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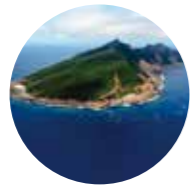


The Senkaku Islands

Seeking Maritime Peace based on the Rule of Law,
not force or coercion



Ministry of Foreign Affairs of Japan



contents



(Photo: Tokyo Metropolitan Government)



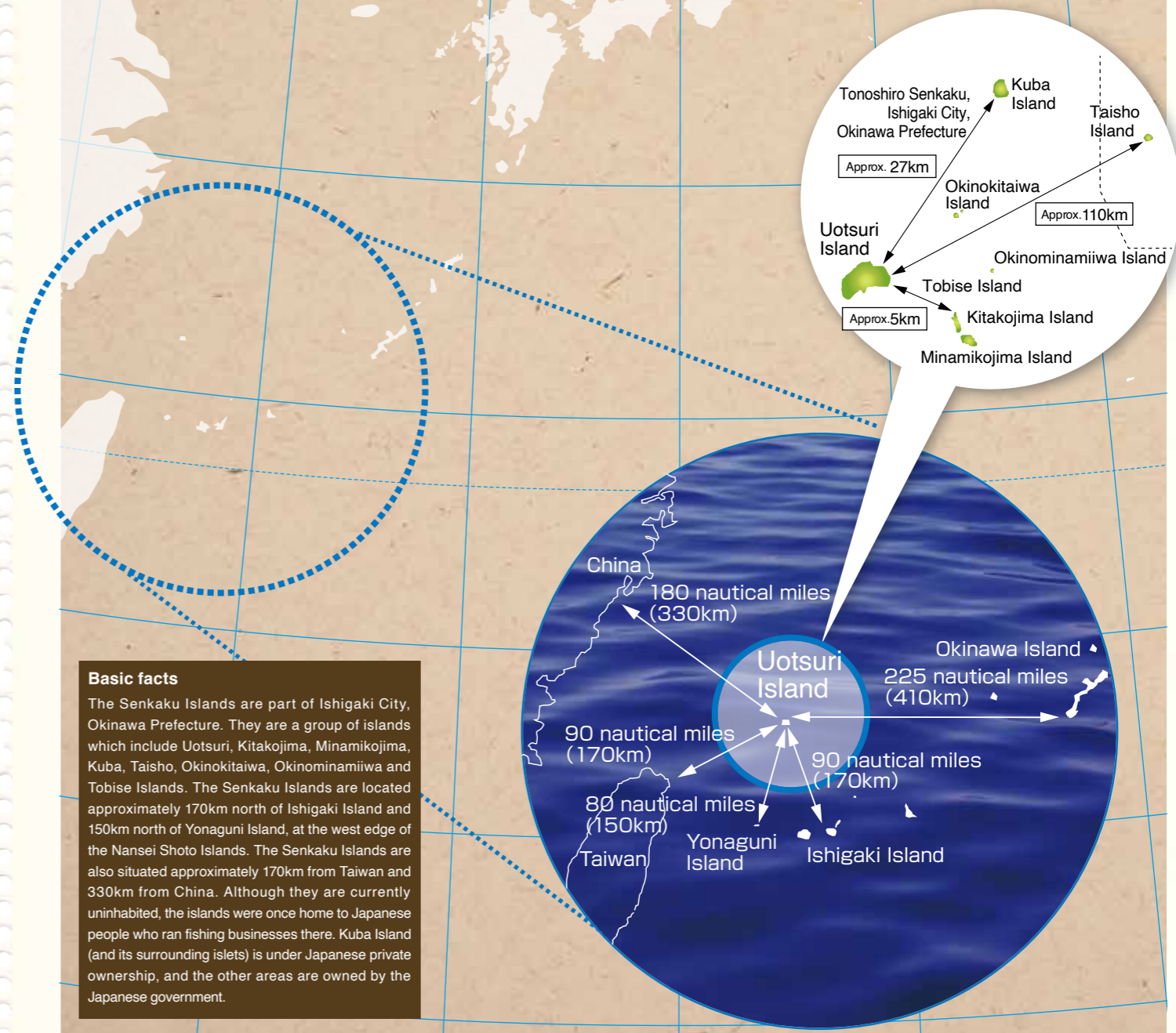
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Cover photo: Kyodo News

The Senkaku Islands

The Senkaku Islands are indisputably an inherent part of the territory of Japan in light of historical facts and based upon international law.

There exists no issue of territorial sovereignty to be resolved concerning the Senkaku Islands. Japan continues to strive for peace and stability in the region, to be established through the observance of international law.



Japan's Sovereignty Over the Senkaku Islands



Chronology of major events

- Japan has been exercising effective control over the Senkaku Islands for more than 120 years
- China began to claim sovereignty over the Senkaku Islands, escalating its assertion from the 1970s



Okinawa Prefecture launched investigation of the Senkaku Islands. At that time, Japan carefully confirmed that the Senkaku Islands were uninhabited, and not under the control of any other state.

1885

May

Letter of appreciation was sent from the consul of the Republic of China in Nagasaki, indicating that China recognized the Senkaku Islands as part of Okinawa in Japan.

1920

May

The UN Economic Commission for Asia and the Far East (ECAFE) conducted a survey on coastal mineral resources. The report indicated the possibility of oil reserves existing in the East China Sea.

1969

June

The Okinawa Reversion Agreement was signed. The minutes to the agreement included reference to the area which includes the Senkaku Islands as part of the territories to be returned to Japan.

Taiwan (in June) and China (in December) officially asserted "territorial sovereignty" over the Islands for the first time in history.

1971

December

Two ships belonging to China's State Oceanic Administration (SOA) intruded into Japan's territorial waters surrounding the Senkaku Islands.

2008

September

Intrusions by SOA and other agencies' ships into Japanese territorial waters intensified, after the transfer of the ownership of the islands to the Japanese government. Anti-Japan demonstrations were held in China. Aerial intrusions were made in December for the first time in history.

2012

June

Chinese Naval ships entered Japan's contiguous zone around the Senkaku Islands for the first time.

August

Approx. 200 to 300 Chinese fishing vessels were spotted in the waters around the Senkaku Islands. Some of them entered Japanese territorial waters, followed by the China Coast Guard and other agencies' ships.

2016

1895

January

The Senkaku Islands were incorporated into Okinawa Prefecture through a Cabinet Decision. The islands were then administered by Okinawa Prefecture.

1951

September

The San Francisco Peace Treaty was signed. The Senkaku Islands remained part of Japanese territory. The U.S. exercised its administrative rights over the Islands as part of the Nansei Shoto Islands of Japan. (Article 3)

1992

China established the "Law on the Territorial Sea and the Contiguous Zone." The law explicitly stated unfounded legal claim for the first time that the Senkaku Islands were the territory of China (which was not referred to at all in the 1958 Declaration on China's Territorial Sea).

2010

September

A Chinese fishing vessel collided with a Japan Coast Guard vessel. Following this incident, ships belonging to the Chinese Fisheries Bureau and other agencies intruded into the waters around the Senkaku Islands more frequently than before.

2013

October

China established the "East China Sea Air Defense Identification Zone," which stipulated "defensive emergency measures" by the Chinese Armed Forces.

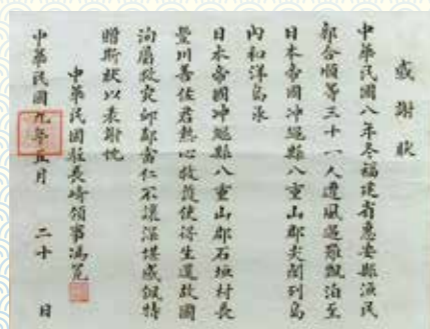
2021

February

China enacted the Coast Guard Law, which includes problematic provisions in terms of consistency with international law.



A bonito processing factory run by Tatsushiro Koga. (Photo: Ms. Hanako Koga/the Asahi Shimbun Company)



Letter of appreciation from the consul of the Republic of China in Nagasaki, issued in May 1920, which includes a description that adds to the evidence that China recognized the Senkaku Islands as part of Okinawa Prefecture, Japan. (Yaeyama Museum, Ishigaki City, Okinawa, Japan)



The administrative rights of all of the islands within the area inside the straight lines on the map were returned to Japan in 1972 in accordance with the Okinawa Reversion Agreement. The Senkaku Islands are included in this area.



September 2010: A Chinese fishing trawler deliberately crashing into a Japanese Coast Guard patrol vessel off the Senkaku Islands. (Recorded by Japan Coast Guard)



April 23, 2013: Japan Coast Guard patrol vessels (right) on alert as they monitor a SOA ship (front left) that has entered Japan's territorial waters. (Photo: The Asahi Shimbun Company/Jiji Press Photo, Ltd.)



Japan Coast Guard patrol vessel on alert as it monitors a China Coast Guard ship (back). (Photo: Japan Coast Guard)

Part 2 History of the Senkaku Islands



Incorporation of the islands into Japanese territory and control as part of Okinawa under international legal frameworks

● The Senkaku Islands have consistently been part of the territory of Japan, both historically and in accordance with international law. Since 1885, investigations of the Senkaku Islands had been conducted by the Government of Japan through the agencies of Okinawa Prefecture and other means.

Through these investigations, it was confirmed that the Senkaku Islands was not only uninhabited but also showed no trace of having been under the control of the Qing Dynasty (now China), or any other state. Based on this careful confirmation, the Government of Japan made a Cabinet Decision in January 14, 1895 to erect markers on the islands to formally incorporate the Senkaku Islands into the territory of Japan. This was accepted means of duly acquiring territorial sovereignty in accordance with international law.

In 1896, a Japanese entrepreneur named Tatsushiro Koga obtained permission from the Japanese government to

develop the islands, and many Japanese people moved there. Settlers ran businesses in dried bonito manufacturing, feather collecting and other activities. The islands counted more than 200 inhabitants at one point, and the government applied administrative measures such as land surveys and authorization to run businesses on the islands.

● Even during the period of the U.S. administration after World War II, the Japanese continued to be involved with the Senkaku Islands in academic research, the fishing industry and security patrols. In terms of academic research, a number of detailed field studies on the environment such as the ecosystem of plants and animals have been steadily conducted by the Japanese government, Okinawa Prefecture and college researchers, including the first full-scale academic research by the University of the Ryukyus in 1953.



① A land registration record of Uotsuri Island (1930s). This shows that the Government of Japan took administrative acts on the Senkaku Islands before the war period.



② Many Japanese settlers lived on the Senkaku Islands, founding a village called "Koga Village". (Photo: Ms. Hanako Koga/the Asahi Shimbun Company)



③ Research conducted by the University of the Ryukyus in 1971. The researchers found Kuroashi-Ahodori (Black-footed Albatross) on Kitakojima Island. (Photo: Mr. Kazuharu Shinjo)



④ Administrative marker built on a hill behind the former "Koga Village" on the northeast coast of Uotsurijima. There was no protest by China when the pole was built in 1969. (Photo: Yoshima Niiro)

The Senkaku Islands as a historically-consistent territory of Japan under international law

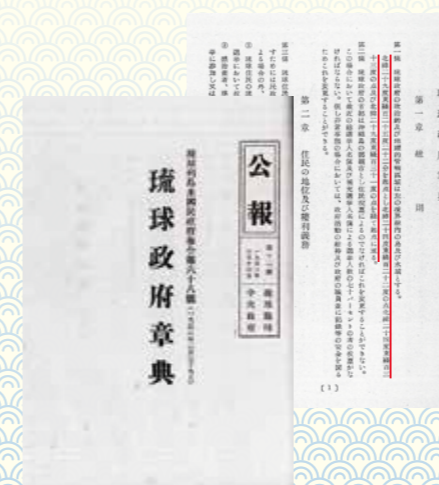
● After the end of World War II, Japan's territory was legally defined by the San Francisco Treaty, which came into effect in 1952. In accordance with this treaty, the Senkaku Islands were not included in the territory in which Japan renounced, and placed under the administration of the United States as part of the Nansei Shoto Islands of Japan.

● The fact that the Senkaku Islands were part of the Nansei Shoto Islands can be recognized in the Provisions of the Government of the Ryukyu Islands in 1952, which clearly state the islands' latitudes and longitudes. Also, after the Amami Reversion Agreement was signed, Civil Administration Proclamation Number 27 of December 25, 1953, again officially identified the Senkaku Islands as part of the Nansei Shoto Islands. However, there was no protest from China whatsoever to assert that the Senkaku Islands were "part of Taiwan" at that time.

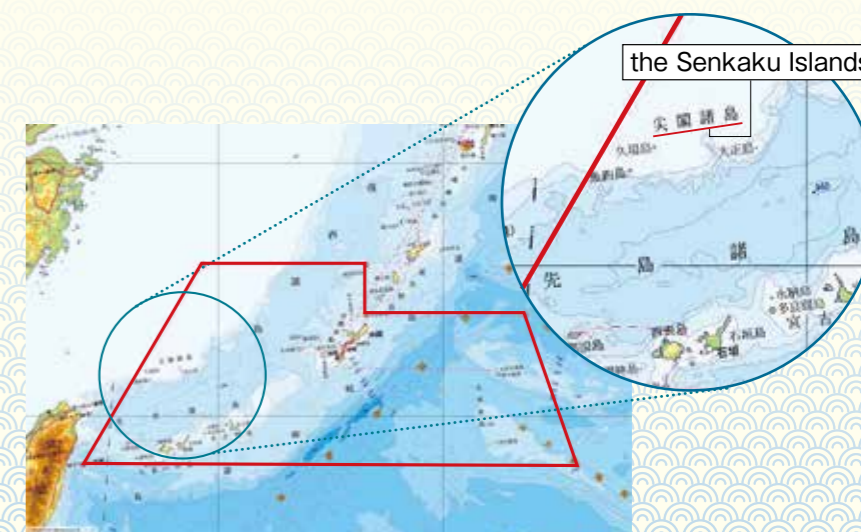
In 1972, the Okinawa Reversion Agreement was issued between Japan and the United States concerning the Ryukyu Islands and the Daito Islands. This agreement included the Senkaku Islands in the areas whose administrative rights were reverted to Japan. These facts are solid evidence that the Senkaku Islands are part of the territory of Japan. They have been consistently treated as Japan's territory in systems of post-war order and under international law.

● Since 1972, when the administrative rights to Okinawa, including the Senkaku Islands were returned to Japan, the Japanese government has conducted security patrols and enforcement in the seas around the Senkaku Islands, collected real estate tax from the private-owned areas and managed the state-owned areas in an appropriate manner. Ishigaki City, to which the Senkaku Islands belong, enacted an ordinance in which January 14 was designated as "Senkaku shoto kaitaku no hi (Senkaku Islands day)," and commemorative ceremonies have been held since 2011. In June 2020, the city council of Ishigaki passed a resolution to change the subarea name of the Senkaku Islands from "Tonoshiro" to "Tonoshiro Senkaku."

To do its part in gaining the understanding and support of the international community, the government communicates factual information on the Senkaku Islands in a timely and appropriate manner. This includes active and effective communication through various initiatives such as the opening of the National Museum of Territory and Sovereignty in January 2018 (relocated and expanded in January 2020), which has been holding special exhibitions and providing touring exhibitions for other museums and organizations. The government also provides information to experts, and delivers presentations at international conferences and other venues.



Official Gazette announcing the Provisions of the Government of the Ryukyu Islands in 1952.



The administrative rights of all of the islands within the area inside the straight lines on the map were returned to Japan in 1972 in accordance with the Okinawa Reversion Agreement. The Senkaku Islands are included in this area.

Part 3 Challenges by China



China and Taiwan began to claim sovereignty over the islands after the discovery of the potential oil reserves in the East China Sea

- In the summer of 1968, Ryukyu authorities cracked down on illegal intrusions by Taiwanese people into the waters off the Senkaku Islands. Upon the request from the Japanese government, the United States carried out diplomatic démarche to the Taiwanese authorities of these incursions, and Taiwan stated without claiming that the Senkaku Islands are part of Taiwan, it would make efforts to ensure this did not happen again.
- In the autumn of 1968, experts from Japan, Taiwan and the Republic of Korea conducted academic research in the East China Sea, with cooperation from the Economic Commission for Asia and the Far East (ECAFE). The research indicated the possibility of oil reserves in the East China Sea, attracting attention to the Senkaku Islands.

The May 1969 ECAFE report stated that the most favorable part of the region for oil and gas is the 200,000 sq. km area mostly northeast of Taiwan. A high probability exists that the continental shelf between Taiwan and Japan may be one of the most prolific oil reservoirs in the world. A map in the report clearly described the islands as the "Senkaku Islands."

After the announcement of the study's results, China and Taiwan began to claim sovereignty over the islands for the first time. Neither state had made any claim to the Senkaku Islands whatsoever prior to this.

- In August 1970, Taiwan began to express its interest in the Senkaku Islands, which escalated into the unfounded claims to the islands by Taiwan and China.

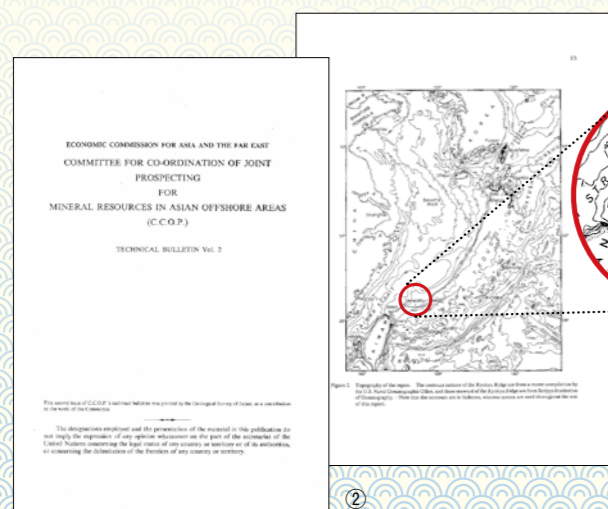
In December 1970, China's state-operated news agency,



① Ryukyu authorities cracked down on illegal intrusions into the waters off the Senkaku Islands. (Photo: Kenji Higa)
 ② The "ECAFE Report" (May 1969) indicated the possible existence of oil reserves in the East China Sea. Despite the use of the name "Senkaku", no objection was made by China and Taiwan.



③ An article of Central Daily News of Taiwan, dated August 13, 1970. The islands were described as "the Senkaku Group of Islands", not "Diaoyutai."



②

Xinhua News Agency, carried an article describing China's unfounded claims to the sovereignty of the Senkaku Islands.

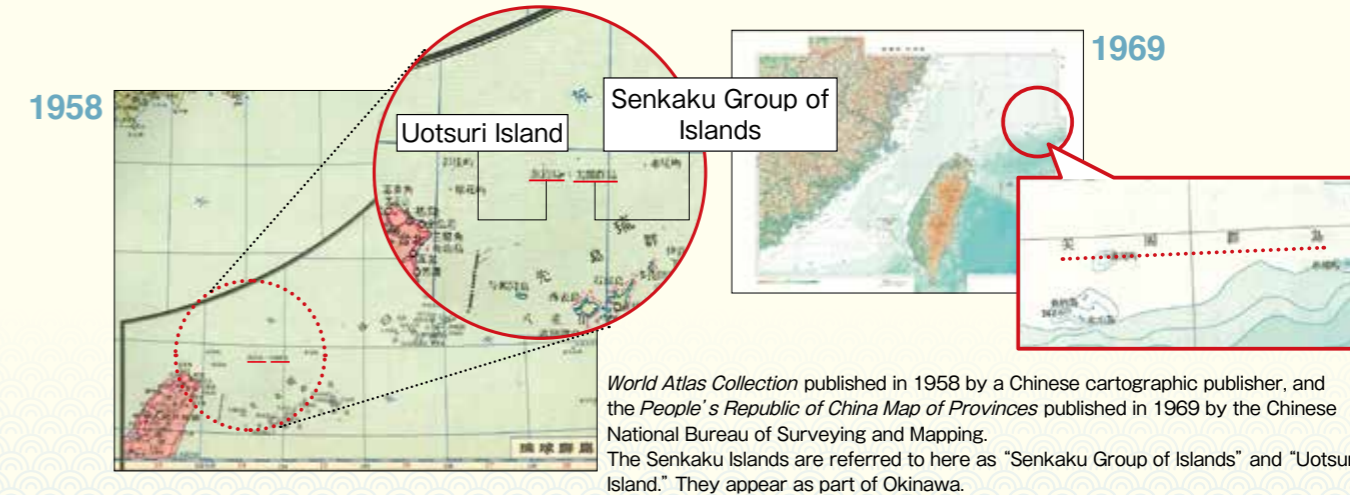
Finally, sovereignty over the Senkaku Islands was officially declared by Taiwan's Ministry of Foreign Affairs in June 1971. Similar claims were made by the Ministry of Foreign Affairs of China in December 1971.

- Following this, China and Taiwan not only changed their laws and administrative areas, the countries also altered textbooks, maps, and geographical texts to create their own claim to the sovereignty of the Senkaku Islands. However, they could not change the fact that they had never claimed sovereignty at any point in history until the early 1970s. There exists no issue of territorial sovereignty to be resolved concerning the Senkaku Islands.

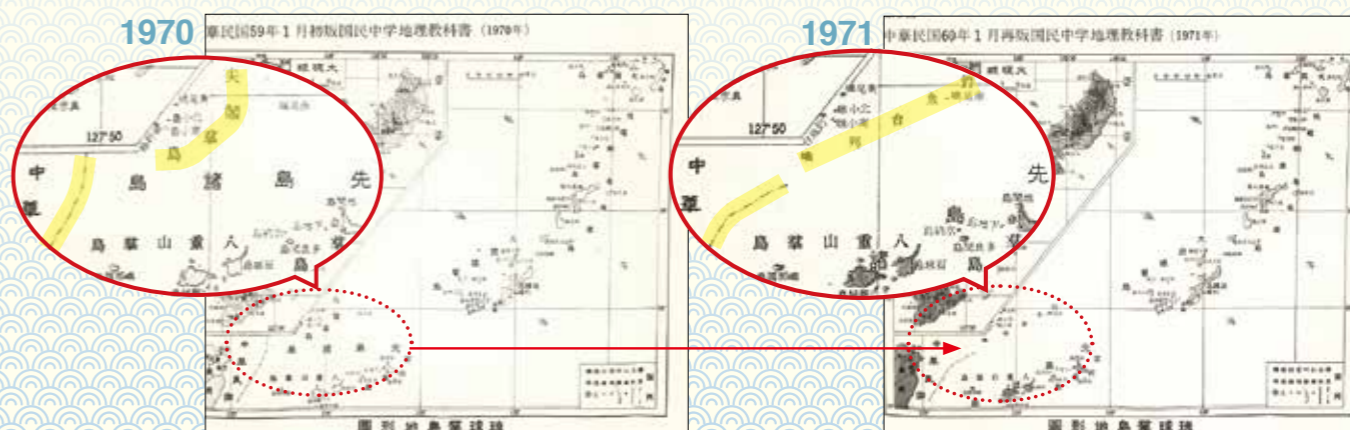
During the Japan-China summit talks, which aimed for

normalization of diplomatic relations between the two countries in 1972, Chinese Premier Zhou Enlai mentioned the Senkaku Islands to Japanese Prime Minister Tanaka Kakuei, stating that "It became an issue because of the oil out there. If there wasn't oil, neither Taiwan nor the United States would make this an issue." From this, it is clear that the unilateral argument made by China was not based on international law or history, but on the potential existence of oil reserves.

- Recently, China has been stressing that the Okinawa Trough, a deep trench between the Senkaku Islands and the Okinawa Islands, geographically negates any relationship between Japan and the Senkaku Islands. But the territorial boundary delimited by any country clearly proves that territorial rights have nothing to do with seabed topography.



World Atlas Collection published in 1958 by a Chinese cartographic publisher, and the People's Republic of China Map of Provinces published in 1969 by the Chinese National Bureau of Surveying and Mapping. The Senkaku Islands are referred to here as "Senkaku Group of Islands" and "Uotsuri Island." They appear as part of Okinawa.



A textbook from 1970 called the islands "the Senkaku Group of Islands". The border extends straight up north.

A textbook from 1971 changed the name of the islands to "Diaoyutai Islets". The border is curved to northeast.

China and Taiwan's Unfounded Claims Over the Islands



Unfounded claim

1

“The Diaoyu and the islets belonging to it have been the sacred territory of China from ancient times.”

The truth

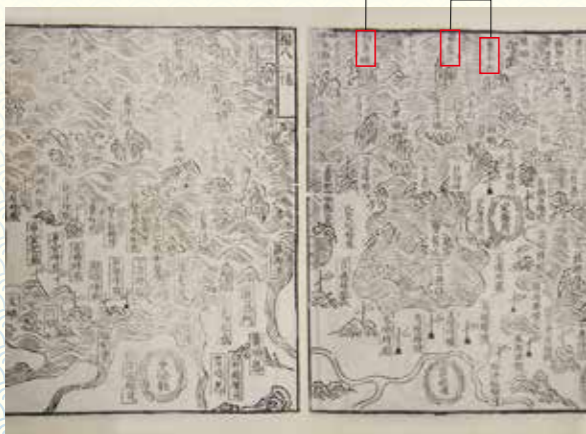
China asserts that the Senkaku Islands have been the territory of China from ancient times. The Government of China and the Taiwan Authorities argue that China was first in the history to discover the Senkaku Islands, because there are descriptions of the Senkaku Islands in Chinese ancient documents and maps, and that the Senkaku Islands are located close to China geographically. However, it is not clear whether China really discovered the islands before other

countries. In any case, the mere discovery of an island or geographical proximity does not constitute valid basis for territorial sovereignty.

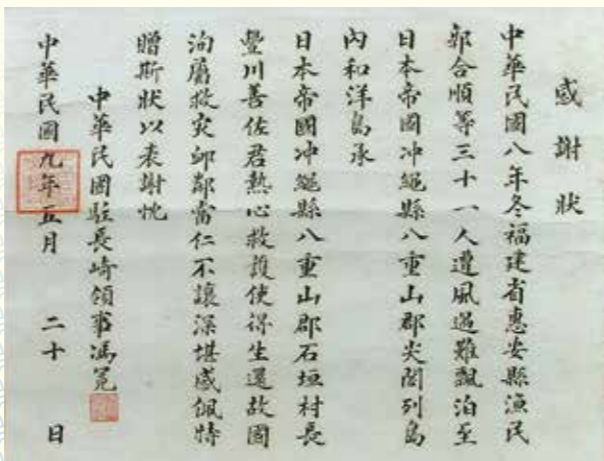
Under international law, continuous and peaceful display of sovereignty with a clear intention of possessing territory is deemed necessary for gaining territorial title. However, there is no evidence from China that the country ever had such effective control over the Senkaku Islands.

Islands which are said to be the Senkaku Islands.

Islands near Taiwan that were not incorporated at that time.



“An Illustrated Compendium on Maritime Security (Chou Hai Tu Bian).”



Letter of appreciation dated May 1920, sent from the consul of the Republic of China in Nagasaki. China recognized the Senkaku Islands as Japanese territory (Yaeyama Museum, Ishigaki City, Okinawa, Japan).

None of the “ancient documents” China refers to can be considered grounds for sovereignty of the Senkaku Islands. For example, China argues that it demonstrated its sovereignty over the Senkaku islands, from the fact that a map in *An Illustrated Compendium on Maritime Security (Chou Hai Tu Bian)* from the 16th century shows islands which China claims are the Senkaku Islands. However, the map also depicts the islands appertaining to Taiwan, which were not incorporated to China at that period. This proves that this ancient document does not provide any support for China’s claim.

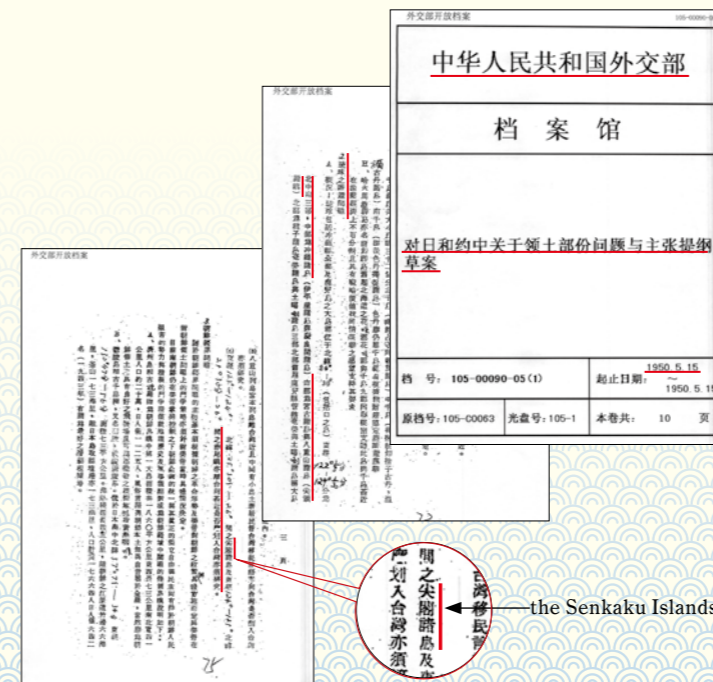
Until the early 1970s, China consistently recognized the Senkaku Islands as part of Okinawa prefecture of Japan.

For example, a letter was sent from the consul of the Republic of China in Nagasaki to show appreciation to the Japanese citizens who rescued some Chinese fishermen from Fujian Province who were drifted around the Senkaku Islands in 1919. The letter clearly describes the location where they reached the shore as “the Senkaku Islands, Yaeyama District,

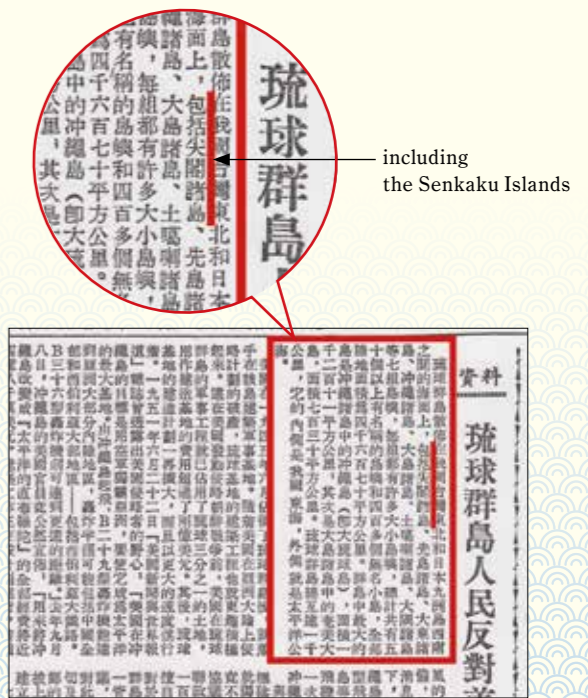
Okinawa Prefecture, Empire of Japan.”

Also, a record of an internal meeting on the Treaty of Peace with Japan held by the Chinese Ministry of Foreign Affairs in 1950 refers to the Senkaku Islands as the “Senkaku Islands.” The Senkaku Islands were even mentioned in the discussion of Okinawa.

Further, from the 1950s onward, the U.S. military used part of the Senkaku Islands (Taisho Island and Kuba Island) for firing/bombing ranges while the islands were under the administration of the United States, but there is no record of China ever having protested it during that period. In addition, in 1953, an article in the People’s Daily, which is an organ of the Communist Party of China, explicitly included the Senkaku Islands among the Ryukyu Islands. This clearly demonstrates that China recognized the Senkaku Islands as Japanese territory at the time.



Record of an internal meeting held by the Ministry of Foreign Affairs of China, in 1950. The name the “Senkaku Islands” is used in the context of Okinawa, Japan. (Photo: Jiji)



An article in the People’s Daily dated January 8, 1953, under the title of “Battle of People in Ryukyu Islands against U.S. Occupation,” wrote that the Ryukyu Islands consisted of seven groups of islands including the Senkaku Islands.

4 China and Taiwan's Unfounded Claims Over the Islands



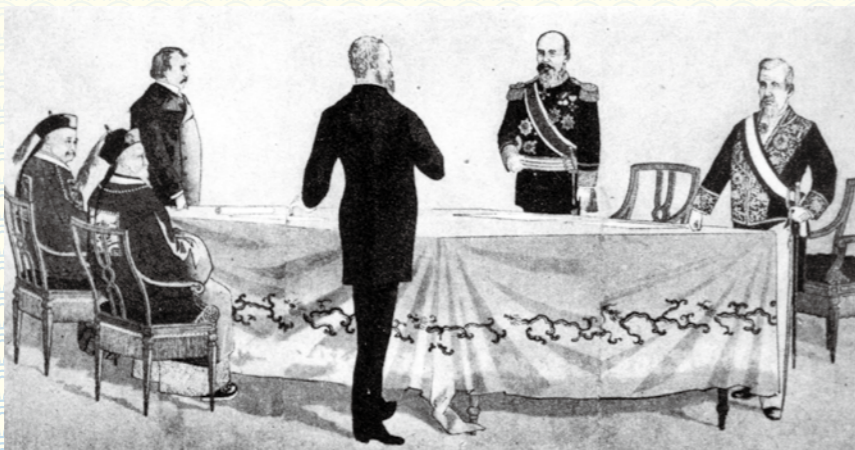
Unfounded claim

2

~~“Under the ‘Treaty of Shimonoseki’ of 1895, the Senkaku Islands were ceded to Japan as part of Taiwan.”~~

The truth

- The Senkaku Islands were not controlled by China in 1895. China could not cede the area which was not under its control.
- Although the Treaty of Shimonoseki does not define the geographical limits of the island of Formosa and “the islands appertaining or belonging to Formosa” ceded to Japan by the Qing Dynasty of China, it is clear from the negotiation records that the Senkaku Islands were not included in the island of Formosa and “the islands appertaining or belonging to it.”
- Even before the Sino-Japanese War, from 1885 when Japan first began investigations about the Senkaku Islands, Japan had undertaken preparation to formally incorporate the



April 17, 1895: Signing of the Treaty of Shimonoseki. (Image: Aflo)

Senkaku Islands into the territory of Japan having carefully ascertained that no state including the Qing Dynasty of China had control over the Islands. Following the Cabinet Decision in January 1895, which was made before the conclusion of the Treaty of Shimonoseki, the Government of Japan incorporated the Senkaku Islands into Okinawa Prefecture and consistently treated the Islands as part of Okinawa Prefecture. The islands had never been an area under the jurisdiction of the Governor-General of Taiwan which was ceded to Japan after the Sino-Japanese War. As explained above, China recognized the Senkaku Islands as part of Okinawa, and did not consider them part of Taiwan.

Unfounded claim

3

~~“The Senkaku Islands were reverted to China as islands appertaining to Taiwan, based on the Cairo Declaration of 1943 and the Potsdam Declaration of 1945.”~~

The truth

- After World War II and until the early 1970s, China and Taiwan never once expressed a claim to the Senkaku Islands as “the islands appertaining or belonging to Formosa” to be reverted under the Cairo Declaration and the Potsdam Declaration. This shows that there are no grounds to support the above claim, which was made in retrospect.
- Further, there is no description regarding the transfer of the territorial sovereignty of the Senkaku Islands in the Cairo Declaration and the Potsdam Declaration. Besides,

they were political documents that stipulated the basic post-war settlement policy of the Allied Powers, and ultimate disposition of territory as a result of war is based on international agreements such as peace treaties, not political documents like these declarations.

- After the conclusion of World War II, it was the San Francisco Peace Treaty that legally dealt with the territory of Japan. Details about the treatment of the Senkaku Islands under the San Francisco Treaty can be found in Part 2.



Potsdam Conference.
(Photo: The Mainichi Shimbun)



Cairo Conference.
(Photo: The Yomiuri Shimbun)

China and Taiwan's Unfounded Claims Over the Islands



Unfounded claim
4

“The Japanese government’s stance and approach on the Senkaku Islands poses a grave challenge to post-war international order and the purposes and principles of the U.N. Charter.”

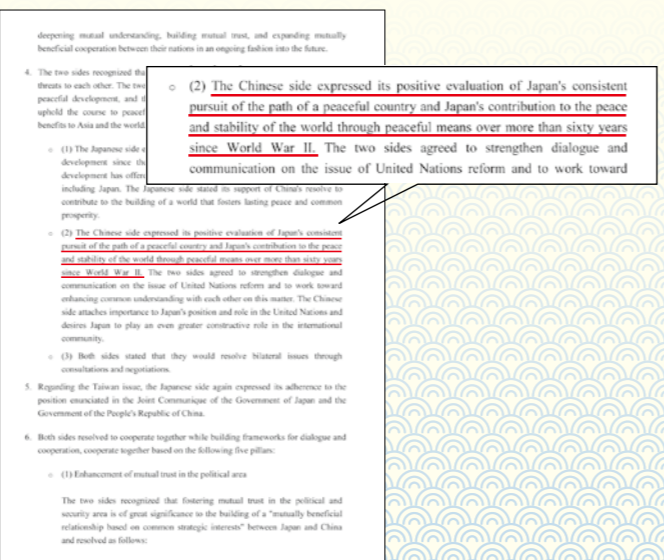
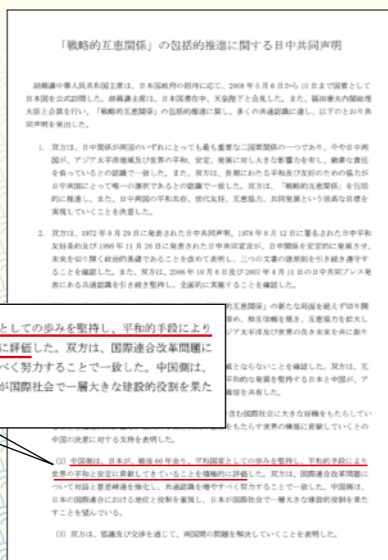
Unfounded claim
5

“In 1972 when Japan-China diplomatic relations were normalized, and at the conclusion of the bilateral Treaty of Peace and Friendship in 1978, Japan agreed to ‘shelve’ the issue of the Senkaku Islands.”

The truth

● Since the end of World War II, Japan has continuously upheld principles of freedom, democracy and the rule of law, and has in fact made great contributions to the peace and prosperity of the international community. China itself has expressed its positive evaluation on Japan’s contribution to the peace and stability of the world through peaceful means in the post-war period, in the Japan-China Joint Statement signed in 2008 by the leaders of both countries. Japan will continue to proceed in this manner, as a peaceful nation.

● Japan is and will be committed to maintaining its stance concerning the Senkaku Islands, respecting post-war international order in line with the San Francisco Peace Treaty, and in accordance with the principle of “the rule of law” based on the U.N. charter.



Japan-China Joint Statement

The truth

● There are records of comments by China which unilaterally refer to “shelving” of the issue. For example, at summit talks in 1972, Premier Zhou stated: “I do not want to talk about the Senkaku Islands this time. It is not good to discuss this now. It became an issue because of the oil out there. If there wasn’t oil, neither Taiwan nor the United States would make this an issue.” In 1978, Vice Premier Deng said at a press conference, “Even if...the issue is temporarily shelved, I don’t think I mind.” However, there exists no issue to be “shelved” concerning the Senkaku Islands, and obviously Japan has never agreed to shelving. It is nonsense that, based on Chinese unilateral argument, there exists an issue on the

territorial sovereignty, and Japan agreed to “shelve” such an issue.

● Other facts, such as China’s establishment of the Law on the Territorial Sea and the Contiguous Zone in 1992, which claimed the Senkaku Islands were Chinese territory, and the repeated attempts to change the status quo by force or coercion by sending ships belonging to China’s State Oceanic Administration and other agencies into the sea around the Senkaku Islands since 2008, contradict China’s claim that the countries had agreed to “shelve” the issue.



September 1972: Prime Minister Kakuei Tanaka (left) with Premier Zhou Enlai during the first summit talks in Beijing, China. (Photo: Jiji)



October 1978: Prime Minister Takeo Fukuda (center right) with Vice Premier Deng Xiaoping (center left) in the entrance hall of the State Guest House, Tokyo. (Photo: Jiji)

China's Unilateral Attempts to Change the Status Quo



China's maritime activities in the Asia-Pacific region and Japan's reaction

● In recent years, China has been intensifying its maritime activities in the oceans close to China, bolstered by its economic growth and expanding military force. For example, in the South China Sea, China took control of the Paracel Islands as a direct outcome of military conflict with South Vietnam in 1974. Then in 1988, China occupied Johnson South Reef in the Spratly Islands, which had been under control of Vietnam. In 1995, China occupied Mischief Reef in the Spratly Islands, which was at that time controlled by the Philippines. Further, in 2009, China officially unveiled the so-called "nine-dash line" for their claims of part of the South China Sea in a broad area for the first time without any legal grounds. Since then, China has continued its attempts to unilaterally change the status quo in the South China Sea by force or coercion. These attempts, ongoing and stronger in 2020, go against the rule of law and openness. For example, China announced the establishment of administrative districts called the Nansha District and Xisha District, and beefed up its military presence on the reclaimed features. China has been also raising tensions in the region through actions such as repeated military exercises and missile launches. Japan and the international community have expressed serious concerns against unilateral attempts to change the status quo and make the fait accompli.

The situation surrounding the Senkaku Islands in the East China Sea can be viewed as just one example of China's intensifying maritime activities in the Asia-Pacific region.

● In 1992, China enacted the "Law on the Territorial Sea and the Contiguous Zone," decreeing by law for the first time that, in addition to the Paracel Islands and the Spratly Islands in the South China Sea, the Senkaku Islands were also part of China's territory. In fact, its "Statement on China's Territorial Sea" of 1958 made no reference to the Senkaku Islands, and there was a clear change in China's position.

In December 2008, there was an incident in which two ships belonging to China's State Oceanic Administration suddenly intruded the territorial waters of Japan surrounding the Senkaku Islands. The Japanese government used patrol boats from the Japan Coast Guard requesting the Chinese ships to leave the territorial waters and made protest through diplomatic routes in a resolute manner. The incident was not only an act in contravention of law, but also an indication that China had begun to challenge the status quo using force and coercion.

● Further, in September 2010, a Chinese fishing vessel in Japanese waters near the Senkaku Islands deliberately crashed into Japanese Coast Guard patrol vessels.

In August 2012, an illegal landing on the Senkaku islands was made by civil activists from Hong Kong. In September 2012, Japan transferred the ownership of three of the Senkaku Islands (Uotsuri, Kitakojima, Minamikojima Islands) from private citizens to the government in accordance with domestic Civil Code. Since then, China has been using this as an excuse to send the Coast Guard and other agencies' ships into Japan's

contiguous zone virtually every day except for stormy weather days, and intrudes Japanese territorial waters several times a month.

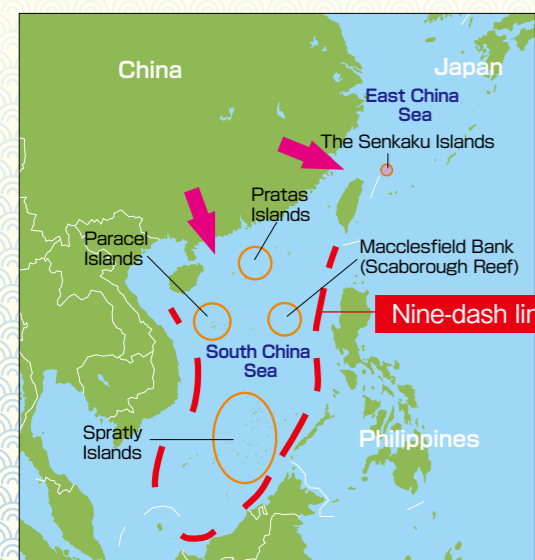
Further, in June 2016, Chinese Naval warships entered Japan's contiguous zone around the Senkaku Islands for the first time. In August that year, approx. 200 to 300 Chinese fishing vessels were spotted in the waters near the Senkaku Islands. Some of them entered Japanese territorial waters, followed by the China Coast Guard and other agencies' ships. During the four-day period from August 5 to 9, a total of 28 vessels belonging to the China Coast Guard and other agencies intruded into Japan's territorial waters, and on August 8, a record 15 vessels were spotted navigating inside the contiguous zone at the same time.

● In December 2012, aerial intrusions by China began to occur as well. A Chinese Government aircraft intruded into Japan's territorial airspace over the Senkaku Islands for the first time that month. In November 2013, China designated the airspace above the Senkaku Islands as the "East China Sea Air Defense Identification Zone," suggesting that this area was the territory of China. The Chinese government claims that any aircraft traveling through this zone must comply with the rules defined by China's Ministry of National Defense, and obliges aircraft flying in international airspace to abide by its domestic procedures, and refers to the recourse to "defensive emergency measures" by Chinese Armed Forces in case where such aircraft does not follow the instructed procedures. This unduly infringes the freedom of flight in international airspace, which is the general principle of international law. As many flight routes of civil airplanes run across the airspace above the East China Sea, the Japanese government is deeply concerned about such

measures from the viewpoint of its impact on the order and safety of civil aviation. Many other nations and regions including the United States, Australia, the Republic of Korea and the EU have expressed the same concerns.

● Further, in January 2021, China established the Coast Guard Law, stipulating the authorities and powers of the China Coast Guard. This law contains problematic provisions in terms of consistency with international law, such as an ambiguous applicable sea area and authorization for the use of weapons, and requires close scrutiny to prevent the loss of legitimate interests for all concerned countries, including Japan. At the same time, any attempt by China to execute jurisdictional rights based on its domestic laws in Japan's territorial waters, whether it be the Coast Guard Law or any other law, is a violation of Japan's sovereignty.

● China Coast Guard ships persistently continue unilateral attempts to change the status quo by force or coercion in the waters around the Senkaku Islands. This includes approaching Japanese fishing vessels inside Japanese territorial waters and intrusions by ships mounted with artillery. The U.S. has expressed its commitment to defend Japan, and that Article 5 of the Japan-U.S. Security Treaty covers the Senkaku Islands. It also explicitly stated its opposition to any unilateral action that seeks to undermine Japan's administration of these islands. Japan will act firmly and calmly to handle China's challenges concerning the Senkaku Islands, working in collaboration with the U.S. and other concerned countries, in terms of maintaining international order based on the rule of law, as provided by international law including the San Francisco Peace Treaty.



China's expanding influence to the East China Sea and the South China Sea.

1958
中华人民共和国政府宣布
(一) 中华人民共和国的领海宽度为12海里。这项规定适用于中华人民共和国的一切领土, 包括中国大陆及其沿海岛屿, 和同大陆及其沿海岛屿隔有公海的台湾及其周围各岛、澎湖列岛、东沙群岛、西沙群岛、南沙群岛以及其他属于中国的岛屿。

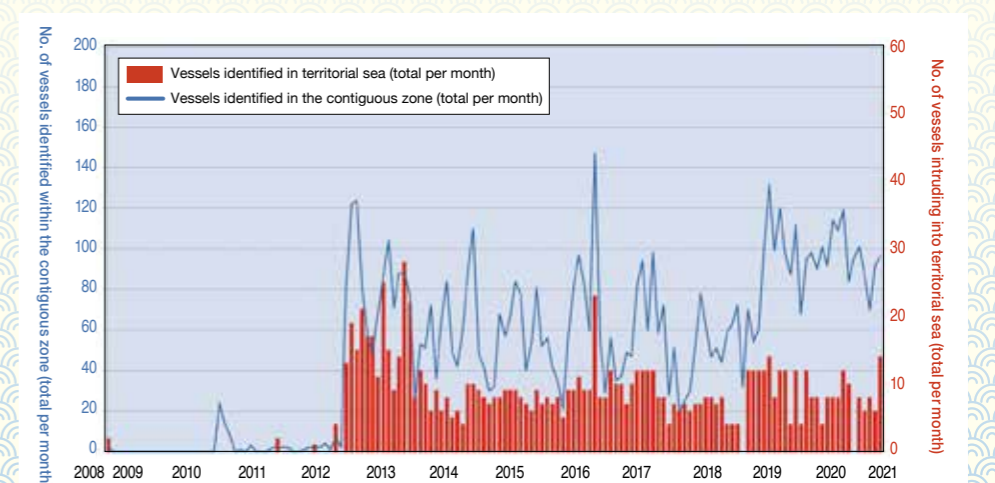
1992
第二条 中华人民共和国领海为邻接中华人民共和国陆地领土和内水的一带海域。
中华人民共和国的陆地领土包括中华人民共和国大陆及其沿海岛屿、台湾及其包括钓鱼岛在内的附属各岛、澎湖列岛、东沙群岛、西沙群岛、南沙群岛以及其他一切属于中华人民共和国的岛屿。
中华人民共和国领海基线向陆地一侧的水域为中华人民共和国的内水。

Comparison between the 1958 Statement on the China's Territorial Sea (above) and the 1992 Law on the Territorial Sea and the Contiguous Zone (below). Reference of the Senkaku Islands suddenly emerged in the below document.



A Japanese Coast Guard patrol vessel, "Suzuka", monitoring around Uotsuri Island (Photo taken from a JCG patrol plane) (Photo: Jiji)

The number of vessels belonging to the China Coast Guard and other agencies that entered Japan's contiguous zone or intruded into territorial sea surrounding the Senkaku Islands



Provided by Japan Coast Guard



Uotsuri Island, Ishigaki City, Okinawa Prefecture
(Photo: Cabinet Secretariat)

The Senkaku Islands are indisputably an inherent part of the territory of Japan in light of historical facts and based upon international law, and are, in fact, effectively under Japanese control. In the first place, there exists no issue of territorial sovereignty to be resolved concerning the Senkaku Islands. It is a violation of international law for the China Coast Guard ships to act making their own assertions in Japanese territorial waters around the Senkaku Islands, and such acts will absolutely not be tolerated. Japan conveys its position and expresses strong concern to China through high-level channels, including the Prime Minister and the Minister for Foreign Affairs, over China's unilateral attempts to change the status quo, and urges China to take action accordingly. The Japanese government is determined to firmly and perpetually defend Japan's territorial land, sea and airspace with resolute determination and will continue to deal with the situation in a resolute and calm manner while firmly maintaining its position.

Visit these websites to learn more:



Ministry of Foreign Affairs website on the *Senkaku Islands*



National Museum of Territory and Sovereignty