

No. 14240

**UNITED STATES OF AMERICA
and
JAPAN**

**Exchange of notes constituting an understanding relating to
the Radiation Effects Research Foundation (with record
of discussions). Tokyo, 27 December 1974**

Authentic texts: Japanese and English.

Registered by the United States of America on 27 August 1975.

**ÉTATS-UNIS D'AMÉRIQUE
et
JAPON**

**Échange de notes constituant un arrangement relatif à la
Fondation pour la recherche sur les effets des radiations
(avec procès-verbal de discussions). Tokyo, 27 décembre
1974**

Textes authentiques : japonais et anglais.

Enregistré par les États-Unis d'Amérique le 27 août 1975.

EXCHANGE OF NOTES CONSTITUTING AN UNDERSTANDING¹ BETWEEN THE UNITED STATES OF AMERICA AND JAPAN RELATING TO THE RADIATION EFFECTS RESEARCH FOUNDATION

要請に基づきいつでも相互に協議するものとする。

4 前記の了解は、三年間の期間の後、いずれか一方の政府が他方の政府に対してこの了解を終了させる意思を文書により通告した日から一箇年の期間が終了するまで効力を存続する。本大臣は、更に、閣下が前記の了解を貴国政府に代わつて確認されるよう要請する光栄を有します。

本大臣は、以上を申し進めるに際し、ここに重ねて閣下に向かつて敬意を表します。

千九百七十四年十二月二十七日に東京で

日本国外務大臣

日本国駐在アメリカ合衆国特命全權大使

ジェームズ・D・ホッドソン閣下

完
澤
氏
一

¹ Came into force on 27 December 1974 by the exchange of the said notes.

[TRANSLATION — TRADUCTION]

The Japanese Minister for Foreign Affairs to the American Ambassador

[See note II]

Tokyo, 27 December 1974.

Minister for Foreign Affairs of Japan,
[KIICHI MIYAZAWA]

His Excellency Mr. James D. Hodgson
Ambassador of the United States of America to Japan

II

The American Ambassador to the Japanese Minister for Foreign Affairs

Tokyo, December 27, 1974

No. 945

Excellency,

I have the honor to acknowledge the receipt of Your Excellency's Note of today's date, which reads as follows:

“I have the honor to refer to the recent consultations held between the persons concerned of Japan and the United States of America, for maintaining effectively, through an incorporated foundation to be organized under the laws of Japan, the activities of research and study on the medical effects of radiation on man and on diseases which may be affected by radiation, which have been carried out by the Atomic Bomb Casualty Commission (hereinafter referred to as “ABCC”) through its cooperation with the Japanese National Institute of Health (hereinafter referred to as “JNIH”) since 1947, and to confirm the following understanding reached between the representatives of the Government of Japan and the Government of the United States of America:

1. The Government of Japan and the Government of the United States of America consider that the establishment of “the Radiation Effects Research Foundation” (hereinafter referred to as “the Foundation”), under the management and operation by persons concerned of the two countries under equal participation, in Japan towards April 1, 1975 as an incorporated foundation under the laws of Japan is desirable for the purpose of promoting further the activities of research and study for peaceful purposes on the medical effects of radiation on man and on diseases which may be affected by radiation that have been jointly made by ABCC and JNIH, and shall take necessary measures within the scope of the competence of the respective Governments to facilitate the establishment of the Foundation by the persons concerned of the two countries.

2. In order to enable the Foundation to carry on smoothly the activities of research and study under its act of endowment, the two Governments have the intention, within the scope of the laws and regulations and within the limit of the budgetary appropriations of the respective countries, to accord to the Foundation such support and facilities as may be necessary and to make financial contributions to the Foundation in accordance with the principle of equal share of the expenses.

3. The two Governments shall keep each other informed and, whenever requested, consult with each other on problems arising out of or in connection with the establishment and

operation of the foundation, so that the objectives mentioned in paragraphs 1 and 2 may be achieved through effective cooperation between the two Governments.

4. The foregoing understanding shall continue in force, after the period of three years, until the expiration of the period of one year from the day on which either Government shall have given notice in writing to the other Government of an intention of terminating the understanding.

I have further the honor to request Your Excellency to be good enough to confirm the foregoing understanding on behalf of Your Excellency's Government."

I have further the honor to confirm that the foregoing understanding is also the understanding of the Government of the United States of America.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

JAMES D. HODGSON

His Excellency Kiichi Miyazawa
Minister for Foreign Affairs of Japan

RECORD OF DISCUSSIONS

The representatives of the Government of the United States of America and the Government of Japan have held consultations in accordance with paragraph 3 of the Notes exchanged on December 27, 1974 between Mr. J. D. Hodgson, United States Ambassador to Japan and Mr. K. Miyazawa, Minister for Foreign Affairs of Japan, concerning the establishment of an incorporated foundation "Radiation Effects Research Foundation" (hereinafter referred to as "the Foundation"), and have agreed to record the following:

1. The representatives of the two Governments confirmed that, in connection with paragraph 1 of the foregoing Notes, the two Governments are prepared to select, if necessary, the appropriate numbers of their respective citizens as the persons responsible for the concrete preparation of the establishment of the Foundation.

2. The representative of the Government of the United States of America stated that his Government has the intention to dissolve the Atomic Bomb Casualty Commission (hereinafter referred to as "ABCC") upon the establishment of the Foundation and to offer to the Foundation all the buildings, facilities and equipment in Japan in current use by ABCC on the day of inauguration of the Foundation. The representatives of the two Governments stated that in view of the intention of the Government of the United States of America as mentioned above, it is appropriate for the financial contribution of each Government in the first financial year (April 1, 1975-March 31, 1976) after the inauguration of the Foundation to be one half of the sum of the expenses of the Foundation for the said financial year plus the amount corresponding to the value of the above-mentioned buildings, facilities and equipment to be offered by the Government of the United States of America, provided that the financial contribution of the Government of the United States of America shall include the value of the foregoing buildings, facilities and equipment to be offered by the same Government and they further stated that, to that end, each Government has the intention to seek the necessary budgetary appropriation.

3. The representatives of the two Governments confirmed that it is desirable for the following measures to be taken at the time of inauguration of the Foundation:

- (a) That the business activities and the rights and obligations of ABCC as well as the business activities of the branch laboratories of the Japanese National Institute of Health (hereinafter referred to as "JNIH") be succeeded by the Foundation on the day of its inauguration.

- (b) That the personnel of ABCC and of the branch laboratories of JNIH become the personnel of the Foundation on the day of inauguration of the Foundation, subject to the consent of each person.
- (c) That the conditions of work of the personnel of the Foundation, including their salaries, at the time of its inauguration, be those which are currently in force at ABCC.

4. The representative of the Government of the United States of America expressed the wish of his Government that one half of the Officers, including members of the Board of Directors, of the Foundation be United States citizens to be recommended by the Government of the United States of America.

5. The representatives of the two Governments confirmed that “problems arising out of or in connection with the establishment and operation of the Foundation” referred to in paragraph 3 of the above-mentioned Notes include such matters as the annual plans of activities, the budget estimates, the disposition of permanent properties and other organizational matters of the Foundation.

6. The representatives of the two Governments confirmed the position of both Governments that in view of the necessity for the activities of research and study of the Foundation to be carried out on a long-term and stable basis, it is desirable for their financial contributions to the Foundation under the terms of the understanding contained in the foregoing Notes to continue after the completion of the three-year period referred to in paragraph 4 of the said Notes for as long as the activities of research and study of the Foundation are deemed useful.

Tokyo, December 27, 1974.
