The Republic of China (Taiwan) and Japan signed the Taiwan-Japan Agreement Peace Initiative in April 2013. This embodies the ideals and spirit of the East China Sea Peace Initiative proposed by President Ma Ying-jeou on May 5, 2012. This is by replacing confrontations with negotiation, Taiwan holding the role of a ‘responsible stakeholder’ and furthering the cause of peace.

Between 1996 and 2008, 8 rounds of Taiwan-Japan fishery talks were held, which did not achieve concrete results. Following a fruitful year’s liaison, an agreement was signed during the 13th round of talks in April 2013.

The Taiwan-Japan Fisheries Agreement

Embodying the Ideals and Spirit of the East China Sea Peace Initiative

1. The process of signing the Taiwan-Japan Fisheries Agreement

(1) The Republic of China (Taiwan) and Japan signed the Taiwan-Japan Fisheries Agreement on April 10, 2013. By shelving controversies and sharing fishery resources, Taiwan and Japan hope, 17 years after talks began, to make appropriate arrangements concerning fishery interests that have arisen from overlapping exclusive economic zones (EEZs). This embodies the ideals and spirit of the East China Sea Peace Initiative proposed by President Ma Ying-jeou on May 5, 2012. This is by replacing confrontations with negotiation, Taiwan holding the role of a ‘responsible stakeholder’ and furthering the cause of peace.

(2) This agreement is the first of its kind to be signed by ROC in fishery talks with a neighboring country or region in the spirit of and accords with the 1982 United Nations Convention on the Law of the Sea (UNCLOS). This also shows that the Japanese government has attached importance to and paid attention to the East China Sea Peace Initiative, which was proposed in August 2012 in response to rising tension in the East China Sea. This shows that while the ROC’s sovereignty has been delimited, controversy has been clarified, and the two sides have taken the initiative to resolve disputes under the principle of equality and reciprocity according to the fundamental concept of which is that although sovereignty cannot be exchanged between parties, the principle of equality and reciprocity can be followed.

(3) Based on its “viable diplomacy” policy, the ROC government has incrementally expanded its international space, strengthened ties with different countries, and made constructive contributions to maintaining peace, stability, and prosperity in the region. In 2012, President Ma proposed the East China Sea Peace Initiative, the fundamental concept of which is that although sovereignty cannot be exchanged between parties, the principle of equality and reciprocity can be followed. The ROC delegation reiterated the principle of equality and reciprocity in their continuing negotiations with Japan, focus on protecting the interests and bio-resources in the agreement-designated zone as well as areas of overlapping EEZs outside the designated zone. The ROC delegation said that the agreement would maintain peace, stability, and prosperity in the region. In 2012, President Ma proposed the East China Sea Peace Initiative. Prior to the conclusion of an agreement, the ROC government aims to protect the interests and rights of its fishermen by maintaining the existing cooperative arrangement in these maritime areas within the temporary enforcement line.

2. The significance and specific results of the Taiwan-Japan Fisheries Agreement

(1) This agreement is the first in its kind to be signed by the ROC in fishery talks with a neighboring country or region in the spirit of and accords with the 1982 United Nations Convention on the Law of the Sea (UNCLOS). This agreement is the first of its kind to be signed by ROC in fishery talks with a neighboring country or region. It embodies the ideals and spirit of the East China Sea Peace Initiative.

(2) The significance of this agreement is that ROC fisheries laws and regulations are not applicable to the fishing activities listed above whereas fishing rights and interests of the other party (Taiwanese fishing boats) are not applicable to the EEZs outside the designated zone. Fishing activities listed above are under the agreement-designated zone as well as areas of overlapping EEZs outside the designated zone. The ROC government emphasizes the importance of the principles of equality and reciprocity.

(3) Staunchly safeguarding the ROC’s sovereignty over the Diaoyutai Islands and surrounding territorial waters

The Taiwan-Japan Fisheries Agreement will be applicable to a maritime area over 27 degrees North latitude and South of Japan’s Yaeyama Islands and Miyako Islands, covering an area of 74,000 square kilometers. The Taiwan-Japan Fisheries Agreement is in accordance with this transitional period, not to jeopardize or hamper the reaching of the final agreement. The “designated zone” in the Taiwan-Japan Fisheries Agreement will be applicable to the maritime area subject to the Taiwan-Japan Fisheries Agreement, which is in line with the Convention, and accords with the principles of equality and reciprocity.

A special cooperation zone: In an area within the designated zone where fishing activities are prohibited due to the states’ sovereignty issues, this zone will be overseen by the ROC Fisheries Agency in accordance with relevant domestic legal measures. Fishing vessels will be overseen by the ROC Fisheries Agency in accordance with relevant ROC Fisheries laws and regulations. The designated zone includes:

- Zone where the ROC’s law does not apply
- Zone where the Japan’s law does not apply
- Zone where the states’ law does not apply (Taiwanese fishing boats not apply to fishing operations of the other party)
- Zone where the other party’s law does not apply (Taiwanese fishing boats)
- Zone where the states’ law does not apply (other party’s fishing boats)
- Zone where the states’ law does not apply (the other party’s fishing boats)

In an area within the designated zone where fishing activities are prohibited due to the states’ sovereignty issues, this zone will be overseen by the ROC Fisheries Agency in accordance with relevant domestic legal measures. Fishing vessels will be overseen by the ROC Fisheries Agency in accordance with relevant ROC Fisheries laws and regulations.

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Responses and reactions

The Republic of China

Japan

China Times, China Times

United Daily News

Caranx melampygus Cuvier

Megalaspis cordyla (Linnaeus)

Trachurus japonicus (Temminck and Schlegel)  Thunnus albacares  (Bonnaterre)  Katsuwonus pelamis  (Linnaeus)  Coryphaena hippurus  Doryteuthis sibogae Adam

The Taiwan-Japan Fisheries Agreement is a concrete embodiment of the ROC’s establishment of a branch office in Beijing. The Taiwan-Japan Fisheries Agreement is new milestone in cordial relations between the two countries. It is hoped that cooperation will continue to grow thanks to the deepening of the full protection under the law.

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