

Treaty of Peace between the Republic of China and Japan

Signed at Taipei, 28 April 1952

Entered into force, 5 August 1952, by the exchange of the instruments of ratification at Taipei

TREATY OF PEACE

The Republic of China and Japan,

Considering their mutual desire for good neighbourliness in view of their historical and cultural ties and geographical proximity; Realising the importance of their close cooperation to the promotion of their common welfare and to the maintenance of international peace and security; Recognising the need for a settlement of problems that have arisen as a result of the existence of a state of war between them; Have resolved to conclude a Treaty of Peace and have accordingly appointed as their Plenipotentiaries,

His Excellency the President of the Republic of China: Mr. YEH KUNG-CHAO;
The Government of Japan: Mr. ISAO KAWADA

Who, having communicated to each other their full powers found to be in good and due form, have agreed upon the following Articles:—

Article 1

The state of war between the Republic of China and Japan is terminated as from the date on which the present Treaty enters into force.

Article 2

It is recognised that under Article 2 of the Treaty of Peace which Japan signed at the city of San Francisco on 8 September 1951 (hereinafter referred to as the San Francisco Treaty), Japan has renounced all right, title, and claim to Taiwan (Formosa) and Penghu (the Pescadores) as well as the Spratley Islands and the Paracel Islands.

Article 3

The disposition of property of Japan and its nationals in Taiwan (Formosa) and Penghu (the Pescadores), and their claims, including debts, against the authorities of the Republic of China in Taiwan (Formosa) and Penghu (the Pescadores) and the residents thereof, and the disposition in Japan of property of such authorities and residents and their claims, including debts, against Japan and its nationals, shall be the subject of special arrangements between the Government of the Republic of China and the Government of Japan. The terms nationals and residents include juridical persons.

Article 4

It is recognised that all treaties, conventions, and agreements concluded before 9 December 1941 between Japan and China have become null and void as a consequence of the war.

Article 5

It is recognised that under the provisions of Article 10 of the San Francisco Treaty, Japan has renounced all special rights and its interests in China, including all benefits and privileges resulting from the provisions of the final Protocol signed at Peking on 7 September 1901, and all annexes, notes, and documents supplementary thereto, and has agreed to the abrogation in respect to Japan of the said protocol, annexes, notes, and documents.

Article 6

(a) The Republic of China and Japan will be guided by the principles of Article 2 of the Charter of the United Nations in their mutual relations.

(b) The Republic of China and Japan will cooperate in accordance with the principles of the Charter of the United Nations and, in particular, will promote their common welfare through friendly cooperation in the economic field.

Article 7

The Republic of China and Japan will endeavour to conclude, as soon as possible, a treaty or agreement to place their trading, maritime, and other commercial relations, on a stable and friendly basis.

Article 8

The Republic of China and Japan will endeavour to conclude, as soon as possible, an agreement relating to civil air transport.

Article 9

The Republic of China and Japan will endeavour to conclude, as soon as possible, an agreement providing for the regulation or limitation of fishing and the conservation and development of fisheries on the high seas.

Article 10

For the purposes of the present Treaty, nationals of the Republic of China shall be deemed to include all the inhabitants and former inhabitants of Taiwan (Formosa) and Penghu (the Pescadores) and their descendents who are of the Chinese nationality in accordance with the laws and regulations which have been or may hereafter be enforced by the Republic of China in Taiwan (Formosa) and Penghu (the Pescadores); and juridical persons of the Republic of China shall be deemed to include all those registered under the laws and regulations which have been or may hereafter be enforced by the Republic of China in Taiwan (Formosa) and Penghu (the Pescadores).

Article 11

Unless otherwise provided for in the present Treaty and the documents supplementary thereto, any problem arising between the Republic of China and Japan as a result of the existence of a state of war shall be settled in accordance with the relevant provisions of

the San Francisco Treaty.

Article 12

Any dispute that may arise out of the interpretation or application of the present Treaty shall be settled by negotiation or other pacific means.

Article 13

The present Treaty shall be ratified and the instruments of ratification shall be exchanged at Taipei as soon as possible. The present Treaty shall enter into force as from the date on which such instruments of ratification are exchanged.

Article 14

The present Treaty shall be in the Chinese, Japanese, and English languages. In case of any divergence of interpretation, the English text shall prevail.

In witness whereof the respective Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

Done in duplicate at Taipei, this Twenty Eighth day of the Fourth month of the Forty First year of the REPUBLIC OF CHINA, corresponding to the Twenty Eighth day of the Fourth month of the Twenty Seventh year of SHOWA of Japan and to the Twenty Eighth day of April in the year One Thousand Nine Hundred and Fifty Two.

YEH KUNG-CHAO, [L.S.]
*Minister of Foreign Affairs and
Plenipotentiary of the Republic of China*

ISAO KAWADA, [L.S.]
*Minister of Foreign Affairs and
Plenipotentiary of Japan*