

Japanese-Chinese Relations after the Normalization of Their Relations in 1972

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I have written on the process of restoring and normalizing of Japanese-Chinese relations in 1972.* This article considers the development of their relations after 1972 centering on treaties and agreements among the countries.

I

Diplomatic relations between Japan and the People's Republic of China was re-opened by the Joint Communiqué of September 29, 1972. Both Governments established Embassies at Peking and Tokyo each other and the friendly relations were restored. It is important task to conclude treaties and agreements expected by the Joint Communiqué for both countries. The Joint Communiqué stated that both Governments had agreed to negotiate on concluding of the treaty of peace and friendship and agreements on such matters as trade, shipping, aviation and fisheries (Sections 8 and 9). The several agreements on trade and fisheries were concluded on non-Governmental basis before 1972 as stated before. So conclusion of the governmental agreements in those fields was not so difficult. The trade agreement and relative note were initialled on December 12, 1973, and signed on January 5, 1974. The MT trade disappeared in 1973 and the trade agreement substituted for it as formal agreement. Both Governments agreed to prolong the then existing non-Governmental agreement on fisheries one year and they had negotiated to conclude

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Governmental agreement. The negotiation faced rough going and was suspended one time but they succeeded in concluding the Fishery Agreement on August 15, 1975. The Agreement on Shipping was concluded on November 13, 1974. The Long-Term Trade Agreement amounting to \$2,000,000,000 in eight years was concluded on February 16, 1978.

The negotiations on these agreements came to terms smoothly in spite of some difficulties. But the negotiation on aviation agreement was more difficult in relation to the aviation line to Taiwan. Japanese Government had recognized the Government of People's Republic of China as the sole legal Government of China in the Joint Communiqué (Section 2). The diplomatic relations between Japan and Taiwan were broken off immediately. But the intercourse between Japan and Taiwan was very active at the level of trade, investment and tourism. It was unrealistic and impossible to cut off these intercourses. So the Japanese and Taiwanese Governments moved to change those intercourses on non-Governmental basis. Japanese "Interchange Association" was established in December 1972 and Taiwanese "Association of East Asian Relations" was established, too. Both associations were non-Governmental organizations. The non-Governmental agreement to set up liaison offices mutually was concluded on December 26, 1972. These associations were established as the organ playing the role of consulate, endeavoring to maintain and protect trade, intercourse and residents of both nations, substantially.

Susumu Nikaido, Chief Cabinet Secretary of Japan, expressed to the Interchange Association to give maximum support and cooperation "within Law and Ordinance of Japan" and to give full consideration not to cause a situation less advantageous than before regarding the immigration of Taiwanese, their residence and protection in Japan "within Law and Ordinance of Japan." Foreign Ministry of Nationalist China (Taiwan), on the other hand, stated that they will give "full support and cooperation" to the business of the Association of East Asian Relations and its office in Japan on December 26, 1972. Thus, the practical business was maintained between Japan and Taiwan.

But the Government of People's Republic of China opposed coming of planes of China Airline (Taiwanese Airline) to Japan in the negotiation of Aviation Agreement. C.A.A.C. (Civil Aviation Administration of China) is the "national flag carrier" of the People's Republic of China and China Airline is the same one of the Republic of China (Taiwan). Japan Airline is the "national flag carrier" of Japan, too. Chinese Government opposed the situation that planes of C.A.A.C. be at the Japanese airport with planes of China Airline displaying the "mark" of Taiwan at the same time and Taiwanese airplane receive the same treatment as that of C.A.A.C. They requested the abolition of Taiwanese line from Japan and the negotiation was very difficult. In the end Japanese-Chinese Aviation Agreement was signed on April 20, 1974. The airline between Japan and Taiwan was broken off through the conclusion of this agreement. But it was re-opened under the new system by the non-Governmental agreement of July 9, 1975, between Japanese Interchange Association and Taiwanese Association of East Asian Relations. New airline company, Japan Asian Airway, was established in Japan. Japan Airline Company was the complete investor to the new company. Japanese-Taiwanese aviation would be executed by this new company on Japanese side. The airplanes used in this line come to, and depart from, Haneda airport, which is the sole international airport in Tokyo City, not the New Tokyo International Airport in Narita. Foreign Minister Ohira stated that they did not recognize the mark of the plane of Chinese Airline (Taiwanese Airline) as the flag of China when the Aviation Agreement was signed.

II

Section 8 of the Joint Communiqué of Japan and China stated that they "have agreed that, with a view to solidifying and developing the relations of peace and friendship between the two countries, the two Governments will enter into negotiations for the purpose of concluding a treaty of peace and friendship." The preamble of the Communiqué stated that the two countries should, and can, establish relations of peace and friendship in spite of differences in their social systems and Section 6 of the Communiqué stated that the two

Governments had agreed to establish relations of perpetual peace and friendship on the basis of five principles of peace. Under these statements the two Governments entered into negotiations for concluding a treaty of peace and friendship from November 1974. But this negotiation came to deadlock from the viewpoint of "hegemony" clause. Section 7 of the Communiqué stated that "the normalization of relations between Japan and China is not directed against any third country. Neither of the two countries should seek hegemony in the Asia-Pacific region and each is opposed to efforts by any other country or group of countries to establish such hegemony." China requested to set up an anti-hegemony clause in the treaty of peace and friendship at the negotiation but Japan took a negative attitude. China was criticizing Soviet Russian "hegemonical" tendency against other countries severely and attacked Soviet Russia as "hegemonical state" at the time. Japanese Government accepted the anti-hegemonical stand as a general diplomatic stand but was cautious not to be understood to agree with Chinese anti-Soviet tendency. Japan hoped to have friendly relations with Soviet Russia as well as China. Japan expressed disapproval of accepting 'anti-hegemony clause' as the 'entrance' or 'premise' of the negotiation. So the negotiation was very difficult. But Foreign Minister Sonoda of Japan and Deng Xiaoping, Chinese Vice-Minister and Vice-President of the Communist Party at the time, agreed that they accept to take a stand against hegemony as their common general principle but each country have a free stand at the relations with foreign countries each other on August 10, 1978. This agreement eliminated difficulties in concluding the treaty. The Treaty of Peace and Friendship between Japan and the People's Republic of China was concluded on August 12, 1978. Article 1 of the Treaty stated that the two countries should develop relations of perpetual peace and friendship on the basis of five principles of peace and they should, in their mutual relations, settle all disputes by peaceful means and refrain from the use or threat of force. Article 2 stated that the two countries "declare that neither of them should seek hegemony in the Asia-Pacific region or in any other region and that each is opposed to efforts by any other country or group of countries to establish such hegemony." Article 4 stated

that “the present Treaty shall not affect the position of either Contracting Party regarding its relations with third countries.” The Treaty recognized the anti-hegemony principle on one side but the Treaty allowed contracting parties to take a free stand in their individual relations with other countries.

Article 3 of the Treaty stated that the two countries “shall, in a good-neighborly and friendly spirit and in conformity with principles of equality and mutual benefit and non-interference in each other’s internal affairs, endeavor to further develop economic and cultural relations between the two countries and to promote exchange between the peoples of the two countries.” Japanese-Chinese relations were set on a more firm basis by concluding of this Treaty. Political, cultural, and especially economic relations between the two countries were more developed as a whole after concluding this Treaty.