



● Statements

Statement on the South China Sea

2015/07/07

No.001

With regard to the South China Sea, which has been in the international spotlight of late, the Ministry of Foreign Affairs of the Republic of China (Taiwan) reiterates its position as follows:

1. Whether from the perspectives of history, geography, or international law, the Nansha (Spratly) Islands, Shisha (Paracel) Islands, Chungsha Islands (Macclesfield Bank) , and Tungsha (Pratas) Islands, as well as their surrounding waters, are an inherent part of ROC territory and waters. As the ROC enjoys all rights to these island groups and their surrounding waters in accordance with international law, the ROC government does not recognize any claim to sovereignty over, or occupation of, these areas by other countries, irrespective of the reasons put forward or methods used for such claim or occupation.

2. The South China Sea islands were first discovered, named, and used, as well as incorporated into national territory by the Chinese. In 1938 and 1939, Japan illegally occupied the Tungsha (Pratas) , Shisha (Paracel) , and Nansha (Spratly) Islands. On March 30, 1939, Japan integrated what it called “Shinnan Gunto” (comprising some of the Nansha (Spratly) Islands) into Takao Prefecture (today known as Kaohsiung City) through Announcement No. 122 of the Taiwan Governor-General’s Office. In 1946,

following World War II, the ROC government reclaimed the Tungsha (Pratas) , Shisha (Paracel) , and Nansha (Spratly) Islands, erecting stone markers on major islands and garrisoning some. In December 1947 it issued the revised names of the South China Sea islands and the Location Map of the South China Sea Islands, which delineate the scope of ROC territory and waters in the region. Furthermore, the San Francisco Peace Treaty, which entered into effect on April 28, 1952, as well as the Treaty of Peace between the ROC and Japan which was signed that same day, together with other international legal instruments, reconfirmed that the islands and reefs in the South China Sea occupied by Japan should be returned to the ROC. In the several decades since, the fact that the ROC owns and exercises effective control over these islands has been recognized by foreign governments and international organizations

3. Taiping Island (Itu Aba) , the largest (0.5 square km) of the naturally formed Nansha (Spratly) Islands, has been garrisoned by ROC troops since 1956. In the same year, the ROC government established the Defense Zone of the Nansha (Spratly) Islands on Taiping Island (Itu Aba) . In February 1990, by executive decree, the Executive Yuan (Cabinet) of the ROC put Taiping Island (Itu Aba) under the administrative jurisdiction of Qijin District of Kaohsiung City. For the past six decades, ROC military and civilian personnel have dwelled on Taiping Island (Itu Aba) , conducting their respective missions while making use of and developing its natural resources. Taiping Island (Itu Aba) has groundwater wells, natural vegetation, and phosphate ore and fishery resources. Moreover, personnel stationed on the island cultivate vegetables and fruit and rear livestock. In 1959, personnel built the Guan Yin Temple, dedicated to the Bodhisattva of Compassion. From legal, economic, and geographic perspectives, Taiping Island (Itu Aba) indisputably qualifies as an “island” according to the specifications of Article 121 of the United Nations Convention on the Law of the Sea (UNCLOS) , and can sustain

human habitation and economic life of its own; it is thus categorically not a “rock”. The ROC government will firmly defend this fact. Any claims by other countries which aim to deny this fact will not impair the legal status of Taiping Island (Itu Aba) and its maritime rights based on UNCLOS.

4. Since 2008, the ROC government has actively promoted peaceful utilization of the South China Sea, garnering significant results. Major ROC contributions to regional peace and stability include the following:

In July 2010, the Ministry of the Interior (MOI) formally established the Tungsha (Pratas) Atoll National Park Management Station, which will implement the Tungsha (Pratas) Atoll International Marine Research Station Project, promoting Tungsha (Pratas) as a hub for international marine research.

In 2011, the Ministry of Economic Affairs (MOEA) mapped mining areas around the Tungsha (Pratas) Islands and Taiping Island (Itu Aba), and completed preliminary geological and oceanic surveys.

Since 2011, the Ministry of National Defense (MND) and the Coast Guard Administration (CGA) have held study camps regarding the Nansha (Spratly) and Tungsha (Pratas) Islands to enhance awareness among young people of the importance of peacefully resolving regional disputes.

Since November 2013, the Ministry of Transportation and Communications (MOTC), MND, and CGA have jointly carried out transportation infrastructure work on Taiping Island (Itu Aba).

In December 2013, the MOTC completed a communications network on Taiping Island (Itu Aba), facilitating normal and emergency communications for international humanitarian rescue operations.

In December 2014, the second phase of a photovoltaic system on Taiping Island (Itu Aba) came on line. Combined with the first phase completed in 2011, the system provides 16% of electricity supply and reduces carbon emissions by 128

metric tons annually, transforming Taiping Island (Itu Aba) into a low-carbon island.

5. The ROC was a founding member of the United Nations. Although the ROC lost its representation in 1971, its full name remains in Articles 23 and 110 of the Charter of the United Nations (UN Charter). The ROC has consistently adhered to the principles of peaceful settlement of international disputes and freedom of navigation and overflight as stipulated in the UN Charter and other relevant international law and regulations. In fact, the ROC has defended Taiping Island (Itu Aba) and other islands without ever getting into military conflict with other nations. Nor has the ROC interfered with other nations' freedom of navigation or overflight in the South China Sea.

6. The ROC government calls on countries bordering the South China Sea to respect the spirit and principles of the UN Charter and UNCLOS, and to exercise restraint, safeguard peace and stability in the South China Sea, and refrain from taking any unilateral action that might escalate tensions.

7. The ROC government will work to safeguard sovereignty, shelve disputes, pursue peace and reciprocity, and promote joint development. Based on consultations conducted on an equal footing, the ROC is willing to work with other parties concerned to jointly ensure peace and stability in the South China Sea, as well as conserve and develop resources in the region.

8. Any arrangement or agreement regarding Taiping Island (Itu Aba) or other islands in the South China Sea and their surrounding waters that is reached without ROC participation and consent shall have no legal effect on the ROC and shall not be recognized by the ROC government. (E)

