

Draft Of The Sino-Japanese Peace Treaty

The following is the official translation of the draft of the Sino-Japanese Peace Treaty as was published by the Japanese press on March 8 as the result of leakage.

Preamble—with a view to promoting good neighbourliness and maintaining stability in the Far East the governments of the Republic of China and Japan have decided to conclude a treaty of peace and agreement upon the following provisions.

Article 1—The state of war that existed between Japan and the government of the Republic of China terminates on the date of coming into force of this treaty.

Article 2—Japanese recognizes the restitution of Taiwan and the Pescadores to the government of the Republic of China and renounces her rights and claims to the two regions.

Article 3—Japan will divide into two parts undersea cables originally possessed by Japan. Japan will take possession of terminal installations in Japan and one half of these cables while the Republic of China will take possession of the other half as well as terminal installations at the other end.

Article 4—Japan will accept obligations specified in Article II of the United Nations Charter.

Article 5—Within one year after this treaty comes into force between China and Japan, the

Chinese government will notify Japan of her decision as to which pacts or agreements concluded between the two countries before the war would continue to remain in force or be revised. Japan will regard all such pacts and agreements not notified by the Chinese government in this period as having been nullified.

Article 6—Japan will start early negotiations for a multilateral agreement for restriction of fishing and preservation of fishery in high seas.

Article 7—Japan will renounce all her special rights and interests in China including those accorded by the final protocol signed by Japan in Peking on September 7, 1901 and all attached documents.

Article 8—Japan will declare her intention to start early negotiations with the Republic of China for conclusion of a pact or agreement to place trade, shipping and other commercial relations on a stabilized and friendly basis. Japan will also accept obligation to accord most favoured nations treatment on a mutual basis.

Article 9—Japan will start early negotiations for conclusion of a bilateral or multilateral agreement regarding international civil aviation transportation. Japan will also accord complete equal opportunity for operation and development of aviation business.

Article 10—The government of the Republic of China will have authority to detain and dispose of properties, rights and interests of following ownership under her control at the time of the coming into force of this treaty; (a) the Japanese government or Japanese nationals, (b) agents or proxies of the Japanese government or Japanese nationals and (c) organizations of the Japanese government or Japanese nationals.

Article 11—Any disputes arising from interpretation or enforcement of this treaty that cannot be settled through agreed method of the international special claims court should be referred to the international judicial court.

Article 12—In application of this treaty the people of the Republic of China include all persons who possess Chinese nationality in conformity with laws and regulations already enforced in Taiwan and the Pescadores by the Republic of China and/or those that may be enforced in future.

Article 13—This treaty will come into force simultaneously with ratification by the two governments.

Article 14—This treaty will be signed by the plenipotentiaries of the two governments at Taiwan on (date blank) and the text will be in Chinese and Japanese languages.