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January 14, 1958

ATOMIC ENERGY COMMISSION

COMPENSATION TO THE JAPANESE GOVERNMENT

Note by the Secretary

The Director of International Affairs has submitted the attached Department of State document for the information of the Commission.

W. B. McCool

Secretary

STATUS VERIFIED

BY J. Diaz DATE 8/5/80

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Department of Energy

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DEPARTMENT OF STATE

January 3, 1955  
3:08 a.m.

INCOMING TELEGRAM

FROM: Tokyo

TO: Secretary of State

NO: 1565, January 3, 3 p.m.

PRIORITY

Reference Embassy telegram 1564, January 3, 1955.

Following texts US and Japanese notes:

VERBATIM TEXT

US NOTE

I have the honor to refer to our recent conversations regarding compensation for Japanese Nationals who sustained personal and property damage as a result of nuclear tests in the Marshall Islands:

Your Excellency knows of the deep concern and sincere regret the Government and people of the USA have manifested over the injuries suffered by Japanese fishermen in the course of these tests, and of the earnest hopes held in the US for the welfare and wellbeing of these injured fishermen. The Government of the US of America has made clear that it is prepared to make monetary compensation as an additional expression of its concern and regret over the injuries sustained.

I now desire to inform Your Excellency that the Government of the US of America hereby tenders, ex gratia, to the Government of Japan, without reference to the question of legal liability, the sum of two million dollars for purposes of compensation for the injuries or damages sustained as a result of nuclear tests in the Marshall Islands in 1954.

The Government of the US of America understands that the tendered sum will be distributed in such an equitable manner as may be determined in the sole discretion of the Government of Japan, and also wishes to observe that this sum includes provision for a solatium on behalf of each of the Japanese fishermen involved and for the claims advanced by the Japanese Government for their medical and hospitalization expenses.

It is the understanding of the Government of the US of America that the Government of Japan, in accepting the tendered sum of two million dollars, does so in full settlement of any and all claims against the US of America or its agents, Nationals, or juridicial entities, on the part of Japan and its Nationals and

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Juridicial entities for any and all injuries, losses or damages arising out of the said nuclear tests.

I should appreciate if Your Excellency would inform me whether the sum tendered herein is acceptable to your government and whether the above understanding of my government is also the understanding of your government. In the event such sum is acceptable, I have the honor to propose that this note and Your Excellency's reply accepting the tendered sum shall be considered a confirmation of these mutual understandings of our governments.

Accept, Excellency, the renewed assurances of my most distinguished consideration.

END TEXT.

VERBATIM TEXT

JAPANESE NOTE

I have the honor to refer to Your Excellency's note of this date regarding compensation for Japanese claims arising out of nuclear tests in the Marshall Islands, which reads as follows:

(COPY US NOTE)

I have the honor to inform Your Excellency that the sum tendered is acceptable to the Government of Japan and receipt thereof is hereby acknowledged. I have further the honor to inform Your Excellency that the above understanding of your government is also the understanding of my government and that Your Excellency's note and this reply accepting the tendered sum shall be considered a confirmation of these mutual understandings of our governments.

I avail myself of this opportunity to renew to Your Excellency, Monsieur l'Ambassadeur, the assurance of my highest consideration.

END TEXT

ALLISON