

# CENTRE FOR INTERNATIONAL LAW

## Seminar Series

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(This is a “by-invitation-only” event)

# CIL

# Taiwan's South China Sea Policy under the Ma Administration

## SPEAKER



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Dr Yann-huei Song received his doctoral degree from Kent State University, Kent, Ohio, USA in 1988 and J.S.D. from School of Law (Boalt Hall), UC-Berkeley in 2000. He is a research fellow in the Institute of European and American Studies, Academia Sinica, Taipei, Taiwan; joint research fellow at the Center of Asia-Pacific Area Studies, Academia Sinica; joint professor at the Research Center for Humanities and Social Sciences, National Chung Hsing University, Taichung; and adjunct professor at National Taiwan Ocean University. His areas of study include the international law of the sea, national ocean policy, and maritime security. Dr. Yann-huei Song has published a number of articles focusing on the South China Sea issues and participated in the Informal Workshop on Managing Potential Conflicts in the South China Sea and the technical working group meetings held under the South China Sea Workshop process.

## INTRODUCTION

Due to a number of complex and complicated political problems, sovereignty issues and maritime disputes in the South China Sea (SCS) have never been put on top of Taiwan's foreign policy agenda over the past four decades. The 1993 “Policy Guidelines for the South China Sea”, stipulating that “[o]n the basis of history, geography, international law and the facts, the Spratly Islands, the Paracel Islands, Macclesfield Bank, and the Pratas Islands, have always been a part of the inherent territory of the Republic of China”, were suspended in December 2005 under the Chen Shui-Bin administration.

Taiwan's SCS policy under the Ma Ying-jeou administration advocates the opening up of the sea by seeking joint development of resources in the area and helping maintain peace and stability in the Asia-Pacific region. The policy, based on the principle of “sovereignty belonging to us, putting aside the disputes, peace and reciprocity, and joint development,” calls for doing more research and survey on the resources in the Pratas Islands and the SCS. In addition, the policy calls for working with international conservation organizations to establish an SCS peace park at Taiping Island (Itu Aba) in the Spratly archipelago for the purpose of enhancing international cooperation and protecting the ecological and human cultural resources of the SCS region. In July 2010, a statement was issued by Taiwan's Ministry of Foreign Affairs, reiterating the official position of the ROC Government that “the Nansha Islands (Spratly Islands), Shisha Islands (Paracel Islands), Chungsha Islands (Macclesfield Islands), Tungsha Islands (Pratas Islands), as well as their surrounding waters, and respective seabed and subsoil, all consist of the inherent territory of the Republic of China (Taiwan).”

In response to recent developments and rising tension in the SCS, a number of actions have been taken by the Ma administration over the past two years to meet the challenges that have the potential to affect Taiwan's efforts to safeguard sovereignty and maritime interests in the SCS. A number of SCS task forces were set up by governmental agencies, such as the Ministry of Interior, the Council of Agriculture, and Ministry of Foreign Affairs, to help manage the SCS issues within their jurisdiction. The National Security Council is now responsible for coordinating governmental agencies to deal with the SCS matters. However, it is still not clear regarding Taiwan's position on a number of SCS issues under the Ma administration, which include the legal nature of the U-shaped lines, the legal status of the geographical features located in the Spratly Islands, the proposal to develop oil and gas resources in the South China Sea together with Beijing, the return of marines to Taiping Island, and the claim to historic waters in the South China Sea.

## ABOUT THE CENTRE FOR INTERNATIONAL LAW (CIL)

The Centre for International Law (CIL) is based at the Bukit Timah campus of the National University of Singapore. CIL's mission is to enable Singapore and the Asia-Pacific region to play a more significant role in the promotion and development of international law and policy. The Centre's aim is to become the region's intellectual hub and thought leader for research on and teaching of international law and policy. The Director of CIL is Associate Professor Robert C Beckman and the Deputy Director is Dr Navin Raj. For more information, please visit the CIL website at <http://www.cil.nus.edu.sg> or email: [cil.info@nus.edu.sg](mailto:cil.info@nus.edu.sg)