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Authority: *WNP 96944*

By *CB-NARA* Date *1/13/05*

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POL 32-6

SENKAKU

Pol 32-6 Senkaku

1970

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 Authority MND 969030
 By NJ NARA Date 9-15-05



Department of State

TELEGRAM

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PAGE 01 TOKYO 05524 210356Z

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 ACTION EA-15

INFO OCT-01 E-15 INT-06 OEP-01 GSA-01 L-04 SS-20 H-02

SFW-02 MSC-01 NSC-10 IO-13 DODE-00 CIAE-00 INR-07

NSAE-00 RSC-01 COM-08 RSR-01 /108 W

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R 210345Z JUL 70
 FM AMEMBASSY TOKYO
 TO SECSTATE WASHDC 3540
 INFO HICOMRY
 AMEMBASSY TAIPEI

LIMITED OFFICIAL USE TOKYO 5524

SUBJECT: SENKAKU OIL DEVELOPMENT

1. DEPUTY DIRECTOR AMERICAN BUREAU OKAWARA INFORMED US JULY 21 THAT ON JULY 20 GOU HAD MADE OFFICIAL REPRESENTATIONS TO GRC RE CONTINENTAL SHELF BETWEEN KYUSHU INCLUDING RYUKYUS AND TAIWAN. PURPOSE OF REPRESENTATION WAS TO MAKE CLEAR TO GRC THAT GOU CONCERNED ABOUT GRC CLAIMS TO OIL DEVELOPMENTS AREA AROUND SENKAKU ISLANDS.

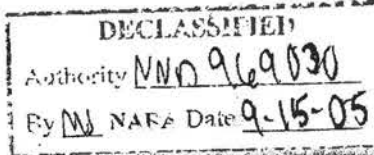
2. GOU INFORMED GRC THAT IT DOES NOT CONSIDER ANY UNILATERAL CLAIM BY GRC TO OIL DEVELOPMENT AREA ON CONTINENTAL SHELF AS EFFECTIVE UNDER INTERNATIONAL LAW. SUCH CLAIMS DO NOT AFFECT RIGHTS OF GOU TO CONTINENTAL SHELF.

3. ACCORDING OKAWARA GRC FONOFF RESPONDED WOULD STUDY GOU REPRESENTATION AND ANTICIPATED THAT CONTINENTAL SHELF MATTER WOULD HAVE TO BE RESOLVED SOONER OR LATER.

4. JAPANESE EMBASSY WILL PROBABLY APPROACH DEPT ON SENKAKU OIL DEVELOPMENT IN NEAR FUTURE.
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Pol 32-6 Senkaku Is

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ACTION: AMEMBASSY TAIPEI

INFO: TOKYO, SEOUL, HICOMRY

SUBJECT: Continental Shelf

REF: Taipei 3214

1. GOJ Embassy has not yet asked for definition of term
 "Nansei ~~XXXXXX~~ Shoto."

2. If it does, Department would take following position:

A. Term as used in Article III of Japanese Peace Treaty was intended to include Senkaku Shoto (Senkaku Gunto). Nansei Shoto, as used in Treaty, refers to all islands south of 29 degrees north latitude, under Japanese administration at end of Second World War, that were not otherwise specifically referred to in the Treaty.

B. Under the Treaty, USG administers Senkaku Islands as part of Ryukyu Islands, but considers that residual sovereignty over the Ryukyus ~~XXXXXXXXXX~~ remains with Japan. Administration of Ryukyus, it is anticipated, will revert to Japan in 1972.

C. USG considers that any conflicting claims to

DRAFTED BY:
 EA/ROC:MEMcDonnell:bds

DRAFTING DATE
 8/11/70

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 21321

APPROVED BY:
 EA/ROC - Linwood Starbird

CLEARANCES:

L/EA - Mr. Stein *uen*
 EA/J - Mr. Fritts *uen*
 EA - Mr. Bardach *uen*

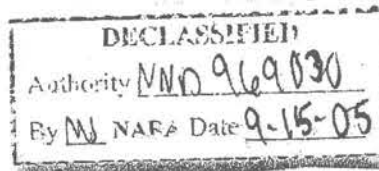
INR/RSF/GE - Mr. Hodgson *uen*
 L/PMO - Mr. Pitman *uen*

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ACTION: TAIPEI

PAGE 2

Senkakus and continental shelf areas adjacent to them are
matter for resolution by the claimants.

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ACTION: Amembassy TOKYO

INFO: Amembassy TAIPEI
HICOMRY *naka*

REF: A. STATE 129846 B. TOKYO 6352 C. TAIPEI 3530
D. TOKYO A-1872 OF AUG 1968 E. TAIPEI X 4265 OF
AUG 27, 1968

SUBJECT: SENKAKU ISLANDS

1. As indicated reftel a, USG considers that Nansei Shoto
as used in Art III of Peace Treaty includes Senkaku Islands
Islands and
that Japan has residual sovereignty over these islands which
USG now administers in accordance with Art III, and ~~that~~ USG
intends to relinquish administration of these islands in
favor of Japan in accordance with reversion agreement yet
to be negotiated. Para 3 reftel (a) not intended to cast
doubt on Japan's sovereignty over these islands but merely to
indicate that, in the event a dispute over sovereignty ~~over~~
~~sovereignty~~ over Senkaku Islands should arise, neither Peace

DRAFTED BY:

EA/J:HMMcElroy:bd

DRAFTING DATE

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23152

APPROVED BY:

EA/J - Robert E. Fritts

CLEARANCES:

EA - Mr. ~~Burch~~ Vandivier
L/EA - Mr. Stein (draft)
EA/ROC - Miss McDonnell

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Treaty nor Reversion agreement would be dispositive of claim
which would have to be resolved by claimants or, if they
choose, through third party adjudication such as by the ^{ICJ.} ~~ICC.~~
2. We are surprised at reported differences (ref tel c)
within GOJ on Senkaku sovereignty in view of previous formal
GOJ representations (ref d). It would appear more likely that
such differences might exist over question of surrounding
continental shelf.

END

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PAGE 01 TOKYO 06988 050446Z

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ACTION: EA-15

INFO: OCT-01 CIAE-00 NSAE-00 NSCE-00 SSO-00 USIE-00 RM-05

H-02 INR-08 L-04 NSC-10 P-03 RSC-01 PRS-01 SS-20

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FM AMEMBASSY TOKYO

TO SECSTATE WASHDC IMMEDIATE 4383

INFO AMEMBASSY TAIPEI IMMEDIATE

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AMCONSUL HONG KONG

C/D N F I D E I N T I A L TOKYO 6988

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OASD FOR RA

CINCPAC FOR POLAD

HICOMRY ALSO PASS PREPCOM

SUBJECT: SENKAKU ISLANDS

1. MOST TOKYO MORNING PAPERS (SEPT 5) CARRY WIRE SERVICE REPORTS FROM TAIPEI THAT CHINESE NATIONALIST FLAG BEEN PLANTED ON SENKAKU JIMA SEPT 2 BY CREW OF GRC MARINE RESEARCH LABORATORY VESSEL.

2. SATO SAID JAPANESE EMBASSY TAIPEI INSTRUCTED SEPT 4 ASK GRC MINISTRY OF FOREIGN AFFAIRS (MOFA) ABOUT REPORT. MOFA, SATO SAID, DID NOT CONFIRM PRESS REPORT. IT SAID THAT IF NATIONALIST COLORS HAD BEEN RAISED IN SENKAKU, THIS WAS NOT DONE AT DIRECTION OF GRC.

3. SATO, STATING THAT HE WAS SPEAKING UNDER INSTRU-

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PAGE 02 TOKYO 06988 050446Z

TIONS, REQUESTED THAT US ADMINISTRATION INVESTIGATE
SITUATION ON THE SPOT AND, IF IGRE COLORS ACTUALLY
FOUND TO BE FLYING THERE, TAKE APPROPRIATE ACTION.

4. SATO POINTED OUT THAT FOMINI AICHI SCHEDULED TESTIFY
ALL NEXT WEEK, BEGINNING AT 10:00 A.M. SEPT 7, IN
LOWER HOUSE DIET COMMITTEE ON SYMINGTON HEARINGS WITH
PARTICULAR REFERENCE TO OKINAWA.
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PAGE 01 TAIPEI 03872 050626Z

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ACTION EA-15

INFO OCT-01 CIAE-00 DODE-00 PM-05 H-02 INR-08 L-04 NSAE-00
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FM AMEMBASSY TAIPEI
TO SECSTATE WASHDC PRIORITY 850
INFO AMEMBASSY TOKYO PRIORITY

UNCLAS TAIPEI 3872

SUBJECT: SENKAKU ISLANDS

REF: TOKYO'S 6988 *Pol 32-6 Senkaku Is*

SEPT 4 EDITION INDEPENDENT CHINA TIMES (CHUNG KUO SHIH PAO) CARRIES FRONT PAGE COLOR PHOTOS OF GROUP PLANTING ROC FLAG ON SENKAKU. NO DATE IS GIVEN, BUT IMPLICATION IS ACT WAS VERY RECENT. CAPTION IDENTIFIES GROUP AS COMPOSED OF CHINA TIMES JOURNALISTS AND SHIP'S CREW. SHIP IDENTIFIED BY NAME, BUT OWNERSHIP NOT GIVEN. ARMSTRONG

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ACTION: AMEMBASSY TOKYO

HICOMRY *naka*

INFO Amembassy Taipei

CINCPAC

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DEPT OF ARMY

REF a. Tokyo 6988

b. State 129846

c. HICOMRY 040750Z

SUBJ: SENKAKU ISLANDS

1. Japanese Emboff (Kiuchi) called on country director Ericson Sept 8 re ~~Chinese~~ ^{Chinese} incursion reported ref tel a. Kiuchi said there was increasing public concern in Japan about this incident and about GRC attitudes toward Senkaku Islands and continental ~~shelf~~ shelf. He said GOJ position in Diet interpellations expected this week would be eased by USG public statement on Japanese residual sovereignty over Senkaku Islands.

2. Ericson reiterated USG position outlined ref tel b and stated

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EA/J: HMcElroy HMc

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Sep 8 70

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APPROVED

EA/J: RE Ericson

CLEARANCES

EA/ROG- Miss McDonnell (draft) *km*

Army- Mr Freimuth (draft) *km*

L/EA- Mr Stein (draft) *km*

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we had no objection to GOJ reference to this position in Diet responses. Opined, however, that USG unlikely to issue public ~~st~~ statement.

3. For Hicomry. Re para 2 reftel c. No objection to your use reftel b in replying to inquiries. Would appreciate report on Chinese incursion and on any steps taken or contemplated by GRI. Assume GRI will cause removal of flag if present.

4. Army concurs.

END

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Ref 32-6 Senkaku Is
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PAGE 01 TAIPEI 03913 091017Z

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 ACTION EA-15

INFO OCT-01 CIAE-00 DODE-00 PM-05 H-02 INR-08 L-04 NSAF-00

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RI 090959Z SEP 70
 FM AMEMBASSY TAIPEI
 TO SECSTATE WASHDC 866
 INFO AMEMBASSY TOKYO
 AMCONSUL HONG KONG
 HICOMRY

CONFIDENTIAL TAIPEI 3913

SUBJECT: SENKAKU ISLANDS

REF: TAIPEI 3872 *Ref 32-6 Senkaku Is*

1. JAPANESE CHARGE MUTO SEPT 9 SHOWED EMBOFF GRC NOTE DATED AUGUST 19 IN WHICH GRC REJECTED JAPANESE CLAIM TO SENKAKU RETTO, BUT SPECIFICALLY DENIED EXISTENCE CHINESE CLAIM. GRC ALSO DENIED JAPAN'S RIGHTS TO CHINESE CONTINENTAL SHELF. GOJ HAS REPLIED, SAYING THAT SENKAKUS ARE INTEGRAL PART OF RYUKYUS.

2. MUTO SAID THAT HE HAD ALSO RECEIVED INSTRUCTIONS SEPT 5 FROM TOKYO TO PROTEST SEPT 4 STORY (REFTEL) ON RAISING OF GRC FLAG IN SENKAKUS, AND TO INQUIRE IF GRC HAD AUTHORIZED TAIWAN PROVINCIAL SURVEY SHIP TO LAND THERE. ACCORDING TO MUTO, KUO KANG, DEPUTY DIRECTOR MOFA TREATY DEPT, SAID THAT TO HIS KNOWLEDGE SENKAKU VISIT WAS ARRANGED BY CHINA TIMES (CHUNG KUO SHIH PAO) AND THAT GRC HAD NOTHING TO DO WITH IT. MUTO HAS REPORTED THIS REPLY TO TOKYO AND IS AWAITING FURTHER INSTRUCTIONS.

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ACTION EA-15

INFO OCT-01 IO-13 INT-06 E-15 COM-08 LW-04 CIAE-00 INR-00

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FM AMEMBASSY TAIPEI
TO SECSTATE WASHDC 884
INFO AMEMBASSY TOKYO
WICOMRY

C O N F I D E N T I A L TAIPEI 3956

SUBJ: SENKAKU ISLANDS

STRICTLY FOR OUR OWN EDIFICATION, TO HELP US UNDERSTAND
GRC AND GOU MANEUVERING, WE WOULD APPRECIATE DEPARTMENT'S
OPINION ON EXTENT WHICH GOU RESIDUAL SOVEREIGNTY OVER
SENKAKUS AFFECTS OFFSHORE OIL RIGHTS IN AREA GRC
CLAIMS THOSE RIGHTS ON BASIS CONTINENTAL SHELF.
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ACTION: Amembassy TAIPEI

INFO: Amembassy TOKYO
HICOMRY *~ Naha*

STATE _____

SUBJECT: Senkaku Islands

REF: (A) State 148490; (B) Taipei 3956

1. US recognizes residual sovereignty of Japan over Nansei Shoto, including Senkakus, which US administers pursuant to Article III of Japanese Peace Treaty. It is US position, however, that Treaty alone is not necessarily final determinant of sovereignty issue. In US view any dispute that might arise regarding sovereignty over Senkakus or ~~their~~ continental shelf around them should be resolved among claimants or through third-party adjudication, for example, ~~ICJ~~ International Court of Justice (ICJ).

2. In North Sea Continental Shelf Cases, ~~INTERNATIONAL COURT OF JUSTICE~~ ICJ ~~THE COURT~~ said that, with respect to claims over the continental shelf, states concerned are obliged QUOTE to enter into negotiations with a view to arriving at an agreement UNQUOTE. ICJ noted that this duty QUOTE merely constitutes a special application of a principle which underlies all international relations, and which is moreover]

DRAFTED BY: *MEM* EA/ROC: MEMcDonnell DRAFTING DATE: 9/14/70 TEL. EXT. 21321 APPROVED BY: *MEM* EA/ROC: Thomas P. Shoesmith

CLEARANCES:

L:EA: Mr. *Futterman* L:EA: Mr. *Stein* EA:J: Mr. *McElroy*
L:PMO: Mr. *Pitman*

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recognized in Article 33 of the Charter of the United Nations as one of the methods for the peaceful settlement of international disputes UNQUOTE. It is likely that this point made by the Court in the North Sea Cases would be applicable in resolving any conflict which might arise between ROC and Japan with respect to continental shelf adjacent to Senkakus Islands.

3. There appear two possibilities for determination of extent of continental shelf for Senkakus, both deriving from ~~fact~~ fact that Senkakus alone among Ryukyus are located on shelf, separated from remainder of Ryukyus by trench:

(a) Sovereignty over Senkakus would extend to territorial waters and underlying area, that is, to no more than 3 miles from islands; or

(b) Sovereignty over Senkakus could be basis for claim to sovereignty over an adjacent portion of the continental ~~shelf~~ shelf.

We do not, however, wish to take a position as to which would apply in case of Senkakus.

4. To forestall second possibility GRC has made reservation to Article 6

~~of Continental Shelf Convention~~

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of Continental Shelf Convention. ~~The~~ GRC reservation asserts that
QUOTE boundary of continental shelf appertaining to two or more states
whose coasts are adjacent to and/or opposite each other shall be
determined in accordance with principle of natural prolongation of
their ~~land~~ territories UNQUOTE, as applied by ICJ in North Sea Cases.
To avert any Japanese toehold on China shelf, GRC added to its reservation
assertion that QUOTE in determining boundary of continental shelf of
ROC, exposed rocks and islets shall not be taken into account ~~UNQUOTE~~ UNQUOTE.
GRC reservation not inconsistent with resolution of disputes in accordance
with principle provided para 2 above.

5. According to Tokyo radio broadcast of Sept 4 (FBIS Sept 9), GRC has
agreed ~~to~~ to proposal made by Japanese Ambassador in Taipei for negotiations
on question of sovereignty over continental shelf in East China Sea, ~~including~~
including area around Senkakus. Report indicated Japanese are not RPT
not willing to negotiate on question of Senkaku sovereignty. Broadcast
said it remains to be decided when talks will get under way, but they are
expected to begin soon. Department would appreciate verification of this
report and any available information. END

ROGERS

GP-3

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ACTION: Amembassy TAIPEI

INFO: Amembassy TOKYO
HICOMRY *W*

Subj: Senkaku Islands

Ref: Taipei 4000

Pol 32-6 Senkakus Is
Pol 19 Ryukyu Is

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1. During call on Assistant Secretary Green on another matter, September 16, 1970, Chinese Ambassador Chow Shu-kai, on instructions, made representation of GRC views on Senkaku issue, parallelling that reported reftel. Only additional points made by Chow were to point out QUOTE strategic UNQUOTE position of Senkakus, lying closer to Taiwan than to other islands in Ryukyu chain, and QUOTE intense grilling UNQUOTE which ForMin Wei Tao-ming has been given on this matter by Legislative Yuan and Chinese press. Chow referred to GRC reservations concerning US-J Okinawan reversion agreement and said that GRC had avoided airing its views publicly out of concern for friendly relations with US. Senkakus, however, QUOTE last straw UNQUOTE, and Chow remarked that ROC public QUOTE cannot take UNQUOTE GOJ assertion of sovereignty. Chow

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EA/J - Mr. McElroy *8*

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expressed hope that USG will give serious consideration to GRC views and handle this issue with utmost care. At later point in conversation, Chow offered personal observation that he hoped USG official statements on this matter would not give appearance of supporting GOJ claim.

2. Green stated USG position along lines Ref B, Para 1, and assured Chow that we have taken note of GRC concern.

GP-3

END

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ACTION EA-20

INFO OCT-01 10-13 INT-06 CIAE-00 DODE-00 INR-08 NSAE-00

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R 220340Z SEP 70
FM AMEMBASSY TOKYO
TO SECSTATE WASHDC 4678
INFO HICOMRY
AMEMBASSY TAIPEI

CONFIDENTIAL L TOKYO 7522

SUBJ: SENKAKUS

1. ON SEPTEMBER 21, 1970 FONOFF (CHIBA) TOLD DCM AND EMBOFFS THAT GOJ AMBASSADOR RETURNING TAIPEI WITH INSTRUCTIONS MAKE INFORMAL CONTACT WITH GRC FOR PURPOSE OF BEGINNING CONSULTATIONS ON CONTINENTAL SHELF ISSUE.

2. RECENTLY, GRC AMBASSADOR PENG CALLED ON FONOFF VICE MINISTER MORI RE SENKAKUS. ACCORDING FONOFF, AMBASSADOR PENG SEEMED ANXIOUS TO SEE SENKAKU ISSUE RESOLVED QUICKLY. AMBASSADOR AND MORI AGREED THAT PRESS IN BOTH COUNTRIES MUST BE ALLOWED TO COOL OFF ON ISSUE AND THAT ANY GOVERNMENTAL CONTACTS BE KEPT CONFIDENTIAL. PENG SAID THAT GRC CLAMPING LID ON CHINESE PRESS, AND HE ASKED GOJ TAKE SIMILAR ACTION WITH JAPANESE PRESS. MORI REPORTEDLY MADE CLEAR TO PENG THAT GOJ COULD NOT YIELD ON TERRITORIAL ISSUE OF SENKAKUS, BUT COMPLETELY WILLING ENTER DISCUSSIONS RE CONTINENTAL SHELF.
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Handwritten notes:
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PAGE 01 TAIPEI 04208 260652Z

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ACTION EA-20

INFO OCT-01 CIAE-00 DODE-00 PM-05 H-02 INR-08 L-04 NSAE-00
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FM AMEMBASSY TAIPEI
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SECRET TAIPEI 4208

SUBJECT: SENKAKUS

REF: TAIPEI 4105 *pp 33*

CINCPAC FOR POLAD

1. FREDRICK CHIEN, DIRECTOR OF NORTH AMERICAN AFFAIRS, MOFA, CALLED IN ROLOCONS SEPT. 23 AND DELIVERED "ORAL STATEMENT" ON INSTRUCTIONS FROM ACTING FONMIN GIVING GRC "BASIC POSITION" ON SENKAKUS (WHICH HE REFERRED TO BY CHINESE NAME TIAO YU TAI, THROUGHOUT). SUMMARY OF STATEMENT FOLLOWS:

2. SENKAKUS HAVE BEEN VISITED FOR MANY, MANY YEARS BY CHINESE FROM TAIWANI FISHERMEN, THOSE SEEKING BIRD EGGS AND AS A REFUGE IN STORMS. THERE HAS BEEN A LONG TRADITION, AND THESE VISITS HAVE BEEN CONDUCTED WITH NO INTERVENTION. THE GRC THEREFORE, DOES NOT ACCEPT OR CONSENT TO RECENT ACTION BY THE GOVERNMENT OF THE RYUKYU ISLANDS IN INTERFERING WITH CONCURRENCE OF USG WITH NORMAL VISITS OF CHINESE FISHING VESSELS TO SENKAKUS.

3. AFTER CONVERSATION BETWEEN AMBASSADOR CHOW SHU-KAI AND ASSISTANT SECRETARY GREEN ON SEPT. 17, MR. SHOESMITH

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PAGE 02 TAIPEI 04208 260652Z

REMARKED TO AMBASSADOR CHOW THAT THE SENKAKU ISSUE IS "DIFFICULT TO HANDLE." HE APPARENTLY FINDS IT CURIOUS THAT GRC PERMITS ITS VESSELS TO INTERFERE WITH NORMAL VISITS OF CHINESE VESSELS TO SENKAKUS. IN RECENT WEEKS THERE HAVE BEEN MANY COMPLAINTS FROM FISHERMEN AND OTHERS, NOT ONLY ABOUT THE EVENTS OF SEPT. 16 AND 17, WHICH HAVE ALREADY BEEN DISCUSSED WITH U.S., BUT IN PARTICULAR A CHINESE FISHING VESSEL FROM KEELUNG, THE DAH FENG (6671/7384), WHICH WAS FISHING IN WATERS SURROUNDING SENKAKUS WAS BOARDED ON SEPT. 16 BY A JAPANESE SHIP, THE CHIEN SUI-WAN (2578/2979/0029), WHICH HAULED DOWN THE CHINESE FLAG FROM THE MAST AND TOOK IT AWAY. THE FLAG WAS RETURNED ON SEPT. 16. POLCOONS ASKED IF IT WERE FISHING IN SENKAKU TERRITORIAL WATERS. CHIEN REPEATED "IN VICINITY OF SENKAKUS."

4. THE GRC CANNOT REMAIN SILENT ON THIS SUBJECT, SINCE THE GRC ACTIONS IN THE SENKAKUS, PRESUMABLY WITH THE CONCURRENCE OF THE U.S., HAVE AROUSED CONSIDERABLE CONCERN IN ALL SECTORS IN TAIWAN. ALL PARTIES INVOLVED SHOULD BE EXTREMELY CAUTIOUS NOT TO TAKE ANY MOVE THAT COULD BE CONSIDERED PROVOCATIVE. AN EXAMPLE OF THE LATTER WAS THE ACTION OF THE GRC AUTHORITIES, WITH THE CONCURRENCE OF THE U.S., IN REMOVING A CHINESE FLAG MOUSTED BY A CHINESE NATIONAL ON ONE OF THE SENKAKUS, AND PAINTING OUT THE CHARACTERS "LONG LIVE PRESIDENT CHIANG" WITH BLACK PAINT (CHIEN REPEATED "WITH BLACK PAINT" TWICE). BOTH THESE ACTIONS ARE TO BE CONSIDERED PROVOCATIVE, AND HAVE HAD IRRITATING IMPACT ON THE REPUBLIC OF CHINA. CHIEN SAID THAT HE HOPED THAT THE POLCOONS WOULD CONVEY THIS MESSAGE TO USG AND THAT IT WILL EXERCISE, AND INSTRUCT THE GRC TO EXERCISE, RESTRAINT OVER THE SENKAKU ISSUE. END OF SUMMARY.

5. POLCOONS SAID THAT HE HAD NOT HEARD OF AN INCIDENT IN SENKAKU WATERS OF SEPT. 15, AND WOULD REPORT IT. HE POINTED OUT THAT FAR FROM THERE HAVING BEEN NO "INTERVENTION," OUR FILES, WHICH WERE ADMITTEDLY INCOMPLETE, SHOWED THAT THERE HAD BEEN A NUMBER OF CASES BETWEEN 1965 AND 1970 IN WHICH THE AUTHORITIES IN THE RYUKYU ISLANDS HAD "INTERVENED" TO PREVENT VIOLATION OF THE TERRITORY AND TERRITORIAL WATERS OF THE SENKAKUS OF FISHERMEN AND OTHERS. CHIEN SAID THAT THE GRC IN THESE INSTANCES HAD

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TELEGRAM

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PAGE 03 TAIPEI 04208 260652Z

HEREBY "TAKEN NOTE" OF U.S. ACTION, WHICH DID NOT DENOTE
ACQUIESCENCE. THE ISSUE, HE CONTINUED, WAS THAT OF
RICE BOWL OF CHINESE NATIONALS, AND THE GRC CANNOT REMAIN
INDIFFERENT.

6. POLCOONS SAID THAT HE PRESUMED THAT THE DIFFICULTY
THAT MR. SHOESMITH HAD REFERRED TO WAS THAT THE U.S.,
WHICH IS NEUTRAL IN THE DISPUTE BETWEEN CHINA AND JAPAN
OVER THE SENKAKUS, FINDS ITSELF DRAWN INTO THE DISPUTE
BY BOTH PARTIES. THE PRESS IN BOTH TOKYO AND TAIPEI
HAS NOT HELPED--JAPANESE REFERENCE TO 100 CHINESE SHIPS
ENTERING THE SENKAKUS, AND A TAIPEI REFERENCE TO TWO
JAPANESE SELF-DEFENSE WARSHIPS IN THE SENKAKUS ARE BOTH
EXAGGERATED, AND DO NOT SERVE TO RELAX TENSION. WE STILL
HOPE THAT CHINESE FISHING VESSELS WILL AVOID FISHING IN
RYUKYUAN WATERS AND THUS REDUCE OPPORTUNITIES FOR INCIDENTS.

7. CHIEN CONCLUDED BY SAYING THAT AT A FURTHER DATE
HE INTENDED TO TAKE EXCEPTION TO THE CURRENT U.S. ADMINI-
STRATION OF THE SENKAKUS, BUT HE WAS NOT PREPARED AT PRESENT
TO DO SO.

8. COMMENT: CHIEN MAY BE PREPARING TO TAKE A MORE
AGGRESSIVE LINE ON THE SENKAKUS. IF HE DOES, HE WILL
PROBABLY FOLLOW THE LINE THAT THE GRC HAS NEVER RECOGNIZED
U.S. ADMINISTRATION OF THE ISLANDS EVEN TACITLY.
WHILE THIS IS PATENTLY NOT THE CASE, THE
INFORMATION REQUESTED FROM HICOMRY (REF A) ON PREVIOUS INCIDENTS
OF VIOLATIONS OF WATERS OF THE SENKAKUS AND OTHER RYUKYU
ISLANDS BY GRC VESSELS WOULD BE USEFUL IN COUNTERING SUCH
ARGUMENTS.

9. IF CHIEN SHOULD GO SO FAR AS TO TAKE EXCEPTION TO
U.S. ADMINISTRATION OF THE SENKAKUS, WE BELIEVE THAT
NEGOTIATING RECORD OF THE MUTUAL DEFENSE TREATY OF 1954
MAY CONTAIN CHINESE ACCEPTANCE OF U.S. ADMINISTRATION IN
MORE SPECIFIC TERMS THAN CONTAINED IN THE ARTICLE 6 OF
TREATY. WOULD APPRECIATE DEPT'S CHECKING RECORD AND INFORMING US.

10. CHINESE PRESS HAS COOLED DOWN SOMEWHAT ON THIS ISSUE,
BUT ENGLISH LANGUAGE CHINA NEWS EDITORIAL OF SEPT 23
(POUCHED) SAYS THAT THE JAPANESE (SIC) ACTION IN DRIVING

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Department of State **TELEGRAM**

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PAGE 04 TAIPEI 04208 260652Z

CHINESE FISHERMEN AWAY FROM THESE "VOLCANIC FLY SPECKS"
IS THE FIRST AGGRESSIVE MOVE OF THE NEW MILITARIST JAPAN.
WE NOTE, HOWEVER, THAT A PLANNED VISIT TO THE RYUKYUS
BY THREE NATIONAL ASSEMBLYMEN HAS BEEN POSTPONED.

11. FOOTNOTE: REGIONAL MAP PROCUREMENT OFFICER INFORMS
US THAT LARGE AND HANDSOME GEOLOGICAL MAP OF CHINA PREPARED
BY GRC FOR INTERNATIONAL TOPOGRAPHICAL MEETING IS BEING
CLASSIFIED BECAUSE SENKAKUS WERE OMITTED. GP-3
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PROGRAM/ACTION

EA-8

DEPARTMENT OF STATE

AIRGRAM

POL 33 CHINA SEA

XR POL 33-6 SENKAKU
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A-272

CONFIDENTIAL

XR POL CHICIM-JAPAN

HANDLING INDICATOR

TO

DEPARTMENT OF STATE

RECEIVED

INFO:

TAIPEI, TOKYO, CINCPAC (FOR POLAD)

OCT 6 8 26 AM 1970

FROM

Amconsul HONG KONG

ANALYSIS BRANCH

DATE: October 1, 1970

SUBJECT:

Chinese Communist Commentary on the Senkaku Islands Issue

REF

PRC media have thus far refrained from mentioning the GOJ-GRC controversy concerning the Senkaku Islands and offshore oil exploration on the continental shelf underlying portions of the East China Sea. Since the GRC's claims regarding the continental shelf appear to be an extension of its position that it is the sole, legitimate government of China, this controversy must touch sensitive nerves in Peking. Although the PRC has not, to our knowledge, taken a position on the Continental Shelf Convention of 1958, we presume it shares Taipei's interest in fending off any Japanese encroachments on Chinese claims to the shelf. At the same time, however, Peking obviously cannot accept Taipei's right to assert those claims. Thus far, Peking has chosen to meet this problem by remaining silent, but it may decide before long to issue propaganda blasts warning both the GRC and the Japanese away from the area. Even in that case, however, we doubt that Peking would attempt to physically interfere with commercial oil exploration or extraction so far off its coast.

Enclosure att n. m.

Translation of editorial in the September 21 issue of
Ching Po

CONFIDENTIAL/GP-4

Downgraded at 3-year intervals.

Declassified after 12 years.

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FORM 4-82 D5-323

Drafted by:

CM:ADRONberg/RWDrexler/MChang:je/jj

Contents and Classification Approved by:

CM:RWDrexler

Clearance:

10/1/70

CM:JTaylor

1970 OCT 6 PM 12 35

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HONG KONG A-272

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Meanwhile, authoritative Chinese Communist newspapers in Hong Kong have also continued to avoid the issue. A pro-Communist (but not authoritative) paper, the Ching Po, did carry on September 21 an editorial on the Senkakus dispute. Ching Po moved from the specific point regarding oil to the general point about sovereignty when it argued: "Territorial sovereignty being something over which no concessions should be permitted, we must raise our vigilance against the Japanese militarists' territorial ambitions which are not merely confined to the oil resources at Tiaoyutai but are extended to the whole of Taiwan."

A translation of the full text of the editorial is attached.

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By *CR-ARA* Date *1/13/05*

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TELEGRAM

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PAGE 01 HONG K 03995 021010Z

19 12
ACTION EA-18INFO: OCT-01 SS-20 NSC-10 NSCE-00 INR-07 CIAE-00 NSAE-00
PM-03 DODE-00 PRS-01 RSR-01 RSC-01 IO-04 L-02 E-04
SFW-01 2073 W

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R 020830Z OCT 70
FM AMCONSUL HONG KONG
TO SECSTATE WASHDC 9336
INFO AMEMBASSY TAIPEI
AMEMBASSY TOKYO
CINCPAC

SECRET HONG KONG 3995

LIMDIS

CINCPAC FOR POLAD

SUBJECT: SENKAKU ISLANDS

REF: TOKYO 7767, HK A-272, OCT 1, 1970.

1. WE AGREE WITH REFTEL THAT PEKING MAY FIND SOME SATISFACTION IN THE DISPUTE BETWEEN THE GOV AND GRC OVER THE SENKAKU ISLANDS AND PARTICULARLY OVER THE LIKELIHOOD THAT THE USG WILL FIND ITSELF CAUGHT IN A DIFFICULT POSITION BETWEEN ITS TWO ALLIES. NONETHELESS, THE PRC MAY BE IN SOMETHING OF A DILEMMA OVER HOW BEST TO REACT PUBLICLY TO THIS SITUATION AND PRC MEDIA HAVE THUS FAR REFRAINED FROM MENTIONING THE CONTROVERSY. SINCE THE GRC'S CLAIMS REGARDING THE CONTINENTAL SHELF APPEAR TO BE AN EXTENSION OF ITS POSITION THAT IT IS THE SOLE LEGITIMATE GOVERNMENT OF CHINA, THIS CONTROVERSY MUST TOUCH SENSITIVE NERVES IN PEKING. ALTHOUGH THE PRC HAS NOT, TO OUR KNOWLEDGE, TAKEN A POSITION ON THE CONTINENTAL SHELF CONVENTION OF 1958, WE PRESUME IT SHARES TAIPEI'S INTEREST IN FENDING

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PAGE 02 HONG K 03995 021010Z

OFF ANY JAPANESE ENCROACHMENTS ON CHINESE CLAIMS TO THE SHELF. FURTHERMORE, AUTHORESS HAN SU-YIN AFTER HER RECENT TRIP TO THE MAINLAND, ASSERTED THAT PEKING BELIEVES THAT THE SENKAKUS ARE PART OF CHINA (FCH-12136). AT THE SAME TIME, HOWEVER, PEKING OBVIOUSLY CANNOT ACCEPT TAIPEI'S RIGHT TO ASSERT THOSE CLAIMS.

2. THUS FAR, PEKING HAS CHOSEN TO MEET THIS PROBLEM BY REMAINING SILENT, BUT IT MAY DECIDE BEFORE LONG TO ISSUE PROPAGANDA BLASTS WARNING BOTH THE GRC AND THE JAPANESE AWAY FROM THE AREA. IF SO, PEKING WOULD PROBABLY CHARACTERIZE JAPANESE EFFORTS AS FURTHER PROOF OF THE GOJ'S "WILD AMBITION TO ANNEX TAIWAN" AND ACCUSE THE U.S. OF FOSTERING JAPANESE AGGRESSION. PEKING WOULD PROBABLY ALSO ASSERT THAT TAIPEI HAS NO RIGHT TO THE RESOURCES WHILE AT THE SAME TIME, PERHAPS, SKIRTING THE SPECIFIC QUESTION OF SOVEREIGNTY OVER THE SENKAKUS AS DID A HONG KONG PRO-COMMUNIST PAPER IN DISCUSSING THE ISSUE (REFAIR). ALTHOUGH MINOR CHINESE COMMUNIST HARASSING ACTIVITIES AGAINST OIL COMPANIES OPERATING OFF THE CONTINENTAL SHELF CANNOT BE RULED OUT, WE BELIEVE THAT PEKING WILL MOST LIKELY AVOID ANY ACTION WHICH COULD LEAD TO A DIRECT CONFRONTATION WITH THE GRC, GOJ, OR USG. GP-1
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CONFIDENTIAL 974

PAGE 01 TAIPEI 04318 051016Z

17-L
ACTION: EA-20

INFO: OCT-01 PM-05 NSC-10 SS-20 RSC-01 L-04 CIAE-00 INR-00

NSAE-00 DODE-00 SFW-02 E-15 INT-06 PRS-01 RSR-01 008158

R 051000Z OCT 70
FM AMEMBASSY TAIPEI
TO SECSTATE WASHDC 1046
INFO AMEMBASSY TOKYO
AMCONSUL HONG KONG
HICOMRY
CINCPAC

CONFIDENTIAL TAIPEI 4318

SUBJECT: SENKAKU ISLANDS

REF: STATE 161340

1. IN RESPONSE TO QUERY, JAPANESE DCM ITO TOLD CHARGE TODAY THAT AMBASSADOR ITAGAKI DID NOT RETURN FROM TOKYO WITH INSTRUCTIONS FOR DISCUSSION OF SENKAKUS WITH GRC. HE EXPLAINED THAT GOJ POSITION IS THAT SOVEREIGNTY ISSUE IS NON-NEGOTIABLE, AND WHILE GOJ IS WILLING TO DISCUSS CONTINENTAL SHELF QUESTIONS WITH GRC, GOJ HAS NOT YET BEEN ABLE TO DECIDE WHAT POSITION TO TAKE. HE ADDED THAT THERE IS A CONSIDERABLE DIFFERENCE OF OPINION ON THIS POINT WITHIN GOJ AND EVEN WITHIN FOREIGN MINISTRY. CHARGE EXPRESSED HOPE GRC AND GOJ COULD SETTLE DISPUTE AMICABLY AND KEEP IT FROM AFFECTING OVERALL RELATIONS BETWEEN THE TWO COUNTRIES.

2. SOMEWHAT SURPRISINGLY, ITO SAID THAT HE "PERSONALLY" BELIEVED THAT PROBLEM OF INTRUSIONS BY CHINESE FISHING BOATS INTO SENKAKU WATERS COULD BE RESOLVED FAIRLY EASILY. HE NOTED THAT CHINESE BOATS HAVE BEEN FISHING AROUND SENKAKUS FOR 25 YEARS AND THAT RYUKYUANS DO NOT FISH THOSE WATERS. ALTHOUGH HE DID NOT SPELL IT OUT, HE SEEMED TO BE SUGGESTING THAT GOJ AND PRESUMABLY GRC WOULD HAVE NO MAJOR PROBLEM WITH CHINESE FISHING IN

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Taipei 4318
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PAGE 02 TAIPEI 04318 051016Z

SENKAKU WATERS IF GRC WERE WILLING TO DISASSOCIATE
THIS MATTER FROM ISSUE OF SOVEREIGNTY OVER SENKAKUS.
FOR EXAMPLE, HE SPECULATED THAT CHINESE COULD PERHAPS
CONTINUE FISH THERE BECAUSE OF "CUSTOM" AND NOT
"RIGHT." WE WILL COMMENT FURTHER ON THIS THOUGHT
IN OUR REPLY TO REFTEL GP-3
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Department of State

TELEGRAM

Pol 32-6 Senkaku Is
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PAGE 01 TOKYO 07989 000927Z

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ACTION EA-20

INFO OCT-01 PM-05 NSC-10 SS-20 RSC-01 L-04 CIAE-00 INR-08

NSAE-00 DODE-00 SFW-02 E-15 INT-06 MSC-01 RBR-01 /094
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R 060905Z OCT 70
FM AMEMBASSY TOKYO
TO AMEMBASSY TAIPEI
INFO SECSTATE WASHDC 4919
WICOMRY

CONFIDENTIAL TOKYO 7989

SUBJ: SENKAKU ISLANDS

REF: TAIPEI 4318

1. AT REGULAR MEETING BETWEEN DCM AND FONOFF NORTH AMERICAN AFFAIRS BUREAU DIRECTOR TOGO, DCM (WITHOUT ATTRIBUTING SOURCE) RAISED QUESTION OF AD HOC ARRANGEMENT MENTIONED REFTEL WHEREBY JAPAN MIGHT CONSENT TO CHINESE FISHING IN SENKAKU TERRITORIAL WATERS ON BASIS OF "CUSTOM" WITHOUT PREJUDICE TO QUESTION OF SOVEREIGNTY.

2. TOGO REPLIED CATEGORICALLY THAT ALTHOUGH FISHING RIGHTS FOR CHINESE BASED ON "CUSTOM" COULD POSSIBLY BE SECURED, IT WOULD HAVE TO BE ON BASIS NEGOTIATED FISHERIES AGREEMENT. SUCH AN AGREEMENT, HE ADDED, WOULD OF COURSE EXPLICITLY CONFIRM JAPANESE SOVEREIGNTY. GP-3.
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Pol 32-6 Senkakus Is

TELEGRAM

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PAGE 01 TAIPEI 04377 081025Z

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ACTION: EA-20

INFO: OCT-01 CIAE-00 DODE-00 RM-05 H-02 INR-08 L-04 NSAE-00

NSC-10 P-03 RSG-01 PRS-01 SS-20 USIA-12 IO-13 SFW-02

E-15 INT-06 RSR-01 / 124 W

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R 080938Z OCT 70

FM AMEMBASSY TAIPEI
 TO SECSTATE WASHDC 1080
 INFO AMEMBASSY TOKYO
 AMCONSUL HONG KONG
 HICOMRY

C O N F I D E N T I A L TAIPEI 4377

SUBJECT: SENKAKUS

REF: A. TOKYO 7767
 B. STATE 163140
 C. TAIPEI 4105

D. TAIPEI 4083
 E. STATE 150567
 F. TAIPEI 4000

Pol 33-5 China
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1. SUMMARY. RECENT ACTIONS BY GRC LEAD US TO BELIEVE THAT IT HAS NOT ONLY COOLED OFF SOMEWHAT ON SENKAKUS, BUT HAS TAKEN ACTIONS TO RESTRAIN ITS MORE ENTHUSIASTIC NATIONALS. WHILE PRESS AND LEGISLATIVE BODIES LIKELY TO REMAIN SENSATIONAL ON THIS SUBJECT, BELIEVE THAT VIOLATIONS OF SENKAKUS' TERRITORIAL WATERS FROM TAIWAN IN NEAR FUTURE NOW MUCH LESS LIKELY. WE AGREE WE SHOULD CAUTION GRC AGAINST PROVOCATIVE INTRUSIONS SENKAKU WATERS, BUT BELIEVE OUR MAIN EFFORT SHOULD BE DIRECTED AT GETTING GOJ. AND GRC TO START TALKING ABOUT ALL ASPECTS OF PROBLEM.

2. PROBLEM OF SENKAKUS IS DIVIDED INTO THREE SEPARATE PROBLEMS, WHICH HAVE BECOME ENTANGLED: VIOLATIONS OF TERRITORY AND WATERS OF SENKAKUS, AND MORE BASIC PROBLEMS OF SOVEREIGNTY OVER THE SENKAKUS, AND RIGHTS TO THE CONTINENTAL SHELF.

3. SHORT TERM PROBLEM OF VIOLATIONS IS ONE WHICH APPARENTLY

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Taipei 4377
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RG 245
Ref Army Reception
Draft Cable
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TELEGRAM

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PAGE 02 TAIPEI 04377 081025Z

BEGAN IN 1968 WHEN GRC BEGAN ACTIVE PATROLLING OF SENKAKUS. IF GRC, TAIWANESE FISHERMEN, AND JAPANESE DCM IN TAIPEI (REF. C AND D) ARE TO BE BELIEVED, TAIWANESE FISHERMEN HAVE FISHED THESE WATERS FOR MANY YEARS WITHOUT INTERFERENCE. OUR OWN RECORDS, AND THOSE SO FAR PROVIDED BY TOKYO AND HICOMRY, SHOW NO INCIDENTS BEFORE THE SUMMER OF 1968, WHICH IS MORE LIKELY DUE TO LACK OF PATROLLING THAN LACK OF VIOLATIONS.

4. SINCE SEPTEMBER INTRUSIONS, GRC HAS TAKEN TWO LINES: FIRST, A FAIRLY HARD LINE WITH USG IN DIPLOMATIC CONVERSATIONS, WITH PRESS TAKING A TOUGHER LINE WITH JAPAN. SECOND, UNPUBLICIZED EFFORT TO PUT A STOP TO FURTHER INCIDENTS OVER THE SENKAKUS. IT HAS TAKEN FOLLOWING SETPS:

A. DURING WEEK SEPT. 23, MOFA DIRECTOR OF NORTH AMERICAN AFFAIRS, FREDRICK CH'EN, INFORMED POLCOUNS THAT HIS OFFICE HAD SENT REPRESENTATIVE TO TAIWANESE FISHERMEN'S GROUP, WHICH HAD SUBSEQUENTLY COMPLAINED THAT MOFA WAS INTERFERING WITH THE FISHERMEN'S LIVELIHOOD. THIS VISIT CONFIRMED BY AP STRINGER, WHO SUBSEQUENTLY VISITED GROUP. CH'EN LEFT SUBSTANCE OF CONVERSATION TO BE INFERRED, AS HE DID WHEN POLCOUNS NOTED FACT THAT PROPOSED VISIT OF THREE NATIONAL ASSEMBLYMEN TO THE SENKAKUS HAD BEEN CALLED OFF DUE TO "TROUBLE WITH HIGH-PRESSURE SYSTEM."

B. CHINA YOUTH CORPS STUDENTS AT TAIWAN UNIVERSITY APPARENTLY PLANNED FOR OCTOBER 2 A DEMONSTRATION OVER SENKAKUS IN FRONT OF JAPANESE EMBASSY. WHEN TIME FOR DEMONSTRATION ARRIVED, REPORTERS FOUND ONLY PRESS AND UNUSUAL NUMBER OF POLICE AT JAPANESE EMBASSY. MEMBER KMT STANDING COMMITTEE KUO CHI INFORMED US THAT KMT HAD "DISCOURAGED" ORGANIZERS.

C. MOFA HAS CONFIRMED TO US THAT RAISING OF CHINESE FLAG ON SENKAKUS SEPT. 5 WAS UNAUTHORIZED BY GRC. AP STRINGER TELLS US THAT CHINA TIMES WAS GIVEN SEVERE DRESSING DOWN BY MOFA FOR ITS FLAG-PLANTING FEAT.

D. IN INTERPELLATION SEPT. 30 BEFORE LEGISLATIVE YUAN COMMITTEE, VICE MINISTER FOREIGN AFFAIRS TSAI WEI-PING,

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PAGE 03 TAIPEI 04377 081025Z

STATED THAT SINCE SENKAKUS UNDER U.S. "TRUST," GRC SHOULD PROPERLY DISCUSS MATTER WITH U.S. AND NOT WITH JAPAN. HE CONTINUED, HOWEVER, THAT SINCE JAPAN IS FRIENDLY TO ROC, GRC WILL NOT REFUSE TO HOLD "INFORMAL TALKS" WITH GOJ ON THIS ISSUE.

5. THIS RECORDS THE FACT THAT THERE HAVE BEEN NO INCIDENTS SINCE SEPT. 17, AND THAT END OF FISHING SEASON IN SENKAKUS APPROACHING (ALL INCIDENTS REPORTED TO US SINCE 1968 HAVE OCCURRED JULY-SEPTEMBER) LEADS US TO BELIEVE THAT GRC HAS MADE AN EFFECTIVE EFFORT TO FORESTALL FURTHER INCIDENTS OVER SENKAKUS, WHILE PERMITTING RATHER STRIDENT PRESS COVERAGE TO CONTINUE (WHICH SO FAR HAS NOT ATTACHED U.S. ROLE IN RMUKYUS) AND TAKING FAIRLY HARD LINE PRIVATELY WITH US. WE BELIEVE LATTER MAY HAVE BEEN NECESSARY TO MAKE FORMER EFFECTIVE, AS SUGGESTED PARA 2 REF 8.

6. USG BECOMES INVOLVED IN PROBLEM FOR THREE REASONS. GRC AND GOJ ARE OUR ALLIES AND WE WANT THEM TO MAINTAIN AMICABLE RELATIONS. MORE DIRECT USG INVOLVEMENT ARTSES FROM FACT THAT WE HAVE TAKEN POSITION THAT GOJ HAS RESIDUAL SOVEREIGNTY OVER SENKAKUS AND FROM OUR RESPONSIBILITIES AS ADMINISTERING AUTHORITY. IF WE CAN AVOID PROBLEMS ARISING FROM THIRD POINT, WE WILL BE IN BETTER POSITION TO REGAIN IMPARTIALITY ON SOVEREIGNTY ISSUE AS IN REF E AND F, AND REMAIN IMPARTIAL ON CONTINENTAL SHELF ISSUE.

7. RECENT GRC ACTIONS SUGGEST IT MAY WISH AVOID CONFRONTATION WITH USG ON SENKAKU INTRUSIONS. IF GRC AND GOJ COULD WORK OUT ARRANGEMENT FOR CHINESE FISHING ON BASIS CUSTOM OR COMITY, THE ASPECT OF PROBLEM IN WHICH USG MOST DIRECTLY INVOLVED WOULD BE SOLVED.

8. GRC, BY NOT CLAIMING SOVEREIGNTY OVER SENKAKUS, HAS LEFT DOOR OPEN TO CONCEDE GOJ SOVEREIGNTY EVENTUALLY. PRINCIPAL GRC INTEREST IS IN UNDERSEA RIGHTS, AND GRC MAY BE PLANNING TO USE SOVEREIGNTY ISSUE IN BARGAINING ON UNDERSEA RIGHTS.

9. GRC IS PREPARED TALK WITH GOJ, BUT GOJ SO FAR IS NOT PREPARED TALK WITH GRC.

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PAGE 04 TAIPEI 04377 081025Z

10. WE THEREFORE SUGGEST WE MAKE FOLLOWING REPRESENTATIONS TO GRC AND GOJ AT FOREIGN MINISTER LEVEL. (WE CAN PUT OUR APPROACH IN CONTEXT RESPONSE GRC DEMARCHE - TAIPEI 4000 AND STATE 168140.)

A. TELL GRC IT WOULD BE MOST UNFORTUNATE AND NOT IN GRC INTERESTS TO CHALLENGE USG ADMINISTERING AUTHORITY OVER SENKAKUS. THAT WE WELCOME RECENT GRC EFFORTS TO PREVENT FISHING AND ANY OTHER INTRUSIONS AND HOPE IT WILL CONTINUE THESE EFFORTS. THAT WE WILL ACCEPT FOR PERIOD WE ARE ADMINISTERING POWER, ANY FISHING ARRANGEMENT GOJ AND GRC AGREE TO, AND THAT WE ARE URGING GOJ TO DISCUSS ALL ASPECTS SENKAKU PROBLEM WITH GRC.

B. TELL GOJ WHAT WE ARE SAYING TO GRC, AND URGE GOJ TO START TALKING ASAP TO GRC SO AMICABLE SOLUTION CAN BE FOUND TO ALL THREE ASPECTS OF PROBLEM. WE ASSUME WE WILL NOT GIVE ANY SUPPORT TO APPARENT GOJ POSITION THAT IT IS UNWILLING TO DISCUSS ISSUE OF SOVEREIGNTY OVER SENKAKUS. CERTAINLY PROSPECTS FOR AMICABLE SOLUTION WILL BE POOR IF GOJ WERE TO INSIST UPON GRC CONCEDED SOVEREIGNTY ISSUE AS PRECONDITION ANY TALKS. GP-3
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TELEGRAM

20 Oct 70 21 50z

DISTRIBUTION

ACTION: Amembassy TAIPEI

INFO: Amembassy TOKYO
CINCPAC
HICOMRY

SUBJECT: Senkakus

REFS: (a) Taipei 4208
(b) Taipei 4138, August 17, 1968
(c) Taipei 4024, August 8, 1968

1. Para 9 ref (a) suggested that negotiating record of 1954 Mutual Defense Treaty with GRC might contain Chinese acceptance of US administration in more specific terms that in Article 6 of Treaty. What materials we have been able to consult do not elucidate the question. The only relevant statement is in Dulles testimony before Senate Foreign Relations Committee in which he states that "island territories of US" ~~XXXXXX~~ includes some Ryukyus. Such a statement is ~~XXXX~~ evidence of proper interpretation of treaty, but unfortunately is not out of mouth of Chinese, nor made in their presence.

2. Refs (b) and (c) provide evidence of previous Chinese

DRAFTED BY: L/EA/MEGreenwold/cmb DRAFTING DATE: 10/20/70 TEL. EXT.: 28900 APPROVED BY: L/EA - Stanley N. Futterman

CLEARANCES:

EA/ROC - ~~Mr. Scarborough~~ Miss McDonnell *man*
EA/J - Mr. McElroy

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acquiescence in our administration of Senkakus and may be helpful in future discussions. Perhaps you may have something of a similar nature in writing from the Chinese.

3. A further, albeit not very persuasive, argument based on the Mutual Defense Treaty is available. It may be possible to cite the fact that there is no US defense commitment in the event of an attack on the Senkakus as some evidence that they were not considered Chinese territory. Of course, the same may be said of the Offshores, over which we do recognize Chinese sovereignty, so that this argument is weak. Case of Senkakus may be distinguished from that of Offshores for these purposes since Senkakus lie east of Formosa and relatively much further away from mainland than Offshores. Nor were Senkakus necessarily too insignificant to be included as Chinese territory since some of Pescadores, protected by Treaty, are of size comparable to Senkakus.

END

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PAGE 01 TOKYO 08684 260953Z

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ACTION EA-20INFO OCT-01 RM-05 NSC-10 SS-20 RSC-01 L-04 CTAE-00 INR-08
NSAE-00 P-03 PRS-01 USIA-12 RSR-01 /086 W

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 R 260902Z OCT 70
 FM AMEMBASSY TOKYO
 TO SECSTATE WASHDC 5287
 INFO AMEMBASSY TAIPEI
 AMEMBASSY SEOUL
 HICOMRY
 CINCPAC
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C O N F I D E N T I A L TOKYO 8684

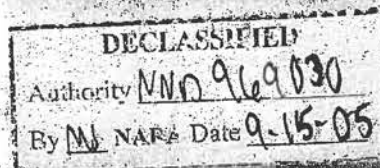
DOD FOR ISAI DA FOR IDUSA

SUBJ: SENKAKUS AND CONTINENTAL SHELF

1. ON OCTOBER 26, 1970 FONOFF LEGAL AFFAIRS DIVISION
 WADAO KURIYAMA TOLD EMBOFF THAT GOJ AMBASSADOR IN
 TAIPEI CALLED ON GRC DEPT FOREIGN MINISTER UNDER
 INSTRUCTIONS SENT FROM TOKYO CONCERNING SENKAKUS AND
 CONTINENTAL SHELF. AMBASSADOR REPORTED
 THAT HE TOLD GRC THAT GOJ HOPED TO SOLVE CONTINENTAL
 SHELF ISSUE BY QUIET BILATERAL DISCUSSIONS. HE
 REFERRED TO EXTENSIVE GRC EXPLORATION ZONES ANNOUNCED
 LAST WEEK, IN WHICH TIP OF NORTHERNMOST ZONE IS
 LOCATED OFF NORTHERN KYUSHU, INDICATED THAT THE
 GOJ DID NOT FIND SUCH EXTENSIVE CLAIMS ACCEPTABLE, AND
 REQUESTED GRC FLEXIBILITY IN DELIMITATION SUCH ZONES
 TO ALLOW FOR POSSIBLE COMPROMISE. GOJ AMBASSADOR
 ALSO REPORTED TO HAVE SAID THAT GOJ IS NOT PREPARED
 TO DISCUSS GRC CLAIMS TO SENKAKUS SINCE GOJ
 ASSERTS THAT THERE NO QUESTION REGARDING SENKAKUS
 OWNERSHIP. AMBASSADOR REPRESENTED THAT SENKAKUS
 WERE NOT COVERED UNDER JAPANESE PEACE TREATY ARTICLE 2,

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PAGE 02. TOKYO 08684 260953Z

BUT WERE COVERED UNDER ARTICLE 3, GIVING USG PRESENT ADMINISTRATIVE RIGHTS.

2. GRC DEPT. FOREIGN MINISTER REPORTEDLY REPLIED THAT WHILE HE WAS NOT THEN IN POSITION TO REJECT OUTRIGHT GOJ CONTINENTAL SHELF CLAIM AND WOULD HAVE TO CHECK WITH HIS MINISTER, THE CONTINENTAL SHELF IN QUESTION CLEARLY IS PROLONGATION CHINESE MAINLAND AND THAT DEEP OCEAN TRENCH BETWEEN SHELF AND RYUKYU ISLANDS CLEARLY ESTABLISHES THAT JAPAN WOULD HAVE NO CLAIM TO ANY PART OF SHELF. DEPUTY MINISTER ALSO ARGUED THAT SENKAKUS WERE INCLUDED UNDER ARTICLE 2 SINCE SENKAKUS ACQUIRED BY JAPANESE AS RESULT SINO-JAPAN WAR.

3. GOJ AMBASSADOR WAS NOT INSTRUCTED TO TABLE ANY SPECIFIC FORMULAS FOR APPORTIONING CONTINENTAL SHELF.

4. GOJ APPARENTLY REGARDS GRC TENTATIVE RESPONSE TO GOJ DEMARCHE AS UNDULY RIGID AND AS AUGURING BADLY FOR EARLY SUBSTANTIVE TALKS ON CENTRAL ISSUES. KURIYAMA SAID HE COULD NOT PREDICT NEXT STEPS AND INDICATED THAT GRC HAS GIVEN GOJ NO INDICATIONS THAT GRC ATTEMPTING DEFUSE POSSIBILITY CONFRONTATIONS IN SENKAKUS. IN FACT, KURIYAMA SAID THAT GOJ EMBASSY TAIPEI REPORTEDLY HAS DISCOVERED THAT GULF EXPLORATION CONCESSION INCLUDES SENKAKUS LAND AREAS AND AREAS WITHIN TERRITORIAL WATERS OF SENKAKUS.

5. RESPECTING KOREAN CONTINENTAL SHELF ISSUE, KURIYAMA SAID THAT HE AND DEPUTY DIRECTOR GENERAL EAST ASIA BUREAU KANAZAWA LEAVING FOR SEOUL NOVEMBER 3 TO SUPPORT GOJ EMBASSY IN INITIAL DISCUSSIONS ROK.
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ACTION				AIRGRAM	
EA-8				Original to be Filed in _____ Decentralized Files.	
RS/R	REP	AF	ARA	FILE DESIGNATION	
1				UNCLASSIFIED [2] A-341	
EUR	FE	NEA	CU	HANDLING INDICATOR	
				TO : Department of State	
INR	E	P	IG	NOV 3 8 30 AM 1970	
6			15	INFO : TOKYO, HICOM Ryukyu Islands	
3	FBO	AID	SW	RS/AN ANALYSIS BRANCH	
	PM	SS	10	FROM : Amembassy TAIPEI	
				DATE: October 29, 1970	
AGR	COM	FRB	INT	SUBJECT : Taiwan Provincial Assembly Resolution on	
10	10		7	Senkakus	
LAB	TAR	TR	XMB	REF :	
AIR	ARMY	NAVY	OSD	Name of Officer _____	
5	3	5	34		
USIA	NSA	CIA	NSC		
10	3	16	6		
SUGGESTED DISTRIBUTION				<p>The Taiwan Provincial Assembly joined the news media, national legislators, and the public generally, in appealing to the Central Government to protect "China's legitimate rights over the Tiao Yu Tai (Senkakus) Islands." The Resolution, passed September 30, listed the following reasons:</p> <p>a) "The Tiao Yu Tai Islands are part of the territory of the Republic of China. The Japanese Government has no right to claim these islands.</p> <p>b) "According to historical documents from the Japanese occupation of Taiwan (period), Tiao Yu Tai Islands were under the jurisdiction of Taipei County.</p> <p>c) "Tiao Yu Tai Islands have been an important fishing area for Taiwanese fishermen in past decades. No country ever bothered their operations.</p>	
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Initials:				FORM 10-64 DS-323	
Drafted by: <u>LDAnderson:jmc</u>				For Department Use Only	
Drafting Date: <u>10-14-70</u>				In <input checked="" type="checkbox"/> Out <input type="checkbox"/>	
Clearances:				Contents and Classification Approved by: <u>POL/COUNS:WWT/mas</u>	

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2.

d) "It has been reported that Japanese vessels have recently interfered with the operations of Chinese fishing boats in the Tiao Yu Tai area. If these reports prove true, the Ministry of Foreign Affairs should lodge a strong protest with the Japanese Government to stop such interference."


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*Pol 33 China Sea**XR Pol 32-6 Senkaku Is***TELEGRAM***XR Pol 19 Ryu Is*

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PAGE 01 TAIPEI 04696 300300Z

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ACTION EA-20

INFO QCT-01 PM-05 NSC-10 SS-20 RSC-01 L-04 CIAE-00 DODE-00

INR-08 NSAE-00 P-03 USIA-12 PRS-01 IO-13 ACDA-19

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R 300216Z OCT 70
 FM AMEMBASSY TAIPEI
 TO SECSTATE WASHDC 1244
 INFO AMCONGEN HONG KONG
 AMEMBASSY SEOUL
 AMEMBASSY TOKYO
 HICOMRY
 CINCPAC

C O N F I D E N T I A L TAIPEI 4696

SUBJECT: CONTINENTAL SHELF AND SENKAKUS

REF: TOKYO 8684
 TAIPEI A-339

Ref: 8684

1. KOJI WATANABE, DEPUTY DIRECTOR OF CHINA AFFAIRS IN GAINUSHO CALLED AT EMBASSY AFTERNOON OCT 23 AND FURNISHED, AFTER SOME QUESTIONING, OUTLINE OF GOJ POSITION ON CONTINENTAL SHELF. MOFA (CH'IEH) HAS CONFIRMED THAT AMB. ITAGAKI MADE PRESENTATION BUT DID NOT DISCLOSE CONTENTS, EXCEPT TO SAY THAT GOJ POSITION WAS NOT ACCEPTABLE TO GRC. ITAGAKI DID NOT PRESENT MEDIAN LINE PROPOSAL.

A. GOJ BELIEVES FORMAL DEMARCATION OF BOUNDARY ON CONTINENTAL SHELF WITH CHINA WOULD REQUIRE TREATY. GOJ, HOWEVER, IS UNWILLING TO CONCLUDE TREATY WITH GRC BECAUSE OF PEKING'S REACTION. THEREFORE, JAPANESE PROPOSAL TO GRC MUST BE INFORMAL MODUS VIVENDI PENDING RESOLUTION PROBLEM, AND NOT APPORTIONMENT OF SHELF.

B. GOJ IS NOT RPT NOT WILLING TO DISCUSS SOVEREIGNTY

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OVER SENKAKUS. HOWEVER, IN RETURN FOR GRC AGREEMENT TO CEASE DISPUTING JAPANESE CLAIM, GOJ WOULD AGREE TO PERMIT TAIWANESE FISHERMEN TO FISH IN SENKAKU WATERS ON BASIS OF CUSTOM AND COMITY.

C. GOJ PROPOSES TO DRAW MEDIAN LINE BETWEEN KYUSHU, RYUKYUS AND SENKAKUS ON THE EAST AND CHINA MAINLAND AND TAIWAN (AND PRESUMABLY ISLETS LIKE PENGCHIA AND MIENHUA, NE OF TAIWAN) ON THE WEST. GOJ HAS NO INTEREST IN AREA WEST OF MEDIAN, BUT PROPOSES THAT ALL EXPLORATION AND EXPLOITATION EAST OF MEDIAN BE SUBJECT TO MUTUAL AGREEMENT. WATANABE NOTED THAT ALTHOUGH RYUKYUS WERE USED IN COMPUTING BASE LINE FOR MODUS VIVENDI, THIS DID NOT MEAN THAT THEY WOULD NECESSARILY BE USED IN FORMAL DEMARCATION OF CONTINENTAL SHELF.

2. WATANABE SAID JAPANESE POSITION ON CONTINENTAL SHELF WAS COMPLICATED BY PUBLICATION OCT 15 OF NEW BOUNDARIES FOR GRC CLAIMS ON SHELF. GRC MOVE UPSET CAREFULLY NEGOTIATED CLEARANCES WITHIN GOJ AND FORCED RE-EXAMINATION OF PROBLEM, WHICH RESULTED IN STIFFER INSTRUCTIONS TO TAIPEI FROM TOKYO. WATANABE EXPRESSED IRRITATION AT GRC MOVE, WHICH HE BELIEVES WAS FOR NEGOTIATING PURPOSES.

3. INITIAL GRC REACTION TO ITAGAKI'S PRESENTATION, ACCORDING TO WATANABE, WAS COOL. HE BELIEVES POSITIONS OF GRC AND GOJ TOO FAR APART FOR EARLY COMPROMISE. CH'EN CONFIRMED THIS IMPRESSION. HE SAID THAT IMPASSE ALREADY REACHED, SINCE JAPANESE WERE UNWILLING DISCUSS SENKAKUS AND GRC UNABLE DISCUSS CONTINENTAL SHELF, BECAUSE IT DOES NOT CONSIDER RYUKYUS PART OF SHELF AND SENKAKUS ARE BOTH NOT JAPANESE AND UNINHABITED ISLETS WHICH DO NOT FIGURE IN DEMARCATION.

4. WATANABE IMPRESSED BY PEKING'S COMPLETE SILENCE ON SENKAKUS AND CONTINENTAL SHELF. HE STATED FRANKLY THAT ALTHOUGH GOJ IS OSTENSIBLY NEGOTIATING WITH TAIPEI ON CONTINENTAL SHELF, ITS PROPOSAL WAS "ONE-CHINA" PROPOSAL, CAREFULLY DEVELOPED WITH PEKING'S REACTION IN MIND.

5. WATANABE ADDED THAT CONTINENTAL SHELF SITUATION WITH

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KOREA WAS MUCH SIMPLER SINCE JAPANESE BOUNDARIES ON CONTINENTAL SHELF INVOLVED ONLY SOUTH KOREA, WITH WHICH GOJ HAD NO QUALMS ABOUT SIGNING TREATY. HE SAID THAT NORTH KOREA HAD ALREADY ATTACKED JAPANESE POSITION, THUS BY IMPLICATION APPROVING SOUTH KOREAN POSITION ON BOUNDARY WITH JAPAN.

6. COMMENT: ALTHOUGH IT MIGHT ACCEPT NEGOTIATIONS FOR MEDIAN LINE BASED ON KYUSHU ALONE, GRC IS UNLIKELY, FOR BOTH LEGAL AND POLICY REASONS, TO ACCEPT THE USE OF EITHER THE SENKAKUS OR THE REST OF THE RYUKYUS IN THE DETERMINATION OF BASE LINE FOR A MODUS VIVENDI. FURTHERMORE, AREA WEST OF "MEDIAN LINE" COMPRISES THAT PORTION OF CONTINENTAL SHELF WHICH GRC IS NOT EAGER TO EXPLOIT BECAUSE OF ITS PROXIMITY TO CHINA MAINLAND. JAPANESE PROPOSAL CONTAINS ALMOST NOTHING TO FACILITATE GRC ACCEPTANCE, AND GRC IS LIKELY TO CONTINUE PREPARATIONS FOR EXPLORATION. GP-3
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Pol 32-6 Senkaku Is
XR Pol 33 China Sea

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ACTION: Amembassy TOKYO
HICOMRY *naka*

INFO: CINCPAC

SUBJECT: SENKAKUS ISLANDS

1. Although initiation GOJ-GRC talks helpful, Dept concerned about longer range prospects for resolving Senkaku problems.

2. Dept shares belief that some kind of informal Chinese arrangement to facilitate Chinese access to Senkaku fishing area would remove one source of possible future confrontation (Although apparently under control for the moment, fishing incursions are likely to follow past pattern by recurring next spring). Such arrangement might be worked out between govts fisheries involved or between ~~fisheries~~ associations in Taiwan and Okinawa. In either case, success would depend in large part on Okinawan acceptance. Would appreciate HICOMRY views on prospects for Okinawan acceptance of such arrangements.

3. Dept is also concerned over impending GRI

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EA/J:HMMcElroy:bd

DRAFTING DATE
11/10/70

TEL. EXT.
23152

APPROVED BY:
EA/J - *Richard A. Ericson*

CLEARANCES:

EA/GRC - Mr. McDonnell *new*
L/ea - Mr. Greenwold (subs) *new*
Army - Mr. Freimuth (subs) *new*

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action on applications for offshore exploration concessions which we understand will overlap with concessions already granted by GRC and will extend well beyond Senkaku territorial waters. GRI grant of such concessions will face USG with choice among acquiescence, veto or prolonged delay, the latter of which ~~may~~ might be least unpalatable from USG view. USG delay or veto would however appear likely to ~~embarrass~~ ^{embarrass} GOJ and USG approval or acquiescence likely to ~~embarrass~~ ^{embarrass} GRC. It would seem preferable if GRI action could be delayed until reversion (or until GOJ and GRC work problem out). Request Tokyo and Hicomry views on possibilities for inducing GRI delay, particularly on possibility ~~enlisting~~ enlisting GOJ support for inducing such delay.

4. Army concurs.

5. Dept appreciates excellent reporting this subject.

END

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XR Pol 19 Ryu Is
Pol 33 China Sea

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PAGE 01 TOKYO 09219 141056Z

11
ACTION: EA-20

INFO: OCT-01 L-04 CIAE-00 INR-08 NSAE-00 RSC-01 PM-05 10-13

SFW-02 MSC-01 RSR-01 /056 W

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FM AMEMBASSY TOKYO
TO SECSTATE WASHDC 5566
INFO DODDA
HICOMRY
CINCPAC
AMEMBASSY SEOUL
AMEMBASSY TAIPEI

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CORRECTED COPY (PARA. 3)

SUBJECT: SENKAKUS

REF: (A) STATE 185690; (B) SEOUL 5091; (C) TAIPEI 4696; (D)
TOKYO 8684 - *POL 33-5 CHINAT*DOD FOR ISA; DA FOR DUSA *XR POL 19 RYU IS*1. ON NOVEMBER 13, 1970 EMBOFF MET WITH CHIEF LEGAL AFFAIRS
DIVISION (KURIYAMA) AND DEPUTY HEAD CHINA DIVISION (WATANABE)
TO DISCUSS CONTINENTAL SHELF DEVELOPMENTS.2. DURING CONVERSATIONS FONOFFICIALS CONFIRMED REPORTS
CONTAINED REFS (B) AND (C). GRC STILL HAS NOT REACTED TO GOJ
DEMARCHE REPORTED REF (C) DESPITE INDICATION FROM GRC
DEPUTY FOREIGN MINISTER, REPORTED REF (D), THAT HE WOULD
CHECK WITH HIS MINISTER AND CONFIRM GRC REJECTION OF GOJ
POSITION. OFFICIALS SAW LITTLE INDICATION THAT SHELF AND
TERRITORIAL ISSUES BETWEEN GOJ AND GRC WOULD BE RESOLVED BY
PURSUING EXISTING NEGOTIATING BASE.

3. IN CONTRAST, KURIYAMA REPORTED THAT CONVERSATIONS WITH

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KOREANS HAD RESULTED IN FRUITFUL DISCUSSIONS, AND FURTHER MEETING HAS BEEN PROPOSED FOR EARLY DECEMBER. KURIYAMA, HOWEVER, CRITICIZED KOREAN FOREIGN OFFICE FOR ALLOWING ITSELF TO HAVE BEEN BOXED IN BY PUBLIC ANNOUNCEMENTS OF ROK NEGOTIATING POSITION, WHICH MAKES IT EXTREMELY DIFFICULT FOR ROK FOREIGN OFFICE TO DEMONSTRATE ANY FLEXIBILITY, INCLUDING EVEN ACKNOWLEDGEMENT THAT NEGOTIATIONS WITH GOJ ARE IN PROGRESS. ROK INSISTED ON CALLING DISCUSSIONS NOV 4 AND 5 AS MERELY EXCHANGE OF VIEWS. NEVERTHELESS, KURIYAMA PREDICTED THAT ROK AND GOJ SOON WOULD BE ABLE TO AGREE ON MOST IMPORTANT AREAS AND COULD ISOLATE REMAINING FEW AND MINOR AREAS FOR RESOLUTION THROUGH FURTHER NEGOTIATIONS. ANTICIPATED EARLY AGREEMENT ON UNDISPUTED AREAS WOULD ALLOW EXPLOITATION TO PROCEED BY CONCESSIONAIRES OF EACH SIDE.

4. RE LIAISON COMMITTEE REPORTED PARA (6) REF (C) AND SUBJECT OF LOCAL NEWSPAPER ARTICLES DATED NOV 12 FROM SEOUL. OFFICIALS SAID THEY EXTREMELY DUBIOUS THAT COMMITTEE, EVEN THOUGH FORMED OF HIGHLY INFLUENTIAL PERSONS, COULD MAKE ANY SUBSTANTIAL CONTRIBUTION TO EASING SHELF DELIMITATION PROBLEM. KURIYAMA SAID THAT COOPERATIVE EXPLOITATION OF RESOURCES CONSIDERED TO BE WITHIN JAPANESE JURISDICTION WOULD BE IMPOSSIBLE WITHOUT LEGISLATIVE ACTION, AND THAT SUCH ACTION WAS EXTREMELY IMPROBABLE. NEITHER KURIYAMA NOR WATANABE PROVIDED ANY EVIDENCE THAT JAPANESE INITIATIVE REPORTED IN AP ARTICLE PARA (6) REF (C) HAD ANY OFFICIAL GOJ BACKING.

5. IN DISCUSSION OF GOJ POSITION ON SHELF BETWEEN JAPAN AND KOREA, KURIYAMA, SPEAKING PERSONALLY, OPINED THAT IT WOULD BE EXTREMELY DIFFICULT FOR GOJ TO CONTINUE TO MAINTAIN POSITION THAT NORTH END OF OKINAWA TROUGH SHOULD BE IGNORED IN DELIMITING CONTINENTAL SHELF.

6. IN LIGHT OFFICIALS' VIEW THAT GRC UNLIKELY TO RESPOND IN ANY HELPFUL WAY TO EARLIER GOJ DEMARCHE, EMBOFF TOUCHED LIGHTLY ON PORTION OF IDEA REFLECTED IN PARAS (2) AND (3) OF REF (A). BOTH WATANABE AND KURIYAMA REACTED GUARDEDLY BUT FAVORABLY TO IDEA THAT A NECESSARY CONDITION TO PROGRESS OF NEGOTIATIONS WOULD BE MODUS VIVENDI WHICH WOULD PREVENT OCCURRENCE OF ANY ADDITIONAL INCIDENTS THAT MIGHT INCREASE PUBLIC PRESSURES ON EITHER SIDE. THEY AGREED ALSO THAT MODUS VIVENDI FOR FISHERMEN AND BIRD EGG COLLECTORS WOULD BE EXTREMELY IMPORTANT PART

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OF SUCH CONDITIONS, BUT THEY POINTED OUT THAT IDEA OF MODUS VIVENDI FOR FISHERMEN IS MUCH EASIER FOR JAPANESE TO ACCEPT THAN SIMILAR ARRANGEMENT FOR INTRUDERS WHO ACTUALLY LAND ON ISLANDS. IN RESPECT OF POSSIBLE ARRANGEMENT REGARDING CONCESSION APPLICATIONS TO THE GRI, OFFICIALS SAID THAT GOJ. PROBABLY WOULD NOT BE ABLE TO REMAIN SILENT DURING ANY APPLICATION PROCESSING DELAY IF GRC CONCESSIONAIRES WERE BUILT WORKING CONCESSIONS ON SHELF CLOSE TO RYUKYUS. THEY SAID, THEREFORE, THAT SUCH ARRANGEMENT WOULD BE WORKABLE ONLY IF GRC CONCESSIONAIRES STAYED AWAY FROM AREAS IN THEIR CONCESSIONS CLOSE TO THE RYUKYUS. WATANABE ALSO POINTED OUT ONE OF THE ISSUES PRECIPITATING JAPANESE PUBLIC INTERESTS IN PAST IN SENKAKUS WAS THAT OF DANGER TO SURVIVAL OF BIRDS NESTING ON ISLANDS POSED BY CHINESE EGG HUNTERS, WHO PRESUMABLY WOULD BE ALLOWED TO CONTINUE ACCORDING TO LIKELY MODUS VIVENDI FORMULA.

7. OFFICIALS AGREED TO CONDUCT DISCREET SOUNDINGS IN GOJ. TO TEST RECEPTIVITY TO IDEA OF MODUS VIVENDI. SINCE OFFICIALS INDICATED THAT THEY WERE UNCERTAIN THAT ANY DELAY IN PROCESSING CONCESSION APPLICATIONS WOULD BE ACCEPTABLE TO GOJ, EMBOFF DID NOT REQUEST THEM TO CONSIDER ALSO WHETHER GOJ WOULD BE WILLING TO ASSIST IN INDUCING SUCH DELAY ON PART OF GRI. KURIYAMA PROMISED REACTIONS OF GOJ. WITHIN WEEK. IF REACTION IS FAVORABLE, EMBOFF WILL REQUEST GOJ CONSIDERATION OF SECOND STEP.
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In Reply, Refer to
NSC 23770

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

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November 23, 1970

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WH Chron

Mr. Theodore L. Eliot, Jr.
Executive Secretary
Department of State

SUBJECT: Chinese Legal Position on Territorial
Seas and Seabeds

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EA(ACTION)
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We have noted an NCNA article transmitted November 19, and a "Peoples Daily" editorial transmitted by NCNA on November 20, on this subject. We would appreciate by close of business December 11 State's views as to the effect, if any, of these apparent statements of Chinese legal positions on American legal and commercial rights in the seas neighboring China.

Jeanne W. Davis
Staff Secretary

(2)
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POL 33 CHINA SEA

*POL 32-6 SENKAKU IS

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PAGE 01 HONG K 04982 041029Z

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ACTION: EA-20

PER L. Edmund OFFICE EAFADRC FOI CASE NO. 5B400

INFO: OCT-01 CIAE-00 DODE-00 PM-05 H-02 INR-08 L-04 NSAE-00

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FM AMCONSUL HONG KONG

TO SECSTATE WASHDC PRIORITY 9707

INFO AMEMBASSY SEOUL

AMEMBASSY TAIPEI

AMEMBASSY TOKYO

CINCPAC

AMEMBASSY DAR

C O N F I D E N T I A L HONG KONG 4982

CINCPAC FOR POLAD

SUBJECT: PEKING SCORES CONTINENTAL SHELF OIL EXPLORATION,
CLAIMS SENKAKUS

REF: HK 3995

1. THE DEC 3 NCNA ARTICLE ATTACKING ESTABLISHMENT ON NOV 12 OF THE JAPANESE-KOREAN-NATIONALIST CHINESE LIAISON COMMITTEE ON OFFSHORE OIL RESOURCES CONVEYS PEKING MEDIA'S FIRST OBSERVATIONS ON THE ISSUED INVOLVED. PEKING'S DELAY IN COMMENTING ON THE OFFSHORE OIL EXPLORATION AND ON THE DISPUTE OVER THE SENKAKU ISLANDS MAY HAVE BEEN DUE TO THE PROBLEMS POSED BY CONFLICTING GOJ-GRC CLAIM (REFTEL). ALTHOUGH THE NCNA ARTICLE MAKES NO MENTION OF THE GOJ-GRC DISPUTE AND INSTEAD CONCENTRATES ON THE TWO GOVERNMENTS' COLLUSION WITH THE US AND ROK, THE ARTICLE EXPLICITLY CLAIMS THE SENKAKUS FOR CHINA.

2. THE FOCUS OF THE NCNA ARTICLE'S ATTACK IS ON JAPAN, AND SECONDARILY ON THE US, FOR PLANNING TO PLUNDER CHINA'S AND KOREA'S RESOURCES AND FOR TIGHTENING CONTROL OVER TAIWAN AND

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Hong Kong 4982
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 Authority NND 969030
 By MJ NARA Date 9-15-05



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Department of State

TELEGRAM

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SOUTH KOREA IN PREPARATION FOR EVENTUAL ANNEXATION. IN PARTICULAR IT CHARGES THAT JAPANESE MILITARISM IS MOTIVATED IN THIS CASE BY ITS NEED FOR PETROLEUM. WHILE SOUTH KOREA AND THE GRC ARE CRITICIZED FOR ACQUIESCING IN THESE SCHEMES, IT IS THE US AND JAPAN WHICH ARE WARNED THAT THIS "SERIOUS PROVOCATION" AGAINST THE CHINESE AND KOREAN PEOPLE HAS AROUSED "FURIOUS INDIGNATION" AND THAT THE AGGRESSORS "WILL EAT THEIR OWN BITTER FRUIT IF THEY DO NOT RETRACT THEIR CLAWS OF AGGRESSION AND ARE BENT ON ACTING ARBITRARILY." WHILE THIS WARNING IS VAGUELY FORMULATED AND CAREFULLY AVOIDS COMMITTING THE PRC TO ANY SPECIFIC ACTION, THE OVERALL TONE OF THE ARTICLE IS SERIOUS AND STRIKES US AS MORE THAN A PROPAGANDA FULMINATION.

3. THE ARTICLE MAKES KNOWN THE PRC'S OBJECTION TO FOREIGN EXPLOITATION OF OIL RESOURCES OF "THE SEABED AND SUBSOIL OF THE SEAS AROUND CHINA'S TAIWAN PROVINCE AND THE ISLANDS APPERTAINING THERETO AND OF THE SHALLOW SEAS ADJACENT TO OTHER PARTS OF CHINA AND TO KOREA." IT DOES NOT GIVE ANY MORE PRECISE DEFINITION OF THE EXTENT OF CHINA'S CLAIMS BUT LEAVES THE IMPRESSION THAT THEY ARE VAST.

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Authority NND 969030
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ClassificationDepartment of State
TELEGRAMPOL 33 CHINA SEA
199272

XR POL 32-6 SENKAKU IS

INDICATE:

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ACTION: TAIPEI
TOKYO
SEOUL
INFO: HONG KONG

[3]

Marine Development

Committee

199272

SUBJECT: Taiwan-Korea-Japan Joint Venture to Develop
Resources of Continental ShelfREF: Hong Kong 4582; Tokyo 9802; FBIS-CHI-70-235 (Dec 4)
POL 32-6 SENKAKU

1. Department requests action addressees, at their discretion, to seek information about proposed Japan-Korea-Taiwan "joint stock company" formed to prospect and exploit undersea oil reserves in East China Sea and adjoining bodies of water, according to NCNA broadcast of December 3 (reftels) and news despatches originating in Tokyo. NCNA broadcast that the three countries decided November 12 in Seoul to set up joint venture under a special Committee for Ocean Development which, in turn, was an outgrowth of the Japan-Korea-Taiwan Economic Liaison Committee, established last summer. NCNA indicated Ocean Development Committee will meet in Tokyo this December to determine the investment shares of each country and to nominate a staff for the company. NCNA added that the three countries have agreed temporarily to "shelve" or "freeze" titles of the PRC and North Korea to certain islands

DRAFTED BY: EA:ROC: MEMcDonnell

DRAFTING DATE
12/7/70TEL. EXT.
21321

APPROVED BY: EA:ROC: TShoesmith

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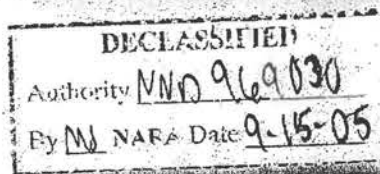
EA/J - Mr. McElroy, Mr. Noonan L/O - Mr. Nordquist
EA/ACA - Mr. Bennett Ea/K - Mr. Newsom

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ACTION: TAIPEI, TOKYO, SEOUL page 2

and to undersea resources in the area in order to begin joint development first.

2. We would welcome information on following points:

A. Will joint stock company be private or governmental undertaking? What will its organization be and who will hold what equities?

B. What role, if any, will each country have in financing undertaking or carrying out stock company activities?

C. ~~Will~~ ^{Are} American firms ^{expected to} be involved in light of their lead in seabed exploitation technology?

D. In what continental shelf areas will company operate?

E. Will operations of company complement or otherwise affect existing mineral right concessions?

F. Will resolution of shelf boundary disputes existing between the three countries be necessary before enterprise can operate or is joint stock company arrangement an attempt to bypass boundary disputes?

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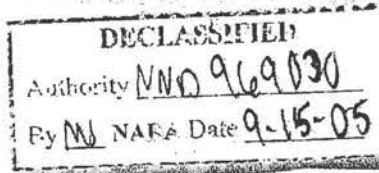
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PAGE 3

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G. Has date been firmed for December meeting in Tokyo to create joint stock company? Who will be participants?

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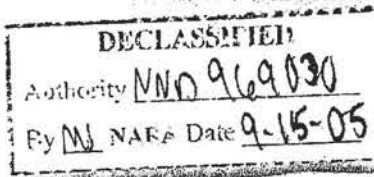
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DEPARTMENT OF STATE

Washington, D.C. 20520

IS/R FILES

Attention *Mrs. Mallett*
Keep this study together.

December 14, 1970

CONFIDENTIAL/NOFORNMEMORANDUM FOR MR. HENRY A. KISSINGER
THE WHITE HOUSESubject: Communist Chinese Legal Position
on Territorial Seas and Seabeds*POL 33 CHINA SEA*

With reference to Mrs. Davis's memorandum of November 23, 1970, I am enclosing a preliminary discussion of the recent statements made by Peking in regard to the Senkaku Islands, the continental shelf in the Yellow and East China Seas, and the claims of some Latin American nations to a 200-mile territorial seas. Prior to receipt of Mrs. Davis's memo, the Department had undertaken a comprehensive study of the complex political, economic, legal, and commercial problems ensuing from conflicting claims to the Chinese continental shelf. This study will be completed on December 31. A copy will be forwarded to you as soon as it is available.

Theodore L. Eliot, Jr.
Executive Secretary

Enclosure:

As stated.

EA/ACA:FCBennett, Jr.:ced 12-11-70 x-22656
S/S-

Clearances: EA/ACA - Mr. Jenkins *af* EA - Mr. Bardach (draft)
(in draft) EA/ROC - Miss McDonnell L/EA-Mr. Greenwold (draft)
" EA/J - Mr. McElroy L/OA - Mr. C. Pitman
" EA/ROK - Miss Rowberg (draft)
" E/ORF/FSE - Mr. Ericksen L/EA-Mr. Futterman

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*POL 33 CHINA SEA**XR POL 32-6 SENKAKU IS
XR POL 33-4 LA*

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December 11, 1970

SUBJECT: Preliminary Discussion of Peking's Recent Statements on Latin American Claims to a 200-Mile Territorial Sea, Its Continental Shelf, and the Senkaku Islands

1. On November 20, 1970, Peking declared China's support for Latin American nations which claim a 200-mile territorial sea but did not assert such a claim for the PRC. The statement was probably an expression of sympathy and support for those Latin American countries, timed to gain their support on the Chirep issue in the United Nations. Officially, the PRC claims only a 12-mile territorial sea on a base-line system.

2. On December 3, 1970, the international service of the official news agency of the People's Republic of China (PRC) published an article claiming sovereignty over the Senkaku Islands, uninhabited islets north of Taiwan which are under U.S. administration but are scheduled to be returned to Japan as part of the Okinawa reversion. It also denounced an ECAFE-sponsored geophysical survey and subsequent exploratory activity in the Yellow and East China Seas undertaken by the Republic of China (GRC), Republic of Korea (ROK), and Japan, as a US/Japanese plot to obtain petroleum from "China's shallow waters." (Almost the entire shelf in the East China Sea is less than 200 meters deep.) The last sentence of the article warned that the US and Japan will suffer if "they do not retract their claws of aggression and are bent on acting arbitrarily." (Underscoring added.) On December 4 the domestic service of the official news agency explicitly stated that "the underseas oil resources of Taiwan province and its auxiliary islands and waters surrounding these islands, as well as those in shallow sea areas near China, belong naturally and completely to China."

POL 33 CHINA SEA

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3. The 1969 ECAFE report postulated that sediments beneath the Chinese continental shelf and in the Yellow Sea, particularly the shallow sea floor between Taiwan and Japan, are potentially rich in oil and gas. The area immediately north of Taiwan, i.e. in the vicinity of the Senkakus, was held to show particular promise. Since release of the report, Taiwan's state-owned Chinese Petroleum Corporation has signed contracts for joint offshore exploration with four US companies, including Gulf Oil, which has been assigned an area around the Senkaku group and areas already explored by a Japanese expedition. Japan has applied to the Ryukyus Government for a concession which would overlap some of the area assigned by the GRC to Gulf. Taiwan's claims further north overlap with an area under application in Japan for Teikoku Oil. Gulf has just started geological surveys in the zone assigned to it by the GRC.

4. In addition, to the southwest of Kyushu, the ROK has claimed areas already assigned by Japan to Nippon Oil (with Caltex participating) and others. Part of this area has reportedly been assigned to Wendell Phillips--an independent company distinct from Phillips Petroleum.

5. The extent of the American commercial stake in this problem is not clear at present. However, the following US firms already hold concessions from the GRC and the ROK:

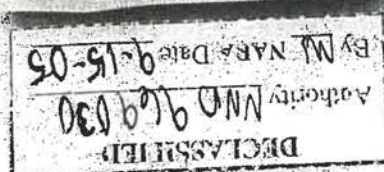
GRC: Gulf
Amoco
Oceanic Exploration Co.
Clinton International

ROK: Gulf
Wendell Phillips
Socal-Texas (Caltex)

In addition, the ROK has granted concessions to British Shell, and an American firm, Alaska Minerals, Inc., has applied to the Government of the Ryukyu Islands for rights to explore around the Senkakus. The investment required of US firms under contract terms over a seven year period in the GRC concessions

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alone is in the neighborhood of 56 million dollars. Some of the American oil firms have been cautioned by the Department regarding the complications and potential dangers of exploitation in this area.

6. The claims of Peking and Taipei are both based on the claim to be the legitimate government of all China. Accordingly, every continental shelf area claimed by either state may be assumed to be in dispute between them. The Japanese claims to a portion of the shelf are largely based on its claim to residual sovereignty over the Senkaku Islands. The GRC has denied the Japanese claim to the Senkakus, but is still considering whether to assert its own claim. Consequently, in addition to the basic PRC-GRC conflict, all continental shelf areas whose entitlement may be based on ownership of the Senkakus are in dispute, and great areas under the East China Sea are also subject to overlapping claims.

7. It appears that the PRC has been studying the Senkaku Islands and the Chinese continental shelf problem for some time and it may be contemplating a formal announcement of its claims to continental shelf resources. On the other hand, the Chinese Communists do not need new petroleum sources at present and would find it difficult to conduct extensive surveying and drilling at any distance from their shores. It is possible, therefore, that the December 3 declaration has two purposes, to put all interested parties on notice that a) Peking will not accept exploration and exploitation of its continental shelf by firms under contract to other governments including the rival government on Taiwan, and b) that it is willing to come to some arrangement regarding exploitation of its shelf. The last sentence of the December 3 article could conceivably be interpreted as an invitation to private companies in Japan and possibly others for a joint development venture. A precedent for this is the "friendly firm" trade between the PRC and Japan and the agreement between the PRC and the Japanese fishing off China. On the other hand, if a compromise acceptable to the PRC is not found, then Peking may be compelled to claim

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By: MJ NARS Date: 9-15-05

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officially the exclusive right to dispose of the resources in China's continental shelf. This need may come sooner rather than later because of the rapidly developing, conflicting claims by Japan, the Republic of Korea, the Ryukyus Government, and Taiwan.

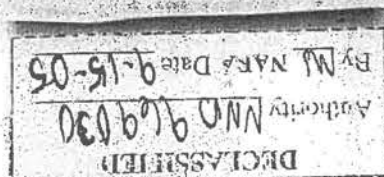
8. From a foreign policy standpoint, the US is confronted by the totally conflicting claims of the PRC and the GRC, and by the fact the PRC now claims the Senkaku Islands which the US has already declared will go to Japan as part of the Okinawa reversion settlement. A general settlement of the problem in the Senkaku portion of the Chinese continental shelf seems difficult in view of the barriers posed by the Chirep/Chirec issues and the open hostility the PRC has expressed towards not only the GRC and the ROK, but to a growing degree toward the Sato Government in Japan. There is also the problem of conflicting PRC-ROK, and PRC-Japanese claims to areas of the continental shelf.

9. One of the most important problems for the USG concerns the activities of American firms in the disputed area and the possibility of PRC action against them. Obviously, from the companies' point of view, they cannot remain inactive or the concession areas will be given to Japanese firms, BP, Shell, etc. At the same time, the concessions under which the companies are operating are in conflict and the risks are great, all the more so in the absence of a clear understanding of PRC intentions.

10. The Department has been aware of the development of this complex, difficult, and potentially dangerous situation from its inception and currently has under way a politico-legal study of its implications. The options available to the USG will be set out in this more detailed study.

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ACTION: EA-20

INFO: OCT-01 CIAE-00 DODE-00 PM-05 H-02 INR-08 L-04 NSAE-00

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1. PRO-KMT TIN TIN YAT PAO IN DECEMBER 7 EDITORIAL ON SOVEREIGNTY OF SENKAKU ISLANDS STATED THAT JAPAN WOULD NOT HAVE CHALLENGED CHINA'S TERRITORIAL SOVEREIGNTY HAD CHINA BEEN UNITED. EDITORIAL ADDED THAT THERE HAVE BEEN INSTANCES IN THE PAST WHERE KMT AND CHINESE COMMUNIST PARTY CLOSED RANKS AND COOPERATED IN OPPOSING EXTERNAL THREATS.
2. EDITORIAL SAID "IN PRESENT INTERNATIONAL SITUATION, THE FATE OF CHINA COULD ACHIEVE A TURNING POINT ONLY THROUGH THE CHINESE PEOPLE SHOWING SOLIDARITY AND THROUGH NATIONAL UNIFICATION..."
3. ALTHOUGH TIN TIN YAT PAO IS NOT PRESTIGIOUS, THE CALL FOR NATIONAL UNIFICATION IN A PRO-KMT PAPER IS UNUSUAL AND INTERESTING. RECENTLY TWO OTHER PRO-KMT PAPERS CALLED FOR ONE CHINA - TWO DELEGATIONS POSITION IN UN (HONG KONG'S 4771). EVIDENTLY SOME ELEMENTS OF PRO-KMT PRESS IN HONG KONG ARE PURSUING INDEPENDENT LINE FROM TAIPEI. THESE PAPERS DO, HOWEVER, INDICATE THAT KMT SUPPORTERS HERE ARE AT LEAST THINKING OF ALTERNATIVE FUTURE SOLUTIONS FOR THE GRC'S POLITICAL POSITION.

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INRB-226



INTELLIGENCE BRIEF

DIRECTOR OF INTELLIGENCE AND RESEARCH

December 29, 1970

To : The Secretary
 Through: S/S
 From : INR - George C. Denney, Jr. *A.C.D.h*
 Subject: COMMUNIST CHINA: Peking Warns Against Seabed Encroachment

An unequivocal December 29 People's Daily commentary warns the United States and Japan to cease oil survey operations in the shallow waters along the mainland coast and in the seabed around Taiwan and "the islands appertaining thereto." Among those islands specifically cited in this category as "China's sacred territory" are the Tiaoyu (Senkaku) islands, where US oil companies under contract to the Chinese Petroleum Company in Taiwan have been conducting explorations for the past several months. Explicitly terming these operations an encroachment on Chinese sovereignty, the People's Daily quotes Mao in assuring that the Chinese people will defend their territory and sovereignty and "absolutely will not permit encroachment by foreign governments."

The article is vague as to the consequences of continued exploratory activity. However, the clarity and authority with which Peking condemns the operations and asserts its sovereignty suggest a real possibility of some Chinese Communist action against the oil company vessels in the disputed area. Peking's naval and air operations in response to what it regards as encroachments along the periphery of the China mainland have become somewhat bolder during the past year. In addition, the Chinese have noted with

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 This report was produced by the Bureau of Intelligence and Research. Aside from normal substantive exchange with other agencies at the working level, it has not been coordinated elsewhere.

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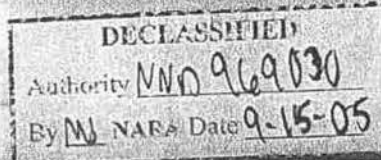
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INRB-226

Pol 33 China Sea

XR 17c 55-8
 Pol 32-6 Senkaku Sea



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approval Latin American seizures of US fishing vessels within the 200-mile zone and, in general, have taken an intense interest in recent international developments on the law of the sea.

Encounters between Chinese naval vessels and oil company ships involving warnings and harassment could occur, with all the accompanying opportunities for miscalculation, pressures for intervention by the GRC, error, and escalation into more serious incidents. However, the Chinese remain cautious and any physical response will be one that can make their point while keeping the risks of a major confrontation low. Thus, an attack on the ships or a Chinese version of the Pueblo incident appear unlikely at this point.

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