

「落實東海和平倡議—創新作為探討」國際研討會

撰寫單位：中華民國高等政策研究協會

中華民國103年11月11日

**International Conference on
Implementation of East China Sea Peace Initiative-
Search for New Approach**

「落實東海和平倡議-創新作為探討」國際研討會

**Organizer: Chinese Council of Advanced Policy Studies
中華民國高等政策研究協會**

Date: November 6, 2014

Venue: East Gate (B1), Shangri-La's Far Eastern Plaza Hotel, Taipei
香格里拉台北遠東國際大飯店怡東園(B1)

8:30-9:00	Registration 報到
9:00-9:10	Official Opening 開幕
第一場次 Session I 9:10-10:40	落實東海和平倡議：臺灣視角/Implementation of East China Sea Peace Initiative: Perspective from Taiwan 主持人/Moderator: 鄭文華（對外關係協會副會長） Louis W.H. Tzen（Vice Chairman, Association of Foreign Relations） 論文發表人/Paper Presenters: -邱文彥（立法委員、國立臺灣海洋大學教授） Wen-Yan Chiau（Legislator, Legislative Yuan. Professor, National Taiwan Ocean University） -楊念祖（中華民國高等政策研究協會秘書長） Andrew Nien-Dzu Yang（Secretary General, Chinese Council of Advanced Policy Studies） -姚洲典（海洋巡防總局海務局組長） Jack Yao（Director, Marine Division, Maritime Patrol, Coast Guard Administration） 評論人/Discussant: -Carlyle A. Thayer（Emeritus Professor, The University of New South Wales at the Australian Defence Force Academy, Canberra）
10:40-10:50	Break 中場休息
第二場次 Session II 10:50-12:10	落實東海和平倡議：聲索國視角/Implementation of East China Sea Peace Initiative: Perspective from Claimants 主持人/Moderator： 左教授正東（遠景基金會執行長） Chen-Dong Tso（President, Prospect Foundation） 論文發表人/Paper Presenters: - Bonji Ohara（Research Fellow and Project Manager, The Tokyo Foundation） - Taeho Kim（Professor of International Relations, Director, Center for Contemporary China Studies and Hallym Institute for Taiwan Studies, Hallym University, Korea） 評論人/Discussant: 林正義（中央研究院歐美所研究員） Lin, Cheng-Yi（Researcher, Academia Sinica）

12:10-13:30	Luncheon: 午餐-/Keynote Speaker: 專題演講: 高振群 (外交部政務次長) Andrew J.C. Kao (Deputy Minister, MOFA)
第三場次 Session III 13:30-14:50	落實東海和平倡議：周邊國家視角/Implementation of East China Sea Peace Initiative: Perspective from Non-Claimant States 主持人/Moderator: 楊念祖 (中華民國高等政策研究協會秘書長) Andrew Nien-Dzu Yang (Secretary General, Chinese Council of Advanced Policy Studies) 論文發表人/Paper Presenters: - Jean-Pierre Cabestan (Head of Dept., Faculty of Social Science, H.K. Baptist University) - Prashant Kumar Singh (Associate Fellow, Institute for Defence Studies and Analyses, India) 評論人/Discussant: 宋燕輝 (中央研究院歐美所研究員) Song, Yann-Huei (Researcher, Academia Sinica)
14:50-15:00	Break 中場休息
第四場次 Session IV 15:00-16:20	議題：圓桌論壇 (Round Table Discussion) 主持人/Moderator: 楊念祖 (中華民國高等政策研究協會秘書長) Andrew Nien-Dzu Yang (Secretary General, Chinese Council of Advanced Policy Studies) 與談人/Panelists: -Carlyle A. Thayer (Emeritus Professor, The University of New South Wales at the Australian Defence Force Academy, Canberra) -Bonji Ohara (Research Fellow and Project Manager, The Tokyo Foundation) -Taeho Kim (Professor of International Relations, Director, Center for Contemporary China Studies and Hallym Institute for Taiwan Studies, Hallym University, Korea) - Prashant Kumar Singh (Associate Fellow, Institute for Defence Studies and Analyses, India) -Jean-Pierre Cabestan (Head of Dept., Faculty of Social Science, H.K. Baptist University)
16:20-16:30	Closing Remarks 閉幕式

Conference Rules:

Moderator: 3 minutes

Presenter: 15-20 minutes

Discussant: 15 minutes

「落實東海和平倡議－創新作為探討」國際研討會 成果報告

撰寫單位：中華民國高等政策研究協會

民國 103 年 11 月 11 日

壹、目的

中華民國高等政策研究協會(CAPS)，蒙我國外交部與行政院海洋巡防署等單位協助，於民國 103 年 11 月 6 日假台北市遠東香格里拉飯店怡東園，舉辦落實東海和平倡議－創新作為探討(Implementation of East China Sea Peace Initiative-Search for New Approach)國際研討會。

舉辦此次國際研討會之目的，在於呼應總統馬英九先生於 2014 年 8 月 5 日出席「2014 東海和平論壇」時強調以具體作為，落實中華民國所提出之「東海和平倡議」，賡續辦理本次會議，並邀請國內外著名學者專家與會討論，並提出具體建言，以落實馬總統的「和平與合作之海」主張。

貳、經過

本次國際研討會，經主辦單位高等政策研究協會規劃，分為四個子體與四個場次，邀請國內著名學者專家如：立法委員邱文彥博士，海巡署科長姚洲典，林正義博士，宋燕輝博士，以及日本，韓國，印度，澳洲，香港等著名國外學者專家提出專題報告與評論。會議並邀請國內學者專家，政府各單位相關官員，以及美國、澳洲、加拿大、日本、韓國、俄羅斯、歐盟、越南、新加坡等駐台代表處官員共約 90 人與會參與研討。有關本次會議之經過，請參考附件會議手冊，

論文資料與活動影像。

參、成果

本次國際研討會之重要成果，詳述如次：

- 一、 受邀國外學者專家及駐台外國辦事處官員，均高度肯定馬總統推動「東海和平倡議」。除已獲我—日本漁業協定，我—菲律賓洽簽漁業協定等具體成果外，也是唯一一個西太平洋地區「和平倡議」，對於東海當前的緊張情勢，不僅具有降溫作用，對於衝突各國亦具有提醒與示範效應，因而獲得國際社會高度肯定。
- 二、 會議中，國外學者建議，我國政府單位，應善用參加國際多邊組織與多邊區域組織，如 APEC, ADB, WTO 等機會，俟機在多邊組織會議中，提出我國針對提升與促進東海和平的新思維與新作為，藉此提醒各國與會政府官員，在擬定外交政策時，提出相應之政策與作為，創造多邊區域合作之契機，強化形塑東海和平促進機制的建構。
- 三、 會議中與會學者專家亦提出，東海週邊未來將面臨嚴峻非傳統安全挑戰，如：海上意外，海岸煉油廠與天然氣接收站的危安因應作為，東海週邊與日俱增的核電廠危安因應機制等，這些顯而易見的非傳統安全挑戰，至今並未受到週邊各國的警覺與重視，應及早透過相關智庫與非政府組織，推動建立一軌半或二軌區域多邊架構與機制，整合相關專業與資訊，推動各國國內共識，影響各國政府決策，建立有效多邊機制，以為前瞻預防與危機因應。

- 四、關於第三項具體建議之提出，立即獲得在現場之加拿大駐台辦事處官員熱烈支持與回應，並表明 11 月 7 日該處正接待一名來訪之加拿大專家，具有推動凝聚民間共識支持公共政策之專業經驗，經主辦單位推薦，由聖約翰科技大學兼任助理教授林穎佑與該加拿大專家會晤，以獲相關資訊及經驗後報。
- 五、日本、澳洲、韓國出席會議之學者、專家，於其本國均為著名影響人士，主動提議我方可與渠等服務之智庫、大學合作，舉辦跨國性東海和平論壇，不僅創造機會影響該國輿論、媒體與政府相關單位，並可推動東海週邊跨國民意形塑，支持東海和平倡議具體作為，此一建議頗具建設性，俟可列入考慮，以為未來舉辦「東海和平論壇」之規劃方向。



Jean-Pierre Cabestan 高敬文 is Professor and Head, Department of Government and International Studies, Hong Kong Baptist University. He is also Director General of the European Union Academic Programme in Hong Kong as well as associate researcher at the Asia Centre, Paris and at the French Centre for Research on Contemporary China in Hong Kong. Before August 2007, he was Senior Researcher at the French National Centre for Scientific Research (Centre national de la recherche scientifique) and was attached to Institute of Comparative Law of the University of Paris 1. From 1998 to 2003, he was Director of the French Centre for Research on Contemporary China (Centre d'études français sur la Chine contemporaine, CEFC) in Hong Kong and chief editor of *Perspectives chinoises* and *China Perspectives*. From 1994 to 1998, he was director of the Taipei Office of the CEFC. In 1990-1991, he was lecturer at the Politics Department of the School of Oriental and African Studies. His most recent publications include *La politique internationale de la Chine. Entre intégration et volonté de puissance*, Paris, Presses de Sciences Po, 2010; *China and the Global Financial Crisis. A Comparison with Europe*, New York, Routledge, 2012 (co-edited with Jean-François Di Meglio & Xavier Richet) and *Secessionism and Separatism in Europe and Asia. To have a state of one's own* (co-edited with Aleksandar Pavkovic), Routledge, Oxon & New York, 2013; *Le système politique chinois. Un nouvel équilibre autoritaire* (The Chinese Political System. A New Authoritarian Equilibrium), Paris, Presses de Sciences Po, 2014 and *Political Changes in Taiwan Under Ma Ying-jeou. Partisan Conflict, Policy Choices, External Constraints and Security Challenges*. (co-edited with Jacques deLisle), Abingdon, Oxon & New York, Routledge, 2014. He has also published numerous articles and contributions in English on China's political system and reform, Chinese law, the relations across the Taiwan Strait and Taiwanese politics. He received his Ph.D. from the University of Paris 1 (Panthéon-Sorbonne).



Wen-Yan Chiau 邱文彦

E-Mail : chiau0717@gmail.com

Wen-Yan Chiau is a Legislator (member of the Parliament) of the Republic of China, Taiwan. He is also a Professor and the former Director in the Institute of Marine Affairs and Resource Management at National Taiwan Ocean University in Keelung, Taiwan. After earning his B.S. (1976) and L.L.M. (1980) degrees in Taiwan, he was granted his M.A. (1989) and Ph.D. (1991) from the University of Pennsylvania, USA. Dr. Chiau's expertise is in the field of environmental planning and management, especially in the areas of city and regional planning, climate change, coastal zone management, wetland conservation, ecotourism, underwater heritage, oceans policy and environmental law. During his 30 years as a planner and conservationist, he has served as both project manager and principal advisor on a wide range of projects related to the marine environment. In addition to giving lectures, conducting research projects and advising graduate students, he actively participates in related governmental affairs and serves as a member of various governmental ad hoc committees. On the basis of the results of Dr. Chiau's research projects, for example, the government of Taiwan promulgated a strict permit system and the "Management Regulations on Reclamation in the Tidal Flats" in 1996.

Following his recommendation and coordination, some 5 restoration projects were initiated in the coastal areas during the past several years. A total of 82 wetlands in Taiwan have been designated as the "wetlands of national importance" in late 2007. In addition, the Wetlands Conservation Act was passed in 2013. From August 2008 to January 2012, he was the Deputy Minister of the Environmental Protection Administration (EPA). Dr. Chiau was the person who drafted the Environmental Education Act and the law was passed in 2010 by the Legislative Yuan (Parliament). In addition to drafting the "Enforcement Regulations of the Coastal Zone Management Act", Dr. Chiau was the chief advisor on the "Integrated Coastal Zone Management Plan of Taiwan" and the "Integrated Program for Sustainable Coastal Development" for the Ministry of Interior. Both in 1995 and 2001, he was honored with the "Canadian Studies Award" by the Canadian Trade Office in Taipei (i.e., Canadian Embassy) for the studies on coastal zone management and marine protected areas in Canada. During the past several years, he was a member of the Wildlife Conservation Commission of the Council of Agriculture, the highest-level agency formulating conservation policies in Taiwan. He was a reviewer of the "National Biodiversity Report" and vice coordinator of the ad hoc "Commission on National Oceans Policy." Dr. Chiau served as an advisor for the "Advisory Commission on National Land Conservation and Development to the Presidential Hall" and the Vice CEO of "National Council on Sustainable Development of the Executive Yuan (Cabinet)". He was the council member of the "National Council for Marine Affairs Advancement" of the Executive Yuan as well as the member of the "Commission on Marine Education" of the Ministry of Education. Dr. Chiau has been the key person in many NGOs in Taiwan. For instance, he was the former president of Wetlands Taiwan, Chairman of Taiwan Marine Pollution Control Association and CEO of the Foundation of Ocean Taiwan. Having continually played an active role in international matters concerning the marine environment, he organized many important international and domestic conferences over the last 10 years. Dr. Chiau was one of the representatives of the Chinese Taipei Delegation in the APEC Working Group Meeting on Marine Resource Conservation since 1994. He was the editor-in-chief of APEC Bulletin on Marine Resource Conservation and Fisheries. It serves as a common journal for "Marine Resource Conservation Working Group" and "Fisheries Working Group" of APEC. He is now an editor of the international Journal entitled "Ocean and Coastal Management".

Education :

Ph.D. and M.S., University of Pennsylvania, USA (1984-1991)

Expertise :

City and regional planning, climate change, coastal zone management, wetlandconservation, ecotourism, underwater heritage, oceans policy and environmental law.



Taeho Kim 金泰虎 is Professor in the Department of International Studies, Director of Hallym Institute for Taiwan Studies (HITS; 翰林臺灣研究所) and the Center for Contemporary China Studies (CCCS; 現代中國研究所) as well as a former vice president for academic affairs, all at Hallym University of Graduate Studies, Hallym University. He is also a senior research fellow at the Korea Institute for Maritime Strategy (KIMS; 韓國海洋戰略研究所), a policy advisor to the ROK MND, Navy, and Veterans' Association, and president-elect in 2015 of the Korea Association for Contemporary China Studies (現代中國學會). Before joining Hallym (翰林大學) in 2003, Dr. Kim served at the Korea Institute for Defense Analyses (KIDA; 韓國國防研究院) for nearly 14 years as a senior China analyst, Director of Research Cooperation, a co-editor of the SSCI-listed *The Korean Journal of Defense Analysis*, and editor of *The KIDA Papers*. Dr. Kim is the author and co-author of over 30 books, policy reports and monographs. Recent works include “Analyzing the New Party and Military Leadership Line-ups in China” (2013 in Korean), “China’s Anti-Access Strategy and Regional Contingencies: Implications for East Asian and Korean Security” (*KJDA*, 2012), “Security Challenges and the Changing Balance on the Korean Peninsula: The View from South Korea” (*KEI*, 2012), “Sino-ROK Relations at a Crossroads: From *Qitong cunyi* (求同存異) to *Yizhong qitong* (異中求同)” (*New Asia*, 2012), and “Taiwan’s Strategic Importance: A South Korean Perspective” (in Korean, forthcoming). Dr. Kim’s main research interests are Sino-Russian military cooperation, China’s arms acquisitions, PLA Navy’s combat systems and technologies, and Sino-North Korean relations.



Mr. Andrew Jen-Chuan Kao 高振群

Current Position : Deputy Foreign Minister (since July 15, 2014)

Education

- MCL, George Washington University (1989-1991)
- LL.B., Chinese Culture University (1970-1973)

Experience

- Deputy Representative, Taipei Economic and Cultural Representative Office in the U.S. (2013-2014)
- Director-General, Taipei Economic and Cultural Office in New York, U.S. (2009-2013)
- Director General, Department of Treaty and Legal Affairs, Ministry of Foreign Affairs (2007-2009)
- Representative, Taipei Economic and Cultural Center in India (2004-2007)
- Secretary-General, Coordination Council for North American Affairs (2001-2004)
- Director General, Taipei Economic and Cultural Office in Atlanta, Georgia, U.S.A. (1999-2001)
- Director, Taipei Economic and Cultural Office in Canada (1994-1999)
- Assistant Director-General, Ministry of Foreign Affairs (1993-1994)
- Section Chief, Department of International Organizations, Ministry of Foreign Affairs (1991-1993)



Cheng-yi Lin 林正義 is research fellow at the Institute of European and American Studies, Academia Sinica, Taiwan. He received his Ph.D in foreign affairs from the University of Virginia in 1987. He has conducted extensive studies on Sino-American relations and Taiwan's national security policy. His articles have been published in journals including *American Foreign Policy Interests*, *Asian Affairs*, *Asian Survey*, *China Quarterly*, *Issues & Studies*, *Journal of Northeast Asian Studies* and *Korean Journal of Defense Analysis*. He co-edited (with Michael Hsiao) *Rise of China: Beijing's Strategies and Implications for the Asia-Pacific* (Routledge, 2009), and (with Denny Roy) *The Future of United States, China, and Taiwan Relations* (Palgrave Macmillan, 2011). He was Director of the Institute of European and American Studies at Academia Sinica (1998-2003), Director of Institute of International Relations at National Chengchi University (2004-2005), and Executive Director of the Center for Asia-Pacific Area Studies at Academia Sinica (2009-2012).



Ohara, Bonji 小原凡司

Graduated from the National Defense Academy of Japan in 1985 and completed a master's program at the University of Tsukuba in 1998. Became the leading pilot of the 101st flight division, Maritime Self-Defense Force, in 1998. Enrolled in the General Course of the National Institute for Defense Studies in 2001. Stationed in China between 2003 and 2006 as a naval attaché. Became chief of the intelligence section, MSDF Maritime Staff Office, Ministry of Defense, in 2006; executive officer of the 21st Flight Squadron, MSDF, in 2008; and commanding officer of the squadron the following year. Joined NIDS as a research fellow in 2010. Worked at IHS Jane's from 2011 as an analyst and business development manager before assuming his present position in January 2013.



Prashant Kumar Singh is Associate Fellow at the Institute for Defence Studies and Analyses (IDSA), New Delhi, India. At the IDSA, he follows Chinese strategic affairs, India-China relations, and East Asian affairs with reference to India and China. He has special interest in state and society in Taiwan. His *Transforming India-Taiwan Relations: New Perspectives* can be credited as one of the pioneering works on India-Taiwan relations. He has got peer-reviewed articles to his credit.

He is a regular contributor to the IDSA website. He obtained his PhD and M.Phil. degrees in Chinese Studies at School of International Studies, Jawaharlal Nehru University, New Delhi. His PhD thesis was on Multilateralism and China's Security Concerns in Post Cold War Era: Shanghai Cooperation Organization and ASEAN Regional Forum. He wrote his M.Phil dissertation on Chinese Nationalism and China's Foreign Policy.

At present, he is based in Taipei as Taiwan Fellowship 2014 recipient and is attached with Institute of International Relations (IIR), NCCU, Taipei as visiting research fellow. He also received Republic of China's National Huayu Enrichment Scholarship, 2011-2012.

He received field trip grant from the ICSSR, New Delhi to conduct a field trip in Taiwan in 2013. He received financial support from India's Ministry of External Affairs to conduct a field-trip in China in 2011.

Select Publications

Book:

1. Prashant Kumar Singh (Ed.), "China Year Book 2013", (forthcoming)
2. Ali Ahmed, Jagannath P. Panda, and Prashant Kumar Singh (Ed.), "Towards A New Asian Order", 2012 Shipra Publications, New Delhi.

Monograph:

1. *Transforming India-Taiwan Relations: New Perspectives*, IDSA Monograph Series 35, New Delhi
2. Understanding the Evolution of China's Military Doctrine (forthcoming)

Refereed Journal Article:

1. Prashant Kumar Singh, "Rereading Mao's Military Thinking", *Strategic Analysis* (Routledge, ISSN 0970-0161), Volume 37, Issue 5, September-October 2013: pp.558-580.
2. Prashant Kumar Singh, "China's Military Diplomacy: Investigating its Participation in UN Peacekeeping", *Strategic Analysis* (Routledge, ISSN 0970-0161), Volume 35, Issue 5, September 2011: pp. 793-818.
3. Prashant Kumar Singh, "China – Bangladesh Relations: Acquiring a Life of Their Own", *China Report* (Sage ISSN: 0009-4455), Volume 46, No. 3, August 2010: pp. 267-283.

Book-Chapter:

1. Prashant Kumar Singh, "Cross-Strait Relations in 2013", in *China Year Book 2013* (ed. Naval Jagota), Institute for Defence Studies and Analysis (IDSA), New Delhi, (forthcoming)
2. Prashant Kumar Singh, "China across the Geographies in 2012", in Rukmani Gupta (ed.), *China Year Book*, Magnum Books Pvt. Ltd. (ISBN 978-93-82512-03-5), New Delhi: pp. 75-87.
3. Prashant Kumar Singh and Rumel Dahiya, "China: Managing India-China Relations", in *India's Neighbourhood Challenges in Next Two Decades* (ed. Rumel Dahiya and Ashok K. Behriya, 2012, Pentagon Security International (ISBN 978-81-8274-687-9), New Delhi: pp. 55-94.



Yann-huei Song
宋燕輝

Professor Dr. Yann-huei Song is currently a research fellow in the Institute of European and American Studies, Academia Sinica, Taipei, Taiwan, the Republic of China. He is also a joint professor in the Institute of Marine Affairs, College of Marine Sciences, National Sun Yat-Sen University in Taiwan.

Professor Song received his M.S. in Political Science from Indiana State University, Indiana; Ph.D. in International Relations from Kent State University, Ohio; L.L.M. and J.S.D. from the School of Law (Boalt Hall), University of California, Berkeley, the United States.

He has broad academic interests covering ocean law and policy studies, international fisheries law, international environmental law, maritime security, and maritime disputes in the East and South China Seas.

Professor Song is a member of the editorial boards of *Ocean Development and International Law* and *Chinese (Taiwan) Yearbook of International Law and Affairs*.



Carlyle A. Thayer is Emeritus Professor, The University of New South Wales (UNSW) at the Australian Defence Force Academy (ADFA), Canberra. Thayer was a student at Taipei American School from 1957-59. He studied political science at Brown and was awarded an M.A. in Southeast Asian Studies from Yale (1971) and a PhD in International Relations from The Australian National University (1977). Thayer joined UNSW in 1979 and taught first at The Royal Military College-Duntroon before transferring to the Defence Academy (1985-2010). He was head of the Department of Politics (1995-97), promoted to full Professor in 1998 and formally retired in 2010. Thayer was given “leave in the national interest” to take up a senior appointment at the U.S. Department of Defense’s Asia-Pacific Center for Security Studies in Hawaii (1999-2002). On return to Australia he was appointed Deakin University’s On-Site Coordinator for Australia’s senior Defence and Strategic Studies Course at the Centre for Defence and Strategic Studies, Australian Defence College (2002-2004). He then directed Regional Security Studies at the Australian Command and Staff College (2006-2007 and 2010). In 2005 he was honoured by appointment as the C. V. Starr Distinguished Visiting Professor of Southeast Asian Studies at the School of Advanced International Studies, John Hopkins University and in 2008 as the Inaugural Frances M. Stephen H. Fuller Distinguished Visiting Professor at the Center for International Studies, Ohio University. Thayer has also held attachments at Harvard University’s Center for International Affairs; Yale University’s Department of Political Science; Chulalongkorn University in Bangkok; Institute of Southeast Asian Studies in Singapore; the International Institute for Strategic Studies in London; and the ANU’s Department of Political and Social Change and also at the Strategic and Defence Studies Centre. Thayer is a Southeast Asia regional specialist with special expertise on Vietnam. He is the author of over 480 publications including *Southeast Asia: Patterns of Security Cooperation* (Canberra: Australian Strategic Policy Institute, 2012). He is currently Director of Thayer Consultancy, a small business registered in Australia that provides political analysis and research support on current regional security issues. Thayer also writes a weekly column on Southeast Asian defense and security affairs for the *The Diplomat*.



Chen-Dong Tso is professor in the Department of Political Science at National Taiwan University. In addition, he serves as President of the Prospect Foundation and Director of Taiwan Public Governance Research Center. Dr. Tso's research interest lies in the areas of East Asian Regionalism, industrial policy, and Southeast Asia. He holds a Ph.D. in international studies from Josef Korbel School of International Studies, University of Denver, Colorado, USA.

左正東博士簡歷

左正東博士畢業於美國丹佛大學科貝爾國際研究學院，現為台灣大學政治學系教授，並擔任遠景基金會執行長和台灣公共治理研究中心主任。左博士的研究領域為東亞區域主義、產業政策、和資訊社會，曾發表於中英文期刊十數篇論文。



鄭文華 Louis W.H. Tzen

Vice Chairman, Association of Foreign Relations

Educaiton:

MA in International Relations, University of Hawaii

BA in Political Science, National Taiwan University

Mr. Tzen is a retired Ambassador of the Republic of China (Taiwan). In his 40 years of diplomatic career, he was posted in various countries in Asia, Africa, Oceania, North America and Europe. In Taipei, the positions he held included Deputy Director of African Affairs Department (1984-1986), Director of Asia Pacific Affairs Department (1986-87) in the Ministry of Foreign Affairs, Deputy Secretary-General of National Security Council (1994-1996) and Vice Minister of Foreign Affairs (1996-1997). On overseas assignments, he served as ROC Representative to New Zealand (1978-1984), Indonesia (1987-1991), Deputy Representative to the US (1991-1994), and ROC Representative to the UK (1997-2002). He was the advisor and subsequently the foundation member of the National Policy Foundation (2002-2006). From 2009 to 2013 he served as the Chairman of the Cross-Strait Interflow Prospect Foundation in Taipei.



Andrew Nien-Dzu Yang 楊念祖

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Fields of Academic Expertise

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- Maritime Law Enforcement.

Publications:

- Applications of Datum Marker Buoy data to Search and Rescue of Person in Water (2014), Dissertation, National Ocean Taiwan University
- Maritime Law Enforcement Theory and Practice (2014), Taiwan Police College
- Maritime English (2012), Taiwan Police College

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落實東海和平倡議：台灣視角

Implementation of East China Sea Peace Initiative: Perspective from Taiwan



http://www.csmonitor.com/var/ezflow_site/storage/images/media/content/2012/0830-world-obriefing-chinajapandispute/13608028-1-eng-US/0830-world-obriefing-chinajapandispute_full_600.jpg

<http://www.solar-i.com/101n10.htm>

<http://www.solar-i.com/101n10.htm>

Wen-Yan CHIAU* (邱文彥), Chun Pei LIAO (廖君珮), Juan-Chun CHUAN (阮中權)



Japan's recent move to "nationalize" three of the islands rekindled the protest Diaoyutai movement, in an effort to safeguard the ROC's national territory. On September 13, 2012, the Coast Guard Administration launches vessels to patrol the area and protect Taiwan's fisheries. (Courtesy of the Coast Guard Administration)



(3) Japan secretly occupied the Diaoyutai Islands as it defeated Qing China in the First Sino-Japanese War.

In July 1894, the First Sino-Japanese War broke out. By October, Japan had gained decisive victories both on land and at sea. Recognizing the balance of power had shifted and believing that the time was right, its Cabinet secretly granted permission to Okinawa Prefecture on January 14, 1895, to establish a national marker on the Diaoyutai Islands.

The Cabinet's secret decision was not made public through the normal procedure of an imperial decree, and the outside world knew nothing about this so-called "discovery-occupation." Therefore, the decision was merely an internal matter expressing the government's intentions and, under international law, not legally binding on Qing China, let alone the Republic of China of today. In fact, the Japanese government did not follow up on its secret decision to occupy the Diaoyutai Islands with any concrete actions to support its claim, such as by setting up a national marker or stationing troops there. It was not until May 1969 that a national marker was erected by Okinawa Prefecture following the eruption of disputes over the islands. Three months after Japan secretly occupied the Diaoyutai Islands (on April 17, 1895), the Qing court signed the Treaty of Shimonoseki ceding Taiwan to Japan. The official handover took place on May 8, 1895, when Taiwan (including the Diaoyutai Islands) formally became Japanese territory. Therefore, under the principles of international law, Japan's claim to sovereignty over the Diaoyutai Islands by virtue of "discovery-occupation" was invalid *ab initio*, and its takeover should be considered "cession."

In 1971, the Japanese government claimed, "From 1885 on, surveys of the Senkaku Islands [the Diaoyutai Islands] had been repeatedly made by the Government of Japan through the agencies of Okinawa Prefecture and by way of other methods. Through these surveys, it was confirmed that the Senkaku Islands had been uninhabited and showed no trace of having been under the control of the Qing Dynasty of China." However, this statement is historically inaccurate and can be refuted based on official Meiji documents from 1885 to 1895. The first crucial piece of evidence is a letter dated January 27, 1892, written by Okinawa Governor Kanji Maruoka 丸岡寛則 to Navy Minister Saikunori Kabayama 樺山資紀, requesting that the Navy Ministry dispatch the Kaimon 海門艦 to survey the Diaoyutai Islands given that these islands were "not sufficiently investigated." However, the Navy Ministry declined the request due to "perilous seasonal weather." The second crucial evidence was the letter Okinawa Governor Shigeru Narahara 奈良原繁 wrote to the Home Minister on May 12, 1894, which stated, "... as no field surveys have been conducted since the investigation by the police of this prefecture in the 18th year of the Meiji Period (1885), it is difficult to provide any specific reports on them."

These historical documents not only serve to refute the statement by Japan's current government that "surveys of the Senkaku Islands had been thoroughly made,"

but also demonstrate that the Japanese government annexed the Diaoyutai Islands during the First Sino-Japanese War of 1894-1895.

(4) The Diaoyutai Islands should have been restored to the Republic of China along with Taiwan after the Second World War.

When Qing China was on the verge of losing the First Sino-Japanese War, Japan seized the opportunity to annex the Diaoyutai Islands, which appertain to Taiwan. In accordance with the Treaty of Shimonoseki, Taiwan was ceded to Japan. Article 2 of this instrument stipulated that Taiwan included "the island of Formosa (Taiwan), together with all the islands appertaining or belonging to the said island of Formosa." The Diaoyutai Islands, as a part of "the islands appertaining or belonging to the said island of Formosa," were ceded to Japan along with Taiwan. Therefore, the Treaty of Shimonoseki provided the only legal basis for the 50 years of Japanese rule over Taiwan, including the Diaoyutai Islands, starting in 1895.

On December 9 (Taipei Time), 1941, the day after the Japanese attack on Pearl Harbor, the Republic of China declared war against Japan, stating that "all treaties, conventions, agreements and contracts regarding relations between China and Japan are and remain null and void." On December 1, 1943, the Republic of China, the United States and the United Kingdom jointly promulgated the Cairo Declaration, which stipulated that the purpose of convening the Cairo meeting was to ensure that "all the territories Japan has stolen from the Chinese, such as Manchuria, Formosa, and the Pescadores (Penghu), shall be restored to the Republic of China. Japan will also be expelled from all other territories which she has taken by violence and greed." On July 26, 1945, Allied countries, namely, the Republic of China, the United States, the United Kingdom and the Soviet Union, issued the Potsdam Proclamation. Article 8 of which stated that "the terms of the Cairo Declaration shall be carried out." In the Japanese Instrument of Surrender signed on September 2, 1945, after the Japanese Emperor announced the country's unconditional surrender, Japan clearly accepted the Potsdam Declaration. That is, the Japanese Instrument of Surrender combined all three documents. In 1969, the US Department of State put the three documents in volume 3 of *Treaties and Other International Agreements of the United States of America, 1776-1949*. The Japanese Instrument of Surrender was also included in volume 59 of *The United States Statutes at Large* published in 1946, as well as volume 139 of *The United Nations Treaties Series* published in 1952. This document is, therefore, legally binding on Japan, the United States and the Republic of China. Moreover, both the 1951 San Francisco Peace Treaty and the 1952 Treaty of Peace between the Republic of China and Japan stipulate that "Japan has renounced all right, title and claim to Taiwan (Formosa) and Penghu (the Pescadores)." In addition, Article 4 of the 1952 Treaty of Peace between the Republic of China and Japan further indicates 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 10 of the Treaty also confirms that all the inhabitants and former inhabitants of Taiwan (Formosa) and Penghu (the Pescadores) and their descendants are nationals of the Republic of China. The Treaty's Exchange of Notes No. 1 confirms that the Treaty is applicable to ROC territory. Therefore the Diaoyutai Islands should have been restored to the Republic of China.

After disputes regarding sovereignty over the Diaoyutai Islands occurred in 1971, Japan claimed that "From the 28th year of the Meiji Period (1895) till now (1971), no objection from foreign powers had been made to Japan's use of these islands." Based on the historical circumstances, this claim is invalid. During the period between 1895 and 1945, not only the Diaoyutai Islands, but also the entire island of Taiwan, were subject to Japanese occupation, and were therefore part of Japan's territory. As such, no other country challenged Japan's use of either Taiwan or the Diaoyutai Islands.

(5) Japan cannot use the principle of prescription in international law to justify its occupation of the Diaoyutai islands.

After disputes regarding sovereignty over the Diaoyutai Islands occurred in 1971, Japan claimed that "From the 28th year of the Meiji Period (1895) till now (1971), no objection from foreign powers had been made to Japan's use of these islands." Based on the historical circumstances, this claim is invalid. During the period between 1895 and 1945, not only the Diaoyutai Islands, but also the entire island of Taiwan, were subject to Japanese occupation, and were therefore part of Japan's territory. As such, no other country challenged Japan's use of either Taiwan or the Diaoyutai Islands.



At the opening ceremony of the 2013 East China Sea Peace Forum on August 5, President Ma Ying-jeou reiterates that the ROC will continue to serve as a responsible stakeholder and peace facilitator so as to transform the East China Sea into a sea of peace and cooperation. (Courtesy of the Office of the President)

As for the transfer of administration rights over the Diaoyutai Islands and the Ryukyu Islands from the United States to Japan in 1972, the United States officially notified the Republic of China on May 26, 1971, stating that it would restore to Tokyo the administration rights it had acquired from Japan and that this would not jeopardize any of the ROC's sovereignty claims. The US Senate later clarified that the US stance on the sovereignty issue was neutral and that the transfer of the Diaoyutai Islands' administration rights would not affect the basic position of any of the claimants. Judging from related diplomatic documents, the United States adopted—and has since maintained—a neutral stance on the Diaoyutai Islands' sovereignty issue, which it believed should be resolved through bilateral negotiations between the Republic of China and Japan. Moreover, according to the Potsdam Proclamation, "Japanese sovereignty shall be limited to the islands of Honshu, Hokkaido, Kyushu, Shikoku and such minor islands as we [the Allies] determine." The United States regards the Potsdam Proclamation as a treaty, which was incorporated into the Japanese Instrument of Surrender and has binding power on the United States. Therefore, the United States does not have the right to unilaterally decide who possesses sovereignty rights over the Diaoyutai Islands.

The Republic of China Sovereignty Claims over the Diaoyutai Islands and the East China Sea Peace Initiative

III. Conclusion

The Diaoyutai Islands were discovered, named and used by the Chinese in the 15th century, and were integrated into the Chinese coastal defense system during the Ming dynasty in the middle of the 15th century. After the Qing dynasty came to power in the 17th century, the islands, along with Taiwan, were incorporated into Qing China, as they appertain to Taiwan, and placed under the jurisdiction of Taiwan Prefecture. Like Pengjia Islet, the Diaoyutai Islands are clearly an inherent part of the territory of the Republic of China.

In the late 19th century, driven by expansionism, Japan attempted to occupy the Diaoyutai Islands. Due to a lack of power, however, it initially did not attempt to do so. Following a period of 10 years, Japan took advantage of the First Sino-Japanese War to secretly occupy the Diaoyutai Islands. Today, Japan is not willing to return the islands to the Republic of China in accordance with the 1943 Cairo Declaration, the 1945 Potsdam Proclamation, Japan's Instrument of Surrender of 1945 and the 1952 Treaty of Peace between the Republic of China and Japan. Japan's actions have seriously affected the relations between the Republic of China and Japan, as well as regional security and stability.

Ever since disputes over the Diaoyutai Islands started to emerge in the late 1960s, the ROC government has staunchly upheld the policy of "safeguarding sovereignty, shelving disputes, pursuing peace and reciprocity, and promoting joint development." It has also expressed willingness to resolve disputes through peaceful means in line with the UN Charter and relevant international laws and to enter into negotiations with Japan so as to settle controversies and jointly explore and develop resources, with the aim of maintaining sovereignty, defending the rights of our fishermen and resolving disputes.

In September 2012, the Japanese government's move to "nationalize" three of the Diaoyutai Islands raised tension in the East China Sea. The Republic of China immediately lodged a protest and, in the spirit of the East China Sea Peace Initiative proposed by President Ma Ying-jeou on August 5 of the same year, called upon all parties concerned to (1) exercise restraint and refrain from taking any antagonistic actions; (2) settle controversies and not abandon dialogue; (3) observe international law and resolve disputes through peaceful means; (4) seek consensus on a Code of Conduct in the East China Sea; and (5) establish a mechanism for cooperation on exploring and developing resources in the East China Sea. Concrete steps include moving from "three sets of bilateral dialogue to one set of trilateral negotiation," "replacing confrontation with dialogue" and "shelving controversies in favor of consultations," so as to discuss the possibility of jointly exploring and developing resources in the East China Sea.

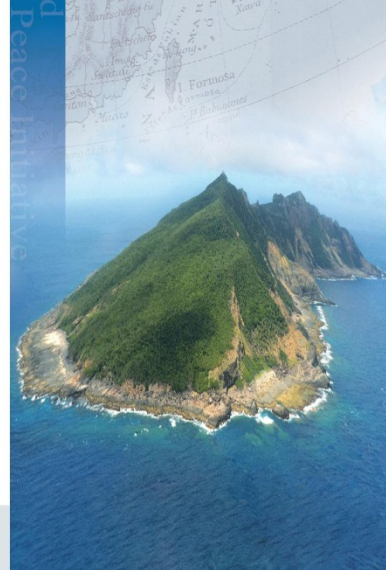
Since its announcement, the East China Sea Peace Initiative has received international recognition and affirmation. On April 10, 2013, the Republic of China and Japan formally signed the Taiwan-Japan Fisheries Agreement following the 17th round of bilateral fishery negotiations. This agreement, which embodies the spirit of the East China Sea Peace Initiative with regard to resolving disputes through peaceful means, successfully protects the rights and interests of ROC fishermen operating in the East China Sea.

The government of the Republic of China will continue to uphold its sovereignty over the Diaoyutai Islands and, in the spirit of the East China Sea Peace Initiative, seek peaceful and pragmatic solutions to disputes and endeavor to safeguard regional security.

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Diaoyutai Islands and the East China Sea Peace Initiative

The Republic of China's Sovereignty Claims over the Diaoyutai Islands and the East China Sea Peace Initiative



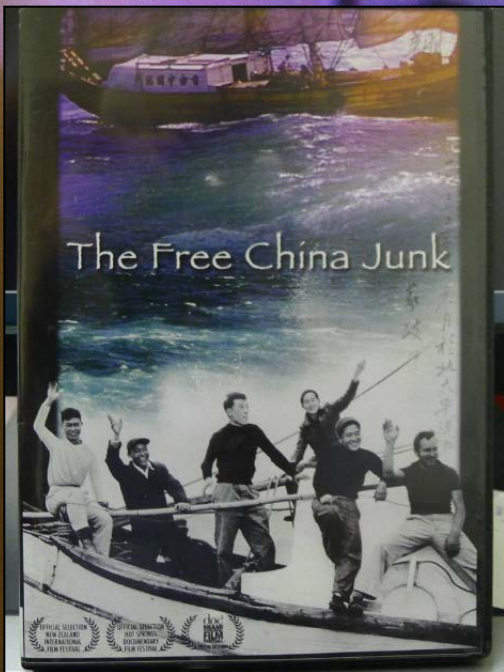
“Free China” junk returns home after 57 years

Posted on May 23, Taiwan Insights

<http://www.taiwaninsights.com/2012/05/23/free-china-junk-returns-home-after-57-years/>



自由中國號
“Free China” Junk
April 1955



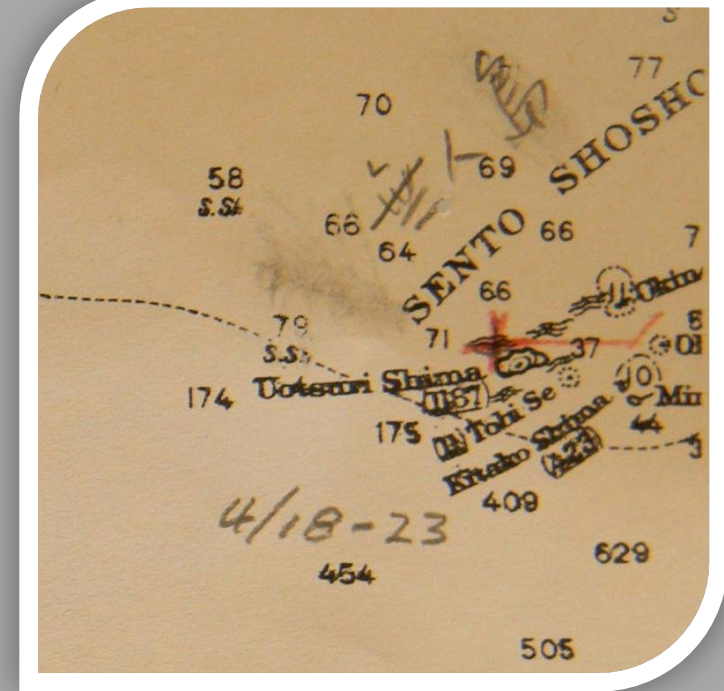
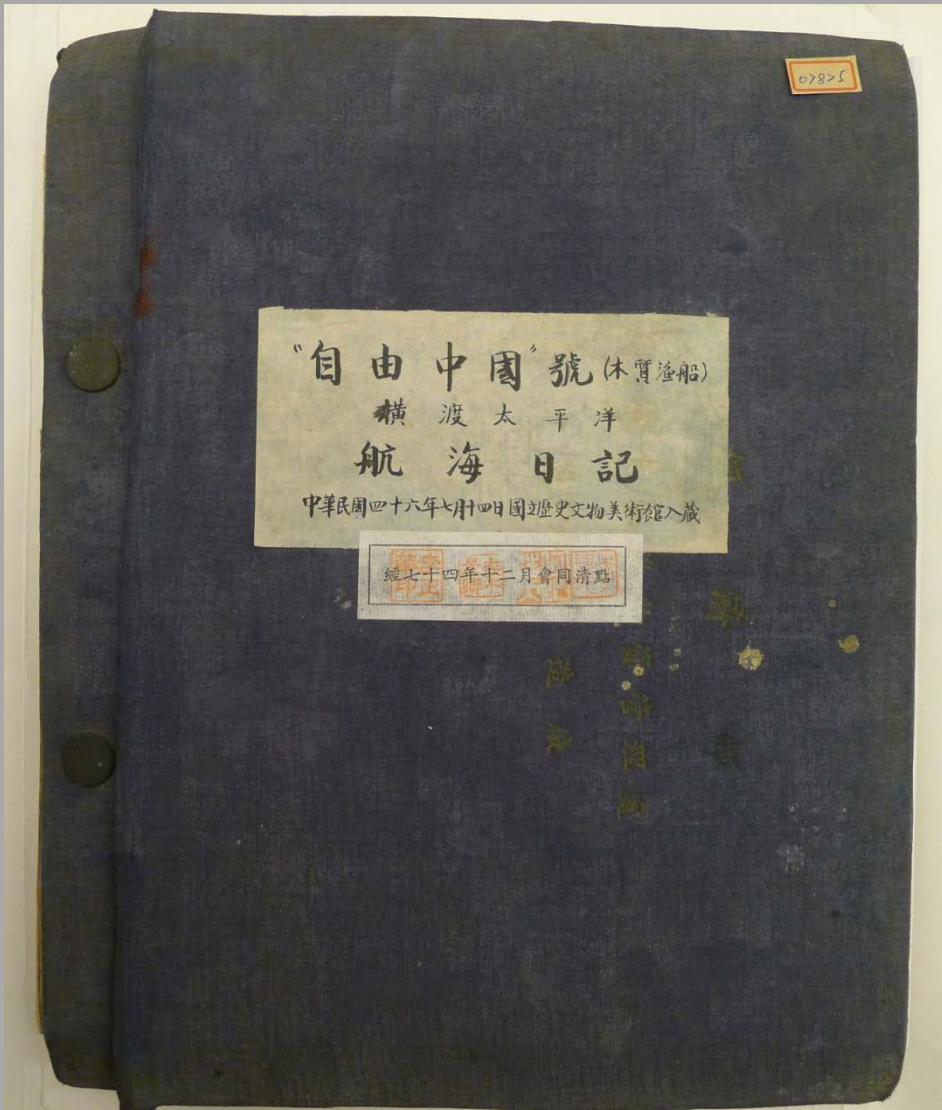
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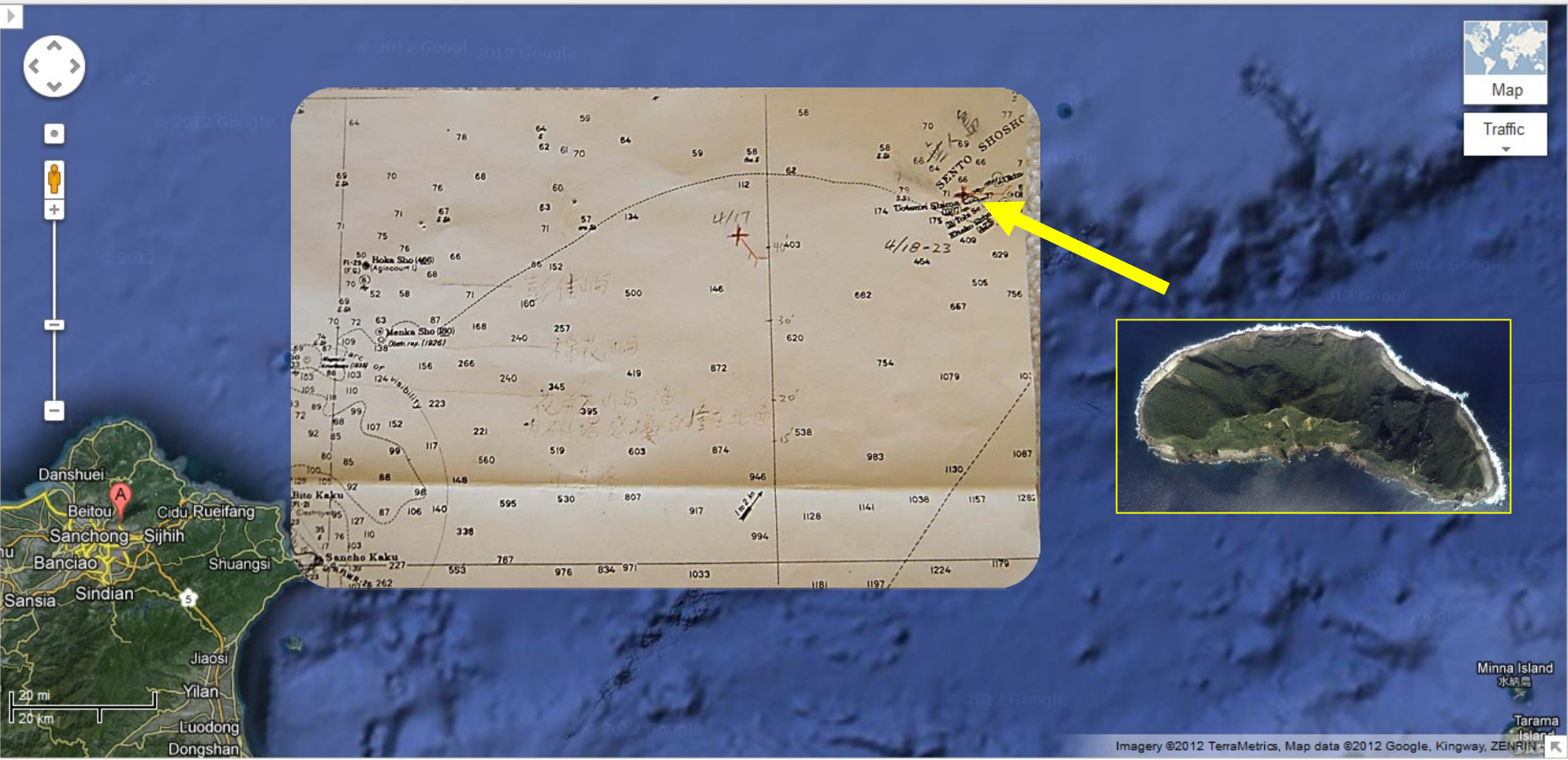
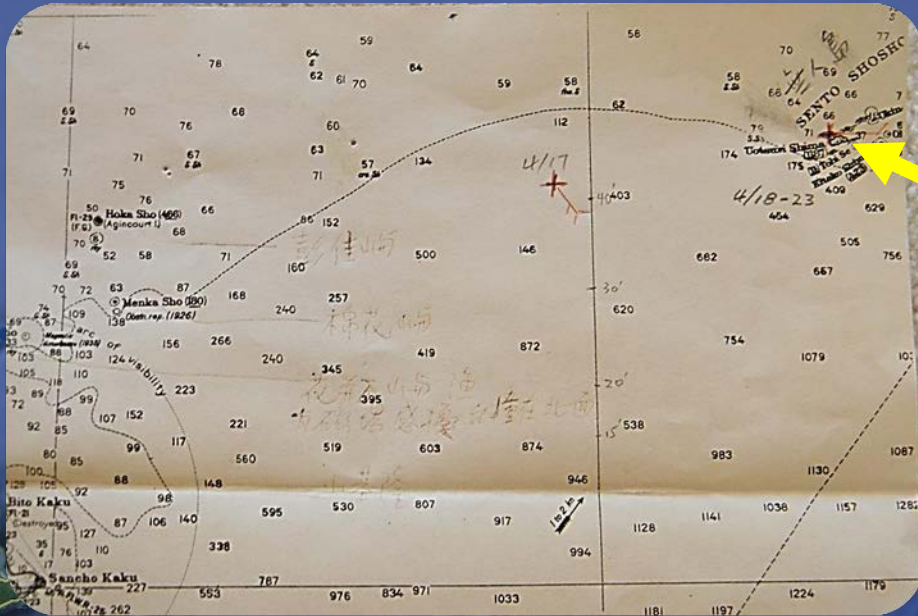
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Logbook and Charts



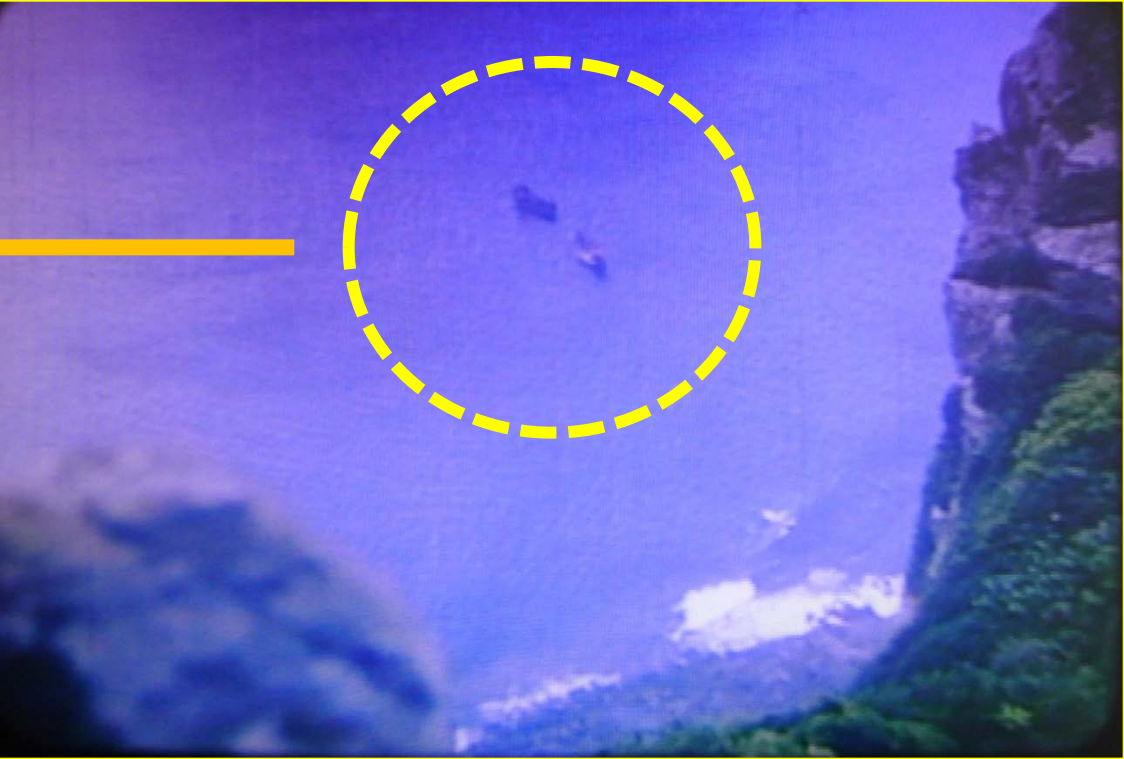
19 _____, CAPTAIN.

Temperature			Clouds Kovng From	Vis.	Sea Swell		REMARKS	Watch	P.A.M. Lat 25° 45' N Lo. 122° 45' E
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2-11-21							0015 Set in by 0115 by 5 mbl 0215 by 10 mbl		noon Lat _____ Lo _____
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A rock and two vessels





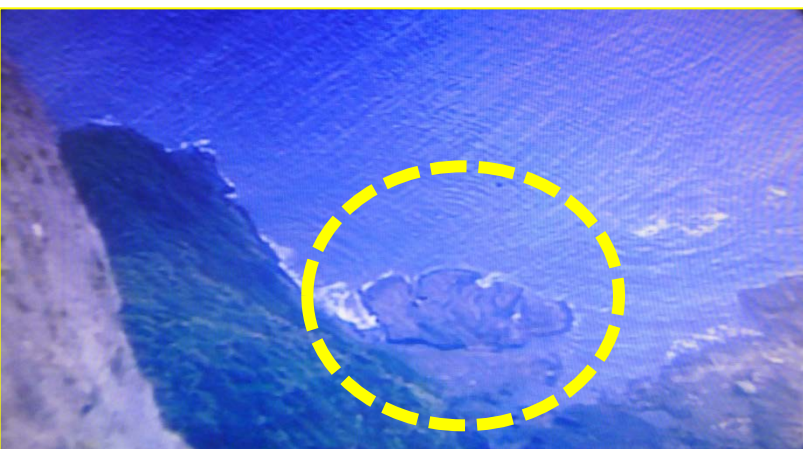
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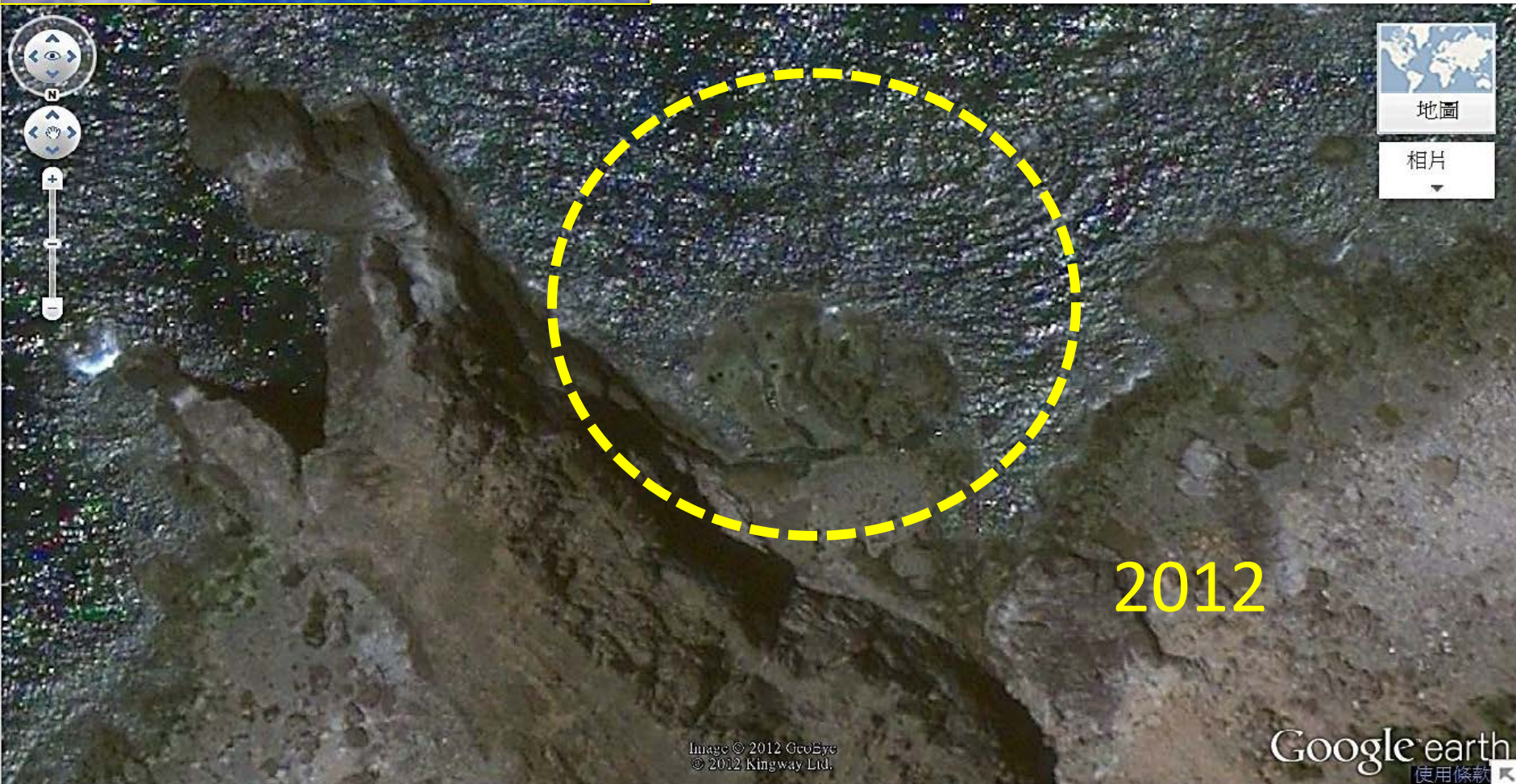


Data SIO, NOAA, U.S. Navy, NGA, GEBCO
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Google earth
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1955



2012

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Mehlert Mark <goldenmean1618@yahoo.com>
日期： 2012年6月23日上午8:30
主旨： Diao-yu-tai April 22 1955

麥克文：

依據雙方圖片，相信無人島是釣魚台

Dear Wen-yan:

Attached are four pages from my diary for **April 22, the day that Benny Hsu and I climbed the peak**. To my mind, **your and our photos are conclusive evidence that our Wu-jen-dao is Diao-yu-tai**. There just aren't any other small islands in that area.

Calvin

附件 — p.37.pdf, p.38.pdf, p.39).pdf, p.40.df.pdf, p.41.pdf.



<http://img1.cna.com.tw/www/WebPhotos/Popular/common/20120924/58696521.jpg>



http://twimg.edgesuite.net/images/twapple/640pix/20121013/LA28/LA28_001.jpg

傳統漁場 Traditional Fishing Ground

<http://s1.djyimg.com/i6/1209241038251770.jpg>



THE REPUBLIC OF CHINA (TAIWAN) PROPOSES: THE EAST CHINA SEA PEACE INITIATIVE

A major territorial dispute is brewing in the East China Sea.

As one of the Founders of the United Nations, the Republic of China (Taiwan) believes it has the responsibility to resolve the dispute in a peaceful manner under the principles of the U.N. Charter. We are committed to the peaceful resolution because at the heart of the dispute are islands that belong to Taiwan.

These islands are known as the Diaoyutai Islands, which means "fishing platform" in Chinese. We see the islands as more than a platform for fishing; we also see them as a platform for peacekeeping.

On September 26, 2012, Japanese Prime Minister Yoshihiko Noda delivered a speech at the United Nations, during which he proclaimed to the world "no dispute exists." This is truly regrettable since the rest of the world sees a major dispute — one with potentially grave consequences to regional peace and economic prosperity. Unless the relevant parties recognize that a dispute does indeed exist, a resolution cannot possibly be reached.

Prime Minister Noda also called for "stronger rule of law" to resolve territorial disputes, yet he rejected our proposal to submit the dispute to the International Court of Justice. He added that "any attempt to realize a country's claim by force or threat is inconsistent with the spirit of the U.N. Charter," but continues to offend the fact that Japan received the islands on January 14, 1895, until the ongoing Sino-Japanese War (August 1894–April 1895).

The Republic of China (Taiwan) cherishes the close friendship with Japan over the past sixty years. However, since Japan inaugurated the recent thrust, we urge the Japanese government to take responsible steps toward recognizing and resolving the dispute.

We have carefully reviewed Japan's sovereignty claims regarding the Diaoyutai Islands and we cannot agree with them. To summarize our position, we have laid out 10 points. We believe it is important to set the record straight and let the facts speak for themselves.

OUR SOVEREIGNTY CLAIM

- The Diaoyutai Islands were first discovered, named, and used by Ming China (1368–1644).**
 - In the 15th century, the Chinese discovered the islands and named them Diaoyutai (Fishing Platform), Huangwei (Yellow Tails), and Chouli (Red Tails), demonstrating intimate knowledge of the rich fishing resources in nearby waters later used by Taiwan fishermen.
 - Chinese used them as navigation points en route to Ryukyu Kingdom (now Okinawa).
 - The islands were incorporated into Ming China's coastal defense system.
- The Diaoyutai Islands, along with Taiwan, became the territory of Qing China (1644–1912).**
 - Chinese survey mission records described the islands as within the "border that separates Chinese and foreign lands."
 - Taiwan governors recognized "Diaoyu Island administered as one more large ship" and placed it under Karakas (Ban) County, Taiwan. For example, *Revised Gazetteer of Taiwan Prefecture* (1747), *Subsequent Revision of the Gazetteer of Taiwan Prefecture* (1764), *Gazetteer of Taiwan County* (1832), *Revised Gazetteer of Fujian Province* (1871), *Parental Treatise of Taiwan Prefecture* (1872).
 - These official records demonstrate Qing China's long and continuous effective administration over the islands as part of Taiwan.
- The Diaoyutai Islands were secretly annexed by Japan on January 14, 1895, during the Sino-Japanese War (August 1894–April 1895).**
 - Taipei, the Japanese government announced "From 1885 on, it repeatedly conducted on-site surveys which confirmed that the islands were uninhabited and there were no signs of control by the Qing Empire. It therefore made a Cabinet Decision on January 14 1895 to formally incorporate the islands."
 - However, all Meiji period documents assembled from Japanese archives demonstrate that the Meiji government acknowledged Chinese sovereignty of the islands in 1885.
 - In October 1895, following the first on-site investigation, Foreign Minister Iwano Kowri and Foreign Ministry Public Communications Director Aada Tokuzumi described the islands as "due to the Chinese territory... next to Taiwan and belonging to China" and "in this sense, if we were to publicly place national markers, this must necessarily invite China's criticism..."
 - In November 1895, Okinawa Magistrate Nakamura Sumio confirmed "since this matter is not unrelated to China, if problems do arise I would be in grave apprehension for my responsibility."
 - Ten years later in May 1895, Okinawa Governor Niikawa Shigeru wrote to the Home Ministry confirming an investigation of the islands took place since 1895.
 - In August 1896, the Sino-Japanese War broke out. On September 17, Japan defamed China's Beiyang Naval Fleet. On October 24, Japan crossed the Yalu River and invaded China. By November 21, Japan captured the Chinese city Port Arthur.
 - In December 1896, the Japanese Home Ministry stated that the incorporation of the disputed islands "involved negotiations with China... but the situation today is greatly different from back then."
 - Japan accordingly incorporated the islands based on a cabinet decision on January 14, 1895 until the signing war. The cabinet decision was marked "Confidential" and, contrary to established convention, never publicly announced.
- China ceded "Taiwan and its appertaining islands" to Japan in 1895.**
 - Following China's defeat in the Sino-Japanese War, Qing China was forced to sign the Treaty of Shimonoseki on April 17, 1895, which ceded "Taiwan and its appertaining islands" to Japan.
 - Since the Diaoyutai Islands were part of Taiwan, the only basis of Japan's legal rights is the 1895 Treaty of Shimonoseki, which was nullified after WWII.
- Post WWII arrangements restored the islands to their pre-1895 legal status.**
 - The 1943 Cairo Declaration stipulated "all the territories Japan has stolen from the Chinese, such as Manchuria, Formosa (Taiwan), and the Pescadore, shall be restored to the Republic of China. Japan will also be expelled from all other territories which she has taken by violence and greed."
 - The 1945 Potsdam Proclamation stated, "...terms of the Cairo Declaration shall be carried out..."
 - The 1945 Japanese Instrument of Surrender accepted the terms of the Potsdam Proclamation.
 - All three international legal documents remain legally binding on the imperious countries today including the U.S., Japan, and the R.O.C. (Taiwan).
- The Diaoyutai Islands, when secretly annexed by Japan in 1895, were placed under Okinawa and later resumed.**
 - Japan treated the islands and placed them administratively under Okinawa in 1895 and formally treated them "Senkaku Islands" in 1900.
 - These unilateral acts masked the islands' original Chinese ownership and identity, which resulted in their omission from the post-WWII arrangements as described in (3).
 - When Japan resumed Taiwan to the R.O.C., both sides adopted the 1945 administrative arrangement of Taiwan, with the Allied Powers (including the R.O.C.) unaware that the so-called "Senkaku Islands" were in fact the former Diaoyutai Islands.
- The Republic of China (Taiwan) never recognized Japanese sovereignty over the islands after WWII.**
 - The Diaoyutai Islands, per the minutes in (6), were placed under U.S. trusteeship according to Article III of the 1951 San Francisco Peace Treaty, which the R.O.C. (Taiwan) was not invited to sign.
 - The 1951 Sino-Japanese Peace Treaty signed in Taipei between R.O.C. (Taiwan) and Japan did not include reference to Article II of the San Francisco Peace Treaty.
- From 1945–1971, the Diaoyutai Islands were under the administration of the U.S., not Japan.**
 - Taipei, Japan's claim that it has administered the islands for over a century is misleading the facts.
 - After 1971, Taiwan did not lodge protest to the Japanese government because the islands were under U.S., not Japanese, administration.
- The U.S. did not transfer the islands' sovereignty to Japan in 1972.**
 - Since 1971, the U.S. has reiterated that the transferring of administrative rights of these islands to Japan does not constitute a transfer of sovereignty.
 - The U.S. has maintained a policy of neutrality and has reiterated that it does not take a position on the ultimate sovereignty of these islands.
- Japan's sovereignty claim over the Diaoyutai Islands is invalid**
 - Ex injuria non oritur* (a legal right or entitlement cannot arise from an unlawful act or omission) is a general principle of international law recognized by civilized nations.
 - Japan's claim of sovereignty over the Diaoyutai Islands is invalid *ab initio* (from the onset) under international law since the islands were never *terra nullius* (land without owner).



OUR PROPOSAL: THE EAST CHINA SEA PEACE INITIATIVE

The resolution of the sovereignty issue will take time, but there are steps we can take immediately to reduce tension and foster peace.

Peaceful resolution of disputes is generally achieved in one of the four ways: negotiation, mediation, arbitration, and litigation. These approaches are not necessarily mutually exclusive, but must all begin with negotiation.

- On August 5, 2012, Republic of China President Ma Ying-jeou proposed a two-stage East China Sea Peace Initiative based on the concept that while sovereignty is indivisible, resources can be shared. Therefore, the Peace Initiative calls upon the parties to call upon the parties to call upon the parties to call upon the parties through negotiations, formulate a Code of Conduct in the East China Sea and engage in joint development of the East China Sea.
- STAGE 1: Shelve territorial disputes through meaningful dialogue**
STAGE 2: Share resources through joint development
- Key Issues:
- East China Sea code of conduct
 - Joint conservation and management of the East China Sea's living resources
 - Joint exploration and exploitation of the East China Sea's non-living resources
 - Joint marine scientific research & protection of the marine environment
 - Joint exercises to maintain conventional and unconventional security in the East China Sea

Over the long run, we can move from three parallel tracks of bilateral dialogue (between Taiwan and Japan, between the Chinese mainland, and Japan and the mainland) to one track of trilateral negotiations.

We sincerely hope the U.S. government and its people will support this peace initiative.

(The Washington Post,
The New York Times,
The Wall Street Journal,
The Los Angeles Times,
10 Oct. 2012)



<http://www.president.gov.tw/Default.aspx?tabid=1103&itemid=27867>

East China Sea Peace Initiative



東海和平倡議

August 5, 2012.



東海和平倡議

The East China Sea Peace Initiative

中華民國政府對釣魚臺列嶼問題一貫立場是：「主權在我、擱置爭議、和平互惠、共同開發」。

With respect to the Diaoyutai issue, the government of the Republic of China has consistently affirmed its position of “safeguarding sovereignty, shelving disputes, pursuing peace and reciprocity, and promoting joint exploration and development.”

<http://www.mofa.gov.tw/Official/Home/SubTitle/?opno=89655b24-755d-42d6-ae48-060e0bbb4514>

The East China Sea Peace Initiative

呼籲相關各方：

一、應自我克制，不升高對立行動；二、應擱置爭議，不放棄對話溝通；三、應遵守國際法，以和平方式處理爭端；四、應尋求共識，研訂「東海行為準則」；五、應建立機制，合作開發東海資源。

Calls on all parties concerned to:

1. Refrain from taking any antagonistic actions.
2. Shelve controversies and not abandon dialogue.
3. Observe international law and resolve disputes through peaceful means.
4. Seek consensus on a code of conduct in the East China Sea.
5. Establish a mechanism for cooperation on exploring and developing resources in the East China Sea.

落實「東海和平倡議」具體步驟

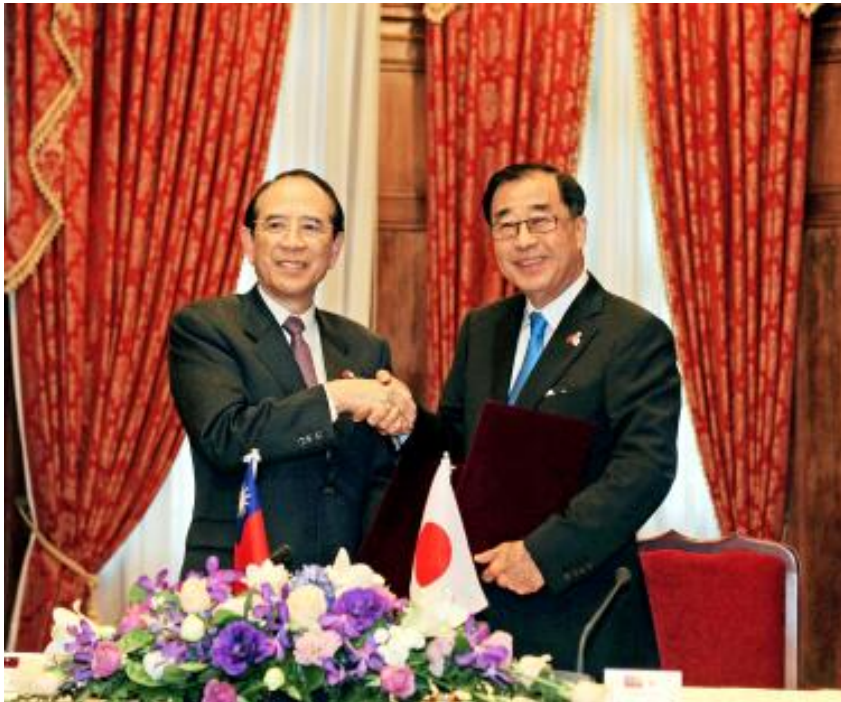
Implementation of the East China Sea Peace Initiative



落實「東海和平倡議」的具體步驟，即採取「三組雙邊對話」到「一組三邊協商」兩階段，用「以對話取代對抗」、「以協商擱置爭議」的方式，探討合作開發東海資源的可行性。

President Ma Ying-jeou proposed a concrete approach to implementation of the East China Sea Peace Initiative, to be carried out in two different phases. The first phase would involve three separate bilateral dialogues, while the second would involve a single trilateral negotiation process. By “replacing confrontation with dialogue” and “shelving controversies through consultations,” the parties can examine the feasibility of jointly exploring and developing resources in the East China Sea.

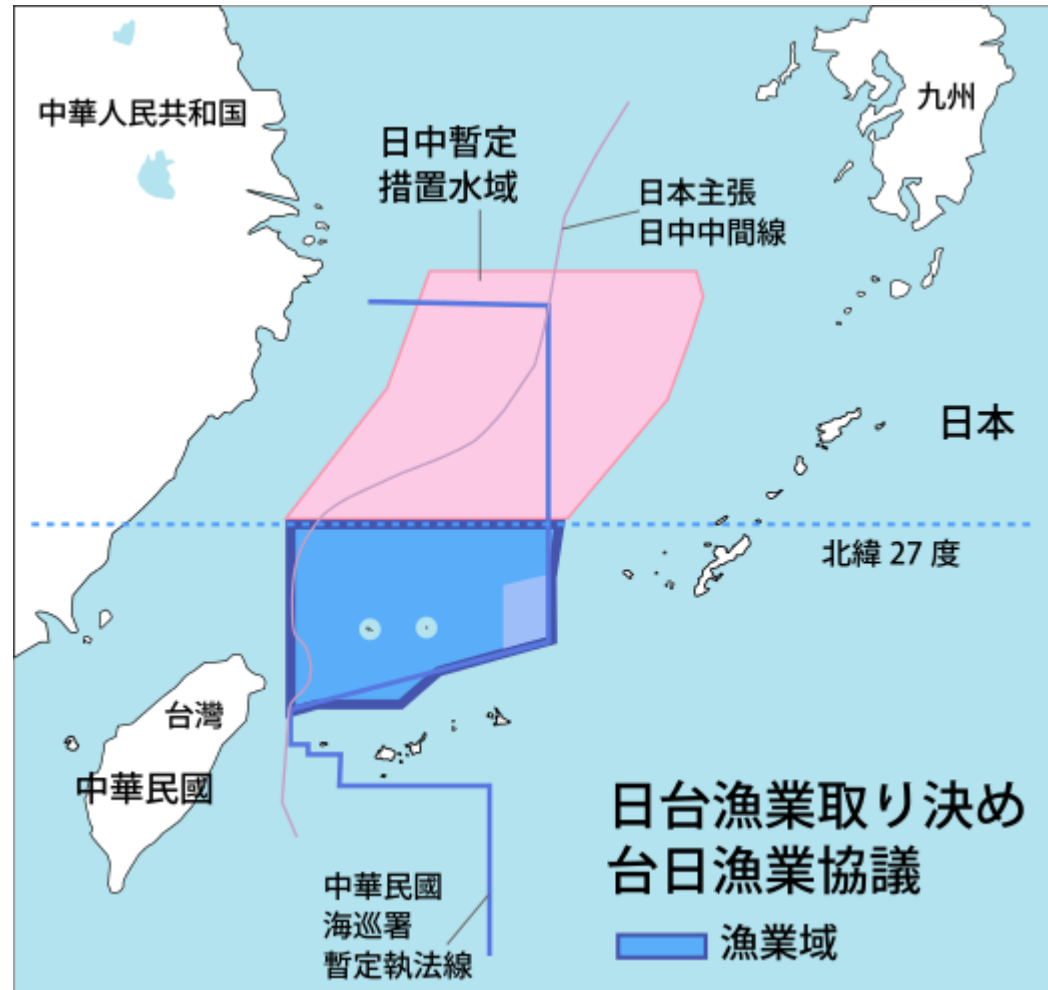
台日漁業協議 Taiwan-Japan Fisheries Agreement



<http://www.taipeitimes.com/images/2013/04/11/thumbs/p01-130411-4C.jpg>

April 10, 2013

http://zh.wikipedia.org/wiki/File:Japan_taiwan_fishing_agreement.svg



East China Sea Peace Initiative lauded by US official

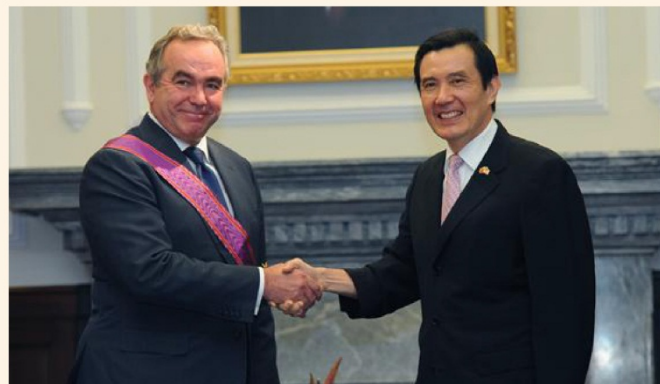
Taiwan Today, Publication Date : 02/07/2014

- 美國國務院亞太助理國務卿羅素 (Daniel Russel)，2014年4月曾在美國國會聽證會，發言肯定東海和平倡議，認為其中的重要內涵，如尊重國際法及以和平方式解決爭端，都符合美國的核心策略，而台灣以和平且務實的方式處理台日及台菲海事爭議，是透過外交途徑和平解決問題的典範。
- 2014年6月在新加坡舉行「亞洲安全高峰會對話」(Asia Security Summit)的「香格里拉對話」(The Shangri-la Dialogue)中，美國國防部長赫格爾 (Chuck Hagel) 及澳洲國防部長詹斯敦 (David Johnston)，都發言肯定台灣以和平手段解決與日本及菲律賓的海事爭端。
- 來台出席「東海和平論壇」的包道格 (Douglas H. Paal) 表示，東海和平倡議的內容積極正面，能在保障主權的情況下共享資源。包道格說：『(英文原音)我認為日本與台灣為這個區域建立了非常好的範例，我們也看到菲律賓與台灣達成協議，這種透過雙邊對話方式，為往後解決資源問題建立起非常好的範例，有助我們將衝突轉化成為合作。』

美國前助理國務卿坎博等亞太專家 盛讚馬政府解決東海、南海漁業糾紛 成就卓越

前美國國務院亞太助理國務卿坎博 (Kurt Campbell) 本(103)年1月15日表示，我國與日本去年簽署的漁業協議，可能是極度困難的整體環境中，最具希望的發展元素。坎博也稱許臺日漁業協議是卓越成就，但並未得到應有的讚賞，這項協議應被其他國家當作處理「其他區域爭議」的一項模式。

戰略暨國際研究中心亞洲與日本事務資深副主任葛林 (Michael Green) 也表示，臺灣與菲律賓曾發生漁事糾紛，並掀起騷動，但雙方最後解決紛爭，達成協議避免糾紛，共享資源。葛林說，臺灣向各界展現負責任的國家該如何處理類似意外，這是一項模範和好的例證。



相片來源：總統府網站

資料來源：103.1.16中央社

President Ma receives Eisenhower Medallion for peace initiative

Sept. 19, 2014 by U.S.-based People to People International







http://taiwandiaoyutaislands.tw/EN/News_Detail.aspx?ID=1993




<http://taiwantoday.tw/ct.asp?xItem=221907&ctNode=1963>

Prominent past recipients:

-  Former U.S. President
Ronald Reagan
-  Former U.S. President
George H.W. Bush
-  Founder of
Tzu Chi
Cheng Yen
-  Late South African
President
Nelson Mandela


President Ma wins Eisenhower Medallion



Eisenhower Medallion

People to People International, which presents the award, was founded in 1956 by late U.S. President Dwight D. Eisenhower.

The presentation of the medallion is PTPI's biggest event, but it is not held annually.



CNA graphic

<http://focustaiwan.tw/news/aip/201409160020.aspx>

Challenges Ahead

SENKAKU / DIAOYU ISLANDS



<http://contraryperspective.com/2014/06/12/uncle-sam-doesnt-want-you-he-already-has-you/>

<http://www.lostlaowai.com/wp-content/uploads/2010/10/senkaku-daioyu-map.jpg>



<http://webpic.chinareviewnews.com/upload/201307/30/102654756.jpg>

中國成立海警局 China Coast Guard

<http://gb.cri.cn/mmsource/images/2013/07/23/49/11291453023434874849.jpg>





美日聯合演習



<http://gate.sinovision.net:82/gate/big5/cdnwww.sinovision.net/data/attachment/portal/201211/26/0705103aaeqlgfz4z7t2p1.jpg>



Domestic Issues

The way forward in the islands altercation

By Chen Mei-chin 陳美津

As the dispute over the Diaoyutai Islands — known as the Senkakus to Japan — between Japan and China leads to worsening tensions in the region, an

important question is: Which side is Taiwan on?

So the question becomes very much: Which side is the Ma administration on?

Is it siding with China and increasingly letting Taiwan drift into the grasp of an undemocratic and authoritarian regime in Beijing?

Or does it want to come down on the right side of history?

As a member of the Taiwanese-American community, I would like to see Taiwan come down on the side of those countries that adhere to the same basic principles and values that are dear to us in this country: freedom and democracy.

Japan is a major power in the region that is free and democratic. It did not provoke the present conflict.

It is clear that China did by whipping up nationalistic sentiments against Japan and its citizens.

Taiwan and its government would do well to keep a safe distance from China and maintain good relations with its democratic neighbors.

Tue, Oct 02, 2012

East China Sea Peace Initiative Implementation Guidelines

September 7, 2012

Key issues

- 1. Fishing industry** — Convening bilateral and multilateral fishing industry meetings and other forms of fishing industry cooperation and exchange, and establishing a mechanism for fishing industry cooperation and administration.
- 2. Mining industry** — Promoting joint exploration in the territorial waters to the north of Taiwan and establishing a mechanism for joint exploration, development and management.
- 3. Marine science research and maritime environmental protection** — Conducting multi-national marine and ecological research projects pertaining to the East China Sea.
- 4. Maritime security and unconventional security** — Implementing bilateral and multilateral law enforcement exchanges and marine rescue agency cooperation, and establishing a collaborative marine security and crime-enforcement mechanism.
- 5. East China Sea Code of Conduct** — Implementing mechanisms for Track I and Track II dialogue and negotiating mechanisms for resolving disputes through peaceful means that will bolster mutual trust and encourage all parties concerned to sign the East China Sea Code of Conduct.

Living Resources vs. Non-living Resources

- ◆ Fishery
- ◆ Coral Reefs
- ◆ Non-commercial marine species
- ◆ Marine environment protection

- ◆ Oil
- ◆ Gas
- ◆ Rare Earth
- ◆ Other Mineral Resources



http://big5.china.com/gate/big5/images2.china.com/mili/zh_cn/important/11132797/20130718/17953183_2013071815443363531800.jpg

Figure 1. Maritime Claims



Valencia M. J. (2007) The East China Sea Dispute: Context, Claims, Issues and Possible Solutions. *ASIAN Perspective*, Vol. 31(1)127-167.

該圖主要講述大陸、臺灣、韓國及日本各國對其領海的主張

中國大陸:

1. 大陸及黃海島嶼向外延伸之直線基線
2. 領海12海裡，包含毗連區及釣魚台
3. 自然延伸的大陸架至沖繩海槽
4. 中國申明釣魚島主權屬中國，但相關索賠向台灣申請，
因其深信台灣也屬中國的一部分

台灣主張

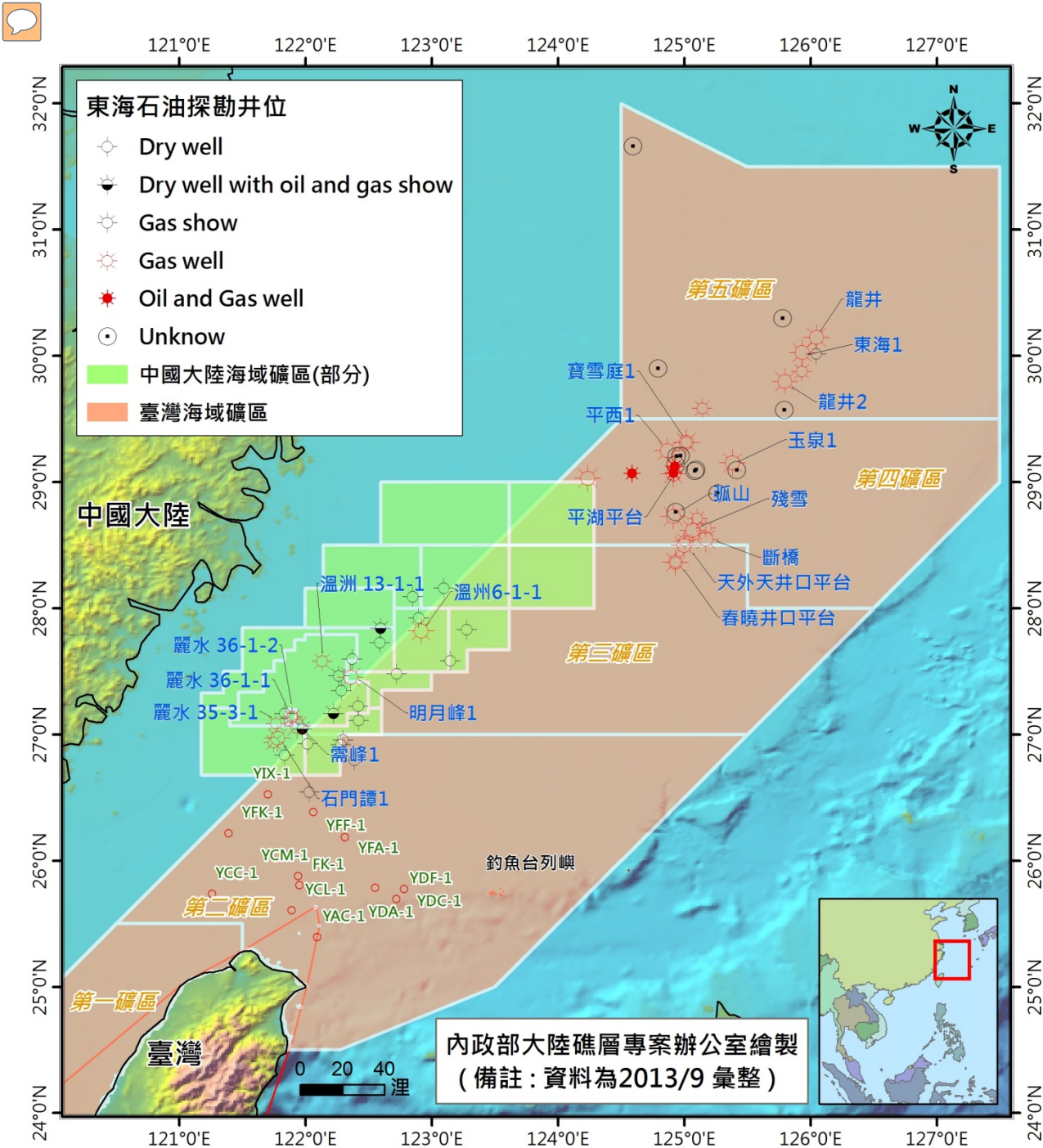
1. 領海12海裡
2. 大陸架向外自然延伸之區域
3. 200海裡專屬經濟區
4. 釣島主權在我，而非中國大陸

韓國主張

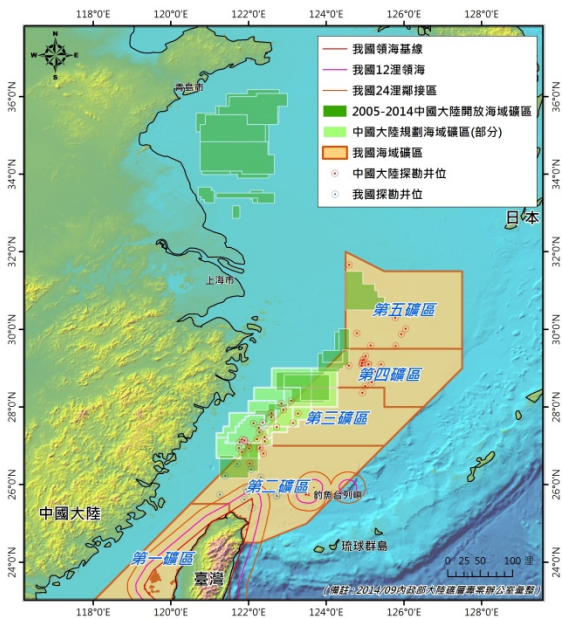
1. 直線基線;
2. 12海裡領海，包括整個濟州海峽;
3. 大陸架向外自然延伸之區域(至沖繩海槽附近)，
距韓國250英里
4. 200海裡專屬經濟區。

日本主張：

1. 直線基線
2. 領海12海裡向外延伸直線基線
3. 為明確的大陸架
4. 從直線基線向外延伸200海裡專屬經濟區，
(聲稱至釣魚島的西部和北部)
5. 主張有釣島主權



Mining Areas



Courtesy of MOI, ROC.

協商籌設「東海海洋和平公園」

邱文彥

在海巡署及國軍護衛下，我國逾70艘漁船至釣魚台成功宣示主權，博得國際媒體高度關注，使台灣在近日釣魚台爭議中免於被邊緣化，值得肯定。激情後，釣魚台主權爭議短期內仍無解。由於日方錯估形勢，釣魚台情勢更顯複雜。由於動武不符各方利益，中日在聯合國主權角力將持續激戰，台灣又不能僅談漁權，因此台、中、日間對該一海域勢須有新思維。

釣魚台列嶼及其附屬海域，因海流、地理和地質等諸多特性，孕育豐富天然資源。但在各方擬強取豪奪資源之際，未來其永續漁業、生態保育、休閒遊憩、油礦開採等議題均面臨重大挑戰，亟需通盤規劃。最近，馬英九總統提出「東海和平倡議」，主張主權在我、擱置爭議、合作互惠和共同開發，此一倡議被美國智庫認為「十分明智」。

然而，我方仍有必要在最短時間內提出能兼顧各方利益的落實配套，才能參與甚至主導新局。筆者認為，結合「和平」和「海洋保護區」概念，呼籲聲索各國積極協商，共同籌設「東海海洋和平公園」應為一可推動方案。

眾所皆知，「世界自然保護聯盟（IUCN）」在海陸域推動保護區方面貢獻卓著，也是聯合國重要智庫和「國際重要濕地公約（拉姆薩公約）」的祕書處，在國際保育上舉足輕重。2002年該聯盟在我國陽明山舉行第四屆東亞保護區會議時，筆者起草「陽明山宣言」，建議將東沙群島劃設為「海洋保護區」，因而催生「東沙

環礁海洋國家公園」。

IUCN還倡建數個「國際和平公園」或稱「跨界保護區」，更值得參考。這些案例或綱領，主要針對相鄰海域或陸域的生態環境敏感地區，協商建立一套共同標準和管理機制，統籌各項保護或永續利用措施，各盡所能進行合作管理，以達保護人類共同資產和世代共享資源的目的。美國和加拿大間的「沃特頓冰河國際和平公園」即為一例。

跨國界共享資源

「東海海洋和平公園」若是可接受的概念，無論釣魚台列嶼及周邊海域是單一或重疊的主權主張，台中日三方應暫時擱置爭議，盡速就漁業、能礦、生態、環保和救難等領域，依東海及釣魚台海域自然屬性，進行海洋資源與空間管理區劃，建立分區管理標的，分工合作，同時調和納入各方現有行政體系，或協商建立一致性的共同管理機制和作業標準。

換言之，這種和平互惠、共享資源模式，可將敏感的無人島嶼和共享海域依漁業、油礦、環保、救援等議題，建立個別治理卻又軟性鏈結的「保護區網絡」，或經三方協商共識，建立「大屋頂」概念下具較強而有力、共同治理機構的跨界和平公園。我們期盼東海能降低緊張情勢，共享資源，更盼此一海洋和平公園的理想，讓釣魚台列嶼及周邊海域成為全球矚目的海洋保護利用新典範。

作者為立法委員、台灣海洋大學教授



1 Oct 2012

Former Vice President Lu proposes idea to settle Diaoyutais dispute

CAN, April 9, 2013, 12:00 am TWN

- ◆ Demilitarization
- ◆ Marine Protected Areas
- ◆ Neutralization

NEW YORK--Former Vice President Annette Lu has made a proposal for resolving the territorial dispute over an island group in the East China Sea, saying during a visit to New York on Sunday that all the claimants should agree not to develop the resources in the area. She also suggested the establishment of a peace zone, extending 12 nautical miles from the Diaoyutai Islands, in which no military or nuclear activities would be allowed.

The former vice president also said the disputed area should be designated as a marine conservation zone, creating a clean and natural marine park for future generations.





海洋保護區 Marine Protected Area (MPA)

[http://www.thegef.org/
gef/sites/thegef.org/file
s/Chape.JPG](http://www.thegef.org/gef/sites/thegef.org/files/Chape.JPG)



<http://tw.gigacircle.com/1792869-1>



[http://oceaninc.pixnet.net/blog/post/55750659-%E9%A6%AC%E5%88%B0%E6%88%90%E5%8A%9F---%E9%A6%AC%E9%A0%AD%E9%AD%9A\(horsehead-tilefish\)](http://oceaninc.pixnet.net/blog/post/55750659-%E9%A6%AC%E5%88%B0%E6%88%90%E5%8A%9F---%E9%A6%AC%E9%A0%AD%E9%AD%9A(horsehead-tilefish))



<http://cuisineworld.blogspot.tw/2011/09/steamed-pompano.html>



**CORAL TRIANGLE
INITIATIVE**
ON CORAL REEFS, FISHERIES AND FOOD SECURITY



<http://www.stockholmresilience.org/21/research/research-news/11-16-2012-triangle-cooperation.html>

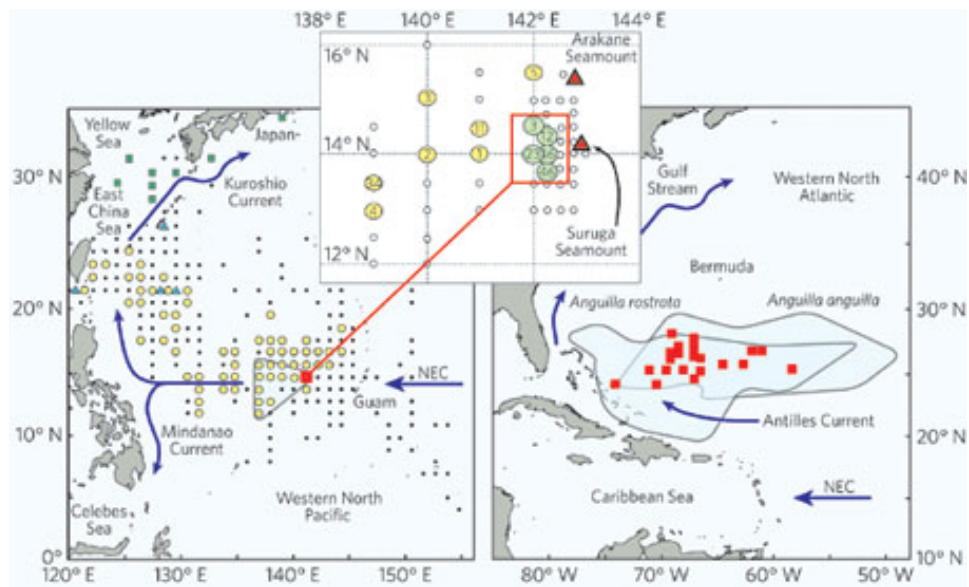
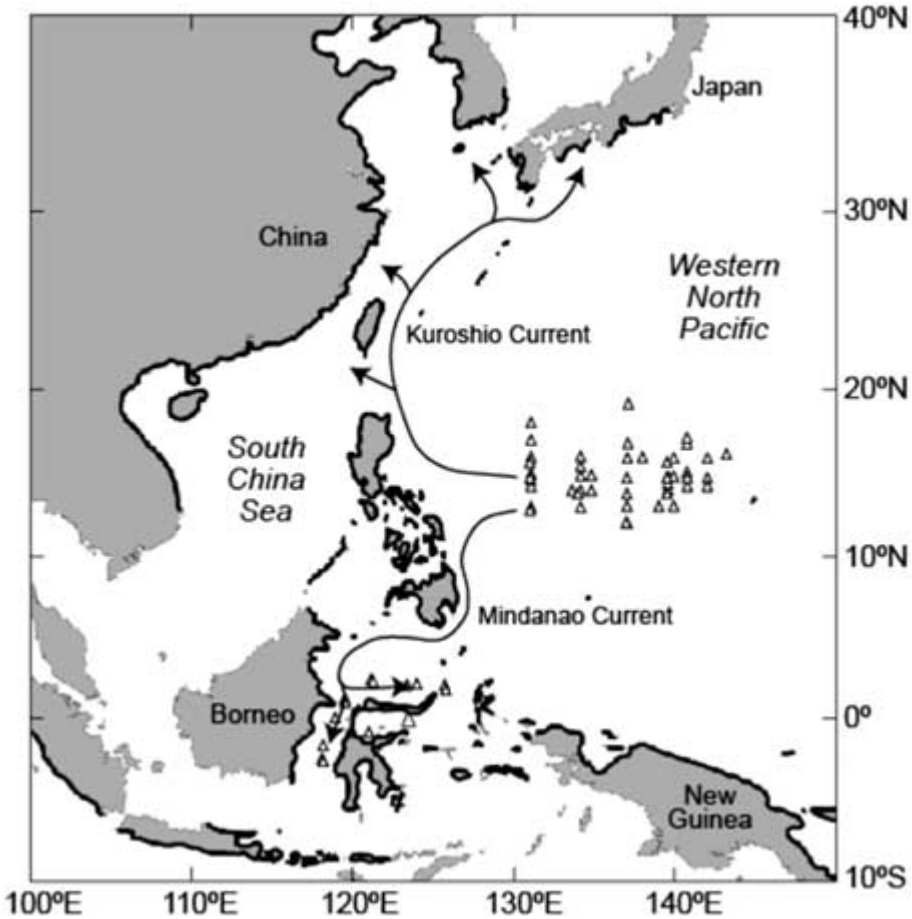
[http://en.wikipedia.org/wiki/File:Coral_reef_in_Ras_Muhammad_nature_park_\(lolanda_reef\).jpg](http://en.wikipedia.org/wiki/File:Coral_reef_in_Ras_Muhammad_nature_park_(lolanda_reef).jpg)





<http://en.wikipedia.org/wiki/File:Anguillarostratakils.jpg>

Eel Conservation



Life History and Evolution of Migration in Catadromous Eels (Genus *Anguilla*)

Jun Aoyama*

Ocean Research Institute, The University of Tokyo, 1-15-1, Minamidai, Nakano, Tokyo 164-8639, Japan

1771 Great Yaeyama Tsunami



Korean MV Sewol

April 16, 2014



Research Vessel No. 5

Oct. 10, 2014

<http://www.nownews.com/n/2014/10/11/1451377>

http://en.wikipedia.org/wiki/File:Korean_Ferry_Sewol_Capsized,_2014.jpg

Cross-strait rescue drill a step in building trust

South China Morning Post 南華早報， Nov 2, 2014.

兩岸合辦海上聯合搜救演練



Vision-shared Platforms?

- IUCN (Pacific Island Roundtable for Nature Conservation)
- APEC (Asia-Pacific Economic Cooperation)
- PECC (The Pacific Economic Cooperation Council)
- Others?



<http://www.eastwestcenter.org/ewc-washington/us-asia-pacific-council/pecc-20th-general-meeting-2011>



http://zh.wikipedia.org/wiki/File:IUCN_logo.svg

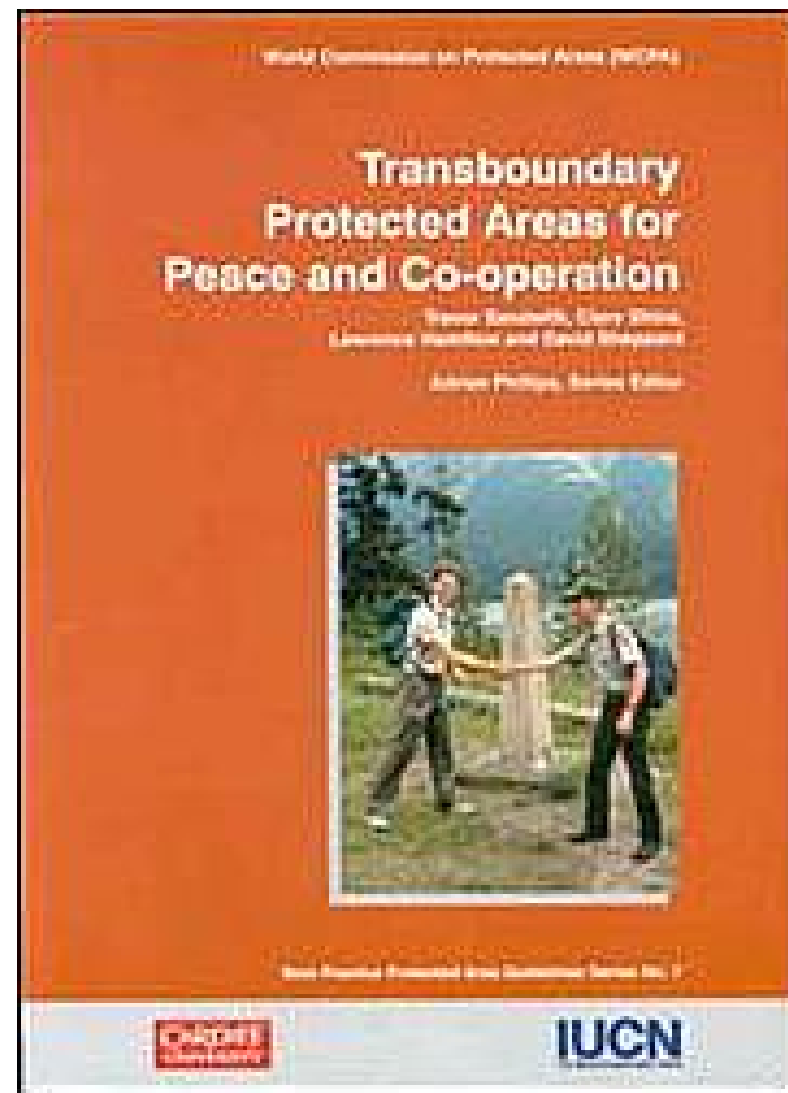


http://beijing.china.org.cn/2013-10/09/content_30229052.htm

IUCN

The World Conservation Union

http://rockenvironmental.files.wordpress.com/2011/06/iucn_logo.jpg?w=590



https://cmsdata.iucn.org/img/transboundary_protected_areas_for_peace_and_co_operation_6831.jpg



<http://www.fredsmonumentet.com/>

The **first** Transboundary Protected Area was established by the **Swedish and the Norwegian Peace Movements** in **1914**, to celebrate 100 years of peace between Sweden and Norway. In 1959 the area was named **Morokulien**.

Transboundary Protected Area

A Transboundary Protected Area (TBPA) is a protected area that spans boundaries of more than one country or sub-national entity, where the political border sections that are enclosed within its area are abolished. This includes removal of all human-made physical boundaries, such as fences, allowing free migration of animals and humans within the area. A boundary around the area may however be maintained to prevent unauthorised border crossing. Such areas are also known by terms such as transfrontier conservation areas (TFCAs) or peace parks.

http://en.wikipedia.org/wiki/Transboundary_Protected_Area#Asia



http://en.wikipedia.org/wiki/File:Peace_Parks_Foundation_logo.svg

Waterton Glacier International Peace Park

In 1932 Waterton Lakes National Park (Alberta, Canada) was combined with the Glacier National Park (Montana, United States) to form the world's first International Peace Park.

http://www.cityprofile.com/forum/attachments/canada/3770-waterton-1413232-waterton_glacier_international_peace_park_canusa-north_america.jpg



Initiating effective transboundary conservation

A practitioner's guideline based on the experience from the Danang Arc

Edited by the IUCN Programme Office

<http://data.iucn.org/dbtw-wpd/bookcover/BC-2012-071.jpg>

Guidelines for Establishing Marine Protected Areas



A Marine Conservation and Governance Handbook



<http://connectivityconservation.net/storage/images/CCsitebanner2012ICCN2.png>



Connectivity Conservation



International Connectivity Conservation Network

INTERNATIONAL CONNECTIVITY CONSERVATION NETWORK



reconnecting ecosystems ...



to conserve biodiversity ...



and protect landscapes



What is transboundary conservation network?



<http://www.tbpa.net/images/contentimg.jpg>

海洋保護區
網絡
MPA Network

<http://www.tbpa.net/images/decorimg73.jpg>

Concluding Remarks

- Recognize the value of ECSPI, Set aside the sovereignty issue
- Humanity – Disaster prevention and response, Search and rescue
- Ecosystem -- Marine protected area (MPA)
- Marine science research cooperation
- Non-living resources exploration and joint development



**APPU members sign
communique at Taipei
general assembly**

2014/08/06 16:08:59

<http://focustaiwan.tw/news/aip/201408060013.aspx>

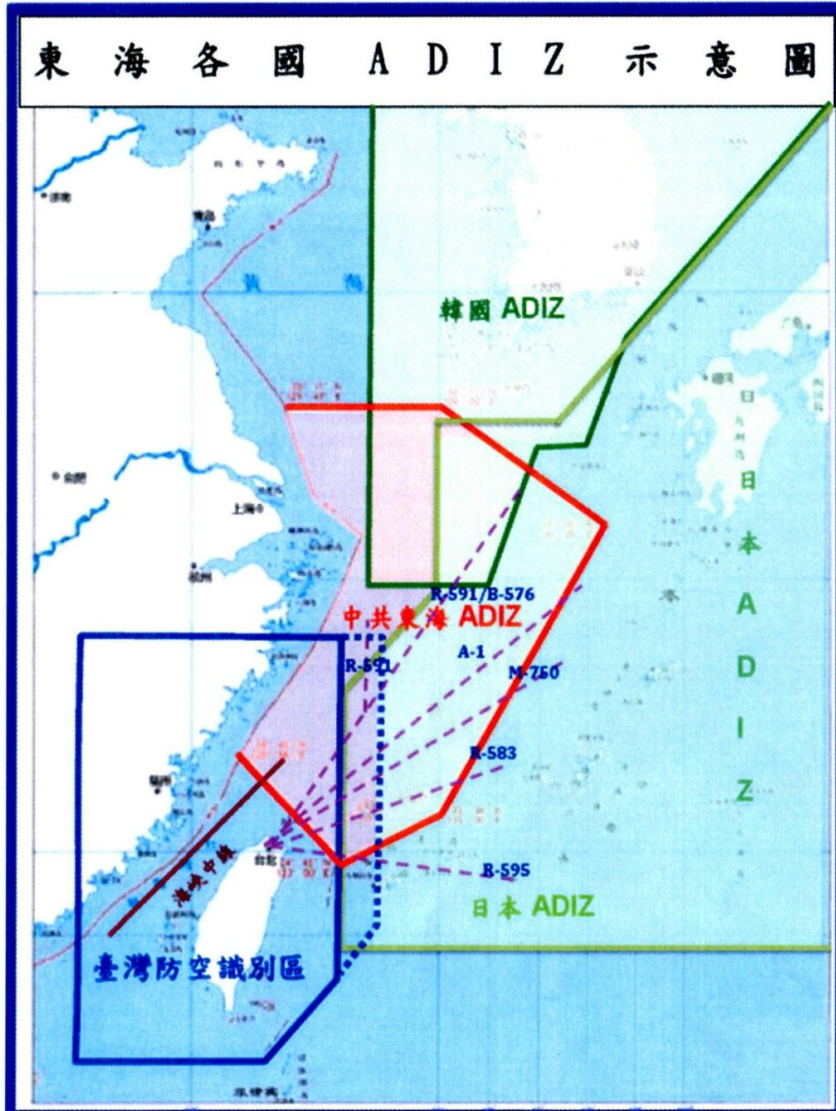


East China Sea: A Sea of Peace, Cooperation and Sustainability



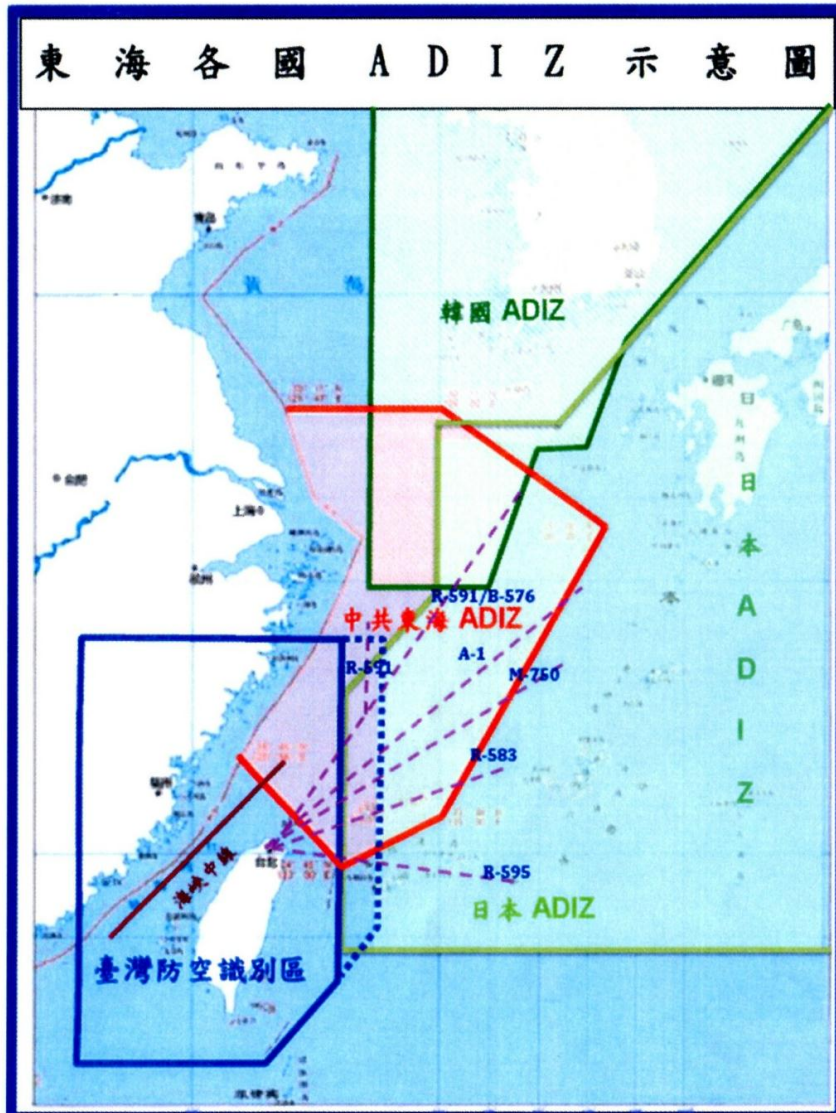
http://www.csmonitor.com/var/ezflow_site/storage/images/media/content/2012/0830-world-obriefing-chinajapandispute/13608028-1-eng-US/0830-world-obriefing-chinajapandispute_full_600.jpg

East China Sea Security Challenges Other Than ADIZ



Andrew N.D. Yang

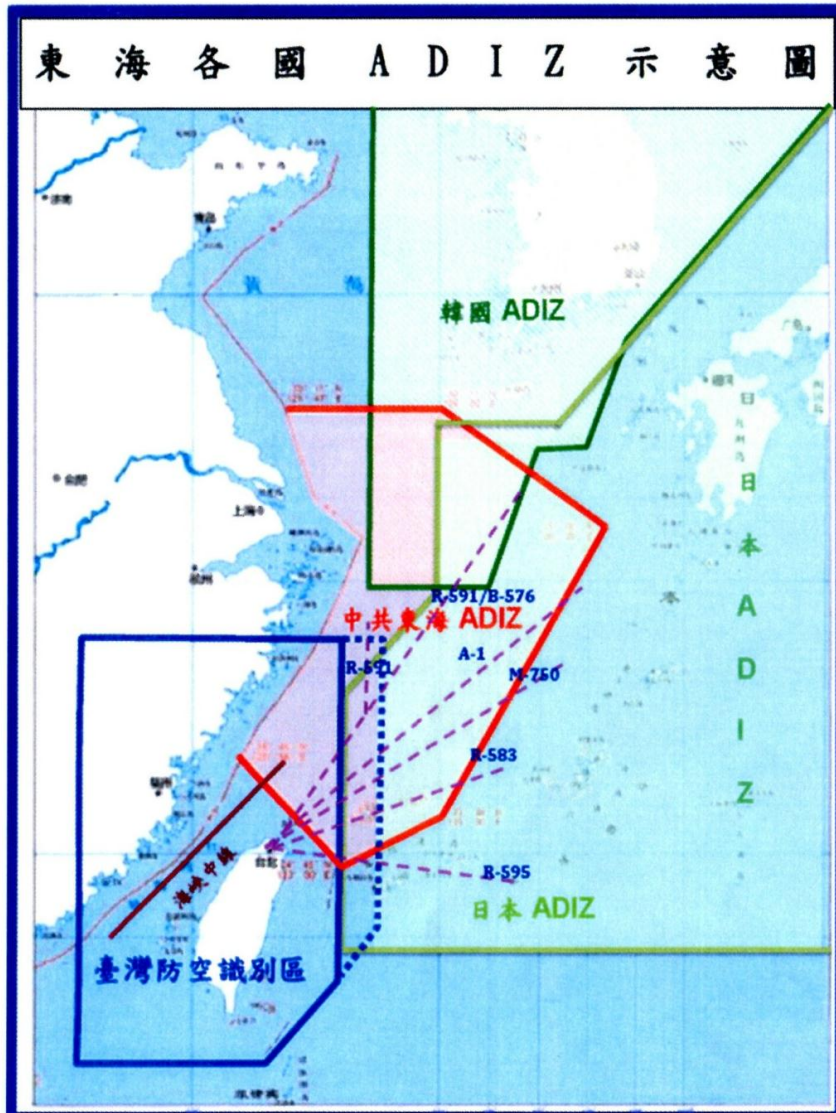
November 6, 2014



A. Geoeconomic reality check

- Perhaps most important economic actors/power house compare with other regions
- Perhaps most populous region in the world (1.8 billion-2 billion people)
- Most dynamic and congested Air/Sea transportation routes compare with other regions

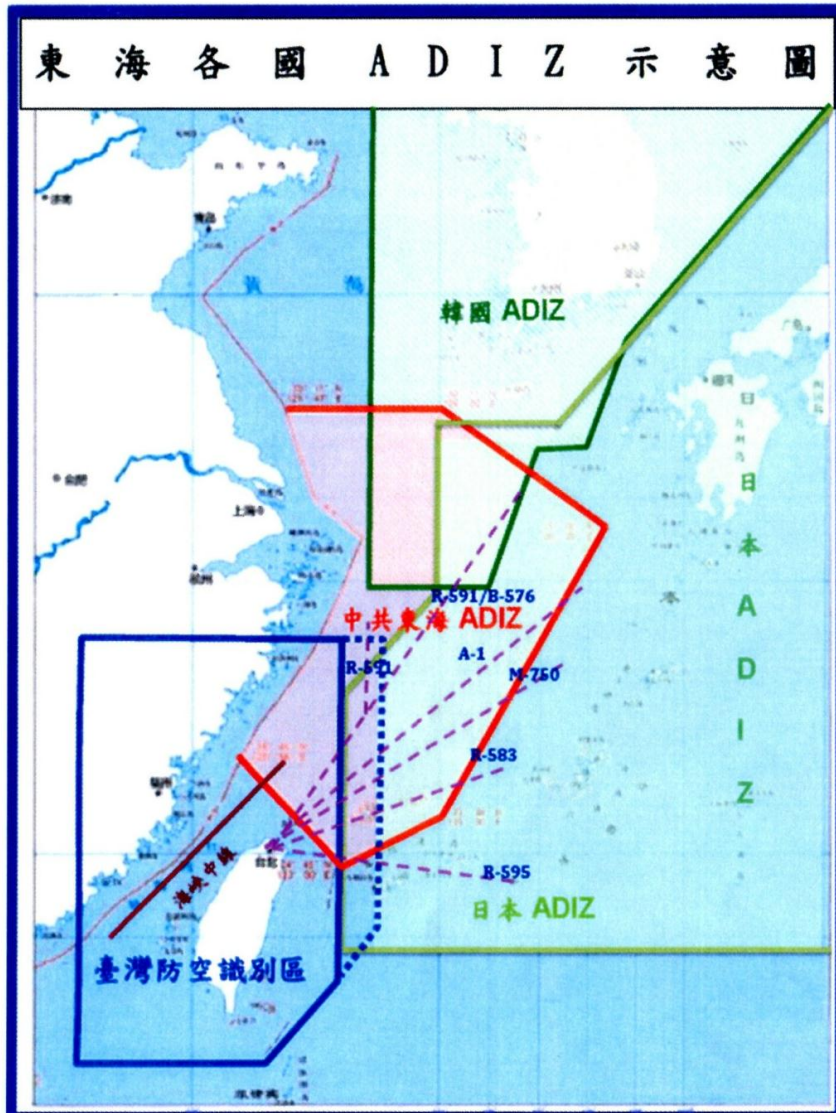
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A. Geoeconomic reality check (continue)

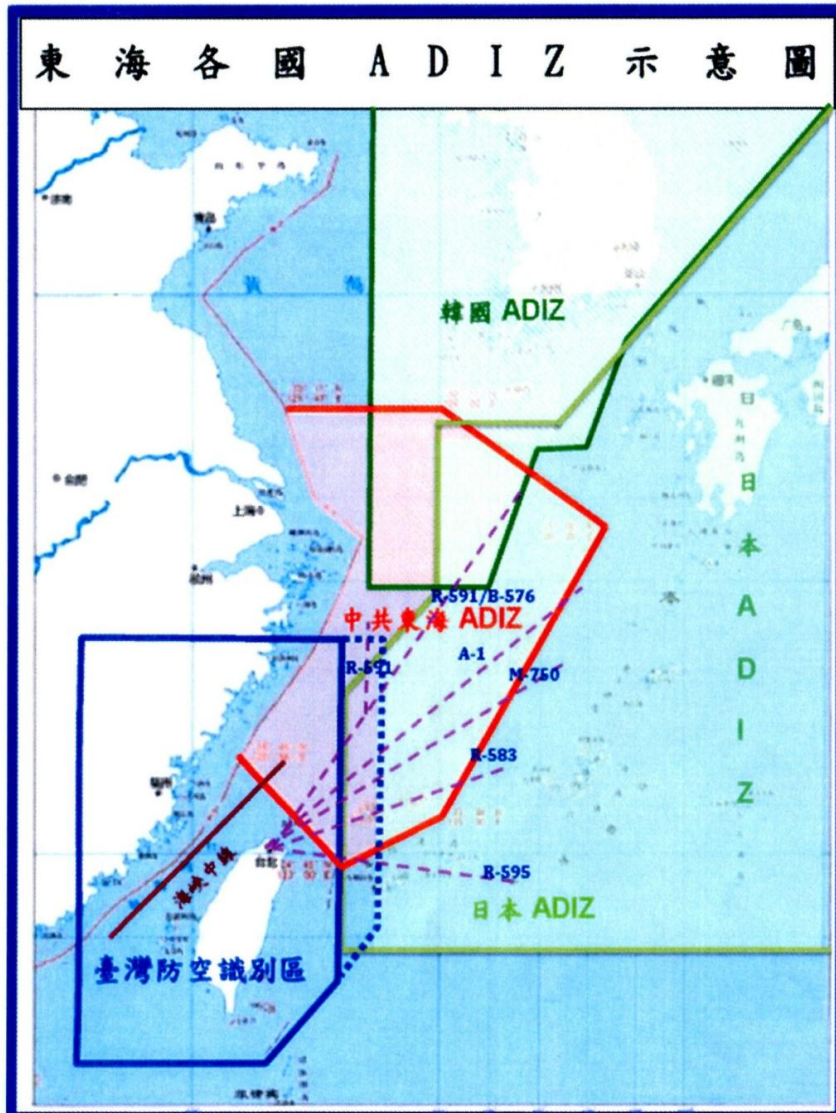
- most densely deployed undersea cable systems compare with other region
- most concentrated oil refinery and liquefied natural gas (LNG) facilities in AP costal area
- most concentrated nuclear power plants (operational/planned) in the world

continue→



B. Security Challenges Other than War

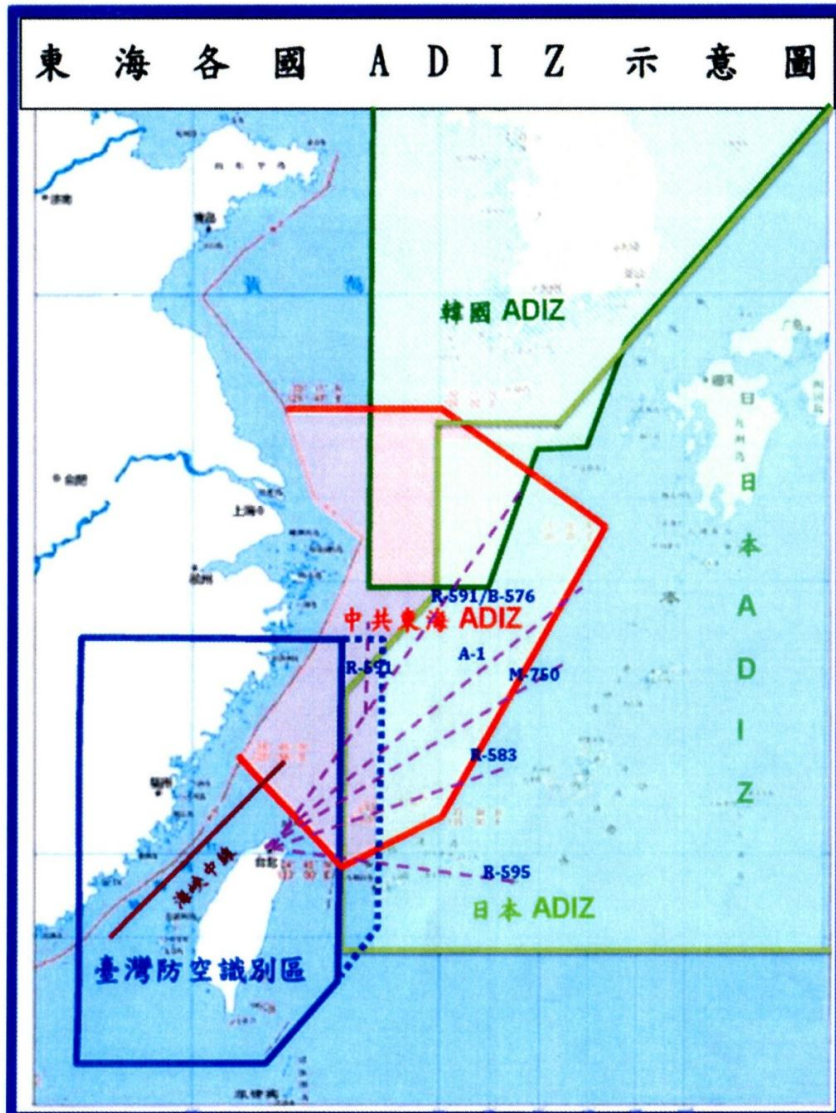
- ECS geoeconomic realities are most important life lines to support future survival and development
- However critical infrastructures surrounding ECS are subjected to man-made and natural disasters, such as terrorist attack, tsunamis in 2004 and 2011. The latter with an accompanying nuclear reactor meltdown at the Fukushima plant.



C. Need New Approaches

- explore new ideas such as devising the right communications strategy and channels among capitals in East China Sea region to enhance better understanding of each other's policy and policy implementation.
- the key is translating technical into easily understood language so as to get more political support

continue→



C. Need New Approaches (continue)

- Establishing maritime situational awareness mechanism to address the need to take a close and hard look at how commodities are moved in ECS maritime transportation system
- how to prevent being caught off guard; how to identify weak links and addressing difficulties.

Take Action Now Before
It Is Too Late!!

The Fulfillment of “East China Sea Peace Initiative”

—from the Perspective of Taiwan

Chou-Tien Yao*

Abstract

Taiwan is located at the center of the first island chain which roughly reflects China mainland coastline. The geographic location makes Taiwan important in balancing the land and sea powers in East Asia. In 2012, tensions in the region skyrocketed when the Japanese government tried to buy back Diaoyutai Islands, which Republic of China owns the sovereignty based on the historic records. Because of the rich resource in the East China Sea, it created all kinds of politico-socio-economic conflicts in this region and brings disputes amongst relevant countries.

To calm tensions in East Asia and solve disputes over Diaoyutai Islands, President of the Republic of China in Taiwan, Ying-Jeou Ma, proposed “East China Sea Peace Initiative” on August 5, 2012 wishing to set aside the highly political issue with resource-sharing negotiation to make the most profit for the people in this region. With the announcement of the Initiative, many relevant nations started to think of the importance of maintaining peace. The Japanese government officially agreed to make the efforts to reach agreement via negotiations, which the signing of fishery agreement was one of the results to lower down tensions.

As more and more nations are paying attention to the marine resources, the continuous territorial disputes on islands and competition for resources in the South China Sea become worse. Because of that, competition between the United States and China on maritime security in the South China Sea is an important issue that must be deal with peacefully.

To pursue peace in the region, it is important to continue fulfilling the spirit of “East China Sea Peace Initiative”. To achieve the goal, strategic methods with low political sensitivity, such as the cooperation and mechanism of Human Assistance (HA) and Distress Relief (DR) were adopted by relevant countries’ Coast Guard. This essay is to discuss how to fulfill the spirit of “East China Sea Peace Initiative”—from the Perspective of Taiwan, especially of Taiwan Coast Guard Administration (TCGA). Suggestions are offered for reference to any interested parties.

Key Words: Humanitarian Assistance (HA), Disaster Relief (DR), Search and Rescue (SAR)

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1 Introduction

1.1. Location of Taiwan

Taiwan is located at the center of the first island chain which roughly mirrors China mainland coastline.¹ The relative location of Taiwan is as following: the East China Sea lays to the north, the Pacific Ocean located to the east, the Bashi Channel directly to the south, the South China Sea to the southwest, and the west lies the Taiwan Strait, which is one of important sea traffic lanes in this region. At the present time, around four hundred vessels (not including fishing boats) pass through the Strait every day.² Historically, Taiwan connects the Asia Continent and the Pacific which make it critical in balancing the land and sea powers in the region. Besides, the resource-rich area in East Asia creates all kinds of politico-socio-economic conflicts in this region and brings disputes among relevant countries.

1.2. “East China Sea Peace Initiative”

In 2012, tensions in East Asia skyrocketed as the Japanese government tried to buy back the disputed Diaoyutai Islands from its original owner, a Japanese civilian. The intention of the Japanese government provoked strong anger from the Chinese people because Diaoyutai Islands historically belongs to Taiwan. Many protests were demonstrated in Taiwan and China. Governments of Taiwan, China and Japan responded to the issue by sending out their patrol ships to surround Diaoyutai Islands. All the activities made East Asia at the brink of war.

To calm tensions in East Asia and solve disputes over Diaoyutai Islands, Republic of China’s President, Ying-jeou Ma, proposed “East China Sea Peace Initiative” on August 5, 2012—the sixtieth anniversary of the Sino-Japanese Peace Treaty—calling on all parties with interest in the issue to:

- (1) Refrain from taking any antagonistic actions;
- (2) Shelve controversies and not abandon dialogue;
- (3) Observe international law and solve disputes through peaceful means;
- (4) Seek consensus on a “code of conduct in the East China Sea”; and
- (5) Establish a mechanism to the cooperative exploration and development of resources in the East China Sea.

President Ma suggested implementing the peace initiative in two stages based on the concept that “while sovereignty is indivisible, resources can be shared”. The first would involve peaceful dialogues and mutually reciprocal negotiations, while the second stage would be sharing resources and collaborative developments. In concrete terms, this would mean starting with three separate bilateral dialogues (between

¹ Toshi Yoshihara, “China’s Vision of its Seascape: The First Island Chain and Chinese Seapower,” *Asian Politics & Policy*, Vol. 4, No. 3 (2012), p. 294

² Chen Yan-Hong, “Vision of Taiwan’s Maritime Transportation and Security,” *Ship and Shipping Newsletter*, Issue 5 (2004), p. 11, Original in Chinese

Taiwan and Japan, between Taiwan and Mainland China, and between Japan and the Mainland) and then moving to a single trilateral negotiation process to eventually reach a win-win-win situation for all parties. With the announcement of the Initiative, many relevant parties started to think of the importance of maintaining peace. The Japanese government officially agreed to sign fishery agreement via negotiations. Before the Initiative, the disputes on Diaoyutai Islands lasted over 40 years and there was no progress after 16 times of fishery agreement talks.

2 The Trend in East Asia

In 1994, when the sixtieth member of United Nations ratified the United Nations Convention of the Law of Sea (UNCLOS), it came into force. In UNCLOS, the coastal states could extend their jurisdictions for resources into much broader Exclusive Economic Zones. This extension resulted of overlapping Exclusive Economic Zones in neighboring countries and became a root of disputes in many coastal states.

The geographic locations of countries in East Asia include Japan, Taiwan, China, and Korea. Among those countries, there have been many conflicts in the overlapping areas of Exclusive Economic Zones after UNCLOS, and the situation becomes even worse as the competition for marine resources rises. No matter the conflicts are bilateral or trilateral, they all bring harms to people or even tensions to governments. Under the doctrine of “Each government has absolute responsibility to protect its sovereignty”, it is understandable that the solution for the overlapping Exclusive Economic Zones is not easy to get.

2.1 Territory Disputes on Islands in East Asia

There are many disputed territories in East Asia, for example, Takeshima Islands (or Tokto) between Japan and Korean, and Diaoyu (Diaoyutai) Islands between Japan and Taiwan are two territories which have created tensions many times. The dispute in Diaoyu Island has started since the end of War World II when Japan claimed the ownership based on the Treaty of San Francisco. [However, historic records show the island has been part of our territory in Qing Dynasty, and also a long-time Taiwan fishing territories.](#) There were few conflicts for the island between Taiwan and Japan prior 2004. The conflicts become intensive due to the discovery of rich mineral deposit at the East China Sea and Japan’s nationalizing the Island in 2012. The fishery agreement signed in April, 2013 between Taiwan and Japan reflected the spirit of President Ma 's “East China Sea Peace Initiative”.

2.2 Disputes among Islands in the Southern Sea and the South China Sea

The ownership in Yami and Batan Islands chain between Taiwan and the

Philippine has a complicated history background. Professor, Hurng-Yu Chen³, based on his study, pointed out that the islands belong to Taiwan. He claimed that the original reasons for the territory dispute are that Taiwan government did not draw the patrolling areas in the Strait between Taiwan and the Philippine; and that “the Philippine Baselines Law” passed in 2009 which directly includes those islands in their jurisdiction. Disputes in the South China Sea also include Spratly Island and Paracel Archipelago. Mainland China recently built up the airport and harbor at Fiery Cross Reef in the South China Sea. This action just triggered the tensions over the water area. Conflicts in the region intensify because of the competition for marine resources.

Besides, competition between the United States and China on maritime security is another important issue that must be deal with peacefully. As more and more nations are paying attention to the marine recourses,⁴ to develop military force for safeguarding national security and searching for profit becomes a trend in neighboring nations.

2.3 Fish Catching and Conflicts in the Overlapping Waters

The East China Sea and the South China Sea are two major areas of sea stocks for countries surrounding them. According to the statistic from the Research of Asia Pacific Fishing Commission, it shows a total number of fishing vessels of China, Vietnam, the Philippines, Thailand, Malaysia and Indonesia operated in the South China Sea reaches 1.77million and about 3.73 million people are employed in fisheries industry.⁵ The amount of captured fishery production increased 3.5 percent between 2009 and 2010 in which over 30 million tons of catch was made by above countries, including Taiwan, while China takes more than 50 percent of the total catch.⁶ Depletion becomes a serious consequence caused by overfishing.

Sustainability of all marine biological resources in those waters has to be treated seriously. Most fish species in high sea are migratory. Competition of fish catching and conflicts in the overlapping EEZs become inevitable. The Guan Da Xin No.28 incident happened on May 9, 2013 was an example of this kind of conflicts in which a Taiwanese fisherman was shot dead by Philippine Coast Guard in the region where no fishery agreement between the two countries.⁷ And several such kinds of tragedies

³ Lee, Jen-Ya, “Scholar suggested drawing Batan Inland into our territory” 2013.05.14
<http://news.chinatimes.com/focus/501013439/132013051401081.html>

⁴ Lee Byung Moon, “Challenges and Prospects of Non-Traditional Threats in the North East Asian Seas”, 2014 International Sea Lines of Communication Academic Conference, ROC

⁵ “Regional overview of fisheries and aquaculture in Asia and the Pacific 2012” , Asia-Pacific Fishery Commission publication 2012/26,page 26-27

⁶ Ibid, Page 2

⁷ Tan, Chih-lung, “Collaboration on Non-Traditional Threats, an Approach to Mediate Traditional Conflicts in the South China Sea”, 2014 International Sea Lines of Communication Academic Conference, ROC

repeatedly occurred recently.

Fishing boats from the Mainland quite often, via drawlers, deplete fishing stocks around Taiwan sea territories, especially in Penghu, Kinmen, Matsu, and northern islands. Their actions not only endanger our sea resources, damage to maritime security but threaten the safety of law enforcers. In the fall season when high-value fishing stocks migrate around this area, the situation would get worse.

2.4 The US Rebalancing Strategy

Washington's "Rebalancing to Asia" strategy, according to the White House, was not designed to constrain the rise of China. The rebalancing strategy intends to "advance economic prosperity and strengthening regional institutions and integration, . . . and pursues a stable and constructive relation with China".⁸ Due to the increasing global trading networks and the fastest growing economies in East Asia, it becomes highly important to uphold and strengthen the international law and standards via America's deeper and broader involvement. The US rebalancing strategy aims to "muddling through policy" to dynamically and comprehensively address four specific opportunities in the region, that is, creating sustainable economic growth; powering a clean energy revolution; promoting regional cooperation; and empowering people.⁹

3. Maritime Management around Taiwan

3.1 Roles of Coast Guards in Different Countries¹⁰

There are different Coast Guard types among coastal states. According to Professor Geoffrey Till, some countries' maritime law enforcement missions are performed by navies which usually more aim toward traditional defense and combat roles, while others set up professional organizations for enforcing the law, for example, Japan Coast Guard, and Philippine Coast Guard. In 2013, the People of Republic China merged four institutes, including the maritime safety, security and law enforcement agencies, to form China Coast Guard.

Republic of China (Taiwan), based on regulations in UNCLOS, promulgated two laws—"the Law on the Territorial Sea and the Contiguous Zone of the Republic of China" and "the Law on the Exclusive Economic Zone and the Continental Shelf of the Republic of China" and came into force on January 21, 1998. In order to fulfill the

⁸ Soong, Hseik-wen, "China's "Muddling Through Policy" in the East China Sea Dispute", 2014 International Sea Lines of Communication Academic Conference, ROC

⁹ Chad Blair, "In Hawaii Visit, John Kerry Presents Vision for Asia-Pacific Engagement" August 13, 2014 published in Honolulu Civil Beat:

<http://www.civilbeat.com/2014/08/in-hawaii-visit-john-kerry-presents-vision-for-asia-pacific-engagem-ent/John> Kerry, "U.S. Vision for Asia-Pacific Engagement", August 13, 2014 published in U.S.

Department of State : <http://www.state.gov/secretary/remarks/2014/08/230597.htm>

¹⁰ Yuan, Chin-Chung, "The Role, Potential and Prospect of ROC in HA/DR in the Asia-Pacific Region" RADM Yuan, 2014

international responsibility, Taiwan set up Coast Guard Administration in 2000 by combining the Defense Ministry's Coast Guard Command, the Interior Ministry's Marine Police Bureau, and various customs cutters. Taiwan Coast Guard Administration (TCGA) has several missions which include coastal security, drug or migrant interdiction, search and rescue (SAR), conservation of living marine resources, marine safety, marine environmental protection, and other law enforcement operations.

3.2 Lead Role of Coast Guard Type Forces in Cooperation at Sea

In 2006, Dr. Stanley Byron Weeks, Adjunct Professor, U.S. Naval War College, discussed the Proliferation Security Initiative and the Asia Pacific Maritime Context.¹¹ He also said that because disputes which caused from interests-searching in the overlapping Exclusive Economic Zones in neighboring countries are more difficult to solve due to the highly political sovereignty issue, there is increasing recognition of the value of Coast Guard type forces to deal with transnational threats and crimes at sea for peaceful and routine engagement at sea via cooperation with counterpart maritime forces from other regional nations.¹² Under "East China Sea Peace Initiative", the spirit is to focus on peace-making and resources-sharing for all human beings. To achieve the goal, strategic methods with low political sensitivity, such as the cooperation and mechanism of Human Assistance (HA) and Distress Relief (DR) were adopted by relevant countries' Coastal Guard.

3.2.1 Taiwan and Japan

People in Taiwan and Japan have intensive interactions; they have very close business relationship. Under "East China Sea Peace Initiative", Taiwan and Japan signed a fishery agreement in 2013 that has helped settling disputes on fishing in waters surrounding Diaoyutai Islands in the East China Sea. Besides, TCGA and JCG, based on HA/DR of saving lives, exchange visits and conduct SAR cooperation to enhance the maritime safety. This Initiative actually helps people in the region. So, President Ying-jeou Ma was awarded the Eisenhower Medallion on Sep.19, 2014.¹³

Statistic of SAR

From 2011 to Aug., 2014, a total of 5 cases and 26 persons rescued via cooperation in SAR between Taiwan and Japan.

Statistic of SAR with the cooperation of Taiwan and Japan

	2011	2012	2013	2014(1-8)	total
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¹¹ Dr. Stanley Byron Weeks, "the Proliferation Security Initiative and the Asia Pacific Maritime Context" presented in the 20th Asia Pacific Roundtable, Kuala Lumpur, 2006

¹² Dr. Stanley Byron Weeks, "Cooperation Mechanisms on Combating Crime at sea", 2014 International Sea Lines of Communication Academic Conference, ROC

¹³ "Ma calls for regional peace at Eisenhower Medallion ceremony", CNA
http://taiwandiaoyutaiislands.tw/EN/News_Detail.aspx?ID=1998

Cases	0	0	3	2	5
Persons	0	0	11	15	26

3.2.2 Taiwan and the Philippines

The Guan Da Xin No.28 incident raised huge tensions between the two countries because that the Philippine government did not respond by the deadline to Taiwan's request--including the Philippine's apology, punishment to predators, compensation, and fishery talks.

President Ma, with the spirit of the Initiative, utilized economic sanctions to avoid military conflicts between the two countries. The event that TCGA rescued 3 Philippine fishermen on July 21, 2013 at 37 NM southeast of Cape Eluanpi, southern point of Taiwan Island might be one of reasons to lower down the tensions of the two countries. Finally, consensus was reached with three principles to deal with fishing vessels in the overlapping EEZ, that is, to establish a mechanism to notify each other without delay in cases where there is hot-pursuit, detention, etc.; to develop a mechanism for the prompt release of detained fishing vessels and their crew, consistent with international practice; to avoid use of force and/or violence.

TCGA & PCGA continuously exchange visits and conduct table top exercises under MOU between TECO & MECO on Maritime SAR and Marine Environmental Protection Cooperation in 2008.

Statistic of SAR

With the bilateral cooperation, there were 9 cases, 31 person rescued between 2011-Aug. 2014. Moreover, TCGA & PCGA continuously exchange visits to discuss how to well improve SAR, including training & drills.

Statistic of SAR with the cooperation of Taiwan and the Philippine

	2011	2012	2013	2014(1-8)	total
Cases	3	1	3	2	9
Persons	9	1	12	9	31

3.2.3 Taiwan and Mainland China

ROC (Taiwan) always plays an active role in recent years as a peacemaker and a humanitarian-aid provider in the international community as well as across the Taiwan Strait. In Oct. 2010, Taiwan and the Mainland held a joint SAR drill in waters between Xiamen (part of the Mainland) and Kinmen (an island under Taiwan's jurisdiction) to assess and enhance capabilities of responding to maritime emergency in both sides' rescue agencies. This first-time joint SAR exercise was a milestone of official cooperation between once hostile parties. Then in 2012, and 2014, every two years, each party took turns to be in charge of the drill. And, under reciprocity, each drill was co-hosted by the Deputy Minister of CGA and Deputy Minister of traffic and

transportation of Mainland China. From 2011, continuous exchanging visits were held for better mutual understanding and cooperation in SAR missions.

Statistic of SAR

From 2011 to Aug., 2014, there are 31 cases and 341 persons rescued via bilateral cooperation. Among those cases, on May 15, 2012, at off coast of Minchain River mouth of Fu-chain Province, a passenger cruise liner was in distress. TCGA rescued 153 passengers after the notification from Mainland China.

Statistic of SAR with the cooperation of Taiwan and Mainland China

	2011	2012	2013	2014(1-8)	total
Cases	8	8	9	6	31
Persons	46	192	71	32	341

Law enforcement cooperation

Under the mechanism of “Cross-Strait Cooperation in Combating Crimes and Judicial Assistance Agreement”, TCGA and CCG co-conducted maritime interdiction on Oct. 21, 2014. This is the largest size of co-enforcing the laws, which resulted in a total of 11 Mainland vessels were fined.¹⁴

4. Suggestions

4.1 Extend the Spirit of “East China Sea Peace Initiative” to the South China Sea

Peace is the most valuable treasury for humanity. President Ma’s “East China Sea Peace Initiative” aims to search for peace. After that Initiative, Taiwan and Japan reached a fishery agreement which lasted long unsolved in the past. Under the agreement, both sides set up SOP for dealing with fishing disputes.

President Ying-jeou Ma demonstrated a role of promoting regional peace across the Taiwan Strait, the East China Sea and the South China Sea. While the South China Sea is an area with conflicts among neighboring countries, it is important for us to, under the spirit of “East China Sea Peace Initiative, balance our relationships with the US, Japan, and China to make Taiwan a turning point from conflict to peace.

4.2 Prospects for Regional Cooperation with TCGA

It would never be an easy task to solve disputes when it comes under the issue of sovereignty. However, under the doctrine of saving lives, it is needless to emphasize the importance of strengthening the Consolidation of the Mechanism for HA/DR, especially in Asia Pacific region where maritime activities prevailing. Therefore, we must continuously enhance bilateral cooperation to improve the effectiveness of SAR.

TCGA, based on HA, continuously and actively joins SAR missions whenever

¹⁴ Tsai, Cha-Jen, “Both sides cross Taiwan Strait cooperate to crack down illegal boats”, 10.22.2014 <http://udn.com/NEWS/BREAKINGNEWS/BREAKINGNEWS4/9016482.shtml>

needed to make contribution to the global society. However, with the political sensitivity, we quite often were ruled out in international organizations. Because most of time, the consolidation of the mechanism for HA/DR in Asia Pacific would involve bilateral or multilateral countries, the United States should facilitate regional multilateral or bilateral HA/DR related cooperation relations that including Taiwan.

Taiwan and the Mainland held a joint SAR drill in waters of Kinmen and Matsu islands. Existing political distrust and military confrontation across the Strait did not impede this humanitarian cooperation. This model of “cooperating together with setting aside disputes” could be applied to all claimants of the South China Sea. Also, the least political implication nature of HA and of maritime security cooperation that highlighted at the moment of cross-Strait rapprochement should also be a model for regional countries to consider the inviting Taiwan to participate in similar collaborative mechanism.¹⁵ **In the future, the International Aeronautical and Maritime Search and Rescue (IAMSAR) should include Taiwan as a member so that Taiwan can share experience with International Maritime Organization (IMO) and the International Civil Aviation Organization (ICAO) in SAR services.**

4.3 U.S. Role in Promoting Regional HA and DR Cooperation

In 2005, the Association of Southeast Asian Nations (ASEAN) issued the ASEAN agreement on Disaster Management and Emergency Response. Since then, ASEAN takes turns to hold simulation exercises. However, the lack of resources remains the biggest challenge to such regional FHA/FDR efforts. For the regional stability and the rebalancing strategy of the US, Washington should manage to find additional resources to promote regional cooperation. In this regard, Taiwan is a good choice. Taiwan’s sufficient hardware capacities in HA and DR operations and Taiwan’s geographically-connecting nod make those operations more efficient and effective. Without Taiwan, the US’s two reinforcing approaches in rebalancing strategy are separated, irrelevant, and piecemealed. Washington may participate and encourage the ASEAN countries to participate events on HA and DR hosted by Taipei. The common-good issues focused by civil authorities, such as Coast Guard, and Fire Department could largely reduce the political sensitiveness caused by an exclusive mil-to-mil contact. Such events could help Taiwan to have more awareness about the significance of HA and DR and to improve its legal and organizational shortcoming.¹⁶ For DR, Taiwan Coast Guard has plenty of experiences and technologies which could be shared with its neighboring countries.

4.4 Fishery Talk prior to Delimiting Territory

¹⁵ Tan, Chih-Lung, “Collaboration on Non-Traditional Threats, an Approach to Mediate Traditional in the South China Sea”, 2014 International Sea Lines of Communication Academic Conference, ROC

¹⁶ Dr. York W. Chen, “Institutionalization of Maritime Cooperation”, 2014 International Sea Lines of Communication Academic Conference, ROC

Sea power relates interests not only to military, but also economy, politic, and marine resources. In overlapping Exclusive Economic Zones, delimiting sea territory directly impacts the interests in related countries. Though UNCLOS set up rules to deal with such disputes, there still are 137 coastal states with 376 issues in delimiting sea territory unsolved. Fishing agreement which is low political profile and profit sharing for human beings would be much easier to reach among disputed sides. We could try to deal the fishing disputes with the Philippines via the same method of the fishing agreements signed by China and Japan and by Japan and Korea in 1997 and 1998 respectively.

To deal with the issue of the Mainland's fishing vessels illegally fishing in Taiwan waters, on Oct.22, 2014, Premier Jiang said that we would, based on the spirit of fishery agreement with Japan, try to reach fishery agreement with Mainland China to protect our marine resources.¹⁷ With all of these efforts, we understand that fishery talks or signing agreements with regional countries are priority for reaching regional peace in the future.

4.5 Strengthen Maritime Capacity to Fulfill the International Responsibility

According to the statistics, TCGA conducted 38 cases and rescued 110 persons around Taiwan waters from 2010 to Oct., 2014. Taiwan Strait was classified as moderate-risk water areas by Lloyd's Register (LR) and there are about an average of 500 SAR cases every year. It is very important to enhance the maritime rescue capacity in this region for the safety in sea traffics. Furthermore, the HA/DR capability of a state can not only effectively relieves its own disaster, but also aids other countries in a furtherance of peaceful diplomacy.¹⁸ TCGA ever dispatched patrol ships to conduct SAR of the missing Malaysian Airline MH370 this year. With the realization the importance of sea power and the protection of marine safety and security and the fishing rights, Taiwan government must strengthen and expand TCGA's capacity. From 2009 to 2017, a 9-year stage of strengthening maritime law enforcement capacity has been adopted to build up large scale and long distance cruise vessels with more professional crew members.¹⁹

5. Conclusion

In Oct., 2014, President Ma told the visitors from the visiting group of Center for a New American Security that three ways to protect Taiwan— first is to institute the reconciliation between the two sides of Taiwan Strait, second is to contribute our efforts for peace-making for the global society, and third is to strengthen our national

¹⁷ Chung, Li-chun, "Premier Jiang urged to sign fishery agreement to deal with illegal fishing issue", <http://www.epochtimes.com/b5/14/10/23/n4279221.htm>

¹⁸ Yuan, Chin-Chung, "The Role, Potential and Prospect of ROC in HA/DR in the Asia-Pacific Region" RADM Yuan, 2014

¹⁹ Wang, Kuan-Hsiung, "National Ocean Strategy and Disputed Waters : Easter China Sea", 1 The Center for Marine Policy Studies, NSYSU. Aug.,2014

defense force. It is very important for Taiwan to play the vital role in peace-making because of the complicated situations in the East China Sea and the South China Sea which, if not deal well, might be a source of wars.²⁰

This paper, with the geographically strategies and peace-searching values, aims to convince all the maritime assets within the East and the South China Seas to fulfill the spirit of “East China Sea Peace Initiative” and make constructive contributions to the relevant nations. Suggestions are provided to build up mutual trusts via several ways, such as the Mechanism for HA/DR. That relates closely to the smoothness of cooperation and the effectiveness of the missions. Since there is pressure on political sensitivity among interest parties, there should be some other ways to increase benefits for all human beings. From the field operation of SAR in maritime areas, we believe HA can break all the barriers in the political sensitivity and can establish mutual trusts and friendship in different countries. By performing HA/DR to reduce harms to human beings, we not only safeguard coast and the maritime community, we also safeguard economic prosperity.

²⁰ Liu, Li-Jung, “Being a peace-maker to stabilize situation in East China”, 10.27.2014
<http://www.cna.com.tw/news/aip/201410270131-1.aspx>

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Implementation of East China Sea Peace Initiative

Bonji Ohara, The Tokyo Foundation

Introduction

In October 2014, Japan has not recovered normal relationships between South Korea, and between China, yet.

I understand all Japanese, Chinese and South Korean Governments are trying to avoid the military conflict between these countries. But there is still a possibility to occur military conflict, especially between Japan and China.

Two countries have already had some dangerous situations in East China Sea in these years. For example, Chinese PLA Navy Frigate used Fire Control RADAR against JMSDF Destroyer in January 2013. Japanese and Chinese military aircrafts had near misses in the air a few times in 2014. Japanese and Chinese Coast Guard ships are still operating around Senkaku Islands, too.

These issues warn us of the danger about the unexpected collision between military/law-enforcement vehicles. And it has a possibility to escalate into military conflict, and then into war.

Both countries don't prefer to go to war, because the cost of war is huge. Both countries give domestic problems the highest priority. Therefore we have to consider how to avoid the military conflict and how to prevent the conflict to be escalated, if once the conflict occurs.

On the other hand, I don't believe Japan and South Korea have a kind of military crisis in the future, because JSDF and South Korean Military Forces have enough experience of exchange.

My perception is not special in JSDF officers. JMSDF has almost 20 years experiences of exchange with South Korean Navy. A lot of JMSDF officers who I know have many good friends in South Korean Navy. I have good friends in South Korean Navy, too. Even I retired JMSDF, we hug every time I see my South Korean friends in Navy.

Why don't I believe Japan and South Korea have a war? It is a hint to consider how to avoid the military conflict. The relationship between JSDF and South Korean Military Forces shows us the importance of Confidence Building Measure, especially Military Exchange.

Compared to these good relationships between the Japan and South Korean military personnel, the problem between Japan and China is a huge perception gap now. We have to fill the gap. Otherwise, two countries easily misunderstand each other

because they are skeptical about the other's intention, even in the ocean. Japan and China need to conduct more military exchange. We can understand each other only through meeting each other, discussing face to face, and doing exercise together.

But it takes long time to build the mutual understanding. Japan and China can't wait such a long time, because they have already had dangerous situation. There has been possibility of unexpected collision between Navy/Coast-Guard ships or military aircraft today.

we need other measures besides CBM to avoid the military conflict and the crisis escalation which exists even now. It must be the Crisis Management Mechanism. We need the measure to avoid crisis and escalation now, and the measure to fill the perception gap for the future, at same time.

And then we also need to discuss about cooperation beyond CBM. Countries in this region need to trust each other that other country doesn't have intention to go into war.

We need a new kind of idea about the security in Asia.

1. Preparation – Crisis Management Mechanism

Both Japan and China don't have experiences about how to deal with each other. Japan doesn't know well about China's PLA. China doesn't know well about JSDF, either.

Japan is skeptical about China's intension in this region. Japan is afraid of the case that China use military measure to change the status quo. In addition, China can't trust Japan, either.

In the situation of that both countries can't trust each other, the possibility of unexpected collision by miscalculation is high. Both countries are afraid of that other side will take military action.

It means both countries need to prepare the crisis which may be led by collision of vehicles. This kind of crisis may occur even today. The two countries don't have time to hesitate to build some mechanism to manage the crisis, even though both countries can't trust each other. Japan and China have to start building the crisis management mechanism now.

The crisis management mechanism must be the one which can show both countries intention to each other. And they have to show their intention to other side just after the collision happened in East China Sea. The collision will escalate easily, and both sides may take some military action.

The problem is who can show the intention of the country to the other. Top of the

country can show its intention. Therefore, the hot line must be effective for crisis management mechanism. The hot line between U.S. and former Soviet Union shows us the effectiveness.

Japan and China started discussing about building hot line between middle level leaders, but the discussion is suspended. As my understanding, the hot lines between middle level leaders don't work, because they can't decide national direction by themselves. The hot line must be built between top leaders. But I'm afraid that the hot line between the top leaders of Japan and China doesn't work effectively because top-leaders in the two countries are not powerful enough to decide how to deal with the issue by them. It is not because of their personal problems, but because of the decision making structure in the countries.

So, who can show his country's own intention to opponent side? I think headquarters of military forces can explain the action which was taken by unit. Headquarters can't decide how to deal with the issue which has possibility to escalate, but they can at least explain whether the action was followed the order or not, and the meaning of the order.

This is the first step to avoid misunderstanding. If the country can understand the collision was not made by opponent side intentionally, it will be helpful to avoid taking retaliatory measures in a quick matter, and to make the country to ponder how to deal with the issue.

But it is not enough. Both countries must show the opponent side the intention of what to do next and not to do. It means the hot line between top leaders is necessary, too. Other hot lines between headquarters can be complementary measure which gives leaders of both countries time to consider and discuss with other leaders and staff inside each country.

2. Filling Perception Gap – Necessity of Exchange

The crisis management framework is one of passive measure for avoiding escalation. We need the positive measure for securing the safety in East China Sea, at same time. Countries need to prevent own military/law-enforcement unit from taking aggressive action by miscalculation. The positive measure is creating confidence between countries. The confidence between countries can't be built without filling the perception gap. Especially, both Japan and China are skeptical about other's intention each other.

For building mutual understanding, we can consider about the framework like MMCA – Military Maritime Consultative Agreement between U.S. and China as a

framework for avoiding accidents. The base of the agreement is the recognition of that both countries must avoid unexpected collision.

The agreement stipulates the workshop between the two military. Navy Commanders and Lt. Commanders of both countries discuss about the technical problem of maritime operation. They are contacting each other even in the ocean. So they understand the situation and can discuss about the problems, and then the discussion will be fruitful.

As my understanding, both Japan and China don't want to fight. Chinese officials sometimes say "Japan – China relationship is U.S. – China relationship. Japan – China war is U.S. – China war." Japan and China understand the cost which war will bring to them. It means Japan and China can get an agreement that both side has to make effort to avoid an accident which has possibility to escalate. Therefore there is the possibility that Japan and China can build the framework like MMCA and hold the workshop. But they still have a problem.

The workshop provides the platform to discuss about the technical problem to avoid collision and secure safe navigation. But there is obstacle always. It is political issues. The U.S. Naval officers told me that Chinese Navy officers in the workshop have persisted their political view. U.S. Navy proposed to divide the meeting into the two. The one was for discussion of political problem and another was for technical problem.

The problem between Japan and China is much bigger than the one between U.S. and China. There is a historical problem between Japan and China. Chinese delegations can't put political problem aside when they discuss with Japanese delegations. It means it is difficult to discuss only about technical problem.

China regards the US as the only rival for China. In this sense, the discussion between Japan and China as an effective bilateral framework is difficult. Thus, we have to consider multilateral framework for discussion.

First of all, the safety of navigation and stable East China Sea is not only the matter for Japan and China but also for the all countries surrounding East China Sea. Multilateral framework for discussion among Japan, China, South Korea and Taiwan must be effective. The key is that they share the perception of the necessity of avoiding the accident like collision between vehicles and control the crisis for securing stable situation in East China Sea.

The other effective exchange is port visit by Navy ships as joint exercise. Port visit by Navy ships is very symbolic. Navy ships are hoisting the national flag and bring hundreds crews.

The good example of this was that Chinese Navy participated in RIMPAC 2014. U.S. Navy welcomed Chinese Navy ships in Hawaii and allowed China to join the joint exercise. U.S. Navy recognized the exchange with Chinese Navy was meaningful. They said they could understand aspects of Chinese Navy to some extent through the joint training with Chinese Navy ship crews directly.

I think Chinese Navy could understand some aspect of U.S. Navy, too. And they learned about Navy operations from the joint training to some extent. Chinese Navy could experience Navy manner, too. U.S. Navy and the Navies which participated in RIMPAC criticized Chinese Navy because China sent information gathering ship to offshore Hawaii. This Chinese behavior breached the Navy manner, even though most of Navy sent intelligence personnel to Hawaii as ship crews.

If countries recognize that they can understand each other, it would help to avoid miscalculation. If countries recognize that they can communicate, they are motivated to communicate each other. The accumulated military exchange can enhance these kinds of recognitions.

Chinese Navy is contacting with other Navies by radio in the ocean, now. It is quite different from the situation in the past.

3. Beyond CBM – Joint Cooperative Project

CBM has a limitation. Exchange will promote mutual understanding, but it's difficult to build mutual trust only by exchange. We need some more positive measure to make countries to reconsider taking aggressive actions.

Security is not achieved only by military activity. Countries must use everything they can use for security. For the purpose of avoiding war between countries, Economic measure must be used, too. Japan and China are trying to separate economic activity from political problem.

If countries can have some joint project in which every countries can cooperate, and then countries prefer the cooperation with others to the aggressive action. But economic joint projects are not enough effective. If countries can find some mutual interest in the projects in East China Sea, countries can change East China Sea as a sea of confrontation to a sea of cooperation.

The joint project deems to be attractive to countries. We need to find the projects which bring enough benefits to countries. Countries can't choose the project which develops resources in East China Sea because countries would insist its own right to the resources. It is the same thing of the present situation in which countries claim title to the area.

Countries have different ideas about EEZ and territory in East China Sea. Therefore countries have to find a project which doesn't take resources from East China Sea. Countries have to develop a project which can create resources from East China Sea.

Countries have to get resources for their own economic development, but resources in East China Sea are limited. There are projects can create resources from sea, like "fish farming" and "wave/tide power generation" etc. There are some test sites of wave/tide power generations, but all of them are located near the shore. There are many places where they can conduct tests in the ocean. if we can succeed to get big scale of electricity, we can use it for other projects on the base in the ocean.

Of course there are many problems to solve, if we want to promote these kinds of projects. But I think the project which has many problems must provide the good side effects. Because we can discuss about many problems, but the problems might bring cooperation. These projects can inform its citizens on cooperation between countries. It must have good influence on relationships between countries as well as on the security situation in East China Sea.

One more thing is involving other regions outside. But it doesn't mean involve them into a situation of military confrontation. I mean involve other region into the business network of Asia.

We need a new idea for security in Asian region. We can't build "common security" in this region like OSCE in Europe, because of huge gap about the threat perception between countries. That is why it is difficult to build a multilateral security framework in this region.

If we want to take effective action against specific issue among countries in the region, a multilateral framework per se must fail because it is difficult to reach an agreement about an action taken by countries. The bilateral cooperation is the most effective if we want to take action to deal with specific issue. But the capability of only two countries is not enough. Therefore we need to plural network for building bilateral cooperation in Asia.

But we don't have to say security network itself. It is idea for security, but it must be based on business. The effect on security situation is the result.

The key word is "common asset". The most important in this idea is making big market in Asian region and making Asian small countries to behave as a unified economic actor. The big market of defense/security equipment will exist in Asian region, if countries can use "common asset" for regional security. The big market gives countries from outside of the region incentive to invest into the region. It means these

countries from outside of the region are involved into the business network in this region. Both countries from outside and inside of the region must get economic benefit from the network, or else countries can't have enough incentive to join the network.

The network will be intertwined, if countries in the region have many "common assets" and make many layers of network. Intertwined cooperative networks make countries inside the network to consider about the result of its own action in the networks. At the result, countries prefer to take moderate action against other members in the network.

Countries always have to consider balance between gains and loose caused by its own action. This is the effect of the intertwined network of bilateral cooperation.

Conclusion

What I mentioned above are not steps. We need to prepare the crisis, filling perception gap and conducting joint program at same time. All measures are needed immediately.

War forces countries to pay too much cost. And countries can't compete with China in armed race. It is waste of economic resources in each country.

The purpose is development of countries without military conflict. Countries must use every resource in each country for securing safe and stable situation in Asian region. Security is not achieved only by military measure.

Threat consists of "intention" and "capability". Military must prepare for the worst scenario, and must make effort to improve its capability. But countries must consider cooperation with other countries. U.S. is still influential actor in this meaning.

At the same time, we have to work on "intention" of each country. It is difficult to deter a country only by conventional forces. It is more difficult to deter China, because there is threat perception gap between China and small countries.

Armed race in Asian region is not pragmatic. It wastes economic resources in each country, although every country needs to use these economic resources for economic development.

Therefore we need a new idea for the regional security in Asia. We have to show our intention to secure stable situation in Asian region, and to take concrete measures to guarantee the operations by each country in safe condition, now.

**East China Sea Peace Initiative (ECSPI) and
Great-Power Rivalry in East Asia:
A South Korean Perspective**

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By now it is clear that for all East Asian states the depth of changes and uncertainties at the domestic and regional levels calls into question some basic assumptions on which we have previously predicated our expectations. Most notable are the ongoing influence competition between the U.S. and China, Sino-Japanese rivalry, and the ROK-Japan feud, and the unpredictable North Korea—all in the background of China's growing wealth and influence, the lingering uncertainty over U.S. role, and unresolved maritime disputes.

Of another relevance to this essay is East Asia's political and geographical diversity. Land-based inter-Korean confrontation, for example, requires an approach quite different from disputes in the South China Sea, which are maritime and multilateral in nature. Besides, in Northeast Asia when compared with Southeast Asia there exist a higher level of hostility and militarization, bilateral nature of conflict, and the impact of bilateral security arrangements. This partly explains the difficulties of establishing viable multilateral security arrangements, notwithstanding the SCO, Six-Party Talks, and the NEA Summit Meeting.

This brief essay advisedly focuses on the viability of and the challenges to the ROC's East China Sea Peace Initiative (ECSPI). In order to do this, it is necessary to examine the strategic rationale and the likely "influence competition" among the major powers—i.e., the U.S., China, and Japan. This essay concludes with a few policy recommendations for individual states in order to arrest the downward spiral in East Asia's security dynamics.

Due to the nature of this topic, a few caveats are in order. First and foremost is the uncertainty—at present and in the near future—over how the controversy would evolve, as a unilateral action by one of the main players can change the whole dynamic. This is unpredictable. Another is the interactive nature of ties regardless of its origins. In brief, it is not rare to find that in a tense bilateral relationship one country perceives as being "provoked" by the other and is thus "reactive" to the other's action, while the other side feels the same way. Thus, this essay tries not to single out the *agent provocateur*. Last but not the least is that the naming and sequence of places or areas under dispute obviously do not indicate any preferences or hidden motives of this essay. They shall be avoided as much as possible.

Rivalry among the U.S., China, and Japan: The Changing Context

The future of East Asian prosperity and security will be largely shaped by the economic and security trajectories of China and Japan as well as by U.S. relations with both countries. A continued healthy U.S.-Japan security relationship is vital to American interests and to Asian security, and for the moment the U.S. has a felt need to support a "normal Japan," but without jeopardizing its neutral stance on historical and territorial issues. In particular, a series of recent statements by top Japanese leaders that provoke its neighbors is causing annoyance in U.S. East Asia strategy and its alliance management. At the same time, it is very important to maintain the position that the alliance should not appear aiming at China.

China and Japan embody the world's second and third largest economies, respectively, and wield substantial political clout in regional affairs. Militarily, albeit different in nature and size, both countries are major factors to be reckoned with in any East Asian strategic equation. Thus, the current spate of antagonistic ties between Beijing and Tokyo—as well as that between Tokyo and Seoul, allies of the U.S.—remains problematic. On these two sets of bilateral ties, the U.S. has so far been unable to resurrect normal ties, while continuing to emphasize that the most pressing agenda should be security, not history.

Seen in another perspective, East Asia's continued economic strides would certainly make higher the stake of regional stability, which depends upon among others the management of the conflicting territorial and maritime claims, North Korea's nuclear and military gambit, multilateral security cooperation, and the continued U.S. presence. It is this context of a rising China in the prosperous yet uncertain East Asia, against which U.S.-China "capabilities competition" or "influence competition" in the region should be understood.¹

Probably the most consequential aspect of China's rise in terms of economic and military might will be a change in the dynamics of power in East Asia, in which the U.S. maintains the leading and stabilizing role, a network of bilateral alliance and defense ties, and a set of economic and security objectives—at the time of severe defense austerity.² It is thus no wonder that the possibility of power transition from the dominant U.S. to the rising China has attracted so much attention from the academic and policy community as well as from the international media. Due also to the logic of great-power politics, the nature of the Chinese political system, and its continued involvement in the region's outstanding territorial and maritime disputes, it stands to reason that its neighboring countries are concerned about how China might use its new power and influence.

A realist take or a "realistic" understanding of the rise of China is available from many of America's best minds, including Kissinger,³ Mearsheimer,⁴ and Friedberg.⁵

¹ The former was coined by Admiral Mike McDevitt and the latter by U.S. Secretary of State Hillary R. Clinton.

² See Peter W. Singer, "Separating Sequestration Facts from Fiction: Sequestration and What It Would Do for American Military Power, Asia, and the Flashpoint of Korea," September 23, 2012 available at www.brookings.edu/research/articles/2012/09/23-sequestration-defense-singer. See also Michael J. Mazarr, "The Risks of Ignoring Strategic Insolvency," *Washington Quarterly*, Vol. 35, No. 4 (Fall 2012), pp. 7-22.

³ See in particular the Crowe episode in "Epilogue: Does History Repeat Itself? The Crowe Memorandum," Henry Kissinger, *On China* (New York: The Penguin Press, 2011), pp. 514-30, esp. pp. 518-20.

⁴ For an excellent exposition on the history of great-power politics and its theoretical insight into the effects of a rising China on the region, see John J. Mearsheimer, "The Rise of China and the Fate of South Korea," paper presented at an international conference on the "Korean Question: Balancing Theory and Practice" hosted by the Institute of Foreign Affairs and National Security (IFANS), Shilla Hotel, Seoul, October 7, 2011. See also his "Taiwan in the Shadow of a Rising China," a speech text delivered to the Annual Conference of the Association of International Relations, Taipei, Taiwan, the ROC, December 7, 2013.

The present-day “strategic mistrust” between the U.S. and China is a case in point. The Chinese leadership perceives that the thrust of U.S. strategy toward the Asia-Pacific region and China is to contain China, so it needs to hold off America’s encroachment as much as possible,⁶ whereas the Obama administration relies heavily on the linkage of alliance networks and friendly ties in the region—with a new policy of strategic rebalancing toward the Asia-Pacific. The net effect is none other than “strategic access vs. strategic anti-access competition” at the regional level.

Most, if not all, of the authors cited above would concur that at present China with the exception of the Taiwan case is basically a status quo power in a sense that even if it is a rising power China is benefitting from the regional stability buttressed by the U.S., the world’s sole superpower. In other words, China is basically “satisfied” with the U.S.-led regional security. The question is: for how long? For its part, the Chinese government often stated that the first two decades of the 21st century (i.e., 2000-2020) constituted the “period of important strategic opportunity” (*zhongyao zhanlue jiyu qi*) for its national development. Will China remain a status quo power even after it continues to rise in the 2020s and beyond? As illustrated in the debate over “intention versus capability,” a future China could well behave like a revisionist state if it can—regardless of its intentions.

Similarly and at the regional level, while the future of China-Japan relations will have a substantial impact on post-Cold War East Asia’s economic and security order, their traditional rivalry and current and likely future power potentials will continue to be a source for concern in their neighbors’ strategic planning. For both historical and contemporary reasons, each country has also pursued its foreign policy goals with an eye on the other.

In terms of future regional stability, what is perhaps more significant at the beginning of the new century is whether the two major regional powers will develop a relationship that is either strong and cooperative *or* weak and confrontational in the years ahead. Of equal importance is the diverse yet uncertain impact of this evolving relationship on the future of East Asian security, particularly in light of their changing domestic and international contexts.

As China’s continued economic growth depends more on securing maritime resources and interests, it stands to reason that the PLA Navy will acquire a wider range of mission capabilities. This type of naval modernization is bound to enhance the level of apprehension by other regional powers and even create an action-reaction cycle at sea. While the current discussion on this subject tends to focus on the U.S.-China rivalry, an important yet under-researched aspect is the creeping regional power

⁵ Aaron L. Friedberg, *A Contest for Supremacy: China, America, and the Struggle for Mastery in Asia* (New York: W. W. Norton & Company, 2011). See also a critique of this book with an emphasis on the importance of the economic factor in their rivalry, Martin Jacques, “The Case for Countering China’s Rise,” *New York Times Book Review*, September 23, 2011.

⁶ For a recent assessment on Chinese leaders’ perception of America, see Andrew J. Nathan and Andrew Scobell, “How China Sees America: The Sum of Beijing’s Fears,” *Foreign Affairs*, September/October 2012.

transition between China and Japan, the two traditional regional heavyweights. A combination of “resistant nationalism,” a sense of crisis, political immobility—especially by the post-war generation of political leaders—is sweeping over Japanese society.⁷ A host of recent policy reversals by the Abe administration appears aimed at moving beyond Japan’s post-war system. While the ongoing power transition between the two major regional powers will remain an issue of greater attention, it lies beyond the scope of this essay.

It is argued finally that despite their huge and growing stakes in maintaining an amicable relationship, China-Japan relations will remain a difficult and often tense process. The persistence of their traditional rivalry and historical distrust over time suggests that they may have more to do with deeply ingrained cultural, historical, and perceptual factors than with the dictates of economic cooperation or shared interest in regional stability that are mutually beneficial. Also underlying their complex but competitive ties is the rise of new-generation leaders in both countries who are tasked with coping with a complex set of challenges from below as well as from outside. How well and in what manner they handle the challenges could significantly affect not only the wealth and health of their respective nation but also the future of the regional order. The future stability in East Asia will hang in the balance as China and Japan continue to seek a new balance between their interdependence and rivalry.

ECSPI: A Reality Check

At the risk of oversimplification it is necessary to assess critically how and in what manner can we make the ESCPI more viable and more effective in the multitude of policy initiatives and future visions. China’s recent economic initiatives such as “Silk Road Economic Belt” toward Central Asia and “Maritime Silk Road for the 21st Century” toward Southeast Asia—the so-called “One Belt, One Road” (*yi dai yi lu*)—are a case in point.⁸ Setting aside the question of China’s intentions as well as its future viability, this proposal may attract many of China’s neighbors as the latter wish to benefit from China’s economic vibrancy.

Another is the three sets of diplomatic initiatives or processes advocated by the ROK government. Based upon the principle and goal of *trustpolitik*—the hallmark of Park Geun-hye presidency, it pursues “Trust-building Process on the Korean Peninsula,” “Northeast Asia Peace and Cooperation Initiative (NAPCI),” and “Eurasia Initiative.”⁹ In brief, the three sets of Initiatives intend to be gradual in pace, concentric in geographical scope, and multilateral in form to promote the “habit of dialogue” and the “culture of cooperation.” In other words, it is for the multilateralization of *trustpolitik* in Northeast Asia.

⁷ “Resistant nationalism” is this author’s understanding of Waseda University Professor Lee Jong Won’s discussion on Japanese tendency on nationalism and statism. See an interview with Professor Lee, *Dong-A Ilbo*, September 24, 2012.

⁸ Xinhua News, July 2, 2014 (http://news.xinhuanet.com/comments/2014-07/02/c_1111408196.htm)

⁹ For an official and latest assessment of the NAPCI, see Sei-joong Kwon, “Explaining the Northeast Asia Peace and Cooperation Initiative (NAPCI), JPI PeaceNet, October 27, 2014.

On the other hand, it is a grim reality that at the time of North Korea's continued military threat and provocations the Trust-building Process on the Korean Peninsula is hard to come by; the NAPCI would work better when the current stalemate in China-Japan and Korea-Japan relations is overcome, especially the issues of "comfort women," territorial sovereignty, and the Yasukuni Shrine; and as to the Eurasia Initiative China as well as the U.S. remain lukewarm as if they wait for a time when the Initiative gets a momentum.

It is the author's belief that the above-mentioned Chinese and Korean initiatives are worthy of noting—albeit briefly—and that they can serve as useful referents for Taiwan's ECSPI. For one thing, while all three countries call for achieving such benign goals as "stability, trust, and peace," they in reality carry different weights to the rest of region. The up-and-coming superpower China appears more "attractive" than the other two as it remains focused on substantive economic benefits as well as it deals with smaller neighbors. In contrast, South Korea's and Taiwan's are less substantial and have to cope with the bigger and stronger powers. The geostrategist Henry Kissinger is right on this occasion; the *realpolitik* credos still reign over East Asia.

For another, due to the complex nature of the cross-Strait relations it is unlikely for China to acknowledge Taiwan as a legitimate partner in the negotiation table, even if the ECSPI envisions as a first stage three bilateral dialogues before "progressing toward a single trilateral negotiation process." Similarly, it should be noted that the Initiative works better between liberal democratic states with no intent to resort to the use of force—to say the least. Taiwan's April 2013 fishing agreement with Tokyo is a case in point,¹⁰ as both sides set aside the sovereignty issue but agreed to protect their and fishermen's interests. If Taipei were able to negotiate with Beijing, it would constitute an asset for furthering the Initiative. Yet its prospect remains least likely.

For still another, it is hard to exaggerate the importance of political leadership—backed by domestic consensus and by diplomatic efforts. The final resolution of long-disputed Sino-Russian border comes to mind; yet in the case of the East China Sea sovereignty is at the heart of the issue and is likely to remain so in the foreseeable future. To build domestic consensus it is wise to envision a long-term process—i.e., not bound by the presidential terms. Korea's NAPCI, for instance, is intended to "proceed at a pace comfortable for *all* participants" (*italics added*).¹¹ Of equal significance is the role of diplomatic corps in reaching out to the entire region and beyond to explain the merits and practicality of the ECSPI.

All in all, the ECSPI is probably the only realistic guideline for sovereignty disputes. As the sovereignty and territorial issues are always regarded as "sensitive hairs on the chin of an elephant," as the noted China scholar Shinkichi Eto observed,

¹⁰ On the importance and implications of the fishing agreement, see Linda Jakobson, "Implications of Taiwan-Japan Landmark Fishing Agreement," in The East Asia Program, ed., *Tensions in the East China Sea* (Sydney: The Lowy Institute for International Policy, December 2013), pp. 37-49.

¹¹ The ROK Ministry of Foreign Affairs, *Northeast Asia Peace and Cooperation Initiative* (Seoul: MOFA, 2014), pp. 16-17.

it is sensible not to touch them. In its stead, dialogue and joint development are much more prudent and rational approaches. The fishing agreement—a long irritant to both sides—was successfully concluded on the basis of mutual benefits—without touching on the sovereignty issue.

Looking Ahead

In terms of their economic and military assets, Taiwan and South Korea are genuine middle powers. Given their geographical locations as well as their neighboring major powers, on the other hand, they are relatively weaker powers. At the risk of oversimplification and because of China's rise, both are heavily dependent on China economically and on the U.S. militarily. But due in part to the division and birth of their statehood as well as to their different ties with China, their approaches diverge significantly with regard to the rise of China in general and its November 2013 ADIZ announcement in particular.

For their part, regional actors should be aware that China will remain a source for *both* despair and hope in realizing peace and stability in East Asia. Their more immediate goal should be building cooperation and trust with China, as it would raise the costs when the latter changes its emphasis on peace and stability in the region. In other words, the quintessence of regional actors' strategy is to maintain exchanges and cooperation with China in select yet wider areas, while anticipating and preparing for a reversal of its present course toward the region. In brief, a hedging strategy buttressed with a web of multilateral networking will prove to be most prudent for years to come.

When and if China's "benign and reliable" policy is not forthcoming and in particular when it becomes a more daunting military power with a campaign-level fighting capability, regional actors cannot help but further strengthen their defense ties with the United States. This approach is a sensible one, and any regional states that are likely to be affected by the PLA's growing anti-access capability should take it into consideration. Barring any pretensions of the "containment" network, the individual states should be able to prepare for any possible disruptions in regional balance of power through regular consultations, transparent planning, and joint exercises among themselves.

With all things considered, finally, it remains a daunting challenge for the individual governments to cope with a combination of domestic and external uncertainties—now and in the future. A series of recent developments including global economic downturn, a shift in U.S. military strategy, and new leadership line-ups in major actors—to name but a few—would invariably affect and interact with each other. At the time of great change it is sensible for all those involved to weather the current yet another difficult phase in a cooperative and prudent manner. They will be the most cost-effective investment for continued peace and prosperity for all individual countries and the region as a whole.

Comments

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Main Points of Ohara's Paper

- 1. There is a possibility of military conflict between Japan and China, but not in the case of Japan and South Korea
- 2. Mistrust of military personnel between China and Japan, but not between Japan and the ROK
- 3. It is imperative to have Sino-Japanese CBMs, including military exchanges, crisis management mechanism, etc.

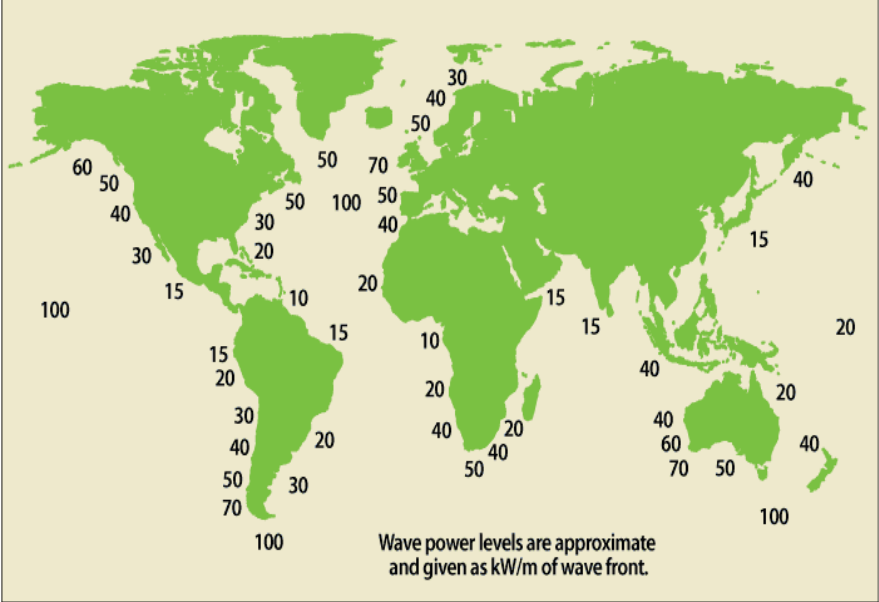
Main Points of Ohara's Paper

- Crisis prevention --CBMs
- Crisis preparedness –hot lines of communication (top leaders, military headquarters), Military Maritime Consultative Agreement/ bilateral ~multilateral workshop, port visits, multilateral military exercises (RIMPAC)
- Joint economic projects, ex. fish farming, wave/tide power generation



Image courtesy of Erik Christensen

Approximate Global Distribution of Wave Power Levels



Wave Power Generator

Source: T.W. Thorpe, "An Overview of Wave Energy Technologies: Status, Performance and Costs."

Similarity to President Ma's ECS Peace Initiative

- Establishing a cooperation mechanism for exploring resources
- Key areas: fishing industry; mining industry; marine science research and maritime environmental protection; maritime security and non-traditional security

Norms or Declaratory CBMs

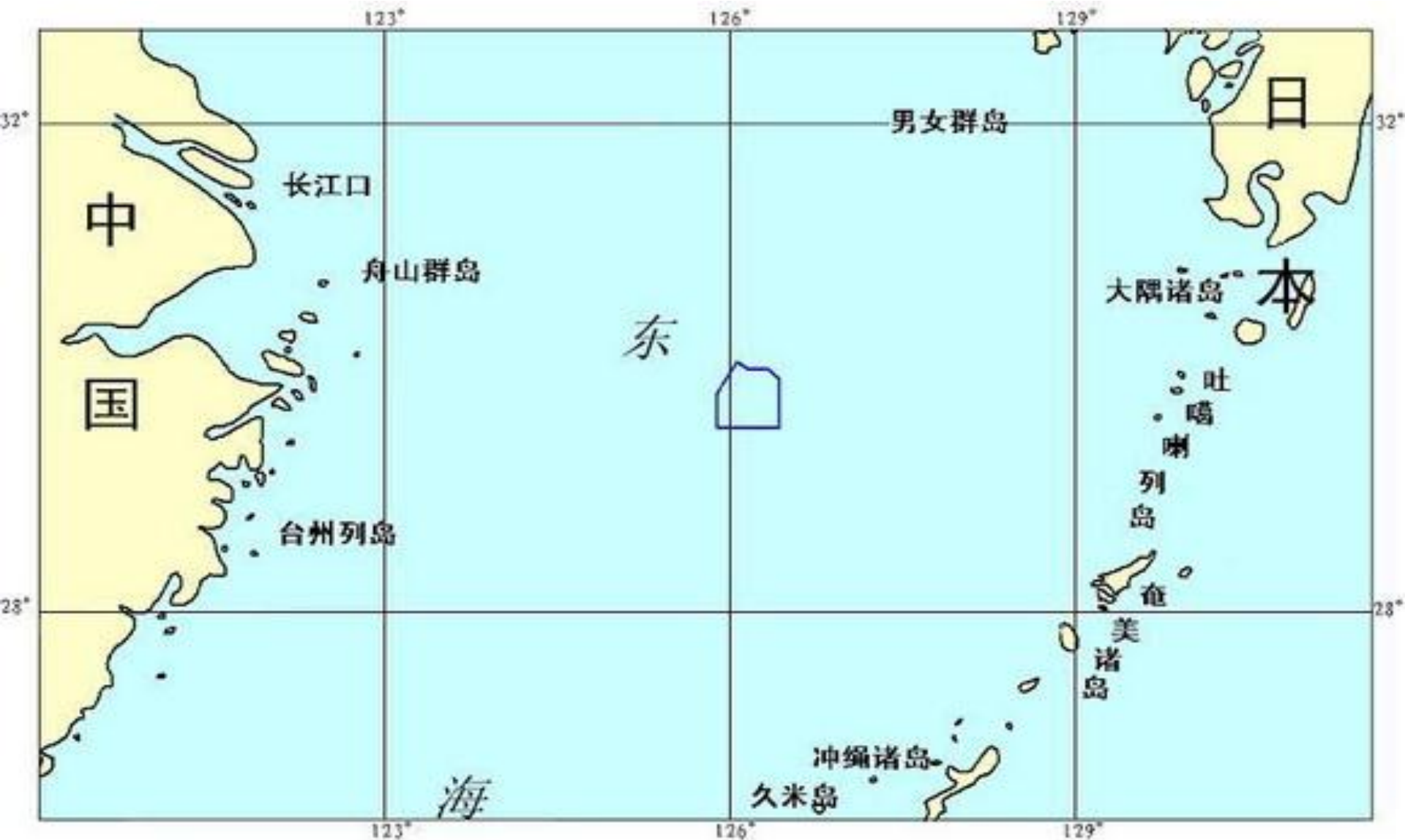
- No permanent structure;
- No migrants, officials, or troops stationed ;
- No oil and gas exploration activities
- No naval ships within 12 N.M.
- No use of force or coercion

Port Calls

- Chinese PLA Navy destroyer *Shenzhen* visited Japan (December 2007) and training ship *Zheng He* visited Japan in November 2009
- Japan's destroyer *Sazanami* visited China in June 2008

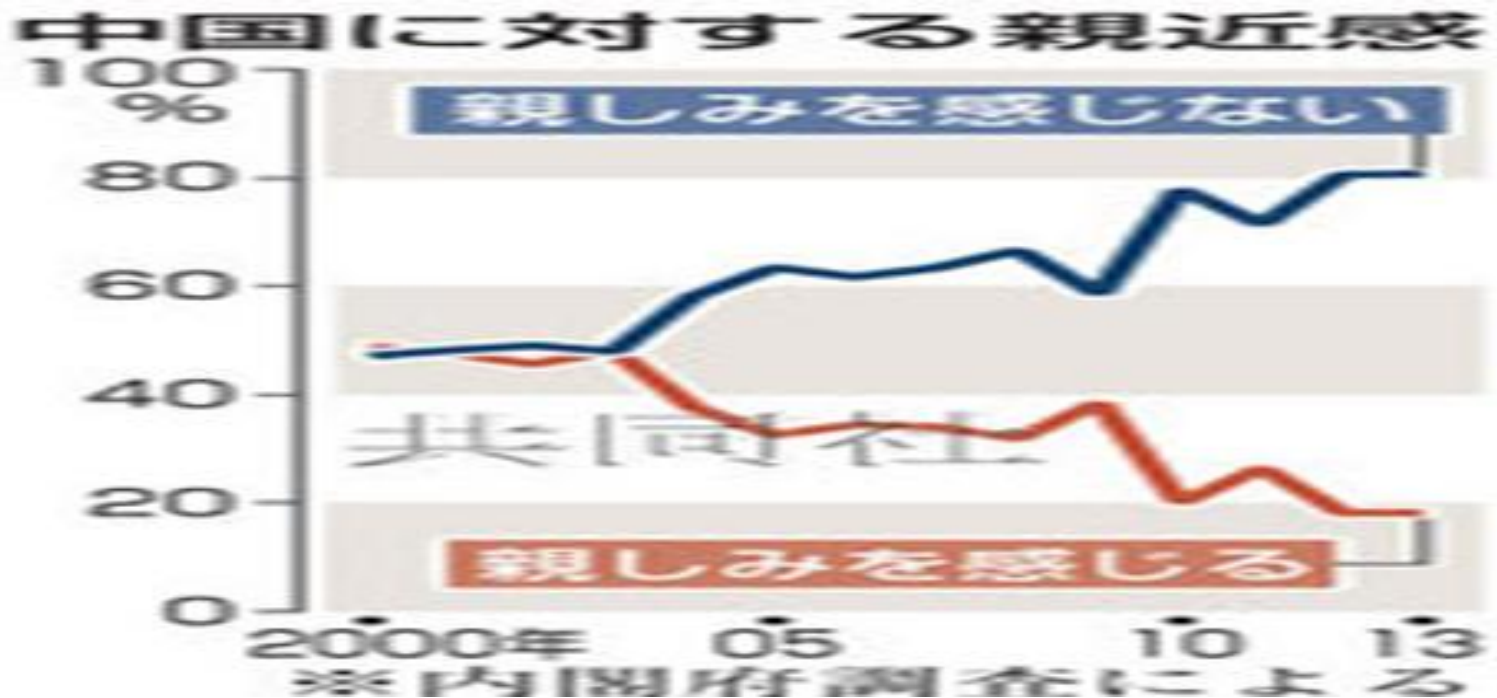


Joint Development Project of China and Japan in June 2008



Comment

- Even with all kinds of military CBMs, it still needs political will from decision makers and support from their people

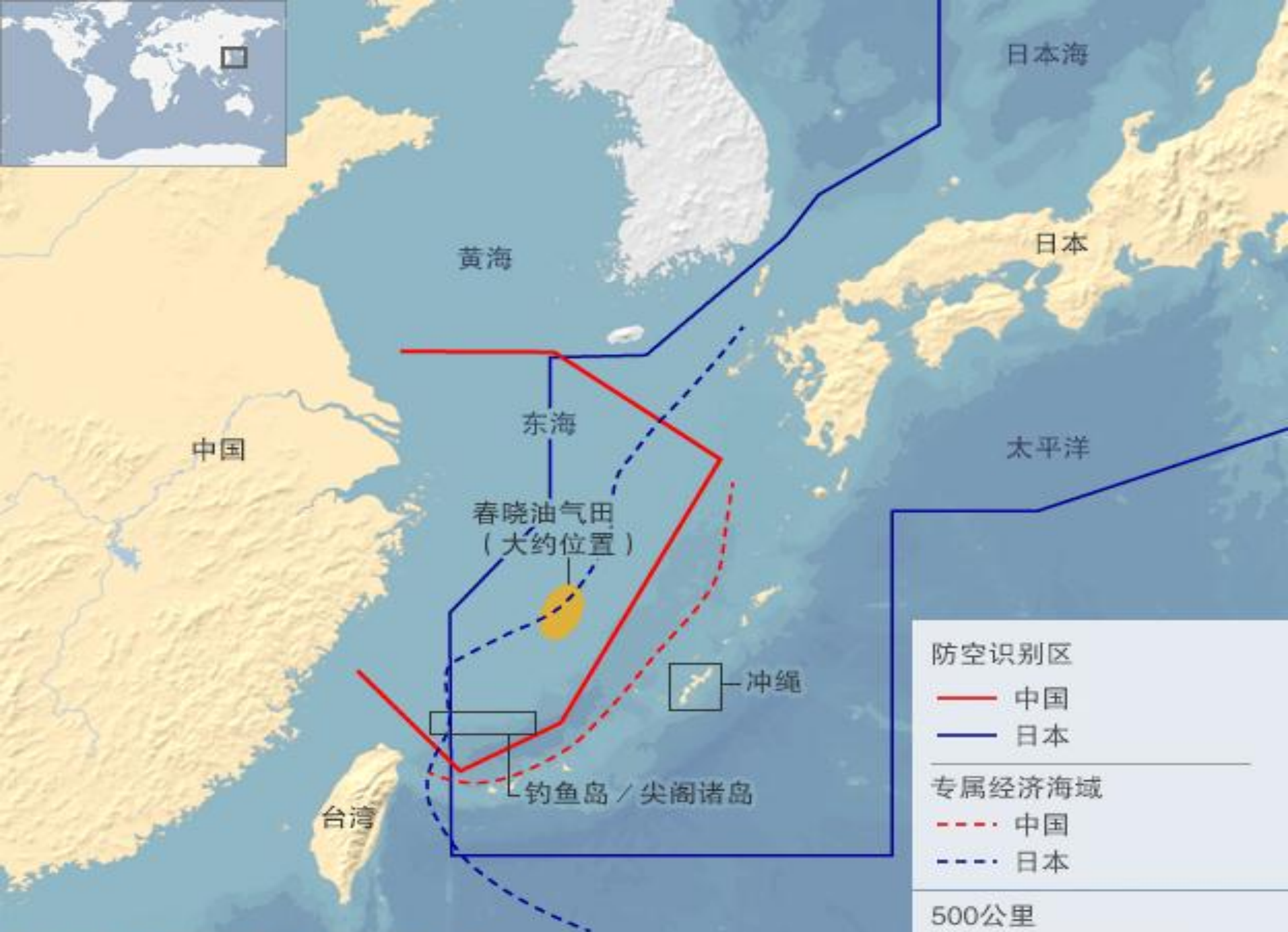


CUES

- The Code for Unplanned Encounters at Sea (CUES) “milestone document” as a means to develop better communication channels between navies.
- Admiral Harry Harris, Commander of the U.S. Pacific Fleet, called CUES “an important step forward to reduce tension on the sea in the region”

CUES

- CUES is a non-binding, voluntary agreement to follow certain set procedures for communicating with other military forces encountered at sea or in the air.
- CUES is not meant to have any effect on the ongoing territorial disputes in the East China Sea, but is rather a much needed de-escalation mechanism.



资料来源：中国国防部、美国能源信息署

Main Points of Kim's Paper

- China is a status quo power, but for how long?
- “A future China could well behave like a revisionist state if it can”
- Rivalry between China and Japan “will continue to be a source for concern in their neighbors’ strategic planning”
- The PLA Navy will acquire a wider range of mission capabilities
- “A hedging strategy buttressed with a web of multilateral networking will prove to be the most prudent” for China’s neighboring countries

Main Points of Kim's Paper

- ECS Peace Initiative (Taiwan); Trustpolitik , Trust-building process on the Korean Peninsula, Northeast Asia Peace and Cooperation Initiative ~Eurasia Initiative (ROK)— “less substantial and have to cope with the bigger and stronger power”
- “Silk Road Economic Belt” and Maritime Silk Road



Kim's Advice

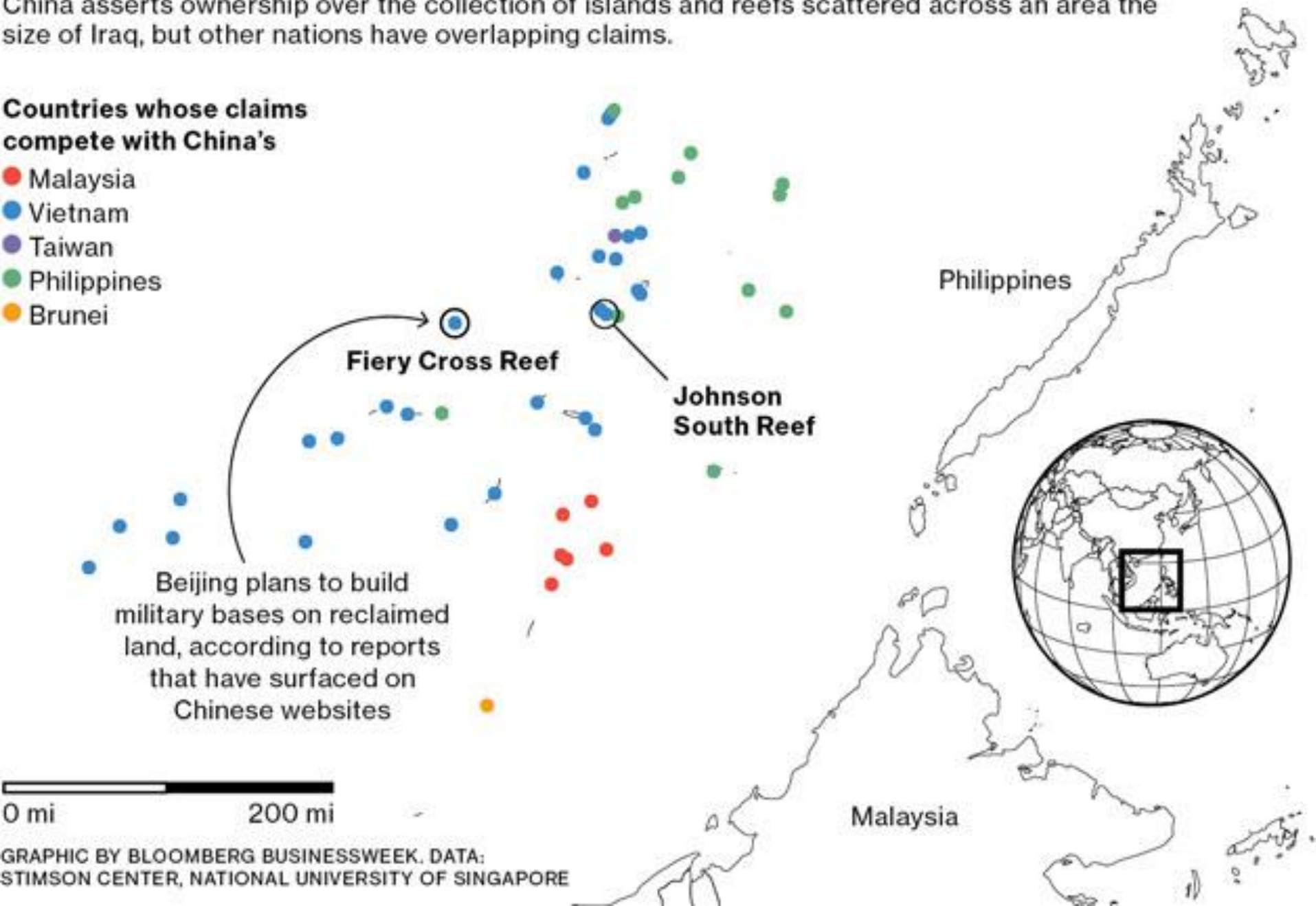
- “If Taipei were able to negotiate with Beijing, it would constitute an asset for furthering the [ECSPI] Initiative.”
- “It is wise to envision a long-term process, i.e., not bound by the presidential term.”
- ECS Peace Initiative “probably the only realistic guideline for sovereignty disputes”

Spratly Islands: Anxious Archipelago

China asserts ownership over the collection of islands and reefs scattered across an area the size of Iraq, but other nations have overlapping claims.

Countries whose claims compete with China's

- Malaysia
- Vietnam
- Taiwan
- Philippines
- Brunei



0 mi 200 mi

GRAPHIC BY BLOOMBERG BUSINESSWEEK. DATA: STIMSON CENTER, NATIONAL UNIVERSITY OF SINGAPORE

13 March 2012



20 February 2013



25 February 2014



11 March 2014



南薰岛 2014年7月18日





Chigua (Kennan) Reef

Fiery Cross Reef

- From reef to biggest island in Spratlys, and China's not done yet at Fiery Cross



Remarks from Chuck Hagel

and John Kerry

- Hagel: “The Philippines and Indonesia resolved a longstanding maritime boundary dispute; and this week, Taiwan and the Philippines agreed to sign a new fisheries agreement.” June 2014
- Kerry: “But the recent settlement between Indonesia and the Philippines is an example of how these disputes could be resolved through good-faith negotiations.” “Japan and Taiwan, likewise, showed last year that it’s possible to promote regional stability despite conflicting claims.” August 2014

Constraints for Chiang Kai-shek on Diaoyutais

UN
Membership

Diplomatic
Setbacks

US-China
Normalization

Taiwan-Japan
Ties

Return-to-
Mainland
Mission

Taiwan's Constraints on Diaoyutais

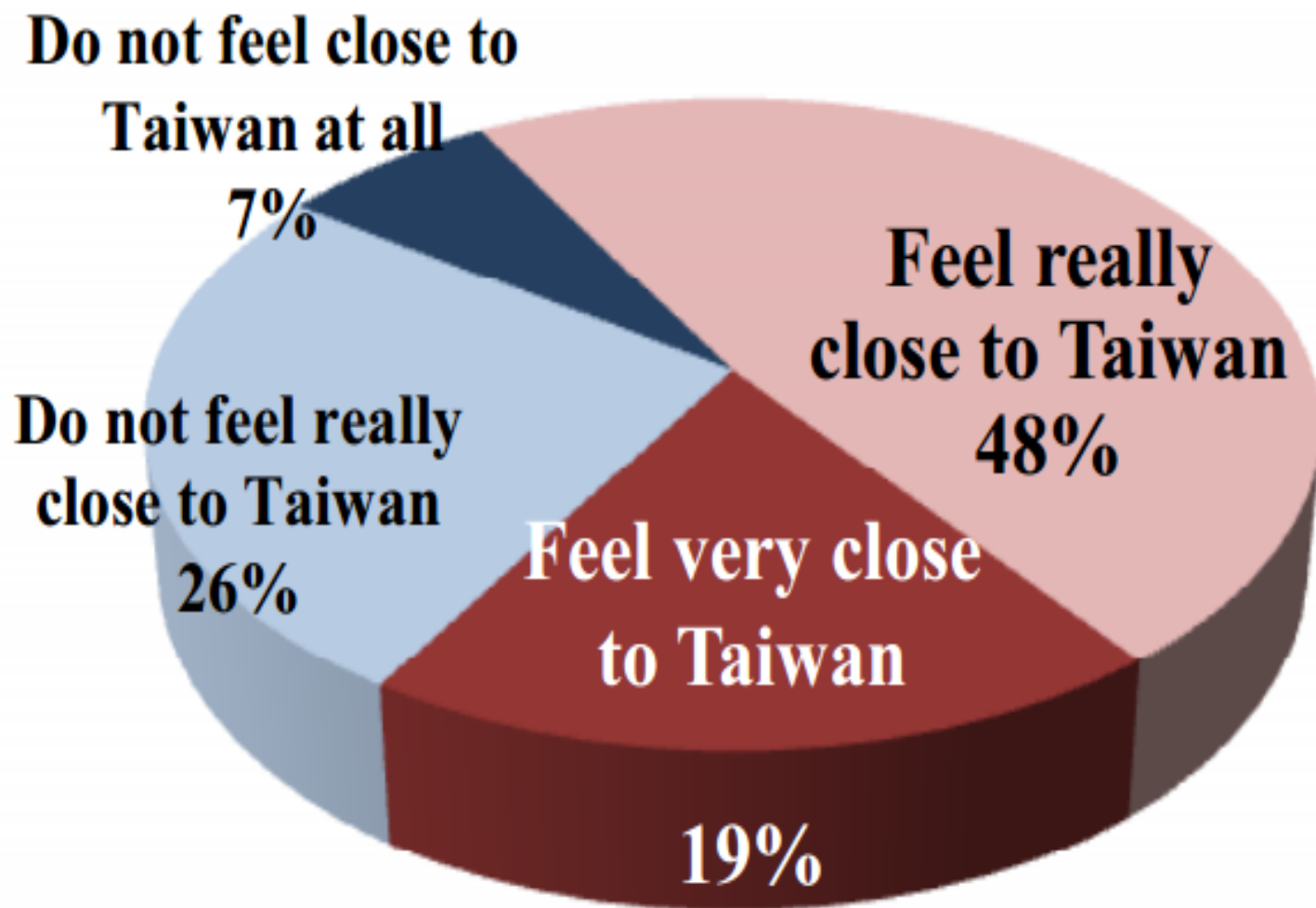
Lack of
consensus on
cross-Strait
Relations

Pressure from
democratic ally -
-the U.S.

The China Factor-
spoil the friendship
between Taiwan
and Japan

Lack of military
and diplomatic
capabilities

Affinity of Japanese citizens for Taiwan



* Results of May 2011 opinion poll of 1,000 Japanese adults by Taipei Economic & Cultural Representative Office in Japan.

Abe's Grand Strategy

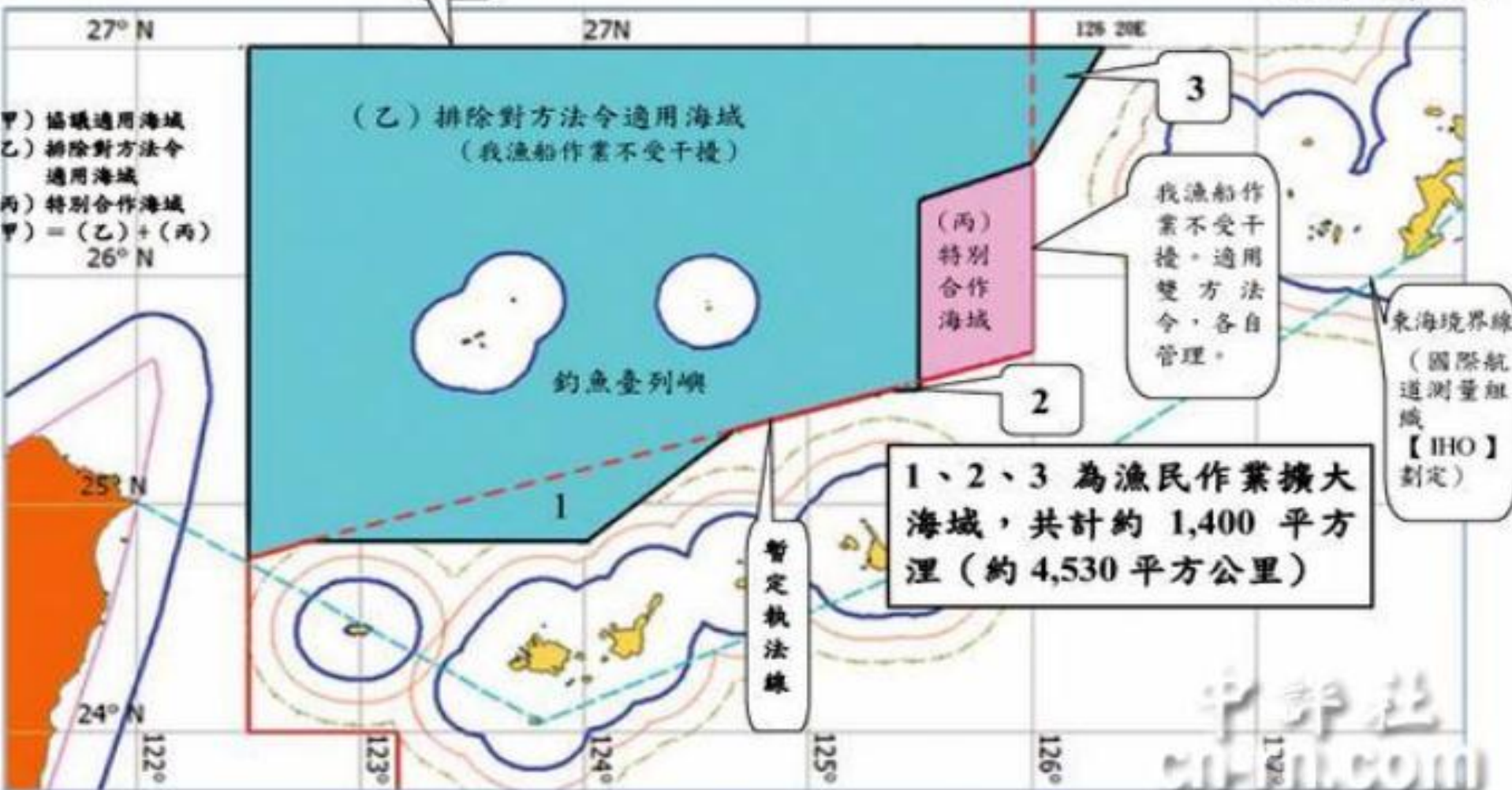
- * Prime Minister ABE Shinzo wanted to use the fisheries agreement to prevent Taiwan and China from forming a joint front against Japan in the disputed waters.
- * President Ma has constantly tried to assure the Japanese that Taiwan will not seek cooperation with the PRC in settling the Diaoyutai dispute.

2013/4/10

「臺日漁業協議」適用海域

外交部 製

102年4月10日

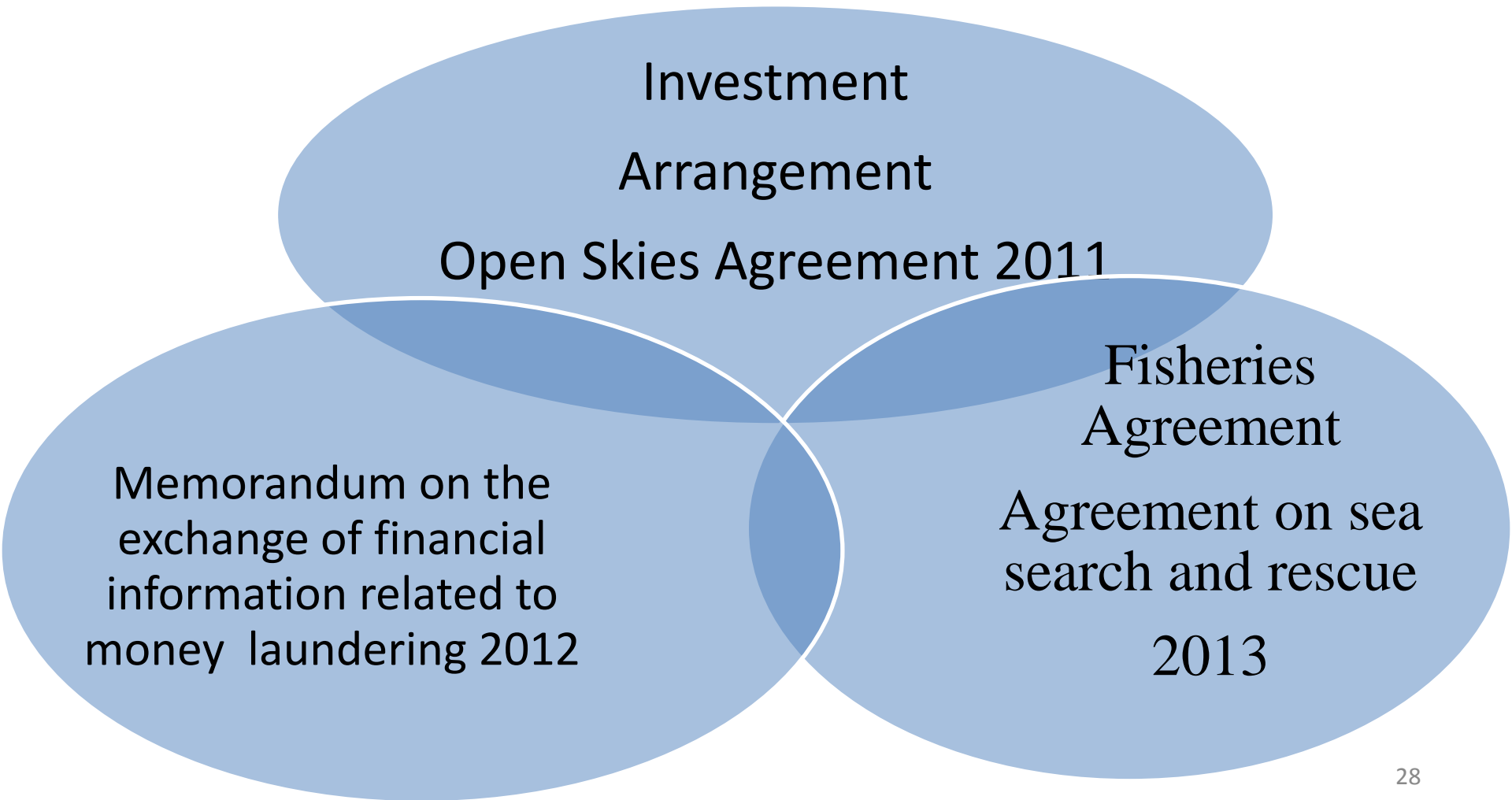


Taiwan-Japan Fisheries Agreement, April 2013

*The agreement provides for the addition of three operating blocks south of 27 degrees north latitude and north of the Sakishima Islands, covering a total of 4,530 square kilometers. More than 800 Taiwanese fishing boats operate there every year, harvesting over 40,000 tons of fishery products.

* Setting up a Taiwan-Japan Fisheries Committee

Taiwan-Japan Agreements, 2011-2013



Investment
Arrangement

Open Skies Agreement 2011

Memorandum on the
exchange of financial
information related to
money laundering 2012

Fisheries
Agreement
Agreement on sea
search and rescue
2013

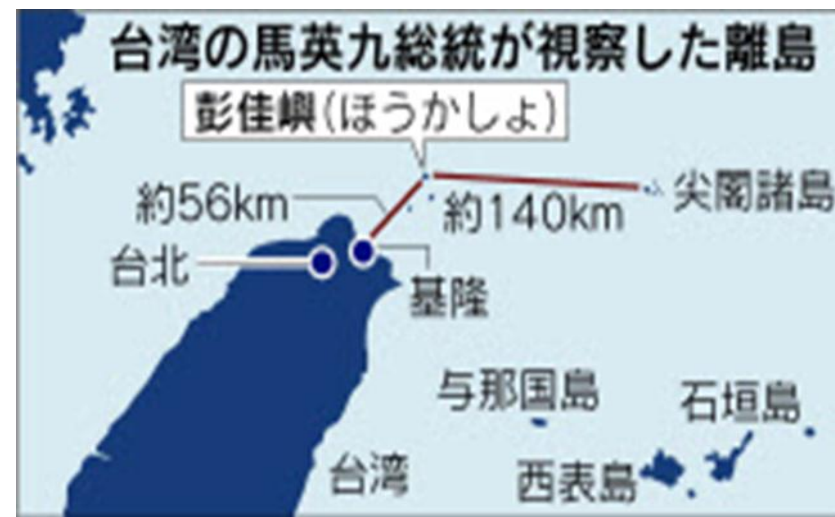
S&R Agreement, 11/2013

- Agreement on sea search and rescue, the Taipei Mission Control Center and Tokyo Rescue Control Center will cooperate and coordinate their actions in aviation accidents, and arrange visits, training sessions and other activities on a regular basis to enhance capabilities.

Ma's East China Sea Peace Initiative, August 2012

- * “Safeguarding sovereignty, shelving disputes, pursuing peace and reciprocity, and promoting joint exploration and development”
- * Drafting a East China Sea Code of Conduct; Establishing a cooperation mechanism for exploring resources in the East China Sea.

Implementation Guidelines, 9/2012



- * Two stages: peaceful dialogue and mutually reciprocal negotiation; sharing resources and cooperative development
- * Key issues: fishing industry; mining industry; marine science research and maritime environmental protection; maritime security and unconventional security; East China Sea Code of Conduct

February 26, 2014

- President Ma suggested: to establish a Code of Conduct in the East China Sea that would cover operations in both the sea and air.
- Ma suggested that a “regional multilateral negotiation mechanism” be created to ensure the region’s peaceful development and prosperity.
- Responding to China’s ADIZ, President Ma suggested that “provisional measures could be adopted to avoid conflict and miscalculation and reduce the impact on freedom of flight and security.”

Implementation of East China Sea Peace Initiative: Perspective from Non-Claimant States

Jean-Pierre Cabestan

Professor & Head, Department of Government and International Studies, Hong Kong Baptist University

Paper prepare for the International Conference on Implementation of East China Sea Peace Initiative – Search for New Approach

Sponsored by Chinese Council of Advanced Policy Studies, Taipei, November 6, 2014

Although I am based in Hong Kong and cannot at any rate represent the European Union (EU) or my country, France, I will here take the perspective of a European citizen on President Ma Ying-jeou's East China Sea Peace Initiative (ECSPI) and its implementation.

As we all know, this initiative was launched on August 5, 2012.¹ “Based on the principle of “safeguarding sovereignty, shelving disputes, pursuing peace and reciprocity, and promoting joint exploration and development”, it is divided, in its implementation, into two stages: 1. Shelve territorial disputes though meaningful dialogue and 2. Share resources through joint development. It has made to date one major achievement: the conclusion, less than a year later, on April 10, 2013, of a fisheries agreement between Taiwan and Japan, delineating the respective fishing zones of each country in the seas around the Senkaku/Diaoyutai, a group of islands occupied by Japan since 1895 but also claimed by the Republic of China (ROC), Taiwan's official name, as well as the People's Republic of China (PRC). This agreement was presented by the Taiwanese government as “embodying the spirit of the East China Sea Peace Initiative with regard to resolving disputes through peaceful means, successfully protecting the rights and interests of ROC fishermen operating in the East China Sea”.²

However, this initiative includes more ambitious goals: “calling upon all parties concerned to demonstrate restraint and avoid escalating confrontational acts, to shelve controversies and not abandon dialogue, to respect international law and deal with disputes through peaceful means”, it aims at “seeking consensus and drafting an East China Sea Code of Conduct, and establishing a mechanism for cooperation on exploring and developing resources in the East China Sea”. The resources listed do not only include fishing but also mining and marine science research. And in the area of maritime security, this initiative should foster “marine rescue agency cooperation, and establishing a collaborative marine security and crime-enforcement mechanism”.

¹ “The East China Sea Peace Initiative”, August 5, 2012, <http://www.mofa.gov.tw/en/cp.aspx?n=A3C75D6CF8A0D021> (accessed on October 24, 2014).

² “The Republic of China Sovereignty Claims on the Diaoyutai Island and the East China Sea Peace Initiative”, <http://www.mofa.gov.tw/en/cp.aspx?n=38CD1D3C91067AEC> (accessed on October 24, 2014).

Seeing its role as a “facilitator of peace”, the Taiwanese government has also made this initiative to help China and Japan “replace confrontation with negotiation and set aside their controversies by means of temporary measures, so as to maintain peace and stability in the region” at a time the tension between both countries was rising very fast. But “over the long run”, Ma also hopes that Beijing, Tokyo and Taipei “can move from three parallel tracks of bilateral dialogue... to one track of trilateral negotiations and realize peace and cooperation in the East China Sea”.³

All in all, although it has fulfilled one of its objectives, Ma’s East China Sea Peace Initiative has laid down a very ambitious program and perhaps too ambitious a program which implementation does not only depend upon Taiwan but also Japan and, more importantly, China. For these reasons, while the EU has been very supportive of this initiative, it is far from certain that it believes that all its goals will be realized.

A Positive Initiative

In a nutshell, as most Europeans, I see Ma’s ECSPi in a very positive light as it tries to solve practical issues, particularly Taiwanese and Japanese respective fishing rights in the areas around the disputed Senkaku/Diaoyutai islands on the basis of “reciprocity”, while abiding to two key principles that the EU keeps referring to when two or more countries are stuck in territorial and maritime disputes: 1) respect of the status quo, in other words, refrain from attempting to solve the issue by force or unilateral actions; 2) respect of international law, and specifically the United Nations Convention on the Law of the Sea (UNCLOS) and its arbitration mechanisms.

President Ma admitted himself that his initiative had been inspired by the European experience, in particular in settling dispute in the Northern Sea among Germany, Belgium, Britain and Norway. He specifically referred to the fact that this dispute case was submitted to the International Court of Justice and after it was settled, all the parties involved divided the maritime area and started sharing the exploration and exploitation of hydrocarbons deposits.⁴

This initiative was warmly supported by the EU as the way forward for settling territorial and maritime disputes not only in the East China Sea but also in the South China Sea where tension has flared up again since the PRC took control in the spring of 2012 of the Scarborough Shoals, a group of emerging features controlled before by the Philippines, and upgraded its status from “shoals” to an island (called *Huangyan dao* in Chinese), probably in order to consolidate its claim.

Ma’s ECSPi also received on October 24, 2012, the support from the ECR (European Conservatives and Reformists) in the European Parliament, a conservative, anti-federalist and moderately Eurosceptic political group, through a statement of its then leader, Martin Callanan, a British Tory. That statement was put on the ROC Ministry of Foreign Affairs website.⁵

³ “East China Sea Peace Initiative Implementation Guidelines”, September 7, 2012, <http://www.mofa.gov.tw/en/cp.aspx?n=678FD6BB7AB0BB1E> (accessed on October 24, 2014).

⁴ Ma Ying-jeou’s Address at 2014 Europe Day Dinner, May 15, 2014, <http://english.president.gov.tw/Default.aspx?tabid=491&rmid=2355&itemid=32236>

⁵ <http://www.mofa.gov.tw/en/cp.aspx?n=24F7904DFB5F77AA> accessed on October 24, 2014).

However, the true question is: beyond the Taiwan-Japan fisheries agreement that was mentioned earlier, can this initiative bear more fruits and achieve its major objectives?

Difficulties on the Japanese Side

It should first be acknowledged that Taiwan's weakened international status has complicated its position on these matters: as it is well known, even if Tokyo does not recognize that the Senkaku are contested islands, on such territorial and sovereignty issues, it can only trade with Beijing. And without modifying its basic stance, the Abe administration is currently working with the Xi Jinping government to find a way to better manage this dispute in order to improve and stabilize their bilateral relations, and in the short term, clear the way to a meeting between the two leaders at the next APEC meeting due to take place in November 2014 in the Chinese capital.

From a Japanese point of view, therefore, the fishing right agreement signed with Taiwan in April 2013 was a model of diplomatic flexibility. China's increasing assertiveness and aggressiveness around the Senkaku after the "nationalization" of three of the island by Prime Minister Noda (a center-left administration led by the Democratic Party of Japan) in September 2012 directly contributed to convincing Abe, after the conservative Liberal Democratic Party (LDP) won the legislative election and he became Prime Minister in December 2012, to show fresh openness toward Taiwan. In a rather short lap of time, when the 17th round of negotiations between both sides was held, a deal was reached. In the sixteen rounds that had taken place between 1996 and 2009, Japan-Taiwan negotiations aimed at delineating fishing zones around the Diaoyutai islands had been stuck in apparently unsolvable differences, particularly on the co-management of waters and Taiwan's claim to fish in an area that had already been marked as a zone of joint control between China and Japan in their bilateral fisheries agreement signed in 1997.⁶

In the April 10, 2013 agreement, the zone where both Japanese and Taiwanese fishing boat can operate is very small and the Taiwanese fishermen's traditional rights (particularly from Ilan county on the Northeastern coast of the island) have been largely recognized by Japan.

But can Taipei and Tokyo go further?

Hurdles with China

Much depends upon China's attitude: its reaction to the Taiwan-Japan fisheries agreement has been rather subdued but clearly negative. Of course, it immediately understood that the Abe administration has rapidly concluded this agreement in order to show the region and the world the Chinese government's aggressiveness and stubbornness, as well as to demonstrate that another approach to maritime and territorial disputes was possible.

⁶ Taipei Times, April 11, 2013.

The approach explored with Taiwan has some obvious ramifications in Japan-China relations: in 2008, Prime Minister Fukuda Yasuo and President Hu Jintao had concluded “in principle” an accord to organize joint exploration and share resources in the contested Shirakaba-Chunxiao area of the East China Sea. For Tokyo therefore, the fisheries agreement concluded with Taipei was also aimed at reminding Beijing that instead of constantly sending its coastguards within 12 nautical mile perimeter around the Senkaku, a more productive solution could be found if both sides agreed to shelve their territorial dispute.

However, as expected, China moved in an opposite direction: in November 2013, it unilaterally created a new Air Defense Identification Zone (ADIZ) in the East China Sea that overlaps not only with Japan’s own ADIZ over the Senkaku but also South Korea’s ADIZ (although to a much smaller extent). Since then, the relations between Tokyo and Beijing have remained tense. As the APEC meeting is approaching, the Chinese government has reopened multiple channels of communication with its Japanese counterpart as well as the LDP; and the Abe administration has started to soften its position on the Senkaku-Diaoyu without directly admitting the existence of a territorial dispute over these islands.⁷ But any revival of the 2008 agreement appears unlikely in the foreseeable future.

There is another difficulty: China’s approach to international law and interpretation of the Law of the Sea. Be it about territorial or maritime disputes, Beijing refuses international arbitration by the International Court of Justice in The Hague or the UNCLOS tribunal in Hamburg and keeps asking for bilateral negotiations. In January 2013, the Philippines felt that its negotiations with China were in a prolonged impasse and opted for bringing part of its case to the UNCLOS arbitration tribunal (about maritime boundaries as the 9-dash line and the nature of the emerging features of the Scarborough Shoals). The Chinese government has quickly reacted in announcing that it will not recognize any arbitration decision. Even if such a decision may exert some additional political and moral pressure on China, it won’t be able to be implemented without its consent.

In the longer run, can Ma’s initiative have a positive impact on Japan-China relations? Can it help alleviating tensions among competitive claimants, not only in the East China Sea but also in the South China Sea?

The Regional Impact of Ma’s Initiative

Let’s look at every step of Ma’s ECSPI: shelve territorial disputes and hold dialogue; sharing resources; adopt a Code of Conduct, and hold trilateral negotiations and realize peace and cooperation among East China Sea countries.

The first thing that must be underscored regarding Taiwan-Japan fisheries agreement is that it does not organize joint exploitation of resources: apart from a small zone at the east of the Senkaku-Diaoyutai called special cooperation sea area (*tebie he zuo haiyu*) where Japanese fishermen do not go often anyway, both governments have

⁷ http://thediplomat.com/2014/10/japan-caves-to-china-on-senkaku-island-dispute/?utm_content=buffer6464d&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer

designed respective fishing zones. To date, if we put aside some very specific bilateral fishery agreements concluded between China, Japan, South Korea and Vietnam⁸, the only joint agreement of the kind evoked in Ma's ECSPI was reached by China and Taiwan in the 1990s to explore and exploit oil and natural gas in the sea located southwest of the Taiwan Strait (Tainan Basin and Zhaoshan sunken area) and not claimed by any other country. Signed by Beijing's China National Offshore Oil Company (CNOOC) and Taipei's Chinese Petroleum Corporation (CPC) in July 1996, it was finally approved in April 1998.⁹ It also led to another agreement reached in May 2002.¹⁰

China has proposed a similar formula to neighbors as Japan or Vietnam, with which it has had long-unsolved territorial disputes. Some initial agreements have even been reached with both countries.¹¹ Nevertheless, they have never been fleshed out, let alone implemented. Again, recent developments head in another direction: China's unilateral exploration and exploitation of oil (or other natural resources) in the contested waters of the East and South China Seas. The deployment by CNOOC of a US\$1 billion oil rig in the vicinity of the Paracel islands in May 2014, in spite of its removal three months later, is the most recent illustration of China's assertiveness and unilateralism.

One can argue of course that the timing of Ma's initiative has not been favorable to bearing important immediate or short-term results. In the East China Sea, the condition of any progress is a return of Sino-Japan relations to some kind of normalcy. In the current circumstances, can Ma's most ambitious objectives be reached, particularly the establishment of a Code of Conduct and the opening of a trilateral negotiation among Taipei, Tokyo and Beijing?

For the time being, regarding the drafting of a Code of Conduct, there is not much of a precedent. The "Declaration on the Conduct of Parties in the South China Sea" approved in Phnom Penh in 2002 is not a binding document. Since then, China has moved away from negotiating any kind of multilateral accord, privileging bilateral and asymmetrical negotiations that give it much more leverage and, as a result, a clear advantage on the other claimants. More recently, China has seemed again interested in drafting a Code of Conduct in the South China Sea. But in August 2014, at the ASEAN Regional Forum held in Rangoon, it has not really responded to and addressed ASEAN countries' insistent request for the rapid adoption of such a binding document.¹² The Shangri La Dialogue held just two months before in Singapore only confirmed Beijing's intention to confront its major strategic challengers in the region, particularly the US and Japan.

⁸ David Rosenberg, "Managing the Resources of the China Seas: China's Bilateral Fisheries Agreements with Japan, South Korea, and Vietnam", *Japan Focus*, June 30, 2005, <http://www.japanfocus.org/-David-Rosenberg/1789>

⁹ Zou Keyuan, "Cooperative Development of Oil and Gas Resources in the South China Sea", in Sam Bateman & Ralf Emmers eds., *Security and International Politics in the South China Sea. Toward a Cooperative Management Regime*, New York & Abingdon, Oxon, Routledge, 2009, pp. 88-89.

¹⁰ <http://taiwantoday.tw/ct.asp?xitem=741&ctnode=1342&mp=9> (accessed on October 27, 2014).

¹¹ Zou Keyuan, op. cit.

¹² *South China Morning Post*, August 8, 2014.

In such a context, can we really expect trilateral negotiations to take off ground? One unsolvable difficulty is of diplomatic nature: Beijing does not want to associate Taipei to any kind of multilateral international negotiation since it does not consider Taiwan as a state. Only second-track dialogues can be envisaged. But, even if such a format is adopted, China would be very reluctant in the present circumstances, and probably also in the foreseeable future, to let its “experts” sit at the same table as their Japanese and Taiwanese colleagues and together discuss territorial and maritime issues, matters that it regards as too sensitive to be taken over meaningfully by second-track talks and actors.

The Way Forward

Yet, Ma’s ECSPI and Taiwan-Japan fisheries agreement have shown the way forward, not only for both countries but also for China in the East China Sea as well as in the South China Sea.

Ma’s initiative has, on the one hand, demonstrated that a Chinese government, representing the ROC, can fully abide by international law and the UNCLOS. The Taiwan-Japan agreement has, on the other hand, exerted some pressure on Beijing to revive an approach that it once favored but has abandoned after 2008, because of its new great power status, but also hubris and assertive strategy.

As a European, I think that it would be useful that the Ma administration clearly endorses all the arbitration mechanisms proposed by the international law and the UNCLOS. Taipei has made the first step in this direction in publishing in 2014 a large set of historical documents aimed at backing its territorial claims in the East and the South China Seas.

In that respect, Taiwan has already shown that it can be a “peace facilitator”.

But Taiwan can go further in accepting without reservation third party arbitration for all the disputed island or waters that it controls. And it can also go further, as Bonnie Glaser of the Center for Strategic and International Studies in Washington D.C. proposed, in clarifying its position regarding the nature of 11-dash line drawn by Chiang Kai-shek in 1947 (and as a result the PRC’s 9-dash line) and its claims in the South China Sea.¹³

Can it also act as a “peace facilitator” and help China and Japan improving their relationship?

Although the above mentioned agreement may have indirectly played a positive role, in putting fresh pressure on Beijing to move back to its former approach, it remains to be seen whether Taipei can do more. Actually, it is rather in keeping its distance from China in terms of legal principles, strategies and behaviors that Taiwan has a better change to influence Japan’s policy, and more broadly other East Asian countries’ attitude, on territorial and maritime issues. Conversely, any close cooperation with

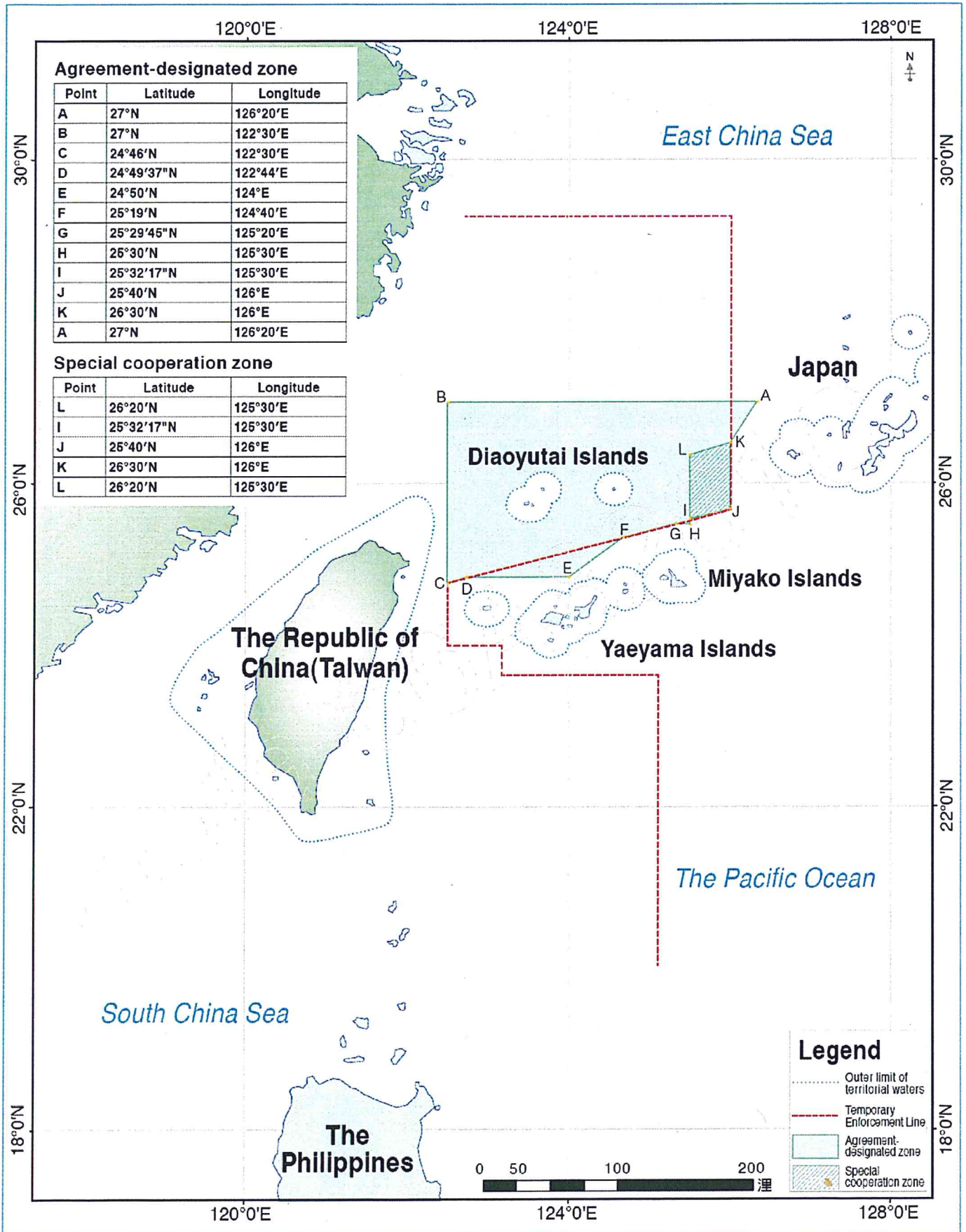
¹³ Bonnie Glaser, “A Role for Taiwan in Promoting Peace in the South China Sea”, PacNet, No. 30, April 16, 2014, <http://csis.org/files/publication/Pac1430.pdf>

Beijing in the East or the South China Seas may contribute to sabotaging the spirit and the effectiveness of Ma's ECSPI.

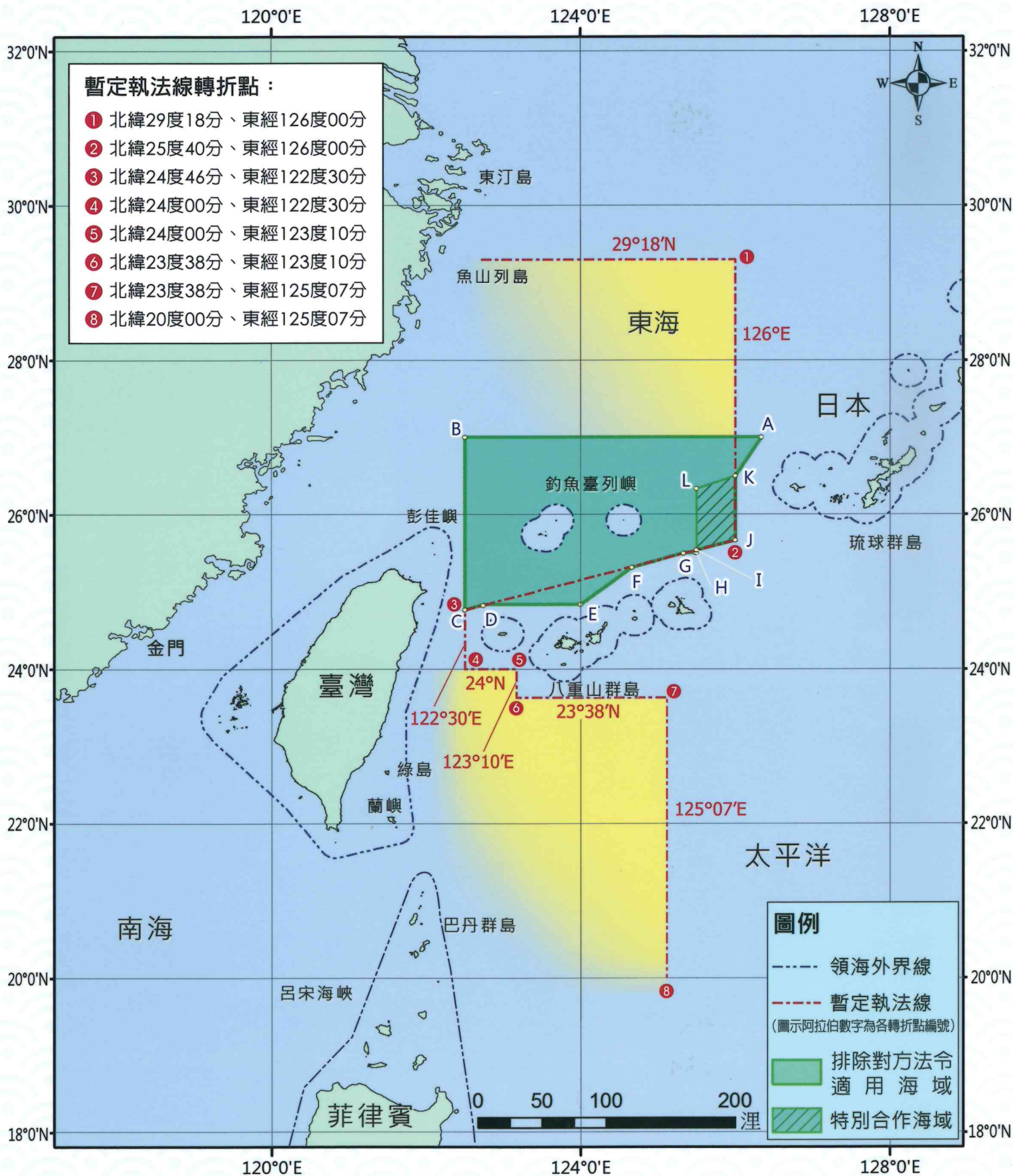
The Limits of the European Experience

President Ma has clearly mentioned the European experience as a source of inspiration of his Peace Initiative. However, there are three important and interrelated limits to the relevance of European precedents for managing tensions and building peace in the East and the South China Seas: a piecemeal endorsement of international law and UNCLOS by some of the claimants, particularly China; the lack of common political values among the region's countries, some being authoritarian other democratic; and the rise of nationalisms in most of them.

Consequently, following the modus operandi adopted by the Northern Sea countries will remain unlikely in the foreseeable future in East Asia. East China Sea and South China Sea claimants will need to be creative and find their own recipes to alleviate tensions and cooperate. Ma's ECSPI is one of these useful recipes. But more ideas, coming from the other parties involved in the disputes that have been briefly presented above, will need to be tested in the coming years, if the region wants to remain peaceful and continue to prosper.

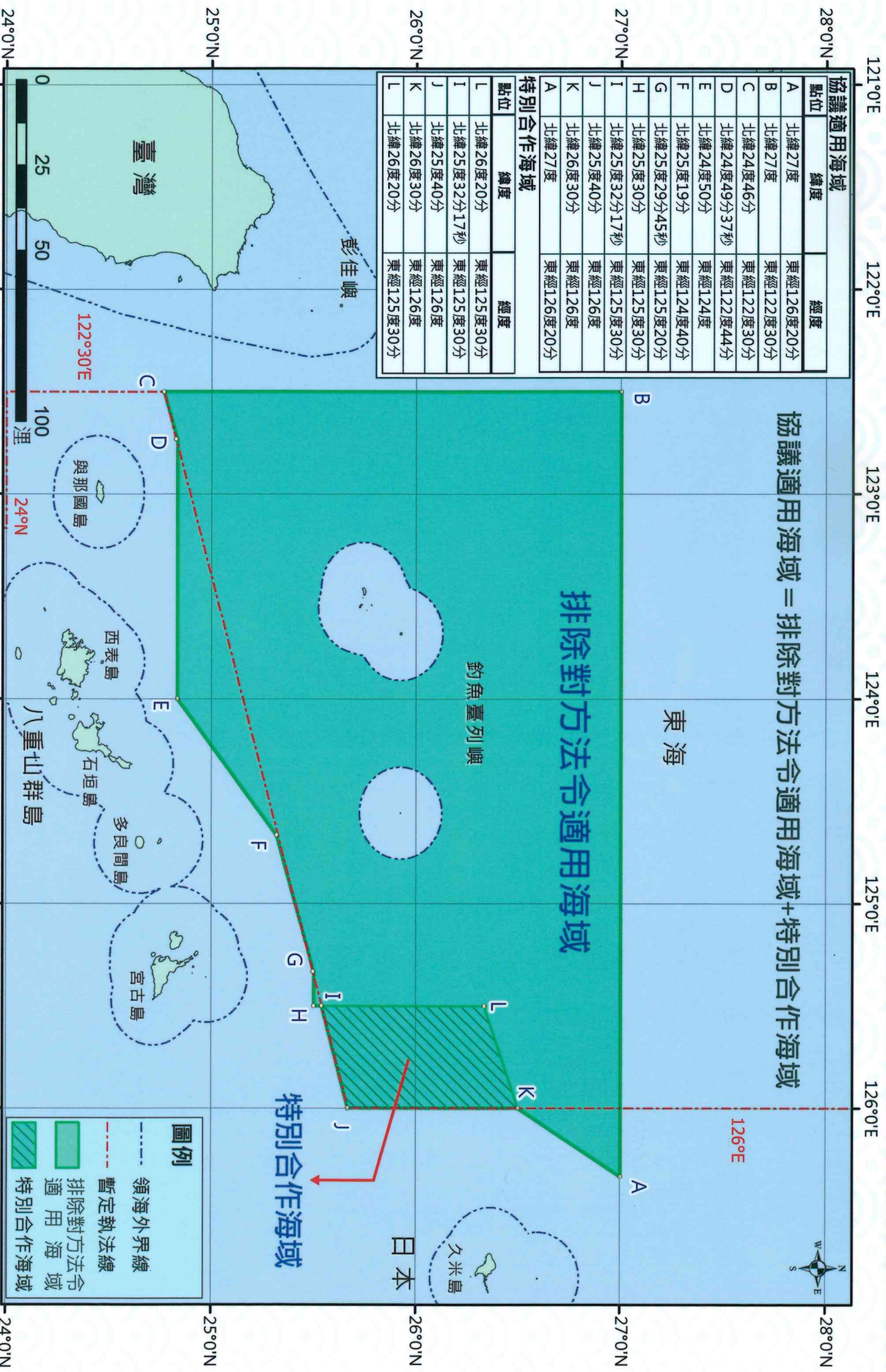


臺日漁業協議適用海域



★「協議適用海域」範圍外之其他暫定執法線區域內，維持現有作業規範，海巡署均會依規定派艦護漁。

臺日漁業協議適用海域



協議適用海域 = 排除對方法令適用海域 + 特別合作海域

排除對方法令適用海域

東海

釣魚臺列嶼

日本

特別合作海域

- 圖例**
- 領海外界線
 - 暫定執法線
 - 排除對方法令適用海域
 - 特別合作海域

★ 臺日雙方自1996年歷經17年會談，於2013年4月10日簽署臺日漁業協議，我漁民可在協議適用海域內安心作業。
 ★ 釣魚臺列嶼12浬為我國領海，漁船在該海域作業，如遭受日方干擾，請隨時與海巡署聯繫（請撥打118專線）派艦護漁。



EAST CHINA SEA PEACE
INITIATIVE (ECSPI)

“STRENGTH COMES FROM INDOMITABLE WILL”

- ECSPI flows from philosophy & strategy of peace.
- ECSPI reflects Taiwan’s grand strategy.
- ECSPI has served Taiwan’s national interest.
- ECSPI is a focus of Taiwan’s public diplomacy.
- ECSPI has added to Taiwan’s soft power.
- ECSPI redefines Taiwan’s international role.



**“EARTH PROVIDES ENOUGH TO SATISFY EVERY MAN’S NEEDS,
BUT NOT EVERY MAN’S GREED”**

- ‘Sovereignty is indivisible, but resources can be shared.’
- Resources are needs, Sovereignty can be greed...



“COMMONSENSE IS THE REALIZED SENSE OF PROPORTION”

1. Exercise restraint and refrain from taking any antagonistic actions.
2. Shelve controversies and not abandon dialogue.
3. Observe international law and resolve disputes through peaceful means.
4. Seek consensus on a Code of Conduct in the East China Sea.
5. Establish a mechanism for cooperation on exploring and developing resources in the East China Sea.



ECSPI: MA YING-JEOU'S *PANCHSHEEL*

1. Mutual respect for each other's territorial integrity and sovereignty
 2. **Mutual non-aggression**
 3. Mutual non-interference in each other's internal affairs
 4. **Equality and cooperation for mutual benefit**
 5. **Peaceful co-existence**
1. Exercise restraint and refrain from taking any antagonistic actions
 2. Shelve controversies and not abandon dialogue
 3. Observe international law and resolve disputes through peaceful means
 4. Seek consensus on a Code of Conduct in the East China Sea
 5. Establish a mechanism for cooperation on exploring and developing resources in the East China Sea



“NOBODY CAN HURT ME WITHOUT MY PERMISSION”

- Ma is in control of his thoughts.
- Deep blue conviction + rational approach = ECSPI.
- Claims are not merely for domestic consumption.
- Diplomatically recognised or not, Taiwan matters.



“PEACE IS ITS OWN REWARD”

- ECSPI encapsulates Ma’s philosophy and strategy of peace.
- Ma, ‘In war there are no winners and in peace no losers.’
- Ma, ‘No unification, no independence, and no use of force’
- Ma, ‘A prosperous economy is the best national defense.’
- Ma, ‘Peaceful Cross-Strait relations is in the fundamental interest of the global community.’



ECSPI AND TAIWAN'S GRAND STRATEGY

- Normalization, stabilization and institutionalization of Cross-Strait relations.
- 'Win-Win' situation for Taiwan and the Mainland internationally.
- Viable diplomacy.
- Active engagement with international community.
- Regional peace.
- Introducing Taiwan as a peace-maker to the world.



**“FIRST THEY IGNORE YOU, THEN THEY RIDICULE YOU,
THEN THEY FIGHT YOU, AND THEN YOU WIN”**

- ECSPI and domestic response.
- ECSPI and Cross-Strait relations.
- ECSPI and Taiwan-Japan relations.
- ECSPI and US ‘pivot’ to Asia.



“PEACE CANNOT BE KEPT BY FORCE; IT CAN ONLY BE ACHIEVED BY UNDERSTANDING.”

○ Officials

1. Yoshihiko Noda
2. Koichiro Gamba
3. John Kerry
4. Daniel Russel
5. EU
Parliamentarians
6. Parliamentarians
from Europe

○ Former Officials

1. Douglas H. Paal
2. Richard Armitage
3. Richard C. Bush
4. William A. Stanton

○ Scholars

1. Oe Kenzaburo
2. Dennis V.V. Hickey
3. Bonie S. Glaser
4. Peter Brookes
5. Alan D. Romberg
6. Jean-Vincent
Brisset
7. Gunter Schubert



“SUCCESS IS WHERE PREPARATION AND OPPORTUNITY MEET”

- ECSPI integral to Taiwan’s public diplomacy.
- Ma at forefront of public diplomacy for ECSPI.
- ECSPI in meetings with foreign dignitaries.
- Taiwan-Japan Fishery Pact & ECSPI anniversaries.
- Promoting ECSPI through conferences and seminars.
- East China Sea Peace Forum.
- Promoting ECSPI through various MOFA activities.
- Dedicated MOFA website for ECSPI.
- Highlighting international endorsement for ECSPI.



**“SATISFACTION LIES IN THE EFFORT...
FULL EFFORT IS FULL VICTORY”**

- Whether ECSPI has received support from the other claimants?
- Whether international community is aware of ECSPI ?
- Whether ECSPI has served Taiwan’s interests?



“WE MUST BE THE CHANGE WE WISH TO SEE IN THE WORLD”

- ECSPI guidelines need a detailed programme.
- Promotion of ECSPI needs to be taken beyond the US and the West.
- Resources are not the issue. The issue is sovereignty.
- South China Sea deserves equal attention .
- Commitment to the UN Charter and international law should be unambiguous.



SO FAR AND YET SO NEAR

- Extrapolating a position from India's stand on South China Sea disputes to ECSPI.
- A non-claimant stakeholder in peace in South China Sea.
- Don't ignore India's increasing strategic profile in East Asia.
- Taiwan should outreach India for ECSPI promotion.



“A CRISIS IS AN OPPORTUNITY RIDING THE DANGEROUS WIND”

- ECSPI brings back focus on foreign policy in Taiwan.
- Taiwan can't be ignored in dispute resolution in EC Sea and SC Sea.
- Dispute resolution process will redefine Cross-Strait relations.
- ECSPI might be a beginning towards international recognition for Taiwan's special, peaceful and neutral status.



“IN A GENTLE WAY, YOU CAN SHAKE THE WORLD”

- Detailed guidelines for implementation.
- Mull over a negotiated settlement over sovereignty claims.
- Develop wider domestic consensus for a negotiated settlement.
- Take a peace initiative for South China Sea too.
- Peace Agreements with the claimants can be thought about.
- Promote ECSPI in strategically important non-western countries too.
- More coordination with peace groups and parliamentarians world-wide.
- Promote ECSPI as part of global peace movement.



- Thanks!
- Let Peace Prevail!!



ECSPI Speech

I thank CAPS to give me opportunity to speak in the prestigious Taiwan-Japan-US trilateral dialogue. Before I start, I would also like to apologize in advance if you see any spelling or language related other mistakes in my PPT. Besides, I would also give a disclaimer that my views are my personal academic views. They are not official views of either the Indian government or my institute, the IDSA.

I will avoid chronological and descriptive aspects of East China Sea Peace Initiative in my presentation as they are well known to everybody present here. I will put forward my understanding on the initiative.

At the outset, I will present my findings about President Ma's East China Sea Peace Initiative (ECSPI). I will elaborate my findings as my presentation goes on.

Slide 2 (Findings)

President Ma's peace initiative is rooted in philosophy and strategy of peace. It is a manifestation of strategic choice Ma has pursued since 2008 in his security and defence policies. He has pursued peace and cooperation as the best available choice for Taiwan in its regional and international relations for reasons well known. His government's deft blending of ECSPA peace offensive with resolve to defend sovereignty of the ROC has yielded impressive results. It has clinched a fishery pact with Japan that was pending for more than 15 years. The same strategy has succeeded in fishery talks with the Philippines. It has increased trust level with the US. The peace initiative provides an opportunity for Taiwan's promotion as a peacemaker in international community, thereby increasing Taiwan's international living space. As the peace initiative has received notable attention in international community, one can say that it is indeed adding to Taiwan's soft power.

Slide 3 (Gandhi's Quote)

The rider that sovereignty is indivisible or in other words no compromise is possible over sovereignty over barren, unpopulated islands and rock-features indeed compromises on moral appeal of the peace initiative. But to be fair to President Ma, a principle that can change states' adherence to the *Westphalian* notion of sovereignty is yet to arrive.

The most salient feature of the East China Sea Peace Initiative is that it proposes a cooperative philosophy for regional cooperation that hasn't gone unnoticed. The underlying philosophy is compatible with the UN charter and modern international law.

Slide 4 (Commonsense)

Commentators have called it sensible, only available out and given other similar descriptions. The existing environment of hyper-nationalism all around in the region constrains discussion

over sovereignty of the disputed islands really difficult. Besides, proposing something for sovereignty would have implications for domestic politics in Taiwan as well as for Cross-Strait relations. Thus, sidestepping sovereignty issue and discussing resource sharing is really commonsensical. The peace initiative comes from the model of Cross-Strait relations that the Ma government has pursued since 2008. In Cross-Strait relations, China and Taiwan have sidestepped sovereignty, issue and followed the policy of 'easier and economic things first'. I am aware; the analogy of Cross-Strait relations is not fully applicable to Japan, China and Taiwan relations. However, the inspiration is the same.

Slide 5 (Panchsheel)

Within limitations, the principles of the peace initiative carry as much moral appeal and are as much relevant and valuable as much other existing initiatives of peaceful coexistence. They are akin to Code of Conduct for South China Sea. But more strikingly, they remind me of the celebrated Five Principles of Peaceful Coexistence, known as *Panchsheel* that India, China and Myanmar propounded in 1954. The Panchsheel is a philosophy of peaceful coexistence and cooperation. Three of its five principles are fully compatible with President Ma Ying-jeou's five-fold peace initiative. Only missing links is sovereignty. The Panchsheel engaged sovereignty, whereas the peace initiative bypasses it.

Slide 6 (No one can...)

The peace initiative sidesteps the issue of sovereignty because it is indeed a difficult issue. But perhaps also because President Ma Ying-jeou's inherent *Chineseness* stops him offering something on sovereignty. Not everyone in Taiwan may share his convictions, but to his credit, his deep blue convictions that uphold *Chineseness* of Taiwan and the sovereignty of the ROC show remarkable consistency. He has got personal academic interest in the sovereignty issue of Diaoyutai. He wrote his PhD thesis on the sovereignty issue of Diaoyuati/Senkaku islands. Taiwan government's tough handling of the issue has left many, who don't follow Taiwan, surprised about Taiwan's seriousness about the claims. The political and military situation between Taiwan and Japan in the East China Sea leading to their fishery pact and Taiwan's tough posturing after the murder of a fisherman by the Philippines conveyed a message that Taiwan matters on the ground and it's claims can't be ignored in the maritime disputes of the East China Sea and the South China Sea.

Slide 7 (Peace is its own reward)

Ma may have got personal philosophical pro-peace convictions or Taiwan's security vulnerability may have developed his pro-peace convictions. Whatever could be the reason? But the fact is that a strong advocacy is seen in his articulations. He has modeled his Cross-Strait policy in the framework of peace and cooperation. His policies stand in contrast with his predecessors' policies. Trade was taking place between China and Taiwan even before him. But the entire framework and discourse of Cross-Strait relations was of competition and hostility. A

substantial amount of credit goes to President Ma to introduce a paradigm change in Cross-Strait relations from competition and hostility to peace and stability.

Slide 8 (Grand Strategy)

Peace is foundation of Taiwan's grand strategy. Volatility in Cross-Strait relations or in the region is detrimental to Taiwan's very survival as a *de facto* independent state. Thus far, this grand strategy has paid handsome reward. As President Ma has reiterated many a times, this is the first time in history when Taiwan has good relations with both US and China. Taiwan-China relations have entered an institutionalized phase. Phenomenal amount of trade, investment and other forms of cooperation is between the two sides is going on. Nobody talks of war or invasion any longer. Diplomatic truce has ensured gains in international arena for Taiwan. It has brought membership to additional international organizations, FTAs and more importantly it has enhanced trust level of its security guarantor US. In keeping with grand strategy of peace, the East China Sea Peace initiative introduces it as a peace promoter.

Slide 9 (First they fight...)

However, as I said not everybody in Taiwan may think the way President Ma thinks. There are alternative voices too. The voices affiliated to the DPP have expressed their annoyance of aggressively pursuing sovereign claims in the East China Sea and put Taiwan-Japan relations at stake. They have argued to base Taiwan's claims on international law and geology instead of history. And to be frank, in my meetings with my friends from the DPP, some of them criticize the peace initiative as simple propaganda.

For reasons well understood, the peace initiative hasn't received any response from Mainland China. The Mainland calls for Cross-Strait cooperation over Diaoyutai, which Taiwan government does not accept for strategic reasons. Instead, its peace initiative offers its own proposal for a three party cooperation over the dispute.

Tough measures have compelled Japan to positively respond to the peace initiative. The fishery pact was the result of Taiwan's combining hard and soft approach to deal the issue. Subtle threats about a possible Cross-Strait cooperation over the dispute and reconciliatory window of the East China Sea Peace initiative clinched the fishery pact. From military point of view, the US 'pivot' to Asia policy does not have space for Taiwan. However, to deepen mutual trust can be considered as a political objective of US 'pivot' to Asia for Taiwan. John Kerry and Daniel Russell's praise for the East China Peace Initiative shows US's endorsement for the initiative. It has been noted, in recent years the high-level bilateral visits, particularly of trade and business representative has increased. There may not be a direct link between the peace initiative and the increasing number of the bilateral visits. But, in the broader context of the regional security situation in the East China Sea and the South China Sea, US efforts to convey a message about US's continuing to attach seriousness to Taiwan can't be ruled out.

Slide 10 (International response)

In last two years, recognition and appreciation has built up for the peace initiative. Japanese prime minister and foreign minister have responded to the peace initiative. Kerry and Russell's appreciation is a positive development and may be indication for the future. I can't say anything for sure. I am just thinking aloud that the US might see possibility for a formal accommodation of Taiwan under some working arrangement in any likely or dialogue on the disputes in the future, if it happens. The US and the other western scholars has in general appreciated the peace initiative. However, they want Taiwan to extend it to the South China Sea, and clarify its position on nine dash line and base its maritime territorial claims in UNCLOS land and withdraw historical claims.

Slide 11 (Public diplomacy)

In last two years, the East China Sea Peace Initiative has become a central theme in Taiwan's public diplomacy. In this regard, what I would like to underline is that the peace initiative provides a political perspective to Taiwan's public diplomacy. Secondly, President Ma, the propagator of the initiative, leads from the front in public diplomacy about the peace initiative. My research reveals that in last two years he has delivered a good number of speeches at the conferences on the peace initiative. I will not go into details. They are available in Taiwan Review and Taiwan Today online.

Slide 12 (Assessment)

So far, the ECSPI has received moderate success. The fishery pacts with Japan and the fishery talks can be attributed to as success of the ECSPI. However, Taiwan is yet to be formally recognized as the stakeholder in the dispute in the East China and in the disputes in South China Sea. The ECSPI has been talked about in limited and concerned circle of US, Japan and somewhat in Europe. Larger international community is either unaware or disinterested in it. Hardly anything is available on the Internet even from the Southeast Asia.

Slide 13 (Critique)

My own understanding is that the peace initiative should provide much more detailed guidelines for trust-building and proposal for resources-sharing. Although I am aware that the situation in South China Sea is much more complex, to make the peace initiative more convincing Taiwan should communicate its position the South China Sea disputes a little more and a little louder. It should also clarify its position on applicability of UNCLOS to the disputes in South China Sea.

Slide 14 (India)

I, as an Indian scholar, would like to speak a few words about India. We don't hear much from India about the dispute in East China Sea, mainly because India has got no commercial presence in the Sea. It recognizes the dispute as a bilateral dispute between Japan and China and supports a peaceful resolution of the dispute. However, contrary to East China Sea, India has emerged as a serious non-claimant stakeholder in peace South China Sea where it has got substantial commercial interests off Vietnamese waters. Recently, during Prime Minister Narendra Modi's US visit, India and the US mentioned South China Sea dispute in their joint communiqué for the first time. The Vietnamese Prime Minister during his recent India visit asked India to play more active role in resolving the disputes in South China Sea. On the other hand, an India-Japan-China triangularity has developed in East Asia in which India-Japan are perceived to be jointly hedging against China. The present Modi government seems to be more proactive and forthcoming in intensifying strategic relations with Japan and Vietnam. India is a strategically important country which Taiwan should of more seriously for the promotion of East China Sea peace initiative.

Slide 15 (Conclusion)

Taiwan's viable diplomacy under Ma has indeed brought substantial gains to Taiwan. However, during the same period, foreign policy as a discourse has relegated to backdrop. The East China Sea Peace Initiative can help Taiwan come back on international radar. Hypothetically speaking, what would be sanctity and enforceability of the agreements that might be concluded between the Mainland China and the Southeast Asia claimants about Taiping island! In any serious dialogue or negotiation on the disputes in the East China Sea and the South China Sea, Taiwan will have to be involved. Taiwan's involvement in dispute resolution process will raise several questions of international law about its sovereignty. If Taiwan is involved, the involvement will also redefine Taiwan's relations with China as the resolution will be about demarcation of maritime borders. This is something which China can't accept. Taiwan has to seriously work on under what arrangement it can be recognized as a claimant in the disputes independent of the People's Republic China. I also wonder and think aloud whether Taiwan can use the ECSPI to pursue a Switzerland like neutral status for itself in regional and international affairs.

Slide 16 (Recommendation)

My recommendation is that make the peace initiative normatively more appealing and of more universal value. The peace initiative should be promoted as part of global peace movement. Taiwan should realize that its claims are not enforceable and in any resolution of the disputes in East China Sea and South China Sea, it is more likely to receive rights for resource-sharing, not sovereign recognition. Therefore, it should offer a new approach on sovereignty that presents it as different from the PRC. Taiwan should work on a formula for a negotiated settlement. The Taiwan government should build a domestic consensus for a negotiated settlement within

Taiwan, which is not very difficult considering the opposition DPP's approach towards the disputes.