement Committee

Enclosures

Hon. Walter J. Hickel
Secretary, U.S. Department of Interior

Mrs. Elizabeth Farrington
Director, Office of Territories

Honourable Patsy T. Mink

Honourable Spark Matsunaga

Honourable Hiran Fong

Honourable Daniel K. Inouye

Honourable Richard C. White

President, Trusteeship Council, United Nations

High Commissioner, Trust Territory of the Pacific Islands
