

(Translation)

The Question of Diaoyu Island

1. China's basic position

The Diaoyu Island and its adjacent islets have been an inherent part of Chinese territory since ancient times, and China has indisputable historical evidence and legal basis to support this claim. It is an objective fact that there exist sovereign disputes between China and Japan over the Diaoyu Island, and China has always maintained that a solution should be sought to the dispute through diplomatic negotiations on the basis of respecting facts.

2. Historical evidence and legal basis for China's sovereignty over the Diaoyu Island and its adjacent islets

There is ample historical evidence to show that the Diaoyu Island and its adjacent islets were first discovered, named, exploited and developed by the Chinese people and that Chinese fishermen had long engaged in fishing and other production activities for generations in these islands and their adjacent waters. Chinese merchants and fishermen from the coastal regions in Southeast China had been using the Diaoyu Islands as navigation markers even before the 15th century.

The Diaoyu Island and its adjacent islets were under the sovereignty of China during the Ming (1368-1644 AD) and Qing (1644-1911 AD) dynasties and were already incorporated into the Chinese territory in the early Ming Dynasty. The book *Shun Feng Xiang Song* (Voyage with a Tail Wind), which was published during the reign of Emperor Yongle in the Ming Dynasty (1403-1424 AD), recorded the names of the islands that Chinese voyagers passed during their trips from Fujian to Ryukyu Islands, including the "Diaoyu Islet" and "Chikan Islet" (known as "Chiwei Islet" today).

Chinese envoys to the Ryukyu Kingdom during the Ming and Qing dynasties clearly recorded in their diaries that the Diaoyu Islands were part of the Chinese territory and that only areas beyond these islands fell into the territory of Ryukyu. For instance, Chen Kan, a Chinese envoy of the Ming Dynasty, wrote in *Shi Liu Qiu Lu* (Record of the Imperial Envoy to Ryukyu) in 1543, "the Diaoyu Islet, Huangmao Islet, Chikan Islet, so many islands unfold before my eyes ... Then the Kume Island (known as Kumejima Island today) comes into sight, that's where the land of the Ming Dynasty (1403-1424 AD), recorded the names of the islands

Ryukyu begins. The local Ryukyuans on my ship are happy and excited, because they know they have finally returned to their homes.” *Taihai Shichalu* (A Tour of Duty in the Taiwan Sea), a book written in 1722 by Huang Shujing, an envoy dispatched to Taiwan by the Qing Imperial Court, also included accounts about the Diaoyu Island, “there is an island to the north of the ocean that can harbor more than ten ships. Its name is Diaoyu Tai.”

Chouhai Tubian (An Illustrated Compendium on Maritime Security) compiled by Hu Zongxian, the governor for war against pirates in the Ming Dynasty, marked the coastal islands that were under the jurisdiction of the Ming Dynasty for naval defense, which included the Diaoyu Island and its adjacent islets. This is solid proof that these islands had been under the jurisdiction of China’s naval defense as far back as the Ming Dynasty.

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From a geographical perspective, the Diaoyu Island and its adjacent islets are separated by the Okinawa Trough, which is as deep as over 2,000 meters, from the Ryukyu Islands to the east. The Kuroshio Current, flowing from southwest to northeast through the Okinawa Trough, makes it technically challenging in ancient times for boats to approach the Diaoyu Islands from the east side of the trough. This also explains why it is no coincidence that the Chinese were the first to discover and develop the Diaoyu Island and its adjacent islets.

3. Japan and the international community had recognized the Diaoyu Island as part of China in explicit terms

Until modern times, none of Japan's official historical accounts, national records or academic papers had ever challenged China's territorial sovereignty over the Diaoyu Island, and the Chinese name for the island had been used in all these documents. The Japanese maps published prior to the mid-19th century had marked the Diaoyu Island and China's mainland with the same color, and even the *Maps and Names of Provinces and Cities in Japan* published in 1892 did not include the Diaoyu Island in the Japanese territory.

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The Chuzan Seikan (Mirror of Chuzan), compiled by the Regent of the Ryukyu Kingdom in 1605, identified Kume (present-day Kumejima Island, east of Chiwei Islet) as the boundary of the Ryukyu Kingdom. The maps and references in the Chuzan Seifu (Genealogy and Annals of Chuzan), presented in 1701 by an envoy dispatched by the Ryukyu Kingdom as a tribute to the Qing Emperor, recorded the 36 islands of the Ryukyu Kingdom, and the Diaoyu Island and its adjacent islets were not part of them. In the late 1870s and early 1880s, the Qing Dynasty's chief diplomat Li Hongzhang and his Japanese counterparts confirmed during the negotiations on the sovereignty over the Ryukyu Islands that the Ryukyu Islands consisted of the 36 islands, and the Diaoyu Islands were not part of them. The relevant 19th century documents and maps from Western powers such as Britain, France, the United States and Spain also acknowledged that the Diaoyu Islands belonged to China. *A Map on China's East Coast from Hong Kong to the Liaodong Bay*, compiled by the British Navy in 1877, identified the Diaoyu Islands as being affiliated to China's Taiwan and distinctly separated them from Japan's Nansei Islands, or the Ryukyu Islands. This map was later on widely referred to in international exchanges and was used to demarcate the Penghu Islands during the negotiations of the Treaty of Shimonoseki.

In 1941, the so-called "Taihoku (Taipei) Prefecture", which was then under the Japanese occupation, came into disputes with Okinawa Prefecture over the fishing grounds on the Diaoyu Islands. In handling this case, the Japanese court ruled that the Diaoyu Islands should be under the jurisdiction of "Taihoku Prefecture". Ryozo Fukuda, who served as the head of the "Taiwan Police Department" during the Japanese occupation of Taiwan, confirmed that the Diaoyu Islands were, at the time, under the jurisdiction of the "Taiwan Police Department", and licences were issued by "Taihoku Prefecture" to Taiwanese fishermen to operate around the Diaoyu Islands. All these facts prove that even under Japan's colonial rule, these islands were administered as Taiwan's affiliated islands.

In December 1943, the heads of China, the US and the UK issued the Cairo Declaration in which it was stated that all the territories Japan had stolen from the Chinese should be restored to China. In 1945, it was reiterated in the Potsdam Proclamation that "the terms of the Cairo Declaration shall be carried out and Japanese sovereignty shall be limited to the islands of Honshu, Hokkaido, Kyushu, Shikoku and such minor islands as we determine". In August that year, Japan accepted the Potsdam Proclamation and surrendered unconditionally. In accordance with the Cairo Declaration and the Potsdam Proclamation, China licences were issued by "Taihoku Prefecture" to Taiwanese fishermen to

recovered the territories stolen by Japan such as Taiwan and the Penghu Islands. According to international law, the Diaoyu Islands, which are Taiwan's affiliated islands, have been simultaneously returned to China.

4. Japan's illegal occupation of the Diaoyu Islands

Tatsushiro Koga, a Japanese national, explored the Diaoyu Islands in 1884 and claimed that he found the islands to be *terra nullius*. From 1885 to 1893, the Okinawa Prefecture requested permission thrice from the Japanese government to place the Diaoyu Islands under its jurisdiction and put up boundary markers. The Japanese government rejected the requests fearing reprisals from the Qing government. In January 1895, as the Qing Dynasty's defeat in the First Sino-Japanese War was all but certain, the Japanese government illegally occupied the Diaoyu Islands and "incorporated" them into Okinawa Prefecture. In April the same year, by signing the unequal Treaty of Shimonoseki, Japan forced the Qing Dynasty to cede "the island of Formosa (Taiwan), together with all islands appertaining or belonging to the said island of Formosa" to Japan. In 1900, the Japanese government renamed the Diaoyu Islands the "Senkaku Islands".

5. Backroom deals between Japan and the United States and protest statements by China

The *Treaty of Peace with Japan* (commonly known as the *Treaty of San Francisco*) was signed by Japan, the United States and other countries on 8 September 1951, agreeing to place the southwestern islands south of the 29th parallel of north latitude under its trusteeship system, with the United States as the sole administering authority. In December 1953, the Ryukyu government under the United States trusteeship issued a proclamation defining its geographical boundary lines, with the Diaoyu Islands being clearly included.

On 18 September 1951, Zhou Enlai, then Chinese Premier and Foreign Minister, made a solemn statement on behalf of the Chinese government that the *Treaty of Peace with Japan* signed in San Francisco was illegal and invalid and could under no circumstances be recognized by the central government of China as China was excluded from its preparation, formulation and signing.

On 17 June 1971, Japan and the United States signed the *Okinawa Reversion Agreement*, which provided that all and any powers of administration over the Ryukyu Islands would be returned to Japan on 15 December 1972, the Ryukyu government under the United States

May 1972. The agreement included the Diaoyu Island and its adjacent islets in the territories and territorial waters to be reversed to Japan. On the same day the agreement was signed, the spokesman of the U.S. State Department stated that the reversion of Okinawa would not have any implication for the sovereignty of the Senkaku Islands.

On 30 December 1971, the Ministry of Foreign Affairs of China issued a statement, saying that the agreement was a blatant violation of Chinese territorial sovereignty and would not be tolerated by the Chinese people. It is entirely illegal for the United States and Japan to include the Diaoyu Islands in the territories and territorial waters to be reversed to Japan in the *Okinawa Reversion Agreement* they signed. And this would in no way change the territorial sovereignty of the People's Republic of China over the Diaoyu Islands.

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6. The "islands purchase" issue created by Japan

In April 2012, Shintaro Ishihara, a far right-wing Japanese politician and governor of Tokyo, initiated a scheme for the Tokyo Metropolitan government to "purchase" the Diaoyu Islands and launched a high-profile fund-raising campaign for collecting public donations for that purpose. In July, the Japanese government announced its plan to "nationalize" the islands. China has repeatedly lodged stern representations with Japan and reiterated that the Diaoyu Island and its adjacent islets have always been China's inherent territory since ancient times. China has indisputable sovereignty over these islands. China strongly opposes the Japanese attempt to purchase China's sacred territory. Any unilateral move made by Japan with regard to the Diaoyu Island and its adjacent islets is illegal and invalid and cannot change the fact that these islands belong to China.

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