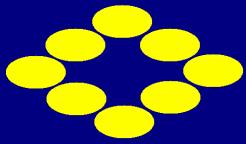


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## **NOTA EDITORIAL / EDITOR'S NOTE**

**Antonio Marquina<sup>1</sup>**

*UNISCI Director*

This new issue of the UNISCI journal focuses on two topics. The first is Japan and its major challenges in foreign policy and defense. This topic was programmed taking into account the dual year Spain - Japan 2013-2014 recalling the 400th anniversary of the first Japanese diplomatic mission to Spain and Rome. The second thematic group focuses on the Benedict XVI pontificate, given his unexpected resignation, something quite unusual, memorable and exemplary. For this reason we hastily sought the collaboration of three good specialists, professors José Luis Santos, Carlos Corral and Santiago Petschen, inviting them to write some brief reflections on the pontificate of Benedicto XVI. The journal thus collects three analyses. The first, on the moral guidelines of the encyclical "caritas in veritate" and the vision of the Pope on human development and the global human family. The second, on the diplomatic activities of the Holy See during his pontificate. And the third, on the agreements signed between the Holy See and various States in the last few years, an important aspect of the Vatican diplomacy, in order to understand the great value that different States attribute to the agreements and concordats with the Holy See.

On the topic of Japan, the journal invited very well known specialists from different countries. They focus on several key issues in foreign and defense policies of Japan: Territorial conflicts, the security environment, security and defense relations with the United States, foreign policies with his closest neighbors, with the States of ASEAN, and with Australia and India, taking into consideration the increasing bilateral exchanges with the last two states.

This issue attempts to discuss and clarify the Asia-Pacific regional environment and also the policies that Japan is developing or aims to develop. It is precisely this new regional environment the center of gravity for Japan. And, for this reason it has to devote unusual efforts and energies in order to avoid bitter awakenings. The speed of the changes that are taking place in Asia-Pacific and the transformation of the regional strategic balance in less than fifteen years forces it to do this. For Japan it is no longer a question of managing regional sensibilities. The challenge is deeper and more serious. It is a question of defending its national interests in a regional environment where pushy states, new military deployments and modernizations, including nuclear weapons and other WMD, and new regional economic designs are in a process of rapid development and implementation. The dilemmas, difficult dilemmas for Japan, are obvious.

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<sup>1</sup> Antonio Marquina Barrio is Chair of Security and Cooperation in International Relations, Director of the Department of Public International Law and International Studies of the Universidad Complutense de Madrid (UCM), Director of UNISCI and President of Foro Hispano-Argelino. His main research lines are security in Europe, the Mediterranean, Asia-Pacific, arms control and food security.

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This set of perspectives on foreign, security and defense policies leaves out an assessment of the Japanese international economic policy; its approaches and policies with respect to global issues such as the environment, energy, food, migration flows, the fight against poverty; or its relations with other continents and regions. We hope to do so on another occasion.

Finally, I present the UNISCI gratitude to all the authors for their selfless contribution and in particular to the coordinator of the studies on Japan, Eric Pardo.





## **THE SENKAKU/DIAOYU ISLANDS TERRITORIAL DISPUTE BETWEEN JAPAN AND CHINA: BETWEEN THE MATERIALIZATION OF THE "CHINA THREAT" AND JAPAN "REVERSING THE OUTCOME OF WORLD WAR II"?**

**Reinhard Drifte<sup>1</sup>**

*University of Newcastle*

### **Abstract:**

The territorial dispute between Japan and China over the sovereignty of the Senkaku/Diaoyu Islands is framed by economic interests, domestic circumstances, national identity issues, requirements of international law and historical grievances. The article provides an analysis of these issues which are indicative of the bilateral relationship in general. The analysis of the 1972-2010 period traces the reasons for the erosion of the implicit agreement in 1972 and 1978 between the two countries to shelve the territorial dispute, using Constructivist as well as Realist approaches. The second part contains a case study of the 2010 and the 2012/13 Senkaku incidents, the latter and most serious one started by Ishihara Shintaro, the right-wing Governor of Tokyo, when he declared in April 2012 his intention to have his local government buy some of the contested islands from its private owner which prompted the national government of Prime Minister Noda to buy them instead. The ensuing Chinese reaction has led to a crisis in the bilateral relationship which has political, military and economic implications of considerable importance for the future of Japan and China but also for the stability of the whole East Asian region.

**Keywords:** Japanese-Chinese relations; Japanese-Chinese economic relations; Senkaku/Diaoyu islands; Law of the Sea (UNCLOS); territorial conflicts; East China Sea.

### **Resumen:**

*La disputa territorial entre Japón y China sobre la soberanía de las Islas Senkaku/Diaoyu está muy influida por una serie de intereses económicos, circunstancias domésticas, cuestiones de identidad, exigencias de la legislación internacional y agravios históricos. Este artículo proporciona un análisis sobre estas cuestiones que también resultan a su vez indicativas del estado de las relaciones bilaterales en general. El análisis del período 1972-2010 indaga en las razones de la erosión de los acuerdos de 1972 y 1978 que ambos países acordaron para poner de lado la disputa territorial, usando para ello perspectivas tanto constructivistas como realistas. La segunda parte contiene un estudio de caso de los incidentes de las Senkaku en el 2010 y 2012/13, el último de los cuales fue iniciado por Shintaro Ishihara, el marcadamente conservador gobernador de Tokio, cuando manifestó en abril del 2012 la intención de su administración local de comprar algunas de las islas en disputa a sus propietarios privados, lo cual a su vez obligó al gobierno central del primer ministro Noda a adelantarse y comprarlas en su lugar. La respuesta ulterior por parte de China llevó a una crisis en las relaciones bilaterales de consecuencias políticas, militares y económicas de considerable importancia tanto para el futuro de las relaciones entre China y Japón como para la estabilidad de toda la región de Asia Oriental.*

**Palabras clave:** Relaciones Japón-China, relaciones económicas sino-japonesas, islas Senkaku/Diaoyu, Convención sobre el Derecho del Mar (UNCLOS), conflictos territoriales, Mar de la China Oriental.

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## 1. Introduction

The Senkaku Islands (about 6 square kilometers), known to the Chinese as Diaoyu dao, consist of five uninhabited islets and three barren rocks, located approximately 170 km southwest of Okinawa, the same distance from the northern tip of Taiwan, and 380 km from Wenzhou on the Chinese mainland.<sup>2</sup> The disputes between Japan and China over the sovereignty of these islands and the closely linked issue of the Exclusive Economic Zone (EEZ) border demarcation in the East China Sea are framed by security concerns (territorial integrity; maritime defence space, Japan-US alliance), economic interests (oil, gas, fishing, seabed resources), international law requirements, domestic circumstances (political instability, the rise of non-governmental actors), national identity issues and historical grievances. The 2012 crisis which erupted over the Japanese central government's purchase of some of the islands of the Senkaku Islands group in September 2012 from their private owner, has turned out even more severe than the previous one in 2010 when the Japanese authorities arrested the Chinese captain of a fishing vessel in one of the island's territorial waters after two collisions with Japanese Coast Guard vessels. These recurring confrontations have grievous implications not only for Japanese-Chinese relations, but also for regional security and economic welfare. The similarly not-yet-demarcated EEZ border between China and the Republic of Korea has led to even worse clashes between the Korean Coast Guard and Chinese fishing vessels, claiming lives and causing injuries on both sides.<sup>3</sup> The Japanese-Chinese confrontations have arguably also led to a worsening of Japan's other territorial disputes: with Korea over the Korea-held Dokto Islands (known to the Japanese as Takeshima), or the Russian-held Southern Kuriles islands (referred to by Japan as the 'Northern Territories'). The territorial and border demarcation disputes in the East China Sea also have implications for similar conflicts between China and several countries around the South China Sea. The US policy towards these conflicts, and its support for its allies against the background of its pivot towards Asia, will heavily influence both the conduct of these regional players and US credibility as an alliance partner. Finally, in view of these confrontations and disputes, countries worldwide may reassess China's stance towards the use of economic and military power and the country's reliability as a business partner.

The first part of this article discusses the historical background of the Senkaku dispute, i.e. the history-based arguments advanced by Japan and China to justify their respective claims, and how these arguments are being linked to international law. China approaches the historical background very differently from Japan, and argues today that Japan's claim ultimately aims at reversing the outcome of the World War II. The analysis of the history of the Senkaku Islands is also linked by China to the wider historical dispute about Japan's past aggression against China.

In the second part, the author looks at the unofficial understanding in 1972, and reconfirmed in 1978, between Japan and China (negotiations for the normalization of diplomatic relations and the Treaty of Peace and Friendship, respectively) to shelve the Senkaku territorial dispute. The author then analyses the domestic and international circumstances which led to the erosion and finally demise of this unofficial consensus which had helped to manage the dispute until about the middle of the 1990s. The author concludes that the leadership of both countries did not do enough to protect the 1972/1978 consensus,

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<sup>2</sup> For the sake of simplicity, the name 'Senkaku Islands' is normally used in this article.

<sup>3</sup> Roehrig, Terence: "South Korea-China Maritime Disputes: toward a Solution", *East Asia Forum* (27 November 2012), at <http://www.easiaforum.org/2012/11/27/south-korea-china-maritime-disputes-toward-a-solution/>.



and instead took measures which, in Japan's case, amounted to strengthening the Japanese sovereignty claim, or in the case of China, to diminishing Japan's sovereignty claim, which finally led to the major crises of 2010 and 2012.

The analysis of the two crises shows the escalation of China's political and economic retributions, which have undermined Japan's official stance that there is no territorial dispute to be discussed and that Japan is in full control of the islands. China's regularized law enforcement counter-measures (i.e. ship and airplane patrols by its coast guard and fishery agencies) since September 2012 have now led to the involvement of the military on both sides and heightened the risk of accidental clashes. Given the domestic and international dynamics, as well as the entrenched positions on both sides, the conflict over the sovereignty of the Senkaku Islands is not likely to go away very soon. The best one can hope for is management of the dispute and the prevention of armed clashes between the two sides so that the regional and global implications can be minimized.

## 2. Historical Background

### 2.1 History-Based versus Modern International Law-Based Claims

Japan bases its sovereignty claim on the fact that it incorporated the islands as *terra nullius* (vacant territory) on the 14 January 1895 and has been continuously occupying the islands since then.<sup>4</sup> China, however, argues that it discovered the islands long before and quotes several historical documents going back to the Ming Dynasty (1368-1644) which mention the islands as part of Taiwan, although Taiwan was incorporated by the Qing Dynasty only in 1683.<sup>5</sup> After Japan's incorporation of the islands in 1895, a private person (Koga Tatsushiro) used some of the islands for commercial purposes for several decades until World War II, also providing habitation for workers who were employed in his fish processing plant. The government of the PRC claimed the islands only in December 1971 after a report in 1969 by an UN-related organization mentioning the possibility of substantial oil and gas reserves around the area (Reedman/Shimazaki 2006, p. 43).<sup>6</sup> This late claim was also very much in response to the Guomindang government in Taiwan (Republic of China, ROC) which had already in February 1971, and again on the 11 June 1971, publicly opposed the return of the Senkaku Islands (called by the ROC 'Diaoyutai') as part of the reversion of Okinawa to Japan in 1972. Applying contemporary rules of international law, the Japanese side has a strong claim to the sovereignty over the islands because of the incorporation as vacant territory, and Japan's effective control which went unchallenged for such a long time.

China's argument about 'discovery' is not very strong in terms of modern international law because it never exercised effective control and Chinese never inhabited the islands. In a recent publication of the State Ocean Administration, however, it is argued that China not

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<sup>4</sup> "Japan-China Relations Surrounding the Situation of the Senkaku Islands In response to China's Airspace Incursion", Gaimusho, *Position Paper* (18 December 2012), at [http://www.mofa.go.jp/region/asia-paci/senkaku/position\\_paper2\\_en.html](http://www.mofa.go.jp/region/asia-paci/senkaku/position_paper2_en.html); Shaw, Han-yi (1999): *The Diaoyutai/Senkaku Islands dispute: its history and an analysis of the ownership claims of the P.R.C., R.O.C., and Japan*, Baltimore, University of Maryland School of Law, p. 22.

<sup>5</sup> Shaw, *op. cit.*, pp. 42-69.

<sup>6</sup> Reedman, Anthony and Shimzaki Yoshihiko: *A world of Difference. Forty Years of the Coordinating Committee for Geoscience Programmes in East And Southeast Asia, 1966-2006*, Bangkok, CCOP, (September 2006), at <http://www.ccop.or.th/digital-publication>, p. 43.



only discovered the islands and used them, but also exercised long-term control over them.<sup>7</sup> `Discovery` according to the Chinese accounts simply means that the islands were mentioned in records written by people who passed them and used them as orientation points on their sea voyage between China and Okinawa/Japan, and considered them as part of China`s coastal defence.<sup>8</sup> Moreover, the assertion that Japan acquired the islands as the result of the Sino-Japanese War 1894-95, which was ended by the signing of the Treaty of Shimonoseki in April 1895, depends on whether one considers the Senkaku Islands part of Taiwan or part of Okinawa. The Shimonoseki Treaty included the cession of Taiwan and the Pescadores but did not mention the Senkaku Islands. The latitude and longitude of the Pescadores were given and a joint committee for demarcating territories was set up.<sup>9</sup> In the map of Taiwan printed at the time the Senkaku Islands were not included. China, however, states that the Treaty included also the Senkaku Islands since they belong to Taiwan, which Japan refutes.<sup>10</sup>

## **2.2. Political and Moral Caveats Regarding Japan`s 1895 Acquisition**

The historical circumstances of incorporation by Japan somewhat cast a shadow on Japan`s claim. Ivy Lee and Fan Ming – although they are in a minority – even express doubts about the legal basis of Japan`s claim in view of these circumstances.<sup>11</sup> In the first instance, at the end of the 19<sup>th</sup> century, the region was in an amorphous transition from a Sino-centric East Asian world order to one dominated by Western international law. Imperial China insisted on sticking to the former, while Meiji Japan warmly embraced the latter. As Shaw explains territorial ownership meant different things under these two different concepts and Chinese scholars use it as a base to refute Japan`s claims to territorial accession.<sup>12</sup>

From 1885 onwards, there was pressure from the local government in Okinawa and the entrepreneur Koga Tatsushiro, to incorporate the islands. But there is correspondence in 1885 between the central government in Tokyo and local government in Ryukyu (called Okinawa today) where the former demanded caution in asserting any claim or putting markers on the islands. The reason given was concern over raising the ire and suspicion of the Qing government, which at that time was militarily still stronger than Japan. This is interpreted by some as Japan at least implicitly admitting the Qing government`s title to the islands.<sup>13</sup> In contrast to the official Japanese version distributed since 1972 that, from 1885 on, there had been a series of surveys conducted by the Japanese government, documents clearly show that there were no such surveys.<sup>14</sup> Moreover, in 1880, negotiations between the Meiji and Qing governments had taken place over the establishment of a southern border because the Qing government opposed Japan`s incremental takeover of the Ryukyu island chain which, in 1879, had been incorporated into Meiji Japan as a prefecture, after having been under dual Chinese and Japanese suzerainty since 1609. A draft treaty was finalized where the Japanese proposed

<sup>7</sup> Zhang, Haiwen and Gao, Zhiguou (ed.) (2012): *Zhongguo de lingtu Diaoyudao*, Beijing, Haiyangqu Chubanshe, p. 2; p. 11.

<sup>8</sup> "Diaoyu Dao, an inherent Territory of China 25 September", *White Paper* (2012), at [http://news.xinhuanet.com/english/china/2012-09/25/c\\_131872152.htm](http://news.xinhuanet.com/english/china/2012-09/25/c_131872152.htm).

<sup>9</sup> "Treaty of Shimonoseki", Article 2c, and 3: <http://www.taiwandocuments.org/shimonoseki01.htm>.

<sup>10</sup> Shaw, *op. cit.*, p. 25.

<sup>11</sup> Lee, Ivy and Fang Ming: "Deconstructing Japan's Claim of Sovereignty over the Diaoyu/Senkaku Islands", *The Asia-Pacific Journal*, vol. 10, Iss. 53, no. 1 (31 December 2012), at <http://www.japanfocus.org/-Fang-Ming/3877>.

<sup>12</sup> Shaw, *op. cit.*, p. 64-68; see in particular p. 66 footnote 82 quoting a Chinese complaint in the 1870s during the negotiation about Okinawa.

<sup>13</sup> Hane, Jiro: "Senkaku mondai ni naizai suru horiteki mujun", *Sekai* (November 2012), p. 113; Shaw, *op. cit.*, p. 70.

<sup>14</sup> Shaw, *op. cit.*, p. 84.



to draw the border between Ryukyu and China by giving China the Ryukyu islands of Miyako and Yaeyama and everything to the south of them, in exchange for commercial rights in China. There was no specific reference to the Senkaku Islands, but according to Hane this is not surprising since they belonged in the understanding of the Qing government to the Ryukyu island chain which as a whole was the object of negotiations.<sup>15</sup> The treaty would have put the Senkaku islands on the Chinese side. For various reasons, China was reluctant to sign the agreement at the time, and from 1885 onwards, Japan no longer had any interest in signing either.<sup>16</sup> Hane argues that these two circumstances – Tokyo's hesitation to incorporate the Senkaku Islands, as well as making them the object of a deal – raise doubts about the Japanese government's claim today that the islands are 'inherent territory' (*koyu no ryodo*) of Japan. Incidentally, there are some Chinese on both sides of the Taiwan Strait (including even President Jiang Jieshi in 1965), who also claim Ryukyu (Okinawa) because it was under Chinese suzerainty and allegedly only ceded to Japan as a result of the Sino-Japanese war in 1895 (which Japan had to repudiate in the 1951 San Francisco Treaty), but this claim is not pursued officially by either the Chinese or the Taiwanese governments.<sup>17</sup> Such demands are today mentioned as a further reason by those urging Japan to take a strong position on the Senkaku Islands, because giving in on the Senkaku islands would only lead the Chinese to aim next at undermining Japan's sovereignty over Okinawa.<sup>18</sup>

Other historical circumstances used to contest Japan's claim to the Senkaku Islands are the timing and secrecy of their incorporation on 14 January 1895. The incorporation occurred when China had lost decisive battles in the Sino-Japanese War, had put out peace feelers to Japan on 22 November 1895, and its ultimate defeat had become predictable.<sup>19</sup> Therefore, from the documents quoted, for example by Hane and Shaw, it is clear that the Meiji government felt free in January 1895 to go ahead with incorporation of the islands, in contrast to its earlier hesitation. The Chinese surrender followed in March 1895, and the Treaty of Shimonoseki ended the war in April 1895. The incorporation by the Meiji government is therefore strictly speaking not related to the Shimonoseki Treaty although the timing and historical circumstances establish a causal link to the Sino-Japanese War. The Treaty does not contain any mention of the Senkaku Islands, only that China would cede to Japan 'the island of Formosa together with all islands appertaining or belonging to said island of Formosa', as Taiwan was then referred to. The PRC and ROC understands, however, that this wording applies also to the Senkaku Islands because they consider the Senkaku Islands as part of Taiwan.<sup>20</sup>

The Japanese government never made public the act of incorporation.<sup>21</sup> Although the act allowed the setting up of markers, according to Professor Inoue Kiyoshi, who did most of

<sup>15</sup> Hane, *op. cit.*, p. 120.

<sup>16</sup> Hane, *op. cit.*, pp. 117-8; McCormack, Gavan and Oka Norimatsu, Satoko: "Ryukyu/Okinawa, From Disposal to Resistance", *The Asia-Pacific Journal*, vol. 10, Iss. 38, no. 1 (17 September 2012), at <http://www.japanfocus.org/-Satoko-NORIMATSU/3828>.

<sup>17</sup> Shin, Kawashima; Urara, Shimizu; Yasuhiro, Matsuda and Yang, Yongming (Yang, Philip) (eds.) (2009): "Nichi Tai kankeishi 1945-2008", Tokyo, Tokyo Daigaku Shuppankai, p. 87; Hille, Katherin and Dickie, Mure: "Chinese Nationalists eye Okinawa", *Financial Times*, 23 July 2012, at <http://www.ft.com/cms/s/0/9692e93a-d3b5-11e1-b554-00144feabdc0.html#axzz21SXszRGZ>; Eldridge, Robert, US-Japan-China Comparative Policy Research Institute (CPRI) (10 June 1999), at <http://cpri.tripod.com/cpr1999/ryukyu.html>.

<sup>18</sup> Higurashi, Takanori (2009): *Okinawa wo nerau Chugoku no yashin*, Tokyo, Shodensha, p. 212.

<sup>19</sup> Shaw, *op. cit.*, p. 85.

<sup>20</sup> "White Paper Diaoyu Dao", *op. cit.*

<sup>21</sup> Gaimusho (1952): *Nihon gaiko bunsho*, vol 23, quoted in: Shaw, *op. cit.*, p. 100. Text of the act of incorporation at [http://www.mofa.go.jp/region/asia-paci/senkaku/pdfs/fact\\_sheet\\_02.pdf](http://www.mofa.go.jp/region/asia-paci/senkaku/pdfs/fact_sheet_02.pdf).



the original research on the history of the islands, they were put up only in May 1969 by the local government of Ishigaki.<sup>22</sup> When the Meiji government decreed the geographic extent of Okinawa prefecture in 1896, there was also no reference to the incorporation act or to the Senkaku islands.<sup>23</sup> The withholding of publication of the 1895 act was confirmed to the author by a senior official of the Japanese Ministry of Foreign Affairs on 9 October 2012, who, however, pointed out that the islands were not inhabited at the time of incorporation.

Under international law, appropriation of territory is legally strengthened by making it public and by not being contested, but notification is not an absolute condition. However, even if the islands were incorporated without this being officially made public, it must have come to the attention of succeeding Chinese governments that the islands were being economically exploited and temporarily inhabited by Japanese citizens, since fishermen from Taiwan and China pursuing fishing activities in the area sometimes landed there to escape storms. Even at the beginning of the 1950s fishermen from Irabujima near Miyakojima had stayed on Minami Kojima for up to three months to process bonito and keep vegetable gardens, but were told in 1971 by the Japanese government not to go there anymore when China suddenly claimed the Senkaku Islands. Until then, Japanese researchers had also gone to the islands on several occasions and the islands were used as shelter during typhoons.<sup>24</sup>

There is a letter of appreciation from the consul of the Republic of China in Nagasaki in 1920 which thanked the people of Ishigakijima for rescuing Chinese fishermen washed ashore on one of the Senkaku islands, stating that the islands are part of Okinawa prefecture.<sup>25</sup> An article in the *People's Daily* in 1996 dismissed this letter as the perception of certain people given the circumstance of Japan having colonized Taiwan at the time.<sup>26</sup> Even after the establishment of the People's Republic of China there was an article in the *People's Daily* on 8 January 1953 reporting Okinawan demonstrations against the US and explicitly including the Senkaku Islands in the description of the Ryukyu Islands.<sup>27</sup> Interestingly, the Chinese government does not mention this latter item in its counter claim. Instead, it simply asserts that the islands had been controlled by China for 600 years since the Ming Dynasty (referring to the above-mentioned accounts) and in 1895, as the Qing government's defeat in the First Sino-Japanese War was all but certain, Japan illegally occupied the Diaoyu Island and its affiliated islands.<sup>28</sup> One more recent historical proof for China's control of the islands is a document according to which the islands were given to a Chinese herb collector by the Empress Ci Xi in 1893. This document is now considered by both Chinese and Japanese historians alike as a forgery.<sup>29</sup> The Chinese White Paper of 2012 no longer mentioned this document, but an article in the *Beijing Review* in 2012 still does.<sup>30</sup>

<sup>22</sup> Shaw, *op. cit.*, p. 101.

<sup>23</sup> *Ibid.*, pp. 101-102.

<sup>24</sup> "A home away from home / Fishermen worked, took shelter, grew vegetables on Senkakus", *Yomiuri Shimbun*, 7 July 2012, at [www.yomiuri.co.jp/dy/national/T120706004188.htm](http://www.yomiuri.co.jp/dy/national/T120706004188.htm).

<sup>25</sup> Text of the letter at [http://www.mofa.go.jp/region/asia-paci/senkaku/pdfs/fact\\_sheet\\_03.pdf](http://www.mofa.go.jp/region/asia-paci/senkaku/pdfs/fact_sheet_03.pdf).

<sup>26</sup> Zhu, Jianrong: "Chugokugawa kara mita 'Senkaku mondai'", *Sekai* (November 2012), p. 107.

<sup>27</sup> Text of the article at "Japan-China Relations...", *op. cit.*

<sup>28</sup> "Statement of the Ministry of Foreign Affairs of the People's Republic of China", Ministry of Foreign Affairs of the PRC, (10 September 2012), at <http://www.fmprc.gov.cn/eng/topics/diaodao/t968188.htm>.

<sup>29</sup> Shaw, *op. cit.*, pp. 60-62; p. 104; Mine, Yoshiki: "Empress Dowager Cixi's Imperial Edict: Can it be a Basis for the Chinese to claim Ownership of the Senkakus?", The Canon Institute of Global Studies (4 July 2012), at [http://www.canon-igs.org/en/column/security/20120704\\_1399.html](http://www.canon-igs.org/en/column/security/20120704_1399.html).

<sup>30</sup> Zhong, Yan: "China's Claim to Diaoyu Island Chain indisputable", *Beijing Review*, no. 45 (17 August 2012), at [http://www.bjreview.com.cn/special/2012-08/17/content\\_476764.htm](http://www.bjreview.com.cn/special/2012-08/17/content_476764.htm).



### 2.3. The World War II Agreements and the Senkaku Islands

Based on its assertion about the Sino-Japanese war and the Senkaku Islands being part of Taiwan, the PRC government argues that the allied agreements concerning the postwar period (Cairo Communique and Potsdam Declaration), and the San Francisco Peace Treaty of 1951 (neither the Guomindang government on Taiwan nor the PRC government were invited to the conference leading to the treaty) required Japan to return the Senkaku Islands. The Cairo Declaration in December 1943 demanded the return to the Republic of China of `all the territories Japan has stolen from the Chinese, such as Manchuria, Formosa, and the Pescadores.’<sup>31</sup> Article 8 of the Potsdam Declaration states that `The terms of the Cairo Declaration shall be carried out and Japanese sovereignty shall be limited to the islands of Honshu, Hokkaido, Kyushu, Shikoku and such minor islands as we determine’.<sup>32</sup> Article 2 (b) of the San Francisco Treaty stipulates that `Japan renounces all right, title and claim to Formosa and the Pescadores’.<sup>33</sup> The Senkaku Islands are nowhere mentioned in these documents, but because of its assertion about the islands being part of Taiwan the Chinese consider them to be included.<sup>34</sup> However, the PRC has never recognized the legality of the San Francisco Peace Treaty and the Treaty itself does not even clarify to what China Taiwan should be returned,<sup>35</sup> In an unsigned draft planning document of May 1950 from the Chinese Ministry of Foreign Affairs for the PRC’s possible participation in the San Francisco Peace Treaty, and published in the Japanese media only in December 2012 as proof of China recognizing Japan’s ownership, the islands are referred to by their Japanese name, and it is proposed to examine whether these islands are part of Taiwan, thus throwing doubt on China’s claim today that they have always been part of Taiwan and not Okinawa, and had been ceded to Japan in 1895 as part of Taiwan.<sup>36</sup> Professor Liu Jianguo of Qinghua University explained the use of the Japanese name by the circumstance that this name was, after the Japanese colonization of Taiwan, the more popular name.<sup>37</sup>

Another battle field between Japan and China for proving their sovereignty is the use of maps. Both sides have been trying to prove their title to the islands by referring to maps where the islands are either shown as belonging to China (or Taiwan) or Japan, or using Chinese names instead of Japanese names.<sup>38</sup> However, until 1970 when the islands became an object of dispute, the inconsistencies on both sides seem to have more to do with ignorance, disinterest and confusion concerning these very minor and far-flung islands rather than being the object of centrally-directed and authorized map making, as was also demonstrated in the above-mentioned May 1950 draft document of the PRC. During World War II and in its aftermath, there was considerable confusion within the Guomindang government about whether it should or could claim the Ryukyu Islands (but no explicit mentioning of the

<sup>31</sup> *Cairo Declaration*, at [http://www.ndl.go.jp/constitution/e/shiryō/01/002\\_46/002\\_46tx.html](http://www.ndl.go.jp/constitution/e/shiryō/01/002_46/002_46tx.html).

<sup>32</sup> *Potsdam Declaration*, at <http://www.ndl.go.jp/constitution/e/etc/c06.html>.

<sup>33</sup> *San Francisco Peace Treaty*, at <http://www.mofa.go.jp/region/europe/russia/territory/edition92/period4.html>.

<sup>34</sup> "White Paper Diaoyu Dao", *op. cit.*

<sup>35</sup> Shaw, *op. cit.*, p. 121.

<sup>36</sup> Text excerpts at [http://en.wikipedia.org/wiki/Senkaku\\_Islands\\_dispute#](http://en.wikipedia.org/wiki/Senkaku_Islands_dispute#). For a full discussion of this document see Shiroyama, Hidemi: "Fuin sareta Senkaku gaiko bunsho", *Bungei Shunju*, June 2013, pp. 264-271.

<sup>37</sup> Liu, Jianguo: "US, Japan cannot change History by confusing the Public", *People's Daily Online*, 8 January 2013, at <http://english.peopledaily.com.cn/90777/8083511.html>. For a thorough discussion of maps by all sides see Shaw, *op. cit.*, pp. 52-55.

<sup>38</sup> Zhu, *op. cit.*, p. 108; Guo, Jiping: "Ironclad Evidence Shows that Diaoyu Dao is China's Territory", Chinese Embassy New Zealand (23 October 2012), at <http://www.chinaembassy.org.nz/eng/gdxw/t981502.htm>; Zhong, *op. cit.*; Shaw, *op. cit.*, pp. 52-55; 94-96; MOFA, *Fact Sheet*, no. 4, at [http://www.mofa.go.jp/region/asia-paci/senkaku/pdfs/fact\\_sheet\\_04.pdf](http://www.mofa.go.jp/region/asia-paci/senkaku/pdfs/fact_sheet_04.pdf).



Senkaku Islands) or not.<sup>39</sup> Ishii mentions that the ROC government at one stage demanded to take part in the Trusteeship of Okinawa.<sup>40</sup> According to an article in the newspaper of the Chinese Communist Party, Roosevelt even offered Jiang Jieshi Okinawa (which then would have naturally included the Senkaku Islands) during the Cairo conference in 1943, but Jiang turned it down.<sup>41</sup>

### **3. The Genesis of the Controversy**

#### **3.1. Turning Point: The Reversion of Okinawa in 1971**

As a result of World War II, Okinawa, including the Senkaku Islands as part of the Nansei Shoto Islands (south of 29° north latitude), was placed under US administration and became a central anchor of the US military deployment in Asia. During the San Francisco Peace Treaty negotiations, the US and the UK agreed that Japan would retain `residual sovereignty` over Okinawa, and that the US would not require Japan to renounce its sovereignty over Okinawa.<sup>42</sup> It is obvious that the Japanese felt encouraged to consider the Senkaku Islands as being included in the `residual sovereignty over Okinawa` since, for Tokyo, the islands were part of Okinawa. Moreover, when the government of the Republic of China normalized diplomatic relations with Japan in 1952 (Treaty of Peace between Japan and the Republic of China), the subject of the islands had not been raised by either side. In a separate exchange of notes, both sides had agreed that the Treaty `be applicable to all the territories which are now, or which may hereafter be, under the control of its Government` which refers to the ROC government.<sup>43</sup>

But when the US announced in 1953 its intention to return to Japan the Amami Islands (north of Okinawa main island) as part of the Nansei Shoto, the ROC government (but not the PRC) protested against the US legal justification of doing so under the concept of Japan's `residual sovereignty` over these islands because this concept was not part of the San Francisco Peace Treaty.<sup>44</sup> When the US started to discuss with Japan the transfer of the administrative rights over Okinawa to Japan, leading to the conclusion of the `Agreement Between Japan and the United States of America Concerning the Ryukyu Islands and the Daito Islands` (signed on 17 June 1971), Taipei urged the US in September 1970 not to include the Senkaku Islands, and to keep the sovereignty issue open.<sup>45</sup> The ROC ambassador to the US, in a note of 15 March 1971, explained his government's silence concerning the Senkaku Islands until then by saying `for regional security considerations the Government of

<sup>39</sup> Liu, Xiaoyuan (1996): "A Partnership for Disorder: China, the United States and their Policies for the Postwar Disposition of the Japanese Empire, 1941-1945", Cambridge, University of Cambridge Press, pp. 77-78; Eldridge, *op. cit.*.

<sup>40</sup> Ishii, Akira: "Chugoku to Nihon. ASEAN kan no aida no kokkyo mondai", in Iwashita, Akihiro (ed.) (2006): *Kokkyou. Dare ga kono sen wo hikiitaka- Nihon to Yurasia*, Sapporo, Hokkaido Daigaku Shuppankan, p. 140.

<sup>41</sup> "Jiang Jieshi houhui jushou Liujiu qundao", *News of the Communist Party of China*, at <http://cpc.people.com.cn/GB/68742/114021/114023/6771000.html>. This is also confirmed by an article on the Japanese version of the Guomindang website: Jiang Jieshi ga Ryukyu wo sesshu shinakatano wo kokai, based on an article in Taiwan's *Zhongguo Shibao*, 9 September 2012, at <http://www.kmt.org.tw/japan/page.aspx?type=article&mnum=119&anum=8214>.

<sup>42</sup> Shaw, *op. cit.*, p. 27, fn. 26.

<sup>43</sup> *Treaty of Peace between Japan and the Republic of China*, at [http://en.wikisource.org/wiki/Treaty\\_of\\_Peace\\_between\\_Japan\\_and\\_the\\_Republic\\_of\\_China](http://en.wikisource.org/wiki/Treaty_of_Peace_between_Japan_and_the_Republic_of_China).

<sup>44</sup> Shaw, *op. cit.*, p. 114, fn. 135.

<sup>45</sup> "Foreign Relations of the United States (FRUS)", vol. XVII (1969-1976), p. 292, fn. 6, at <http://2001-2009.state.gov/documents/organization/70142.pdf>.





the Republic of China has hitherto not challenged the US military occupation of the Senkaku Islands under Article 3 of the San Francisco Peace Treaty. However, according to international law, temporary military occupation of an area does not affect the ultimate determination of its sovereignty.<sup>46</sup> He then asked for the restoration of the islands to the ROC. `Regional security considerations` certainly meant that under the Cold War conditions and its confrontation with Beijing, the ROC government did not want to do anything which might have diminished the military power of or its good relationship with its American protector. Moreover Japan was an important anti-communist neighbour for Taiwan, and therefore the ROC government had, in 1951, waived all reparations from Japan. Under pressure from both allies (the US still had diplomatic relations with Taiwan in 1971!), the US had to choose whether to go against Japan or Taiwan, and in the end decided to be more supportive of Japan`s demand. As a compromise, the US Administration stated during Senate hearings on the reversion that `The United States has made no claim to the Senkaku Islands and considers that any conflicting claims to the islands are a matter for resolution by the parties concerned`, the latter including the ROC and the PRC.<sup>47</sup> Since the reversion in 1971, the US has stuck to not taking a position on the sovereignty of the Senkaku Islands and emphasizing that the 1971 Agreement transferred only the `administrative rights` to Japan. But not only did the US in this way allow Japan to regain control over the Senkaku Islands and enable it to reinforce its sovereignty claim thanks to the reversion, it also agreed the application of the 1960 revised Japan-US Security Treaty over the Okinawa area, including explicitly the Senkaku Islands. When reading the proposal by the National Security Staff member John Holdridge to return `the Ryukyus (*sic*) and the Senkakus` but to pass no judgement as to the conflicting claims to them, the President`s Assistant for National Security Affairs, Henry Kissinger, wrote on the margin of the memo of 13 April 1971: `But that is nonsense since it gives islands back to Japan. How can we get a more neutral position?`<sup>48</sup>

While the above sheds some light on why the ROC did not make any public claims to the title of the Senkakus between 1945 and 1970, it does not explain its silence before that period, or even for the period 1945-1949, i.e. before the establishment of the PRC. Shaw offers the theory that this was because the Guomindang government did not have any history of ruling Taiwan and had to rely on Japanese colonial records and maps when it took over Taiwan in 1945.<sup>49</sup> The US Department of State documents (FRUS) reveal that, for the ROC government, it was very much the opposition by public opinion in Taiwan to the islands` return to Japan, as well as by overseas Chinese which put pressure on Taipei in 1970 to oppose the transfer of the islands to Japan.<sup>50</sup> Another reason not mentioned in these documents is the report of hydrocarbon reserves around the islands. The Committee for Coordination of Joint Prospecting for Mineral Resources in Asian Offshore Areas (CCOP), under the auspices of the UN Economic Commission for Asia and the Far East (ECAFE), had conducted a geophysical survey in 1968. The Committee said in a report in May 1969 that the continental shelf between Taiwan and Japan may be extremely rich in oil reserves.<sup>51</sup> Soon

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<sup>46</sup> *Ibid.* p. 296.

<sup>47</sup> Nicksch, Larry: "Senkaku (Diaoyu) Islands Dispute: The U.S. Legal Relationship and Obligations", *Congressional Research Committee* (1996), p. 4, at <http://congressionalresearch.com/96-798/document.php?study=Senkaku+Diaoyu+Islands+Dispute+The+U.S.+Legal+Relationship+and+Obligations>.

<sup>48</sup> FRUS 2006, *op. cit.*, p. 297.

<sup>49</sup> Shaw, *op. cit.*, p. 119.

<sup>50</sup> FRUS, *op. cit.*, p. 292. On the Overseas Chinese see also Shaw, *op. cit.*, pp. 13-14.

<sup>51</sup> Gao, Zhiguo and Wu Jilu: "Key Issues in the East China Sea: A Status Report and recommended Approaches", in: Harrison, Selig (ed.) (2005): *Seabed Petroleum in Northeast Asia: Conflict or Cooperation?*, Washington D.C., Woodrow Wilson International Center for Scholars, p. 32.



after the publication of this report, Japan started to explore with Taiwan and the Republic of Korea possibilities for joint development of the Sea's hydrocarbon resources. In March 1969, Japan began protracted negotiations with Taiwan and South Korea, leading to an agreement in principle in September 1970, to set up a joint development project.<sup>52</sup>

If the ROC had until 1945 no experience of ruling Taiwan, then the PRC government had even less experience with the area of the Senkaku Islands. Their negligible size and remote location before the likelihood of hydrocarbon reserves was raised certainly did not draw any attention to them. The above circumstances explain also the timing of the PRC's claim. In addition, and probably more urgent at a time when the government was just emerging from the political ravages of the Cultural Revolution, the PRC could not stay quiet in the face of Taiwan's and the overseas Chinese claims if it wanted to be recognized as the sole representative of China. The first newspaper reports about China's claims came out in May 1970, after Japan and Taiwan had started talks on jointly exploring the energy resources around the Senkaku Islands, and Okinawa's reversion was announced. Only on 30 December 1971 did the Chinese Foreign Ministry publish an official statement claiming the islands.<sup>53</sup>

The weakest point of the territorial claim to the Senkaku Islands by the Republic of China and, since 1949, that by the People's Republic of China is, therefore, that, until the ECAFE survey of the East China Sea, the islands were not claimed by either the PRC or the ROC governments, and Japan's control over the islands had been uncontested. Shaw calls this absence of objection a 'serious political misstep'.<sup>54</sup> The contrast to the Chinese claims to almost the whole of the South China Sea is revealing: the 9 dash line (originally 11 dash line) on which China's claims to the South China Sea is based was already established in 1947 but had appeared in Chinese maps in one form or the other since 1936, and was then taken over in 1949 by the PRC.<sup>55</sup>

In meetings with PRC academics in February 2013 this author was given several reasons for the long silence of the Beijing government which include some of those mentioned above. First of all the government never saw a reason to specifically claim the islands because according to the PRC interpretation of the Shimonoseki Treaty they had been taken away from China as part of Taiwan and Japan had to return them as a result of the above mentioned wartime and postwar agreements. All counterarguments about the islands not having been mentioned in these agreements (in contrast to e.g. the Penghu Islands) were swept away by the assertion that the Diaoyu Islands are part of Taiwan. The US administration over Okinawa which explicitly includes the Senkaku Islands and the US/UK statement concerning Japan's residual sovereignty over Okinawa during the San Francisco Peace Treaty negotiations (at that time no difference between Japanese sovereignty over Okinawa and administrative rights over the Senkaku Islands had yet been made) were simply considered as counteracted by two PRC statements in 1951 which declared the treaty illegal.

<sup>52</sup> Drifte, Reinhard: "From 'Sea of Confrontation' to 'Sea of Peace, Cooperation and Friendship'? - Japan facing China in the East China Sea", *Japan Aktuell*, no.3 (2008), at

[http://www.giga-hamburg.de/dl/download.php?d=/content/publikationen/archiv/ja\\_aktuell/jaa\\_0803\\_fokus\\_drifte.pdf](http://www.giga-hamburg.de/dl/download.php?d=/content/publikationen/archiv/ja_aktuell/jaa_0803_fokus_drifte.pdf).

<sup>53</sup> Urano, Tatsuo (ed.) (2001): *Diaoyutai qundao (Senkaku Shoto) wenti, Yanjiu ziliao huibian*, Hong Kong, Lizhi Chubanshe, pp. 35-6; *People's Daily*, 18 May 1970, 4 and 29 December 1970.

<sup>54</sup> Shaw, *op. cit.*, p. 121.

<sup>55</sup> Bonnet, François-Xavier: "Geopolitics of the Scarborough Shoal", *IRASEC's Discussion Paper*, no. 14 (November 2012), pp. 22-23, at

[http://www.irasec.com/component/irasec/?task=publication\\_detail&publicationid=335](http://www.irasec.com/component/irasec/?task=publication_detail&publicationid=335);

Buszynski, Leszek and Sazlan, Iskandar: "Maritime Claims and Energy Cooperation in the South China Sea", *Contemporary Southeast Asia*, vol. 29, no. 1 (April 2007), p. 151.



Interestingly in our context, in these statements Beijing claimed the Paracel Islands, the Spratly Islands and the Pratas Islands as part of China.<sup>56</sup> Even if the PRC considered the Senkaku Islands as part of Taiwan, it is strange that no claim to the Senkaku Islands was made although Taiwan was under the control of the Guomindang whereas the Senkaku Islands in contrast were put under US administration (and moreover joined to Okinawa) while the Pratas Islands were put under UN Trusteeship. Another explanation given by these PRC academics for China's silence is the absence of diplomatic relations between Beijing and Tokyo until 1972. It is not clear to this author why this should have prevented Beijing from protesting against Japan's territorial claim to the islands since the government on many occasions before 1972 protested Japanese policies and even concluded 'private' fishery agreements which managed to circumvent the territorial dispute. Another reason mentioned was China's domestic instability during the Cultural Revolution 1966-69 which certainly distracted the PRC leadership from dealing with such minor islands.

### 3.2. Was The Senkaku Issue Shelved in 1972 and 1978?

What had been keeping the territorial dispute between Tokyo and Beijing under control from the 1970s until the 1990s was an unofficial understanding ('anmoku no ryokai' in Japanese) in 1972 and 1978 to shelve the dispute ('tana age' in Japanese, 'gezhi' in Chinese). However, the Japanese government later explicitly denied such an understanding. Since this shelving agreement helped to keep the territorial conflict under wraps for such a long time despite several incidents and played a critical role in the 2010 and 2012 crises, it is important to investigate the circumstances of what was understood in 1972 and 1978, and why this understanding fell apart.

In 1972, the two countries normalized diplomatic relations, and in 1978, they concluded a Peace and Friendship Treaty. On the occasion of both negotiations, it was the Japanese side which raised the issue of the Senkaku Islands, and agreed to proceed to a conclusion of the respective negotiation despite diametrically opposed claims to the ownership of the Senkaku Islands. In other words, both governments agreed to shelve the issue, albeit not in writing or in any public or legal form. In the case of the September 1972 negotiations between Prime Minister Tanaka Kakuei and Prime Minister Zhou Enlai, the territorial issue (as well as the exact wording of Japan's apologies about its past actions in China, which Tanaka offered to Zhou Enlai) was so sensitive for the Japanese government that the record of the Gaimusho omits the reaction of Tanaka to Zhou Enlai's refusal to discuss the territorial issue. This part was deleted by the then head of the China Division in the Gaimusho, Hashimoto Hiroshi, who later admitted this in an interview in 2000. In the interview he said that Tanaka Kakuei, in reaction to Zhou Enlai's reasoning that it would be better not to discuss the problem of the Senkaku Islands, replied, 'Let's discuss it another time'.<sup>57</sup> Yabuki corroborates this reaction by quoting the book by Zhang Xiangshan, an adviser to the Chinese Ministry of Foreign Affairs, who was present at one of the meetings. According to his record, Tanaka replied, 'All right! Then it is not necessary to talk anymore about it. Let's do it another time'.<sup>58</sup> Before this summit meeting, Komeito Chairman Takeiri Yoshikatsu who served as an important go-between for the Japanese government to prepare the visit by Prime Minister Tanaka, had a similar exchange with Zhou Enlai in July 1972, when it was also decided to shelve the Senkaku issue. When Takeiri met Zhou Enlai on 28 July 1972, the latter is quoted as saying,

<sup>56</sup> See [http://en.wikipedia.org/wiki/Treaty\\_of\\_San\\_Francisco](http://en.wikipedia.org/wiki/Treaty_of_San_Francisco).

<sup>57</sup> Yabuki, Susumu: "Senkaku mondai no kosho keii no shinso", p. 1, at <http://www25.big.jp/~yabuki/2012/senkaku.pdf> (revised edition of 28 September 2012).

<sup>58</sup> Yabuki, *op. cit.*, p.2; See also Guo, *op. cit.*, p. 5.



There is no need to touch on the Senkaku Islands issue. Mr Takeiri, you also had no interest. I also had no interest. But the historians raise it as a problem due to the oil issue, and Mr Inoue Kiyoshi is very keen on it. However, there is no need to place importance on it (*omoku miru*).<sup>59</sup> It is an irony that Zhou Enlai even referred to a Japanese academic, Professor Inoue Kiyoshi, whose historical studies favour China's claim on historical grounds, and whose opinion had been presented in an article of the *People's Daily* in May 1971 and had obviously been read by Zhou. In these discussions, it was made quite clear by both sides that the normalization of diplomatic relations was the most important goal, and therefore they agreed to shelve the Senkaku issue.

When both sides negotiated the Treaty of Peace and Friendship in 1978, there was a similar willingness to put the territorial problem aside in order to achieve the conclusion of the Treaty although the Gaimusho (Japan's Ministry of Foreign Affairs) has so far not released the documents. According to Fravel, a chronology (*nianpu* in Chinese) of Deng's activities published by a party research office summarizes a meeting between Deng Xiaoping and Japan's Foreign Minister Sonoda Sunao, according to which Deng stated, 'It's not that China and Japan do not have any problems. For example [there are] the Diaoyu Island and continental shelf issues. Don't drag them in now, they can be set aside to be calmly discussed later and we can slowly reach a way that both sides can accept. If our generation cannot find a way, the next generation or the one after that will find a way.'<sup>60</sup> After the ratification of the Treaty, Deng Xiaoping visited Japan and declared at a press conference on 25 October 1978 that the issue should be left to future generations who may be wiser. In Diet discussions, it was also made clear by LDP Secretary General Ohira Masayoshi and Foreign Minister Sonoda Sunao that it was in Japan's national interest to go along with Deng Xiaoping's proposal to leave things for the next 20 or 30 years.<sup>61</sup> Ohira declared at the time on the question of an agreement to shelve the issue (*tana age*) that 'tana age' was not correct, rather the other party (*senpo*) would not bring the issue up (*mochidasanai*).<sup>62</sup> Or, as Sonoda wrote later, while it is true that China is claiming these islands as their territory, the islands are currently in Japan's hands, and have not become an actual issue among Japan and China. If Japan takes the trouble to bring up the subject at this occasion and wakes up a sleeping dog (literally 'disturb a bush only to let a snake out' – *yabu hebi*), it will be a total loss (*moto mo ko mo nai*) for Japan.<sup>63</sup>

One cannot but conclude from these accounts that both sides agreed to shelve the territorial issue while in no way abandoning their claims to the islands, otherwise there would not have been a normalization of diplomatic relations in 1972 or a Treaty of Peace and Friendship in 1978. It did not mean that the Chinese accepted Japan's territorial claim since China had stated its own claim in these negotiations and has since 1971 never abandoned the claim. It is also obvious that both sides knew that there was a territorial problem, otherwise 'shelving' would not have made sense. The director of the Treatise Division and later Director General of the Treatise Bureau, Kuriyama Takakazu, who was involved in the negotiations in 1972 and in 1978, stated in an interview in 2012 that he understood it both then and today that

<sup>59</sup> Ishii, Akira (2006): "Chugoku to Nihon. ASEAN kan no aida no kokkyo mondai", in: Iwashita, Akihiro (ed.) (2006): *Kokkyou. Dare ga kono sen wo hikiitaka- Nihon to Yurasia*, Sapporo, Hokkaido Daigaku Shuppankan, p. 142; Yabuki, *op. cit.*, p. 3.

<sup>60</sup> Fravel, M. Taylor: "Explaining Stability in the Senkaku/Diaoyu Islands Dispute", in Curtis, Gerald; Kokubun, Ryosei and Wang, Jisi (eds.) (2010): *Getting the Triangle Straight: Managing China-Japan-US Relations*, Washington D.C., Brookings Institution Press.

<sup>61</sup> Yabuki, *op. cit.*, p. 5; Ishii, *op. cit.*, p. 144.

<sup>62</sup> Okada, Takashi (2012): *Senkaku shoto mondai*, Tokyo, Sososha p. 102.

<sup>63</sup> Sonoda, Sunao (1981): *Sekai, Nihon, Ai*, Tokyo, Daisan Seikei Kenkyukai, p. 184.



there was a `tacit understanding` (*anmoku no ryokai*) between Japan and China to shelve the territorial issue.<sup>64</sup> Asai Motofumi, who was director of the Treatise Division in 1978-80 and director of the China Division in 1983-85, also confirmed that it was the understanding not only in the Gaimusho but also among the political leadership (Nagatacho) that there was a territorial problem concerning the Senkaku Islands.<sup>65</sup> Miyamoto Yuji also mentioned in 2012 that in his time as head of the China Division in the 1990s, there was still on the one hand, a clear position that the Senkaku Islands were Japanese territory, but on the other, the fundamental stance of maintaining the status quo (*genjo iji*) and a tacit understanding that no action needed to be taken.<sup>66</sup> Another indirect indication of Japan tacitly accepting the existence of a territorial problem and willing to suspend the issue to protect the overall relationship with China has been the government`s restraint for some time after 1972 and 1978 in taking actions which might have been interpreted by China as inflaming the territorial dispute. The government never allowed prospection and production of oil or gas reserves around the islands, and showed restraint in allowing landing on or making economic use of the islands. As we will see in the next part, however, this restraint was not absolute and still left room for measures which eroded the shelving agreement.

It is obvious from the historical context of the 1972 and 1978 negotiations that both sides had much greater interests at stake than the Senkaku Islands. Moreover, the shelving agreement was very much in favour of Japan as the country in *de facto* control over the islands, and thus reinforcing Tokyo`s ownership claim in international law. Later, when China`s political, economic and military weight increased and it became doubtful whether the US would really invoke the Security Treaty guarantee to protect the militarily-indefensible islands against a Chinese military challenge, the shelving agreement was useful for Japan against any such contingency.<sup>67</sup>

### **3.3. The Erosion of the Shelving Agreement**

While one can well understand the desire by the Japanese and Chinese leaders to deepen the bilateral relationship through the two agreements in 1972 and 1978, and to trust that all remaining problems, including the territorial dispute, would then be easier to solve, with hindsight, this faith looks more like wishful thinking. It is indeed rather unusual to even conclude a Peace and Friendship Treaty without clarifying an open territorial issue, the very heart of a country`s security policy. Since the 1970s, this dispute has not only been a sensitive issue within Japan, but also within the much more limited circle of the autocratic Chinese leadership, with political groupings in both countries instrumentalizing it for their own narrow purposes.

The main conceptual problem with the bilateral understanding has been that it was based on the assumption that the conditions allowing its formulation in the 1970s could be frozen for as long as it would take to find a solution to the opposing territorial claims. However, maintaining the conditions for the continued reliance on the bilateral understanding would have demanded much greater efforts by both sides to clarify what the *status quo* is, and what measures would be seen as violating the *status quo*. Instead, as Ishii Akira put it, the

<sup>64</sup> Yabuki, Susumu: "Sasae gaimu jikan to Kuriyama Takakazu moto gaimu jikan no sekinin wo tou", 6 November 2012, at

[http://www.21ccs.jp/china\\_watching/DirectorsWatching\\_YABUKI/Directors\\_watching\\_72.html](http://www.21ccs.jp/china_watching/DirectorsWatching_YABUKI/Directors_watching_72.html).

<sup>65</sup> "Gaimusho ni mai jita no giman", *Aera*, 8 October 2012, p. 66.

<sup>66</sup> Roundtable with Nakanishi, Terumasa; Sato, Masaru; Mikio, Haruna and Miyage, Kunihiko, *Bungei Shunju* (November 2012), p. 101.

<sup>67</sup> Magosaki, Ukeru: "Senkaku mondai. Nihon no gokai", *Sekai* (November 2012), p.90.



leaders on both sides wasted time and allowed the territorial issue to become the symbol of the nationalism in both countries.<sup>68</sup> As a result, various changes and pressures in the domestic and international environment were allowed to gradually erode these conditions, with Japan's government in the end publicly even denying that there was a dispute which could have been the object of shelving, and prompting the PRC in the 2010 and 2012 crises to shower Japan with political and economic sanctions, which were unprecedented for two countries supposedly bound by a Peace and Friendship Treaty.

The shelving agreement had obviously no legal force, but denying its existence was politically unwise and morally wrong. Okabe Tatsumi argues that for political convenience, Japan agreed in 1978 to shelve the issue, but that this was different from accepting it in a legal sense.<sup>69</sup> The following official Japanese statements can be interpreted in this light: in October 1990, Cabinet Secretary Sakamoto Misoji, after having restated Japan's sovereignty claim, still declared that the island issue between Japan, China and Taiwan (*sic*) should be solved by a later generation, thus implying that there was a territorial dispute which had been put aside<sup>70</sup> But by the time China promulgated its law on territorial waters in February 1992 (see below), the Japanese government would unequivocally and publicly deny that there had been any agreement to shelve the issue and even that there was a territorial issue. When Prime Minister Miyazawa Kiichi protested against the Chinese law in February 1992, referring to a prior understanding with Deng Xiaoping over the Senkaku Islands, the Ministry of Foreign Affairs (MOFA) issued a correction denying such an understanding.<sup>71</sup> In September 1996, Administrative Vice-Minister Hayashi Sadayuki said that Japan had not agreed with Deng's 'put on the shelf' proposal, i.e. arguing that there was no territorial issue.<sup>72</sup> In the following, the author analyses the three main circumstances which account for the breakdown of the bilateral understanding.

### 3.3.1. The Corrosive Role of International Law

The requirements of international law regimes, particularly the UN Convention on the Law of the Sea (UNCLOS) which was ratified by Japan and the PRC in 1996, prompted both countries to take domestic and/or international administrative and legal steps (for example, passing legislation related to the administration of their maritime space, demarcating their sea borders, and claiming borders for their EEZ) which had a general purpose but did not sufficiently take into account the need to protect the bilateral understanding of putting the territorial dispute aside. Moreover, international regimes have 'vested otherwise worthless islands with immense economic value'.<sup>73</sup> They encourage the assertion of sovereignty and penalize states for appearing to acquiesce in a rival state's claim to a disputed territory. Paul O'Shea applied the term 'sovereignty game' to this diplomatic-legal tit-for-tat, based on Alexander Wendt's conception of sovereignty as a socially constructed institution.<sup>74</sup> Finally the vagueness of international law allows states to cherry pick those norms which fit best their

<sup>68</sup> Ishii, *op. cit.*, p. 158.

<sup>69</sup> Okabe, Tatsumi (2006): *Nitchu kankei no kako to shorai*, Tokyo, Iwanami Gendai Bunko, p. 91.

<sup>70</sup> *China Aktuell* (October 1990), p. 781, quoting *Kyodo*, 23 October 1990.

<sup>71</sup> Hagström, Linus (2003): *Enigmatic power? Relational power analysis and statecraft in Japan's China policy*, Stockholm, Stockholm Studies in Politics 93, Department of Politics, Stockholm University, pp. 150; 155.

<sup>72</sup> Ishii, *op. cit.*, p. 158.

<sup>73</sup> Ramos-Mrosovsky, Carlos: "International Law's Unhelpful Role in the Senkaku Islands", *University of Pennsylvania Journal of International Law* (2009), p. 906, at [http://www.law.upenn.edu/journals/jil/articles/volume29/issue4/RamosMrosovsky29U.Pa.J.Int per cent 27IL.903 per cent 282008 per cent 29.pdf](http://www.law.upenn.edu/journals/jil/articles/volume29/issue4/RamosMrosovsky29U.Pa.J.Int%20per%20cent%2027IL.903%20per%20cent%20282008%20per%20cent%2029.pdf).

<sup>74</sup> O'Shea, Paul: "Sovereignty and the Senkaku/Diaoyu Dispute", Stockholm School of Economics, *Working Paper*, no. 240 (September 2012) p. 6, at <http://www.hhs.se/EIJS/Research/Documents/240.pdf>.



interests and claims.<sup>75</sup> It is probably with this situation in mind that former Chinese ambassador to Japan and the UN, Chen Jian, explained at the beginning of a talk on 30 October 2012 that international law is a root cause of the current territorial disputes.<sup>76</sup> This author has too much respect for international law, notably UNCLOS, to agree with this strong statement, but is aware of the weaknesses of many legal stipulations.

With regard to the Senkaku dispute, international law regimes have thus brought with it the following complications:

- Both countries must always consider that whatever is decided in relation to the disputed Senkaku Islands might have implications for the country's other territorial disputes (Japan's territorial disputes with Korea and Russia; China's EEZ dispute with Korea or territorial disputes with the other littoral claimants in the South China Sea )
- Any action taken by the Japanese government with regard to the Senkaku Islands can be interpreted as the official expression of the government in control of the islands, and China will therefore feel obliged to protest in order to defend its claim
- Both countries had to comply with UNCLOS in order to benefit from this regime and officially draw sea borders which start with base lines on which are dependent the extent of the Territorial Waters (12 nm from the base line), of the Contiguous Zone (24 nm from the base line), of the EEZ (200 nm from the baseline), and of the Extended Continental Shelf (under certain conditions, up to 350 nm from the base line can be claimed). The issues arising from this are whether Japan and China would apply the drawing of the sea borders to the disputed territory, and, if so, whether the Senkaku Islands could be classified as 'islands' which are entitled to an EEZ, or just 'rocks' which would entitle them only to territorial waters under UNCLOS Article 12.3, and how to draw the EEZ border in the East China Sea's Senkaku area. These issues were bound to have an impact on the bilateral understanding in one way or the other, and would have required special action in order to keep the territorial dispute shelved.

When China passed its Territorial Law in 1992, it explicitly included the Diaoyu Islands which, naturally, was immediately protested by the Japanese government while still showing a considerable amount of understanding and specifically saying that the law did not violate Japan's sovereignty over the islands.<sup>77</sup> At that time, the Japanese government was still preoccupied with preventing China's isolation after the 1989 Tiananmen crackdown. China also played down the impact of this law and even referred to Deng Xiaoping's 1978 statement of leaving the territorial issue for the future.<sup>78</sup> When Jiang Zemin visited Japan in April 1992, he also reaffirmed the shelving according to Deng's promise in 1978, while still stating China's claim to the islands.<sup>79</sup> However, the Chinese Ministry of Foreign Affairs (hereafter

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<sup>75</sup> Ramos-Mrosovsky, *Ibid.*

<sup>76</sup> *Shisaku blog* (31 October 2012), at <http://shisaku.blogspot.co.uk/>.

<sup>77</sup> Okada, "Senkaku shoto mondai", *op.cit.*, p. 111.

<sup>78</sup> Drifte, Reinhard: "Japanese – Chinese Territorial Disputes in the East China Sea – between Military Confrontation and Economic Cooperation", *LSE Asia Research Centre Working Paper*, no. 24 (April 2008) p. 9, at <http://www2.lse.ac.uk/asiaResearchCentre/files/ARCWP24-Drifte.pdf>.

<sup>79</sup> Suganuma, *op. cit.*, p. 143.



*Waijiaobu* or CMOFA) originally had not wanted to include the Senkaku Islands.<sup>80</sup> Including them did undermine the strength of the shelving agreement, and one can arguably date the start of the process leading to the ultimate breakdown of the shelving agreement to around this time. When it ratified UNCLOS in 1996, China referred to the 1992 Law and promulgated the precise location of its base lines, but left out some of them, including those for the Senkaku Islands.<sup>81</sup> In 1998, the National People's Congress promulgated the PRC Exclusive Economic Zone and Continental Shelf Act, which did not mention any specific geographical areas. Clearly, the Chinese leadership was trying to walk a fine line between its territorial and EEZ claims (including the need to respond to domestic demands, increasingly dominated by nationalist tendencies), the requirements of the international law regime, and the maintenance of good relations with Japan.

Japan ratified UNCLOS in June 1996, and established in the following month the Law on the Territorial Sea and the Contiguous Zone, as well as the Law on the EEZ and Continental Shelf, which were supplemented by guidelines for implementation. The latter also established an EEZ around the Senkaku Islands. Japan did not include the Senkaku Islands into its straight baseline claim.<sup>82</sup> Two separate bills creating the Basic Law of the Ocean and the Law on Establishing Safety Areas for Maritime Structures were passed by the Diet in April 2007, and came into effect on 16 July 2007.<sup>83</sup> The latter two laws were passed mainly having in mind any future exploitation of natural resources in the contested EEZs. Naturally China does not recognize the validity of these laws for the Senkaku Islands, or for the EEZ border between the two countries. The territorial dispute is also a major obstacle for agreement on the EEZ border in the southern area of the East China Sea, which is not made easier by the fact that an agreement on the title to the Senkaku would have a major impact on the size of the EEZ area of the successful claimant.

### 3.3.2. Fishing and other Economic Interests

Fishing is a major interest for all littoral states of the East China Sea. Although Japan and China have concluded consecutive fishery agreements for the East China Sea, the 1997 agreement (effective from June 2000) excludes from the application of the fisheries agreement the territorial waters adjacent to the Senkaku Islands. Instead, the extant 1975 Fishery Agreement, which deemed the areas around the Senkakus as part of the high seas, was allowed to prevail.<sup>84</sup> In 2012, a letter related to the 1997 Agreement about fishing in the EEZ was revealed in which Foreign Minister Obuchi had stated to the Chinese ambassador in Tokyo, Xu Duxin, that Japan's laws and regulations would not apply to the `waters in question` (*togai no suiiki*). It is understood that the `waters in question` include the Senkaku Islands, although their name is not mentioned and the Japanese government today denies it.<sup>85</sup> Sato Masaru, a former analyst of the Japanese Foreign Ministry, explained that this letter

<sup>80</sup> Takahara, Akio (2011): "The Senkaku Trawler Collision Incident" (to be published in: Mochizuki, Mike (ed.): *The Okinawa question: regional security, the US-Japan alliance, and Futenma*, Washington, D.C.: Sigur Center for Asian Studies), p.3.

<sup>81</sup> *Ibid.*

<sup>82</sup> Dzurek, Daniel: "The Senkaku/Diaoyu Islands Dispute", Durham University, *International Boundaries Research Unit*, 18 October 1996, at <http://www-ibru.dur.ac.uk/resources/docs/senkaku.html>.

<sup>83</sup> For their texts see

[http://www.ron.gr.jp/law/law/kaiyou\\_k.htm](http://www.ron.gr.jp/law/law/kaiyou_k.htm) and <http://law.e-gov.go.jp/announce/H19HO034.html>.

<sup>84</sup> Gupta, Sourabh: "China-Japan trawler incident: Japan's unwise — and borderline illegal — detention of the Chinese skipper", *East Asia Forum* (30 September 2010), at

<http://www.eastasiaforum.org/2010/09/30/china-japan-trawler-incident-japans-unwise-and-borderline-illegal-detention-of-the-chinese-skipper/>.

<sup>85</sup> Aera, *op. cit.*, p. 66.





referred to the EEZ around the Senkaku Islands and applied only to Chinese fishermen.<sup>86</sup> However, the Japanese government seems not to want to allow foreign fishermen uncontrolled access to the territorial waters around the Senkaku Islands, and has been patrolling the area, which has resulted in the expulsion of Chinese fishermen and subsequent protests by Taiwan and the PRC. The Japanese controls have apparently increased in the decade since 2000, while Chinese fishing activities have also vastly increased.<sup>87</sup> More research is needed on these developments to judge whether here there is yet another `unofficial understanding` between Tokyo and Beijing which has been undermined.

Finally, in this context, one has to mention the issue of private and state ownership of the Senkaku Islands which falls under the headings of international law, as well as the role of non-state actors. In 1896, Koga Tatsushiro obtained a free lease of 30 years for the islands of Uotsurijima, Kubajima, Minami Kojima and Kita Kojima. After the death of Koga Tatsushiro in 1918, his son, Koga Zenji, took over the business on the islands. In 1926, after the end of the free lease, the Japanese government converted it to a rental basis.<sup>88</sup> In 1932, the Japanese government changed the status of these four islands from state-owned to privately-owned land by selling them to the Koga family. After 1945, Kubajima and Taishojima (the latter was always state-owned) were leased to the US as firing ranges. In 1972, Koga Zenji sold Kita Kojima and Minami Kojima, followed by Uotsurushima in 1978, and Kubajima in 1988, to Kurihara Kunioki, a real estate investor, and his family. In 2002, Kitakojima, Minami Kojima and Uotsurijima were leased to the state which paid Yen25 million per year for them in rent.<sup>89</sup> The US military used Kubajima and Taishojima from 1957 as firing ranges, and after the reversion of Okinawa in 1971, continued to do so until 1979. It paid rent to the private owner of Kubajima, but after 1971, the rental payment was effected by the Japanese government.<sup>90</sup>

The relevant point here is that, since the shelving of the territorial issue in 1972 and 1978, the islands changed private owners, and the state rented three of the islands from their private owner and owned one. The leasing in 2002 and the `nationalization` (no money was involved) of the Uotsurijima beacon in 2005 caused Chinese protests, but the private ownership changes did not cause any Chinese reaction.<sup>91</sup> This is an important point, because it was the sale of three islands to the Japanese central state which touched off the 2012 crisis.

### 3.3.3. The Impact of Oil and Gas Developments

The 1969 ECAFE Report had led to claims by the ROC and the PRC over the Senkaku Islands. The most promising area defined in this report for hydrocarbon resources happened to be around the Senkaku Islands. Since Japan abandoned its joint exploration plans with Taiwan in 1972 with the diplomatic recognition of the PRC, no Japanese activities have taken place because of concern about China`s reaction.

<sup>86</sup> Nakanishi, Sato, Haruna and Miyage, *op. cit.*, p. 101.

<sup>87</sup> Tiberghien, Yves: "The Diaoyu/Senkaku Dispute: Analyzing the Chinese Perspective", *Canada-Asia Agenda*, Iss. 30 (October 2012), at [http://www.asiapacific.ca/sites/default/files/canada-asia\\_agenda\\_30\\_v11.pdf](http://www.asiapacific.ca/sites/default/files/canada-asia_agenda_30_v11.pdf), pp. 5-6.

<sup>88</sup> Suganuma, Unryu (2000): *Sovereign Rights and Territorial Space in Sino-Japanese Relations : Irredentism and the Diaoyu/Senkaku Islands*, Honolulu, Association for Asian Studies and University of Hawai'i Press, p. 119.

<sup>89</sup> Shaw, *op. cit.*, p. 31; *Asahi Shimbun*, 13 November 2012.

<sup>90</sup> "Nihon to taishaku keiyaku", *Sankei Shimbun*, 21 September 1996, p. 1.

<sup>91</sup> Yoshida, Reiji: "Senkaku Beacon set up by Rightists now state property", *Japan Times*, 10 February 2005, at <http://www.japantimes.co.jp/text/nn20050210a3.html>; Okada, "Senkaku shoto mondai", *op. cit.*, p. 38.



In order to quell its growing demand for oil and gas, and to diversify away from its high dependence on Middle Eastern supplies, China started in the 1970s with prospecting and extraction of energy resources in the East China Sea.<sup>92</sup> To overcome the territorial dispute in the south of the East China Sea, and the divergent position on how to draw the EEZ border in the rest of the East China Sea, China proposed `joint development` of hydrocarbon resources. In October 1980, PRC Deputy Premier Yao Yilin even proposed to a Japanese business delegation that development of off-shore oil resources around the disputed islands be done jointly by China, Japan and the US.<sup>93</sup> Another bilateral proposal was made in 1984 by Deng Xiaoping, who proposed solving the territorial problems of the Spratly Islands in the South China Sea and the Senkaku Islands, by jointly developing the disputed areas before discussing the question of sovereignty. But in this case, as well as later proposals until 1996, Japan first demanded a settlement of the maritime border or recognition of its title to the Senkaku Islands.<sup>94</sup>

China`s relentless progress and expansion of oil and gas development increasingly caused friction between Japan and China, which also impacted on the territorial dispute. Since 1996, Chinese research vessels have entered the waters of the Senkaku Islands, including its territorial waters.<sup>95</sup> Japan exerted great restraint and until 2004, did not allow Japanese companies to survey the ECS even in the area which it claimed as its EEZ, let alone around the Senkaku Islands. Moreover Tokyo`s permission for surveying in 2004 by a Japanese exploration company (never followed up because of the political risks involved) in response to Chinese oil and gas development near Japan`s claimed EEZ border was only for an area further north, away from the disputed islands.

The Senkaku Islands dispute contributed to the failure of following up on the joint understanding in June 2008 (*ryokai* in Japanese; *liangjie* in Chinese) to engage in joint development of an area in the north of the East China Sea and to allow Japan to join the Chunxiao gas field exploitation which had been developed by China in a disputed EEZ area.<sup>96</sup> During the negotiation of the 2008 joint understanding, the Chinese had demanded joint development of energy resources in the area around the Senkaku Islands in exchange for their compromise on joint development in other areas of the East China Sea. Although the Chinese government agreed to the understanding without getting satisfaction on its demand, the failure to achieve greater reciprocity from the Japanese in the Senkaku area then made it domestically impossible for the Chinese government to go any further with negotiating an implementation of the understanding.<sup>97</sup> In December 2008, two Chinese patrol vessels of the China Marine Surveillance (CMS, *Haijiandui* in Chinese) which is under the State Ocean Administration (SOA), entered for the first time the territorial waters around the Senkaku Islands in an apparent move to strengthen its claim to the islands.<sup>98</sup>

<sup>92</sup> For a detailed account see Drifte, Japanese-Chinese territorial disputes...", *op. cit.*, pp. 15-18.

<sup>93</sup> Funabashi, Yoichi: "China proposes 3-Nation Oil Development off Senkakus", *Asahi Evening News*, 11 October 1980.

<sup>94</sup> Drifte, "Japanese-Chinese territorial disputes...", *op. cit.*, pp. 13-14.

<sup>95</sup> *Ibid.*, p. 19. Sullivan, Kevin and Jordan, Mary: "Tiny Islands sorely tax 3 Nations", *International Herald Tribune*, 1 August 1996.

<sup>96</sup> Drifte, "From `Sea of Confrontation` to `Sea of Peace...`", *op. cit.*, p. 43.

<sup>97</sup> Zhang, Xinjun: "Why the 2008 Sino-Japanese Consensus on the East China Sea Has Stalled: Good Faith and Reciprocity Considerations in Interim Measures Pending a Maritime Boundary Delimitation", *Ocean Development & International Law*, vol. 42, no. 1 (2010), p. 61; Shimizu, Yoshikazu: "Kan Seiken ga minogashita Chugoku 'goki no naka no morosa'", *Chuo Koron* (November 2010), p. 65.

<sup>98</sup> Shimizu, *op. cit.*, p. 65.



### 3.3.4. Instrumentalization of the Senkaku Dispute by Politicians and Non-State Actors

The raising of the territorial issue by China (ROC and PRC) and the campaign of the Bao Diao (Protect the Diaoyu) movement, notably in Taiwan and Hong Kong, since the ECAFE report, led to a similar involvement of the Japanese political right and other nationalistic groups which took up the issue as a symbol of nationalism. In 1973, several rightwing politicians within the ruling Liberal Democratic Party, including Ishihara Shintaro who in 2012 became the trigger for the central government's purchase of some of the Senkaku islands, established the so-called Seirankai. It was particularly Ishihara who raised the territorial issue and opposed its shelving by Prime Minister Tanaka.<sup>99</sup> Against the increase of tensions between Japan and China since the middle of the 1990s, the supra-partisan Diet Association for the Preservation of Territorial Integrity was established in 2004 which had 60 members by 2011. On 30 March 2004, the Security Committee of the Lower House passed a resolution on preserving territorial integrity and demanded a stronger Japanese stance. It was the first time the Diet passed a resolution relevant to the Senkaku Islands in this vein.<sup>100</sup> Edano Yukio, chief of the Constitution Research Committee of the Democratic Party of Japan (DPJ), then in opposition, proposed that Self-Defense Forces (SDF) troops should be stationed on the disputed Senkaku Islands to avoid incursions by other countries.<sup>101</sup> Since SDF members are civil servants (*komuin*), this demand sounds very familiar to the demands by Abe Shinzo in December 2012 to station *komuin* on the islands (without clarifying whether he meant soldiers or other civil servants), although he postponed a decision when taking over the government in December 2012. This shows the opportunistic exploitation of the territorial dispute for electoral purposes.

Nationalist politicians and activists have also been demanding to erect facilities on the islands such as a weather station, a beacon, a heliport or a harbor, in order to assert Japan's sovereignty. The Nihon Seinensha (Japanese Youth Federation), a nationalist organization affiliated with the major yakuza group Sumiyoshi-kai, caused several incidents by landing on the islands, starting with erecting a light tower or beacon first on Uotsurijima in September 1978 which was enlarged in 1988, and another one on Kitakojima Island in 1996.<sup>102</sup> Each such landing caused protests in China and among the Chinese diaspora, and prompted the PRC government to complain officially. It also led to demands by the Seinensha that the light towers be officially recognized by the government and the maintenance be taken on by the Maritime Safety Agency (later called Coast Guard). But even the compromise of including the light tower into official charts was an official act, reinforcing Japan's effective control over the islands. The discussion about the official handling of the light tower also raised the nationalist fever in Taiwan, and its military even prepared (but then cancelled at the last moment) a commando action at the end of 1990 to destroy the facility.<sup>103</sup> In February 2005, amidst rising tensions over China's energy developments in contested parts of the East China Sea and Chinese protests against Prime Minister Koizumi's Yasukuni Shrine visits, the Japanese government finally ceded to the demands of the group to take over the Uotsurijima

<sup>99</sup> Babb, James: "The Seirankai and the Fate of its Members. The Rise and Fall of the New Right Politicians", *Japan Forum*, vol. 24, no 1 (2012), p. 83.

<sup>100</sup> Przystup, James J.: "Not quite all about Sovereignty – but close", CSIS, p. 2, at [http://csis.org/files/media/csis/pubs/0402qjapan\\_china.pdf](http://csis.org/files/media/csis/pubs/0402qjapan_china.pdf).

<sup>101</sup> "DPJ exec wants SDF on Senkakus", *Japan Times*, 2 May 2005.

<sup>102</sup> Drifte, "Japanese – Chinese Territorial Disputes in the East China Sea...", *op. cit.*, p. 14.

<sup>103</sup> Murakami, Takio: "Taiwan had secret plan to land elite troops on Senkakus to destroy lighthouse", *Asahi Shimbun*, 5 December 2012, at <http://ajw.asahi.com/article/asia/china/AJ201212050086>.



lighthouse structure and its maintenance.<sup>104</sup> Until then, the Gaimusho had succeeded in delaying this state takeover as `too premature` in order not to provoke China.<sup>105</sup>

As can be seen, the Japanese government tried to resist these nationalist claims but it could not fully circumvent them, thus keeping China`s suspicion alive. Moreover, whereas it always tries to prevent the landing by any foreigners on the islands, it has not prevented until fairly recently the landing by Japanese. In order to keep foreigners out of the islands and their territorial waters, the Japanese Coast Guard (CG) has been patrolling the area which again is an official act. It may have been the nationalist pressure from within the LDP as well as from right wing circles which prompted Ohira Masayoshi when he was Prime Minister to send in 1979 a general survey team of 50 persons (including Kurihara Hiroyuki) to the islands in order to investigate the building of facilities like a heliport. Such demands had already been made by the LDP on 24 March 1978.<sup>106</sup> Although the final report of the survey spoke against building facilities and nothing followed from it, the Kurihara family considered Ohira to be the most supportive prime minister of all for the Japanese assertion of effective control over the islands. Before that Ohira had also agreed to Kurihara Hiroyuki`s proposal to set up on Uotsurijima a monument to honour Koga Tatsushiro which was done with the government`s material and financial support.<sup>107</sup>

Even on the relatively much more cohesive side of the Chinese leadership, the territorial issue has been divisive and has been instrumentalised. Just when the two sides were negotiating the Peace and Friendship Treaty in April 1978, about 100 Chinese fishing vessels, some armed, appeared around the Senkaku area with banners declaring China`s title to the islands. While this was explained at the time in Japan as possibly a means to put pressure on the Japanese during the treaty negotiations, it seems now more likely that the Senkaku issue was used by the followers of the Chairman of the Military Commission, Hua Guofeng, as a means of attacking the re-emerging Deng Xiaoping. The PRC central leadership explained at the time that this was `accidental` and Deng Xiaoping promised it would never happen again.<sup>108</sup>

### 3.3.5. The General Deterioration of Japanese-Chinese Relations since the 1990s

In addition to these developments which changed the conditions for maintaining the shelving of the territorial dispute, Japanese-Chinese relations had generally been deteriorating since the middle of the 1990s. Japan became suspicious of China`s non-transparent military modernization, particularly of the navy which has been expanding its operations, including the East China Sea.<sup>109</sup> Other negative developments were the progress of Chinese oil and gas exploration in the East China Sea despite disagreement over the common EEZ border, visits by Japanese political leaders to the Yasukuni War Shrine, and other issues related to Japan`s past aggression against China.

A nadir in the bilateral relationship was reached during the rule of Prime Minister Koizumi Junichiro (2001-2006) because of his annual visits to the Yasukuni Shrine. But while

<sup>104</sup> "Kaijo Hoan Report" (2007), p. 16.

<sup>105</sup> Nomura, Hataru: "Senkaku shoto Kaitei yuden", *Shokun* (May 2005), p. 64.

<sup>106</sup> Okada, "Senkaku shoto mondai", *op.cit.*, p. 102.

<sup>107</sup> Kurihara, Hiroyuki (2012): *Senkaku shoto wo urimasu*, Tokyo, Kosaido, pp. 78-82.

<sup>108</sup> Takahara, Akio: "Gendai Chugokushi no saikento. Hua Guofeng to Deng Xiaoping, soshite 1978 nen no gakkisei ni tsuite", *Toa*, no. 495 (September 2008), p. 36; Li, Enmin (2005): *Nitchu heiwa yuko joyaku. Kosho no seijikatei*, Tokyo, Ochanomizu Shobo, p. 71.

<sup>109</sup> Drifte, Reinhard (2003): *Japan`s Security Relationship with China since 1989. From balancing to bandwagoning?*, Oxford/London, Nissan Institute/Routledge Japanese Studies.



the political relationship got colder, the economic relationship expanded and prospered ('Cold Politics, Hot Economics'). This also had – maybe at a first glance counter-intuitively – a deleterious effect on the motivation to work harder on maintaining the conditions for putting aside the territorial conflict since this dichotomy gave the false impression that politics and economics could be kept separate forever while the territorial issue was pending. The worsening of the territorial conflict from 2010, and particularly from 2012, with China's harsh political and economic retribution, would bear this out.

Part of the rationale for the Chinese navy's increased presence in the East China Sea is China's oil and gas developments, as well as the wish to keep the navy's access to the Pacific Ocean less vulnerable to Japanese/US observation or interception in a crisis. This could not but affect the territorial dispute. In May 1999, 12 Chinese warships conducted a manoeuvre in waters north of the Senkaku islands. The exercise was the first of its kind to be carried out by China in that region.<sup>110</sup> Other Chinese naval movements in the East China Sea increased, including reports about intelligence-gathering ships. In the last few years, the political influence of the PLA, and particularly of the PLA Navy (PLAN), has considerably increased.<sup>111</sup> The Japanese reacted by increasing their military deployment and a strengthening of Japanese-American military cooperation. However, the Senkaku area is controlled by the CG which is a law enforcement agency, and the Japanese navy keeps away from policing. This incidentally reinforces Japan's claim, as policing is done only within national territory or EEZ areas.

Until the central government's purchase of three of the islands in September 2012, it was the activities of non-state actors from Japan, Taiwan, Hong Kong and the PRC, be it nationalist activists or fishermen, which caused the greatest direct confrontations because Japan's countermeasures were a demonstration of the exercise of sovereignty which the PRC became increasingly less likely to tolerate. In 1996, a Hong Kong protester who tried to cover the last meters from his boat to one of the islands drowned. Another incident occurred in 2008 when a Japanese Coast Guard ship rammed a Taiwanese sport fishing boat which had entered the territorial waters of the Senkaku Islands. The action caused the boat to sink.<sup>112</sup>

In March 2004, for the first time since 1996, seven Chinese activists landed on Uotsurijima. For the first time, the Japanese police made arrests, and the Chinese Foreign Ministry protested and called it a serious violation of Chinese sovereignty. The arrests were made under the immigration management law which includes a clause on expulsion of illegal foreign trespassers.<sup>113</sup> In light of the 2010 incident, it is important to note that despite guidelines which were to give the law enforcement agencies the authority to deal with trespassers 'according to the law', it was reported that the central government intervened at the last minute, did not press for an indictment and ordered the release of the arrested Chinese. The government did not want any further complications in order not to endanger the planned China visit by Foreign Minister Kawaguchi Yoriko, and was satisfied to have demonstrated effective control over the Senkaku Islands by arresting and expelling the Chinese.<sup>114</sup> A Japanese journal reported that there was a Japanese promise to China after this incident that in future an intruder would not be put into detention but only arrested as long as it was not a serious case, and that in turn China would prevent the departure of vessels with

<sup>110</sup> Drifte, "Japanese – Chinese Territorial Disputes in the East China Sea...", *op. cit.*, p. 22.

<sup>111</sup> Drifte, "Japan's Security Relationship with China...", *op. cit.*, pp. 64-67.

<sup>112</sup> Drifte, "Japanese – Chinese Territorial Disputes in the East China Sea...", *op. cit.*, p. 31.

<sup>113</sup> The information about the application of the immigration law is from Professor Takahara Akio, Email 4 May 2013.

<sup>114</sup> *Asahi Evening News*, 27 and 29 March 2004.



protesters from its harbours. Such an understanding has not surprisingly been denied by the Japanese as well as by the Chinese government.<sup>115</sup>

The China Marine Surveillance started irregular patrol activities near the Senkaku Islands in December 2008 when two CMS vessels stayed for over nine hours in the territorial waters of the Senkaku Islands as mentioned above. This was interpreted in Japan as a major escalation.<sup>116</sup> Former ambassador to China, Miyamoto Yuji, called this new development a qualitative change in the Senkaku dispute which went beyond the previous cases of intrusion by fishermen or protesters.<sup>117</sup> This deployment was followed by others in the following year against a background of China reinforcing its maritime control. Japan responded by building up its own defence efforts in the south, including the consideration of stationing some troops on Yonaguni Island, one of the closest islands to the Senkaku Islands.

## 4. 2010 and 2012/13 Incidents

### 4.1. The 2010 Fishing Trawler Incident

It is against this complex background that the Chinese fishing trawler *Minjinyu 5179* with a crew of 15 entered the territorial waters of the Senkaku Islands on 7 September 2010 near Kubajima. There were many other Chinese fishing trawlers in the same area and several ships of the Japanese Coast Guard were trying to chase them away. Pursued by three Japanese CG vessels, the *Minjinyu 5179* twice collided with two of the CG vessels. There are different interpretations whether the Chinese captain Zhan Qixiong intentionally rammed the CG vessels, and there are some strange inconsistencies highlighted in the reports of the incident.<sup>118</sup> Some non-Japanese authors like Sheila Smith and Linus Hagström are non-committal on the question of the collision, but most Japanese authors blame the trawler and this author is more inclined to believe that the ramming was intentional.<sup>119</sup> The Chinese unsurprisingly blames the CG vessels.<sup>120</sup> The issue of intention is important insofar as it gives some indication about the risk of recurrence and of escalation. The following circumstantial evidence seems to indicate intentional ramming by the Chinese captain:

- There is ample video footage leaked by a CG officer which is interpreted by specialists as indicating intentional ramming by the Chinese captain.<sup>121</sup>

- The captain seemed to have been drunk and is generally considered a volatile person.<sup>122</sup>

<sup>115</sup> "Nitchu `Senkaku mitsuyaku` atta", *Aera*, 25 October 2010; Okada, Takashi: "Botan no kakechigae` wa naze okotta ka", *Sekai* (December 2010), p. 129.

<sup>116</sup> Shimizu, *op. cit.*, p. 65.

<sup>117</sup> Miyamoto, Yuji: "Nitchu shomosen wo kachinuku chie", *Bungei Shunju* (December 2012), p. 145.

<sup>118</sup> Takahara, "The Senkaku Trawler Collision Incident...", *op. cit.*, p. 7; Kaneko, Hidetoshi: "Truth behind collision off Senkaku Islands awash in mystery", *Mainichi Shimbun*, 12 November 2010, at <http://mdn.mainichi.jp/perspectives/news/20101112p2a00m0na003000c.html>.

<sup>119</sup> Smith, Sheila A.: "Japan and The East China Sea Dispute", *Orbis*, vol. 56, Iss. 3 (2012), p. 374; Hagström, Linus: "Power Shift' in East Asia? A Critical Reappraisal of Narratives on the Diaoyu/Senkaku Islands Incident in 2010", *Chinese Journal of International Politics*, vol. 5, no 3 (Autumn 2012), p. 272, fn. 29.

<sup>120</sup> "Ribei xunluochuan Diaoyudao zhuang wo yuchuan. Zhongfang tichu yanzheng jiaoshe, *Xinhua*wang, 8 September 2010, at [http://news.xinhuanet.com/world/2010-09/08/c\\_12529310.htm](http://news.xinhuanet.com/world/2010-09/08/c_12529310.htm).

<sup>121</sup> William D. O'Neil: "Senkaku Incident on YouTube", NBR, *Japan Forum* (9 November 2010), at <http://nbrforums.nbr.org/foraui/message.aspx?LID=5&srt=FromName&pg=1253&MID=38174>.



- Fishing in the East China Sea is very competitive and Chinese fishermen are particularly annoyed about the patrols and controls by Japanese and Korean law enforcement agencies in the as yet un-demarcated EEZs among all three countries

The Chinese fishermen have a reputation of often being violent, as many incidents in the South China Sea and in the Yellow Sea seem to prove. Only three months later, in December 2010, another Chinese fishing trawler captain rammed a South Korean coast guard vessel in the Yellow Sea and his boat sank as a result, with the Chinese captain drowning.<sup>123</sup> Chinese crews are often armed with metal pipes and attack law enforcement agents which have led to other fatal casualties in 2011 and 2012.<sup>124</sup>

The 2010 trawler incident is further relevant in our context in view of the Japanese government's handling it (legal aspect; denial of the shelving understanding), China's countermeasures, and the aftermath of the government's purchase of three islands in September 2012. After the collisions, the CG arrested the crew and confiscated the trawler. The following day, the Chinese government demanded the release of the crew and the trawler, which the Japanese government did on the 13 September, but keeping the captain in custody. The Japanese ambassador to China, Niwa Uichiro, was summoned six times by the Chinese between 8 and 19 September. Beijing's reaction escalated after the Chinese captain's term of detention was extended on 19 September to last from 20 to 29 September. On 20 September, Chinese authorities detained four Japanese citizens for entering a restricted military area in Hebei province. Even without the trawler incident the detention of the four Japanese would have harmed the bilateral relationship, but, happening in this context, it was, rightly or wrongly, immediately linked by the Japanese to the other Chinese sanctions and seems to have been the final straw for the Japanese to release the Chinese captain.<sup>125</sup> Even immediately after the crew's arrest, the Chinese government had already begun to cancel the second round of the negotiations for the implementation of the understanding on energy cooperation in the East China Sea concluded on 18 June 2008. Other reprisals and sanctions followed, including the suspension of rare earth exports to Japan on which the country's high technology industry is very dependent. Although, before the incident, the Chinese government had already moved to reduce rare earth exports, which naturally hit Japan most as the biggest importer, Japanese media reported that the Chinese customs authorities totally suspended exports temporarily in late September.<sup>126</sup> The exact circumstances of this alleged embargo are still not yet clear as discussed in detail by Alastair Johnston.<sup>127</sup> The crisis ended when the deputy prosecutor in Ishigaki announced on 24 September the release of the captain, citing the 'diplomatic impact' of the case on the bilateral relationship. Some considered this ending as surrender by the

<sup>122</sup> Personal email to this author by Andrew Horvat, 24 December 2010, giving an account of a NTV broadcast on 23 December 2010.

<sup>123</sup> "China urged to rein in Fishermen", *Japan Times*, 21 December 2010, at <http://www.japantimes.co.jp/text/nn20101221a5.html>.

<sup>124</sup> "Korea must get tough on illegal fishing", *The Chosun Ilbo*, 18 November 2011, at [http://english.chosun.com/site/data/html\\_dir/2011/11/18/2011111801200.html](http://english.chosun.com/site/data/html_dir/2011/11/18/2011111801200.html); "Coast Guard kill Chinese Fisherman", *The Chosun Ilbo*, 17 October 2012, at [http://english.chosun.com/site/data/html\\_dir/2012/10/17/2012101701262.html](http://english.chosun.com/site/data/html_dir/2012/10/17/2012101701262.html).

<sup>125</sup> Interview with a senior Japanese diplomat in China, 26 May 2011; "Power Shift' in East Asia? ...", *op. cit.*, p. 281.

<sup>126</sup> "No improvement in China's rare earths ban", *Japan Times*, 13 October 2010, at <http://www.japantimes.co.jp/text/nn20101013f3.html>.

<sup>127</sup> Johnston, Alastair Iain: "How new and assertive is China's new assertiveness?", *International Security*, vol. 37, no. 4 (Spring 2013), pp. 23-26.



Japanese and the result of a dubious political interference into the legal process. The opposition had a field day attacking the government's handling of the incident.<sup>128</sup> The Japanese Foreign Ministry spokesman declared that the government had applied domestic law, and again refuted the idea of there being a territorial problem to be resolved.<sup>129</sup> Others argue that the incident had several benefits for the Japanese government because it obtained a reconfirmation of the US security guarantee to include the Senkaku Islands, it helped to convince the public about the necessity of more Japanese defence efforts and it exposed China as an assertive if not aggressive power.<sup>130</sup>

China claimed that the incident showed that Japan had changed its approach to handling this type of incident and this could be interpreted as a confirmation that both sides had indeed reached an informal understanding after the 2004 incident.<sup>131</sup> However, this incident was much more severe since the captain's two collisions with CG ships were interpreted by the Japanese government as intentional ramming. The captain was charged with obstruction of Performance of Public Duty as a result of the ramming. On the other hand, one cannot blame China for allowing this boat to leave its Chinese harbour because it was a fishing trawler and not a protesters' campaign vessel. What made this incident so serious for the Chinese was Japan's very public assertion of its sovereignty over the islands, by the way it handled the Chinese captain and the explicit denial of the shelving understanding of the 1970s. On 21 September, Foreign Minister Maehara stated that it was not the case that Japan had agreed with China to shelve the territorial dispute.<sup>132</sup> This declaration followed the second extension of the captain's detention on 19 September which prompted the Chinese government to allow widespread demonstrations in China and to place a series of sanctions against Japan (cancellation of ministerial meetings; 'self restrictions' on visits to Japan by Chinese tourists; postponement at very short notice of the visit of 1000 Japanese youth, planned from 21 September, to the Shanghai World Exhibition, etc.). Japan's consumption is estimated to have fallen by ¥31.8 billion due to a decline in the number of Chinese tourists.<sup>133</sup>

It is difficult to judge whether these unprecedented countermeasures were centrally directed or not, and it is more likely that it was a combination of various power centres competing and/or feeling the need to be seen acting in accordance with the increasingly anti-Japan mood.

Japan's domestic circumstances made a speedy solution such as that in 2004 difficult. The DPJ had come to power only in 2009 and lacked foreign policy experience. There was no effective communication between the two governments, at least at the beginning of the incident, in contrast to earlier times. The Japanese leadership obviously misjudged how the Chinese would interpret the Japanese handling of the incident, which was perceived by China as a reversal of the Japan's previous (albeit gradually) diminishing restraint. Although the DPJ had initially a more pro-China leadership when it came to power (notably Prime Minister

<sup>128</sup> Shimizu, *op. cit.*, p. 62. Okada, "Botan kakechigae...", *op. cit.*, p. 130; "Japanese government tipped off Chinese officials about fishing boat captain's release", at <http://mdn.mainichi.jp/perspectives/news/20101206p2a00m0na006000c.html>.

<sup>129</sup> "Senkaku shoto shuhen ryokainai ni okeru Wagakuni junshisen to Chugoku gyosen to no sesshoku jian", Gaimusho, *Position Paper* (25 September 2010, at [http://www.mofa.go.jp/mofaj/press/danwa/22/dga\\_0925.html](http://www.mofa.go.jp/mofaj/press/danwa/22/dga_0925.html)).

<sup>130</sup> See e.g. Hagström, "Power Shift' in East Asia? ...", *op. cit.*, p. 296.

<sup>131</sup> Smith, Sheila A.: "Japan and The East China Sea Dispute", *Orbis*, vol. 56, Iss. 3 (2012), p. 377.

<sup>132</sup> Hagström, "Power Shift' in East Asia? *op. cit.*, p. 285.

<sup>133</sup> "Standoff over Senkakus could stall growth in both nations", *Japan Times*, 4 October 2012, at [http://www.japantimes.co.jp/news/2012/10/04/business/standoff-over-senkakus-could-stall-growth-in-both-nations/#.UZT\\_bsrLujk](http://www.japantimes.co.jp/news/2012/10/04/business/standoff-over-senkakus-could-stall-growth-in-both-nations/#.UZT_bsrLujk).





Hatoyama Yukio and then Secretary General Ozawa Ichiro), this had changed by 2010. The minister in charge of the CG (which is under the Ministry of Land, Infrastructure, Transport and Tourism) on the day of the incident, was Maehara Seiji, who is a known defence hawk, and who then became Minister of Foreign Affairs in a cabinet reshuffle on 17 September. He was therefore much more at liberty to take a hardline stance against China while the DPJ presidential election – won again by Kan Naoto – took place on 14 September, followed by the prime minister's departure to New York to attend the UN General Assembly on the 22 September. The foreign minister before the 17 September was Okada Katsuya, who was also more inclined to take a strong stance. Maehara as well as Okada had seen the CG's video of the collision which could not but have left them with a very negative impression of the Chinese captain's actions.<sup>134</sup> It certainly did not help when Maehara, in his new post as foreign minister, qualified China's reaction in the Diet on 18 September as 'very hysterical', and then declared on 21 September that there had never been an understanding about shelving the territorial dispute.<sup>135</sup> On 23 September, Secretary of State Hillary Clinton assured visiting Foreign Minister Maehara that the Senkaku Islands were covered by the bilateral Japan-US Security Treaty, an intervention that was certainly also not welcome to the Chinese. However, there have been speculations that in exchange for this strong US reconfirmation of the security guarantee, in order to get out of the stalemate, the Japanese had to promise to release the Chinese captain, which happened the following day.<sup>136</sup>

#### **4.2. The Impact of the 2010 Incident**

The 2010 incident had several consequences which made a recurrence very likely. First of all the incident raised tensions to a degree last seen during the anti-Japan demonstrations in 2004 and 2005, which had been mainly concerned with Japan's attempt to gain a permanent UN Security Council seat and the history issue. These tensions had made it impossible to have any new negotiation round to conclude a treaty about cooperation in the exploitation of hydrocarbon resources in the East China Sea and thus reduce another major source of bilateral tensions which is moreover related to the Senkaku issue. Against this background, but also in line with its previous position, Japan refused a Chinese proposal made in October 2010 for joint resource development in the Senkaku area.<sup>137</sup> The legal aftermath of the incident kept on for some time, with Japan claiming compensation from the Chinese captain for the damage caused to the two CG vessels, which was rejected by China and countered with demands for compensation and an apology. The Japanese prosecutor dropped the case against the captain only in January 2011, but the CG still sent a bill to the captain in February 2011.<sup>138</sup>

While the incident helped the Japanese government to get strong US support on the applicability of the bilateral security treaty to the Senkaku Islands, and generally helped to convince the Japanese public about the need for greater Japanese defence efforts (including a strengthening of the US leverage *vis-à-vis* Japan concerning the realignment of its forces on Okinawa), it reduced Japan's independence regarding the degree of support for the US China policy.

<sup>134</sup> Takahara, "The Senkaku Trawler Collision Incident", *op. cit.*, p. 9.

<sup>135</sup> Hagström, "Power Shift' in East Asia? *op. cit.*, p.276 and 285.

<sup>136</sup> Kaneko, Hidetoshi: "U.S. Intervention in Japan-China fishing boat row", *Mainichi Shimbun*, October 2010, at <http://mdn.mainichi.jp/perspectives/news/20101008p2a00m0na001000c.html>.

<sup>137</sup> "China seeks, Japan nixes joint resource development near Senkakus", *Mainichi Shimbun*, 22 October 2010, at <http://mdn.mainichi.jp/mdnnews/news/20101022p2g00m0fp017000c.html>.

<sup>138</sup> "China spurns demand to pay for Senkaku ship collisions", *Japan Times*, 13 February 2011, at <http://www.japantimes.co.jp/text/nn20110213a4.html>.



Secondly, the incident further undermined the conditions which were the foundation for the unofficial shelving of the Senkaku issue. If it was not yet clear to everybody that there was a territorial dispute over the Senkaku Islands, then this incident, with the unprecedented Chinese sanctions against Japan, had lifted the last remnants of doubt. Maehara Seji, who repeated on 25 occasions in Diet debates between 10 September and 16 November 2010, that there existed no territorial dispute, made this official position even less convincing.<sup>139</sup> The incident prompted Beijing to publicly undermine Japan's territorial claim even more by announcing on 29 October 2010 permanent deployment of large fisheries patrol vessels in waters near the Senkaku Islands, which was reciprocated by the CG deploying patrol vessels of over 1000 tons in the same area.<sup>140</sup> In a further tit-for-tat, on 17 December 2010, the city government of Ishigaki, the administrative authority of the Senkaku Islands, passed an ordinance to designate 14 January the day to commemorate the Senkaku Islands' incorporation in 1895.<sup>141</sup>

#### **4.3. The Further Erosion of the Shelving Agreement after October 2010**

The next major confrontation over the Senkaku Islands in September 2012 occurred against the background of more measures taken by both sides to support their respective territorial claim, and domestic circumstances in both countries which were even less conducive to re-establish trust and good relations. The growing US-China political and military rivalry in East Asia, as exemplified by the Asia pivot which China perceives as directed against its rise did certainly not help. Initially, the year 2011 saw a recovery of relations from the 2010 incident. The bilateral trade reached a new high with a volume of \$345 billion. Japanese foreign direct investment in China soared nearly 50 per cent in 2011 to \$6.3bn.<sup>142</sup> Moreover, the Chinese public was very impressed with the disciplined way the Japanese people reacted towards the triple disasters which hit the country on the 11 March 2011, and there was an outpouring of sympathy which also included the sending of a Chinese search-and-rescue mission to the affected Tohoku area.<sup>143</sup> Yet, this improved atmosphere was quickly spoiled when the results of the textbook review were published on 27 March which asserted Japan's territorial claim to the Senkaku Islands (as well as to Takeshima/Dokto) and denied the Chinese figure of 300,000 victims in the Nanjing massacre.<sup>144</sup>

In the meantime, the Japanese government continued to turn the legal screws which affected the Senkaku Islands by implementing domestic laws in order to be congruent with international law and strengthening maritime control. In February 2012, the Japanese cabinet passed bills to enhance the Japan Coast Guard's law enforcement powers in territorial waters which would, for example, authorize the CG to order foreign ships to leave Japan's Territorial Waters without first boarding them.<sup>145</sup> Other administrative measures derived from the Basic

<sup>139</sup> Hagström, "Power Shift in East Asia...", *op. cit.*, p. 285.

<sup>140</sup> Minemura, Kenji: "China to establish permanent Senkaku Patrols", *Asahi Shimbun*, 20 December 2010.

<sup>141</sup> "Senkaku memorial day riles China. Furious Beijing blasts Ishigaki's planned 'Pioneering Day' to celebrate the isles' integration" *Japan Times*, 18 December 2010, at <http://www.japantimes.co.jp/text/nn20101218x1.html>.

<sup>142</sup> Dickie, Mure: "Tokyo warned over Plans to buy Islands", *Financial Times*, 6 June 2012, at <http://www.ft.com/cms/s/0/af98fc54-ae77-11e1-a4e0-00144feabdc0.html#axzz2Epzs1wfX>.

<sup>143</sup> Matsubara, Mihoko and Yang, Yi: "Chinese social Media reshape Image of Japan", *Japan Times*, 29 September 2012, at <http://www.japantimes.co.jp/opinion/2011/09/29/commentary/chinese-social-media-reshape-image-of-japan/#.URzKgPL-MSw>.

<sup>144</sup> Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on March 29, 2012, at <http://www.fmprc.gov.cn/eng/xwfw/s2510/2511/t919280.htm>.

<sup>145</sup> "Coast Guard's Enhancements OK'd", *Japan Times*, 29 February 2012, at



Law on Ocean Policy, which had been enacted in 2007 and which provides the framework for administrating remote islands. Since 2009, Japan has given names to hitherto unnamed islands to clarify its claims to an EEZ. For this purpose, in August 2011, the government placed 23 uninhabited islands under state control, but four islets near the Senkaku Islands were exempt, out of consideration for China. In March 2012, however, the government abandoned this caution and registered Kitakojima as national asset.<sup>146</sup> In November 2011, the government had let it be known that it would shortly release a new list of names for islands which would include islets of the Senkaku group.<sup>147</sup> China protested and a meeting in Beijing planned in February 2012 between President Hu Jintao and with representatives of seven bilateral friendship groups from Japan was cancelled. An opinion piece in the *People's Daily* (RMRB) on 17 January 2012 said Japan's move 'is a blatant move to damage China's core interests'.<sup>148</sup> On 2 March 2012, Tokyo finally announced a list of 39 islands which included four islets in the Senkaku Islands group.<sup>149</sup> The Chinese protested immediately on the same day and, in a tit-for-tat, the State Oceanic Administration released on 3 March standard names and descriptions of the Senkaku islands and its 70 affiliated islets.<sup>150</sup> Another Chinese countermove was the announcement on 16 March by the SOA that they had started patrolling near the Senkaku Islands. This was followed promptly on the same day by one CMS ship entering the Territorial Waters of the Senkaku Islands, and the same vessels with another CMS ship cruising in the Contiguous Waters of the islands.<sup>151</sup> In November 2010 an official of the Ministry of Agriculture's Bureau of Fisheries which operates the Fisheries Law Enforcement Command (FLEC) had already announced that his organization would from now on deploy fisheries patrol vessels of over 1000 tons to maintain continuous patrols.<sup>152</sup>

#### **4.4. Lighting the Fuse: Ishihara Shintaro's Purchase Announcement**

It was in this tense environment that Tokyo Governor Ishihara Shintaro announced on 16 April 2012 that the Tokyo Metropolitan Government (TMG) was negotiating the purchase of three of the four privately-held Senkaku islands by the end of the year, i.e. Uotsurijima, Kita Kojima and Minami Kojima. The lease of the central government for these three islands was due to expire in March 2013, and no incident would have happened if the government had quietly renewed the lease. The central government admitted that it had not known about Ishihara's intention, but that there had been contacts on various occasions between the government and the private owner.<sup>153</sup> This seems convincing since state ownership would

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<http://www.japantimes.co.jp/news/2012/02/29/news/coast-guard-enhancements-okd/#.URzL2PL-MSw>.

<sup>146</sup> "Japan declares Islands near Senkakus national Asset", *Japan Times*, 27 March 2012, at

<http://www.japantimes.co.jp/news/2012/03/27/news/japan-declares-island-near-senkakus-new-national-asset/#.URzMOvL-MSw>.

<sup>147</sup> For the official lists of islands see <http://www.kantei.go.jp/jp/singi/kaiyou/ritouhoushin/meisyou.html>.

<sup>148</sup> "Hu Meeting nixed amid Senkaku Spat", *Japan Times*, 12 February 2012, at

[http://www.japantimes.co.jp/news/2012/02/12/news/hu-meeting-nixed-amid-senkaku-spat/#.UR0KA\\_L-MSw](http://www.japantimes.co.jp/news/2012/02/12/news/hu-meeting-nixed-amid-senkaku-spat/#.UR0KA_L-MSw).

<sup>149</sup> "23 remote isles put under state ownership", *Yomiuri Shimbun*, 8 March 2012, at

<http://www.yomiuri.co.jp/dy/national/T120307006853.htm>.

<sup>150</sup> "China opposes Japan's naming Diaoyu Islands", *Xinhua*, 3 March 2012, at

[http://news.xinhuanet.com/english/china/2012-03/03/c\\_122784453.htm](http://news.xinhuanet.com/english/china/2012-03/03/c_122784453.htm); "China releases Standard Names of Diaoyu Islands", *Xinhua*, 3 March 2012, at

[http://news.xinhuanet.com/english/china/2012-03/03/c\\_122784452.htm](http://news.xinhuanet.com/english/china/2012-03/03/c_122784452.htm).

<sup>151</sup> *NHK*, 16 March 2012, at [http://www3.nhk.or.jp/daily/english/20120316\\_20.html](http://www3.nhk.or.jp/daily/english/20120316_20.html); "Chinese ship enters Japanese Waters near disputed Islands", *Jiji*, 16 March 2012, at

<http://jen.jiji.com/jc/eng?g=eco&k=2012031600478>.

<sup>152</sup> Minemura, Kenji: "China to establish permanent Senkaku Patrols", *Asahi Shimbun*, 20 December 2010.

<sup>153</sup> "Governor seen as goading administration into action", 16 April 2012, at

<http://www.japantimes.co.jp/news/2012/04/18/national/governor-seen-as-goading-administration-into-action/#.UZx8Mq7Ppak>.



have provided better prevention of incidents, even more than just leasing. Taken aback by Ishihara's surprise move, the Chief Cabinet Secretary Fujimura Osamu declared the following day that the central government might acquire the islands 'if required', and Prime Minister Noda implied in a Diet speech on the 18 April that a purchase by the central government was one of the options. Both statements were widely reported in China.<sup>154</sup> Ishihara had chosen his announcement for maximum effect on the occasion of a speech at the conservative Washington DC-based Heritage Foundation. He made it clear that this project was meant as a criticism of the DPJ-led central government, which he considered failing in its duty to sufficiently protect Japan's sovereignty by saying that the central government should be buying the islands but that the Gaimusho was too afraid of offending China. The location of his announcement was meant to get stronger support from the US for Japan's territorial claim.<sup>155</sup> As we have seen above from Ishihara's activities in the 1970s, this announcement was in many ways the logical conclusion of his long lasting obsession with the Senkaku Islands. It was the 2010 incident in particular which had encouraged him to renew his old plan of buying the islands after his earlier failure to do so. His good connections with the owner Kurihara Kunioki, who shared his nationalist tendencies, helped Ishihara to become the favoured purchaser.<sup>156</sup>

The possibility of having the three islands under the control of the nationalistic governor of Tokyo who wanted to build facilities on the islands to strengthen Japan's sovereignty was extremely unpalatable to the Noda government which feared complications with China. In a meeting on 18 May, Noda and his top advisers decided in principle to purchase the islands.<sup>157</sup> Pressure on the government increased, to pre-empt Ishihara because he was astonishingly successful in raising voluntary contributions from the public to buy the three islands, thus circumventing any legal difficulties in using Tokyo's taxpayer money and also proving the popularity of his move: By 1 June he had collected 70,000 donations totaling around ¥1.01 billion which increased to ¥1.46 billion by 6 September.<sup>158</sup> On 27 July, the TMG ran an advertisement in the *Wall Street Journal* asking for US understanding and support for the purchase plan.<sup>159</sup> The TMG had to demand the central government's permission to conduct a survey of the islands, which the government refused to grant on 27 August, forcing the TMG to conduct a survey from a ship on 2 September.<sup>160</sup> In the end, it was the higher sum and the shortest delay of concluding the deal which prompted Kurihara Kunioki, who was apparently in some financial difficulties, to accept the central government's offer of ¥2.05 billion (\$26 million) and to sign the contract on 11 September. This was quite an embarrassing turn for Ishihara. In addition he did not succeed in using the offer of his collected money to entice the

<sup>154</sup> "Tokyo gov't in talks with owners to buy Senkaku Islands: Ishihara", *Kyodo News*, 15 April 2012, at <http://english.kyodonews.jp/news/2012/04/153304.html>;

Tiberghien, Yves: "Misunderstandings, Miscommunication, and mis-signaling. Senkakus through Chinese eyes", *The Oriental Economist*, vol. 80, no. 12 (December 2012), p. 8.

<sup>155</sup> "Tokyo negotiating purchase of Senkaku Islands", *NHK*, 17 April 2012, at [http://www3.nhk.or.jp/daily/english/20120417\\_23.html](http://www3.nhk.or.jp/daily/english/20120417_23.html).

<sup>156</sup> Hijikata, Shinji and Nakayama, Shozo: "Ishihara challenges Govt on territorial Issues / Plan to buy Senkaku Islands, a Slap at DPJ-led Administration, was hatched Months ago in Secret", *Yomiuri Shimbun*, 19 April 2012, at <http://www.yomiuri.co.jp/dy/national/T120418005346.htm>.

<sup>157</sup> "Senkaku konyu ni fumidashita", *Asahi Shimbun*, 26 September 2012, pp. 1-2.

<sup>158</sup> "Donations to metro government to buy Senkaku Islands top ¥1 billion" *Japan Times*, 2 June 2012, at <http://www.japantimes.co.jp/text/nn20120602b4.html>; *Yomiuri Shimbun*, at

"Govt to buy 3 Senkaku isles for 2 billion yen", *Yomiuri Shimbun*, 6 September 2012, at <http://www.yomiuri.co.jp/dy/national/T120905004690.htm>.

<sup>159</sup> "Ad in Wall Street Journal seeks U.S. support for Senkaku purchase plan", *Japan Times*, 29 July 2012, at [www.japantimes.co.jp/text/nn20120729a2.html](http://www.japantimes.co.jp/text/nn20120729a2.html).

<sup>160</sup> "Tokyo metro government's inspection team sets sail for Senkaku Islands" *Japan Times*, 02 September 2012, at [www.japantimes.co.jp/text/nn20120902a9.html](http://www.japantimes.co.jp/text/nn20120902a9.html).



Noda government to promise the building of any facility on the islands. Noda was presented by his administration with several options, including his favoured option of repairing the existing light house on Uotsurijima, but in the end was convinced by Foreign Minister Gamba to leave things as they were in order not to further inflame the Chinese.<sup>161</sup>

The central government's purchase of the three islands on 11 September immediately led to a very harsh reaction by the Chinese which was even worse than in 2010. But before looking at the Chinese countermeasures after the 11 September in detail, it is important to investigate why the Chinese reaction was so strong and why the Japanese apparently did not anticipate it, particularly in view of China's unprecedented reaction in September 2010.

#### **4.5. Chinese Warnings before the Nationalization on 11 September**

Prime Minister Noda admitted on 19 September, only eight days into the comprehensive Chinese sanctions and counter measures that he had underestimated their extent.<sup>162</sup>

The question arises, therefore, whether Japan could or should have anticipated the strong Chinese reactions, and what this incident means for the future of the territorial dispute and for the bilateral relationship in general. At this point, one has to rely solely on media reports and only some tentative conclusions are possible.

Looking at the Chinese reactions to the Ishihara announcement on 16 April 2012 and afterwards, one can detect at least two stages in the intensity of Chinese warning signals. The initial Chinese reactions to the Ishihara announcement on 16 April 2012 were rather moderate, albeit firm, on the principle of China's sovereignty claim to the islands. On 18 April, the spokesperson of the Chinese Ministry of Foreign Affairs said that the islands were part of China and that it can exercise its sovereign right over them. He added that any unilateral action by Japan on the islands was invalid and could not change the fact that they were Chinese.<sup>163</sup> In a named commentary of Xinhua on 18 April, attention was drawn to Ishihara's known right wing and anti-Chinese statements but also pointed out that the CMOFA would not hesitate to take any necessary measures to safeguard sovereignty over the Diaoyu Islands.<sup>164</sup> Vice-President Xi Jinping told visiting Kono Yohei, a known pro-China hand, that Japan should not worsen the bilateral relationship and that core issues should be resolved by the two countries in an appropriate manner.<sup>165</sup> At the end of April, the State Oceanic Administration announced a plan to designate islands and their surrounding waters as strategically vital and to protect their environments and develop marine resources.<sup>166</sup> More specifically targeting the Senkaku Islands was, however, the entry on 3 May of two FLEC vessels into the Senkaku Islands' Contiguous Waters for the first time since Ishihara's

<sup>161</sup> "Govt to buy 3 Senkaku isles for 2 billion yen", *Yomiuri* 6 September 2012, at [www.yomiuri.co.jp/dy/national/T120912004075.htm](http://www.yomiuri.co.jp/dy/national/T120912004075.htm).

<sup>162</sup> "Japan should see things clearly", *China Daily*, 25 September 2012, at [http://www.chinadaily.com.cn/opinion/2012-09/25/content\\_15779727.htm](http://www.chinadaily.com.cn/opinion/2012-09/25/content_15779727.htm).

<sup>163</sup> "Foreign Ministry Spokesperson Liu Weimin Press Conference", *Ministry of Foreign Affairs of the PRC*, 18 April 2012, at <http://www.fmprc.gov.cn/eng/xwfw/s2510/2511/t925289.shtml>.

<sup>164</sup> Haiqing, Wang: "Commentary: Provocation by Japanese official over Diaoyu Islands detrimental to ties with China", *Xinhua News*, 18 April 2012, at [http://news.xinhuanet.com/english/china/2012-04/18/c\\_131535887.htm](http://news.xinhuanet.com/english/china/2012-04/18/c_131535887.htm).

<sup>165</sup> "Xi Jinping checks Japan on Senkaku Islands", *NHK*, 24 April 2012, at [http://www3.nhk.or.jp/daily/english/20120424\\_37.html](http://www3.nhk.or.jp/daily/english/20120424_37.html).

<sup>166</sup> "China to set up Protection of Islands", *NHK*, 20 April 2012, at [http://www3.nhk.or.jp/daily/english/20120420\\_07.html](http://www3.nhk.or.jp/daily/english/20120420_07.html).



announcement.<sup>167</sup> Bilateral tensions also increased after a Japanese right wing group supported the holding of a meeting of the World Uyghur Congress in Tokyo from 14 to 18 May, which led to the cancellation by Beijing of several official visits.<sup>168</sup> On 13 May, Premier Wen Jiabao raised the Senkaku issue and the Uighur meeting during talks in Beijing with Prime Minister Yoshihiko Noda, cautioning that ‘it is important to respect China’s core interests and matters of great concern’.<sup>169</sup> While there might be some ambiguity whether the Senkaku issue was meant here to be a ‘core interest’ or only ‘a matter of great concern’, Wang Jiarui, head of the Communist Party’s International Department, was quoted by Eda Satsuki, a foreign policy adviser of the DPJ, that both the Senkaku and the Uighur issue were described as ‘core issues’ and Wen’s statement was stressed in a Chinese TV broadcast.<sup>170</sup> The Xinjiang issue, as well as Taiwan and Tibet, have clearly been referred to for some time by the Chinese government as ‘core issues’, but the Senkaku issue had been called a ‘core issue’ apparently for the first time only in an opinion piece by the *Renmin Ribao* in January 2012.<sup>171</sup> Only on the 23 March 2013 did the Chinese Foreign Ministry Spokesperson clearly state that China regards the Diaoyu Islands as its core interest although the written record subsequently softened this statement.<sup>172</sup>

The above chronology gives certainly the impression that there was a series of Chinese reactions which expressed strong Chinese concern with any purchase (whether by the TMG or the central government) of the Senkaku Islands. If that had not been enough, it was the interview of the *Financial Times* with Japan’s ambassador in China, Niwa Uichiro, at the beginning of June which showed strong concern about the implications of a purchase. He was quoted as saying that ‘if Mr Ishihara’s plans are acted upon, then it will result in an extremely grave crisis in relations between Japan and China....We cannot allow decades of past effort to be brought to nothing’. He warned that such a crisis would affect business.<sup>173</sup> Niwa must have been truly concerned about the severity of the situation to make such a rather undiplomatic public statement for which he was reprimanded by Foreign Minister Gemba and criticized by some media outlets and politicians, ultimately leading to his recall later in the year.<sup>174</sup>

The Chinese warnings became sharper at the second stage when Prime Minister Noda announced on 7 July that his government would seek to buy the islands because now the

<sup>167</sup> “Chinese ships near the Senkakus again”, *Japan Times*, 04 May 2012, at [http://www.japantimes.co.jp/news/2012/05/04/national/chinese-ships-near-senkakus-again/#.UZX\\_xa7Ppak](http://www.japantimes.co.jp/news/2012/05/04/national/chinese-ships-near-senkakus-again/#.UZX_xa7Ppak).

<sup>168</sup> “China calls off Yang-Yonekura talks”, *Japan Times*, 16 May 2012, at <http://www.japantimes.co.jp/news/2012/05/16/business/china-calls-off-yang-yonekura-talks/#.UZYA67Ppak>.

<sup>169</sup> “Are Senkakus a ‘core interest’ for China?”, *Japan Times*, 24 May 2012, at <http://www.japantimes.co.jp/news/2012/05/24/national/are-senkakus-a-core-interest-for-china/#.UZYBE67Ppak>; Przystup, James J.: “Japan-China Relations: “Happy 40<sup>th</sup> Anniversary...? Part 2”, CSIS, *Comparative Connections* (September 2012), at [http://csis.org/files/publication/1202qjapan\\_china.pdf](http://csis.org/files/publication/1202qjapan_china.pdf).

<sup>170</sup> “Are Senkakus a ‘core interest’ for China?”, *Japan Times*, 24 May 2012, at <http://www.japantimes.co.jp/text/nn20120524a8.html>; Inuma, Yoshisuke: “Senkakus”, *The Oriental Economist*, vol. 80, no. 12 (December 2012).

<sup>171</sup> “Are Senkakus a ‘core interest’ for China?”, *op. cit.*

<sup>172</sup> “Foreign Ministry Spokesperson Hua Chunying’s Regular Press Conference”, *Ministry of Foreign Affairs of the PRC*, 26 April 2013, at <http://www.fmprc.gov.cn/eng/xwfw/s2510/2511/t1035948.shtml>. For a critical discussion of this issue see Campbell, Caitlin; Meick, Ethan; Hsu, Kimberley and Murray, Craig: “China’s “Core Interests and the East China Sea”, *US-China Economic and Security Review Commission, Staff Research Backgrounder*, 10 May 2013, at [www.uscc.gov/sites/default/files/Research/China's Core Interests and the East China Sea.pdf](http://www.uscc.gov/sites/default/files/Research/China's%20Core%20Interests%20and%20the%20East%20China%20Sea.pdf).

<sup>173</sup> Dickie, Mure: “Tokyo warned over Plans to buy Islands”, *Financial Times*, 6 June 2012, at [www.ft.com/cms/s/0/af98fc54-aef7-11e1-a4e0-00144feabdc0.html#axzz2Epzs1wfX](http://www.ft.com/cms/s/0/af98fc54-aef7-11e1-a4e0-00144feabdc0.html#axzz2Epzs1wfX).

<sup>174</sup> “Japan’s main Opposition Party calls on Gov’t to sack Envoy”, *Kyodo News*, 16 June 2012, at <http://english.kyodonews.jp/news/2012/06/162766.html>; “No need to pander to China over Senkaku Islands”, *Yomiuri Shimbun*, 13 June 2012, at [www.yomiuri.co.jp/dy/editorial/T120612003987.htm](http://www.yomiuri.co.jp/dy/editorial/T120612003987.htm).



purchase could no longer be put down to a mere local maverick with strong anti-Chinese inclinations. The *Global Times* editorial of 9 July showed the frustration by some Chinese: 'Each time Japan takes one step, we should take one and half or even two steps forward, making Japan aware of the grave consequences caused by its aggression against China'.<sup>175</sup> A Xinhua commentary on 7 July quotes the CMOFA's spokesperson referring probably for the first time in this row to a 'consensus' against which the Japanese government went by wanting to buy the islands, meaning of course the shelving consensus of 1972 and 1978.<sup>176</sup> On 9 July a Xinhua commentary titled 'Japan playing with fire over Diaoyu Islands' called the purchase by the central government a 'farcial ambition', an expression repeated thereafter many times.<sup>177</sup> On 11 July, the Japanese media reported the entry by three FLEC vessels into the territorial waters of Kubajima, the first time since the 16 March 2012, followed by one vessel cruising the following day in the island's contiguous zone.<sup>178</sup> Public opinion became also increasingly inflamed and the *Global Times* reported on 19 July that 90.8 per cent of Chinese people surveyed approve using the military to enforce China's sovereignty over the islets, with 52.1 per cent saying a military clash 'is likely' between China and Japan over the islands.<sup>179</sup>

Even the US gave Japan 'strong advice' not to proceed with the purchase because it could 'trigger a crisis' as was revealed in April 2013 by Kurt Campbell who was at the time Assistant Secretary for East Asian and Pacific Affairs. "Even though we warned Japan, Japan decided to go in a different direction, and they thought they had gained the support of China, or some did, which we were certain that they had not," Campbell is quoted in an interview with Kyodo.<sup>180</sup>

#### 4.6. Failure of Communication

The above chronology and escalation of Chinese reactions to the planned purchase of the islands over the summer 2012 seem to give a clear indication that a Japanese purchase of the three islands was not considered just another incident without major consequences. So why did the Japanese government still go ahead with the purchase? In the final analysis, the failure to avoid the crisis escalating in September 2012 lay in the wide difference between the interests of the two governments. Domestic circumstances on both sides and the inherent zero sum nature of territorial disputes prevented the transition from dialogue to preventive action, let alone solution. Aggravating events over the summer 2012, which raised the tempers on both sides, were the demands by the TMG to send a survey team to the Senkaku Islands (the Noda government after some initial conflicting reports did not allow a landing), the landing of Hong Kong activists on Uotsurijima on 15 August (timed with the anniversary of Japan's surrender), followed by the landing of Japanese activists (including local parliamentarians) on 19 August, and an attack in Beijing on 27 August on the car carrying Ambassador Niwa.

<sup>175</sup> Richardson, Michael: "Time to dial down Senkakus friction", *Japan Times*, 19 July 2012, at <http://www.japantimes.co.jp/opinion/2012/07/19/commentary/time-to-dial-down-senkaku-friction/#.UZYPq7Ppak>.

<sup>176</sup> "Commentary: Japan playing with fire over Diaoyu Islands", *Xinhua News*, at 09 July 2012, at [http://news.xinhuanet.com/english/indepth/2012-07/09/c\\_131704237.htm](http://news.xinhuanet.com/english/indepth/2012-07/09/c_131704237.htm).

<sup>177</sup> *Ibid.*; "'Buying-Islands' farce to badly damage hard-won China-Japan relations", *Xinhua News*, 13 July 2012, at [http://news.xinhuanet.com/english/china/2012-07/13/c\\_131713259.htm](http://news.xinhuanet.com/english/china/2012-07/13/c_131713259.htm).

<sup>178</sup> "China patrol ships enter waters near Senkakus", *Japan Times*, 12 July 2012, at [www.japantimes.co.jp/text/nn20120712a6.html#.T\\_50\\_ZGibiM](http://www.japantimes.co.jp/text/nn20120712a6.html#.T_50_ZGibiM); "Another Chinese Patrol Ship spotted near Senkaku Islands", *Jiji Press*, 12 July 2013, at <http://jen.jiji.com/jc/eng?g=eco&k=2012071200425>.

<sup>179</sup> "Central government would have to build harbors if it buys isles from metro authority", *Japan Times*, 21 July 2012, at [www.japantimes.co.jp/text/nn20120721a3.html#.UAp005GibiM](http://www.japantimes.co.jp/text/nn20120721a3.html#.UAp005GibiM).

<sup>180</sup> "U.S. warned Japan against purchase of Senkakus: Campbell", *Kyodo News*, 10 April 2013.



Despite ongoing communication and dialogue through various channels, these adverse circumstances did not help with proper communication over the summer 2012 between two very different governance systems.

The Japanese central government had been caught short by Ishihara's sudden announcement on 16 April, and became totally absorbed with preventing the maverick politician from going ahead with the purchase of the islands, fearing rightly that he would seriously complicate the Japanese-Chinese relationship. Ishihara wanted to embarrass the Noda government which was constantly losing percentage points in popularity, and to force its hands to deal more assertively with the islands. As we have seen, for Ishihara it was not just about purchasing the islands, but about building facilities on them. For the Noda government, buying the islands by the state was therefore the lesser evil. The government tried all along to convince the Chinese of Tokyo's good intentions, for example, when Foreign Minister Gemba met with his Chinese counterpart Yang Jiechi on 11 July, that the purchase was only a 'domestic commercial transaction' and not a diplomatic matter, and was only meant to ensure that the islands would be 'administered peacefully and stably'.<sup>181</sup> In December 2012, when the full extent of China's unprecedented reactions had become known, the new Japanese ambassador Kitera still stated that 'The change in ownership should not have caused a problem in relations with China', adding that Japan had given China sufficient explanations ahead of the purchase.<sup>182</sup> Foreign Minister Gemba even tried to highlight in November that the purchase was actually a return to the *status quo ante*: 'The measure taken by the government of Japan was just a transfer of title under Japanese domestic law and just means that the ownership of the islands — held by the government until 1932 — was returned from a private citizen to the government'.<sup>183</sup> In short, for the Japanese, the purchase of the islands was aimed at maintaining the *status quo* which China should consider to be also in its own interest. That expressions like 'peaceful administration', or 'transfer of title under domestic Japanese law' could only be interpreted by the Chinese as acts of asserting Japanese sovereignty was apparently simply ignored. Under these circumstances it was impossible to convince the Chinese that transfer of ownership had nothing to do with sovereignty. Instead, the Chinese even suspected that the Noda government and Ishihara were conniving at strengthening Japan's control over the islands.<sup>184</sup>

Any intended conciliatory overtone in the above explanations by Gemba and many similar declarations before and later were further negated by the insistence that there was no territorial dispute, exactly the position the Chinese wanted to change. The frequent references to 'core interest' by China were ignored by the Japanese government. For the Chinese leaders, the 'offer' to choose between the Tokyo Metropolitan Government or the Government of Japan buying the islands was, as Vice Foreign Minister Zhang Zhijun later put it, like being asked to choose between two doses of poison.<sup>185</sup>

<sup>181</sup> "Senkaku talks with China end in stalemate", *Yomiuri Shimbun*, 13 July 2012, at <http://www.yomiuri.co.jp/dy/national/T120712005055.htm>.

<sup>182</sup> "New ambassador to China upbeat on improving ties", *Japan Times*, 11 December 2012, at <http://www.japantimes.co.jp/news/2012/12/11/news/new-ambassador-to-china-upbeat-on-improving-ties/#.UZo64UrnSww>.

<sup>183</sup> Genba, Koichiro, *New York Times*, 20 November 2012, at <http://www.nytimes.com/2012/11/21/opinion/koichiro-genba-japan-china-relations-at-a-crossroads.html?ref=japan>.

<sup>184</sup> Miyamoto, *op. cit.*, p. 146.

<sup>185</sup> "China Voice: Japan should face up to past, present wrongdoing", *Xinhua News*, 29 October 2012, at [http://news.xinhuanet.com/english/indepth/2012-10/29/c\\_131938015.htm](http://news.xinhuanet.com/english/indepth/2012-10/29/c_131938015.htm).





It was also unfortunate that the Japanese government allowed the expression *kokuyuka* (nationalization) to prevail, even among government members, instead of the original term agreed by the Japanese cabinet *shutoku* (acquisition).<sup>186</sup> Chinese media has taken over the Japanese term of ‘nationalization’ which certainly further confused Chinese public opinion. Since it does not know the historical background and Japan’s effective control of the islands, ‘nationalization’ tended to be understood as a radical change in the *status quo* or even as invasion.<sup>187</sup> A well known Japanese observer in China, Kato Yoshikazu even argued therefore that the 1972 and 1978 understanding about shelving had prevented the Chinese people from learning about the issue.<sup>188</sup>

Both sides made it impossible with their extreme and diametrically opposed positions to find a compromise. The Noda government was too weak (and also too preoccupied with other issues like the passing of the law to introduce a hike of the value added tax, coping with the aftermath of the triple disaster of March 2011 and simply trying to stay in power) to find an alternative to the now abandoned ‘shelving compromise’ and to admit that there was a territorial problem. At the end of August, Noda was forced to promise Lower House elections ‘sometime soon’ despite the grim outlook for his party’s chances in the elections. Making a compromise on the territorial issue would not have helped to gain popular support. While the Chinese probably felt encouraged to escalate its pressure by its success in making the Japanese government hand over the captain in September 2010, it most likely had the effect on the Noda government to stay inflexible in order to avoid being seen yet again as caving in to Chinese pressure. But the Chinese were also not able to compromise on their demand that the Japanese should admit the existence of a territorial issue. The preparation for the 18<sup>th</sup> National Party Congress in November 2012, and the ensuing leadership change to be finalized only in spring 2013, similarly did not allow the Chinese leaders whether in or outgoing, to appear soft. Eight out of nine Politbureau members publicly expressed their opposition to the purchase either before or after the announcement of the purchase on 11 September.<sup>189</sup> Public opinion in China had grown increasingly hostile to Japan over the summer and was particularly inflamed when the landing of the Hong Kong activists was followed by the landing of Japanese activists which were treated by the Japanese authorities more leniently than the former, i.e. not arrested despite having violated private land leased to the state. Riots in several Chinese cities started thereafter.<sup>190</sup>

Although both sides agreed to continue dialogue, and several official meetings at different levels took place, they could only end in restating known positions. China did not make things easier by later cancelling such meetings, depriving both sides of possible opportunities to find a breakthrough. The start of Chinese sanctions across the whole gambit of bilateral relations deprived the Japanese of even more domestic wriggle room for a compromise.

It seems that the above circumstances did not allow Japan’s central decision-makers concerned with the issue, in particular the Prime Minister and his immediate circle, to admit to and/or understand until the purchase announcement on 11 September 2012, how strongly

<sup>186</sup> Nakanishi, Sato, Haruna and Miyage, *op. cit.*, p. 97.

<sup>187</sup> Takahara Akio: “interview”, *Jiji Press*, 24 October 2012 (provided to the author by Professor Takahara).

<sup>188</sup> Kato, Yoshikazu: “Ecouter l’autre plus que jamais”, *Courrier International*, 27 September 2012, at <http://www.courrierinternational.com/article/2012/09/27/ecouter-l-autre-plus-que-jamais>.

<sup>189</sup> Zhu, *op. cit.*, p. 103.

<sup>190</sup> “Chinese stage anti-Japan rallies over Senkakus”, *Japan Times*, 20 August 2012, at <http://www.japantimes.co.jp/news/2012/08/20/national/chinese-stage-anti-japan-rallies-over-senkakus/#.UTxp2zfxmig>.



the Chinese felt about it. Ambassador Niwa's rather undiplomatic statements in the *Financial Times* interview seem to indicate that he felt that the central decision-makers did not understand the strength of the feelings of the Chinese and how far they might go. Niwa warned in his interview that even a possible pre-purchase survey of the islands could be diplomatically incendiary, since such a survey was discussed already at the time to enable the TMG to go ahead with the purchase.<sup>191</sup> As late as the 3 September, the *Yomiuri Shimbun* reported that the Chinese government was reacting calmly as long as three conditions were observed to maintain the *status quo*, but the conditions contained no opposition to a possible purchase and instead just mentioned abstention from landing, surveying and building facilities on the islands.<sup>192</sup> For now, one can only speculate whether the government was misled by such reports. However, in view of the growing diffusion of power in China's policymaking, it is also conceivable that the CMOFA (or other Chinese communicators) was trying to send out more conciliatory signals, but not having the same power as other policy-making institutions, sent in this way a wrong message to Japan. According to Professor Takahara Akio, General Zhu Chenghu said on 5 September that a purchase by the central government would be better and Qu Xing, director of the China Institute of International Affairs is said to have expressed a similar opinion.<sup>193</sup> The above Campbell interview seems to suggest that Japan was more inclined to act upon Chinese statements which were closer to what it wanted to understand.

#### **4.7. The Chinese Reaction: Rhetoric Warfare**

The final miscommunication or clash of irreconcilable interests occurred when Prime Minister Noda met President Hu on the sidelines of the Asia Pacific Economic Cooperation (APEC) summit in Vladivostok on 9 September but announced two days later the signing of the purchase contract with the Kurihara family. According to one account Hu did not want to meet Noda in Vladivostok, but the Japanese embassy in Beijing told later some Chinese that Hu had wanted to meet Noda.<sup>194</sup> Whatever the circumstances were or the reason for either Hu not sufficiently conveying his strong feelings concerning the purchase, which had been known and bilaterally discussed at least since the Japanese official announcement of its purchase intention on 7 July, or for Noda not understanding the Chinese feeling for the possible reasons discussed above, Hu apparently felt he had lost face when Japan announced the purchase on 11 September.<sup>195</sup> Moreover, the Japanese announcement could not have come at a more awkward time because of the anniversary of the Mukden Incident on the 18 September which, like several other carefully cultivated anniversaries regarding Japan's past misdeeds in China, always arouse latent anti-Japanese feelings. As a result, the Japanese announcement caused an avalanche of virulent rhetoric outbursts relating to the past, political sanctions, further measures to assert China's territorial claim (for example, including the islands in the Chinese TV weather forecast; an exhibition of ancient maps to prove Chinese control), economic sanctions, and an escalation of patrols by Chinese FLEC and MSA ships and aircraft around the Senkaku Islands.

The mildest part of China's rhetoric avalanche was calling the government's purchase a 'farce', a rather undiplomatic expression already used by Xinhua in July 2012, but then taken up at the highest level by Vice President Xi Jinping when meeting Secretary of Defence Leon

<sup>191</sup> *Financial Times*, 6 June 2012, *op. cit.*

<sup>192</sup> *Yomiuri Shimbun*, 3 September 2012, at <http://www.yomiuri.co.jp/dy/national/T120902003029.htm>.

<sup>193</sup> Interview with Professor Takahara Akio 10 October 2012.

<sup>194</sup> Interview with a Chinese member of CASS, 26 February 2013.

<sup>195</sup> "Isles row puts chill on 40th anniversary of ties", *Japan Times*, 30 September 2012, at <http://www.japantimes.co.jp/text/nn20120930a1.html>.



Panetta on 19 September.<sup>196</sup> But the main line from now on was that Japan's claim to the Senkaku Islands was a denial of the post-World War II results. In its statements and rebuttals the Chinese showed their frustration at not having been able to fundamentally change the *status quo* and they did not hesitate to use expressions which were rather undignified for diplomats and political leaders. Japan on the other hand argued for peaceful resolution along the lines of international law and dialogue which probably infuriated the Chinese even more. On 10 September, the CMFA issued a statement where it called Japan's position on the disputed islands 'an outright denial of the outcomes of the victory of the World Anti-Fascist War and ... a grave challenge to the post-war international order'.<sup>197</sup> In a heated exchange at the UN General Assembly between China's UN ambassador Li Baodong and Japan's Deputy UN ambassador Kodama Kazuo, Li called the motive for purchasing the three islands to 'legalize its stealing and occupation of the Chinese territory' and stated, 'This action of Japan constitutes a serious encroachment upon China's sovereignty, and intends to continue and legalize the result of Japan's colonial policy. It is an open denial of the outcomes of victory of the world anti-fascist war, and a grave challenge to the post-war international order and the purposes and principles of the Charter of the United Nations'.<sup>198</sup> In a further rebuttal of Japan's assertion of its claim, Li characterized the island purchase as 'nothing different from money laundering'.<sup>199</sup> At the Asia Europe Meeting (ASEM) in Laos Foreign Minister Yang Jiechi repeated the reference to the 'outcome of the anti-Fascist war' while Prime Minister Noda spoke of peaceful resolution of conflicts according to international law.<sup>200</sup> On 11 October, the CMFA spokesperson Hong Lei refuted Foreign Minister Gemba historical account justifying Japan's claim by calling it 'gangster logic'.<sup>201</sup>

On the Chinese side, therefore, there are now two closely-linked history narratives: one is about the islands having been part of China since the Ming and Qing dynasties, the other connects the islands to what is the better known history narrative, i.e. Japan having victimised China since 1894 and as part of its imperialism annexed the islands. These two narratives continue to be cultivated by the Chinese leadership. In October 2012, the Chinese announcement of the publication of 80 volumes on the Far East War Criminal Court was clearly meant to link the latter narrative to Japan's acquisition of the Senkaku Islands.<sup>202</sup> Former Foreign Minister Gemba explicitly tried in October 2012 to delink the territorial issue from Japan's aggression against China, only to be reminded by the Chinese ambassador to the UK in an article in the *Financial Times* (as part of the ensuing worldwide press campaign by both sides) that 'the Diaoyu Dao issue is all about history'.<sup>203</sup>

<sup>196</sup> "Buying-Islands" farce to badly damage hard-won China-Japan relations", *op. cit.*; "China delays approval of working visas. Firms made to wait as Beijing retaliates amid Senkakus dispute", *Japan Times*, 23 September 2012, at <http://www.japantimes.co.jp/text/nn20120923a1.html>.

<sup>197</sup> "Statement of the Ministry of Foreign Affairs of the People's Republic of China", 10 September 2012, at <http://www.fmprc.gov.cn/eng/topics/diaodao/t968188.htm>.

<sup>198</sup> "China's U.N. ambassador rebuts remarks by Japanese representative on Diaoyu Islands", *Xinhua News*, 28 September 2012, at [http://news.xinhuanet.com/english/china/2012-09/28/c\\_123777391.htm](http://news.xinhuanet.com/english/china/2012-09/28/c_123777391.htm).

<sup>199</sup> "China says Japan 'stole' isles, in verbal war at U.N.", *Mainichi*, 28 September 2012, at <http://mainichi.jp/english/english/newsselect/news/20120928p2g00m0dm067000c.html>.

<sup>200</sup> "Japan, China engage in war of words at ASEM summit", *Japan Times*, 07 November 2012, at <http://www.japantimes.co.jp/news/2012/11/07/national/japan-china-engage-in-war-of-words-at-asem-summit/#.UZYMx67Ppak>.

<sup>201</sup> Foreign Ministry Spokesperson Hong Lei's Regular Press Conference, 11 October 2012, at <http://www.fmprc.gov.cn/eng/xwfw/s2510/2511/t979321.shtml>.

<sup>202</sup> "China to publish books on Tokyo Trials", *Xinhua News* 24 October 2012, at [http://news.xinhuanet.com/english/china/2012-10/24/c\\_131927888.htm](http://news.xinhuanet.com/english/china/2012-10/24/c_131927888.htm).

<sup>203</sup> "Foreign Minister Koichiro Gemba interview", *Financial Times*, 19 October 2012, at



#### 4.8. Political Sanctions

Chinese political countermeasures ranged from the cancellation of official and unofficial visits to further legal acts to reinforce China's claim to the Senkaku Islands. Around 40 per cent of ceremonial events in Japan to mark 2012 as the 40<sup>th</sup> anniversary of the normalization of diplomatic relations with China were cancelled or postponed, and even more events in China.<sup>204</sup> These cancellations were not always the result of direct government intervention, but sometimes more indirect official 'discouragement', helped by the Chinese preference of not being seen to do something in contradiction to the (initially fomented and later self-propelling) anti-Japan atmosphere, or by fear of participants of running into demonstrations if not assaults. The legal screws were further turned with long-term implications: On 10 September, the Chinese government announced the base points and baselines of the territorial waters of the disputed islands and their affiliated islets, as well as the names and coordinates of 17 base points.<sup>205</sup> On 16 September, reports appeared that China was submitting proposals for its extended continental shelf to the UN Continental Shelf Commission which included the Senkaku Islands, but in fact the actual submission occurred only on 14 December 2012.<sup>206</sup> On 20 September, a government agency published a thematic map of the Diaoyu Island and its affiliated islands.<sup>207</sup> China's Meteorological Administration started providing weather forecasts for the Senkaku area on the state-run TV station.<sup>208</sup> On 16 September, the fishery bureau announced the lifting of the fishery ban in the East China Sea and stressed that China planned to strengthen its sovereignty claim over the Senkakus.<sup>209</sup>

There were rumours that 1000 fishing vessels would come to the Senkaku area and though this did not materialize, it helped to further raise tensions.<sup>210</sup>

Most attention in Japan was focused on the widening street protests in over 100 Chinese cities, the destruction of Japanese shops, restaurants, cars and production facilities and the attacks on Japanese citizens in China.<sup>211</sup> The websites of at least 19 Japanese banks,

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[http://www.mofa.go.jp/mofaj/annai/honsho/gaisho/gemba/pdfs/ft\\_1210\\_en.pdf](http://www.mofa.go.jp/mofaj/annai/honsho/gaisho/gemba/pdfs/ft_1210_en.pdf); Liu Xiaoming: "China responds to Japan's Provocation", *Financial Times*, 1 November 2012, at

<http://www.ft.com/cms/s/0/83440fd8-22c2-11e2-938d-00144feabdc0.html#axzz2B9FakMww>.

<sup>204</sup> "40% of Japan-China 40th anniversary events canceled across Japan?", *Japan Times*, 30 September 2012, at [www.japantimes.co.jp/text/nn20120930a5.html](http://www.japantimes.co.jp/text/nn20120930a5.html).

<sup>205</sup> "Japan to take "all possible measures" in response to Chinese patrol around Diaoyu Islands: report", *Xinhua News*, 14 September 2012, at

[http://news.xinhuanet.com/english/world/2012-09/14/c\\_131850153.htm](http://news.xinhuanet.com/english/world/2012-09/14/c_131850153.htm). For a critical discussion of these base lines see Roach, J. Ashley: "China's Straight Baseline Claim: Senkaku (Diaoyu) Islands", *Insights*, (13 February 2013), at <http://www.asil.org/pdfs/insights/insight130213.pdf>.

<sup>206</sup> *Asahi Shimbun*, 28 September 2012; "Submission by the People's Republic of China concerning the Outer Limits of the Continental Shelf beyond 200 Nautical Miles in Part of the East China Sea", p. 5, at

[http://www.un.org/Depts/los/clcs\\_new/submissions\\_files/chn63\\_12/executive%20per%20cent%20summary\\_EN.pdf](http://www.un.org/Depts/los/clcs_new/submissions_files/chn63_12/executive%20per%20cent%20summary_EN.pdf).

<sup>207</sup> "Foreign Ministry Spokesperson Hong Lei's Regular Press Conference", *Ministry of Foreign Affairs of the PRC*, 21 September 2012, at <http://www.fmprc.gov.cn/eng/xwfw/s2510/2511/t973304.htm>.

<sup>208</sup> "China to Provide Weather Forecasts for Islands Claimed by Japan", *Bloomberg*, 12 September 2012, at <http://www.bloomberg.com/news/2012-09-12/china-to-provide-weather-forecasts-for-islands-claimed-by-japan.html>.

<sup>209</sup> "Chinese Fishing Boats to head for Senkaku Waters", *NHK*, 14 September 2012, at [http://www3.nhk.or.jp/daily/english/20120914\\_06.html](http://www3.nhk.or.jp/daily/english/20120914_06.html).

<sup>210</sup> "Chinese armada reports conflict over fishing boats' position", *Japan Times*, 02 September 2012, at <http://www.japantimes.co.jp/text/nn20120920b4.html>.

<sup>211</sup> "China-Japan Dispute Takes Rising Toll on Top Asian Economies", *Bloomberg News*, 9 January 2013, at <http://www.bloomberg.com/news/2013-01-08/china-japan-dispute-takes-rising-toll-of-asia-s-top-economies.html>.



universities and other institutions came under cyber-attack.<sup>212</sup> At a demonstration in Shanghai, about 7,000 protesters chanted slogans such as ‘Beat Japanese imperialism’, ‘Boycott Japanese products’ and ‘Destroy Japan and retrieve Okinawa’.<sup>213</sup>

Although only 63 per cent of polled Japanese expressed their support for their government’s nationalization of the islands, down from 73 per cent in a previous poll on 15 and 16 September, 82 per cent of respondents in a *Mainichi Shimbun* survey said the Japanese government had not protested strongly enough to Beijing over anti-Japan protests.<sup>214</sup> The Chinese government denied any official involvement and the spokesperson of the Waijiaobu went only as far as saying that the protests and demonstrations were ‘completely caused by the Japanese government’s illegal “purchase” of the Diaoyu Islands and are people’s spontaneous acts’.<sup>215</sup> There were, however, reports that some of the demonstrations were tolerated, if not abetted, by government agencies.<sup>216</sup> The demonstrations soon died down because tolerating them much longer would have run the risk that they would turn into anti-government demonstrations. Even the Chinese Academy of Social Sciences reported that some demonstrators who were arrested did not even know where the Senkaku Islands were and that anger over the widening wealth gap was behind their acts.<sup>217</sup> In contrast to these Chinese demonstrations and acts of lawlessness, there was hardly any public demonstration in Japan, which shows the relative detachment of the Japanese from the dispute. On 22 September, ‘Nippon Gambare’, a right wing organization chaired by former Air Self Defence Force chief Tamogami Toshio, staged a march through parts of Tokyo which this author witnessed. A brief fire was started at a Chinese school in Kobe and two smoke bombs were thrown into the Chinese Consulate General in Fukuoka.<sup>218</sup>

#### 4.9. Economic Sanctions

Protest measures of a longer duration and as yet unpredictable consequences for the bilateral relationship have been China’s economic sanctions and a boycott of Japanese goods by the general public, although the authorities denied again any government intervention. A commentary of Xinhua half admitted, however, government intervention when it made the unconvincing difference between ‘measures’ and ‘sanctions’: ‘Since Japan “purchased” China’s Diaoyu Islands in September, the Chinese government has taken a series of countermeasures in the economic, legal, diplomatic and military fields, which have helped it to wrest the initiative to resolve the islands dispute. ...despite China not imposing any economic sanctions, the Japanese economy has been badly hit’.<sup>219</sup> The *Renmin Ribao*

<sup>212</sup> “Japanese websites come under attack as Senkaku squabble continues”, *Japan Times*, 20 September 2012, at [www.japantimes.co.jp/text/nn20120920b7.html](http://www.japantimes.co.jp/text/nn20120920b7.html).

<sup>213</sup> “Protests flare in China on contentious anniversary. The pretext for invasion 81 years ago fuels rallies in 125 cities”, *Japan Times*, 19 September 2012, at [www.japantimes.co.jp/text/nn20120919a1.html](http://www.japantimes.co.jp/text/nn20120919a1.html).

<sup>214</sup> “82% rap lukewarm response to anti-Japan protests in China over Senkakus: Mainichi poll”, *Mainichi*, 01 October 2012, at

<http://mainichi.jp/english/english/newsselect/news/20121001p2a00m0na015000c.html>.

<sup>215</sup> “Foreign Ministry Spokesperson Hong Lei’s Regular Press Conference”, *Ministry of Foreign Affairs of the PRC*, 20 September 2012, at <http://www.fmprc.gov.cn/eng/xwfw/s2510/2511/t973304.htm>.

<sup>216</sup> Tiberghien, *op. cit.*, p. 3.

<sup>217</sup> “Japan protests No.1 topic on China web”, *NHK*, 18 December 2012, at [http://www3.nhk.or.jp/daily/english/20121218\\_29.html](http://www3.nhk.or.jp/daily/english/20121218_29.html).

<sup>218</sup> “Noda urges dignity”, *Japan Times*, 21 September 2012, at <http://www.japantimes.co.jp/text/nn20120921a7.html>; “Man throws smoke bombs into Chinese consulate general in Fukuoka”, *Japan Times*, 18 September 2012, at <http://www.japantimes.co.jp/text/nn20120918a7.html>.

<sup>219</sup> “Good move on Diaoyu Islands”, *Xinhua News*, 26 October 2012, at [http://news.xinhuanet.com/english/indepth/2012-10/26/c\\_131932004.htm](http://news.xinhuanet.com/english/indepth/2012-10/26/c_131932004.htm).



compared `economic punishments` with a `gun` and warned that through its island purchase Japan had already touched the `trigger`. In a rather heavy hint, the paper pointed out how vulnerable Japan`s economy was because of the 2011 earthquake and the dependence of key economic sectors on China.<sup>220</sup> Even more official was Vice Minister of Commerce Jiang Zengwei`s warning that the island purchase would inevitably have a negative impact on Sino-Japanese economic and trade ties.<sup>221</sup>

After the 11 September, it soon became very obvious that the heavy hand of the Chinese government was imposing sanctions and making life for Japanese business more difficult. On 21 September, it was reported that Chinese customs authorities were strengthening inspections of imports from and exports to Japan, but this was denied by the Chinese authorities.<sup>222</sup> In the same week, reports appeared about Japanese companies experiencing delays in obtaining working visas for their Japanese employees.<sup>223</sup> Big Japanese companies with investments in China were experiencing hold-ups in gaining regulatory approvals for Merger & Acquisitions.<sup>224</sup> In contrast to the interference in rare earth exports to Japan after the trawler incident in 2010, however, no such embargo was implemented, because this particular economic weapon had lost its effectiveness since then (see below).<sup>225</sup>

The greatest damage to Japanese economic activities, apart from the above mentioned destruction of Japanese commercial and industrial sites, was caused by a partial consumer boycott, notably the fall of car sales in China and Chinese tourism to Japan. Overall, bilateral trade decreased by 3.9 per cent in 2012 to \$329 billion, the first drop since the collapse of the Lehman investment bank in 2009.<sup>226</sup> The worst hit sector is automobiles: Toyota sold 840,500 vehicles in China in 2012, the first annual drop since 2002. Nissan experienced a 24 per cent drop in December China sales, and Honda saw a 19 per cent December fall.<sup>227</sup> In November 2012, it was announced that, compared with the previous year, Toyota`s production in China fell by 61.1 per cent, Nissan`s production by 44 per cent, Honda`s by 54.2 per cent and Mitsubishi Motors by 84.6 per cent.<sup>228</sup> This has a strong effect on the individual car makers, given that China accounts for 25 per cent of Nissan's net profit, 21 per cent of Toyota's and 16

<sup>220</sup> "People's Daily implies economic measures against Japan", *Xinhua News*, 17 September 2012, at [http://news.xinhuanet.com/english/indepth/2012-09/17/c\\_131855730.htm](http://news.xinhuanet.com/english/indepth/2012-09/17/c_131855730.htm); see also Ye, Xiaowen, *op. cit.*

<sup>221</sup> "'Purchase' of Diaoyu Islands could cost Japan", *Xinhua News*, at [http://news.xinhuanet.com/english/indepth/2012-09/13/c\\_131849093.htm](http://news.xinhuanet.com/english/indepth/2012-09/13/c_131849093.htm).

<sup>222</sup> "Japan Boosts Info Gathering on Customs Procedures in China", *Jiji News*, 21 September 2012, at <http://jen.jiji.com/jc/eng?g=eco&k=2012092100437>; "Foreign Ministry Spokesperson Hong Lei's Regular Press Conference", *Ministry of Foreign Affairs of the PRC*, 11 October 2012, at <http://www.fmprc.gov.cn/eng/xwfw/s2510/2511/t979321.htm>.

<sup>223</sup> "China delays approval of working visas. Firms made to wait as Beijing retaliates amid Senkakus dispute", *Japan Times*, 23 September 2012, at <http://www.japantimes.co.jp/text/nn20120923a1.html>.

<sup>224</sup> "Japanese investment in China falls sharply", *Financial Times*, 20 November 2012, at <http://www.ft.com/cms/s/0/31020a3e-330e-11e2-aa83-00144feabdc0.html#axzz2CnaHIIID>.

<sup>225</sup> Seaman, John: "Rare Earths and the East China Sea: Why hasn't China embargoed Shipments to Japan?", *IFRI-CIGS Op-Ed Series*, (2012), at [http://www.canon-igs.org/en/column/pdf/121009\\_seaman\\_oped.pdf](http://www.canon-igs.org/en/column/pdf/121009_seaman_oped.pdf).

<sup>226</sup> "Trade with China falls first time in three years", *Japan Times*, 11 January 2013, at <http://www.japantimes.co.jp/news/2013/01/11/business/trade-with-china-falls-first-time-in-three-years/#.UZYPyq7Ppak>; According to JETRO, the bilateral trade fell to \$335 billion: "Japan-China Trade Deficit hits Record in 2012, *NHK*, 19 February 2013, at [http://www3.nhk.or.jp/daily/english/20130219\\_30.html](http://www3.nhk.or.jp/daily/english/20130219_30.html).

<sup>227</sup> "Toyota delays plan for China expansion", *Japan Times*, 09 January 2013, at <http://www.japantimes.co.jp/text/nb20130109n3.html>.

<sup>228</sup> "Japan car production in China down 49 per cent in October", *NHK*, 29 November 2012, at [http://www3.nhk.or.jp/daily/english/20121129\\_33.html](http://www3.nhk.or.jp/daily/english/20121129_33.html).



per cent of Honda's.<sup>229</sup> However, the figures seem to be recovering since the beginning of 2013. The tourist industry has also been hard hit in both countries. Chinese visitors to Japan decreased by 44 per cent from September to December 2012 from the year before.<sup>230</sup> The number of Japanese tourists on group tours to China plunged by more than 70 per cent year-on-year in the last three months of 2012, and this downward trend is continuing in 2013.<sup>231</sup>

The effect of China's economic retributions highlight the extent to which Japan has become dependent on its economic exchanges with China and cast doubt on the continued viability of the earlier 'Hot Economics and Cold Politics' dichotomy. The answer to the question which country is more dependent on the other, or more vulnerable to sanctions, is dependent on the economic indicators and sectors being chosen and is also a political question because the answer can be politically manipulated. Japan's economic difficulties since the 1990s (and its dependence on economic interaction with China to cope with these difficulties!), and China pushing Japan to No. 3 in world GDP ranking has diminished the Chinese perception of Japan as an economic power house. It means that, for China, the relationship with Japan became less important while political relations deteriorated at the same time. The strong effect of the Chinese embargo on rare earth exports to Japan in 2010 can be viewed in two diametrically opposed ways. Chinese observers may be inclined to put emphasis on the strong effect it immediately had on Japanese public opinion and industrial circles, contributing to a certain extent to the government's surrender of the trawler captain. Others may point out that the case demonstrated the futility of abusing a dominant supplier position because even within a short time, the farsighted accumulation of high stocks of rare earth by Japan's industry, followed after the embargo by securing alternative resources, and demand reduction through recycling and product re-engineering not only provided enough breathing space, but in the end reduced China's market power. Still, Chinese experts are convinced that Japan is now more dependent on China than the other way round. According to some experts, China's imports accounted in 2011 for 23.7 per cent of Japan's exports volume. The bilateral trade volume in 2011 took up 21 per cent of Japanese gross trade volume of that year, while it merely accounted for 9.4 per cent of China's annual gross trade volume.<sup>232</sup> There seem to be only few voices which express concern over the negative impact of China's sanction on China's economy itself, notably at a time of worldwide economic contraction.<sup>233</sup>

The Chinese market is certainly too important for many Japanese companies to leave. A survey in November 2012 to which more than 10,000 Japanese companies in China replied showed that for almost 30 per cent of them the territorial dispute had affected their business, but still more than half want to maintain their operations, and only 16 per cent said that they wanted to either cut back or pull out.<sup>234</sup> This is also borne out by the FDI figures: in 2011, Japanese FDI to China had increased by 55 per cent, but in 2012, by 'only' 16.3 per cent to

<sup>229</sup> "Factory shift to non-Chinese sites seen accelerating. Companies reopen as anger eases in China", *Japan Times*, 21 September 2012, at <http://www.japantimes.co.jp/text/nb20120921a1.html>.

<sup>230</sup> "Chinese visitors fall since September", *Japan Times*, 17 January 2013, at <http://www.japantimes.co.jp/text/nn20130117b4.html>.

<sup>231</sup> "Tour travelers to China down by over 70 per cent", *NHK*, at [http://www3.nhk.or.jp/daily/english/20130124\\_11.html](http://www3.nhk.or.jp/daily/english/20130124_11.html).

<sup>232</sup> "China Focus: Diaoyu Islands rift takes toll on China-Japan economic, trade ties", *Xinhua News*, at [http://news.xinhuanet.com/english/indepth/2012-09/25/c\\_131872368.htm](http://news.xinhuanet.com/english/indepth/2012-09/25/c_131872368.htm).

<sup>233</sup> Ding, Gang: "Spat costs Sino-Japanese business dear", *Global Times*, 5 December 2012, at <http://www.globaltimes.cn/content/748399.shtml>.

<sup>234</sup> Nakata, Hiroko: "Not all, but sundry find niche in China", *Japan Times*, 4 January 2013, at <http://www.japantimes.co.jp/news/2013/01/04/news/not-all-but-sundry-find-niche-in-china/>.



\$7.4 billion.<sup>235</sup> Although Japanese car sales seem to be increasing again, Chinese car dealers, worried about a repeat of the boycott, are decreasing with long term implications.<sup>236</sup> Japanese companies in certain sectors are likely to become more reluctant to make investments in China, all the more as other Southeast Asian countries (notably, Myanmar is currently the New Frontier for Japanese business!) have cheaper labour costs.<sup>237</sup> However, Chinese consumers still prefer Japanese products for safer food, drinks and daily necessities, and those Japanese companies were hardly affected by the boycott.<sup>238</sup>

A wide gap between both sides` perception about their economic dependence and vulnerability to sanctions is dangerous for the management of their bilateral relationship, particularly when one side tries to leverage its supposedly stronger position to achieve victory in a sensitive area like territorial integrity. While Chinese commentators and experts may be inclined to overrate Japan`s vulnerability, their Japanese counterparts have a tendency to look at the issues too much in purely economic terms, neglecting the impact of Chinese emotions and government propaganda, as well as the wider public`s insufficient knowledge about the overall impact of bad economic relations with Japan on China`s own economy.<sup>239</sup> The Japanese perception has been lingering on until today that China in the end needs Japan more than the other way round, which, in view of China`s huge problems or its dependence on Japanese high technology components for its manufacturing industry, is arguably the case. This Japanese perception has fostered the conviction, as is, for example, demonstrated by the belief in the sustainability of `Hot Economics and Cold Politics`, that, despite recurring political crises in the relationship, China would, in the end, compromise, as it had done several times in the past.<sup>240</sup> Yet the problem with the perception of `needing Japan` is, that it can be politically manipulated, particularly in an authoritarian system. This gap between Japanese and Chinese observers and experts on the issue of dependence can seriously influence the willingness of both sides to compromise.<sup>241</sup> It also challenges the liberal view that close economic relations can prevent, or at least soften, deep political differences like territorial conflicts which, moreover, are linked to economic interests like hydrocarbon resources.

#### **4.10. From Policing to Military Involvement**

The most serious consequences for the bilateral relationship – let alone for the solution of the territorial dispute – may arise from the constant intrusions of Chinese official vessels into the Contiguous Zone (CZ) or even Territorial Waters (TW) of the Senkaku Islands since September 2012 and the growing involvement of the armed forces of both sides. The aim of

<sup>235</sup> “Direct investment in China off in ‘12”, *Japan Times*, 17 January 2013, at <http://www.japantimes.co.jp/text/nb20130117a2.html>.

<sup>236</sup> “China deserting Japanese brand cars”, *The Japan Times*, 08 December 2012, at <http://www.japantimes.co.jp/news/2012/12/08/business/china-deserting-japanese-brand-cars/#.UZYusK7Ppak>.

<sup>237</sup> “Factory shift to non-Chinese sites seen accelerating. Companies reopen as anger eases in China”, *Japan Times*, 21 September 2012, at <http://www.japantimes.co.jp/text/nb20120921a1.html>; Nakata, Hiroko: “Firms move some eggs out of China basket”, *Japan Times*, 19 December 2012, at <http://www.japantimes.co.jp/news/2012/12/19/reference/firms-move-some-eggs-out-of-china-basket/#.UZYvIK7Ppak>.

<sup>238</sup> Nakata, “Not all, but sundry..”, *op. cit.*

<sup>239</sup> For examples of overrating see Wu , Di, *Caijing*, 9 September 2012, quoted in: *China Analysis*, no 40 2012, p. 44, at [chinaanalysis@centreasia.eu](mailto:chinaanalysis@centreasia.eu).

<sup>240</sup> Drifte, Reinhard: “The Future of the Japanese-Chinese Relationship: The Case for a Grand Political Bargain”, *Asia-Pacific Review*, vol. 16, no. 2 (2009), p. 56.

<sup>241</sup> “Factory shift to non-Chinese sites seen accelerating. Companies reopen as anger eases in China”, *Japan Times*, 21 September 2012, at <http://www.japantimes.co.jp/text/nb20120921a1.html>.





the Chinese is obvious: to demonstrate that the Japanese can no longer claim *de facto* control of the islands and to force Tokyo to admit the existence of a territorial dispute. Apparently, a task force at the highest level, headed by Xi Jinping, was set up in September 2012 to achieve this goal through escalating pressure.<sup>242</sup> So far law enforcement actions by Japan in the Senkaku area had been limited to the deployment of the Japanese Coast Guard and police, which is now, however, constantly challenged by the Chinese with patrols by CMS and FLEC vessels asserting the same rights in the islands` CZ and TW. The Chinese escalated its pressure on Japan by first deploying FLEC vessels in the CZ and TW of the disputed islands, then ratcheting up their pressure with CMS vessels doing the same, followed later in December 2012 with air patrols by CMS, which led to the deployment of the air force of both sides in January 2013.

As we have seen, after the September 2010 incident, in November 2010 FLEC started to regularly send its vessels to the Senkaku area, which entered from time to time the islands` CZ and also, in August 2011, twice the TW. Apparently, the more serious intrusions which are those into the TW were sometimes timed with specific spikes of tensions, such as the TW incursion on 16 March 2012 (the Japanese naming of some islands), July 2012 (Noda`s announcement of purchase intention on 7 July) and finally on 19 September, when six vessels entered the TW, starting a series of more frequent and regular incursions. In December 2012, FLEC deployed its newest and biggest ship, the 5,800-ton FLEC vessel *Yuzheng 206.*, a former ship of the Chinese navy.<sup>243</sup>

The entries of the vessels of the CMS into the islands` CZ and TW seem meant to send an even higher degree of warning and denial of Japan`s control over the islands. On 17 September, the number of FLEC and CMS vessels in the CZ and TW had reached the record of 17.<sup>244</sup> Since then the frequency of incursions into the CZ and TW increased but decreased after March 2013. On 30 October, Xinhua even reported that the CMS had `expelled a number of Japanese vessels illegally sailing in waters around the Diaoyu Islands` although it is not clear what exactly this meant since the CG did not confirm such an incident.<sup>245</sup> By 17 May 2013, the CMS and FLEC vessels had entered the TW for the 45<sup>th</sup> time since the 11 September announcement.<sup>246</sup>

A new level of depriving Japan of the ability to claim sole actual control over the islands was reached on 13 December 2012 when a small turboprop aircraft of the CMS (Harbin Y12 type) flew over Uotsurijima.<sup>247</sup> Since then, regular CMS air patrols have been conducted but the aircraft normally stay about 120 km from the islands. With this move, the Chinese measures to undermine Japan`s control over the islands were expanded to the air

<sup>242</sup> Chubb, Andrew: "Radar Incident obscures Beijing`s conciliatory turn toward Japan", *China Brief*, vol. 13, Iss. 4 (15 February 2013), at [http://www.jamestown.org/programs/chinabrief/single/?tx\\_ttnews\[tt\\_news\]=40462&tx\\_ttnews\[backPid\]=25&chash=f0dc74bbb5b2591002ea8abc2f576f05](http://www.jamestown.org/programs/chinabrief/single/?tx_ttnews[tt_news]=40462&tx_ttnews[backPid]=25&chash=f0dc74bbb5b2591002ea8abc2f576f05).

<sup>243</sup> "China sending helicopter-carrying ships in Senkakus dispute", *Asahi Shimbun*, 4 March 2013, at <http://ajw.asahi.com/article/asia/china/AJ201303040005>.

<sup>244</sup> "Vessel carrying Taiwanese activists is spotted near to Senkaku Islands" *Japan Times*, 22 September 2012, at <http://www.japantimes.co.jp/text/nn20120922a6.html>.

<sup>245</sup> "Japanese vessels expelled from Diaoyu Islands waters", *Xinhua News*, 30 October 2012, at [http://news.xinhuanet.com/english/china/2012-10/30/c\\_131939991.htm](http://news.xinhuanet.com/english/china/2012-10/30/c_131939991.htm).

<sup>246</sup> "3 Chinese vessels enter Japanese waters near Senkakus", *Kyodo*, 17 May 2013, at <http://english.kyodonews.jp/news/2013/05/225407.html>.

<sup>247</sup> "Senkaku air intrusion prompts radar upgrade", *Japan Times*, 15 December 2012, at <http://www.japantimes.co.jp/news/2012/12/15/national/senkaku-air-intrusion-prompts-radar-upgrade/#.UZyXGa7Ppak>.



space which, for organizational reasons, had immediately military implications because only the Air Self Defense Force (ASDF) is responsible for intercepting aircraft which intrude illegally into Japan's air space. The incident did not happen out of the blue because already in January 2012, the SOA had announced a plan to deploy the Y12 in '2012'.<sup>248</sup> On 24 September, the SOA had also announced plans to deploy drones by 2015 following the successful test the previous day.<sup>249</sup>

The low altitude flight of the Y12 on 13 December was particularly upsetting for the Japanese government because it was not picked up by the ASDF radar (the closest one being on Miyakojima, about 200 km from the islands) but instead by CG ships in the area. In this case, eight ASDF fighters scrambled but could not anymore detect the Y12. Interception of aircraft is by nature much more difficult and carries a certain risk of accident, as happened in 2001 when a US intelligence aircraft collided with a Chinese interceptor jet. Without explaining the standard Japanese proceedings for aerial defence, which solely relies on the ASDF, the Chinese media interpreted the use of military aircraft by Japan as 'aggressive' and the *Global Times* cautioned against any interception, warning that otherwise China may respond by sending its air force.<sup>250</sup> On the Japanese side, even the centre-left *Asahi Shimbun* called the Y12 flight 'a highly provocative act that could lead to an armed conflict between the two countries'.<sup>251</sup> At the beginning of January 2013, there were apparently erroneous reports that the ASDF may consider firing warning shots (tracer bullets) at intruding Chinese aircraft which prompted further bellicose comments in the Chinese press.<sup>252</sup> As a consequence, the Chinese air force also became involved: on 10 January, when the Chinese Ministry of Defence announced that the People's Liberation Army Air Force (PLAA) had sent two fighter jets against two ASDF F-15 interceptors because they were following a Chinese military Y8 transport aircraft which was patrolling the airspace of Chinese oil platforms in the East China Sea.<sup>253</sup> The Japanese reported that more than ten Chinese aircraft, including military aircraft, had approached the Japanese air defence identification zone.<sup>254</sup> Another worrying development is the enhanced patrolling of the PLAA over the East China Sea which caused the ASDF to increase scrambling against PLAA aircraft to 91 times within the October-December 2012 period, whereas the total for the same period of the previous year was 140 times.<sup>255</sup>

With these escalating deployments, the Chinese side certainly achieved its goal of showing that the Japanese authorities are no longer in full control of the disputed islands. In

<sup>248</sup> "China to boost surveillance flights over disputed East China Sea areas", *Japan Times*, 27 January 2012, at <http://www.japantimes.co.jp/news/2012/01/27/national/china-to-boost-surveillance-flights-over-disputed-east-china-sea-areas/#.UZYxiq7Ppak>.

<sup>249</sup> "Beijing plans drones to monitor islets", *Japan Times*, 25 September 2012, at [www.japantimes.co.jp/text/nn20120925a7.html](http://www.japantimes.co.jp/text/nn20120925a7.html).

<sup>250</sup> Avic International, at <http://www.y-12.com.cn/y-12/home/index.do?cmd=goToChannel&language=US>.

<sup>251</sup> "China's provocations could lead to armed conflict", *Asahi Shimbun*, 15 December 2012, at <http://ajw.asahi.com/article/views/editorial/AJ201212150020>.

<sup>252</sup> "Japan tracer bullets will bring war closer", *Global Times*, 10 January 2013, at <http://www.globaltimes.cn/content/754886.shtml>; "朝日の記事引用で「誤報」論争 中国メディアVS. 香港の記者", *Sankei*, 26 January 2013, at <http://sankei.jp.msn.com/world/news/130126/chn13012607010003-n1.htm>.

<sup>253</sup> "China sends fighters to counter Japanese aircraft", *Xinhua News*, 11 January 2013, at [http://news.xinhuanet.com/english/china/2013-01/11/c\\_132096805.htm](http://news.xinhuanet.com/english/china/2013-01/11/c_132096805.htm).

<sup>254</sup> "China accuses Japan as increasing tension", *NHK*, 11 January 2013, at [http://www3.nhk.or.jp/daily/english/20130111\\_40.html](http://www3.nhk.or.jp/daily/english/20130111_40.html).

<sup>255</sup> "ASDF scrambles 91 times against China in Oct.-Dec.", at *Yomiuri Shimbun*, 26 January 2013, at <http://www.yomiuri.co.jp/dy/national/T130125003790.htm>.



the case of CMS or FLEC vessel intrusions, the reaction of the Japanese CG is limited to shadowing the Chinese vessels, to inform them that they are violating Japan's CZ or TW, and to ask them to leave which, however, they do at their own discretion (the time span hovering in the CZ or TW has become a further means of Chinese pressure!), followed by diplomatic protests. Otherwise, the CG has avoided any physical confrontation or contact. When confronted by the CG, the Chinese vessels simply declare (by radio or even electronic displays) that they are patrolling Chinese waters and that the CG ships were operating illegally in these waters. This ritual has so far prevented any violence. This is in contrast to an exchange of water cannon salvos between the CG and the Taiwanese coast guard in the territorial of the Senkaku Islands on 25 September 2012 and again on 24 January 2013.<sup>256</sup>

The increase of patrols by Japan and China is causing operational strain for both sides (also raising the risk of miscalculations or overreactions) but this has not reduced the willingness of either government to scale down the almost daily demonstration of 'effective control'. In October, it was reported that the CG now always has ten vessels against eight from China.<sup>257</sup> The 11<sup>th</sup> regional headquarter responsible for the Senkaku area is in Naha and has nine patrol ships (but only seven vessels of at least 1,000 tons) but now needs additional ships which are dispatched from other regional coast guard headquarters.<sup>258</sup> In April 2012, the CG had a total of 357 patrol vessels, but only 51 over 1,000 tons which are those most needed for a far flung area like the Senkaku Islands.<sup>259</sup> On 14 September 2012, Senior Vice Minister of Fisheries Iwamoto Tsukasa mentioned plans to increase the number of fishery patrol vessels to ensure fishermen's safety amid intensifying territorial disputes with China and South Korea.<sup>260</sup> On 26 October, the Ministry of Land, Infrastructure, Transport and Tourism, which heads the CG, announced plans to bring budgetary requests for more ships forward.<sup>261</sup> The Abe government plans to build more vessels or advance the calendar than originally planned, retrofit vessels which were to be retired, and considers extending the retirement age of the officers.<sup>262</sup>

The Chinese have even fewer vessels which can be deployed as far as the Senkaku Islands. In addition, leave of the sailors has been restricted, and their deployment length at sea has increased.<sup>263</sup> In March 2013 the Chinese side announced closer cooperation between the military and various maritime law enforcement agencies, as well as the merger of four maritime law enforcement agencies under the State Ocean Administration (administered by

<sup>256</sup> "50 Taiwanese boats intrude near Senkakus. Coast guard cutters deploy water cannons", *Japan Times*, 26 September 2013, at [www.japantimes.co.jp/text/nn20120926a1.html](http://www.japantimes.co.jp/text/nn20120926a1.html); Coast guards' water duel ends Taiwanese isle trip, *AFP-Jiji, Kyodo*, 25 January 2013, at <http://www.japantimes.co.jp/news/2013/01/25/national/coast-guard-water-duel-ends-taiwanese-isle-trip/#.UQKdRvJSEn0>.

<sup>257</sup> Interview with a senior official of the Japanese Ministry of Defense, 12 October 2012.

<sup>258</sup> "JCG stretched thin over Senkakus", *Yomiuri Shimbun*, 4 October 2012, at [www.yomiuri.co.jp/dy/national/T121003003773.htm](http://www.yomiuri.co.jp/dy/national/T121003003773.htm).

<sup>259</sup> "Coast guard needs more ships, sailors amid protracted isle-row: commandant", *Japan Times*, 14 December 2012, at <http://www.japantimes.co.jp/news/2012/12/14/news/coast-guard-needs-more-ships-sailors-amid-protracted-isle-row-commandant/#.UZY4oK7Ppak>.

<sup>260</sup> "Japan to increase fishery patrol vessels", *NHK*, 13 September 2012, at [www3.nhk.or.jp/daily/english/20120913\\_27.html](http://www3.nhk.or.jp/daily/english/20120913_27.html).

<sup>261</sup> "Japan Coast Guard closes in on more ships, choppers", *Kyodo News*, 26 October 2012, at <http://english.kyodonews.jp/news/2012/10/190181.html>.

<sup>262</sup> "Japan Coast Guard to bolster patrols around Senkaku Islands", *Asahi Shimbun*, 11 January 2013, at [http://ajw.asahi.com/article/behind\\_news/politics/AJ201301110049](http://ajw.asahi.com/article/behind_news/politics/AJ201301110049).

<sup>263</sup> "Chinese surveillance fleet busy due to island dispute", *Xinhua News*, 08 January 2013, at [http://news.xinhuanet.com/english/china/2013-01/08/c\\_132088487.htm](http://news.xinhuanet.com/english/china/2013-01/08/c_132088487.htm).



the Ministry of Land and Resources), i.e. the China Marine Surveillance, the coast guard forces of the Public Security Ministry, the fisheries law enforcement command of the Agriculture Ministry and the maritime anti-smuggling police of the General Administration of Customs.<sup>264</sup> This will likely enhance the Chinese control of its surrounding seas or at least provide better coordination.

There has also been a gradual involvement of the PLA navy (PLAN) and the Maritime Self Defence Force (MSDF). The Japanese MOD announced on the 16 October that, for the first time, PLAN ships were observed navigating in the 22-km-wide CZ between Yonaguni and Iriomote islands, although the ministry left open the possibility that they did so in order to avoid a typhoon. Nevertheless the Gaimusho sought explanations from the Chinese about these ship movements.<sup>265</sup> In December 2012 four PLAN ships sailed through the CW of the Iromoto-Yonaguni islands on the way back from drills in the Pacific, after having gone into the Pacific through the more normal route of the strait between the Okinawa main island and Miyakojima.<sup>266</sup> Again, there was nothing illegal about it, but it raised attention at a time of tensions. However, there are signs of greater cooperation of the PLAN with CMS and FLEC vessels as was shown in the standoff between China and the Philippines around the disputed Scarborough Shoal in the South China Sea and joint exercises took place between the three in the East China Sea in October 2012.<sup>267</sup> The patrolling activities of the MSDF in the Senkaku area became known when the Japanese reported at the end of January 2013 that, on 19 January, a Chinese frigate's target radar had locked onto an MSDF helicopter and, on 30 January, another frigate sailing close to an MSDF destroyer did likewise. The Chinese vehemently denied it.<sup>268</sup> However, in March this year the Kyodo news agency reported that senior Chinese military officials had admitted the incident of 29 January. Even more worrisome is that the Chinese vessels acted apparently without prior approval from the fleet command or navy headquarters.<sup>269</sup> It did not help that under Prime Minister Noda the MSDF had been ordered after the eruption of the 2012 crisis to keep a greater distance from PLAN ship than the hitherto 3 km in order avoid incidents, but this policy was revised by the more hawkish Abe administration to the previous 3 km distance.<sup>270</sup> The fire radar locking incident had happened at a distance of 3 km.

The Chinese acts are apparently carefully planned and coordinated since the officials in the above Kyodo report also said that the airspace violations on 13 December 2012 by an airplane of the CMS was planned by the staff section of the national Land and Sea Border Defense Committee, which acts as a liaison office for the Chinese military, the State Oceanic

<sup>264</sup> "Chinese military to further cooperation with maritime law enforcement", *Xinhua News*, 29 March 2013, at <http://english.peopledaily.com.cn/90786/8187240.html>.

<sup>265</sup> "7 Chinese warships pass waters near Okinawa island", *Mainichi Shimbun*, 16 October 2012, at <http://mainichi.jp/english/english/newsselect/news/20121016p2g00m0dm042000c.html>.

<sup>266</sup> "China navy ships pass contiguous zone in southwestern Japan", *Asahi Shimbun*, 10 December 2012, at <http://ajw.asahi.com/article/asia/china/AJ201212100063>.

<sup>267</sup> "Report: China military beefing up civilian 'maritime surveillance'", *Asahi Shimbun*, 20 December 2012, at [http://ajw.asahi.com/article/behind\\_news/politics/AJ201212200029](http://ajw.asahi.com/article/behind_news/politics/AJ201212200029).

<sup>268</sup> Yoshida, Reiji: "Beijing denies MSDF Lock-on", *Japan Times*, 9 February 2013, at <http://www.japantimes.co.jp/news/2013/02/09/national/beijing-denies-msdf-target-lock/#.URytxvL-MSz>.

<sup>269</sup> "Chinese officials admit to MSDF radar lock allegations", *Japan Times* 18 March 2013, at <http://www.japantimes.co.jp/news/2013/03/18/national/chinese-officials-admit-to-msdf-radar-lock-allegations/#.UUbitDfxmig>; "Japan's radar targeting allegations groundless: ministry", *Xinhua*, 18 March 2013, at <http://english.peopledaily.com.cn/90786/8172751.html>.

<sup>270</sup> "Noda told MSDF to stay away. Vessels instructed to avoid Chinese Navy near Senkaku", *Yomiuri Shimbun*, 9 March 2013, at <http://www.yomiuri.co.jp/dy/national/T130308004672.htm>.



Administration and the fishing bureau of the Agriculture Ministry, with the aim of raising tensions.<sup>271</sup>

Against the background of greater involvement of military forces, it is particularly regrettable that a plan to build a maritime liaison mechanism between their defense authorities on which they had agreed in June 2012 to make later that year was shelved.<sup>272</sup> Unfortunately it is still Chinese practice to consider Confidence Building Measures (CBM) not as the first step to build confidence, but as a tool to extract from the other side prior concessions under the pretext of `creating a better atmosphere` for discussing CBM. The outbreak of the September 2012 crisis was therefore a convenient pretext for the Chinese to cancel the project. The latest confirmation was in March 2013 when General Yin Zhuo explained that there could be no military trust if the political and diplomatic relationship is bad.<sup>273</sup> Since the target radar lock-on incidents, the Japanese government is publicly calling for resumption of negotiations for the maritime liaison mechanism but the Chinese will certainly want to extract some concessions before even considering a positive response.

#### **4.11. How Far are China`s Demands Going?**

The current confrontation is still continuing, notably in the economic as well as law enforcement/military arena, whereas the 2010 incident ended quickly with Japan`s release of the captain. One reason for this difference is certainly the fact that China`s demand in 2010 was relatively clear and achievable (release of the captain) if painful for Japan and confronting a weak and inexperienced government. This time, the crisis has first hit a government which reacted intransigently because of its previous defeat, and other unfavourable domestic circumstances, and was then replaced by the more hawkish Abe government. China`s aim now is less clear: Would it be satisfied with going back to the `understanding about setting aside the dispute` and Japan`s recognition of the existence of a territorial dispute, or does it even demand a reversal of the purchase of the three islands? Does it demand the end of Japanese CG patrols around the islands? China`s demand of Japan to `correct its mistakes`, is rather ambiguous because it could be interpreted as going back to the shelving understanding and the recognition of the existence of a dispute, or demanding a reversal of the government`s purchase of the islands.<sup>274</sup> The latter would simply be impossible in legal and practical terms and one can only hope that the ambiguity is only aimed at raising China`s negotiation position and/or leaving enough wriggle room for negotiations which would satisfy all Chinese stakeholders` interests.

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<sup>271</sup> "Chinese officials admit to MSDF radar lock allegations", *Japan Times*, 18 March 2013, at <http://www.japantimes.co.jp/news/2013/03/18/national/chinese-officials-admit-to-msdf-radar-lock-allegations/#.UUbitDfxmig>.

<sup>272</sup> "China opposes Japanese military drills: DM spokesman", *Ministry of National Defense of PRC*, 26 October 2012, at [http://eng.mod.gov.cn/TopNews/2012-10/26/content\\_4408605.htm](http://eng.mod.gov.cn/TopNews/2012-10/26/content_4408605.htm).

<sup>273</sup> "Higashi Shinakai de no Chu-Nichi shototsu kaihi no kagi wa Nihon ni aru", *Xinhua*, 11 March 2013, at <http://jp.eastday.com/node2/home/xw/gjpl/userobject1ai75704.html>.

<sup>274</sup> The latest repetition of the demand to `correct mistakes` is by Foreign Minister Yang Jiechi which was interpreted by *Kyodo* but not all other media as reversal of the purchase: "Beijing urges Senkaku Nationalization Reversal", *Japan Times*, 10 March 2013, at <http://www.japantimes.co.jp/news/2013/03/10/national/beijing-urges-senkaku-nationalization-reversal/#.UTxUBTfxmig>. For a different interpretation see e.g. Hayashi, Nozomu: "China calls for `restraint` by Japan over Senkaku", *Asahi Shimbun* 9 March 2013, at <http://ajw.asahi.com/article/asia/china/AJ201303090091>; for the original Chinese report see e.g. "Japan should not escalate over Diaoyu Islands: China`s FM", *Xinhua*, 9 March 2013, at [http://news.xinhuanet.com/english/china/2013-03/09/c\\_132220476.htm](http://news.xinhuanet.com/english/china/2013-03/09/c_132220476.htm).



It seems that it is already too late for going back to the shelving agreement of 1972/1978 which would imply that the two sides can somehow go back to the *status quo* of the 1970s which, as we have seen, has been superseded by deeds and words on both sides. The Chinese have now not only gone to publicly declaring the shelving agreement having been 'broken' by Japan, but after the first Y12 patrol on 13 December 2012, commenting that Japan's administrative control over the Senkaku Islands now no longer existed. The bilateral relationship has deteriorated to the extent that at least shelving the conflicting sovereignty claims *without* officially admitting that there is a territorial dispute is no longer an option acceptable to China, because it feels Japan has abused the shelving consensus through a series of administrative measures, with the final straw having been the central government's purchase of three islands. When studying the various Chinese official statements and news reports after the 2012 crisis had fully erupted in September, it becomes clear that until October 2012, the Chinese still raised the demand that Japan should go back to the previous 'understanding' or 'consensus'. However, since then, this demand has been dropped, until it briefly reappeared in remarks by Wang Jiarui, the head of the Communist party's International Department, when meeting Yamaguchi Natsuo, the leader of the junior coalition partner Komeito, in January 2013.<sup>275</sup> Before, a comment on the Xinhua internet site on 29 October said that 'The 'purchase' showed that the Japanese government has wholly abandoned the attitude of laying aside disputes and has fundamentally changed the situation.'<sup>276</sup> On the 30 October, the CMOFA spokesperson declared that 'Japan's illegal "purchase" of the Diaoyu Islands broke the important consensus...The Japanese side should not have any more illusion of occupying the Diaoyu Islands. What the Japanese side should do is to face up to the reality, admit the sovereignty dispute, correct mistakes and come back to the track of a negotiated settlement'.<sup>277</sup>

The recognition of a territorial problem would be relatively easy for Japanese public opinion (and even more so for Japan's friends and allies) to accept because they would not see the need for any kind of diplomatic sophistry for what is obviously a territorial conflict whatever the legitimacy of the Chinese claim might be, given also the fact that the current Japanese position comes down to refusing to even discuss whatever settlement might be possible. According to a survey conducted by Genron together with Zhongguo Ribaoshe in June 2012, 62.7 per cent of Japanese agreed that there exists a territorial problem.<sup>278</sup> However, consecutive Japanese cabinets have refused to recognise the existence of a territorial dispute, which is often the default position of a government in actual control of a disputed territory (for example, the Korean government's position on Takeshima/Dokto). This position has been reinforced by the explicit Japanese denial since the 1990s of a shelving agreement which would have been an implicit admission that there is a dispute. To circumvent the risk of being perceived as admitting the existence of a territorial problem, the deputy prime minister of the previous Noda government, Okada Katsuya, was reported to have mentioned in a speech in October 2012 that there was no territorial dispute but as a matter of fact a debate existed.<sup>279</sup> However, this compromise solution was never confirmed by

<sup>275</sup> "China official: Senkaku issue can be shelved", *NHK*, 25 January 2013, at [http://www3.nhk.or.jp/daily/english/20130125\\_01.html](http://www3.nhk.or.jp/daily/english/20130125_01.html).

<sup>276</sup> "China Voice: Japan should face up to past, present wrongdoing", *Xinhua*, 29 October 2012, at [http://news.xinhuanet.com/english/indepth/2012-10/29/c\\_131938015.htm](http://news.xinhuanet.com/english/indepth/2012-10/29/c_131938015.htm).

<sup>277</sup> Foreign Ministry Spokesperson Hong Lei's Regular Press Conference", *Ministry of Foreign Affairs of the PRC*, 30 October 2012, at [www.fmprc.gov.cn/eng/xwfw/s2510/2511/t984041.htm](http://www.fmprc.gov.cn/eng/xwfw/s2510/2511/t984041.htm).

<sup>278</sup> Zhu, *op.cit.*, p.109.

<sup>279</sup> "Japan's deputy PM admits Diaoyu dispute, opening path to China talks", *South China Morning Post*, 23 October 2012, at [www.scmp.com/news/asia/article/1067564/japans-deputy-pm-admits-diaoyus-dispute-opening-path-china-talks](http://www.scmp.com/news/asia/article/1067564/japans-deputy-pm-admits-diaoyus-dispute-opening-path-china-talks).



the Noda government and did not become policy. It is even less likely to be acceptable to the new Abe government. Even among influential opinion makers there is hardly any support for admitting the existence of a territorial conflict or of a shelving agreement. Even more conciliatory statements on this subject are rather vague. Japan Business Federation Chairman Hiromasa Yonekura mentioned in September 2012 in an NHK interview that the government should be more flexible since otherwise its stance could be taken to mean that Japan has no intention of solving the dispute.<sup>280</sup> Miyamoto Yuji, the former Japanese ambassador to China, is quoted as saying that ‘The government does not need to alter its basic position, but in reality, a conflict does exist over the Senkaku isles’.<sup>281</sup> This is also the stance which the previous Japanese ambassador Niwa Uichiro takes in an article after his return.<sup>282</sup>

## **5. The Regional and International Context**

### **5.1. Negative Implications Arising from the Regional and International Context**

There is a series of international circumstances which make a resolution of these opposing territorial claims difficult because of their precedent-creating implication. Japan, and indirectly the international community, is basically faced with the fundamental question: how to deal with a rising power which, all of a sudden, demands a territory which has, at least according to modern international law, legally been acquired and peacefully controlled without being challenged by any other country for over 70 years?

The inherent zero sum nature of a territorial conflict demands great efforts to reach a compromise. China’s claim and modus operandi raises a fundamental challenge to the structure of the international system as well as to the widely-agreed modalities of solving territorial disputes. China has been questioning the territorial *status quo* in Asia (even leaving aside for the moment the unfinished civil war between the Communist and Guomindang leaderships over Taiwan) not only in case of the Senkaku Islands, but also in the case of the South China Sea. The modalities of resolving the territorial dispute in the East China Sea, as well as its outcome, will have implications for the various territorial conflicts and unresolved EEZ borders between China and other claimants which are much weaker than Japan. China has not yet resolved the delimitation of its EEZ borders with Korea or Japan, which is causing tensions and has already resulted in casualties and injuries. China’s use of rather contested asymmetrical political-economic-military means is challenging the role of international law for settling disputes peacefully. If might turns out to be right, it would set dangerous precedents not only for the other disputes in the East and South China Sea, but worldwide. Japan is responding to these circumstances by trying to rely even more on closer military cooperation with its American military ally, engaging in regional political power balancing (for example, establishing closer links with India, Vietnam and Myanmar) and soliciting political support from around the world. It is demonstratively supporting Vietnam and the Philippines’ efforts to protect their maritime security, because they are most concerned about the outcome of the Senkaku problem in view of their own territorial conflicts with China in the South China Sea. These moves, as well as Japan having become more vocal in demanding

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<sup>280</sup> “Yonekura urges flexibility by Japan over Senkakus”, *NHK*, 28 September 2012, at [www3.nhk.or.jp/daily/english/20120928\\_36.html](http://www3.nhk.or.jp/daily/english/20120928_36.html).

<sup>281</sup> “Ex-ambassador to China calls for Senkakus talks”, *Japan Times*, 27 September 2012, at [www.japantimes.co.jp/text/nn20120927f4.html](http://www.japantimes.co.jp/text/nn20120927f4.html).

<sup>282</sup> Niwa, Uichiro: “Nitchu gaiko no shinjitsu”, *Bungei Shunju* (February 2013), pp. 120-131.



a peaceful resolution of the South China Sea disputes, are naturally resented by China and have unclear implications for the resolution of the Senkaku dispute.

The regional context puts considerable pressure on Japan not to be seen as ceding to Chinese pressure, particularly after the 2010 and 2012 crises. China cannot fail to see a similar precedent value. Other pressures preventing a compromise arise from the US promise that the security guarantee of Article 5 of the Japanese-American Security Treaty applies also to the Senkaku Islands, although the US takes no stand on the sovereignty issue and Article 5 does not imply an automatic US military involvement. If Japan compromises its administrative rights over the Senkaku Islands in a deal with China, it would risk these US guarantees, and cast a shadow over the whole bilateral relationship as well. For the supporters of the Japan-US military relationship, the dispute has become a test case for the security treaty while they fear at the same time that the US will use Japan's reliance on the US to extract from Tokyo more military burden sharing, force it to find a resolution to the relocation of US forces on Okinawa, and draw Japan even more into the growing US-China rivalry in Asia.<sup>283</sup> At the same time there are doubts whether the US would really risk war with China over the islands, doubts which are stirred by Chinese commentators.<sup>284</sup> The US is torn between its desire to develop a politically positive and economically lucrative relationship with China, and its reflexes aim at maintaining its military preponderance in Asia. At the same time it needs Japan, for the latter but does not want to have its relationship with China further complicated by Japanese-Chinese tensions. For example, the US announced on 19 December 2012 that it planned the deployment of F35 stealth fighters in Iwakuni, at the same time it insists on a diplomatic solution of the island dispute.<sup>285</sup> During the preparations for Prime Minister Abe's visit to the US in February 2013, it was reported that the US does not want to openly welcome Abe's intention to allow collective defence or to have Obama call for Chinese restraint in the territorial dispute because of concern about China's negative reaction.<sup>286</sup> These dynamics of Japan's eternal US dilemma of entrapment versus abandonment do not facilitate a territorial compromise.

The position of Taiwan in the Senkaku Islands conflict is another complicating regional factor. Taiwan's claim to the islands is framed by the importance of the American support for its security from the PRC (which, in conjunction with Taiwan's fishing interests around the islands, also constrains the vigour with which it can confront Japan on this issue), its domestic politics dynamics (the current ruling Guomindang government being more assertive in claiming the islands than the opposition Democratic Progressive Party), its will to represent the 'All China interest' without simultaneously being seen to act in unison with the PRC, and the need not to be forgotten in what is a dispute mainly fought between Beijing and Tokyo. As we have seen above there have been clashes between the coast guards of Japan and Taiwan in the area of the Senkaku Islands because of Taiwanese support for protesters and fishing vessels from Taiwan. Such intrusions by Taiwanese protesters are bound to continue.

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<sup>283</sup> Magosaki, *op. cit.*, p. 92.

<sup>284</sup> See: "Japan should see things clearly", *op. cit.*

<sup>285</sup> "U.S. Preparing to Deploy F-35 in Japan in 2017: Panetta", *Jiji*, 19 December 2012, at <http://jen.jiji.com/jc/eng?g=eco&k=2012121900227>; "Senkaku air intrusion prompts radar upgrade", 15 December 2012, at <http://www.japantimes.co.jp/news/2012/12/15/national/senkaku-air-intrusion-prompts-radar-upgrade/#.UZZFiq7Ppak>.

<sup>286</sup> "U.S. doesn't want Abe to bring up collective self-defense at summit", *Mainichi Shimbun*, 2 February 2013, at <http://mainichi.jp/english/english/newsselect/news/20130202p2g00m0dm011000c.html>.





The strongest domestic force is, however, the fishing industry which has traditionally been active in the Senkaku area, while this has always been less the case for the PRC fishing industry. Taiwan has been urging Japan since 1996 to conclude a fisheries agreement, and only on 10 April 2013 a compromise was found to bridge deep differences over the delimitation of their overlapping EEZ. The implementation of this private sector agreement will still need further negotiations on rules and on the delimitation of parts of Japan's EEZ around the Senkaku Islands (the territorial waters around the islands are excluded). It seems that Japan finally relented in order to prevent Taiwan-PRC cooperation against Japan while Taiwan was keen on getting access to the rich fishing grounds around the Senkaku before the start of the new season.<sup>287</sup> It is doubtful that this 'unofficial' agreement will be a model for an agreement between Japan and China and may instead make a compromise even more difficult. The PRC has several times protested the agreement because it undermines Beijing's negotiation position and strengthens Taiwan's international position.<sup>288</sup> It is also worth noting that the local fishing industry in Okinawa is against giving Taiwanese fishermen access to the waters around the Senkaku Islands.<sup>289</sup>

## 5.2. International Arbitration

Since all the above analysed dynamics point to a repetition of crises with a growing risk of clashes between the law enforcement agencies if not the military, there seems to be only international arbitration which could help to find a way out of the *impasse* of the two rigidly entrenched and diametrically opposed territorial claims. However, there are strong countervailing forces on the Japanese as well as Chinese, and even structural problems with international arbitration.

Since Japan considers that there is no territorial problem, consecutive governments have refused to take the issue to international arbitration. Within the Gaimusho it seems that the legal department has been the most decisive force in refusing international arbitration. However, according to a now-retired ambassador, about half of the Gaimusho staff in the 1970s was in favour of putting all three Japanese territorial conflicts (Senkaku; Takeshima, Northern Territories) to the International Court of Justice (ICJ) but the Treatise Bureau was against it.<sup>290</sup> So far Japan has only been willing to take the Takeshima/Dokto territorial dispute to international arbitration but South Korea refused three times (1954, 1962 and 2012) when Japan officially suggested it.<sup>291</sup> It does not look very convincing that Japan gives the impression of wanting to apply international law in an *à la carte* fashion, i.e. it favours it in its territorial dispute with South Korea where the latter is in *de facto* control of Takeshima, but takes a passive position in the case of the Senkaku dispute. The reason given for its passivity in the case of the Senkaku issue is the concern that approaching the ICJ would be interpreted by China that there is a territorial dispute.<sup>292</sup>

<sup>287</sup> "Japan, Taiwan agree on fishing rights around Senkakus, *Asahi Shimbun*, 10 April 2013, at [http://ajw.asahi.com/article/behind\\_news/politics/AJ201304100058](http://ajw.asahi.com/article/behind_news/politics/AJ201304100058).

<sup>288</sup> "Foreign Ministry Spokesperson Hong Lei's Regular Press Conference", *Ministry of Foreign Affairs of the PRC*, 10 April 2013, at <http://www.fmprc.gov.cn/eng/xwfw/s2510/2511/t1030227.shtml>; "Taiwan should consider mainland's feelings on Diaoyu", *Global Times*, 12 April 2013, at <http://www.globaltimes.cn/content/774416.shtml#UWcsrkoUPoc>.

<sup>289</sup> "Okinawa protests Japan-Taiwan fisheries accord", *NHK*, 12 April 2013, at [http://www3.nhk.or.jp/nhkworld/english/news/20130412\\_20.html](http://www3.nhk.or.jp/nhkworld/english/news/20130412_20.html).

<sup>290</sup> Interview 10 October 2012.

<sup>291</sup> "Take Takeshima row to ICJ despite South Korea's refusal", *Yomiuri Shimbun*, 31 August 2012, at [www.yomiuri.co.jp/dy/editorial/T120831004205.htm](http://www.yomiuri.co.jp/dy/editorial/T120831004205.htm).

<sup>292</sup> "Govt: Senkaku plan not diplomatic matter", *Yomiuri Shimbun*, 10 July 2012, at



Which judicial forum would be appropriate? The dispute settlement mechanism of UNCLOS is not applicable here because it is only relevant in case of the interpretation or application of issues contained in the Convention (e.g. sea boundary delimitations) which excludes territorial disputes. This leaves the possibility for Japan and China to seek a decision by the ICJ or any agreed international arbitration panel. Unfortunately, China refuses judicial settlement by the ICJ and other international arbitration, and agrees in general only to international arbitration in non-political areas such as trade.<sup>293</sup>

It is therefore very doubtful that China would unilaterally, or together with Japan, call upon international arbitration. Since China's legal argumentation is rather weak, and a negative judgement could have implications for China's legal claim to most of the South China Sea, there is even less of a chance for China making an exception for the Senkaku dispute. The most recent case of China rejecting international arbitration is its reaction to the Philippines' unilateral move in January 2013 to ask the UN for arbitration concerning the two countries' overlapping jurisdictional claims in the South China Sea.<sup>294</sup>

Other circumstances related to the mechanics of international arbitration also cast some doubt on this approach. It may seem the best solution but as Ramos-Mrosovsky warned, 'the unpredictability of litigation, the probable domestic illegitimacy of any adverse result, and the lack of any means short of force to enforce a judgment all work to discourage litigation or arbitration'.<sup>295</sup> One can also add the long time it takes to get a result, which may be too long to hold back the domestic forces which want to pre-empt a negative result, particularly if natural resources are at stake and the dispute is so much linked to historical grievances and animosities.

## **6. Conclusions**

The first part of this paper discussed the validity of the claims by both sides to the legal title to the Senkaku Islands and the question whether Japan and the PRC agreed in 1972 and 1978 to shelve the conflicting territorial claims to the islands, and if they did so, why this agreement fell apart.

In terms of modern international law, Japan seems to have the stronger arguments because of its consistent and unchallenged control over the islands and the failure of successive Chinese governments to publicly claim the title to the islands between 1895 and 1971, and particularly after 1945. However, timing, decision-making process and secrecy of Japan's territorial acquisition, as well as the amorphous transition at the end of the 19th Century from a China-dominated East Asian Order to one dominated by Western international law somewhat puncture the political and moral foundations of Japan's incorporation of the islands. But even if the document of incorporation of the islands was made public by Japan only in 1952, it must have been known by successive Chinese governments that Japan was in control and Japanese citizens partly living on and commercially using the islands. At the same time, the timing and circumstances of the Chinese claims (i.e. by the People's Republic as

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[www.yomiuri.co.jp/dy/national/T120709003776.htm](http://www.yomiuri.co.jp/dy/national/T120709003776.htm).

<sup>293</sup> Hong, Nong (2010): *Law and Politics in the South China Sea, Assessing the role of UNCLOS in Ocean Dispute Settlement*, Ph. D. Alberta University, Edmonton, Alberta, p. 172.

<sup>294</sup> For a summary of the Philippine's Notification and Statement of Claim see:

[http://www.dur.ac.uk/ibru/news/boundary\\_news/?itemno=16498](http://www.dur.ac.uk/ibru/news/boundary_news/?itemno=16498).

<sup>295</sup> Ramos-Mrosovsky, *op. cit.*, p. 907.



well as the Republic of Taiwan) at the beginning of the 1970s cast suspicions on the motives behind their belated claims as former Prime Minister Zhou Enlai hinted himself in 1972. William B. Helflin, an international lawyer, therefore concluded his discussion of the issues arising from the historical and international law circumstances by writing in 2000 that ‘Under a variety of different guises, Japan has maintained authority over the Diaoyu/Senkaku Islands for over a century. Although historically inequitable, Japan appears to have a more persuasive case merely by its peaceful and continuous exercise of authority over the islands, which China did not timely protest’.<sup>296</sup>

The US occupation of Okinawa included explicitly the Senkaku Islands. During the San Francisco Peace Treaty in 1951, the US and Britain referred to Japan’s ‘residual sovereignty’ over Okinawa. According to the US official position, the reversion of Okinawa to Japan’s sovereignty in 1972 transferred only Tokyo’s administrative rights over the Senkaku Islands, but this event opened for the first time the door to public sovereignty claims by the ROC and the PRC. To what extent these arrangements are congruent with international law needs still some research. The ROC government argued that security considerations against the background of the Cold War and its confrontation with the PRC explained its silence over the Senkaku Islands until then. The demands for the Senkaku Islands’ return to the ROC government, which also claimed to represent the whole of China, as well as the report in 1968 about the likelihood of major hydrocarbon resources in the area, certainly played a role in the PRC’s belated claim to the island in 1971. Rather than clarifying its stance on the Senkaku’s legal title, the US opportunistically left it in 1972 to the contesting parties to decide, while implicitly reinforcing Japan’s claims by stating that the Senkaku Islands enjoy the same security protection under the bilateral Security Treaty as the rest of Japan. This could hardly be called a neutral position, as Henry Kissinger appropriately noted.

The following unofficial and undocumented agreement between Japan and China to shelve the dispute helped for a considerable time to keep it under wraps. From the available evidence, it is indisputable that Japan and the PRC agreed in 1972 and again in 1978 to set the territorial dispute aside. This was politically understandable because both sides had other more urgent issues to address, and normalizing diplomatic relations and concluding the Peace and Friendship Treaty, respectively had the highest priority for both sides. In 1972, the greatest problems were how to deal with the Taiwan issue and the burden of history (reparations; apology), and, in 1978, how to deal with China’s demand for a joint front against the Soviet Union (anti-hegemony clause). However, this agreement had a congenital defect because it was never integrated into a public or agreed document, it never got legal force and any side could therefore deny it at any time. Although both sides never conceded their sovereignty claim, shelving of the dispute could be achieved for a considerable time because China did not challenge Japan’s effective control over the islands while the Japanese government exerted restraints in taking any measures which China would interpret as unacceptable acts of sovereignty (e.g. not allowing prospection for hydrocarbon resources or limiting access to the islands). The fundamental conceptual problem with the bilateral understanding of shelving the dispute was the assumption that the conditions allowing its creation and continuity in the 1970s could be frozen for as long as it would take until a solution to the opposing territorial claims could be found. The conclusion from the author’s analysis suggests, however, that maintaining the conditions for the continued reliance on the bilateral understanding would have demanded much greater efforts by both sides to maintain a good overall relationship and to clarify what the *status quo* is and what measures would be

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<sup>296</sup> Helflin, William B.: “Diaoyu/Senkaku Island Dispute, Japan and China. Oceans apart”, *Asia-Pacific Law & Policy Journal*, vol. 1, Iss. 2 (2000), at <http://blog.hawaii.edu/aplpj/volume-1-issue-2/>, p. 20.



seen as violating the *status quo*. Instead, various changes and dynamics in the domestic and international environment were allowed to, and later even instrumentalized, gradually erode these conditions. As can be seen from the above analysis, it is difficult to pinpoint a date when this process of erosion started, or an individual measure taken which set it off because of the accumulative nature of this process and the political aggregation of it.

The appearance in the Senkaku Island waters of around 100 PRC fishing ships, some of them armed and with banners claiming Chinese sovereignty in April 1978 was brushed away by the Deng Xiaoping regime's promise that this would not happen again. The general survey conducted in 1979 and the subsidized erection of a memorial monument during Prime Minister Ohira's cabinet was certainly not in the spirit of the shelving agreement but did not lead to more than Chinese protests. The 1992 Chinese law on the territorial waters was definitely one turning point, as can be seen from the Chinese policy-making process as well as the political packaging when China tried to negate the law's revisionist implications by denying any change of the Deng Xiaoping statement of shelving the territorial dispute. Even Japan's official reaction at the time tried to play down the impact of the Chinese law. Later Japan reciprocated with its own series of administrative measures which affected the disputed islands against the background of a worsening bilateral relationship after 1992. By 2008, when the Chinese started sending patrol vessels into the territorial waters of the islands, the shelving agreement was all but dead. Both sides have therefore to carry the blame for letting things get out of control in an age of rising nationalism in both countries (albeit of a higher order in China) and interventions by non-state or local government actors.

The fishing trawler incident in September 2010 marked a serious aggravation of the territorial conflict because China took offence at Japan's detention and indictment of a trawler captain who was accused of twice ramming Japanese Coast Guard vessels in the territorial waters around the Senkaku Islands. The handling by the Japanese authorities was accompanied by statements about dealing with the incident according to Japan's laws, as well as repetitions of the denial of any shelving agreement or the existence of any territorial conflict. China reacted to this reassertion of Japanese sovereignty over the islands by a series of unprecedented political and economic sanctions and retributions which forced the Japanese government to release the captain unconditionally. This crisis made a solution of the territorial conflict more difficult, and was bound to lead to the next crisis which happened in September 2012 when the central government bought three of the islands from its private owner in order to pre-empt a purchase by the anti-China oriented governor of Tokyo, Ishihara Shintaro. Further research will have to elucidate beyond the author's own speculation why communication between Japanese and Chinese authorities about the well-meant prevention of a purchase of three islands by the Tokyo mayor went so terribly wrong.

The ensuing demonstrations in many Chinese cities, the Chinese official rhetoric, and Chinese retributive measures in the political, economic, law enforcement and military spheres have been even more unprecedented than those in 2010 and are hardly congruent with the conduct between nations which had concluded a Peace and Friendship Treaty. The linkage to Japan's past aggressions against China by calling its position on the disputed islands 'an outright denial of the outcomes of the victory of the World Anti-Fascist War and a grave challenge to the post-war international order' contradicts past official Chinese appreciation of Japan's peaceful development after 1945. So far, China has demonstrated through its incursions into the Senkaku Islands' Contiguous and Territorial Waters, as well as into their airspace, that Japan no longer enjoys full control over the islands. Denying the existence of a territorial conflict by Japan has become increasingly unconvincing, and appears like a refusal



to deal constructively with the confrontation. In contrast to the confrontation in 2010 it is still unclear what exactly the Chinese want to achieve and where a new compromise can be found.

In a way, both sides are at the same time too vulnerable as well as too strong, to allow much room for a compromise. China feels vulnerable because it is faced with an apparently insurmountable territorial *status quo* (which Japan is perceived as reinforcing to its benefit) and its actions are under close international scrutiny because of the danger of conjuring the `China threat` perception. This vulnerability is well hidden in the following comment by Ye Xiaowen in the *China Daily*: `China's adherence to its peaceful development path is not to persuade, please or cheat anyone in the world, nor is it because China fears any other country. China has proposed "shelving the dispute and carrying out joint development" while claiming its sovereign rights over the islands, which demonstrates its restraint and tolerance. But if a country mistakes China's restraint for weakness, it is making a serious misjudgment'.<sup>297</sup> Moreover, at least for some Chinese analysts the island dispute is a means to undermine `America`s strategy of suffocating China and of reshaping regional dynamics to benefit China`.<sup>298</sup> This ambiguity of China`s position makes it difficult for example to evaluate the full intentions of the government - beyond tactical manoeuvring - behind the invitation of several high ranking Japanese politicians with pro-China reflexes to China in January 2013, the cancellation of trilateral Japan-China-Korea summit and ministerial meetings, or the toning down of the anti-Japan rhetoric. If M.T. Fravel is correct about his assumption that a weakening bargaining power in a territorial dispute creates an incentive to use force in order to prevent a further decline of bargaining power, then the current confrontation could lead to bloodshed.<sup>299</sup>

Moreover, China perceives Japan as weakening and its own political, economic and military strength rising. The new leadership is bound to continue for the time being the severe Japan policy of its predecessors until it feels firmly in power. Moreover the new Chinese president, Xi Jinping, is much closer to the military than his predecessor.<sup>300</sup> He has been a member of the Leading Group on Maritime Security since August 2012 and thus involved in the issue directly.<sup>301</sup> China is also able to mobilize considerable diplomatic capital for its claim, be it sowing doubts about US support of Japan or building a `United Front` with South Korea by accusing Japan of historical revisionism in the case of the Senkaku as well as Takeshima islands.

Japan is worried about China`s bullying and does not want a repetition of being seen as ceding to Chinese pressure as in October 2010. It fears China`s `salami tactics`: if it gives in now, will China demand Okinawa next? Or will China proceed arbitrarily with the exploitation of the oil and gas resources in the East China Sea without waiting for an

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<sup>297</sup> Ye, *op. cit.*

<sup>298</sup> Ren, Weidong: "China wants to resist pressure from the United States and force the Japanese to give up", *Zhongguo Wang*, 3 November 2012, quoted in *China Analysis*, February 2013, p. 8., at [www.ecfr.eu](http://www.ecfr.eu).

<sup>299</sup> Fravel, M.T.: "Power Shifts and Escalation: China`s Use of Force in Territorial Disputes", *International Security*, vol. 32, no. 3 (2007), p. 52.

<sup>300</sup> Minemura, Kenji: "China`s Senkakus operations overseen by party task force led by Xi", *Asahi Shimbun*, 4 February 2013, at <http://ajw.asahi.com/article/asia/china/AJ201302040089>; Lam, Willy: "All the Secretary General`s Men: Xi Jinping`s inner Circle revealed", Jamestown Foundation, *China Brief*, vol. 13, Iss. 4 (15 February 2013), at

[http://www.jamestown.org/programs/chinabrief/single/?tx\\_ttnews\[tt\\_news\]=40461&tx\\_ttnews\[backPid\]=25&cHash=a2948d5ab8d0b3e6c8a29033e263839a](http://www.jamestown.org/programs/chinabrief/single/?tx_ttnews[tt_news]=40461&tx_ttnews[backPid]=25&cHash=a2948d5ab8d0b3e6c8a29033e263839a).

<sup>301</sup> Buckley, Chris: "China Leader Affirms Policy on Islands", *New York Times*, 29 January 2013, at [http://www.nytimes.com/2013/01/30/world/asia/incoming-chinese-leader-will-not-to-bargain-on-disputed-territory.html?\\_r=0](http://www.nytimes.com/2013/01/30/world/asia/incoming-chinese-leader-will-not-to-bargain-on-disputed-territory.html?_r=0).



agreement on the delimitation of the EEZ borders? But Japan also feels itself too strong for a compromise because it is in a comfortable position as *status quo* holder with effective control over the islands (although diminishing by the week), it tends to overrate China's economic dependence on Japan, and it is being assured by the security guarantee of the US.

The question is whether any Japanese government – in the face of unprecedented Chinese pressure - can get the balance right between either relying too much on the Japan-US Security treaty and its own defence efforts, or a creative comprehensive China policy which makes use of all of Japan's political, military and economic strengths. Abe declared in his first news conference as prime minister in December 2012 'I recognize that the first step in turning Japan's foreign and security policy around is reinforcing our *kizuna* — our bonds of friendship — once more under the Japan-U.S. alliance, which is the cornerstone of Japanese foreign policy'.<sup>302</sup> He has several times since denied the existence of a territorial problem and announced strengthening of Japan's military and defence cooperation with the US. This would indicate that the former is unsurprisingly the default option. Moreover, given his revisionist stance on issues related to the history issue, there is not much optimism warranted for an incident-free management of the territorial issue, let alone a solution. Abe or his successor(s) as well as the Chinese leaders will have to find a new bilateral 'understanding' which hopefully takes into consideration the lessons from the circumstances which led to the demise of the 1972/1978 'shelving consensus'. However, such a new consensus risks being less favorable to Japan's current territorial position, while giving succour to those arguing the 'China threat' theory.

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<sup>302</sup> Yamamoto, Daisuke: "Isle rows, TPP, 'comfort women' all pose challenges to improving ties", *Japan Times*, 8 January 2013, at <http://www.japantimes.co.jp/news/2013/01/08/news/isle-rows-tpp-comfort-women-all-pose-challenges-to-improving-ties/#.UZZIH7Ppak>.



## THE JAPAN –US MILITARY ALLIANCE AND THE ASIA-PACIFIC CHALLENGES: PROSPECTS FOR DEEP CHANGES

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### **Abstract:**

In the last fifteen years a fundamental shift in the strategic balance in Asia – Pacific has taking place. The article aims at discussing the difficulties the Japan-US military Alliance has adaptating to this new regional strategic environment. It also explains the new strategy that President Obama´s Administration is trying to implement, initially called “Pivot to Asia” and later “Rebalance”. The article tries to show the challenges that this new strategy implies for both Japan and the United States, enumerating different scenarios some of them not very likely and highlighting on the contrary the possibility of a more assertive and military independent Japan.

**Keywords:** Japan, United States, China, Russia, pivot to Asia, Rebalance, Asia-Pacific, Armed Forces, Defense Strategic Guidance, Air-Sea Battle, Joint Operational Access Concept, Anti-Access and Anti-Area Aerial, Pacific Century, Nuclear Modernization.

### **Resumen:**

*En los últimos quince años se ha producido un cambio fundamental en el equilibrio estratégico de Asia-Pacífico. El artículo trata de presentar las dificultades de adaptación de la alianza de Japón con Estados Unidos al nuevo contexto estratégico. Asimismo presenta la nueva estrategia que está tratando de implementar la administración del presidente Obama denominada inicialmente “pivot to Asia” y posteriormente “rebalance”. El artículo trata de mostrar los desafíos que esta nueva estrategia tiene para Japón y los Estados Unidos, presentado varios escenarios cuya probabilidad es cuestionable, y decantándose por una mayor reafirmación de Japón.*

**Palabras clave:** *Japón, Estados Unidos, China, Rusia, “pivot to Asia”, re-equilibrio, fuerzas armadas de Asia-Pacífico, “Defense Strategic Guidance”, Guerra aire-tierra, “Joint Operational Access Concept”, “anti-access and anti-area Denial”, el siglo del Pacífico, modernización nuclear.*

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## 1. Introduction

Japan is in a process of redefining its position in the international arena. This factor has a critical impact on its security and defense policy and carries important consequences for its traditional relations with the United States, while it also affects its international economic policy. The new LDP government is attempting to revitalize the economy after a very weak performance in recent years and is avoiding at the same time a strong degree of dependence on Chinese economic policies. This government is also wary of any possible economic integration of Asia-Pacific under Chinese aegis.

At the same time, Japan's relations with the United States are influenced by a broader context determined by U.S. policies toward Asia-Pacific as well as all changes that the U.S. has undertaken in recent years.

In the international relations literature, the claim that Asia-Pacific was not a priority in the United States security policies after the end of the Cold War is very recurrent. In fact, still in the nineties these policies were essentially focused on Central and Eastern Europe and eventually, on the Middle East. Although the first George W. Bush Administration initially intended to focus on Asia-Pacific, it was the Middle East and Afghanistan which at the end ended up occupying a central stage in his security and defense policy.

In this respect, this article deals with several significant changes in the U.S. policies toward the region as well as in the US- Japan military Alliance and leaves open many questions on the possible evolution of the US- Japan bilateral relations.

## I President Obama Administration and Asia-Pacific

### 2. Strategic Reassurance

The first Obama Administration initially emphasized the importance of the Asia-Pacific in its foreign and security policies and coined thus the concept of Strategic Reassurance to capture the security relations between United States and China, ranked as a priority issue. On the other hand, with the victory of the Democratic Party of Japan (DPJ) on the 16<sup>th</sup> September 2009 and the rise to power of Yukio Hatoyama, there were many signs pointing to Japan seeking to develop a foreign policy more independent of the United States.

With respect to China, James Steinberg, Deputy Secretary of State stated in a speech at the Center for the New American Security on 24 September 2009 that: "China must reassure the rest of the world that its development and growing global role will not come at the expense of security and well-being of others. Bolstering that bargain must be a priority in the U.S.-China relationship. And strategic reassurance must find ways to highlight and reinforce the areas of common interest, while addressing the sources of mistrust directly, whether they be political, military or economic"<sup>2</sup>.

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<sup>2</sup> Steinberg, James B.: "China's Arrival: The Long March to Global Power", Keynote Address by U.S. Deputy Secretary of State, Transcript of Records, *Center for a New American Security (CNAS)* (24 September 2009), at <http://www.cnas.org/files/multimedia/documents/Deputy%20Secretary%20James%20Steinberg%27s%20September%202009%20Keynote%20Address%20Transcript.pdf>.





These approaches, which echoed some of those by Banning Garrett,<sup>3</sup> became the object of intense criticism. Republican and conservative groups expressed a deep skepticism on this approach that “naively assumed that China’s leadership does not see the world in terms of power politics” and which changes the former US concept demanding China to be a “responsible stakeholder” in the international system.<sup>4</sup> On the contrary according to the State Department the new policy was actually toughened of the Bush Administration concept of “responsible stakeholder” as it focused on what China needed to do for reassuring the United States and the world.<sup>5</sup>

In fact, the concept barely accomplished anything. China became more assertive, clashing at sea with Japan, Vietnam and the Philippines, and refusing to pressure the government of the Democratic People’s Republic of Korea after its military aggressions to the Republic of Korea; while the US tried to maintain some level of neutrality in regards to territorial issues and made tactful responses to various Chinese initiatives seeking to take advantage of its economic power and obtain diplomatic and security dividends in the region,<sup>6</sup> China did not deliver accordingly, dashing thus US expectations created with the new concept of strategic reassurance. A partnership with China appeared to be a complicated task indeed.

Shortly afterwards we would assist to the launching of another concept: “The US pivot in Asia”, which broadened the former concept. Hillary Clinton in a speech at the East West Center in Honolulu on 10 November 2011 entitled America’s Pacific Century, launched and explained the concept.<sup>7</sup>

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<sup>3</sup> "Strategic reassurance measures" (SRMs) seek to address the deeper causes of mistrust among nations, especially suspicions about the perceived long-term political, military, and economic objectives—that is, strategic intentions—of other powers”: Garrett, Banning: “The Need For Strategic Reassurance in the 21st Century”, *Arms Control Today*, March 2001, at <http://www.armscontrol.org/print/810>.

<sup>4</sup> See for instance: Strategic reassurance is “a narrow formula for managing the increasing propensity for the U.S. and China to rub up against each other in security matters, such as U.S. naval operations that fall within what China claims is its exclusive economic zone, or as a mechanism for calming Chinese fears about the security of their large pile of dollar-denominated assets. But there is also a more damaging interpretation, given the administration's downplaying of human rights on the bilateral agenda, the decision not to meet with the Dalai Lama during his recent visit to Washington, and the endless chase for Chinese cooperation on a raft of other "important" issues from climate change to Iran. What if "strategic reassurance" is nothing more than a fancy way of saying "appeasement"?”: Currie, Kelley: “The Doctrine of 'Strategic Reassurance' What does the Obama formula for U.S.-China relations really mean?”, *Wall Street Journal*, 22 October 2009, at <http://online.wsj.com/article/SB10001424052748704224004574488292885761628.html>; Lee, Peter: “The New Face of U.S.-China Relations: “Strategic Reassurance” or Old-Fashioned Rollback?”, *The Asia-Pacific Journal* (19 July 2010), at <http://www.japanfocus.org/-peter-lee/3385>; Osmos, Evan: Strategic Reassurance, *The New Yorker*, 6 October 2009; Kagan, Robert and Blumenthal, Dan: “Strategic Reassurance that isn’t”, *Washington Post*, 10 November 2009.

<sup>5</sup> Kagan, Robert:” The meaning of “strategic reassurance”, *The Washington Post*, 11 November 2009.

<sup>6</sup> Lieberthal, Kenneth G.: *The American Pivot to Asia*, Brookings Foundation (21 December 2011) at <http://www.brookings.edu/research/articles/2011/12/21-obama-asia-lieberthal>.

<sup>7</sup> Some of the main ideas were the following: In the 21<sup>st</sup> century the world’s strategic and economic center of gravity will be located in Asia and the same way the US played a central role in shaping the economic and security architecture across the Atlantic during the Cold War, they will try to do the same across the Pacific. The 21<sup>st</sup> century will be the America’s Pacific Century. What happens in Asia in the years ahead will have an enormous impact on our nation’s future and we cannot afford to sit on the sidelines and leave it to others to determine our future. There are challenges facing the Asia-Pacific right now that demand America’s leadership. The United States has unique capacities to bring to bear in these efforts and strong national interest at stake. Now that’s the why of America’s pivot towards the Asia Pacific.



Hillary Clinton presented six key lines of action, one of which was “strengthening our bilateral security alliances”<sup>8</sup>.

This announcement was made just when President Obama was starting his third trip to visit Asia. In Australia, in his remarks to the Australian Parliament on 17 of November, President Obama emphasized that the US was a Pacific power, eager to help laying the ground for economic success, ready to stay in the region, maintaining a strong military presence, enhancing its presence across Southeast Asia and helping both allies and partners to build-up their military capacities. The US-Japan alliance was to be the cornerstone of regional security, while a cooperative relationship with China should nevertheless be maintained.<sup>9</sup> The US commitment to Asia and the Pacific was made clear and it was to be perceived as such, as the US wanted to secure a strong position in the region.

The US announcement of a new “pivot to Asia” strategy that rather than a transformation represented an enhancement of previous ones<sup>10</sup>, arouse suspicion and drew widespread criticism in China. Statements and briefings by Pentagon officials on the Air-Sea Battle concept to be implemented<sup>11</sup> and official US documents published by the Pentagon, such as Defense Strategic Guidance<sup>12</sup>, only reinforced this perception.<sup>13</sup> The US shift from land wars to the “Air-Sea Battle”<sup>14</sup> and Joint Operational Access Concepts<sup>15</sup> was seen as a bad sign for China. The provision for capabilities to enable operational access in anti-access and area-denial environments was especially important in the Pacific where China was developing exactly the capabilities to deny the US entry in areas of special strategic importance to China such as the first island chain. Although at the official level the explanation was that the concept was not exclusively focused on China, the fact is that articles and explanations mostly ended up focusing on China, even detailing the battle plan to thwart any anti-access and anti-area denial strategies. The context in which the different documents and concepts were launched was crystal clear: China’s economic and military modernization was *de facto* changing the regional *status quo*. The United States did not want to allow China either alone or in tandem with other Asian countries shape the Asia- Pacific according to its own interests. From this perspective, the concept had a strong economic and diplomatic component.

The implications were important. The Chinese perception that the US pretended to divide and rule, separating China from its neighbors and contain China implied that dialogue

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<sup>8</sup> The six key lines were the following: strengthening our bilateral security alliances; deepening our working relationships with emerging powers; engaging with regional multilateral institutions; expanding trade and investment; forging a broad-based military presence; and advancing democracy and human rights.

<sup>9</sup> “Remarks by President Obama to the Australian Parliament”, 17 November 2011, at

<http://www.whitehouse.gov/the-press-office/2011/11/17/remarks-president-obama-australian-parliament>.

<sup>10</sup> Marlin Mark E. (coord): “Pivot to the Pacific? The Obama Administration’s “Rebalancing” towards Asia”, CRS, (28 March 2012), p.2, at <http://www.fas.org/sgp/crs/natsec/R42448.pdf>.

<sup>11</sup> US Department of Defense (DoD): “Background Briefing on Air-Sea Battle by Defense Officials from the Pentagon”, 9 November 2011, at <http://www.defense.gov/transcripts/transcript.aspx?transcriptid=4923>.

<sup>12</sup> US Department of Defense (DoD): “Sustaining U.S. Global Leadership: Priorities for the 21<sup>st</sup> Century Defense” (January 2012), at [http://www.defense.gov/news/defense\\_strategic\\_guidance.pdf](http://www.defense.gov/news/defense_strategic_guidance.pdf).

<sup>13</sup> Weliz, Richard: “Asia Overreacts to US Military Pivot”, *The Diplomat*, 25 January 2012, at <http://thediplomat.com/2012/01/25/asia-overreacts-to-u-s-military-pivot/>; A good example of the Chinese perception is: Feng, Zhu: “Obama’s “Pivot to Asia” Strategy and Sino-US Relations”, *China Institutes of Contemporary International Relations (CICIR)*, at <http://www.cicir.ac.cn/english/ArticleView.aspx?nid=4087>.

<sup>14</sup> The concept of Air-Sea Battle was announced in the Quadrennial Defense Review of 2010.

<sup>15</sup> US Department of Defense (DoD): “Joint Operational Concept” (17 January 2012), at [http://www.defense.gov/pubs/pdfs/joac\\_jan%202012\\_signed.pdf](http://www.defense.gov/pubs/pdfs/joac_jan%202012_signed.pdf).



and cooperation with China in critical global and regional issues would become much more difficult. This would necessarily exacerbate tensions with China.

But this new orientation had crucial implications for the allies of the United States in the region too. They feared that all this would imply greater expenditures and greater military budgets and the potential loss of significant profits obtained in economic and financial relations with China if a policy of economic realignment was attempted. This was a fear equally shared by the US allies in Europe and the Arab world. The latter in fact feared that this shift would mean a reduction in capacities and in the American military commitments in the Middle East as the US defense resources were increasingly constrained<sup>16</sup>, eroding thus the US influence in a critical region.

On the other hand this change in approach and concept resulted in the departure of key figures in the Obama administration which had been in charge so far of monitoring and implementing US policies in the Asia-Pacific region. James B. Steinberg, Deputy Secretary of State, and Jeffrey Bader, director for East Asia at the National Security Council resigned and left.

### **3. From Pivot to Rebalance: The Military Component**

In order to avoid criticism, the military component of the “pivot to Asia” was soon de-emphasized, being the official discourse that American forces’ presence in the region was not meant to contain China, as the US even welcomed the growing integration of China in the region. At the same time the “pivot to Asia” was rebranded as “rebalance”. The crucial role of Asia, not only China, in the world economy was also stressed. Many observers were in any case not very much convinced with the new shades.

On 2 June 2012, the Secretary of Defense, Leon Panetta, chose the Shangri La Dialogue in Singapore to clarify the strategy; his remarks were given much attention: The US had always been a Pacific nation and America’s fate was thus inexorably linked with the Asia-Pacific region; some of the world’s fastest growing economies were in Asia and defense spending in the region was to surpass that of Europe in 2012.

The Secretary of Defense highlighted the goal of close cooperation with all to confront common challenges and to promote peace, prosperity, and security for all nations in the Asia-Pacific region, emphasizing the crucial part that diplomacy, trade, and development played in the US engagement. As for defense policy, he said that it plays an essential role in promoting strong partnerships that strengthen the capabilities of the Pacific nations to defend and secure themselves.

He mentioned the necessity to rebalance towards the Asia-Pacific region with innovative rotational deployments, emphasizing the creation of new partnerships and new alliances as well as the strengthening of those alliances already existing with Japan, Korea, Australia while at the same time enhancing partnerships with Indonesia, Malaysia, India, Vietnam and New Zealand in support of shared security interests. But, at the same time, he underlined that this involvement in Asia was fully compatible with the development and growth of China: the U.S. involvement in the region, deepening the regional security

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<sup>16</sup> Marlin, Mark E (coord): “Pivot to the Pacific? The Obama Administration’s “Rebalancing” towards Asia”, CRS, 28 March 2012, p.9, at <http://www.fas.org/sgp/crs/natsec/R42448.pdf>.



architecture, should benefit the shared security and prosperity for the future of China and the US.

On military capabilities, he unveiled some crucial investments contained in the five-year budget plan: the retirement of older Navy ships and the replacement with more than 40 far more capable and technologically advanced ships; an increase in the number and the size of military exercises in the Pacific and port visits including the Indian Ocean; six aircraft carriers should be deployed in the region as well as the majority of cruisers, destroyers, Littoral Combat Ships, and submarines, reaching thus a ratio of 60/ 40 between the Pacific and the Atlantic naval forces; investment in weapons systems to project military power such as an advanced fifth-generation fighter; an enhanced Virginia-class submarine; new electronic warfare and communications capabilities; improved precision weapons; new aerial-refuelling tankers; a new bomber model; advanced maritime patrol and anti-submarine warfare aircraft.

Leon Panetta also mentioned the development of new concepts of operations such as the Joint Operational Access Concept and Air-Sea Battle and said that, although these concepts and investments will take years to be fully accomplished, the United States military was rebalancing and bringing enhanced capability development to this vital region in a steady, deliberate and sustainable way<sup>17</sup>.

The impact of this speech was notorious, but there remained a crucial question to be solved, which were uncertainties about the resiliency of these changes after the presidential elections had taken place as important doubts existed on the sustainability and content of the new strategy.

#### **4. Rebalancing in the US Global Leadership Priorities**

After the reelection of Barack Obama on 6 November 2012 things started to change. In an effort of clarification, Thomas Donilon, US National Security Adviser, presented on the 15th of November the President Obama's Asia Policy before his first trip to the region. The speech made at the Center for Strategic and International Studies in Washington was rich in details.

First, he made clear which was the overarching objective of US policies in the region, namely to sustain a stable security environment and regional order rooted in economic openness, peaceful resolution to disputes, democratic governance and political freedom. The exceptional economic growth of Asia-Pacific required a stabilizing American presence. And one of the core elements of the US approach was a strategy of rebalancing. This strategy was meant as a long-term effort to better position the US for opportunities and challenges to be faced in the 21st century and went far beyond just shifting military resources.

He mentioned the following set of objectives for achieving the strategy:

- 1- To Strengthen and modernize security alliances across the region.
- 2- To forging deeper partnerships with emerging powers.

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<sup>17</sup> “The US Rebalance Towards the Asia-Pacific: Leon Panetta”, Shangri-La Dialogue, The IISS Asia Security Summit (2 June 2012), at <http://www.iiss.org/en/events/shangri%20la%20dialogue/archive/sld12-43d9/first-plenary-session-2749/leon-panetta-d67b>.



3- To strengthen regional institutions and to engage more deeply in institutions, both global and regional, in order to promote regional cooperation, peaceful resolution of disputes and adherence to human rights and international law.

4- To pursue a stable and constructive relationship with China by ways of seeking a balance between elements of cooperation and competition.

5- To advance the region's economic architecture. In this regard, the TPP should deepen regional economic integration.

Regarding the sustainability of the military redeployment he stressed that the Obama administration should continue allocating enough resources to maintain a strong, flexible and broadly distributed regional presence.<sup>18</sup>

However, the appointment of John Kerry for Secretary of State and the departure of Leon Panetta from the Department of Defense reopened the debate and stoked fears regarding the real prospects of implementation.

John Kerry was ambivalent during his confirmations hearings and said frankly that he was not convinced that “increased military ramp-up in Asia was critical yet”, adding: “that’s something I’d want to look at very carefully”.<sup>19</sup> His first travel abroad was to Europe and the Middle East and in Berlin he said in reply to a question: “We are paying attention to Asia and so are you”... “but we’re not doing it at the expense of Europe, not at all”<sup>20</sup>. More than two months after his confirmation John Kerry traveled to Asia.

The obvious question was that the US could not pivot to Asia if possible crisis in the Middle East and the Gulf could turn into very complicated wars.

Obvious was also that in the new Obama administrations there were disagreements regarding the policies to be implemented. The White House wanted to hold the line<sup>21</sup> and apparently the State Department was quite reluctant to provide full support to the new strategy. John Kerry in his remarks at the Tokyo Institute of Technology on 15 April 2013 while mentioning that President Obama made a smart and a strategic commitment to rebalance the interests and investments in Asia, he was not sharp and provocative enough.<sup>22</sup> John Kerry did not want to further alienate a China which was carefully watching every movement by the US administration. Although the Democratic People’s Republic of Korea nuclear and ballistic challenges justified the US rebalance, China on the contrary insisted that the American pivot to Asia had escalated tensions and would destabilize the region. In fact, on the 16th of April the Chinese government published a new White Paper on national defense

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<sup>18</sup> Donilon, Thomas: “President Obama's Asia Policy and Upcoming Trip to the Region”, *Center for Strategic and International Studies (CSIS)* (15 November 2012), at [http://csis.org/files/attachments/121511\\_Donilon\\_Statesmens\\_Forum\\_TS.pdf](http://csis.org/files/attachments/121511_Donilon_Statesmens_Forum_TS.pdf).

<sup>19</sup> La Franki, Howard: “US 'pivot to Asia': Is John Kerry retooling it?”, *CS Monitor*, 20 February 2013, at <http://www.csmonitor.com/USA/Foreign-Policy/2013/0220/US-pivot-to-Asia-Is-John-Kerry-retooling-it>.

<sup>20</sup> Goodenough, Patrick: “In Europe, Kerry Says U.S. ‘Pivot’ to Asia Won't Come at Europe's Expense”, *CS News.com*, 27 February 2013, at <http://cnsnews.com/news/article/europe-kerry-says-us-pivot-asia-wont-come-europes-expense>.

<sup>21</sup> Remarks by Tom Donilon, National Security Advisory to the President: “The United States and the Asia-Pacific in 2013”, The White House (11 March 2013), at <http://www.whitehouse.gov/the-press-office/2013/03/11/remarks-tom-donilon-national-security-advisory-president-united-states-a>.

<sup>22</sup> US Department of State: “John Kerry: Remarks on 21<sup>st</sup> Century Pacific Partnership”, 15 April 2013, at <http://www.state.gov/secretary/remarks/2013/04/207487.htm>.



where this statement was included: “Some country has strengthened its Asia-Pacific military alliances, expanded its military presence in the region, and frequently makes the situation there tenser”.<sup>23</sup>

Nevertheless a week later, the US chairman of the Joint Chiefs of Staff, General Martin Dempsey, in a news conference at China’s Ministry of National Defense in his response advocated the reorientation of the US policy<sup>24</sup>. The problem remained however, how to finance the military redeployment when spending cuts were already affecting operations in Asia.<sup>25</sup>

All these changes and innovations have accelerated the process of change and adaptation in the Japan Alliance with the United States. The main question to solve in the next coming years is how far Japan can go if the new US strategy is maintained.

## **II. The US-Japan Alliance Transformation after the Cold War**

### **5. The Rapid Change of the Asia-Pacific Security Environment and the US Realignment**

After the Cold War, the US tried to reorganize its military presence in Asia Pacific. The George H. W. Bush Administration described the role of the US military forces in Northeast Asia as a "regional balancer, honest broker, and ultimate security guarantor". Later on, the Clinton Administration, after an evaluation of the possible threats, in particular the complex situation of the Korean peninsula, reconsidered the initially planned withdrawal of military forces. In April 1996, President Clinton in a speech to the Japanese Diet explained that the withdrawal of American forces from Japan and South Korea "could spark a costly arms race" in Northeast Asia<sup>26</sup>. In this context, both military alliances were redefined.

In the case of Japan, the Japan-US defense cooperation guidelines were modified in 1997. The new guidelines redefined and reinvigorated the Alliance, establishing a higher degree of coordination in time of peace and in the case of emergencies, going thus beyond the former contingencies contemplated during the Cold War: major international crisis or armed attacks against Japan. The principal revision of the guidelines authorized logistical support to the US in the case of military operations in “areas surrounding Japan that will have an important influence on Japan’s peace and security” (the Korean Peninsula and Taiwan). However no authorization was granted to the Self Defense Forces of Japan to participate in combat missions along with the US military forces. The right of participation in collective defense was not mentioned and Japan thus did not fully expand its military role. Changes

<sup>23</sup> “The Diversified Employment of China's Armed Forces”, Information Office of the State Council, The People’s Republic of China, Beijing (April 2013), at [http://news.xinhuanet.com/english/china/2013-04/16/c\\_132312681.htm](http://news.xinhuanet.com/english/china/2013-04/16/c_132312681.htm).

<sup>24</sup> “In China, U.S. top military officer defends U.S. pivot to Asia”, *Reuters*, 22 April 2013, at <http://www.reuters.com/article/2013/04/22/us-china-usa-idUSBRE93L0LR20130422>; Days later, in Yokota, General Dempsey said that “We’ll continue to do whatever exercises we need to do to make sure we have the right command and control, the right skills, the right collaboration, interoperability with our allies in the region in the event that there is a miscalculation”: “U.S. not backing down, Dempsey tells troops at Yokota”, *Japanese Online News*, 26 April 2013, at <http://japaneseonlinenews.com/2013/04/26/u-s-not-backing-down-dempsey-tells-troops-at-yokota/>.

<sup>25</sup> Yuka, Hayashi: “Pentagon Cuts Feared Tripping Up Pivot to Asia”, *Wall Street Journal*, 3 May 2013, at <http://online.wsj.com/article/SB10001424127887324582004578456683694045890.html>.

<sup>26</sup> Zhu, Zhiqun: “America's Military Presence in Northeast Asia after the Cold War: Winning Without Fighting?”, *Institute for East Asian Studies*, vol. 12 no. 2 (Summer 2000), at [http://www.ieas.or.kr/vol12\\_2/chiquzuh.htm](http://www.ieas.or.kr/vol12_2/chiquzuh.htm).



were not very ambitious and the Alliance was still considered as regional but not global. At the same time the Clinton Administration tried to ameliorate its relationship with China developing a “strategic partnership” and thus trying to avoid any strong Chinese reaction and suspicions to the new guidelines.

Later on, the President George W. Bush Administration tried to give more prominence to Asia and the Pacific with a restructuration of the US global military deployment which implied upgrading and globalizing the US-Japan Alliance. Military cooperation was extended and deepened, focused particularly on the Air Force, the Navy and ballistic defense.<sup>27</sup> The US government went as far as to openly urge Japan to revise the constitution and to include the right of collective defense. This went in line with the Japan government’s interest in becoming a permanent member of the United Nations Security Council. In this endeavor Japan was supported by Condoleezza Rice.<sup>28</sup> However one crucial constraint for becoming a permanent member responsible thus to deal with international peace and security was the article 9 of the Japanese constitution.

The regional context also encouraged changes. Political and security relations between Japan and China were constantly deteriorating. In December 2004 the National Defense Program Guideline, FY 2005 of Japan mentioned China as a challenge to national security because of its growing military modernization.<sup>29</sup>

Some months later, the US-Japan Security Consultative Committee made public a document entitled “US-Japan Alliance: Transformation and Realignment for the Future”<sup>30</sup> that was qualified as “full of Cold War mentality” in China.<sup>31</sup> A substantial list of technical military cooperation in bilateral security and defense along with essential steps to strengthen its international posture was included. But the subsequent internal political turmoil in Japan prevented any full implementation of the varied areas of operations considered, even less those new duties the Self Defense Forces of Japan would have to assume as well as initiatives proposed for the US realignment in Japan.<sup>32</sup> The common strategic objectives for working together were also established in 2005 and 2007 by the US- Japan Security Consultative Committee.<sup>33</sup> In both statements, the Democratic People’s Republic of Korea and China were

<sup>27</sup> See in this regard: Nicksch, Larry A.: “U.S. Security Policies in the Western Pacific”, Presented at the 2005 Pacific Symposium sponsored by the National Defense University, the U.S. Pacific Command, and the Asia Pacific Center for Security Studies p.7-8, at

<http://www.dtic.mil/cgi-bin/GetTRDoc?Location=U2&doc=GetTRDoc.pdf&AD=ADA441176>; Medeiros, Evan S.: “Strategic Hedging and the Future of Asia-Pacific Stability”, *The Washington Quarterly*, vol. 29, no. 1 (Winter 2005-2006), p.150, at [http://www.cerium.ca/IMG/pdf/Strategic\\_Hedging\\_and\\_the\\_Future\\_of\\_Asia-Pacific\\_Stability.pdf](http://www.cerium.ca/IMG/pdf/Strategic_Hedging_and_the_Future_of_Asia-Pacific_Stability.pdf).

<sup>28</sup> Secretary Condoleezza Rice: “Remarks at Sophia University”, 19 March 2005, at <http://2001-2009.state.gov/secretary/rm/2005/43655.htm>.

<sup>29</sup> The Guideline stated: “China, which has a major impact on regional security, continues to modernize its nuclear forces and missile capabilities as well as its naval and air forces. China is also expanding its area of operation at sea. We will have to remain attentive to its future actions”: Wu, Xinbo: “The End of the Silver Lining: a Chinese View of the US-Japanese Alliance”, *The Washington Quarterly*, vol. 29, no. 1 (Winter 2005-2006), p.123, at

<http://www.brookings.edu/~media/research/files/articles/2006/12/winter%20china%20xinbo/xinbo20060101.pdf>.

<sup>30</sup> Security Consultative Committee: “U.S.-Japan Alliance: Transformation and Realignment for the Future”, 29 October 2005, at <http://www.mofa.go.jp/region/n-america/us/security/scc/doc0510.html>.

<sup>31</sup> Xiang, Xinfeng: “US-Japan Military Alliance Cold War Mentality”, *People’s Daily*, 5 November 2005.

<sup>32</sup> Klingner, Bruce: “How to Save the US-Japan Alliance”, The Heritage Foundation, *Backgrounders*, no. 2308 (26 August 2009), p. 3.

<sup>33</sup> US-Japan Security Consultative Committee: “Joint Statement”, 19 February 2005, at <http://www.mofa.go.jp/region/n-america/us/security/scc/joint0502.html>;



mentioned. In the case of China, the question of transparency of its military affairs and consistency between his stated policies and actions was underlined.

## **6. The Alliance during the Governments of the Democratic Party of Japan**

Years later the strategic vision of Japan was again redefined under the new government of the Democratic Party of Japan (DPJ) which rose to power in 2009. If the US-Japan alliance was not in the “DPJ’s DNA”<sup>34</sup> and the Prime Minister Yukio Hatoyama created significant problems to the US-Japan Alliance<sup>35</sup>, China’s military and economic expansion still frighten Japan as well as the dangers implicit in any possible US-China rapprochement, as occurred in 1972, if the management of the US- Japan bilateral Alliance happen to deteriorate. Adding to this, the sustained Japanese economic decline and increasingly weak official approaches on military security were a matter of concern in the United States<sup>36</sup>. On 17 December of 2010 the cabinet of the Prime Minister, Naoto Kan, approved the National Defense Program Guidelines for FY 2011 and the Mid-Term Defense Program (FY2011-FY2015). The guidelines had introduced several important changes, taking in consideration “the global shift in the balance of power with the rise of powers such as China, India and Russia”. Japan would participate more actively to improve the international security environment, including United Nations peacekeeping operations and activities to deal with non-traditional security issues and in international nuclear disarmament, considering the US nuclear deterrent a vital element until a nuclear zero is not achieved. A large-scale landing invasion against Japan was considered unlikely to occur and the emphasis was put on the southwest of Japan where a security and defense vacuum had to be filled. Japan had to place more importance on a “dynamic deterrence which takes into account an operational use of the defense forces” and “will develop a dynamic defense force that possesses readiness, mobility, flexibility, sustainability and versatility”. The guidelines mentioned some priority areas<sup>37</sup> and the necessity to enhance the bilateral cooperation with the US, strengthening the joint training and joint/shared use of facilities and further development of equipment and technology cooperation. According to these guidelines, Japan had to play an active role in solving regional and global issues<sup>38</sup>.

The restructuring and re-location of the Japanese armed forces was quite ambitious and challenging, given its cost. The Air Force, the Navy and antisubmarine warfare, ballistic

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Joint Statement of the Security Consultative Committee: “Alliance Transformation: Advancing United States-Japan Security and Defense Cooperation” (1 May 2007), at

<http://www.mofa.go.jp/region/n-america/us/security/scc/joint0705.html>.

<sup>34</sup> Glosserman, Brad: “Breaking point for the alliance?”, Pacific Forum CSIS, *PacNet*, no. 19 (12 April 2010).

<sup>35</sup> Yukio Hatoyama became Prime Minister in 2009. During the electoral campaign he promised to the Okinawans that he would oppose the relocation of the Futenma Marine Corps Air Station in a less congested part of the island, as was agreed in 2006. Later, the DPJ governments, trying to appease the Okinawans, were unable to solve the problem, creating local expectations that were impossible to meet, thus escalating the sense of grievance in the island and casting an increasing shadow over the bilateral Alliance.

<sup>36</sup> Sunohara, Tusuyoshi: “The Anatomy of Japan’s Shifting Security Orientation”, *The Washington Quarterly*, vol. 33, no. 4 (October 2000), p.53.

<sup>37</sup> In particular: Ensuring security of sea and air space surrounding Japan; Response to attacks on offshore islands; Response to cyber attacks; Response to attacks by guerrillas and special operation forces; Response to ballistic missile attacks; Response to complex contingencies; Response to large-scale and/or chemical, biological, radiological and nuclear disasters.

<sup>38</sup> Yamaguchi, Noboru: “Deciphering the New National Defense Program Guidelines of Japan”, The Tokyo Foundation, *Policy Research Brief*, 2011 at

[http://www.tokyofoundation.org/en/additional\\_info/PRB\\_N.Ymgc.pdf](http://www.tokyofoundation.org/en/additional_info/PRB_N.Ymgc.pdf); Defense Minister’s Statement on the Approval of the ‘National Defense Program Guidelines for FY2011 and beyond’ and the ‘Mid-Term Defense Program (FY2011-FY2015)’, 17 December 2010, at [http://www.mod.go.jp/j/approach/agenda/guideline/2011/daijin\\_e.pdf](http://www.mod.go.jp/j/approach/agenda/guideline/2011/daijin_e.pdf).





defense and ISR capabilities received special attention.<sup>39</sup> All these changes implied an accommodation to the US strategies for the region. As it could have been expected, China was very critical: “the alliance should not go beyond the bilateral scope and undermine the interests of a third party”.

But Japan and even the US had a good argument for some of the changes that were promoted in the new guidelines and the defense program: The unstable nuclear Democratic People’s Republic of Korea and its ballistic capabilities. At this time, a possible growth of Russian military strength in the region was not taken into consideration, despite the Kuril Islands perennial issue. Northeast Asia had a low profile in the Russian foreign and security policy.<sup>40</sup> However the Russian debut in the East Asian Summits took place in 2010 and a reorganization and build-up of military forces in the Kuril Islands was decided.

The main problem lay in the real possibilities for implementation of the new guidelines and the defense program and the remaining constraints emanating from the constitution of Japan. The impact of the nuclear disaster of March 2011 on the Japanese economy was colossal, affecting the *tempo* for the procurement of the new platforms and systems, which added to the fact that the Japanese military budget would not substantially grow. In addition to this, a more active role in US-led military operations out of Japan needed some more time and efforts than the government was willing to make. On the positive side, the US participation in Operation Tomodachi, where a total of 130 aircraft, 12,510 personnel and over 16 American naval ships took part, supporting Japan in disaster relief, was highly appreciated by the Japanese government and the Japanese people, even if it increased fears from the US side that this tremendous disaster would imply a “more inward-looking focus on humanitarian assistance and disaster relief operations” by the government and the Japanese Self Defense Forces<sup>41</sup>.

On the other hand, the thorny issue of the Marine Corps Air Station in Futenma relocation was not solved, distracting both countries from the principal strategic objectives and providing some ammunition in the United States for new proposals in the direction of a rethink of the US strategy and force structure in the Pacific.<sup>42</sup>

Nevertheless in June 2011, the joint Consultative Committee updated the common Strategic Objectives, taking into consideration the assessment of the changing security environment. China, Russia, India and ASEAN were mentioned. In the case of China, questions linked to the openness and transparency of its military modernization and its activities as well as confidence building measures were again underlined. The following areas were emphasized in the field of mutual cooperation: Strengthening deterrence and contingency response; Alliance cooperation in a regional and global setting; enhancing

<sup>39</sup> Fouse, David; “Japan’s 2010 National Defense Program Guidelines: Coping with the ‘Grey Zones’”, *Asia-Pacific Center for Security Studies* (April 2011), at <http://www.apcss.org/wp-content/uploads/2011/12/Fouse-Japan-Final.pdf>.

<sup>40</sup> Amirov, Viacheslav B.: “Russia’s Posture in and Policy towards Northeast Asia”, in Blank, Stephen J. (ed.): “Russia’s Prospects in Asia”, Strategic Studies Institute, *SSI Monograph* (December 2010), pp 1-6.

<sup>41</sup> Fouse, David: “Japan unlikely to Redirect Defense Policy”, Pacific Forum CSIS, *PacNet*, no. 26 (5 May 2011), at <http://csis.org/publication/pacnet-26-japan-unlikely-redirect-defense-policy>.

<sup>42</sup> Ennis, Peter: “Pressure builds for US shift on Okinawa”, Pacific Forum CSIS, *PacNet*, no. 29 (19 May 2011), at <http://csis.org/publication/pacnet-29-arabia-and-china-planning-worst-pressure-builds-us-shift-okinawa>; Senators Carl Levin, John McCain, and Jim Webb criticized the realignment plan as “unrealistic, unworkable, and unaffordable” and the Congress finally established strict limits for funding the planned realignment.



Alliance foundations; improving information security; bilateral frameworks for more effective operational cooperation and closer cooperation in equipment and technology<sup>43</sup>. Space, cyberspace, ballistic missile defense, information security, bilateral planning, non-combatant evacuation operations, joint training and exercises in both countries and trilateral cooperation were also mentioned. All this was again emphasized in the meeting of the defense ministers that took place in October 2011. The Minister of Defense of Japan, Yasuo Ichikawa, in the press conference said that “we have come to be united to further promote this dynamic Japan-U.S. defense cooperation”.<sup>44</sup>

Thus, once the Obama administration launched the “pivot to Asia” and “the rebalance to Asia-Pacific” and once the new Strategic Guidance of the Department of Defense was published, the US- Japan alliance was sufficiently prepared to move in this new direction. Although the DPJ had demonstrated its inability to effectively handle national security issues in a period of rapid change as a consequence of its unrealistic pacifism and that despite the efforts of the Prime Minister Yoshihiko Noda<sup>45</sup>, the concept of dynamic defense adopted by Japan fit well into the new operational concepts of the US.<sup>46</sup> Jointness and interoperability across the services in Japan and the US was enhanced in the Armitage-Nye report, as well as closer defense industry collaboration, exports and imports of defense hardware and joint developments<sup>47</sup>. In fact, in 2003 the Japanese government had already allowed providing weapons technology to the US and in 2004 the joint development of a missile defense system had been approved. These exceptions in the arms exports control policy were institutionalized in December 2011, when the Japanese government lifted the ban on exports of components for the F-35 fighters<sup>48</sup>.

In this new context, after almost a decade of problems and discussions on relocations, transfer of Marines and return of land, the thorny issue regarding the US realignment in Japan had to be solved quickly and decisively. In this regard, the Security Consultative Committee in its meeting in April 2012 focused on the kind of problems affecting the Alliance.<sup>49</sup> The Joint Statement was a step forward, but serious challenges still remained in the way for a final solution, in particular budget cuts, new tensions arising on burden sharing and the still lingering strong opposition of the people living in Okinawa.

<sup>43</sup> “Joint Statement of the US-Japan Security Consultative Committee”, 21 June 2011, at <http://www.state.gov/r/pa/prs/ps/2011/06/166597.htm>.

<sup>44</sup> “Japan-U.S. Defense Ministers’ Joint Press Conference”, 25 October 2011, at [http://www.mod.go.jp/e/pressconf/2011/10/111025\\_japan\\_us.html](http://www.mod.go.jp/e/pressconf/2011/10/111025_japan_us.html).

<sup>45</sup> “Japan under DPJ rule”, *Harvard International Review*, 31 January 2013, at <http://hir.harvard.edu/mobile-might/japan-under-dpj-rule?page=0.1>.

<sup>46</sup> See in this regard Armitage Richard L. and Nye Joseph S.: “The US-Japan Alliance. Anchoring Stability in Asia”, CSIS, August 2012, p.11, at [http://csis.org/files/publication/120810\\_Armitage\\_USJapanAlliance\\_Web.pdf](http://csis.org/files/publication/120810_Armitage_USJapanAlliance_Web.pdf).

<sup>47</sup> *Ibid.*, pp.12-13.

<sup>48</sup> See in this regard: “Abe administration changes basic concept in approving export of weapons parts”, *The Asahi Shimbun*, 2 March 2013, at [http://ajw.asahi.com/article/behind\\_news/politics/AJ201303020050](http://ajw.asahi.com/article/behind_news/politics/AJ201303020050); Yoshida Reiji: “Japan to join F-35 parts output, export strategy”, *The Japan Times*, 2 March 2013, at <http://www.japantimes.co.jp/news/2013/03/02/national/japan-to-join-f-35-parts-output-export-strategy/#.UaaQRdieTcs>.

<sup>49</sup> “Joint Statement of the Security Consultation Committee”, 26 April 2012, at <http://www.state.gov/r/pa/prs/ps/2012/04/188586.htm>; On 8 February 2012, the two governments released a Joint Defense Posture statement in which it was said that they had agreed to delink two aspects of the planned relocation of US forces in Japan, the relocation of Marines within Okinawa and moving some of the forces to Guam from the relocation of Marine Corps Air Station Futenma at Henoko-saki area.



Nevertheless, the strategic dialogue remained underdeveloped<sup>50</sup> and Japanese politics remained unpredictable. In this annoying political environment, Noburu Yagamuchi from the National Defense Academy of Japan, noticed that Japan had “to work hard to foster the preconditions for a US emphasis on Asia’s security...peace and stability in the Asia Pacific region calls for Japan to pay keen attention to out of area security problems and thus secure the US’s political commitment to the region”.<sup>51</sup>

In order to ameliorate the bilateral relationship and to decisively move forward, Prime Minister Noda met President Obama in the White House on the 30th April 2012. Both leaders reaffirmed the Alliance and pushed the agenda for deepening the bilateral trade and investment, which was an important part of the US design for the rebalance to Asia Pacific. But Japan had to resolve its internal political debate on whether to enter the Trans-Pacific Partnership Agreement (TPP) negotiations and as the general elections were very close, few were the significant measures the Japanese government could adopt at the current stage. It is important however to note that in August 2012 Japan published the annual defense White Paper, clearly linking the implementation of the dynamic defense concept with the US and Japan defense cooperation.<sup>52</sup>

## **7. The new Shinzo Abe Government**

As it was already anticipated, given the deterioration of the DPJ party, on 26 December 2012 Shinzo Abe became Prime Minister following the LDP's landslide victory in the general elections of 16 December. On the same day, the Primer Minister instructed the Defense Minister Itsunori Onodera to review the National Defense Program Guidelines for FY 2011, the Mid-Term Defense Program (FY2011-FY2015) and the US-Japan defense cooperation guidelines of 1997 to study how to respond to the Chinese military buildup and to its maritime expansion. It was expected that the Prime Minister would use the revision to reconsider the right of collective self defense, not allowed under the traditional interpretation of the constitution, but, as mentioned, considered to be a fundamental pillar for strengthening the US-Japan Alliance, as well as to support activities to troops of third countries through the use of force.

The process of revision was quite rapid. On the 17th of January, the US and Japan initiated a revision of the defense cooperation guidelines at a working level meeting, in order to facilitate cooperation between the Armed Forces and in order to explore the different roles, missions and all military capabilities considered necessary to meet the regional security challenges. On the 25th of January the cabinet decided to review the National Defense Program Guidelines and Mid-Term Defense Program and four days later approved the increase in the defense spending, reaching 52.5 billion US dollars, the first modest increase (0.8%) in eleven years. On the 12th of February the Democratic People’s Republic of Korea conducted its third nuclear test and the Minister Itsunori Onodera defended that Japan had the right to develop its ability to preemptively strike against an imminent attack.

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<sup>50</sup> See Tatsumini, Yuki: “The US and Japan Make a Good Step Forward, for Now”, Pacific Forum CSIS, *PacNet*, no. 29 (3 May 2012); McDevitt, Michael: “The Evolving Maritime Security Environment in East Asia: Implications for the US-Japan Alliance”, Pacific Forum CSIS, *PacNet*, no. 33 (31 May 2012); Smith, Sheila A.: “A Strategy for the US-Japan Alliance. Policy Innovation Memorandum”, Council on Foreign Relations (April 2012), at <http://www.cfr.org/japan/strategy-us-japan-alliance/p28010>.

<sup>51</sup> Yamaguchi, Noburu: “US Asian pivot calls for Japanese strategic response”, *East Asia Forum*, 4 May 2012, at <http://www.eastasiaforum.org/2012/05/04/us-asian-pivot-calls-for-japanese-strategic-response/>.

<sup>52</sup> Ministry of Defense of Japan: “Defense of Japan 2012”, at [http://www.mod.go.jp/e/publ/w\\_paper/2012.html](http://www.mod.go.jp/e/publ/w_paper/2012.html).



A study panel was formed to study the creation of a national security council to solve the lack of coordination among ministries and a study group of experts examined the cases for exercising collective self-defense.<sup>53</sup>

And on the 22nd of February, President Barack Obama and Prime Minister Shinzo Abe held a meeting in the White House. Both leaders shared their views on security, how to strengthen the Alliance, the revision of the guidelines, the realignment, the final relocation of the Marine Corps Air Station without further delay, the security environment in Asia Pacific and closer cooperation with third countries, the situation in the Middle East and North Africa, global issues such as climate change, energy and the global state of the economy and an extended discussion on TPP, a key initiative to integrate the economies of Asia Pacific, excluding China<sup>54</sup>.

In a speech at the Center for Strategic and International Studies, Shinzo Abe told the audience: "I am back and so is Japan".<sup>55</sup>

But the process of Japan normalization called for managing important challenges and entailed significant complications in the economic and military domains.

In the military domain, Japan, given the new strategic situation, had to continue adopting new critical policies and to take practical steps to put on the table new assets needed in order to become a predictable and reliable ally for the United States. This was the only way for Japan to become as strong and solid an ally as the United Kingdom. Otherwise, the relevance of Japan would decrease for the United States as other Asian states start acquiring greater relevance.

In the economic domain, the new Japanese government has committed Japan to join the TPP but TPP negotiations ahead will be tough and will probably require the final partnership to be watered down in order to make it acceptable, given the complex interests to be considered and the slow process of negotiations.

The main question to be answered in the next coming years is how can Japan manage a changing security environment, adopting at the same time strong cooperative initiatives with China and not provoking it while approving new doctrines and operational concepts, acquiring new military assets and suppressing the constitutional constraints that limit the collective self-defense.

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<sup>53</sup> Green, Michael J. and Szechenyi, Nicholas: "US-Japan Relations", in Baker, Carl and Glosserman, Brad (eds.) *Comparative Connections*, vol. 15, no. 1 (January – April 2013).

<sup>54</sup> "Remarks by President Obama and Prime Minister Abe of Japan After Bilateral Meeting", *The White House*, 22 February 2013, at <http://www.whitehouse.gov/the-press-office/2013/02/22/remarks-president-obama-and-prime-minister-abe-japan-after-bilateral-mee>.

<sup>55</sup> "Statesmen's Forum: Shinzo Abe, Prime Minister of Japan", Center for Strategic and International Studies (22 February 2013), at [http://csis.org/files/attachments/132202\\_PM\\_Abe\\_TS.pdf](http://csis.org/files/attachments/132202_PM_Abe_TS.pdf).



## 8. Rethinking Possible Future Scenarios

Several scenarios have been presented for the year 2030<sup>56</sup>. Let me say first that some of them are not very convincing, as they simplify too much and focus only on the possible actions and reactions of China, Japan and the United States. We have to take into account the following factors: the role of nuclear weapons in the region which will endure because of the limited steps taken for global and regional denuclearization, the soft (and suicidal could we add) approaches of China regarding the nuclear activities of the Democratic People's Republic of Korea, the extreme weakness of NPT, and the significant modernization and expansion of nuclear arsenals<sup>57</sup> versus the NPT obligations; Russia's growing military reorganization in the Pacific<sup>58</sup>; the impact in the region of the increasing global role of China; the process of rapid change in the balance of power that is taking place versus a go slow policy of adaptation in Japan determined by the political-economic constraints; the extreme weakness of Asian institutions for dealing with hard security issues; and the uncertainties linked to the economic growth of the different states. These factors are not sufficiently integrated in the different analysis.

The NIC report, "Global trends 2030", presents four scenarios:

1. *A continuation of the present order and US leadership.* Continued US maritime preeminence and the preponderance of power enjoyed by the United States and its allies deter aggressive actions by Beijing or Pyongyang. Economic integration continues to be oriented around a Pacific rather than an exclusively Asian axis.
2. *A balance of power order of unconstrained great power competition* fueled by dynamic shifts in relative power and a reduced US role. Some Asian powers might develop and seek to acquire nuclear weapons as the only means of compensating for less US security.
3. *A consolidated regional order* in which an East Asian community develops along the lines of Europe's democratic peace, with China's political liberalization a precondition for such a regional evolution.
4. *A Sinocentric order centered on Beijing* that sustains a different kind of East Asian community on the basis of China's extension of a sphere of influence across the region. The biggest uncertainty in this scenario is the sustainability of the economic model of China and its consequences.

In my opinion the most likely scenario is n.2.

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<sup>56</sup> Jimbo, Kem: "Dynamics of Power shift from US to China-Asia-Pacific Security and Japan's Foreign Policy", *Japan Foreign Policy Forum*, nos. 13-15, Special Extensive Edition (March-April 2013), at <http://www.japanpolicyforum.jp/en/archive/no13/000445.html>; More recently Swaine, Michel D. and al.: *China's Military and the US-Japan Alliance in 2030*, Carnegie Endowment for International Peace, 2013, at [http://carnegieendowment.org/files/net\\_assessment\\_full.pdf](http://carnegieendowment.org/files/net_assessment_full.pdf); "Global Trends 2030. Alternative Worlds", *National Intelligence Council (NIC)* (December 2012), at <http://globaltrends2030.files.wordpress.com/2012/12/global-trends-2030-november2012.pdf>.

<sup>57</sup> China's nuclear developments are problematic at global and regional level.

<sup>58</sup> "The Defense of Japan 2012", *op. cit.*, presents the deep military reorganization of Russia, the modernization of the Armed Forces, including the nuclear forces, and the deployments and operations in the vicinity of Japan.



A recent report by Carnegie Endowment for International Peace presents six alternative security scenarios in 2030 that I summarized as follows:

1. *Eroding Balance*: China will make notable absolute gains in several critical military capabilities. In this scenario the regional security environment would be more unstable than at present, although it would still be manageable.
2. *Limited Conflict*: China will increase his relative military capabilities vis à vis Japan and the US- Japan Alliance. In this unstable scenario of increasing competition and rivalry, the probability of serious crisis or limited conflict would likely increase.
3. *Mitigated Threat*: High levels of cooperative engagement between China and Japan and China and the US- Japan Alliance and a decreased capacity for serious tensions and crisis could exist. In this not likely scenario cooperation would be reinforced by deepening levels of economic interdependence between China and Japan.
4. *Asian Cold War*: The strategic rivalry and competition in the political, economic and military domains increases the likelihood of severe political-military crisis in the absence of credible mutual security assurances. In this less likely scenario, Japan would become close to a normal conventional military power and a fully active security partner of the US.
5. *Sino-Centric Asia*: As the result of a major withdrawal of US forces in the Western Pacific. In this scenario, considered highly unlikely but not entirely inconceivable, Japan will accommodate to an economically pre-eminent but politically and militarily non-threatening China.
6. *Sino-Japanese Rivalry*: As the consequence of the US withdrawal or hollowing out in the Western Pacific. In this scenario, Japan will try to achieve an independent military power, including nuclear weapons.

In my opinion 1, 2, 4 and 6 scenarios are likely.

On the other hand, Tokyo Foundation presents four scenarios<sup>59</sup> where the US-China relations are the key variable in the Asian regional order:

- 1 *A hierarchical liberal order* in which cooperation between the United States and China is sustained under the US superior power diffusion.
- 2 *An asymmetric balance of power* of sustained US superior power-diffusion that implies deeper conflicts between the United States and China.
- 3 *A great power order* in which cooperation between the United States and China is sustained with the power diffusion of the two states heading toward equilibrium.
- 4 *A Cold War type bipolar order* of deeper conflicts between the United States and China as the power diffusion of the two states reaches an equilibrium<sup>60</sup>.

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<sup>59</sup> In these scenarios there are many uncertainties on the China continuous rise as well as the pathway of the US and Western economic decline.

<sup>60</sup> Jimbo, *Ibid.*



According to the scenarios presented by NIC and Tokyo Foundation, professor Ken Jimbo considers that Japan must be prepared for scenarios 2, 3 and 4, while trying to maintain the first scenario of hierarchical liberal order as long as possible. I share this opinion with some nuances. Taking into consideration the difficulties presented in the transformation of the Japanese military in the period covered by this article, 1997-2012, where the balance of power in the region was transformed, I think that a scenario of increasing erosion in the regional balance of power due to economic reasons is the most likely.<sup>61</sup> Several factors work towards this direction: cuts in the Western military budgets and political constraints, different actors that try to modify the present US military predominance in several regions, the global engagement of the US, and the global economic reorganization and competition by emerging economies. In this scenario, China and Russia will try to favor the military decline of the US. Japan, given the modernization of the nuclear arsenals, the proliferation and expansion of WMD in the region and beyond, the untenable NPT and the erosion of the conventional balance of power, will try to develop and deploy nuclear weapons and reinforce missile defense. Some specialists will dismiss this assessment considering that the possibility of a military independent Japan is not realistic. I do not share this opinion. The US requirements for the Japanese military transformation are a hard task. The new doctrine of Air-Sea Battle and its application to East Asia requires as a precondition for its implementation too many and rapid political and economic changes that Japan is probably not in a condition to deliver in this decade and beyond: Rapid revision of the constitution; substantial increase of the military budget; greater joint planning, training and operations with the US; additional C4ISR capabilities and its defense; doctrinal and technical integration of Forces and assets plus increasing integration of his Armed Forces with the Armed Forces of the US; advanced naval capabilities; increase and modernization of the obsolete Japanese air forces; development of operational aerospace strategies; and closing the window of vulnerability of the Japanese bases in the case of a first strike<sup>62</sup>.

Let me finish this article emphasizing that all these changes and likely scenarios have critical consequences for the Atlantic Alliance. The approaches of a substantial number of European NATO countries are still very parochial and, in some sense, pretty blind<sup>63</sup>.

## 9. Conclusions

The Japan-US Alliance needs an important and profound adaptation to the new situation in Asia-Pacific. In the last few years, the United States, after some hesitation and some modifications, has proposed a strategy to rebalance the increasing military imbalance in Asia-Pacific created *de facto* by China, although it is not the only goal in the new strategy proposed. Looking at the present official statements and requests for clarification from both, the United States and China, the reality is that China can't be considered a *status quo* power as was intended at the beginning of this century and some of us defended. Its military and

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<sup>61</sup> I consider that it is quite reasonable to maintain the increasing economic and military rise of China at least in this decade.

<sup>62</sup> See Swaine, Michel D. et al.: "China's Military and the US-Japan Alliance in 2030", pp 127-148, Carnegie Endowment for International Peace, at [http://carnegieendowment.org/files/net\\_assessment\\_full.pdf](http://carnegieendowment.org/files/net_assessment_full.pdf).

<sup>63</sup> See for instance the recent report by IAI, Real Instituto Elcano, PISM, UI: "Towards a European Global Strategy. Securing European Influence in a Changing World" (28 May 2013), at [http://www.iai.it/pdf/egs\\_report.pdf](http://www.iai.it/pdf/egs_report.pdf).

In general, the EU defense approaches made in Brussels in the last decade are very questionable. The most interesting thing, looking at the present mess, is that nobody takes responsibility for this lack of vision, the very inappropriate nominations (corruption), Kantian approaches and the dilapidation of the taxpayer money, experimenting and playing with the EU defense. All this, saying something soft, has led to the present impasse.



economic growth in comparative terms, its pushy activities and the different estimates and scenarios for the next coming years do not allow keeping this thesis any longer. We have to call things by name, ignoring word games that are a mere *flatus vocis*. On the other hand the pivot to Asia strategy or the rebalance are more confrontational than cooperative strategies and forget the possible Russia's role in the region.

This "sea change" breaks the security design hitherto maintained in Asia - Pacific and means a remarkable challenge for China's neighbors and in particular for the US-Japan Alliance and its reconfiguration. At the same time we can't put aside the challenges posed by this transformation to China itself. Confidence building and deeper dialogues among different actors are needed.

The problem that appears on the Japanese military horizon is the great difficulty in adaptation to the new security environment adopting in a relatively short period of time all the concepts and strategies that US will seek to develop in the region, in order to avoid a greater military imbalance. At the same time, the fears regarding possible cuts in the US military spending, a possible temptation in the US to restructure its relations with China at the expense of its neighbors or else, the accommodation of Asian countries to the interests and designs of China are still there and are viewed with concern by different countries.

All this will entail important consequences in the go slow course adopted by Japan in its military adaptation since the end of the Cold War and its possible deep military transformation.

This impasse in the Asia-Pacific is also a great lesson to be learned by the EU security and defense alchemists in Brussels headquarters. But don't worry. Disneyworld is more fun. Nobody assumes responsibilities.





## JAPAN-AUSTRALIA SECURITY RELATIONS AND THE RISE OF CHINA: PURSUING THE “BILATERAL-PLUS” APPROACHES<sup>1</sup>

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### Abstract:

Japan-Australia security relations have been visibly growing for the past six years since the landmark Joint Declaration on Security Cooperation was announced in March 2007. Although many scholars point out that the rise of China is a key driving force for this emerging security partnership, there is no updated, comprehensive and detailed study which focuses on the question of how and why Japan-Australia cooperation especially since 2007 can be related to their joint approaches to China. In answering this question this paper makes the case that Japan-Australia joint approaches towards China should be understood in a broader perspective beyond the bilateral context if one aspires to understand the nature of their security relations. Such broader perspectives can be termed as “bilateral-plus” approaches in which Japan and Australia seek to embed their bilateral cooperation into a wider formula of their trilateral cooperation with the U.S., and their regional multilateral efforts.

**Keywords:** Japan, Australia, Rise of China, Bilateral-Plus, Hedge, Trilateral Cooperation.

### Resumen:

*Las relaciones de seguridad Japón-Australia han ido profundizándose ostensiblemente en los últimos seis años desde el hito de la Declaración Conjunta sobre Cooperación en Seguridad anunciada en marzo del 2007. Aunque numerosos académicos apuntan al hecho de que es el ascenso de China el principal factor aglutinante en la incipiente asociación, no existen estudios detallados, integrales y actualizados, sobre cómo y por qué la cooperación Japón-Australia, especialmente desde el 2007, ha de relacionarse con sus aproximaciones comunes a China. Este artículo intenta responder argumentando que las estrategias comunes entre Japón y Australia hacia China han de ser entendidas dentro de una perspectiva amplia más allá de los parámetros estrictamente bilaterales, si uno realmente aspira a entender la naturaleza de sus relaciones de seguridad. Aproximaciones de este tipo, teniendo en cuenta una perspectiva más amplia, podrían definirse como “bilateral-plus”, donde Japón y Australia buscan integrar su cooperación bilateral dentro de una fórmula más amplia, ya sea el marco de cooperación trilateral con los EEUU, o esfuerzos de cooperación regional de carácter multilateral.*

**Palabras clave:** Japón, Australia, ascenso de China, Bilateral-Plus, contención, cooperación trilateral.

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## 1. Introduction

A number of indicators suggest that Australia is Japan's second, if not most important, security partner in the Asia-Pacific region. As the best example of this, Prime Minister Shinzo Abe during his first term and then Prime Minister John Howard signed the historic Joint Declaration on Security Cooperation in March 2007, which was the first that Japan agreed with any country other than its long standing ally, the United States.<sup>3</sup> Since then, Japan and Australia have succeeded in establishing the institutional foundations for furthering security cooperation including the conclusion of treaties on logistic support and intelligence sharing. On the current horizon of Japan's international partnership building, no other bilateral relation, excepting the Japan-U.S. alliance itself, has matched so far relations between Japan and Australia both in depth and in the range of security and defense interactions.

Worth highlighting is the fact that such closeness is observable not only in their words, but more importantly, in their deeds too. A good example is the response to the March 2011 triple disasters, where Australia offered its urban Search and Rescue team, three C-17s and remotely piloted water pump equipments to Japan.<sup>4</sup> The C-17s operated in close cooperation with US forces and the Japanese Self-Defense Force (SDF), turning the Australian Defence Force (ADF) into the only military unit operating in such close and substantial manner except for the United States. In fact, the total volume of transported material offered by Australia reached about 500 tons. This is a substantial volume when compared to the 3,700 tons that the Air Self-Defense Force (ASDF) transported in much longer operational periods.<sup>5</sup>

Given such close collaboration, it can hardly be a surprise that a number of experts have explored the reasons why Japan and Australia are moving into such direction. In fact, many observers in Japan, Australia and elsewhere link the rationale for this growing bilateral cooperation to the China factor. Among Japanese experts, Yoshinobu Yamamoto argues that Japan-Australia security relations are developing as a "collective hedging" aimed at China, while Takashi Terada characterizes the two countries as putting China "in check".<sup>6</sup> Likewise, a Japan hand in Australia, Aurelia George Mulgan, describes the motivations behind the Japan-Australia relations through the lenses of Neo-Realism and conceptualizes the bilateral cooperation as a "containment coalition" against China.<sup>7</sup> Similarly the well-known Japan-Australia watcher and IR scholar, William Tow uses his own concept of "competitive strategic geometry" to characterize the bilateral partnership in the context of dealing with China.<sup>8</sup>

<sup>3</sup>Ministry of Foreign Affairs of Japan (MOFA): "Japan-Australia Joint Declaration on Security Cooperation", Tokyo (March 2007), at <http://www.mofa.go.jp/region/asia-paci/australia/joint0703.html>.

<sup>4</sup>Australian Department of Defence: "Operation Pacific Assist", at <http://www.defence.gov.au/op/pacificassist/index.htm>.

<sup>5</sup>"Australia's Security Policy", in National Institute for Defense Studies(eds.) (2013): *East Asian Strategic Review 2013 (Japanese version)*, Tokyo, Prime Station, p. 87.

<sup>6</sup>Yamamoto, Yoshinobu: "Triangularity and US-Japanese relations: Collaboration, collective hedging and identity politics", in Tow, William; Thomson, Mark, Yamamoto, Yoshinobu, and Limaye Sato (eds.) (2007): *Asia-Pacific Security-US, Australia and Japan and the New Security Triangle*, New York, Routledge, p. 77. Terada, Takashi: "Evolution of the Australia-Japan Security Partnership Toward a Softer Triangle Alliance with the United States?", *Asie. Visions*, vol. 35 (October 2010), p.9.

<sup>7</sup>Mulgan, Aurelia George: "Breaking the Mould-Japan's subtle Shift from Exclusive Bilateralism to Modest Minilateralism", *Contemporary Southeast Asia*, vol. 30, no. 1 (April 2008), p. 54.

<sup>8</sup>Tow, William T: "Asia's Competitive "Strategic Geometries": The Australian Perspective 1", *Contemporary Southeast Asia*, vol. 30, no.1 (April 2008), pp. 29-51.



Although these experts explicitly consider Japan-Australia relations as an expression of their joint China policy, the logic of these arguments is either not very clear or not thoroughly investigated. Most importantly various concepts developed to analyze Japan-Australia relations are employed without sufficient explanation of what these might suggest about the linkage between Japan-Australia relations and China. Furthermore, what makes this question more puzzling is the two countries' apparent divergence in perception and approach towards China. Nick Bisley, for example, is one among many scholars to point out that Japan and Australia have "palpably different attitudes" towards China and that unlike Japan, Australia "does not feel the PRC to be at all threatening to its interests".<sup>9</sup> If this is truly the case, what warrants us to say that Japan and Australia do cooperate closely for the purpose of dealing with the rise of China?

This paper directly addresses the question of why Japan-Australia security relations can be considered as a joint approach towards China. The conclusion of this paper is twofold. First, any analysis looking at Japan-Australia cooperation through the narrow bilateral context will never sufficiently account for what the two countries are trying to achieve amidst the rise of China. In fact, the paper highlights that what the two countries are pursuing in strictly bilateral settings is either limited, underdeveloped or constrained in terms of effectiveness regarding their China policy. The second part of the paper's conclusion is that one should take a broader perspective in order to fully shed light on the China factor in Japan-Australia security cooperation. In other words, the paper argues that Japan and Australia do cooperate to deal with the rise of China not in strictly bilateral manner but in much broader "bilateral-plus" contexts such as trilateral cooperation with the U.S., multilateral institution building and assistance towards third countries. Without placing the Japan-Australia cooperation in such broader contexts one could never grasp the full picture of Japan-Australia's joint approach towards China.

This paper offers two perhaps unique contributions to the study on Japan-Australia relations. The first derives from the paper's timeliness in being written in 2013, an especially high time for examining Japan-Australia security relations. This is so because most of the agendas set by the landmark Joint Declaration on Security Cooperation in March 2007 have now been largely implemented and the two countries are aspiring to enter a new phase of their bilateral cooperation. In this sense, 2013 is an appropriate year for doing some stocktaking upon what the two countries have achieved for the past several years. Second, this paper offers a comprehensive and detailed study about all the aspects of Japan-Australia joint approaches towards China. By so doing, the paper offers a full picture of how Japan and Australia deal with China together as no other study has done to date.

## **2. Background: Progress of Japan-Australia Security Relations**

In retrospect it cannot be an exaggeration to note that Japan-Australia relations have marched a long road from the ashes of the Second World War to the present stage of close and active cooperation. In the immediate aftermath of the War, Australia, which was bombed by a foreign military force for the first time in its history and fought Japanese troops on the Papua New Guinea Island, was also one of the countries demanding the harshest treatment for post-War Japan. In fact, Australia's concerns over Japan were of such magnitude that a real policy

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<sup>9</sup>Bisley, Nick: "The Japan-Australia security declaration and the changing regional security setting: wheels, webs and beyond?", *Australian Journal of International Affairs*, vol. 62, no. 1 (March 2008), p. 47.



issue was to attempt securing as strong a security guarantee as possible from the United States, concluding thus the ANZUS treaty in 1951.<sup>10</sup>

Over the decades of Cold War, however, Japan and Australia did slowly develop a limited and low-key frame of security cooperation in two areas. The first one was in intelligence exchange. Cooperation in such area gradually emerged over the course of the 1950s and 60s driven by the combination of multiple factors, among which were Australia's concerns over Southeast Asia, in particular the "confrontation" of Sukarno regime in Indonesia as well as Japan's growing role and unique perspectives on Indonesia, China and other regional countries.<sup>11</sup> As such bilateral exchanges matured and expanded, the level of cooperation reached the point where the two countries established the liaison arrangement between Australian Secret Intelligence Service (ASIS) and Japanese Cabinet Research Office, or Naicho in 1976.<sup>12</sup> Similarly the 1970s saw the liaison arrangement between Australian Joint Intelligence Organisation (JIO) and Japanese Defense Agency, or Boeicho.<sup>13</sup>

Another field of security cooperation that Japan and Australia explored during the Cold War had to do with mechanisms of regional cooperation. In the 1970s and 1980s Japan and Australia engaged in intensive dialogues on regional cooperation involving both policy planners and academics and which both in practical and intellectual terms set the ground for their diplomatic collaboration towards the creation of APEC in 1989.<sup>14</sup>

By contrast, after the end of the Cold War, the two countries started building an impressive record of more active cooperation. Indeed there is a wide range of areas in which the two countries pursued cooperation over the two decades of the post-Cold War period but International Peace Cooperation activity has perhaps played the pioneering role in this regard. In 1992 Japan for the first time dispatched its Self Defense Force (SDF) units to PKO in Cambodia, the military section of which was commanded by the Australian Army Lieutenant General John Sanderson.<sup>15</sup> Later in 2000, Japan again sent its SDF personnel to participate in PKO in East Timor, both initiated and led by Australian government providing at its peak as much as a 5,650 strong force.<sup>16</sup> Furthermore, when Japan dispatched an about 500 men strong SDF engineer unit to Samawa, Muthan-na Province Iraq in 2004 to 2006, Australia operationally cooperated with the deployed SDF troops offering to maintain the security environment in the city.<sup>17</sup> More recently Australia and Japan cooperated in PKO in South Sudan, for which two Australian officers worked within the Japanese PKO office to provide information relevant to the SDF's work and to facilitate communications with UNMISS command and other international organizations.<sup>18</sup>

Another area of active cooperation is Humanitarian Assistance and Disaster Relief (HA/DR). In the wake of the Boxing Day Tsunami hitting a significant part of Southeast Asia

<sup>10</sup>Iwamoto, Yujiro (1993): *Ousutoraria no naiseito gaiko boei seisaku*, Tokyo, Nihonhyoronsha.

<sup>11</sup>Walton, David: "Australia-Japan and the region, 1952-65: the beginnings of security policy networks, in Williams, Brad and Newman, Andrew (eds.) (2006): *Japan, Australia and Asia-Pacific Security*, New York, Routledge, pp. 9-29.

<sup>12</sup>Ball, Desmond: "Security cooperation between Japan and Australia: current elements and future prospects", in Williams and Newman, *op. cit.*, pp. 164-185.

<sup>13</sup>*Ibid.*

<sup>14</sup>Funabashi, Yoichi (1995): *Asia Pacific Fusion Japan's Role in APEC*, Tokyo, Chuokoronsha.

<sup>15</sup>National Institute for Defense Studies, *op.cit.*, p. 86.

<sup>16</sup>Ohnishi, Ken: "Coercive Diplomacy and Peace Operations: Intervention in East Timor", *NIDS Journal of Defense and Security*, no. 13 (December 2012), p. 64.

<sup>17</sup>Ministry of Defense Japan (2006): *Defense of Japan 2006 (Japanese version)*, Tokyo, Gyosei, p. 229.

<sup>18</sup>National Institute for Defense Studies, *op.cit.*, p. 87.



in December 2004, Japan and Australia formed the core group of countries along with the United States and India which provided vitally needed humanitarian supplies to the affected areas.<sup>19</sup> As the introductory part of this paper already described, in the disaster relief operation in March 2011, Australia deployed its C-17 aircraft playing a substantial role in the transportation of Australian Search and Rescue team as well as the cargos and SDF units across Japan.<sup>20</sup>

While many security gatherings in the Asia Pacific are often characterized as a “talk shop”, it would be safe to nickname the Japan-Australia partnership as a practical “action shop” given the increasing record of close and active cooperation. In 2007 the growing momentum of expanded joint efforts finally materialized in a more conscious decision to establish institutional arrangements which could improve bilateral cooperation when the two countries announced their Joint Declaration on Security Cooperation in March 2007. This institutionalization in search of a more robust and closer security partnership has been since 2007 largely successful in the following three aspects.

First, Japan and Australia have to a great extent matured the mechanism of both policy and the military-to-military dialogues. In terms of policy dialogues, Japan and Australia frequently hold a Two plus Two meeting (2007, 2008, 2010, 2012) while conducting a number of pol-pol/pol-mil/service-to-service meetings on a regular basis.<sup>21</sup> In addition to those talks, the SDF and the ADF have begun conducting joint trainings such as the Nichi-Go Trident in which surface vessels, submarines and maritime surveillance aircraft from the Maritime Self Defense Force (MSDF) and the Royal Australian Navy (RAN) take part.<sup>22</sup> During June-July of 2011, the F-15s of the ASDF and the F/A-18s of the Royal Australian Air Force (RAAF) conducted their first bilateral air combat training. These service-to-service interactions help mature their military relationship and enhance the interoperability of the two countries’ defense forces. Japan does not have a closer and active military relationship with any other state excepting, needless to say, the United States.

The second successful aspect in their bilateral partnership has been in the field of legal arrangements. In fact, the two countries signed two legal agreements for closer bilateral cooperation in this area, the Information Security Agreement (ISA) and the Acquisition and Cross-Servicing Agreement (ACSA). ISA and ACSA are important legal frameworks which help enhance the interoperability between the two governments. The ISA was signed by the foreign ministers in 2012, and came into effect when diplomatic notes were exchanged in March 2013, while the ACSA was concluded in 2010, becoming effective in January 2013.<sup>23</sup>

The third element of success is the increasingly visible bipartisan support in both countries regarding the importance of Japan-Australia security relations. When bilateral security relations started their institutionalization in 2007, the personality of the leaders appeared to be playing important roles. In the case of Australia, John Howard was famous for his personal commitment to relations with Japan as demonstrated by many episodes earlier, as for example his vocal advocacy for closer cooperation with Japan even before his

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<sup>19</sup>For the details of SDF’s operation, see Japan Defense Agency (2007): *Defense of Japan 2005 (Japanese version)*, Tokyo, Gyosei, pp. 251-259.

<sup>20</sup>National Institute for Defense Studies, *op.cit.*, p. 87.

<sup>21</sup>*Ibid.*, pp. 87-88.

<sup>22</sup>*Ibid.*, p. 88.

<sup>23</sup>Carr, Bob: “Australia-Japan Information Security Agreement enters into force”, *Media Release: Australian Minister for Foreign Affairs*, 26 March 2013; National Institute for Defense Studies, *op.cit.*, p. 88.



inauguration in 1996. Reflecting this, “A Defence Update 2007”, the last major public defense document produced by his government, clearly stated that “Australia has no closer nor more valuable partner in the region than Japan”.<sup>24</sup> Likewise, the Japanese leader who signed the Joint Declaration with Mr. Howard was Shinzo Abe, who personally advocated for the idea of closer partnerships with like-minded democracies such as India and Australia. The strong personal commitments to the bilateral relations by both Mr. Howard and Mr. Abe appear indeed to have played a very important role.

The truth is, however, that for the past six years since the declaration, the successive governments in both countries have remained committed to advancing Japan-Australia security relations, surviving thus the bilateral partnership the historic change of government in Japan. Within a few days of its inauguration in 2009, the then newly elected Prime Minister Yukio Hatoyama met his Australian counterpart Prime Minister Kevin Rudd in New York and reassured the Australian side about the new government’s intention to continue developing bilateral relations.<sup>25</sup> As a matter of fact, it was the Democratic Party of Japan (DPJ)-led government which maintained the two plus two and other bilateral mechanisms and concluded the aforementioned two treaties. In December 2012, the general election of the House of the Representatives in Japan returned the Liberal Democratic Party (LDP) to power through a land-slide victory, which brought Mr. Abe, the signer of the 2007 Declaration, back into the Japanese Premiership. In spite of his attacks on the DPJ’s foreign policy, it is noteworthy that Prime Minister Abe has praised the DPJ for pursuing Japan-Australia cooperation in the same line he had laid out in his first term.<sup>26</sup>

Australia also experienced two transitions for the past six years, which have proved the resiliency of Japan-Australia security relations. In the first several months of the Rudd Government, it was widely perceived both in Australia and Japan that Kevin Rudd held a more lukewarm attitude towards Japan. This image was largely created when Mr. Rudd’s first overseas trip including China, left out Japan. It turned out, however, that Kevin Rudd was committed to building upon the groundwork founded by his predecessor. On his first visit to Japan in June 2008, Mr. Rudd and then Prime Minister Yasuo Fukuda agreed to issue a Joint Statement on “Comprehensive, Strategic and Economic Partnership”, which largely confirmed the existing bilateral momentum. Later on, after Mr. Rudd stepped down and the current Government by Julia Gillard was inaugurated, bilateral relations did not experience any downward turn. Under the leadership of Prime Minister Gillard, Japan was designated as Australia’s “closest partner in Asia.”<sup>27</sup>

This quick overview reveals that the year 2007 was a clear turning point with the Joint Declaration visibly accelerating Japan-Australia joint efforts to consciously develop institutions to improve bilateral security cooperation. In fact, the two countries have successfully developed policy dialogues, military exchanges as well as some political and legal foundations while further work for enhancing the bilateral relationship is still underway. Building upon such multifaceted success, Japan and Australia released another milestone document in September 2012, called “Common Vision and Objectives”. The Vision Statement outlines a list of concrete action-items towards the end of further accelerating the

<sup>24</sup> Department of Defence Australia (2007): *Australia’s National Security: A Defence Update 2007*, Canberra, Department of Defence, p. 19.

<sup>25</sup> “Nichoshunokaidan”, *Gaiyo (Press Release by MOFA)*, 23 September 2009.

<sup>26</sup> Abe, Shinzo: “Asia’s Democratic Security Diamond”, *Project Syndicate*, 27 December 2012.

<sup>27</sup> Carr, Bob: “Address to the Japan National Press Club”, *Speech by Minister for Foreign Affairs*, 18 May 2012.



momentum created by the 2007 Joint Declaration<sup>28</sup>. The Vision Statement identified new areas of cooperation such as technology and equipment cooperation, defense capacity-building assistance and cooperation in the field of cyber security. Given such rapid developments in their bilateral relations, it should be no surprise that a number of analysts have been discussing the reasons why Japan and Australia are coming closer.

### **3. Limits to Japan-Australia “Bilateral” Cooperation as a Common Policy vis-à-vis China**

Can the growing Japan-Australia security relations be regarded as a joint effort to deal directly with the rise of China? Japan, Australia and many other countries pursue a dual-track strategy known under various definitions as “engagement and balancing,” “congame,” and “integration but hedge”, whose essence lies in the behavior of many countries exploring at the same time engagement in parallel with hedging against risks coming from China. In fact, many scholars often claim that Japan and Australia cooperate for the sake of hedging against China. Hedging is an increasingly used concept in the contemporary Asia-Pacific security literature, defined by Evan Medeiros as “realist-style balancing in the form of external security cooperation with Asian states and national military modernization programs”.<sup>29</sup> In this context one agenda currently on the table of Japan-Australia cooperation that is worth close scrutiny is the ongoing Japan-Australia dialogue on technology and equipment cooperation. It is the following combination of two factors that encouraged Japan and Australia to engage in this kind of cooperation.

First, Japanese government recently changed its long-standing export control policy. For a long period the Japanese Government was known for applying an uniquely tight policy of control over arms export. In April 1967, then Japanese Prime Minister Eisaku Sato made remarks in the Diet that arms exports would not be approved if destined to any of the following three types of countries: communist states, states sanctioned by the UN resolutions and countries which were currently engaged or likely to be engaged in international conflicts.<sup>30</sup> Sato’s statement known as the three principles on the arms exports was further developed and turned in February 1976 into a fully established policy in the name of the peaceful character of the nation. Under the said policy, Japan decided (1) not to approve any arms exports to the aforementioned three types of countries, (2) to refrain from exporting arms even to countries that do not fall in any of these categories and (3) to consider manufacturing machines necessary for arms production in the same way as the arms themselves.<sup>31</sup> In this way, Japan established a de-facto embargo on arm exports except when the specific project was approved on a strictly case-by-case basis. In December 2011, however, the Japanese government reviewed and modified this policy in light of a growing international trend of joint capability developments (such as for example the F-35) and a shrinking domestic defense industry.<sup>32</sup> The new policy allowed to (1) transfer equipment to

<sup>28</sup> “Australia and Japan-Cooperating for peace and stability: Common Vision and Objectives”, *Joint Statement of 4<sup>th</sup> Australia-Japan Foreign and Defence Ministerial Consultations*, 14 September 2012, at [http://www.mod.go.jp/j/press/youjin/2012/09/14\\_js\\_e.html](http://www.mod.go.jp/j/press/youjin/2012/09/14_js_e.html)

<sup>29</sup> Medeiros, Evan S: “Strategic Hedging and the Future of Asia-Pacific Stability”, *The Washington Quarterly*, vol. 29, no. 1 (2005), p. 145.

<sup>30</sup> MOFA: “Buki yushutsu sangen sokuto”, at <http://www.mofa.go.jp/mofaj/gaiko/arms/mine/sanngen.html>.

<sup>31</sup> *Ibid.*

<sup>32</sup> Government of Japan: “Boei sobihin to no Kaigai iten ni kan suru kijun ni tsuite no kanbo chokan danwa”, at



foreign countries when necessary for international peace cooperation missions and (2) international joint developments and productions with countries which maintained security cooperation with Japan. This opened up the possibility of joint development with foreign countries including Australia.

Second, Australia sees Japan as a potential support for its on-going submarine development project. In the Defence White Paper of 2009, the Australian government announced the plan called SEA1000, which aims at introducing twelve new conventionally powered submarines to replace the current fleet of six *Collins* class submarines.<sup>33</sup> Since this announcement however, it has been revealed that Australia faces a significant shortage in skills, technologies and material infrastructure necessary for developing the planned submarines on schedule, forcing thus the government to delay the scheduling of SEA1000. As the government-commissioned report suggests, Australia is currently seeking support from foreign partners to fulfill the planned construction of the SEA1000 submarines, cooperating with companies such as Kockums in Sweden, DCNS in France, HDW in Germany, Navantia in Spain and Japan's Technical Research and Development Institute (TRDI).<sup>34</sup> In this context, Japan's submarine technology clearly stands out. Compared to significantly smaller European submarines that have a much narrower operational range than that of Australia, Japan's submarine is much larger and is suitably designed to operate in as wide a theatre as the Western Pacific.<sup>35</sup> For this reason, Japan and Australia recently opened bilateral talks on the possibility of equipment cooperation. The Vision Statement released in September 2012 after the two plus two meeting, for the first time included references to technology and equipment cooperation and both countries are in fact already maintaining close talks to establish a framework agreement to steer future cooperation on capabilities.<sup>36</sup>

At the first glance, Japan's assistance of Australia to acquire more sophisticated submarines might appear to be a form of external balancing or hedging. Indeed, one of the two primary rationales which Australia's Defence White Paper 2009 mentions for the introduction of a larger and more robust submarine fleet is to be ready for a major power war in the region in which Australia may be asked by its allies to assume operational roles.<sup>37</sup> Since there is no other conceivable prospect for war between Australia's allies and a major power in the region except that between the U.S. and China, it is safe to assume that the Australian submarine development program is at least partly directed against China. If this is the case, could ongoing Japan-Australia talks on technology and equipment cooperation be considered as the former's contribution for the latter's hedging vis-à-vis China?

One should not overlook, however, two significant caveats to such interpretation. One of them has to do with Japan's real intentions when fostering technology and equipment cooperation with Australia; is Japan's policy's real objective to help Australia muscle up its military capability against China? Should it be on the contrary considered in more symbolic terms with Japan seeking to publicly demonstrate the closeness of their bilateral relations by pursuing a new and promising agenda? Or is maybe Japan's goal to simply gain tangible economic and technological benefits from Australia? The second limit to the argument of Japan-Australia capability cooperation as joint cooperation for hedging against China regards

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[http://www.kantei.go.jp/jp/tyokan/noda/\\_icsFiles/afieldfile/2012/03/13/20111227DANWA.pdf](http://www.kantei.go.jp/jp/tyokan/noda/_icsFiles/afieldfile/2012/03/13/20111227DANWA.pdf)

<sup>33</sup> Department of Defence Australia: "Defending Australia in the Asia-Pacific Century: Force 2030", *White Paper*, Canberra (2009), p. 64.

<sup>34</sup> National Institute for Defense Studies, *op.cit.*, p. 93.

<sup>35</sup> *Ibid.*

<sup>36</sup> *Ibid.*

<sup>37</sup> "Defending Australia in the Asia-Pacific Century...", *op.cit.*, p. 55.





the current status of cooperation. At the time of writing this paper, Japan and Australia are still in the process of agreeing on the terms for pursuing cooperation, namely, how and to what extent will Japan be able to assist Australia's SEA1000, so much still remains undetermined. This cooperation is arguably still not sufficiently developed as to be already considered as a hedging policy towards China. We need in fact to clarify these two questions regarding Japan's intentions and real role in assisting Australia's submarine capability development, before claiming that Japan-Australia capability development is effectively an act of hedging vis-à-vis China.

Another aspect that also deserves analytical attention are joint exercises and trainings. Can this be considered as an example of Japan-Australia bilateral hedging vis-à-vis China? What is unequivocally clear is that the two countries have already conducted a variety of joint trainings and exercises. As this paper already mentioned, MSDF/RAN have undertaken joint trainings and exercises on a regular basis including Nichi-go Trident.<sup>38</sup> Nichi-go Trident is a bilateral maritime training, the first round of which involved an anti-submarine warfare exercise in 2009. Nichi-go Trident has been taking place since then. In the case of ASDF/RAAF exchanges, both sides held their first bilateral training in Alaska in 2011 where fighter aircraft of both countries were successfully deployed and where they conducted an air combat exercise.<sup>39</sup> The significance of these exercises should be contextualized before relating it to the Chinese factor and certain constraints taken into account. First, the current legal stance of Japanese government is that Japan is prohibited from exercising the right of collective self-defense. Thus, the fact that Japan and Australia conduct joint air combat exercises or anti-submarine warfare trainings does not automatically mean that Japan is ready to fight together with Australia. Second, Japan and Australia have signed no agreement as for where and in which situation they may be able to fight together. Because of these clear limitations, considering the Japan-Australia bilateral exercises as evidence of a joint hedging vis-à-vis China would be too simplistic.

To sum up, the argument that Japan and Australia pursue some kind of bilateral hedging vis-à-vis the rise of China is limited by existing constraints and the not yet fully developed potential for cooperation. Pursuing cooperation on capabilities and maintaining frequent exercises is a highly symbolic element that may thus contribute to show the advanced state of bilateral cooperation to any international audience including China, and if current efforts are actively maintained in the future, a day may come when Japan and Australia pursue a common military build-up and engage in joint exercises with clearer expectations of real joint operational situations. Until this happens, this will remain in the realm of speculations and in no case should a future potential be mixed with the description of the current reality in which many constraints limit bilateral security cooperation. In this light, it is clear that the characterization of Japan-Australia security relations as a bilateral endeavor to hedge the rise of China is exaggerated.

#### **4. Japan-Australia “Bilateral-Plus” Approaches Towards China**

Should we then consider that Japan-Australia relations can be seen largely unrelated to the rise of China? Is the bilateral partnership which engages in joint efforts as for example the

<sup>38</sup>National Institute for Defense Studies, *op.cit.*, p. 88.

<sup>39</sup> Ministry of Defence of Japan: “Beikugu nenshu hen o sanko oyobi beikoku ni okeru nichigo kyodo kunren no jisshi ni tsuite” (22 June 2011), at [http://www.mod.go.jp/asdf/pr\\_report/houdou/H23/0622.html](http://www.mod.go.jp/asdf/pr_report/houdou/H23/0622.html).



United Nations Mission on South Sudan (UNMISS) a merely practical framework of cooperation only aimed at achieving the stabilization of a newly born African country? This purely practical understanding of Japan-Australia security relations is also too narrow an account. In fact, if one steps back and overviews Japan-Australia cooperation in broader contexts, it becomes clear that the two countries do pursue a joint policy aimed at China beyond strictly bilateral cooperation through what can be called “bilateral-plus” frameworks. There are at least three approaches that Japan and Australia employ in this respect:

#### **4.1. “Bilateral-Plus” Approach 1: Bilateral Dyad Embedded within Wider Multilateral Engagements with China**

One example of Japan-Australia “bilateral-plus” approaches towards China is their joint support for multilateral efforts to engage China, particularly in the Asia-Pacific region. Of course, the oldest example in this context is the creation and expansion of APEC in the late 1980s to early 1990s. But there are more recent examples as well. One of them is the creation and expansion of the East Asia Summit (EAS). In the process of the EAS launching in 2005, Japan had been a consistently strong advocate of both the idea of expanding the membership beyond the original ASEAN Plus Three (APT) countries to include Australia, New Zealand and India into the EAS. Japan’s efforts in this regard were not limited to intensive diplomatic campaigns to convince other regional countries as they also translated into a tangible support for Australia. One of the issues which made the Howard Government initially reluctant about the EAS was the existence of the Treaty of Amity and Cooperation (TAC), the signing of which was set by ASEAN as one of the criteria to be included in the EAS.<sup>40</sup> The issue was that it remained unclear what sort of implications TAC would have upon Australia’s obligations under the ANZUS treaty.<sup>41</sup> It was Japan precisely who provided Australia its own legal studies where it was concluded that TAC would have no negative implications as for its treaty obligations with the U.S. Japan’s such support thus decisively helped pave the way for Australia’s signature of the TAC and inclusion in the EAS as a founding member,<sup>42</sup> even if of course, other countries such as India and Singapore also played an important role in expanding the EAS. In this sense, Japan-Australia cooperation should be considered as part of a wider multilateral efforts.

The ramifications of this multilateral effort turned out to be far reaching. The inclusion of Australia, India and New Zealand established a good precedent showing that the EAS was open to other countries outside of the original ASEAN plus China, Japan and South Korea core group of countries. In addition, the criteria used for Australia’s entrance into the EAS set the standard for conditions, including signing of the TAC, any other countries wishing to enter the EAS would have to satisfy. These precedents surely helped the Obama Administration to consider entering EAS, which eventually happened in 2011.

The importance of these multilateral efforts are countless and potentially huge as they allow the regional countries to engage China on various issues including the maritime codes of conducts, transnational security issues, practical military to military exchanges and the regular leader’s level communications. In this sense, Japan-Australia cooperation within multilateral contexts is an integral part of their China engagements. And of course, such efforts can be also seen in other institutions including ASEAN Defence Ministers’ Meeting Plus and Western Pacific Naval Symposium.

<sup>40</sup>Terada, Takashi: “The origins of ASEAN+6 and Japan’s initiatives: China’s rise and the agent-structure analysis”, *The Pacific Review*, vol.23, no.1 (March 2010), pp. 83-84.

<sup>41</sup>*Ibid.*

<sup>42</sup>*Ibid.*



#### 4.2. “Bilateral-Plus” Approach 2: Active Cooperation with the United States

Second, by far the most important expression of such “bilateral-plus” approaches is the two countries’ joint support for U.S. regional engagement and presence. Japan and Australia are well positioned for assisting in that regard: with the effective installation of both ACSA and ISA between Japan and Australia, all the sides of Japan-Australia-U.S. triangle have now these legal infrastructures. In this context the defense leaders of the three countries released a joint statement in 2012 and agreed to create a joint action plan for a “strong dynamic and flexible” partnership.<sup>43</sup> Such action plans will improve trilateral cooperation which has already a strong record of practical cooperation as demonstrated in their disaster relief collaborations in response to the Boxing Day Tsunami in 2004 and the Great East Japan Earthquake 2011.

Another area of trilateral cooperation far more substantial than the Japan-Australia bilateral trainings are the active trilateral exercises: the three countries have for example conducted the Pacific Global Air Mobility Seminar (PGAMS), which evaluates trilateral transportation cooperation among Japan, the United States, and Australia.<sup>44</sup> In the 2007 PGAMS, such aircraft as US Air Force C-17 and ASDF C-130 were displayed and each of the three countries provided relevant briefings about the transportation operation at the Yokota Air Base in Japan. Later in February 2008, the three countries gathered again in another PGAMS meeting in which a USAF C-17 transport aircraft performed the loading of CH-47 helicopters of the Ground Self Defense Force (GSDF).<sup>45</sup> More recently in June 2012, for the purpose of enhancing trilateral HA/DR and PKO cooperation, the Australian Army participated for the first time in a Senior Level Seminar between the GSDF, the US Army and Marines. These peacetime trilateral commitments have already given early fruits.<sup>46</sup> One of the ADF officers who participated in PGAMS happened to take part in the ADF’s disaster relief operation in the wake of Great East Japan Earthquake.<sup>47</sup> This was fortunate because that officer contributed a lot to the effective cooperation among Japan, Australia and the U.S. proving thus the importance of the aforementioned peacetime activities.

These practical trilateral activities in nontraditional areas can help the U.S. in three ways. First is burden-sharing:<sup>48</sup> Effective and efficient trilateral cooperation will help reduce the burden upon the shoulders of a declining superpower which for a long time has played a dominant role as a provider of international public goods. Furthermore, even if burden-sharing is pursued in non-traditional security areas, its implications are far-reaching. Trilateral burden-sharing in such activities as PKO and HA/DR allows the U.S. to allocate more resources into other agendas including more traditional mission areas. Second, visible cooperation among the U.S. and its allies demonstrates its solidity to various audiences including U.S. domestic actors. Third, conducting HA/DR and PKO more effectively, will

<sup>43</sup>U.S. Department of Defense: “Joint Statement of the U.S.-Australia-and Japan Meeting at Shangri-La”, *News Release*, 2 June 2012, at <http://www.defense.gov/releases/release.aspx?releaseid=15338>.

<sup>44</sup>National Institute for Defense Studies, *op.cit.*, p. 89.

<sup>45</sup>*Ibid.*

<sup>46</sup>*Ibid.*

<sup>47</sup>Gellel, Timothy: “An Australian Defence Force Perspective of the Humanitarian Assistance and Disaster Relief Response to the 11 March 2011 Great East Japan Earthquake and Tsunami, and Nuclear Crisis”, in National Institute for Defense Studies (eds.) (2012): *International Symposium on Security Affairs 2011*, Tokyo, Urban Connections, pp. 47-57.

<sup>48</sup>For the updated theoretical discussions on the concept of burden-sharing, see Satake, Tomohiko: “Japan, Australia and International Security Burden-Sharing with the United States”, in Tow, William; Kersten, Rikki (eds.) (2012): *Bilateral Perspectives on Regional Security: Australia, Japan and the Asia-Pacific Region*, Australia, Palgrave MacMillan, pp. 183-244.



help strengthen the regional standing of the U.S. For example, the swiftness and visibility of the Disaster Relief activities will surely contribute to improve the public image of the United States in disaster-stricken countries and will in turn allow the U.S. to come even closer to these countries.

Of more timely relevance in this context is the fact that these active patterns of cooperation among the three countries have become increasingly important from the perspective of the Obama Administration's "rebalancing" towards the Asia-Pacific.<sup>49</sup> One of the main features of this rebalancing policy is its emphasis on U.S. Armed Forces' regional activities as a key element of the U.S. presence. For example, one of the concrete policy outcomes produced by Obama's Asia-Pacific strategy has been U.S. Marines rotational deployment to Darwin and its Air Force's increasing access to Northern Australia. The first round of the Marines rotational deployment was already implemented from April to September of 2012, when the deployed company-size Marines unit engaged in joint trainings with Southeast Asian countries. The U.S. enhances its regional presence deliberately avoiding the creation of any new U.S. bases and chooses instead to rely on its allies (as opposed to forward-deployed presence through permanent bases overseas) as a source of presence for at least two reasons: First, an increasingly difficult fiscal situation does not allow the Obama Administration to additionally establish costly bases.<sup>50</sup> Second, as history shows, establishing its own bases has often complicated America's relations with its host countries.<sup>51</sup> In any case, if the U.S. rebalancing strategy increasingly relies on the active engagement through joint trainings as it is the case of the Japan-Australia-U.S. trilateral cooperation, these active exercises and nontraditional military operations will become only more important.

To what extent can all this be regarded as a China-targeting policy? Supporting the U.S. regional presence contributes in many ways to managing the rise of China. For one, its strong regional standing allows the U.S. to engage with China from a position of confidence and strength. For another, the credibility of the U.S. regional commitment is an essential part of the foundation for the U.S. regional alliance system, which plays a vital role in deterring Chinese activities on many fronts. What is more, perhaps the third and least visible role played by the U.S. in dealing with the impact of China's rise is through reassuring Japan. In fact, part of Australia's intention in pursuing trilateral cooperation is to assist the U.S. in this reassurance function. One former official of the Australian Department of Defence revealed the internal discussions about Australia's approaches to Japan.<sup>52</sup> In the 1990s when Australia increased its approaches to Japan, there was a growing recognition inside the government of the strategic significance of the U.S.-Japan alliance.<sup>53</sup> That is, amidst the rise of China, one of the core functions of the alliance was to provide strategic reassurance to Japan, increasingly facing a rising neighbor.<sup>54</sup> In Australia's view, this reassurance function helps prevent an extensive Sino-Japanese rivalry from emerging and disrupting the regional order.<sup>55</sup> In this context, Australia judges that it is in its national interest to support Japan's expanding involvement within the alliance and becoming a more active partner for the U.S., as this would no doubt strengthen the U.S.-Japan alliance, which in turn helps reassure Japan about

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<sup>49</sup>Satake, Tomohiko and Ishihara, Yusuke: "America's Rebalance to Asia and its Implications for Japan-US-Australia Security Cooperation", *Asia-Pacific Review*, vol.19, no. 2 (2012), pp. 6-25.

<sup>50</sup>*Ibid.*

<sup>51</sup>*Ibid.*

<sup>52</sup>White, Hugh: "Trilateralism and Australia: Australia and the Trilateral Strategic Dialogue with America and Japan", in Tow, Thomson; Yamamoto and Mimaye, *op.cit.*, p. 104.

<sup>53</sup>*Ibid.*

<sup>54</sup>*Ibid.*

<sup>55</sup>*Ibid.*



the rise of China. In this respect, the Japan-Australia-U.S. trilateral cooperation is, from the Australian perspective, a means to assist the alliance in its core function of containing Japan-China rivalry.

There is however one note of caution. Supporting the U.S. engagement in the region does not have to be done through trilateral patterns of cooperation and neither is it necessary that cooperation takes place only within the realm of security. Quite on the contrary, multilateral cooperation on economic agendas can serve the same purpose. The Trans Pacific Partnership (TPP) for example, sheds some light on this. As the Obama administration has repeatedly emphasized, the US economic cooperation with regional economies is also an important pillar for its regional engagement. To put an example, figures are eloquent enough when they show that in 2011 about 25% of U.S. exports went to East Asia, while about 35% of the imports to the U.S. also came from East Asia.<sup>56</sup> Thus the U.S. regional presence should be enhanced by a future conclusion of the TPP.<sup>57</sup> Although the current Abe Government is still negotiating with future TPP participant countries including Australia, Japan's potential participation in this partnership should open another venue for Japan and Australia to strengthen the U.S. economic presence in the Asia-Pacific region.

#### **4.3. "Bilateral-Plus" Approach 3: Capacity-Building Cooperation for Third Countries**

On top of these long standing "bilateral-plus" policies, there is an emerging third approach which is joint assistance to the development and capacity-building of third countries. Especially in the case of Japanese Ministry of Defense, capacity-building assistance has been established as a new mission item since the National Defense Program Guidelines 2010. The Japanese Government has already started implementing capacity-building through assistance for vehicle maintenance skills in East Timor, education provision regarding engineering skills in Cambodia and medical education in Vietnam.<sup>58</sup> In the case of Australia, capacity-building activities have been since long a mission area for the Department of Defence and the Australian Defence Force. The best example is the Pacific Patrol Boat (PPB) program, which Australia started in the South Pacific Region in the 1980s.<sup>59</sup> The trigger was the adoption of the United Nations Convention on the Law of the Sea (UNCLOS) at the UN General Assembly in 1982. That prompted Australia to assist the small island countries in the Pacific to effectively govern their vast Exclusive Economic Zone (EEZ). In this context, the PPB was initiated to provide these Pacific insular states with patrol boats and a maintenance service as well as all necessary trainings so that they could effectively control their EEZs. This helped stabilize Australia's immediate neighborhood as well as promote effective governance for the global maritime regime.

Of course, capacity-building cooperation still remains largely unimplemented in many respects where the two countries are nevertheless involved in discussions. But if it is fully carried out, capacity building cooperation will help other countries assume more active roles in their own domestic governance and eventually improve international security if it may help increase the number of capable supporters of international rules and principles such as

<sup>56</sup>Data Page on the United States in the website of Japan External Trade Organization, at [http://www.jetro.go.jp/world/n\\_america/us/stat\\_01/](http://www.jetro.go.jp/world/n_america/us/stat_01/)

<sup>57</sup>Prime Minister Shinzo Abe made the point about the security implications of TPP. See "Abe shusho TPP hamasa ni kokka hyakunen no keida kankei kakuryo kaigide", *Asahi Shimbun*, 12 April 2013, at [http://digital.asahi.com/articles/TKY201304120354.html?ref=comkiji\\_txt\\_end\\_kjid\\_TKY201304120354](http://digital.asahi.com/articles/TKY201304120354.html?ref=comkiji_txt_end_kjid_TKY201304120354).

<sup>58</sup>For the information on the past and current capacity-building projects, see the following page of Ministry of Defense Japan, at [http://www.mod.go.jp/j/approach/exchange/cap\\_build/](http://www.mod.go.jp/j/approach/exchange/cap_build/).

<sup>59</sup>National Institute for Defense Studies, *op.cit.*, p. 77.



freedom of navigation and maritime rights especially amidst the rise of the "Chinese dragon" which occasionally expresses unease with the existing order.

## **5. Divergence about China and Convergence about International Order**

This paper has so far put forth the argument that Japan-Australia joint China approaches are developing largely in a "bilateral-plus" pattern including trilateral formats and wider multilateral contexts whereas the strictly bilateral efforts remain either limited, underdeveloped or constrained. Why is this the case? The key question in examining this issue is to what extent Japanese and Australian perceptions with regard to China converge or diverge. It is important in this context to note that there are both elements of divergence and convergence in their views on China's rise.

The main element of divergence lies in the visible differences between their China policy. On the one hand, given geographic proximity and long standing issues in their bilateral relations, Japan has a much more acute sense of risks about China. Such perceptions about China are reflected in the National Defense Program Guidelines 2010 (NDPG2010).<sup>60</sup> NDPG2010 introduced the new concept of Dynamic Defense Force envisioning a Self Defense Force able to conduct a range of operational activities on a more swift, more sustainable and more seamless way. What does this mean? A large part of the thinking behind the Dynamic Defense Force concept is Japan's appraisal of its strategic environment. NDPG2010 uses the term "gray zone" to describe the strategic environment facing Japan which is understood as a security limbo situation between completely calm peacetime conditions and outright war. The "gray zone" condition is the situation in which SDF is required to conduct and sustain operations at a high tempo in order not to fight in a large-scale conventional war but taking at the same time part in various peacetime activities such as, for example, SDF's Intelligence, Surveillance and Reconnaissance (ISR) activities meant to check Chinese increasing naval activities in the waters surrounding Japan. The "gray zone" appraisal of the strategic environment has required Japan to build a Dynamic Defense Force capable of conducting various activities on a swift, sustainable and seamless way. In retrospect, NDPG2010's description of Japan's strategic environment as well as its vision for the SDF to become a Dynamic Defense Force was very well adapted to what would in fact happen in the following years, as when Chinese vessels started increasingly operating in the waters near Senkaku islands in East China Sea. In such situations, SDF too has been required to deploy both naval and air assets such as the surface combatants, P-3Cs and E2-Cs at a high tempo and for a longer duration.<sup>61</sup>

Of course, SDF's countermoves are only a part of Japan's overall China policy as Japan concurrently also seeks engagement with the rising dragon. This should be no surprise as China is Japan's leading trade partner and the two countries share a number of critical national interests such as the stability over the Korean Peninsula, peaceful development of regional economic cooperation, and tackling a range of nontraditional security issues. This is why Prime Minister Shinzo Abe has repeatedly said that Japan is open to dialogue with the Chinese side. And this is also the reason why Japan and China have been working together to create a maritime communication mechanism between their defense organizations in order to

<sup>60</sup>Satake, Tomohiko: "Japan's Security Outlook in 2011: Toward a More "Dynamic" Defense Posture", in Katahara, Eiichi (eds.) (2012): *Security Outlook of the Asia Pacific Countries and its Implications for the Defense Sector*, Tokyo, Urban Connections, pp. 137-154.

<sup>61</sup>"Japan Chapter", in National Institute for Defense Studies, *op. cit.*, pp. 98-130.



avoid accidental escalations.<sup>62</sup> Despite Japan's hope to engage China, both high-level dialogues and working level negotiations for maritime communication mechanism are currently frozen (at the time of writing this paper) due to the continuing tension in the East China Sea.

Like Japan, Australia pursues a dual strategy of engagement and hedging, the substance of which, however, is significantly different from that of Japan. Prime Minister Julia Gillard's visit to China in April 2013, in which she met the newly elected Chinese President Xi Jinping and Premier Li Keqiang, materialized in the historic achievement of annualizing bilateral leadership meetings including Prime Ministerial meetings, Strategic Economic Dialogue of Treasurer and Finance Minister, and Foreign Minister-led dialogue.<sup>63</sup> This is a tremendous diplomatic success that few other countries have achieved resulting from Australia's longtime efforts. Although negotiations for deepening institutionalization started in April 2012, Australia's efforts to engage with China started much earlier, as can be demonstrated by the regularization of defense and foreign ministerial meetings, military to military joint exercises including live-fire exercises and joint Search and Rescue (SAR) training between the two Navies since September 2010, followed by the SAR and communication training in May 2012, and the series of HA/DR training first in Sichuan Province of China, in November to December 2011 and again in Australia in October 2012.<sup>64</sup>

The contrast between Australia's visible success and Japan's continuing struggle for even resuming leaders' level communication is no surprise given that Japan faces a number of risks derived from the rise of China, while Australia can afford far more stable relations. This however, is far from meaning that Sino-Australian relations are completely immune to controversies. Quite on the contrary, bilateral relations have hit several bumps from time to time, as when for example the Australian employees of Rio Tinto were arrested in 2008 and when Uyghur leader Rabiye Kadeer visited Australia in 2008.<sup>65</sup> On balance, however, these issues never damaged bilateral relations as seriously as the current tensions in the East China Sea are currently harming Japan-China relations. In this sense it is fair to note that there is a clear and perhaps natural gap between Japan and Australia in terms of their respective bilateral approaches to China. Because of such visible differences in their engagement and hedging vis-à-vis China, it appears only natural that there are certain limits and impediments that have to be overcome if Japan and Australia aim to pursue bilateral cooperation vis-à-vis China in more direct, effective and explicit manners.

Despite this divergence, however, there also exists a clear convergence in both countries' thinking about the rise of China. Even though Japan and Australia have significantly different relations with China, their views are closely aligned when it comes to the broader question of what type of international order Japan and Australia aim to preserve and promote amid the historic rise of China. This is expressed in at least three interrelated aspects.

First, Japan and Australia agree regarding the importance of their respective alliances and hence support the U.S. role in the Asia-Pacific region. Although some scholars argue that

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<sup>62</sup>For the publicly available information on the first, second and third meetings on a maritime communication mechanism between Japan and China, see the page of Ministry of Defense Japan, at [http://www.mod.go.jp/j/approach/exchange/nikoku/asia/china/kaijou\\_mechanism.html](http://www.mod.go.jp/j/approach/exchange/nikoku/asia/china/kaijou_mechanism.html)

<sup>63</sup> "Transcript of Joint Press Conference", Press Office of Prime Minister, Beijing (9 April 2013), at <http://www.pm.gov.au/press-office/transcript-joint-press-conference-43>

<sup>64</sup>National Institute for Defense Studies, op.cit. pp. 81-82.

<sup>65</sup>*Ibid.*, pp. 82-83.



the rise of China makes the alliance no longer valid, Japanese and Australian governments disagree. The Abe Government of Japan is currently engaged in a series of initiatives to further strengthen the alliance with the U.S. including an on-going review about the interpretation on the Constitution and more specifically the right of collective self-defense. The motivation behind this move is partly related to Japan's recognition that the rise of China on the contrary makes the U.S. and the alliance even more important.<sup>66</sup> Japan also cooperates with the U.S. through wider regional cooperation such as in the annual Cobra Gold exercise, the Pacific Partnership activities, Khan Quest exercises, trilateral engagements with India and South Korea and so forth. Through this activities, Japan explores ways for supporting U.S. engagement within the Asia-Pacific region.

Similarly, Australia has also been moving to enhance its alliance with the U.S. In November 2011, President Barack Obama and Prime Minister Gillard made the announcement that the two countries would start cooperating on the Force Posture Initiative, which includes the deployment of rotational Marines in Darwin and enhanced access for U.S. Air force to Northern Australia as this paper already mentioned earlier.<sup>67</sup> The purpose of this allied cooperation is largely the re-affirmation of Australia's long-standing policy to assist the U.S. in its regional engagements. In the joint press conference with President Obama, Prime Minister Gillard noted: "We live in a region which is changing, changing in important ways. And as a result of those changes, President Obama and I have been discussing the best way of our militaries cooperating for the future".<sup>68</sup> What Prime Minister Gillard meant is that the Australian government intends to maintain its support for the alliance both in words and in concrete deeds. Australia also aims at further cooperating with the U.S. in the face of China's rise.

Japanese and Australian governments' policies of strengthening the alliance with the U.S. amid the ongoing power shift in the region are closely aligned. In fact, this convergence is reflected in the Japan-Australia Vision Statement issued in September 2012 suggesting that it is in their joint interest to ensure "mutual support for our respective alliances with the United States, which continue to help underwrite peace, stability and prosperity in the Asia-Pacific, and work together as active partners to maintain and strengthen comprehensive US engagement in the region".<sup>69</sup>

The second element of Japanese and Australian common view about the international order can be seen in their joint support for a liberal international order, which is seen to have underwritten peace and prosperity since the end of the Second World War. Prime Minister Abe's major policy speeches all underscored Japan's longstanding support for a liberal international order underpinned by such principles as freedom of navigation and commerce on the maritime domain, flourishing economic relations, human security, rule of law, common international rules and so forth.<sup>70</sup> Far from a merely personal orientation, Prime Minister Abe's such stance is widely shared in Japan as an essential part of the country's foreign

<sup>66</sup>Prime Minister Abe made this point at one of the Prime Ministerial policy review committees. See:[http://www.kantei.go.jp/jp/96\\_abe/actions/201302/08anzenhosyo.html](http://www.kantei.go.jp/jp/96_abe/actions/201302/08anzenhosyo.html)

<sup>67</sup>"Remarks by President Obama and Prime Minister Gillard of Australia in Joint Press Conference", at <http://www.whitehouse.gov/the-press-office/2011/11/16/remarks-president-obama-and-prime-minister-gillard-australia-joint-press>.

<sup>68</sup>*Ibid.*

<sup>69</sup>"Australia and Japan-Cooperating for peace and stability: Common Vision and Objectives", *Joint Statement of 4<sup>th</sup> Australia-Japan Foreign and Defence Ministerial Consultations* (14 September 2012), at [http://www.mod.go.jp/j/press/youjin/2012/09/14\\_js\\_e.html](http://www.mod.go.jp/j/press/youjin/2012/09/14_js_e.html).

<sup>70</sup>For example, see his speech prepared for his address at CSIS Indonesia, at [http://www.mofa.go.jp/announce/pm/abe/abe\\_0118e.html](http://www.mofa.go.jp/announce/pm/abe/abe_0118e.html)





policy. Likewise, Australia's Gillard government also repeatedly stresses the importance of a liberal international order. For example, her government's White Paper "Australia in the Asian Century" and the National Security Strategy report both note that even though there are some uncertainties arising from the changes taking place in international politics, as the rise of China, Australia remains confident because of the existence of international and regional institutions, economic interdependence, and diplomatic ties in the Asia-Pacific region and beyond.<sup>71</sup>

Lastly, Japan and Australia hold a common view on the importance of supporting other countries' increasingly active roles on the regional and global stages and the need to develop closer ties with them. Reflective of this are Japan's growing efforts in creating a wide network of security relations with such countries as India, Indonesia, Vietnam, the Philippines and South Korea (though it is not a smooth pathway).<sup>72</sup> Furthermore, Japan's efforts through the long-standing Official Development Assistance and the newly initiated defense capacity-building is a clear evidence of Japan's support for numerous countries for increasing their international protagonism. As one of the government commissioned reports about Japanese security and defense policies explains, by building a network of cooperation and helping other countries to play a bigger role, Japan attempts to increase support for a liberal international system.<sup>73</sup> Similarly, Australia emphasizes the importance of recognizing the other rising powers such as India, Indonesia and many other Southeast Asian countries. In fact, Australia has been an energetic promoter of its own regional relations by, to name just a few examples, institutionalizing the relationship with India, initiating annual leaders' summits as well as regular two plus two meetings with Indonesia, and making joint security statements and establishing two plus two meetings with South Korea.<sup>74</sup>

Common views about the importance of the U.S. regional engagement, the liberal character of international order and the active roles played by other partners are the foundation for Japan-Australia "bilateral-plus" approaches. Because the two countries agree on the continuing importance of the U.S. engagement in the region including their own alliances amidst the rise of China, it appears only natural that Japan and Australia go beyond a narrow bilateral relation and establish a trilateral framework including the U.S. Similarly, given that the importance of the liberal elements in the current international order is commonly recognized not just by Japan and Australia alone but by many other like-minded countries too, it is again only natural that the Japan-Australia partnership is deeply woven into wider multilateral collaborations such as EAS, ADMM plus, Lower Mekong Initiative and so forth. In other words, Japan-Australia convergent views about international order are so broad that other countries often share them. If so, embedding the bilateral cooperation into broader, either trilateral or multilateral, contexts is a more optimal approach than confining themselves within a narrow bilateral framework.

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<sup>71</sup> Commonwealth of Australia (2012): "Australia in the Asian Century", *White Paper*, Canberra, (2012).

<sup>72</sup> Sahashi, Ryo: "Conceptualising the Three-Tier Approach to Analyse the Security Arrangements in the Asia-Pacific", *SDCS Working Paper*, no. 415 (December 2009).

<sup>73</sup> Government of Japan: "The final report of The Council on Security and Defense Capability", September 2009, at <http://www.kantei.go.jp/jp/singi/ampoboue/200908houkoku.pdf>

<sup>74</sup> For example, see: "Joint Communique-1<sup>st</sup> Indonesia-Australia Annual Leaders' Meeting" (20 November 2011), at <http://www.pm.gov.au/press-office/1st-indonesia-australia-annual-leaders-meeting-joint-communique>.



## 6. Conclusion

This article argues that Japan-Australia security relations can be considered as a joint policy towards a rising China, when we go beyond the bilateral context and consider broader “bilateral-plus” frameworks as trilateral cooperation with U.S., multilateral engagements with China and joint assistance to third countries. In its conclusion, this paper sees two modest implications for the current debate about Japan-Australia relations. First, to claims that Japan-Australia cooperation pursues hedging, containment and balancing against China, the paper’s response is *indirectly* yes, but it also states that given the limited, constrained and underdeveloped character of their bilateral cooperation, bilateral relations can hardly be regarded as an effective way of hedging. However, Japan and Australia do cooperate for the purpose of at least indirectly hedging China as the two countries clearly support the U.S. engagement in the Asia-Pacific region as well as other alliances which clearly play important roles in deterring some of Chinese activities. This is an indirect way of hedging against China as a close Japan-Australia partnership helps the U.S. to deter the rise of China.

Second, the nature of the “bilateral-plus” approaches underlying Japan-Australia relations reflect a good deal of liberalism, not just realism. Although such concepts as hedging, containment, and balancing convey the impression that the Japan-Australia partnership is an expression of realism, much of what they jointly do in their “bilateral-plus” approaches to China is not necessarily realist-oriented. For example, Japan-Australia joint cooperation within the regional multilateral institutions offer a chance for the participant countries to discuss common issues with China, build personal relationships with Chinese leaders and bureaucrats, and in some cases even cooperate to create rules together with China. In this sense, any concept that aims at describing Japan-Australia cooperation vis-à-vis China should incorporate both realism and liberalism.<sup>75</sup>

Of course, this article concentrates largely on what has happened in the past and what is happening at present, but not how Japan-Australia relations will look like in the future; there is a variety of conceivable possibilities for Japan-Australia relations. For example, it is highly possible that Japan-Australia relations may become more realist vis-à-vis China than this paper has described. If the U.S. starts demanding its allies to take part in countering Chinese Anti-Access and Area-Denial capability, they may encourage Japan and Australia to enhance their interoperability far beyond the current level. If Japan is going to modify its current legal position about the right of collective self-defense, it becomes possible for two countries to cooperate more closely in conventional military scenarios. In the eyes of those who assume that this will happen in the future, Japan-Australia current efforts to build closer ties may appear to be only a first step for such future cooperation. This paper does not deny any of those possibilities because the aim of the paper is not to make predictions but to find out what Japan and Australia are doing and achieving together now. The “bilateral-plus” approaches are not a future prospect but an on-going policy that the two countries pursue together right now.

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<sup>75</sup>For example, Michael Green and Daniel Twining offer an argument reflecting this point, even though their analysis does not necessarily examine Japan-Australia relations in detail. See: Green, Michael J. and Twining, Daniel: “Democracy and American Grand Strategy in Asia: The Realist Principles Behind an Enduring Idealism”, *Contemporary Southeast Asia*, vol. 30, no. 1 (2008), pp. 1-28.



## JAPAN AND SOUTHEAST ASIA: FROM THE FUKUDA DOCTRINE TO ABE'S FIVE PRINCIPLES

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### **Abstract:**

The Fukuda Doctrine, announced in 1974, marked a new beginning in the relations of Japan with Southeast Asia and was determinant in their relations for the following decades. By the end of the 90s the combined pressures of Japan's stagnating economy and an emergent China showed the need of a reinvigorated strategy toward S.E.A. Primer Minister Junichiro Koizumi tried to bring about such a strategy and introduced new directions in two areas: security issues and economic partnership. Seven years after Koizumi, the new government of Shinzo Abe finds that the same geopolitical constraints of the late 90s are still alive.

**Palabras clave:** Fukuda Doctrine, Japan, Southeast Asia, Rise of China, Abe's Five Principles.

### **Resumen:**

*La doctrina Fukuda, anunciada en 1974, marcaba un nuevo inicio en las relaciones de Japón con el Sureste Asiático y fue determinante para las relaciones mutuas en las décadas posteriores. Para finales de los años 90, las presiones combinadas de una economía estancada y una China emergente, mostraban la necesidad de una estrategia más activa hacia el Sureste Asiático. El primer ministro Junichiro Koizumi trató de plasmar tal estrategia e introdujo dos nuevas direcciones en dos áreas determinadas: asuntos de seguridad y asociación económica. Siete años después de Koizumi, el nuevo gobierno de Shinzo Abe se encuentra con que las mismas limitaciones geopolíticas de finales de los 90 se mantienen.*

**Keywords:** Doctrina Fukuda, Japón, Sureste Asiático, auge de China, Cinco Principios de Abe.

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## 1. Introduction

The relations of Japan with Southeast Asia till the end of the 60's evolved in the framework set by the Yoshida Doctrine that encompassed the following parameters: 1) Reliance on the alliance with the United States to ensure Japan's security, following the signing of the 1954 Mutual Defense Assistance Treaty; 2) Emphasis on economic relations; 3) Low profile in international politics<sup>2</sup>.

In the case of S.E.A. this parameters were compounded by the need to normalize the relations through the reparations for the Japanese occupation during II World War. Japan signed Reparation and Economic Agreements with Burma, Indonesia, the Philippines and Vietnam. The reparations amounted to around 2 billion US dollars at 2013 rates and were discontinued in 1976. Japan was allowed to make reparations in kind so that the reparations turn out to pave the way for the future export of Japanese goods and services. Also some minor amounts were given to Cambodia, Laos and Thailand, listed as economic assistance, not as compensation for damages done during II World War.

By the end of the sixties and the early seventies this approach to Southeast Asia had reached its limits. The Ministerial Conference for the Economic Development of Southeast Asia<sup>3</sup>, convened for the first time in Tokyo in 1966, showed that the countries in the region were reluctant to let Japan play a conspicuous role in S.E.A. The Vietnam War and its aftermath were changing the geopolitics of the region. The rapprochement between Washington and Beijing in 1973 introduced a new balance of power in the region. The embryo of a regional architecture had made its appearance with the creation of ASEAN in 1967. In later years, specially after the 1976 Bali Summit ASEAN countries became more self-conscious and ready to play a role in the international arena. The countries of the region were progressing in their industrialization and economic diversification efforts. Along the way, the countries were opening their economies and introducing some market-oriented reforms. The kind of passive and mostly economic approach preached by the Yoshida Doctrine could not cope with such a changing environment. It was then that the so-called Fukuda Doctrine was formulated.

## 2. The Fukuda Doctrine

The need of a new approach became evident during the visit that Prime Minister Tanaka made to the Philippines, Thailand, Singapore, Malaysia and Indonesia from January 7 to 17 1974. That was the first visit by a Japanese Prime Minister since the tour of Prime Minister Sato in 1967. Seven years is an eternity in foreign relations.

Tanaka's visit was a debacle in terms of image. In Jakarta thousands of students took the streets in protest. In the following riots eleven persons were killed. In Bangkok he was

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<sup>2</sup> A good discussion on the Yoshida Doctrine and its implication for Japan's foreign policy during the Cold War can be found in "Política Exterior de Japón en la Posguerra," by Potter, David M., in Rubio Díaz-Leal, Laura (ed.) (2008): *China y Japón: Modernización Económica, Cambios Políticos y Posicionamiento Mundial*, Ciudad de México, Editorial Castillo.

<sup>3</sup> Of the nine countries invited, Burma refused the invitation and Cambodia and Indonesia sent only observers. For a discussion about the rationale behind the convening of the Conference see Terada, Takashi: "The Japanese Origins of PAFTAD: The Beginning of an Asia Pacific Economic Community", *Pacific Economic Paper*, nº 292 (June 1999).



received at their airport by protesters with banners saying “Get out ugly imperialist”. Even if domestic considerations fuelled partly the protests, the impact for the Japanese policy-makers was important.

Tokyo’s 1974 “Diplomatic Bluebook” stated: “*Criticism of Japan has increased in various Southeast Asian countries in recent years against its sharply increased enormous economic presence, the business methods of Japanese enterprises and also the behaviour of Japanese residents in those countries*<sup>4</sup>. On the occasion of the Primer Minister’s visit, local students staged anti-Japanese demonstrations and riots in Bangkok and Jakarta. Protests also occurred in Malaysia and elsewhere.” The Bluebook was somewhat aware that S.E.A. countries wanted to go beyond mere economic relations<sup>5</sup>, but fell short of suggesting which design a renewed Japanese policy to Southeast Asia should adopt.

The events of 1975 made unavoidable a change of course. Saigon, Phnom Penh and Vientiane fell to communist forces. United States wanted to disengage partially from S.E.A. and wished Japan to increase its political role in the region. ASEAN was becoming a full-fledge actor in the region. The new policy to cope with these challenges was the Fukuda Doctrine.

In August, 18th 1977, during a visit to Manila, Prime Minister Takeo Fukuda gave a speech in which set the new principles that would guide the Japanese policy to Southeast Asia. Those principles as stated in the “Diplomatic Bluebook for 1977” are: “1) *Japan is committed to peace, and rejects the role of a military power; 2) Japan will do its best to consolidate the relationship of mutual confidence and trust based on “heart-to-heart” understanding with the nations of Southeast Asia, 3) Japan will cooperate positively with ASEAN while aiming at fostering a relationship based on mutual understanding with the countries of Indochina and will thus contribute to the building of peace and prosperity throughout Southeast Asia.*<sup>6</sup>” In other words: 1) Japan renounced to play any military role in the region, assuaging any fears coming from History; 2) Japan was aware of the limitations of an approach based only in the economy and was willing to undertake a multi-dimensional approach, encompassing politics, culture and people-to-people; 3) Japan was ready to contribute to the healing of the divide in Indochina, after the Vietnam War and the Vietnamese invasion of Cambodia.

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<sup>4</sup> In this respect the impact of Japanese sex tourists on the image of their country cannot be denied. According to Yoshimi Yoshiaki (Yoshiaki, Yoshimi (2000): *Comfort women: sexual slavery in the Japanese military during World War II*, New York, Columbia University Press): “... Japanese male sex tourists travelling abroad outnumber those of other nations.”

<sup>5</sup> The Bluebook, for instance, stated: “... the Southeast Asian countries need Japan’s aid or economic strength for their own nation-building efforts and, in this context, they are showing the basic posture of placing increasing expectations on Japan’s cooperation...” and “... the common understanding was reaffirmed that it was necessary to promote such relations further in a constructive manner in the direction of mutual benefit.”

<sup>6</sup> This formal formulation of the Doctrine doesn’t make justice to the more passionate speech of Fukuda. In his own words: “*Diplomacy toward Southeast Asia until now was contact through money and goods. It was not contact based on the policy of good friends acting for mutual benefit. Even when viewed from our country there was an impression of economic aggression and arrogant manners, and it was a situation which was symbolized by the expression economic animal.*”



### 3. The aftermath of the Fukuda Doctrine

The Fukuda Doctrine and its potential became soon visible in three areas: 1) Bridging the gap between the ASEAN countries and the three Communist States in Indochina; 2) Serving as economic model and helping the ASEAN economies through ODA and FDI; 3) Promoting Japanese soft power.

#### 3.1. Bridging the Gap in Indochina

In the aftermath of the end of the Vietnam War<sup>7</sup>, the Japanese assumption was that Vietnam, Laos and Cambodia<sup>8</sup> would be amenable to a compromise in exchange of western aid. The “Diplomatic Bluebook for 1975 defined Japan’s policy to the three Indochinese countries this way: *“It is the policy of Japan to establish good relations with the three countries of Indochina where socialist regimes have been established by transcending the difference in political and social systems. It is considered that Japan’s assistance in the postwar reconstruction and development of Indochina will contribute to the peace and development of that region and thereby of Southeast Asia as a whole.”*

In that spirit, Japan made a contribution of 5.3 million dollars<sup>9</sup> to the Indochina Emergency Assistance Program of the International Red Cross in 1975 and over 3 million dollars to the UNHCR for relief activities for Indochina refugees abroad. Japan also granted an aid of 21.500 million dollars to Vietnam in that same year and extended to Laos an additional credit for the Second Nam Ngum Development Fund. In subsequent years Japan settled the question of the Government of South-Vietnam debt to Japan and gave a grant of 55 million dollars for the purchase of Japanese equipment and materials necessary for the postwar reconstruction of the country. Concerning Laos, in 1976 Japan granted an additional loan of over 4 billion dollars for the second-stage construction of the Nam Ngum Dam. Till a certain point, Japan was replicating what had been its policy to S.E.A. in the Fifties and Sixties.

This policy broke down when at the end of 1978 Vietnam invaded Cambodia and the international community led by U.S. and China and also by most ASEAN countries condemned the invasion. In April 1979 Japan notified unofficially Vietnam the freeze of all assistance. Subsequently Japan would refuse to recognize the Heng Samrin Government set by Vietnam in Phnom Penh and would continue to consider the Government of Democratic Kampuchea in exile the legitimate one. Most likely Japan would have preferred a softer stance to Vietnam as shown by its efforts to keep the channels of dialogue open, but it was unwilling to adopt a high-profile and marked position<sup>10</sup>.

This episode showed that, even with the Fukuda Doctrine, Japan was not ready to assume political protagonism, especially if it meant parting ways with US. At that moment

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<sup>7</sup> In the last stages of the war, after the Paris Peace Accords and once the eventual demise of South Vietnam became a possibility, Japan tried to have a more balanced approach and establish diplomatic relations with North Vietnam in September 1973; See: Shiraishi, Masaya (1990): *Japanese relations with Vietnam: 1951-1987*, Ithaca; New York, Cornell University.

<sup>8</sup> Japan had established diplomatic relations with then North Vietnam in September 1973. It had relations with Laos since March 1955 which were not discontinued during the regime of the Pathet Lao. Relations with Cambodia were discontinued by the government of the khmer rouge when it took power in April 1975 and then restored in August 1976.

<sup>9</sup> Unless otherwise expressed, all amounts are given in 2012 dollars.

<sup>10</sup> Shiraishi, Masaya: “Japan toward the Indo-China Subregion”, *Journal of Asia-Pacific Studies*, no. 13 (October 2009), pp. 13-36.



there was still a big gap between Japan's economic power and the political projection of that power in the international arena.

### **3.2. Japan as Economic Model and the Role of its FDI and ODA**

The economic crisis of the 70s imposed some changes on the economic strategy of Japan, that made an effort to diversify its supply sources so not to be dependent on one specific supplier. Furthering the interests of Japanese business became an important component of the foreign policy of Japan. Accordingly Ministries such as Ministry of Finance, the Ministry of International Trade and Industry (since 2001, Ministry of Economy, Trade and Industry) or the Ministry of Posts and Telecommunications acquired a strengthened role in the formulation of the foreign policy to the detriment of the Ministry of Foreign Affairs<sup>11</sup>.

These changes coincided with some transformations in the so called "flying geese" pattern of development<sup>12</sup>. Japanese decision-makers could assume in the 70s that Japan had reached the third stage of the model, so that labour-intensive industries started being transferred to S.E.A. The first industries to be transferred were textiles followed by basic electronics and vehicle-assembly. S.E.A. countries, embarked in their own industrialization process were eager, to receive Japanese FDI. The convergence of interest between Japan and the receiver countries plus the synergy between FDI and ODA helped to foster the economic links between Japan and S.E.A. and to enhance the image of Japan in the region<sup>13</sup>.

By 1980 over 30% of total Japanese ODA was directed to S.E.A. countries. The ODA would focus in improving the infrastructures of S.E.A.<sup>14</sup> while promoting the penetration of Japanese companies and paving the way for FDI. The amount of ODA increased since 1978, when Japan set the Medium-term goal, a five-year quantitative target to increase its volume. The main recipient of Japanese ODA in S.E.A. was Indonesia and focused in natural resource projects. Thailand and the Philippines came in second and third places with similar amounts of ODA, with a volume that was 50% of the one of Indonesia. Malaysia was a distant fourth recipient at roughly 25% of the volume directed to Indonesia.

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<sup>11</sup> Potter, *op. cit.*

<sup>12</sup> The "flying geese model" was made popular by Kaname Akamatsu in his article: "A historical pattern of economic growth in developing countries", *Journal of Developing Economies*, vol. 1, no. 1 (March-August 1962): Akamatsu described the process of Asian countries catching up with the West as a flock of flying geese: the different Asian countries would shift from production models based on high intensity of labour to capital-intensive ones in a hierarchical way so that the less developed countries would follow the most developed ones in the region. Japan would be the leading goose. The second tier would be the New Industrialized Countries (South Korea, Taiwan, Singapore and Hong Kong). The third tier would be composed by the main ASEAN countries (Philippines, Indonesia, Thailand and Malaysia). In the rearguard there would be China. A good technical discussion of the model can be found in: Kojima, Kiyoshi: "The "flying geese" model of Asian economic development: origin, theoretical extensions, and regional policy implications", *Journal of Asian Economics*, vol. 11, no. 4 (2000), pp. 375-401; not every economist, especially in the Anglo-Saxon world would agree with this model. The point is that by the late 60s this model was already very influential among Japanese decision-makers and it continued to be so, either in its original Akamatsu's version or in its Kojima's adaptation.

<sup>13</sup> A good discussion on this can be found in: Patrick, Hugh: "Legacies of Change: The Transformative Role of Japan's Official Development Assistance in its Economic Partnership with Southeast Asia", APEC Study Center, Columbia University, *Discussion paper*, nº54 (January 2008).

<sup>14</sup> According to OECD, in 1973/74, 59,1% of Japan's ODA was devoted to infrastructures, divided roughly equally between economic and social infrastructures. In 1979/80, the percentage was of 74,15%, of which two thirds went to economic infrastructures.



During the 80s, FDI would become progressively more relevant. This process accelerated after the Plaza Accord of 1985, that appreciated the yen and gave an incentive to Japanese companies to produce abroad. The main beneficiaries of this increased FDI flows were Indonesia, Singapore and Thailand. By 1992 Japan had overtaken the US as the largest investor in S.E.A., except in the Philippines.

Summarizing, the combination of the Fukuda Doctrine and the changes in Japan's economy led to a deepening of the economic linkages with S.E.A. Asia so that by the early 90's Japan was the main economic partner of the region.

### **3.3. Promoting Japanese Soft Power**

The Fukuda Doctrine was born partly out of the concern for Japan's image in S.E.A. Kazuo Ogura has described the situation first found by Fukuda thus: *"The 1970s brought another shift in Japan's cultural diplomacy, this time in response to the rise of an anti-Japanese sentiment in Asia, as typified by the eruption of feelings in Southeast Asia against the perceived Japanese economic onslaught. Rapidly increasing economic dependence on Japan in terms of trade, investment, and development assistance provoked a backlash in many parts of Asia. Some people sarcastically labelled the country "Faceless Japan" or "Banana Japan", the latter implying that the Japanese did not understand Asia because they were yellow on the outside (Asian in appearance) but white on the inside (Western in thinking). Others complained that Japan was always represented by Sony and Honda or by the yen note, without any direct person-to-person contacts with its Asian partners."*<sup>15</sup>

These misperceptions had an influence in the way Japan chose to project its soft power, even before that expression had been invented. It has already been mentioned how FDI and ODA, two elements of soft power, evolved in the aftermath of the Fukuda Doctrine. Now it is the turn to focus on the socio-cultural aspects of Japan's soft power<sup>16</sup>.

In 1977 the ASEAN Cultural Fund with an amount of 250 million US dollars was founded to promote intra-ASEAN cultural exchanges as well as between ASEAN countries and third parties. In 1979 the Southeast Asia Youth Invitation Program was set in order to promote better mutual understanding through the invitation of outstanding young Southeast Asian leaders to Japan. Also a Japan Scholarship Fund for ASEAN Youth for an yearly amount of 3 million dollars was instituted. Other initiatives were: the Human Resources Development Project (1981); the Japan-ASEAN Research Cooperation Fund (1982) to promote intra-ASEAN area studies and Japan-ASEAN academic exchange; the ASEAN-Japan Friendship Program for the 21<sup>st</sup> Century (1983) to promote students trips and exchanges.

The soft-policy strategy adopted then used more or less traditional tools and was boosted by two factors: 1) Japan had become the second biggest world economy and it had become a model for Asian countries; 2) There were no other Asian countries capable of making such an use of soft-power. As we will see later, these advantages didn't survive to the beginning of the 21<sup>st</sup> century.

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<sup>15</sup> Ogura, Kazuo (2009): *Japan's Cultural Diplomacy, Past and Present*, Tokyo, Japan Foundation.

<sup>16</sup> A list of soft-power initiatives can be found in Lam, Peng Er (2013): "Japan's Relations with Southeast Asia: The Fukuda Doctrine and Beyond", London, Routledge.





#### 4. Primer Minister Nobuo Takeshita and the New Partnership for Peace and Prosperity

1987 marked the 20<sup>th</sup> anniversary of the Bangkok Declaration that created ASEAN and the 10<sup>th</sup> anniversary of the Fukuda Doctrine. The recently elected Prime Minister Noburo Takeshita chose the ASEAN Summit held in Manila in December of 1987 as the destination of his first official overseas trip. Prior to his trip a large-scale Cultural Mission travelled to S.E.A. in November 1987. This is symptomatic of the increasing relevance of soft power and image issues in the way Japan chose to project itself in S.E.A.

In Manila Takeshita announced a New Partnership for Peace and Prosperity to support ASEAN development. This announcement was materialised in:

- + The creation of a 4 billion US dollars Japan-ASEAN Development Fund. The Fund had two components: loans to the private sector for joint venture projects in the region at a low-interest of 3% per annum and untied loans to the development institutions of the ASEAN countries.
- + The Japan-ASEAN Comprehensive Exchange Program aimed at promoting further exchanges between civil societies and the academe. As a complement to this program, new offices of the Japan Foundation were opened in the ASEAN countries and an ASEAN Cultural Center was opened within the Japan Foundation.
- + The Japan-ASEAN Investment Fund established in January 1988.

To understand the rationale behind these initiatives it is interesting to refer to the speech Takeshita gave in Jakarta in May 1989 at the end of his Premiership under the title: “Japan and ASEAN: thinking together and advancing together”:

*“Soon after becoming Prime Minister of Japan, I have set forth and International Cooperation Initiative premised in the following three pillars. The first pillar is the strengthening of cooperation to achieve peace. The second is the expansion of Japan’s Official Development Assistance. And third is the strengthening of international cultural exchange. I believe that South East Asia is one of the most important areas for this International Cooperation Initiative and I intend to promote actively the initiative in the region”.*<sup>17</sup>

During the 80s, that golden age of Japan’s economy, it had become clear that Japan was not playing an international role commensurate with its economic stature. Besides that Japan needed to assuage the fears and anxieties provoked by its rise, so the new focus on its image and soft power.<sup>18</sup> S.E.A. became the choice ground to show the constructive and active role

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<sup>17</sup> Sudo, Suelo (2002): “The International Relations of Japan and South East Asia: Forging a New Regionalism”, London, Routledge.

<sup>18</sup> Some excerpts for the 1990 Diplomatic Bluebook will show how this issue was perceived by the Japanese themselves: “...Japan should realize that the sense of distrust and fears for Japan has tended to increase as its economic power and influences grow (...) in the face of the mixed feelings of expectations and fears about Japan, Japan must not only make utmost efforts to contribute to world peace and prosperity, but also endeavours to secure the understanding of other countries about its position and efforts by explicitly stating



Japan was ready to play internationally. That was in substance the rationale behind the policies of Takeshita. A good occasion to put these ideas into practice would be the Cambodian Peace Process, where Japan played a relevant role.

## 5. The Cambodian Peace Process

The comparison between Japan's role in Indochina in the late 70s and in the early 90s is significant. Then Japan chose to follow Washington's indications instead of defining its own policy course. In the early 1990 Japan felt confident enough as to play a substantial role in the solution of the Cambodian conflict. As then Prime Minister Tshiki Kaifu said: *"I feel acutely that Japan is expected to make even greater contributions in the Asia-Pacific region- not only in the economic sphere, but in the political sphere as well."*<sup>19</sup>

In June 1990 Japan sponsored the Tokyo Conference where the four warring factions met together in order to explore a peace settlement. As Foreign Minister Nakayama told at the ASEAN Post-Ministerial Conference held in Kuala Lumpur on July, 22 1991, the convening of the Tokyo Conference was a good example of Japan's will to play a more active political role in order to ensure regional stability. Later, Japan, together with Thailand, was instrumental to convince the khmer rouge to accept the 1991 Paris Peace Agreement.

Japan's role was also to secure the resources needed for the implementation of the Agreement. In June 1992 Japan convened the Ministerial Conference on the Rehabilitation and Reconstruction of Cambodia, where assistance totalling 1,4 billion dollars was pledged. Japan pledged 20/25% of the total. Japan co-chaired the first meeting of the International Committee on the Reconstruction of Cambodia (ICORC), held in Paris in September 1993, and organized in Tokyo the second meeting of the ICORC in March 1994. Japan also contributed to the reconstruction of Cambodia through the bilateral channels of its ODA, being the largest donor since 1994.<sup>20</sup>

As a novelty that required the passing of a new law, the International Peacekeeping Operations Law, Japan also sent a construction unit of its Self-Defense Forces, civilian police officers and military observer to join the United Nations Transitional Authority in Cambodia (UNTAC). In total roughly 1.300 Japanese police and military personnel took part in UNTAC. The Japanese national Yasushi Akashi was the head of the peacekeeping mission as recognition of the prominent role played by Japan.

Unexpectedly and in spite of the success of UNTAC, Japan renounced to play such a prominent role in other crisis arising in S.E.A. in the 90s and early 21<sup>st</sup> century. It played a mute and secondary role in the Mindanao peace process to other actors such as Malaysia or Libya. In Myanmar it followed an ambivalent approach never putting too much pressure on the military regime, but never breaking ranks with the Western like-minded countries. Most

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*them.*" The Bluebook then stressed the importance of public diplomacy, of promoting the internationalization of its society and of contributing to the maintenance of international order.

<sup>19</sup> Vatikiotis, Michael: "Kaifu soothes fears over Japan's political plans: The Gentle Giant", *Far eastern Economic Review*, 16 May 1991.

<sup>20</sup> In 1993, 1994 and 1995 ODA amounted respectively to 97 million \$, 102 million \$ and 242 million. Besides that, Japan made contributions both bilaterally and multilaterally to the safeguarding and development of the historical, site of Angkor Wat.



tellingly, especially when compared to the Cambodian case, Japan was only one of many contributors to East Timor after the independence referendum of 1999.

## **6. Beyond Cambodia: Japan's Contribution to the Building of a Regional Architecture in S.E.A.**

### **6.1. ASEAN Regional Forum**

The Cambodian conflict highlighted the role ASEAN could play as the meeting point and facilitator of talks between the great powers involved in the region. It was a seminal moment for the creation of a regional architecture in S.E.A. with ASEAN at its center<sup>21</sup>. Japan became deeply involved in the regional architecture processes engaged in the 90s as they fitted with the new international role for the country promoted by Prime Minister Takeshita.

In fact, the first suggestion of what later would become the ASEAN Regional Forum (ARF) came from the Japanese Foreign Minister Taro Nakayama. During his speech to the General Session of the ASEAN Post-Ministerial Conference held in Kuala Lumpur on July, 22 1991, Nakayama sketched a possible model for a regional architecture in Asia-Pacific based in the existing international fora, especially those concerned with economic cooperation, *“that is the most vital element in regional security”*: ASEAN, ASEAN Post-Ministerial Conference, APEC and PECC (Pacific Economic Cooperation Council). These for a could be complemented with a *“forum for political dialogue where friendly countries in this region could engage in frank exchanges of opinion on matters of mutual interest”*. The ASEAN Post-Ministerial Conference could be, according to Nakayama, such a political forum *“for addressing the regional peace and security issues”*. Nakayama suggested the organization of a senior officials' meeting that would report to the ASEAN Post-Ministerial Conference for further discussions.

Mala Selvaraju<sup>22</sup> has explored how this initiative was most convenient for both ASEAN and Japan's interests. Because of its economic interests Japan needed a peaceful and secure S.E.A. The international geopolitical situation had changed: US remained the sole, but not omnipotent superpower and its willingness to be deeply engaged in the region was not granted; the Soviet Union, and later Russia, had decreased its involvement in S.E.A.; China was emerging as a main player at least in the region. Because of misgivings arising of History, Japan wanted to show its readiness to tackle security issues from a peaceful and cooperative instance. Therefore, a multilateral approach with ASEAN taking the lead, seemed the best solution. For ASEAN, this kind of forum could serve to reduce tensions between its members and promote friendly relations with and between the great powers. An added value for both ASEAN and Japan was that this approach allowed to keep US engaged with the region in security issues.

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<sup>21</sup> Chanto, Sisowath Doung: “The ASEAN Regional Forum- The Emergence of “Soft Security”: Improving the Functionality of the ASEAN Security Regime”, *Cambodian Institute for Cooperation and Peace, Dialogue + Cooperation* (3/2003), offers a good discussion on the process leading to the creation of the ASEAN Regional Forum (ARF), the first multilateral forum on security that appeared in Asia-Pacific.

<sup>22</sup> Selvaraju, Mala: “Diplomatic Issues in Japan-ASEAN Relations”, *Journal of Southeast Asian Studies*, vol. 6, Iss. 1 (December 2001), pp. 105-118, at [http://e-journal.um.edu.my/filebank/published\\_article/4317/5.%20105-118%20Mala%20Selvaraju..%20Diplomatic%20Issues%20In%20Japan-ASEAN..%20Jati%206.pdf](http://e-journal.um.edu.my/filebank/published_article/4317/5.%20105-118%20Mala%20Selvaraju..%20Diplomatic%20Issues%20In%20Japan-ASEAN..%20Jati%206.pdf).



This confluence of interests allowed the creation of the ASEAN Regional Forum (ARF) in 1994. The members of the ARF were ASEAN and its Dialogue Partners<sup>23</sup>. Its objectives, as stated in the First ARF Chairman's Statement were: "1. To foster constructive dialogue and consultation on political and security issues of common interest and concern; and 2. to make significant contributions to efforts towards confidence-building and preventive diplomacy in the Asia-Pacific region."

## **6.2. The Asian Crisis and the Emergence of ASEAN + 3**

By 1997 Japan seemed to be well positioned in S.E.A. in spite of the high turnover of its Prime Ministers and the problems with its economy. In January that year Prime Minister Ryutaro Hashimoto visited several ASEAN countries. In Singapore, his last stop, Hashimoto gave a speech where he defined how he envisaged a deepened and broadening Japan-ASEAN relationship for the 21<sup>st</sup> century. The three pillars he highlighted for such an achievement were: 1) Broader and deeper exchanges between Japan and ASEAN at the top and other levels; 2) Multilateral cultural cooperation aimed at the preservation of each country's unique cultures and traditions; 3) Promotion of joint endeavours to address global challenges such as environment, terrorism, health and welfare and drug trafficking.<sup>24</sup> Hashimoto went further than anything proposed by previous Japanese Prime Ministers, as he suggested the holding of regular political summits with ASEAN and bilateral talks on security issues.

Japan had a chance to show its new assertiveness when was asked, together with France, to mediate between the two Cambodian Co-Prime Ministers, Hun Sen and Ranariddh in June 1997. The fragile arrangement reached was broken the following month and a fierce fighting ensued. The crisis finished with the flight of Ranariddh from Cambodia and Hun Sen becoming the sole Prime Minister of the country. Interestingly Japan followed its own line and refused to follow US admonitions to suspend all ODA.<sup>25</sup> Japan later facilitated the arrangement between Ranariddh and Hun Sen that allowed the first one to go back to Cambodia and run the general elections in July 1998.

The Asian financial crisis started early July 1997 in Thailand and expectations about the role Japan could play were high. Japan's first reaction was a conventional one: it offered assistance to the bail-out packages planned by the IMF, as the 4 billion \$ it announced would provide to Thailand in August and the 5 billion to Indonesia in November.

Then, in August Japan came with a revolutionary idea: the creation of an Asian Monetary Fund. The AMF would be a 100 billion \$ fund. Its members would be: Australia, China, Hong Kong, Indonesia, Japan, Malaysia, Philippines, Singapore, South Korea and Thailand. As a show of the new assertiveness of Japan, US was neither invited nor consulted previously and it was stated that the AMF would not necessarily coordinate its activity with the IMF<sup>26</sup>.

<sup>23</sup> The current participants in the ARF are the 10 ASEAN countries plus Australia, Bangladesh\*, Canada, China, DPRK\*, European Union, India, Indonesia, Japan, Mongolia\*, New Zealand, Pakistan\*, Papua New Guinea\*, Republic of Korea, Russia, Sri Lanka\*, Timor-Leste\* and US. Those countries with \* are not Dialogue Partners of ASEAN.

<sup>24</sup> At the webpage of the Japanese MOFA (<http://www.mofa.go.jp/region/asia-paci/asean>) several documents concerning this visit can be consulted.

<sup>25</sup> Sothirak, Pou; Wade, Geoff and Hong, Mark (eds.) (2012): *Cambodia: progress and challenges since 1991*, Singapore, Institute of Southeast Asian Studies.

<sup>26</sup> This statement would be softened later when trying to make the AMF more palatable to US.



The AMF was scuttled during the Regional Financial Minister's meeting held in Hong Kong on November 21<sup>st</sup> 1997. The opposition of US to an initiative where it had no role and where the IMF was sidelined plus the lack of support of China, fearful of a confident Japan, torpedoed the AMF. Instead of the AMF, the so-called Manila Framework, less ambitious and IMF-centered, was created.<sup>27</sup>

It would take Japan one year to come out with a different initiative. In October 1998 Minister of Finance Kiichi Miyazawa announced the so-called New Miyazawa Initiative. Japan set a fund of 30 billion US\$. Half of it would be available for the medium to long-term financial needs of the economic recovery of the Asian countries; the other half would cover short-term capital needs during the implementation of the economic reforms.<sup>28</sup>

From the political side, the New Miyazawa Initiative can be seen as an attempt to recover the leadership role in the solution of the Asian financial crisis, that had lost the previous year. The New Miyazawa Initiative was successful from a technical point of view and allowed Japan to show a certain independence vis-à-vis US and the IMF, for instance making of Malaysia, which was following policies opposed to the IMF orthodoxy, one of the main beneficiaries of the Initiative. Nevertheless, in terms of image it could not make up for the withdrawal of the AMF the previous year that had showed Japan to be a reluctant leader. In comparison, China's image came out strengthened with its decision no to devalue its currency and its extension of financial aid to Thailand and Indonesia, even if its volume was lesser than the one provided by Japan<sup>29</sup>.

In parallel to the different initiatives to help S.E.A. economies to cope with the effects of the crisis, the relationships between ASEAN and the three countries of East Asia were institutionalized.

In December 1997 the first Japan-ASEAN Summit meeting was held in Kuala Lumpur in order to materialize the new relationship Primer Minister Hashimoto had envisioned during his January trip. As promised, the summit opened new areas to dialogue: environment, energy, international terrorism, international organized crime, health and welfare. Global and regional security issues were reviewed and it was agreed to cooperate closely on them in international fora. In spite of its broad scope and its ambition, the Summit was somehow overshadowed by the convening of the first ASEAN + 3 (China, Japan and Korea Summit). ASEAN + 3 was formally institutionalized during its third summit which was held in Manila in November 1999.

### **6.3. An assessment of Japan-S.E.A relations in the 90s**

It is usually asserted that the 90s were a lost decade for Japan's economy. Something similar could be told of Japan's relationships with ASEAN during those years.

In the early 90s it seemed as if Japan had finally the will to develop a foreign policy equal to its economic stature. S.E.A was the first place to test this new will and Japan passed the exam with honours in Cambodia. Japan's involvement and meaningful role in the inception of a regional architecture was a consequence of its success in Cambodia. The new

<sup>27</sup> Lipsy, Phillip Y.: "Japan's Asian Monetary Fund Proposal", *Stanford Journal of East Asian Affairs*, vol. 3, no. 1 (Spring 2003)

<sup>28</sup> Specific details of the working of the fund can be found in the webpage of Japan's MOFA.

<sup>29</sup> A legacy of these initiatives would be the Chiang Mai Initiative of 2000 that is out of the scope of this article.



turn to the Japan-ASEAN relationship that Prime Minister Hashimoto envisioned was the natural evolution in this process. Then the Asian financial crisis came.

The Asian financial crisis showed the shortcomings of Japan's leadership. The episode of the AMF was reminiscent of the shyness deployed by Japan in the late 70s in Indochina. Japan's prestige in the region never recover fully from the failure to create the AMF because of the US opposition. In contrast China managed to use the Asian financial crisis as an opportunity to introduce herself as a meaningful player in the region. Japan was neither able nor willing to stop this development. The creation of ASEAN + 3 meant that Japan could not invoke for itself the role of main Asian interlocutor of the region anymore.

## **7. The relationship with S.E.A. during the government of Koizumi**

### **7.1. General Plan**

Japan's foreign policy during the five years that Junichiro Koizumi was Prime Minister (April 2001- September 2006) was marked by several developments:

1. 11-S and its aftermath that made security concerns and counter-terrorism come to the forefront of the international agenda.
2. US, under the Bush Administration, trying to reassert its status as the sole superpower and opting for unilateral actions instead of resorting to multilateral fora. This more active and even forceful presence in the global arena went hand by hand with a lessening of its presence in Asia-Pacific.
3. A increasingly self-confident China appearing as a major actor and competitor in the region.
4. An economy weakened by the so-called "lost decade". This had not only economic implications, but also had a strong influence on the image of Japan and how it was perceived by other international actors, as well as being the cause for the decrease in the ODA since the end of the 90s.
5. Changes in the concept of soft-power. Japan's soft-power incorporated more and more new cultural expressions, such as manga, videogames...

How did Koizumi reacted to this changed environment? Formally he adopted a more nationalist stance, a closer relationship with US and a more proactive attitude in international affairs, specially in security issues and counter-terrorism. But discontinuities with previous Prime Ministers were more apparent than real. Koizumi didn't mean any substantial break in the traditional lines of Japan's foreign policy. Pragmatism was the norm as usual<sup>30 31</sup>.

<sup>30</sup> Heginbotham, Eric and Samuels, Richard J.: "Japan's Dual Hedge", *Foreign Affairs* (September/October 2002).

<sup>31</sup> A very good article on the redefinition of Japan's strategy brought by Koizumi is Tang, Siew Man: "Japan's Grand Strategic Shift from Yoshida to Koizumi: Reflections on Japan's Strategic Focus in the 21<sup>st</sup> Century", *Akademika*, no. 70 (2007), pp. 117-136, at



Koizumi unveiled his plans for S.E.A. in the speech “Japan and ASEAN in East Asia- A Sincere and Open Partnership”<sup>32</sup>, that he delivered in Singapore, on the 14<sup>th</sup> of January 2002, at the end of his tour by the 5 original ASEAN countries<sup>33</sup>. The main points of his speech were:

1. The need of reforms to create the new economic structures required by the 21<sup>st</sup> century. Koizumi offered Japan’s cooperation to provide the ASEAN countries with the needed capabilities. Koizumi identified the Mekong Subregion as an area of special interest because of the less developed status of its members. Among the ASEAN initiatives of major interest Koizumi highlighted the ASEAN Free Trade Area and the ASEAN Investment Area.
2. Japan’s readiness to contribute to the stability of the region, even through the dispatching of Self Defense Force units. Specific cases of interest he mentioned were Mindanao, Aceh and East Timor. Koizumi suggested even to establish Japan-ASEAN cooperation to promote stability worldwide, proposing Afghanistan as the trial ground.
3. Five concrete initiatives: 1) Exchange and cooperation between universities; 2) 2003 as the Year of Japan-ASEAN Exchange; 3) Japan-ASEAN Comprehensive Economic Partnership<sup>34</sup>; 4) An Initiative for Development in East Asia meeting to re-examine and consider future models of development; 5) A deepened security cooperation including new issues such as energy security.
4. Some proposals related to regional architecture: 1) An East Asia Community with ASEAN +3 plus Australia and New Zealand as core members and a close partnership with US. Later this initiative would evolve into the present East Asia Summit<sup>35</sup>; 2) A strengthening of ASEAN + 3 so that linkages could be created between Japan-ASEAN cooperation and the rest of East Asia.

The real novelties of Koizumi’s proposals were: a renewed stress on security issues and the will to transfer Japan-ASEAN cooperation to other regions and multilateral fora.

Japan organized in December 2003 the ASEAN-Japan Commemorative Summit in Tokyo. The debates of the Summit were condensed in the “Tokyo Declaration”, intended to be the roadmap of a renewed Japan-ASEAN partnership in the 21<sup>st</sup> century. Its full name was

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<http://www.ukm.my/penerbit/akademika/ACROBATAKADEMIKA70/akademika70%5B07%5D.pdf>; another detailed and complete analysis of Koizumi’s foreign policy can be found in: Togo, Kazuhiko: “Greater Self-Assertion and Nationalism in Japan”, *The Copenhagen Journal of Asian Studies*, no. 21 (2005).

<sup>32</sup> A good example of the expectations raised by that speech even before it was delivered is: Jain, Purnendra: “Koizumi’s ASEAN doctrine”, *Asia Times*, 10 January 2002.

<sup>33</sup> It was a crucial trip. Previously scheduled for September 2011, it was postponed because of the terrorist attacks in New York. During the following months Koizumi gave the impression of neglecting S.E.A. in order to forge close relationship with US.

<sup>34</sup> In Koizumi’s vision this partnership would include cooperating in the new round of multilateral trade negotiations under the WTO.

<sup>35</sup> Since the late eighties two different approaches to regional architecture in Asia-pacific have coexisted. The first one defends the centrality of ASEAN in any regional architecture. The second one, whose main proponents are Australia and Japan, prefers a broader construction, not centred in ASEAN and with some kind of US participation. In any regional architecture scheme Japan’s priority is to avoid the hegemony of China. Therefore, Japan has consistently tried in all the processes to have Australia, India, New Zealand and, especially, US associated.



“Tokyo Declaration for the Dynamic and Enduring ASEAN-Japan Partnership in the New Millennium”. The Declaration insisted in the same issues and orientations set by Koizumi’s Singapore speech. The main difference is that people-to-people and cultural relations received more attention than in the aforementioned speech<sup>36</sup>. A Plan of Action was attached to the Declaration<sup>37</sup>.

It is now the moment to turn to the two areas where Koizumi’s impact was the most relevant: security issues and economic partnership.

## 7.2. Security Issues

In July 2004 Japan acceded to the Treaty of Amity and Cooperation with ASEAN (TAC)<sup>38</sup>. The reasons for the accession were: 1) ASEAN had made the accession to the Treaty a condition to participate in the East Asia Summit; 2) China had already acceded to the Treaty<sup>39</sup>. In addition to this, acceding to the Treaty was consistent with the new stress in security issues and the traditional Japanese engagement in regional architectures processes.

In the field of security Koizumi’s government paid special attention to the fight against maritime piracy and counter-terrorism.

The interest in piracy predated Koizumi<sup>40</sup>. In April 2000 Japan organized in Tokyo the Regional Conference on Combating Piracy and Armed Robbery against Ships. The 10 ASEAN countries were invited as well as India, Sri Lanka, Bangladesh, Korea, China and Hong Kong. The Conference adopted an Action Plan with guidelines to improve the cooperation between maritime policy authorities and private-sector maritime parties. As a follow up of the Conference, in the second half of the year Japan started exchange of information and technical assistance with Philippines, Malaysia, Singapore and Indonesia and a patrol vessel of the Japan Coast Guard held combined exercises with the Malaysian Navy aimed at combating piracy. In following years this combined exercises would extend to other ASEAN countries also.

Koizumi invigorated those efforts. As soon as he arrived in power, he proposed the establishment of a regional cooperation agreement against piracy. This initiative led to the signing of the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) in 2004. In 2006 a ReCAAP Information Sharing Center was launched in Singapore and the following year it was formally recognised as an international organisation. Presently there are 19 contracting parties to the ReCAAP<sup>41</sup>.

<sup>36</sup> Out of the 7 points included in the Declaration the 4th “Facilitating and Promoting Exchange of People and Human Resource development” and the 5<sup>th</sup>, “Enhancing Cooperation in Culture and Public Relations”.

<sup>37</sup> It can be consulted at: <http://www.asean.org/news/asean-statement-communicues/item/the-asean-japan-plan-of-action>.

<sup>38</sup> The Treaty of Amity and Cooperation was signed in 1976 by the ASEAN members in order to secure peace and cooperation in the region. It created mechanisms to settle controversies. In 1987 it was opened to States outside of the region and later became a sine qua non to be accepted as member of the East Asia Summit.

<sup>39</sup> Kesavan, K.V.: “Japan and the ASEAN: Their Changing Security Relations”, *ORF Occasional Paper*, no. 22 (August 2011).

<sup>40</sup> A good analysis of the geopolitical issues behind Japan’s interest in the fight against maritime piracy can be found in: Bradford, John F.: “Japanese Anti-Piracy Initiatives in Southeast Asia: Policy Formulation and the Coastal States Responses”, *Contemporary Southeast Asia*, vol. 26, no. 3 (2004).

<sup>41</sup> The contracting parties are: 9 ASEAN member countries (all of them except Malaysia), 3 East Asian countries (China, Korea and Japan), 3 South Asian countries (Bangladesh, India, Sri Lanka) and 4 European countries (Denmark, Netherlands, Norway and United Kingdom).





Cooperation in counter-terrorism received special attention in the 2003 Plan of Action. It provided for the launching of a joint meeting on counter-terrorism, the supporting of the activities of the Southeast Asia Regional Centre for Counter-Terrorism in Malaysia and the training of law enforcement officials from ASEAN member countries. In 2004 Japan and ASEAN adopted the ASEAN-Japan Joint Declaration for Cooperation to Combat International Terrorism. The dialogue on counter-terrorism started in 2005 and has been held annually since then, becoming a forum to enhance cooperation in the subject and to have a frank exchange of views on it. The Japan-ASEAN Integration Fund established in 2006 had a one of its targets to contribute to the counter-terrorism efforts.

Under Koizumi, Japan tried also to present itself as a provider of traditional security based on its Cambodian experience of the 90s. Japan dispatched forces for peacekeeping operations in Timor Leste in 2002 and also to Aceh in 2005 to assist to the recovery efforts after the 2004 tsunami. In 2005 Japan participated for the first time in the US-Thai Cobra Gold exercise. It is remarkable that this contribution of Japan to the security in S.E.A. didn't provoke strong reactions anymore. On the other side, under Koizumi and in spite of his efforts, Japan was not able to play the kind of decisive role in the region it had played in the 90s.

### **7.3. Economic Partnership**

Since his trip to the region in January 2002 Koizumi proposed a closer economic partnership with ASEAN and a deepened regional cooperation. This proposal led to the Initiative for Development in East Asia (IDEA) which held its inaugural Ministerial Meeting in August 2002 in Tokyo. IDEA focused on the new development challenges (human resources development, consideration to vulnerable members of society to counter the negative effects of globalization...) and on the need to create linkages between ODA, trade, investment and finance. The ideas promoted by IDEA were to be introduced into the existing processes (ASEAN + 3, Japan-ASEAN Framework Agreement on Comprehensive Economic Partnership...).

More important than IDEA in Koizumi's design was the Japan-ASEAN Framework Agreement on Comprehensive Economic Partnership (JACEP). JACEP aimed at the signing of a FTA between Japan and ASEAN. It was to complement and expand the bilateral EPAs (more about them below), pushing for a further liberalization of goods, services and investments. In order to understand fully the motivations behind JACEP, the general context must be considered: the ASEAN Free Trade Area was progressing; the ASEAN Community was expected to be created in 2015; there was a general movement towards the creation of free trade areas (APEC, TPP...). In November 2002 a Joint Declaration on the JACEP was issued and in October 2003 the Framework was signed. Negotiations started in earnest in 2005 and the Agreement was concluded in November 2007 and entered into force between 1 December 2008 and 1 January 2010 for the different countries<sup>42</sup>.

Nevertheless in a context of deepened competition for the S.E.A. markets with China<sup>43</sup>, a multilateral approach was not enough. Koizumi favoured the economic partnership

<sup>42</sup> The dates for the entry into force were: 1 December 2008 for Japan, Singapore, Laos, the Philippines, Vietnam and Myanmar; 1 January 2009 for Brunei; 1 February 2009 for Malaysia; 1 June 2009 for Thailand; 1 January 2010 for Cambodia.

<sup>43</sup> An overview of the economic competition between Japan and China in S.E.A. at the beginning of the 21st Century can be found in: Avila, John Lawrence: "Torn between Two Lovers: ASEAN and its Evolving Economic Relations with China and Japan", *PASCN Discussion paper* (2002-06).



agreements (EPA), a broader kind of free trade agreement, as the tool to keep its economic position in S.E.A and, in addition, to strengthen its bargaining power in the WTO negotiations. The first EPA was signed with Singapore in January 2002. Singapore was chosen because of the nonexistence of an agricultural sector in the country and because of its role as a hub for ASEAN. By the end of Koizumi's mandate further EPAs had been signed with Malaysia and the Philippines and negotiations had been started with Brunei, Indonesia and Thailand.

#### **7.4. An Assessment of the Koizumi Years**

The Koizumi policy to S.E.A. was remarkable as it managed to keep Japan as a main player in the region and a increasingly relevant actor in security issues. Nevertheless it could not counterbalance the growing relevance of China. Factors beyond Koizumi's reach were at play, starting with the difference between China's vibrant and growing economy and Japan's stagnating one. So, in relative terms, Japan lost positions to China.

Nevertheless, different polls conducted immediately after Koizumi's tenure show a positive attitude of S.E.A countries to Japan as the wish to have Japan engaged in the region. A poll conducted by "Yoimuri Shimibun" in June/July 2006 showed that more than 90% of Indonesians, Malaysians, Thais and Vietnamese thought their country had good relations with Japan and between 70 and 90% thought Japan to be a trustworthy nation. However, when comparisons are made with China, China comes out on top, specially in Singapore, Malaysia and Thailand. Another survey conducted in 2008 by the Ministry of Foreign Affairs showed that economic and technological cooperation was the top area where ASEAN countries would like to see Japan engaged. Only 6% of respondents were eager to see Japan to enhance its military presence. Somehow the attempts by Koizumi to promote Japan as a security provider in S.E.A. were not completely successful.

### **8. Japan and S.E.A.: Future Perspectives**

The seven years elapsed since the end of Koizumi's government have been marked in Asia-Pacific by the geopolitical confrontation between an emergent China and a US that is back in the region with President Obama. In this context, the priorities for Japan have been: 1) To entertain the security linkage with US as a deterrent against China and DPRK; 2) To manage the relationship with China, developing economic and development ties, shelving historical and territorial issues and actively collaborating in regional for a; 3) To keep its position in S.E.A., as a way to enhance its international stature and to counterbalance China as well as to have a space of its own to avoid an excessive dependence on US.

The need to manoeuvre in S.E.A. between US and China, looking for an independent path has increase the relevance of ASEAN for Japan. A strong ASEAN that keeps its centrality in the regional architecture processes is seen by Japan as a must, as a way to cushion the contradictions between US and China and build a third ground where Japan can be a meaningful player. In this respect the ASEAN Community 2015 and its Interconnectivity Master Plan are important steps not only for the business opportunities they can offer to Japanese companies but also because an ASEAN economically integrated is a preferable option to an ASEAN whose members are dependent on their bilateral trade links with China.



Even if the priorities were clear and the grasp of the geopolitical realities was accurate, the governments of the Democratic Party of Japan, that ruled Japan in the period 2009-2012, didn't introduce any new initiatives in S.E.A. and simply continued the policies implemented by the preceding governments of the Liberal Democratic Party (LDP). With a certain irony Peng Er Lam has written: "... *the new DPJ government (...) has not repudiated the Fukuda Doctrine in its foreign policy pronouncements, possibly for want of a better doctrine*"<sup>44</sup>. This lack of new initiatives can be attributed to a complex political situation at home that absorbed the energies and precluded the formulation of a forceful and innovative foreign policy towards S.E.A.

The election of a new LDP government led by Shinzo Abe last December has created the expectation of a forceful comeback of Japan to S.E.A. Abe confirmed the expectations by choosing S.E.A. and not US as the destination of his first overseas trip as Prime Minister<sup>45</sup>.

The visit took Prime Minister Abe to Vietnam, Thailand and Indonesia. In Jakarta, on January the 18<sup>th</sup>, Abe formulated the Five Principles that will lead Japan's ASEAN diplomacy:

- 1.- The protection and promotion together with ASEAN member states of universal values, such as freedom, democracy and basic human rights.
- 2.- To ensure that free and open seas are governed by laws and rules and to welcome the United States rebalancing presence in the region.
- 3.- The promotion of trade and investment, as well as the flow of goods, capitals, people and services, through various economic partnership networks.
- 4.- The protection and nurture of Asia's diverse cultural heritages and traditions.
- 5.- The promotion of exchanges among the young generations to foster mutual understanding.

The reaction to these principles has been muted in the best of cases. It has been stressed how the trip and the declaration showed Japan's will to continue being a main actor in ASEAN. Nevertheless, four issues can be raised about the Five Principles:

- 1) They lack the kind of broad and inspiring vision embodied in the Fukuda Doctrine or in the 2002 Koizumi address.
- 2) The mention to universal values as freedom, democracy and basic human rights may not be so welcomed by some ASEAN member states.
- 3) The reference to US would show a certain lack of self-confidence and may cast a shadow on the actual Japanese resolution to be its own man in the region.
- 4) Many have seen as a subtext to the declaration the will to contain an emergent China.

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<sup>44</sup> Lam, *op. cit.*

<sup>45</sup> Singh, Bhubhindar: "New Japanese Premier's First Foreign Trip: Why SE Asia?", *RSIS* (16 January 2013).



We are yet at the beginning of Abe's mandate, but we have already got a first glimpse of what could be in store in the coming years: the continuation of Japan's efforts to remain a relevant and independent actor in S.E.A.



## THE GEOPOLITICAL CONTEXT OF CHANGING JAPAN-INDIA RELATIONS

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### Abstract:

A significant, but, under-researched political adjustment in international relations in recent years is the upgrading of low-key relations between Japan and India to a global and strategic partnership. Particularly in the last decade Japan-India relations have gathered significant momentum. The focus of this paper is on the geopolitical context in which Japan-India relations are evolving. It is in tandem with the rise of China and Indo-US engagement that Japan has sought to raise its bilateral relations with India to a higher level with stronger economic and politico-strategic dimensions.

**Keywords:** Japan, India, strategic partnership, geopolitical context, rise of China.

### Resumen:

*Uno de los cambios más recientes en las relaciones internacionales y aunque significativa, no estudiado con el merecido detenimiento, es la mejora de las relaciones entre Japón y la India, pasando de una relación de perfil bajo a una auténtica asociación estratégica. Las relaciones bilaterales han cobrado un énfasis particular en la última década. Este artículo se centra en el contexto geopolítico actual en el que las relaciones Japón-India están desarrollándose. A la par que han ido teniendo lugar el auge de China y el acercamiento entre los EEUU y la India, Japón ha intentado elevar sus relaciones bilaterales a un mayor nivel con dimensiones económicas y político-estratégicas mayores.*

**Palabras clave:** *Japón, India, asociación estratégica, contexto geopolítico, auge de China.*

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## 1. Introduction

In the aftermath of World War II, when Japan was being “humiliated and trampled upon by the victorious powers” newly independent India had insisted that the world concede to Japan a position of honor and equality among the community of free nations. India invited Japan to participate at the New Delhi Asian Games as an independent nation in 1951; India actively supported Japan’s entry into the United Nations and Japan’s participation in the first Afro-Asian Conference in Bandung in 1955.<sup>2</sup> India also dissociated itself from the victorious powers and did not sign the San Francisco Treaty with Japan in 1951 but signed a separate Peace Treaty in 1952, a few months after having established diplomatic relations, in which it waived any claim to war reparations.

The relations between the two countries cooled considerably, with the advent of the Cold War, as Japan and India set out on quite different paths. Japan’s post-war position towards Asia was derived from the way Tokyo was firmly incorporated into the United States’ global strategy, within which it took on the role of America’s ally. Indian foreign policy, on the other hand was focused on an entirely different perspective in international relations – non-alignment. This was the important difference that conditioned the responses of both India and Japan to international issues and influenced how they viewed each other. Bilateral relations therefore moved haltingly and warily and for a long time remained limited to economic and cultural matters.

With the end of the Cold War the strategic divide between the two nations was over and there appeared to be a convergence of interests in maintaining peace and stability in Asia. The beginning of the 1990s, therefore, saw India and Japan resume high-level interaction to establish close ties with each other. In May 1990, Japanese Prime Minister Kaifu visited India as part of his sojourn to the South Asian region. The efforts of Prime Minister Kaifu led to the promotion of a South Asia Forum within the Japanese Foreign Ministry with a view to promoting relations with South Asian countries.

The Indian Prime Minister Narsimha Rao who paid an official visit to Japan in June 1992 to commemorate the 40<sup>th</sup> anniversary of post-war bilateral relations maintained the pace set by Prime Minister Kaifu. He and his Japanese counterpart Miyazawa Kiichi talked of “a unique opportunity to add several new dimensions to our relationship”. The two leaders shared the view that India and Japan must “cooperate in restructuring international relations in a manner that permitted global and regional issues to be tackled both effectively and in a more democratic international environment”.

There was even talk of the need for a bilateral security dialogue between India and Japan during this period as both New Delhi and Tokyo started to view their ties in a regional context. The stagnancy which had been observed for many years in Indo-Japanese economic relationship was also broken in the early 1990s as India undertook major economic reforms and unveiled a “Look East” policy.

India’s nuclear explosions in May 1998, however, saw Japan taking an aggressive stand on the issue of proliferation particularly nuclear proliferation. The diplomatic impasse ended with Japanese Prime Minister Mori’s visit to India in August 2000. The two countries agreed to establish a “Global Partnership in the 21<sup>st</sup> Century” and Japan lifted all nuclear-related

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<sup>2</sup> Jain, Purnendra and Todhunter, Maureen: “India and Japan: Newly Tempering Relations”, in Jain, Purnendra C. (ed.) (1996): *Distant Asian Neighbours: Japan and South Asia*, New Delhi, Sterling Publishers, p.88.



economic sanctions on India on October 26, 2001. Since Japanese Prime Minister Junichiro Koizumi's visit to India in April 2005, Japan-India summit meetings have become an annual feature.

## **2. Japan's Relations with Rising China**

The relations between China and Japan started changing in the 1990s. The Chinese economy began its rapid takeoff, while the Japanese economy descended into a decade of stagnation. Often referred to as the "lost decade," this period saw the Japanese economic bubble burst and by 1997 Japan entered into a period of severe recession. Even though Japan remained well ahead of China in absolute economic and technological capabilities, China started to narrow the gap at an impressive pace. For Japanese companies, facing economic stagnation at home, China's growth provided new opportunities. The profitability of doing business in China, combined with the assumptions that Japan's technological superiority would permit it to maintain its economic lead indefinitely while being able to shape China's strategic direction, resulted in substantial Japanese investments in its larger neighbor.<sup>3</sup>

However by the late 1990s China's increased defense spending and military modernization along with the aggressive Chinese position with regard to the various territorial disputes with its neighbors was ringing alarm bells in Tokyo. A new image of China as a security threat took shape in the context of Chinese nuclear and missile testing and military exercises off the coast of Taiwan. The Japanese *Defense White Paper* of 2000 stated – 'China's recent modernization of its nuclear, naval and air forces and the scope of its maritime operations....demand continued scrutiny.' Over the next few years Japan noted the increasing frequency of incursions by 'observation' and 'scientific' maritime vessels into its exclusive economic zone around the disputed Senkaku islands. Relations reached a new low in November 2004 when a Chinese submarine passed through Japanese territorial waters without surfacing. It in this background that Japan, in 2005, adopted new National Defense Program Guidelines (NDPG) which for the first time named China as a security concern clearly stating – "China, which has a strong influence on the security in this region, has been modernizing its nuclear and missile capabilities as well as naval and air forces, and expanding its area of operation at sea. We have to remain attentive to its future course."

The change in regional perception about China after the Asian financial crisis of 1997/98 reinforced Japan's concerns. In the early 1990s, China was perceived as a threat to its Southeast Asian neighbors in part due to its conflicting territorial claims over the South China Sea and past support of communist insurgency. This perception began to change with the Asian financial crisis when China resisted pressure to devalue its currency, which would have exacerbated devaluations in Thailand and Indonesia, and portrayed its decision as standing up for other Asian nations.<sup>4</sup> Chinese leaders further enunciated a doctrine of "win-win" relations, highlighting that Southeast Asians can benefit from their relationship with China even as China benefits from its relationship with them.

<sup>3</sup> Pei, Minxin and Swaine, Michael: "Simmering Fire in Asia: Averting Sino-Japanese Strategic Conflict" Carnegie Endowment, *Policy Brief* no. 44 (November 2005), at <http://carnegieendowment.org/files/pb44.pei.FINAL.pdf>.

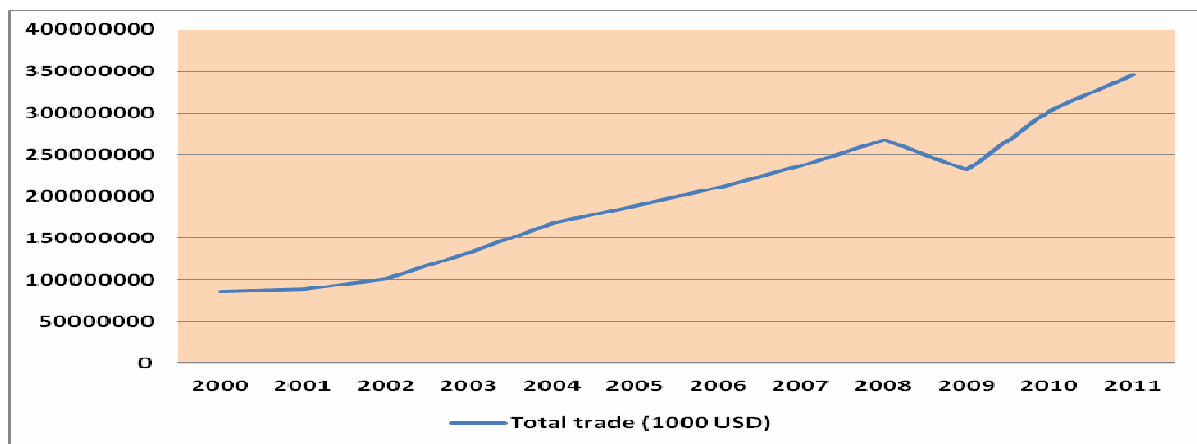
<sup>4</sup> Kurlantzick, Joshua: "China's Charm Offensive in Southeast Asia", *Current History*, vol. 105, no. 692 (September 2006), at [http://www.carnegieendowment.org/files/Kurlantzick\\_SoutheastAsia\\_China.pdf](http://www.carnegieendowment.org/files/Kurlantzick_SoutheastAsia_China.pdf).



Over the next few years China ended nearly all of its border disputes and signed the Southeast Asia’s Treaty of Amity and Cooperation that commits the signatories to mutual respect for sovereignty and equality. Beijing expressed commitment to creating a code of conduct on the South China Sea and enthusiastically signed bilateral cooperative agreements with several Southeast Asian states and also reversed its previous reluctance towards multilateral diplomacy. Japan felt edged out of its position as the dominant East Asian state and leader of regional integration efforts as China rapidly concluded bilateral free trade agreements (FTA) with the ASEAN states and propagated an alternative developmental model predicated on the ‘Beijing Consensus’.

Adding to the Japanese unease about China’s long-term intentions was the fact that China was narrowing the economic gap between the two countries at an impressive pace. China has been Japan's largest trade partner since 2007. On the other hand Japan was China's largest trade partner until 2003 and was surpassed by the Europe Union and United States in 2004 and then by ASEAN in 2011. China also replaced the United States as Japan’s biggest investment destination in 2007 and in 2010 surpassed Japan to become the second largest global economy.

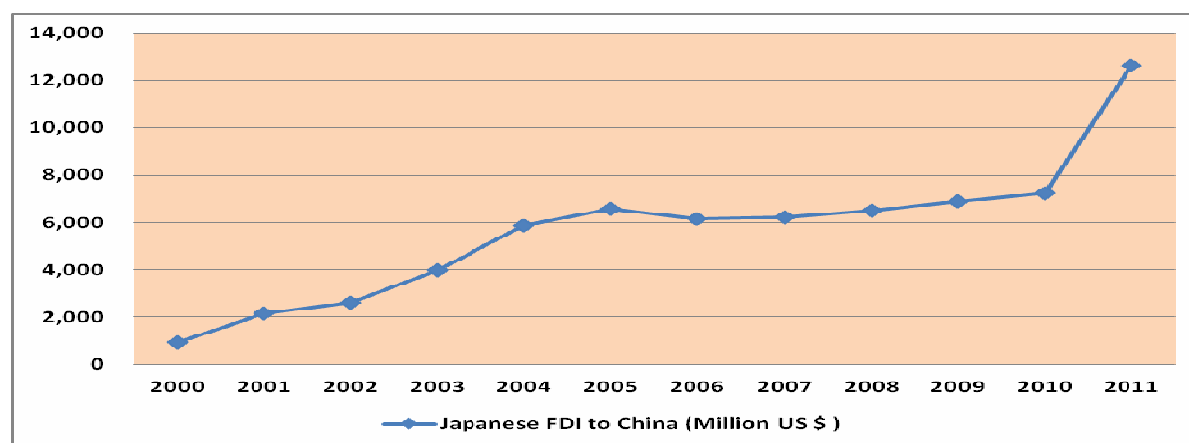
Fig 1: Japan-China Bilateral Trade



Data Source: UN COMTRADE WITS Database



Fig 2: Japan's Outward FDI to China



Data Source: Japan External Trade Organization (JETRO)

Japanese anxieties regarding ‘asymmetric interdependence weighted towards China’ seemed to come true on April 3, 2005, as angry Chinese crowds in Chengdu, Sichuan Province smashed the windows of a Japanese-owned supermarket as part of a protest against Japan’s bid for a permanent seat on the United Nations Security Council. What began as a relatively small protest in central China soon developed into a series of full-scale anti-Japanese demonstrations. Tens of thousands people, across more than twenty major cities in China took part in the largest and most sustained mass protests since those at Tiananmen Square in 1989. Citing Japan’s perceived lack of remorse for World War II atrocities, protesters vandalized Japanese restaurants and shops, damaged Japanese-made cars, and called for boycotts of Japanese goods.

Since then Japan has watched with grave concern the increase in frequency as well as level of aggression in the recurring cycles of tensions over historical animosity and territorial disputes and China’s use of economic instruments of pressure at these times. The Japanese policy of separation of economics and politics, wherein Sino-Japanese relations are “economically hot and politically cold” is under severe strain.

On 7 September 2010 a Chinese trawler captain rammed two Japan Coast Guard vessels in disputed waters. Japan detained the Chinese captain and charged him under domestic law. China responded with punitive measures including cancellation of bilateral exchanges at the provincial and ministerial level and suspended shipments of rare earth metals essential for Japanese high-tech industries. There were also mass cancellations of trips to Japan by Chinese tourists and protests in front of Japanese diplomatic missions and schools in China.

The territorial dispute over the Senkaku Islands came to a head once again last year in September 2012, when Japanese Prime Minister Yoshihiko Noda announced his government's decision to purchase three of the five islands. The islands were privately owned, but a new wave of activism, including Chinese attempts to land on the islands and a public campaign by



the Tokyo Governor Shintaro Ishihara to purchase these prompted Mr. Noda's announcement in an attempt to neutralize nationalist pressures.<sup>5</sup>

The flare-up in tensions over disputed islands once again triggered massive anti-Japanese demonstrations in Chinese cities and boycott of Japanese products. Japan's total trade with China dropped 3.3 percent in 2012, marking the first drop since 2009 and exports to China fell 10.4 percent also marking the first drop since 2009. A release from the Japan External Trade Organization (JETRO)<sup>6</sup> stated that serious decrease was seen in Japanese exports of general machines such as motors, construction and mining machines, steel and automobiles.

In particular, those of automobiles drastically fell after the September 2012 demonstrations began; in comparison with the previous year, there was an 82.4 percent drop for the month of October, the year's largest decline, and a 63 percent drop for the entire period of September to December 2012. This boycott of Japanese automobiles was one of the main factors for a decline in Japan's overall exports. While China remains Japan's largest trading partner in terms of import, export and total trade value, Japan's share of exports to China dropped to 18.1 percent dipping 1.6 points and making it only 0.6 points higher than the share of exports to the US, which was ranked second.

In addition Japanese pharmaceutical companies reported a sharp increase in products being returned from Chinese hospitals and that contract renewals were being refused. There were instances of Chinese construction companies refusing to use Japanese elevators or construction materials. JETRO also reported a slowdown of customs clearance procedures in China for Japanese imports. Beijing travel agencies reported receiving guidance from China's tourist authorities to advise against travel to Japan.<sup>7</sup>

Since then public response in China has dampened, however, an increased number of Chinese and Japanese maritime vessels now patrol in close proximity in disputed waters, heightening the risk of an accidental clash and rapid escalation of hostilities. According to U.S. government statistics, there were two violations of Japan's territorial waters in 2008, none in 2009, one in 2010, 2 in 2011, and 23 in 2012. The Japanese Air Self Defense Forces (ASDF) scrambled missions against Chinese incursions into its air defense identification zone (ADIZ) 31 times in fiscal year 2008, 38 in FY 2009, 96 in FY 2010, 156 in FY 2011, and 160 from April to December of 2012.<sup>8</sup>

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<sup>5</sup> Smith, Sheila A.: "A Sino-Japanese Clash in the East China Sea", *CFR Contingency Planning Memorandum*, no. 18, at <http://www.cfr.org/east-asia/sino-japanese-clash-east-china-sea/p30504>.

<sup>6</sup> Japan External Trade Organization (JETRO): "JETRO survey: Analysis of Japan-China Trade in 2012 and outlook for 2013", *News and Updates* (19 February 2013), at <http://www.jetro.go.jp/en/news/releases/20130219452-news>

<sup>7</sup> Details from: Przystup, James J.: "40<sup>th</sup> Anniversary: "Fuggetaboutit!", *Comparative Connections* (January 2013), at [http://csis.org/files/publication/1203qjapan\\_china.pdf](http://csis.org/files/publication/1203qjapan_china.pdf).

<sup>8</sup> Cited in Dreyer, June Teufel: "Sino Japanese Relations; The Security Perspective", Nottingham University, *China Policy Institute Blog* (18 February 2013), at <http://blogs.nottingham.ac.uk/chinapolicyinstitute/2013/02/18/sino-japanese-relations-the-security-perspective/>.



### 3. India-China Relations

As for most other countries in the region, China is a challenge for India. There is a “multiplicity of roles” that China plays vis-à-vis India. The long-standing boundary dispute between the two countries remains unresolved; China’s relationship with Pakistan remains strong; its military modernization efforts are a potential military threat; and, it is steadily increasing influence in neighbouring Nepal, Bangladesh, Sri Lanka and Myanmar. In 1998 the Indian government officially cited the Chinese threat as a rationale for its nuclear tests. On the other hand China is today India’s largest trading partner and often the diplomatic positions of the two countries converge in the global arena. Thus bilateral relations are a mixed bag of competition and cooperation.

Although India and China have held several rounds of talks since 1988 to resolve their territorial boundary dispute a resolution has remained elusive and border relations remain a serious source of friction. In fact the India-China boundary dispute is the only territorial issue that China has not resolved. Particularly in the last couple of years China has frequently and aggressively asserted its territorial claims with intrusions across the line of actual control, denial of visas to Indian citizens of the state of Arunachal Pradesh and even protesting against the Indian prime minister’s visit to Arunachal Pradesh. The latest was the three week military standoff in Ladakh in April this year that almost jeopardized Chinese Premier Li Keqiang’s visit to New Delhi.

China’s rapid expansion and modernization of its transport infrastructure across the border along with the militarization of Tibet adds to India’s concerns. Examples include the build-up of infrastructure in Tibet and Chinese plans to extend the Beijing-Lhasa railway line to Yatung just a few miles from Sikkim’s Nathu La and subsequently extend this to Nyingchi, north of the Indian state of Arunachal Pradesh, at the tri-junction with Myanmar.<sup>9</sup> China has deployed advanced aircraft including SU-27 along with Surface-to-Air anti-aircraft missiles in Tibet and conducts regular military exercises in the region. According to Indian government estimates China now possesses the capability to move more than 10,000 troops to the Indian border in twenty to twenty-five days compared to three to six months a decade back.<sup>10</sup>

Then there is the issue of China’s relations with India’s neighboring countries. Sino-Pakistan ties gained particular momentum after the 1962 Sino-Indian war, when China and Pakistan signed a boundary agreement recognizing Chinese control over portions of the disputed Kashmir territory. Since then, strong bilateral relations between them have remained a priority for both countries and Beijing has provided extensive economic, military, and technical assistance to Pakistan over the years. China is Pakistan’s largest defense supplier and Pakistan’s military modernization is critically dependent on Chinese assistance as evident in China supplying Pakistan with short-range M-11 missiles and helping Pakistan develop the Shaheen-1 ballistic missile.<sup>11</sup> Indeed, notwithstanding Chinese restraint in the 1999 Kargil conflict the widely held view in India is that, in the context of continued Chinese provision of civilian and military resources to Pakistan to balance Indian power in South Asia, India must be prepared for a potential two-front war theater.

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<sup>9</sup> Pant, Harsh V.: “China and India: A Rivalry Takes Shape”, *Eurasia Review* (15 June 2011), at <http://www.eurasiareview.com/15062011-china-and-india-a-rivalry-takes-shape-analysis/>.

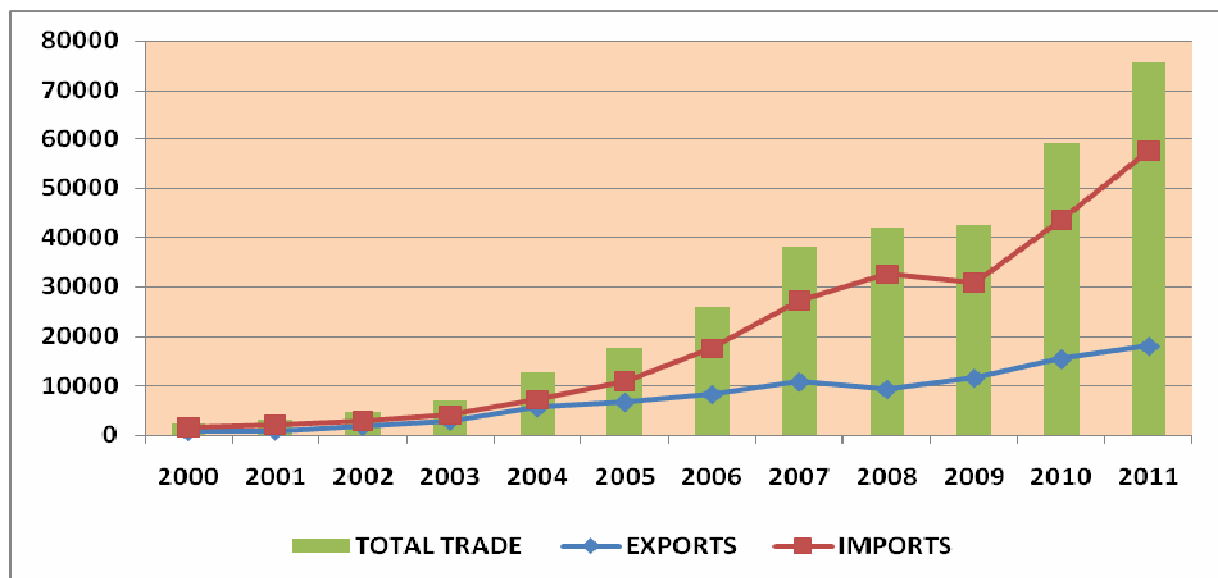
<sup>10</sup> *Ibid.*

<sup>11</sup> “Pakistan Profile”, *Nuclear Threat Initiative* (February 2011), at [http://www.nti.org/e\\_research/profiles/Pakistan/index.html](http://www.nti.org/e_research/profiles/Pakistan/index.html).

In addition China's influence in neighbouring Nepal, Bangladesh, Sri Lanka and Myanmar is also substantial with steadily increasing military ties and economic interaction. Chinese arms supplies to these countries and its involvement in infrastructure projects of strategic significance are extremely sensitive issues for India. As Kanwal Sibal points out China's economic relations with India's neighbors are essentially strategic in nature.<sup>12</sup> The focus is on building strategic infrastructure and not so much on assistance aid or direct investment and the balance of trade is also in favor of China. The active Chinese participation in the development of deep-sea ports in the littoral states in India's neighborhood – Myanmar, Bangladesh, Sri Lanka and Pakistan is viewed by Indian analysts as a “string of pearls” strategy of China to encircle and contain India.

At the same time, China is currently India's largest trading partner and both the sides have targeted 100 billion US\$ bilateral trade by 2015. Total bilateral trade was US\$ 67.82 billion in 2012.

Fig 3: India's Trade with China (US\$ million)



Data Source: Ministry of Commerce and Industry, India

However, as in the case of Sino-Japanese relations bilateral economic relations with China are beginning to worry the Indian side. China accounts for a fifth of India total trade deficit of US\$ 190.9 billion with the world. If oil is excluded then it accounts for almost half. In 2012 the trade deficit with China touched a new high of US\$ 40 billion.

<sup>12</sup> Kanwal Sibal “String of Pearls or A Garrotte”, *VIF India* (6 August 2012), at <http://www.vifindia.org/article/2012/august/06/string-of-pearls-or-a-garrotte>.

Fig. 4: India's Trade Deficit with China (US\$ billion)

	Trade Deficit in US\$ billion
2006-07	<b>9.15</b>
2007-08	<b>16.27</b>
2008-09	<b>23.14</b>
2009-10	<b>19.20</b>
2010-11	<b>23.86</b>
2011-12	<b>39.65</b>

Data Source: DGCIS, Ministry of Commerce and Industry, India

Also challenging from India's point of view is that the bilateral trade framework that has emerged has India primarily exporting iron ore and other raw materials while China's exports are mainly finished goods and machinery. India wants to diversify its export basket to China with manufactured goods, pharmaceuticals and IT.

The overall confidence deficit between India and China has been the main reason for the low level of Chinese foreign direct investment (FDI) in India. As per the latest available figures FDI from China is less than 0.5 percent in India. There have been very visible cases of Chinese firms wanting to invest in telecom etc which were prevented from doing so. There is also strong domestic opposition on pursuing a bilateral free trade agreement (FTA) with China. Energy also is increasingly becoming a source of friction between China and India. They are two of the world's fastest-growing energy consumers, with China importing about 50 percent of its energy needs and India importing 70 percent. There are several examples in recent years of bidding wars between the two in the competition for energy sources.



At the regional level, India's Look East Policy has regularly confronted the China challenge, both in relation to the moves towards regional economic integration and the expansion of India's maritime presence in the east.

First, from India's perspective the region has emerged as a critical destination for exports as well as a significant source of imports. It's interest in being an integral part of East Asian economic integration in thus obvious. However, in this regard China has been a major obstacle.

Fig. 5: India's Export Import Data for East Asia 2011-12 (% share)

Region	Exports	% Growth	Imports	% Growth
NE Asia	14.8	21.5	20.1	29.5
ASEAN	12.0	43.3	8.6	38.9

Data Source: Ministry of Commerce and Industry, India

While not overtly opposing India, China has supported the ASEAN+3 process as “the main vehicle” and “the main channel for East Asian cooperation”. Despite several studies showing greater welfare gains for an ASEAN+6 FTA China stressed that the sequencing of FTA consolidation in East Asia should be in the form of the East Asian Free Trade Agreement (EAFTA) comprising ASEAN+3 (China, Japan and South Korea) before opening up to other countries” and that it would be open to participation by other members of East Asia Summit (Australia, New Zealand and India) in an “appropriate time”. In fact the current Chinese active support for a Regional Comprehensive Economic Partnership (RCEP) is more a strategic initiative to counter the US led Trans Pacific Partnership (TPP) rather than any warming towards a broader regional FTA.

The second issue where Sino-Indian strategic complexity manifests regionally is with regard to India's maritime moves to the East of Malacca Straits. It is due to rising concerns with China's “string of pearls” strategy in the Indian Ocean that have led to a more aggressive Indian naval posture. India has taken to dispatching its ships on forward presence missions designed to “show the flag” in the South China Sea, a maritime domain that China claims exclusively as its own. Bilateral exercises have been undertaken in the South China Sea with the navies of Singapore, Vietnam, and the Philippines. The Indian navy has also initiated plans to bolster its forces deployed in the east. In 2005, a Far Eastern Naval Command was established at Port Blair in the Andaman Islands, located midway between the Bay of Bengal and the Straits of Malacca, a key chokepoint linking the Indian Ocean to the South China Sea. Airfields in the Andamans bring the straits, as well as much of the South China Sea, within the operational radius of India's frontline fighter aircraft. In fact the Prime Minister of India, Prime Minister Manmohan Singh himself has asserted that India's strategic footprint covers Southeast Asia and beyond.



#### **4. The Evolution of Japan-India Strategic Partnership**

In the year 2000 when Japanese Prime Minister Mori visited India *The Global Partnership between Japan and India in the 21st Century* was announced a term which had previously been used by Japan only to describe its relations with the United States. The first comprehensive bilateral security dialogue was held in Tokyo in July 2001 and in October 2001 Japan decided to lift the economic sanctions it had imposed after India's nuclear tests in 1998. Since then, a multitude of Joint Statements and dialogues have added substantive layers to this strategically oriented partnership. In 2006 it was decided to establish a *Strategic and Global Partnership between Japan and India* that emphasized contributing to greater regional peace and stability via closer political and diplomatic coordination on bilateral, regional, multilateral and global issues and stronger defense relations. It proposed, among others, (a) holding annual summit meetings between the top leaders of the two countries, and (b) institutionalizing strategic dialogue at the level of foreign ministers.

The prelude to the *Strategic and Global Partnership between Japan and India* was Japanese Foreign Minister Taro Aso's speech<sup>13</sup> stating Japan's hope to build an "arc of freedom and prosperity". Presenting it as a new pillar in Japanese diplomacy Mr. Aso spoke of this sweeping arc stretching from Northeast Asia to Central Asia and the Caucasus, Turkey, Central and Eastern Europe and the Baltic states where Japan would serve as an "escort runner" through diplomacy that emphasizes values freedom, democracy, and respect for human rights and the rule of law. To this end Japan would actively work with other countries that share the same beliefs.

In April 2007, the first ever trilateral naval exercises were held between the United States, Japan and India in the Western Pacific and in August 2007, the annual India-US Malabar naval exercise was transformed into large-scale multilateral exercises in the Bay of Bengal involving the United States, India, Japan, Australia and Singapore. Soon after Japan and India unveiled the *Roadmap for New Dimensions to the Strategic and Global Partnership between Japan and India* clearly stating that "a strong, prosperous and dynamic India is in the interest of Japan and a strong, prosperous and dynamic Japan is in the interest of India and recognized that Japan and India share a congruence of interests."<sup>14</sup>

The roadmap envisioned deepening and broadening of the strategic dialogue as well as strengthening defense exchange and cooperation between the coast guards. The issues of common concern that were highlighted included the East Asia Summit (EAS), stable development of South Asia, promotion of multi-layered frameworks for regional cooperation, UN reform, progress of Six Party Talks on denuclearization of the Korean peninsula, and Japan-India civil nuclear energy cooperation.

In addition visiting Japanese Prime Minister Shinzo Abe presented his views on the future of Japan and India in an address at the Indian Parliament.<sup>15</sup> The address titled *Confluence of the Two Seas* stated:

*The Pacific and the Indian Oceans are now bringing about a dynamic coupling as seas of freedom and of prosperity. A "broader Asia" that broke away geographical boundaries is now beginning to take on a distinct form. Our two countries have the ability -- and the*

<sup>13</sup> Text of Mr. Taro Aso's speech, at <http://www.mofa.go.jp/announce/fm/aso/speech0611.html>.

<sup>14</sup> Text of the Joint Statement, at <http://www.mofa.go.jp/region/asia-paci/pm0708/joint-2.html>.

<sup>15</sup> Text, at <http://www.mofa.go.jp/region/asia-paci/pm0708/speech-2.html>.



*responsibility -- to ensure that it broadens yet further and to nurture and enrich these seas to become seas of clearest transparency.*

Further, Mr. Abe emphatically stated that faced with this wide, open, broader Asia, it was incumbent upon the two democracies, Japan and India, to carry out the pursuit of freedom and prosperity in the region

The address followed the “assertive diplomacy” proposed by Mr. Abe in his book *Towards a Beautiful Country* published in 2005. In the book he had stated that “It is of crucial importance to Japan’s national interest that it further strengthen ties with India,” adding, “It would not be a surprise if in another 10 years, Japan-India relations overtake Japan-US and Japan-China relations.” Drawing India into the ambit of the new Japanese grand strategy, Mr. Abe had proposed a quadrilateral strategic dialogue between Tokyo, Washington, Canberra and New Delhi to promote their shared values of freedom and democracy in Asia.

The next year, when Indian Prime Minister Manmohan Singh visited Japan in October 2008, the joint statement read as *Advancement of the Strategic and Global Partnership between India and Japan*. The two countries also issued the *Joint Declaration on Security Cooperation between Japan and India* wherein it was decided to create a comprehensive framework for the enhancement of security cooperation. The declaration affirmed “similar perceptions of the evolving environment in the region and the world at large” and on signing the declaration, the Japanese and Indian Prime Ministers asserted that the strategic partnership between the two countries would become “an essential pillar for the future architecture of the region”.<sup>16</sup> The only other country with which Japan has signed a similar declaration is Australia in 2007.

With the coming of the Democratic Party of Japan (DPJ) government in Tokyo there were concerns that Japan-India ties may lose importance. Not only was India not mentioned in the DPJ manifesto, there was talk of pursuing a more mature a more ‘mature’ alliance in which Japan is less dependent on and deferential to the United States and advocacy of an “East Asian Community”. However the new Japanese Prime Minister Yukio Hatoyama kept the commitment of the two countries to an annual summit and visited India in December 2009 signaling bipartisan support for Japan-India relations. The *Action Plan to advance Security Cooperation based on the Joint Declaration on Security Cooperation between Japan and India* was adopted during this visit. In June 2012 Japan and India conducted their first bilateral exercise off the coast of Tokyo.

Japan and India strategic partnership appears set for a new high after Mr. Shinzo Abe once again becoming the Prime Minister of Japan. Signaling strengthened intent in this regard, Mr. Abe has spoken of *Asia’s Democratic Security Diamond*.<sup>17</sup> In his words:

*I envisage a strategy whereby Australia, India, Japan, and the US state of Hawaii form a diamond to safeguard the maritime commons stretching from the Indian Ocean region to the western Pacific. I am prepared to invest, to the greatest possible extent, Japan’s capabilities in this security diamond.*

<sup>16</sup> Brewster, David: “The Australia–India Security Declaration: The Quadrilateral Redux?” *Security Challenges*, vol. 6, no. 1 (Autumn 2010), pp. 1-9, at <http://www.securitychallenges.org.au/ArticlePDFs/vol6no1Brewster.pdf>.

<sup>17</sup> See: Abe, Shinzo: “Asia’s Democratic Security Diamond”, *Project Syndicate*, 27 December 2012, at <http://www.project-syndicate.org/commentary/a-strategic-alliance-for-japan-and-india-by-shinzo-abe>.





Deputy Prime Minister Taro Aso has also recently talked of the need for Japan to re-think the self-imposed ban on the export of defense equipment and technologies and for Japan and India to become net providers of regional security as Asia's two largest maritime democracies.<sup>18</sup> Indeed, media reports suggest that during the upcoming visit of Indian Prime Minister Manmohan Singh to Tokyo agreement will be signed for the sale of amphibious aircraft used by Japan's Self Defense Forces and developed by ShinMaywa Industries with the proviso that the aircraft be used for non-military purposes such as search and rescue missions.

## **5. The United States, Japan and India Trilateral**

The rise of China has created simultaneous trends of competition and cooperation in both Sino-Japanese and Sino-Indian relations and no doubt the worsening Sino-Japanese security relations have significantly impacted the course of the Japan-India strategic partnership. However, as one delves deeper, linear correlations give way to a strategic web of complex interaction. Notably the Japan-India partnership must be seen in tandem with Indo-US engagement.

It has almost become the norm to speak of India and the United States as 'natural allies' as bilateral relations have undergone significant transformation over the past decade. In the past, Indo-US relations were marked by divergent worldviews. In particular, relations were deeply strained in the aftermath of India's nuclear tests in 1998. The commencement of a series of intense discussions between the two sides at the level of Indian Foreign Minister Jaswant Singh and U.S. Deputy Secretary of State Strobe Talbott over the next two years resulted in a slow normalization of the relationship.

Despite Japan strong stance on India's nuclear tests, the two countries were also engaged in talks. Hints of the rethinking in the Japanese government emerged during "meaningful meetings" between Indian External Affairs Minister Jaswant Singh and Japanese Foreign Minister Masahiko Komura in Singapore in July 1999 on the sidelines of the ASEAN meeting and in September 1999 in New York. In July, the two foreign ministers affirmed the "importance of developing Japan-India relations further as we go into the 21st Century". In the meeting in New York, they underlined the "importance of developing our bilateral relations through dialogue". During Mr. Jaswant Singh's subsequent visit to Tokyo in November 1999, he was quoted saying "I have successfully accomplished my mission which was to end the present state of frigidity," and that the Comprehensive Test Ban Treaty "is now more a conceptual hurdle than an actual hurdle," and no longer linked to normalization of ties.<sup>19</sup> Indeed Japanese Minister Mori's visit to India in August 2000 followed the visit to India by US President Bill Clinton in March 2000, which was the first by a US President to India after more than twenty years and marked a major change in US policy. Japan's October 2001 decision to lift all nuclear related economic sanctions came soon after the 9/11 terrorist attacks in the United States.

<sup>18</sup> Text of Mr. Taro Aso's lecture, at [http://www.in.emb-japan.go.jp/PDF/aso\\_lecture.pdf](http://www.in.emb-japan.go.jp/PDF/aso_lecture.pdf).

<sup>19</sup> Arora, Ramesh: "Normal ties with Japan 'restored': Jaswant Singh", *Rediff*, 26 November 1999, at <http://www.rediff.co.in/news/1999/nov/26jap1.htm>.



Since then Indo-US relations have further strengthened and the ambit of India's importance to US interests has steadily widened. Today the geopolitical importance of a liberal, democratic and economically rising India underlines most contemporary US global strategic formulations. The view that has gained credence is that the United States has to "strengthen political, economic and military-to-military relations with those Asian states that share our democratic values and national interests. That spells India".<sup>20</sup> In the words of Nicholas Burns, US Under Secretary of State for Political Affairs<sup>21</sup> - *As we Americans consider our future role in the world, the rise of a democratic and increasingly powerful India represents a singularly positive opportunity to advance our global interests. There is a tremendous strategic upside to our growing engagement with India. That is why building a close U.S.-India partnership should be one of the United States' highest priorities for the future. It is a unique opportunity with real promise for the global balance of power.* Since 2004, Washington and New Delhi have been pursuing a "strategic partnership". In 2005, the United States and India signed a ten-year defense framework agreement to expanding bilateral security cooperation. The high point of course was the 2008 peaceful nuclear cooperation agreement between the two countries that dramatically reversed three decades of US nonproliferation policy.

At the highest level has been the statement of US President Barack Obama when he visited India in November 2010 that "*The United States does not just believe, as some people say, that India is a rising power; we believe that India has already risen. India is taking its rightful place in Asia and on the global stage. And we see India's emergence as good for the United States and good for the world.*" Along similar lines, in May 2011, US Assistant Secretary of State Robert Blake summarized U.S.-India relations under the rubric of four major "agendas"<sup>22</sup>:

- an *innovation* agenda that includes collaboration on energy security, civil nuclear cooperation, agriculture, space, climate, and other sciences;
- a *security* agenda that includes military-to-military relations, arms sales, and nonproliferation;
- a *people-to-people* agenda that encourages civic engagement, and open governance and democracy initiatives; and
- a *growth* agenda focused on increasing bilateral trade and investment by removing barriers to both.

Clearly in the initial phase Japan's strategic engagement with India was prodded by the United States. Consider Japanese Foreign Minister Yuriko Kawaguchi's statement<sup>23</sup> in January 2003:

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<sup>20</sup> "Statement by the U.S. ambassador to India, Robert Blackwell", cited in: "U.S. and India consider Asian NATO", *Newsmax*, 29 May 2003, at <http://archive.newsmax.com/archives/articles/2003/5/29/162032.shtml>.

<sup>21</sup> Burns, R. Nicholas: "America's Strategic Opportunity With India" *Foreign Affairs* (November/December 2007).

<sup>22</sup> Blake, Jr. Robert O.: "The Current State of U.S.-India Cooperation and Prospects for the Future", Assistant Secretary, Bureau of South and Central Asian Affairs, US State Department (13 May 2011), at <http://www.state.gov/p/sca/rls/rmks/2011/163312.htm>.

<sup>23</sup> Text, at <http://www.mofa.go.jp/region/asia-paci/fmv0301/india.html>.



*Within the new strategic environment, India has been working to strengthen its ties with the United States and other major countries with which it had had limited engagement during the Cold War era, and its recent advances in defense cooperation with the United States are of particular note. This Indian initiative will contribute to peace and stability in Asia. Japan is likewise helping to foster stability and prosperity in the Asian and Pacific region through the Japan-U.S. Alliance.*

The placing of bilateral relations with India in the wider strategic context of Asia came only in 2006 with the *Strategic and Global Partnership between Japan and India*. Only in June 2012 did Japan and India conduct their first bilateral exercise off the coast of Tokyo. It is in line with rising importance of India in US strategic formulations that Japan assessment of the usefulness of India as a strategic partner has increased. It is for nothing that the consistent emphasis on democracy as a common core value and maritime security as a common objective underpins Japan-India strategic partnership.

Indeed after India and the US launched a Strategic Dialogue on the Asia-Pacific in 2010 “to ensure that the world’s two largest democracies pursue strategies that reinforce one another” the United States hosted the first US-Japan-India Trilateral in December 2011. Reflecting this objective was the Joint Statement of the U.S.-Japan Security Consultative Committee meeting in June 2011 which stated an alliance common strategic objective to - “Welcome India as a strong and enduring Asia-Pacific partner and encourage India’s growing engagement with the region and participation in regional architectures. Promote trilateral dialogue among the United States, Japan, and India.”<sup>24</sup> Since then four such dialogues have taken place “to exchange views on a wide range of regional and global issues of mutual interest” marking the beginning of a series of consultations among the three governments, “who share common values and interests across the Asia-Pacific and the globe”.

## **6. The Economic Imperatives of Japan-India Relations**

From a bilateral standpoint the most noteworthy and tangible improvements in Japan-India relations have been in the sphere of economic relations and it is here that the China factor is directly evident.

Economic relations between India and Japan in recent years have gathered significant momentum after years of stagnation. According to the latest figures available, total bilateral trade in 2012-13 was approx US\$ 18.76 billion. The main items of India’s exports to Japan are iron ore, metal products, food products including marine products, raw materials and chemical products. The main items of Japan’s exports to India are general machinery, metal products, electrical machinery, metal products and transport machinery.

The institutional framework to further accelerate and consolidate business activities between India and Japan has been put in place with the Comprehensive Economic Partnership Agreement (CEPA) that came into effect in August 2011. As part of the CEPA, India will eliminate tariffs on 90 per cent of its imports from Japan, and Japan will remove tariffs on 97 per cent of Indian imports on a trade value basis within 10 years. In addition the CEPA relaxes barriers on investment, trade in services and movement of professionals. With tariffs

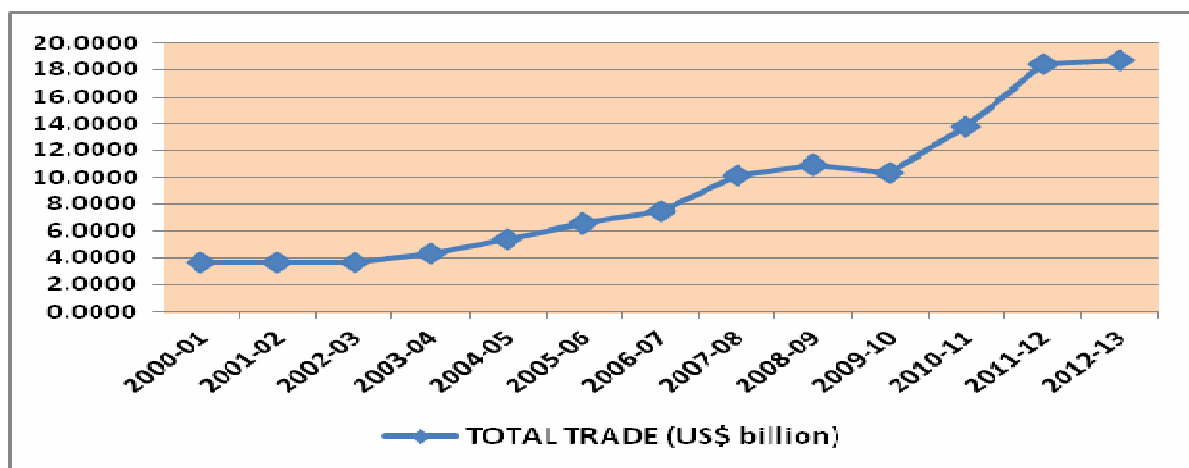
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<sup>24</sup> Text, at <http://www.state.gov/r/pa/prs/ps/2011/06/166597.htm>.

slashed on more than 8,000 products including generic drugs, apparel, agricultural products and machinery the bilateral trade between both countries is expected to reach US\$ 25 billion by 2014.

It is soon after the anti-Japanese demonstrations that the Prime Ministers of Japan and India directed that the Japan-India Joint Study Group (JSG) be launched by June 2005. The JSG was tasked to comprehensively consider means to strengthen economic relations between Japan and India and submit its report within a year. The JSG recommended that the two countries launch inter-governmental negotiations to develop CEPA. It is also in the context of Chinese suspension of shipments of rare earths to as a means to pressure Japan in the 2010 flare up over the Senkaku islands that Japan and India Joint Statement that year recognized the importance of rare earths and rare metals for future industries and it was agreed to explore the possibility of bilateral cooperation. Though the Chinese suspension was temporary Japan is looking to diversify the procurement of rare earths essential for its high tech electronics industry and Japan in India have in 2012 signed a memorandum of understanding to enable the import of rare-earth minerals from India.

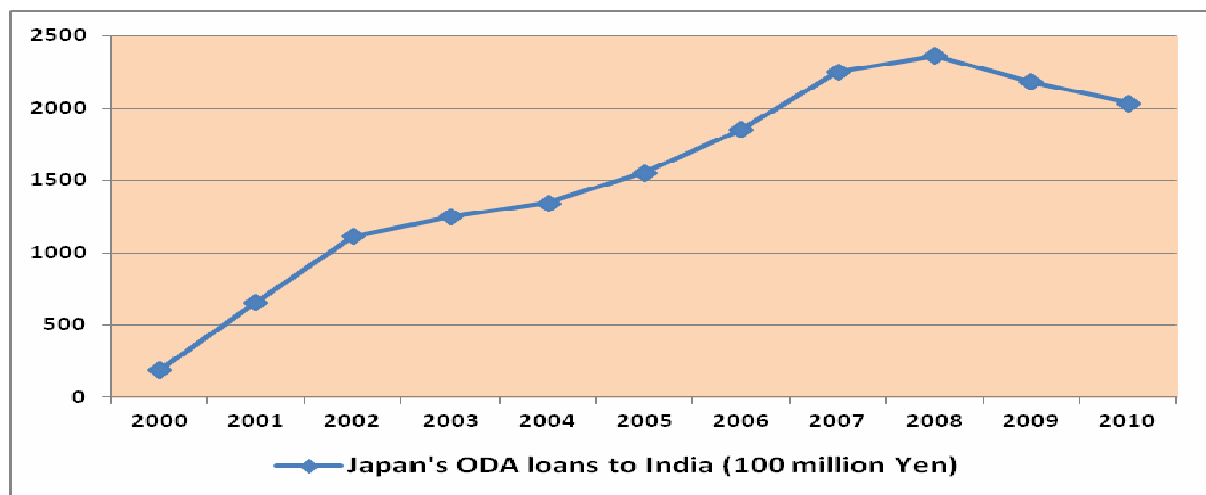
Fig 6: India - Japan Bilateral Trade



Data Source: Export-Import Databank, Department of Commerce, Govt. of India

Importantly, Japan is also currently India's largest bilateral developmental assistance donor and India has been the top recipient of yen loans from Japan since 2003 surpassing China, which had been holding that position for many years. In fact as the argument that China was an economic threat gained momentum in Japan correspondingly ODA disbursements to India increased. The share of Japanese development assistance in total ODA received by India has been significantly increasing over the past few years to stand at 42 percent in 2010.

Fig7: Japan's Overseas Development Assistance (ODA) to India



Data Source: Embassy of Japan, New Delhi

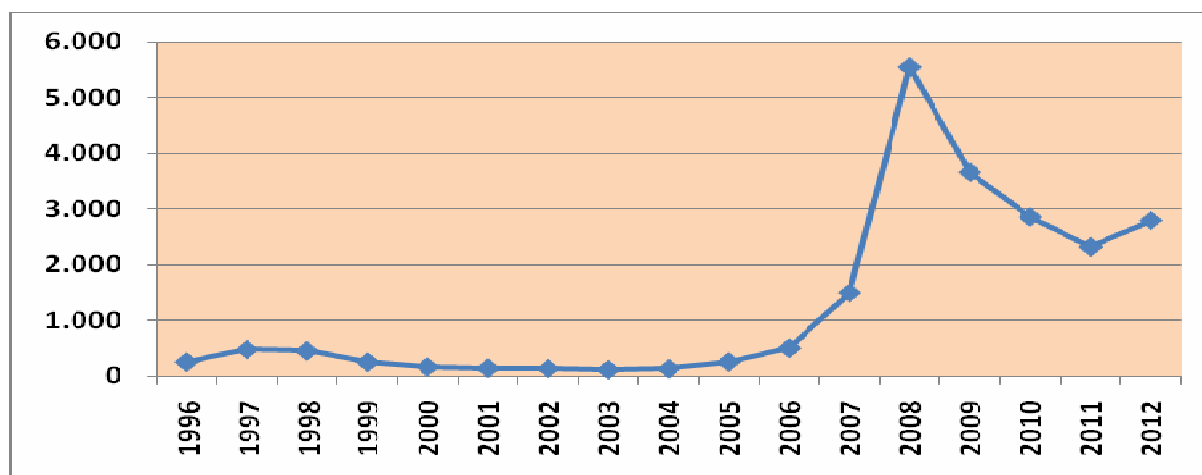
Given that Japan's ODA tends to be focused on the economic infrastructure needs of recipients the major sectors attracting the attention of Japanese ODA in China and India have also been largely similar. In China, from April 1980 - December 2007, 48 percent of Japan's ODA projects belonged to the transportation, electric power and gas sector. In the case of India, from March 1976 – March 2012, 50 percent of the projects have belonged to the transportation, electric power and gas sector.

In India, as part of the Japan-India Special Economic Partnership Initiative (SEPI) several high visibility flagship projects like the Delhi-Mumbai Industrial Corridor (DMIC) have been initiated. The DMIC is projected to attract foreign investment worth about US\$ 92 billion and will include cooperation in development of sea ports on the west coast and industrial estates and Special Economic Zones with high quality physical and social infrastructure through collaboration between private and governmental sectors of India and Japan. The Japanese government has announced intention to make available for the DMIC projects Japan's public and private finance totaling US\$ 4.5 billion in the next five years.

However, as shown by Hidemi Kimura and Yasuyuki Todo, not only does Japan's ODA have a positive "infrastructure effect" it also has a positive "vanguard effect" on Japanese FDI.<sup>25</sup> Currently, Japan is the fourth largest investor in India with a share of about eight per cent in total cumulative inflows of foreign direct investment (FDI) between April 2000 and February 2013. As shown in Fig 3, in 4 years the number of Japanese companies with business operations in India has more than doubled. The sectors attracting Japanese investment are automobile industry, electrical equipment, trading, service sector (financial & non-financial), and telecommunications.

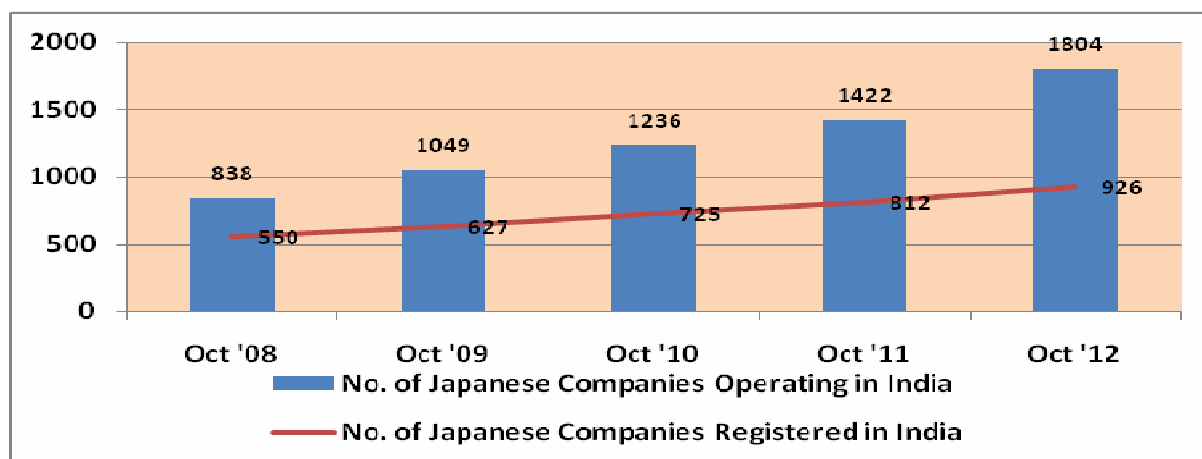
<sup>25</sup> See: Kimura, Hidemi and Todo, Yasuyuki: "Is Foreign Aid a Vanguard of FDI? A Gravity-Equation Approach" RIETI Discussion Paper Series 07-E-007 (February 2007).

Fig 8: Japanese FDI in India (US\$ million)



Data Source: Japan External Trade Organization (JETRO)

Fig 9: Number of Japanese Companies in India



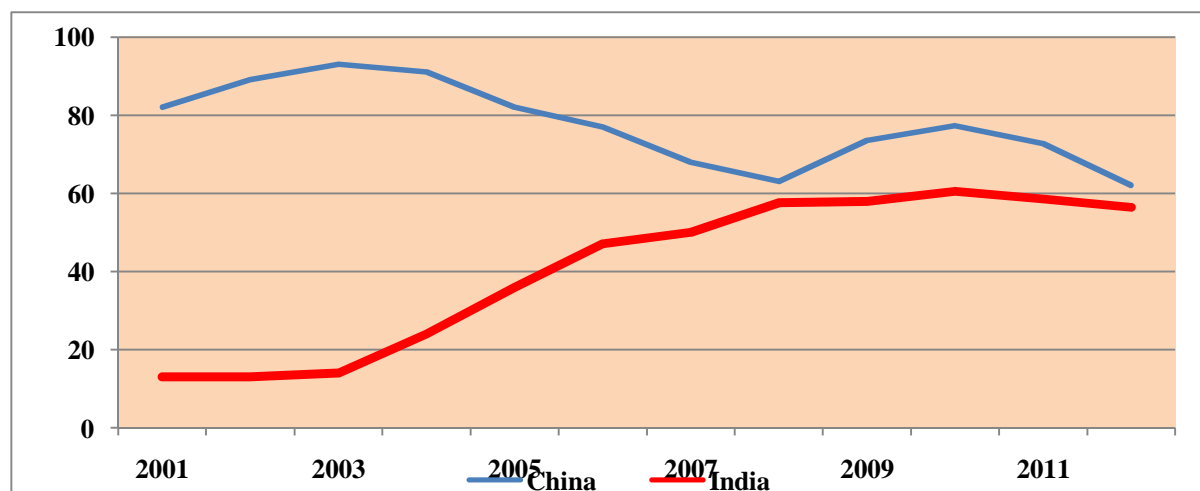
Data Source: Embassy of Japan, New Delhi

Of course several factors have also contributed to the changing Japanese companies' perception of the Indian economy. These include India's economic growth despite the global economic downturn; domestic demand; projections of expansion of India's working population aged 15-64 over the long term; strengthening ties with other East Asian economies particularly South Korea; and geographically strategic position of India to develop as a production and export base for the growing market in the Middle East and Africa. However, increases in ODA disbursements are indicative of Japan's economic interest in India and have also been an important determinant of increasing Japanese FDI inflows into India. Using

At the level of the private sector also the worsening Japan-China relations have had an impact on the increasing interest in India. Since 2005 the results of the annual survey of Japanese manufacture's overseas business operations conducted by the Japan Bank for

International Cooperation (JBIC) have rated India as the 2<sup>nd</sup> most promising investment destination after China in the next ten years. And in the backdrop of recent tensions with China, the 2012 JBIC survey shows that India has overtaken China as the most attractive investment destination in the next 10 years. In terms of the medium term of the next three years China is still the most attractive market but the gap between China and India has substantially reduced.

Fig 10: Japanese Investors Perception of Promising Countries for Overseas Business (3 years)



Data Source: Source: JBIC's Survey Report, December 2012

When specifically questioned about China the December 2012 survey<sup>26</sup> states:

- Two out of every three companies say that their business operations in China have been negatively impacted by the recent anti-Japanese demonstrations.
- With regard to future operations in China, 55.7 percent respondents say that although they are yet to decide their direction they feel the need to monitor the situation and act cautiously.
- With regard to the vision for future operations in China and the Chinese market, 74.4 percent say that diversifying risk to other countries/regions is important.

## 7. Concluding Remarks

Japan is no longer complacent about China's rises. It is increasingly seeing economic relations with India as an insurance policy and a critical component of its economic diversification strategy to reduce dependence on the Chinese market. At the same time Japan continues to be firmly committed to the alliance with the United States as the primary vehicle

<sup>26</sup> See Nishizawa, Toshiro: "How Could we Interpret JBIC's FDI Survey Results", *ICRIER* (9 March 2013), at <http://www.icrier.org/pdf/nishizawa09mar13.pdf>.



to advance its national security. The strategic partnership with India is still largely ideational. It is the vision emanating from Washington linking India, Japan and the United States in the realm of Asian security that has stimulated Japan's politico-strategic initiatives involving India.





## STILL AT ODDS: THE JAPANESE ABDUCTION ISSUE AND NORTH KOREA'S CIRCUMVENTION

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### Abstract:

During the 1970s and 1980s, North Korea, or as it is known officially, the Democratic People's Republic of Korea (DPRK), abducted a number of Japanese citizens. Especially after the late Kim Jong Il admitted to former Japanese Prime Minister Junichiro Koizumi in September 2002 that agents from the DPRK had kidnapped some Japanese nationals during the Cold War, the abduction issue, which remains unresolved, became highly politicized in Japan. Pyongyang, however, has continued to maintain for some time now that the abduction issue was settled several years ago, while also insisting that Japan must make amends to the DPRK for its past colonization of the Korean Peninsula. For its part, Tokyo has remained adamant about the need to resolve the abduction issue, repeatedly stressing that it is one of the few major problems preventing the normalization of Japan-North Korea relations. Largely because of the strong security relationship between the United States and Japan, which for the past several years has had to contend with the North Korean missile and nuclear weapons issues, this paper also examines Washington's changing position on the abduction issue.

**Keywords:** Japanese abduction issue, North Korean missile and nuclear weapons issues, the history problem, politicization of the abduction issue, six-party talks, the U.S. position on the abduction issue.

### Resumen:

*Durante las décadas de 1970 y 1980, Corea del Norte, o tal y como se la conoce oficialmente, la República Democrática Popular de Corea (RDPC), secuestró a una serie de ciudadanos japoneses. Este asunto, hoy por hoy todavía sin resolver, se ha politizado enormemente en Japón, en particular desde que el difunto Kim Jong-Il admitiese al anterior primer ministro japonés, Junichiro Koizumi que efectivamente la RDPC había secuestrado ciudadanos japoneses durante la Guerra Fría. Pyongyang sin embargo lleva desde hace un tiempo manteniendo que el asunto relativo a los secuestros quedó resuelto hace varios años, a la par que insiste en que Japón ha de pedir disculpas a la RDPC por la colonización de la Península de Corea. Por su parte, Tokio se mantiene firme en lo que respecta a la necesidad de resolver el problema de los secuestros, subrayando que es uno de los principales problemas que se oponen a la normalización de las relaciones Japón-Corea del Norte. En gran medida por la fuerte relación de seguridad que liga a Japón con los Estados Unidos, y que en los últimos años se ha tenido que enfrentar al desafío múltiple de los lanzamientos de misiles balísticos y los ensayos nucleares, este artículo también trata la cambiante postura de Washington en relación con el asunto de los secuestros.*

**Palabras clave:** Secuestro de japoneses, problema nuclear de Corea del Norte, problema histórico, politización de los secuestros, Conversaciones a Seis Bandas, postura de los EEUU sobre los secuestros.

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## 1. Introduction

Although suspicions existed in Japan for a number of years, Japanese officials first formally raised the abduction issue in the early 1990s during normalization discussions with the Democratic People's Republic of Korea (DPRK).<sup>2</sup> Since then, it has remained an enduring and significant thorn plaguing Japan-North Korean relations. For Tokyo, it is one of the three major problems preventing rapprochement with the DPRK, of which the other two are the North Korean missile and nuclear weapons issues. During the 1970s and 1980s agents from the DPRK kidnapped – without authorization, according to the late Kim Jong Il – a number of Japanese nationals. These abductions, which occurred subsequent to the Japanese annexation of the Korean Peninsula from 1910 to 1945 and to the coercion of thousands of Korean women who were used as comfort women or sex slaves for Japan's imperial forces, two unresolved issues from the DPRK's perspective, symbolized the heightened animosity that existed during the Cold War between Pyongyang and Tokyo. Because of this Cold War tension, at least some in North Korea believed that the abductees would be able to train DPRK agents to act and speak Japanese.

As horrific as these abductions were, neither North Korea nor Japan has been an innocent victim in the poor bilateral relationship that has existed between them. For example, Tokyo sees Japan's defeat in the Pacific War as the demarcation line between of the atrocities attendant to its imperialist past and its postwar role as a respectable member of the international community. This perspective has encouraged Tokyo to claim that the abductions by North Korea were acts of international terrorism, while marginalizing the "history problem" as it pertains generally to the Korean Peninsula and specifically to the DPRK.

Since the early 1950s, the United States has maintained a bilateral security relationship with Japan. Referring to the Asia Pacific region, Deputy Secretary of Defense Ashton Carter noted during a recent visit to Japan in July 2012: "And of course Japan is our central and anchoring alliance, and has been for many decades, and so naturally I come here first, to Tokyo."<sup>3</sup> A central concern of and justification for the U.S.-Japan security alliance today, as it was during the Cold War, is North Korea. As will be discussed below, since the Clinton administration, Washington has exhibited shifting positions on the Japanese abduction issue.

## 2. Looking Back

Early on, the abduction issue interfered with Japan-North Korean normalization talks.<sup>4</sup> Indeed, Japan and the DPRK did not hold normalizations talks between 1992 and 2000. Pyongyang's decision to launch the Rodong-1 missile in May 1993 and especially its firing of the more advanced and longer-range Taepodong-1 in August 1998, which the North named the *Kwangmyŏngsŏng-1* and maintained it was a civilian satellite, worsened the already-poor Japan-DPRK relationship. The latter launch, for sure, put on hold any hopes of Tokyo and Pyongyang having normalization talks. Launched without advance notice, the Taepodong-1 crossed over Japanese territory. Tokyo responded to the launch by immediately cutting off food assistance to the DPRK, announcing its intention to continue with the plan to strengthen Japan's security relationship with Washington, which eventually included joint research with

<sup>2</sup> Ministry of Foreign Affairs of Japan (MOFA): *Outline and Background of Abduction Cases of Japanese Nationals by North Korea*, Tokyo, April 2002, at [www.mofa.go.jp/region/asia-paci/n\\_korea/abduct.html](http://www.mofa.go.jp/region/asia-paci/n_korea/abduct.html).

<sup>3</sup> U.S. Department of Defense: "Media Roundtable with Deputy Secretary of Defense Carter", Tokyo (21 July 2012), at [www.defense.gov/transcripts/transcript.aspx?transcriptid=5082](http://www.defense.gov/transcripts/transcript.aspx?transcriptid=5082).

<sup>4</sup> Unless otherwise noted, much of this section is drawn from DiFilippo, Anthony (2012): *US-Japan-North Korea Security Relations: Irrepressible Interests*, London and New York, Routledge, 2012, chapter 4.



the United States on missile defense, and by ending – but only for a short time – assistance to KEDO (Korean Peninsula Energy Development Organization).<sup>5</sup>

Formed as an international consortium (initially the United States, Japan and South Korea) in March 1995, KEDO had its origin in the October 1994 Agreed Framework between Washington and Pyongyang. Ending the first North Korean nuclear crisis of the early 1990s, the Agreed Framework froze the DPRK's plutonium-producing activities at Yongbyon and Taechon. KEDO was mainly created to supply the energy assistance to the DPRK stated in the Agreed Framework in exchange for its nuclear freeze, specifically by providing regular shipments of heavy oil to the DPRK, and to finance the construction of two light-water reactors. Because of the continued worsening of the second North Korean nuclear crisis that emerged in October 2002, the heavy oil shipments stopped in December 2002 and the funding for the reactors, which were never completed, ended in May 2006.<sup>6</sup>

For many years after Tokyo officially raised the abduction issue in the early 1990s, the DPRK emphatically denied that it had kidnapped any Japanese citizens, referring to them only as “missing persons.” However, Japanese conservatives, specifically the nationalists, were dogged, and continued to point to the DPRK as being culpable for the kidnappings.

The DPRK's first responded to the abduction charges harshly, eventually insinuating that South Korea's Agency for National Security Planning (ANSP) was somehow involved in this matter. Pyongyang also maintained that the act of kidnapping violated the principals of *juche* (self-reliance), the DPRK's official ideology. One of the missing persons, Megumi Yokota, who came to symbolize the egregiousness associated with the DPRK's perpetration of abducting Japanese nationals, was only 13 years old when she disappeared in November 1977. Pyongyang's attempt to dissociate the DPRK from the abductions went way beyond what could be considered reasonable, claiming “It is nobody's secret that Mayumi [*sic*] was an agent of the ‘ANSP’”<sup>7</sup>

In early June 1998, the *Korean Central News agency*, the official news outlet of the government and the Workers' Party of the DPRK, published the findings of the investigation asked for by Japan with respect to the missing persons. The spokesperson for the North Korean Red Cross Society noted an investigation concerning the whereabouts of Japanese citizens (at the time 10 had been identified by Japan's National Police Agency) in the DPRK was meticulously performed for five months earlier in the year and that it had been supervised by government organizations. The DPRK Red Cross Society indicated: “Regrettably, however, none of the ten sought by Japan was found out. The results of the search finally proved that the persons wanted by Japan do not exist in the DPRK territory and that they never entered nor temporarily stayed here.”<sup>8</sup> Just a few days later, the North Korean Foreign Ministry reiterated the findings of the Red Cross Society, noting also that, although Japan had withdrawn the use of the words “suspected kidnapping” by Pyongyang and asked instead to locate the missing persons, the thorough investigation showed that the DPRK was not in any way involved with their disappearance.<sup>9</sup>

<sup>5</sup> DiFilippo, Anthony (2012): *The Challenges of the U.S.-Japan Military Arrangement: Competing Security Transitions in a Changing International Environment*, Armonk, NY and London, M.E. Sharpe, pp. 45-46; DiFilippo, Anthony (2006): *Japan's Nuclear Disarmament Policy and the U.S. Security Umbrella*, New York: Palgrave Macmillan, p. 24.

<sup>6</sup> See KEDO, at [www.kedo.org/Index.asp](http://www.kedo.org/Index.asp).

<sup>7</sup> “Japan's Papers used by S. Korea in Anti-DPK Campaign”, *Korean Central News Agency*, 11 February 1997.

<sup>8</sup> “Results of Search for Missing Published”, *Korean Central News Agency*, 5 June 1998.

<sup>9</sup> “Japanese Authorities' Abuses of the DPRK Denounced”, *Korean Central News Agency*, 11 June 1998.



Pushed by Japanese nationalists in particular, the abduction issue would not go away. By early 2000, there was a ray of hope that Japan-DPRK relations could realize some improvement. Because in December 1999 Pyongyang had stated that it was willing to “continue the investigation as the case of missing persons,” Tokyo decided in March 2000, though not without some resistance from the right, to resume the food aid to the DPRK that it had cut off because of the launching of the mid-range Taepodong-1 in August 1998. Japan and the DPRK held normalization talks in April, August and October of 2000. During the talks in August, Pyongyang said that the DPRK’s Red Cross, working in cooperation with the government, was performing a “thorough investigation of the missing persons.” For Tokyo, the abduction issue was a critical obstacle that impeded the progress of rapprochement, while Pyongyang remained largely focused on issues pertaining to the history problem stemming from the Japanese colonization of the Korean Peninsula. In short, Japan-DPRK normalization talks held in 2000 did not accomplish much. In December 2001, the North Korean Red Cross Society announced, to Tokyo’s chagrin, that it was completely suspending the investigation of the missing persons.<sup>10</sup> The statement issued by the North Korean Red Cross also maintained that “riffraffs in Japan are these days making much fuss about the issue of ‘suspected kidnapping’, a fiction, at the connivance and instigation of the government authorities to seriously get on the DPRK’s nerves.”<sup>11</sup>

By the late 1990s, the abduction issue was getting a good bit of public attention, to some extent because of the media. During this time, two major support organizations were formed, the Association of the Families of Victims Kidnapped by North Korea (AFVKN, in 1997) and the National Association for the Rescue of Japanese Kidnapped by North Korea (NARKN, in 1998). Both of these organizations worked (as they still do today) to increase public awareness and government action. Although it is difficult to pinpoint the exact date of when the abduction issue became politicized, certainly some evidence of this existed in 2000. Just a few weeks before the Japan-DPRK normalization talks were held in October 2000, Prime Minister Yoshiro Mori of the Liberal Democratic Party (LDP) told family members of the abductees: “It would be unthinkable for the government to normalize relations while ignoring the alleged abductions.”

Indeed, by October 2000 it would have been political suicide for any Japanese politician to ignore the abduction issue. Survey results from the government of Japan’s Cabinet Office conducted in October 2000 showed that over 68 percent of the respondents expressed concern about the abduction issue. In contrast, just slightly above 52 percent of the survey respondents at this time said they were concerned about the DPRK missile problem and about 39 percent worried about the North Korean nuclear issue.<sup>12</sup>

In April 2001, the LDP’s Junichiro Koizumi became prime minister of Japan. Koizumi’s politics were generally conservative. Although Koizumi was not a nationalist, he was not averse to the influence of nationalists. Prior to becoming prime minister, Koizumi was far from fully knowledgeable about details associated with normalizing Japan-DPRK

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<sup>10</sup> MOFA: “Outline and Background of Abduction Cases of Japanese Nationals by North Korea”, Tokyo (April 2002); Manyin, Mark: “North Korea-Japan Relations: The Normalization Talks and the Compensation/Reparations Issue”, The Library of Congress, Congressional Research Service, Washington, D.C., (13 June 2001), at [http://assets.opencrs.com/rpts/RS20526\\_20010613.pdf](http://assets.opencrs.com/rpts/RS20526_20010613.pdf).

<sup>11</sup> “Report of DPRK Red Cross Society”, *Korean Central News Agency*, 17 December 2001.

<sup>12</sup> “Abduction Politics: North Korea, Japan and the Politics of Fear and Outrage”, 21 January 2008, at <http://ishingen.wordpress.com/tag/new-conservatives/>.



relations. But he was not opposed to it. And so, when Pyongyang began pursuing rapprochement after he became prime minister, Koizumi responded favorably.<sup>13</sup>

However, the Koizumi government faced a major obstacle: its security alliance partner, the United States. The end of the Clinton administration's time in Washington saw some thawing in the U.S.-DPRK relations, capped by the unprecedented trip to Pyongyang in October 2000 by Secretary of State Madeleine Albright. Her trip to Pyongyang came on the heels of a joint statement on international terrorism and a joint communiqué with the DPRK, both issued earlier in the month. In the joint statement Washington indicated that "as the DPRK satisfactorily addresses the requirements of U.S. law, the U.S. will work in cooperation with the DPRK with the aim of removing the DPRK from the list of state sponsors of terrorism." Besides announcing Albright's trip to the DPRK and the possibility of one by President Clinton (that never occurred while he was in office), the joint communiqué stressed that Washington and Pyongyang would work to build trust and confidence. The North also promised in this document "that it will not launch long-range missiles of any kind while talks on the missile issue continue."<sup>14</sup> Regarding the Japanese abduction issue, the Clinton administration had informed Tokyo before the end of 2000 that the (alleged) kidnappings by the DPRK would not stop Washington from taking North Korea off of the U.S. list of countries sponsoring terrorism, which it initially appeared on in the State Department's 1983 report,<sup>15</sup> since they were unrelated matters.<sup>16</sup> However, it did not take too long after George W. Bush became president for there to be discernible changes in U.S. policy toward the DPRK. And this new policy required compliance from Tokyo, the junior partner in the U.S.-Japan security alliance.

The Bush administration appears to have believed even more strongly than its predecessor that the collapse of the DPRK was likely to occur. Moreover, it was not a very well kept secret that several key officials in the Bush administration did not accept its predecessor's policy on North Korea and were especially disdainful of the 1994 Agreed Framework. Conservative and neoconservative elements with the Bush administration saw no need for the continuation of engagement with North Korea; rather, they pushed hard for adopting a hard-line policy.

At the end of August 2002, the Koizumi government announced that in September the prime minister would make a historic trip to Pyongyang. While publicly President Bush suggested that he supported Koizumi's trip, privately he and his administration had an entirely different position. Bush informed Koizumi that the United States could not support the normalization of Japan-DPRK relations until the North abandoned its efforts to develop nuclear weapons. The Bush administration told Tokyo that it did not want Japan to offer food

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<sup>13</sup> DiFilippo, Anthony: "Kojireta kankei no nichicho kokko seijohka (The Troubled Relationship: What Normalized Relations Would do for Japan and North Korea)", in *Kitachosen o Meguru Hokutoh Ajia no Kokusai Kankei to Nihon* (Japan and Northeast Asian International Relations Involving North Korea), Hiram, Yoichi and Sugita, Yone (2003) (ed.): Tokyo, Akashi Shoten, pp. 66-84; Funabashi, Yoichi (2007): *The Peninsula Question: A Chronicle of the Second North Korean Nuclear Crisis*, Washington, D.C., Brookings Institution Press, pp. 64-66.

<sup>14</sup> U.S. Department of State: "Joint U.S.-DPRK Statement on International Terrorism", Washington, DC. (6 October 2000), at <http://statelists.state.gov/scripts/wa.exe?A2=ind0010b&L=uskorea-kr&F=&S=&P=74>; U.S. Department of State: "U.S.-DPRK Joint Communiqué", Washington, DC. (12 October 2000), at <http://usinfo.org/wf-archive/2000/001012/epf407.htm>.

<sup>15</sup> DiFilippo, Anthony: "North Korea as a State Sponsor of Terrorism: Views from Tokyo and Pyongyang," *International Journal of Korean Unification Studies*, vol. 17, no. 1 (2008), p. 2.

<sup>16</sup> Pritchard, Charles (2007): *Failed Diplomacy: The Tragic Story of How North Korea Got the Bomb*, Washington, DC., The Brookings Institution, p. 86.



aid to North Korean as a carrot to move the abduction issue forward, preferring instead that this assistance come from the United Nations. The Bush administration also told the Koizumi government at the end of August that it had information that North Korea had been concealing a uranium-enrichment program to develop nuclear weapons.<sup>17</sup> The 1994 Agreed Framework between the United States and the DPRK prohibited North Korea from having such a program in that it referenced the *Joint Declaration on the Denuclearization of the Korean Peninsula*, which was signed by Seoul and Pyongyang in early 1992 and which expressly stated that the two Koreas “shall not possess nuclear reprocessing and uranium enrichment facilities.”<sup>18</sup>

Koizumi visited Pyongyang for one day on September 17, 2002. Meeting with North Korean leader Kim Jong Il, the two signed the Pyongyang Declaration, which established a foundation for rapprochement. Among other things the Pyongyang Declaration stated that Japan and the DPRK would work to resolve missile and nuclear issues, that the North would continue to suspend missile launches in 2003 and beyond, and that they would work to normalize bilateral relations, with talks to resume in October. Moreover, the Pyongyang Declaration noted that Japan had caused much suffering and serious problems when it colonized Korea and significantly, because Kim admitted to Koizumi that North Korean agents had previously abducted Japanese nationals, the document stated that the DPRK promised “that these regrettable incidents, that took place under the abnormal bilateral relationship, would never happen in the future.”<sup>19</sup>

During their summit in September 2002, Kim told Koizumi that the abductions were not authorized by the DPRK but that the agents responsible for the kidnappings acted on their own. According to Tokyo, at this summit the DPRK promised to punish those responsible for the abductions. However, Tokyo maintains that although the DPRK provided the court records of the agents’ hearing, parts have been deleted and there are few specific references to the abductions in their trial, which took place in 1998 and 1999.<sup>20</sup> Pyongyang later maintained that the two agents responsible for the kidnappings – Jang Bong Rim and Kim Sung Chol – had been executed.<sup>21</sup>

In April 2002, several months before the Koizumi-Kim summit, the Japanese Ministry of Foreign Affairs identified 11 nationals who it believed had been abducted by North Korea.<sup>22</sup> However, Kim told Koizumi at their September summit that 13 Japanese nationals had been abducted by DPRK agents. Said Kim at the time, only five of the abductees were still living; the other eight had died and that the DPRK could not verify that another person, who Tokyo had identified as a victim, was ever in the DPRK.<sup>23</sup> On the same day of the summit the North Korean Foreign Ministry issued a statement stipulating that the DPRK

<sup>17</sup> DiFilippo, Anthony: “Security Trials, Nuclear Tribulations, and Rapprochement in Japan North-Korean Relations”, *The Journal of Pacific Asia*, vol. 11 (2004), pp. 13-14.

<sup>18</sup> “Joint Declaration on the Denuclearization of the Korean Peninsula”, 19 February 1992, at [www.fas.org/news/dprk/1992/920219-D4129.htm](http://www.fas.org/news/dprk/1992/920219-D4129.htm).

<sup>19</sup> MOFA: “Japan-DPRK Pyongyang Declaration”, Pyongyang (17 September 2002), at [www.mofa.go.jp/region/asia-paci/n\\_korea/pmv0209/pyongyang.html](http://www.mofa.go.jp/region/asia-paci/n_korea/pmv0209/pyongyang.html).

<sup>20</sup> Secretariat of the Headquarters for the Abduction Issue: “Abductions of Japanese Citizens by North Korea”, Tokyo (May 2011), at [www.rachi.go.jp/en/ratimondai/syousai.html#rm02](http://www.rachi.go.jp/en/ratimondai/syousai.html#rm02); Government of Japan, Headquarters for the Abduction Issue: “For the Return of All of the Abductees”, Tokyo (August 2008).

<sup>21</sup> Author interview with research specialist on Japan in the DPRK Ministry of Foreign Affairs, Pyongyang, 8 January 2009.

<sup>22</sup> MOFA: “Outline and Background of Abduction Cases of Japanese Nationals by North Korea” (April 2002).

<sup>23</sup> MOFA: “Abductions of Japanese Citizens by North Korea”, Tokyo (2012).



would “take necessary steps to let them return home or visit their hometowns if they wish.”<sup>24</sup> Less than two weeks after the Koizumi-Kim summit, Tokyo sent a team to the DPRK to investigate the fate of the abductees whose cases remained unexplained. Tokyo maintains that Pyongyang was not too cooperative and that the remains it stated might belong to Kaoru Matsuki, one of the abductees, were not his. At the DPRK-Japan normalization talks held at the end of October 2002, Tokyo raised 150 questions it said were “inconsistencies” associated with the abduction issue.<sup>25</sup>

In mid October 2002, Pyongyang allowed the 5 surviving abductees it had identified in September to travel to Japan, with the understanding that they would return to the DPRK. However, spurred by Japanese conservatives and abductee support organizations, such as NARKN and AFVKN, the abduction issue had taken on a political life of its own. Toward the end of November 2002 the announcement came that the five abductees, despite what was believed to be reservations and even resistance on their part, would not be returning to North Korea.<sup>26</sup>

Pressed by the right, the public acceptance of the unresolved abduction issue showed up clearly in government surveys. Between October 2002 and October 2003, concern about the abduction issue among Japanese survey respondents increased from 83.4 percent to 90.1 percent. These data indicated a noticeably higher concern than that for the DPRK missile and nuclear issues, even though both had increased sharply since 2000. That President George W. Bush declared in his state of the union address in January 2002 that North Korea was part of an “axis of evil” could have only helped to raise security concerns in Japan. The nuclear issue had become even more of a concern amongst the Japanese public after U.S. Assistant Secretary of State for East Asian and Pacific Affairs James Kelly traveled to Pyongyang in early October 2002 and told officials there that Washington had information that the DPRK had secretly been maintaining a uranium-enrichment program to develop nuclear weapons. Eventually, Pyongyang adamantly and continually maintained that it had no such program. This, however, did not convince Washington, Tokyo or Seoul, especially since U.S. officials had previously maintained that the DPRK had stockpiled plutonium and possibly had enough to build one or two nuclear weapons. Thus, in Japan, concern about the North Korean nuclear issue grew from 39.3 percent in 2000, to 49.2 percent in 2002, to 66.3 percent by October 2003.<sup>27</sup>

Things then began to spin out of control, with both Washington and Pyongyang accusing each other of violating the Agreed Framework. So, for example, while Washington claimed that North Korea violated the Agreed Framework by maintaining a clandestine uranium-enrichment program, Pyongyang stressed that the Bush administration’s threat to use nuclear weapons against the DPRK in its 2002 *Nuclear Posture Review* directly contravened the bilateral accord.<sup>28</sup> After KEDO stopped shipments of heavy oil to North Korea at the end

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<sup>24</sup> “DPRK Foreign Ministry Spokesman on Issue of Missing Japanese,” *Korean Central News Agency*, 17 September 2002.

<sup>25</sup> “Abductions of Japanese Citizens by North Korea”, *op. cit.*

<sup>26</sup> Johnston, Eric: “The North Korea Abduction Issue and its Effect on Japanese Politics,” Center for the Pacific Rim (University of San Francisco), Japan Policy Research Institute (JPRI), *Working Paper JPRI no. 101* (June 2004).

<sup>27</sup> “Abduction Politics...”, *op. cit.*

<sup>28</sup> The 1994 Agreed Framework between Washington and Pyongyang states: “The U.S. will provide formal assurances to the DPRK, against the threat or use of nuclear weapons by the U.S.”. The 2002 *Nuclear Posture Review* indicates that North Korea is one of several countries in which the United States “could be involved [with] in immediate, potential, or unexpected [nuclear] contingencies.” See *Nuclear Posture Review*



of 2002, Pyongyang threw out inspectors from the International Atomic Energy Agency, restarted its plutonium reprocessing at Yongbyon that had been frozen by the Agreed Framework and withdrew from the Nuclear Nonproliferation Treaty as a nonnuclear weapons state in April 2003.

The emergent North Korean nuclear crisis helped Japanese nationalists cement their repeated claim that the kidnapping of Japanese citizens were acts of terrorism – a position that in fact Koizumi first conveyed to President Bush in February 2002 well before the onset of the DPRK nuclear problem. As noted above, while the Clinton administration had drawn a line in the sand telling Tokyo that the removal of the DPRK from the U.S. list of states sponsoring terrorism was a separate matter from the kidnapping of Japanese nationals, the administration of George W. Bush fully embraced the abduction issue. In 2003, Tokyo began trying to convince the Bush administration to include the abduction issue as another reason for the DPRK being on the U.S. State Department's list of countries that sponsor terrorism. This did not require much arm twisting on Tokyo's part for two reasons. First, Bush and Koizumi had established a reasonably good personal relationship. Secondly, the president and several hard-line officials in his administration had become drawn to the abduction issue, particularly since it comported well with their interests in human rights violations that they believed were widespread in the DPRK. Tokyo's appeals to the Bush administration for the specification of the abduction issue as a reason for the DPRK remaining on the list of states sponsoring terrorism paid off. In April 2004, Washington informed Tokyo that the abduction issue would be included as a reason for the DPRK being listed on the State Department's then forthcoming annual report on global terrorism. Tokyo also tried hard to have the abduction issue included in the six-party talks between the United States, North and South Korea, China, Japan and Russia that began in August 2003 to resolve the North Korean nuclear issue. There were, however, strong objections from all of the other parties, with the exception of the United States. Still, President Bush demonstrated a particularly strong and enduring interest in the abduction issue.

Prime Minister Koizumi made a second trip to Pyongyang in late May 2004 and again met with Kim Jong Il. In addition to the abduction problem, the two leaders discussed the North Korean nuclear and missile issues and some other matters of concern to Japan and the DPRK. After the conclusion of the one-day summit, Koizumi returned to Japan with some family members of the abductees, with others arriving in Japan in July. The North also said at this summit that it would reopen and fully investigate the abduction issue. Japan and the DPRK held working-level talks in August, September and November of 2004 but to no avail. In December 2004, Tokyo informed Pyongyang that information provided by the DPRK about the abductees was unsatisfactory and did not represent a complete investigation of the matter. Moreover, Tokyo maintained that the remains of Megumi Yokota that the DPRK had provided were not hers.<sup>29</sup> The controversy surrounding the examination of the remains of Megumi Yokota provided Japanese nationalists the opportunity to promote even more so than in the past the unswerving requirement of resolving the abduction issue.

At six-party talks held in June 2004, Tokyo formally linked the normalization of relations with the DPRK to the resolution of the abduction, nuclear and missile issues.<sup>30</sup> In

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(Reconstructed), submitted to Congress on 31 December 2001, Washington (8 January 2002), at [www.fas.org/blog/ssp/united\\_states/NPR201re.pdfon](http://www.fas.org/blog/ssp/united_states/NPR201re.pdfon).

<sup>29</sup> "Abductions of Japanese Citizens by North Korea", *op. cit.*

<sup>30</sup> MOFA: "Third Round of the Six-party Talks Concerning North Korean Nuclear Issue", Tokyo (June 2004), at [www.mofa.go.jp/region/asia-paci/n\\_korea/6party/talk0406.html](http://www.mofa.go.jp/region/asia-paci/n_korea/6party/talk0406.html); Embassy of Japan: "Japan Pursued





February 2005, Pyongyang announced that the DPRK had “manufactured nukes for self-defence,” in early July 2006 it launched several missiles, including a long-range Taepodong-2 and on October 9, 2006 North Korea conducted its first underground nuclear test,<sup>31</sup> as it often said to counter and deter what it saw as a hostile, and potentially military aggressive, U.S. policy pursued by the Bush administration. Even though prospects for rapprochement between Japan and the DPRK began to wither steadily after normalization talks failed in October 2002, Pyongyang’s decision to conduct a nuclear test meant that the normalization of relations between Japan and the DPRK had no chance of being resolved anytime in the immediate future. Tokyo was fully cognizant of what Washington expected, which was that the denuclearization of the DPRK, in particular, had to be satisfactorily dealt with before there could be improvement in Japan-North Korean relations.

However, there was also the matter of a change in Japanese leadership. In late September 2006, the nationalist Shinzō Abe became prime minister of Japan for a year. This not only created an additional political charge to the abduction issue, which soared in the Cabinet Office’s annual survey to 88.7 percent by 2007 – its highest point since 2003 – as the problem of most concern to Japanese respondents about North Korea, but to the nuclear and missile issues as well. Although survey data from the Cabinet Office indicated that concern about the abduction issue remained very high in Japan between 2004 and 2007, averaging nearly 88 percent during this period, the Japanese public clearly began to shift its attention to the North Korean nuclear issue. Concern about the nuclear issue increased steadily from 56.6 percent in 2004, to 63.9 percent in 2005, to 79.5 percent in 2006, declining only modestly to 75.1 percent in 2007. Since the 2006 Cabinet Office survey was conducted from October 6-17, i.e., the vast majority of it took place in the aftermath of the DPRK nuclear test, it is not surprising that concern about the North Korean missile issue also spiked in that year, rising from 52.2 percent in 2005 to 71.5 percent in 2006.<sup>32</sup>

Abe’s fervent commitment to the abduction issue became apparent very quickly. Just three days after taking office as prime minister, Abe announced his plan to establish the Headquarters for the Abduction Issue within the Japanese government. At this time, he met with members of AFVKN. In October, serving as chair and with all members of his cabinet in attendance, Abe assembled the first meeting of the Headquarters for the Abduction Issue.

Because of Pyongyang’s decisions to launch missiles in July 2006 and to conduct a nuclear test in October, the UN Security Council passed two resolutions sanctioning the DPRK. But Tokyo also independently sanctioned the DPRK. Immediately after the July missile tests, Tokyo banned the North Korean vessel Mangyongbong-92 from entering Japanese ports for six months – a sanction that still exists today. The Mangyongbong-92 had regularly entered the Japanese port at Niigata to transport Koreans living in Japan who view themselves as overseas nationals of the DPRK – *zainichi chōsenjin* – to their adopted homeland. Having had its political influence grow progressively, AFVKN declared that

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Dismantlement of North Korea’s Nuclear Program’s in the Third Round of the Six-party Talks”, Washington, D.C. (29 June 2004), at [www.us.emb-japan.go.jp/english/html/pressreleases/2004/040629.htm](http://www.us.emb-japan.go.jp/english/html/pressreleases/2004/040629.htm).

<sup>31</sup> “DPRK FM on Its Stand to Suspend Its Participation in Six-party Talks for Indefinite Period”, *Korean Central News Agency*, 10 February 2005; “DPRK Successfully Conducts Underground Nuclear Test”, *Korean Central News Agency*, 9 October 2006.

<sup>32</sup> “Abduction Politics...”, *op. cit.*; The Maureen and Mike Mansfield Foundation: “Public Opinion Survey on Diplomacy by the Cabinet Office of Japan (Abridged)”, New York (2011), at <http://mansfieldfdn.org/program/research-education-and-communication/asian-opinion-poll-database/listofpolls/2006-polls/public-opinion-survey-on-diplomacy-by-the-cabinet-office-of-japan-abridged-06-17/>.



Tokyo should maintain the ban on the Mangyongbong-92 until there is a resolution to the abduction issue. In September 2006, just before Koizumi left office, the prime minister's cabinet imposed financial restrictions on a number of companies and one individual believed to have been associated with the DPRK's military programs, effectively preventing them from doing business with Japanese establishments. As survey data indicated, the Japanese public fully supported Tokyo's imposition of these sanctions on North Korea, moves that Pyongyang saw as simply towing the line of the Bush administration that was bent on maintaining a hard-line DPRK policy.

Washington and Tokyo responded very quickly to the DPRK's first nuclear test. Urging the UN Security Council to react toughly to the North's nuclear test, Prime Minister Abe and President Bush agreed during a telephone conversation to take "decisive action" against the DPRK. Although the UN Security Council unanimously passed a resolution that imposed additional sanctions on the DPRK just a few days after it conducted its nuclear test, Washington and Tokyo took the lead in getting the resolution approved so expeditiously.

For its part, Pyongyang was not at all pleased with the UN Security Council's resolution, calling it "a declaration of war against the DPRK." Pyongyang further maintained that its nuclear deterrent served to counter U.S. nuclear weapons in Northeast Asia and, for this reason, helped to stabilize the region.<sup>33</sup> For Pyongyang, the DPRK's nuclear deterrent had become integral to *songun* (military-first), the policy that had surfaced in the mid 1990s under Kim Jong Il. Pyongyang's was also angered by the Abe government's quick decision to impose additional sanctions, which apart from the North's nuclear test, partially resulted, according to the Japanese Chief Cabinet Secretary, because of its lackluster treatment of the abduction issue. That Pyongyang viewed Tokyo as moving Japan steadily on the path toward remilitarization did not help improve bilateral ties with the DPRK – nor did the Abe government's announcement on the final day of the six-party talks held in December 2006 that Japan would launch its fourth spy satellite in early 2007.

Abe pushed hard to increase both the domestic and international awareness of the abduction issue, including additional airtime on NHK (Japan Broadcasting Corporation – the public broadcasting organization) specifically focused on the kidnappings. In February 2007 during Abe's tenure as Japan's top politician, Noel Paul Stookey, who had then been part of the American folk group Peter, Paul and Mary, performed his *Song for Megumi* at the prime minister's residence for Mr. and Mrs. Yokota – Abe sat next to Megumi's father – and a small number of other guests.<sup>34</sup> When the moderate Yasuo Fukuda took over as prime minister in late September 2007, he continued to maintain the sanctions imposed on North Korea by Koizumi and Abe governments.

### **2.1. A Seismic Shift in U.S. Policy: Jettisoning the Abduction Issue**

In late 2006, the Bush administration reasoned that, the limited success of the six-party-talks notwithstanding, its sustained hard-line policy toward the DPRK had not worked. The most telling indicator of this was that the DPRK had detonated a nuclear weapon. By early 2007, it was evident that the Bush administration had adopted a relatively more conciliatory North Korean policy. How this came about was the confluence of several factors, which presented a serious challenge to Bush's legacy. Bush was facing noticeably high disapproval ratings. Moreover, the Democrats won control of both the House and Senate in the midterm elections

<sup>33</sup> "DPRK Foreign Ministry Spokesman Totally Refutes UNSC 'Resolution'", *Korean Central News Agency*, 17 October 2006.

<sup>34</sup> See, Japanese Government Internet TV, at <http://nettv.gov-online.go.jp/eng/prg/prg1008.html>.



held in November 2006 and the U.S. public was becoming increasingly uncomfortable with the war in Iraq.

But other issues also contributed to the change in the Bush administration's North Korean policy. It had scored no foreign policy wins with the three countries that Bush had identified as being part of his "axis of evil." Determined to stay in Iraq until democracy prevailed there, and viewing Iran as the biggest state sponsor of terrorism, North Korea became the Bush administration's choice for the possible realization of immediate success. What is more, by late 2006, a number of the inflexible hardliners and neoconservative who had influenced policy earlier in the Bush administration had left their positions.

Rebuked earlier by the Bush administration as ineffective largely because they ignored the security concerns of South Korea, Japan, Russia and China, U.S. Assistant Secretary of State for East Asian and Pacific Affairs Christopher Hill had two bilateral meetings in November 2006 and January 2007 with DPRK official Kim Kye-gwan in Berlin. At these meetings Hill and Kim evidently came to an understanding that if Pyongyang fulfilled specific requirements the United States would remove the DPRK from the State Department's list of states sponsoring terrorism and end the restrictions of the Trading with the Enemy Act as they applied to North Korea. Both of these issues later appeared in the agreement that came out of the six-party talks held in Beijing in February 2007.

These developments were very troubling to the Japanese and particularly to the hawkish Abe administration. Of most concern to the Abe government – a concern shared by American hardliners and neoconservatives – was the proposed removal of the DPRK from the U.S. list of states sponsoring terrorism, provided that it meet specific obligations that would lead to denuclearization. Recall that Tokyo had previously pushed hard to have the abduction issue specifically stated in the U.S. report on global terrorism as a reason for the DPRK being identified as a state sponsor of terrorism. Now, the Bush administration's new and relatively conciliatory DPRK policy, Tokyo reasoned, planned to abandon Japan, the chief ally of the United States in East Asia, so that it could possibly realize the denuclearization of North Korea.

In accordance with the "action for action" criterion previously laid out in the six-party talks, the joint statement from the February 2007 meetings stated that in exchange for taking specific steps toward denuclearization, including shutting down and in time disabling nuclear activities at its Yongbyon facilities, Pyongyang would receive substantial energy, humanitarian and economic assistance from the other parties. Determined not to provide aid to the DPRK until after progress – as defined by Tokyo – had been made on the abduction issue, and not at all pleased with the Bush administration's proposal to delist the DPRK from the U.S. terrorism list, the Abe government announced that it would not contribute to the assistance package. Quoting the passage contained in the joint statement of the six-party talks held in February 2007, the U.S. State Department's 2006 report on global terrorism (published in April 2007) avowed that Washington would "begin the process of removing the designation of the DPRK as a state-sponsor of terrorism."<sup>35</sup>

Displeased with the plan, Tokyo, as well as family members of the abductees, tried to convince the Bush administration to keep the DPRK on the U.S. terrorism list until after the abduction issue had been settled. At the core of Japanese hard-line position was the contention

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<sup>35</sup> U.S. Department of State: *Country Reports on Terrorism*, chapter 3, Washington, D.C. (30 April 2007), at [www.state.gov/j/ct/rls/crt/2006/82736.htm](http://www.state.gov/j/ct/rls/crt/2006/82736.htm).



that because North Korea had not returned the abductees to Japan it was still a terrorist state and for that reason it should remain on the U.S. list of states sponsoring terrorism. Having been repeatedly reminded about the atrocities of the unresolved abduction issue, the Japanese public appeared to see Japan's relationship with the United States as having suffered because of the Bush administration's plan to remove North Korea from the U.S. list of states sponsoring terrorism. A survey conducted by the Japanese Cabinet Office in October 2007 indicated that the percentage of respondents who viewed the U.S.-Japan relationship in poor shape had increased from 12 percent in 2006 to 20 percent in 2007.<sup>36</sup> Although President Bush and his administration tried to pacify Tokyo, declaring from time to time that the United States would not forget the abduction issue, this was hardly what was shaping up. The Bush administration was fully prepared to forgo the abduction issue and attendant Japanese concerns if this would help lead to the denuclearization of the DPRK.

This about-face on the part of the Bush administration should not be minimized, as it has often been. A former official in the Bush administration's National Security Council paints the picture that the president was an unyielding advocate of human rights in North Korea where violations are frequently said to be rampant and that his concern with this serious problem was virtually tantamount to that of the DPRK nuclear issue.<sup>37</sup> However, this is hardly the track taken by the Bush administration. Notwithstanding the repeated contention from Tokyo, incontrovertibly Washington's staunchest Asian ally, that the kidnappings were terrorist acts, thus surely qualifying as major human rights' violations, the Bush administration officially removed North Korea from the State Department's list of countries sponsoring terrorism in October 2008.<sup>38</sup> The Bush administration delisted North Korea, much to the chagrin of Japanese officials who received very little notice beforehand from Washington that this was about to take place.

Besides ongoing Japanese efforts to forestall the delisting of North Korea as a terrorist state, Tokyo and Pyongyang, in somewhat of a surprise move, announced that they would have bilateral talks in June 2008 in Beijing, their first discussions in many months. Still another bilateral meeting took place in Shenyang, China in August 2008. From the beginning, Tokyo decided to press Pyongyang on the abduction issue during the talks. Although in the past North Korea had consistently held that the abduction issue had already been resolved, that it had held "several investigations" of the kidnappings and that it is impossible to meet Japan's demand, which is "that the DPRK should revive the dead and return them,"<sup>39</sup> Pyongyang nonetheless told Tokyo that it would begin a reinvestigation. Tokyo reciprocated saying that it would remove some of the sanctions it had imposed on North Korea because of its missile and nuclear testing in 2006, a carrot that AFVKN was wary of and that the nationalists did not accept.

That these bilateral discussions occurred during June and August of 2008 does make some political sense, especially from Pyongyang's perspective. First, because the moderate

<sup>36</sup> "Record 20% of Japanese Say U.S.-Japan Relations not Good", *Asahi Shimbun*, 3 December 2007.

<sup>37</sup> Victor Cha (2012): *The Impossible State: North Korea, Past and Future*, New York, Harper Collins, pp. 203-211.

<sup>38</sup> U.S. Department of State, "Briefing on North Korea with Special Envoy for the Six-party Talks Ambassador Sung Kim, Assistant Secretary of State for Public Affairs Sean McCormack, Assistant Secretary of State for Verification, Compliance, and Implementation Paula Sutter, and Acting Assistant Secretary of State for International Security and Nonproliferation Patricia McNerney", Washington, D.C. (11 October 2008), at <http://2001-2009.state.gov/r/pa/prs/ps/2008/oct/110926.htm>.

<sup>39</sup> Interview with Song Il Ho, Chief Negotiator of DPRK-Japan Talks: "Pyongyang will not Yield an Inch in Demanding Japan's Liquidation of the Past", *The People's Korea*, 10 March 2006.



Yasuo Fukuda was at the time prime minister of Japan, Pyongyang was considerably more inclined to meet with Tokyo, to discuss the abduction issue and even agree to a reinvestigation of the kidnappings than it would have had the nationalist Shinzō Abe still been in office. Second, since the DPRK had not yet been removed from the U.S. list of states sponsoring, something Pyongyang very much wanted, meeting with Tokyo could only help North Korea score some political points with at least some officials in the Bush administration.

When Fukuda unexpectedly announced his resignation in early September 2008, the political equation suddenly changed for Pyongyang, particularly since there was a strong possibility that the former foreign minister and nationalist Tarō Asō would become Japan's next prime minister. Pyongyang maintained that when Prime Minister Fukuda quit it immediately notified Tokyo that its position with respect to the bilateral agreement reached in August in Shenyang, China was "invariable." However, Pyongyang also told Tokyo at this time that it "wanted to wait to see the attitude of the new prime minister."<sup>40</sup> Tokyo acknowledged that Pyongyang notified Japan in September explaining that it would "refrain from" conducting an investigation of the abduction issue until it could evaluate the response of the new prime minister to the August agreement.<sup>41</sup>

Now no longer concerned about losing political points with Washington, Pyongyang hastily reasoned that with Asō as prime minister, Tokyo would be very unlikely to remove some of the sanctions it had imposed on the DPRK as it said it would in August in exchange for the DPRK's willingness to reinvestigate the abduction issue. Just a few days after Asō assumption to the prime minister's position in late September 2008, his administration announced that the sanctions Japan had imposed on the DPRK would be extended for another six months. Pyongyang concluded that "by extending the sanctions the Asō government was following the previous Abe government's hostile policy" toward the DPRK.<sup>42</sup>

Last held in December 2008, the six-party talks then ended with Washington and Pyongyang unable to reach a protocol agreement on verification. This left Tokyo out in the cold with respect to making progress on the abduction issue. With no six-party talks, Tokyo had lost a major access point with which could corner Pyongyang on the abduction issue. Moreover, because Pyongyang viewed the then nationalist-led Japanese government as hostile to the DPRK, it was not about to engage in any meaningful bilateral discussions with Tokyo.

### **3. Another U.S. Administration, Still Another Commitment on the Abduction Issue**

It did not take very long for the Obama administration to change the United States' position on the abduction issue. In office less than one month, Secretary of State Hillary Clinton gave a speech at the Asia Society in New York City in which she resurrected America's commitment to the abduction issue – something that had been transmuted into just a rhetorical matter by the Bush administration. During her speech Clinton stated: "I will assure our allies in Japan that we have not forgotten the families of Japanese citizens abducted to North Korea. And I will meet with some of those families in Tokyo next week."<sup>43</sup> She did just that.

<sup>40</sup> Author meeting with an official from the DPRK Ministry of Foreign Affairs, Pyongyang, 8 January 2009.

<sup>41</sup> "Abduction of Japanese Citizens by North Korea", *op. cit.*

<sup>42</sup> Author meeting with an official from the DPRK Ministry of Foreign Affairs, Pyongyang, 8 January 2009.

<sup>43</sup> U.S. Department of State, Hillary Rodham Clinton: "U.S.-Asia Relations: Indispensable to Our Future," Remarks at the Asia Society", New York (13 February 2009), at accessed at [www.state.gov/secretary/rm/2009a/02/117333.htm](http://www.state.gov/secretary/rm/2009a/02/117333.htm).



According to one of the AFVKN representatives who met with Clinton when she was in Tokyo, the secretary stated that “she would think seriously about how to treat the [kidnapping] problem” and that she believed that Washington needed to prioritize the abduction issue so that it could be settled.<sup>44</sup> Clinton also gave an interview to Japan’s largest daily newspaper, the *Yomiuri Shimbun*. During this interview, which took place after she met with members of the abductees’ families, Clinton stated the following:

Well, I was very touched by their stories. It’s one thing to read about pain that families have been suffering because of the abduction of their loved ones. And it is very personal to sit with a brother who lost a sister and parents who lost a daughter and to see their pictures at the time that they disappeared, and to hear about the daily anguish that the families feel, because they have – they heard no word for years, did not know what happened, and then they learn that their loved ones have been abducted. And it seems so cruel to have done it in the first place, and then not to provide information and let these people come home with, you know, their own families. So I reassured the families that I met with that the abductee issue is part of the Six-Party Talks; it remains a matter of grave concern to the United States.<sup>45</sup>

Apart from the fact that the six-party talks never took place during the Obama administration’s first term, Clinton’s unequivocal commitment to the Japanese that the abduction issue would be discussed at these multilateral meetings was somewhat of a shaky step. As noted above, that Tokyo had early on wanted to bring up the abduction issue at the six-party talks was met with resistance by most of the other participants, who felt that these multilateral discussions were about denuclearization and not a specific bilateral problem between Japan and the DPRK.

Indeed, in addition to believing that the Obama administration fully supported Japan’s efforts to settle the abduction issue, Tokyo appeared to hold out hope that this matter would be resolved together with the North Korean nuclear issue. With President Obama along side of him, in late May 2011 then Prime Minister Naoto Kan stated the following in Deauville, France: “And we have the issue of North Korea and its nuclear development, and how to stop their nuclear development is a challenge. And also we have this issue of abduction by North Korea, and we will continue to pursue its resolution with the assistance of the United States.”<sup>46</sup>

#### **4. Wither New Hope**

Because the discussions in August 2008 between Tokyo and Pyongyang failed to resolve any historical problems, relations between Japan and the DPRK remained poor. And with no six-party talks, Tokyo and Pyongyang had lost a formal channel of communication with which they could possibly restart bilateral talks. When Tarō Asō resigned from his position in September 2009, the series of prime ministers stretching back to 1998 that came from the LDP had ended. More importantly, from the time Yoshiro Mori made his commitment to the abductees’ family members in September 2000 that Japan could not normalize relations with North Korea while disregarding the abduction issue, successive prime ministers from the LDP

<sup>44</sup> “Clinton Meets Abductees’ Relatives, Pledges to Help Find Resolution”, *The Japan Times Online*, 18 February 2009.

<sup>45</sup> U.S. Department of State: “Yomiuri Shimbun Interview: The Importance of U.S.-Japan Relations,” 17 February 2009, at [www.state.gov/secretary/rm/2009a/02/117620.htm](http://www.state.gov/secretary/rm/2009a/02/117620.htm).

<sup>46</sup> The White House, Office of the Press Secretary: “Remarks by President Obama and Prime Minister Kan of Japan before Bilateral Meeting in Deauville, France”, 26 May 2011, at accessed at [www.whitehouse.gov/the-press-office/2011/05/26/remarks-president-obama-and-prime-minister-kan-japan-bilateral-meeting-d](http://www.whitehouse.gov/the-press-office/2011/05/26/remarks-president-obama-and-prime-minister-kan-japan-bilateral-meeting-d).



had announced their steadfastness to resolve this problem. This same unswerving commitment to the abduction issue was also politically integral to the policies of successive prime ministers from the Democratic Party of Japan (DPJ) who held office from September 2009 until December 2012. Not much of an alternative existed for Japanese prime ministers, particularly after the second half of 2002. Since then, the abduction issue had become so politicized in Japan that no prime minister, or politician with the ambition to further his or her political career, could afford to be remiss of this matter.

Although the DPRK and Japan had not held official discussions since August 2008, Kim Jong Il's death in December 2011 created the prospect, at least for some Japanese, that Tokyo and Pyongyang could begin to take positive steps to resolve the abduction issue. Family members of the abductees were cautiously optimistic. In the wake of Kim Jong Il's death, Shigeru Yokota, Megumi's elderly father, commented that he hoped that the Japanese "government will take steps to resolve the abduction issue as soon as possible." Another family member remarked that he hoped that the Japanese "government grabs this rare chance to take some serious action," adding that perhaps the new North Korean leader, Kim Jong Un, will conclude that the "abductee problem isn't something from my regime, and that will lead to the possibly that the abductees will be freed." However, Japanese Prime Minister Yoshihiko Noda offered nothing new, stating "Japan's fundamental position is for the earliest possible return of abduction victims. We must continue to gather information to see how the current situation may affect this policy."<sup>47</sup>

Although himself not demonstrating much optimism, Noda did still want the backing of the Obama administration on the abduction issue. During a telephone discussion with President Obama after Kim's death, Prime Minister Noda requested the United States' support in resolving the abduction issue.<sup>48</sup> Like Koizumi had done when he visited Pyongyang for the second time in May 2004,<sup>49</sup> Japanese Foreign Minister Koichiro Gamba had a blue ribbon – which had become Japan's national symbol for the rescue of the abductees<sup>50</sup> – pinned to his jacket when he talked with Secretary of State Clinton in Washington soon after Kim's death. Noting the increased interest in the kidnappings in Japan in the wake of Kim's death, Foreign Minister Gamba stated, "taking into account this new situation, I ask for continuous understanding and support from the United States for resolving the issue."<sup>51</sup>

Whatever amount of optimism existed in Japan about resolving the abduction issue quickly faded away. When Pyongyang announced in March 2012 that it would launch the *Kwangmyongsong-3*, which it described as an earth observational satellite, in April to honor the 100<sup>th</sup> birth anniversary of its founder and eternal president Kim Il Sung, Washington moved first to suspend and then to cancel the so-called "leap year deal" it had made with Pyongyang in February. The gist of this deal was that Washington had promised food assistance to the DPRK in exchange for Pyongyang's implementation of some trust-building

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<sup>47</sup> Quoted material from: "Kim Jong Il's Death Awakens Hope to Resolve Japanese Abduction Issue," *The Wall Street Journal*, 19 December 2001.

<sup>48</sup> "Regime Change in Pyongyang/Hopes Rise for End to Abductions Impasse," *Yomiuri Shimbun*, 23 December 2011.

<sup>49</sup> Funabashi, *op. cit.*, p. 51.

<sup>50</sup> See: "Abductions of Japanese Citizens by North Korea", *op. cit.*, for an explanation of the symbolic meaning of the blue ribbon.

<sup>51</sup> U.S. Department of State: "Remarks with Foreign Minister Koichiro Gamba after Their Meeting", Washington, D.C. (December 2011), at [www.state.gov/secretary/rm/2011/12/179127.htm](http://www.state.gov/secretary/rm/2011/12/179127.htm).



measures, both of which created the prospect for the resumption of the six-party talks and perhaps the North's denuclearization.

Washington, Tokyo and Seoul insisted that the *Kwangmyongsong-3* was really a disguise for a long-range missile test. Washington and its regional allies, including Japan, maintained that the April launch violated previous UN Security Council resolutions that prohibited the DPRK from deploying any type of ballistic missile technology.<sup>52</sup> Although not a member of the Security Council, Tokyo wanted it to pass another resolution that would impose additional sanctions on the DPRK.<sup>53</sup> Because Beijing preferred to exercise some restraint at this time, instead what resulted in just a few days after the launch was a Presidential Statement that strongly condemned the DPRK.<sup>54</sup> Thus, the collapse of the deal reached in February between Washington and Pyongyang put Tokyo in dire straits, since increased U.S.-DPRK tensions and no near-term prospects for the resumption of the six-party talks translated into no immediate chance for Tokyo to press Pyongyang on the abduction issue.

In May 2012, Glyn Davies, who had only few months earlier taken over the position of U.S. Special Representative for North Korea Policy, was in Tokyo to meet with Jin Matsubara, then Japan's Minister for the Abduction Issue. Davies, who had already met with Megumi Yokota's parents and other victims' family members, remarked to Matsubara before their meeting that every chance that it has the United States presses Pyongyang on the abduction issue.<sup>55</sup> Davies also again made clear the Obama administration's commitment to the Japanese abduction issue. Said Davies, it is important that Pyongyang recognize "that there will be no ultimate resolution of the differences between North Korea and the United States and the Six Parties unless they resolve this issue – and in particular, unless they keep their promise, their undertaking that they made back in August of 2008 to reinvestigate the cases of abductees."<sup>56</sup>

Though not revealed until more than a year and a half later, Pyongyang had proposed in May 2010 to reinvestigate the abduction issue if, in return, Tokyo would remove some of the sanctions – one in particular was the resumption of charter flights from Japan to North Korea – it had imposed on the DPRK. This proposal was made when the DPJ's Yukio Hatoyama was prime minister. Pyongyang supposedly stated that it could establish a committee to reinvestigate the abduction issue "at any time." To convince the Japanese public that the findings were legitimate, Tokyo wanted some Japanese to be members of the committee. However, the reinvestigation matter abruptly ended after Hatoyama resigned and the DPJ's Naoto Kan became prime minister in June 2010, since Pyongyang believed that the new Japanese leader would not work in a friendly manner with the DPRK.<sup>57</sup>

<sup>52</sup> DiFilippo, Anthony: "Time for North Korea Peace Treaty", *The Diplomat*, 11 April 2012, at <http://thediplomat.com/2012/04/11/time-for-north-korea-peace-treaty/2/>.

<sup>53</sup> "Govt to Seek UNSC Resolution/Plans to Work with U.S., S. Korea in Condemning N. Korea Launch", *Daily Yomiuri Online*, 14 April 2012.

<sup>54</sup> United Nations Security Council: "Statement by the President of the Security Council", New York (16 April 2012), at [www.un.org/ga/search/view\\_doc.asp?symbol=S/PRST/2012/13](http://www.un.org/ga/search/view_doc.asp?symbol=S/PRST/2012/13). The Presidential Statement read in part: "The Security Council underscores that this satellite launch, as well as any launch that uses ballistic missile technology, even if characterized as a satellite launch or space launch vehicle, is a serious violation of Security Council resolutions 1718 (2006) and 1874 (2009)".

<sup>55</sup> Notably, there were only a small number of bilateral meetings between Washington and Pyongyang during the Obama administration's first term in office.

<sup>56</sup> U.S. Department of State: "Remarks with Japanese Minister for the Abduction Issue Jin Matsubara Prior to Their Meeting", Tokyo (25 May 2012), at [www.state.gov/p/eap/rls/rm/2012/05/190917.htm](http://www.state.gov/p/eap/rls/rm/2012/05/190917.htm).

<sup>57</sup> "North Offered to Launch Abduction Probe in 2010", *The Japan Times Online*, 5 December 2011.





## 5. Recent and Other Developments

The horridness associated with the abduction by DPRK agents of Megumi Yokota in 1977 when she was a young teenager eventually led to her parents, Mr. Shigeru Yokota and Mrs. Sakie Yokota, becoming well-known in Japan and to some extent around the world. The Yokotas became outspoken about the abduction issue, often critical of the Japanese government's failure to do more to press North Korea to account for the abductees and to return them to Japan.

In April 2006, Mrs. Yokota and Megumi's brother visited President Bush at the White House. After talking with Bush, he remarked that he "just had one of the most moving meetings since I've been the President here in the Oval Office."<sup>58</sup>

Reflecting the extent to which the abduction issue had become politicized in Japan, in March 2008, the Japanese government's Headquarters for the Abduction Issue published the *manga* (cartoon – a very popular reading format for all ages in Japan) book entitled *Megumi* authored and edited by Mr. and Mrs. Yokota.<sup>59</sup>

The Yokotas' political position corresponded with that of the nationalists, who strongly supported taking a hard-line position toward the DPRK. After Kim Jong Il admitted to the DPRK's culpability for the kidnappings in 2002, nationalist heavyweights, such as Shinzō Abe, pushed hard with the help of the media to get the Japanese abduction issue to the top of Japan's national security list. A former official in the Bush administration's National Security Council recounts the following pertaining to when Koizumi, who was accompanied by Abe, then the deputy chief cabinet secretary, visited Pyongyang in September 2002 for his one-day summit with Kim Jong Il. Responding to former Assistant Secretary of State for East Asian and Pacific Affairs Christopher Hill's prodding that the DPRK resolve the abduction issue, Kim Kye-gwan, Pyongyang's chief negotiator in the six-party talks, angrily remarked during a luncheon in New York City: "It's the Japanese that keep raising it. We accounted for all the cases, living and dead. Abe knows that. He was there standing next to Prime Minister Koizumi in 2002 when we agreed. He was nodding in agreement, too. And now he's raising the issue for his political gain. We can never work with him [Abe, who was then serving his first stint as prime minister]."<sup>60</sup>

### 5.1. The Yokotas Change Their Minds

The Yokotas support of the hard-line, sanctions-based approach toward North Korea was apparent before Abe became prime minister in September 2006 and for years after he left office twelve months later. In their book, *Megumi*, Shigeru Yokota writes: "Economic sanctions are not an end but a means of resolving this issue, in that they will compel North Korea both to admit it made a mistake in reporting the victims as dead and to understand that resolving the abduction issue is to its own benefit."<sup>61</sup> However, the Yokotas experienced somewhat of a political epiphany in the spring of 2012. At this time, Mr. Shigeru Yokota publicly separated himself from the position consistently held by the nationalists and by NARKN, which has been to strengthen sanctions against the DPRK. Mr. Yokota suddenly

<sup>58</sup> The White House: "President Meets with North Korean Defectors and Family Members of Japanese Abducted by North Korea", Washington, DC. (28 April 2006), at <http://georgewbush-whitehouse.archives.gov/news/releases/2006/04/20060428-1.html>.

<sup>59</sup> Yokota, Shigeru and Yokota, Sakie (2008): *Megumi*, Tokyo, Headquarters for the Abduction Issue.

<sup>60</sup> Quoted in Cha, *op. cit.*, pp. 370-371.

<sup>61</sup> Yokota and Yokota, *op. cit.*, Afterword 1 (in ed. 2005).



decided that it was wrong to press for beefing up sanctions against North Korea. The Yokotas' new position has become that the passing of Kim Jong Il and the transfer of power to his youngest son Kim Jong Un has created the opportunity to work with Pyongyang to resolve the abduction issue, which they still feel should precede normalized relations between Japan and North Korea.

The *Asahi Shimbun*, one of Japan's largest newspapers, reported in April 2012 that Shigeru Yokota stated: "Strengthening sanctions could be taken as a sign that Japan is not interested in negotiating." In contrast to the hard-line position endorsed by Japanese hawks, Mrs. Sakie Yokota commented: "I hope Prime Minister Noda will send a message directly to Kim Jong Un ... that they can jointly build peace."<sup>62</sup> In June 2012, the Yokotas repeated their views in an interview with the Japanese language publication *Weekly Friday*. In this interview, the Yokotas said that the Japanese government should establish an environment that facilitates negotiation with Pyongyang and not concentrate solely on sanctions so that the abduction issue should be resolved.<sup>63</sup>

However, the Yokotas apparently do not see eye to eye on everything concerning how to deal with the abduction issue. According to the secretary general of AFVKN, while Shigeru wants bilateral talks between Tokyo and Pyongyang and the removal of sanctions, Mrs. Yokota wants to keep some pressure on North Korea.<sup>64</sup> A COMJAN (Investigation Commission on Missing Japanese Probably Related to North Korea) official has similarly stated that there is "some difference" between the Yokotas with respect to how to deal with Pyongyang. According to this official, while Mr. Yokota wants the Japanese government to remove the sanctions it has imposed on North Korea, his wife does not necessarily agree with him.<sup>65</sup>

In any case, one explanation for the Yokotas' adoption of more conciliatory positions is that these ageing parents (in their late seventies and early eighties) became frustrated because there had not been any official dialogue between Tokyo and Pyongyang between August 2008 and the summer of 2012.<sup>66</sup> Another explanation is that the nationalists exploited the Yokotas for their political purposes. Proffered by Chongryon (General Association of Korean Residents in Japan),<sup>67</sup> this explanation proposes that Japanese hardliners have "politically abused" the Yokotas by using their personal grief about Megumi and their political naiveté to help promote a far-right, hard-line DPRK agenda. But because the Yokotas recently have had a change of heart, they now believe that the hard-line position toward North Korea that the Japanese government has been using for years has not worked.<sup>68</sup>

Whatever the real explanation is for the Yokotas' softened positions, one thing is unambiguous: for them genes trumped Japan's political culture with respect to the abduction issue. Their innate desire to see their daughter before they die meant moving away from the hard-line approach and creating some political distance from the nationalist-promoted position that the Japanese media has helped to popularize.

<sup>62</sup> "Parents' 'Last Word' to Abducted Daughter Published", *Asahi Shimbun*, 21 April 2012.

<sup>63</sup> "An Interview with Mr. and Mrs. Yokota", *Weekly Friday*, 15 June 2012 (in Japanese).

<sup>64</sup> Author interview with the secretary general of AFVKN (Association of the Families of Victims Kidnapped by North Korea), Tokyo, 18 July 2012.

<sup>65</sup> Author interview with representatives of COMJAN, Tokyo, 17 July 2012.

<sup>66</sup> Author interview with senior official in Japan's Ministry of Foreign Affairs, Northeast Asia Division, Tokyo, 20 July 2012.

<sup>67</sup> Established in May 1955 in Tokyo, Chongryon politically identifies with the DPRK. For more information and analysis of Chongryon, see DiFilippo, "US-Japan-North Korea Security Relations...", *op. cit.*, Chapter 5.

<sup>68</sup> Author interview with senior official of Chongryon, International Affairs Bureau, Tokyo, 18 July 2012.



The Yokotas believe that Megumi is still alive in North Korea. This is consistent with the official position of the Japanese government. In 2005 and 2006, the Japanese government officially recognized two additional abductees, bringing the total number of abductees to 17. However, Tokyo points out that it has not ruled out the possibility that more Japanese people have been kidnapped by North Korea.<sup>69</sup> The private advocacy organization COMJAN, which has been regularly broadcasting the short-wave radio program *Shiokaze* (Sea Breeze) to North Korea since October 2005, claims that approximately 100 Japanese citizens were probably kidnapped by the DPRK.<sup>70</sup> According to Tokyo, since Pyongyang has not provided sufficient evidence that the 12 unaccounted for abductees are dead (5 returned to Japan in 2002, see above), as the North has repeatedly claimed, then the assumption is that they are alive. According to the Japanese government's Headquarters for the Abduction Issue, these 12 abductees "are still in captivity in North Korea, torn from their families and loved ones and living in hope of being rescued soon."<sup>71</sup>

In 2006, Kim Young-nam, a South Korean living in North Korea since 1978 stated during a press conference that he was Megumi's husband and the father of their daughter Eun-gyeong. Kim Young-nam denied reports that he had been abducted by North Korea, where he eventually became a citizen. Kim maintained that he ended up in the DPRK "by accident." According to Kim, at the age of 16 he had fallen asleep in a boat that drifted into the sea and that after he awoke he was rescued by a North Korean ship that took him to Nampo in the DPRK. Kim Young-nam stated that Megumi suffered from depression and committed suicide in April 1994, something that both the Yokotas and Tokyo have never accepted. When a Japanese delegation visited Pyongyang in 2004, Kim Young-nam said that they were given Megumi's ashes, which a subsequent DNA analysis performed in Japan maintained were not hers. However, this DNA analysis was controversial, since the young Japanese analyst had no previous experience working with cremated remains and later admitted that his findings could have been contaminated. Making this matter worse was that Japan's National Research Institute was unable to perform a DNA analysis on what Pyongyang said were Megumi's remains. Kim stated that Tokyo's assertion that the ashes given to Japan were not Megumi's was "humiliating" and "If she is alive, how can I say that she is dead." Significantly, results from DNA testing that had been supported by the Japanese government in 2006 revealed that Kim Young-nam was likely Megumi's husband and the father of her daughter Eun-gyeong.<sup>72</sup>

Tokyo acknowledges the likelihood of this familial relationship. However, Tokyo contends that there is evidence that Megumi was seen in North Korea after it was stated she had died, which initially Kim Young-nam indicated was in March 1993. Subsequent to a media report in Japan that Megumi was later seen alive, i.e., after her reputed death, Kim Young-nam said that he had made an "illusional mistake" and that she had died in April 1994.<sup>73</sup> Former abductee Kaoru Hasuike, who returned to Japan in October 2002 and who

<sup>69</sup> "Abductions of Japanese Citizens by North Korea", *op. cit.*

<sup>70</sup> Author interview with representatives of COMJAN, Tokyo, 17 July 2012; see also COMJAN at <http://www.chosa-kai.jp/indexeng.htm>.

<sup>71</sup> Government of Japan, Headquarters for the Abduction Issue: "Toward a Solution to the Abduction Issue: Directions Given at the Fourth Meeting of the Headquarters for the Abduction Issue", Tokyo, 29 November 2010.

<sup>72</sup> DiFilippo, "US-Japan-North Korea Security Relations...", *op. cit.*, p. 184; "Kim Young-nam Says His Japanese Wife Killed Herself", *The Hankyoreh*, 30 June 2006; "Son in NK Denies Abduction" *Korea Times*, 30 June 2006; "Media Resources, Japan Brief", *Foreign Press Center Japan*, 13 April 2006, at [http://fpcj.jp/old/e/mres/japanbrief/jb\\_622.html](http://fpcj.jp/old/e/mres/japanbrief/jb_622.html).

<sup>73</sup> Author interview with the director of the Japanese government's Headquarters for the Abduction Issue, Tokyo, 12 July 2012; author interview with the secretary general of AFVKN (Association of the Families of Victims Kidnapped by North Korea), Tokyo, 18 July 2012; "Abductions of Japanese Citizens by North Korea", *op. cit.*



testified to the Japanese government that he had seen Megumi Yokota alive in 1994, was responsible for causing Pyongyang to change the date of her death.<sup>74</sup>

Several claims of Megumi being appearing to be alive have cropped up from time to time. In May 2008, the Japanese newspaper *Mainichi Shimbun* reported that Fuki Chimura, an abductee who was kidnapped along with her future husband in July 1978,<sup>75</sup> had several months before informed government officials that Megumi moved into a house next to hers in June 1994, two months after she was said to have died.<sup>76</sup> In October 2011, a South Korean politician maintained that a North Korean defector had testified that in 2004 he had overheard a DPRK official in charge of Japanese matters in Pyongyang say that Megumi was still alive. The defector also testified that the North had given Japan “fake remains” of Megumi and that she had too much sensitive information to be allowed to return to Japan.<sup>77</sup> In early November 2011, a story in the *Weekly Chosun*, a South Korean publication, stated that a female with the same birth date and same family members’ names as Megumi Yokota appeared on a Pyongyang residency list that had been compiled in 2005 by the DPRK’s intelligence agency.<sup>78</sup> Pyongyang was particularly critical of one of the claims that Megumi was still living. In June 2005, the DPRK’s *Korean Central News Agency* stated that a Japanese publication, the *Weekly Post*, reported that in the summer of 2004 British intelligence had acquired information from military satellite surveillance that eventually proved that Megumi was alive. Maintaining that it was a “baseless story,” Pyongyang stated that the Japanese far right was using it in “their foolish attempt to inject fresh energy into the waning smear campaign” associated with the abduction issue.<sup>79</sup>

Besides Megumi Yokota, there have been other claims of Japanese abductees who have been said to be alive after they have been reported dead by Pyongyang. NARKN has recently stated that it has acquired reliable evidence that Shuichi Ichikawa, who was abducted in 1978 and who Pyongyang claims died in the following year, was teaching Japanese to North Korean agents from 1982 until 1996.<sup>80</sup> Although Pyongyang has claimed that Ichikawa died of a heart attack while he was swimming, the Japanese government says that he was not known to have been able to do this when he was living in Japan.<sup>81</sup> In November 2012, the leader of a South Korean family organization for abduction victims maintained that he had acquired information from knowledgeable sources inside the DPRK revealing that the Japanese abductee Kyoko Matsumoto, who disappeared in 1977 at the age of 29, may have been relocated to Pyongyang in November 2011. According to this account, the current North Korean leader Kim Jong Un, who had been in charge of the abductees when his father Kim Jong Il was living, ordered Matsumoto to be moved to Pyongyang to improve the monitoring of the abductees.<sup>82</sup>

<sup>74</sup> “Ex-Abductee Hasuike Determined to Help Settle Abduction Issue”, *Mainichi Daily News*, 15 October 2012.

<sup>75</sup> Following former Prime Minister Junichiro Koizumi’s visit to Pyongyang in September 2002, Fuki Chimura and her husband Yasushi returned to Japan in October 2002.

<sup>76</sup> See Megumi Yokota “Seen Alive” in 1994”, *The Chosunilbo*, 27 May 2008.

<sup>77</sup> “South Korean Lawmaker Says Japanese Women Abducted by North in 1977 Alive”, *Yonhap News Agency*, 9 October 2011.

<sup>78</sup> “Megumi Yokota Seen Alive in 2005”, *Jiji Press*, 6 November 2011.

<sup>79</sup> “KCNA Blasts Japan’s Despicable Political Plot”, *Korean Central News Agency*, 13 June 2005.

<sup>80</sup> “Info Contradicts North’s ‘Dead’ Abductee Claim”, *The Japan Times Online*, 11 August 2012.

<sup>81</sup> “Abductions of Japanese Citizens by North Korea”, *op. cit.*.

<sup>82</sup> “Woman Abducted by North may have been Moved to Pyongyang”, *The Japan Times Online*, 26 November 2012.



## 6. Still Politicized with No End in Sight

The abduction issue has remained thoroughly politicized in Japan today; it is accepted staple of Japanese political culture, making virtually all politicians – and not just at the national level – aware of the necessity to appear sympathetic to this problem. In October 2002, shortly after Kim Jong Il revealed the DPRK's culpability pertaining to the abductions and just before the five abductees returned to Japan, the Tokyo-based organization R-Net was formed; thus the launching of the Blue Ribbon Movement, which has as its objective the return of all of the Japanese kidnapped by North Korea.<sup>83</sup> Since then myriad blue ribbons have been disturbed throughout Japan.<sup>84</sup> Not only do many Japanese people have these blue ribbons but they are regularly worn by politicians. What is more, over 8.5 million people in Japan at the beginning of 2012 had signed a petition, which was submitted to the prime minister, designed to encourage the central government to rescue the unaccounted for abductees.<sup>85</sup>

Recent survey data from the Japanese government's Cabinet Office indicates that the abduction issue remains very much on the minds of the vast majority of citizens in Japan and that they are fully cognizant of this problem. Over 96 percent of the respondents in the Cabinet Office's survey conducted in June 2012 indicated that they were aware of the details pertaining to the abduction issue and another 3.6 percent said that were aware but not of the particulars. Only .3 percent of the Japanese respondents said that they had not heard of or did not know about the abduction issue. Demonstrating the power of the Japanese media, nearly all of the respondents (99.3 percent) said that they had learned about the abduction issue from watching television and a very large percentage (88.3) indicated that newspapers had provided them with information on the kidnappings.<sup>86</sup> With such heightened sensitivity to the abduction issue in Japan today, it is very difficult for Japanese public servants to attempt to minimize or marginalize this matter.

This, however, does not mean that demonstrated interest in the abduction issue is necessarily an indication of the actual willingness to take action to resolve this problem. During her interview with *Asahi Shimbun* in April 2012, Sakie Yokota tells of her dislike of posing frequently for photographs with municipal and prefectural politicians in the different places she visited in her and her husband's ongoing campaign to rescue their daughter. If not ulterior motives, certainly at least self interests lie at the root of the desire to be photographed with the Yokotas. And in the interview with *Weekly Friday* in June 2012, Mrs. Yokota notes with some frustration the myriad ministers for the abduction issue, stating "it is a pity ministers change easily even if we convey our intention." Appointed by different prime ministers, the many ministers for the abduction issue have conveyed the impression of government concern, but their brief tenures strongly suggest perfunctoriness at the national level. In this same interview Mrs. Yokota speaks of the journalists she and her husband have met with so that they could increase public awareness of the abduction issue. Sounding disillusioned and quite skeptical, Mrs. Yokota stated: "I really don't know who I can believe among those politicians or journalists and what the truth is." That many Japanese politicians, journalists and media personnel have so facilely attached themselves to the abduction issue

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<sup>83</sup> Relying on R-Net's explanation of what the blue ribbon symbolizes, the Ministry of Foreign Affairs notes the following: "Blue. That is the color of the Sea of Japan that separates Japan, the victim's homeland, and North Korea. The color also represents the blue sky, the only thing that connects the victims and their families."

<sup>84</sup> "Blue-ribbon Fever Sweeping Nation", *The Daily Yomiuri*, 23 December 2002.

<sup>85</sup> "Abductions of Japanese Citizens by North Korea", *op. cit.*, p. 2.

<sup>86</sup> See: "What Japan Thinks: The North Korean Abduction Issue", 26 July 2012, at <http://whatjapanthinks.com/2012/07/26/the-north-korean-abduction-issue>.



captures both the extent to which this unresolved problem remains politicized in Japan and their willingness to use the kidnappings to accomplish their specific objectives.

There has been nothing short of a revolving door with respect to individuals holding the position of Minister of State for the Abduction Issue. Indeed, between September 2009, when the DPJ took control of the Japanese government, and October 2012, eight politicians have held this position. Japanese prime ministers have reshuffled their cabinets to score political points and the Minister of State for the Abduction Issue has not been spared from this exercise. When Prime Minister Yoshihiko Noda first reshuffled his cabinet in January 2012, he appointed the conservative Jin Matsubara<sup>87</sup> to the position of Minister of State for the Abduction Issue. Attempting to bolster public support for his increasingly unpopular government, Noda's third cabinet reshuffle in early October 2012 pushed Matsubara out; replacing him was

Keishu Tanaka.<sup>88</sup> Claiming health problems, which the Noda government underscored, Tanaka resigned at the end of October. However, the political calls for Tanaka to be replaced were widespread after a story appeared in the weekly magazine *Shukan Shincho* that indicated that in the past he had connections to the Japanese mob (*Yakuza*) and had received illegal political donations from a company run by a Taiwanese individual residing in Japan. Noda immediately tapped Chief Cabinet Secretary Osamu Fujimura to hold simultaneously the position of State Minister for the Abduction Issue. Counting the previous administrations run by the LDP before the DPJ came to power in 2009, Fujimura became the sixth chief cabinet secretary to hold at the same time the position of State Minister for the Abduction Issue.<sup>89</sup>

Just prior to Tanaka's resignation a top member of AFVKN stated: "It'll be a farce if he's going to quit without doing anything." Although in office only three weeks, Tanaka, who had no experience whatsoever relating to the kidnappings before becoming Minister of State for the Abduction Issue, was apparently going to learn about this matter while on the job. Tanaka upset members of the victims' families by calling them "bereaved families," thus implying that the abductees were dead – something significantly more than a *faux pas* in Japan. Disillusioned by the very likely departure of Tanaka and the general failure of the Japanese government to resolve the abduction issue, the Yokotas stated: "We have no idea what to believe anymore."<sup>90</sup>

Though there had been no real substantive progress in resolving the abduction issue since former Prime Minister Koizumi visited Pyongyang in May 2004, the Noda government, facing a likely defeat in the next election and the prospect of the return of the LDP to power, contacted Pyongyang sometime near March 2012. The Noda government believed that with Kim Jong Un holding power, perhaps it could be easier than in the past to make progress on the abduction issue. Beginning in late June until the end of August, Tokyo and Pyongyang

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<sup>87</sup> Ignoring the request by Prime Minister Noda, Matsubara and Yuichiro Hata, another cabinet member, visited the Yasukuni Shrine. The Yasukuni Shrine in Tokyo memorializes Japan's military deceased, including a number of war criminals, and is seen by several Asian countries, including China and both North and South Korea, as a symbol of Japanese imperialism. See: "2 Japan Ministers, in Controversial Move, Visit Yasukuni Shrine", *Xinhua*, 15 August 2012.

<sup>88</sup> "Noda Shakes up Cabinet Third Time", *The Japan Times Online*, 2 October 2012.

<sup>89</sup> "Besieged Tanaka Exits over 'Health Reasons'", *The Japan Times Online*, 24 October 2012; "Scandal-hit Tanaka Resigns/ Justice Minister Steps Down over Donations, Gangster Ties", *Daily Yomiuri Online*, 24 October 2012; "Taki Back in Office to Replace Tanaka as Justice Minister", *Jiji Press*, 25 October 2012.

<sup>90</sup> "North Korean Abductee Families Call Justice Minister's Possible Resignation a 'Farce'", *The Mainichi*, 20 October 2012.



held secret and unofficial meetings in Beijing with a little discussion given to the abduction issue.<sup>91</sup> Soon after these secret bilateral talks, Tokyo and Pyongyang held official discussions.

As we will see below, these official bilateral discussions were short-lived and they ended very abruptly. But during the time when these discussions took place, the Noda government apparently had asked Pyongyang sometime around November 2012 to let the Yokotas travel to DPRK to see their granddaughter Eun-gyeong. The Japanese government denied that any such talks had taken place and the Yokotas said that they had not received any information about a possible trip to Pyongyang.<sup>92</sup> Still, ratcheting up government action with respect to the abduction issue and specifically attempting to arrange for the ageing Yokotas to visit Pyongyang to visit their granddaughter could only be viewed as an achievement for Noda and the DPJ.

## **7. A Ray of Hope – Quickly Dashed**

In early August 2012, thus at the same time when Tokyo and Pyongyang were believed to have been having secret, off-the record discussions, officials from the Japanese and North Korean Red Cross organizations had a two-day meeting in Beijing, which had been called for by Japan, the first between them in a decade. The meeting of Red Cross officials was specifically intended to deal with the Japanese civilian and military personnel who died in North Korea at the end of World War II, with the goal of having their remains (still, some 21,600 individuals) sent back to Japan. A top official of the Japanese Red Cross commented: “Overall, I think the meeting was a success.” There was, however, no discussion about the abduction issue during the meeting.<sup>93</sup>

About two weeks before the meeting of the Red Cross officials, Pyongyang indicated its annoyance with Jin Matsubara, then Minister of State for the Abduction Issue, who had been repeatedly demanding the return of the abductees before their family members die. Pyongyang labeled Matsubara’s statements as “politically-motivated fraud,” since the intention was “to win popularity by portraying the dead persons as alive.”<sup>94</sup> Soon after the meeting of Red Cross officials, Pyongyang again directed vitriol at Matsubara and at Chief Cabinet Secretary Fujimura. Pyongyang maintained that these officials were not genuine with respect to settling the remains issue, since they wanted to include a discussion of the abductions in the meeting of the Red Cross officials. Said Pyongyang, these Japanese officials wanted to politicize the remains issue, which was a humanitarian matter.<sup>95</sup>

Still, the meeting of the Red Cross officials bore political fruit, since Tokyo and Pyongyang agreed to hold official government talks in Beijing in late August 2012, the first since discussions were held in Shenyang, China in August 2008. Chief Cabinet Secretary Fujimura made clear that Tokyo would press Pyongyang to include the abduction issue in the

<sup>91</sup> “Govt to Assess N. Korea’s Stance on Abductions”, *The Daily Yomiuri*, 16 August 2012; “Japan, North Met in Secret for Months before Beijing Talks”, *The Japan Times Online*, 7 September 2012.

<sup>92</sup> “Yokota Visit to Pyongyang in Works?”, *The Japan Times Online*, 16 November 2012; “Abduction Talks Give Families Hope/1<sup>st</sup> Meeting with N. Korea Since ’08 held 35 Years after Yokota Vanished”, *The Daily Yomiuri*, 16 November 2012.

<sup>93</sup> “Japan, N. Korea Red Cross to Hold 1<sup>st</sup> Talks in 10 yrs in Beijing”, *Kyodo News International*, 9 August 2012; “North Korean Red Cross Pledges to Work to Repatriate Remains of Japanese Wartime Era Dead”, *The Japan Times Online*, 11 August 2012.

<sup>94</sup> “KCNA Commentary Rebukes Japan’s Rhetoric over ‘Abduction Issue’”, *Korean Central News Agency*, 25 July 2012.

<sup>95</sup> “KCNA Commentary Denounces Japan’s Intention to Politicize Humanitarian Issue”, *Korean Central News Agency*, 16 August 2012.



upcoming government talks.<sup>96</sup> At the same time, Washington appeared to be sending a signal to the Noda administration not to lose sight of the importance of the six-party framework, which was the disablement of the DPRK's nuclear weapons and programs. Asked about the then pending talks between Tokyo and Pyongyang, a U.S. State Department spokesperson stated that the Obama administration does not oppose discussions between Tokyo and Pyongyang but "we assume that it will – Japan will – that its position that we see in the Six-Party Talks will be the same."<sup>97</sup>

Tokyo and Pyongyang had three days of official mid-level talks in Beijing at the end of August 2012. These working-level talks focused on the "remains issue," which had been requested by the DPRK during the discussions between Japanese and North Korean Red Cross organizations earlier in the month. These initial bilateral talks seemed to improve Tokyo's and Pyongyang's awareness of each others' concerns. The talks concluded with an agreement to have additional discussions very soon between higher-lever foreign ministry officials from Japan and the DPRK. Although the initial intergovernmental talks did not include any discussion of the abduction issue, Chief Cabinet Secretary Fujimura insisted that the kidnappings would be addressed at any future meeting.<sup>98</sup> However, a DPRK official involved in these initial working-level discussions pointed out in Beijing before returning home that agenda items in future talks "will be arranged through diplomatic channels."<sup>99</sup>

Within just a few days after the conclusion of the working-level talks, Pyongyang presented its position. A spokesman for the DPRK Foreign Ministry remarked that contrary to what Japanese political and media sources are saying, which is that Pyongyang had agreed to include the abduction matter in future bilateral talks and that the North anticipates that it will reap economic benefits from Japan by dealing with the remains issue, "this is a sheer lie." Similar to what it had previously said, Pyongyang charged that the remains issue is a humanitarian problem and that Tokyo is using it for "its sordid political purpose," which will undermine future bilateral discussions.<sup>100</sup> In mid September, Pyongyang, exhibited a discernibly more acrimonious position, stressing that Japan's strong adherence to the United States' hostile DPRK policy, which has caused it to clamor about the nuclear, missile and abduction issues, contravenes the 2002 Pyongyang Declaration. Pyongyang maintained that Tokyo has continued to "concoct fresh information" on the abduction issue, even though it has already been resolved. It charged that Japan has "set up government organizations and conspiratorial bodies handling the 'abduction issue' in various places, using them as a lever for winning the popularity of conservative politicians." Pyongyang advised that if Japan was truly interested in rapprochement with the DPRK then it must abandoned its hostile policy and execute the Pyongyang Declaration.<sup>101</sup> In mid October, Kim Yong Nam, the president of the DPRK's Presidium of the Supreme People's Assembly and the second-highest ranking North

<sup>96</sup> "Japan and North Korea to Hold First Government Talks in Four Years", *The New York Times*, 14 August 2012.

<sup>97</sup> U.S. State Department, *Daily Press Briefing*, Washington, August 14, 2012.

<sup>98</sup> "Japanese and North Korean Officials Hold First Talks in Four Years", *The New York Times*, 29 August 2012; "Japan and North Korea Agree to New Talks", *The New York Times*, 31 August 2012; "North Korea Talks to Include Abductions, But Discussion Likely to be Drawn Out", *Asahi Shimbun*, 1 September 2012.

<sup>99</sup> "N. Korean Official Mum on Response to Japan Call to Discuss Abductions", *The Mainichi*, 1 September 2012.

<sup>100</sup> "Foreign Ministry Spokesman Clarifies the DPRK's Stand on DPRK-Japan Inter-governmental Talks", *Korean Central News Agency*, 5 September 2012.

<sup>101</sup> "DPRK-Japan Relations Hinge on Japan's Attitude: KCNA Commentary", *Korean Central News Agency*, 17 September 2012.





Korean official, stated: “Before talking about the abduction issue, Japan must reflect on criminal acts it committed against Korean People.”<sup>102</sup>

After some delay by Pyongyang, in mid November 2012 higher-level talks took place for two days between foreign ministry officials from Japan and the DPRK in Ulan Bator, Mongolia. Leading the Japanese delegation was Shinsuke Sugiyama, the director general of the Ministry of Foreign Affairs’ Asian and Oceanian Affairs Bureau; the DPRK’s top delegate was Song Il Ho, its official responsible for normalizing relations with Japan. Although Japanese and DPRK officials involved in these talks described them as “content-rich” discussions dealing with “wide-ranging issues,” the abduction issue was not an agenda item. However, this was not because Sugiyama did not request that the abduction issue be placed on the agenda. At the conclusion of these talks, Tokyo said it had made “minimum progress” on the abduction issue – perhaps because Japan and the DPRK had agreed to continue with discussions on this matter. Tokyo had not been too optimistic about making much progress during these talks, since it was well aware that Pyongyang saw the impending national elections in Japan and the likely return of the LDP to power as a being potentially problematic.<sup>103</sup>

Coincidentally, the first day of the senior-level bilateral talks (November 15, 2012) in Ulan Bator was the 35<sup>th</sup> anniversary of the abduction of Megumi Yokota in 1977. This created a sense of tepid optimism for the abductees’ family members, who could not erase from their memories the failures of the past. “I am devoting body and soul to activities to rescue my daughter, dreaming of her joyful return someday,” remarked Mrs. Yokota, who also said: “But the [anniversary] day has come again – the day I hate to remember. I want the government to seriously work on the issue this time.” Mr. Yokota commented: “Every year, I’m saddened to see no progress.” I want the Japanese government to resolve the issue as soon as possible.” Another family member stated: “The abduction issue will not be resolved unless the two governments communicate. We have no time to waste. We want Kaoru [Matsuki] and the others back as soon as possible.”<sup>104</sup>

Talk about future discussions on the abduction issue agreed to by Tokyo and Pyongyang at the November meetings soon became meaningless. By the end of November, U.S. intelligence and satellite surveillance pointed to heightened activity, similar to that which took place before the North’s failed rocket launch in April 2012, at the DPRK’s Sohae Space Center in Dongchang-ri, which is located in North Phyongan Province in the western part of the country.<sup>105</sup> The suspense ended on the first day of December when Pyongyang announced that it would be launching “another working satellite,” the *Kwangmyŏngsŏng-3-2*, using the Unha-3 rocket sometime between the 10<sup>th</sup> and the 22<sup>nd</sup> of the month.

Tokyo responded immediately. On the same day as Pyongyang’s announcement, Prime Minister Noda indicated that Japan would suspend senior-level talks with the DPRK that were to take place on the 5<sup>th</sup> and 6<sup>th</sup> of December in Beijing. Japan’s Minister of Defense Satoshi

<sup>102</sup> “Pyongyang: Settle Past Before Talking of Abductions”, *The Japan Times Online*, 14 October 2012.

<sup>103</sup> “Talks with N. Korea to Resume Next Week”, *Daily Yomiuri Online*, 10 November 2012; “Japan Calls for Abductions to be on Agenda for Talks with N. Korea”, *The Mainichi*, 16 November 2012; “North Korea Agrees to Continue Talks on Abductees”, *The Japan Times Online*, 18 November 2012.

<sup>104</sup> “Aging Parents of Abductee Megumi Yokota in Race Against Time”, *Kyodo News International*, 13 November 2012; “Abduction Talks Give Families Hope/1<sup>st</sup> Meeting with N. Korea Since ’08 held 35 Years after Yokota Vanished”, *Daily Yomiuri Online*, 16 November 2012.

<sup>105</sup> “North Korea May Be Planning Rocket Test, Satellite Operator Says”, *The New York Times*, 27 November 2012.



Morimoto ordered the country's military to ready its missile defense system to intercept the DPRK rocket, should any of it infringe on Japanese territory. Then not likely to be in power too much longer, the Noda government also pointed out that, although Japan did not impose new sanctions on the DPRK after its failed launch in April 2012, should Pyongyang make good on its announcement, this time Tokyo would consider doing it.<sup>106</sup> Japanese Maritime forces quickly responded to Morimoto's order. Japan's Patriot Advanced Capability-3 (PAC-3) ballistic missile interceptors were transported to Okinawa where they would be ready to deal with any parts of the DPRK rocket that entered in Japanese territory. Washington and Seoul also began to take steps to deal with the North's expected launch, authorizing spy satellites and aircraft to keep a close eye on the DPRK's Sohae Space Center at Dongchang-ri.<sup>107</sup> All of this heightened military preparedness by Washington, Tokyo and Seoul was reminiscent of the unsuccessful launch that took place in April 2012.

Setting the political tone for its Japanese and South Korean allies, Washington said: "A North Korean 'satellite' launch would be a highly provocative act that threatens peace and security in the region. Any North Korean launch using ballistic missile technology is in direct violation of UN Security Council Resolutions (UNSCRs) 1718 and 1874."<sup>108</sup> Washington, Tokyo and Seoul also maintained, like they did with the rocket launch in April 2012, that notwithstanding Pyongyang's claim of *Kwangmyŏngsŏng-3-2* being a satellite, it was nothing less than a disguised attempt to test a long-range missile. China, the DPRK's chief ally, had a more temperate response to Pyongyang's announcement. The Chinese Ministry of Foreign Affairs stated: "We are concerned about the DPRK's announcement of its plan to launch a satellite and noticed the reactions of other parties. The DPRK is entitled to peaceful use of the outer space which is subject to relevant UN Security Council resolutions."<sup>109</sup>

On December 10<sup>th</sup>, the first day of the window in the DPRK's launch, Pyongyang announced that scientists had discovered a technical problem and that it would extend the last day of the launch from the 20<sup>th</sup> to the 29<sup>th</sup> of December.<sup>110</sup> But whether there was indeed a technical problem or Pyongyang was simply attempting to circumvent the heightened surveillance initiated by Washington, Tokyo and Seoul, the DPRK launched the *Kwangmyŏngsŏng-3-2* on December 12<sup>th</sup> and immediately announced that it had succeeded in putting a satellite into orbit.<sup>111</sup>

Again setting the tone for its Japanese and South Korea allies, Washington stated that the DPRK launch, which violated UN Security Council resolutions, was "highly provocative and a threat to regional security" and that "there would be consequences."<sup>112</sup> However, Beijing once again responded in a much more measured way than the U.S. and its allies in

<sup>106</sup> "Japan to Postpone Bilateral Talks with N. Korea", *The Mainichi*, 2 December 2012; "Govt Scuttles N. Korea Talks over Rocket Launch", *Daily Yomiuri Online*, 3 December 2012; "Bilateral Talks with Pyongyang Postponed over Launch Plans", *The Japan Times Online*, 3 December 2012.

<sup>107</sup> "PAC-3 Interceptors Sent to Okinawa to Intercept N. Korean Rocket", *The Mainichi*, 3 December 2012; "S. Korea, U.S. Step up Military Posture Ahead of N. Korean Rocket Launch", *Yonhap News Agency*, 3 December 2012.

<sup>108</sup> U.S. Department of State: "North Korean Announcement of Launch" Washington, D.C. (10-22 December 2012), at [www.state.gov/r/pa/prs/ps/2012/12/201345.htm](http://www.state.gov/r/pa/prs/ps/2012/12/201345.htm).

<sup>109</sup> Ministry of Foreign Affairs of the People's Republic of China: "Foreign Ministry Spokesperson Qin Gang's Remarks on the DPRK's Announcement of Satellite Launch", Beijing (3 December 2012), at [www.fmprc.gov.cn/eng/xwfw/s2510/2535/t994638.htm](http://www.fmprc.gov.cn/eng/xwfw/s2510/2535/t994638.htm).

<sup>110</sup> "DPRK to Extend Satellite Launch Period", *Korean Central News Agency*, 10 December 2012.

<sup>111</sup> "DPRK Succeeds in Satellite Launch", *Korean Central News Agency*, 12 December 2012.

<sup>112</sup> U.S. Department of State: "Daily Press Briefing", Washington, D.C. (12 December 2012), at [www.state.gov/r/pa/prs/dpb/2012/12/201930.htm#NORTHKOREA](http://www.state.gov/r/pa/prs/dpb/2012/12/201930.htm#NORTHKOREA).



Tokyo and Seoul. Once more noting that the DPRK had the right to use space for peaceful purposes but that existing resolutions from the Security Council prohibited this, Beijing said that it was regrettable that Pyongyang went ahead with the launch. With respect to the likely international response to the DPRK launch, Beijing stated, “China believes that the Security Council's reaction should be prudent, moderate and conducive to maintaining peace and stability of the Korean Peninsula so as to avoid further escalation of situation.”<sup>113</sup>

In the final days of the Noda administration, Tsuneo Nishida, Japan's ambassador to the United Nations stated more than a week after the North Korean launch that the Security Council had not reached an agreement on the matter of how to deal with the DPRK. Nishida noted that Washington, Tokyo and Seoul's position with respect to the North's launch, which is to impose additional sanctions on the DPRK, compared to that of Beijing, which opposes the hard-line approach, “are far too divided” for them to “sustain discussions.”<sup>114</sup>

In late December, however, some saw another possible approach that could lead to punishing Pyongyang for the launch earlier in the month. Because South Korea would become a nonpermanent member of the UN Security Council in 2013 for two years, some believed that Seoul could have an impact in pushing this body to take punitive action against Pyongyang for the rocket launch.<sup>115</sup> At the time this appeared to be closer to wishful thinking than reality, since although Beijing certainly had concerns about the North's December launch, it gave no indication that it was willing to pile additional sanctions from the Security Council on the DPRK.

The DPJ lost badly to the LDP in Japan's December 2012 elections. Since Abe had been elected president of the LDP in September, the party's electoral victory almost assuredly meant that he would once again become prime minister. Not at all pleased with his approach to the DPRK from just a few years earlier, Pyongyang indicated that Abe is on “the extreme right.”

Abe lost no time in establishing his new administration's position toward North Korea. Just two days after becoming prime minister, Abe, in a late December meeting with the relatives of the abductees, including the Yokotas, said that the Japanese government could unilaterally impose additional sanctions on the DPRK as a way to persuade Pyongyang to discuss the kidnappings and to make progress on this issue. In the typical exaggerated and rhetorical style used by many politicians, Abe told the family members at the meeting: “I am determined to resolve the issue. I will be making efforts every day to deliver results, not just words.” These comments appeared to reignite some optimism among the family members, who undoubtedly recalled Abe's establishment within the government of the Headquarters for the Abduction Issue in October 2006 when he was prime minister and his many *ad hominem* proclamations from the past about resolving this problem. A member of AFVKN stated: “We are filled with expectations that the government will provide a path [to settling the abduction issue] at an early time next year. I hope the government will seek to resolve the issue regardless of the situation it faces.”<sup>116</sup>

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<sup>113</sup> Ministry of Foreign Affairs of the People's Republic of China: “Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on December 12”, Beijing (13 December 2012), at [www.fmprc.gov.cn/eng/xwfw/s2510/2511/t997918.htm](http://www.fmprc.gov.cn/eng/xwfw/s2510/2511/t997918.htm).

<sup>114</sup> “No Viable UN Talks on North Seen”, *The Japan Times Online*, 22 December 2012.

<sup>115</sup> “S. Korea to Join UN Security Council amid Deadlock over N.K. Rocket”, *Yonhap New Agency*, 29 December 2012.

<sup>116</sup> “Abe Vows to Resolve Abductions”, *The Japan Times Online*, 29 December 2012.



Abe's comment about persuading via sanctions North Korea back into negotiations notwithstanding, it was Pyongyang that made the first move to initiate bilateral talks after they had been abruptly ended by the Noda administration because of the North's announcement that it was preparing to launch a satellite. During the second half of December, Pyongyang requested bilateral discussions to begin perhaps in February 2013; however, it specifically stated that the earlier agreement it made with the Noda administration that the abduction issue be taken up at future talks be discarded. Seeming nonplused, a senior official in the Abe administration remarked: "We're not yet able to figure out what Pyongyang means, and it's still likely the North may repeat provocative acts, such as an additional missile test and a nuclear test."<sup>117</sup> How shirking Pyongyang's offer comported with engaging in daily efforts to resolve the abduction issue promised by Abe to the relatives of the abductees is not clear, given that this problem can only be settled diplomatically through bilateral discussions.

## 8. Analysis and Prospects

It remains to be seen just how much different Abe's second run at prime minister will be from his first. But early indications are that he will exhibit even more of the predilections associated with the hawkish, nationalist agenda than before.

Soon after becoming prime minister in December 2012, Abe had plans to visit the Washington to discuss with President Obama the U.S.-Japan security alliance. Abe has made no secret that he wants to whitewash Japan's aggression associated with its imperialist past, as well as strengthen both its military capabilities and security alliance with the United States. Relative to the Noda administration, Abe's government has placed on a fast track consideration for buying the U.S.-made Global Hawk, an advanced unmanned surveillance aircraft, which if purchased – something that South Korea has already done and has angered the North<sup>118</sup> – will be used for collecting intelligence on China and North Korea.<sup>119</sup> The Abe administration has intimated that it is considering the revision of the 1995 Kono Statement in which Japan officially apologized for its military's use of *juugun ianfu* (comfort women) during World War II,<sup>120</sup> a move that will instantly create animus in some Asian countries, including North and South Korea. The Abe administration plans to raise Japan's military budget, the first time in more than 10 years.<sup>121</sup> In fact, in early January, the Abe administration revealed its plan to spend an additional ¥180.5 billion (approximately \$2.1 billion) for fighter planes, missiles and helicopters over and above the anticipated increase in military spending for 2013.<sup>122</sup> The day after he was elected president of the LDP in September 2101, with the expectation of becoming Japan's next prime minister, Abe maintained, "I have long emphasized the need to exercise the right to collective self-defense in rebuilding the Japan-U.S. alliance."<sup>123</sup> And showing deference to Washington's dominant position in the bilateral alliance, he commented soon after becoming prime minister: "Reviewing the right to collective self-defense is one of Abe administration's central policy aims, and because of that

<sup>117</sup> "North Asks to Resume Talks in February", *The Japan Times Online*, 1 January 2013.

<sup>118</sup> "Global Hawk Sale to South Korea Helps in Creating Global Surveillance Network", *DefenseWorld.net*, 8 January 2013, at [www.defenseworld.net/go/defensenews.jsp?id=7979&h=Global%20Hawk%20Sale%20To%20South%20Korea%20Helps%20In%20Creating%20Global%20Surveillance%20Network](http://www.defenseworld.net/go/defensenews.jsp?id=7979&h=Global%20Hawk%20Sale%20To%20South%20Korea%20Helps%20In%20Creating%20Global%20Surveillance%20Network); "U.S. Reckless Hostile Policy towards DPRK Under Fire", *Korean Central News Agency*, 7 January 2013.

<sup>119</sup> "Govt Eyeing Purchase of U.S. Spy Drones/Global Hawks would Cover China, N. Korea", *Daily Yomiuri Online*, 1 January 2013.

<sup>120</sup> "Japan Hints It May Revise an Apology on Sex Slaves", *The New York Times*, 27 December 2012.

<sup>121</sup> "SDF Spending Targeted to Rise in Fiscal Year 2013", *The Japan Times Online*, 7 January 2013.

<sup>122</sup> "¥180.5 in Extra Defense Outlays Eyed", *The Japan Times Online*, 10 January 2013.

<sup>123</sup> "Abe Eyes Lifting Ban on Collective Self-defense", *Asahi Shimbun*, 27 September 2012.



I want to discuss it with President Obama.”<sup>124</sup> Specifically, what Abe plans to do is to revise the U.S.-Japan Guidelines for Defense Cooperation, which was last updated in the 1997,<sup>125</sup> and to change the Japanese government’s interpretation of the constitution to permit collective defense.<sup>126</sup> Since collective defense – participation in war activities with an ally (the United States) – is currently interpreted as a violation of the Japanese constitution, changing this would be still another step along the path of making Japan a *futsu kokka* (normal country), i.e., a nation with a strong and constitutionally unfettered military.<sup>127</sup> Article 9 of Japan’s constitution prohibits “the threat or use of force as means of settling international disputes” and the possession of “war potential.” Unable to revise Article 9 during his first one-year stint as prime minister, Abe, like other conservative hawks, would like to succeed this time in revising this war-renouncing constitutional clause. Abe, specifically, wants Japan’s Self Defense Forces as stipulated in Article 9 changed to a “national defense military.”<sup>128</sup> Given Japan’s past behavior of military aggression, all of this, which Washington has generally endorsed, has not only disturbed Pyongyang and Beijing<sup>129</sup> but Seoul as well.<sup>130</sup>

The Obama administration objected to former New Mexico governor Bill Richardson and Google boss Eric Schmidt’s trip to North Korea in early January 2013, maintaining that their traveling to the DPRK, which had only the month before launched a rocket in violation of UN Security Council resolutions, would send the wrong signal to Pyongyang. The U.S. State Department’s spokesperson made clear that Richardson and Schmidt “are traveling in an unofficial capacity. They are not going to be accompanied by U.S. officials. They are not carrying any messages from us. Frankly, we don’t think the timing of this is particularly helpful.”<sup>131</sup> Because Washington had not yet succeeded in getting the UN Security Council to agree on the “consequences” it had promised to impose on the DPRK for its December rocket launch, it is certainly plausible that the Abe administration appeared to be perplexed when Pyongyang offered to restart Japan-DPRK talks. Although then unable to get the Security Council to move on Pyongyang because of its rocket launch, Washington, with support from Tokyo and Seoul, was still trying in early 2013. Given the value to the Abe government of both strengthening Japan’s military and its security alliance with the United States, responding positively to Pyongyang’s offer for new bilateral talks without coordinating its actions with Washington would likely have angered the Obama administration, somewhat similar to the way Richardson and Schmidt’s trip did. Thus, the Japanese abduction issue was put on hold. In mid February 2013, immediately after the DPRK conducted its third underground nuclear test (see below), Megumi’s mother Sakie Yokota, showing her mistrust

<sup>124</sup> “Abe: ‘I’ll Discuss Right to Collective Self-defense with Obama”, *Asahi Shimbun*, 14 January 2013.

<sup>125</sup> DiFilippo, “The Challenges of the U.S.-Japan Military Arrangement...”, *op. cit.*, esp. pp. 33-36.

<sup>126</sup> “Govt Seeking Expansion of SDF Role”, *Daily Yomiuri Online*, 17 January 2013.

<sup>127</sup> DiFilippo, “US-Japan-North Korea Security Relations...”, *op. cit.*, Chapter 3; Hughes, Christopher: “Japan’s Military Modernisation: A Quit Japan-China Arms Race and Global Power Projection”, *Asia-Pacific Review*, vol. 16, no.1 (2009), pp. 84-99.

<sup>128</sup> “Abe Seeks Partners to Pave Way for Constitutional Revision”, *International Herald Tribune*, 18 December 2012; “Abe Pushes Constitutional Reform, ‘National Defense Military’ in Diet”, *The Mainichi*, 2 February 2013. For Pyongyang’s reaction, see: “Japan’s Moves for Militarization, Overseas Expansion Assailed”, *Korean Central News Agency*, 20 February 2013.

<sup>129</sup> “Japan Accused of Working Hard to Realize ‘Greater East Asia Co-prosperity Sphere’”, *Korean Central News Agency*, 15 January 2013; “Abe is Taking Japan Down a Dangerous Path”, *China Daily.com*, 17 January 2013, at [www.chinadaily.com.cn/opinion/2013-01/17/content\\_16132153.htm](http://www.chinadaily.com.cn/opinion/2013-01/17/content_16132153.htm).

<sup>130</sup> “U.S. Keeps Strategic Hush on Japan’s Military Ambitions”, *Yonhap News Agency*, 16 January 2013.

<sup>131</sup> U.S. Department of State: “Daily Press Briefing”, Washington, D.C. (3 January 2013), at [www.state.gov/r/pa/prs/dpb/2013/01/202480.htm](http://www.state.gov/r/pa/prs/dpb/2013/01/202480.htm).



of the Japanese government, remarked “I wonder why Japan did not respond when North Korea suggested resuming government-to-government talks at the end of last year.”<sup>132</sup>

In mid January 2013, new Japanese Foreign Minister Fumio Kishida traveled to Washington and met with Secretary of State Clinton, who remarked: “On North Korea we shared our joint commitment to strong action in the UN Security Council” because of its December launch. Kishida too was forthright on this matter: “On North Korea, we confirmed that close collaboration be continued between Japan and the United States, as well as between Japan, United States, and South Korea. Specifically referring to the missile launch last December, we agreed to continue with our close cooperation so that the United Nations Security Council takes effective measures as expeditiously as possible.”<sup>133</sup> Supported by Tokyo and Seoul, Washington’s tenacity finally paid off. In late January, the UN Security Council passed Resolution 2087, which condemned the DPRK for its December launch and imposed sanctions beyond those that had been authorized since 2006 for its missile and nuclear tests.<sup>134</sup> Rejecting the resolution, which it said Washington initiated and Seoul fabricated, Pyongyang immediately promised to launch more satellites and long-range rockets and conduct another “nuclear test of higher level.”<sup>135</sup>

It is worth pointing to the possibility that Japan may not necessarily place a high premium on rapprochement with North Korea and even resolving the abduction issue, despite the ongoing political rhetoric to the contrary. First, it can be plausibly argued that the DPRK and China, which is currently involved in a heated dispute with Tokyo over possession of islands (Senkaku, Japanese and Diaoyu, Chinese) in the East China Sea, have been used by Japanese politicians to push Japan along the path of becoming a *futsu kokka*. As we will see in more detail below, the abduction issue is primarily a security issue in Japan. Second, some North Korean supporters in Japan maintain that Tokyo claims that all of the abductees are still alive in North Korea today because the Japanese government does not want to provide compensation to the DPRK for its past colonization of Korea,<sup>136</sup> something that if true could more easily reflect the sentiments of the hawkish and nationalist-inspired Abe government. Rapprochement with the DPRK would cost Japan plenty today and Tokyo is well aware of this. When Japan normalized relations with South Korea in 1965, it provided Seoul with a package amounting to \$800 million – \$300 million in grant aid, \$300 million in credits from Japanese financial institutions and \$200 in government long-term, low-interest loans.<sup>137</sup> To get Pyongyang to agree today, any reparations given to North Korea today would need to be considerably higher than the amount provided nearly a half century ago to the South. Add to this Japan’s struggling economy and the predisposition of nationalists to minimize past imperial aggression and what plausibly emerges is a Japanese position that gives more lip service than substance to rapprochement and resolving the abduction issue.

Japanese politicians have long politicized the abduction issue, typically crafting it for public consumption as an unresolved humanitarian issue caused by terrorist acts perpetrated

<sup>132</sup> “Kin Fear N. Korea Nuclear Test Could Push Back Abduction Resolution”, *The Mainichi*, 13 February 2013.

<sup>133</sup> U.S. Department of State: “Remarks with Foreign Minister Fumio Kishida after Their Meeting”, Washington, D.C. (18 January 2013), at [www.state.gov/secretary/rm/2013/01/203050.htm](http://www.state.gov/secretary/rm/2013/01/203050.htm).

<sup>134</sup> United Nations Security Council: “Resolution 2087”, New York (22 January 2013) at [www.un.org/ga/search/view\\_doc.asp?symbol=S/RES/2087%282013%29&referer=http://www.un.org/en/sc/documents/resolutions/2013.shtml&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2087%282013%29&referer=http://www.un.org/en/sc/documents/resolutions/2013.shtml&Lang=E).

<sup>135</sup> “DPRK NDC [National Defense Commission] Vows to Launch All-out Action to Defend Sovereignty of Country”, *Korean Central News Agency*, 24 January 2013; “S. Korean Authorities Accused of Fabricating UN ‘Resolution’ with Foreign Forces”, *Korean Central News Agency*, 25 January 2013.

<sup>136</sup> Author interview with senior official of Chongryon, International Affairs Bureau, Tokyo (18 July 2012).

<sup>137</sup> Manyin, *op. cit.*



by the DPRK. The Abe administration's recent gambit with respect to the politicization of the abduction issue came early in 2013 when it announced that in February it would present a resolution to the UN Human Rights Council requesting the establishment of an expert group to investigate the Japanese kidnappings by the DPRK and some of the North's other human rights violations. Appearing only to demonstrate political bark for Japanese public consumption rather than bite, the Abe administration was well aware that even if the UN Human Rights Council adopted such a resolution, the expert group would have no legal authority to enforce it.<sup>138</sup>

Since 2002, when Kim Jong Il revealed the North's culpability, Japanese politicians have frequently remarked that there can be no normalization of relations between Japan and the DPRK until there is a resolution to the abduction issue. Shinzō Abe helped play a big part in establishing this national criterion. During a policy speech he delivered just three days after becoming prime minister for the first time in September 2006, Abe announced his intention to create the Headquarters for the Abduction Issue and remarked: "There can be no normalization of relations between Japan and North Korea unless the abduction issue is resolved."<sup>139</sup> Thus, a statement still appearing on the website of the Headquarters for the Abduction Issues states: "The abduction of Japanese citizens is a matter of grave concern that affects the national sovereignty of Japan and the lives and safety of the Japanese people. Until this issue is resolved, there can be no normalization of relations with North Korea."<sup>140</sup> Moreover, Tokyo has often used Washington as a sounding board for the abduction issue. During Foreign Minister Kishida's visit to Washington in January 2013, he remarked to Secretary of State Clinton how important the abduction is to the Abe administration and requested ongoing support and assistance from the United States. Clinton told Kishida that the United States "would continue to support Japan's efforts to return Japanese citizens who have been abducted by the DPRK."<sup>141</sup>

While the abduction issue does represent a humanitarian problem, it is inextricably tied to security in Japan, specifically the DPRK missile and nuclear issues. Washington, as the dominant player in the U.S.-Japan security alliance, has insisted on the nuclear disarmament of the DPRK, as well as an end to its long-range missile testing. Although Japan has shared these objectives, Tokyo has yet to stray too far from Washington's leadership to resolve the abduction issue independent of the missile and nuclear problems. This is because the denuclearization of the DPRK, which Washington orchestrates for Tokyo and for Seoul as well, trumps everything, including the abduction issue when it comes to security in East Asia. From the first meeting of the six-party talks in August 2003, Tokyo has stressed that the resolution of the abduction issue is a prerequisite to normalized Japan-DPRK relations.<sup>142</sup> But apart from working to bring up the kidnappings at the six-party talks, it is clear that even before the beginning of these multilateral discussions Tokyo tied the resolution of the abduction issue to security matters. Indeed, a relatively recent statement from the Headquarters for the Abduction Issue indisputably makes this connection. The statement reads: "As set down in the Japan-DPRK Pyongyang Declaration [September 2002], we wish to reach a comprehensive resolution of outstanding issues of concern, including the abduction

<sup>138</sup> "Tokyo to Turn up Heat on North at UN", *The Japan Times Online*, 4 February 2013.

<sup>139</sup> Prime Minister and His Cabinet: "Policy Speech by Prime Minister Shinzo Abe to the 165<sup>th</sup> Session of the Diet", Tokyo (29 September 2006), at [www.kantei.go.jp/foreign/abespeech/2006/09/29speech\\_e.html](http://www.kantei.go.jp/foreign/abespeech/2006/09/29speech_e.html).

<sup>140</sup> See "Abduction of Japanese Citizens by North Korea...", *op. cit.*

<sup>141</sup> U.S. Department of State: "Remarks with Foreign Minister Fumio Kishida after Their Meeting", Washington, D.C. (18 January 2013).

<sup>142</sup> MOFA: "Japan-North Korea Relations", Tokyo (May 2004), at [www.mofa.go.jp/region/asia-paci/n\\_korea/relation.html](http://www.mofa.go.jp/region/asia-paci/n_korea/relation.html).



issue and North Korea's nuclear and missile programs, to settle the unfortunate past between us, and to move to normalize diplomatic relations. Toward that end, it is absolutely indispensable to resolve the abduction issue."<sup>143</sup>

Insisting that they are still alive in North Korea, a position also taken by Washington, Tokyo has not reasonably answered the question of why Pyongyang would want to keep the abductees today. During the Cold War, Japanese abductees had value to the DPRK's intelligence agencies. Today, they do not. To simply maintain, as does Tokyo and private groups in Japan, that the abductees have information about the DPRK that Pyongyang does not want to reveal to the outside world is somewhat of a political stretch. Would not the abductees and their family members that were permitted to return to Japan have some state secrets as well? Would Pyongyang – or any government for that matter – reveal high-level state secrets to foreign abductees?

Ironically, Tokyo has never articulated a specific detailed explanation of how the abduction issue can be satisfactorily resolved. This suggests that history and ideological disparity have created serious roadblocks to the resolution of the abduction issue. For example, Tokyo has complained that the records the DPRK furnished to Japan about the so-called deaths of the abductees is inconsistent and unconvincing. Presented with the possibility that record-keeping in the DPRK may not be the same as it is in Japan, a senior official in the Japanese Ministry of Foreign Affairs remarked "if it were some other country Japan could accept poor-recording keeping, but not with North Korea."<sup>144</sup>

That the abduction issue remains unresolved is certainly not only Tokyo's fault. Because North Korean agents perpetrated the kidnappings, despite whether or not they received Pyongyang's imprimatur, DPRK officials need to work much harder to resolve the abduction issue. Whether or not it is true that the remaining victims who have not yet been accounted for are dead or never entered the DPRK, as Pyongyang maintains, it is simply not sufficient to state this while insisting that the abduction issue was resolved sometime ago when former Prime Minister Koizumi visited the North.

If Pyongyang has nothing to hide, then it needs to demonstrate to Tokyo and the global community complete openness and willingness to provide all there is to know about the abductees. Tokyo has repeatedly sought a reinvestigation of the abduction issue. It could do no harm for Pyongyang to invite a Japanese team to the DPRK to carry out a thorough investigation of the abduction issue with full cooperation and assistance from the North.

Just as Tokyo has politicized the abduction issue so too has Pyongyang. As we saw above, in June and especially in August 2008, when they finalized their agreement, Japanese and DPRK officials held bilateral talks. Pyongyang agreed to reinvestigate the abduction issue, for which Tokyo promised that it would lift some of the sanctions it had then recently imposed on the DPRK. Recall also that after Fukuda left office at the end of September 2008 and the nationalist Tarō Asō became Japan's new prime minister his administration quickly announced that it would extend for another six months the sanctions that Japan had imposed on the DPRK for its missile and nuclear testing. However, the Asō government did state that

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<sup>143</sup> Government of Japan, Headquarters for the Abduction Issue: "Toward a Solution to the Abduction Issue: Directions Given at the Fourth Meeting of the Headquarters for the Abduction Issue", (29 November 2010).

<sup>144</sup> Author interview with senior official in Japan's Ministry of Foreign Affairs, Northeast Asia Division, Tokyo, 20 July 2012.





Japan would honor the bilateral agreement and lift some of the sanctions it had imposed on the DPRK as soon as Pyongyang began a reinvestigation of the abduction issue.<sup>145</sup>

Because of the Asō government's decision to extend sanctions, Pyongyang angrily complained that Tokyo had once again linked the abduction issue to the six-party talks. Pyongyang also intimated that Japan's refusal to provide the DPRK the energy assistance, which the joint statement produced by the six-party talks held in February 2007 had stipulated as obligatory for all of the other participants so that the nuclear matter could be resolved, was consistent with Tokyo's undermining of the bilateral agreement reached in August.<sup>146</sup> Instead of abandoning it, Pyongyang could have moved forward with the reinvestigation of the abduction issue. Had Pyongyang proceeded with the reinvestigation, particularly with sincere enthusiasm, this would have put the Asō government in the position where it either had to lift some of the sanctions Japan had imposed on the DPRK or face the charge of unequivocally renegeing on the bilateral agreement reached in August 2008. By reacting hastily to the Asō government's announcement to extend the sanctions regime on the DPRK, Pyongyang effectively jettisoned the reinvestigation of the abduction issue and therefore provided Tokyo with the justification for not lifting some sanctions.

In late 2012, Pyongyang expressed an interest in reinvestigating the abduction issue. However, as we have seen, the DPRK's rocket test in December put a quick end to Japan-North Korea discussions. And Pyongyang's unwise and requited decision to conduct a third underground nuclear test in February 2013 because it wanted to demonstrate its disapproval of the Washington-led UN Security Council resolution sanctioning it for its December 2013 satellite launch, put the prospect of Japan-North Korea talks in political limbo, certainly for the near term. Prime Minister Abe and President Obama expressed the same view of further sanctioning the DPRK because of its third nuclear test.<sup>147</sup> That Abe called on the Security Council to respond quickly to the DPRK's third nuclear test and promised to extend Japan's sanctions against North Korea, while urging "it to take concrete action towards comprehensively resolving outstanding issues of concern, including the abductions, nuclear and missile programs,"<sup>148</sup> offers little optimism for resolving the abduction issue anytime soon.

Indeed, the family members of the abductees are certainly cognizant of this.<sup>149</sup> Expressing concern that the North's third nuclear test would further defer bilateral talks between Tokyo and Pyongyang, Shigeru Yokota, Megumi's father, commented: "I wish the [Japanese] government would conduct negotiations on the abduction issue separately from the issue of the nuclear test."<sup>150</sup> However, even in the unlikely event that Japan-DPRK talks do take place relatively soon, Tokyo has long tied the abduction issue to the North Korean nuclear and missile problems and both of these can only be resolved by approbation from

<sup>145</sup> DiFilippo, "US-Japan-North Korea Security Relations", *op. cit.*, p.182.

<sup>146</sup> "KCNA Slams Japan's Dishonest Stance towards Issue of Fulfillment of Its Commitment", *Korean Central News Agency*, 22 October 2008.

<sup>147</sup> "Abe, Obama Share Stance on N. Korea/2 Leaders Seek Tough UNSC Resolution", *Daily Yomiuri Online*, 15 February 2013.

<sup>148</sup> Prime Minister of Japan and His Cabinet: "Statement by the Prime Minister of Japan (on the Nuclear Test by North Korea)", Tokyo, 12 February 2013, at [www.kantei.go.jp/foreign/96\\_abe/decisions/2013/0212statement\\_e.html](http://www.kantei.go.jp/foreign/96_abe/decisions/2013/0212statement_e.html); For Pyongyang's reaction to Japanese sanctions stemming from the DPRK's launch in December 2013, see: "KCNA Denounces Japan for Tightening Sanctions on Koreans", *Korean Central News Agency*, 17 February 2013.

<sup>149</sup> "Abductees' Kin Angry After N-test", *Daily Yomiuri Online*, 13 February 2013; "Kin Fear N. Korea Nuclear Test Could Push Back Abduction Issue Resolution", *The Mainichi*, 13 February 2013.

<sup>150</sup> "Abductees' Kin Worry N-test May Delay Talks", *Daily Yomiuri Online*, 14 February 2013.



Washington. This ultimately makes the settlement of the abduction issue contingent upon the resolution of the nuclear and missile problems. That both Tokyo and Pyongyang have politicized the abduction issue is just part – albeit a big one – of the reason why it remains unresolved. For Pyongyang, the abduction issue pales in comparison to the outstanding historical matters that stem from Japan’s colonization of the Korean Peninsula. However, Pyongyang’s failure to work to disentangle the abduction issue from Japan’s perceived security interests in East Asia have served to exacerbate its politicization.

Considerably less *songun*-inspired bravado from Pyongyang would help establish an opening for ameliorating the security environment in Northeast Asia and thus plant the political seeds for improving North Korea-Japan relations. Pyongyang’s decision to perform a third nuclear test specifically “to express the surging resentment of the army and people of the DPRK at the U.S. brigandish hostile act” (i.e., leading the way in punishing the North for its December satellite launch via UN Security Council Resolution 2087) is not a pragmatic way to conduct foreign policy.<sup>151</sup> That China, the DPRK’s closest ally, has been unwilling to veto UN Security Council resolutions sanctioning the North since 2006 does indicate that Beijing’s tolerance of Pyongyang’s *songun* decisions has been running thin. Responding to the DPRK’s third nuclear test, Beijing stated: “The Chinese Government is firmly opposed to this act.” What is more, after summoning the DPRK’s Ambassador in Beijing Ji Jae Ryong, Chinese Foreign minister Yang Jiechi told him that China was “strongly dissatisfied with” and “firmly opposed to” Pyongyang’s decisions to conduct its third nuclear test.<sup>152</sup>

Pyongyang has long wanted a permanent peace treaty to end the Korean War. Much more consistent emphasis on the need to establish a peace treaty<sup>153</sup> and much less willingness to demonstrate *songun*, particularly by relying on nuclear testing, could dissipate some regional tension and create a foundation for a resolution to outstanding problems, including the abduction issue.

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<sup>151</sup> “Spokesman for DPRK Foreign Ministry Urges U.S. to Choose between Two Options”, *Korean Central News Agency*, 12 February 2013.

<sup>152</sup> Ministry of Foreign Affairs of the People’s Republic of China: “Statement of the Ministry of Foreign Affairs of the People’s Republic of China”, Beijing, 12 February 2013, at [www.fmprc.gov.cn/eng/zxxx/t1013361.shtml](http://www.fmprc.gov.cn/eng/zxxx/t1013361.shtml); “China ‘Firmly’ Opposes DPRK’s Nuclear Test; Yang Summons Ambassador”, *Xinhua*, 12 February 2013.

<sup>153</sup> For the specifics of a “conditional peace treaty” that would fairly address both Washington’s and Pyongyang’s concerns and that could become a permanent accord, see Anthony DiFilippo, “North Korea’s Denuclearization and a Peace Treaty”, *North Korean Review*, vol. 7, no. 1 (Spring 2011), pp. 7-20.



## JAPAN'S NATIONAL IDENTITY, TERRITORIAL DISPUTES AND SUB-STATE ACTORS: NORTHERN TERRITORIES/SOUTH KURILES AND TAKESHIMA/DOKDO COMPARED<sup>1</sup>

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### Abstract:

This paper joins the constructivist debate on Japan's national identity and foreign policy. Mainstream constructivists that look at norms as main components of national identity have focused on Japan's anti-militarist or pacifist identity. While paying attention to the process of the emergence and institutionalisation of the anti-militarist norms their works have implied the existence of certain coherence between the intentions of the various actors that participated in this process and the final institutionalised norm. On the other hand, critical constructivists that construe identity of the national "self" as constructed in opposition to the difference of multiple "others" have focused on broad identity discourses and have paid little attention to the role of concrete issues and events in the continuous reproduction of these discourses as well as the processes through which these identity discourses emerge. This talk is guided by the critical constructivist ontology. It will focus however on the processes that led to the emergence of two territorial disputes, Northern Territories and Takeshima, as main building blocs in the discursive construction of Japan's postwar identity vis-a-vis Russia and South Korea respectively. It examines the role of sub-state actors such as municipalities and civil society groups in these processes. I will argue that while both of the final constructs are quite similar, the processes that led to their emergence have some very important differences. Furthermore, by analysing the interests of these actors the paper argues that their interests had little in common with the final identity constructs. This argument questions the ideational coherence of the process of national identity construction implied in mainstream constructivist works.

**Keywords:** Japan, Takeshima, Northern Territories, Constructivism, Non-State Actors.

### Resumen:

*Este artículo se une al debate del constructivismo en torno a la identidad nacional de Japón y a su política exterior. El constructivismo de corte convencional que examina el marco normativo como el principal componente de la identidad nacional se ha centrado en su identidad pacifista y en su explícito antimilitarismo. Al mismo tiempo que se prestaba atención al proceso de emergencia e institucionalización de las normas antimilitaristas, sus obras han dado por sentada la existencia de una cierta coherencia entre las intenciones de los varios actores que formaban parte del proceso de institucionalización. Por otra parte, constructivistas de la escuela crítica que observan la construcción de la identidad nacional como un proceso en el que el "yo" se contraponen a una serie múltiple de "otros", se han centrado de forma amplia en discursos identitarios y no han prestado atención al papel de asuntos y sucesos concretos en la reproducción de esos mismos discursos y en los procesos a través de los cuáles tal discurso identitario emerge. En esta discusión, nos guiaremos por la ontología del constructivismo crítico. Sin embargo, nos fijaremos igualmente en los procesos por los que emergieron dos disputas territoriales, la de los Territorios del Norte y las islas Takeshima, como bloques discursivos en la construcción de la identidad del Japón de posguerra frente a Rusia y a Corea del Sur respectivamente. El artículo examina el papel de actores sub-estatales tales como las administraciones municipales y agrupaciones civiles en tales procesos. Argumentaré que si bien los constructos finales de ambos procesos acaban siendo similares, los procesos que llevaron a su emergencia contienen importantes diferencias. Además, analizando los intereses de estos actores, este artículo explica cómo sus intereses tenían poco que ver con el constructo final que acabó emergiendo. El argumento principal del artículo por tanto pone en duda la coherencia del proceso de identidad nacional que se presupone en las obras del constructivismo convencional.*

**Palabras clave:** Japón, Takeshima, Territorios del Norte, constructivismo, actores no estatales.

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## 1. Introduction

This paper joins the debate on the construction of Japan's national identity. The theoretical premises that guide paper are located within the "critical" branch of IR constructivism. Unlike the liberal branch of constructivist theory that focuses on social structures constituted by norms and ideas, critical constructivism emphasizes the role of difference attributed to the "other" and meanings associated with this difference, as a key element in the construction of the (national) "self".<sup>3</sup> Following these ontological premises, most of the empirical works associated with the critical constructivist school focus on broad identity discourses in which the national "self" is hierarchically juxtaposed with its significant "others" through broad historical narratives, depictions of cultural attributes of the "other" and normative analyses of the "other's" political structures and institutions.

Arguably however, these broad discourses rely on very specific events and issues for legitimization of the various meanings embedded in them and even more importantly when competing with other discourses for dominance. Thus few would dispute the argument that Stalin's purges or China's Communist Party's internet censorship have played an important role in the construction of US identity vis-à-vis the Soviet Union and today's China respectively. Focusing on the broad discourses, however, quite often critical constructivist scholarship tends to ignore the processes through which certain issues and events are incorporated into various identity discourses. In some cases, like the examples above, the answers may be quite obvious and not requiring further academic scrutiny. In other cases however, including the territorial disputes discussed below, the actual process of incorporation of a specific event or issue into national identity discourse is more complex than it may seem. This paper seeks to address this question by analyzing the role of the various sub-state actors in bringing the territorial disputes to the fore of national identity discourses, their interests and interactions with other actors.

The centrality of territorial disputes in national identity constructs seems to be rather obvious. Territory is one of the main attributes of a nation and thus any instance of its contestation can be expected to play an important if not central role in the discursive construction of the national "self". Furthermore, the process of the "self" identity construction involves complex instances of ideational differentiation between the self and the outside. On the other hand, borders, as sharply drawn territorial lines, by definition, create a geographical distinction between the "self" and the outside. As such, it can be argued, issues that relate to the geographical delimitation of the national "self" are potent tools in the process of ideational construction of borders that distinguish the "self" from its "others".

This paper focuses on two territorial disputes that involve postwar Japan: the Northern Territories/ South Kuriles dispute with USSR/Russia and the Takeshima/Dokdodispute with South Korea. As this article focuses solely on Japan, purely for the sake of convenience the Japanese names for the disputed territories (Northern Territories and Takeshima) will be used throughout the main body of the paper. The historical background of the disputes and the historical arguments forwarded by Japan and the other parties to support their respective claims have been thoroughly discussed and analyzed by other scholars. Some of them are mentioned in other articles in this issue. Thus for lack of space I will refrain from repeating

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<sup>3</sup> Rumelili, Bahar (2004): "Constructing identity and relating to difference: understanding the EU's mode of differentiation", *Review of International Studies*, vol. 30, no. 1 (2004), pp. 27-47.



these facts and arguments.<sup>4</sup>For the purposes of this paper it suffices to note that in both cases, the roots of the disputes can be traced to the politics of early Cold War that drastically altered the US perceptions of its national interests and relations with its main WWII ally. Namely, increasingly complicated relations with the Soviet Union, the Korean War and other Cold War events, resulted in the various bodies of the US government (the main architect of the peace process with the defeated Japan) issuing a number of contradictory statements and decrees with the final draft of the Peace Treaty with Japan being rather brief and ambiguous. This ambiguity combined with multiplicity of documents and statements that preceded the signing of the Treaty enabled the parties to the disputes to produce interpretations supportive of their respective claims to the islands in question.<sup>5</sup>

The paper will proceed as follows. In its first part it will examine the various sub-state actors that participated in the Northern Territories and Takeshima related activism, their interests and actions. In particular, it will focus on the role of local governments (*chihōjichitai*) and grassroots groups. The second part of the paper will examine the processes of incorporation of the territorial issues into national identity discourses, the domestic political changes that enabled this incorporation and the roles “Northern Territories” and “Takeshima” came to play in Japan’s identity construction vis-à-vis Russia and South Korea respectively. In a nutshell, this paper argues that all of the actors have pursued their rational (maximization of material utilities) goals in their territorial disputes related activism. These goals, I argue had little to do with the “other”, its differences or the national “self” construction but can be traced to other, more pragmatic interests of the actors.

## 2. Grassroots Groups

### 2.1. Northern Territories

The grassroots movement for the return of the Soviet occupied territory sprung on Hokkaido almost immediately after the completion of the Soviet occupation in September 1945. The numerous groups consisted of former residents of the occupied territories or residents of Hokkaido proper with vested interests in the territories. Reflecting the background of their members, some of the groups demanded the return of all of the Kuriles, others focused on the four islands known today as the ‘Northern Territories’, some only on Habomai and Shikotan, and some hoped for the return of southern Sakhalin as well.<sup>6</sup> Besides the variety in the geographical scope of the territory, the various groups varied in terms of their interests related to the territory in question. Some were interested in the islands per se due to property rights. Other groups that included not only former residents but also fishermen from villages on Hokkaido or Northern Honshu had more interest in the fishing areas located in the waters

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<sup>4</sup> For the Northern Territories/South Kuriles dispute see for example: Stephan, John (1975): *The Kuril Islands: Russo-Japanese Frontier in the Pacific*, Oxford, Oxford University Press; For the Takeshima/Dokdo dispute, see for example: Koo, Min Gyo (2009): *Islands Disputes and Maritime Regime Building in East Asia*, London, Springer, pp.63-102.

<sup>5</sup> Hara, Kimie (2006): *Cold War Frontiers in the Asia Pacific: Divided Territories in the San-Francisco System*, London, Routledge.

<sup>6</sup> Kuroiwa, Yukiko: "Dvijenie za vozvrashenie Severnyh territorii Nemuro (The movement for the return of the Northern Territories and Nemuro)", *Liberal Arts* (Iwate Prefectural University), no.3 (2009), pp.1-20.



adjacent to the islands.<sup>7</sup> The analysis below will focus mainly on the movement formed the city of Nemuro which is considered to be the spiritual origin of the irredentist cause.

The first appeal to reverse the Soviet occupation appeared almost immediately after its completion in the town of Nemuro. Prior to the Soviet occupation, Nemuro was the center of the economic zone that encompassed the islands and the eastern part of Hokkaido. It was also the place where most of the former residents of the disputed islands have settled after the Soviet occupation. The movement was led by Andō Ishisuke, the mayor of Nemuro. Andō and his followers formed an organization called the Commission to Petition for Returning Islands Attached to Hokkaido (*Hokkaidō fuzokutōshofukkikonseiiinkai*, hereafter the Commission). Most of initial members of the movement belonged either to the local administrative elite or held senior positions in the local fishing industry. All of them had clear personal stakes in the islands. Andō for example, owned a farm on Shikotan and was involved in running a crab cannery on Etorofu prior to the Soviet occupation.<sup>8</sup> Later, however, probably as the result of the Soviet expulsions of the remaining residents from the islands, the movement expanded to include other members of the community.

Similarly to the grassroots organizations today, the Commission activities involved submission of petitions to the occupation authorities and the Japanese government and organization of rallies. Like other civil society organizations that emerged in Japan in the aftermath of the defeat, they campaigned against the policy pursued by the authorities, demanding its amendment. Thus it is not surprising that some of the activists were occasionally detained and questioned by the occupation authorities.<sup>9</sup> As the main purpose of the irredentist activism was to improve the livelihoods of its members, the rationale behind their demands was dominantly economic. Broadly speaking, the ultimate purpose of the activism was reinstatement of the pre-1945 local economic zone that included eastern Hokkaido and the southern part of the Kurile chain. This local economic zone having Nemuro as its center was interrupted by the Soviet occupation and the imposition of the so-called 'MacArthur line' that severely restricted the areas where Japanese fishermen could engage in fishing activities. Thus the early petitions submitted to the Occupation Authorities emphasized the economic importance of the waters adjacent to the Soviet occupied islands and urged the authorities to place them under the US occupation.<sup>10</sup>

Similarly to the later discourse on the Northern Territories, the petitions did champion the return of four islands and appealed to historical facts and international justice. The petitions also argued for a deep national (*minzokuteki*) connection of the islands to the city of Nemuro. In their attempt to attract attention they positioned the territorial issue within the broader question of postwar national revival.<sup>11</sup> These arguments, however, were perceived as means in mobilizing governmental and public support for the irredentist cause and providing it with broad legitimacy rather than ends in themselves. As the main parts of the petitions as well as the internal debates of the Commission show, the return of the islands was seen as a

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<sup>7</sup> Kajiura, Atsushi: "Rigai kōzō ni yoru hoppōryōdo henkan undō no bunseki" (Analysis of the irredentist movement for the return of Northern Territories from the perspective of interests structure), *Kokusai kankeiron kenkyū*, no. 7 (1989), pp. 97-127.

<sup>8</sup> Kushiro (1988): *Andō Ishisuke to hoppōryōdo* (Andō Ishisuke and the Northern Territories), Kushiro, Kushiro Shimbunsha.

<sup>9</sup> *Ibid.*

<sup>10</sup> Nemuro City (1997): *Shima o kaese* (Return the four islands!), Nemuro, Nemuro City Office.

<sup>11</sup> *Ibid.*



matter of economic life or death for the city of Nemuro and hence carried a local and pragmatic agenda.<sup>12</sup>

To summarize the above, the irredentist movement in Nemuro was propelled by the severe aggravation of the local economy that resulted from the Soviet occupation of a significant part of the economic zone of eastern Hokkaido. The perceived value of the islands was dominantly economic and appeals to history and references to the nation in the early irredentist discourse were made based on strategic calculations in an attempt to draw a broad public and official support to their cause. Other groups formed by the former residents and local fishermen also pursued a pragmatic agenda that reflected their economic interests and the feasibility of their demands based on their interpretation of broader political issues that shaped Japan-USSR relations. In 1953, another significant grassroots group was formed in Nemuro. The group was called 'Nemuro Area Peace Preservation Economic Revival Alliance' (*Nemurochihōheiwaijikeizaifukkōdōmei*) and its members were mainly local fishermen and common residents. Headed by TOGASHI Mamoru who later became one of the local leaders of the left leaning civil movement protesting US war in Vietnam and Japan's complicity in it<sup>13</sup>, this Economic Revival Alliance championed the return of only two islands, perceived as the most pragmatic solution to the territorial dispute and subsequent alleviation of local fishermen livelihoods.<sup>14</sup>

## 2.2. Takeshima

The first organized citizen's group devoted to the Takeshima issue emerged only in 2004 and will be discussed in the final section of this article. However civil activism did exist on Shimane Prefecture's Oki Island, the administrative center of Takeshima, starting from early 1950s. Before proceeding further with analyzing the causes of this activism, it is important to briefly outline the international situation in the early 1950s in relation to Takeshima.

Takeshima islets or rocks were officially incorporated into Japan's Shimane Prefecture in 1905. The rocks cannot sustain human habitation and thus did not have any permanent residents but administratively they were part of Goka village located on Oki Island. After Japan's defeat, the above-mentioned MacArthur Line imposed by the Occupation authorities precluded Japanese vessels from engaging in fishing activities in waters adjacent to Takeshima. In July 1952 due to its location and lack of permanent residents, Takeshima was designated by the US-Japan Joint Commission in charge of implementing the security arrangements as a special area used as bombing target practice area for US aircrafts engaged in the Korean War. Thus, while certain individual fishermen conducted trips to Takeshima, officially Japanese fishing and other vessels were prohibited from approaching the islets until March 1953. Six months prior to imposition of this restriction however, in January 1952, in the midst of Korean War and three months before the Peace Treaty with Japan came into force, South Korea's Syngman Rhee government issued a "Presidential Proclamation of Sovereignty over the Adjacent Seas" under which Korea declared national sovereignty over the seas within the designated line, known as the Peace Line or Rhee Line. The purpose of the line was to replace the Mac Arthur Line and establish Korean sovereignty over what the Rhee

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<sup>12</sup> *Ibid.*

<sup>13</sup> Honda, Ryo'ichi (2006): "Nichiro kankei to anzen sōgyō (Japan-Russia relations and safe fishing)" in Iwashita, Akihiro and Honda, Ryo'ichi (eds.): *Nichiro kankei no atarashi iapurochi wo motomete* (In search for a new approach to Japan-Russia relations), Hokkaido University, Slavic Research Center, 21<sup>st</sup> Century COE Occasional Papers no.25, pp.67-72, at <http://133.50.171.227/coe21/publish/no15/contents.html>.

<sup>14</sup> "Matsu'ura Yoshinobu testimony in front of Fisheries' Committee", *House of Councilors* (April 1<sup>st</sup> 1954), National Diet Library database.



government saw as Korean territorial waters. This move by the Korean government significantly increased the tensions in Japan's relations with its neighbor, led to heated diplomatic exchanges, seizures of Japanese fishing vessels and clashes between the Japanese and Korean fishermen.

However, already in summer 1951, well before the Peace Line Declaration, representatives of Oki fishing unions submitted two petitions, one to the Prefectural Assembly and another to the central government. Both of the petitions argued that resulting from the massive repatriation of soldiers and civilians to Japan's mainland from former colonies that followed Japan's defeat, Oki has experienced a sudden increase in overall population and in the number of fishermen.<sup>15</sup> This, the petitions argued, brought the urgent need to develop new fishing areas in order to be able to sustain the economy of the island that was completely dependent on maritime products. The petitions argued that the MacArthur Line restrictions aggravated the economic situation on the island and asked for the removal of restrictions on fishing activities in waters surrounding Takeshima.<sup>16</sup> The conclusion of the San Francisco Treaty in September of the same year and the subsequent abolition of the MacArthur Line were met with high expectations by the local residents and manifested in a number of festive activities celebrating the expected resumption of "fishing on Takeshima".<sup>17</sup>

Thus at a first glance it may seem that the plight of Oki's fishermen was identical to that of the Nemuro area activists who sought to reestablish the local economic zone interrupted by Japan's defeat and the subsequent occupation. These parallels between the two movements can indeed be drawn, however with an important caveat. Namely, in the case of Takeshima, Oki fishermen's view of the islets as their rightful fishing zone was made possible by the occupation and the subsequent reforms. In other words, in a somewhat paradoxical fashion, the activism was spurred by the defeat and at the same time lobbied against its consequences. This paradox can be better understood if we briefly examine the economic activities on and around Takeshima during the pre-1945 years. In early 20<sup>th</sup> century Takeshima was an important ground for seal hunting and to a lesser extent for abalone gathering. These two activities were monopolized by the Takeshima Fishing and Hunting Company established in 1905 and the successors of its three original owners. In 1908 the extent of Company's monopoly was extended to include fishing rights to adjacent waters. The Company employed Oki locals for seal hunting and Korean female divers for abalone gathering. In late 1920s, these exclusive rights were leased to a Japanese colonial entrepreneur based on Korean Ulleung Island who continued to monopolize the abalone gathering and fishing activities on and around Takeshima till Japan's defeat and his return to Japan proper.<sup>18</sup> In 1953, in line with the broad reforms initiated by the Occupation authorities, Shimane Prefecture abolished this monopoly and granted the rights to "fishing" (actually abalone, sea urchin and seaweed gathering and octopus catching) on Takeshima to Oki Fishing Union. Thus the celebrations of

<sup>15</sup> The appeal to a sudden rise in population was not a mere rhetorical tool as statistical data from Shimane Prefecture shows that in 1947 the population of Oki was 42,400- 33% more than the 31,794 residents in 1940. Shimane Prefecture (2011): "Shimane ken tōkeisho (Statistical data of Shimane Prefecture)", Matsue, Shimane Prefectural Statistics Association.

<sup>16</sup> Oki Fishing Union (1951): *Takeshimagyoku no sōgyōseigen no kaijōhōnitsukuchinjō* (A petition to lift the operation restrictions in the Takeshima fishing zone).

<sup>17</sup> Sugihara, Takashi (2011): "San Francisco heiwa jōyaku teiketsu kinen Oki Gokamura no shokuju ni tsuite (Tree planning activities in Oki's Goka village celebrating the conclusion of San Francisco Peace Treaty)", *Web Takeshima*, at <http://www.pref.shimane.lg.jp/soumu/web-takeshima/takeshima04/takeshima04-1/>.

<sup>18</sup> Hayamizu, Takashi (1954): *Takeshima gyogyō no henshen* (Transitions in Takeshima fishing), Tokyo, Ministry of Foreign Affairs, Asia Bureau, Second Section.





the Peace Treaty on Oki and the petitions were spurred by the memory of the colonial economic subzone that included Oki, Takeshima and Ulleung Island and where members of Shimane elite controlled the economic activities. At the same time however, Oki fishermen activism was triggered also by the reforms initiated by the Occupation Authorities that enabled Oki fishermen to perceive Takeshima as their collective fishing grounds.

Oki fishing unions and the municipal authorities continued their petitioning activities in the 1950s and 1960s. Overall the arguments and the perceptions of the territorial dispute were similar to those espoused by the prefectural authorities.

### 3. Regional Governments

#### 3.1. Hokkaido Prefecture and the Northern Territories

From 1950 onwards the Hokkaido prefectural government under the leadership of the Socialist Governor Tanaka Toshifumi fully embraced the irredentist cause. Hokkaido Prefectural government under the leadership of Tanaka played an important role in establishing another major non-governmental organization called the Alliance for Petitioning the Return of the Chishima and the Habomai islands (*Chishima oyobi Habomai henkan konsei dōmei*) (hereafter the Alliance). In an attempt to establish it as representing Hokkaido as a whole, the board of directors included the mayors of all of the main cities and towns in the prefecture. Its funding was coming mainly from the prefectural government. The active involvement of prefectural government in the irredentist cause and the formation of the Alliance which was dependent on the prefecture for funding signified the beginning of a process of a gradual appropriation of the irredentist cause and its institutionalization on the prefectural level.

The main explicit reason that drove Tanaka's administration to engage in the territorial issue was the fear that despite the heavy investment of resources into the development of the Kuriles since the 19<sup>th</sup> century, the central government may give up the Soviet occupied territories during the peace settlement.<sup>19</sup> Tanaka's prior career as a public servant at the Department of Forest Management of the Hokkaido Prefecture as well as his vision for an overall development of Hokkaido also probably played an important role in arousing his interest in the islands that included the timber rich Kunashiri. At the same time however, it is important to remember that in 1950, the year prefectural government embarked on its active participation in the irredentist movement, Tanaka's administration engaged in a fierce conflict with the central government over the establishment of the Hokkaido Development Agency within the Cabinet Office. The rationale behind the creation of this administrative body, whose responsibilities overlap with those of the prefectural administration, was generally understood as a conservative attempt to wrestle the control over Hokkaido from the influence of the Socialists and fiercely contested by Tanaka.<sup>20</sup> Thus, the irredentist cause provided another platform for Tanaka to criticize the central government and to enhance his own legitimacy in the eyes of Hokkaido residents. In line with the general focus on economic development espoused by Tanaka, his rationale for championing the return of the islands was similar to that of the grassroots organizations. Namely, the islands were argued to be the main

<sup>19</sup>Tanaka, Toshifumi (1950): *Chishima henkan konsei ni kan suru shoken* (Opinion regarding the appeal for the return of Chishima), Hokkaido Prefectural Library, Hokkaido Prefectural Government..

<sup>20</sup>Hanno, Akihito (2003): *Hokkaido kaihatsukyoku to wananika* (What was the Hokkaido Regional Development Bureau), Sapporo, Juyrosha.



source of protein for Japan and constituting an integral part of Hokkaido economic zone.<sup>21</sup> Contrastingly to the grassroots organizations that pursued an improvement of their livelihoods, the struggle with the central government played an important role in shaping prefectural and its affiliate, the Alliance for Petitioning the Return of the Chishima and the Habomai islands agenda. Thus, in opposition to PM Yoshida's government which, however reluctantly, renounced Japan's rights to the Kuriles at San-Francisco Peace Conference, Tanaka and the Alliance followed the position of Japan's Socialist Party and advocated the return of all of the Kurile chain as well as the Shikotan and the Habomais.

Thus, in early 1950s the Hokkaido prefectural government went against the conservative government's policy and advocated the return of all of the Kuriles, Habomais and the Shikotan. Tanaka admitted the renouncement of Japan's rights to all of the Kuriles in the Peace Treaty and at the same time argued that this action did not reflect the wish of the people of Japan.<sup>22</sup> By following this line of argument the Alliance and Tanaka's administration engaged in implicit critique of Yoshida's government for its lack of adherence to the democratic principles. Just like the conservative government brought the struggle with the left to Hokkaido by establishing the Development Agency, Tanaka and his affiliates utilized the territorial dispute in their attempt to bring their struggle with the central government to Tokyo. Thus for example, a mass rally sponsored by the Hokkaido Governor, Hokkaido Assembly and the Alliance was held in Tokyo on 19<sup>th</sup> of July, 1953. The declaration issued by the rally contested the secession of the Kuriles in San-Francisco. Appealing to the 'instinctive desire' shared by all humans to protect a territory which was developed by shedding 'sweat and blood', it called for the correction of this injustice and demanded the return of all of the Kuriles as well as the Habomais and Shikotan.<sup>23</sup> Bearing in mind the importance of the broader rivalry with the conservatives dominated center, it can be argued that despite the nationalistic rhetoric, the symbolic value of the islands for Tanaka's Hokkaido administration was mainly in their delegitimizing effect on Yoshida led central government.

During the 1955-56 peace treaty negotiations between Japan and the Soviet Union, many on Hokkaido believed that they will result in a return of at least parts of the occupied territories. In February 1956, taking advantage of this widely spread belief the prefectural administration established a new department named Headquarters for Countermeasures Related to Reversion of Territory and Fisheries within its General Affairs Division. The official purpose of this department was to collect data and to plan the reconstruction and development of the territories that will be returned by the Soviets but also to engage in "nurturing" and "guiding" related grassroots organizations.<sup>24</sup> Thus this further institutionalization of the territorial cause on the prefectural level can be seen as an attempt to capitalize on the possible return of the two islands and to consolidate the local public opinion under the banner of "return of all of the Kuriles". Three years later, however, Socialist candidate lost the gubernatorial elections and a former LDP Diet member MachimuraKingo, became the new Governor of Hokkaido. This meant that from now onwards, the prefectural policy on the territories will be in line with that of the state and that the various institutions established under Tanaka will now serve the policy of the central government.

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<sup>21</sup> Tanaka, *op. cit.*

<sup>22</sup> Kuwabara, Teruji (1965): *The History of the Movements for the Return of the Northern Territories*, Sapporo, The Association for the Return of the Northern Territories.

<sup>23</sup> (1953): *Chishima oyobi Habomai shotō henkan konsei kokumintakai*, Hokkaido, Hokkaido Prefectural Library.

<sup>24</sup> "History of the Northern Territories", Hokkaido Prefecture Website, at <http://www.pref.hokkaido.lg.jp/sm/hrt/hp/histo.htm>.



This policy of creating a national mission out of Northern Territories related irredentism pursued by the LDP led government can be seen as fully rational within the domestic political context of the 1970s and 1980s. The end of the Cold War and the changes in domestic politics that took place in the 1990s, however, stripped this policy of its initial rationality. The idea of the “Northern Territories” however took a life of its own and proved to be invisible against attempts to question its rationality in the context of radically different international and domestic environments.

### 3.2. Shimane Prefecture and Takeshima

Shimane Prefecture’s Takeshima related activism started in early 1950s and was spurred by petitions that emerged from Oki. On the 10<sup>th</sup> of March, 1953 a week prior to lifting of the “special area” measures that restricted Japanese access to Takeshima Shimane Prefectural Assembly adopted a resolution on the issue. The unanimously adopted resolution argued that the islets are an integral part of Oki Island’s Goka village administrative area and are in need of further development under the forthcoming Remote Islands Development Law. It called the central government to recognize the importance of Takeshima as a fishing area and to take all possible measures to protect it.<sup>25</sup>

There is little doubt that the prefectural authorities sincerely believed that Takeshima belongs to Japan and the ownership of the rocks had little to do with Japan’s colonial rule over Korea. Furthermore, Korean seizures of Japanese fishing vessels and detainments of fishermen prompted the prefectural authorities to engage the issue and appeal to the state to take measures. At the same time, to a certain extent the importance attached to the rocks by the prefectural authorities is directly related to Japan’s colonial legacy. Namely, as the result of the defeat and the loss of colonies Japanese fishermen lost access to fishing grounds in waters adjacent to the Korean Peninsula. Along with the already mentioned sudden increase in population, and natural calamities in preceding years<sup>26</sup> this was one of the factors behind Shimane Prefecture’s sense of urgency to establish its rights to Takeshima and develop new fishing grounds in adjacent waters.<sup>27</sup> Thus, regardless of the question of legality of Japan’s claims to the rocks, the initial attention paid to the issue by the prefecture stemmed directly from Japan’s colonial history.

From early 1950s onwards, Shimane Prefecture continuously lobbied the government to establish territorial rights over Takeshima and to enable safe fishing conditions. During the final round of normalization negotiations between Japan and Korea in early 1960s, Shimane Prefectural authorities vehemently opposed the idea of joint ownership over Takeshima floated by one of LDP heavyweights.<sup>28</sup> In the same year local activists proposed to establish an Alliance for Securing the Territorial Rights to Takeshima (*takeshima ryōdo ken kakuho kisei dōmei*). The purpose of the organization which according to the proposal was to be headed by the governor of Shimane Prefecture and whose executive body would have been comprised of high level prefectural politicians and head of the prefectural fishing union was to act as an advocacy agent aimed at mobilizing residents of Shimane but also the broad

<sup>25</sup> Shimane Prefectural Assembly (1958): *Records of 147th Shimane Prefectural Assembly Meeting*, Matsue, Shimane Prefectural Assembly, pp.81-82

<sup>26</sup> Tamura, Kyosaburo (1955): *Takeshimamondai no kenkyū* (Study of Takeshima Problem), Matsue, Shimane Prefecture, General Affairs Division, p.65.

<sup>27</sup> Shimane Prefecture (1965): *Takeshima no gaiyō* (Outline of Takeshima), Matsue, Shimane Prefecture.

<sup>28</sup> “Takeshima, nikkankyō yūan mo aru” (Takeshima: there is also a proposal for joing ownership), *Asahi Shimbun*, 10 January 1963, Tokyo, morning edition, p.1.



public in Japan and exercise direct and indirect pressure on the government “not to abandon” territorial rights to Takeshima in the process of negotiating with Korea.<sup>29</sup>

After the conclusion of the Japan-Korea Treaty on Basic Relations which normalized the relations between the two countries and shelved the territorial dispute, Shimane prefectural authorities continued their petitioning activities. In 1977 after over a decade of relative calm, the tensions around the territorial dispute have heightened again. Following the US and Soviet declarations of 200 miles exclusive fishery zones Japan and Korea declared 12 miles territorial waters and 200 miles exclusive fishery zones. In this context the question of territorial rights to Takeshima surfaced again in the domestic debates in both countries and resulted in a number of heated exchanges.

During this period, Shimane Prefecture made a number of attempts to revive the Takeshima issue and apply pressure on the government to bring it back to negotiations table with Korea. In February 1977, the Prefectural Assembly passed a resolution calling for “maintenance of territorial integrity and securing safe fishing.” Two years later, in April 1979, after over a quarter of a century of petitioning the central government to resolve the Takeshima issue, Shimane Prefecture established an organization called Shimane Prefectural Council for Facilitating the Solution of Takeshima Problem. Its purpose was to coordinate Takeshima related activities of the various bodies involved such as the prefecture, municipal authorities and fishing unions, and to engage in petitioning and enlightenment activities. This was the starting point for enlightenment activities conducted by the prefecture. These activities that included publication of pamphlets and construction of road signs that called for the return of Takeshima, were directed at the prefectural residents with the purpose of raising residents’ awareness and deepening their understanding of the Takeshima problem.<sup>30</sup>

What accounts for this escalation in prefectural government’s activities and how can their nature (enlightenment of Shimane’s residents) be explained? One could argue that the damage suffered by Shimane’s fishermen as a result of Korean policy of excluding them from the radius of 12 miles zone around Takeshima enhanced the sense of urgency among the prefectural authorities. In June 1978, the prefecture published a report that estimated the losses from the exclusion of Japanese fishermen from waters around Takeshima at three hundred and twenty million yen.<sup>31</sup>

Statistical data however shows that during the late 1970s the actual catch did not decrease and for some kinds of fish and squid it actually increased in 1979 and 1980.<sup>32</sup> It could be argued that regardless of the actual damage to Shimane’s fishing industry, simply a perception of damage drove the prefectural government towards intensification of its Takeshima related activities. To a certain extent, the perception of damage probably did play a certain role. This however does not explain the nature of the activities initiated by the prefectural authorities. In other words, one could expect enhanced demands from the central

<sup>29</sup> Shimane Prefectural Assembly (1965): *Takeshima no ryōdoken kakuho ni kan suru kenminundō suishin yōkōan* (An Outline of Proposal to Promote Prefectural Citizen’s Movement for Securing Territorial Rights to Takeshima), Matsue, Shimane Prefectural Assembly.

<sup>30</sup> Shimane Prefecture (1983): *Kensei no ayumishowa 54-57* (Prefectural Politics 1979-1982), Matsue, Shimane Prefecture, General Affairs Division.

<sup>31</sup> Cited in Fukuhara, Yuji: “Gyogyōmondai to ryōdomondai no kōsaku (The interplay of fishing and territorial disputes)”, *Shimane Journal of Northeast Asian Research*, no. 23 (2012), pp. 65-78.

<sup>32</sup> Chugoku Regional Agricultural Administration Office (1984): *Shimane ken gyogyō no ugoki* (Changes in Shimane Prefecture’s fishing industry), Matsue, Agricultural Administration Office.



government but what is the rationale for enlightening the citizens of the prefecture about the Takeshima issue? A different light can be shed on this issue if we examine the nature of Shimane Prefectural authorities' relations with the central government in late 1970s.

In 1972, Tanaka Kakuei published his famous "Remodeling of Japan's Archipelago" plan which became the backbone of governmental policy under his leadership and envisioned industrialization and economic alleviation of underdeveloped areas of Japan through improved infrastructure and connectivity. Shimane was one of these areas but the benefits it gained from the new plan were rather modest. For example, the plan for Sanin Shinkansen line that was supposed to connect Shimane's Matsue and other prefectures in the San'in area with Osaka

The plan however was put on hold and did not materialize until the present day. Thus in can argued that the territorial dispute was seen as an important channel to express prefectural discontent with the overall disparity in the execution of the "remodeling" plan and continuous economic disparity between Shimane and other regions, and simultaneously to draw central government's attention to the economic plight of the prefecture. Furthermore, it is important to remember that from 1975 till 1987, the governor of Shimane Prefecture was Tsunematsu Seiji, a former economist and one of the most forceful advocates of domestic decentralization, arguing that regional governments should be given more independence that should eventually lead to establishing a federal system in Japan. Thus during Tsunematsu's governance, Shimane was an integral part of "progressive municipalities" (*kakushinjichitai*) who opposed the LDP led central government of a wide range of domestic issues. In this context, intensification in prefectural activism related to Takeshima can be seen as an integral part of Tsunematsu led Shimane in legitimizing the claims about the ineffectiveness of central government and provide further support for federalism as an ideal political structure for Japan.

Between mid 1980s and mid 1990s, Shimane Prefecture continued to submit its annual petitions to the central government but otherwise the scope of prefectural activities related to Takeshima was rather limited. The territorial dispute flared up again in mid 1990s, when both Korea and Japan ratified the United Nation's Convention of the Law of the Seas (UNCLOS) and engaged in prolonged and difficult negotiations aimed at amending the fishing treaty without resolving the territorial dispute. In 2004, Shimane Prefecture passed a prefectural ordinance that designated the 22<sup>nd</sup> of February, the day Takeshima was officially incorporated into Shimane Prefecture in 1905, as the prefectural Takeshima Day. The fierce reaction from Korean authorities and public as well as the subsequent use of the Takeshima issue by domestic politicians swiftly elevated "Takeshima" from virtual oblivion to one of the most important issues in Japan's identity discourse on the Korean "other". Thus for example a search on one of Japan's magazine articles searching engines Ōya Bunko gives only 65 hits for a search with "Takeshima" and "problem" keywords for the years 1951-2003 and 539 hits for a similar search conducted for the years 2004-2012. This intense media attention played an important role in public's interest of the issues. For example, in a poll conducted by Yomiuri Shimbun in 2006, 59% of the respondents said that they are interested in the dispute-this while four years earlier only 13% believed that Takeshima is an important problem in bilateral relations.<sup>33</sup> There is little doubt that intensification in Japan's other territorial disputes and most notably the one with China over the Senkaku/Diyaoyu islands played an

<sup>33</sup> Cited in: Nakajima, Kentaro: *Is Japan Maritime Strategy Changing? An Analysis of the Takeshima/Dokdo Issue*, *USJP Occasional Paper* 07-08 (2007), at <http://www.wcfia.harvard.edu/us-japan/research/pdf/07-08.Nakajima.pdf>, p.23.



important role in drawing public attention to the Takeshima dispute. At the same time the role of Shimane Prefecture's "Takeshima Day" ordinance should not be forgotten. Thus while not ignoring other factors, we can plausibly argue that after over half-century of activism Shimane Prefecture managed to elevate "Takeshima" from obscurity to the fore of public discourse on the Korean "other". Mechanisms that enabled this move will be discussed in the following section.

## **4. Nationalization of Territorial Disputes**

### **4.1. Northern Territories**

Both the grassroots organizations and Hokkaido Prefectural government failed in their attempts to spark a nationwide interest in the "Northern Territories" issue and draw attention to the plight of former residents and others affected by the dispute. In mid 1960s, even on Hokkaido the interest in the territorial dispute was minimal. A public opinion poll conducted on Hokkaido in 1966 shows that around 40% of the respondents did not know the geographical scope of "Northern Territories", more than half of the respondents did not know the historical justification for Japan's claims to the islands and less than 10% chose the "Northern Territories" as an issue of interest among other international issues directly or indirectly related to Japan.<sup>34</sup>

"Nationalization" or the incorporation of the Northern Territories dispute into national identity discourse was achieved through intentional efforts of the LDP led government. It must be noted that the government did not completely ignore the plight of the former residents and fishermen and did take a number of measures aimed at addressing their material needs in the 1950s and early 1960s. Government's interest in the dispute and in particular its domestic aspects increased dramatically in late 1960s. In 1969, Association for Countermeasures related to the Northern Territories (*hoppō ryōdo mondai taisaku kyōkai*, hereafter the Association), a new quasi-governmental agency in charge of the domestic activities related to the 'Northern Territories' was established. One of the main activities of this organization has been to enhance and spread the knowledge of the territorial issue (meaning Japan's official interpretations of the history of the dispute and various documents that justify its claims) among the Japanese people.

There is no definite answer regarding the rationale that drove the LDP led government towards embracement of the irredentist cause. It seems though that political calculations related to domestic politics played an important role. The reason, it has been argued, was directly related to the Japan-US negotiations regarding the reversion of Okinawa. Namely, through enlightenment activities, the ruling LDP was hoping to sway the public support away from the Socialist Party which opposed the reversion of Okinawa with American bases.<sup>35</sup> Thus, the territorial dispute gained further importance in the LDP's rivalry with its opponents. The symbolic meaning of the "Northern Territories" resided mainly in their association with the Soviet Union and by default with the domestic progressive forces that included the socialists and the communists. In pursuing its goal of consolidating the nation, the government embraced the terminology and the techniques deployed by the grassroots

<sup>34</sup>Hoppō ryōdo fukki kisei dōmei (1966): "Hoppō ryōdo mondai ni kan suru seiron chōsa (Public opinion survey on the Northern Territories)", Sapporo, Hoppō ryōdo fukki kisei dōmei.

<sup>35</sup> Ikeda, Naotaka: "Showa 45 nendai no hoppō ryōdo mondai (The problem of the Northern Territories in the 1970s)", *Gunjishigaku*, vol. 39, no. 3 (2003), pp.39-53; p.42.



organizations. Government sponsored publications on the issue adopted such strongly nationalistic terms as ‘our inherent territory’ and ‘land inherited from our ancestors’ initially introduced by the Hokkaido based movement. Furthermore, the enlightenment strategies such as distributing pamphlets, organizing ‘people’s rallies’ and public events became an integral part of the government led campaign. The drive to ‘enlighten’ the public quickly spread in the society. Newspapers, magazines and even department stores quickly became mouthpieces of the irredentist cause.<sup>36</sup>

Along with the process of nationalization of the irredentist cause the domestic discourse on the lost territories and related events gradually became homogenized. In a somewhat ironic fashion, the institutionalization of the irredentist cause on Hokkaido initiated by the Governor Tanaka in the early 1950s as a tool of struggle with the central government came to serve the interests of his foes after the conservative victory in the 1959 gubernatorial elections. . Along with the general demise in public activism in Japan, the abovementioned ‘Nemuro Area Peace Preservation Economic Revival Alliance’ which belonged to the progressive grassroots activism and received no support from the government, faded into oblivion. Those organizations that survived till the present day are fully dependent on governmental assistance. The institutionalization of the irredentist cause on the grassroots and Hokkaido prefectural levels contributes to the continuous reproduction of the illusion of a synergetic relationship among the central government, the prefectural administration and the people. This creates a certain illusion of the governmental position on the islands as being dependent on public opinion or of a certain interest group. However, today the non-compromising stance can hardly be traced to any particular interests.

#### 4.2. Takeshima

The process of nationalization of Takeshima dispute is strikingly different from the one described above. While nationalization of Northern Territories can be attributed to the efforts of LDP pursuing their domestic political goals, the emergence of Takeshima as one of the central points of reference in Japan’s discourse on the (South) Korean “other” can be traced to the collapse of LDP’s internal control mechanisms. Before proceeding further however it is important to outline LDP’s long standing position on the territorial dispute with South Korea.

In early 1950s, Japanese government vehemently protested Korean de facto occupation of Takeshima and the territorial dispute was one of the main stumbling stones in bilateral normalization negotiations. The situation however changed after the 1961 coup de etat that brought Park Chung Hee to power. Park viewed Japan’s financial assistance as vital to Korean development and he embarked of developing closer ties with Japan soon after seizing power. On the Japanese side, the rapprochement was driven by the so-called “Korean lobby”-loose association of business executives and strongly anti-communist conservative politicians that formed around KISHINobusuke.<sup>37</sup>

The negotiations eventually led to the conclusion of the Japan-Korea Treaty on Basic Relations that normalized the relations between the two neighbors and a fishing agreement that enabled the two governments to shelve the territorial dispute. According to Daniel Roh, the two governments reached a secret pact according to which status quo will be maintained

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<sup>36</sup> Stephan, *op. cit.*

<sup>37</sup> Roh, Daniel (2008 ): *Takeshima mitsuyaku* (The Takeshima Secret Pact), Tokyo, Soshisha.



and domestically both sides will continue to make claims of sovereignty but will not contest the other side's claims internationally.<sup>38</sup>

Roh does not provide any hard evidence in his book but Japan/LDP policy related to the dispute indirectly supports his argument. Throughout the years, references to the dispute in governmental and party publications were kept to a minimum or were simply omitted.<sup>39</sup> In the Diet interpolations in 1964 and 1965 that preceded the conclusion of the Basic Relations Treaty none of the LDP MPs, including those elected by Shimane constituency, raised the Takeshima question. With only a limited number of exceptions, this policy of keeping the Takeshima issue on the back burner of domestic politics was maintained by the LDP throughout its years in power. This continued regardless of the changes in power relations among various fractions the LDP.

What enabled then Shimane Prefectural Assembly dominated by LDP members to pass an ordinance that went against the will of LDP heavyweights like AOKI Mikio? The idea itself of inspired by the "Northern Territories Day"<sup>40</sup> but the political mechanisms that enabled the passage of the ordinance can be attributed to the collapse of LDP's internal power relations that resulted from PM Koizumi's reforms.

In 1972 SATO (Eisaku) fraction came under the leadership of Tanaka Kakuei and became the strongest fraction within the LDP. In 1987 it was renamed Takeshita (Noboru) fraction (or *Keiseikai*) and continued to play central role in the party governance. Takeshita was a native of and elected from Shimane. Ironically, however, as a faithful student of SATO Eisaku under whose premiership Japan's relations with Korea were normalized, and a one-time Chairman of Japan-Korea MPs Alliance he was also one of the heavyweights in the so-called "Korean lobby", which attributed more importance to maintaining good relations with Korea over demanding the return of Takeshima. Takeshita's reluctance to engage in the territorial dispute and to follow the arrangements of the "secret pact" discussed above can be seen in his attitude to the dispute in the Diet. During the four decades of his political career he referred to the dispute only twice and very briefly during the parliamentary interpolations—once as the Minister of Finance during discussions of the fishing issues between Japan and USSR in 1987 and once during his questioning over the Sagawa Kyubin bribing incident in 1992.<sup>41</sup> Takeshita fraction split into two (Ozawa group and Obuchi group) in 1992 as the result of growing in-fraction dissatisfaction with Ozawa Ichiro who by that time became the most powerful figure in the *Keiseikai*. The importance of the fractions in general further demised after the 1994 elections system reform.<sup>42</sup> Nevertheless, *Keiseikai* bosses continued to play central role in the LDP after the split and the elections reform throughout the 1990s: for example, all of the Prime-Ministers (except for the brief period of the socialist Murayama) were from the former Takeshita fraction. There is no direct evidence that *Keiseikai* leaders directly obstructed Takeshima related initiatives of the Shimane prefectural assembly members prior to 2004. At the same time it can be argued that the emphasis on solidarity and strict top-down relations that characterized *Keiseikai*<sup>43</sup> as well as the importance of the party in

<sup>38</sup> *Ibid.*

<sup>39</sup> For example, see: Nan pōdō hōen gokai (1965): *Nihon ryōdo no hanashi* (A talk on Japan's territory), Tokyo, Nan pōdō hōen gokai.

<sup>40</sup> Nagai, Yoshihito: "The Process of Establishing Takeshima Day in Shimane Prefecture" (in Japanese), *Hiroshima Journal of International Studies*, no. 18 (2012), pp.1-18.

<sup>41</sup> Search conducted on the 20<sup>th</sup> of March 2013 at National Diet Library search engine, at <http://kokkai.ndl.go.jp/>.

<sup>42</sup> Kitaoka, Shin'ichi (1995): *Jimintō* (LDP), Tokyo, Yomiuri Shimbunsha.

<sup>43</sup> Ferkov, Anton: "Jimintō saikyō habatsu 'Tanaka ha/Keiseikai' no bunseki (Analysis of LDP's strongest faction 'Tanaka faction/Keiseikai')", *Kōdōkagakukenkū*, vol. 49 (1997), pp. 63-78.





mobilizing funding for politicians made an emergence of any local level initiative that went against its policy structurally impossible. The rise of Koizumi Junichiro to chairmanship of the LDP and subsequently to premiership in 2001 however dealt an invincible blow to the internal governance of LDP still dominated by the successors of *Keiseikai*. Besides coming from a rival faction (*Seiwakai*/Fukuda faction), Koizumi saw it as his mission to destroy the LDP which for him was synonymous with the dominance of *Keiseikai*. The concentration of policy-making in the Prime-Minister's Office (as opposed to the previous center of gravity that rested with the faction's leaders) and the split of the old LDP during the debates over privatization of the postal service that culminated in the "postal elections" of 2005 had probably its merits for Japan's politics but from the perspective of intra-party governance it eroded if not completely destroyed the existing mechanisms. Arguably this collapse of the intra-party governance can be seen as the key factor that enabled a group of Shimane prefectural lawmakers dominated by LDP members to pass an ordinance that went against the existing party policy and despite strong suggestions not to enact it that were given by a number of powerful party members.

The passage of the ordinance was mainly an act of rebellion against the central government and thus its broad implications were not anticipated by the prefectural assembly members that initiated the move.<sup>44</sup> The Korean side fiercely reacted to the ordinance, perceiving it as having central government backing. The exchange of rhetoric that followed, the symbolic gestures such as lifting the ban on domestic tourism to the islets by the Korean authorities and symbolic retaliations, the possibility of clash between the two countries' navies after Japan's decision to send survey ships in 2006 as well as the political usage of the Takeshima issue by Japanese and Korean politicians, attracted intense attention from the media and placed the territorial dispute in the center of Japan's debates on Korea. Thus, unintentionally Shimane prefectural authorities created an important symbolic milestone in Japan's national identity construction vis-à-vis the Korean "other".

"Nationalization" of Takeshima was further enhanced by a newly established citizen's group, called "Group to Protect Prefectural Territory-Takeshima" (*kendo takeshima o mamorukai*). The Matsue (Shimane's administrative center) was established in May 2004, in the midst of exchanges between the Prefecture and the central government regarding the enactment of "Takeshima Day". The core of the group is comprised of local activists that initially became acquainted when collecting signatures for petitions related to people abducted by North Korea and it is headed by one of the local Shinto priests. The group is the first and only grassroots organization dedicated to Takeshima issue.<sup>45</sup> Since the escalation in Takeshima related activities and the spread in the domestic interest in the issue, this group which according to their own estimates has about 1000 supporters nationwide, has played an important role in organizing related events and attracting local but also national level politicians to participate in these events.<sup>46</sup> Initially largely unnoted, over the years the activities of the Group came to be covered by major newspapers and thus its existence became quite important in creating the semblance of a widespread citizens' interest in the Takeshima issue.

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<sup>44</sup> Nakai, *op. cit.*

<sup>45</sup> For the purposes of this paper, I exclude the ultra right-wing organizations (*uyoku*) that have continuously used all of the issues (including territorial disputes) that exist between Japan and its neighbors when advocating their militant agenda.

<sup>46</sup> Interview with Kajitani Mariko, Secretary General of "Group to Protect Prefectural Territory-Takeshima" conducted on the 16<sup>th</sup> of December, 2012, Matsue, Shimane Prefecture.



## 5. Conclusion

This paper has examined the domestic processes that transformed the territorial disputes over Northern Territories and Takeshima into important issues in Japan's national identity construction vis-à-vis USSR/Russia and South Korea respectively. It showed that while the final results are quite similar, the processes that enabled this transformation have been fundamentally different. In the case of the Northern Territories, the "nationalization" of the dispute took place as part of an intentional policy of the LDP aimed at diverting Japanese national sentiments away from the US and its continuous military dominance on Okinawa towards the Soviet Union. In the process however, the LDP led government adopted the strategies originally developed by the grassroots organizations and Hokkaido prefectural authorities. Furthermore, the existence of these organizations and their selective nurturing enabled the prevalence of the semblance of a national mission with both the government and the people working towards achieving one goal. Contrastingly, in the case of Takeshima, I argued that the "nationalization" of the dispute occurred against the intentions of the LDP and can be attributed to the collapse in its internal governance that resulted from Koizumi's reforms.

In this paper I also argued that the interests pursued by the various actors can be classified as rational and had little to do with contributing to national identity discourse. As Michel Foucault, has noted "...every sentiment, particularly the noblest and the most disinterested, has a history".<sup>47</sup> This history can be traced to very pragmatic and immediate interests of the actors and it's the winding roads of history with its unexpected shifts in relations of power that enable the transformation of certain pragmatic interests into sentimental identity constructs.

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<sup>47</sup> Foucault, Michel (1991): "Nietzsche, Genealogy, History" in Rabinow, Paul (ed.): *The Foucault Reader*, London, Penguin, pp.76-100; p.78.



## RUSSO-JAPANESE TERRITORIAL DISPUTE FROM THE BORDER REGION PERSPECTIVE

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### **Abstract:**

Due to the territorial dispute created at the end of World War II, Japan and the Soviet Union/Russia have been in opposition and have yet to conclude a peace treaty. The territorial negotiations between Japan and Russia which resumed with the conclusion of the Cold War have continued for more than twenty years. However, there is no resolution in sight. Japan has been demanding the return of the Northern Territories (Southern Kuril Islands, according to their Russian definition), which are under Russian administration. Why is it that Japan and Russia cannot compromise over the issue of the ownership of these small islands? The purpose of this article is to demonstrate where the difficulties are in resolving this problem from a border region perspective. First, the article will trace the origins of, and shifts in, the territorial dispute, and next, examine the standpoints of the indigenous peoples and Japanese who formerly inhabited the Kurile Islands, as well as the Russians who presently reside there. Also, it will investigate the situation in Nemuro, Hokkaido, which practically lies in the Russo-Japanese border region. As the resolution of the territorial dispute is drawn out, a "territorial myth" is established in which both sides, Japanese and Russian, state that the Northern Territories (Southern Kurile Islands) is rightfully their territory, making resolution all the more difficult.

**Keywords:** the Northern Territories, Southern Kurile Islands, Border Region, Russo-Japanese Territorial Dispute, Territorial Myth.

### **Resumen:**

*Debido a la disputa territorial creada a partir del final de la IIª Guerra Mundial, Japón y la Unión Soviética llevan manteniendo posturas opuestas y tienen desde entonces como consecuencia, pendiente la firma de un tratado de paz. Las negociaciones territoriales entre Japón y Rusia que se reanudaron con el fin de la Guerra Fría se llevan manteniendo desde hace más de veinte años. Sin embargo, no hay resolución a la vista. Japón persiste en su petición de que le sean devueltos los conocidos como Territorios del Norte (Islas Kuriles del Sur, según su definición rusa) y que efectivamente se mantienen bajo administración rusa. ¿Cuál es la razón por la que Japón y Rusia son incapaces de alcanzar acuerdo alguno sobre la posesión de estas pequeñas islas? El propósito de este artículo es el de demostrar dónde se sitúan los obstáculos que se interponen en la resolución de esta disputa desde la perspectiva de una región fronteriza. En primer lugar, este artículo reastrea los orígenes y vicisitudes de la disputa y a continuación, examina las posturas de los pueblos indígenas y japoneses que anteriormente habitaban las Islas Kuriles, así como de la población rusa que actualmente reside en ellas. Se va a examinar igualmente la situación en Nemuro, Hokkaido, que se encuentra cerca de la frontera Rusia-Japón. Al haberse hecho esperar tanto la resolución de la disputa territorial, se han acabado estableciendo "mitos territoriales" a ambos lados de la frontera, reforzándose con ello las respectivas narrativas, lo cual hace que la resolución de la disputa se vuelva aún más difícil.*

**Palabras clave:** Territorios del Norte, Islas Kuriles del Sur, región fronteriza, disputa territorial ruso-japonesa, mito territorial.

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## 1. Introduction

In the summer of 2012, Japan's foreign policy was put under pressure by the simultaneous escalation of three territorial disputes. In July, Russian Prime Minister Dmitry Medvedev paid a visit to the 'Northern Territories' (Southern Kurile Islands) and in August, South Korean President Lee Myung-bak visited Tokdo (Takeshima). The purpose of both visits was to underlie the Russian and Korean possession of the respective territories. Since both territories are considered by Japan as its own territory, the visits had a negative impact on Japan's relations with the two countries. In September, China and Taiwan fiercely reacted to Japan's nationalization of the Senkaku Islands (Dyaoyutai). In mainland China, anti-Japanese protests became violent and in a number of cases involved attacks and pillaging of Japanese businesses.

All three of the territorial disputes involve small islands located on the remote fringes of Japan. However, there are some important differences between the Northern Territories dispute and the other two. Firstly, while Takeshima and the Senkakus are mostly uninhabited<sup>2</sup>, the Northern Territories have had permanent residents for a significant time. Today, there are approximately 17,000 Russian citizens permanently living on the islands.<sup>3</sup> Secondly, unlike Takeshima and the Senkakus, there are numerous public documents related to the Northern Territories. These include historical Japanese and Russian documents related to the Kurile Island chain, various bilateral conventions and other international agreements. The third difference is that while in the case of Takeshima and the Senkakus, the positions of the Japanese on one side and the Korean, Chinese and Taiwanese on the other, exist in direct opposition to each other, however in the case of the Northern Territories, the Russian government admits the existence of a dispute and continues to negotiate with the Japanese government. After the visit of Medvedev to Kunashir, Russian President Vladimir Putin met with the Japanese Prime Minister Yoshihiko Noda in September 2012 in Vladivostok and both reached an agreement that negotiations aimed at finding a solution to the dispute would continue<sup>4</sup>.

Arguably, the most logical solution to the Northern Territories dispute would be a high-level political agreement that would consider the human rights of the current residents of the disputed territory and reflect the various international legal agreements relevant to the dispute. However, so far both states have failed to find a mutually acceptable solution. The purpose of this paper is to analyze the continuing difficulties of the Japan-Russia territorial dispute from a 'border region' perspective.

The 'Northern Territories' that Japan demands to be returned by Russia consist of the islands of Iturup, Kunashir, Shikotan and Habomai archipelago, located at the Southern part of the Kurile chain. The overall territory claimed by Japan is about 5000 sq. km. Habomai is actually an archipelago but for the sake of convenience is considered as one island. Thus, combined the islands are called in Japan as the 'Four Northern Islands'. The Kurile chain consists of thirty islands of various sizes and numerous rocks that stretch over 1200

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<sup>2</sup>To be more precise, since 1991 there are two or three Korean fishermen residing on Takeshima. On the Senkakus, some Japanese fishermen resided from the end of 19<sup>th</sup> century till the end of WWII. At its peak, the population has reached 200 residents.

<sup>3</sup>According to the Russian Federal Statistics Agency, as of January 1<sup>st</sup> 2012, the population of the islands is 16,969: ГОСКОМСТАТ РОССИИ: "Численность населения российской федерации по городам, рабочим поселкам и районам на 1 января 2012 г." (2012).

<sup>4</sup>"Japan-Russia Summit Meeting on the Occasion of APEC Leaders' Meeting in Vladivostok (Overview)", 8 September 2012, at <http://www.mofa.go.jp/announce/jfpu/2012/09/0908-03.html>.



kilometers from the southern tip of the Kamchatka peninsula to the eastern part of Hokkaido. Waters adjacent to the islands are abundant in fish and in terms of marine resources are considered to be one of world's richest areas. Since ancient times, the Kurile archipelago was known in Japan as the Chishima archipelago. However, the Japanese official position in the dispute states that the 'Northern Territories' are not part of Chishima but Japan's 'inherent territory' that has never been part of another country. Contrastingly, in Russia, these islands are referred to as the 'Southern Kuriles'. In this paper I will use both 'Southern Kuriles' and 'Northern Territories' interchangeably to refer to the disputed islands.

This paper will proceed as follows. First, it will examine the historical shifts in Japan-Russia border, the history of the territorial dispute and the ways past and present residents of the Kurile islands have related to this dispute. It will continue to analyze the situation of Nemuro, a town located at the eastern tip of Hokkaido, across the strait from South Kuriles, in an area which can be basically a border region. After outlining Japanese and Russian governmental attitudes towards the disputed area, the paper will conclude by sketching some possible future developments in the territorial dispute.

## **2. The Shifting Border between Russia and Japan**

### **2.1. Conditions in Northern Japan prior to the Territorial Dispute**

Russian people first crossed Siberia and arrived in the Kurile Island chain at the beginning of the 18<sup>th</sup> century. From there they proceeded southward along the chain, collecting from the local indigenous people valuable sea otter furs as a form of taxation. As the administrator of a vast region stretching from Siberia to North America and seeking furs and mineral resources, Russian interest in Japan as a potential trading partner and supplier of provisions and commodities increased greatly. Though the activities of Japanese people in the area at that time were limited to small scale fishing operations, in 1800 the Edo Shogunate, spooked by Russia's southward advance, set about establishing an administrative office on the island of Iturup.

Concluded in 1855 between Russia and Japan, the Treaty of Shimoda determined that "the boundaries between Russia and Japan will pass between the islands Iturup and Urup... The island Karafuto (Sakhalin), will remain unpartitioned between Russia and Japan".<sup>5</sup> Twenty years later, in 1875, the two countries concluded the Treaty of St. Petersburg, changing their national boundaries. Sakhalin came under Russian control while all remaining Kurile Islands north of Urup were handed over to Japan, giving Japan ownership of the entire Kurile chain. The border was changed yet again another thirty years later in 1905, when in the Treaty of Portsmouth Russia ceded Sakhalin's southern half to Japan.

Prior to Russian and Japanese expansion into the areas north of Japan, local indigenous people maintained a primitive way of life through fishing and hunting. The northern Kurile Islands were inhabited by the Chishima Ainu people while the southern islands were inhabited by Hokkaido Ainu, each conducting exchanges with the other. However, the drawing up of borders by Russia and Japan across the archipelago divided their territories, forcing them to choose between Russian and Japanese nationality and, due to forced migration and policies of

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<sup>5</sup>Ministry of Foreign Affairs of the Russian Federation and Ministry of Foreign Affairs of Japan (1992): "Sovmestny isbornik dokumentov po istorii territorial'nogo razmezhevaniya mezhdru Rossiei i Yaponiei ", Moscow, Tokyo, p. 9.



assimilation, these people gradually declined.<sup>6</sup>

Once the Kuriles and the southern half of Sakhalin became Japanese territory, indigenous populations were displaced by Japanese who came to live there. The Southern Kuriles developed as part of a fishery based around Nemuro on Hokkaido and at the end of WWII contained a population of around 17,000 people.<sup>7</sup> The central Kurile Islands remained unpopulated, while the northern islands, though having few established residents, became a base for fishing operations in the northern Pacific and saw up to 18,000 fishermen visit from the Japanese mainland during the fishing season.<sup>8</sup> On the southern half of Sakhalin, fisheries, agriculture and paper manufacturing industries expanded and its population grew to more than 400,000 people.<sup>9</sup>

Ever since the Russo-Japanese War, Japan and Russia/the Soviet Union have clashed repeatedly. Upon the breakout of revolution in Russia, Japan sent its army into Siberia, occupying the northern part of Sakhalin and placing the entire island under its control from 1920-25. In 1925, Japan and the Soviet Union established diplomatic relations by signing a Convention of Basic Principles. Nevertheless, once the de facto Japanese colony of Manchukuo was established in north-eastern China, military clashes between Japanese and Soviet armies occurred repeatedly along the Soviet-Manchukuo border.

In December 1941 the Japanese combined fleet set out from Iturup and attacked Pearl Harbour in Hawaii, entering into total war against the Allied Powers. Although military personnel were stationed along the Kurile chain, the islands remained quiet and had little experience of supply shortages or of any military tension. As Japan and the Soviet Union had concluded a five-year Neutrality Pact in April 1941, the Japanese people did not conceive of war with the Soviets. Moreover, when Japan's defeat became all but certain in July 1945, the Japanese government had appealed to the Soviet Union to act as intermediary for a cease-fire with the United States.

## 2.2. Origins and Evolution of the Territorial Dispute

The seeds of the Russo-Japanese territorial dispute can be found in the Yalta Agreement signed behind closed doors in February 1945 between the United States, the United Kingdom and the Soviet Union. The US, which at that time had yet to successfully develop the nuclear bomb, hoped for the Soviet Union to open a front against Japan in the Far East. As compensation, Stalin sought the transfer of Japanese territory. In contradiction of the principle of non-expansion, the Yalta Agreement established that "The southern part of Sakhalin as well as all islands adjacent to it shall be returned to the Soviet Union.... The Kurile Islands shall be handed over to the Soviet Union".<sup>10</sup> This agreement was made public in February 1946, a full year after it was brokered.

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<sup>6</sup>In 1884, ninety-seven Chishima Ainu were forcefully relocated by the Japanese government from the northern Kuriles to Shikotan Island and, unable to adapt to the new environment, these people died out; see: Zajac, Malgorzata (2009): *Chishima Ainu no kiseki*, Tokyo, Sofukan; Kosaka, Yosuke (1992): *Rubo, Nichiro ni owareta Kita-chishima ainu*, Sapporo, Hokkaido Shimbusha.

<sup>7</sup> The population of the Southern Kuriles as of 15 August, 1945 was 17,291 people: Ministry of Foreign Affairs of Japan (2012): *Warera no Hopporyodo 2011*, Tokyo, p.9.

<sup>8</sup> Hokkaido government (1957): *Chishima chosasho*, Sapporo, Hokkaido Government, p.23.

<sup>9</sup> The population of the southern half of Sakhalin as of 31 December, 1944 was 417, 976 people. Additionally, Japanese army personnel and Koreans conscripted into the Japanese army were also based there: Wakatsuki, Yasuo (1995): *Sengo hikiage no kiroku*, Tokyo, Jijitsushinsha, p.99.

<sup>10</sup> Ministry of Foreign Affairs of the Russian Federation and Ministry of Foreign Affairs of Japan, *op.cit.*, p.21.



In August 1945 the Soviet Union broke the still active neutrality pact and declared war against Japan, invading north-eastern China and the Korean Peninsula. The Soviet Union commenced its attack on 9 August, the same day on which an atomic bomb was dropped on the city of Nagasaki, following in the wake of the nuclear attack on Hiroshima. On the 14 August Japan accepted the Potsdam Declaration and surrendered, however the Soviet offensive continued and both southern Sakhalin and the Kurile chain were occupied.<sup>11</sup> The occupation of the Southern Kuriles was complete by 5 September, after Japan has already signed the instrument of surrender to the Allies on 2 September. Around 20,000 Japanese officers and men on the Southern Kuriles became prisoners, and most were interned in Siberia.<sup>12</sup>

Thus Sakhalin and the Kurile chain fell to Soviet control and a de-facto border known as the ‘middle line’ was drawn between these islands and Hokkaido. From April 1946, Soviet border patrols began seizing Japanese fishing vessels caught crossing this line. This practice has continued until the present day.<sup>13</sup> In February 1946, the Region (*oblast'*) of South Sakhalin was officially established in the occupied territory. This was expanded in January 1947 to include the north Sakhalin, together now forming the territory of Sakhalin Region (*oblast'*), and all place names were changed to Russian names. At the end of WWII most Japanese people living in Sakhalin returned to Japanese mainland, and by 1948 all Japanese people who had remained in the Southern Kuriles had been expelled. The new residents of Sakhalin, replacing the Japanese, were to be Soviet citizens assembled from every part of the Union within the framework of a colonial settlement policy. In the Northern and Southern Kuriles, fishing industries were expanded using the infrastructure, industrial facilities and housing built by the Japanese. Sakhalin had “made the transition from capitalism to socialism” within the extremely short timeframe between the end of August 1945 to January 1947.<sup>14</sup> By the beginning of the 1950s, Sakhalin Region’s population reached 480,000 people, and by the time of the opening of the San Francisco Peace Conference it was fully established as an administrative region of Soviet Russia.<sup>15</sup>

With its signing of the San Francisco Peace Treaty in September 1951 along with forty-eight other countries, Japan made its return to international society. The peace treaty, framed under the leadership of the United States and in accordance with the Yalta Agreement, made clear that Japan would renounce ownership of the Kurile chain and southern Sakhalin. However, the treaty failed to clearly demarcate the extent of the Kurile Islands, nor did it indicate which country the abandoned territories would belong to, thus sowing the seeds of

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<sup>11</sup>On the northern Kurile island of Shumshu a brutal encounter between Japanese forces and the Soviet army which had launched an attack from the Kamchatka Peninsula, saw more than 1,500 dead on both sides between August 18-23: Itani, Hiroshi: “Shumushu Island in August 1945”, *Japan Border Review*, no. 2 (Nov. 2011), p. 31; Slavinsky, Boris (1993): *Chishimasenryo, 1945 nennatsu*, Tokyo, Kyodo Tsushin sha, pp.120-121.

<sup>12</sup>*Ibid.*, p.156. Russian Academy of Science, Institute of Geography RAS and Pacific Institute of Geography RAS Far Eastern Branch (2009): *Atlas of the Kuril Islands*, Moscow, Vladivostok, Publishing and Production Center “Design, Information, Cartography”, p.109.

<sup>13</sup>The Nemuro branch of the Japanese Coast Guard confirms 1, 339 vessels seized and 9, 489 people detained between the years 1946-2008: Honda, Ryoichi: “Nichiro kankei to anzensogyo”, *Making a Discipline of Slavic Eurasian Studies*, no.15 (July 2006), p. 67; Nemuro-shi and Hopporyodo Mondai Taisaku Kyokai (2009): *Nihon no ryodoHopporyodo*, Nemuro, Tokyo, pp. 91-92.

<sup>14</sup>Vysokov, Mikhail; Vasilevskii, Aleksandr; Kostanov, Aleksandr and Ischenko, Marina (2008): *Istoriya Sakhalina i Kuril'skikh ostrovov s drevneishikh vremen do nachala XXI stoletiya*, Yuzhno-Sakhalinsk, Sakhalinsko eknizhnoe izdatel'stvo, p. 454.

<sup>15</sup>Vysokov, Mikhail; Golebev, Valerii; Kozhukhova, Tamara; Kolesnikov, Nikolai; Lopachov, Aleksandr and Tvarkovskii, lev (1995): *Istoriya Sakhalinskoi oblasti s drevneishikh vremen do nashikh dnei*, Yuzhno-Sakhalinsk, p. 156.



future discord between Japan and the Soviet Union.<sup>16</sup> In his speech at the San Francisco Peace Conference, Prime Minister Yoshida Shigeru maintained that the islands of Habomai and Shikotan were parts of Hokkaido and could not be included in the Kuriles and that historically speaking, both Kunashir and Iturup were Japanese territory. Opposing to the content of the Peace Treaty, the Soviet Union did not sign. In the midst of increasing Cold War confrontation between the United States and the Soviet Union, Japan concluded its own Security Treaty with the US at the same time as the Peace Treaty.

Separate negotiations between Japan and the Soviet Union commenced in June 1955. Nikita Khrushchev proposed that Shikotan and Habomai be handed over. However as Japanese negotiators made additional demands for the return of Kunashir and Iturup no peace agreement was reached. At the end of negotiations which lasted one year and five months, both countries signed a Soviet-Japanese Joint Declaration to restore diplomatic relations. The Joint Declaration made clear that the parties would continue negotiations for the conclusion of a peace treaty, and that the islands of Habomai and Shikotan would be returned to Japan once this was achieved.

Nevertheless, negotiations for a future peace treaty never resumed. In retaliation for Japan's renewal of the US-Japan Security Treaty in January 1960, the Soviet Union added as a further condition for the return of Habomai and Shikotan the withdrawal of all foreign armies from Japanese territory. In response, Japan asserted that it "would persist in demanding the return not only of the Habomai and Shikotan islands but of all territories which inherently belong to Japan".<sup>17</sup> The two countries were now diametrically opposed.

In 1957, the Soviet Union removed the around 2000 Soviet citizens previously settled on the islands of Shikotan and Habomai in preparation for their handover. However, losing the determination to complete the transfer, it settled another 1500 laborers on Shikotan in 1960. The Habomai islands currently remain uninhabited.<sup>18</sup>

Until around 1960, Japanese domestic opinion was inconsistent regarding the extent of territory to be demanded back from the Soviet Union, with some voices pressing for the entire Kurile Chain and others for the return of Habomai and Shikotan only. While the Japanese government post-WWII had set its aim on the return of Habomai and Shikotan, the return of the four islands of Kunashir and Iturup, in addition to Habomai and Shikotan, has since

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<sup>16</sup> Within the San Francisco Peace Treaty the fates of other former Japanese possessions, such as Taiwan and Korea, was left unclear. For further detail on how this left Asian countries with unsolved territorial problems readers are encouraged to consult the following publication: Hara, Kimie (2007): *Cold War Frontiers in the Asia-Pacific, Divided Territories in the San Francisco System*, London, New York, Routledge.

<sup>17</sup> Ministry of Foreign Affairs of the Russian Federation and Ministry of Foreign Affairs of Japan, *op.cit.*, pp. 39-40.

<sup>18</sup> In February 1957 the Soviet Union closed a crab meat canning factory on the largest Habomai island of Zelenyi and decided in June of that year to close a seafood factory on Shikotan. In March 1960, however, a further two factories were slated for construction on Shikotan: Bondarenko, Oleg (1992): *Neizvestnye Kurily*, Moscow, VTI-Deita Press, p. 116; Wada, Haruki (2012): *Ryodo mondai o do kaiketsu suruka, Tairitsu kara taiwa e*, pp.150-151). According to Khrushchev's memoirs, his motivation for offering to hand over the islands came from the fact that uninhabited Habomai and Shikotan islands would have had little value both economically and militarily, yet the amount of goodwill to be garnered from the Japanese people would be immense if they were returned. (Schechter, Jerrold L. and Luchkov, Vyacheslav V. (1990): *Khrushchev Remembers, The Glasnost Tapes*, Boston; Toronto; London, Little Brown and Company, p. 89). Nevertheless, there were indeed inhabitants on these islands at the time, which can only mean that Khrushchev was either ignorant of the actual conditions in the Southern Kuriles, or that his recollection is mistaken.





become firmly entrenched government policy.<sup>19</sup> Japan took on the position that these four islands do not belong to the Kurile chain, which Japan relinquished when it signed the San Francisco Peace Treaty. Japan also prohibited the use of the name ‘Southern Kuriles’ and officially named these islands the ‘Northern Territories’. Moreover, since the latter half of the 1960s Japanese government has been actively involved in expanding the ‘Movement for the Return of the Northern Territories’. For its part, the Soviet Union declared in 1961 that “territorial issues between Japan and the Soviet Union are resolved”, denying the very existence of a dispute, breaking down negotiations over territory between the two countries.<sup>20</sup>

Only in the second half of the 1980s, when Gorbachev reforms were implemented, did serious discussions resume between the two countries. Both Japan and the Soviet Union adjusted their previous hardline stances, establishing a working group for the creation of a Soviet-Japan peace treaty and conducting rigorous discussion in eight meetings held between 1989 and 1991. As a result of having exhausted all legal and historical arguments concerning the disputed territories, diplomats on both sides jointly recognized that the only remaining option would be a political decision emerging from a high level leadership conference.<sup>21</sup>

With the collapse of the Soviet Union at the end of 1991, Boris Yeltsin, as president of a newly reborn Russia, picked up the negotiations and began to show a desire for a resolution to the territorial dispute. Commencing in 1992 was the program of ‘visa-free exchange’ which had been agreed to during the Soviet era. This program allows Japanese and Russian citizens from the Southern Kuriles to visit the other without the need for a visa, and is aimed at increasing mutual goodwill and understanding as well as contributing to the resolution of the dispute.<sup>22</sup>

The 1993 Tokyo Declaration affirmed a resolve to settle issues relating to the ownership of the four islands and to conclude a peace treaty.<sup>23</sup> Furthermore, Prime Minister Ryutaro Hashimoto and President Yeltsin agreed that they “(would) do their best to conclude a peace treaty by the year 2000”.<sup>24</sup>

The year 2000 came and went without producing any points of compromise between Japan and Russia, Vladimir Putin became the new Russian president, while Japan saw a continuous succession of prime ministers. The Irkutsk Statement signed by Prime Minister Yoshiro Mori and President Putin clarified the validity of the various past agreements between Japan and the Soviet Union/Russia, starting with the 1956 Joint Declaration, but little noticeable headway has been made since.

One of the causes for the breakdown in negotiations is the divergence between two camps of domestic opinion in Japan, with one insisting on the ‘simultaneous return of the four islands’ (*yontō ikkatsu henkan*) while the other demanding the ‘return of two islands first’

<sup>19</sup> Hara, Kimie (1998): *Japanese-Soviet/Russian Relations since 1945, a difficult peace*, London, New York, Routledge, pp. 24-30.

<sup>20</sup> Suezawa, Shoji; Shigeta, Hiroshi and Kawabata, Ichiro (2003): *Nichiro (Soren) Kihonbunsho • Shiryoshu (Kaiteiban)*, Tokyo, Zaidanhojin Radio Press, p.175.

<sup>21</sup> Panov, Alexander (1992): *Fushin kara shinrai e, Hopporyodo koshō no uchimaku*, Tokyo, The Simul Press INC., p. 60; Togo, Kazuhiko (1993): *Nichiro shinjidai e no joso*, Tokyo, The Simul Press INC., p. 74.

<sup>22</sup> Visa-free exchanges continue today, with 18,075 participants in total as of March, 2012. Cabinet Office, Government of Japan, at <http://www.cao.go.jp/hoppo/shiryō/kouryū/html#2>.

<sup>23</sup> Ministry of Foreign Affairs of the Russian Federation and Ministry of Foreign Affairs of Japan (2001): *Novoe izdanie sovmejnogo sbornika dokumentov po istorii territorial'nogo razmezhevanija mezhdū Rossiei i Yaponiei*, Moscow, Tokyo, p. 7.

<sup>24</sup> Ministry of Foreign Affairs of Japan (2012): *2011 nenban, Warera no Hopporyodo, Shiryohen*, Tokyo, p. 46.



(*nitō senkō henkan*) referring to Habomai and Shikotan. The opposition between these two camps ended when Diet member Muneo Suzuki, a particularly strong supporter of the two island solution, was arrested on suspicion of influence peddling in June 2002. As a result, diplomatic officials close to Suzuki also lost their standing and Japan lost some of its diplomatic strength vis-à-vis Russia.<sup>25</sup> Meanwhile, President Putin has hinted at a settlement based on the handover of Habomai and Shikotan, as provided by the 1956 Soviet-Japanese Joint Declaration. Nevertheless, Japan has not ceased its demands for the return of all four islands.

### **3. The Territorial Dispute from the Perspective of Kurile Island Residents**

#### **3.1. Indigenous People of the Kurile Islands**

Because of their absorption into the Japanese population, there were practically no pure blooded Ainu people on the Kurile Islands by the end of WWII.<sup>26</sup> The few remaining Ainu people left the islands along with the Japanese population, becoming dispersed within Japanese society and disappearing. As a result, there are no remaining direct descendants of the indigenous people of the Kurile chain. However, there are moves towards claiming specific rights to the Northern Territories based on the argument that the indigenous people of the Kuriles are the ancestors of the Ainu people as a whole. In 2002, the Hokkaido Utari Association (from 2009, Hokkaido Ainu Association) adopted a policy to demand indigenous rights over the Northern Territories.<sup>27</sup> A 2008 Indigenous Peoples Summit – ‘Ainu Mosir’ resolved that “the Ainu people must be included as sovereign owners in any negotiations for the return of the Northern Territories”. Moreover, the Kurile–East Hokkaido Ainu Association was launched in 2009 with the intent to tackle issues concerning the disputed territories.<sup>28</sup>

In Russia, an Association for Northern, Siberian and Far Eastern Minorities was established in 1990 to assert the rights of indigenous groups, though there is no group advocating the rights of people indigenous to the Kuriles.<sup>29</sup> In museums on Iturup and Kunashir one can find displays relating to the Ainu people indicating they were the original inhabitants of the Kurile Islands. However, the indigenous issue is often raised in opposition to Japanese demands for the return of the Northern Territories. Valentin Fyodorov, a former governor of the Sakhalin Region and a strong opponent of the return of the islands to Japan, requested that Ainu representatives be invited to a June 1992 Hokkaido-Sakhalin dialogue as he was aware of Ainu grievances against the Japanese government. Also, in October 2008 the head of the Russian delegation visiting Nemuro under the visa-free exchange program proposed making the Southern Kuriles an independent country of the Ainu, the islands’

<sup>25</sup>More than ten people were arrested on suspicion of irregularities relating to the Japanese aided construction of a diesel fueled power plant on the island of Kunashir, including Suzuki’s secretary, diplomats and the employees of large trading and construction companies. Most of these were found guilty.

<sup>26</sup>Stephan, John (1974): *The Kuril Islands, Russo-Japanese Frontier in the Pacific*, Oxford, Clarendon Press, p. 110; Kodama, Sakuzaemon (1969): “Ainu no bumpu to jinko”, in *Ainu minzokushi*, volume 1, Tokyo, Daiichi HokiShuppan, p.17.

<sup>27</sup> According to a 2006 survey by the Hokkaido regional government, the Ainu population of Hokkaido was 23, 782 people; Members of the Hokkaido Utari Association number 3, 234: Hokkaido Ainu Kyokai, at <http://www.ainu-assn.or.jp>.

<sup>28</sup>*Hokkaido Shimbun*, February 2, 2010.

<sup>29</sup>Morris-Suzuki, Tessa (2000): *Henkyo kara nagameru*, Tokyo, Misuzu Shobo, p.200.



original inhabitants.<sup>30</sup>

Meanwhile, the Japanese government has been silent regarding the original owners of the Kurile Islands, simply insisting that “the nation has inherited these lands from our forefathers”.<sup>31</sup> In 2007 the United Nations adopted the Declaration on the Rights of Indigenous Peoples, and in October 2009 Yukio Hatoyama became the Japanese first prime minister to recognize the Ainu as an indigenous ethnic group of Japan. As such, both Japan and Russia will need to examine the position of indigenous peoples within the context of the current territorial dispute.

### 3.2. Former Japanese Islanders

The small number of Japanese islanders on the Northern Kurile Islands moved back to the Japanese mainland at the end of the war, scattering to different regions of the country.<sup>32</sup> However, many of the roughly 17,000 former residents of the Southern Kuriles came to live in and around Nemuro in Hokkaido. As many of them were small-scale fishermen, they gravitated towards Nemuro as a center of the fishing industry. Due to the impoverished post-war conditions many of them ventured into the waters off the Kuriles to fish, only to be captured by Soviet border patrols.

As they struggled to maintain their livelihoods and had little to spare on becoming involved in the territorial dispute, it was not until 1958 that former islanders established their own group. As a corporation with the official approval of the Japanese prime minister, the League of Kurile-Habomai Residents (henceforth, ‘the League’) supported the welfare of impoverished former islanders as well as collecting signatures and submitting petitions to the National Diet for the return of the Southern Kuriles.

More energetic participation in the movement to return the islands amongst the former islanders began to occur from around 1965. According to former League chairman Mitsuo Takenami, former islanders were criticized by other activists seeking the return of the islands for being too self-serving, as they would speak only of their former lives and fishing ventures on the islands. Therefore, from around 1975 onwards, they avoided speaking of their individual stories, and if asked about the islands once returned to Japan would respond in the following manner: “We are not saying that the Kurile Islands are our lands. We want to use them for providing food for the whole of Japan and as a world utopia”. Spearheading a movement for the return of the islands initiated by the Japanese government, the former islanders took on somewhat of a symbolic existence and thus could no longer afford to emphasize their individual losses of property and fishing rights. In 1964 Soviet authorities granted a permission on compassionate grounds to allow former Japanese residents to visit family graves on the Southern Kuriles without a visa. However in 1976 this was suspended for a period of ten years: the Soviet Union required former islanders to provide passports and obtain visas but this was prohibited by the Japanese government as undermining its claim to the islands. Only from 1992 were former islanders able to visit areas other than grave sites on the Southern Kuriles with the commencement of the visa-free exchange program. The League has stated that the role of former islanders within this program is to “deepen mutual understanding and friendship, and to contribute to an atmosphere congenial to the return of

<sup>30</sup> *Hokkaido Shimbun*, October 2, 2008.

<sup>31</sup> Ministry of Foreign Affairs of Japan, *op.cit.*, p. 4.

<sup>32</sup> At the end of WWII, 82 households comprised of 109 people withdrew from the Northern Kuriles. Of these, only two households were living in Hokkaido in 1963: Hokkaido Government (1963): *Kita chishima moto kyoju shasei katsu jittai chosa*, Sapporo, pp. 1; 4.



the territories”.<sup>33</sup> It has also overseen the delivery of humanitarian assistance to the economically impoverished Russian residents of the Southern Kuriles.

As of 31 March 2012, around sixty percent of the Japanese former islanders had passed away, leaving 7,260 survivors with an average age of seventy-eight.<sup>34</sup> As only 2,420 people of that number remained as members, the League is currently seeking to develop its future successors. Descendants of former islanders, including the second, third and fourth generations, number around 36,000 people, but among those only 1,607 are League members, or four per-cent of the total.<sup>35</sup> Furthermore, questions are being raised amongst second generation League members about the movement to restore the islands to Japan. For example, eighty-five members of the youth division of the Nemuro branch declared in a March 2007 general meeting of the League that the “current movement for achieving the simultaneous return of the four islands cannot overcome the present situation”, showing a more flexible response towards the resolution of the territorial dispute.<sup>36</sup>

Work to compile interviews and commentaries by the now elderly former islanders is also being carried out. Most of the recollections contained in these paint a picture of the rich natural environment of their former Southern Kurile homelands, of a peaceful lifestyle and a spirit of cooperation on the islands, and also of the fear of Soviet invasion and of the sadness and hardships endured on being driven from their homeland.<sup>37</sup> On comparison with survey results conducted by the Hokkaido regional government in 1939-1941, however, it is clear these new histories have been considerably beautified, and that a rewriting of collective memories has taken place amongst the former islanders: the government survey reveals an environment characterized by large numbers of ill and a high mortality rate due to heavy labor, harsh climate, austere diet and excessive alcohol consumption, a group of children without school education and entrenched closed attitudes to the people outside of islands.<sup>38</sup>

Since 2000, even the former islanders recognize that their work to reclaim the islands has reached a limit. With no obvious prospects for the solution of the territorial dispute, there are some suggestions for compensation to be sought from the government for the loss of property rights and for the mental anguish that has continued for sixty years since the end of the war.<sup>39</sup>

### 3.3. Current Russian Residents

For residents of the Southern Kuriles during the Soviet era, no territorial dispute ever existed. In 1974 John Stephen noted that “few places in the world today are more inaccessible to foreigners than the Kuril Islands”.<sup>40</sup> As this suggests, during the Soviet time, the residents of the Kuriles never heard demands for the return of the Southern Kuriles by Japan. If anything,

<sup>33</sup> Chishima Habomai Shoto Kyojusha Renmei (ed.) (1997): *Moto tominni yoru Hopporyodo henkan undo no ayumi*, Sapporo, p.200.

<sup>34</sup> Hopporyodo Mondai Taisaku Kyokai, at <http://www.hoppou.jp>.

<sup>35</sup> Chishima Habomai Shoto Kyojusha Renmei, at <http://chishima.or.jp/outline.htm>; Nemuro-shi and Hopporyodo Mondai Taisaku Kyokai (2012): *Nihon no ryodo, Hopporyodo*, Nemuro, Tokyo, p.119.

<sup>36</sup> League of Kuril-Habomai Residents, *Nemuro shibu seinenbu*, “Undo hoshin ni kansuru ketui hyomei”, 19 March 2007.

<sup>37</sup> Chishima Habomai Shoto Kyojusha Renmei (2002-2006): *Omoidenowagakokyo Hopporyodo*, Vol. 1-4, Sapporo. Chishima Habomai Shoto Kyojusha Renmei (1997-2001): *Warerano shimano omoide*, Vol. 1-10. (Video), Sapporo.

<sup>38</sup> Hokkaido Government (1957): *Chishima chosasho*, Sapporo, pp. 21;164.

<sup>39</sup> Chishima Habomai Shoto Kyojusha Renmei (2009): *Chishima Renmei 50 nen no ayumi*, Sapporo, p.46.

<sup>40</sup> Stephan, *op.cit.*, p. 171.



when these were broadcast by the Soviet authorities they were presented as illegal demands of Japanese militarists and those seeking retaliation against the Soviet Union.

The particular characteristic of Kurile society and economy is expressed in the word *vremennost* ('temporary'). Its economy specializes only in fishing, agricultural productivity is low and its construction and service industries are remarkably outdated. With little improvement to its infrastructure there is no option but to rely on fuel, food and daily necessities from outside the islands. That people come to live on islands such as these mainly as a result of a system of 'northern privileges', enacted on 1 August 1945 and still guaranteed under current Russian labor legislation. This allows the residents of the Kurile Islands to enjoy preferential treatment of the same type that exists for the far northern regions of Russia. These include a higher salary, guaranteed housing, extended vacation times and a lower retirement age. Many comparatively young residents are attracted to the island by such privileges, though there are also many cases of people leaving and returning to their hometowns upon reaching retirement age. Troops are also stationed on the islands along with a few thousand seasonal workers who stay only during the fishing season. Amongst these groups there is little ambition to help develop the islands. As a result, profits taken from the fishing industry are seldom returned to the islands and residents themselves live with the attitude that they too have merely come to make some money.<sup>41</sup>

The collapse of the Soviet Union, and the political and economic disorder that followed, had a huge impact on these 'temporary' islands. Rises in shipping costs slowed the movement of goods, while delays of several months in the payment of salaries amidst continuously rising prices impoverished island residents. These islanders used the opportunity of the visa-free exchange program begun in 1992 to appeal to Japanese delegations for economic cooperation.

The open-mindedness of Southern Kurile residents at the time in relation to the territorial dispute surprised the Japanese. In April 1993, a local referendum held in the village of Malokuril'skoe on Shikotan Island revealed that 83 percent of voters (or 916 people) supported the Soviet-Japanese Joint Declaration, which outlines the handing over of Shikotan and Habomai to Japan.<sup>42</sup> Several surveys conducted by both Japan and Russia during that time show that a considerable number of residents approved of the return of the Southern Kuriles to Japan, in particular on the island of Shikotan.<sup>43</sup>

As for the reasons behind such flexibility shown by Southern Kurile residents, one can look to the favorable impressions of Japan garnered by its efforts to improve goodwill through the visa-free exchange program, as well as its provision of humanitarian aid. Also, having witnessed Japan's economic development and high living standards via the exchange

<sup>41</sup>Bondarenko, *op. cit.*, p. 131; Alekseeva L.; Belashko V.; Voronov G.; Golubev V.; Danchenko V.; Zlobin T.; Shubin A. (1992): *Yuzhnye Kuril'skie ostrova (Prirodno-ekonomicheskii ocherk)*, Yuzhno-Sakhalinsk, Russian Academy of Science, Far Eastern Branch, p. 135.

<sup>42</sup>Vysokov et al., "Istoriya Sakhalina i Kuril'skikh ostrovov...", *op.cit.*, p. 521; Williams, Brad (2007): *Resolving the Russo-Japanese Territorial Dispute, Hokkaido-Sakhalin relations*, London; New York, Routledge, p. 140.

<sup>43</sup>Differences in the survey results show that around sixty to seventy percent of Shikotan residents supported the return, with conditions, of all four islands. The percentage of supporters decreased amongst Kunashir and Iturup residents, in that order. Around seventy to eighty percent of Iturup residents were opposed the handover. Also, since 2000 the number of handover supporters on Shikotan and Kunashir has decreased. NHK shuzai han (1993): *Hoppo yonto, Chishima retto kiko*, Tokyo, NHK Shuppan, p. 152; Iwashita, Akihiro (2005): *Hopporyodo mondai*, Tokyo, Chuko Shinsho, pp. 177-181; Williams, *op. cit.*, pp. 132-134; 140-143; Williams, Brad: "The Russo-Japanese Visa-free Exchange Program: Opportunities and Limits", *East Asia: An International Quarterly*, vol. 20, Iss. 3 (Autumn 2003), pp. 116-118.



program, residents may have compared this to the economic woes of the Southern Kuriles and felt resentment towards the Russian government for having ignored them. In September 1991, the Russian Deputy Foreign Minister Georgii Kunadze visited three of the South Kurile Islands and spoke candidly about the possibility of abiding by the Joint Declaration. As the specific methods and conditions of the handover were also discussed in central and regional newspapers, in early 1990s it seems that Shikotan residents believed that an eventual handover to Japan was now unavoidable.<sup>44</sup>

The Japanese government prohibits any economic activities with the Northern Territories, under the reasoning that this would undermine its claim and by default recognise Russia's effective control. Thus, the Japanese people participating in the visa-free exchange program cannot respond to any business proposals initiated by the Russian residents. Furthermore, the Russian side has gradually lost its interest in interactions with Japan, and there has been an increase in residents abandoning the struggling island economy and migrating to the Russian mainland. The population of the Kuriles peaked at 29,500 people in 1989, but has been diminishing ever since 1990 and in 2002 passed below 20,000 people.<sup>45</sup> The Kuriles have suffered the peculiar experience of losing one third of their population in just twelve years.<sup>46</sup>

From 2000, under the initiative of the then Lower House member Muneo Suzuki and as part of broader humanitarian aid, Japanese construction companies built warehouses, dwellings and diesel power generation facilities on the Southern Kuriles, though these activities finished with Suzuki's demise.

Since then, the Sakhalin regional government, having maintained its unyielding stance on the territorial issue, began to apply pressure to the visa-free exchange program. In July 2003, the Sakhalin parliament petitioned President Putin and members of both houses of the Russian Federal Assembly for the program's termination, arguing that "Japan is using the visa-free exchanges as a vehicle for ideological purposes towards the residents of the Southern Kurile Islands".<sup>47</sup> When a fatal shooting incident of a Japanese fishing boat crew member by Russia's border patrol occurred in August 2006, the mayor of Nemuro City also proposed that the exchanges be suspended, and what had originally been designed for the spread of goodwill between Japan and Russia instead became a source of trouble. In 2009, Russia announced that it would stop accepting Japanese humanitarian aid, and this has since been limited to accepting medical aid only.

<sup>44</sup> In an August 1992 edition of *Izvestiya* appeared a discussion on various issues that would arise upon the transfer of Shikotan to Japan, such as the question of compensation from Japan for property left behind by those leaving the island, as well as problems around citizenship under Japanese sovereignty for those that stayed. (Kondrashov, Stanislav: "Mukizamireniya s Yaponiei", *Izvestiya*, 14 August 1992.). In September of the same year, a Southern Kurile newspaper discussed the likely legal status of residents after the handover as well as any compensation issues, and wondered out loud whether those wishing to would be able to learn Japanese, or if children would be able to visit Japan on their holidays: "Kunashir Iturup vypaliizterritorial' nogospora. Poka", *Na rubezhe*, 1 September 1992.

<sup>45</sup> Russian Academy of Science et. al., *op.cit.*, p.449.

<sup>46</sup> Extreme changes in population are not rare on the Kurile Islands. In 1959 their population was 21, 739 people. When Khrushchev put a stop to the system of "northern privileges" in 1960 around thirty percent of people left the islands, leaving a population of around 15,000 people by 1970. Afterwards, when this system was reinstated the population returned. An earthquake and tsunami that occurred on 5 November 1957 killed 2,331 people on the Northern Kuriles. Also, as discussed above, around 2,000 people were forced to leave the islands of Shikotan and Habomai in 1957: Vysokov et al., "Istoriya Sakhalina i Kuril'skikh ostrovov...", *op.cit.*, p. 484; Russian Academy of Science et al., *op.cit.*, p. 135, 449.

<sup>47</sup> Ponamarev, Sergei (2008): *Ya Vam pishu*, Yuzhno-Sakhalinsk, p. 23.



A Social and Economic Development Plan for the Kurile Islands, which was initially proposed in 1994 but did not materialize, was re-introduced as a special federal project to run between 2007 and 2015. This time federal government invested significantly. On Iturup, Kunashir and Shikotan islands sealed roads, airfields, ports, hospitals, schools and homes were constructed. Ironically, Japanese made construction vehicles and materials were deployed in this process, being delivered to the construction sites via Sakhalin.

In July 2011 representatives of Kunashir and Iturup greeted a Japanese ‘no visa’ delegation to the islands with a statement that “both President Medvedev and the governor of Sakhalin are showing great interest in the development of the Southern Kuriles”.<sup>48</sup> Amongst the island residents themselves there is now a spreading recognition that there will be no handover to Japan.

## **4. The Border Region: Myths and Realities**

### **4.1. The Border Town: Nemuro**

The Nemuro region of Hokkaido has been impacted more than any other by the territorial dispute, since the end of WWII until today. Having lost access to waters required for its predominant industry of fishing, it has also received former island residents from the Southern Kuriles and been deeply disturbed by the seizures made by both the Soviet Union and Russia. As Soviet authorities employed the seizures to send political messages, their frequency would increase during moments of tension between Japan and the Soviet Union. The highest number of seizures recorded was in 1955-1956, coinciding with drawn out negotiations between the two countries.<sup>49</sup> Because of the richness of the fishing waters which surround the Southern Kuriles, poaching became widespread and various groups emerged to conduct illegal trade with the Soviet Union/Russia.

After many years of hostility towards the Soviet Union, Nemuro underwent a sudden change in 1991 by supporting exchanges with the Southern Kuriles, and emerging as a place in which solutions to the territorial dispute might be worked towards. Illegal fishing vessels were eradicated; Russian ships were permitted entry into Nemuro port, and, in the following year, ships for the visa-free exchange program began operating between Nemuro and the Southern Kuriles. Moreover, Russian fisheries personnel and Southern Kurile residents began to stay in Nemuro, an area previously prohibited to Russians. With more than twenty years having passed without serious incident since Russian people began visiting Nemuro, it can be said that the turnaround in the relationship, from disengagement to engagement, has been successful.

The residents of Nemuro themselves have previously expressed their hopes on two occasions for a resolution of the dispute through the return of only two islands of Shikotan and Habomai. The first occasion was in May 1956, in which an ‘Assembly of Nemuro Residents for the Restoral of Japan-Soviet Relations’ was held. The declaration stated that “based on a challenging international environment, (the Assembly) calls for the

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<sup>48</sup> This comment was heard during a visa-free exchange in which the author participated. It was made on Kunashir by Vishirova, Vice-Chairman of the Southern Kurile Regional Assembly on 8 July 2011, and on Iturup by Oshikina, the Chairperson of Kurile Regional Assembly and Head of the Region on 10 July 2011.

<sup>49</sup> The number of seizures made in 1955 was 67 vessels and 440 people. In 1956, the number was 89 vessels and 677 people: Nemuro-shi and Hopporyodo Mondai Taisaku Kyokai, *op.cit.*, p. 92.



commencement of negotiations between Japan and the Soviet Union for the return to Japan of Shikotan and the Habomai Islands and for the establishment of safe fishing conditions in the Nemuro straight". A second declaration was made by the 'Assembly of Nemuro Residents for a Japan-Soviet Peace Treaty', held in March 1960. Its declaration called for "the signing of a peace treaty with the return of Shikotan and the Habomai Islands, with an agreement to ensure safe fishing conditions".<sup>50</sup> The "safe fishing conditions" mentioned here refer to the desire to fish without fear of seizures by Soviet authorities. Evidently, Nemuro residents saw the guarantee of these conditions as being every bit as important as the resolution of the territorial dispute itself.

Since then, Nemuro has been actively engaged in the movement, led by the Japanese government, to return the Northern Territories and has not issued any compromise plan at odds with the government's own position. There are several possible reasons for this. Firstly, the era of crisis in which Nemuro received former Southern Kurile islanders while being deprived of its fisheries has now passed. Secondly, as a region impacted by the territorial dispute Nemuro has received financial support from the government. Finally, it was generally thought that petitioning the nation more broadly on the issue, with the support of the government, would be more effective in solving the dispute.

During the 1990s, Nemuro began to experience steady economic benefits from dealings with Russian fishing vessels, from the visits of participants in visa-free exchanges and from the humanitarian aid to the Southern Kuriles. Southern Kurile residents also purchased all types of goods, from food to used vehicles, in Nemuro. During this period, in which the territorial dispute approached a resolution, plans were envisaged for enhanced economic activity with the Southern Kuriles. In 1995, the Nemuro branch of Junior Chamber International released a plan for the economic development of Nemuro City and the Southern Kuriles by creating a free-trade zone in the region, while in 1998 the Nemuro Chamber of Commerce set up a Russian Economic Exchange Project Office.<sup>51</sup> In recognition of the fact that the Southern Kuriles had once been part of the Nemuro fishery, the emergence of a 'Nemuro-Northern Territories Economic Zone' was strongly anticipated.

Nevertheless, since 2000 these hopes have been betrayed: Japan and Russia failed to sign a peace treaty, Japanese relations with Russia remained tumultuous and the reforms of local financial affairs begun by former Prime Minister Koizumi in 2001 further damaged Nemuro's economy. The 2005 Japan-Russia summit meeting, held 150 years after the signing of the Treaty of Shimoda and 100 years after the end of the Russo-Japanese War, ended with no particular outcome. In response to this, Nemuro's deputy mayor commented, "the anger of Nemuro citizens has erupted".<sup>52</sup> In June 2006, Mayor Hiroshi Fujiwara declared in council chambers that he would be the first Nemuro mayor in history to support the 'two islands first' solution (i.e. to continue negotiation on Iturup and Kunashir after the return of Habomai and Shikotan) in order to break the deadlock in the dispute.<sup>53</sup>

In February 2006, Nemuro and four other municipalities located on Hokkaido's eastern coast delivered a 'Proposal for the Renewal of Efforts to Solve the Northern Territories Dispute' to the national government. While the document did not directly criticize the government, it asserted that the current "conditions require a readiness to deal with protracted

<sup>50</sup>Takakura, Shin'ichiro (ed.) (1968): *Nemuroshishi*, vol. 1, pp. 576-578.

<sup>51</sup>Junior Chamber International Nemuro (1995): *Marino Free Zone*, Nemuro.

<sup>52</sup>Ishigaki, Masatoshi (2011): "Kokkyo to yobenai machi, Nemuro no chosen", at <http://borderstudies.jp/essay/live/pdf/Borderlive7.pdf>.

<sup>53</sup>*Hokkaido Shimbun*, 28 June 2006.





negotiations for the return of the Territories” and thus a “more strategic approach leading to their return” was necessary. The submission also went on to illustrate the willingness of Nemuro, as the “mother city of the Northern Territories”, to carry on with the political movement for their return. It also outlined the losses suffered by Nemuro and surrounding areas as a result of the territorial dispute and called for concrete economic stimulus for the region. The submission also listed several areas of economic undertakings with the Southern Kuriles and far eastern Russia that would benefit Nemuro, for example, having Nemuro-based firms participate in the construction of infrastructure announced in the Russian government’s 2007-2015 Social and Economic Development Plan for the Kurile Islands; receiving compensation for the supply of goods to the Southern Kuriles, and expanding the safe fishing zone.<sup>54</sup>

The population of Nemuro in the 1960s had been close to 50,000 people. In 2010 it dropped below 30,000, and by the end of 2011 fell to as low as 29,139 people.<sup>55</sup> Compared to twenty years ago, the roles have been reversed: it is Nemuro now seeking economic exchange with the Southern Kuriles, which has been energized by Russian investment and construction.

#### **4.2. The Foundations of Territorial Myths**

The starting point of the ‘Movement for the Return of the Northern Territories’ is considered to be a petition sent to General MacArthur, Supreme Commander of the Allied Powers, by former Nemuro mayor Ishisuke Ando in December 1945. In 1950 the group led by Ando integrated with several other Hokkaido based organizations and begun demanding the return of the entire Kurile chain.

The return of the four islands became national policy goal from the middle of the 1955 Soviet-Japan negotiations. Japan began to argue that “the four islands are inherently part of Japanese territories and do not belong to the Kuril Islands which were abandoned as a result of the San Francisco Peace Treaty”. After this, because it was not possible to reason that the “Southern Kurile Islands do not belong to the Kurile chain”, Japan began to use the term ‘Northern Territories’ instead of ‘Southern Kuriles’.

In 1964, Japan’s Ministry of Foreign Affairs released a national directive requesting that the use of ‘Southern Kuriles’ be avoided. In the following year of 1965, Nemuro City also began to use the term ‘Northern Territories’ in place of ‘Southern Kuriles’. The ‘mission’ of the city official in charge of territorial issues was now to be “awakening public opinion and conducting public awareness campaigns”.<sup>56</sup> It was assumed that if movements local to Nemuro were to spread nation-wide, this would hasten the resolution of the dispute. Also in 1965, a lobby group for the return of the territories launched by the mayor of Nemuro became a semi-governmental corporation with the approval of the Minister for Foreign Affairs. ‘The Alliance for the Return of the Northern Territories’ oversaw the irredentist movement on Hokkaido.

Furthermore, in 1969 yet another semi-governmental organization, the ‘Policy Association for the Northern Territories Problem’ was established by the Diet. The motivation behind this, it was explained, was that because “public opinion on the matter is regrettably sluggish... There is an acute need for an organization able to carry out national awareness and

<sup>54</sup>Hopporyodo Rinsetsu Chiiki Shinko Taisaku Nemuro kannai Shi-cho Renraku Kyogikai (2006): *Hoppo ryodo mondai no kaiketsu ni muketa torikumi*, Nemuro, Saikochikuteigensyo.

<sup>55</sup>Nemuro city official website, at <http://www.city.nemuro.hokkaido.jp/dcitynd.nsf>.

<sup>56</sup>Nemuro-shi and Hopporyodo Mondai Taisaku Kyokai, *op. cit.*, p. 79.



publicity campaigns” in regard to the return of the Northern Territories.<sup>57</sup> On the initiative of the Association, a ‘Citizens Assembly to Demand the Return of the Northern Territories’ (*Hoppōryōdohenkanyōkyūundōkenminkaigi*) was organized in each of Japan’s forty-seven prefectures and the knowledge about the ‘Northern Territories problem’ spread throughout Japan.<sup>58</sup>

Posters, pamphlets and maps in support of the return of the Northern Territories were distributed across the nation, and a discourse concerning these ‘inherently Japanese territories’ spread nationwide. These remote islands, to which few Japanese have ever paid a visit or had even heard of, began to be imagined as Japanese territory that should have been regained from the Soviet Union. Various strategies were also prepared for the area around Nemuro: a small museum and a monument explaining the ‘Northern Territories problem’ were built on the area of coastline from which Kunashir and the Habomai islands are visible and a program to encourage Japanese to ‘see the Northern Territories with your own eyes’ was established. When ‘Northern Territories Day’ was enacted in 1981, the Prime Minister, various politicians and high government officials began visiting the tip of the Nemuro Peninsula to conduct ‘inspections of the Northern Territories’.<sup>59</sup>

These efforts are not directed at Russia, but instead towards the Japanese people themselves, arguing the need for the Northern Territories to be returned, and has continued even after the fall of the Soviet Union. The Japanese government contends that “in order to vigorously push forward the negotiations with Russia, the consensus of opinion amongst the Japanese people on the return of the Northern Territories must be strengthened, and this must continue to be clearly expressed”.<sup>60</sup> Because of this, a similar campaign to that of Cold War era efforts for the return of the islands continues.

Challenging Japan’s territorial demands, there are also Russian installations to declare Russian ownership of the Southern Kuriles. Many of these contradict historical facts related to the islands. For example, there is a monument that gives an impression of ancient Russian position of the disputed territories as it is erected to celebrate the ‘incorporation of Iturup into the Russian Empire’. Another is a war memorial that gives the impression of battles having taken place on the Southern Kuriles during WWII.<sup>61</sup>

In 2010 Russia designated 2<sup>nd</sup> of September, the day on which Japan signed the instrument of surrender, as the anniversary of the end of WWII in the Pacific. On this day, grand ceremonies are held across the Kurile Islands and local newspapers run articles on ‘the liberation of the Kurile chain’ by the Soviet Army.<sup>62</sup> In 2011, the Southern Kuriles celebrated the 65<sup>th</sup> anniversary of its founding as a Russian region in 2011, while in 2012 the 65<sup>th</sup> anniversary of the establishment of the Sakhalin Region was also held.

On occasion, the movement against the return of the Southern Kuriles that has emerged on Sakhalin shadows the Japanese campaign, for example in its selective referencing of

<sup>57</sup>Hopporyodo Mondai Taisaku Kyokai (ed.) (1996); *Hoppo ryodo henkan undo 50 nenshi*, Tokyo, p. 91.

<sup>58</sup> In Shimane Prefecture, to which Takeshima is attached, a ‘Citizens Assembly to Demand the Return of Takeshima and the Northern Territories’ was established.

<sup>59</sup> The date of ‘Northern Territories Day’ is 7 February, the date on which the Shimoda Treaty first established the border between Japan and Russia.

<sup>60</sup> Ministry of Foreign Affairs of Japan, *op.cit.*, p. 42.

<sup>61</sup> The particular moment mentioned on Iturup states that “On the 5<sup>th</sup> of June 1778 the Ainu people of this island received Russian nationality”. This is probably a gross exaggeration of the historical fact that Iturup was visited in that year by a Russian called Dmitri Shabalin.

<sup>62</sup>“Tak zakonchlas’ vtoraya mirovaya voina”, *Krasnyimayak*, 2 September 2011.



historical documents, maps, slogans and pamphlets. Sakhalin's regional flag, introduced by the Sakhalin regional parliament in 1997, contains a V shaped image of Sakhalin and the Kurile chain to emphasize the unity of the islands. Additionally, hanging from a fish processing plant on Iturup Island a large sign declares that "The Kuriles are Russian Lands".

Thus, both Japan and Russia have continually declared to their own people that the Northern Territories/Southern Kuriles belong to them.

## 5. Conclusion

At a 'Mass Rally to Demand the Return of the Northern Territories', held in Tokyo on the 'Northern Territories Day' (7 February) in 2013 Japanese Prime Minister Shinzo Abe declared that he would "pursue the negotiations with fervent determination".<sup>63</sup> However, on that very day it was revealed that two Russian fighter jets had illegally intruded into the airspace above the north-eastern part of Hokkaido, for which Japan criticized the Russian government the following day. This news summoned memories of the Cold War era, during which the Soviets would step up seizures of Japanese fishing vessels off the Southern Kuriles whenever an event concerning the Northern Territories was held in Japan.

Despite the fact that a quarter of a century has passed since the reopening of Japanese and Russian territorial negotiations, there is no prospect of the issue being resolved. Though one cause is the inability of Japan and Russia to negotiate a problem that has become very complicated during the Cold War era, the emergence of two different conceptions of justice around the Southern Kuriles is a further impediment to the resolution of the dispute. On one hand, having been completely ruled by the Soviet Union from immediately after WWII and with a history of isolation from the rest of the world, for the Russian people there is no question that the Southern Kuriles have been part of Russia for a long time. Conversely, for the Japanese, who have been completely removed from the islands and now no longer have an understanding of actual conditions there, an abstract sense that the islands are somehow 'inherently Japanese' has become entrenched in the society.

Though both the Japanese and the Russian governments should act to break down some of the myths that their nations maintain concerning the territories, in reality both sides exploit these myths and moreover rely upon them. In 1989, the Japanese government by cabinet agreement decided to prohibit uncontrolled crossings into the Northern Territories by Japanese, reasoning that it would be unacceptable for Japanese nationals to obtain a visa from Soviet authorities while they continued to illegally occupy the islands. This cabinet agreement has been continually renewed even after the fall of the Soviet Union. Japanese citizens are not only prohibited from economic activities in the Northern Territories, but they are not even allowed to visit what is purportedly the territory of their own country. Permission to visit the Territories is granted only in limited cases such as the via visa-free exchange program and for those visiting family graves. Furthermore, in recent years high level government officials from Russia, above all President Medvedev, frequently visit the Southern Kuriles, each time declaring them to be Russian territory and impeding any further progress in the negotiations.

The residents of Nemuro and the Southern Kuriles, which have essentially become the border zone between Japan and Russia, have shown a flexible approach towards the territorial

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<sup>63</sup>*Asahi Shimbun*, 8 February 2013.



dispute. After controlled interactions began in 1991 for the first time since WWII, both regions have eschewed any hostility and amicable relations between them have been maintained. However, with a combined population of a little under fifty thousand people, neither yields sufficient influence towards their own government. During the period of turmoil just before and after the fall of the Soviet Union, the hopes of the Southern Kuriles were invested in Japan. But as the Russian economy has stabilized these hopes have reverted back to Russia. The previous indigenous inhabitants of the Kuriles (the Ainu) have all but disappeared, and the former Japanese islanders are now reaching the end of their life expectancy.

In recent years, new considerations have emerged that may potentially impact on the territorial dispute. Primarily these relate to environmental protection, natural resource management and disaster prevention. More specifically, these are issues concerning the protection of the unique ecologies on the Kurile Islands, appropriate exploitation of their rich marine resources by Russia and earthquake and tsunami safety measures. There is also the issue of how Japan should involve itself in the economic development of the Southern Kuriles. Russia has shown ambitions to develop this geopolitically and economically important region positioned in “the contact zone between the Pacific Ocean and Eurasia”.<sup>64</sup> There is also the possibility that other countries may embark on investments in the Southern Kuriles, linking them by air and shipping routes to other countries. Other developments, such as the opening up of Arctic shipping routes due to global warming and security issues in the North Pacific are also changing the global relevance of the Southern Kuriles. If the rise of nationalist sentiments and the impasse between Japan and Russia continue, both countries will likely need to shelve any territorial issues for the time being and jointly seek ways to stabilize and develop this border region.

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<sup>64</sup> Russian Academy of Science et al., *op. cit.* p. 109.



**JAPAN AND RUSSIA AT THE BEGINNING OF THE TWENTY-FIRST  
CENTURY:  
- NEW DIMENSION TO MARITIME SECURITY SURROUNDING THE  
“KURIL ISLANDS”**

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**Abstract:**

Since Moscow decided to host the APEC Summit in Vladivostok, Russian policymakers and scholars have argued that Russia should be a “Euro-Pacific power”. However, Russia’s regional and bilateral priorities in Asia as well as her strategy to become a Pacific power remain uncertain. With the increase in the strategic significance of an ice-free Arctic, the sea of the Far Eastern region is gaining military importance for the Russian Navy. This article examines how the emergence of an ice-free Arctic could influence the security situation surrounding the “Kuril Islands”.

**Keywords:** Japan, Russia, China, Territorial Disputes, the Arctic Sea Route, Maritime Security in the Asia-Pacific Region.

**Resumen:**

*Desde que Moscú decidió albergar la cumbre APEC en Vladivostok, tanto decisores rusos como académicos han estado discutiendo sobre Rusia como una “potencia Euro-Pacífica”. Sin embargo, las prioridades regionales y bilaterales de Rusia en Asia, así como su estrategia para convertirse en un poder Pacífico siguen siendo inciertas. Con el aumento en importancia de un Océano Ártico libre de hielo, el área marítima de la región del Lejano Este gana en importancia para la armada rusa. Este artículo examina cómo el deshielo en el Océano Ártico podría influir la seguridad en torno a las Islas Kuriles.*

**Palabras clave:** *Japón, Rusia, China, disputas territoriales, Ruta del Océano Ártico, seguridad marítima en la Región Asia-Pacífico.*

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## 1. Introduction

This article discusses the influence of the growing importance of maritime security both in the Arctic Sea and the Sea of Okhotsk on the security situation in Northeast Asia, by focusing on the Japan-Russia relationship. Since Russia at the 2006 APEC Summit in Hanoi proposed hosting the 2012 APEC summit, the development of the Russian Far East has become a national priority and one of the main areas object of public investment. By the end of Putin's second presidency (May 2004–May 2008), the Russian government revised the federal target program “Economic and Social Development of the Russian Far East and Transbaikal from 1996 to 2010”<sup>2</sup> and extended the period of the program to 2013. Unlike Yeltsin's federal target program that did not work because of fund shortage, the revised federal target program secured financial resources by the federal budget both under the Putin and Medvedev presidencies. Although Russia's GDP growth rate fell sharply to -7.8% in 2009 after recording a 7% average annual growth rate for the past eight years, the federal government did not reduce public investment in APEC preparation works.

As President Putin expressed in his speech at the APEC Economic Leaders' Meeting on 8 September 2012, Moscow's policy makers regard Vladivostok to be a Russian gateway to the Pacific Ocean and Southeast Asia as well as the shortest passage to Europe for Asia-Pacific countries. In terms of Russia's integration policy towards the Pacific Rim countries, foreign observers tended to conclude that Moscow blames its dependence on China to gain a legitimate political and military presence in the Asia-Pacific region since the collapse of the Soviet Union and is striving to diversify its relations with other Asia-Pacific countries.<sup>3</sup> There seems to be a consensus among experts on Russo-China relations that the close cooperative relationship between the two countries reached a peak around 2005 when Russian arms exports to China hit a new record of 3.1 billion US\$.<sup>4</sup> Since then, the amount of arms trade has decreased and both countries have suffered from contradictions of national interests in military-technology cooperation, gas and oil prices, and relations with North Korea.

Sharing the view on Russia's diversification strategy, Natasha Kurt paid attention to the fact that in the Russo-Chinese border region of the Russian Far East, there are concerns that the federal government's development policy is based on the most optimistic scenario.<sup>5</sup> Besides the federal target program for the period to 2013, the federal government adopted a “Long term development strategy for the Far East and Baikal for the period to 2025” in December 2009. In the “Strategy,” the federal government set out to integrate the Russian Far East both with other Russian regions and neighboring Asia-Pacific countries by primarily securitizing Russia as an energy resource supplier. However, Kurt noted that although this official development “program” and “strategy” were elaborated as one of the means to lower the economic dependence on China, the Russian Far East will not be able to implement these

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<sup>2</sup> This program was originally signed by the federal government in April 1996.

<sup>3</sup> Christophersen, Gaye: “Russia's Breakthrough into the Asia-Pacific: China's Role”, *International Relations of the Asia-Pacific*, vol. 10, no. 1 (2010), pp. 61-62.

<sup>4</sup> The total amount of Russian arms export to China started to fall from 2006. In 2012, it was 0.68 billion US\$. See SIPRI, at <http://armstrade.sipri.org/armstrade/page/values.php>. As a cause of the reduction in arms trade between Russia and China, it is pointed out that Russia was displeased with China's practice of copying Russian-made weapons and selling them to third countries. See: The National Institute for Defense Studies Japan (2010): *East Asian Strategic Review 2010*, Tokyo, The Japan Times, Ltd., p. 189.

<sup>5</sup> Kuhrt, Natasha: “The Russian Far East in Russia's Asia Policy: Dual Integration or Double Periphery?”, *Europe-Asia Studies*, vol. 64, no. 3 (May 2012), p. 482.



projects without China as a biggest energy importer as well as a major foreign investor into this region.<sup>6</sup>

On the one hand, Russia's Asia policy since 2006 has been examined primarily from the perspective of the necessity to reduce economic dependence on China in the Sino-Russian border region. On the other hand, the potential of diversification of the relations between Russia and Pacific Rim countries has not yet been sufficiently elucidated even after the Vladivostok APEC Summit. The following sections focus on Russia's growing interest in maritime security in Northeast Asia, particularly her relations with the major Pacific countries, China, and Japan. The second section explains the background regarding why Russia's strategic interests are growing not only in continental Asia but also in the Arctic and the Pacific Ocean under the third Putin administration (since 7 May 2012). The third section considers Japan's priority in Russia's Asia policy based on official documents. The fourth section argues about the changing importance of the Kuril Islands for Russia and the potential to expand Japan-Russia relations in the sphere of maritime security.

## **2. Change in Regional Priorities in Putin's Foreign Policy**

The revised version of the Concept of the Foreign Policy of the Russian Federation was approved by President Putin on 12 February 2013 (hereafter "the Concept of 2013").<sup>7</sup> Originally, President Boris Yeltsin approved the Concept of the Foreign Policy of the Russian Federation in April 1993, and it was elaborated mainly by the Ministry of Foreign Affairs. Since then, the Concept was revised on the occasion of the change in administration both in 2000 and 2008. The Concept consists of five sections, which are "general provisions," "foreign policy of the Russian Federation and the modern world," "priorities of the Russian Federation for addressing global problems", "regional priorities" and "development and implementation of the foreign policy of the Russian federation", and shows the basic principles, priorities, and goals of Russia's foreign policy during the presidential term. Under the third Putin administration, the Concept of 2008 was revised taking into account the growing new trends in the international strategic circumstances during the Medvedev presidency.

In terms of Russian foreign policy makers' perception of current global politics, the Concept of 2013 says that "the ability of the West to dominate the world economy and politics continues to diminish. The global power and development potential now is now more dispersed and is shifting to the East, primarily to the Asia-Pacific region" and also that "the emergence of new global economic and political actors with Western countries trying to preserve their traditional positions is enhancing global competition, which is manifested in the growing instability in international relations." In these surroundings, Russia strives to provide support for emerging new powers through multilateral formats such as G20, BRICS, SCO, and RIC, while putting emphasis on her position as a permanent member of the Security Council of the United Nations. The substance of the new foreign policy concept is in principle based on the Concept of 2000, which was approved under the first Putin presidency.

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<sup>6</sup> Kurt, *op. cit.*, pp. 481-485.

<sup>7</sup> "Contseptsiia vneshnei' politiki Rossii'skoi' Federatsii", signed by President V.V. Putin of the Russian Federation (12 February 2013), at <http://www.mid.ru/bdomp/ns-osndoc.nsf/e2f289bea62097f9c325787a0034c255/c32577ca0017434944257b160051bf7f!OpenDocument>.



However, there are significant changes in the regional priorities and the order of bilateral relations concerning the Asia-Pacific policy in the Concept of 2013 as shown below.

Although the need for Russia's reorientation to a rising Asia-Pacific region has been actively discussed among Russian policy makers and academics for the past seven years,<sup>8</sup> the position of the Asia-Pacific region was lowered on the list of regional priorities in the Concept of 2013. The previous two Concepts of 2000 and 2008 set the regional priorities as follows; post-Soviet space, Europe-Atlantic region, the United States, Asia-Pacific region, the Middle East, Africa, and Latin America. In addition to this, for the first time, the Concept of 2013 refers to the Arctic and puts the Arctic and the Arctic states in fourth place after the United States and before the Asia-Pacific region. Behind the growing emphasis on the Arctic, the number of days suitable for navigation through the Northern Sea Route is increasing with the changing climatic conditions in the north. As President Putin stated at a news conference on 20 December 2012, the federal government intends to revive the Northern Sea Route by establishing security points along its entire length.<sup>9</sup> He also mentioned the need to revive the airport at Tiksi, which is located on the Arctic sea coast of the Sakha Republic.<sup>10</sup>

The Northern Sea Route was initially formed to transport ordinary cargoes. However, it was used to supply Soviet frontier posts and military intelligence bases in the Arctic Ocean with equipment during the Cold War period.<sup>11</sup> For ten years since the collapse of the Soviet Union, the Northern Sea Route lost its military role as well as cargo transport via the Arctic Ocean. However, since around 2000, the permanent ice cap that covered much of the Arctic Ocean has been melting caused by global warming year by year during summer. In this context, the Northern Sea Route, particularly the Northeast Passage which is a shipping route connecting the Atlantic Ocean with the Pacific Ocean along the northern coast of Russia, started to draw attention not only from Arctic states but also from non-Arctic actors. This route is more secure than existing sea routes connecting Europe with Asia primarily because the vessels navigating through the Northern Sea Route can avoid passing chokepoints such as the Strait of Malacca and the waters off the coast of Somalia.

In 2009, foreign merchant ships started to go through the Northeast Passage including three ships of the German company Beluga.<sup>12</sup> The amount of cargo transported by this route increased from about 145,000 tons in 2010 to about 1.26 million tons in 2012.<sup>13</sup> Also, the number of vessels has increased to thirty-four in 2012 from twenty-six in 2011. In particular, the shipping vessels bound for China and South Korea have been increasing more recently. There were eight vessels carrying energy resources to South Korea in 2012. Until 2011, most of the shipping vessels passing through the Northern Passage transported European products

<sup>8</sup> See: "Aziatsko-tikhookeanskii' sovet sotrudnichestva po bezopasnosti (ATCCB): Tikhookeanskaia strategiia Rossii (Russia's Pacific strategy)" (8 July 2012), at [http://www.russkiymir.ru/export/sites/default/russkiymir/ru/events/advertisement/docs/Nikonov\\_080710.pdf](http://www.russkiymir.ru/export/sites/default/russkiymir/ru/events/advertisement/docs/Nikonov_080710.pdf); Karaganov, Sergei': "Aziatskaia strategiia: Rossiia v globalnoi' politike (Russia's Asian strategy: Russia in the global politics)" (17 June 2011), at <http://www.globalaffairs.ru/pubcol/Aziatskaya-strategiya-15234>.

<sup>9</sup> "Press-Conference of Vladimir Putin" (20 December 2012), at <http://kremlin.ru/transcripts/17173>.

<sup>10</sup> However, the airport is currently unacceptable according to the Defence Ministry's decision to close the airport. See: "Press-Conference of Vladimir Putin", *op. cit.*

<sup>11</sup> "Russia Revives Northern", *The Voice of Russia*, 17 December 2012, at [http://english.ruvr.ru/2012\\_12\\_17/Russia-revives-Northern-Sea-Route/](http://english.ruvr.ru/2012_12_17/Russia-revives-Northern-Sea-Route/).

<sup>12</sup> *Ibid.*

<sup>13</sup> This figure does not take account of domestic cargoes: *Nihon Keizai Shimbun (NIKKEI)*, 5 January 2013, at [http://www.nikkei.com/news/print-article/?R\\_FLG=0&bf=0&ng=DGXNASGM0405P\\_U3A100C1FF1000](http://www.nikkei.com/news/print-article/?R_FLG=0&bf=0&ng=DGXNASGM0405P_U3A100C1FF1000).





to Asia-Pacific countries. However, in 2012 the first shipping vessel carrying fertilizer from China to Europe used the Northern Passage.<sup>14</sup> Besides, at the end of 2012, Gazprom announced on its website that the company had successfully supplied LNG (liquefied natural gas) to Japan via the Northeast Passage for the first time in the world.<sup>15</sup> It is still uncertain whether there is enough demand for LNG supply via the Northern Sea Route to Japan since Japan's import of Sakhalin-2 LNG has increased from 3% (2009) to 9% (2012).<sup>16</sup> Furthermore, both governments agreed in principle to the joint construction of an LNG terminal in Vladivostok at the Japan-Russia Summit Meeting in September 2012.<sup>17</sup> The Japan side was interested in expanding the import quantity of Russian LNG from Sakhalin and Vladivostok in order to reduce the import cost. Given this, it seems that the main purpose of Gazprom's announcement is to advertise the reasonability and the reality of the Northeast Passage to the world market. Thus, developing and securing the entire route of the Northeast Passage has become a high-priority task in order to show Russia's presence in the transportation system connecting Northeast Asian countries with European countries.

### **3. Pragmatism in Russia's Foreign Policy towards Asia-Pacific Countries**

The other notable change in the Concept of 2013 is that the priority placed on relations with Japan became lower than described in the Concept of 2000. In terms of bilateral relations in the Asia-Pacific region, friendship relations with China and India are given top priority, followed by the Democratic People's Republic of Korea (hereafter DPRK) and the Republic of Korea, Japan, Mongolia, Vietnam, Australia, and New Zealand in the Concept of 2013. In the 2000 version, Japan was put in third place after China and India, and was followed by Iran and the Korean Peninsula.<sup>18</sup> The first Japan-Russia Summit Meeting under the third Putin presidency was held at Los Cabos, Mexico to attend the G20 Summit. At the meeting, Putin agreed with the then prime minister Yoshihiko Noda to reactivate negotiations concerning the territorial issue that stagnated under the Medvedev administration. As for the economic sphere, Noda mentioned that he expected tangible progress such as the realization of the LNG project in Vladivostok and the participation of Japanese enterprises in the Sakhalin-3 project.<sup>19</sup> Unlike the former president Medvedev (May 2008–May 2012), Putin seems to have had an incentive to promote territorial negotiations with Japan. However, why has the priority of relations with Japan become lower than before?

Since the then president Medvedev visited the disputed island of Kunashir on 1 November 2010, the Medvedev administration has pursued an assertive policy towards the four disputed islands of Etorofu, Kunashir, Shikotan, and Habomai. On the one hand, Moscow embarked on the modernization of the military forces deployed on these islands. On

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<sup>14</sup> *Ibid.*

<sup>15</sup> According to the Gazprom website, the Ob River LNG carrier chartered by the Gazprom group successfully supplies LNG from Norwegian Statoil's plant to the Tobata LNG terminal (Kita Kyushu, Japan): "Gazprom Successfully Completes World's First LNG supply via Northern Sea Route", *Gazprom News*, at <http://www.gazprom.com/press/news/2012/december/article150603/>.

<sup>16</sup> For the trade statistics of Japan, see: [http://www.customs.go.jp/toukei/suui/html/data/y8\\_3.pdf](http://www.customs.go.jp/toukei/suui/html/data/y8_3.pdf).

<sup>17</sup> See the official website of the Ministry of Foreign Affairs of Japan (MOFA): [http://www.mofa.go.jp/policy/economy/apec/2012/j\\_russia\\_sm.html](http://www.mofa.go.jp/policy/economy/apec/2012/j_russia_sm.html).

<sup>18</sup> "Концепция внешней политики Российской Федерации", Утверждена Президентом Российской Федерации В.В.Путиным (28 June 2000) Под ред. Торкунова, А. В.: *Внешняя политика и безопасность современной России. 1991-2002. в 4-х томах*, Т. 4., Документы. М., 2002., p. 119.

<sup>19</sup> MOFA: "Japan-Russia Summit Meeting at the G20 Los Cabos Summit (Overview)", 19 June 2012, at [http://www.mofa.go.jp/region/europe/russia/meeting1206\\_pm2.html](http://www.mofa.go.jp/region/europe/russia/meeting1206_pm2.html).



the other hand, the federal government accelerated the implementation of socio-economic development projects of the Kuril Islands in the framework of the federal target program “Social and Economic Development of the Kuril Islands (Sakhalin Oblast’) in 2007–2015.”<sup>20</sup> When Foreign Minister Lavrov delivered a speech at a conference on socio-economic development of the Russian Far East and cooperation with the Asia-Pacific region in Khabarovsk on 2 July 2010, he mentioned the potential to expand economic cooperation, primarily with South Korea, and then with China and India, while ignoring relations with Japan<sup>21</sup>. Some Japanese experts on Russia’s foreign policy interpreted Lavrov’s message as being that it was not worth expecting cooperation with Japan.<sup>22</sup> According to the statistics published by the Far Eastern branch of the federal customs service, South Korea became the leading trade partner for the Far Eastern federal district in 2012.<sup>23</sup> South Korea, Japan, and China accounted for 32.3%, 28.8%, and 19.8% of the total exports of the Russian Far East respectively in 2012. As to the total imports, the percentages of these three countries were 46.3% for China, 17.9% for South Korea, and 9.4% for Japan. Furthermore, that “the potential for conflict in the Asia-Pacific remains significant, military arsenals are built up, and the risk of WMD proliferation is increasing” are referred to in the Concept of 2013. Moscow seems to recognize that the military threat has been growing in this region primarily because of North Korea’s repeated missile launches and underground nuclear testing. Given these circumstances, the priority on bilateral relations in the Concept of 2013 is formed based on pragmatism in economic policy and military strategy.

#### **4. Emergence of a new Role of the “Kuril Islands” and Japan-Russia Relations**

Prior to publishing the foreign policy concept, President Putin instructed the federal government to develop the Navy, first and foremost in the Arctic areas and in Russia’s Far East with the aim of protecting the Russian Federation’s strategic interests by the “Executive order on implementing plans for building and developing the Armed Forces of the Russian Federation, other troops, military units, and agencies and modernizing the military-industrial complex,” which was signed by President Putin on 7 May 2012.<sup>24</sup> This section sets out to examine why Moscow intends to strengthen its naval forces in both areas.

First of all, an ice-free Arctic will allow military surface vessels to pass and submarines to surface in the Arctic Ocean.<sup>25</sup> Following the demise of the Soviet Union, Russia’s military

<sup>20</sup> See: Federalnye Tselevye Programmy Rossii (FTSP): “Programma “Sotsialno-Ekonomicheskoe rasvitiie Kuril’skikh Ostrovov (Sakhalinskaia Oblast’) na 2007-2015 gody”, at <http://fcp.economy.gov.ru/cgi-bin/cis/fcp.cgi/Fcp/ViewFcp/View/2013/232/>.

<sup>21</sup> See: Russian Presidency: “Steneograficheskii’ otchet o soveshchaniie po sotsialno-ekonomicheskomu razvitiuiu dal’nego vostoka i sotrudnichestvu so stranami asistako-tikhookeanskogo regiona”, at <http://news.kremlin.ru/transcripts/8234/print>.

<sup>22</sup> Opinion by Kazuhiko Togo, *Asahi Shimbun*, 11 November 2010.

<sup>23</sup> See: Federal Customs Service (FTS), Far-East Customs Directorate: “Obzor bveshneekonomicheskoi’ deiatel’nosti DV regiona za 2012 gd”, at [http://dvtu.customs.ru/index.php?option=com\\_content&view=article&id=11029:-2012-&catid=63:stat-vnesh-torg-cat&Itemid=90](http://dvtu.customs.ru/index.php?option=com_content&view=article&id=11029:-2012-&catid=63:stat-vnesh-torg-cat&Itemid=90).

<sup>24</sup> See: Russian President: “Podpisan ukaz o realizatsii planov pazvitiia Vooruzhennykh Sil i modernizatsii OPK” (7 May 2012), at <http://kremlin.ru/acts/15242>.

<sup>25</sup> See: “Maintaining the Order in the Arctic Ocean: Cooperation and Confrontation among Coastal Nations,” in The National Institute for Defense Studies Japan, ed., *East Asian Strategic Review 2011*, Tokyo, The Japan Times, Ltd., 2011, p. 66.



infrastructures were downsized in the Arctic region. If the Northern Passage is opened up to shipping in the near future, a number of foreign vessels would pass close to Russia's vulnerable northern coast. Russia's federal subjects on the northern coast face Canada and the United States across the Arctic Ocean. Therefore, while the revival of the Northeast Passage could promote the revitalization of the economy in the Russia's northern and Pacific coastal region, Russia's having to deal with a new strategic front would be inevitable. An ice-free Northeast Passage could also provide the Russian Navy with the shortest way to mobilize from the European theater to the East Asian theater, and vice versa.<sup>26</sup> In this sense, the opening up the Northeast Passage to foreign vessels is still controversial from the military strategic standpoint.

In addition to the military and commercial use of an ice-free Northern Sea Route, natural resources such as oil and natural gas on the Arctic continental shelf are expected. China is not an Arctic littoral state: it has, however, conducted Arctic exploration by the research vessel 雪龍 (Xuelong) since 1994.<sup>27</sup> There are two sea routes for Chinese naval vessels to leave the Pacific coast bound for the Arctic. One is the route sailing up the Pacific Ocean through the Tsugaru Strait.<sup>28</sup> The other is the route passing the Okhotsk Sea and the Bering Sea through the Soya Strait.<sup>29</sup> In October 2008, four Chinese vessels including a Sovremenny-class destroyer sailed through the Tsugaru Strait and circled around Japan. This navigation raised Russia's concern about China's future advance in the Arctic Ocean.<sup>30</sup> It estimated that the shipping route from Shanghai to Hamburg via the Northeast Passage along the north coast of Russia was 6,400 km shorter than the passage through the Strait of Malacca and the Suez Canal.<sup>31</sup> The Northern Sea Route would bring commercial benefits to China's economy that heavily depends on foreign trade.

China's icebreaker the *Xuelong* departed for its fifth Arctic exploration through the Northeast Passage via the Soya Strait in July 2012. After visiting Reykjavik (Iceland), the *Xuelong* changed its scheduled return route and tried the new route passing the North Pole for the reason that the Arctic sea ice was lower than expected.<sup>32</sup> If vessels can develop the new shipping route passing the North Pole, they could avoid passing the exclusive economic zone (EEZ) of the Arctic littoral countries on most of the shipping route.<sup>33</sup> This would lead to a saving of the transit rate to be paid to the Arctic littoral countries. The *Xuelong* successfully passed through the new Arctic Sea route in September 2012 for the first time except Russia. On the return route, the *Xuelong* did not pass the Okhotsk Sea although it was scheduled to do so, but sailed the Sea of Japan through the Tsugaru Strait. This route change is regarded to be

<sup>26</sup> *Ibid.*, p. 78.

<sup>27</sup> The *Xuelong* is a 163-meter-long vessel with a displacement of 21,000 tons, the world largest non-nuclear icebreaker. It was purchased from Ukraine in 1993: Jakobson, Linda: "China Prepares for an Ice-free Arctic," *SIPRI Insights on Peace and Security*, no. 2010/2 (2010), p. 3.

<sup>28</sup> The Tsugaru Strait is the channel used for international navigation. This strait is located between the southern part of Hokkaido and the northern coast of Honshu (Japan's main island) connecting the Sea of Japan and the Pacific Ocean.

<sup>29</sup> The Soya Strait (La Pérouse Strait) is also used for international navigation. This channel is located between the southern coast of Sakhalin and the northern coast of Hokkaido connecting the Sea of Japan and the Okhotsk Sea.

<sup>30</sup> Hyodo, Shinji: "Chugoku ga mottomo onkei? Hokkyoku kouro no shutsugen = Ondanka de henka suru higashi ajia senryaku kankyou (Will China gain the maximum benefit? The emergence of the Northern Sea Route = Global warming causes the change in the security circumstances in East Asia)", *Janet Jiji Press*, 26 September 2012, at <http://janet.jw.jiji.com/apps/do/auth/login.html>.

<sup>31</sup> See: Jakobson, *op. cit.*, p. 5.

<sup>32</sup> See: *Sankei Shimbun*, 7 September 2012.

<sup>33</sup> See: *Sankei Shimbun*, 7 September 2012.



China's response to Russia's warning shot that was launched when the *Xuelong* was passing the southern part of Okhotsk onward.<sup>34</sup>

When China's vessels depart for the Arctic Ocean through the Soya Strait, they need to pass by the Kuril Islands, either the south coast of Paramushir or around Etorofu and Kunashir. The then president Medvedev planned to modernize the military bases on the Etorofu and Kunashir.<sup>35</sup> As chief of the General Staff of the Russian Armed Forces, General Nikolai Makarov announced in August 2012 that Bastion or BAL mobile coastal defense missile systems could be deployed on the Kuril Islands.<sup>36</sup> The modernization of the Russian military forces around the Kuril Islands can be seen to reinforce Russia's control against Japan's claim for sovereignty. However, considering that the missile range of the Bastion is 300 km, it would be deployed to secure the shipping route around the Kuril Islands rather than to prevent the enemy landing on the islands<sup>37</sup>. In this context, with growing potential to utilize an ice-free Arctic Ocean, the Kuril Islands are playing a new role as a key strategic zone to control the passage of foreign vessels bound for the Arctic Ocean in addition to the traditional nuclear submarine base.

The negotiations on territorial issues over the four islands between Japan and Russia have been stagnant since the then president Medvedev visited Kunashir in November 2010, while Russian energy supply to Japan has been increasing since 2009. After taking power again, Putin has showed a willingness to reactivate the territorial negotiations with Japan. For instance, soon after the regime change to the LDP (Liberal Democratic Party, Japan) was ensured in December 2012, Putin stated that "we have received a signal from Tokyo, from the party that has come to power again, that the party's leadership will seek to conclude a peace treaty" and he added that "we highly value it and intend to conduct a constructive dialogue on the issue".<sup>38</sup> On the one hand, he has repeatedly insisted that Japan and Russia should seek a mutually acceptable solution to the issue of territorial dispute. Taking into consideration the strategic significance of the Kuril Islands, especially Etorofu and Kunashir, it is not realistic to expect a major compromise from Russia over her principle position. On the other hand, Putin and the former prime minister Noda agreed to deepen their cooperation on the sea. It is notable that Noda said that Japan would like to promote concrete cooperation on the sea, including cooperation on the Arctic in the bilateral meeting with Putin.<sup>39</sup> While the change in strategic circumstances surrounding the Kuril Islands could make territorial disputes more complicated, there would be opportunities to expand the cooperation on the sea close to the disputed islands.

## 5. Conclusion

In the annual presidential address to the Federal Assembly on 12 December 2012, Putin stated that Russia should ensure the unity of Russia's entire territory by developing the Northern Sea

<sup>34</sup> See: Hyodo, *op. cit.*

<sup>35</sup> See: *The Siberian Times*, 28 August 2012, at <http://siberiantimes.com/other/others/news/russia-beefs-up-its-military-presence-on-kuril-islands/>.

<sup>36</sup> See: "Russia to complete Kuril troops' reinforcement by 2014", *Russia Today* (RT), 28 August 2012, at <http://rt.com/politics/kuril-islands-defense-military-736/>.

<sup>37</sup> Koizumi, Yu: "Roshia no ajia taiheiyo senryaku (Russia's Asia-Pacific strategy)", *Kaigaijijo* (October 2012), pp. 53-55.

<sup>38</sup> "Press Conference of President Putin", *op. cit.*

<sup>39</sup> See the official website of the Ministry of Foreign Affairs of Japan (MOFA): [http://www.mofa.go.jp/policy/economy/apec/2012/j\\_russia\\_sm.html](http://www.mofa.go.jp/policy/economy/apec/2012/j_russia_sm.html).



Route, the Baikal-Amur Mainline (BAM), the Trans-Siberian Railway, and other transit corridors.<sup>40</sup> As mentioned above, the regional priority of the Asia-Pacific region was put after the Arctic region in the Concept of 2013. These official documents show Russia's principle position that integrating Russia's frontier region into the domestic market inevitably comes before strengthening the relations between the frontier region and the neighboring Asian countries.

With the revival of the Northern Sea Route, attention started to be paid to the sea lanes connecting the Sea of Japan with the Okhotsk Sea as well as with the Pacific Ocean as the gateways to an ice-free Northern Sea Route. While an ice-free Arctic could bring Russia advantages as a new commercial route and access to undeveloped natural resources from the viewpoint of economic benefits, it would open a fourth strategic front followed by Europe, the Caucasus and Central Asia, and East Asia. In order to ensure her presence as an influential sea power in the Northeast Asia, Russia will strengthen the control and security in the Okhotsk Sea. Compared to the 1990s when the four disputed islands were ignored by the federal government, today these islands are likely to be granted the strategic responsibility for maritime security. On the other hand, Japan is facing the difficult problem of diversifying energy imports while reducing the dependence on nuclear power after the catastrophic earthquake on 11 March 2011.

The practical use of the Northern Sea Route should be examined carefully from various angles including the impact on the negotiations over the disputed islands between Japan and Russia. If an ice-free Arctic will be put to practical use for Northeast Asian countries, it could provoke the incentives for maritime security cooperation in the sea lanes from the Sea of Japan to the Bering Sea among the countries concerned. At the same time, the emergence of the Arctic Sea Route could be a factor that Russia needs the Kuril Islands (particularly Etorofu and Kunashir) more than ever for the security and control of the sea lanes. While respecting the historical process of negotiation over the territorial disputes, both states should establish a fruitful and pragmatic relationship responding to the change in the strategic circumstances surrounding the two countries.

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<sup>40</sup> President of Russia: "Poslaniie Prezidenta Federalnomu Sobraniuu" (12 December 2012), at <http://kremlin.ru/transcripts/17118>.





## “A GERMANY IN THE PACIFIC:” THE ROLE OF JAPAN IN RUSSIA’S TURN TO ASIA

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### **Abstract:**

This paper examines the role of Japan in Russia’s recent strategic, economic, and ideational re-orientation towards Asia. It focuses on the current state of bi-lateral relations, in particular developments before and after the 2012 APEC summit held in Vladivostok. The paper draws attention to emerging opportunities between the two countries, in particular in the spheres of energy, security, and the potential for increased Japanese investment in the Russian Far East. It also addresses the issue of the territorial dispute over the Southern Kurils / Northern Territories and its impact on the Russian-Japanese relationship. The paper charts a renewed effort amongst some in the Russian political and intellectual elite to emphasise Japan as a key partner for Russia’s national development strategy. It also draws the attention to the various and diverging understandings of national identity amongst this elite; the nature of Russia’s integration into the Asia-Pacific Region; and the context of changing regional geopolitics.

**Keywords:** Russia, Japan, APEC, economic development, energy, national identity, Southern Kurils / Northern Territories.

### **Resumen:**

*Este artículo analiza el papel de Japón en la re-orientación de Rusia hacia Asia en el plano tanto estratégico, económico como ideacional, fijándose en el estado actual de las relaciones bilaterales, en particular los hechos anteriores y posteriores a la Cumbre APEC del 2012 en Vladivostok. Este artículo fija igualmente su atención en las crecientes oportunidades entre ambos países, en particular en las esferas de energía, seguridad y en el potencial para mayores inversiones en el Lejano Este de Rusia. Igualmente considera el problema de la disputa territorial en torno a las Kuriles del Sur / Territorios del Norte y su impacto en las relaciones Rusia-Japón. Este artículo identifica un renovado esfuerzo entre la élite política e intelectual rusa por poner un mayor énfasis en Japón como socio clave en la estrategia de desarrollo nacional, la cual a su vez está íntimamente ligada a una determinada forma de concebir la identidad nacional, a la naturaleza de la integración rusa en la región Asia-Pacífico y a una geopolítica regional cambiante.*

**Keywords:** Rusia, Japón, APEC, desarrollo económico, energía, identidad nacional, Kuriles del Sur / Territorios del Norte.

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## **1. Introduction**

Borders between states are inherently dynamic as they are constituted by fluid political, cultural, economic, social, geopolitical, and historical processes. Since the collapse of the Soviet Union in 1991, there have been in Russia radical shifts in prevailing views towards neighbouring states as well as distinct changes in the nature of borders; and re-conceptualisations of both regional and national identity. These shifts over the last 25 years have been particularly acute in the Russian Far East, which through its changing external relations with surrounding states has demonstrated precisely how “specific boundaries materialize, rematerialize, and dematerialize in different ways, in different contexts, at different scales, and at different times.”<sup>2</sup> This paper attempts to provide an overview of Russia’s relations with Japan, and in particular how the Russian Far East (RFE) figures in this relationship. It also addresses how the nature of borders and borderlands can be shaped, and even inverted, as a response to rapidly shifting political, economic, and security contexts.

The paper begins by briefly examining the 2012 Asia-Pacific Economic Cooperation (APEC) Summit held in Vladivostok, and how it can be understood as part of Russia’s strategic turn towards Asia. Against the background of this summit, it also addresses how Japan has been interpreted as a particularly important player in this process by certain members of the Russian political and intellectual elite. It then discusses the unresolved territorial dispute over the Southern Kurils / Northern Territories, and how this issue has been used as a symbolic device to articulate competing visions of Russia’s national identity and destiny. The paper argues that for some amongst the Russian elite, Japan has assumed the role of a vital partner, capable of redefining Russia’s place in the region and facilitating its integration into the economic dynamism of the Asia-Pacific. It has also been represented as a state able to assist Russia in consolidating and developing the vast territories of the RFE. However, at precisely the same time as such elite-visions privilege Japan’s role in this transformation, they also expose tensions between different understandings of Russia’s place in the world; fractures in regional geopolitics; and competing strategies behind Russia’s drive for national and regional development. Drawing on events surrounding the 2012 APEC Summit, this paper interrogates the role of Japan in elite discourses over Russia’s national development strategy, and the success or failure of these discourses in declaring to the world, and more importantly to a domestic audience, that Russia is both a European *and* Asian power.

## **2. Changing Borderlands: Vladivostok and the Russian Far East**

With the implosion of Soviet power in 1991, and the associated withdrawal of central state authority and support, the RFE was acutely affected by worsening social and economic problems.<sup>3</sup> Features of this period were the decline of state-backed industries and services; a reduced military capability; unemployment; the removal of barriers over the movement of goods and people; the weakening of state and law-enforcement institutions, which in turn

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<sup>2</sup>Megoran, Nick: "Rethinking the Study of International Boundaries: A Biography of the Kyrgyzstan–Uzbekistan Boundary", *Annals of the Association of American Geographers*, vol. 102, no. 2 (2011), pp. 1-18.p.1.

<sup>3</sup>Lukin, Artyom and Troyakova, Tamara: "The Russian Far East and the Asia-Pacific: State-Managed Integration", in Azizian, Rouben and Lukin, Artyom (eds.) (2012): *From APEC 2011 to APEC 2012: American and Russian Perspectives on Asia-Pacific Security and Cooperation*, Vladivostok, Far Eastern Federal University Press, pp. 189-203; p. 193.





exacerbated overexploitation of the region's natural resources; worsening corruption; and the increasing influence of criminal elements on business and politics.<sup>4</sup> It is therefore hardly surprising that between 1991 and 2012, the RFE lost about one fifth of its population as birth rates collapsed and out-migration increased as people left in order to escape the deteriorating economic conditions and dire employment prospects.<sup>5</sup>

With their standard of living dramatically declining, for those who remained in the Far East, the 1990s could be characterised as a time of neglect and disconnection from Moscow. However, the coming to power of Vladimir Putin in 2000 was to signal a renewed interest in the RFE as the central government began to reassert a degree of influence over the region, most dramatically and immediately with the removal of the controversial Primorskii governor, Yevgeni Nazdratenko in early 2001.<sup>6</sup> By the end of Putin's first Presidency, a massive federal development programme for the RFE and Siberia had been announced with huge state funding provided through to 2013.<sup>7</sup> The symbolic culmination of this trend was, with the announcement by President Putin in September 2007, at the APEC leaders' meeting in Sydney, that Vladivostok would host the 2012 APEC Summit. With this announcement, the city was set to be transformed into a key stage on which to demonstrate the government's ambitions in the RFE and the Asia-Pacific as a whole.

Putin had committed Russia to hosting a major international summit in a city with basically non-existent infrastructure for such a purpose at the time. Justifying the decision to bring APEC to Vladivostok, Putin and other members of the leadership emphasised that it was aimed at giving impetus to the RFE and showcasing it to the international community.<sup>8</sup> It was equally a chance for a symbolic demonstration to a domestic audience, especially to the residents of the RFE, that the Russian state now had a renewed desire to develop the region and provide the necessary services and infrastructure for its citizens. Crucially, it also demonstrated that the state now had the resources to make good on its promises and in total \$21 billion was spent on making Vladivostok capable of hosting this summit.<sup>9</sup>

APEC and the infrastructure projects associated with it were endorsed by both Dmitri Medvedev and Putin as part their own political legacy. While still President, Medvedev made high-profile visits to the city in the run-up to the summit in order to supervise construction and ensure timely progress was being made. Putin, President at the time of the summit in September 2012, enthusiastically hosted the event and continues to emphasise precisely what integration into the Asia-Pacific region means for Russia's national development. At an address to the Federal Assembly on Russia's economic outlook at the end of 2012 he reaffirmed that "Siberia and the Far East - it is our enormous potential...This is an opportunity to take a rightful place in the Asia-Pacific region."<sup>10</sup>

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<sup>4</sup>*Ibid.* p. 194.

<sup>5</sup>"Programma razvitiya Dal'nego Vostoka otoslana na dorabotku - raskhody okazalis' 'neadekvatnymi'", at <http://newsru.com/finance/20feb2013/fareast.html>.

<sup>6</sup> See: Fish, Steven: "Putin's Path", *Journal of Democracy*, vol. 12, no.4 (2001), pp. 71-78.

<sup>7</sup> "Programma 'Eknomicheskoe i sotsial'noe razvitie Dal'nego Vostoka i Zaibikal'ya na period do 2013 goda', Ministry of Economic Development of the Russian Federation, 21 November 2007, at <http://www.economy.gov.ru/minec/activity/sections/econreg/investproject/doc2010011212>.

<sup>8</sup>Lukin and Troyakova, *op. cit.*, p.195.

<sup>9</sup>"A pleasure too costly", 07 September 2012, at [http://en.gazeta.ru/opinions/2012/09/07/a\\_4758569.shtml](http://en.gazeta.ru/opinions/2012/09/07/a_4758569.shtml).

<sup>10</sup> Rogov, Yurii: "Prezident napravil vektor razvitiya v dal'nevostochnye zemli", *Dal'nevostochnyi kapital*, vol. 20 (December 2012), at [http://www.zrpress.ru/politics/dalnij-vostok\\_20.12.2012\\_58486\\_prezident-napravil-vektor-razvitija-v-dalnevostochnye-zemli.html](http://www.zrpress.ru/politics/dalnij-vostok_20.12.2012_58486_prezident-napravil-vektor-razvitija-v-dalnevostochnye-zemli.html).



The summit itself passed without any major problems or issues. However, the huge state expenditure on APEC 2012 raised some inevitable questions about Russia's development strategy in the region. As a number of commentators noted, the current approach almost entirely relies on vast state resources, and the region has become bound to the fickle budgetary conditions of the Russian state.<sup>11</sup> Questions remain over to what degree the region will be burdened with the long-term upkeep of these projects? What is the sustainability and prospects for future funding of such costly programmes, in Vladivostok or elsewhere? And, do such projects merely encourage corruption and dampen the competitiveness of Russian business in the region? These and other critical questions have a serious potential to undermine the Putin / Medvedev legacy, and with such questions have come suggestions of a different model of developing the Russian Far East with Japan at its centre.

### 3. The Role of Japan in Russia's Turn to Asia

Any visitor to Vladivostok will immediately notice the presence of South Korean businesses – from Korean Air and Asiana at the airport,<sup>12</sup> to the hotel Hyundai (still Vladivostok's premier hotel at the time of the summit), to the range of Korean food products in the supermarkets. As for relations with China, they have developed to such a level that Putin declared in the run-up to APEC that they have achieved “an unprecedented level” with “not a single irritating element.”<sup>13</sup> As Russian Foreign Minister, Sergei Lavrov, recently reiterated, “the amount of our trade with China, our main trading partner, has reached the all-time high of \$83.5 billion, and it looks more than feasible that the figure of \$100 billion, a target for 2015, will become reality.”<sup>14</sup> He also noted that the amount of trade with the Republic of Korea has increased to \$25 billion, and the trade turnover between Russia and Japan is today nearly \$30 billion.<sup>15</sup> However, for an economy of its size, there is a lingering feeling in Russia that both economic and political relations with Japan have not yet reached their potential. As one leading Russian expert on Japan, Vyacheslav Amirov of the Institute of World Economy and International Relations, has put it, Russian-Japanese relations “look almost the same as they did six to seven years ago.”<sup>16</sup>

Amirov suggests that Russia and Japan have not managed to achieve the significant potential of their bilateral economic ties, nor cooperation within the Asia-Pacific multilateral institutions of which they are members.<sup>17</sup> This is despite the presence of those on the Russian side who have advocated further developing economic interaction with Japan as it has the potential to balance Russia's growing ties with China. As Andrey Borodaevskiy has explained: “Japan represents a natural counterweight to mighty and rapidly growing China, a fact which may turn out to be of major importance in the context of future economic rivalry in

<sup>11</sup>Lukin, Artyom: “The Russian Far East: developmental and geopolitical challenges”, *ISA Annual Convention*, San Francisco, 3-6 April (2013).

<sup>12</sup>However, no Japanese airlines currently serve the RFE.

<sup>13</sup>“Putin Praises 'Unprecedented' Russian Ties With China”, *RFERL*, 27 April 2012, at [http://www.rferl.org/content/putin\\_praises\\_china\\_relations/24562817.html](http://www.rferl.org/content/putin_praises_china_relations/24562817.html).

<sup>14</sup> Lavrov, Sergei: “Russia in APEC: toward New Horizons of Asia-Pacific Integration”, *Mezhdunarodnaya Zhizn'*, Special Edition APEC 2012 (2012), pp. 8-18. p. 13. [Available in English at [en.interaffairs.ru/i/2012\\_eng.pdf](http://en.interaffairs.ru/i/2012_eng.pdf)].

<sup>15</sup> *Ibid.*

<sup>16</sup>Amirov, Viacheslav: “Russia, Japan, and the Asia-Pacific”, in Azizian, Rouben and Lukin, Artyom (eds.) (2012): *From APEC 2011 to APEC 2012: American and Russian Perspectives on Asia-Pacific Security and Cooperation*, Vladivostok, Far Eastern Federal University Press, pp. 127-137. p.128

<sup>17</sup>*Ibid.* p.129.



the world, in general, and in East Asia, in particular.”<sup>18</sup> It is also worth noting that the actual threat perception of Russia from the Japanese side, and vice versa, is relatively low. In terms of security, Japan is today focussed on reducing Cold War era equipment and organization from ground units in the north (where a Soviet invasion was once expected) towards bolstering maritime and air units in the southwest (where the expanding military of China is now the concern).<sup>19</sup>

In the economic sphere, and against the background of APEC 2012, as well as Russia’s recent accession to the WTO, it has been argued that attracting Japanese technological resources and investment would correspond with Russia’s declared priorities of further liberalization of trade and investment in the Asia-Pacific; deeper economic integration; joint efforts to encourage “innovative growth;” and improvement of transport and logistics.<sup>20</sup> These rather vague and ambitious long-term goals also come at the same time as Japan strives to compensate for its reduced nuclear energy capacity in the wake of the Fukushima disaster. Immediately prior to the devastating tsunami and nuclear disaster, the share of atomic power in Japan’s production of electricity was 30.8 per cent.<sup>21</sup> The inevitable short-fall caused by shutting-down Japan’s nuclear plants and uncertainty about the industry’s future have made finding alternative energy sources to nuclear power a political and economic priority.

Geoffrey Hornung of the Asia-Pacific Center for Security Studies in Honolulu, notes that energy holds a promising future for Russian-Japanese relations, as Japan ranks first globally as a natural gas and coal importer, while Russia ranks third globally as a coal exporter and first as a natural gas exporter.<sup>22</sup> In a recent special “APEC 2012” edition of the Russian journal *Mezhdunarodnaya Zhizn*, Vladimir Likhachev of the Russian Energy Research Institute, emphasises that gas exports from the RFE will continue growing as a result of the recent agreement on joint construction of a third unit of the LNG plant on Sakhalin to produce around 5 million tons of LNG, as well as a proposed new plant in Vladivostok.<sup>23</sup> Alexei Miller, CEO of Russia’s state controlled Gazprom, has stated that the Vladivostok plant will have a capacity of at least 10 million tons of LNG a year, with output scheduled to reach full capacity before the end of 2016, of which 70 per cent will go to Japan and 30 per cent to South Korea.<sup>24</sup> A Japanese consortium of Itochu, Japex, Marubeni, Inpex and Cieco signed an agreement with Gazprom in April 2011 to prepare a joint feasibility study on construction of the LNG plant and other gas-chemical facilities in Vladivostok.<sup>25</sup> Likhachev suggests that such projects are absolutely desirable for both sides: “Russia shows

<sup>18</sup>Borodaevskiy, Andrei: “Democracy and Growth: Russia’s Great Challenge”, *The Japan Times*, 17 January 2012, cited in Amirov, *op. cit.*, p. 130.

<sup>19</sup>Hornung, Jeffrey: “Japan and the Asia-Pacific”, in Azizian, Rouben and Lukin, Artyom (eds.) (2012): *From APEC 2011 to APEC 2012: American and Russian Perspectives on Asia-Pacific Security and Cooperation*, Vladivostok, Far Eastern Federal University Press, pp. 138-150.p. 147.

<sup>19</sup>*Ibid.*

<sup>20</sup>“Interview by Deputy Foreign Minister A. Borodavkin”, *Kommersant*, 29 November 2011, at [http://www.mid.ru/brp\\_4.nsf/0/D8E7F804D6E48\\_D1A4425795700280D74-29-11-2011](http://www.mid.ru/brp_4.nsf/0/D8E7F804D6E48_D1A4425795700280D74-29-11-2011), cited in Amirov, *op. cit.*, p.133.

<sup>21</sup>Tabata, Shinichiro: “The Booming Russo-Japanese Economic Relations: Causes and Prospects”, *Eurasian Geography and Economics*, vol. 53, no. 4 (2012), pp. 422-441; p. 438.

<sup>22</sup>Hornung, *op. cit.*, p. 145-146; International Energy Agency: “Key World Energy Statistics” no. 13 (2011), available at [www.iea.org](http://www.iea.org).

<sup>23</sup>Likhachev, Vladimir: “The Asia-Pacific Component of the Russian Energy Strategy 2030”, *Mezhdunarodnaya Zhizn*, Special Edition APEC 2012 (2012), pp. 104-114; p. 109 (Available in English at [en.interaffairs.ru/i/2012\\_eng.pdf](http://en.interaffairs.ru/i/2012_eng.pdf)).

<sup>24</sup>“Russia Ready to Boost Energy Supplies to Japan – Putin”, at <http://en.ria.ru/business/20130429/180908611/Russia-Ready-to-Boost-Energy-Supplies-to-Japan--Putin.html>.

<sup>25</sup>*Ibid.*



interest toward the LNG plant project in Vladivostok because it hopes to gain access to new industrial construction technologies, while Japan stakes on diversifying its gas import.”<sup>26</sup>

Russia has also invited Japan to jointly develop gas fields in Eastern Russia - in Irkutsk Region (a gas condensate field at Kovyktino), and Yakutia (the Chayanda gas field). However, while Japan has declared an interest in being involved in the Sakhalin-3 project, it has been reported that Gazprom has stated that no foreign companies will be eligible.<sup>27</sup> Likhachev also points out that regardless of what potential for cooperation exists, the lack of infrastructure (or guarantees of its eventual construction) for direct delivery of gas to Japan, will constrain progress on any joint projects.<sup>28</sup> Nevertheless, Sakhalin’s off-shore oil and gas is a critical element of Russia-Japan trade, and in 2012, foreign trade turnover between Sakhalin and Japan amounted to \$7 billion, which is almost 40 per cent of Sakhalin region’s foreign trade, and more than 20 per cent of the total foreign trade of Russia and Japan.<sup>29</sup>

However this burgeoning energy relationship, a number of Russian experts are concerned about an over-reliance on energy exports in both the Russian-Japanese relationship, and the export-profile of the RFE as a whole. They advocate widening the bi-lateral relationship with Japan across all sectors in order to capture Japan’s huge economic, investment and technological potential.<sup>30</sup> One of the strongest supporters of Japan’s critical role in developing the RFE is Director of the Moscow Carnegie Centre, Dmitri Trenin, who is convinced that Japan can be a “Germany in the Pacific” for Russia.<sup>31</sup> He reasons that:

Germany is Russia’s closest partner and perhaps its best friend among the bigger countries of the West. Gaining a similar partner in the east would produce clear benefits in all relevant areas: trade [...], investment, science and technology, education, healthcare, transportation, and human relations...a Germany in the Pacific would make Russia’s global position much more sustainable<sup>32</sup>

Trenin suggests that Japan would also achieve significant benefits, arguing that: “When China’s northern neighbor and strategic partner warms up to Japan, the Japanese people will have every reason to feel more secure.”<sup>33</sup> Rather than the Russian government’s current economic plan for Siberia and the Far East of state funding and more centralized control, Trenin believes that Russia should instead fully utilise the economic potential of the neighbouring Pacific region to develop its eastern territories, and Japan should be at the vanguard of this strategy. His idea is that Russia and Japan will move toward a relationship

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<sup>26</sup>Likhachev, *op. cit.*, p. 112.

<sup>27</sup>*Ibid.*, p. 109.

<sup>28</sup>*Ibid.*, p. 110.

<sup>29</sup>“Podpisana novaya programma ekonomicheskogo sotrudnichestva mezhdudal’nevostochnymi regionami Rossii i Hokkaido (Yaponiya)”, *Pravitel’stvo Sakhalinskoi’ Oblasti*, at [http://www.admsakhalin.ru/index.php?id=105&no\\_cache=1&tx\\_ttnews%5Byear%5D=2013&tx\\_ttnews%5Bmonth%5D=02&tx\\_ttnews%5Bday%5D=18&tx\\_ttnews%5Btt\\_news%5D=5436&cHash=a41c0b4ec9ab4a2d24ce40eb3c8deefc](http://www.admsakhalin.ru/index.php?id=105&no_cache=1&tx_ttnews%5Byear%5D=2013&tx_ttnews%5Bmonth%5D=02&tx_ttnews%5Bday%5D=18&tx_ttnews%5Btt_news%5D=5436&cHash=a41c0b4ec9ab4a2d24ce40eb3c8deefc).

<sup>30</sup>Amirov, *op. cit.*, p. 132.

<sup>31</sup>Trenin, Dmitri and Weber, Yuval (2012): *Russia’s Pacific Future: Solving the South Kuril Island Dispute*, Moscow, Carnegie Endowment for International Peace.p.4.

<sup>32</sup>*Ibid.*, p. 9.

<sup>33</sup>*Ibid.*, p. 10.



“that thrives on information technology, space technology, and education...A new relationship...that ensures Japanese companies invest in Russia beyond natural resources.”<sup>34</sup>

Similarly, some commentators in Japan have recognised both the economic benefits of engaging with the RFE, and the potential welcome that Japan would receive for playing a role in developing the region – a factor that may not always be present in Japan’s relations with other states in northeast Asia. For instance, Hironori Fushita of the Japan Institute of International Affairs, has highlighted that: “With the Russian government now ‘pivoting’ toward the Far East region, the time has come for Japan to boost its presence, increase its influence with Russia, and expand its economic cooperation with Russia through coordinated public- and private-sector efforts...serious consideration should be given to ways in which Japan can participate in the development of Siberia and the Far East region.”<sup>35</sup> Therefore, with indicators of economic synergy, and a new will towards cooperation being articulated on both sides, what is holding up the drive towards a new Russian-Japanese partnership?

#### **4. Unlocking Russia’s “Germany in the East”**

A 2012 report on Russia-Japan relations by leading experts of the Russian International Affairs Council noted that, with the exception of oil and gas projects in Sakhalin, Japanese capital does not play a significant role in Russia’s economy,<sup>36</sup> and investment flows between the two countries seem unlikely to shoot up in the near- or mid-term future.<sup>37</sup> Japanese banks and other financial structures are also underrepresented in the Russian stock market, and aside from the proposed construction of an oil refinery and the recently announced Toyota and Mazda car-assembling facilities near Vladivostok, there are no joint mega-projects on the horizon with Japanese business.<sup>38</sup>

Even at the most recent meeting in April 2013 between President Putin and Prime Minister Shinzo Abe - the first top-level Russian-Japanese summit in almost a decade - only modest agreements were announced. Putin and Abe oversaw the signing of an intergovernmental agreement on establishing and running cultural centres, and a number of cooperation agreements in the transport and energy sectors, on exchanging financial intelligence information on money laundering and financing terrorism, and on establishing a Russian-Japanese investment platform. These were accompanied by a memorandum of

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<sup>34</sup>*Ibid.*, p. 9.

<sup>35</sup>Fushita, Hironori: "Russia's Eastward Pivot: Circumstances in Russia Following Putin's Comeback and Japan's Reaction", *AJISS-Commentary: The Association of Japanese Institutes of Strategic Studies*, vol. 149, no. 23 (2012), pp.1-4.p.4.

<sup>36</sup>At the end of 2010, Japanese accumulated direct investment in Russia stood at \$1.2 billion (0.1 percent of all Japanese outward direct investment). Russia’s investment in the Japanese economy is even less than statistical discrepancy, JETRO Global Trade and Investment Report (2011), p. 117 & 122, cited in Amirov, *op. cit.*, p. 131;

In a 2012 report on Russia-Japan relations, the Russian International Affairs Council, cited statistics that in 2010

the volume of Russia’s FDI in Japan amounted to \$283.8 million. See: Panov, A.N., Kazakov, O.I., Kistanov, V.O., Kuzminkov, V.V., Pavlyatenko, V.N., Streltsov, D.V. and Chugrov, S.V. (2012): *Current State of Russia's Relations with Japan and Prospects for their Development*, Moscow, Russian International Affairs Council. p. 12-13.

<sup>37</sup>Amirov, *op. cit.*, p. 131.

<sup>38</sup>Panov, et al., *op. cit.*, p.14 & 15.



understanding between Rosneft Oil Company and Mitsui & Co Ltd, and a memorandum of cooperation between the Amur Region government and Hokkaido Bank.<sup>39</sup> However, these are small steps rather than a giant leap forward in the Russian-Japanese economic relationship. Putin was nevertheless keen to emphasise Russia's willingness to invest in large-scale infrastructure projects in order to help meet Japan's growing need for hydrocarbon resources. He even suggested that Gazprom could be prepared to invest its resources in gas pipeline systems within Japan, and the possibility of building additional electric power capacity in Russia for subsequent supply to Japan.<sup>40</sup>

However, such projects are still focussed on the energy sector, and as Artyom Lukin of the Far Eastern Federal University has noted, there remains a prevalent feeling that wider Russian-Japanese economic relations are hampered by the unresolved territorial dispute. While Lukin recognises that Japan may be interested in helping to reduce Russia's growing dependence on China, this is unlikely to do much to assist Russia's regional development aspirations, which is "of course, mainly because of the ill-fated dispute over [the] South Kuriles/Northern Territories still poisoning relations between Moscow and Tokyo."<sup>41</sup>

The contested islands in this dispute are Shikotan, Kunashir/Kunashiri, Iturup/Etorofu, and the islets and rocks constituting the Habomai group. These islands have been under Russian control since September 1945 and the Japanese who remained on the islands at the end of the War were subsequently deported by Soviet authorities. Today, the Japanese government claims all these islands and the issue over their ownership has been partly responsible for the lack of a post-War Peace Treaty between the two sides. To break the deadlock over the islands' status, various ideas have been proposed over the years. A dominant trend on the Russian side is exemplified by the Russian International Affairs Council's report, which suggests that the problem of not signing a peace treaty should not be allowed "to prevent [...] or contain the development of bilateral relations. On the contrary, only by achieving [a] high level of the relations [will it] be possible to create the right atmosphere for devising its solution."<sup>42</sup> In other words, developing economic relations should come before any concessions over territory.

However, in order to unlock the potential of Japan for developing its eastern provinces, there have also been suggestions of bold territorial concessions from some on the Russian side. In the early 1990s these were most often associated with former Russian Deputy Minister of Foreign Affairs, Georgii Kudnadze. More recently, and in order for Japan to become his "Germany in the Pacific," Trenin has suggested that the only way for Russia to benefit from a qualitative and quantitative improvement of relations with Japan is by resolving the territorial issue once and for all. He is convinced that as long as the dispute over the South Kuril Islands remains, then "Moscow will not be able to transform its relationship with Tokyo into one resembling the current Russian-German partnership. This makes it more difficult for Russia to embrace its Euro-Pacific future."<sup>43</sup>

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<sup>39</sup>"Russian-Japanese talks", at <http://eng.kremlin.ru/news/5337>.

<sup>40</sup>"Russia Ready to Boost Energy Supplies to Japan – Putin", at <http://en.ria.ru/business/20130429/180908611/Russia-Ready-to-Boost-Energy-Supplies-to-Japan--Putin.html>.

<sup>41</sup>Lukin, Artyom: "The Emerging Institutional Order in the Asia-Pacific: Opportunities for Russia and Russia-US Relations", in Azizian, Rouben and Lukin, Artyom (eds.) (2012): *From APEC 2011 to APEC 2012: American and Russian Perspectives on Asia-Pacific Security and Cooperation*, Vladivostok, Far Eastern Federal University, pp. 225-236; p. 234.

<sup>42</sup>Panov, et al., *op. cit.*, p. 27.

<sup>43</sup>Trenin and Weber, *op. cit.*, p. 10.



With so much at stake for Russia, Trenin points to the recent precedent of pragmatic territorial concessions from the Russian side towards China in 2004 (when 50 per cent of the territory of disputed islands in the Amur River near Khabarovsk were transferred to China), and Norway in 2010 (over a maritime area in the Barents Sea). Both these deals involved concessions of territory / maritime areas that resulted in Russia giving up part of its administered territory or its long-standing legal position.<sup>44</sup> However, Trenin endorses these precedents and states that any deal with Japan would “make Russia feel safer, just like the 2004 deal with China, and help Russian economic development, bolstering security in the most vulnerable part of the country.”<sup>45</sup>

Trenin outlines a specific process for achieving this in his most recent co-authored article on the issue in December 2012, which goes significantly beyond a fifty-fifty formula. In his proposal, Trenin suggests that Russia should immediately give up Shikotan and the Habomai, which account for 7 per cent of the territory claimed by Japan. This would be followed by Japan supporting economic activity both on the Southern Kuril Islands and across Russia through direct public sector investment and positive economic incentives to its own private sector. A joint economic zone covering all four Southern Kuril Islands would be established and run by a Russian-Japanese authority administering a distinct economic and legal regime. Alongside the economic agreements, the entire area would be demilitarized, with Russia continuing to exercise sovereignty over Iturup and Kunashir for a further fifty years, with the transition to Japanese law and sovereignty after the end of this period. The joint economic regime would be allowed to continue for another fifty years and Russian permanent residents offered dual citizenship of Japan and Russia.<sup>46</sup>

It is an expansive and controversial move, however, Trenin suggests that: “Russia is not so much giving up the islands as gaining a Hong Kong and the long-term beneficiary would be the entire Pacific coast of Russia. Vladivostok would become a Russian Shanghai.”<sup>47</sup> Trenin is optimistic in the extreme in his vision of a Hong-Kong on the Southern Kurils / Northern Territories, yet he is convinced that with Putin having long burnished a strong patriotic image, the President is the political leader in Russia who can be seriously engaged with, and who will deliver once the deal is struck. In Trenin’s view such a deal is “in the national interests of both countries and efforts should be made by Russian and Japanese leaders immediately so the opportunity is not wasted.”<sup>48</sup>

However, Trenin’s proposal is far from universally accepted. Public opinion is largely against such a move and according to a 2009 LevadaCenter poll, an overwhelming majority (82 per cent) are opposed to territorial concessions to Japan, even though 78 per cent of the respondents showed favourable attitudes toward Japan, and 55 per cent believed that it was necessary to conclude a peace treaty.<sup>49</sup> Also, in a direct response to Trenin’s proposal, former Sakhalin Governor (1990-1993), Valentin Fedorov, declared that “Russia needs to clearly declare – there is no territorial problem over the Kuril Islands...The post-war boundaries of the country cannot be revised under any circumstances.”<sup>50</sup> Fedorov, long a vocal opponent of

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<sup>44</sup>*Ibid.*, p. 11.

<sup>45</sup>*Ibid.*, p. 11.

<sup>46</sup>*Ibid.*, p. 12.

<sup>47</sup>*Ibid.*, p. 13.

<sup>48</sup>*Ibid.*, p. 15.

<sup>49</sup>*Russian Public Opinion Poll, 2009, Moscow Levada Analytical Center*, at [www.levada.ru/sites/en.d7154.agava.net/files/Levada2009Eng.pdf](http://www.levada.ru/sites/en.d7154.agava.net/files/Levada2009Eng.pdf), p. 167, cited in Akaha, Tsuneo: “A Distant Neighbor: Russia’s Search to Find Its Place in East Asia”, *Global Asia*, vol. 7, no. 2 (2012), pp. 8-22.p. 17.

<sup>50</sup>“Yuzhnye Kurily pora ostavit’ v pokoe – eks-gubernator Sakhalinskoi oblasti”, *Sakhalin Media*, at



any territorial concession, was at pains to stress that: “In Russia there is a minority that supports the transfer of the Kuril Islands to Japan, but this minority is doomed to failure. Changing the borders of the country requires the consent of the population, and our people will never agree to give away their own native lands.”<sup>51</sup>

In many respects, Trenin and Fedorov symbolise the extreme poles of the debate over the Southern Kurils in Russia, and there is also a certain schizophrenia evident in the Russian leadership over this issue. During 2010, and early 2011, the direction espoused by Fedorov seemed to be in the ascendancy. In summer 2010, the Russian Duma passed new legislation establishing September 2 as a date to commemorate the end of the Soviet Union’s Great Patriotic War (the date in 1945 when Japan signed the instrument of surrender). This was followed by then Russian President Medvedev’s visit to Kunashir on November 1, the first by a serving Russian or Soviet leader. His visit prompted Japanese Prime Minister, Naoto Kan, to call it “an unforgivable outrage,” and Japanese ultranationalists desecrated the Russian flag in a demonstration near the Russian embassy in Tokyo.<sup>52</sup>

The “Day of the Northern Territories,” which takes place in Japan on the 7<sup>th</sup> February each year, is also a periodic source of tension with political speeches, and demonstrations outside the Russian embassy and consulates in Japan. After Japanese Prime Minister, Yoshihiko Noda, restated the importance of the Northern Territories for Japan on 7<sup>th</sup> September last year, the Russian Ministry of Foreign Affairs swiftly issued an official announcement, stating: “We regret that Tokyo again found it necessary to resort to a public accentuation of its official position in favour of the “return” to Japan of the Southern Kuril Islands, which belong, as we know, to the Russian Federation...Such actions are not the optimal method for the cultivation of positive tendencies in Russian-Japanese relations, and strengthening the atmosphere of mutual understanding and trust between the two countries.”<sup>53</sup>

However, Trenin’s understanding of the issue seems to have come to the fore in the most recent meeting between Putin and Abe in April 2013, when they issued a joint statement at the end of their meeting declaring that: “The leaders of both countries agreed that the situation where, 67 years after the conclusion of [World War II], we have still been unable to conclude a bilateral peace treaty, looks *abnormal*.”<sup>54</sup> This in itself represents a stark contrast within the leadership, as on yet another visit to Kunashir in July 2012, Russian Prime Minister, Dmitri Medvedev declared that: “As for the reaction of our Japanese partners, I do not care about it. I do not care about it so much that I will not be wasting my time answering this question...What do we have to discuss with them? The issue of the Russian prime minister’s presence on the Russian territory?”<sup>55</sup> In response to such antics, Trenin argues that this posturing is part of a Kremlin orchestrated routine: the Russian leadership have at times been frustrated by the lack of interest in their proposals and the nationalist rhetoric of Japanese politicians, so they have resorted to showing toughness with Medvedev and government ministers visiting the islands. In an unusual reversal of roles for the Russian

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<http://sakhalinmedia.ru/news/kurily/01.03.2013/260251/yuzhnie-kurili-pora-ostavit-v-pokoe-eks-gubernator-sahalinskoy-oblasti.html>.

<sup>51</sup>*Ibid.*

<sup>52</sup>Akaha, *op. cit.*, p. 11

<sup>53</sup>“Kommentarii Departmenta informatsii i pechati MID Rossii o t.n “dnesevernykhterritorii” v Yaponii”, at [http://orenburg.mid.ru/news\\_371.html#10](http://orenburg.mid.ru/news_371.html#10).

<sup>54</sup>“Japan and Russia want to finally end World War II, agree it is 'abnormal' not to”, at <http://www.csmonitor.com/World/Europe/2013/0429/Japan-and-Russia-want-to-finally-end-World-War-II-agree-it-is-abnormal-not-to> [emphasis added].

<sup>55</sup>“Medvedev Indifferent to Japan’s Reaction to Kurils Visit”, at <http://en.rian.ru/russia/20120705/174409452.html>.





leadership “tandem,” it has created the impression of Putin, the “good cop,” flanked by Medvedev, the “bad one.”<sup>56</sup>

## 5. The Red-Herring of the Northern Territories?

Yet despite a certain fixation on the Southern Kurils / Northern Territories issue in political relations, there is an increasing realisation, both on the Russian and the Japanese side, that economic relations are developing at pace, even while the territorial dispute remains. One of Japan’s leading experts on the Russian economy, Shinichiro Tabata of Hokkaido University, has stated in a recent paper that with trade volumes at a record \$30 billion in 2011: “It is safe to say that at present Russo-Japanese economic relations have reached their most developed stage ever, despite the limited progress in political relations, marred by the unresolved disagreement on the resolution of the so-called northern territorial issues.”<sup>57</sup>

Economic interests appear to have outweighed political ones, and Tabata argues that one of the major factors promoting Russian-Japanese trade relations in recent years has been the eastward shift in the Russian economy.<sup>58</sup> Firstly, Russian oil and gas development strategy has increasingly been focussed toward the East and, in the case of Japan, this has seen the share of Russia in Japan’s oil imports grow from 0.7 per cent in 2005, to 7.2 per cent in 2010. Similarly the share of Russia in Japan’s imports of LNG amounted to approximately 9 per cent in 2010 and 2011, which is particularly notable as Japan only started LNG imports from Russia in 2009.<sup>59</sup> The second trend is that Russia’s imports from Asia have increased, and in 2008, and again in 2011, Japan was Russia’s third largest import partner.<sup>60</sup> Much of this was from imports of Japanese automobiles. Although down from a pre-financial crisis peak of \$11.5 billion in 2008, Russia’s imports of passenger cars from Japan had still recovered to around \$7 billion in 2011.<sup>61</sup> These imports have also been supplemented in recent years by the supply from Japan of auto components for Toyota (2007), Nissan (2009), and Mitsubishi (2010) factories in the European part of Russia.<sup>62</sup> Even though this trade relationship is concentrated on just a few commodities, Tabata notes that “the demand and supply of the Russo-Japanese trade tend to correspond so perfectly that one can foresee its advancement at least into the near future.”<sup>63</sup>

It is also worth noting some of the other significant cross-border links between the Russian Far East and Japan. During the 1990s, Russian exports of fish and marine bio-resources were a major component of inter-regional trade and constituted up to 30 per cent of the share of all imports to Japan from Russia.<sup>64</sup> With the recent boom of oil and gas exports, fish and other marine bio-resources from Russia now contribute a smaller share of Japan’s imports, though it remains an important market for the fishing industry in the RFE. However, this cross-border trade with Japan has not been without its problems, and cases of large-scale poaching and smuggling have been periodically exposed.<sup>65</sup> As recently as July 2010, the Presidential Envoy to the Russian Far Eastern Region, Viktor Ishaev, stated in a well-

<sup>56</sup>Trenin and Weber, *op.cit.*, p. 15.

<sup>57</sup>Tabata, *op. cit.*, p. 422.

<sup>58</sup>*Ibid.*, p. 431.

<sup>59</sup>*Ibid.*, p. 436-437.

<sup>60</sup>*Ibid.*, p. 432.

<sup>61</sup>*Ibid.*, p.433-434.

<sup>62</sup>*Ibid.*, p. 435.

<sup>63</sup>*Ibid.*, p. 432.

<sup>64</sup>*Ibid.*, p. 427.

<sup>65</sup> See: Williams, Brad: "The Criminalisation of Russo-Japanese Border Trade: Causes and Consequences", *Europe-Asia Studies*, vol. 55, no. 5 (2003), pp. 711-728.



publicised interview that, if the export data for marine bio-resources of the Federal Customs Service of Russia is compared with the customs statistics of the Ministry of Finance in Japan, then it is obvious that “the numbers just do not match, and there are catastrophic losses.”<sup>66</sup> From this data, Ishaev revealed that there was an “unacceptable” 3.7 times discrepancy in these figures in the first quarter of 2010, and in 2007 and 2008 the Japanese import figures were more than five times the Russian export ones, and Ishaev claimed that because of this the state lost customs revenues of \$900 million in 2007, \$1.2 billion in 2008, and \$800 million in 2009.<sup>67</sup> While it is likely that such figures are inflated,<sup>68</sup> even a fraction of the difference between Russian export figures and Japanese import figures would point towards systematic poaching and corruption. In recognition of the problem, Russia and Japan signed an agreement on the conservation, management, and prevention of illegal trade in the marine bio-resources in the north-western Pacific at the APEC 2012 summit with Putin personally thanking his Japanese counterparts for their support in the fight against poaching.<sup>69</sup>

Alongside more effective cooperation between local authorities on managing fisheries, there have also been renewed efforts in promoting cross-border cultural, educational, and scientific links. In July 2011, the inaugural Festival of Russian Culture was held in Hakodate (on Hokkaido), which was followed by touring exhibitions of Russian art and culture promoted by the state-supported organisations *Rossotrudnichestvo* and *Russkiy Mir*.<sup>70</sup> The year 2013 also represents the 15th anniversary of the signing of a bi-lateral agreement on friendship and economic cooperation between Sakhalin and Hokkaido, through which have developed economic exchanges, humanitarian and cultural relations, and public meetings.<sup>71</sup> Joint activities in 2013 to commemorate the anniversary were planned to include the adoption a new five-year plan of cooperation between the two regions, as well as organized performance art groups, and an exhibition-fair.<sup>72</sup> In the realm of scientific and educational exchange between Russia and Japan, the Far Eastern Federal University (FEFU), which in 2013 will completely occupy the APEC 2012 site, continues to support a branch-campus in Hakodate, and hosts a Japan Centre, supported by the Ministry of Foreign Affairs of Japan.<sup>73</sup> The university has also been especially active in recent years in creating partnership agreements and exchange programmes with dozens of Japanese universities, the majority of which are located in Japan’s western and northern regions, (such as Akita, Kanazawa, Komatsu, Niigata, Otaru, Sapporo, Sendai, and Toyama).<sup>74</sup>

Therefore, while the territorial issue at times dominates media coverage of Russian-Japanese relations, economic and inter-regional cooperation are today seemingly closer than ever. It is notable that even when the territorial issue has dominated the agenda, political and security cooperation has still been maintained. The experts of the Russian International Affairs Council suggest that indicative of this is the fact that when Seiji Maehara, Japan’s Foreign Minister, visited Moscow in 2011, at a moment of heightened rhetoric on the territorial dispute, the two sides were nevertheless still able to continue interaction and

<sup>66</sup>“Viktor Ishaev o rybolovstve na Dal’nem Vostoke: ponimayu, chtovoruyut, no ne v takikh zhe masshtabkh!”, *NewsVI*, 21 July 2010, at <http://www.newsVI.ru/vlad/2010/07/21/vorujut/>.

<sup>67</sup>*Ibid.*

<sup>68</sup>“Mikhail Terskii: Dlya chego gosudarstvu nuzhny mify o brakon’erstve”, *Fish News*, 7 November 2012, at <http://www.fishnews.ru/rubric/brakonerstvo/6152>.

<sup>69</sup>“Soglasenie zakroet dlya brakon’erov yaponskii rynek”, *Fish News*, 10 September 2012, at <http://www.fishnews.ru/news/19450>.

<sup>70</sup>“Cultural Exchange”, at <http://russia-emb.jp/english/embassy/culture.html>.

<sup>71</sup>“Podpisana novaya programma...”, *op. cit.*

<sup>72</sup>*Ibid.*

<sup>73</sup>“Cooperation with Japan”, at <http://www.dvfu.ru/web/fevu/japancoop>.

<sup>74</sup>“International Partnerships”, at <http://www.dvfu.ru/web/fevu/institutional-agreements>.



cooperation on the most pressing international issues, including rebuilding Afghanistan, de-nuclearisation on the Korean peninsula, and anti-terrorism cooperation.<sup>75</sup> As these experts note, while the territorial dispute can at times complicate the normal flow of “bilateral life,” each time the two countries still manage to reach a mutual conclusion that the issue should not damage the maintenance of a certain level of practical contacts and mutually beneficial cooperation.<sup>76</sup> They are similarly convinced that there is “a certain category of products, predominantly raw materials, that Japan will be importing from Russia regardless [of] the political climate in bilateral relations and irrespective of the attitude of its own government.”<sup>77</sup> This seemingly “nudges [Japan] into closer cooperation with Russia, no matter what.”<sup>78</sup>

Although the territorial issue is a factor that “can worsen the atmosphere of bilateral relations at any time,”<sup>79</sup> the experience of the past twenty years suggests that when, and where there are mutual interests, “no political problem seems able to obstruct the natural need for cooperation.”<sup>80</sup> Rather than the territorial issue constraining the Japanese business community, it is perhaps instead, as the Russian International Affairs Council experts have suggested, the absence of favourable conditions for business activity in Russia: “namely – excessive administrative regulation, lax legislation, arbitrary interpretation of legislative and administrative acts, complicated political and immigration procedures, costly and unreliable infrastructure.”<sup>81</sup> These experts also emphasise that in the RFE, Russian business structures remain entrenched in the main sectors of the economy and resistant to any change. They resent the arrival of foreign capital, “including the Japanese...because they are afraid of competition and not prepared to work in accordance with fair and non-[corrupt] rules.”<sup>82</sup>

Even after APEC 2012, and the impressive state-led investment, construction, and redevelopment of Vladivostok, there has been growing consternation among the academic and political elite at the modest returns achieved in attracting foreign investment to the region.<sup>83</sup> Within the leadership this has led to a realisation that the region still needs a comprehensive institutional, financial, and social programme for creating appropriate conditions and incentives for business and investment, as well as for improving standards of living.<sup>84</sup> In November 2012, at a meeting of the Presidium of the Russian State Council, Putin declared that “the development of such large territories requires long-term strategic and sustained activity”. All of these approaches should be reflected in the state programme of socio-economic development of the Far East and the Baikal region, and it should be budgeted up to 2025.”<sup>85</sup> Therefore, the Russian leadership has declared its continued commitment to developing this region and for providing the massive resources to achieve it. Indeed, this development programme will be crucial for determining Russia’s place in the Asia-Pacific region, as well as for defining the Putin legacy in the RFE. However, with many of the construction projects commissioned by the state for APEC 2012 mired in allegations of

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<sup>75</sup> Panov, et al., *op. cit.*, p. 8.

<sup>76</sup> *Ibid.*, p. 8.

<sup>77</sup> *Ibid.*, p. 13.

<sup>78</sup> Likhachev, *op. cit.*, p. 112.

<sup>79</sup> Amirov, *op. cit.*, p. 132.

<sup>80</sup> *Ibid.*, p. 137.

<sup>81</sup> Panov, et al., *op. cit.*, p. 15.

<sup>82</sup> *Ibid.*, p. 15.

<sup>83</sup> Sevast'yanov, Sergey: "Problemy i perspektivy razvitiya Dal'nego Vostoka Rossii posle Vladivostokskogo sammitya ATEC", *Oikumena*, vol. 24, no. 1 (2013), pp. 7-16.p. 9.

<sup>84</sup> *Ibid.*, p. 9.

<sup>85</sup> “Vystuplenie na zasedanii Prezidiuma Gossoveta po voprosam razvitiya Dal'nego vostoka i Zaibaikal'ya”, at <http://www.kremlin.ru/news/16990>, cited in *ibid.*, p. 9.



corruption and embezzlement,<sup>86</sup> there is a risk that the Russian leadership will again find itself as much associated with the successes of these high-profile, state-led programmes, as with their failures.

## **6. Conclusion**

As this paper has outlined, for some in the Russian political and intellectual elite improving relations with Japan is the key to unlocking the potential of Russia's Far Eastern territories, and the realisation of Russia becoming a modernising and Great Power in the Asia-Pacific. As we have seen, certain members of this elite emphasise how a new level of relationship with Japan could provide access to advanced technologies, investment opportunities, and enhance Russia's security. For Japan, the gains are presented as privileged access to Russian energy resources, and a region where Japanese influence is welcomed, devoid of the geopolitical and historical baggage that at times colours Japan's relations with other states in northeast Asia.

It seems that with this mutual compatibility, Japan's role in Russia's current "turn to Asia" is unlikely to diminish. With two national economies seeking the resources that the other lacks, the present upwards trajectory of economic relations looks set to continue. It also seems that the unresolved territorial issue is unlikely to seriously affect this relationship, even if it periodically casts a shadow over wider political relations. With both Japan and Russia harbouring insecurities over shifts in global and regional geopolitics, now may even be an opportune moment for a resolution of the territorial issue and the signing of a Peace Treaty. However, much still depends on the strength of both leaders and the inevitable political cost that would come with any concession. Putin no longer seems as invulnerable to criticism as he did during his first tenure as President and the hold on the Japanese Premiership is notoriously tenuous. Even if the territorial issue was successfully resolved, it is unlikely that there would be any dramatic transformation in Russian-Japanese relations, particularly as economic relations are already at an unprecedented level in the post-Soviet period. Nevertheless, it could serve to improve the overall atmosphere of bi-lateral relations and enhance opportunities for multilateral cooperation.

Whether Japan actually comes to play a significant role in reconfiguring and developing the Russian Far East could depend less on a Peace Treaty and more on creating a business and investment climate acceptable for the Japanese. APEC 2012 was an impressive declaration of intent for Russia but it remains precisely that: a beginning. The necessary political and legislative reforms, progress on enforcing the rule of the law, and the restructuring of visa and tax regimes, as well as essential infrastructure upgrades, are long term projects requiring many years of persistence, consultation with local and regional actors, and crucially investment from public, private, and foreign sources. Without broad, deep, and convincing reforms, it is doubtful that Japanese businesses will be attracted to the region outside of energy projects and subsidised car production.

Ever since the announcement of the 2012 APEC summit, Vladivostok and the Russian Far East have assumed the status of a key site on to which visions of Russia's national identity, and national development strategies have been projected. However, at the same time, it has also revealed how these visions are contested and fractured by competing

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<sup>86</sup> For examples see: "Pristroitel'stvamostasnammit ATES pokhitilina 96 millionov", *Lenta*, 17 January 2013, at <http://lenta.ru/news/2013/01/17/stealing>; "Summa narusheniipripodgotovkeforuma ATES sostavila 8.1 mlrd. rub", *RIA Novosti*, 21 January 2013, at <http://ria.ru/economy/20130121/919128276.html>.



understandings of Russia's place in the world. While this paper has focussed on the issues in Russia's relationship with Japan, it has also hinted at wider questions over what exactly *is* Asia for Russia? What is this relationship with Asia based on - regional integration, state-led development, geopolitical influence, or energy security? Which state does Russia prioritise in the region - China, Japan, South Korea, or even the United States? And, through which institutions does Russia want to primarily engage with Asia – the Shanghai Cooperation Organisation, ASEAN, APEC, the Eurasian Union, East Asia Summit? These questions have not always been convincingly answered, and they in turn raise an awkward question over the lack of a coherent strategy from the leadership regarding Russia's engagement with the Asia-Pacific, a process which is complicated still further by a renewed Russian interest in a parallel integration project in the form of the Eurasian Union.<sup>87</sup> There is no doubt that hosting APEC 2012 in Vladivostok was a powerful message that Russia was once again ready and willing to engage with the Asia-Pacific region. However, what this actually means in practice remains to be seen, and Russia's relationship with Japan, and its relationship with the wider region, hinges on its political leaders adding the appropriate content to this message.

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<sup>87</sup> The Eurasian Union is proposed to start functioning in 2015, with the inaugural members of Belarus, Kazakhstan, and Russia.





## EL PAPA BENEDICTO XVI Y EL ÁMBITO INTERNACIONAL

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### **Resumen:**

Benedicto XVI, en el conjunto de los papas de los dos últimos siglos, es un papa eminentemente pastoral, poco diplomático. En algunas ocasiones le faltó tacto para manejar sus relaciones con los musulmanes y con los judíos. No le gustaba la política. Como gran pensador de carácter teórico la preocupaba más bien la profundidad de la filosofía que imperaba en Europa, "la dictadura del relativismo". Y también los problemas económicos (el egoísmo del capitalismo financiero) y el medio ambiente que no son política internacional aunque sean contenidos que interesen por sí mismos.

**Palabras clave:** Benedicto XVI, pastorales, diplomacia, relaciones internacionales del Vaticano, política internacional, relativismo.

*Title in English: "Pope Benedict XVI and the International Field"*

### **Abstract:**

*Benedict XVI can be presented as an eminently pastoral Pope, not very fond of diplomacy. Sometimes he did not manage with great sophistication the relations between the Roman Catholic Church and Muslims or Jews. He did not like politics. As a theoretical thinker he was worried about the current philosophy that prevails in Europe, "the dictatorship of relativism." He was also very concerned about economic problems (financial capitalism selfishness) and the environment that are very sensitive questions in the present international politics.*

**Keywords:** *Benedict XVI, pastoral approaches, diplomacy, Vatican international relations, international politics, relativism.*

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## El Papa Benedicto XVI y el Ámbito Internacional

La Iglesia católica se ha ido formando a lo largo de la historia como uno de los paradigmas más importantes del cristianismo. Dicho paradigma cuenta como característica muy relevante la de estar muy presente en el ámbito internacional. La base profunda de dicha presencia se encuentra en la voluntad de Jesús, su fundador, que quiso que sus fieles se extendieran por todo el mundo para realizar el objetivo de una vocación universal. En la persecución de dicho objetivo surgieron unas realidades que impactaron en la naturaleza de lo que luego fue el catolicismo. Así, el asentamiento de su cabeza en Roma, capital del Imperio Romano. Después, la marcha del Emperador a Constantinopla con lo que el papa, que empezó a llamarse pontífice, adquirió unas prerrogativas de dignidad y de poder altamente significativas. Luego vino la entrega al papa por parte del rey franco Pipino el Breve del territorio del centro de Italia conquistado a los Lombardos lo que hizo del papa, en el 752, el soberano temporal de los llamados Estados de la Iglesia, con todas sus consecuencias. Ello originó unas competencias y un estilo que impulsaron a la Iglesia a construir una teoría sobre su soberanía de carácter espiritual. Basada en dicha soberanía, muy visible por el hecho de contar con territorio propio, la Iglesia despliega una acción internacional, desarrollando su *ius legationis*, su *ius tractatum* y su presencia en organizaciones y conferencias internacionales, que opera en todas partes del mundo y que origina un acontecer mediático mundial extraordinariamente llamativo.

La Iglesia aprecia y valora mucho la realidad de dicha soberanía y de todo el sistema de actuación que tiene establecido en torno a ella. Tanto es así que la ha cuidado y cultivado con el mismo esfuerzo y esmero que a la doctrina de la salvación que predica dando incluso a veces la impresión de trabajarla con el mismo empeño.

Al decir esto que puede parecer un tanto singular quiero manifestar que el interés pastoral y el interés diplomático de los pontífices se han imbricado con el paso el tiempo, en una especie de paridad tanto monta monta tanto. En los papas de cerca de dos siglos se ha producido una alternancia muy curiosa de carácter pendular entre papa pastoral y papa diplomático.

Recorramos un poco, cronológicamente, los diversos papas para probar lo que decimos. Pio IX fue un papa predominantemente pastoral muy preocupado persistentemente por la observancia de los dogmas. Elaboró y exigió el contenido de un *Syllabus* de verdades. En su actuación, frente a unas situaciones muy difíciles, operó de forma nada diplomática. Su sucesor en cambio, León XIII, se lanzó a una acción profundamente diplomática escribiendo unas encíclicas que conectaron a la Iglesia con los problemas del mundo de su tiempo. Pio X volvió al predominio religioso de las condenas y Benedicto XV, el papa de la Primera Guerra Mundial, se entregó a una auténtica actividad internacional a favor de la paz. Pio XI ocupa de nuevo un espacio pastoral. Como nuncio había fracasado en la solución del problema existente entre dos pueblos católicos, el lituano y el polaco. Pío XII optó por la postura diplomática en sus relaciones con los nazis temiendo que una actuación diversa originase grandes daños a la Iglesia. Juan XXIII rompió los moldes de dicha historia pendular. La conexión con los problemas del mundo se realizó por medio de dos importantes encíclicas, la *Mater et Magistra* y la *Pacem in Terris*. Y convocó el Concilio Vaticano II para hacer una consideración de la doctrina que llegase mejor a los fieles católicos. Pablo VI, temeroso de que la acción del papa anterior originase desvíos insistió en la recta observancia de la doctrina. Juan Pablo II desarrolló una acción internacional de gran envergadura haciendo más de un centenar de viajes y visitando más de 130 países, algunos de ellos, varias veces. En su





largo periodo de pontificado se abrieron numerosas nunciaturas apostólicas (embajadas de la Santa Sede).

El contraste existente en la sucesión de los papas (pastoral, diplomático...), lo encontramos también en la relación entre los pontífices y sus secretarios de Estado. De los secretarios de Estado hemos de decir que fueron hombres de gran personalidad que dejaron el recuerdo de haber realizado a favor de la Iglesia acciones de gran importancia. Es el caso de Rampolla con León XIII (mediación entre España y Alemania por la cuestión de las islas Carolinas con la superación del kulturkampf), de Merry del Val con Pío X, de Pietro Gasparri con Benedicto XV y Pío XI (Tratado de Letrán con el nacimiento del Stato de la Città del Vaticano), de Eugenio Pacelli con Pío XI (Concordato alemán, *Mit Brennender Sorge*), de Jean Villot con Pablo VI, de Agostino Casaroli (la *Ostpolitik*, la CSCE) y Ángelo Sodano con Juan Pablo II.

Finalizado el breve recorrido que acabamos de hacer, podemos entrar a valorar la práctica y el estilo de la acción internacional de Benedicto XVI. Es tanta la autoridad que la naturaleza de la Iglesia Católica otorga al pontífice que su manera personal de ser tiene gran repercusión en lo que se haga durante su pontificado. Para comprenderlo bien es necesario hacer una referencia al alcance de las relaciones internacionales: su amplísima dimensión, sus facetas múltiples, sus diferentes figuras de representación, sus problemas tanto crónicos como cambiantes. Para afrontar todo ese universo de variadas realidades desde una cima tan eminente y singular como el pontificado, son necesarias unas características especiales: grandes dotes para las relaciones personales, acomodación a la diversidad, empleo de mucho tiempo para los contactos y para las entrevistas. Juan Pablo II dedicaba muchas horas a las audiencias y cuando necesitaba más tiempo utilizaba el destinado a la comida y a la cena. Las invitaciones a su mesa eran constantes.

Benedicto XVI no era persona para tanto movimiento. Como profundo intelectual, necesitaba mucho tiempo para el estudio y la reflexión. Tenía establecido que las visitas que debía tener a lo largo de un día fueran pocas. Es evidente que con tan escasa dedicación, las relaciones internacionales de la Santa Sede tuvieran que verse notablemente afectadas.

Un paralelismo con dicha característica de alejamiento del ámbito internacional aparece en la elección de la persona que fue su secretario de Estado. Recayó en el cardenal Tarcisio Bertone, arzobispo de Génova. La razón efectiva de su nombramiento se debía a que durante siete años había colaborado muy íntimamente con él como secretario de la Congregación para la Doctrina de la Fe de la que el futuro papa alemán era prefecto. El tiempo mostró que dicha elección no podía menos que ser inadecuada. Era una persona carente de experiencia diplomática. Ni siquiera tenía un buen conocimiento del inglés. Pretendió realizar un influjo en Cuba país con cuyas autoridades podía comunicarse en lengua española. Algún analista ha valorado dicho intento como un tanto ingenuo.

Antonio Pelayo, en un artículo publicado en la revista *Política Exterior*, en su número de marzo-abril de 2013, cuenta que, alarmados por la pasividad de la secretaria de Estado y no solamente por la dimensión de las relaciones con los Estados que acumulan la dimensión propia de un ministerio de Asuntos Exteriores sino por otras facetas, el cardenal arzobispo de Colonia, Joachim Meisner y el cardenal arzobispo de Viena, Christoph Schönborn sugirieron al papa la posibilidad de retirar a Bertone. La respuesta que recibieron fue totalmente negativa.



Desde tal perspectiva de grandes ocupantes de puestos dirigentes, la del pontífice y la de su secretario de Estado, la relación con la sociedad internacional no podía ser demasiado positiva. En la línea alternante (pastoral ... diplomático), el pontífice Benedicto XVI ha sido lo que le tocaba detrás de Juan Pablo II, muy pastoral y nada diplomático. En cambio, en su relación con el secretario de Estado no buscó generar un aspecto complementario como hicieron otros papas (Pío XI y Pacelli, Pío XII que no quiso tener secretario de Estado sino llevar por sí mismo los asuntos propios de tal cargo), sino tener a un personaje muy parecido a él mismo.

¿Con qué mundo se encuentra Benedicto XVI cuando asciende al solio pontificio? Aspecto preeminente eran las relaciones de Occidente con los musulmanes (tenía lugar entonces la cruenta posguerra de Irak). Existía un problema muy profundo. Es en ese complicadísimo marco cuando Benedicto XVI, en la lección magistral tenida en la Universidad de Ratisbona el 12 de septiembre del 2006, destaca una dimensión muy negativa del Islam frente a la religión cristiana. Y lo hace sirviéndose de una cita del emperador bizantino Manuel II Paleólogo del siglo XIV, en la disputa que tuvo con un persa. La referencia decía: “Muéstrame también aquello que Mahoma ha traído de nuevo y encontrarás solamente cosas malvadas e inhumanas, como su directiva de difundir por medio de la espada la fe que él predicaba”. Al examinar lo que significó tan profunda crítica al Islam en la persona del Profeta, en un momento diplomáticamente tan delicado, uno no puede menos que llevarse las manos a la cabeza. Sobre todo después de recordar la acción de Juan Pablo II invitando a los católicos, en cierta ocasión, a unirse a los musulmanes en la práctica del ayuno en el último día del Ramadán. O la calurosa acogida que le deparó Hasan II, en su visita a Maruecos, invitándole a hablar a los jóvenes musulmanes que llenaban el estadio de Casablanca el día 19 de agosto de 1985. Juan Pablo II llegó a ser en el mundo islámico bastante popular. Benedicto XVI se dio, con su conferencia de Ratisbona, un enorme batacazo.

Después de aquella desafortunada intervención, Benedicto XVI hizo esfuerzos para que aquel malestar que se había producido con la difusión de su texto se modificara. Pero sólo lo logró muy parcialmente con la celebración en el Vaticano de una cumbre católico-musulmana y la visita al papa del rey de Arabia Saudita en noviembre de 2007. Había dado ya la vuelta al mundo con efectos imparables. Se apuntaron a la crítica primeros ministros y ministros de Asuntos Exteriores. Y en muchos lugares fueron las masas las que protestaron. En algún lugar la efigie del pontífice fue quemada en público.

En el mundo de hoy la imagen tiene una importancia extraordinaria. Benedicto XVI pareció no haber caído suficientemente en la cuenta de ello. La elección de aquella cita fue totalmente desafortunada. La profundidad del daño causado no se pudo reparar a pesar de que en los viajes que hizo por el mundo musulmán acudía a rezar a las mezquitas. Es un vivo ejemplo de lo que puede pasarle a una persona demasiado teórica. Le ocurre lo que al cazador que tiene un dominio muy seguro de su escopeta pero que luego, en lugar de disparar al ciervo, dirige la bala sin darse cuenta al perro. En consecuencia de ello fue llamado por determinados medios de comunicación, torpe, impolítico y carente de habilidad diplomática. Ello no quiere decir que el papa no propusiera al Islam objetivos adecuados como hacer una evolución parecida a la del cristianismo a partir de la Ilustración.

Ratzinger es una personalidad de gran talento teórico. Es autor de más de treinta obras. Una de ellas, la *Introducción al cristianismo* está traducida a 20 lenguas. Sin embargo, en las cuestiones prácticas puede perderse y conseguir lo opuesto a lo que pretendía. De haberse imaginado lo que iba a pasar, nunca hubiera pronunciado aquella frase de un emperador del



siglo XIV. Cualquier asesor, por poco avisado diplomático que fuera, le hubiera aconsejado suprimirla. Mas, como intelectual, él era quien transmitía el producto de su convicción. El desliz no tuvo consecuencias sólo para él sino también para las minorías cristianas, tanto católicas como no católicas, que viven en los países musulmanes. En defensa de tales minorías tuvo que tomar frecuentemente la palabra lo que daba la sensación de estar en una permanente situación de tensión y de desafío.

En el abordar de los asuntos del mundo musulmán, Benedicto XVI optó por intervenir con toda claridad. Durante la posguerra en Irak no dejó de insistir a las partes en que cesaran en el uso de la violencia. Condenó el muro levantado por los israelíes encerrando al territorio cisjordano y ahogando el vivir cotidiano de la ciudad de Belén. Condenó también las operaciones de los israelíes en el Líbano por afectar a objetivos civiles. En la cuestión de las caricaturas se inclinó por condenar la falta de respeto a los símbolos religiosos en contra de aquellos que no ponen límites a la libertad de opinión.

En sus relaciones con los judíos, Benedicto XVI, sin embargo no fue un exitoso diplomático. Debemos recordar que algunas importantes reclamaciones de la Santa Sede no se logran, como la restitución de la sala del Cenáculo y la conservación de los poblados cristianos de Tierra Santa, alguno de los cuales ha desaparecido bajo la acción de las excavadoras. Hubo decisiones del pontífice que impactaron negativamente en la sociedad judía. Así fue por ejemplo la rehabilitación del obispo Williamson, negador del Holocausto judío, el impulso a la beatificación del papa Pío XII, considerado como un Papa santo, pero de triste memoria en la sociedad judía y cuyo retrato es mantenido en el museo del Holocausto. La vuelta a la misa tridentina en la que se reza una oración por la conversión de los judíos. Todo ello es indicio de que las posiciones católicas se asumen con toda la fuerza, pero que no se tiene en cuenta la repercusión pública que ellas puedan tener. Estas actuaciones no hicieron tanto daño a las relaciones católico-judías como la conferencia de Ratisbona hizo a las católico-islámicas. Los judíos las han excusado por estar muy interesados en mantener muy buen trato con el catolicismo. No en vano pertenecen a la misma civilización occidental. Una figura eminente, el rabino David Rosen, responsable del diálogo interreligioso para el *American Jewish Committee* escribió de forma muy laudatoria sobre Benedicto XVI. Destacó el hecho de que en las reuniones de Asís el papa tomara asiento en igualdad con el de los demás participantes.

Una exposición de la visión que Benedicto XVI tiene acerca de lo que debe ser la realidad internacional y de los principios por los que debe regirse, la tenemos en el discurso que pronunció ante la Asamblea General de las Naciones Unidas el 18 de abril del año 2008. El pilar fundamental de la doctrina defendida por el pontífice fue la defensa y la protección de los derechos humanos. Dichos derechos son los derechos básicos de las personas. Son la manifestación de la profunda dignidad de la persona humana. Es la defensa de esa dignidad la finalidad última del derecho internacional. El pontífice advirtió contra ciertas persuasiones y prácticas que deben ser superadas por no resultar adecuadas para la defensa del ser humano. Así por ejemplo la aplicación de ciertas normas establecidas por la legalidad haciéndolas prevalecer sobre la justicia. O el no impedir determinados actos que obstaculizan la realización efectiva del desarrollo de la persona humana comprometiendo de esa manera su dignidad.

Refiriéndose a lo que él mismo ha denominado “la dictadura del relativismo” manifestó que las verdades deben ser siempre tenidas en cuenta por encima de los resultados obtenidos en los consensos. De esa forma criticó la utilización del mero pragmatismo en las relaciones internacionales. En su discurso no se mantuvo en el plano teórico sino que bajó a reglas del



quehacer cotidiano insistiendo en el cumplimiento del principio agustiniano “no hagas a otros lo que no quieras que te hagan a ti”.

Acerca de las Naciones Unidas como Organización Internacional pidió para ella un papel más fuerte como autoridad mundial. Insistió en la obligación moral que tiene de actuar frente a las acciones de gobiernos criminales. Ningún país, dijo el papa, debe arrogarse el papel de imponer a los demás por la fuerza su punto de vista por muy adecuado que le parezca. Son los organismos internacionales los que deben desempeñar el papel de dirigentes. Dichos organismos están hechos para actuar por encima de los Estados y deben presionar a los gobiernos para que cumplan con su obligación de proteger a los ciudadanos. Mostró el papa cierta desconfianza hacia las superpotencias. No son ellas las que deben solucionar los problemas de la sociedad internacional. El mundo de nuestros días está exigiendo que sea la comunidad internacional, es decir, los Estados conjuntos organizados quienes impongan su concepción de lo justo en las determinadas circunstancias en que le toque actuar. Para la solución de los conflictos debe tener en cuenta siempre las potencialidades que llevan consigo el diálogo y la reconciliación.

Estas reflexiones que hizo Benedicto XVI ante la Asamblea General de las Naciones Unidas son una reflexión directa sobre las relaciones internacionales de nuestros días. Unos principios generales que deben ser aplicados por ser fundamentales y necesarios. Por tener un componente teórico importante, Benedicto XVI ha sabido afrontarlos con toda su riqueza sin olvidar nada que tenga valor. No olvidemos que la revista *Foreign Policy* en el año 2009 clasificó a Benedicto XVI en el lugar 17 entre los “100 mayores pensadores globales del año”.

Acudiendo sin embargo a la realidad internacional y a sus problemas cotidianos vemos que Benedicto XVI rehuye tratar problemas de ese estilo. Da la impresión que la política no le gusta. Le gusta el trato de los problemas profundos. Así por ejemplo, cuando habla de Europa busca referirse más bien a aspectos filosóficos y morales de la sociedad europea como el nihilismo, el relativismo, el secularismo agresivo. Quienes han querido hablar de la presencia de Benedicto XVI en la escena internacional, como ha hecho por ejemplo el nuncio Juan Pablo Somiedo, ha tenido que referirse no a problemas directamente políticos sino a cuestiones de carácter económico o de defensa del medio ambiente. Estas cuestiones están íntimamente relacionadas con la política internacional pero no son por sí mismas política internacional. Son dos contenidos que interesan por sí mismos.

El primero de ellos es una crítica al capitalismo financiero controlado desde el más demoledor interés del egoísmo. Ello lleva a unas consecuencias del todo dramáticas. Hablando de África el papa Ratzinger protesta contra la grave situación de pobreza que afecta a los habitantes de prácticamente todo el continente.

Otro tema en el que la dimensión intelectual de Benedicto XVI ha escogido como objeto de pensamiento ha sido el del medio ambiente. Afecta a toda la Humanidad y la forma de tratarlo puede generar unas injusticias verdaderamente grandes. El trato adecuado del medio ambiente, por el contrario, puede ser un factor importante a favor del progreso de todos y del equilibrio social de todo el género humano.

Los demás problemas a los que la Santa Sede se ha dedicado dentro del ámbito de las relaciones internacionales son muy concretos y tienen una dimensión más bien eclesiástica si los enfocamos desde el punto de vista de los intereses. Nos referimos a dos cuestiones. Una de ellas es Cuba y la otra China. Los logros en Cuba se han producido en lo referente a la libertad religiosa y en la devolución a la Iglesia de algunos edificios. Con respecto a China se



ha reconocido la existencia de una mayor disposición a dialogar por ambas partes. El tiempo dirá si la llegada al poder del nuevo papa Francisco y de quien nombre como secretario de Estado suponga algún cambio más efectivo en las relaciones del gigante asiático con la Santa Sede.





## VISION HUMANA Y CRISTIANA DEL DESARROLLO SOCIAL: BENEDICTO XVI

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### Resumen:

Un análisis sobre el desarrollo en una sociedad globalizada, según la visión cristiana desde el Evangelio, es expresado en su tercera encíclica "Caritas in veritate", caridad en la verdad, (2009), por el Papa Benedicto XVI, Joseph Ratzinger, de reconocido sólido perfil teológico y magisterial. Caridad en la verdad en el cristianismo es principio operativo que trata de profundizar no en sentimientos marginales de la sociedad, sino en criterios orientadores, dos de ellos de máxima repercusión: la justicia y el bien común. Benedicto XVI considera el desarrollo humano en la reflexión actual, enumera previamente algunas desviaciones de gran alcance, bien conocidas en la esfera internacional, y extiende su mirada a continuación, desde la conciencia cristiana y desde la dimensión trascendente del hombre, sobre el hombre, sobre sus derechos y obligaciones en el progreso humano y sobre la familia humana global, centro y finalidad del desarrollo de los pueblos.

**Palabras clave:** Benedicto XVI, Encíclica, Caritas in Veritate, justicia, bien común, progreso humano.

**Title in English:** "A Christian and Human Vision on Social Development: Benedict XVI"

### Abstract:

*Pope Benedict XVI, in his third encyclical "Caritas in Veritate," Charity in Truth, (2009) makes an analysis from the Christian perspective, on the development in a globalized society. Charity in truth in Christianity is the operating principle that attempts to explore in depth the principal guiding criteria for human beings, two of them of maximum impact: justice and the common good. Benedict XVI makes some considerations on human development in the current debate. He mentions some important deviations, well known in the international arena, and then from the perspective of the Christian conscience and its transcendental dimension looks into the human beings, their rights and obligations on human progress and into the global human family, as the center and purpose of the development of peoples.*

**Keywords:** Benedict XVI, Encyclical, Caritas in Veritate, Justice, Common Good, Human Progress.

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## 1. Introducción

En artículo editorial de Benedicto XVI, en diario londinense “*Financial Times*”, Navidad de 2012, un par de meses anterior a su renuncia al Pontificado, (original petición de la dirección del periódico financiero al supremo director espiritual de los católicos) aparece, entre otras sugerencias, la que podría considerarse como ruta de las siguientes líneas de comentario a su encíclica “*Caritas in veritate*” : “*Los cristianos no deberían escapar del mundo; por el contrario deberían implicarse en el; pero su participación en la política y en la economía debería trascender toda forma de ideología...La fe cristiana en el destino trascendente de cada ser humano implica la urgencia de la tarea de promover la paz y la justicia para todos. Debido a que tales fines son compartidos por muchos, es posible una gran y fructífera colaboración entre los cristianos y los demás.*”<sup>2</sup>

Al dirigir la mirada, en efecto, a la dimensión humana y cristiana del desarrollo social en las encíclicas de Benedicto XVI (en adelante, B XVI), la atención se centra en la tercera de sus tres encíclicas: “*Caritas in veritate*”, *caridad en la verdad*, (2009),<sup>3</sup> una especie de continuación de la “*Populorum progressio*” de Pablo VI (1967), y un análisis de lo que la visión cristiana desde el Evangelio sugiere a B XVI el desarrollo en una sociedad globalizada.

Las otras dos encíclicas de B XVI, “*Deus est amor*”, *Dios es amor*, 2005, y “*Spe salvi*”, *Salvados en la esperanza*, 2007, aunque no carecen de referencias al desarrollo social humano, se dirigen también a los fieles de la Iglesia desde una reflexión más estrictamente religiosa. La primera “*Deus est amor*”<sup>4</sup>, sobre el amor de Dios Padre hacia los hombres, sobre Cristo como expresión del amor de Dios en su vida histórica entre los hombres y sobre el amor del hombre a Dios y al prójimo. Como se ha comentado, representa como una respuesta a la posibilidad de amar a Dios y al prójimo y como un deber de la Iglesia de practicar y enseñar el servicio de la caridad, partiendo desde luego desde la justicia.

La segunda encíclica “*Spe salvi*”<sup>5</sup> realiza una reflexión sobre la esperanza cristiana en los fieles de la Iglesia, como expresión de fé, profundizando en su naturaleza, fisonomía y consecuencias para el tiempo presente y su significado trascendente más allá de la frontera de esta vida. Constituye una esperanza fiable para el creyente al conocer que su vida tiene un futuro, que no acaba en el vacío, y que se actúa mediante una práctica viva. La esperanza del futuro influye en la realidad del presente.

## 2. Propuesta libre desde el Evangelio

Interesa destacar previamente la reflexión de B XVI, en su tercera encíclica “*Caritas in veritate*”, dirigida fundamentalmente a los fieles de la Iglesia, como propuesta libre desde el Evangelio, desde donde parte su enfoque en la compleja circunstancia actual del hombre y de los pueblos ya que su misión se refiere al orden espiritual y religioso del hombre, de libre aceptación por cualquier persona: “*La Iglesia no tiene soluciones técnicas que ofrecer (señala B XVI, siguiendo a “Gaudium et spes” del Vaticano II, y “Populorum progressio” de Pablo*

<sup>2</sup> Benedicto XVI: “editorial”, *Financial Times*, 21 Diciembre 2012.

<sup>3</sup> Benedicto XVI: “*Caritas in veritate*”, *carta encíclica*, AAS 101 (2009) 641-709 (7 julio 2009).

<sup>4</sup> Benedicto XVI: “*Deus est amor*”, *carta encíclica*, AAS 98 (2006) 217-252 (25 diciembre 2005).

<sup>5</sup> Benedicto XVI: “*Spe salvi*”, *carta encíclica*, AAS 99 (2007) 985-1027 (30 noviembre 2007).





VI)<sup>6</sup> y no pretende «de ninguna manera mezclarse en la política de los Estados». “No obstante, tiene una misión de verdad que cumplir en todo tiempo y circunstancia en favor de una sociedad a medida del hombre, de su dignidad y de su vocación... El compartir los bienes y recursos, de lo que proviene el auténtico desarrollo, no se asegura sólo con el progreso técnico y con meras relaciones de conveniencia, sino con la fuerza del amor que vence al mal con el bien (cf. Rm 12,21) y abre la conciencia del ser humano a relaciones recíprocas de libertad y de responsabilidad” (n. 9) .

Tratando de humanización en países africanos en reciente encuentro de “Antropología y misión”, Mons. Paride Tabán, candidato propuesto al Premio Nobel de la Paz (2013), obispo emérito de Tobit en Sudán del Sur, después de larga experiencia, comunicaba un excelente mensaje en la línea de la encíclica de B XVI: “El arma más potente que tenemos en este mundo no es un fusil o una bomba, sino el amor, que es el alma de la paz”<sup>7</sup>.

La Iglesia, al realizar el análisis del desarrollo en su dimensión humana y cristiana, lo hace como puede hacerlo cualquier otra persona o institución capacitada para apreciar la ruta humana en orden al bien del hombre y al bien de la comunidad social. Su doctrina, como toda la doctrina social de la Iglesia, sin fuerza jurídica ante los pueblos y sus dirigentes, es una propuesta libre desde el Evangelio, susceptible de interés para quien quiera estudiarla.

Por otra parte la reflexión de la encíclica y toda la actividad de sus ocho años de Pontificado viene garantizada por un pensador de prestigio a escala universal en la Iglesia y en la sociedad con anterioridad a su llegada al Pontificado, con sólido perfil teológico y magisterial de escritor, profesor y pensador, como es *Benedicto XVI, Joseph Ratzinger*. Su capacidad intelectual en el análisis de las doctrinas, su preparación en Teología y disciplinas complementarias, su dilatado profesorado en la universidades públicas de su país, Bonn, Münster, Tübinga y Regensburg, además de otros cargos eclesiásticos de responsabilidad, y su infinidad de publicaciones, libros y artículos de la especialidad, han logrado un magisterio luminoso y de solvencia reconocida.

### **3. Intencionalidad de la Encíclica “Caritas in Veritate”**

Las líneas siguientes, con intención simplicadora de la encíclica y con frecuente apelación al texto de viva y luminosa precisión, pretenden subrayar el pensamiento de B XVI en dos o tres aspectos de su análisis sobre el desarrollo social de la humanidad, especialmente en lo que se refiere al *desarrollo en la reflexión actual, en los derechos y deberes humanos sobre el desarrollo y la consideración de la humanidad como familia humana global*.

La primera sugerencia de la encíclica nace de su propio título “Caritas in veritate”, “Caridad en la verdad”, escogida sin duda intencionalmente como elemento sustantivo en que gira la doctrina social de la Iglesia: “La caridad es la vía maestra de la doctrina social de la Iglesia. Todas las responsabilidades y compromisos trazados por esta doctrina provienen de la caridad que, según la enseñanza de Jesús, es la síntesis de toda la Ley (cf. Mt 22,36-40). Ella da verdadera sustancia a la relación personal con Dios y con el prójimo; no es sólo el

<sup>6</sup> Concilio Ecuménico Vaticano II sobre la Iglesia en el mundo actual: “Gaudium et spes”, *constitución pastoral*, no. 26., AAS 58 (1966) (7 diciembre 1965), pp. 1025-1115; Pablo VI: “*Populorum progressio*”, *carta encíclica*, 22: AAS 59 (1967) (26 marzo 1967), pp. 257-299.

<sup>7</sup> A.J. Eisman (2013): *Paride Taban, constructor de paz en Sudán*, Madrid, Mundo Negro; XXV Encuentro, “Antropología y misión”, Edit. Mundo Negro, Madrid (2-3 febrero 2013).



*principio de las micro-relaciones, como en las amistades, la familia, el pequeño grupo, sino también de las macro-relaciones, como las relaciones sociales, económicas y políticas”.* (n. 2)

La desviación y pérdida de sentido de la palabra “caridad” en la sociedad actual y en la misma sociedad cristiana, con el consiguiente rechazo, supone frecuentemente la consideración de mero sentimentalismo, de paternalismo, que no toca sino la superficie del problema. B XVI trata de penetrar el verdadero sentido de la caridad cristiana de sentido mucho más amplio y profundo. *“Se ha de buscar, encontrar y expresar la verdad en la «economía» de la caridad, pero, a su vez, se ha de entender, valorar y practicar la caridad a la luz de la verdad... Sin verdad, la caridad cae en mero sentimentalismo. El amor se convierte en un envoltorio vacío que se rellena arbitrariamente. Éste es el riesgo fatal del amor en una cultura sin verdad. Es presa fácil de las emociones y las opiniones contingentes de los sujetos, una palabra de la que se abusa y que se distorsiona, terminando por significar lo contrario... Un cristianismo de caridad sin verdad se puede confundir fácilmente con una reserva de buenos sentimientos, provechosos para la convivencia social, pero marginales”.* (nn. 2, 3, 4)

Caridad en la verdad en el cristianismo, según las líneas de la encíclica, es principio operativo que trata de profundizar no en sentimientos marginales de la sociedad, sino en criterios orientadores, dos de ellos de máxima repercusión: **la justicia y el bien común**

*La justicia*, ante todo, “dar a cada uno lo suyo”, principio de resonancia bíblica continuada, pero que para el cristiano intenta añadir con la caridad un plus de fraternidad, “dar de lo mío al otro”, ofrecer como entrega gratuita, y, más difícil, responder, si llega el caso, no con ira sino con perdón. *Ante todo, la justicia. Ubi societas, ibi ius: toda sociedad elabora un sistema propio de justicia. La caridad va más allá de la justicia, porque amar es dar, ofrecer de lo «mío» al otro; pero nunca carece de justicia, la cual lleva a dar al otro lo que es «suyo», lo que le corresponde en virtud de su ser y de su obrar. No puedo «dar» al otro de lo mío sin haberle dado en primer lugar lo que en justicia le corresponde. Quien ama con caridad a los demás, es ante todo justo con ellos. No basta decir que la justicia no es extraña a la caridad, que no es una vía alternativa o paralela a la caridad: la justicia es «inseparable de la caridad» intrínseca a ella”.* (n. 6)

Por otra parte, *el bien común*, como criterio orientador, “exigencia de la justicia y de la caridad”, como indica la encíclica, establece el bien individual, desde luego, pero relacionado con el vivir social de las personas. *Bien común, que en la sociedad actual globalizada no puede menos de pretender abarcar nada menos que a toda la comunidad de la familia humana. Amar a alguien es querer su bien y trabajar eficazmente por él. Junto al bien individual, hay un bien relacionado con el vivir social de las personas: el bien común. Es el bien de ese «todos nosotros», formado por individuos, familias y grupos intermedios que se unen en comunidad social”* “ En una sociedad en vías de globalización (señalaba Juan XXIII “Pacem in terris”), el bien común y el esfuerzo por él, han de abarcar necesariamente a toda la familia humana, es decir, a la comunidad de los pueblos y naciones. (n. 7) <sup>8</sup>

B XVI no ha podido prescindir de la encíclica “*Populorum progressio*” de Pablo VI, 1967, que trazó con penetrante mirada esta dimensión cristiana de la caridad: “A más de cuarenta años de su publicación, la relectura de la “*Populorum progressio*” insta a permanecer fieles a su mensaje de caridad y de verdad, considerándolo en el ámbito del

<sup>8</sup> Juan XXIII: “*Pacem in terris*”, carta encíclica, AAS 55 (1963), (11 abril 1963), pp. 268-270.



*magisterio específico de Pablo VI y, más en general, dentro de la tradición de la doctrina social de la Iglesia*”. Alude al fundamento de los apóstoles, Padres y doctores cristianos, y a los pontífices de los tiempos cercanos, que escribieron sobre esta doctrina, León XIII, Pío XI, Juan XXIII, Pablo VI, Juan Pablo II. (nn. 15, 16).<sup>9</sup> Todo un compendio doctrinal y todo un patrimonio antiguo y nuevo, fuera del cual la “*Populorum progressio*” sería un documento sin raíces, cuyas cuestiones sobre el desarrollo se reducirían únicamente a datos sociológicos, referidos a lo que Pablo VI entendía por “desarrollo”: “ante todo el objetivo de que los pueblos salieran del hambre, la miseria, las enfermedades endémicas y el analfabetismo” (n. 21).

Pablo VI partía precisamente de esta visión para decimos dos grandes verdades. La primera es que “*toda la Iglesia, en todo su ser y obrar, cuando anuncia, celebra y actúa en la caridad, tiende a promover el desarrollo integral del hombre*”... La segunda verdad es que “*el auténtico desarrollo del hombre concierne de manera unitaria a la totalidad de la persona en todas sus dimensiones... Sin la perspectiva de una vida eterna, el progreso humano en este mundo se queda sin aliento. Encerrado dentro de la historia queda expuesto al riesgo de reducirse sólo al incremento del tener*”... “*Desafortunadamente, se ha depositado una confianza excesiva en dichas instituciones, sigue señalando B XVI, casi como si ellas pudieran conseguir el objetivo deseado de manera automática. En realidad, las instituciones por sí solas no bastan, porque el desarrollo humano integral es ante todo vocación y, por tanto, comporta que se asuman libre y solidariamente responsabilidades por parte de todos. Este desarrollo exige, además, una visión trascendente de la persona, necesita a Dios: sin Él, o se niega el desarrollo, o se le deja únicamente en manos del hombre, que cede a la presunción de la auto-salvación y termina por promover un desarrollo deshumanizado*”. (n. 11)

Pablo VI indicó en el desarrollo, humana y cristianamente entendido, el corazón del mensaje social cristiano y propuso la caridad cristiana como principal fuerza al servicio del desarrollo.

Al contemplar el estado de subdesarrollo de tantos pueblos, considera la Iglesia como propia responsabilidad, en coincidencia con otros muchos analistas, que su causa no es sólo de orden material, y que por tanto las instituciones que tratan de superar, y que emplean con elogiado empeño medios materiales (estructurales, alimenticios, económicos...) no cubrirían una responsabilidad totalmente solidaria, si falta voluntad y pensamiento de desarrollo integral del hombre y si falta auténtica fraternidad.

#### **4. Desarrollo humano en la reflexión actual**

Después de muchos años de la “*Populorum progressio*”, y desde luego también de otros muchos esfuerzos humanos de muchas instituciones, los problemas no han disminuido sino

<sup>9</sup> León XIII: “*Rerum novarum*”, *carta encíclica* (15 mayo 1891); Pío XI: “*Quadragesimo anno*”, *carta encíclica*, AAS (1931) (15 mayo 1931), pp. 177-228; Juan XXIII: “*Pacem in terris*” *carta encíclica*, AAS 55(1963) (11 abril 1963); Pablo VI: “*Populorum progressio*”, *carta encíclica*, 22: AAS 59 (1967) (26 marzo 1967), pp. 257-299; Pablo VI: “*Octogesima adveniens*”, *carta apostólica*, AAS 63 (1971) (14 mayo 1971); Juan Pablo II: “*Laborem exercens*”, *carta encíclica*, AAS 73 (1981) (14 septiembre 1981); Juan Pablo II: “*Sollicitudo rei socialis*”, *carta encíclica*, AAS 80 (1988) (30 diciembre 1987); Juan Pablo II: “*Centesimus annus*”, *carta encíclica*, AAS 83 (1991) (1 mayo 1991).



que se han aumentado y han surgido nuevas deficiencias. Por ello la “*Caritas in veritate*” insiste en que “*se han de valorar después los diversos términos en que hoy, a diferencia de entonces (“Populorum progressio”, 1967), se plantea el problema del desarrollo*”.

El desarrollo sigue siendo un factor positivo, sin duda, pero la sensación es que se producen en la actualidad desviaciones dramáticas.

*“Es verdad que el desarrollo ha sido y sigue siendo un factor positivo que ha sacado de la miseria a miles de millones de personas y que, últimamente, ha dado a muchos países la posibilidad de participar efectivamente en la política internacional. Sin embargo, se ha de reconocer que el desarrollo económico mismo ha estado, y lo está aún, aquejado por desviaciones y problemas dramáticos, que la crisis actual ha puesto todavía más de manifiesto”.* (n. 21)

B XVI, en nueva llamada de atención para los fieles de la Iglesia, continúa enumerando algunas desviaciones bien conocidas en la esfera internacional, como la propia actividad económica y financiera de los pueblos excesivamente especulativa, los flujos migratorios de carácter laboral tantas veces programados e insuficientemente gestionados, el grave problema del hambre en tantos pueblos, falta de agua y alimentos, incrementada no tanto por la escasez material como por insuficiencia de recursos sociales adecuados, la propia vida humana, derecho universal fundamental de todos los humanos sin discriminación, sometida a nuevos controles de mentalidad antinatalista, contracepción, aborto, eutanasia, como si constituyeran auténtico progreso cultural, añadidos a la ingente mortalidad infantil.

Con razón B XVI se une a la queja por muchos expresada: Los pueblos hambrientos interpelan hoy frecuentemente a los pueblos opulentos, entre otras razones porque las ayudas destinadas a los pueblos necesitados adolecen no pocas veces de sustraer para la organización burocrática cantidades importantes de la propia donación, que queda dramáticamente enflaquecida al llegar a su destino. (n. 17)

*“La riqueza mundial crece en términos absolutos, pero aumentan también las desigualdades. En los países ricos, nuevas categorías sociales se empobrecen y nacen nuevas pobrezas. En las zonas más pobres, algunos grupos gozan de un tipo de superdesarrollo derrochador y consumista, que contrasta de modo inaceptable con situaciones persistentes de miseria deshumanizadora. Se sigue produciendo «el escándalo de las disparidades hirientes»”.* (n. 22)

El desarrollo, por tanto, sigue siendo un problema abierto, acentuado además con la crisis económica actual de los últimos años. La investigación científica no puede prescindir, señala la encíclica, de una valoración moral y mucho menos en la *interdependencia planetaria de los pueblos, en la globalización*, donde el progreso carecería de eficacia y engendraría nuevos daños y divisiones en la familia humana. B XVI estimula a los cristianos al esfuerzo hacia una caridad y verdad de sentido auténticamente humano y cristiano ya que el hombre en su integridad, toda la humanidad, es al mismo tiempo, debe ser, la causa, el medio y el fin sustancial del desarrollo.

Sobre esta caridad, esta fraternidad, se pregunta B XVI: “*El subdesarrollo tiene una causa más importante aún que la falta de pensamiento: es «la falta de fraternidad entre los hombres y entre los pueblos» ¿podrán lograrla alguna vez los hombres por sí solos? La sociedad cada vez más globalizada nos hace más cercanos, pero no más hermanos. La razón, por sí sola, es capaz de aceptar la igualdad entre los hombres y de establecer una*



*convivencia cívica entre ellos, pero no consigue fundar la hermandad. Ésta nace de una vocación trascendente de Dios Padre, el primero que nos ha amado, y que nos ha enseñado mediante el Hijo lo que es la caridad fraterna” (n.19).*

La Iglesia se siente responsable para alcanzar *no sólo una convivencia cívica, sino una convivencia fraterna*. Las instituciones sólo no bastan si carecen de responsabilidad solidaria.

## **5. El hombre autosuficiente**

La reflexión de la encíclica recae, en determinado momento (cap. 3), sobre *el hombre* cuando es considerado como único factor de sí mismo, de su vida y de la sociedad. La consideración del *hombre como autosuficiente* sería errónea teniendo en cuenta que su bienestar material depende de otros factores sociales con los que está relacionado. Hay dependencias inevitables, ya que el hombre no se hace asimismo, recibe su vida y sus facultades de forma gratuita. Otro tanto cabe decir de *la lógica mercantil*, señala B XVI, que no sería de recibo si se gestiona sólo con referencias egoístas, debiendo tener en cuenta el bien común.

*“Creerse autosuficiente y capaz de eliminar por sí mismo el mal de la historia ha inducido al hombre a confundir la felicidad y la salvación con formas inmanentes de bienestar material y de actuación social. Además, la exigencia de la economía de ser autónoma, de no estar sujeta a «injerencias» de carácter moral, ha llevado al hombre a abusar de los instrumentos económicos incluso de manera destructiva. Con el pasar del tiempo, estas posturas han desembocado en sistemas económicos, sociales y políticos que han tiranizado la libertad de la persona y de los organismos sociales y que, precisamente por eso, no han sido capaces de asegurar la justicia que prometían”... Sin formas internas de solidaridad y de confianza recíproca, el mercado no puede cumplir plenamente su propia función económica. Hoy, precisamente esta confianza ha fallado, y esta pérdida de confianza es algo realmente grave” (nn.34 y 35)*

La doctrina social de la Iglesia, aun comprendiendo la grave dificultad de llevar a la práctica lo que sugieren las ideas, siempre ha considerado la actividad humana interdependiente con otras relaciones humanas de solidaridad, reciprocidad, con apertura progresiva en el contexto mundial a márgenes no exclusivamente utilitarios de carácter personal, sino abiertos a la solidaridad y gratuidad. *“La doctrina social de la Iglesia sostiene que se pueden vivir relaciones auténticamente humanas, de amistad y de sociabilidad, de solidaridad y de reciprocidad, también dentro de la actividad económica y no solamente fuera o «después» de ella. El sector económico no es ni éticamente neutro ni inhumano o antisocial por naturaleza. Es una actividad del hombre y, precisamente porque es humana, debe ser articulada e institucionalizada éticamente” (n.36)*

Observa, desde luego, B XVI al acercarse al tema de *la empresa*, como otros muchos pensadores, el buen camino recorrido por la misma, bien sea por razones de signo humanista o de signo sindical, no exclusivamente utilitarista, abriéndose a responsabilidades sociales no sólo de los directivos, sino también de los trabajadores, clientes, proveedores, de suerte que su programa de actividades ha ido acogiendo un *significado polivalente* del mejor sentido, aunque distante del bien común solidario. Movimiento también aplicable por sus mejoras y defectos a los responsables de los pueblos que con muy variada política gestionan a nivel más amplio el bienestar de los ciudadanos. Pero esta observación optimista ha de ser coordinada con responsabilidades más amplias: *“La obtención de recursos, la financiación, la producción,*



*el consumo y todas las fases del proceso económico tienen ineludiblemente implicaciones morales. Así, toda decisión económica tiene consecuencias de carácter moral. Lo confirman las ciencias sociales y las tendencias de la economía contemporánea... También la autoridad política tiene un significado polivalente, que no se puede olvidar mientras se camina hacia la consecución de un nuevo orden económico-productivo, socialmente responsable y a medida del hombre.” (nn. 40, 41)*

Finalmente, a nivel mundial, en el proceso socioeconómico hacia la *globalización* resulta también imprescindible contar con la finalidad de relación interhumana: el desarrollo no debe prescindir de ser útil a las personas y a los pueblos. Por eso la encíclica subraya, dirigiéndose al mundo cristiano, la obligación de tratar de caminar por los aspectos positivos, aunque sean difíciles, siendo protagonistas, no víctimas del progreso, procediendo razonablemente guiados por el aludido sentido de la caridad y de la verdad según la ruta del Evangelio. La riqueza a escala planetaria bien gestionada no deberá engendrar ni pobreza ni desigualdad, sino que ha de tratar de superar las dificultades y peligros con espíritu verdaderamente humano y ético del mejor sentido hacia una globalización auténticamente solidaria.

*“ A pesar de algunos aspectos estructurales innegables, pero que no se deben absolutizar, la globalización no es, a priori, ni buena ni mala. Será lo que la gente haga de ella». Debemos ser sus protagonistas, no las víctimas, procediendo razonablemente, guiados por la caridad y la verdad. Oponerse ciegamente a la globalización sería una actitud errónea, preconcebida, que acabaría por ignorar un proceso que tiene también aspectos positivos, con el riesgo de perder una gran ocasión para aprovechar las múltiples oportunidades de desarrollo que ofrece. El proceso de globalización, adecuadamente entendido y gestionado, ofrece la posibilidad de una gran redistribución de la riqueza a escala planetaria como nunca se ha visto antes; pero, si se gestiona mal, puede incrementar la pobreza y la desigualdad, contagiando además con una crisis a todo el mundo”(n. 42).*

## **6. Derechos y deberes del desarrollo**

A la hora de examinar los derechos y deberes en el proceso del desarrollo, la encíclica subraya una verdad bien conocida: que todo derecho engendra sus correspondientes deberes. *“La solidaridad universal, que es un hecho y un beneficio para todos, es también un deber». En la actualidad, muchos pretenden pensar que no deben nada a nadie, si no es a sí mismos. Piensan que sólo son titulares de derechos y con frecuencia les cuesta madurar en su responsabilidad respecto al desarrollo integral propio y ajeno. Por ello, es importante urgir una nueva reflexión sobre los deberes que los derechos presuponen, y sin los cuales éstos se convierten en algo arbitrario... La exacerbación de los derechos conduce al olvido de los deberes. Los deberes delimitan los derechos porque remiten a un marco antropológico y ético en cuya verdad se insertan también los derechos y así dejan de ser arbitrarios” (n. 43)*

A veces , sin embargo, se reclaman presuntos derechos arbitrarios y superfluos, al mismo tiempo que se inculcan derechos fundamentales de personas y de pueblos. También sucede que determinadas ayudas al desarrollo son empleadas para “mantener costosos organismos burocráticos”, llegando muy mermadas a sus destinatarios principales: *“Hoy se da una profunda contradicción. Mientras, por un lado, se reivindican presuntos derechos, de carácter arbitrario y superfluo, con la pretensión de que las estructuras públicas los reconozcan y promuevan, por otro, hay derechos elementales y fundamentales que se ignoran*



y violan en gran parte de la humanidad. Se aprecia con frecuencia una relación entre la reivindicación del derecho a lo superfluo, e incluso a la transgresión y al vicio, en las sociedades opulentas, y la carencia de comida, agua potable, instrucción básica o cuidados sanitarios elementales en ciertas regiones del mundo subdesarrollado y también en la periferia de las grandes ciudades.”... (n. 43).

El acento se pone principalmente en un par de cuestiones fundamentales para la población, que ofrecen derechos y deberes a escala universal, que son objeto de análisis y consecuencias de gran alcance por los pensadores y por los responsables de la dirección de los países, dos temas con un sinnúmero de consecuencias sociales, **la demografía y la naturaleza**, sobre los que se pronuncia B XVI en la encíclica.

**Demografía.** Bajo esta expresión son bien conocidas numerosas realidades, que engendran constante preocupación en los gestores de la dirección de los pueblos, de las agregaciones de países unidos y prácticamente en los responsables de los cinco continentes, ya que su alcance se proyecta hacia el presente y hacia el futuro de la humanidad. “*La concepción de los derechos y de los deberes respecto al desarrollo, debe tener también en cuenta los problemas relacionados con el crecimiento demográfico. Es un aspecto muy importante del verdadero desarrollo, porque afecta a los valores irrenunciables de la vida y de la familia*” (n. 44).

**Derecho a la vida.** Ante todo el *derecho a la vida* de las personas, de cada persona, tutelado como derecho fundamental en las leyes constitucionales de los países, pero que en la práctica se ve sometido a numerosas limitaciones de grave repercusión. Las estadísticas, en efecto, señalan al mismo tiempo en la diversidad de los pueblos el aumento o disminución de la natalidad según las diversas políticas empleadas en su protección. B XVI consigna como *preocupación importante* (cap. 2º, nn 27, 28...) que los propios gobiernos de la causa pública son los primeros en acusar los riesgos de una demografía que fluctúa entre el favor y las limitaciones, cuando se abordan las leyes sobre temas como el aborto, la planificación forzada de la natalidad, el tratamiento genético de embriones, la sexualidad reducida a simple fuente de placer, y por otra parte cuando se trata de establecer legislación sobre el final de la vida de las personas con diversas formas de eutanasia, que oscilan con finalidades de legitimidad a veces discutible, en difícil equilibrio, entre el derecho a la vida singular de las personas y el bienestar de los pueblos a corto o a largo espacio de tiempo.

“*La disminución de los nacimientos, a veces por debajo del llamado «índice de reemplazo generacional», pone en crisis incluso a los sistemas de asistencia social, aumenta los costes, merma la reserva del ahorro y, consiguientemente, los recursos financieros necesarios para las inversiones, reduce la disponibilidad de trabajadores cualificados y disminuye la reserva de «cerebros» a los que recurrir para las necesidades de la nación*”. (n. 44)

Lógicamente B XVI al dirigirse a los fieles cristianos expone y urge ante los mismos las conocidas tesis cristianas relativas a estos temas, consciente de la dificultad que algunas presentan ante corrientes del pensamiento moderno, pero tratando de llevar la responsabilidad religiosa por la ruta de la doctrina evangélica en orden al bien común de los hombres.

**Matrimonio y familia.** A este cúmulo de derechos y obligaciones con respecto al derecho a la vida, son de añadir, desde luego, como lo hace B XVI en la encíclica y en otras



muchas ocasiones, y como advertía con claridad el Vaticano II <sup>10</sup>, las políticas referidas a dos instituciones de la mayor trascendencia en la historia de la humanidad y en la geografía de los continentes, *el matrimonio y la familia*, que constituyen la raíz fundamental de la sociedad y de la humanidad, y que no siempre obtienen el tratamiento social, jurídico y ético que merecen. “... *Por eso, se convierte en una necesidad social, e incluso económica, seguir proponiendo a las nuevas generaciones la hermosura de la familia y del matrimonio, su sintonía con las exigencias más profundas del corazón y de la dignidad de la persona. En esta perspectiva, los estados están llamados a establecer políticas que promuevan la centralidad y la integridad de la familia, fundada en el matrimonio entre un hombre y una mujer, célula primordial y vital de la sociedad*”. (n. 44)

**La naturaleza.** La mirada de la encíclica se proyecta, como no podía ser de otra manera, sobre la responsabilidad del hombre sobre los **recursos de la naturaleza**, sobre toda la naturaleza creada, una dimensión de consencuencias verdaderamente importantes y de alcance casi incomprensible. Constituye, señala también B XVI siguiendo la tesis cristiana, una expresión bien clara, favorable y verdadera para el hombre, con responsabilidad insoslayable, ya que nos ha sido dada por el Creador para uso inteligente del hombre y no meramente instrumental ni arbitrario. Sobre la naturaleza reside en los pueblos y en sus gobiernos, y lo mismo se recalca en la cíclica para la multitud de fieles de la Iglesia, la difícil responsabilidad de un tratamiento razonable, que sirva para las generaciones presentes y futuras con la mejor andadura posible, y por tanto lejana de lo que puede considerarse en no pocas circunstancias como destrucción y planteamiento caótico.

**Inquietud ecológica.** Bajo la denominación de *inquietud ecológica*, señala la encíclica, donde son destacables los múltiples pasos positivos en los siglos cercanos y en los últimos decenios, gracias a investigadores, científicos, políticos y tantos otros profesionales responsables, es de interés subrayar, al menos, una doble perspectiva complementaria e imprescindible, la potenciación tanto de una **ecología ambiental** como una **ecología humana**, *ya que el hombre influye en el ambiente natural, y el ambiente natural influye en el hombre.*

*“Para salvaguardar la naturaleza no basta intervenir con incentivos o desincentivos económicos, y ni siquiera basta con una instrucción adecuada. Éstos son instrumentos importantes, pero el problema decisivo es la capacidad moral global de la sociedad... Los deberes que tenemos con el ambiente están relacionados con los que tenemos para con la persona considerada en sí misma y en su relación con los otros. No se pueden exigir unos y conculcar otros. Es una grave antinomia de la mentalidad y de la praxis actual, que envilece a la persona, trastorna el ambiente y daña a la sociedad”* (n. 51)

La Iglesia se siente responsable de manera especial, junto a otros muchos agentes del bien común, hacia el cuidado de la naturaleza tanto para las presentes generaciones como para las futuras, ya que en su credo figura de manera destacada la donación gratuita del mundo y de los recursos de la naturaleza por parte del Creador para el mejor uso y utilidad de la humanidad. Los desastres naturales, tantas veces catastróficos y por otra parte los graves desperfectos producidos por el hombre en la naturaleza por descuido o de forma intencionada son preocupación de primer orden que exige atención continuada dentro de esa doble potenciación aludida de ecología ambiental y ecología humana.

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<sup>10</sup> Concilio Ecueménico Vaticano II: *Apostolicam actuoritatem*, decreto sobre el apostolado de los laicos, n.11 sobre la familia, AAS 58 (1966), pp. 847-848.





**La técnica.** La técnica, actividad prevalente en el campo humano y en la que el hombre se considera dueño y dominador de tantos secretos de la naturaleza orgánica e inorgánica, señala B XVI, es un “hecho profundamente humano, vinculado a la autonomía y libertad del hombre. En la técnica se manifiesta y confirma el dominio del espíritu sobre la materia”... *“La clave del desarrollo está en una inteligencia capaz de entender la técnica y de captar el significado plenamente humano del quehacer del hombre, según el horizonte de sentido de la persona considerada en la globalidad de su ser. Incluso cuando el hombre opera a través de un satélite o de un impulso electrónico a distancia, su actuar permanece siempre humano, expresión de una libertad responsable. La técnica atrae fuertemente al hombre, porque lo rescata de las limitaciones físicas y le amplía el horizonte. Pero la libertad humana es ella misma sólo cuando responde a esta atracción de la técnica con decisiones que son fruto de la responsabilidad moral. De ahí la necesidad apremiante de una formación para un uso ético y responsable de la técnica”.* (n. 70)

**La ética.** Una ulterior advertencia de interés es proyectada en la encíclica al término del capítulo de derechos y deberes, sobre la denominada “*responsabilidad ética*”, que se incorpora a veces con facilidad en tareas de bien común con pretensión de aparente honradez, pero que pueden rozar la frontera de intereses menos éticos o antiéticos. Las palabras de B XVI aclaran con lucidez esta advertencia:

*“Hoy se habla mucho de ética en el campo económico, bancario y empresarial. Surgen centros de estudio y programas formativos de business ethics; se difunde en el mundo desarrollado el sistema de certificaciones éticas, siguiendo la línea del movimiento de ideas nacido en torno a la responsabilidad social de la empresa. Los bancos proponen cuentas y fondos de inversión llamados «éticos». Se desarrolla una «finanza ética», sobre todo mediante el microcrédito y, más en general, la microfinanciación. Dichos procesos son apreciados y merecen un amplio apoyo. Sus efectos positivos llegan incluso a las áreas menos desarrolladas de la tierra. Conviene, sin embargo, elaborar un criterio de discernimiento válido, pues se nota un cierto abuso del adjetivo «ético» que, usado de manera genérica, puede abarcar también contenidos completamente distintos, hasta el punto de hacer pasar por éticas decisiones y opciones contrarias a la justicia y al verdadero bien del hombre.”* (n. 45)

## **7. Desarrollo de la familia humana global**

La encíclica se acerca antes del final (cap. V) al tema de la familia humana en su más amplio sentido, centro y finalidad fundamental del desarrollo de los pueblos.

Parte de la referencia a la *soledad obligada de las personas y de los pueblos* como síntoma de una gran pobreza tantas veces material y espiritual, y de un punto de necesaria atención para llegar al verdadero desarrollo. El desarrollo de los pueblos supone reconocerse como parte de la familia humana que alcanza, debe alcanzar, las *relaciones interpersonales* con los otros, las *relaciones interpueblos*, sin olvidar la *relación trascendente* con Dios, autor de las personas, de la humanidad, de la creación. *“Hoy la humanidad aparece mucho más interactiva que antes: esa mayor vecindad debe transformarse en verdadera comunión. El desarrollo de los pueblos depende sobre todo de que se reconozcan como parte de una sola familia, que colabora con verdadera comunión y está integrada por seres que no viven simplemente uno junto al otro ...La criatura humana, en cuanto de naturaleza espiritual, se realiza en las relaciones interpersonales. Cuanto más las vive de manera auténtica, tanto más*



*madura también es la propia identidad personal. El hombre se valoriza no aislándose sino poniéndose en relación con los otros y con Dios. Por tanto, la importancia de dichas relaciones es fundamental. Esto vale también para los pueblos” (n 53)*

El desarrollo de la familia humana, recuerda B XVI, comprende también, no puede prescindir de la **relación a las culturas** diversas según los tiempos y los grupos humanos, así como también la **relación a las religiones**, ya que unas y otras, culturas y religiones colaboran, pueden colaborar de manera nada despreciable a la fraternidad y a la paz de la humanidad, siempre naturalmente que su acción sea favorable al bien común. *“La revelación cristiana sobre la unidad del género humano presupone una interpretación metafísica del humanum, en la que la relacionalidad es elemento esencial. También otras culturas y otras religiones enseñan la fraternidad y la paz y, por tanto, son de gran importancia para el desarrollo humano integral” (n. 55)*

La reflexión sobre el tema religioso lleva a B XVI a la pregunta de hondo calado social, **“si Dios tiene lugar en la esfera pública”**, en una sociedad que se muestra de muy diversas formas, deseosa de eliminar toda manifestación religiosa considerando el factor religioso como elemento puramente interno del ámbito de la conciencia personal y contrario al progreso humano. Pero cabría preguntarse si una sociedad es auténticamente democrática cuando proclama el laicismo excluyente como dogma y niega *el estado de ciudadanía* al factor religioso, al mismo tiempo que defiende la carta de los derechos humanos fundamentales, entre ellos la libertad de expresión, la igualdad ante la ley, la libertad religiosa. El derecho de libertad religiosa, lo mismo que los demás derechos fundamentales de la persona, no son mera elaboración de la conciencia personal, limitada al ámbito de la misma, sino que incluye en el ordenamiento jurídico la protección de su manifestación exterior y los demás derechos, incluido el de asociación, y la realización de su actividad promotora del progreso humano en el orden cultural y humanitario, además del estrictamente religioso, lógicamente siempre que no sea contraria al bien común.

*“La religión cristiana y las otras religiones pueden contribuir al desarrollo solamente si Dios tiene un lugar en la esfera pública, con específica referencia a la dimensión cultural, social, económica y, en particular, política. La doctrina social de la Iglesia ha nacido para reivindicar esa «carta de ciudadanía» de la religión cristiana. La negación del derecho a profesar públicamente la propia religión y a trabajar para que las verdades de la fe inspiren también la vida pública, tiene consecuencias negativas sobre el verdadero desarrollo... Se corre el riesgo de que no se respeten los derechos humanos, bien porque se les priva de su fundamento trascendente, bien porque no se reconoce la libertad personal” (n. 56)*

A este propósito cabría señalar aquí el pensamiento de Joseph H. Weiler profesor de Derecho, Universidad de Nueva York, sobre textos constitucionales, que, “al pronunciar el Estado como “laico”, manifiestan ciertamente con ello su adhesión explícita al laicismo de una parte de la población, pero dejan en silencio la vivencia religiosa de otra buena parte de población, quizás mayoritaria, como si el laicismo gozase de carta de ciudadanía y la religiosidad hubiera de ser escondida en la conciencia individual...” En el camino de una verdadera democracia se pregunta *“¿Por qué el excluir una referencia a Dios va a ser más neutral que el incluir a Dios? En una condición binaria, ninguna opción es neutra...”*.<sup>11</sup>

<sup>11</sup> Weiler, Joseph H.H.: (profesor de Derecho.Universidad de Nueva York y cátedra Jean Monet. Unión Europea), *Invocatio Dei y la Constitución Española* ([www.conoze.com](http://www.conoze.com) n. 438).



La encíclica además desea promocionar la *colaboración fraterna de creyentes y no creyentes*, en tantos posibles campos favorables al desarrollo humano, además de la convivencia pacífica de unos con otros, propiciada desde muchas instancias sociales y políticas, y también desde la Iglesia de manera explícita por la constitución “*Gaudium et spes*” del Vaticano II y tantos otros documentos, ya que es el hombre el centro y culmen del desarrollo.<sup>12</sup>

Sin necesidad de acudir a legislaciones positivas de ordenamientos jurídicos cabe aludir a la fuerte inclinación humana hacia el bien y la verdad, hacia la honradez de las personas, una especie de exigencia connatural, considerada por muchos como ley natural, que se manifiesta en la conciencia personal y en la expresión de la naturaleza, y que resulta ser la fuente radical de la elaboración de los derechos humanos fundamentales de los ordenamientos jurídicos. “*Dicha ley moral universal es fundamento sólido de todo diálogo cultural, religioso y político, ayudando al pluralismo multiforme de las diversas culturas a que no se alejen de la búsqueda común de la verdad, del bien y de Dios. Por tanto, la adhesión a esa ley escrita en los corazones es la base de toda colaboración social constructiva.*” (n.59)

La difícil andadura de este desarrollo interhumano, interpersonal y de los pueblos, inclina a pensar en la necesidad, expresada en numerosas instancias de todo color social y político, de una *Autoridad Política Mundial* que conduzca eficazmente al auténtico desarrollo humano, como expresa B XVI y como señaló en su momento Juan XXIII.<sup>13</sup>

## **8. Conclusión**

La clave del desarrollo debe tener, sin duda, un significado plenamente humano por encima de esfuerzos meramente técnicos o económicos. La conclusión de B XVI, al contemplar la dimensión trascendente del hombre según la fe cristiana sobre el desarrollo, evoca un proceso a la vez material y espiritual congruente con el dominio del espíritu sobre la materia.

“ *El tema del desarrollo de los pueblos está íntimamente unido al del desarrollo de cada hombre. La persona humana tiende por naturaleza a su propio desarrollo. Éste no está garantizado por una serie de mecanismos naturales, sino que cada uno de nosotros es consciente de su capacidad de decidir libre y responsablemente. Tampoco se trata de un desarrollo a merced de nuestro capricho, ya que todos sabemos que somos un don y no el resultado de una autogeneración.... No sólo las demás personas se nos presentan como no disponibles, sino también nosotros para nosotros mismos...*” (69)

<sup>12</sup> Concilio Ecueménico Vaticano II: “*Gaudium et spes*”, *Constitución Pastoral* n. 12: “*Creyentes y no creyentes están generalmente de acuerdo en este punto, todos los bienes de la tierra deben ordenarse en función del hombre como su centro y cima de todos ellos*». B XVI: “*Para los creyentes, el mundo no es fruto de la casualidad ni de la necesidad, sino de un proyecto de Dios. De ahí nace el deber de los creyentes de aunar sus esfuerzos con todos los hombres y mujeres de buena voluntad de otras religiones, o no creyentes, para que nuestro mundo responda efectivamente al proyecto divino: vivir como una familia, bajo la mirada del Creador*”, n. 57.

<sup>13</sup> Juan XXIII: “*Pacem in terris*”, *carta encíclica*, AAS 55 (1963) 293: (11 abril 1963), p. 137: “*Y como hoy el bien común de todos los pueblos plantea problemas que afectan a todas las naciones, y como semejantes problemas solamente puede afrontarlos una autoridad pública cuyo poder, estructura y medios sean suficientemente amplios y cuyo radio de acción tenga un alcance mundial, resulta, en consecuencia, que, por imposición del mismo orden moral, es preciso constituir una autoridad pública general*”; p. 138: “*Esta autoridad general, cuyo poder debe alcanzar vigencia en el mundo entero y poseer medios idóneos para conducir al bien común universal, ha de establecerse con el consentimiento de todas las naciones y no imponerse por la fuerza*”.



En la línea de la fe cristiana B XVI concluye su encíclica a la hora del desarrollo humano y cristiano con expresiones sugeridas desde la misma fe: *“La disponibilidad para con Dios provoca la disponibilidad para con los hermanos y una vida entendida como una tarea solidaria y gozosa. Al contrario, la cerrazón ideológica a Dios y el indiferentismo ateo, que olvida al Creador y corre el peligro de olvidar también los valores humanos, se presentan hoy como uno de los mayores obstáculos para el desarrollo...”* Añade las palabras de San Pablo a los Romanos: *«Que vuestra caridad no sea una farsa: aborreced lo malo y apegaos a lo bueno. Como buenos hermanos, sed cariñosos unos con otros, estimando a los demás más que a uno mismo»* (12,9-10). (nn. 78 y 79)



## POLÍTICA INTERNACIONAL DE BENEDICTO XVI (19-4-2005/2013): LOS ACUERDOS CON LOS ESTADOS

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### **Resumen:**

En el pontificado de Benedicto XVI se continuó la vía de acuerdos, convenios y concordatos con los Estados de todos los continentes, mediante las actualizaciones y ampliaciones consiguientes en virtud de los cambios operados en la realidad social, económica y política tanto de mundo en general como de Europa en especial. Se asiste a una consolidación de los acuerdos concordatarios y a su progresiva expansión a otros Estados.

**Palabras clave:** Benedicto XVI, concordato, acuerdos, expansión de los acuerdos.

**Title in English:** *“Benedict XVI International Policy (19-4-2005/2013): Agreements with other States”*

### **Abstract:**

*Benedict XVI continued the signing of agreements and concordats with states from all continents, sometimes updating and upgrading them, given the changes in the social, economic and political domains that took place in the world and in particular in Europe. The article presents in detail the consolidated concordats and agreements that were signed during his pontificate and their gradual expansion to the different continents..*

**Keywords:** *Benedict XVI, Concordat, Agreements, Expansion of Agreements.*

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## 1. Introducción

Al tratar de ofrecer una retrospectiva de la política internacional de ocho años del pontificado de Benedicto XVI, resulta oportuno, creemos, dar a conocer cuál fue la política específica de acuerdos seguida con los Estados<sup>2</sup>.

Cierto que la saga de Países concordatarios existentes en 1939 antes del comienzo de la II Guerra Mundial —que al presente querían volver a serlo— quedó culminada con la “política” de acuerdos de Juan Pablo II, iniciada en 1978 y casi concluida años después en 1989 con la caída del muro de Berlín. De ahí que la política concordataria de Juan Pablo II apareciera configurada por dos características: la continuidad y la novedad.

Al presente, en cambio, con Benedicto XVI, la política de acuerdos con los Estados no puede ser otra que la continuidad matizada con alguna novedad. En el fondo, por tanto, se asiste a una consolidación de los acuerdos concordatarios y a su progresiva expansión a otros Estados.

## 2. Consolidación y ampliación de los acuerdos concordatarios con los países germánicos

En primer lugar, se produce una consolidación y ampliación de acuerdos concordatarios con Baja Sajonia, Baviera, Hamburgo y Austria.

- Con **Baviera**<sup>3</sup> se celebra su octavo convenio con la Santa Sede el 19 de enero de 2007, pero ahora bajo la figura de *Protocolo Adicional al Concordato con Baviera de 29 de marzo de 1924, modificado por última vez por el Acuerdo de 8 de junio de 1988*. Por él se introduce una nueva regulación del régimen de dotación de las Facultades de Teología en Baviera, debido a la disminución del número de estudiantes en los últimos años en el currículo de estudios para obtener el diploma y de los estudiantes de la disciplina de Religión Católica en algunas Facultades de Teología Católica y Centros de Instrucción de Baviera, que han conducido a una desproporción entre el número de docentes y el de estudiantes.

Como consecuencia, se han acordado una serie de medidas. La primera serie afecta a las Facultades de las Universidades de Bamberg y Pasau. Así se establece que estas quedan en estado de “suspensión” —por un período de quince años desde la entrada en vigor del Protocolo— tanto la obligación del Estado de corresponder a su enseñanza e instituir un currículo de los estudiantes de teología, como su obligación de proveer para la enseñanza del estudio en profundidad de la Religión Católica; que pueden reducirse a cinco el número de cátedras; y que así mismo, durante dicho período, se prescindirá de efectuar nuevos nombramientos.

La segunda serie afecta a las Facultades de las Universidades —cuatro— de Augsburg, Munich, (*Ludwig-Maximilian-Universität*), Ratisbona y Würzburg, por la que se mantiene la dotación numérica concordada de cátedras/plazas de profesor para filosofía y

<sup>2</sup> Corral, Carlos: “La política concordataria di Giovanni Paolo II”, *Civiltà Cattolica* (2001-IV), pp. 156-167.

<sup>3</sup> Corral, Carlos y Santos, José Luis (2012): *Tratados internacionales (2003-2012) de la Santa Sede con los Estados, Concordatos vigentes*, Madrid, Universidad Pontificia Comillas-, E-Book, pp.22-28.



teología; y, en concreto, para Munich, 16 plazas; para Würzburg, 14; para Ratisbona, 12; y para Augsburg, 12.

- Con **Baja Sajonia**, mediante sucesivos acuerdos se había ido operando de modo conjuntado con la Iglesia Católica una continua adaptación del Concordato a las diversas reformas universitarias y escolares introducidas por el *Land*. Ahora se acomete sólo un punto: la adaptación relativa al status de las escuelas bajo titularidad de la Iglesia que tuvieren la categoría jurídica de *Ersatzschule* [las escuelas substitutivas] mediante el correspondiente Convenio de 6 de abril de 2010<sup>4</sup>.

- Con **La Ciudad Libre y Hanseática de Hamburgo** ha celebrado ya dos convenios, uno general y otro sectorial.

El primero fue el *Convenio con la Santa Sede de 29 de noviembre de 2005*<sup>5</sup>. Su finalidad era “el deseo de Consolidar y desarrollar *las relaciones* entre la Iglesia católica y la Ciudad Libre y Hanseática de Hamburgo *con espíritu de mutua cooperación en la libertad*”, y fijar y seguir desarrollando de manera estable las crecientes relaciones” (Preámbulo, párrafo 1). Como novedosa peculiaridad para con la Iglesia Católica, se añade todavía una segunda finalidad más general por desbordar el ámbito territorial de Hamburgo, “la aspiración a favorecer así también la construcción pacífica de una Europa siempre más estrechamente creciente” (Preámbulo, párrafo sexto).

Como presupuesto *social* se parte de que una “sociedad pluralista y una Ciudad cosmopolita que se concibe mediadora entre los pueblos” [Preámbulo párrafo 2]<sup>6</sup>.

El segundo fue el *Convenio para la erección de un centro de formación para la Teología Católica y la Pedagogía de la Religión en la Universidad de Hamburgo*<sup>7</sup> (de 18 de mayo de 2010). Con respecto al profesorado, para el llamamiento como profesor, aun cuando se haga por la misma Universidad, se requerirá que, por parte del Arzobispo de Hamburgo, no se haya formulado excepción alguna (art. 4,1).

- Con **Schleswig-Holstein**<sup>8</sup> --donde los católicos son 173.130 dentro de una población de 2.837.373— se alcanza el Acuerdo de 12 de enero de 2009 con la finalidad de “de consolidar y desarrollar las relaciones entre la Iglesia Católica y el *Land* en el espíritu de mutua colaboración en libertad”

- Con **Austria**, buscándose una vez más la actualización de la dotación, se da el paso al “*Sexto Acuerdo Adicional*” (de 5 de marzo de 2009) en el que se fija la cantidad de 17.295.000 Euros, a partir del año 2008.

<sup>4</sup> *Ibid.*, pp. 19-21.

<sup>5</sup> *Ibid.*, pp 62-77.

<sup>6</sup> En cuanto a la estructura formal, el Convenio viene denominado en el original en alemán como “*Vertrag*”, mientras en el original con la Santa Sede viene traducido como “*Accordo*” (en lugar de “Convenio” o “*Convenzione*”; en AAS “*Conventio*”).

<sup>7</sup> *Ibid.* pp 78-84.

<sup>8</sup> *Ibid.* pp 85-99.

<sup>9</sup> *Ibid.*, pp 111-112.



### 3. La incorporación de nuevos acuerdos con los estados egresados de la antigua Yugoslavia

En Yugoslavia que sufrió sucesivos desmembramientos no fue posible concluir acuerdos con todos los nuevos Estados surgidos a la independencia. Tan sólo se consiguió con Croacia el 19 de diciembre de 1996 mediante acuerdos específicos. Ahora ya sí se han acabado de celebrar convenios con Albania, Bosnia-Herzegovina, Eslovenia y Montenegro.

- Con la República de **Albania**, al primer Acuerdo entre la Santa Sede y Albania para regular sus mutuas relaciones (de 23 de marzo de 2002)<sup>10</sup>, se ha alcanzado la celebración del segundo: el Acuerdo internacional con la Santa Sede (de 3 de diciembre de 2007)<sup>11</sup>, con la intención de “regular algunas cuestiones de naturaleza económica y tributaria”.

- Con **Bosnia-Herzegovina** -país de abigarrada complejidad étnica y religiosa— se ha llegado al *Acuerdo Básico y Protocolo Adicional con la Santa Sede* (de 19 de abril y 29 de septiembre de 2006)<sup>12</sup> con ánimo de proteger la situación jurídica de la minoría católica, asentada juntamente con población islámica y ortodoxa<sup>13</sup>. Se advierte, ante todo, una tendencia a *equiparar en lo posible los efectos civiles de instituciones religiosas con los de las instituciones paralelas estatales*. Los temas del Acuerdo no distan mucho de los temas habituales concordados con otros países del área europea, como tampoco el planteamiento y las soluciones arbitradas a los mismos.

- Con la República de Lituania Acuerdo de 14 de junio de 2012 sobre reconocimiento de calificaciones concernientes a la educación superior.

- Con **Montenegro** se llegó a firmar el Acuerdo de Base con la Santa Sede, el 24 de junio de 2011, para la colaboración mutua y el establecimiento del marco general de las relaciones recíprocas<sup>14</sup>. Relaciones que tuvo lugar a los cinco años del reconocimiento, por parte de la Santa Sede, de la “vuelta de Montenegro a la Comunidad Internacional” (19 de junio de 2006) y del establecimiento de relaciones diplomáticas formales con el Vaticano (el 16 de diciembre de 2006).

La celebración de la firma del Acuerdo en el Vaticano, tuvo la particularidad que ocupó el centro de la audiencia que Benedicto XVI concedió al presidente del Gobierno de Montenegro, Igor Lukšić, quien lo firmó tras el encuentro con el Papa.

<sup>10</sup> Los originales con introducción y versión en Corral, Carlos y Petschen, Santiago (2004): *Tratados internacionales de la Santa Sede (1996-2003)*, Madrid, Universidad Pontificia Comillas; *Concordatos vigentes*, T.IV (Madrid) pp. 29-39.

<sup>11</sup> Santos, José Luis (2008): *IUSTEL, RGDCDEE 17* (2008), pp. 1-16.

<sup>12</sup> “Basic Agreement between the Holy See and Bosnia and Herzegovina (19 abril 2006)” y “Additional Protocol in the Basic Agreement between the Holy See and Bosnia and Herzegovina (29 septiembre 2006)”, *Ratificación*, 25 octubre 2007. (Fuente: Nunciatura Apostólica de Bosnia Herzegovina).

<sup>13</sup> Bosnia Herzegovina. Población 4.070.000: grupos étnicos: musulmanes, serbios, croatas; grupos religiosos: islámicos 40%; ortodoxos 30%; católicos 15%; otras minorías religiosas 10%.

<sup>14</sup> Santos, José Luis: “Montenegro, de mayoría ortodoxa, firma acuerdo con la Santa Sede (junio 2011)”, *Blog Carlos Corral*, n.247, en [www.periodistadigital.com](http://www.periodistadigital.com).





#### 4. Expansión a los países bálticos: Lituania

A los cuatro países bálticos —que habían vuelto a celebrar nuevos Acuerdos con la Santa Sede como Polonia en 1993, Estonia en 1999, Letonia en 2000 y Lituania también en 2000<sup>15</sup>— se suma al presente Lituania que ha firmado el 8 de junio de 2012 en el palacio de gobierno de Vilnius un acuerdo sobre el reconocimiento recíproco de los títulos de enseñanza superior (*Agreement on the Recognition of Qualification Concerning Higher Education*).

#### 5. Consolidación de acuerdos con los estados latinos

Con menor incidencia e importancia, Andorra, España e Italia han celebrado los correspondientes Acuerdos con la Santa Sede, al que como colofón añadimos el de la Unión Europea.

- Con el **Principado de Andorra** se firmaba solemnemente, el 17 de marzo de 2008, en el Palacio Vaticano el Acuerdo con la Santa Sede<sup>16</sup>, por el por el Card. Secretario de Estado, y por el Jefe de Gobierno andorrano, Albert Pintat. Es un Acuerdo de carácter general que regula de conjunto las materias que de alguna forma afectan a la Iglesia y al Estado.

- Con **España** se firmaba un Canje de Notas Diplomáticas de Nunciatura-Ministerio, de 22 de diciembre de 2006, sobre la asignación tributaria a la Iglesia en España<sup>17</sup>.

- Con **Francia**, a sus Acuerdos anteriores, se añade ahora, primero, un Protocolo adicional [*Avenant*] de 12 de julio de 2005 a los convenciones diplomáticas de 14 de mayo de 1828 así como a los Protocolos adicionales de 4 de mayo de 1974 y 21 de enero de 1999, relativos a la iglesia y al convento de la *Trinità in Monte*<sup>18</sup>. Más tarde, un segundo Acuerdo de 18 de diciembre de 2008, relativo al reconocimiento de los grados y diplomas en la enseñanza superior por Francia<sup>19</sup>.

- Con **Italia** se recurre a un Canje de Notas sobre Procedimientos penales de clérigos, de 26 julio 2006<sup>20</sup>.

- Afectando a Europa, la **Unión Europea**, representada por la Comunidad Europea y por la República Italiana, y el Estado de la Ciudad del Vaticano, representado por la Santa Sede, han firmado un segundo Convenio Monetario el 17 de diciembre de 2009<sup>21</sup> [que abroga el primero firmado el 29 de diciembre de 2000].

<sup>15</sup> Los cuatro Estados en Corral y Petschen, *op. cit.*

<sup>16</sup> Corral y Santos, *op. cit.*, pp. 101-109.

<sup>17</sup> *Ibid.* pp. 179-182.

<sup>18</sup> Nota del 12 noviembre y 4 diciembre 2001, en “Bulletin officiel du ministère des affaires étrangères”, n° 84 (30 septiembre 2003), p. 3; AA.VV. (2005): *Liberté religieuse et régimes des eulte,s en droit franÇais*, Paris, Cerf, pp. 811-812; En el “Journal Officiel de la République FranÇaise”, n° 26 (31 enero 2004), p. 2265 aparece lo siguiente: « Avis relatif á la publication des notes verbales relatives au statut des (Euvres pontificales missionnaires. NOR : MAEX0407 1 .1 V. Les notes verbales relatives au statut des Guvres pontificales missionnaires échangées entre la Nonciature apostolique en France et le ministère des affaires étrangères en date des 12 novembre et 4 décembre 2001 ont été publiées au Bulletin officiel do ministre des affaires étrangères n° 84 du 30 septembre 2003».

<sup>19</sup> Corral y Santos, *op. cit.*, pp. 195-199.

<sup>20</sup> *Ibid.* pp. .201-227.

<sup>21</sup> *Ibid.* pp. 263-268.



## 6. Expansión de los acuerdos a Brasil

- **Brasil**<sup>22</sup>: al tratarse de una de las mayores naciones del mundo como Brasil, se comprende el porqué Benedicto XVI recibió tan solemnemente en audiencia al presidente de la República Federal de Brasil, Luiz Inácio Lula da Silva, junto a su esposa y otros miembros de su séquito, para proceder a la firma del *Acuerdo sobre el Estatuto jurídico de la Iglesia Católica en Brasil*, el jueves 13 de noviembre de 2008. En efecto, es un País con una población de cerca de 186 millones sobre una superficie de 8.511.965 Km., donde se encuentra establecida la casi la mayoría de las religiones y de las organizaciones religiosas. Según el censo de 2000, un 74 % se declara Católico.

Los *principios informadores* del Acuerdo son los especificados en su Preámbulo: -1º “el servicio a la sociedad y al bien integral de la persona humana”; -2º la autonomía, la independencia y la soberanía de Iglesia y Estado, cada uno en su propio orden, y la mutua cooperación para la construcción de una sociedad más justa, fraterna y pacífica; -3º fundamentación, por parte de Brasil, en el propio ordenamiento jurídico y, por parte de la Iglesia, en el Concilio Vaticano Canónico.; 4º reafirmación del “principio internacionalmente reconocido de libertad religiosa”; 5º garantía del “libre ejercicio de cultos religiosos por la Constitución brasileña”; 6º fortalecimiento y promoción de las “mutuas relaciones ya existentes”.

Por ello, *el presente Acuerdo solemne con Brasil tiene, entre otros, estos méritos*: primero, es un acuerdo de carácter general, que regula todas las materias ordinarias de los concordatos vigentes; segundo, parte y desarrolla equilibradamente dos principios: el de aconfesionalidad (o laicidad) y el de cooperación; tercero, partiendo de la pluriculturalidad y pluralismo religioso, mantiene en las escuelas públicas la enseñanza religiosa (católica o no) como materia facultativa en los horarios escolares normales.

## 7. Expansión a los estados africanos

- Con **Guinea Ecuatorial** (antigua provincia de España) se llegó a la firma de un "Acuerdo sobre las relaciones entre la Iglesia Católica y el Estado" (el 13 de octubre de 2012), en el que viene establecido el marco jurídico y, en particular, la personalidad jurídica de la Iglesia y de sus instituciones, así como la asistencia espiritual a los fieles católicos en los hospitales y en las cárceles.

- Con **Mozambique** se logró establecer el marco jurídico de relaciones entre la Iglesia y el Estado en su Acuerdo con la Santa Sede, de 7 de diciembre de 2011, partiendo de la mutua independencia y autonomía y de mutua colaboración en bien de la población, en sectores comunes: salud, formación, educación, actividad asistencial.

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<sup>22</sup> *Ibid.* pp. 139-148.



## 8. Expansión de acuerdos a estados asiáticos

- Con **Azerbaián**<sup>23</sup> —con muy amplia mayoría islámica (90%)— se firmaba el Convenio con la Santa Sede (el 29 de abril de 2011) para garantizar el culto católico y la colaboración en el bien común de los ciudadanos.
- Con **China [Taiwan]**, se celebró el Acuerdo entre la Congregación para la Educación Católica de la Santa Sede y el Ministerio de Educación de la República de China [Taiwan], de 2 de diciembre de 201, para la colaboración en el campo de la Educación Superior y el reconocimiento de estudios, títulos, diplomas y grados.
- Con **Filipinas**<sup>24</sup> —con una población de 77 millones con el 84% de católicos y que no tiene concluido ningún Acuerdo general, sino tan solo un “Intercambio de Notas, de 20 de septiembre de 1951/1952, relativo a la erección del Vicariato Castrense en las Fuerzas Armadas”<sup>25</sup>— se procedió al presente a la firma de un Acuerdo de colaboración que tuvo lugar el 17 de abril de 2007 en la sede del Ministerio de Asuntos Exteriores en Manila, relativo al Patrimonio Cultural de la Iglesia. Su *finalidad* es “la salvaguarda, la valoración, y el disfrute de los bienes culturales” (art.III).

**Como síntesis final**, se constata que bajo el pontificado de Benedicto XVI se continúa la vía de acuerdos, convenios y concordatos con los Estados de todos los continentes, mediante las actualizaciones y ampliaciones consiguientes en virtud de los cambios operados en la realidad social, económica y política tanto de mundo en general como de Europa en especial<sup>26</sup>.

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Sin embargo, dicha saga de acuerdos/convenios concordatarios *se fue completando hasta el final del pontificado* con ulteriores Acuerdos firmados en 2001 con Eslovenia (11 de octubre, Acuerdo sobre cuestiones jurídicas), Gabón, Acuerdo sobre el estatuto de la Enseñanza católica (26 de julio) y Suecia (24 noviembre, Canje de notas sobre personalidad de la Iglesia Católica); en 2002 con Albania (23 de marzo, Acuerdo para regular sus mutuas relaciones), en 2003 con Brandeburgo (12 noviembre, Convención [general]), Bremen (21 de noviembre, Convención [general]), Eslovaquia (21 de agosto, Acuerdo sobre educación católica), Malta 28 de febrero, Protocolo Adicional para mejorar la instrucción y educación religiosa en las escuelas estatales); en 2004 con Paraguay (24 de diciembre, Convenio sobre Asistencia religiosa a las Fuerzas Armadas), Portugal (18 de mayo, Concordato)<sup>27</sup>.

En efecto, tanto la Europa Oriental como la Occidental habían recuperado enteramente su libertad e independencia, y se iba avanzando trabajosamente hacia una más estrecha Unión Europea, por más que ahora se sienta aquejada de una grave crisis directamente económica e indirectamente política.

<sup>23</sup> *Ibid.* pp 113-116.

<sup>24</sup> *Ibid.* pp. 183-185.

<sup>25</sup> Corral y Petschen, *op. cit.*, pp. 483-493.

<sup>26</sup> Añadamos una curiosa particularidad en las formalidades de la firma y/o ratificación de los Acuerdos, a saber, que Benedicto XI, al inicio de su pontificado, ha vuelto a la praxis de la lectura de los discursos al realizarse el intercambio del texto escrito de los acuerdos.

<sup>27</sup> Ver textos originales, con introducciones y traducciones en Corral y Petschen, *op. cit.*; “Concordatos vigentes”, *op. cit.* T.IV; y Corral y Santos, *op. cit.*, pp.22-28.





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*Ejemplos:*

<sup>6</sup> Véase Keohane y Nye, *op. cit.*, p. 45.

<sup>7</sup> *Ibid.*, pp. 78-79.

<sup>8</sup> Un ejemplo aparece en Snyder *et al.*, *Foreign Policy Decision-Making, op. cit.*, pp. 51-52.

### **A) Libros**

Apellido, Nombre (Año): *Título del libro*, nº ed., colección y nº si los hay, Ciudad, Editorial.

Waltz, Kenneth N. (1979): *Theory of International Politics*, Boston, Addison-Wesley.

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Buzan, Barry; Wæver, Ole y De Wilde, Jaap (1998): *Security: A New Framework for Analysis*, Boulder / Londres, Lynne Rienner.

### **C) Libros con un editor o coordinador**

Apellido, Nombre del editor (ed.) o coordinador (coord.) (Año): *Título del libro*, nº ed., colección y nº si los hay, Ciudad, Editorial.

Lynch, Dov (ed.) (2003): *The South Caucasus: A Challenge for the EU*, Chaillot Papers, nº 65, París, EU Institute for Security Studies.

### **D) Capítulos de libros**

Apellido, Nombre (Año): “Título del capítulo”, en *Título del libro*, nº ed., colección y nº si los hay, Ciudad, Editorial, pp. xx-xx.

Wendt, Alexander: “Three Cultures of Anarchy”, en *Social Theory of International Politics*, Cambridge, Cambridge University Press, pp. 246-312.



### E) Capítulos en libros con un editor o coordinador

Apellido, Nombre del autor del capítulo: "Título del capítulo", en Apellido, Nombre del editor (ed.) o coordinador (coord.) (Año): *Título del libro*, nº ed., Colección y nº si los hay, Ciudad, Editorial, pp. xx-xx.

Sakwa, Richard: "Parties and Organised Interests", en White, Stephen; Pravda, Alex y Gitelman, Zvi (eds.) (2001): *Developments in Russian Politics*, 5ª ed., Durham, Duke University Press, pp. 84-107.

### F) Artículos de revista

Apellido, Nombre: "Título del artículo", *Revista*, vol. xx, nº x (mes año), pp. xxx-xxx.

Schmitz, Hans Peter: "Domestic and Transnational Perspectives on Democratization", *International Studies Review*, vol. 6, nº 3 (septiembre 2004), pp. 403-426.

### G) Artículos de prensa

Apellido, Nombre: "Título del artículo", *Periódico*, día de mes de año.

Bradsher, Keith: "China Struggles to Cut Reliance on Mideast Oil", *New York Times*, 3 de septiembre de 2002.

### H) Artículos en publicaciones de Internet

Igual que los anteriores, pero añadiendo al final "en <http://dirección.página/web>."

Gunaratna, Rohan: "Spain: An Al Qaeda Hub?", *UNISCI Discussion Papers*, nº 5 (mayo 2004), en <http://www.ucm.es/info/unisci>.

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### *Examples:*

<sup>6</sup> See Keohane and Nye, *op. cit.*, p. 45.

<sup>7</sup> *Ibid.*, pp. 78-79.

<sup>8</sup> An example appears in Snyder *et al.*, *Foreign Policy Decision-Making, op. cit.*, pp. 51-52.

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Schmitz, Hans Peter: "Domestic and Transnational Perspectives on Democratization", *International Studies Review*, Vol. 6, No. 3 (September 2004), pp. 403-426.

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Bradsher, Keith: "China Struggles to Cut Reliance on Mideast Oil", *New York Times*, 3 September 2002.

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