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FOREIGN MINISTER CHOU EN-LAI'S NOTE

Supporting

**The Remarks of the Government of the U.S.S.R. Regarding
The United States Draft Peace Treaty with Japan**

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Supplement to People's China

Vol. III, No. 11, June 1, 1951

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The Remarks of the Government of the U.S.S.R. Regarding The United States Draft Peace Treaty with Japan

The Ministry of Foreign Affairs of the Central People's Government of the People's Republic of China on May 9 received from the Soviet Embassy in China a copy of the Remarks of the Government of the U.S.S.R. Regarding the United States Draft Peace Treaty with Japan which the Soviet Government has sent to the United States Government. On May 22, Foreign Minister Chou En-lai sent a note to the Soviet Ambassador to China, N. V. Roshchin, expressing the full support of the Central People's Government for the views expressed in the Soviet Remarks. The full text of Foreign Minister Chou En-lai's note follows:

Mr. Ambassador:

I have the honour to inform you that on May 9, through the Embassy of the Union of Soviet Socialist Republics in China, the Ministry of Foreign Affairs of the Central People's Government of the People's Republic of China received a copy of the note sent by the Soviet Government to the Government of the United States of America, which expresses the Soviet Government's views on the United States Draft Peace Treaty with Japan. The Central People's Government of the People's Republic of China expresses thanks for this.

After a careful study of the Soviet Government's views on the United States Draft Peace Treaty with Japan, the Central People's Government of the People's Republic of China considers that the Soviet Government's views completely correspond with those of the Central People's Government of the People's Republic of China. Therefore, the Central People's Government of the People's Republic of China fully supports the Soviet Government's views on the United States Draft Peace Treaty with Japan and its concrete proposals concerning the preparation of a peace treaty with Japan.

1. On the question of the procedure for the preparation of a peace treaty with Japan, the Soviet Government very properly proposes that the preparation of the peace treaty with Japan should not be the task of the government of any single state, that the government of any single state should not be allowed to draw up a draft peace treaty alone with Japan and to consult the opinions of the governments of other states concerned, but that this should be the common task of the governments of all the states concerned. According to the Potsdam Agreement, the drawing up of a peace treaty with Japan should be done by the United States of America, Britain, China and the Union of Soviet Socialist Republics, with the participation of the other states concerned. But the United States Government has acted arbitrarily on its own and prepared alone a Draft Peace Treaty with Japan and, under the pretence of consulting the views of the governments of other states concerned, is forcing the other allied nations to accept it. This violates the international obligation assumed by the United States of America in the preparation of a peace treaty with Japan.

The Central People's Government of the People's Republic of China declared in its statement dated December 4, 1950: Since 1947, the United States Government has repeatedly attempted to reverse the procedure regarding a peace treaty with Japan and to violate the principle that a peace treaty with Japan should be first jointly discussed and prepared at a council of the Foreign Ministers of China, the Union of Soviet Socialist Republics, Britain and the United States of America. The People's Republic of China has refused and will refuse to consider a draft peace treaty with Japan drawn up by the government of any state alone.

Beginning from September 18, 1931, Japanese imperialism carried out armed aggression on the vast territory of our country and caused heavy losses in life and property on the part of our people. In eight years of an heroic war of resistance, the Chinese people defeated Japanese imperialism and gained victory in the war of resistance against Japan. Therefore, it is absolutely proper and just that the People's Republic of China should participate in the preparation, drawing up and signing of a peace treaty with Japan. But the United States Government is on its own arbitrarily attempting to exclude the People's Republic of China—the sole legal representative of the Chinese people—from the work of preparing a peace treaty with Japan. This is the grossest insult to the Chinese people, which they will never tolerate. The Central People's Government of the People's Republic of China has more than once declared that without the participation of the People's Republic of China, the preparing, drawing up and signing of a peace treaty with Japan will be illegal and therefore invalid, no matter what its content and outcome.

The United States Government has tried hard to exclude the People's Republic of China, the Soviet Union and other Allied Powers from the work of preparing the peace treaty with Japan, and to monopolise the preparation and drafting of the Japanese peace treaty, so that it may utilise the dependence of the Japanese Government on the United States occupation authorities to dictate to Japan and force her to accept peace treaty terms favourable to the United States Government. It is very obvious that the Japanese Government, which is now utilised by the United States occupation authorities,

cannot represent the free will of the Japanese people and that the peace terms which the United States Government imposes upon Japan can only bring calamity to the Japanese people.

2. The Government of the Soviet Union very properly points out that the contents of the United States Draft Peace Treaty with Japan flagrantly violate the important international agreements, the Cairo Declaration of 1943, the Potsdam Declaration of 1945 and the Yalta Agreement of 1945.

As far back as the victory of the Allies over Japan, the United States Government had begun its acts of undermining important international agreements of the Allies concerning policy towards Japan. In accordance with the above-mentioned international agreements, the United States armed forces were authorised by the Allies to occupy Japan, with the sole purpose of eliminating Japanese militarism and carrying out the democratisation of Japan. But the policy carried out by the United States occupation authorities in Japan has been to do their utmost in preserving Japanese militarism and preventing the democratisation of Japan, and is therefore incompatible with the above-mentioned international agreements and illegal. The above-mentioned international agreements also clearly stipulated the return of Taiwan and the Pescadores to China and the freedom and independence of Korea; but the United States Government, on the contrary, has made illegal use of the territory, material resources and manpower of Japan to conduct unlawful armed intervention in Korea and illegal armed occupation of Taiwan of our country.

The United States Draft Peace Treaty attempts to legalise this series of illegal acts of the United States Government.

The Central People's Government of the People's Republic of China has long since declared, in its statement of December 4, 1950, that there is no reason at all for discussing again the settled territorial questions concerning Taiwan and the Pescadores which already revert to China according to the Cairo Declaration. But the United States Draft Treaty only mentions the renouncing of all rights to Taiwan and the Pescadores by Japan, but says nothing about the return of Taiwan and the Pescadores to China. The aim of the United States Government is evidently to carry out long-term unlawful occupation of our Taiwan and make it a military base for the further invasion of the People's Republic of China. Also no international agreements between the Allies have ever provided for the inclusion of the Ryukyu Islands, the Bonin Islands, Rosario Island, Volcano Island, Parece Vela and Marcus Islands within the trusteeship system, with the United States as the administering authority; nevertheless, the United States Government has openly proposed, on the pretence of United Nations trusteeship, to place the above-mentioned islands under the administration of the United States, that is, to occupy them for itself. Nothing demonstrates more clearly than this the ambition of the United States Government to persist in aggression and territorial aggrandisement in defiance of international law.

The Chinese people suffered most from the aggression of militarist Japan and fought longest against the Japanese aggressors. They are, therefore, most determined in opposing the revival of Japanese militarism. It is well known that the above-mentioned international agreements of the Allied Powers regarding Japan more than once mentioned the necessity of eliminating Japanese militarism. But the United States Draft Peace Treaty with Japan provides no guarantee at all for preventing the revival of Japanese militarism, nor does it place any limitation upon the size of the Japanese armed forces. The aim of the United States Government is clearly not to eliminate, but to revive, militarism in Japan and, with its territory as war base and its people as cannon fodder, to make Japan a tool of the United States in continuing and expanding aggression in Korea, China and other Asian countries.

Apart from all this, the United States Government does not plan to withdraw her military occupation troops from Japan after the signing of the peace treaty; on the contrary it has already gained the unlimited right of continuing indefinitely the occupation of Japan after the signing of the peace treaty. The United States Government is attempting to legalise its unlawful occupation of Japan by United States forces in order to place Japan in a state of long-term occupation.

From this it can be seen that the United States Government's Draft Peace Treaty, judging by its contents, completely contravenes the war aims of the Allied Powers towards Japan, destroys the international agreements of the Allied Powers regarding Japan, damages their national interests and is in violation of the will of the Japanese people. In this Draft Peace Treaty, the United States Government pursues only one central aim, namely the revival of Japanese militarism, in order to continue and expand its aggression against the Asian countries. The Chinese people and hundreds of millions of other Asian people who have been attacked by Japanese militarism will never tolerate this.

3. The Central People's Government of the People's Republic of China fully agrees with and supports the concrete proposals of the Government of the Soviet Union for the preparation of a peace treaty with Japan.

The Central People's Government of the People's Republic of China, in complete accord with the Soviet Government, has always stood for the earliest conclusion of a joint peace treaty with Japan on the basis of such major international agreements of the Allied Powers regarding Japan as the Cairo Declaration, the Yalta Agreement and the Potsdam Declaration. The preparing of the draft peace treaty with Japan must be undertaken by the representatives of the Union of Soviet Socialist Republics, the People's Republic of China, the United States and Great Britain, with the member nations of the Far Eastern Commission participating in this work. The Central People's Government of the People's Republic of China has more than once openly condemned the United States Government for plotting to postpone

repeatedly, since 1947, the signing of an over-all peace treaty with Japan, and has also condemned its activities since 1950 of repeatedly undermining the conclusion of an over-all peace treaty and proceeding with a unilateral peace treaty with Japan. In order to ensure the realisation of this aim, the Treaty of Friendship, Alliance and Mutual Assistance signed on February 14, 1950 between the People's Republic of China and the Union of Soviet Socialist Republics clearly stipulates: "Both contracting parties undertake in the spirit of mutual agreement to strive for the earliest conclusion of the peace treaty with Japan jointly with other Powers which were Allies during the Second World War."

The Chinese people are most resolute in their opposition to the revival of Japanese militarism, but are most sympathetic to the demand of the Japanese people for peace, democracy and national independence. The Chinese people are profoundly aware that an independent, democratic and peace-loving Japan, free from foreign control, is an indispensable factor of peace in Asia and the world. Therefore the Central People's Government of the People's Republic of China completely endorses the five principal aims, proposed by the Soviet Government, which should serve as a guide in the concluding of a just and fair peace treaty with Japan on the basis of the Cairo Declaration, the Potsdam Declaration and the Yalta Agreement. These are:

"a) Japan must become a peace-loving, democratic and independent state; b) the population of Japan must be ensured democratic rights, and the existence of such organisations, whether political, military or para-military, whose aim is to deprive the people of their democratic rights, must not be permitted, as is provided for in the peace treaty with Italy; c) as a guarantee against the revival of Japanese militarism, the treaty must set limitations on the size of the Japanese armed forces so that they should not exceed the requirements of self-defence, as this has been established in the peace treaty with Italy; d) no restrictions are to be imposed on Japan as regards the development of its peaceful economy; e) all restrictions with regard to Japan's trade with other countries will be removed."

In order to ensure concretely the realisation of the above-mentioned principal aims, the Central People's Government of the People's Republic of China fully agrees to and supports the proposals put forward by the Government of the Union of Soviet Socialist Republics that the peace treaty should provide that Japan must not take part in any alliance which is aimed against any of the Allied Powers; that all occupation troops be withdrawn from Japan not later than one year after the signing of the peace treaty with Japan; that no foreign Power should maintain armed forces or military bases in Japan; and that all signatory states of the peace treaty should jointly support Japan's entry into the United Nations Organisation.

The Central People's Government of the People's Republic of China has always held that the peaceful settlement of the Japanese question is a vital issue in settling the various existing problems in the Far East and that the work for the conclusion of an over-all peace treaty with Japan has become a task which can no longer be put off. Therefore the Central People's Government of the People's Republic of China fully agrees to the proposal of the Government of the Union of Soviet Socialist Republics: To convene in June or July 1951, a session of the Council of Foreign Ministers composed of representatives of the United States, China, Great Britain and the U.S.S.R. in order to commence preparing the peace treaty with Japan, having in view to draw into the preparatory work of drafting the peace treaty with Japan representatives of all states that participated with their armed forces in the war against Japan, so that the draft peace treaty be submitted for the consideration of the peace conference.

Allow me, Mr. Ambassador, to convey to you my highest esteem.

To Mr. N. V. Roshchin, Ambassador of the Union of Soviet Socialist Republics to China.

CHOU EN-LAI

*Minister of Foreign Affairs of the Central
People's Government of the
People's Republic of China.*

May 22, 1951, Peking.

Remarks of the Government of the U.S.S.R. Regarding the United States Draft Peace Treaty with Japan

The following is the full text of the Remarks of the Government of the U.S.S.R. Regarding the United States Draft Peace Treaty with Japan which was handed on May 7 of this year by Deputy Minister of Foreign Affairs, A. E. Bogomolov to the United States Ambassador to the U.S.S.R. Mr. A. Kirk and a copy of which was also sent to the Government of the People's Republic of China:

On March 29 this year the Government of the U.S.S.R. received from the Government of the United States of America a Draft Peace Treaty with Japan. In this connection the Soviet Government deems it necessary to make the following remarks:

Notwithstanding the fact that more than five years have passed since the end of the war with Japan, the question of a peace settlement for Japan remains unsolved. Such a situation has been created first and foremost due to the stand taken by the Government of the United States who under various pretexts has been postponing not only the conclusion but the very preparation of a peace treaty. In doing so the Government of the United States has repeatedly rejected the proposals of the Soviet Government to prepare the peace treaty with Japan jointly with other governments, as is envisaged by the respective international agreements. As a result of this, the occupation of Japan by foreign troops has been inadmissibly prolonged.

1. The remarks of the Soviet Government deal first of all with the incorrect preparation of the peace treaty with Japan.

In the memorandum accompanying the American Draft Peace Treaty with Japan, the United States Government declares that the above-mentioned draft has been formulated following an exchange of opinions between representatives of the United States Government and representatives of the governments of a number of other states, including also the Soviet Union.

It should be noted that the latter statement is incorrect, because the Soviet Government even in the beginning of March of this year published a statement concerning its refusal to conduct separate negotiations with representatives of the United States with regard to the preparation of the peace treaty with Japan. In doing so, the Soviet Government proceeded from the premise that the preparation of the peace treaty with Japan cannot be the affair of some one government and its poll of opinion of other governments concerned, but must be the joint affair of all these governments, as this is envisaged by the respective international agreements. Nevertheless the United States Government has not abandoned the separate preparation of the peace treaty with Japan, seeking to appropriate this right for itself exclusively, which violates the obligations it assumed regarding the preparation of the peace treaty with Japan jointly with the U.S.S.R., China

and Great Britain, with the participation of other states concerned.

In conformity with the Potsdam Agreement of August 2, 1945, the Council of Foreign Ministers of five Powers—the United States, the U.S.S.R., China, Great Britain and France—was established, and the Potsdam Agreement states directly that the Council of Foreign Ministers is being set up in the first place for "preparatory work for the peace settlements" and that in drawing up the respective peace treaties "the council will be composed of members representing those states which were signatory to the terms of surrender imposed upon the enemy state concerned." In conformity with this, peace treaties with Italy, Rumania, Hungary, Bulgaria and Finland have been prepared and concluded.

From the above-mentioned Potsdam Agreement it also follows that the drawing up of the peace treaty with Japan is entrusted to the United States, the U.S.S.R., China and Great Britain who, as is known, signed the act of surrender of Japan. As early as 1947 the Soviet Government proposed to convene a special session of the Council of Foreign Ministers composed of the representatives of China, the United States, the U.S.S.R. and Great Britain in order to commence the preparation of the peace treaty with Japan. It was envisaged to draw into the preparatory work of drafting the peace treaty with Japan all states that had participated with their armed forces in the war against Japan. But this proposal, like other repeatedly resumed efforts of the Soviet Government directed at expediting the conclusion of the peace treaty with Japan, has not yielded positive results because the United States Government is ignoring the necessity for convening both the Council of Foreign Ministers for preparing the peace treaty with Japan and the peace conference for discussing this treaty.

The Soviet Government deems it necessary especially to point to the inadmissibility of removing China from the preparation of the peace treaty with Japan. It is known that China for many years was subjected to the cruel aggression of militaristic Japan, that it waged a protracted and bitter war against Japanese imperialism and sustained the biggest losses from Japan's aggression. It is natural therefore that the Government of the Chinese People's Republic, being the sole lawful representative of the Chinese people, is especially interested in preparing the peace treaty with Japan and establishing lasting peace in the Far East.

It is perfectly evident that a real peace settlement in the Far East is impossible without the participation of the Chinese People's Republic in the work of preparing the peace treaty with Japan.

From this it is apparent that the United States Government seeks to remove the U.S.S.R., the Chinese People's Republic and other countries from preparing the peace treaty with Japan and to take this matter exclusively into its own hands in order to impose on Japan unilaterally, by way of a *diktat*, the terms of this treaty desired by the United States Government, utilising for this purpose the dependence of the present government of Japan on the American occupation authorities.

2. The remarks of the Soviet Government secondly refer to the fact that the American Draft Peace Treaty with Japan contains, from the standpoint of the substance of its matter, a number of incorrect provisions incompatible with existing agreements among the Powers.

In such well-known international documents as the Cairo Declaration of 1943, the Potsdam Declaration of 1945 and the Yalta Agreement of 1945, the Governments of the United States of America, Great Britain, China and the U.S.S.R. assumed definite obligations as regards the future peace treaty with Japan.

These documents define the territorial frontiers of Japan and point out that there must be in Japan "in accordance with the freely expressed will of the Japanese people, a peacefully inclined and responsible government," after which the occupation troops should be withdrawn from Japan.

These documents as well as subsequent agreements of the Powers state that "all obstacles to the revival and strengthening of democratic tendencies among the Japanese people" must be removed in Japan and that broad opportunities for the development of the country's peaceful economy should be opened. They speak at the same time of the necessity of putting an end to the power and influence of the militarists and of realising the demilitarisation of Japan.

The American Draft Peace Treaty with Japan to one degree or another ignores these obligations of the Powers which follow from the above-mentioned documents.

This must first and foremost be said with respect to territorial questions.

For example, the Cairo Declaration of 1943 states directly that Taiwan Island and the Pescadores Islands must be returned to China. The American draft however merely says that Japan renounces all rights to Taiwan and the Pescadores Islands, but remains silent about transferring Taiwan and the Pescadores Islands to China. From this it may be concluded that the present situation as regards Taiwan and the Pescadores Islands, which are actually wrested from China, is left unchanged by the draft, in violation of the Cairo Agreement on return of these islands to China.

The American draft further envisages the removal from Japan's sovereignty of the Ryukyu,

Bonin, Rosario, Volcano, Parece Vela and Marcus islands and placing them under United States administration on the pretext of establishing over them a trusteeship allegedly on the part of the United Nations. In as much however as the tearing away from Japan of the above-mentioned islands is provided for neither by agreement among the Powers nor by decision of the United Nations as represented by the Security Council, there is no justification whatever for such wresting.

Of still greater importance are the digressions from the above-mentioned international agreements, contained in the American Draft Peace Treaty with Japan, on military questions. Suffice it to state that the American draft not only does not contain guarantees against the restoration of Japanese militarism but in general does not put forth any limitations as to the size of the armed forces of Japan.

It is known that the peace treaty with Italy, which together with Japan was one of the main aggressors in the Second World War, contains exact limitations of the contingents of the Italian army, the numerical strength of the personnel of the navy as well as the air force. Yet the American draft contains no limitations whatever of the armed forces of Japan. Japan is thus placed in a privileged position as compared with Italy, although there are no grounds whatever for this. From this it is seen that Japan itself will decide the question of the size of its armed forces for the so-called "self-defence." The Soviet Government considers that this is tantamount to allowing Japan to restore militarism. Naturally, such a situation is in no way compatible with the well-known agreements of the Powers regarding Japan's demilitarisation.

Nor can the fact be ignored that the American draft does not set any date for the withdrawal of the occupation troops from Japan and is directly designed to leave American occupation troops and military bases in Japan also after conclusion of the peace treaty. Consequently, even after the "peace settlement" which the United States is preparing for Japan, the military occupation of Japan will not be terminated and the United States will remain the actual master in Japan.

As is known, the peace treaty with Italy envisages the withdrawal of occupation troops from Italy within three months after the conclusion of peace. Thus Japan is put in a worse position as compared with Italy while the United States receives the unlimited right to continue the occupation of Japan for an unlimited period after the signing of the peace treaty with Japan. Naturally, all this is in no way compatible with the Potsdam Declaration of 1945.

To this should be added that already now the United States Government utilises Japan's occupation by American troops not for the aims agreed upon among the states who signed the act of surrender of Japan. American occupation troops stationed on Japanese territory are using the territory of Japan, its material and manpower resources for armed intervention in Korea, which is incompatible with the international agreements that granted American troops the right of occupation in Japan

only to effect measures for the demilitarisation and democratic reconstruction of Japan.

Lastly, the American draft ignores the necessity for removing restrictions as regards the free development of Japan's peaceful economy. It is understood that without the development of the country's peaceful economy and without normal trade with other countries it is impossible to establish a reliable foundation for the economic advance of Japan and for a rise in the well-being of the Japanese people.

The Soviet government has also other remarks concerning the draft treaty which it expects to outline to the conference of Powers concerned.

3. The Soviet Government which has invariably insisted on the earliest conclusion of the peace treaty with Japan holds that the peace treaty must be drawn up on the basis of international agreements concluded among the Powers during the Second World War and that the preparation of the draft treaty must be carried out jointly by representatives of the United States, the Chinese People's Republic, the U.S.S.R. and Great Britain, drawing into this matter all states-members of the Far Eastern Commission.

In conformity with this the Soviet Government proposes:

1. To convene in June or July 1951, a session of the Council of Foreign Ministers composed of representatives of the United States, China, Great Britain and the U.S.S.R. in order to commence preparing the peace treaty with Japan, having in view to draw into the preparatory work of drafting the peace treaty with Japan representatives of all states that participated with their armed forces in the war against Japan, so that the draft peace treaty be submitted for the consideration of the peace conference.

2. The drawing up of the peace treaty with Japan is to be conducted on the basis of the Cairo Declaration, the Potsdam Declaration and the Yalta Agree-

ment, with the following main aims serving as a guide:

a) Japan must become a peace-loving, democratic and independent state; b) the population of Japan must be ensured democratic rights, and the existence of such organisations, whether political, military or para-military, whose aim is to deprive the people of their democratic rights, must not be permitted, as is provided for in the peace treaty with Italy; c) as a guarantee against the revival of Japanese militarism, the treaty must set limitations on the size of the Japanese armed forces so that they should not exceed the requirements of self-defence, as this has been established in the peace treaty with Italy; d) no restrictions are to be imposed on Japan as regards the development of its peaceful economy; e) all restrictions with regard to Japan's trade with other countries will be removed.

3. To provide in the treaty that Japan does not enter into any coalitions directed against one of the states that had participated with its armed forces in the war against militaristic Japan.

4. To precisely stipulate in the treaty that within one year after the conclusion of the peace treaty with Japan all occupation troops are to be withdrawn from Japanese territory and no foreign state is to have troops or military bases in Japan.

5. To come to an agreement that the states signing the peace treaty with Japan will support the admission of Japan to the United Nations.

Moscow, May 7, 1951.

Copies of the above document have been sent also to the governments of the Chinese People's Republic, Great Britain, France, India, Pakistan, Burma, Australia, Canada, New Zealand, Holland, the Mongolian People's Republic and the Korean Democratic People's Republic.

Note:—The above text is reproduced from the Tass despatch of May 23, 1951.