

The Long Littoral Project: Sea of Japan

A Maritime Perspective on Indo-Pacific Security

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Introduction

This report addresses the major security issues associated with the Sea of Japan. It includes three essays: The first is an introductory essay by RADM (ret.) Michael McDevitt, a senior fellow at CNA, and director of the Long Littoral Project. This essay is a general overview of the role that the Sea of Japan (SOJ) has played in the security of East Asia. The second essay, also by RADM McDevitt, is a more detailed analysis of the dispute between Japan and South Korea over the Dokdo/Takeshima Islands. The third essay, by Dr. Dmitry Gorenburg of Harvard's Davis Center for Russian and Eurasian Studies, explores Japan's other Sea of Japan dispute, which is with Russia over the Southern Kuril Islands or Northern Territories.

This is one in a series of five reports that are part of CNA's "Long Littoral" project. The term "long littoral" refers to the Indian Ocean-Pacific Ocean littoral. The Obama administration's "rebalance" to Asia strategy is inherently maritime, or off-shore, oriented. In order to provide a maritime-oriented perspective on security issues that the rebalance strategy must address as it focuses on the Indo-Pacific littoral, the project explores security issues associated with each of the five great maritime basins that make up the long littoral—the Sea of Japan, the East China and Yellow seas, the South China Sea, the Bay of Bengal, and the Arabian Sea. By exploring issues from a maritime perspective, the project also aims to identify ones that may be common to more than one basin but involve different players in different regions, with the idea that solutions possible in one maritime basin may be applicable to another.

Findings

Overview

Compared to East Asia's two other major maritime basins—the East China and South China seas, both of which have serious territorial disputes that run the risk of escalating to conflict—the Sea of Japan is relatively tranquil. It is tranquil in the sense that troublesome territorial disputes between Japan and South Korea and Japan and Russia remain latent and have not become active confrontations. Nevertheless, these disputes are not inconsequential. Both of them complicate diplomatic relations among the disputants, and as a result are an impediment to closer and more cooperative relations. This situation in turn has a negative impact on the long-standing U.S. policy objective of sustainable Republic of Korea-Japan security cooperation.

The dispute over Dokdo/Takeshima should have been settled in 1951 by the United States.

The Japanese claim to the Liancourt Rocks, a group of virtually uninhabited rocks in the Sea of Japan that Tokyo calls Takeshima, dates to 1905, when Tokyo annexed these islets under the international law provision of *terra nullus*, meaning that it was annexing unoccupied land. The Koreans, on the other hand, claim that Dokdo, their name for the Liancourt Rocks, was first incorporated into the Korean Shilla Dynasty in 512 AD. The sovereignty question became very confused following Japan's surrender in 1945 and during the subsequent six years of U.S. occupation of Japan, when the rocks were used as a bombing range. Occupation authorities never completely sorted out who had sovereignty, and when the U.S.-Japan Peace Treaty was signed in 1951 the question was left unaddressed. South Korea moved into this vacuum: it peremptorily occupied the Dokdo in June 1954, and has administered them ever since. Today, the United States takes no official position on the sovereignty of Dokdo/Takeshima.

The conflict over Dokdo/Takeshima has an economic dimension.

Both South Korea and Japan consider the ownership of Dokdo/Takeshima as the basis for exclusive economic zone (EEZ) claims over the surrounding waters. At stake are economic claims to about 16,600 square nautical miles of sea and seabed, including areas that may hold some 600 million tons of gas hydrate (natural gas condensed into semisolid form). Gas hydrate is potentially a next-generation energy source that could be made into liquid natural gas if adequate technology were made available. The islets are also surrounded by fertile fishing grounds and therefore have grown in economic importance to both countries: both sides are worried about depletion of fish stocks in other parts of the world, and must rely more on waters closer to home.

The Dokdo/Takeshima dispute has a negative impact on the U.S. rebalance to Asia strategy.

The dispute over Dokdo/Takeshima is a significant factor in the ill will between Seoul and Tokyo. As part of the larger debate over shared South Korean-Japanese history, it is an ongoing spoiler in bilateral relations. It routinely derails the U.S. policy objective of building a sustainable bilateral security relationship between America's Northeast Asian allies.

The persistence of periodic flare-ups between Japan and South Korea over their historical relationship has been a continuing source of disappointment and frustration for U.S. officials and security experts, and is counterproductive to Northeast Asian stability. In particular, it greatly limits the possibilities of navy-to-navy cooperation, which is important because the navies of South Korea and Japan are among the world's most modern and capable. In

an environment of decreasing resources, ROK-Japan-U.S. naval cooperation will be a critical factor in helping the United States achieve and maintain the balanced combination of assurance and dissuasion necessary to create a conflict-free environment.

U.S. policy options

As a matter of policy, the United States chooses not to take a position on disputed sovereignty claims in which it is not directly involved. Therefore, Washington has shied away from the Dokdo/Takeshima dispute beyond advising both sides to act with restraint and pursue a dialogue on the issue. That approach has little to no impact.

All of the many disputes in East Asia involving sovereignty have unique characteristics. The unique feature of Dokdo/Takeshima is that it is a disagreement between two democratic states both of which are long-time treaty allies of the United States. That fact does provide a pretext for a more proactive policy by Washington.

In reality, the only way that South Korea would relinquish control of the islets is if it were ejected by military force. Even then, enough military capability would have to be maintained in the vicinity, on a more or less permanent basis, to ensure that it could not take them back. The use of force by Japan is out of the question. It is hard to imagine that Japan would ever be willing to attempt this, or could amass the capability to sustain control if it ever did seize the islets. In effect, therefore, South Korea's de facto control is permanent. That being the case, the sensible policy for Tokyo is to pursue a bargain in which it relinquishes its sovereignty claim in return for an understanding on an equitable division of resources. This is an agreement that Washington could consent to broker.

Southern Kurils/Northern Territories

The other territorial issue, surrounding four small islands at the southern extremity of the Kuril Island chain, is relatively straightforward. The islands were Japanese territory until the Soviet Union occupied the entire chain and southern Sakhalin Island in late August 1945, when it finally declared war on Japan. Soviet possession of these territories was decided during the Yalta summit in 1945. The Soviets expelled the entire population of the four southern Kuril Islands in 1947; these people were resettled in northern Japan.¹

In 1956, Japanese negotiators reached an agreement with their Soviet counterparts to settle the dispute by transferring the two smallest islands to Japanese control in return for a Japanese renunciation of all claims to the two largest. This deal was scuttled when the United

¹ Kanako Takahara, "Nemuro raid survivor longs for homeland," *Japan Times Online*, September 22, 2007, <http://www.japantimes.co.jp/text/nn20070922w1.html>.

States threatened to keep control of Okinawa if Japan accepted this compromise.² In the end, the Soviet Union and Japan signed a joint declaration that ended the state of war that had existed between them, but postponed the resolution of the territorial dispute until a formal peace treaty could be concluded. The text of the declaration stated that the Soviet Union agreed to hand over the two small islands but that the actual transfer would occur only after the conclusion of a peace treaty.³ This peace treaty was never completed, and the territorial dispute persists to the present day.

U.S. policy options

With neither the Russian nor the Japanese leadership in a position to take the political risks necessary to resolve the dispute, the status quo is virtually certain to continue for the foreseeable future. However, this will not prevent the two countries from continuing to strengthen their relationship in other spheres, as both sides seek to protect themselves from the economic and political consequences of China's rapid emergence as the preeminent East Asian power. As trade in energy expands and bilateral security cooperation between Russia and Japan deepens in the coming years, the territorial dispute left over from World War II will become increasingly irrelevant to both the governments and the public. This development could in turn allow for a compromise solution to emerge in 10-20 years' time. Given this likely development, the best U.S. policy option is to continue to stay out of the dispute.

North Korea is also a dangerous Sea of Japan littoral state.

North Korea's relationship with Japan and South Korea, as well as that with the United States, is marked by 60 years of provocations and illegal incidents. North Korea was the perpetrator of two of the most notorious incidents of the Cold War: boarding and capturing the U.S. Navy surveillance ship USS *Pueblo*, and killing 31 U.S. Navy personnel when it shot down an unarmed U.S. Navy surveillance aircraft. Both of these incidents took place in international waters and air space.

In recent years, Pyongyang's periodic provocative acts have included testing nuclear devices, firing ballistic missiles that have over-flown Japan, penetrating Japanese waters with surveillance ships, kidnapping Japanese citizens, sinking a South Korean warship, shelling a South Korean island, and killing civilians. While not all of these provocations took place in

² James E. Goodby, Vladimir I. Ivanov, Nobuo Shimotomai, *"Northern territories" and beyond: Russian, Japanese, and American Perspectives* (Westport, CT: Praeger Publishers, 1995).

³ "Texts of Soviet-Japanese Statements," *New York Times*, October 20, 1956, <http://query.nytimes.com/mem/archive/pdf?res=F40C15FB3C5F147B93C2AB178BD95F428585F9>.

the Sea of Japan per se, they are reminders that North Korea remains an unpredictable and potentially very lethal SOJ littoral state—something that must be kept in mind when the armed forces of neighboring countries operate near it.⁴ Today, SOJ operations related to North Korea involve positioning warships with an anti-ballistic missile (ABM) capability in areas where they could intercept North Korean ballistic missiles headed toward Japan.

The ROK Navy has just announced that its surface combatants are being outfitted with conventionally armed land attack cruise missiles that can reach any target in North Korea. This has the potential to introduce a new maritime element into the inter-Korean standoff. Heretofore, the ROK Navy has been defensively focused on preventing North Korean interdiction of supply sea lanes and infiltration in time of war, and during “peacetime” infiltration of agents and coastal raids. Now that the ROK Navy has an offensive capability avowedly aimed at North Korea, its operations in both the Yellow Sea and Sea of Japan will undoubtedly attract greater North Korean attention.⁵

⁴ In December 2001, the Japanese Coast Guard intercepted, took under fire, and, after a gun battle, sank a North Korean surveillance ship disguised as a fishing boat. Marcus Warren, “Japan sinks North Korean spying ship,” <http://www.telegraph.co.uk/news/worldnews/asia/northkorea/1366227/Japan-sinks-North-Korea-spying-ship.html>.

⁵ Reuters, “South Korea unveils missiles it says can hit North’s leaders,” February 14, 2013, <http://news.yahoo.com/south-korea-unveils-missile-says-hit-norths-leaders-044338170.html>

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The Sea of Japan: East Asia's Tranquil Maritime Basin

Michael A. McDevitt, RADM, USN (ret.)

Introduction

Compared to East Asia's two other major maritime basins, the East China and South China seas—both of which have serious territorial disputes that run the risk of escalating to conflict—the Sea of Japan is relatively tranquil. Even so, there are troublesome territorial disputes between Japan and South Korea, and between Japan and Russia, which, while they remain latent and have not become active confrontations, are not inconsequential. Both of these disputes, which are addressed in this report, complicate diplomatic relations among the disputants; as a result they are an impediment to more cooperative relations between them. From the viewpoint of U.S. interests, the Japanese-Korean dispute over Dok-do/Takeshima is a significant factor in the ill will between Seoul and Tokyo that routinely frustrates U.S. policy aimed at building a sustainable bi-lateral security relationship between America's Northeast Asian allies.

The Sea of Japan (SOJ) is located between the Asian mainland, the Japanese archipelago, and Russia's Sakhalin Island. As shown in figure 1 below; it is bounded by the Russian mainland and Sakhalin Island to the north, the Korean Peninsula to the west, and the Japanese islands of Hokkaido, Honshu, and Kyushu to the east and south. It is connected to other seas by five straits: the Strait of Tartary, between the Asian mainland and Sakhalin; La Perouse Strait, between the islands of Sakhalin and Hokkaido; the Tsugaru Strait, between the islands of Hokkaido and Honshu; the Kanmon Straits between the islands of Honshu and Kyushu; and the Korea Strait, between the Korean Peninsula and the island of Kyushu. The Korea Strait is composed of the Western Channel and the Tsushima Strait, on either side of Tsushima Island.

Figure 1. The Sea of Japan and its five straits



Like the Mediterranean Sea, the SOJ has almost no tides, due to its nearly complete enclosure from the Pacific Ocean.¹ The SOJ has a surface area of some 377,600 square miles and is very deep, especially when compared to the nearby Yellow and East China seas. The mean depth is 5,700 feet (950 fathoms) and the maximum depth is slightly over 12,000 feet (2,000 fathoms)—which, among other things, means that it is excellent for submarine operations.

The use of “Sea of Japan” as the name for this body of water is a point of contention. The government of the Republic of Korea (ROK) has tried to have the name changed to “East Sea.” It wants this name to be used internationally either instead of or in addition to “Sea of Japan.” The naming dispute revolves around a disagreement over when the name “Sea of Japan” became the international standard. On one hand, Japan claims that the term has been the international standard since at least the early 19th century. On the other hand, the Koreans claim that the term “Sea of Japan” arose later while Korea was under Japanese rule and that prior to that occupation other names such as “Sea of Korea” or “East Sea” had been used in English. In 2012, the International Hydrographic Organization (IHO), the

¹ *Tides in Marginal, Semi-Enclosed and Coastal Seas – Part I: Sea Surface Height*. ERC-Stennis at Mississippi State University, http://www.ssc.erc.msstate.edu/Tides2D/sea_of_japan.html.

international governing body responsible for the naming of bodies of water around the world, rejected the use of “East Sea” and recognized the term “Sea of Japan” as the seas only name.²

The dispute over the name became a serious political issue for Washington in 2012, because 100,000 people signed a name change petition that was presented to the White House. As a result, the assistant secretary of state for East Asian and Pacific affairs was compelled to issue an official USG statement on the matter:

It is longstanding United States policy to refer to each sea or ocean by a single name. This policy applies to all seas, including those bordered by multiple countries that may each have their own names for such bodies of water. Concerning the body of water between the Japanese archipelago and the Korean peninsula, longstanding U.S. policy is to refer to it as the “Sea of Japan.” We are aware the Republic of Korea refers to the body of water as the “East Sea,” and the United States is not asking the Republic of Korea to change its nomenclature. U.S. usage of the “Sea of Japan” in no way implies an opinion regarding any issue related to sovereignty.

We understand that this naming issue is an important and sensitive one for both the Republic of Korea and Japan. I assure you the United States remains committed to our deep and indispensable alliances with the Republic of Korea and Japan, relationships based on shared values and mutual trust. We will continue to work with the Republic of Korea and Japan to address regional and global challenges together.³

This dispute is a manifestation of the more serious problem that plagues Korean-Japanese relations. There is an ongoing nationalist dispute between South Korea and Japan over their shared history in the first half of the 20th century. At issue is the period between 1910, when Japan annexed Korea and began to administer it as a colony, and August 1945, when Japan surrendered, ending its colonial period and bringing World War II to a close.

² Kyodo News, “IHO nixes ‘East Sea’ name bid,” *Japan Times*, 28 April 2012, p. 2; Jon Rabirotff and Yoo Kyong Chang, “Agency rejects South Korea’s request to rename Sea of Japan,” *Stars and Stripes* (28 April 2012): 5.

³ Dr. Kurt Campbell, Assistant Secretary of State for East Asian and Pacific Affairs, July 2, 2012, <https://petitions.whitehouse.gov/response/response-we-people-petition-sea-japan-naming-issue>. This petition—signed by more than 100,000 people, many of them South Koreans and Korean Americans—urged the U.S. government to stop referring to the waterway between Korea and Japan as the “Sea of Japan” and to use the Korean designation “East Sea” instead. Nearly 30,000 people—many of them Japanese and Japanese Americans—signed a counter-petition urging U.S. officials to continue using the name “Sea of Japan,” <http://www.nextgov.com/emerging-tech/emerging-tech-blog/2012/07/state-sticks-sea-japan-response-online-petitions/56606/>.

South Korea is anxious to expunge any outward reminder of this period in its history, and the press in South Korea is quick to seize upon any perceived acts of omission or commission by Japan when it comes to explaining/rationalizing its actions toward Korea during those years. Suggestions by some Japanese that Japan's colonization was, on balance, of benefit to the Korean people and put them on the path to modernity infuriates Koreans.⁴ This anti-Japanese colonial history animus colors the attitudes of South Koreans to this day, and is a major, if not the major, reason why closer relations between Japan and South Korea have not materialized.

North Korea also borders the SOJ, and its relationship with Japan and South Korea in recent years has been characterized by periodic provocative acts. These have included testing nuclear devices, firing ballistic missiles that have over-flown Japan, penetrating Japanese waters with surveillance ships, kidnapping Japanese citizens, sinking a South Korean warship, shelling a South Korean island, and killing civilians. In particular, the SOJ was the locale for missile tests and for periodic violations of Japanese territorial waters by North Korean reconnaissance ships.⁵

Today, SOJ operations related to North Korea involve positioning warships with an anti-ballistic missile (ABM) capability in areas where they could intercept North Korean ballistic missiles headed toward Japan. A new element has just been introduced to the maritime dimension of inter-Korean hostility. In February 2013, shortly after Pyongyang's third nuclear weapon test, the ROK Navy announced that its surface combatants are being outfitted with conventionally armed land attack cruise missiles that can reach any target in North Korea. Heretofore, it had been defensively focused on preventing North Korean interdiction of supply sea lanes and infiltration in time of war, and during "peacetime" infiltration of agents and coastal raids. Now the ROK Navy has an offensive capability avowedly aimed at North Korea; it seems likely its operations in both the Yellow Sea and Sea of Japan will undoubtedly attract greater North Korean attention.⁶

⁴ Mark E. Caprio, "Neo-Nationalist Interpretations of Japan's Annexation of Korea: The Colonization Debate in Japan and South Korea," *Asia-Pacific Journal* 44-4-10, November 1, 2010, <http://japanfocus.org/-Mark-Caprio/3438>.

⁵ In December 2001 the Japanese Coast Guard intercepted, took under fire, and, after a gun battle, sank a North Korean surveillance ship disguised as a fishing boat. Marcus Warren, "Japan sinks "North Korean spying ship," <http://www.telegraph.co.uk/news/worldnews/asia/northkorea/1366227/Japan-sinks-North-Korea-spying-ship.html>.

⁶ Reuters, "South Korea unveils missiles it says can hit North's leaders," February 14, 2013, <http://news.yahoo.com/south-korea-unveils-missile-says-hit-norths-leaders-044338170.html>

In the Sea of Japan, the Cold War was often hot

Today's relative calm is very different from the atmosphere of the Cold War era. At that time, the SOJ was a front line—an active theater where violent confrontations often took place. The Korean War triggered several decades of cat-and-mouse operational and surveillance activities that took place on and over the SOJ. The international waters and air space of the SOJ were of particular interest to the United States, South Korea, and Japan because its littoral states included the Soviet Union, North Korea, and the People's Republic of China.⁷

Large, unarmed surveillance aircraft flew thousands of missions on an almost daily basis, gathering information on the Soviet and North Korean electronic order of battle—the ways in which radar, communications, and other electronic assets are employed under conditions of stress. Such intelligence, known as ELINT (Electronic Intelligence) or SIGINT (signals intelligence) was, and still is, important to military planners. One problem faced by ELINT and SIGINT collectors is that the targets of these intelligence efforts are often reluctant to turn on their electronic equipment so that its performance can be assessed. During the Cold War, when the routinely passive nature of reconnaissance failed to elicit an electronic response, it was often necessary to try to induce electronic activity by penetrating sovereign air space.⁸ During the period 1945-1977, more than 40 U.S. reconnaissance aircraft were shot down worldwide while conducting surveillance along the borders of Communist states.⁹

⁷ China does not actually have a coast line on the SOJ, but its northeastern province of Jilin is only a few miles from the Tumen River boundary between North Korea, China, and Russia.

⁸ David E. Pearson, *The World Wide Military Command and Control System: Evolution and Effectiveness* (Maxwell Air Force Base, AL: Air University Press, June 2000), pp. 84-91. It is worth recalling that until the United Nations Law of the Sea came into force in 1994, the issue of the extent of territorial seas, and therefore territorial airspace, was unsettled. The Soviet Union, North Korea, and the People's Republic of China, among many other countries, claimed a 12-mile territorial sea starting in the late 1950s, whereas the United States stuck to the 3-mile limit until 1988. During this time, the United States, as a minimum, insisted on the right of innocent passage. The practical impact of this disagreement was that the United States could claim it was flying in international airspace when coming as close as 3 miles from the coast, while the Soviets could claim that U.S. aircraft flying between 3 and 12 miles from its coast were violating its sovereign airspace. Because much of the information about these missions is still classified, it is difficult to determine exact locations, particularly in the era before satellite-based GPS systems were available.

⁹ *Cold War Reconnaissance and the Shootdown of Flight 60528*, National Cryptological Museum, NSA, http://www.nsa.gov/public_info/_files/c130_shootdown/cold_war_recon_shootdown_60528.pdf.

In 1951, the U.S. Navy and Air Force began flying daily reconnaissance missions designed to gather electronic intelligence along the coast of the Soviet Union and North Korea. The Soviets shot down seven of these aircraft and damaged several more during the 1950s. This activity resulted in the death of over 100 U.S. airmen.¹⁰

After 1960, the Soviets stopped trying to shoot down these aircraft. At the same time, North Korea stepped up its activity as its interceptor aircraft capabilities improved. It began to harass and attack flights off its east coast over the SOJ. The most tragic event took place on April 21, 1969, when a large four-engine Super Constellation transport aircraft, which the Navy had converted to an electronic surveillance platform known as the EC-121, was shot down some 50 miles off of North Korea, killing all 31 men on board. (Perhaps not coincidentally, April 21 was the birthday of North Korean dictator Kim Il-Sung.) It should be noted that in the first three months of 1969, some 200 similar missions had been flown by the Navy and Air Force reconnaissance aircraft.¹¹ In other words, the EC-121 was on what the United States considered to be a routine mission that had not previously provoked an attack.

In addition to the virtually non-stop airborne surveillance missions, the U.S. Navy used ships to conduct ELINT and SIGINT missions. Inspired by Soviet AGI-class trawlers that were active off the U.S. eastern seaboard, the Navy converted three small World War II era logistics ships into electronic surveillance ships. Two of these ships were assigned to operations in the SOJ: USS *Banner* and USS *Pueblo*. In 1966, *Banner*, which was collecting Soviet communications intercepts, collided with one of the Soviet ships sent out to harass this operation.¹² *Banner*'s sister ship, *Pueblo*, had a worse fate. On January 23, 1968, during its first

¹⁰ John R. Schindler, *A Dangerous Business: The US Navy and National Reconnaissance During the Cold War*, Center of Cryptologic History, National Security Agency, 2004, http://www.nsa.gov/about/cryptologic_heritage/center_crypt_history/publications/coldwar.shtml.

¹¹ The EC-121 was visually unmistakable. It had two large RADOMES, protruding like “goiters” from the top and bottom of the fuselage. During operations in the Gulf of Tonkin during the Vietnam War, this author frequently sighted them flying just a few hundred feet over the water enroute to missions at the northern extremity of that body of water.

¹² Dr. David Winkler, “The Evolution and Significance of the 1972 Incidents at Sea Agreement,” an unpublished paper presented at the Institute of Asia Pacific Studies, Shanghai Academy of Social Sciences, 27 September 2010. The paper was adapted from an article published in the *Journal of Strategic Studies* 28, no. 2 (April 2005).

surveillance mission, North Koreans seized the ship and held the crew captive for the next 11 months.¹³

The SOJ was also the site of a number of other Soviet and U.S. Navy warship collisions, which took place when Soviet warships would attempt to “embarrass” U.S. Navy aircraft carrier operations in the SOJ, by cutting in front when a carrier was conducting flight operations. The U.S. Navy’s response was to assign a screening destroyer to “shoulder” or otherwise maneuver to keep the Soviet ships out of the way. This inevitably led to bumping incidents, when the two warships scraped alongside one another. Eventually these activities, which took place in all the maritime basins proximate to the Soviet Union, were alarming enough to both governments that an “Incidents at Sea Agreement” (INCSEA) was reached between Moscow and Washington.¹⁴

The last major Cold War confrontation in the SOJ was the most tragic. On September 1, 1983, Soviet fighters shot down Korean Airlines flight 007 (KAL 007) after it strayed into Soviet airspace, killing all 269 of its crew and passengers. The body of literature on this event and its aftermath is large, and a detailed recounting is beyond the scope of this paper. Soviet–U.S. tensions increased after the shoot-down: Moscow claimed that the flight had been a deliberate provocation and a CIA-inspired plot, and then proceeded to harass the U.S. Navy led effort in the northern SOJ to recover the flight data recorders.¹⁵

The KAL 007 incident was the last major Cold War security issue to take place in the SOJ. Since the end of the Cold War, the strategic salience of the SOJ as a front line in the con-

¹³ For a fascinating formerly Top Secret report, see Robert Newton, *The Capture of the USS Pueblo and its Effect on SIGINT Operations*, Special Series, Crisis Collection, vol. 7, 1992 (declassified on December 20, 2006), [www.gwu.edu/~nsaarchiv/NSAEBB?NSAEBB278?03.pdf](http://www.gwu.edu/~nsaarchiv/NSAEBB/NSAEBB278?03.pdf).

¹⁴ Winkler, “Evolution and Significance,” *passim*.

¹⁵ The magnitude of the Soviet Navy’s effort to frustrate this search is, in retrospect, remarkable. Over the eight-week search effort, a daily average of 10 Soviet naval, naval-associated, and commercial ships were in the search area. At one point, there were 32 Soviet ships on scene—a remarkable level of effort, given that the Soviets had found the recorder three weeks after the crash. The carefully crafted INCSEA rules were disregarded by the Soviets, as they made an all-out effort to frustrate the search through harassment. (With hindsight, is it clear this was a “Potemkin village” effort intended to persuade the United States and South Korea that they did not have the flight data recorder.) The search found nothing—which was not surprising, since the wreckage was in Soviet territorial waters. For a decade, the Soviets kept secret the fact they had located and recovered the flight data recorder and cockpit voice recorder. Russian President Boris Yeltsin turned these over to the International Civil Aviation Organization (ICAO) in 1993, which allowed it to complete its investigation. A good summary of this tragedy is in Wikipedia, at http://en.wikipedia.org/wiki/Korean_Air_Lines_Flight_007.

tainment of Communism has waned. The operational interactions that defined this body of water between 1945 and 1989 have been replaced by diplomatic and political disagreements between Japan and South Korea, and between Japan and Russia, over who has sovereignty over small islands that Japan claims but South Korea holds (in the case of the islets variously called Dokdo/Takeshima), and that Japan claims but Russia occupies (in the case of the Southern Kuriles/Northern territories).

The sovereignty dispute over Dokdo/Takeshima/Liancourt Rocks and its impact on ROK-Japan relations

The Liancourt Rocks, also known as Dokdo or Tokto in Korean, and Takeshima in Japanese, are a group of small islets in the Sea of Japan (see figure 2 below), and are considered by both countries to be part of their respective territories. The dispute over these islets has been an ongoing spoiler in bilateral relations—surrounding waters have economic potential, but more significantly they have become a national symbol for both Korea and Japan. South Korea occupied them in June 1954 and has had administrative control of them ever since, although Japan refuses to recognize it.

Figure 2. Location of the Liancourt Rocks^{16,17}



¹⁶ Source: http://en.wikipedia.org/wiki/Liancourt_Rocks.

¹⁷ An aerial view of Dokdo/Takeshima showing facilities on the smaller islet (on the right in the photo) (Reuters/Jeon Su-Yung/Yonhap.) Source: <http://www.dokdo-takeshima.com/wordpress/wp-content/images/dokdo-airshot.jpg>.



Seoul maintains a small coast guard detachment on one of the islets, and pays an octopus fisherman and his wife to live on the islands full time. In the almost 60 years that Seoul has occupied the islands, it has built a lighthouse, a helicopter pad, barracks, two small desalination plants, and telephone towers on them. South Korean tourists can visit the islets when weather permits a ferry to dock at the pier (on the smaller of the two islets in the photo above).¹⁸

The Japanese claim dates to 1905, when Tokyo annexed the islets under the international law provision of *terra nullus*, meaning that it was annexing unoccupied land. Koreans, on the other hand, claim that the islets were first incorporated into the Korean Shilla Dynasty in 512 AD. Koreans also point to various land surveys and maps that were drawn in later centuries, which do, in fact, show Dokdo (in its accurate geographic position) to be Korean territory.

The sovereignty question became very confused following Japan's surrender in 1945 and during the subsequent six years of U.S. occupation. Occupation authorities never completely sorted out who had sovereignty, and when the U.S.-Japan Peace Treaty was signed in 1951

¹⁸ Mark S. Lovmo, *The Territorial Dispute Over Dokdo*, <http://dokdo-research.com/page4.html>.

the question was left unaddressed. Today, the United States takes no official position on the sovereignty of Dokdo/Takeshima.¹⁹

The conflict between Japan and Korea is not just about the islets themselves. Both countries consider the ownership of Dokdo as the basis for exclusive economic zone (EEZ) claims over the surrounding waters. At stake are economic claims to about 16,600 square nautical miles of sea and seabed, including areas that may hold some 600 million tons of gas hydrate (natural gas condensed into semisolid form). Gas hydrate is potentially a next-generation energy source that could be made into liquid natural gas if adequate technology were made available. The islets are also surrounded by fertile fishing grounds, and therefore have grown in economic importance to both countries: both sides are worried about depletion of fish stocks in other parts of the world and must rely more on waters closer to home.²⁰

To an outside observer, the two countries have every reason to overcome this seemingly petty territorial dispute and reach an agreement over resource sharing in the EEZ. However, there is an emotional element to the “Dokdo issue” for South Koreans, based on historical memory. This nationalist narrative equates losing Dokdo to the post-facto legitimization of Japanese colonial rule.²¹ According to some analysts, Koreans think that as long as they have effective jurisdiction, there is no point in risking the loss of the islets by taking the case to the International Court of Justice (ICJ), as Tokyo has proposed several times. They also argue that by agreeing to refer the case to the ICJ, they would appear to be conceding that Japanese claims to the islands were valid.²²

To emphasize the issue of historic memory, it is worth noting that the largest ship in the ROK Navy—its 14,000-ton amphibious ship (LPD), capable of embarking 750 ROK Ma-

¹⁹ Ibid.

²⁰ In 1985, before the Korea-Japan fisheries agreement of 1998, in which both states agreed to regard the waters around Dokdo/Takeshima as neutral territory, total fish production was about 12 million tons. Under the 2002 Korea-Japan Fishery Agreement, South Korea was allowed to catch 149,200 tons of fish while Japan was limited to 94,000 tons. In January 2002, the actual fishing industry output by Koreans was 149,218 tons, while the Japanese caught 93,773 tons. Kunwoo Kim, “Korea-Japan Fish Dispute,” *Inventory of Conflict & Environment Case Studies*, April 23, 2002, <http://www.american.edu/TED/ice/korea-japan-islands.htm>.

²¹ Dong-Joon Park and Danielle Chubb, “Why Dokdo Matters to Korea,” *The Diplomat blogs*, August 17, 2011, <http://thediplomat.com/new-leaders-forum/2011/08/17/why-dokdo-matters-to-korea/>.

²² Ibid., and Mark Selden, “Small Islets, Enduring Conflict: Dokdo, Korea-Japan Colonial Legacy and the United States,” *Asia-Pacific Journal: Japan Focus*, <http://www.japanfocus.org/-Mark-Selden/3520>.

rines—is named *Dokdo*. A well-regarded South Korean scholar who is a vice president at the Korean Institute for Defense Analyses (KIDA) recently wrote:

The United States needs to be well advised over the magnitude of the Dokdo issue. Washington is well aware of the cruelty of past Japanese colonial rule, and the fact that Japan is far from repenting its past...the United States knows that Japan's claims to Dokdo are shameless impudence to a neighboring country it harmed in the past.²³

The disputed ownership of the islets was a relatively minor issue between Seoul and Tokyo until February 2005. That is, until then they had not been a “spoiler” in Japan-ROK relations. That changed when the Japanese prefecture of Shimane, opposite Dokdo, designated February 22 as “Takeshima Day” because it was the 100th anniversary of Japan’s annexation of the islets. “Takeshima Day” was the political response to frustrated Shimane fishermen who were unhappy because a 1998 agreement between Tokyo and Seoul that would have allowed fishermen of both countries to coexist in waters around Dokdo/Takeshima had not been implemented as planned.²⁴ In response, the government of South Korea demanded that Tokyo take action against the provincial government. Tokyo did nothing, saying it had no authority to interfere in Shimane’s decision.²⁵

Then, in a press conference on February 23, the Japanese ambassador to the ROK announced that “the Takeshima Islands are Japanese territory historically and in terms of international law.” The South Korean press covered this statement widely and provoked a firestorm of outrage in South Korea. ROK President Roh responded by calling for an inquiry to find and punish those who had collaborated with the Japanese during the 1910-1945 period of Imperial Japanese rule. He also demanded that Japan offer more apologies and further compensation to its Korean victims. Roh’s demands were seen by Japan as a new escalation, since the agreements made between the two governments when relations were restored in 1965 included a one-time payment of compensation by Japan.²⁶ The ROK foreign minister backpedaled from the Roh statement, indicating that there was no reason to renegotiate the 40-year South Korean-Japanese Treaty that was the basic framework for

²³ Source: Taewoo Kim, “ROK Military Transformation and ROK-US Security and Maritime Cooperation: MD, PSI and Dokdo Island,” *International Journal of Korean Studies* XII, no. 1 (Fall/Winter 2008)

²⁴ Kazuhiko Togo, “Japan’s Territorial Problem: The Northern Territories, Takeshima and the Senkaku islands,” *National Bureau of Asian Research Commentary*, May 8, 2012. www.nb.org.

²⁵ David Kang, “History Impedes the Future,” *Comparative Connections: A Quarterly E-journal on East Asian Bilateral Relations* 7, no. 1 (April 2005): 126.

²⁶ Kongdan Oh, “The United States between Japan and Korea: keeping alliances strong on East Asia,” *The Korean Journal of Defense Analysis* 22, no. 2 (June 2010): 136.

bilateral ties. Still, the damage was done: public awareness of the dispute translated into outraged public opinion in both countries.

On March 8, things escalated again when four ROK Air Force fighters intercepted a private plane hired by Japanese newspapermen to over-fly the islands. ROK Foreign Minister Ban Ki-Moon (currently UN secretary general) cancelled a scheduled visit to Japan and said that the issue of sovereignty over the islands was more important than ROK-Japan relations. Emotions in Korea were high. To protest Japan's assertions on sovereignty, several South Korean citizens cut off fingers and one set himself on fire. Foreign Minister Ban announced that Seoul would take military action in response to any provocation from Japan, and would take "tangible steps to solidify our sovereignty if Japan does a provocative act."²⁷

Over the remaining three years of the Roh presidency, what had previously been a period of improved military relations between the two U.S. allies became problematic. Only sporadic military contacts were held between Korea and Japan, because of the Dokdo/Takeshima dispute and a combination of other issues: the Japanese introduction of new textbooks that upset Koreans (Japan introduces new textbooks every four years, and inevitably something raises Korean or Chinese ire); Japan's refusal to compensate "comfort women" (discussed below); and visits to Yasukuni Shrine by Japan's Prime Minister Koizumi.²⁸ Seoul periodically took actions to remind Tokyo that it was prepared to use force to defend Dokdo/Takeshima. For example, in February 2006 the ROK Air Force chief of staff

²⁷ Cited in Kang, "History Impedes the Future," p. 126.

²⁸ The Yasukuni Shrine is a Shinto shrine in Tokyo. It is dedicated to the soldiers and others who died fighting on behalf of the Emperor of Japan. Currently, its Symbolic Registry of Divinities lists the names of over 2,466,000 enshrined men and women whose lives were dedicated to the service of Imperial Japan, particularly those killed in wartime. It also houses one of the few Japanese war museums dedicated to World War II. The priesthood at the shrine has complete religious autonomy to decide who may be enshrined and how. They believe that enshrinement is permanent and irreversible. According to Shinto beliefs, Yasukuni Shrine provides a permanent residence for the spirits of those who have fought on behalf of the emperor. Koreans and Chinese protest visits by Japanese prime ministers and other officials because of controversies triggered in 1959 when spirits (*kami*) of 1,068 Class-B and Class-C war criminals who had been executed by the military tribunals of the Allied Forces were enshrined at Yasukuni. This issue was compounded in 1978 when the *kami* of 14 persons who had been executed or imprisoned as Class-A war criminals were enshrined at Yasukuni. At that point, Emperor Hirohito stopped visiting. According to a memorandum released in 2006 by the Imperial Household, his visits stopped due to the presence of enshrined Class-A war criminals. See <http://www.yasukuni.or.jp/english/about/index.html>, and <http://wgordon.web.wesleyan.edu/kamikaze/museums/yushukan/index.htm>.

led a four-plane formation of F-15s and F-16s in a flyover of Dokdo/Takeshima “as a symbolic gesture to inform Korea and the world that the Dokdo islets belong to Korea.”²⁹

The difference in views over how to address North Korea also continued to plague the relationship. In July 2006 North Korea launched seven missiles into the Sea of Japan. Japan was alarmed. It took prompt action, cutting off its ferry service to North Korea, and began to publicly talk about considering preemptive strikes against the North. South Korea essentially stood up for North Korea, criticizing Japan for overreacting. South Korea’s unification minister asserted, “When it comes to security threats, North Korea poses a microscopic one in the short term, but we can’t deny that Japan poses one in the long term and from a historical point of view.”³⁰

In early 2007, Japan’s Prime Minister Abe became directly involved in the issue of “comfort women.” His involvement followed the introduction of a bipartisan resolution by U.S. Congressman Michael Honda from California, which called for Japan to formally acknowledge and accept responsibility for sexually enslaving women, mostly from Korea, during World War II. Abe said that Japan would not apologize even if the resolution passed. He lobbied hard against the resolution, asserting that no conclusive evidence showed that the Japanese military had been involved in recruitment of these unfortunate women. In a public relations disaster for Japan, some 40 members of the Japanese diet took out a full-page ad in the *Washington Post* denying the Japanese government’s involvement in the practice. Predictably, many in Washington, and even more in South Korea, were furious. The Korean newspaper *Joonjang Ilbo* editorialized, “Is it so hard for Japan to confess its past sins and to teach subsequent generations never to repeat them?”³¹

Following the February 2008 inauguration of Lee Myung-bak as President of South Korea, South Korea-Japan relations took a decided turn for the better. Lee held a summit with Japanese Prime Minister Fukuda, in which the leaders agreed to reinstitute what had been known as “shuttle diplomacy” as the leaders of the two countries routinely exchanged visits. One big reason for the rapid improvement was that Lee’s position toward North Korea was much tougher than his predecessor’s and was more closely aligned with the positions of Tokyo and Washington. He and Fukuda also agreed to have a “mature, future-oriented

²⁹ Cited in David Kang and Ji-Young Li, “Cold Politics, Warm Relations,” *Comparative Connections: A Quarterly E-journal on East Asian Bilateral Relations* 8, no. 1 (April 2006): 139.

³⁰ Cited in David Kang and Ji-Young Li, “Missiles and Prime Ministers May Mark a Turning Point,” *Comparative Connections: A Quarterly E-journal on East Asian Bilateral Relations* 8, no. 3 (October 2006).

³¹ Cited in David Kang, “The Honeymoon’s Over,” *Comparative Connections: A Quarterly E-journal on East Asian Bilateral Relations* 9, no. 1 (April 2007).

partnership.” One of the steps taken was an agreement to develop a military cooperation agreement which would include joint search-and-rescue naval exercises.

No sooner had the summit concluded than the issue of Dokdo/Takeshima came up again, triggered by the publication of yet another Japanese textbook that claimed that South Korea was illegally occupying Japanese territory. The usual flurry of actions and reactions followed, resulting in a decided chill in relations. This was the pattern throughout the Lee Myung-bak administration. ROK-Japan relations reached a nadir in August 2012 when President Lee visited Dokdo/Takeshima, marking the first time a Korean president had ever set foot on the islands. This action was followed by a comment Lee made in response to a question about a potential visit to South Korea by Japanese Emperor Akihito, suggesting that if the emperor wanted to come to Korea he should plan on apologizing to the Korean independence fighters of the Japanese colonial era.³²

The Japanese were outraged by these two events, especially the perceived insult to the emperor. Subsequent media coverage suggested that bilateral relations had again hit rock bottom. The press in both countries was filled with nationalist hectoring. For instance, on August 20, 2012, *Chosun Ilbo*, one of the ROK’s leading newspapers, carried an editorial titled “Japan must take a cold look at its empire,” which urged Japan to realize that “its lurch to the right since the inauguration of the Noda administration and aggressive stance on Dokdo and attempts to whitewash its World War II atrocities are constantly souring ties with Korea.”³³

The U.S. military newspaper, *Stars and Stripes*, reported on how schoolchildren in Japan and Korea are being “indoctrinated” regarding Dokdo/Takeshima. It quotes Prime Minister Yoshihiko Noda’s words to an upper house budgetary meeting in August: “We need to thoroughly teach our children in schools that Takeshima and Senkaku are sovereign territories of Japan. There are even some adults who don’t know.” The article goes on to say that the existence of the islands is first introduced to students in a fifth-grade geography textbook, and that South Korea’s claim is not taught until junior high, according to the Ministry of Education, Culture, Sports, Science and Technology.³⁴

In South Korea, the Dokdo dispute is woven throughout the curriculum beginning in elementary school, when students study materials that emphasize “love of territory and de-

³² David Kang and Juin Bang, “Japan-Korea Relations: Grappling on a Hillside,” *Comparative Connections: A Triannual E-journal on East Asian Bilateral Relations* 14, no. 2 (September 2012), Pacific Forum/CSIS, http://csis.org/files/publication/1202qjapan_korea.pdf.

³³ Quoted in *ibid*.

³⁴ Ashley Rowland et al., “South Korea’s passion over disputed islands gets Japan’s attention.” *Stars and Stripes*, September 25, 2012, <http://www.stripes.com/news/south-korea-s-passion-over-disputed-islands-gets-japan-s-attention-1.190814>.

fending our sovereignty,” according to a spokesperson for the Ministry of Education, Science and Technology. All schools are encouraged to study the Dokdo issue. Students are given supplementary textbooks entitled “Let’s Get Dokdo Right” and “Our Forever-land, Dokdo.”

The lessons continue outside the classroom. Schools celebrate Dokdo Love Week in October, and high school students are encouraged to be “global and history diplomats” who promote South Korea’s claim to the islands and urge the renaming of the Sea of Japan. Teachers are encouraged to visit the islands.³⁵

Impact on the U.S. “rebalance to Asia” strategy

The persistence of periodic flare-ups between Japan and South Korea over Dokdo/Takeshima and the broader question of Japan’s history with South Korea has been a continued source of disappointment and frustration for U.S. officials and security experts who have attempted for years to make military cooperation between America’s two closest allies in Northeast Asia sustainable. It is clear that the ROK-Japan history question has become a hindrance to Washington in accomplishing its broad strategic objective of sustaining stability in Northeast Asia. This objective was reiterated in President Obama’s November 2011 new strategy for Asia. He announced that the United States was rebalancing its strategic focus away from the wars of the Middle East to the Asia-Pacific. The new strategic rebalancing, or pivot, was to include an integrated mix of diplomatic, economic, budgetary, and security-related initiatives.

The strategy was widely interpreted in the Western media as being all about China, which the administration denies. In China, the strategy was widely perceived as being one more step in a Washington containment strategy. The truth, of course, is that while China is a significant consideration, the rebalance *is not solely about China* and is not an attempt to contain China. In fact, none of China’s neighbors would support a containment strategy. Rather, rebalancing is about shaping the strategic environment in East Asia, which obviously includes China,³⁶ and is not officially blind to China’s rise. As U.S. Secretary of State Hillary Clinton wrote in a *Foreign Policy* article that provides the most comprehensive written description of the administration’s Indo-Pacific strategy, “China represents one of the most

³⁵ Ibid.

³⁶ Regarding shaping the security environment, see, for example, Tyrone Marshall, “DOD Officials Detail Defense Posture in Asia-Pacific,” Armed Forces Press Service, August 3, 2012, www.defense.gov/news/newsarticle.aspx?id=117398.

challenging and consequential bilateral relationships the United States has ever had to manage.”³⁷

Contrary to public expectations, the change in military force posture due to the rebalance is quite modest. In the case of the U.S. Navy, for example, the Pacific Fleet will have no huge build-up of presence—at most, some 20-odd more ships will be added between today and 2020. As a result, the United States must be able to count on the navies of its two closest Northeast Asian allies to be part of the “network” of alliances that National Security Advisor Donilon considers a centerpiece of U.S. strategy.³⁸ The inability of South Korea and Japan to get beyond questions associated with history, including the Dokdo/Takeshima dispute, affects Washington’s top priority in East Asia, which is to shape the environment so that a regional conflict is never likely and perhaps someday will be inconceivable.³⁹

A good way to contribute to the shaping of the strategic environment is to ensure that two of the world’s most modern and capable navies, those of South Korea and Japan, are able to interoperate with one another as well as with the United States. This will be a critical factor in helping the United States achieve and maintain the balanced combination of assurance and dissuasion necessary to create a conflict-free environment.

Policy options for Washington

It is difficult to forecast a future of anything other than more of the same when it comes to Dokdo/Takeshima. Over the past eight years the dispute has become a major impediment to sustained good relations between Japan and South Korea. During the last decade, the only occasions on which security relations between those two countries have improved for any period of time have been when North Korea has done something so outrageous that both countries’ leaders and publics have been alarmed, and issues related to sovereignty and history have been placed on a back burner. Missile tests, nuclear weapons tests, and sinking of warships have awakened both countries to that fact that in a security sense they need one another. But, inevitably, before habits of cooperation can become ingrained, the “demons of history” manage to undo the good will and shared sense of purpose.

³⁷ Hillary Clinton, “America’s Pacific Century,” *Foreign Policy*, November 2011, www.foreignpolicy.com/articles/2011/10/11/americas_pacific_.

³⁸ Tom Donilon, “America is back in the Pacific and will uphold the rules,” *Financial Times*, November 27, 2011, <http://www.ft.com/intl/cms/s/0/4f3febac-1761-11e1-b00e-00144feabdc0.html#axzz2JD3glikm>.

³⁹ David Berteau, Michael Green, et al., *US Force Posture Strategy in Asia-Pacific Region: An Independent Assessment* (Washington, DC: Center for Strategic and International Studies (CSIS), August 2012), csis.org/files/publication/1208_final_pacom_optimized.pdf.

Because the United States, as a matter of policy, chooses not to take a position on disputed sovereignty claims in which it is not directly involved, Washington has not become involved in the Dokdo/Takeshima dispute beyond advising restraint and dialogue. That approach has had little to no impact. While there are many other disputes over islands/islets in East Asia, the unique feature of Dokdo/Takeshima is that it is a disagreement between two democratic states that both are long-time treaty allies of the United States. In addition, Washington bears some responsibility for the current dispute, because it did not reach a decision on sovereignty when it had the power to do so during the drafting of the 1951 Peace Treaty with Japan. These facts do provide a pretext for a more proactive policy by Washington.

Another major consideration for Washington must be the reality that the only way South Korea will relinquish control is if military force is used to eject it from the islets. Even then, enough military capability would have to be maintained in the vicinity on a more or less permanent basis, in order to ensure that South Korea could not take the islets back. It is hard to imagine that Japan would ever be willing to attempt such a military undertaking, or could amass the capability actually to sustain control if it ever did seize the islets. In effect, South Korea's de facto control is permanent. In the view of this author, since use of force by Japan is out of the question, the sensible policy for Tokyo is to pursue a bargain in which it relinquishes its sovereignty claim in return for an understanding on an equitable division of resources. This is an agreement that Washington could consent to broker.

A related consideration is the fact that Japan needs friends in the region. It would help Japan's overall security situation if it could resolve at least one of the sovereignty disputes it has with all of its Northeast Asia neighbors, and, in the process, remove a major impediment to a closer security relationship with South Korea.

Obviously, it would be a risky approach for Washington to involve itself in the dispute, and to quietly urge Japan to take a politically difficult road. There is no question that continuing the current policy approach is safest. But, by avoiding direct involvement at all costs while hoping that Seoul and Tokyo can be persuaded to shelve the dispute permanently, Washington is most likely to perpetuate the status quo. The trouble with avoiding involvement is that the larger objective of permanent Korean-Japanese security rapprochement is held hostage to this unresolved dispute, and, as a result, there is no possibility of establishing a coalition that would be invaluable in shaping Chinese behavior.

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The Southern Kuril Islands Dispute

Dr. Dmitry Gorenburg

Figure 3. Location of the Kuril Islands¹



The dispute between Russia and Japan over the southern Kuril Islands (see figure 3, above) represents one of the longest standing territorial disputes in East Asia. The dispute concerns possession of the four southernmost islands in the chain, named Etorofu, Kunashiri,

¹ Figure from Dmitri Trenin and Yuval Weber, "Russia's Pacific Future: Solving the South Kurile Islands," Carnegie Policy Research, Paper, December 2012, <http://m.ceip.org/2011/12/27/упущенная-возможность-в-ираке/esp&lang=en>.

Shikotan, and Habomai.² This dispute is back in the headlines due to the recent visit to one of the islands by Russian Prime Minister Medvedev, a move that drew condemnation from leading Japanese officials. Drawing on Russian and English language sources, I provide some background on the history of the dispute, spell out the current Japanese and Russian positions on the islands' status, and discuss some potential solutions to the conflict.

Background of the dispute

Russia and Japan have traded possession of the Kuril Islands and Sakhalin Island since they first established diplomatic relations in 1855. In that year, the Treaty of Shimoda assigned possession of the northern Kuril Islands to Russia, while Japan received the four southern-most islands. Sakhalin itself was administered as a joint condominium until the 1875 Treaty of St. Petersburg assigned the entire island to Russian possession in exchange for Japan receiving the entire Kuril Islands chain up to the Kamchatka Peninsula. The Russo-Japanese border shifted again after Russia's defeat in the 1904-05 Russo-Japanese war. The Treaty of Portsmouth, which concluded that war, gave the southern half of Sakhalin Island to Japan.

These borders remained stable until the end of World War II. The Soviet Union occupied the entire Kuril Islands chain and southern Sakhalin Island in late August 1945. Soviet possession of these territories was decided during the Yalta summit in 1945, at which time Stalin promised to attack Japanese forces three months after the conclusion of the war with Germany. The entire population of the four southern Kuril Islands was expelled in 1947 and resettled in northern Japan.³

The San Francisco Peace Treaty, which formally concluded the war with Japan, stated that "Japan renounces all right, title and claim to the Kuril Islands, and to that portion of Sakhalin and the islands adjacent to it over which Japan acquired sovereignty as a consequence of the Treaty of Portsmouth of 5 September 1905."⁴ This treaty was not signed by the Soviet Union; in part because it did not explicitly recognize the Soviet right to possession of the four southern Kuril Islands.

Japan began to raise its claim to the four islands in the 1950s. Initially, it claimed only Shikotan and Habomai. According to a number of historians, as late as 1951 Japanese officials stated that they considered Kunashiri and Etorofu to be part of the Kuril Islands as defined

² The Russian names for the first two islands are Iturup and Kunashir. I use the Japanese names for the sake of consistency.

³ Kanako Takahara, "Nemuro raid survivor longs for homeland," *Japan Times Online*, September 22, 2007, <http://www.japantimes.co.jp/text/nn20070922w1.html>.

⁴ "Treaty of Peace with Japan," <http://www.taiwandocuments.org/sanfrancisco01.htm>.

in the San Francisco Peace Treaty and did not claim them.⁵ In October 1951, Kumao Nishimura, then director of the Treaties Bureau at the Japanese Foreign Ministry, testified to the Japanese National Diet that the southern Kuril Islands were explicitly included in the definition of the Kuril Islands listed in the San Francisco Peace Treaty.⁶ According to Gregory Clark, the vice president of Akita International University and a member of former Japanese foreign minister Makiko Tanaka's private advisory committee on foreign-policy questions, the Japanese position only started to shift in 1955. It was not until 1956 that Japanese negotiators reached an agreement with their Soviet counterparts to settle the dispute by transferring Shikotan and Habomai to Japanese control while simultaneously renouncing all claims to Kunashiri and Etorofu.⁷ This deal was scuttled because the United States threatened to keep control of Okinawa if Japan accepted this compromise.⁸ In the end, the two sides signed a joint declaration that ended the state of war between them, but postponed the resolution of the territorial dispute until the two states had concluded a formal peace treaty. The text of the declaration stated that the Soviet Union agreed to hand over Shikotan and Habomai but that the actual transfer would occur only after the conclusion of a peace treaty.⁹ This peace treaty was never completed, and the territorial dispute persists to the present day.

The Japanese position

Since the early 1960s, the Japanese government has unwaveringly claimed all four islands to be Japanese territory. Japan's official views on the history of its claims to the Northern Territories are laid out in a pamphlet that is readily accessible on the website of the Ministry of Foreign Affairs. Its key provisions are as follows:

- The Cairo Declaration of 1943 and the Potsdam Declaration of 1945 stated that Japan would have to relinquish all territories it had taken “by violence and greed” during its military expansion campaigns during and prior to World War II. However, these declarations do not apply to the Northern Territories, because these islands

⁵ Gregory Clark, “Northern Territories dispute highlights flawed diplomacy,” *Japan Times Online*, March 24, 2005, <http://www.japantimes.co.jp/text/eo20050324gc.html>.

⁶ Seokwoo Lee, Shelagh Furness, and Clive H. Schofield, *Towards a Framework for the Resolution of the Territorial Dispute Over the Kurile Islands* (IBRU, 2001), p. 15.

⁷ Clark, “Northern Territories dispute.”

⁸ James E. Goodby, Vladimir I. Ivanov, Nobuo Shimotomai, *Northern territories” and beyond: Russian, Japanese, and American Perspectives* (Westport, CT: Praeger Publishers, 1995).

⁹ “Texts of Soviet-Japanese Statements,” *New York Times*, October 20, 1956, <http://query.nytimes.com/mem/archive/pdf?res=F40C15FB3C5F147B93C2AB178BD95F428585F9>.

had never belonged to Russia and were therefore not annexed to Japan during the period of Japanese expansion.

- At no point since the start of Russian-Japanese diplomatic relations in 1855 has Russia claimed the disputed islands. Therefore the disputed islands cannot be considered part of the territories acquired by Japan “by violence and greed.”
- The Yalta Agreement, which stipulated that the Kuril Islands should be handed over to the Soviet Union and that the southern part of Sakhalin as well as all the islands adjacent to it should be returned to the Soviet Union, did not determine the final settlement of the territorial problem. Furthermore, Japan is not bound by this document, as it was not a party to the agreement.
- Russia's 1945 entry into the war against Japan was a violation of the Soviet–Japanese Neutrality Pact, and the occupation of the islands was therefore a violation of international law, which legally remained in effect until April 13, 1946, despite the Soviet Union’s announced intention not to extend it after its expiration.
- Although by the terms of Article 2c of the 1951 San Francisco Peace Treaty, Japan renounced all rights to the Kuril Islands, the treaty did not apply to the islands of Kunashiri, Etorofu, and Shikotan, or to the Habomai rocks, since they are not geographically part of the Kuril Islands. Furthermore, the Soviet Union did not sign the San Francisco Peace Treaty, so its provisions do not apply to the dispute between the two countries.¹⁰

Japan’s official position on the islands’ current status is also available on the website of the Ministry of Foreign Affairs. Its four basic tenets read as follows:

1. The Northern Territories are inherent territories of Japan that continues [*sic*] to be illegally occupied by Russia. The Government of the United States of America has also consistently supported Japan's position.
2. In order to solve this issue and to conclude a peace treaty as soon as possible, Japan has energetically continued negotiations with Russia on the basis of the agreements and documents created by the two sides so far, such as the Japan-Soviet Joint Declaration of 1956, the Tokyo Declaration of 1993, the Irkutsk Statement of 2001 and the Japan-Russia Action Plan of 2003.
3. Japan's position is that if the attribution of the Northern Territories to Japan is confirmed, Japan is prepared to respond flexibly to the timing and manner of their ac-

¹⁰ Ministry of Foreign Affairs, Japan, “Japan’s Northern Territories: For A Relationship of Genuine Trust,” no date, <http://www.mofa.go.jp/region/europe/russia/territory/pamphlet.pdf>.

tual return. In addition, since Japanese citizens who once lived in the Northern Territories were forcibly displaced by Joseph Stalin, Japan is ready to forge a settlement with the Russian government so that the Russian citizens living there will not experience the same tragedy. In other words, after the return of the islands to Japan, Japan intends to respect the rights, interests and wishes of the Russian current residents on the islands.

4. The Japanese government has requested Japanese people not to enter the Northern Territories without using the non-visa visit frameworks until the territorial issue is resolved. Similarly, Japan cannot allow any activities, including economic activities by a third party, which could be regarded as submitting to Russian “jurisdiction,” nor allow any activities carried out under the presumption that Russia has “jurisdiction” in the Northern Territories. Japan is of the policy to take appropriate steps to ensure that this does not happen.¹¹

Since the end of the Cold War Japan has sought to expand its cooperation with Russia, in part because it hoped that better overall relations would result in a favorable settlement of the territorial dispute. In 1997, the Ministry of Defense removed all mentions of potential military threats from Russia from its annual white papers on the security situation facing Japan.¹² During the difficult years immediately after the break-up of the Soviet Union, Japan began to provide humanitarian assistance to Russian residents living on the disputed islands. This assistance has at various points included providing needed supplies and accepting medical patients from the islands.¹³ Since 1991, residents of the disputed territories have been allowed visa-free travel to Japan in exchange for similar privileges granted to former Japanese residents of the islands and their families. This agreement has allowed 8,000 visits by Russians to Japan and 18,000 visits by Japanese to the islands over the last 20 years.¹⁴

At the same time, Japan has in recent years taken a number of actions that have shown unwillingness to compromise on its official position. In July 2009, the Japanese Parliament adopted a law stating that the southern Kuril Islands are Japanese territory that has been

¹¹Ministry of Foreign Affairs, Japan, “Overview of the Issue of the Northern Territories,” no date, <http://www.mofa.go.jp/region/europe/russia/territory/overview.html>.

¹² A.N. Panov, “Rossiisko-Iaponskie Otnosheniia v XXI Veke,” *Aziia i Afrika Segodnia*, February 2009, p. 3.

¹³ Ministry of Foreign Affairs, Japan, “Japan’s Northern Territories.”

¹⁴ Ibid.; “Visa-free travel between S. Kuril Islands and Japan to begin shortly,” *The Voice of Russia*, April 10, 2012, http://english.ruvr.ru/2012_04_10/71225813/.

unlawfully occupied by Russia.¹⁵ After President Medvedev visited Kunashiri in November 2010, Japan filed a protest with the Russian government and temporarily recalled its ambassador from Moscow. The government also protested subsequent visits to the islands by senior Russian officials. While protests on Northern Territories Day (February 11) are an annual occurrence, in 2011 the protesters desecrated the Russian flag in front of the Russian Embassy in Tokyo while the Japanese prime minister declared President Medvedev's visit to Kunashiri an "unpardonable rudeness."¹⁶

However, Japanese leaders have increasingly come to understand that they need to establish a cooperative relationship with Russia on a broad range of issues separate from the Northern Territories dispute. Japan badly needs to diversify its energy supply sources and increasingly sees Russia as a necessary ally in the region that could help to prevent Chinese domination of East Asia. On energy, Japan has sought to gain access to Russian gas and oil exports from fields in Siberia and Sakhalin, amid concerns that pipelines may be built that will send the energy resources to China instead.¹⁷ Both countries see China as a rising power that potentially needs to be balanced and have sought to deepen their security relationship to address the changing security dynamics in East Asia.¹⁸

Japanese leaders have recently begun to focus on commonalities between Russian and Japanese foreign policies, while toning down their criticism of Russia's refusal to hand over the Northern Territories. In the aftermath of Medvedev's first visit to Kunashiri, Japanese leaders adopted a damage limitation strategy that sought to make clear that they would not seek to escalate the dispute provided that Russia also refrained from taking any further provocative steps.¹⁹ To show their sincerity, Japanese officials made clear they still welcomed Medvedev's attendance at the APEC summit in Yokohama, which took place a few weeks

¹⁵ Vitalii Alad'in, "K Probleme Kurilskikh Ostrovov, Ili 'Severnykh Territorii,'" *Mezhdunarodnaia Zhizn* (September 2009): 150.

¹⁶ Aleksandr Panov, "V Ozhidanii Novogo Shansa," *Rossia v Globalnoi Politike*, May 2011, pp. 184-5.

¹⁷ Spyridoula Amalia Metallinou, *Energy Security: The Russian Trans-Siberian Pipeline and the Sino-Japanese Courtship*, Hydra Paper, September 2006, Institute of International Relations, Athens, Greece, http://www.idis.gr/GR/Ekpaideutika/hydra_papers/metallinou_amalia-spyridoula.pdf.

¹⁸ "Japan, Russia to boost business, security ties," *Japan Times Online*, January 29, 2012, <http://www.japantimes.co.jp/text/nn20120128x2.html>; Walter Russell Mead, "Japan, Russia Build Ties As Asian Balance Shifts," *Via Meadia blog*, January 28, 2012, <http://blogs.the-american-interest.com/wrm/2012/01/28/japan-russia-build-ties-as-asian-balance-shifts/>.

¹⁹ "Japan will not take new actions against Medvedev's visit to Kuril Islands," *RIA-Novosti*, November 4, 2010, <http://en.rian.ru/world/20101104/161212287.html>.

after his trip to Kunashiri.²⁰ Medvedev's recent second visit to the disputed territories elicited little more than an expression of regret and some negative rhetoric by the Japanese foreign minister. There is virtually no chance that Japanese leaders will cancel their plans to attend the upcoming APEC summit in Vladivostok.²¹ In 2011, Japanese leaders announced that they would be willing to consider participating in joint economic activities in the southern Kurils, provided that such activities did not negatively affect Japan's claims to the disputed territories.²² Japan's leaders have thus recognized that the chances for solving the territorial dispute are quite low and have resolved to downplay the dispute while developing other aspects of the bilateral relationship.

The Russian position

When he first came to power, Vladimir Putin sought to solve the dispute with Japan by negotiating on the basis of the 1956 declaration. This was the first official recognition by the Russian side since that year that they might be willing to return some of the islands as part of a negotiated solution. However, the Japanese government rejected this overture, insisting that it was only willing to negotiate the timing of the transfer of all four islands to Japanese control and therefore could not base the negotiations on a declaration that called for the transfer of two of the four islands to Japan while allowing Russia to retain the other two.²³ Soon thereafter, Japanese Prime Minister Koizumi especially noted in his first address to Parliament that he would continue to fight for the return of all four islands. During Koizumi's term in office, no progress was made on the issue.²⁴ At the same time, Russia became much stronger politically and economically, and was much less in need of the assistance that Japan had always held out as a carrot in exchange for the return of its Northern Territories. As a result, Russian leaders became far more reluctant to endorse even the compromise "two island" solution that they had promoted during Putin's first term. Beginning in 2005, Russian officials have generally argued that the islands belong to Russia and that Japan has to accept Russian sovereignty over all four islands before any discussions can begin.²⁵

²⁰ Richard Weitz, "Why Moscow Has Escalated Its Territorial Dispute with Tokyo," *Pacific Focus* (August 2011): 158.

²¹ Vasilii Golovnin, "Zagadochnyi Russkii Medvedev," *Novaya Gazeta*, July 9, 2012.

²² Masami Ito, "Russia-held isles past point of return," *Japan Times Online*, February 15, 2011, <http://www.japantimes.co.jp/text/nn20110215a3.html>.

²³ Panov, "Rossiisko-Iaponskie," p. 5.

²⁴ A. Koshkin, "Rossiia i Iaponiia: Vozmozhn li Kompromis o Kurilakh," *Aziia i Afrika Segodnia* (November 2008): 30.

²⁵ *Ibid.*, p. 31.

Russia's current position on the islands is based on three main points:

1. The Yalta Treaty and the San Francisco Peace Treaty gave the Soviet Union an explicit right to the entire Kuril Islands chain.
2. Russia inherited the islands from the Soviet Union as its internationally recognized successor state.
3. The Japanese assertion that the disputed islands are a northern extension of the island of Hokkaido rather than a part of the Kuril Islands is a deceptive tactic designed to promote Tokyo's unjustified territorial claims and is not supported by history or geography.²⁶

Russia has said it is open to a negotiated "solution" to the island dispute while declaring that the legality of its own claim to the islands is not open to question. In other words, Japan would first have to recognize Russia's right to the islands and then try to acquire some or all of them through negotiations.

During Vladimir Putin's second presidential term, the Russian government began to undertake a number of concerted measures to strengthen Russia's hold on the islands. The first step was the adoption of a special federal program for the economic development of the islands. The program earmarked 18 billion rubles for various infrastructure development projects on the islands, which were to be completed between 2007 and 2015.²⁷ While this additional financing led to some improvements in living standards for the islands' inhabitants, an even greater boost to the region's economy followed Dmitry Medvedev's controversial visit to Kunashiri Island in November 2010. While this visit led to immediate protests on the part of Japanese officials, the reaction was relatively muted and did not last long.²⁸ Subsequently, a number of Russian government ministers visited the disputed territories in an effort to ensure that the president's directives on the economic development of the islands were being carried out.

To ensure its security in the region, the Russian government has recently taken steps to strengthen the islands' defenses. To this end, it is planning to modernize the equipment used by the 18th Artillery Division, which is based primarily on Kunashiri. The division is likely to get new medium- and short-range missile systems such as the Pantsir, Buk, and Tor, as well as new armored vehicles. The runway at the island's airport is expected to be ex-

²⁶ "Russia stands firm in territorial dispute with Japan," *RIA-Novosti*, July 2, 2008, <http://en.rian.ru/russia/20080702/112838415.html>; Panov, p. 2.

²⁷ P. Burmistrov, "Imeet li Reshenie Kuril'skaia Problema," *Aziia i Afrika Segodnia*, January 2007, p. 12.

²⁸ Weitz, "Why Moscow Has Escalated," p. 158.

tended, to allow larger military transport aircraft such as the Il-76 to land. Improvements in ships stationed in Vladivostok and aircraft based on Sakhalin are expected to further strengthen the islands' defenses. Analysts do not expect the dispute to result in armed conflict but do believe that the strengthening of the disputed territories' defenses will show Russia's resolve to keep possession of the islands and may convince Japan to focus on other aspects of the bilateral relationship.²⁹

In the last few years, Russia has occasionally taken forceful measures to enforce its sovereignty in the maritime territory attached to the disputed islands. While minor conflicts over illegal fishing by Japanese craft date back to the Soviet period, the shooting of a Japanese fisherman in August 2006 highlighted the tension over fishing in the region. The Russian Foreign Ministry refused to apologize for the actions of its border guards, placing the blame on "those who were directly guilty, and also with those representatives of the Japanese authorities who connive in poaching by Japanese fishermen in Russian territorial waters."³⁰ There have been other incidents of Russian border guards shooting at Japanese fishing boats entering Russian territorial waters, including one in January 2010.³¹ These incidents have further hardened Russian attitudes, as they are seen as unacceptable violations of Russian territorial sovereignty.

The primary reason that Russian leaders insist on keeping possession of the islands has to do with conceptions of national honor and the sense that a handover would be seen by both the international community and the Russian population as an admission of weakness. However, there are also a number of more practical considerations that have pushed the Russian government into a more uncompromising position. According to Russian scholars, the islands and their territorial waters possess a great deal of economic value for their mineral resources, which include offshore hydrocarbon deposits, gold, silver, iron, and titanium. Etorofu is also the only source in Russia of the rare metal rhenium, which has important uses in electronics. The islands are also able to supply enough geothermal energy to meet its entire annual heating needs. The waters off the southern Kurils are the location of an upwelling that makes the area an exceptionally rich source of fish and seafood production, worth an estimated 4 billion dollars a year. Russian leaders also believe that

²⁹ Andrei Kisliakov, "Iuzhnym Kurilam Obeshchanna Usilennaia Oborona," *Nezavisimoe Voennoe Obozrenie*, April 22, 2011; Ilya Kramnik, "Kurilskii Pretsedent," *VPK: Voennno-Promyshlennyi Kur'er*, March 2, 2011; Ilya Kramnik, "Kurily: Prognoz Politicheskoi Nepogody," *Golos Rossii*, February 21, 2011.

³⁰ Justin McCurry, "Japanese fisherman killed in Kuril dispute," *The Guardian*, August 16, 2006, <http://www.guardian.co.uk/world/2006/aug/16/japan.russia>.

³¹ "Japan to question crews of fishing boats attacked by Russian border guards," *Voice of Russia*, February 1, 2010, <http://english.ruvr.ru/2010/02/01/4067894.html>.

they could turn the region into a profitable tourism center, though this seems somewhat dubious given its remoteness and lack of appropriate infrastructure.³²

Russian leaders also see possession of the southern Kurils as playing an important role in defense planning. The islands control access to the Sea of Okhotsk and thereby allow the Russian Pacific Fleet free access to the Pacific Ocean. The deep channels between the southern Kuril Islands allow Russian submarines to transit under water to the open ocean. Russian military planners have argued that the loss of these channels would reduce the effectiveness of the Russian Pacific Fleet and thereby reduce Russian security in the region.³³

In order to strengthen Russian defenses in the region, the Russian Pacific Fleet is expected to acquire one or two French-built Mistral-class ships, which will supposedly be used to help defend the Kurils in the event of a Japanese attack. Recent reports indicate that the Russian versions of these ships will be heavily armed, including Kalibr or Oniks cruise missiles, air defense and anti-submarine missiles, and both Ka-27 ASW and Ka-52 attack helicopters. Having such armaments will theoretically counter the dearth of escort ships for the Mistral-class ships.³⁴ In the next decade, the Pacific Fleet will also receive some new Admiral Gorshkov-class frigates and Steregushchii-class corvettes. The replacement of its existing five 1980s-vintage destroyers will take longer: new destroyers are unlikely to arrive before 2025 at the earliest. Finally, the fleet's aging Delta III strategic nuclear submarines will soon be replaced by three or four Borei-class submarines carrying the recently commissioned Bulava SLBM. However, the fleet is unlikely to replace its remaining attack submarines any time soon, as construction of the Yasen-class attack submarines is expected to take a relatively long time.³⁵ This will weaken the ability of the fleet to protect its nuclear submarines. Overall, while Russia's Pacific Fleet may gradually gain strength over the coming decade, it will still be substantially weaker than the Japanese navy or other potential adversaries in the Pacific.

Russia's current position on the dispute has much in common with that of Japan. Russia is not particularly interested in making serious concessions on the territorial dispute, but would like to further develop the bilateral relationship in other spheres, particularly trade and joint development of Russian energy resources. Russia is also concerned about the rapid increase in Chinese economic and political power and would like to work with Japan to

³² Koshkin, "Rossiia i Iaponiia," p. 32.

³³ Kisliakov, "Iuzhnym Kurilam Obeshchanna Usilennaia Oborona"; Koshkin, "Rossiia i Iaponiia," p. 32.

³⁴ Aleksandr Mozgovoi, "Raketno-iadernyi korabl-dok mistral i kosmicheskii avianosets," *Nezavisimoe Voennoe Obozrenie*, March 23, 2012.

³⁵ Aleksandr Khranchikhin, "Bolshe korablei, khoroshikh i raznykh," *Nezavisimoe Voennoe Obozrenie*, February 17, 2012.

constrain Chinese influence. Recent press discussions about the possibility of a settlement should be viewed in this light. Both sides have toned down the harsh rhetoric and are no longer engaging in provocative actions.³⁶ There is clearly interest on both sides in settling the dispute and diplomats have restarted discussions about possible solutions, but neither government is yet ready to make the sacrifices necessary to reach a compromise that would be acceptable to the other side.

Potential solutions

A number of potential solutions to the conflict have been proposed over time. Most of these proposals have come from scholars, though until recently the Russian government was also willing to compromise. Traditional solutions have focused on the number of islands or amount of territory that would be transferred as part of a compromise agreement. As described above, the Russian government has periodically offered to transfer the two southernmost islands and include Japan in efforts to jointly develop the other two islands. From the Japanese point of view this offer does not seem very equitable, since the two islands that would remain in Russia's possession make up 93 percent of the disputed territory's total land area. The Japanese scholar Akihiro Iwashita notes, however, that the exclusive economic zone (EEZ) commanded by Habomai and Shikotan is quite large and rich in marine resources. Depending on how the boundary is demarcated, the total territory (including maritime territory) handed over could reach half the size of the total EEZ of the four disputed islands.³⁷ (See figure 4, on the following page.)

A number of Japanese scholars and a few politicians have recently sought to promote various proposals that include the transfer of Kunashiri and, in some cases, part of Etorofu. These proposals have collectively been labeled "the 50/50 plan." This was the gist of a proposal made by Akihiro Iwashita in a 2005 study that won awards in Japan. A number of politicians, including the former prime minister Taro Aso, the senior foreign ministry official Kazuhiko Togo, and the prominent Hokkaido politician Muneo Suzuki, have also voiced support for various forms of the 50/50 plan. However, many of these politicians have been purged from their for espousing what were considered defeatist positions, and Suzuki was in fact arrested on corruption charges, possibly in retaliation for his activism in this area.³⁸

³⁶ Julian Ryall, "Japan, Russia move to heal 68-year territorial rift," *Deutsche Welle*, January 31, 2013, <http://www.dw.de/japan-russia-move-to-heal-68-year-territorial-rift/a-16564078>

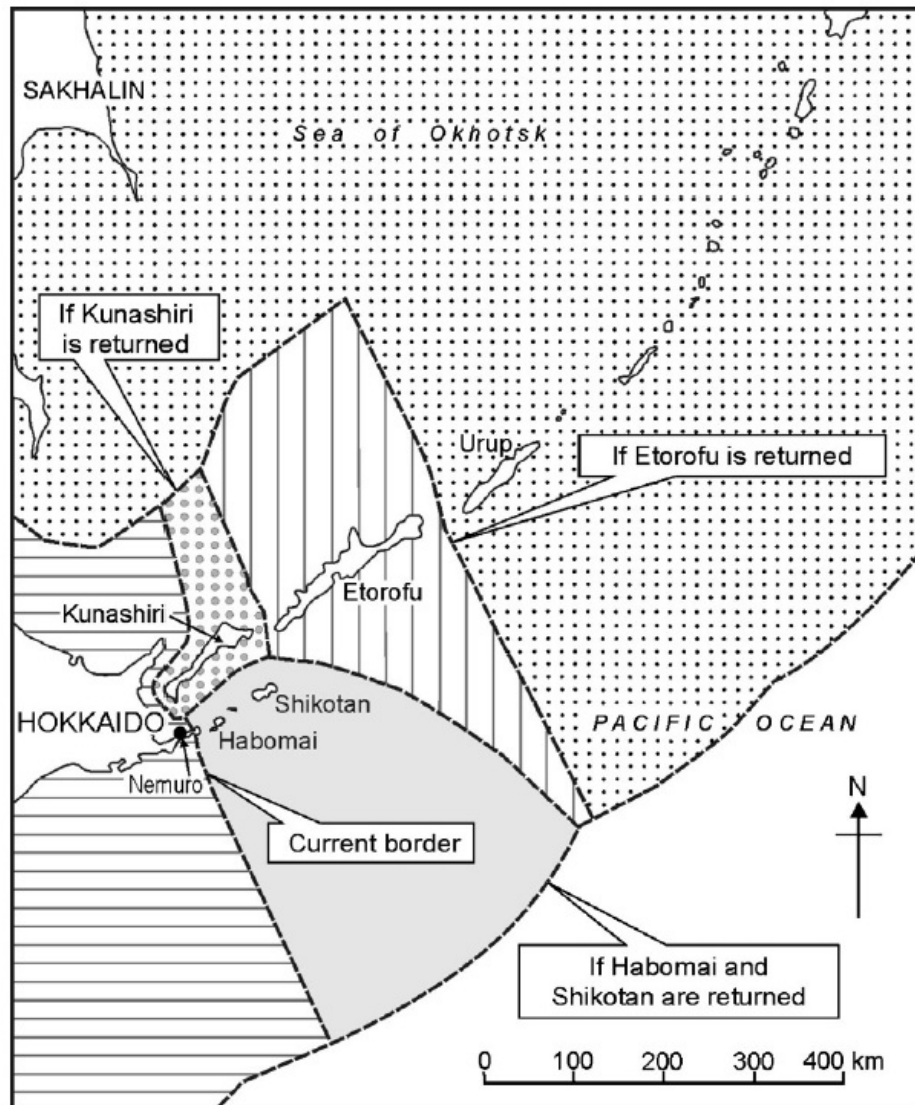
³⁷ Brad Williams, "Dissent on Japan's Northern Periphery: Nemuro, the Northern Territories and the Limits of Change in a 'Bureaucrat's Movement,'" *Japanese Journal of Political Science* 11(2): 231.

³⁸ Gilbert Rozman, *Japan's Response to the Gorbachev Era, 1985–1991: A Rising Power Views a Declining One* (Princeton University Press, 1992), p. 103; Gregory Clark, "Northern Territories dispute."

These proposals have received the support of a sizeable number of former Japanese residents of the disputed islands and of their descendants. As far back as April 2001, a survey of 500 former Japanese islanders showed that 28 percent of respondents were willing to accept the return of two islands first, with subsequent negotiations over the status of the remaining two islands. In 2005, a survey of Japanese living on the northern island of Hokkaido showed that while 73 percent of respondents as a whole supported the “four islands or nothing” negotiating position, this position had the support of only 56 percent of respondents in the town of Nemuro, where most former Kuril Islanders live. Forty-two percent wanted to revise the “four island” policy, with a majority of that group supporting the initial return of Habomai and Shikotan and subsequent negotiations over the fate of the other two islands. Surveys show that both former islanders and other Japanese strongly oppose any solution that would compel Japan to renounce its claims to Etorofu and Kunashiri, but are willing to accept solutions that are far more flexible than the Japanese government’s current all-or-nothing negotiating position.³⁹

³⁹ Williams, “Dissent on Japan’s Northern Periphery,” pp. 226-227.

Figure 4. The Northern Territories' EEZ⁴⁰



Conclusion

At the moment, the majority of both Japanese and Russians prefer the continuation of the status quo to territorial compromise. As long as this situation persists, the possibility of a successful negotiated solution is very low. Given the current situation on the ground, the ball is entirely in Japan's court, as Russia holds the territory and therefore has an advantage.

⁴⁰ Source: Brad Williams, "Dissent on Japan's Northern Periphery: Nemuro, the Northern Territories and the Limits of Change in a 'Bureaucrat's Movement,'" *Japanese Journal of Political Science* 11(2): 232. Adapted from Akihiro Iwashita, *Hoppo Ryodo Mondai: 4 demo 0 demo, 2 demonaku* (Chuko Shinsho, 2005), p. 165.

Russian leaders have repeatedly made clear that the transfer of all four islands to Japan will never happen. The only way for any progress to be made is for Japan to take the quite radical (by internal political standards) step of dropping its insistence on an all-or-nothing solution and offering to negotiate exact parameters of territorial compromise. This would move the ball to Russia's court, as the Russian government would face a significant amount of pressure to confirm its willingness to actually give up territory. Given that Russia on several occasions has declared its willingness to give up two islands, it may be difficult for Russian leaders to stick to their recent statements that the southern Kuril Islands are indisputably Russian territory and not subject to negotiation. If they feel confident enough to reiterate their willingness to give up two islands, there would be an opportunity to enter into negotiations over the exact parameters of the territorial compromise, whether this ended up being two islands, three islands, or some version of the 50/50 plan.

However, such a compromise is extremely unlikely. The initial move would require a strong Japanese leader to break with decades of precedents and be willing to take on the concerted criticism that would be sure to come from Japanese nationalists. Given the long-term weakness and instability exhibited by the Japanese political system over the last two decades, there is a very low probability that such a leader might emerge any time in the foreseeable future. If such a leader should emerge, he would have to expend a great deal of political capital to shift the preferences of the Japanese people and political elites.

There is also the possibility of a non-traditional solution, such as joint sovereignty by both countries over all or some of the four disputed islands. Such a solution would allow the two countries to focus on joint economic development projects in the region, rather than arguing about territorial delimitation. This is the type of compromise recently proposed by Dmitri Trenin and Yuval Weber. Their plan calls for Russia to immediately give up Shikotan and Habomai and demilitarize the region, while the Japanese government ramps up direct investment and provides incentives for private sector investment in the Southern Kurils. The two countries would establish a joint economic zone run by a bi-national authority, and citizens of both countries would be free to move to all four islands. Russia would continue to have sovereignty over Iturup and Kunashir for a 50-year period, at the end of which sovereignty would be transferred to Japan.⁴¹

Such a compromise is as unlikely to be reached as the more traditional solutions based on a formal division of the disputed territory between the two sides. Opponents on both sides would find plenty to dislike in the compromise. Russian nationalists would highlight the

⁴¹Dmitri Trenin and Yuval Weber, *Russia's Pacific Future: Solving the South Kuril Dispute*, Carnegie Moscow Center, December 2012, http://carnegieendowment.org/files/russia_pacific_future_upd.pdf.

eventual transfer of all four islands to Japan as proof that the deal was a betrayal of Russian national interests. Japanese nationalists would, in turn, decry the acceptance of Russian sovereignty in the transitional period.

Leaders on both sides would have to expend a great deal of political capital to sell the deal to their respective publics. The strength of nationalist attitudes on both sides makes it very difficult for political leaders to stand down from the maximalist positions that they have adopted for years. Nationalists in Japan have fiercely attacked both academics and politicians who have broached the merest hint of compromising on the government's long-standing all-or-nothing position. While Russian nationalists are not as powerful an interest group as their Japanese counterparts, they did protest the territorial concessions that Russia made to China in 2004. At that time, Vladimir Putin had broad popularity among the Russian public and could dismiss such protests as irrelevant; however, the Putin regime now faces a great deal of popular discontent and may find itself less willing to alienate one of its core remaining constituencies.

The change in the Putin regime's circumstances in the last few years points to a second reason that makes compromise unlikely. The political elites in both countries are relatively weak and likely to remain so for the foreseeable future. Numerous large protests opposing Vladimir Putin's stage-managed return to the presidency revealed a widespread sense of discontent with the Russian president, reducing his ability both to make unpopular political decisions and to shift the public discourse in favor of new initiatives. The Japanese government has been weakened by two decades of slow economic growth and popular discontent with widespread corruption among the political and business elites. The result has been a revolving-door cabinet: no prime minister has served for longer than 15 months since 2006, and only one has served a full term since 1989. Last year's tsunami and subsequent nuclear reactor meltdown at Fukushima further reduced confidence in the government among Japanese people. The consequence of this lack of trust and government weakness is that Japanese leaders are not likely to take a significant risk on an unpopular foreign policy initiative such as compromising on claims to the Northern Territories.

With neither the Russian nor Japanese leadership in a position to take the political risks necessary to resolve the dispute, the status quo is virtually certain to continue for the foreseeable future. However, this will not prevent the two countries from continuing to strengthen their relationship in other spheres, as both sides seek to protect themselves from the economic and political consequences of China's rapid emergence as the preeminent East Asian power. As trade in energy expands and bilateral security cooperation deepens in the coming years, the territorial dispute left over from World War II will become increasingly irrelevant to both the governments and the public. This development could in turn allow for a compromise solution. Given this forecast, the best U.S. policy option is to continue to stay out of the dispute.

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