

December 20, 1988
**Basic Contents of the Meeting of the Working Group
on Peace Treaty Issues, Tokyo**

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Summary:

Basic contents of the meeting of the working group on peace treaty issues, Tokyo,
regarding the Kurile and Sakhalin islands and territorial disputes

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At the beginning of the session I.A. Rogachev and T. Kuriyama [both Deputy Foreign Ministers] exchanged greetings.

Kuriyama. I understand the meeting of this group in the following manner: on the instructions of our [Foreign] Ministers, we have formed a working group with the aim of opening a new page in Japanese-Soviet relations through the efforts of both sides. I would like us, in the course of the group's work, to have a frank discussion in friendly circumstances, as we did at yesterday's meeting of the ministers.

I would like to propose the following order of work for the group. We have approximately 1.5 hours of time before 12 noon, and we would like to use it with maximum effectiveness. In the first half of our meeting, based on the conversation between the ministers yesterday, I would like to make a series of additions to what Mr. Uno said, as well as some elucidations of our position on the territorial issue. If you do not object, I would also like to hear your opinion on the given issue.

Yesterday Mr. Shevardnadze put forward a very interesting proposal on the creation of a continuously active group on the issues of the peace treaty which will study the issue of the conclusion of a peace treaty, and in the second half of our meeting we would like to exchange opinions on this issue.

Rogachev. I would like to note that the atmosphere at yesterday's consultations of ministers and at today's meeting of the Minister of Foreign Affairs of the USSR with Prime Minister Takeshita was peaceful and benevolent [and], one could even say, friendly, and to express my confidence that our discussion today will proceed in the same circumstances. Moreover, we have experience conducting such discussions with you [personally], and I always recall our previous meetings with satisfaction.

We are ready to hear out your additional comments (raz'iasneniia) on the issue which interests you, and afterward we will make some comments from our side.

In short, we agree to the order of work which the Japanese side is proposing to us.

Kuriyama. Then permit me briefly to make an exposition of our comments, which are based on what Mr. Uno said at the second round of negotiations, and also take into account what was said yesterday by the Soviet side. Above all I would like to bring the principled position of our side to your attention.

In Mr. Gorbachev's speech in the UN, he mentions the possibility of developing Japanese-Soviet relations on the basis of mutual advantage and friendship, and emphasizes that such a development of Japanese-Soviet relations will benefit not only the cause of peace, stability and prosperity of the countries in the Asian-Pacific region, but also throughout the entire world. In order to take advantage of such an opportunity, we consider that it is crucial for us to resolve the territorial issue, to conclude a peace treaty, to normalize in full our relations and thereby to approach the achievement of those potentialities as much as possible.

In light of previous experience we do not think that it will be easy to come to agreement on a resolution of the territorial issue, which constitutes the single obstacle on the way to the conclusion of a peace treaty. However, the constructive changes which have been observed of late in the USSR's foreign policy give us hope that a fruitful dialogue on this issue will be conducted between our countries.

In connection with this, permit me to touch on some more concrete points. First, I would like to dwell on a couple of antebellum realities about which Minister Uno spoke yesterday. The historical facts of the 90-year period from the 1855 treaty to 1945

convincingly show that the four islands whose return our country is demanding differ from the southern [part of] Sakhalin and the Kurile islands, which Japan renounced in the San Francisco treaty. They also convincingly show that these islands were never under the control of your country and that it never had pretensions towards them. In this way, these four islands have received, through a peaceful process, recognition by the international community as a part of Japanese territory.

In order that the Soviet side understands us correctly, I would like to note that our frequent mentions of and references to the treaties of 1855 and 1875 are made not to dispute the period during which they are in effect, but with the aim of reminding you that, beginning from the 1875 treaty, there were a succession of disputes between Japan and your country on the issue of the geographical composition of the Kurile islands and to show what the historical understanding of and relationship toward the four islands was. Precisely for these reasons, both the government and the people of our country are convinced that we have just grounds for demanding the return of the four northern islands from your country.

Secondly, the occupation of the four islands by Soviet troops, which was accomplished over the course of the month after 15 August 1945, when Japan had accepted the Potsdam declaration, is nothing other than a territorial expansion through the use of armed force, and in conditions when Japan had unequivocally denied any intention to continue the war. At the same time, I cannot but note that as a consequence there have been no signs that the Soviet Union's occupation of the four northern islands might be recognized in the international arena.

As for the issue of post-war realities, we, as the side which suffered defeat in the Second World War, have accepted and accept these realities, but [do so] within the confines of the agreed norms of international law.

In my opinion, the post-war realities consist of the following facts.

First is the San Francisco peace treaty. As Minister Uno stated yesterday, the Japanese government's principal position consists of the fact that Japan will not demand the return of the southern part of Sakhalin and the Kurile islands, which it renounced in that peace treaty.

Secondly, the Japanese-Soviet joint declaration of 1956. The contents of the 9th article of the joint Declaration is well known to all present, and I think there is no need to set it out again.

Thirdly, the Japanese-American security treaty.

The security treaty, which was concluded by Japan to guarantee its security, has a deeply defensive character, and the fact that the USSR, referring to this treaty, in a unilateral fashion changed its attitude toward the territorial issue as expressed in the 9th article of the Joint Declaration, and, figuratively (*obrazno*) speaking, "took the four islands hostage," in our view is not compatible with the principle of leadership by [doing] right (*verkhovenstvo prava*), towards which the USSR has of late been striving.

I would like to draw your attention to the fact the presence of NATO does not pose an obstacle to normal relations between the Soviet Union and European countries which are members of that bloc. I think that the security treaty should have the same influence on Japanese-Soviet relations that the treaty on the creation of NATO has on the relations between the USSR and European states.

Yesterday Mr. Shevardnadze referred to the letters which were exchanged between the plenipotentiary of the government of Japan S. Matsumoto, and the first deputy minister of foreign affairs of the USSR, A.A. Gromyko on 29 September 1956. In regard to this, I would like to say that it is difficult for us to understand what was said yesterday by the minister of foreign affairs of the USSR.

In the course of the whole period of Japanese-Soviet negotiations at that time, the Soviet side insisted that it would resolve the territorial issue by transferring the islands of Habomai and Shikotan to Japan, although the Japanese side insisted on the return of all four islands, including the islands of Kunashir and Iturup. Because of this very issue, an agreement was not reached and it was not possible to conclude a peace treaty. That is a well-known fact, which no one can deny.

The principled position of our side is that the negotiations on the conclusion of a peace treaty should be conducted on the basis of a recognition of the Japanese-American security treaty and the confirmation of the understanding of 1973 between the leaders of our two countries on the fact that the problems left unresolved from the Second World War include the issue of the four islands [and should be conducted] in keeping with the ninth article of the Joint Declaration of 1956.

On that I would like to conclude the statement of our position and am ready to hear out your opinion on the Soviet side.

Rogachev. Thank you, Mr. Kuriyama. We have listened to your thoughts and comments with great attentiveness....

The USSR's position on the issue of a peace treaty with your country has been stated by us more than once. We considered and [still] consider that it is important to conclude a peace treaty that would make our relations stronger and more stable.

In connection with this there arises the issue of the contents of a treaty. Many issues which are usually the subject of such a treaty have already been resolved and fixed in a whole series of Soviet-Japanese agreements and in other documents, including the Joint Declaration of 1956. Besides this, it is necessary to keep in mind another factor as well, that much time has passed since the restoration of diplomatic relations between our countries.

In view of the aforementioned particularities, it seems to us that the peace treaty should first generalize and sum up the post-war development of Soviet-Japanese ties, and secondly, should define the basic principles underlying mutual relations between the two countries, the main directions and reference points for their further forward movement.

In other words, we see this document as being all-embracing, complex, and encompassing all spheres of relations between our countries. And namely the political, economic-trade, scientific-technical, fishing, and other spheres, and, of course, one of the composite parts of the treaty would be the location of the border.

I want to emphasize that the peace treaty is a complex of issues and not some single, separable issue.

Yesterday the Minister of Foreign Affairs of the USSR made an exposition of our thoughts in connection with the historical points which you mentioned today. We consider that the excursion into history which Mr. Uno made yesterday and which we heard from you today, is useful.

A comparison of your and our evaluations of the events of the distant and recent past show that you and we differently interpret these historical events.

It is very important that neither side become emotional about this, but instead try to comprehend historical lessons and take them into account in building our future relations.

You believe that the historical facts bear witness in favor of the correctness of your position, but we have another point of view—we believe that an historical approach bears witness to the justice of our position.

You say that in the treaties of 1855 and 1875 it was made clear that the islands of Habomai, Shikotan, Kunashir and Iturup are not included in the Kurile islands, but we consider that in the aforementioned treaties there are no articles which geographically define a concept of the "Kurile islands" and for that reason your understanding of these treaties is insufficient (ne sostoiatel'no).

Although the USSR Minister of Foreign Affairs spoke about this yesterday, for my part I want again to draw your attention to the fact that there is a whole series of works by Russian and Japanese scholars which bear witness to the fact that priority in the discovery, study and integration [osvoenii] of the Kurile islands, including their southern part, belongs to Russia.

We do not deny the fact that, according to the Russo-Japanese Treaty of 1855, the border between Russia and Japan went between the islands of Iturup and Urup, and that in the 1875 treaty Russia ceded the northern part of the Kurile islands in exchange for the cession by Japan of a part of Sakhalin island to Russia.

We also paid attention to the fact that the Japanese side, referring to these agreements, at the same time prefers not to recall the Russo-Japanese war and the Portsmouth treaty. Meanwhile, it is well known that Japan, having seized the southern part of Sakhalin and torn it away from Russia, itself ignored and violated the agreements of 1855 and 1875.

Japan's treacherous attack on Russia in 1904 and the seizure of the southern part of Sakhalin through the Portsmouth treaty of 1905 deprives the Japanese side of the right to refer to the treaties of 1855 and 1875.

I can also repeat that your assertion that the Kurile islands, which Japan renounced in the San Francisco peace treaty, extend only to the northern part of this archipelago, clearly contradicts all scholarly geographical understandings. Besides this, it is generally known that in documents which treat the Kurile islands issue (the Yalta agreement, the San Francisco peace treaty and other international agreements), these islands are in no way divided.

You speak about the fact that the USSR completed a territorial expansion only after Japan had capitulated in the Second World War. However, I would like to remind you that the liberation of the Kurile islands by Soviet troops was accomplished in keeping with preliminary understandings between the allies, and that the issue of time periods here cannot have principled significance. At the same time, it can be pointed out that even after 15 August 1945, Japanese troops continued military actions, as a result of which the Act of Capitulation by Japan was signed only on 2 September 1945.

And I want once again to note that your denial of the applicability (deistvennost') of the Yalta agreement to Japan is entirely incomprehensible to us. Of course, Japan did

not participate and could not participate in the Crimean [Yalta] agreement, insofar as it was concluded between countries which were at war against Japan; however, having signed an act of unconditional capitulation, it accepted all of the conditions which were determined by the allied powers, based on the relevant existing agreements among them, including the Crimean [agreement].

Today in international practice a precedent is being created whereby the side which has suffered defeat, having signed an act of unconditional surrender subsequently begins to put forward conditions. Where is the unconditionality here? We call upon the Japanese side to think seriously about this fact.

Yesterday you and I already discussed the issue of how we understand the contents of the Joint Declaration of 1956. The agreement by the USSR, as fixed in the Declaration, to transfer the islands of Habomai and Shikotan to Japan was a gesture of good will (zhest dobroi voli) by our country toward Japan, but was not our obligation toward your country. In the Declaration the agreement by the sides to "continue negotiations on concluding a peace treaty after the restoration of normal diplomatic relations" is also talked about, and the concept of the "territorial issue" does not figure in the Declaration. I want to remind you that, as is mentioned in the Declaration, the actual transfer of the islands Habomai and Shikotan "will be carried out after the conclusion of a peace treaty between the USSR and Japan." However, the Japanese side refused to conclude a peace treaty on the basis of the Joint Declaration. As for the islands Kunashir and Iturup, they are not mentioned either in the Declaration or in the letters which were exchanged on 29 September of this year. For this reason the Japanese side's assertions that according to the Joint Declaration the sides agreed to put aside the territorial issue for future discussion are arbitrary and the Soviet side declines them. In the memorandum from the government of the USSR to the government of Japan of 22 April 1960, it is said that the territorial issue between the USSR and Japan has been resolved and confirmed by appropriate international agreements, which should be observed.

Some words on the subject of the exchange of letters between A.A. Gromyko and S. Matsumoto on 29 September 1956. Yesterday we already spoke about this issue. I want to remind [you] that these letters were signed at the moment when the sides had agreed that they would not broach the territorial issue in the Joint Declaration and would discuss it after it had been signed. However, at the final stage of the negotiations the Japanese side again brought up in a categorical form the issue of making an obligatory reference to this theme in the text of the Joint Declaration. By way of accommodating the Japanese side, the Soviet side gave its agreement to including the known formulation in the text of the Joint Declaration, having in mind that this was our final position, on the basis of which the USSR was ready to conclude a peace treaty. However, the Japanese side did not take advantage of the opportunity that presented itself, and declined to conclude a peace treaty on the terms of the Joint Declaration of 1956. And in January of 1960 a new Security Treaty was signed between Japan and the USA. You again repeated that this treaty has an exclusively defensive character. However, we have full reason to believe that that is absolutely not the case. We have already explained to you our position on this issue. I want to remind you that the effective sphere of the 1960 treaty, unlike the previous 1951 treaty, was spread beyond the limits of Japanese territory. Japan's role changed after this treaty; that is, it took different obligations upon itself in terms of its augmentation (narashchivanie) of military might. The contents of the treaty, as well as the development of events after the conclusion of the treaty, confirm that it led to a substantive change in the situation (obstanovka) in the region.

Just now you drew a parallel between the Japanese-American Security Treaty and NATO, noting that the presence of NATO does not hinder the USSR from developing relations with the European member-countries of that bloc. However, here we have an entirely different understanding. We believe that the existence of blocs poses an obstacle to the development of normal relations, and over the course of many years

our country has consequently advocated the dissolution of military blocs. Both in the East and the West we have a single approach to this issue.

Another few words about the Soviet-Japanese announcement of 1973, in which "unresolved issues" are referred to. We have more than once pointed to the fact that our Japanese colleagues here are making a one-sided and false interpretation of the contents of the formulation there. We did not recognize the "unresolvedness" (nereshennost) of the so-called "territorial issue." The issue of a peace treaty is another matter. We were then and remain now advocates of underpinning Soviet-Japanese relations with a stable base of agreement by concluding a peace treaty.

Kuriyama. We have listened to the comments of Deputy Minister Rogachev on the Soviet side's position on the territorial issue with great attentiveness.

We understand your comments in the following way: that the Soviet side has made an exposition to us in a complex form of its position, which we have earlier heard in parts. Frankly speaking, while listening to your comments it did not seem to me that a broadening of understanding and a convergence of both sides' positions on this issue have occurred. At the same time, just now we received from you a frank, detailed, and composite explanation of the Soviet side's position on the territorial issue.

We agree with what you have said about the necessity for us to leave aside emotion and to approach the resolution of this issue calmly.

We would like to state our thoughts and comments on the explanations of the Soviet position which you have made today, although, unfortunately, the time which has been allotted for today's meeting does not permit us to do this.

For this reason I want to propose that we prolong the meeting of our working group and, using the additional time, consult with you about the proposals Mr. Shevardnadze made yesterday.

Rogachev. We agree with your proposal to extend the time of our group's meeting and I would like to say several words right away on the issue you have touched upon.

On a general level of principle, we see this working group as a working organ which would also function between the consultative meetings of the Ministers of Foreign Affairs of our countries. If you recall, the Minister of Foreign Affairs of the USSR said yesterday that we make use of such a practice with a whole series of countries, especially when resolving complex issues.

For instance, we have two such [joint] institutions with the PRC [People's Republic of China] [for] political consultations and territorial negotiations. Incidentally, during his last visit the Chinese Minister of Foreign Affairs said that the political consultations had fulfilled their functions and that there was no longer a need to continue the negotiations in that form. At present, this organ has fulfilled its goals and it is possible to move to other forms. We agreed with that. Another mechanism—the mechanism of territorial negotiations—continues to operate at present.

We will return to our bilateral issues.

We have differences of opinion on the issue being discussed and, in order that our positions be brought together and that the points on which we disagree be reduced,

the creation of a working group in the capacity of a standing organ is being proposed, at the level, let's say, of deputy ministers. The group could conduct its meetings successively in Tokyo and in Moscow. The leaders of the groups could report to the ministers on the work that had been completed during their successive meetings and continue working in keeping with whatever understandings might be achieved on the given issue at the ministers' meetings.

This is how we conceive of this working mechanism, and, of course, we are ready to hear out your proposals and thoughts on the given issue.

Kuriyama. I thank you for your comments in this regard. We have listened to yesterday's proposal by the Minister of Foreign Affairs of the USSR, as well as to your elaborations on this proposal today with great interest.

We, in principle, regard the idea of creating such a group at a working level in the interests of assisting the progress of the negotiations on the issue of concluding a peace treaty between the regular meetings of the Ministers of Foreign Affairs of our countries as positive (polozhitel'no).

At the same time I believe that at the current meeting of our groups we should decide how it would be best to express in the joint communique the understandings that have been arrived at here, based on Mr. Shevardnadze's proposals from yesterday as well as on additional elaborations you have made today on this issue.

In this connection, I would like to propose for your attention the Japanese side's draft text on the issues which have been discussed in our working group, taking into account the results of the meeting of our group today, which could be included in a joint communique.

"The Ministers, in keeping with the understanding fixed in the Joint Japanese-Soviet statement of 10 October 1973, conducted negotiations related to the conclusion of a Japanese-Soviet peace treaty, including the issues which could constitute its contents. The sides agreed to assist the continuation of negotiations bearing on the conclusion of a peace treaty.

In this connection, the Ministers, noting the fact that the territorial issue, which, returning to historical facts, is a real obstacle to the development of bilateral relations, was also discussed in the working group on the peace treaty, and recognizing that the settlement of the given issue and the conclusion of a peace treaty benefits the establishment of genuinely good-neighborly and friendly relations between both of our countries, agreed to continue the negotiations in the given working group in the interests of assisting the further progress of negotiations bearing on the conclusion of a peace treaty between the Ministers of Foreign Affairs of both countries.

Rogachev. I would ask you to give us that text [to take] with us so that we can discuss it, and I think, we will be able to work out a mutually acceptable version.

Kuriyama. We have significantly extended our working time, and I would like to express our thanks to you that we have been able to exchange opinions so frankly and work seriously.

Rogachev. We have been in session with you for more than two hours already, but unfortunately, we have not yet been able to move our positions closer together. We will hearken to the saying that a journey of 1000 miles begins with a single step. Our conversation today was useful; we have learned more about each other's position.

Thank you for your cooperation."