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File

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GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Civil Affairs Section
APO 500

827

827 (12 OCT 1950) CAS-N

12 OCT 1950

SUBJECT: Uncontrolled and Unauthorized Removal of Natural Resources

FOR:

Chief, Hokkaido Civil Affairs Region, APO 309
Chief, Kanto Civil Affairs Region, APO 500
Chief, Tohoku Civil Affairs Region, APO 547
Chief, Chugoku Civil Affairs Region, APO 182
Chief, Shikoku Civil Affairs Region, APO 1050
Chief, Kyushu Civil Affairs Region, APO 24-5
Chief, Kinki Civil Affairs Region, APO 15
Chief, Tokai-Hokuriku Civil Affairs Region, APO 710

1. Kanagawa Prefectural officials recently appealed to the Chief of Kanto Civil Affairs Region for correction of indiscriminate removal of gravel from river beds by the Occupation Forces. In this particular case, no claim for damages was made for prescription of privately owned property but a similar occurrence involving the removal of gravel from the Iruwa River resulted in the issuance of Procurement Demands totaling \$ 3,851,000. It was determined at that time that under Japanese law riparian rights are vested in prefectural governments and are property rights, the enjoyment of which may be transferred to individuals. It follows that deprivation of property rights are justly compensable.

2. The following instruction issued by the Supreme Commander for the Allied Powers to all concerned is quoted for your information: "In order to prevent the imperiling of flood control operations, and to remove a source of further claims, it is desired that immediate action be taken to eliminate indiscriminate and unauthorized removal of natural resources regardless of location."

FOR THE CHIEF, CIVIL AFFAIRS SECTION:

