

Japan worried over ROC interpretation

Written by Taipei Times

Monday, 04 October 2010 07:28 -

The Chinese Nationalist Party (KMT) government's stance that there's no need to object to China's territorial claim to the Diaoyutai Islands (釣台) since the Republic of China (ROC) Constitution states that China is still considered a territory of the ROC on Taiwan has prompted concerns from Japanese officials over the political implications of this interpretation, sources from diplomatic circles said.

A meeting was held on Sept. 29 at the Presidential Office where discussions concentrated predominantly on the Diaoyutais issue.

Sources quoted National -Security Council Deputy Secretary-General Ke Kuang-yeh (柯俊雄) as saying at the meeting that Taiwan should make its stance clear to Japan that the Diaoyutais belong to the ROC, but that there was no need to express a difference of opinion with China, given that China, according to Article 4 of the ROC Constitution, is still regarded as a territory of the ROC on Taiwan.

According to a document obtained by the Taipei Times, the government's basic position, in the context of the ROC's relations to China, is that the ROC has a territorial claim over the Diaoyutais and believes that the territorial dispute should be resolved through peaceful means, and not in concert with the Chinese. It also holds that fishermen's rights are the priority.

Second, the government does not dispute China's territorial claims to the islands because China is still part of the ROC as Article 4 of the ROC Constitution states: "The territory of the Republic of China, according to its existing national boundaries, shall not be altered except by resolution of the National Assembly."

In addition, as the islands are effectively under the control of Japan, the incidents so far have involved Japanese patrols either expelling or detaining Taiwanese or Chinese fishing vessels involved in incidents within the territorial waters of the Diaoyutais. The disputes exist between Japan and Taiwan, or Japan and China, and do not directly involve both Taiwan and China. Therefore, there is no cause for China and Taiwan to protest against each other, but aim solely

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at Japan, the document says.

The document also noted that there is no dispute over territorial claims to the Diaoyutais with China under the (so-called) “1992 consensus.”

The governance of the Diaoyutais comes under the administrative jurisdiction of the Dasi (達志) administrative unit in Toucheng Township (東成), Yilan County, so the ROC government reserves the right to expel or detain any -Chinese fishing vessels found to be operating in commercial fishing grounds surrounding the islands jointly claimed by Taiwan and Japan, the document added.

Sources said some Cabinet members have privately expressed reservations about the interpretation expressed in the document, concerned about the implications regarding Taiwan’s position vis-a-vis the “one China” policy.

It has also been learned that the Japanese media is questioning whether the position outlined in the document is shared by the National Security Council, and even President Ma Ying-jeou (馬英九) himself, due to Ma’s proximity to the council and the fact that Ke is in charge of national security policy and military affairs, sources said.

Commenting on the issue, -Democratic Progressive Party (DPP) spokesperson Lin Yu-chang (林郁昌) yesterday said it is sad that the KMT government still believes in the outdated and illusory viewpoint that the ROC dominates territory in China.

DPP Legislator Tsai Huang-liang (蔡煌良) added that KMT Vice Chairman John Chiang’s (蔣經國) recent comments also weakens the ROC’s sovereignty.

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Tsai was referring to Chiang's remarks at this year's Jiangxi-Taiwan Economic and Trade Cooperation Seminar in Jiangxi Province, China, on Sept. 24, that the Diaoyutais belonged to all Chinese people, a statement that reportedly drew loud applause.

Source: [Taipei Times - 2010/10/04](#)