

The ‘enemy state’ clause and the continuation of the Japan-China row

On 22nd September, in her speech at the United Nations General Assembly (UN GA) the Japanese Prime Minister Sanae Takaichi - as the first Japanese leader since 2005 - urged the removal of the ‘enemy state’ clause from the UN Charter.ⁱ The provision was included in the UN's founding document to denote nations that fought against the Charter's original signatories during World War II, specifically targeting Axis powers such as Germany, Italy and Japan. Although over eight decades have passed since the end of the conflict and the ‘enemy states’ are well-functioning democracies, the clause remains in its original form. Moreover, in 1995 the UN GA adopted a resolution stipulating it had ‘become obsolete’ and called for its erasure from the Charter.ⁱⁱ

Notwithstanding the extremely low probability of the clause being removed, among others, due to the convoluted nature of UN decision-making, it is crucial not to disregard Takaichi's words as they fit into a broader domestic and international picture. Japan has long sought to reestablish its international position as a ‘normal’ state. This statement from Sanae Takaichi should not be unexpected, given her conservative views and approach to security reforms, to which she owes her strong public support. At the same time Tokyo wants to be capable of conducting activity like any other sovereign state, which is closely connected with the easing of the post-war pacifist restraints stemming from the Article 9 of the Japanese 1947 Constitution. With its aspiration of a more important role within the UN system, Japan equally does not want to be associated with any wartime labels and most likely links the removal of the ‘enemy state’ to the other countries’ political recognition of its belonging to the international community and status of a ‘peace-loving nation’.

Japan was not the only country, however, to touch upon the issue of the provision during the UN GA session. In the days following Takaichi's statement, China emphasised that it provided institutional safeguards for defending the post-war international order, claiming its relevance for the contemporary world, while North Korea insisted that the denomination still applied to Japan today.ⁱⁱⁱ North Korean rhetoric should not come as a surprise since Pyongyang's stance towards Japan, the Republic of Korea and the US has become extremely hostile in recent years. As for China, it is worth mentioning that in 1995 Beijing supported the aforementioned UN GA resolution (what has been pinpointed by Tokyo). Nonetheless, in 2026, China's position and the regional dynamics are completely different from what they were back then.

Beginning in 2025, Sino-Japanese relations dropped to a low point unseen since 2010. The tensions go back to Takaichi's statement from 7th November 2025 during a parliamentary session that China's use of force against Taiwan could constitute a 'survival-threatening situation' for Japan, which could then send the Japanese Self-Defence Forces and engage militarily in the contingency.^{iv} Her words triggered anger in Beijing, which unleashed a wave of countermeasures against Tokyo in a bid to compel the Japanese prime minister to retract her remarks. China's retaliation included economic actions such as a ban on imports of Japanese seafood products or a restriction on export of rare earths to Japan, military pressure in the form of live-fire drills and incursions of China Coast Guard vessels into the territorial waters of the Senkaku/Diaoyu Islands (Tokyo also reported two incidents of Chinese fighters locking radars on Japanese aircraft) and a global diplomatic and rhetorical campaign.

This, in turn, has been largely focused on the criticism of Japanese 'reckless militarism'. In recent years, as a response to the deterioration of its security environment, Japan has been dynamically modernising and expanding its military capabilities. Beijing eyes this build-up unfavourably as it challenges its interests and quest for power in the Indo-Pacific. Simultaneously, however, it gives China ammunition to push its narrative about the threat of revived Japanese militarism to justify its own actions (Japan has been countering Chinese narrative, underlining it is Beijing that is pursuing a path of militarisation, ramping up its defence expenditure and military capabilities without sufficient transparency^v). While Beijing aims to disseminate this rhetoric on the international stage, it also targets the domestic audience in China to stoke national sentiment and strengthen unity, channelling the attention away from internal challenges.

It is against this backdrop that China's opposition to the removal of the 'enemy state' clause should be regarded. It serves as a tool to constrain Tokyo, and has been even directly used to legitimise Chinese coercion. Back in November 2025, Chinese Embassy in Japan published a post on X saying that, according to the UN Charter, the provision permits the founding members of the UN, including China, to use force against the enemy states if they return to the aggressive policy, even without the authorisation of the UN Security Council.^{vi} The deletion of the provision would affirm Tokyo's status of a 'normal' state while China would be deprived of a useful diplomatic weapon.

Although Tokyo and Beijing seem to be seeking more stability, for instance with the first since last year conversation between their foreign ministers held in July 2026, the bilateral relations are

unlikely to return to the *status quo ante* in the foreseeable future. Both states will probably push ahead with their hardline stances to reinforce domestic support.

ⁱ Yuta Ogi, “Takaichi’s call to delete ‘enemy states clause’ adds fuel to fire”, *Asahi Shimbun*, September 28, 2026, <https://www.asahi.com/ajw/articles/16920669> (October 7, 2026).

ⁱⁱ UN General Assembly, Resolution 50/52, Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, A/RES/50/52 (December 15, 1995), <https://docs.un.org/en/A/RES/50/52> (October 7, 2026).

ⁱⁱⁱ Nippon, “Japan Confronts China, N. Korea at U.N. over Enemy State Clauses”, *Nippon*, September 29, 2026, <https://www.nippon.com/en/news/yjj2026092900232/japan-confronts-china-n-korea-at-u-n-over-enemy-state-clauses.html> (October 7, 2026).

^{iv} Mainichi Shimbun, “Japan PM Takaichi's blunt remarks on Taiwan just latest in long string of controversies”, *Mainichi Shimbun*, December 9, 2025, <https://mainichi.jp/english/articles/20251209/p2a/00m/0na/008000c> (October 7, 2026).

^v Tessa Wong, “Japan defence minister denies militarism and criticises China's 'huge arsenal'”, *BBC*, May 31, 2026, <https://www.bbc.com/news/articles/cp8p4ejy8ppo> (October 7, 2026).

^{vi} Zhang Han, “Chinese Embassy in Japan cites UN Charter ‘enemy state clauses’ amid ongoing row due to Takaichi’s erroneous remarks”, *Global Times*, November 21, 2025, <https://www.globaltimes.cn/page/202511/1348768.shtml> (October 7, 2026).