

GHQ/SCAP Records (RG 331, National Archives and Records Service)

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HEADQUARTERS
CHUGOKU CIVIL AFFAIRS REGION
APO 182

D file
C/GB/mm
1 December 1950

CCAR 152

SUBJECT: Compensation for Damages Caused by UN Forces
Activities

TO : Chief
Civil Affairs Section
GHQ, SCAP
APO 500
Attn: Legal & Government

Forwarded herewith are letters to Foreign Minister
on above subject for your information and any action
deemed advisable.

2 Incls:
a/s

C. N. BAILEY
Colonel Inf
Chief

CHUGOKU LIAISON AND COORDINATION OFFICE

CHL No. 247 (KT)

2 November 1950

SUBJECT: Compensation for Damages Caused by UN Force
Activities

TO : Chief, Chugoku Civil Affairs Region

1. I suppose you have been well informed of the unfortunate accident which happened in Iwakuni, Yamaguchi Pref., on Sept. 26. Both prefectural and municipal authorities are trying hard to relieve hardship suffered by victims. We also are helping local authorities to obtain adequate assistance from the Japanese Government.

2. As existing Japanese regulations are inadequate to meet such case, we are having some difficulty to obtain a satisfactory arrangement. Your kind help and assistance, therefore, are earnestly requested.

OSAMU ITAGAKI
Director
Chugoku Liaison & Coordination Office.

Inclosure: letters to Foreign Minister CHU REN CHO No. 327
& No. 333.

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TO : Foreign Minister
FROM : Director, Chugoku Liaison and Coordination Office
SUBJECT: Compensation for Damages Caused by U.N. Force Activities

26 October 1950
Chu Ren Cho 327

1. According to an oral report to this office from Yamaguchi Prefecture, on Sept. 27 a B 26 twin engine bomber crashed in Iwakuni City soon after taking off from Iwakuni airfield for action in Korea. Three houses were completely lost, eight houses damaged, three persons killed and others injured.

2. Both prefecture and city are trying to come to assistance for victims. There are two ways for local agencies to get government assistance for victims.

- a. Money grants provided by a note of administrative vice-ministers of Welfare and Finance, Koseisho hatsu SHA 7, January 31, 1950.
- b. Compensation proceedings through SPA.

However, money grants mentioned in a. above are very unsatisfactory, especially for damages on properties. SPA compensation proceedings would be more satisfactory, if conceded, but there is technical doubt whether it covers the case in question.

3. The cause of the accident had nothing to do with Occupation activities. It happened when the plane was in action under U.N. flag. This point might complicate the matter in fixing responsibility for compensation. In our opinion, however, payment in yen of compensations, if paid at all, will be done by the Japanese Government. We request that a solution be worked out among agencies concerned in Tokio.

4. The following are attached here for your information.

In Haromura, Kamo-gun, Hiroshima Pref., a fire was started in the village-owned forest during a target practice by BCOF Force, causing damage of several million yen. The case has been taken up by SPA and now under study. If Occupation forces and Japanese authorities agree, the same might be applied to the case of Iwakuni City.

TO : Foreign Minister
FROM : Director, Chugoku Liaison and Coordination Office.
SUBJECT: Compensation for Damages Caused by U.N. Force
Activities

2 November 1950
CHU REN CHO 333

Reference is made to our letter Chu Ren Cho 327, dated October 26.

The Kure SPB Office is of opinion that it is not in its discretion to take up the case of Iwakuni City as a similar case to that of Hara Mura which is taken up by the Kure SPB and will be investigated by the SPA, Tokio. The Kure SPB will, however, take it up if central government agencies agree and instruct it to do so.

CHUGOKU LIAISON AND COORDINATION OFFICE

28 October 1950

A note (Koseisho-hatsu SHA dei 7 go) to prefectural governors from administrative vice-ministers of welfare and finance provides for small sums to be granted to victims of accidents caused by Occupation Forces. These small sums are apparently not considered compensations, but token of sympathy.

The eligibility list and scale of grants are as follows.

1. Eligible for grants are those who suffered damages from:
 - a) Accidents caused by blasting, construction, or similar works by Occupation Forces.
 - b) Motor car accidents caused by Occupation Forces' cars.
 - c) Destruction of buildings used by Occupation Forces through fire for which Occupation Forces are responsible.
 - d) Death or injuries caused by activities of Occupation Forces.
2. Eligibility will be lost when.
 - a) Victims are eligible for some other kind of compensation or assistance.
 - b) Victims are responsible intentionally or by serious negligence for the accident.
 - c) Victims are corporations or organized bodies.
 - d) Damages are too small.

Scale of Grants

(highest amounts per person)

	When no responsibility	No intention or serious negligence
1. Death		
Person supporting family	¥ 100,000	20,000
Others	34,000	6,800
2. Injuries completely crippling the person for life		
Person supporting family	120,000	24,000
Others	40,000	8,000
3. Injuries forbidding the person from any work for life		
Person supporting family	72,000	14,400
Others	26,000	4,800
4. Injuries forbidding the person from present work		
Person supporting family	36,000	7,200
Others	12,000	2,400
5. Injuries seriously disabling the person		
	6,000	2,000
6. Damaged or lost properties other than dwelling house		<u>10,000</u>
7. Dwelling house, damaged or lost		<u>20,000</u>