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KURILE ISLANDS DISPUTE

IMPLICATIONS FOR THE INDO-PACIFIC REGION

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Introduction

Kurile Islands are the subject of the territorial dispute between Japan and Russia – which has existed since the 18th century. Despite these islands' small size and uninhabitable environment, Japan and Russia, and the Soviet Union before it, are unable to reach an agreement regarding them. This becomes even more concerning when we take note of the fact that the border of the Kurile Islands has been modified thrice – twice via peaceful negotiation and once through military action. Therefore, it is safe to conclude that the situation with Kurile Islands is both historical and political, which has very strong chances of further evolution with the Russia – Ukraine war and the Japanese economic action against Russia. It further indicates the complexification of the dynamics within the larger Indo – Pacific Region.

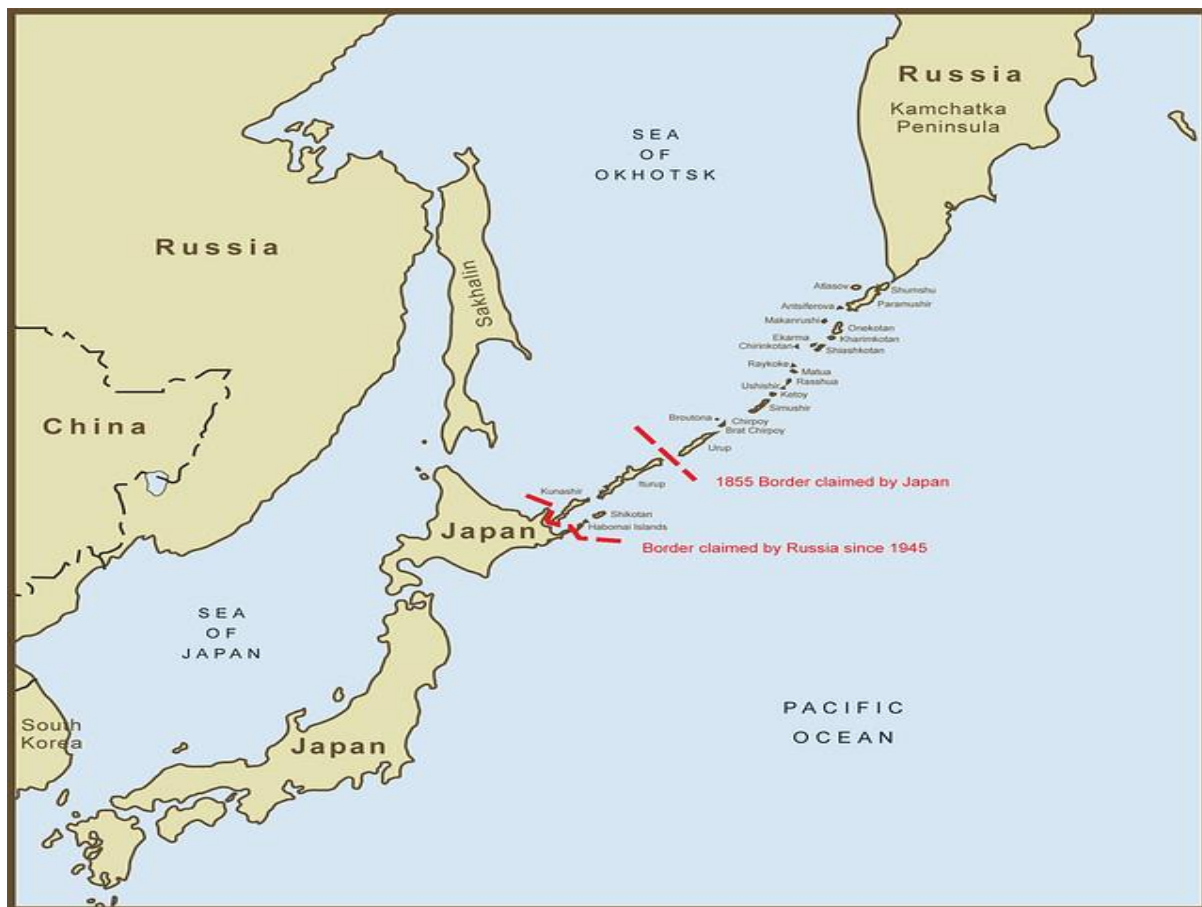


Figure 1. Proehl, Andy. A Map of the Kuril Islands Border Dispute Between Japan and Russia.

Figure 1. helps us visualise the geographical location and the geopolitical situation concerning the Kurile Islands/Northern Territories – with claims made both by the Japanese and the Soviet Union at different points of history, and how this, in turn, impacts the situation we see today in our times. The dispute is around four main islands located in Northern Pacific waters between Hokkaido Island of Japan and Urup, one of the 18 Russian islands in the northern Kurile chain, covering the land area of 4,996 sq. km. These islands are Kunashiri, Shikotan, Etorufu and Habomais.

Another reason why these islands are important for both Russia and Japan, beyond their obvious security interests and possible threat to sovereignty is that the waters around these islands are one of the most prominent fishing areas around the world and have marine produce such as kelp, salmon, crab and many others.

This essay first focuses on how this situation evolved under the Soviet times, reflecting upon the claims made both by Japan and the Soviet Union and later in the Post–Cold War period by Russia. It also comments on the developments in the recent years, as well as the possible developments due to the Russia – Ukraine War and the implications on the Indo – Pacific.

Historical Background

Japanese Claims

Japan claims that these islands historically belong to them, and their standpoint is based upon the fact that the Japanese occupied the islands before the seizure by the Soviet Union after the war. According to them, the Soviets have used the means of force and deceit to pre-empted the occupation of these islands by the United States.

Their legal claim is based on two treaties – the Shimoda Pact of 1855, also called the Russo – Japanese Treaty of Commerce and Amity; and the Pact of 1875 signed between the Meiji government and Russia. The Shimoda Pact stipulates that the borderline between Japan and Russia would be drawn between Etorufu and Urup islands – meaning that the former belongs to Japan while the latter belongs to Russia. On the other hand, the 1875 pact talks about the exchange of

Sakhalin for the Kurile islands. Under this pact, Japan relinquished all rights to Sakhalin in exchange for the 18 Kurile Islands, starting from Shumshu to Urup.

According to many intellectuals of Japan, these pacts that the four islands in question – Etorufu, Kunashiri, Habomais and Shikotan are an integral part of the Japanese territory, and these pacts prove that these islands were identified as a different entity than the Kurile Islands. They add that through the Treaty of Portsmouth – which concluded in 1905 after the Russo – Japanese War - Russia had ceded the southern half of Sakhalin to Japan. Japan also claims ownership over the islands on the grounds of physical and geographical proximity as compared to the Soviet Union/Russia.

Position of the Soviet Union

As a response to Japanese claims, the Soviet Union assumed the position where it did not recognise any territorial dispute with Japan. It considered the territorial dispute to be resolved via the Yalta Agreement (February 11, 1945), the Cairo Declaration (November 27, 1943), the Potsdam Proclamation (July 26, 1945; accepted by Japan on August 14, 1945) and the San Francisco Peace Treaty (September 8, 1951) in which Japan renounced south Sakhalin and the Kurile Islands. Also included in this list is the Memorandum of the Supreme Commander of the Allied Powers (SCAPIN No. 677; January 29, 1946).

However, Japan denies the Soviet stance by stating that these agreements do not authoritatively settle the dispute over the islands in favour of the Soviet Union. It maintains that the Yalta agreement was merely an authoritative agreement between the Allied powers – the US, UK and the Soviet Union – and it did not involve Japan as a party and is therefore not bound by it. It assumes a similar stance for the Cairo Declaration as well. Since the Potsdam Proclamation states that the terms of the Cairo Declaration shall be carried out, thereby limiting Japanese sovereignty to the islands to Honshu, Hokkaido, Kyushu and Shikoku and other minor islands, the Japanese argument against its applicability, even though it accepted it in 1945, is that it does not talk about the terms of the Yalta Agreement, which was still a secret at the time. Thus, Japan takes the stance that the Soviet Union (and now Russia) cannot possibly the Yalta agreement on any legitimate grounds and claim territorial ownership.

Thus, it is safe to conclude that from the Japanese standpoint, none of the grounds made by the Soviet Union were legally sustainable. They also cite the negligible involvement of the Soviet Union in the war at the Pacific front to debunk their claims over these islands. To counter this argument, one can state that the Soviet was able to stake their claim in these islands solely by the fact that they sided with the Allied powers who won in World War II.

Over the years in the 1950s especially, there were fluctuations in Japanese position regarding this issue. Also, as per I. Latyshev, a Soviet specialist on Japan, historical research done by a Japanese scholar provides evidence to the point that the territories have a historical link to Russia/Soviet Union and fell under Japanese control due to wars between the two countries.

Thus, during the Cold War years, not only were Japan – Soviet relations at a consistent low, but there was also no progress in resolving this issue as for the Soviets, this issue was already resolved.

Kurile Islands Dispute in the Post–Cold War Era

When it comes to the territorial dispute between Japan and Russia, there was not much progress or change in the 1990s after the collapse of the Soviet Union and the formation of Russia – which had inherited the Soviet legacy. However, it continues to be the thorn in Russo – Japan relations, which are only going to get worse with Russia – Ukraine war and the Japanese response to the same. This has possibly slimmed the chances of resolving this territorial conflict smoothly.

To be able to settle this issue, both Russia and Japan will have to settle with some compromises none of them seems willing to make. These solutions include Russia giving up on Shikotan and Habomai and Russia and Japan need to come together and form a joint economic zone. To be able to effectively improve the relations between the two nations in economic, political and strategic terms, this territorial issue needs to be resolved.

Efforts to Solve the Kurile Issue in the Recent Years and the Ukraine War

Former Prime Minister of Japan, Shinzo Abe worked extensively to improve relations between Japan and Russia. He proposed an eight-point economic cooperation plan – which was seen by many as a strategic move to resolve the six-decade-long territorial dispute. Abe was hoping to foster enough trust to be able to establish and implement a Russo – Japan peace treaty. This push towards improving ties with Russia is also seen as Japan under Abe’s bid to be able to counter and balance the increasing closeness between China and Russia and maintain the balance of power in its favour in both East Asia and the larger Indo – Pacific.

However, under the rule of the current Prime Minister of Japan, Fumio Kishida, relations with Russia today are in a downward spiral due to Russia’s invasion of Ukraine in February 2022. Japan joined the other G7 countries and its strategic partner since the end of World War II, the United States of America, in condemning Russian aggression and imposing sanctions on Russia. At the time of writing, these sanctions are being expanded further with each passing day. As a retaliation, the Russian navy has deployed ships loaded with missiles near the Japanese coast. Russian President Vladimir Putin recently passed a law which gives tax breaks and exemptions to people who are conducting economic activity in the disputed area – a move strongly condemned by Japan. These developments affect the larger region of the Indo – Pacific significantly.

Conclusion: Implications for Indo-Pacific Region

When it comes to the Indo – Pacific region from the Japanese perspective, it faces possibly triple threat from China, North Korea, and Russia. When there was still more hope of realising a Japanese – Russian peace agreement, to maintain the balance of power in the region in its favour, Japan was proactively developing its military to reduce its dependency on the US. It is also actively participating in forums like Quad to establish robust channels of cooperation with other major powers of the regions like India and Australia. It was also increasingly working towards establishing better economic relations with Russia – at least in the energy sector.

If one solely focuses on the region of East Asia – consisting of both the Koreas, China, Taiwan, Japan and parts of Russia, cooperating with Russia was Japan’s bid to counter the increasing China’s almost hegemonic influence in the East Asian region and the larger Indo – Pacific. Japan also faces territorial disputes with China – the Senkaku Islands; and with South Korea – the Dokdo/Takeshima islands as well. In the East China Sea, there is brewing tension between China and Japan with China expanding its maritime territory like in the South China Sea.

Therefore, it is only in Japan’s favour that its territorial dispute with Russia gets resolved. However, this got very complicated with the Russia – Ukraine war. As a response to its seemingly unproved military action, most of the countries around the world have condemned Russia and imposed sanctions upon it. To keep its economy afloat, Russia is only going to get closer to China, one of the few nations that are not speaking against Russia. The combination of China and Russia against the US and its allies in the Indo – Pacific can turn out to be an ugly confrontation. Russian deployment in the North Pacific front with probable Chinese support can only land Japan in trouble – while there are already increasing apprehensions of Taiwan becoming the next possible flashpoint of conflict. The Kurile Islands, or as the Japanese call it, the Northern Territory, put Japan in the very compromising position in this scenario. They will surely become the trump card in overturning the power dynamics of the Indo – Pacific.

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Bibliography

- ‘Amid Ukraine Crisis, Japan Toughens Stance on Russia’. Accessed 18 March 2022. <https://thediplomat.com/2022/02/amid-ukraine-crisis-japan-toughens-stance-on-russia/>.
- Hara, Kimie. ‘50 Years from San Francisco: Re-Examining the Peace Treaty and Japan’s Territorial Problems’. *Pacific Affairs* 74, no. 3 (2001): 361–82. <https://doi.org/10.2307/3557753>.
- The Asahi Shimbun. ‘Japan Objects to Russia’s Tax Plan for Companies on Disputed Isles | The Asahi Shimbun: Breaking News, Japan News and Analysis’. Accessed 18 March 2022. <https://www.asahi.com/ajw/articles/14569722>.
- Kimura, Masato, and David A. Welch. ‘Specifying “Interests”: Japan’s Claim to the Northern Territories and Its Implications for International Relations Theory’. *International Studies Quarterly* 42, no. 2 (1998): 213–43. <https://www.jstor.org/stable/2600779>.
- Njoroge, Lawrence M. ‘The Japan-Soviet Union Territorial Dispute: An Appraisal’. *Asian Survey* 25, no. 5 (1985): 499–511. <https://doi.org/10.2307/2644403>.
- Okuyama, Yutaka. ‘The Dispute Over the Kurile Islands between Russia and Japan in the 1990s’. *Pacific Affairs* 76, no. 1 (2003): 37–53. <https://www.jstor.org/stable/40023988>.
- Peace, Elsa ‘Increasing Tensions In Russia-Japan Kuril Islands Dispute’. *The Organization for World Peace* (blog), 19 August 2021. <https://theowp.org/increasing-tensions-in-russia-japan-kuril-islands-dispute/>.
- Proehl, Andy. A Map of the Kuril Islands Border Dispute Between Japan and Russia. November 9, 2010. <https://www.flickr.com/photos/amapple/5162963995/>.

The Asahi Shimbun. 'Russian Navy Intensifies Activity in Waters Close to Japan | The Asahi Shimbun: Breaking News, Japan News and Analysis'. Accessed 18 March 2022.
<https://www.asahi.com/ajw/articles/14574774>.

Trevin, Dmitri, and Yuval Weber. 'Russia's Pacific Future: Solving the South Kuril Islands Dispute'. Carnegie Endowment for International Peace, 2012.
<https://www.jstor.org/stable/resrep13032>.

'Why Russia Will Not Return the Kuril Islands to Japan'. Accessed 18 March 2022.
<https://www.lowyinstitute.org/the-interpreter/why-russia-will-not-return-kuril-islands-japan>.