

An Analysis of the PRC's Rhetoric towards Disputed Territories in the South China Sea

by

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Abstract:

This project examines the rhetoric of the People's Republic of China in regards to its maritime claims in the South China Sea. This project inquires if the claims of the PRC have changed in any significant way by examining the differences in the rhetoric it has used over time. This will be done through an examination of both Chinese language documents and their respective English translations that the PRC government has released from 1949 to the present day. If no suitable English translation could be found for a certain document, this project in turn translates it into English. While examining these documents, this project observes two important issues: 1) "What is the specific claim that the PRC has been making towards the islands?" and 2) "How does the PRC believe that the dispute should be settled?" Based on the analysis of the available data, this project has found that the PRC has never indicated that the islands were a part of another nation's territory. The specific claim that "China has indisputable sovereignty" over the region has evolved over time to be commonplace in almost all of the PRC's claims. Also, beginning in the 1980's, China unprecedentedly started utilizing the notion of "resolving the dispute through peaceful means" in released statements. The analysis of PRC memorandums and statements will continue to be significant, as the dispute continues to be contended to this very day.

Introduction:

The South China Sea covers 648,000 square miles of the Pacific Ocean, has rich fishing resources, and is believed to have stockpiles of oil and natural gas (Burgess, 2003). The perceived value of this area has led to its islands becoming highly contested, and thus the People's Republic of China (PRC) and several of its neighbors are in dispute over small islands, shoals, and reefs in the region. Although the diplomatic relationships between the parties concerned are presently relatively peaceful, and they all enjoy strong economic relationships with each other, this issue continues to be a focal point of disagreement in the region, as the islands remain in contention.

The Paracel Islands (西沙群岛, Xisha Qundao, meaning West Sands Islands) are currently disputed between the PRC and Vietnam. The PRC has administered these islands ever since a minor naval skirmish with South Vietnam occurred in 1974. Despite Vietnamese claims of sovereignty over the archipelago, the PRC has steadfastly continued to retain control of this area until today. The Spratly Islands (南沙群岛, Nansha Qundao, meaning South Sand Islands) are the most notably contested of these islands, and are claimed by the four governments of Vietnam, the Philippines, Malaysia and Brunei along with the two governments representing China: the PRC and the Republic of China (abbreviated as ROC, also known as the island of Taiwan). The PRC has engaged in a few military altercations over these islands as well. Of particular note is the 1988 engagement between the PRC and Vietnam, where the PRC sunk three Vietnamese boats, killing 72 Vietnamese soldiers in a naval clash (Chung, 1999). Another particularly noteworthy quarrel occurred in 1995, when the Philippines discovered that the PRC had fortified a small disputed island called Mischief Reef (美济礁, Meiji Jiao). However, hostilities began to calm down, and in 2002 the PRC and members of ASEAN (the Association

of South East Asian Nations, which includes Vietnam, Malaysia, the Philippines, and Brunei) signed a Declaration on the Conduct of Parties in the South China Sea (commonly abbreviated as DOC). Since then, the situation has stabilized somewhat, but the PRC continues to claim sovereignty over the whole area. The other countries involved have not changed their positions either, and there does not seem to be any resolution to this dispute in the near future. Other contested territories in this area include Macclesfield Bank (中沙群岛, Zhongsha Qundao, meaning Middle Sand Islands) and Scarborough Shoal (黄岩岛, Huangyan Dao meaning Yellow Rock island, the PRC considers this island to be incorporated in the Zhongsha archipelago, evident through the Embassy of the People's Republic of China in the Republic of the Philippines, 2012), which is claimed by PRC, ROC, and the Philippines. Recently in 2012, a naval standoff occurred near this island between the PRC and the Philippines. Although no shots were fired, it did revive more tensions between the two nations. Finally the Pratas Islands (东沙群岛, meaning East Sand Islands), are currently disputed between the PRC and ROC, which is a dispute more related to the Taiwan Issue.

The historical basis of the PRC's claim is that the areas in question have been under China's sovereignty since the second century A.D. during the Han Dynasty, when they were discovered by China (Dutta, 2005). The PRC claims that previous regimes of China frequently applied their sovereignty to these islands starting with naval expeditions during the 15th century under the Ming Dynasty (Burgess, 2003). The official position of the PRC is that the occupation of these islands by other nations throughout the years (e.g. by France and Japan during WWII) were strict violations of China's sovereignty over these islands.

Throughout the course of the dispute, the PRC has ascended to become the world's second largest economy, and the IMF expects its economy to surpass the United States in terms

of total Purchasing Power Parity GDP by 2017 (IMF, 2012). The PRC has been and still is the world's most populous nation with a population today of approximately 1.35 billion people (CIA World Factbook, 2013), a number that eclipses all other disputing nations' populations. Finally, among the disputing parties the PRC is the only member of the United Nation's Security Council, and undoubtedly has the most power and international influence among the disputing nations. Therefore the foreign policy that the PRC government utilizes to manage this dispute is very important to examine, as it is the most significant towards a resolution out of all the other nations concerned.

Purpose and Significance:

The objective of this project is to examine the rhetoric emanating from the PRC government towards their claims over the disputed archipelagos in the South China Sea, and determine whether these claims have stayed constant or differed over time. For clarification, this project is meant to concentrate on the South China Sea Islands, of what the PRC considers the Nansha, Xisha, Dongsha, Zhongsha Islands, (or Spratly, Paracel, Pratas, and Macclesfield bank), and not the other maritime territorial disputes that the PRC might have, such as the Diaoyu Island (Senkaku) dispute with Japan, or the Suyan Rock (Ieodo) dispute with the Republic of Korea. This project is particularly interested in the use of language from the PRC government and its agencies in regards to this dispute. This project focuses on the claims from 1949 and after, when the Communists won the Chinese Civil War and the PRC was established. Consequently, this project collects and analyzes documents from a wide distribution of dates from 1949 to the present day. With the completion of this research, the PRC's claims and their development should be more apparent to other scholars.

To remain concise, the evolution is analyzed with the following two main questions taken into consideration for each document: 1) What is the PRC's stance and rationale? And 2) How does the PRC believe the dispute should be resolved? These questions are kept succinct to allow the project to remain objective and stay on course. This project is expected to answer whether there have been any changes in the PRC stance over the disputed islands. The fact that the PRC has undergone an immense change in governance from Chairman Mao Zedong in 1949 until today makes this inquiry more significant. If the claims of the PRC have changed in any significant way over the past 60 years, this project examines the differences in the rhetoric used over that time. If possible, this project also offers some hypotheses to why any alterations occurred. Through analysis this research concludes that although the PRC has resolutely stated that the disputed territories are under its territory, there have been noticed variations and alterations in the rhetoric that the PRC has produced.

After this project illustrates the apparent changes, it then aims to investigate if each noticed change is indeed unprecedented and significant. This project then reports this as a finding and examines the connotations and implications of this "noticed change." The frequency and timing of these apparent alterations are observed and reported as well, to further assist in contextualizing the changes. The project aims to demonstrate with clarity the certain trends and alterations in the claims. This at first may seem a little ambiguous, hence this project maintains vigilance on any modifications of the PRC's claims. Although these notions of "change" can be quite abstract, the research aims to be objective with the material given, and to reach feasible conclusions with the analysis taken.

As an important part of this project, I searched for accurate English translations of important Chinese language claims. If a document has never been translated into English before

or if an official translation is unavailable, then I translated it myself. I hope these document's translations will enable other future researchers to analyze the South China Sea dispute, and reduce the additional work and time necessary for them to find the translations themselves. Therefore, this project intends to serve as a reference for scholars looking for English translations for South China Sea documents as well.

It is imperative to state that this project focuses more on the actual language of the documents themselves rather than other areas of study such as historical analysis or international policy. This might be disconcerting to many academics since the South China Sea dispute is usually thought of being an important matter in the field of international relations and politics. However, if there is a noticed question or issue that involves fields that are not in the realm of the research, this project reports and mentions it as an area for possible further research. This subsequently allows other scholars to continue on this research, in their own respective fields of expertise.

Further justification of its academic significance includes that analysis of the evolution of the PRC claims has never been done before, to the best of our knowledge. There have been articles that have discussed the history and have mentioned claims as well other publications that have included Chinese translations, but none have researched the specific evolution of the PRC claims themselves. Therefore this project conducts intriguing research and contributes to a lesser studied area of academia. In addition, it provides a stronger background for those who want to research and understand the dispute as it relates to the PRC as well as to analyze future claims of the PRC.

Furthermore, the historical investigation of the PRC's government rhetoric in its territorial claims in the South China Sea is important for many reasons. This investigation gives

insight on the PRC's foreign policy through analyzing these documents. It helps paint a picture of the evolution of its government's ambitions, which is especially significant as the PRC continues to modernize and gain influence and power around the world. This project will hope to encourage other scholars to continue research on a topic that is of important relevance to the subject of international relations.

Finally, the issue itself is an important world affair that is gradually becoming more contested. The sovereignty of these islands will have vast implications for the future, as they are strategic both militarily and economically. This is arguably the most important unresolved territorial conflict in the South East Asian region. The dispute has had and will continue to have various consequences on the relationship between the PRC and ASEAN. No matter how this dispute is resolved, its resolution will have a major impact on the international community and will influence world governance in the years to come. The effects of this conflict will have vast implications on US foreign policy as well. The overall strategy that the PRC employs to deal with the South China Sea situation can be viewed as a microcosm of how it will behave once it becomes the world biggest economy. The ultimate resolution of this dispute will also have vast implications on future maritime territorial disputes, including those in the Arctic and Antarctic regions. The South China Sea dispute also brings into question the legitimacy and applicability of the UN Convention on the Law of the Sea (UNCLOS), and the dispute's resolution will answer whether UNCLOS legislation can be practical for matters of this kind.

The purpose of this project allows for unprecedented research on an engaging international issue. The project contemplates a stimulating inquiry and provides tools for a further examination of this topic. The outcome of this project is intended to enable other scholars to conduct their own specific research, on an issue that more researchers will probably begin to

study. Therefore it can be concluded that this project's area of research and purpose are significant, and will hopefully will inspire other scholars to continue researching this topic.

Methodology:

With the previously discussed purpose of this research taken into consideration, there were certain processes that I needed to follow in order to execute this project. By exposing my entire procedure for conducting this research, I am allowing the reader to inspect and evaluate this project more objectively. The methods that I used are described in detail throughout this chapter.

The first step in beginning this research was to find and locate the suitable documents that this project needed. I started off by searching the PRC Ministry of Foreign Affairs (FMPRC) website for documents (<http://www.fmprc.gov.cn>). Through this website, I was able find the newer documents that were being published directly from the government. I was also encouraged by my advisor, Professor Yin to use the documents since the year of 2000, which can be found on this site. This was especially fitting since Chinese scholar, Shen Jianming, also discussed it in his 2002 article "China's Sovereignty over the South China Sea Islands: A Historical Perspective." Using this website, it was also easier to locate the respective English translations already completed by the FMPRC since they were available online as well. I searched through the English language platform of the website for words or the central themes of the documents and matched the documents to their original Chinese language version by comparing dates and content. There was a noticed cessation of released statements after 2002, the year of the signing of the DOC. However the region began to become more contested again around 2011, and my objective was to utilize the more crucial statements and documents rather than brief questions and answers from press conferences, since they were not as substantial. With

this rationale, the 2012 document was selected as it was an ideal representation of the most contemporary era of their claims on the territory. Of note, the 2012 document included stances on a resolution and foreign involvement. Unfortunately, I was unable to locate earlier documents from this website since their archive went back not much further than when domain was established (approximately 1998), and I was forced to examine other databases.

A more extensive search was required to find earlier documents. I read of certain documents that were solely mentioned in the articles, and those that were referenced as either footnotes citations, but to find the exact full text of the document (Chinese or English) was not possible.

I encountered some issues at this stage because I was unable to locate the texts of older documents, but then Professor Yin recommended that I use 南海问题文献汇编 (Nanhai Wenti Wenxian Huibian, South China Sea Document Collection). This is a Chinese language resource that was compiled by Wu Shicun (吴士存, current president of the National Institute of South China Sea Studies) that has various historical documents issued by the government of the PRC and other countries involved in the dispute. Using this eBook I was able to access the older documents that were vital to implementing this research. But since the documents were in an eBook format, it was necessary to find the documents in an html format so they could be extracted more easily rather than word for word. By typing the texts of the document on Chinese search engines (Baidu and Google Hong Kong), I was able to encounter other useful sources, one of them being Hainan Shizhi Wang (Hainan Historical Records Net) (<http://www.hnszw.org.cn>), which was logical considering these islands are classified by the PRC government as being a part of the Hainan province. From there, I found other documents not included in Nanhai Wenti Wenxian Huibian that were used in the project. For the documents that I used for other websites,

I took the time to ensure that the manuscript from the websites matched their Nanhai Wenti Wenxian Huibian counterparts.

While finding and locating the documents and websites, I simultaneously also attempted to find previously written English translations of them. This was possible for some of the documents (E.g. 1958 and 1980). I searched extensively for others but many could not be located so as previously stipulated, I translated them myself. I must also credit software for assisting in my translations since a lot of the documents' contents were not in my Chinese vocabulary. Valuable online software came from, Nciku (<http://www.nciku.com>, which allows one to write characters), and Xiaoma Cidian (<http://www.xiaoma.info>, which has a tool that annotates characters), which were both effective in completing translations. Also, some segments from the original Chinese text were not included in the translations since they were either not related or pertinent to the purpose of this research. Since there is more than one way to interpret certain phrases and language devices, I attempted to select the most logical and appropriate word choices and sentence structures. I also attempted to match structure and syntax of previously collected English language documents that are also utilized in this project. By the end, I translated the entirety or segments of documents from the years 1950, 1951, 1956, 1974, 1978 and 1988.

In my translations I decided to label the specific islands by their transliterated Chinese name rather than their respective English name. This is due to two main reasons. First, the PRC government has exclusively determined to use their "Chinese transliteration" names whenever they have translated or released an English statement. Therefore in order to remain consistent with previously translated Chinese documents, this project emulates the PRC government's precedent and translates the document in this manner as well. Also another less vital basis is

maintaining the original Chinese transliteration will be less confusing to the reader while illustrating the conducted analysis.

Regarding the 1988 document, I realized that a previous English translation was already in the LexisNexis database and was translated by the BBC World Broadcast Service only when I found the English translation for the 1980 document from the same source. Upon further investigation, I chose to utilize my 1988 document translation, since it is easier to reference and has less formatting and spelling errors (evident in the provided 1980 document), but I will cite the other one since it is a good reference. Also, translations of the documents from 1974 were featured in the “Peking Review”, and I later discovered a website, (<http://www.massline.org/PekingReview/#1974>), that had these archives unfortunately only after I had translated them myself. After the individual translations were completed, they were proofread, edited and revised by Professor Yin to ensure that there were no errors and the best English interpretations of Chinese Language were employed. We also discussed and debated the content of the documents and their significance concurrently.

After Professor Yin’s confirmed that the translations were indeed accurate, the documents were subsequently arranged chronologically and examined extensively in accordance with the purpose of project. Both the Chinese and English documents were examined at this point and compared.

I conducted more research to better understand the history and possible rationale for each of the documents collected. This allowed me to reveal the context of each document and analyze their change more efficiently. I located and analyzed patterns and alterations by focusing mainly on rhetoric and word choice. As can be expected, some notions were more evident and easier to

conclude than others, since some findings required more research and analysis before a conclusion could be reached.

I constructed tables (which can be seen later in this paper) to observe the evolution of the claims through time more easily. This was used to assist in observing similar themes and development of the claims. Using this procedure, the research was successively conducted and I was able to make inferences and reach conclusions that will be stated in this paper.

Throughout this process, I tried to make sure that the analysis that I carried out was objective and I was staying focused on the topic and purpose of my research. Observations that were reported but were not a part of the primary purpose of this project are included later in this paper in “areas of future research” section.

Historical Contexts of Documents:

This project collected notable documents and statements that the PRC government officially released regarding the South China Sea Islands. This project regards the islands, sandbanks, and shoals in question to be the Nansha, Xisha, Dongsha, Zhongsha, and Huangyan Islands (Spratly, Paracel, Pratas, Macclesfield bank, and Scarborough Shoal respectively)(The PRC Considers Huangyan island as a part of the Zhongsha Islands). For the purpose of this project, the islands will be referred by their Chinese name since this is how the PRC government translates them in English. Also all documents that were collected to be analyzed are naturally all after 1949, the year the PRC was established.

As mentioned in the Methodology, many of the older documents collected were previously compiled by 吴士存 (Wu Shicun) in Nanhai Wenti Wenxian Huibian. (Translated as “South China Sea Problem Document Collection”, published in 2001). This collection was a good reference point to help locate significant documents needed for this project. This project

analyzes some of the vital claims by the PRC government that were also compiled in that document. Also, other claims were found through citations by authors who had previously researched this topic. If possible, claims from a diverse timeframe were selected to examine if there has indeed been any shift or change in the PRC's stance or rhetoric through history. The newer claims (from 2000 and 2012) were found through the FMPRC website. Since there have been considerably more statements and documents from 2000 onwards due to improved technology and the internet, certain documents were selected based on significance and possible reader interest. All decades from the 1950's to 2010's are covered by the documents except for the 1960's where none could be located, thus it is assumed that none were published. Also from 2011 and onward there has been observable increase in the release of statements and press conferences regarding the South China Sea by the FMPRC. The 2012 document in turn was selected because it is an important recent statement and it is directly responding the United States, thus selected to be analyzed in this project.

Below are the contexts of each of the collected documents used in this project. Included are the rationales to why each statement or document was released and historical occurrences that might have led to the release of a statement. This will help enable the reader to better understand the significance of each document and possibly provide a basis for why each claim was released.

Context of each document:

1950: Zhou Enlai's Statement on the Japanese Peace Treaty Issue. (周恩来关于对日和约问题的声明)

This statement was by Zhou Enlai, the Foreign Minister of the PRC at the time, in response to the fact that the PRC was not invited to participate in the drafting of the peace treaty

with Japan (Treaty of San Francisco). This was due to the British and American governments not being able to forge a consensus to whether the Communists or Nationalists were the legitimate government of China (Time, 1951). It declares that the government of the People's Republic of China is the sole legitimate government of China. It also addresses disapproval towards territorial disputes regarding the PRC (mainland China) and Taiwan and the Penghu islands, as well as the Soviet Union and the Kuril Islands.

1951: Foreign Minister Zhou Enlai's Statement on the American-British Draft of the Peace Treaty with Japan and the San Francisco Conference. (周恩来 外长 关于 美英 对日 和约 草案 及 旧金山 会议 的 声明)

This was another statement by Zhou Enlai, which proclaims each and all of the stipulations from the 1950 declaration (see above) and asserts China's sovereignty over the Nansha, Xisha, Dongsha, and Zhongsha Islands. Zhou emphasizes the PRC's irritation to the fact that although the draft specifies that "Japan renounces all right, title and claim to the Spratly Islands and to the Paracel Islands." (Chapter 2, Article 2, Section f., Treaty of Peace with Japan, 1951), it does not mention "reverting their sovereignty". Zhou subsequently proclaims the PRC's sovereignty over the aforementioned islands.

1956: The PRC's Ministry of Foreign Affairs Spokesman's Statement on the Issue of Sovereignty over the Nansha Islands. (中华人民共和国外交部发言人关于南沙群岛主权问题的声明)

This statement is in response to a remark by Philippines' Secretary of Foreign Affairs, Carlos Garcia, which indicated the Nansha Islands should belong to the Philippines. Garcia believed that the Spratly Islands were *res nullius* and placed under Allied trusteeship through the Treaty of San Francisco. Therefore economic exploration of the islands by Filipino nationals is permitted under international law, since the Philippines were a member of the Allied Powers (Valem, 1994).

(Note: This is an inference based on a similar statement by Garcia from a few months afterwards in the same year)

1958: Declaration on China's Territorial Sea. (中华人民共和国政府关于领海的声明)

This document is likely in response to the 1958 Geneva conventions on territorial sea. Since the PRC was not a member of the UN at the time, it must have felt the need to emphasize that the matters discussed in this convention also applied the PRC. Also, this document was released during the Second Taiwan Strait Crisis, when tensions were very high. In this declaration, the PRC defines its territorial waters as well reiterating that the various South China Sea Islands (from the 1951 Zhou Statement) are a part of China and the stipulations mentioned in this declaration apply to those disputed islands as well.

1959: Two Documents: The PRC's Ministry of Foreign Affairs' Issued a Statement on South Vietnamese Authorities Violating our Country's Territorial Sovereignty and Robbing our Country's Fishermen. (中华人民共和国外交部就南越当局侵犯我国领土主权劫走我国渔民一事发表声明) **AND:** The PRC's Ministry of Foreign Affairs' Restatement Protesting South Vietnamese Authorities Illegal Actions of Violating our Country's Territorial Sovereignty, Looting and Abusing our Countries Fishermen. (中华人民共和国外交部抗议南越当局侵犯我国领土主权、劫掠和虐待我国渔民的非法行为的再次声明)

The 1959 documents were released in response to South Vietnam (Republic of Vietnam) arresting 82 Chinese fishermen and taking five fishing boats from Shenhang Island, (Xisha Islands) on February 20-22 and March 26 1959 (Ang, 1997). The statements released expressed China's indignation towards the actions and reiterated China's sovereignty over the Xisha islands.

1974: The PRC's Ministry of Foreign Affairs Spokesperson Statement 中华人民共和国外交部发言人声明 **AND:** The PRC's Ministry of Foreign Affairs Statement 中华人民共和国外交部声明 **AND:** The PRC's Ministry of Foreign Affairs Spokesperson Statement 中华人民共和国外交部发言人声明, (Three documents all with similar titles)

The three statements in 1974 are centered on a January 19-20 a skirmish between PRC and South Vietnam Forces for the Paracel (Xisha) Islands. The result of this skirmish allowed the

PRC to assume control over the archipelago (Long, 1974). The conflict started in early January of 1974 when two Chinese fishing vessels entered the area and eventually were fired upon by South Vietnam boats on January 15th (Garver, 1992). Author Ang speculates that The PRC was bold enough to carry out the operation since the U.S under Nixon doctrine was advocating for the withdrawal of troops present in Indochina while normalizing relations with P.R. China. By 1973 the Paris Peace Agreement had been signed and the U.S. Senate had approved a bill that blocked further funding of South Vietnam. Ang claims that Mao Zedong and Zhou Enlai ordered the uncomplicated operation that was supervised by Ye Jianying and Deng Xiaoping, after correctly assuming that the U.S. would not intervene on behalf of South Vietnam (Ang, 2000).

1980: China's indisputable sovereignty over the Xisha and Nansha islands (BBC title: Document on China's Claim to Xisha and Nansha Islands). (中国对西沙群岛和南沙群岛的主权无可争辩)

This document was released less than a year after the Sino-Vietnam war, so tensions between China and Vietnam were very high. This publication appears to be in response to a September 28th 1979 White Book published by Vietnam, for which an English translation can be found through the LexisNexis database. Unlike the previous documents, this is the first collected document examined since the death of Mao Zedong. This document was also the longest written document that was published by the PRC government up to that point. This document goes into more specific details, delivering more rationale and specific historical points than the PRC had ever released before. Although it is addressed to the general public, it definitely aims to rebuke the 1979 Vietnam White Book, and specifically attacks Vietnam's position in one section.

1988: The PRC's Ministry of Foreign Affairs Issued Memorandum on the issue of Xisha Islands. Nansha Islands, 中华人民共和国外交部发表关于西沙群岛、南沙群岛问题的备忘录

This document is in a similar format to that of the 1980 document, highlighting key points to why China considers the Xisha Islands and Nansha Islands a part of its territory.

Interestingly enough, a skirmish between Vietnam and the PRC forces transpired in the Nansha Islands two months prior to the release of this statement. This skirmish occurred on March 14th 1988, in Johnson South Reef (Chigua Reef) and led to the destruction of 3 Vietnamese transport ships and the deaths of 72 Vietnamese soldiers (Chung, 1999). On March 23rd 1988 Vietnam made an offer to open up talks on the island dispute, but this was hastily rejected by the PRC (BBC Summary of World Broadcasts). This document, like the 1980 document mainly seems to be refuting Vietnamese claims and does not address any of the other contesting nations.

1992: The Law on the Territorial Sea and the Contiguous Zone of the People's Republic of China. (中华人民共和国领海及毗连区法)

This document is mainly in reference to that fact that many countries were approving the UNCLOS III at the time, and so did the PRC through this document. This document basically modifies China's domestic laws to be in accordance to the discussed stipulations of UNCLOS III (Fravel, 2011), which is similar to the 1958 document in that respects. This document makes the effort to stipulate that that the provisions apply to certain disputed territories (including Taiwan, Diaoyu Island, Penghu Islands, Dongsha Islands, Xisha Islands, and Nansha Islands) and to reiterate that these territories belong to China. Later that year in July, ASEAN and their representative countries signed issued a declaration on the South China Sea of their own, which the PRC viewed as response to their 1992 document (Wu and Ren, 2003). This declaration urged "all parties concerned to exercise restraint with the view to creating a positive climate for the eventual resolution of all disputes", and "emphasized the necessity to resolve all sovereignty and jurisdictional issues pertaining to the South China Sea by peaceful means, without resort to force" (ASEAN, 1992).

(Note that footnote 25 is an article by Wu Shicun, the same person who compiled "South China Sea Problem Document Collection" currently the president of National Institute for South China

Sea Studies, so this is a PRC interpretation of the release of the 1992 ASEAN document and thus described as the PRC's viewpoint.)

Mid 1990's:

In the mid 1990's, the PRC reached agreements with Vietnam and the Philippines. In both agreements, parties agreed that they would cooperate and maintain friendly relations, and not to take actions that might complicate or escalate the situation. These documents are not analyzed since they do not deal with claims but are taken into consideration.

2000: 5 documents from the same series of, The Issue of South China Sea (sic). (南海问题)

- 1.) Its Origin (sic). (南海问题的由来)
- 2.) Historical Evidence To Support China's Sovereignty over Nansha Islands. (中国对南沙群岛拥有主权的法律依据)
- 3.) Jurisprudential Evidence To Support China's Sovereignty over the Nansha Islands. (中国对南沙群岛拥有主权的法理依据)
- 4.) Basic Stance and Policy of the Chinese Government in Solving the South China Sea Issue. (中国在南海问题上的基本立场以及解决南沙争端的政策主张)
- 5.) International Recognition Of China's Sovereignty over the Nansha Islands. (中国对南沙群岛拥有主权得到国际上的承认)

According to Shen, The five documents released in 2000 are collectively an assortment labeled "The Issue of South China Sea" (sic) (Shen, 2002). These documents were probably released in order to restate the PRC's stance for the new millennium as well as address the issue as remaining pertinent. There are many noticeable spelling and grammatical errors in these documents that the FMPRC translated into English, which still have not been edited to this day (for 13 years). Also, this document was released after March 15 2000, where China and ASEAN nations discussed the possibility of creating a "regional code of conduct in the South China Sea" (Wu and Ren, 2003). An agreement called "The Declaration on the Conduct of Parties in the South China Sea" was ultimately signed between the member states of ASEAN and the PRC on November 4th 2002 in Cambodia (ASEAN, 2002).

2002: The Declaration of the Conduct of Parties Signed

2002-2009: The rhetoric regarding the South China Sea emanating from the FMPRC during this time period mainly discusses the triumph and success to of the DOC, and the improving bilateral relations of the countries concerned. Not many further claims are brought up with the exception of the occasional mention of “China’s indisputable sovereignty” to the disputed islands. The notions of peace and joint development are also alluded to frequently, as well as the “exploitation” of resources.

2012: Statement by Spokesperson Qin Gang of the Ministry of Foreign Affairs of China on the US State Department Issuing a So-called Press Statement On the South China Sea. (外交部发言人秦刚就美国务院发表所谓南海问题声明阐明中方严正立场)

This statement is primarily in response to another statement made by a US state department representative, Patrick Ventrell, which indirectly criticizes China’s decision to create the Sansha administration district, part of the Hainan province (U.S. Department of State, 2012). The PRC in turn released this statement defends the action and criticizes the U.S.’s involvement and bias in dealing with the situation. It also emphasizes the PRC’s commitment to peace as well as its cooperation with ASEAN. This document was selected out of the many documents that were released in 2012 since it is on par with most of the other claims, and it addresses the United States, which is relevant to the purpose of this research and most likely of interest to the reader.

Tables for Claims:

After collecting and inspecting the documents, the most important statements were extracted and put into this table. This is to assist the reader to extract the actual portions of the documents relevant to research since many of the documents are relatively long. The segments extracted aim to be in relation to the two previously discussed questions: “What is the specific claim that China is making towards the islands?” and “How the PRC believes the dispute should be settled?” Segments from both the original Chinese document and their respective English translations were collected and aligned with the date and title of the document. If the reader elects to further examine the context of a segment, each document title has the corresponding appendix listed adjacent to it. This table is a valuable resource to refer to when analyzing the claims of the PRC.

Specific Claims towards the PRC’s Position.

Document (Notes)	Chinese	English
1951 (See Appendix C.2)	实际上，西沙群岛和南威岛正如整个南沙群岛及中沙群岛、东沙群岛一样，向为中国领土 中华人民共和国在南威岛和西沙群岛之不可侵犯的主权	In fact, the Xisha Islands and Nanwei Island, just like the entire Nansha, Zhongsha, Dongsha Islands, have always been China’s territory The PRC has inviolable sovereignty over Nanwei Island and Xisha islands
1956 (See Appendix C.3)	这些岛屿向来是中国领土的一部分。中华人民共和国对这些岛屿具有无可争辩的合法主权	These islands have always been a part of China’s territory. The PRC has indisputable legal sovereignty over these islands.
1958(indirect statement) (See Appendix C.4)	东沙群岛、西沙群岛、南沙群岛以及其他属于中国的岛屿。	The Tungsha Islands, and Hsisha Islands, the Chungsha Islands, the Nansha Islands, and all other islands belonging to China. (Wade-Giles)

1959A (See Appendix C.5)	西沙群岛是中国的领土	The Xisha Islands is China's territory.
1959B(See Appendix C.6)	西沙群岛是中国的领土， ...	The Xisha Islands is China's territory.
1974A (See Appendix C.7)	<p>南沙群岛正如西沙群岛、中沙群岛、东沙群岛一样，历来就是中国的领土。</p> <p>中华人民共和国政府重申，南沙群岛、西沙群岛、中沙群岛和东沙群岛，都是中国领土的一部分。中华人民共和国对这些岛屿具有无可争辩的主权。这些岛屿附近海域的资源也属于中国所有。</p>	<p>The Nansha Islands, just like the Xisha Islands, the Zhongsha islands, and the Dongsha islands, have always been China's territory.</p> <p>The PRC government reaffirms that the Nansha Islands, the Xisha Islands, the Zhongsha Islands, and the Dongsha Islands are all apart of China's territory. The PRC has indisputable sovereignty over these islands. The resources in the territorial water in the vicinity of these islands are also China's possessions.</p>
1974B(See Appendix C.8)	众所周知，西沙群岛和南沙群岛、中沙群岛、东沙群岛历来就是中国的领土，这是无可置辩的事实，这是所有中国人都承认了的。	As everyone knows, throughout history, the Xisha Islands, the Nansha Islands, the Zhongsha Islands, and the Dongsha Islands have been China's territory, which is an indisputable fact that all Chinese people acknowledge.
1980 (See Appendix C.10)	<p>西沙群岛和南沙群岛，是中国南海诸岛中两个较大的岛群，它们和东沙群岛、中沙群岛一样，自古以来就是中国的领土。</p> <p>...中国人民是这两个群岛无可争辩的主人。</p> <p>西沙群岛和南沙群岛自古以来就是中国的领土，这是具</p>	<p>The Xisha and Nansha islands are two large island groups in the South China Sea. Like the Dongsha and Zhongsha islands, they have been China's territory since ancient times.</p> <p>The Chinese are indisputable owners of these islands groups.</p> <p>That (sic) the Xisha and Nansha islands have been China's territory since ancient</p>

	<p>有充分法理根据的。人们通过上面列举的大量事实和材料，可以得出公正的结论</p> <p>中国对西沙群岛和南沙群岛的主权是无可争辩的。</p>	<p>times is fully proved by legal evidence, and one can draw an impartial conclusion from the ample facts and material mentioned above.</p> <p>China's sovereignty over the Xisha and Nansha islands is indisputable.</p>
1988 (See Appendix C.11)	<p>...中国对西沙群岛、南沙群岛无可争辩的主权。</p> <p>西沙群岛和南沙群岛自古以来就是中国的领土..</p> <p>...中国对这两个群岛拥有无可争辩的领土主权</p>	<p>...China's indisputable sovereignty over the Xisha and Nansha Islands.</p> <p>The Xisha and Nansha Islands have been China's territory since ancient times.</p> <p>... China has indisputable territorial sovereignty over both of these archipelagos.</p>
1992 (Indirect) (See Appendix C.12)	<p>第二条 中华人民共和国的陆地领土包括中华人民共和国大陆及其沿海岛屿、台湾及其包括钓鱼岛在内的附属各岛、澎湖列岛、东沙群岛、西沙群岛、中沙群岛、南沙群岛以及其他一切属于中华人民共和国的岛屿。</p> <p>第五条 中华人民共和国对领海的主权及于领海上空、领海的海床及底土</p>	<p>Article 2: The PRC's territorial sea refers to the waters adjacent to its territorial land. The PRC's territorial land includes the mainland and its offshore islands, Taiwan and the various affiliated islands including Diaoyu Island, Penghu Islands, Dongsha Islands, Xisha Islands, Nansha (Spratly) Islands and other islands that belong to the People's Republic of China. The PRC's internal waters refer to the waters along the baseline of the territorial sea facing the land.</p> <p>Article 5: The People's Republic of China exercises sovereignty over its territorial sea and the airspace over the</p>

		territorial sea, as well as its seabed and subsoil.
2000A (See Appendix C.13)	中国对南沙群岛及其附近海域拥有无可争辩的主权。	China has indisputable sovereignty over the Nansha Islands and their adjacent waters.
2000B(See Appendix C.14)	综上所述，大量翔实的史实证明，南沙群岛是中国人民最早发现和开发经营的，中国政府早已对其行使管辖和主权。南沙群岛自古以来就是中国领土不可分割的一部分。	In short, a host of historical facts have proved that it was the Chinese people who were the first to discover and develop the Nansha Islands and it was the Chinese Government that has long exercised sovereignty and jurisdiction over these islands. The Nansha Islands have become an inalienable part of Chinese territory since ancient times.
2000C (See Appendix C.15)	<p>从国际法发展的过程来看，古代中国对南海群岛的发现足已证明中国对南沙群岛享有无可争辩的领土主权。</p> <p>南沙群岛不是"无主地"，而是中国领土不可分割的组成部分。任何其他国家都无权以任何名义改变南沙群岛属于中国这一法律地位。</p>	<p>In view of the development of international law, these records and accounts of the discovery by the ancient Chinese people of the islands on the South China Sea bear abundant evidence to China's indisputable territorial sovereignty over the Nansha Islands.</p> <p>Obviously, the Nansha Islands are not land without owners, but rather they are an inalienable part of Chinese territory. No country in the world has the right to change China's legal status as the owner of the Nansha Islands in any way.</p>
2012 (See Appendix C.18)	中国对南海诸岛及其附近海域拥有无可争辩的主权，这方面的历史事实是清楚的。	China has indisputable sovereignty over the South China Sea islands and adjacent waters. This is supported by clear historical facts.

How the dispute should be settled.

Document	Chinese	English
1958 (although mainly referring to Taiwan issue) (See Appendix C.4)	台湾和澎湖等地尚待收复, 中华人民共和国政府有权采取一切适当的方法在适当的时候, 收复这些地区, 这是中国的内政, 不容外国干涉。	Taiwan, Penghu and such other areas are yet to be recovered, and the Government of the People's Republic of China has the right to recover these areas by all suitable means at a suitable time. This is China's internal affair, in which no foreign interference is tolerated.
1974(See Appendix C.8)	中国是一个社会主义国家。我们从来不去侵占别人的领土, 也决不容许别人侵占我国的领土。为了维护我国的领土完整和主权, 中国政府和中国人民有权采取一切必要的自卫行动。	China is a socialist country. We never invade other people's territory, and also do not tolerate other people invading our territory. In order to defend our country's territorial integrity and sovereignty, the Chinese Government and people have the right to carry out all necessary actions for self-defense.
1988(See Appendix C.11)	中国一贯主张和平解决国与国之间的争端, 在南沙问题上也是如此。正是本着这种精神, 中国主张将南沙群岛问题暂时搁置一下, 将来商量解决	China has consistently advocated for a peaceful settlement between disputing countries, and the same is the case with the issue of Nansha. So in this very spirit, China advocates that the Nansha Island issue be temporarily put aside and be resolved through consultation in the future.
2000D(See Appendix C.16)	中国政府一贯主张以和平方式谈判解决国际争端。根据这一精神, 中国已同一些邻国通过双边协商和谈判, 公正、合理、友好地解决了领土边界问题。	The Chinese Government has always stood for negotiated settlement of international disputes through peaceful means. In this spirit, China has solved questions regarding territory and border

	<p>南海问题是中国与有关国家间的问题。中国政府一贯主张通过双边友好协商解决与有关国家之间的分歧。任何外部势力的介入都是不可取的，只能使局势进一步复杂化。中国与有关国家完全有能力、有信心妥善处理彼此的争议。南海地区的和平与安宁可以长期保持。</p>	<p>with some neighboring countries through bilateral consultations and negotiations in an equitable, reasonable and amicable manner</p> <p>The question of the South China Sea is a question between China and the relevant countries. The Chinese Government has consistently advocated settlement of the disputes between China and the countries concerned through amicable bilateral consultations. Involvement by any external force is undesirable and will only further complicate the situation. China and the countries concerned are fully capable and confident of handling their disputes appropriately. Peace and tranquility in the South China Sea area can be maintained on a long-term basis.</p>
2012 (See Appendix C.18)	<p>需要指出的是，20多年来，在中国和有关地区国家的共同努力下，保持了南海的和平稳定，航行自由和正常贸易得到充分保障。2002年，中国和东盟国家共同签署《南海各方行为宣言》。《宣言》明确规定，由直接有关的主权国家通过友好协商和谈判，以和平方式解决领土和管辖权争议，同时承诺不采取使争议复杂化、扩大化的行动。</p>	<p>It needs to be pointed out that over the past 20 years or more, thanks to concerted efforts of China and other countries concerned in the region, peace and stability in the South China Sea has been maintained and freedom of navigation and normal trade fully guaranteed. In 2002, China and ASEAN countries signed the Declaration on the Conduct of Parties in the South China Sea (DOC), which stipulated in explicit</p>

		terms that territorial and jurisdictional disputes should be resolved through peaceful means and friendly consultations and negotiations between sovereign states directly concerned. Parties to the DOC also undertook not to take actions that might complicate or escalate disputes.
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Sovereignty

Document	Chinese	English
1951(See Appendix C.2)	不可侵犯的主权	Inviolable sovereignty
1956(See Appendix C.3)	无可争辩的合法主权 合法主权	Indisputable legal sovereignty Legal sovereignty
1959A,B, (See Appendix C.4 and C.5)	领土主权	Territorial sovereignty
1974A (See Appendix C.7)	领土主权 无可争辩的主权	Territorial sovereignty Indisputable sovereignty
1980(See Appendix C.10)	主权无可争辩 无可争辩的主权 不可侵犯的主权	Indisputable sovereignty Indisputable sovereignty Inviolable sovereignty
1988(See Appendix C.11)	无可争辩的主权 无可争辩的领土主权	Indisputable sovereignty Indisputable territorial sovereignty
1992(See Appendix C.12)		(Sovereignty is mentioned)
2000A(See Appendix C.13)	无可争辩的主权	Indisputable sovereignty
2000C (See Appendix C.15)	无可争辩的主权 (2) 无可争辩的领土主权	Indisputable sovereignty Indisputable territorial sovereignty
2012 (See Appendix C.18)	无可争辩的主权	Indisputable sovereignty

Since when the disputed islands were Chinas territory

Document	Chinese	English
1951(See Appendix C.2)	向为	Have always been
1956(See Appendix C.3)	向来	Have always been
1974A(See Appendix C.7)	历来	Have always been (throughout history)

1974B(See Appendix C.8)	历来	Have always been (throughout history)
1980 (See Appendix C.10)	自古以来	Since ancient times.
1988(See Appendix C.11)	自古以来	Since ancient times.
2000B(See Appendix C.14)	自古以来	Since ancient times.

Claims referencing territorial sea

Document	Chinese	English
1958(See Appendix C.4)		(Claims “12 nautical miles from “baseline” of territorial sea)
1974A(See Appendix C.7)	中华人民共和国政府重申，南沙群岛、西沙群岛、中沙群岛和东沙群岛，都是中国领土的一部分。中华人民共和国对这些岛屿具有无可争辩的主权。这些岛屿附近海域的资源也属于中国所有。	The PRC government reaffirms that the Nansha Islands, the Xisha Islands, the Zhongsha Islands, and the Dongsha Islands are all apart of China’s territory. The PRC has indisputable sovereignty over these islands. The resources in the territorial water in the vicinity of these islands are also China’s possessions.
1992(See Appendix C.12)		(This declaration makes the PRC current with the latest UNCLOS, so it effectively gives it rights to territorial sea)
2000 (See Appendix C.13)	中国对南沙群岛及其附近海域拥有无可争辩的主权。	China has indisputable sovereignty over the Nansha Islands and their adjacent waters.
2012 (See Appendix C.18)	中国对南海诸岛及其附近海域拥有无可争辩的主权	China has indisputable sovereignty over the South China Sea islands and adjacent waters.

Findings and Discussion:

Through analysis of the collected statements, there are many apparent conclusions one can make on the history of PRC's South China Sea claims. Most evidently, the PRC has never released a document inferring that the disputed islands are a part of another country's territory. In all documents mentioning the islands, the PRC has resolutely maintained that they are a part of China's territory and under its sovereignty. This is a significant detail in terms of investigating the PRC's official position on the disputed islands. However, there have been noticeable alterations to the specific claims that can be observed, leading to many inferences that can be deduced. Listed below are some key topics that this research highlights.

A) Use of the word "Sovereignty"

The use of the word "sovereignty"/ "主权" is prevalent in all of the documents. Although this is expected, the term seems to be used excessively. It is commonly used in the forms, "China" has "sovereignty" or "China's" "sovereignty" over the disputed islands. This fact provides an indication of the attitude that the PRC has over the dispute, not simply referring to the islands as a part of China, or its territory, but instead choosing express the issue with the word "sovereignty", possibly to emphasize that it is a governmental affair and apart of the jurisdiction of the PRC Government.

Another notion that can be observed involving sovereignty, is the shift towards the preferred term "indisputable sovereignty". The first example of "indisputable" being applied in a document is in 1956 when China's sovereignty was described as "indisputable legal"/ "有无可争辩的合法". Later in 1974, the term "indisputable"/ "无可争辩" was used again to describe sovereignty, but this time used individually. The term "indisputable sovereignty" was again used in the documents from 1980, 1988, 2000, and 2012.

Consequently, the examination of the term “无可争辩” leads to a better understanding of the PRC’s position. “无可” signifies “nothing can be” in an impossible type of respect, and “争辩” denotes to argue, put together it literally means, “nothing can be contended and debated”. Basically this could imply two notions: 1) that the PRC believes based on all factual evidence it is impossible to conclude that the islands are not under the sovereignty of the PRC, and 2) that the PRC does not want anyone to retort to its position on the sovereignty of the islands. Both of these notions are in fact positions that the PRC has maintained historically, making the selection of the term, “无可争辩”/ “indisputable” one of the most appropriate words to select.

These matters also expose the PRC’s reverence for the concept of the word, “sovereignty”, by making it a predominant issue in the dispute. It gives an insight to not only how the dispute should be settled, but also how the PRC government chooses to express its governmental policy in the international arena. Choosing to utilize the term sovereignty implies that the PRC believes that the matter strongly involves governments and especially itself (the government of the PRC). Although it might seem trivial, it implies that the dispute is mainly a question of jurisdiction rather than a territorial issue. For instance, the PRC standpoint is closer to that of the PRC is the rightful government to exercise its powers on the territory, rather than the territory rightfully belongs to the PRC. The use of the word sovereignty makes the issue more legal oriented and signifies that although certain territories may not be under the PRC’s control, it does have the legal right to govern them. By making “sovereignty” at the forefront of the issue, it exposes the prerequisite to make the PRC government a role-player in the dispute.

Nevertheless, the PRC subsequent claims from then on have evolved to use the term “indisputable” to describe sovereignty practically and customarily. Even in 2012, this diction that is selected apparently remains the same. The PRC selected and continues to select to use

“indisputable sovereignty” as the term to describe its ownership of the islands. The rationale behind this or how it originated seems in order to deter other countries to release their own statements or documents towards the islands and it is vital to recognize that it is become indoctrinated in all of the PRC’s claims.

B) Resolving the Dispute, and the Theme of Peace

The motives of peace and cooperation have also developed into the PRC’s arguments since the 1980’s. Before 1988, no document had ever applied the notion of peace as one of their objectives. Beginning with 1988, the PRC started to emphasize its role as a peaceful nation and simultaneously also started to indicate the necessity of resolving the dispute peacefully. This unprecedented modification in the PRC’s claims is an apparent addition that was adopted in subsequent claims.

In documents prior to 1988, the Government of the PRC had first indicated how they believed the dispute should be resolved in 1958. In their 1958 Territorial Sea Declaration, which states that “Taiwan, Penghu and such other areas are yet to be recovered, and the Government of the People's Republic of China has the right to recover these areas by all suitable means at a suitable time. This is China's internal affair, in which no foreign interference is tolerated.” This statement is mainly in reference to the Taiwan issue, but “澎湖等” (literally meaning “Penghu, etc.”) and the prior context in the document infers that it applies to the disputed South China Sea Islands. This statement is rather aggressive yet ambiguous, most notably two phrases “有权采取一切适当的方法在适当的时候，收复这些地区” and “不容外国干涉”. The PRC did not issue another declaration pertaining to how to resolve the dispute for a substantial amount time until 1974.

In 1974 the PRC brought up its position as a “socialist country” that does not “invade other people’s territory”. However, it proclaimed that it has the right to take any measure necessary to what it considers “self-defense”. Although this was not as hostile as the previous 1958 statement, it does have some implications, including that it might be willing use “force” to “defend” the islands if necessary. Like the previous document, this is not definitive on how the PRC believes the dispute should be resolved, but it does offer a glimpse at a possible scenario that could unfold in the region.

In 1988, the PRC finally issued a statement indicating how it believed dispute should be settled. The tone in this statement was vastly different to the previous 1958 and 1974 documents, as it prioritizes a “peaceful method” to manage the dispute. Although these phrases are also ambiguous, they are definitely not as hostile as the ones before. This document was much more amicable and friendly in tone and presents the PRC as a country that is much more willing to cooperate and not antagonistic at all. The document also calls for the dispute to “be temporarily put aside and be resolved through consultation in the future.” This establishes the PRC as a nation that is not willing to be confrontational yet not willing to capitulate its position on the matter.

However, in later documents, the sponsorship of “putting aside” the dispute was dropped by the PRC, yet it still strongly exposed its affinity for “peace” and “cooperation”. This can be seen in the collected documents in 2000 and 2012, as well as The PRC’s friendship and cooperation treaties and efforts to cooperate with other countries in 1996. and the 2002 signing of the DOC. Despite the addition of the theme “peace” to the PRC’s claims, its main position, that the islands are steadfastly under its sovereignty, is still evident in all the mentioned claims.

Documents before 1988, did not mention that the PRC believed the issue should be resolved through peaceful means. The PRC adopted this change in subsequent documents making “peace” a predominant theme in its claims. The reason behind this is unstated, but perhaps there are some observable rationale that can be deduced. First, since the Johnson South Reef skirmish occurred only two months before this document, maybe the PRC wanted to clarify its image as a peaceful nation. Secondly, compared to most of the other documents, this document is when the Paramount Leader of China had been Deng Xiaoping for quite some time. This contrasts with the previous collected documents (except the 1980, in which China was in a transnational phase of leadership between Hua Guofeng and Deng after Mao’s death in 1976), when Mao Zedong was still the de facto leader of the PRC. This could explain the willingness to change to a more peaceful friendly tone.

From 1988 onwards, the PRC attempted to clarify and reiterate its stance as a peaceful nation when addressing the dispute. From this point forward the PRC was never again involved in any violent skirmish or clash in the region. This possibly signified a noticeable transition in how the conflict would be settled. Although there have continued to be various quarrels since then, and the parties involved maintain their disagreements, there have been more instances of cooperation, and diplomacy regarding the dispute has increased between the parties. The PRC’s adoption of peace in its rhetoric possibly lead to a less confrontational atmosphere between the governments in the dispute and also was the first step in allowing the DOC to be drafted. There appears to be a correlation between the “adoption” of peace and the decrease in death and violence (Although the only two major skirmishes have been between the PRC and Vietnam at the Xisha islands and Chigua reef). Although this might not be a direct causation, it is evident that the PRC appears committed to its asserted message of peace.

It is also observable that with this stance of “Peace”, the PRC government is quick to label any action that distress it as “against peace”. Most recently evident in their counter argument towards the United States in 2012, with the PRC calling it “not conducive to efforts by the parties concerned to uphold peace and stability in the South China Sea.” Now by declaring actions that the PRC view as reprehensible as “against peace” it reiterates the PRC adherence to peace while it simultaneously patronizes any force that is disconcerting to the PRC.

C) Response to foreign involvement

As with most nation-states, naturally the PRC does not want other nations to get involved with what it considers its domestic matters. This also applies to this dispute as well, where the PRC has been encouraging other external countries not to get involved in the matter.

The first statement that concerns any foreign involvement came in the 1956 statement when the PRC declared, “China will absolutely not permit any country to use any excuse or resort to any means to infringe on China’s legal sovereignty over the Nansha Islands.” Although the statement was addressing the Philippines, this proclamation emphasizes to other countries that the PRC does not want any other foreign intrusion on this issue. Later the 1958 declaration, as previously observed emphasized, “This is China's internal affair, in which no foreign interference is tolerated.” As previously discussed, this was mainly concerning the U.S involvement in the Taiwan issue but the prior context of the document suggests that this stipulation applies the South China Sea Islands as well.

In more recent years the PRC has developed the attitude that they are willing to negotiate only with the main parties concerned, but are very unlikely to change their position. This is specified in 2000’s, “Basic Stance and Policy of the Chinese Government in Solving the South China Sea Issue”, in which the PRC accentuated that the dispute is a “question between China

and the relevant countries” and also emphasized that, “Involvement by any external force is undesirable and will only further complicate the situation”(see appendix C.16). These stances were later adopted in Article 4 in the 2002 “Declaration on the Conduct of Parties in the South China Sea” which basically states that “The Parties concerned” shall resolve the dispute through “peaceful means” with “friendly consultations and negotiations by sovereign states directly concerned” (ASEAN, 2002). However, the PRC during this time period is still adamant on its position and emphasizes this to the international community in “Jurisprudential Evidence To Support China's Sovereignty over the Nansha Islands” through the statement, “No country in the world has the right to change China's legal status as the owner of the Nansha Islands in any way.” This illuminates that the PRC is unyielding towards the claims towards the islands, and makes an absolute statement in regards to their sentiment towards nations in the international arena. Author David Scott labels outside powers also involved in these waters as primarily, “the U.S. and, secondarily, India, Japan, and Australia” (Scott, 2012). Scott also proclaims that distrust of outside involvement, especially in the case of the United States, is evident (Scott, 2012).

The PRC has maintained this stance, as evident in the recent 2012 statement, rebuking the U.S for commenting on the matter. They specifically highlighted the theme of the dispute being between the “parties concerned” and even explicitly stated Article 4 of the aforementioned declaration. They criticize the U.S and finalize their argument by stating that the U.S. action, “is not conducive to unity and cooperation among countries in the region or to peace and stability in this part of the world.”

As evident, the PRC is more willing to cooperate and negotiate with the disputing countries on the matter as time has progressed. However they remain astute to only allow countries not concerned to enter the dispute (especially the U.S). Before (as in 1956, 1958), they

were much more adamant on their position, and did not appear willing to talk with other states. But since 2000, it has become apparent that they are willing to discuss (not necessarily yield or withdraw their position) the issue with “parties concerned”. Yet, the PRC still considers the involvement or meddling by any “external force” as undesirable and reprehensible.

D) “Adjacent territorial waters”

In the earliest documents, the PRC claimed solely the disputed islands themselves before mentioning anything concerning “territorial waters” of the islands. Eventually in later claims, it is evident that the PRC began to emphasize the fact that the disputed islands “adjacent territorial waters”/ “附近海域” were also a part of their territory as well.

This first declaration to mention territorial waters was in the 1958 document that was basically the PRC’s version of the Geneva Convention on the Law of the Sea, which also like the similar convention claimed 12 nautical miles of territorial sea. The PRC was astute to declare that these stipulations applied to the islands as well. Although these provisions were initially intended to pertain to the whole of mainland China and Taiwan, they incidentally brought up the islands, making it the first document to claim the “territorial waters” of the islands.

In later claims the PRC would be more forthright when discussing the topic of territorial waters, by mentioning it directly. This is evident in 1974 when the PRC stated, “The resources in the territorial water in the vicinity of these islands are also China’s possessions,” in reference to the Xisha, Nansha, Dongsha, and Zhongsha Islands groups. This is the first time a claim to the territorial waters and resources was attached to the territorial claim of the islands themselves. Given that there had already been a prediction of vast petroleum resources in the South China Sea since 1969 (Dzurek, 1996), this statement uses the term “resources”/ “资源” to refer to gas and oil and so on.

The mentioning of territorial waters was brought up again in a later document from 1974 on February 4th, where the PRC first verbalized the term, “adjacent territorial waters”/ “附近海域” and emphasized that they were apart of China’s territory. This enunciation was adopted in many later documents issued by the PRC.

The notion of “territorial waters” was not mentioned for the 1980 and 1988, but the PRC made another Declaration on its Territorial Sea in 1992, which was in reference to the newest UNCLOS that was to come into force by 1994 (United Nations Convention on the Law of the Sea of 10 December 1982, Agreement). This new UNCLOS document also included the concept of an exclusive economic zone which entitled a state, “sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the waters superjacent to the seabed and of the seabed and its subsoil”(UNCLOS, Part V, 1982). With this as a precedent, The PRC’s 1992 Declaration reiterated that the disputed islands were the PRC’s territory in Article 2 and in Article 5 effectively allows the PRC rights to resources by specifying “the People's Republic of China exercises sovereignty over its territorial sea and the airspace over the territorial sea, as well as its seabed and subsoil.” The combination of UNCLOS and the 1992 declaration allowed later documents not to mention resources and simply state “adjacent territorial waters”/“附近海域”, which is evident in both the 2000 and 2012 documents. By claiming, the “adjacent territorial waters” of the islands, the PRC is also invalidating any other country’s EEZ that would fall near the islands, strengthening its claim.

E) The Rhetoric of History

The phrases used to describe “since when” the islands are considered to have been a part of “China’s territory” have fluctuated in the documents. Although this observation might not be viewed as momentous, it still is ensuing the purpose of the project.

The first official statement in 1951 Zhou Enlai’s selects, “向为”/“always” to denote “since when” China has possessed the islands. In 1956, a similar term “向来” was selected to denote the time since when. In 1974, a term that had the same denotation but is literally different “历来”/“always” (throughout history) was selected. And finally in the documents of 1980, 1988, and 2000, the phrase “自古以来”/“since ancient times” was the preferred terminology to use when defining “since when” the islands had belonged to China or been a part of its territory. However, now in newer documents the “since when” aspect of the claim is not mentioned as predominately as it used to be.

In fact, now it is usually not mentioned and there have also been cases when a PRC spokesperson used a previous term (e.g. always). It does not seem as though the PRC chooses to maintain an indoctrinated phrase to describe “since when” the islands have belonged to the PRC as they used to and continued to with this phrase for “indisputable sovereignty”. In recent times the PRC is likely to not mention a “since when” aspect or if so, not use a premeditated phrase. The reason behind the fluctuation in respect of this aspect is unknown.

More significant is although “自古以来” rationale is not as apparent as in the PRC’s South China Sea Islands claims, in the Diaoyu Island dispute (although unrelated), the PRC continues to relentlessly use the “since ancient times” rationale in almost all of its press statements (Evident if once is to search “自古以来” on fmprc.gov.cn) The paradox of why the PRC has stopped the predominance of the “since ancient times” rationale in the South China Sea dispute yet retains in it in the Diaoyu island dispute is ambiguous.

In 1980, the PRC government was a lot more historically oriented than they have ever been, for the first time bringing up in a public document the rationale that the islands were a part of China ever since the Han dynasty in the 2nd century B.C.. This is probably in response to the Vietnamese White Book's earliest historical basis being the 17th Century, so the PRC wanted to surpass and contend this basis. This rationale was highlighted and referenced in both the 1988 and 2000 documents. The 1980 document seems to be the first document that the PRC released that deals with the basis of the "historical aspect" of China's ownership of the islands.

Areas for Future Research:

Specific:

Below are areas for future research that are specific to the PRC and the dispute that this project encountered while researching. They are not related to the purpose of this project so were not examined further.

1960's:

It is observable that during the 1960's, no new statements or documents were released regarding the disputed territories besides warnings to US for flying over the airspace of Chinese territories during the Vietnam War. According to Lo, the PRC issued over 200 warnings to the United States between 1959 and 1971 for entering the airspace and adjacent waters of the Xisha Islands (Lo, 1989). This circumstance suggests that although the PRC did not want to aggressively impose its position on the dispute, it still was willing to defend intrusions on its claimed territory.

The PRC might not have been as assertive on releasing claims and statements on the islands during this period because they might have been a lot more domestically oriented. This era was simultaneous with the implementation of the Great Leap Forward and the Cultural

Revolution, both of which focused on interior matters. Also there might not have been much of a need to make statements, since a principal rival, Vietnam was domestically oriented as well, as it was engaged in a brutal war. This is further complicated to the fact that Vietnam was partitioned into two states during the war (the Democratic Republic of Vietnam and the Republic of Vietnam, North and South). The PRC was supportive of communist North Vietnam during the war, and both parties were possibly less likely to bring up any disagreements in this time period.

Change from Nanwei (1951):

Another evident alteration of the PRC's claims is the fact that in Zhou's 1951 statement, the Nansha islands were overlooked as the statement chose to emphasize Nanwei Island. The Nansha Islands are included in the claims but are obviously not as predominant as Nanwei Island. Although the draft refers to the islands in English as the "Paracel and Spratly" Islands, Zhou claims that the draft states, "Xisha Islands and Nanwei Island," with the former being a correct translation, but the latter being a different island.

The next document released in 1956 clarifies this issue by through stating, "The South China Sea's aforementioned Taiping and Nanwei Islands as well as the other small islands in their vicinity are collectively called the Nansha Islands." This document also makes the effort to make the Nansha Islands a more major part of its claims and effectively defines and labels it the name of the archipelago. In future documents the archipelago was simply labeled as the Nansha Islands, since the previously mentioned islands are technically in its dominion.

First official document in 1951:

The motivation behind Zhou Enlai's 1951 statement to becoming the first "official" statement in regards to the islands that was released by the PRC can be further researched. Through all the documents that were collected, it is the first chronologically to address any of the

disputed islands examined in this project. The 1951 document is recognized in subsequent documents (in 1956, 1959, and 1974) as the earliest document and is also mentioned in the 1980 document (but not described as the earliest).

However Lo states that the “first public sign” of the PRC’s claim to the Nansha islands came in May of 1950, when PRC officials responded to a Philippine President Quirino statement labelling the Nansha Islands a national security interest. In response “competent quarters” in Beijing had denounced the Philippine’s statement as “preposterous propaganda” and the PRC “would never allow the Nansha Islands or any other land which belongs to China to be encroached upon by any foreign power” (Lo, 1989). According to Lo, this was not considered an official statement but “news item” on a “proportionate response” by the PRC.

Also the December 1950 statement that the PRC released on the Japanese Peace treaty is equivalent in terms of content the 1951 document except for it does not mention the South China Sea Islands. The 1950 document, like the 1951 document, also criticized the American decision not to invite the PRC to the conferences as well as mention the issues of Taiwan and Penghu Islands and the Kuril Islands, but fails to mention anything about “Nansha, Xisha, Dongsha, and Zhongsha Islands.” It is evident that this matter was not included in an official statement in May or December 1950 but only until 10 months later in August 1951. The rationale behind this decision would be an interesting topic to research

It is interesting to observe the August 1951 statement by Zhou Enlai as being the first official statement released by the PRC. It gives a preliminary starting point that the other successive documents can be compared to and establishes its status as the first official claim.

General Themes:

Along with the aforementioned, there are more general topics that could be researched. Primarily, it could be rewarding to conduct similar analysis on the history of other countries claims involved (Vietnam, Philippines, Malaysia, etc...) and analyze if and how their claims have differed. In Vietnam's case, research could be beneficial since there had been two Vietnams and political situation of the country has varied throughout time. Also these types of studies would allow for a better understanding of the complete dialogue and relationship of the disputing countries.

Also contemporary social commentary could be analyzed to determine what the general impression of the PRC's population is when examining the dispute. This will allow scholars to better understand the implications of the dispute in terms of the socio-political hemisphere and how it relates to Chinese society.

Another area of research that this project recommends is to historically analyze the Republic of China's claims and position in regards to these islands and compare the differences between the ROCs' and the PRCs' positions. This type of study could be beneficial in examining the complex relationship between the two governments and how this issue plays in to it.

Finally studies like these could be used in the PRC's other territorial disputes (such as Diaoyu) to see how the claims have changed in those disputes and how they differ between each other. This will allow for a better understanding of the general foreign policy of The PRC in territorial disputes

Limitations:

Although the research has reached its goals, there are some inevitable limitations to this project. First of all, the analysis is based on the documents that have been collected. There are some improbable issues that might be brought up with this research. Although unlikely, there might have been other documents that this research is unaware of that could contradict its findings. Also, some documents might not be accessible anymore, and therefore were not known to the project.

The project is only observed through the lenses of the two questions: 1) What is the PRC's stance and rationale? And 2) How does the PRC believe the dispute should be resolved? Furthermore the project mainly focuses on the issue of how the PRC frames and discusses its sovereignty. This limits the analysis of the documents to a more specific capacity, thus it leaves out some areas of the claims that could be possibly researched.

In addition, the research is based on released, public documents, since the project certainly did not have access to internal or classified documents of the PRC government. Although obvious, these documents and in general, the dialogue of the internal government of the PRC would be more ideal to analyze their exact intentions and sentiment, as well as decipher an accurate change in their position. Undoubtedly, obtaining classified documents from the PRC government was beyond the scope of this study.

Finally the research is solely based on statements and written documents rather than actions taken by the PRC and social commentary, so consequently, the findings will be based on solely written policy. In the past few years, the dispute has gotten slightly more contested between nations despite the PRC's continued amicable tone. Many nations have begun to seek

contracts with gas companies, a circumstance which has allowed the situation to still be contended more surreptitiously.

Conclusion:

This research concludes that in regards to all documents mentioning the disputed South China Sea Islands, the PRC has resolutely maintained that they are a part of its territory and under its sovereignty. However there have been some alterations and a noticed evolution in the specific preferred terminology used in stating its stances. Evidently the PRC's claims evolved into steadfastly including the preferred terminology of "indisputable sovereignty" in almost all of its statements. Also the PRC began to adopt the message of "peace" in its claims starting in 1988. These are the findings that are probably the most significant when examining the relationship between the countries claiming the islands and the PRC.

It is recognizable that the PRC has an affinity toward the term "sovereignty", since it was observable in each of the documents. By using the term, "sovereignty" the PRC emanates its government's right to the islands as well as the governments influence in the matter. Over time, the term "indisputable" has become the selective term used to describe the sovereignty, and for almost 40 years, the PRC has frequently proclaimed the phrase "indisputable sovereignty" over the islands.

In addition, ever since the PRC started proclaiming "peace" in dispute, there has not been any military fatalities in the region. This signifies that the PRC has been faithful to its commitment to peace since 1988, and although there have been times that the dispute has gotten more heated, there has yet to be any skirmish or violence in the region. For the past 25 years the PRC has seemed to have developed a less hostile position for handling the dispute. When forecasting the future of the dispute, this is an important notion to take into consideration. A

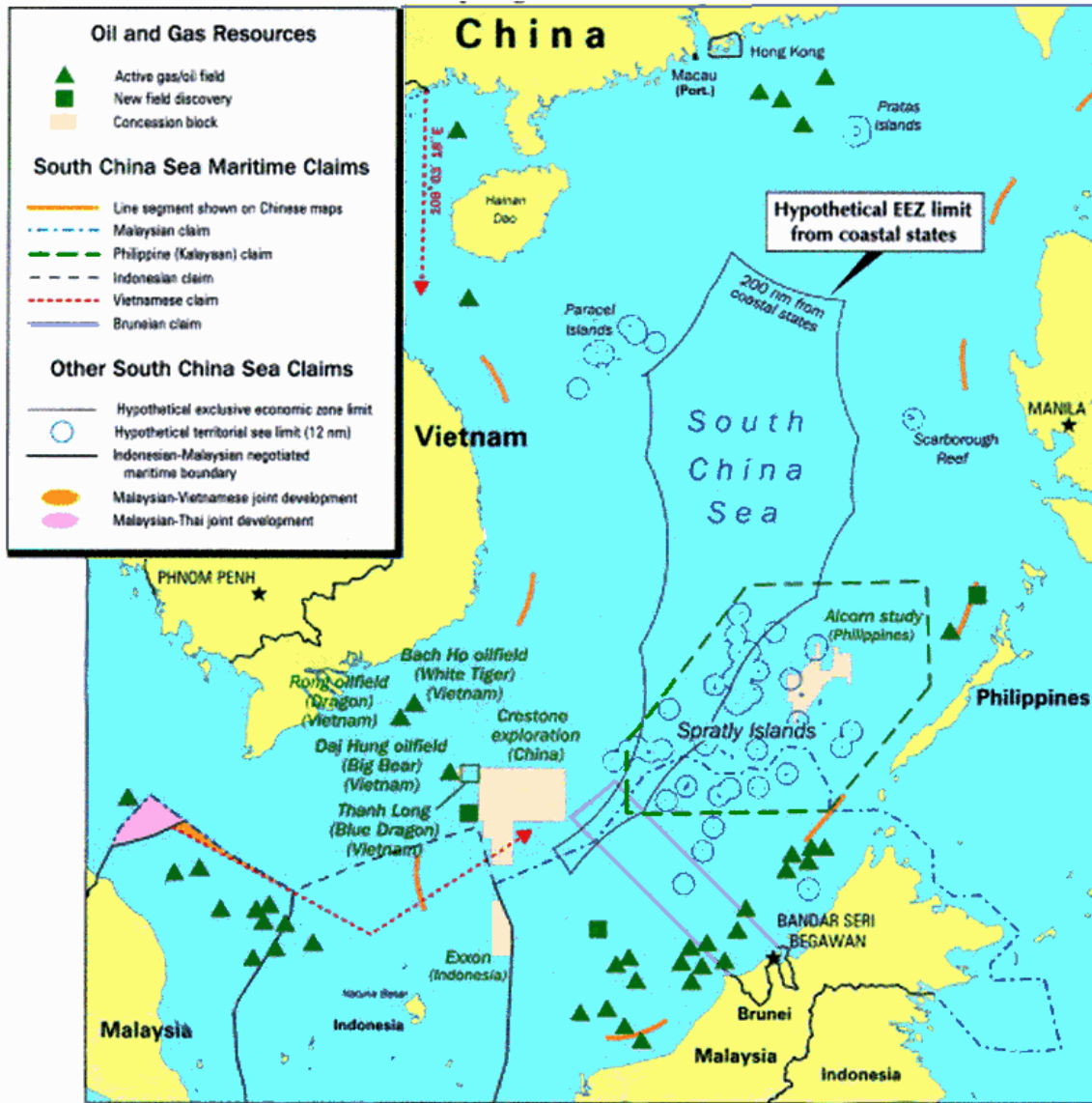
questions which arises is that if peace continues to be mentioned and propagated by the PRC, will that continue to be a good guarantee? Taking the past 25 years into consideration, it seems probable yet it is impossible to determine with certainty the actions of any state, especially as the PRC's naval ambitions continue to grow.

The PRC has also been current with international maritime laws and the importance of territorial sea. Its statements have evolved to include "adjacent territorial waters" of the islands into their claims as well. The issue of territorial waters and oceanic resources is especially pertinent in this dispute. These issues will eventually question the legitimacy and utility of UNCLOS, and whether international governance in general can be applied to disputes like these.

In terms of a prediction, the PRC seems very unlikely to concede any of its claims yet also does not want to be seen as an aggressor nation. It will be interesting to observe if there can be any event that will shift the stalemate until a certain resolution is reached. The research on the PRC's and any other nations' claims and statements regarding the islands will continue to be significant. When discussing the dispute, the PRC seems to have developed certain indoctrinated phrases, which have been included in all of their claims for quite some time. A non-provoked change in the PRC's claims now would be surprising, especially in regards to the matter of sovereignty and their position on peace. Right now, if a PRC official is asked how this dispute should be settled, the response is almost guaranteed to be that the matter should be resolved through peaceful means. However, his response will still be adamant that, "中国对南海诸岛及其附近海域拥有无可争辩的主权"/ "China has indisputable sovereignty over the South China Sea Islands and their adjacent waters", a phrase that has evolved into its South China Sea doctrine.

Appendix A: Map:

Competing Claims in the South China Sea



Source:

From: <http://www.globalsecurity.org/military/world/war/spratly-conflict.htm>

Appendix B: Names of Territories:

International (English)	Simplified Chinese Characters	Chinese Pinyin Transliteration	Notes.
Paracel Islands	西沙群岛	Xisha Qundao	
Spratly Islands	南沙群岛	Nansha Qundao	
Macclesfield Bank	中沙群岛	Zhongsha Qundao	
Scarborough Shoal	黄岩岛	Huangyan Dao	
Pratas Islands	东沙群岛	Dongsha Qundao	
Itu Aba Island	太平岛	Taiping Dao	In Spratly Islands
Spratly Island	南威岛	Nanwei Dao	In Spratly Islands
Mischief Reef	美济礁	Meiji Jiao	In Spratly Islands
South Johnson	赤瓜礁	Chigua Jiao	In Spratly Islands

Appendix C: Selected Claims and English Translations:

C.1 1950:

From 南海问题文献汇编

Also accessible from:

http://www.chinataiwan.org/wxzl/zhyyl/zhel/200212/t20021223_91331.htm

周恩来关于对日和约问题的声明 (December 4th 1950)

因此对日和约的准备、拟制与签订，我中华人民共和国必须参加，乃属当然之事。兹特郑重声明，中华人民共和国中央人民政府是代表中国人民的唯一合法政府，它必须参加对日和约的准备、拟制与签订。(From Part 1)

关于台湾和澎湖群岛，业已依照开罗宣言决定归还中国，关于库页岛南部与千岛群岛，业已依照雅尔塔协定决定交还及交予苏联。这些业已决定了的领土问题，完全没有重新讨论的理由。美国政府要求对于这些领土问题重新予以决定，是完全破坏了已经成立的国际协议，故意侵犯中华人民共和国和苏联的合法权益，企图从中达到侵略的目的 (From Part 4)

Translated by me, edited and revised by Professor Yin

Zhou Enlai's Statement on the Japanese Peace Treaty Issue

Therefore, it is a matter of certainty that the People's Republic of China must participate in the preparation, drafting and signing of the Japanese Peace treaty. Hereby this especially solemn statement, The PRC's Government Administration Council of the Central People's Government (The Central People's Government of the PRC) is the only legitimate government representing

the Chinese people. It must participate in the preparation, drafting and signing of the Japanese peace treaty

On the issue of Taiwan and the Penghu Islands, it has already been determined in the Cairo Declaration to be returned to China, and it has already been determined that the southern part of the Kuril Islands be returned to the Soviet Union according to the Yalta Agreement. These territorial disputes have already been decided, and there is totally no reason to discuss the justifications again. The American Government's request to remake a decision on the issue of these disputed territories is a total destruction of the already established international agreements, and it is an encroachment on the PRC's and the Soviet Union's legal rights with an attempt to realize its purpose of invasion.

C.2 1951:

周恩来 外长 关于 美英 对日 和约 草案 及 旧金山 会议 的 声明 (August 15th 1951)

From 南海问题文献汇编

Also accessible from:

http://news.xinhuanet.com/ziliao/2004-12/15/content_2337746.htm

草案另一方面却破坏了开罗宣言、雅尔塔协定和波茨坦公告中的协议，只规定日本放弃对于台湾和澎湖列岛及对于千岛群岛和库页岛南部及其附近一切岛屿的一切权利，而关于将台湾和澎湖列岛归还给中华人民共和国及将千岛群岛和库页岛南部及其附近一切岛屿交予和交还给苏联的协议却一字不提。后者的目的是企图造成对苏联的紧张关系以掩盖美国的扩张占领。前者的目的是为使美国政府侵占中国的领土台湾得以长期化，但中国人民却绝对不能容许这种侵占，并在任何时候都不放弃解放台湾和澎湖列岛的神圣责任的。同时，草案又故意规定日本放弃对南威岛和西沙群岛的一切权利而亦不提归还主权问题。实际上，西沙群岛和南威岛正如整个南沙群岛及中沙群岛、东沙群岛一样，向为中国领土，在日本帝国主义发动侵略战争时虽曾一度沦陷，但日本投降后已为当时中国政府全部接收。中华人民共和国中央人民政府于此声明：中华人民共和国在南威岛和西沙群岛之不可侵犯的主权，不论美英对日和约草案有无规定及如何规定，均不受任何影响。(From Part 2)

Translated by me, edited and revised by Professor Yin

Foreign Minister Zhou Enlai's Statement on the American-British Draft of the Peace Treaty with Japan and the San Francisco Conference.

On the other hand, the draft has violated the agreement in the Cairo Declaration, the Yalta Agreement, and the Potsdam Agreement. It only stipulates that Japan renounce all its claims to Taiwan and the Penghu Islands as well as the Kuril Islands the Southern Sakhalin Islands and all islands in the vicinity, but it does not mention a single word on the agreement about returning

Taiwan and the Penghu Islands to the People's Republic of China, and returning the Kuril Islands the Southern Sakhalin Islands and all islands in the vicinity to the Soviet Union. The purpose of the latter is an attempt to create tension with the Soviet Union in order to conceal American expansionism. The purpose of the former is to enable the U.S. government to occupy China's territory of Taiwan for a long time. However, the Chinese people absolutely cannot tolerate this type of occupation, and at any time will not renounce the sacred responsibility of liberating Taiwan and the Penghu Islands. The draft, at the same time, also intentionally stipulates that Japan renounce all claims to Nanwei Island and the Xisha Islands, but does not mention the problem of reverting their sovereignty. In fact, the Xisha Islands and Nanwei Island, just like the entire Nansha, Zhongsha, Dongsha Islands, have always been China's territory. Although at one point they were occupied by imperialist Japan when it started an invasive war, after Japan surrendered, the Chinese government at that time expropriated them all. The Central People's Government of the PRC hereby declares: The PRC has inviolable sovereignty over Nanwei Island and Xisha islands, and it is subject to no influence no matter whether or not the American-British Draft of the Peace Treaty with Japan has any provisions or how any provision is specified.

C.3 1956:

中华人民共和国外交部发言人关于南沙群岛主权问题的声明 (May 29th 1956)

Also

From: <http://www.hnszw.org.cn/data/news/2010/02/46045/>

根据最近某些外国通讯社的报道，菲律宾外交部长加西亚在一次记者招待会上曾说，南中国海上包括太平岛和南威岛在内的一群岛屿，“理应”属于菲律宾，理由是它们距离菲律宾最近。外国通讯社并且透露菲律宾政府正在同台湾的蒋介石集团进行接触，企图“解决”南沙群岛的所谓主权问题。对此，中华人民共和国政府认为有必要发表如下声明：

南中国海上的上述太平岛和南威岛，以及它们附近的一些小岛，统称南沙群岛。这些岛屿向来是中国领土的一部分。中华人民共和国对这些岛屿具有无可争辩的合法主权。早在一九五一年八月十五日，中华人民共和国外交部长周恩来在“关于美英对日和约草案及旧金山会议的声明”中，就已经严正地指出：“西沙群岛和南威岛正如整个南沙群岛及中沙群岛、东沙群岛一样，向为中国领土，在日本帝国主义发动侵略战争时虽曾一度沦陷，但日本投降后已为当时中国政府全部接收。”菲律宾政府为了企图侵占中国的领土南沙群岛而提出借口，是根本站不住的。

中华人民共和国政府着重声明，中国对于南沙群岛的合法主权，绝不允许任何国家以任何借口和采取任何方式加以侵犯。

Translated by me, edited and revised by Professor Yin (earlier Translations as well)

The PRC's Ministry of Foreign Affairs Spokesman's statement on the issue of sovereignty over the Nansha Islands

According to some recent foreign news agency reports, The Philippines Secretary of Foreign Affairs, Garcia had stated at a press conference that the island archipelago containing Taiping and Nanwei islands in the South China Sea “should” belong to the Philippines on the justification that they are closest to the Philippines. Foreign news agencies also disclosed that the Philippine government is in the process of contacting Chiang Kai-shek's bloc in Taiwan to attempt “to settle” the so-called issue of sovereignty of the Nansha Islands. Hereby, the PRC government believes it is necessary to issue the following statement:

The South China Sea's aforementioned Taiping and Nanwei Islands as well as the other small islands in their vicinity are collectively called the Nansha Islands. These islands have always been a part of China's territory. The PRC has indisputable legal sovereignty over these islands. As early as August 15th, 1951, the PRC's foreign minister, Zhou Enlai, in his “Statement on the American-British Draft of the Japanese Peace Treaty and the San Francisco Conference” solemnly stated that “the Xisha islands and Nanwei Island, just like the entire Nansha, Zhongsha, Dongsha Islands, have always been China's territory. Although at one point, they were occupied by imperialist Japan when it started an invasive war, but after Japan surrendered, the Chinese government expropriated them all.” The Philippines Government's excuse to attempt to invade China's territory in the Nansha Islands is fundamentally groundless.

The PRC government emphatically states, China will absolutely not permit any country to use any excuse or resort to any means to infringe on China's legal sovereignty over the Nansha Islands.

C.4 1958:

中华人民共和国政府关于领海的声明。(Dated September 4th 1958)

From 南海问题文献汇编

Also accessible from:

http://news.xinhuanet.com/ziliao/2003-01/24/content_705061.htm

中华人民共和国政府宣布

(一) 中华人民共和国的领海宽度为 12 海里。这项规定适用于中华人民共和国的一切领土，包括中国大陆及其沿海岛屿，和同大陆及其沿海岛屿隔有公海的台湾及其周围各岛、澎湖列岛、东沙群岛、西沙群岛、中沙群岛、南沙群岛以及其他属于中国的岛屿。

(二) 中国大陆及其沿海岛屿的领海以连接大陆岸上和沿海岸外缘岛屿上各基点之间的各直线为基线，从基线向外延伸 12 海里的水域是中国的领海。在基线以内的水域，包括渤海湾、琼州海峡在内、都是中国的内海、在基线以内的岛屿，包括东引岛、高登岛、

马祖列岛、白犬列岛、乌岳岛、大小金门岛、大担岛、二担岛、东碇岛在内，都是中国的内海。

(三) 一切外国飞机和军用船舶，未经中华人民共和国政府的许可，不得进入中国的领海和领海上空。

任何外国船舶在中国领海航行，必须遵守中华人民共和国政府的有关法令。

(四) 以上(一)(二)两项规定的原则同样适用于台湾及其周围各岛、澎湖列岛、东沙群岛、西沙群岛、南沙群岛以及其他属于中国的岛屿。

台湾和澎湖地区现在仍然被美国武力侵占，这是侵犯中华人民共和国领土完整的和主权的非法行为。台湾和澎湖等地尚待收复，中华人民共和国政府有权采取一切适当的方法在适当的时候，收复这些地区，这是中国的内政，不容外国干涉。

Translated by Peking Review and used by US State Department (pretty interesting really, they also provided some commentary and strategic maps) in a journal called "Limits in the Seas: Straight Baselines: Peoples Republic of China" In July of 1972

From:

<http://www.state.gov/documents/organization/58832.pdf> (page 2 is where the translations are)

(Uses Wage-Giles)

Declaration on China's Territorial Sea

The Government of the People's Republic of China declares:

- 1) The breadth of the territorial sea of the People's Republic of China shall be twelve nautical miles. This provision applies to all territories of the People's Republic of China, including the Chinese mainland and its coastal islands, as well as Taiwan and its surrounding islands, the Penghu Islands and all other islands belonging to China which are separated from the mainland and its coastal islands by the high seas.
- 2) China's territorial sea along the mainland and its coastal islands takes as its baseline the line composed of the straight lines connecting basepoints on the mainland coast and on the outermost of the coastal islands; the water area extending twelve nautical miles outward from this baseline is China's territorial sea. The water area inside the baseline, including Pohai Bay and Chiungchow Straits, are Chinese inland waters. The islands inside the baseline, including Tungyin Island, Kaoteng Island, the Matsu Islands, the Paichuan Islands, Wuchiu Island, the Greater and Lesser Quemoy Islands, Tatan Island, Erhtan Island and Tungting Island, are islands of the Chinese inland waters.

3) No foreign vessels for military use and no foreign aircraft may enter China's territorial sea and the air space above it without the permission of the Government of the People's Republic of China.

4) The principles provided in paragraphs 2) and 3) likewise apply to Taiwan and its surrounding islands, the Penghu Islands, the Tungsha Islands, and Hsisha Islands, the Chungsha Islands, the Nansha Islands, and all other islands belonging to China. The Taiwan and Penghu areas are still occupied by the United States by armed force. This is unlawful encroachment on the territorial integrity and sovereignty of the People's Republic of China. Taiwan, Penghu and such other areas are yet to be recovered, and the Government of the People's Republic of China has the right to recover these areas by all suitable means at a suitable time. This is China's internal affair, in which no foreign interference is tolerated.

C.5 1959:

中华人民共和国外交部就南越当局侵犯我国领土主权劫走我国渔民一事发表声明
Dated (February 27th 1959)

From 南海问题文献汇编

Also accessible from: <http://www.hnszw.org.cn/data/news/2010/02/46045/> took just one paragraph.

西沙群岛是中国的领土。中华人民共和国政府在一九五一年八月十五日和一九五六年五月二十九日对此曾经作过庄严的声明。现在，南越海军竟公然侵犯我国领土主权，劫走我国渔民和渔船，这引起了中国人民的极大愤慨。

Translated by me, edited and revised by Professor Yin

The PRC's Ministry of Foreign Affairs' issued a statement on South Vietnamese Authorities violating our country's territorial sovereignty and robbing our country's fishermen.

The Xisha Islands is China's territory. The PRC government already made solemn statements about this on August 15th, 1951 and May 29th, 1956. Now the South Vietnamese Navy has gone as far as to have openly violated our country's territorial sovereignty, coerced our country's fishermen and fishing boats. This has caused great indignation of the Chinese people.

C.6 1959:

中华人民共和国外交部抗议南越当局侵犯我国领土主权、劫掠和虐待我国渔民的非法行为的再次声明

Dated (April 5th 1959)

From 南海问题文献汇编

Also accessible from: <http://www.hnszw.org.cn/data/news/2010/02/46045/>

关于南越海军非法侵入我国西沙群岛、劫走和劫掠我国渔民事，中华人民共和国外交部已于一九五九年二月二十七日发表声明。现据我国被南越劫走的渔民返回后报告，南越海军于今年二月二十二日侵入我国西沙群岛中的琛航岛，无理撕毁和侮辱我国国旗，将我国渔民劫往南越的监狱。我国渔民在被南越非法拘留期间，南越的特务人员对他们进行了非法“审讯”，施行了野蛮的虐待，包括使用武器威吓，停止供给饮食，在烈日下曝晒，强迫面对南越政权的旗帜“罚站”等等。南越特务人员还向我被劫渔民逼讯我西沙群岛的政治、军事情况，甚至公开煽动他们背叛祖国。此外，我国渔民在这次被南越海军劫掠中，经济上也受到巨大的损失。南越海军侵入琛航岛后，逐户洗劫，将我国渔民在渔船上的全部资财，掠夺一空。二月二十七日我发表声明后，南越当局理亏心虚，不得不释放我被劫渔民。但是，在释放我渔民的同时，南越海军不仅没有交还我被劫渔民的全部财物和赔偿我被劫渔民的损失，并且继续对我渔民施行侮辱，无耻地胁迫我国渔民在南越当局掩盖自己罪行的“文件”上签字。而且，自从这一事件发生后，南越当局侵犯我国领土主权，劫掠我国渔民的无耻勾当仍然继续发生。三月二十六日南越炮艇一只，在琛航岛对我渔民进行抢劫，并扬言要向岛上开炮，炸毁我渔民的房屋。对此，中华人民共和国外交部再次向南越当局提出严重抗议。

西沙群岛是中国的领土，我国渔民历来就在自己的领土西沙群岛各岛屿从事和平生产，这是中国人民的神圣权利，决不容许任何人加以侵犯。但是，南越海军竟非法侵犯我国的主权和领土完整，肆意侮辱我国的国旗和人民，这是对中国的严重挑衅。我们对此决不能容忍，南越当局必须对侮辱我国国旗和虐待我国渔民事进行道歉，必须交还我国渔民被劫掠的一切财物和负责赔偿我被劫渔民所受的全部损失，并且保证今后不再发生类似事件。

Boldface Translated by me, edited and revised by Professor Yin

The PRC's Ministry of Foreign Affairs' restatement protesting South Vietnamese Authorities illegal actions of violating our country's territorial sovereignty, looting and abusing our countries fishermen.

The Xisha Islands is China's territory; our country's fishermen throughout history have been peacefully working at our territory, each island of the Xisha Islands. This is the Chinese people's divine right, and they will not tolerate anyone to encroach. However, the South Vietnamese Navy went as far as having illegally violated our country's sovereignty and territorial integrity, deliberately insulted our national flag and people, which to China is a serious provocation. We simply cannot tolerate this. South Vietnamese Authorities must apologize for insulting our national flag and abusing our country's fishermen; return all the belongings that were looted

from our country's fishermen; take responsibility and compensate for all the losses suffered by our hijacked fishermen; and guarantee that from hereafter no similar incident will happen again.

C.7 1974:

From 南海问题文献汇编

Also accessible from: <http://www.hnszw.org.cn/data/news/2010/02/46045/>

1974:

中华人民共和国，外交部发言人声明 dated (January 11th 1974)

不久前，南越西贡当局，竟悍然宣布，将中国南沙群岛中的南威、太平等十多个岛屿，划归南越福绥省管辖。这是对我国领土主权的肆意侵犯。

南沙群岛正如西沙群岛、中沙群岛、东沙群岛一样，历来就是中国的领土。近年来，西贡当局对南沙群岛和西沙群岛的一些岛屿加紧侵占活动，多次叫嚣它对这些岛屿享有主权，甚至在岛上竖起所谓“主权碑”。西贡当局公然又把南威、太平等十多个岛屿划入自己的版图，这是企图永远霸占中国南沙群岛的一个新步骤。西贡当局的上述行动，不能不引起中国政府和中国人民的愤慨。

中华人民共和国政府重申，南沙群岛、西沙群岛、中沙群岛和东沙群岛，都是中国领土的一部分。中华人民共和国对这些岛屿具有无可争辩的主权。这些岛屿附近海域的资源也属于中国所有。西贡当局把南沙群岛的南威、太平等岛屿划入南越的决定是非法的、无效的。中国政府决不容许西贡当局对中国领土主权的任何侵犯。

Translated by me, edited and revised by Professor Yin

The PRC's Ministry of Foreign Affairs Spokesperson Statement:

Not long ago, South Vietnam Saigon Authorities went as far as outrageously declaring that China's Nansha Islands with Nanwei, Taiping and more than 10 other islands are incorporated under the jurisdiction of South Vietnam's Phuoc Tuy Province. This is a reckless violation of our country's territorial sovereignty.

The Nansha Islands, just like the Xisha Islands, the Zhongsha islands, and the Dongsha islands, have always been China's territory. In recent years, Saigon authorities have intensified invasion operations on some islands of the Nansha and Xisha Islands. Many times it clamored its sovereignty over these islands, and even raised so-called sovereignty monuments on these islands. The Saigon authorities have again publicly incorporated the Nanwei, Taiping and more than 10 other islands in to their own domain, which is a new step in the attempt of forever occupying China's Nansha Islands. Saigon Authorities' aforementioned actions can only but arouse indignation of the Chinese government and people.

The PRC government reaffirms that the Nansha Islands, the Xisha Islands, the Zhongsha Islands, and the Dongsha Islands are all apart of China's territory. The PRC has indisputable sovereignty over these islands. The resources in the territorial water in the vicinity of these islands are also China's possessions. The Saigon authorities' decision to incorporate the Nansha Islands' Nanwei, Taiping and other islands is illegal and void. The Chinese government simply cannot permit Saigon authorities to infringe on China's territorial sovereignty at all.

C.8 1974:

中华人民共和国外交部声明： Dated January 20th 1974

From 南海问题文献汇编

Also accessible from: <http://www.hnszw.org.cn/data/news/2010/02/46045/>

Paragraph 3:

众所周知，西沙群岛和南沙群岛、中沙群岛、东沙群岛历来就是中国的领土，这是无可置辩的事实，这是所有中国人都承认了的。尽管在第二次世界大战前，西沙群岛中的某些些岛屿曾一度被法国侵占过，其后又被日本所占据。但是第二次世界大战结束后，西沙群岛同其他南海诸岛一样，已为当时的中国政府正式接收，而且早在一九五一年八月十五日，中华人民共和国外交部长周恩来在“关于美英对日和约草案及旧金山会议的声明”中，就曾严正指出：“西沙群岛和南威岛正如整个南沙群岛及中沙群岛、东沙群岛一样，向为中国领土。”此后，中国政府曾多次重申这一立场。西贡当局任何企图侵占中国领土的借口，都是根本站不住脚的。

From Paragraph 4.

中国是一个社会主义国家。我们从来不去侵占别人的领土，也决不容许别人侵占我国的领土。为了维护我国的领土完整和主权，中国政府和中国人民有权采取一切必要的自卫行动。

Translated by me, edited and revised by Professor Yin

The PRC's Ministry of Foreign Affairs statement.

As everyone knows, throughout history, the Xisha Islands, the Nansha Islands, the Zhongsha Islands, and the Dongsha Islands have been China's territory, which is an indisputable fact that all Chinese people acknowledge. Although before the Second World War, some of the Xisha Islands had been occupied at one time by France and later were occupied by Japan, after the Second World War was over, the Chinese Government at that time already formally expropriated the Xisha Islands together with the other South China Sea islands. In addition, as early as August 15th, 1951, The PRC's foreign minister, Zhou Enlai, in his "Statement on the American-British Draft of the Peace Treaty with Japan and the San Francisco Conference" solemnly stated that "the Xisha Islands and Nanwei Island, just like the entire Nansha, Zhongsha, Dongsha Islands, have always been China's territory." After this, the Chinese government has affirmed this standpoint multiple times. Any excuse by the Saigon authorities to attempt to invade China's territory is absolutely groundless.

China is a socialist country. We never invade other people's territory, and also do not tolerate other people invading our territory. In order to defend our country's territorial integrity and sovereignty, the Chinese Government and people have the right to carry out all necessary actions for self-defense.

C.9 1974:

中华人民共和国，外交部发言人声明
From 南海问题文献汇编

(Second paragraph)

中国政府已多次声明，南沙群岛、西沙群岛、中沙群岛和东沙群岛，都是中国领土的一部分，中华人民共和国对这些岛屿及其附近海域具有无可争辩的主权拥有主权。

Translated by me, edited and revised by Professor Yin

The PRC's Ministry of Foreign Affairs Spokesperson Statement:

The Chinese Government has already stated many times that Nansha, Xisha, Zhongsha, and Dongsha Islands are all apart of China's territory. The People's Republic of China has indisputable sovereignty over the Nansha Islands and their adjacent waters.

C.10 1980:

中国对西沙群岛和南沙群岛的主权无可争辩
Dated: January 30th 1980

From 南海问题文献汇编

Also accessible from: <http://rmrbw.net/simple/index.php?t530620.html>

西沙群岛和南沙群岛，是中国南海诸岛中两个较大的岛群，它们和东沙群岛、中沙群岛一样，自古以来就是中国的领土。这不仅有古今中外的大量史料、文件、地图和文物可作证明，而且也为世界上许多国家和广泛国际舆论所承认。在近代历史上，这两个群岛虽曾一度被外国非法侵占，但并不能改变它们属于中国的历史事实和法理基础。

历史事实不能伪造，国际法原则不容践踏。我们在这里引用确凿的史实记载和官方文件，以揭穿和驳斥越南当局所编造的谎言，明白无误地证明中华人民共和国对西沙群岛和南沙群岛享有无可争辩的主权。

From: 一、西沙群岛和南沙群岛自古以来就是中国的领土

上述大量历史事实充分证明：西沙群岛和南沙群岛是中国最早发现、最早开发经营、最早管辖的。千百年来，中国历代政府对这两个群岛一直行使着管辖权，中国人民是这两个群岛无可争辩的主人。

From: 二、中国捍卫西沙群岛和南沙群岛主权的斗争

第二次世界大战期间，日本于一九三九年侵占了西沙群岛和南沙群岛。一九四五年日本投降后，当时中国政府于一九四六年十一月、十二月指派高级官员，乘军舰分赴西沙群岛、南沙群岛进行接收，在岛上举行了接收仪式，并立碑纪念（见附件二），派兵驻守。随后又重新命定东沙、西沙、中沙、南沙四个群岛及各个岛、礁、沙、滩的名称。这样，一度被外国非法侵占的西沙群岛和南沙群岛又重新置于中国政府的管辖之下。

中华人民共和国成立后，周恩来外长于一九五一年八月十五日发表《关于美英对日和约草案及旧金山会议声明》，庄严指出：西沙、南沙群岛和东沙、中沙群岛一样，“向为中国领土”，“在日本帝国主义发动侵略战争时虽曾一度沦陷，但日本投降后已为当时中国政府全部接收”，中国对西沙群岛、南沙群岛的主权，“不论美英对日和约草案有无规定和如何规定，均不受任何影响”。

此后，针对外国对中国西沙、南沙群岛主权的侵犯，中华人民共和国政府及外交部曾多次发表严正声明，重申中国对西沙群岛、南沙群岛拥有不可侵犯的主权。

中华人民共和国成立以来，中国政府和人民继续对西沙群岛和南沙群岛进行管辖和经营建设。

多年来，中国台湾当局一直派军队驻守在南沙群岛的最大岛屿太平岛。

From: 三、中国对西沙群岛和南沙群岛的主权得到国际上的广泛承认

二十世纪以来，世界上许多国家权威性的百科全书都承认西沙群岛和南沙群岛是中国领土。

世界许多国家出版的地图也都标注西沙群岛和南沙群岛属于中国。

From: 四、越南当局出尔反尔的恶劣行径

必须指出，中越双方过去在西沙群岛和南沙群岛的归属问题上，本来并不存在争议。在一个相当长的时期内，越南方面无论在其政府的声明、照会中，还是在报刊、地图和教科书中，都正式承认西沙群岛和南沙群岛自古以来就是中国的领土。

Last Two Paragraphs:

至于越南《白皮书》列举一九三三年以后法国殖民当局和南越西贡当局侵占中国西沙群岛和南沙群岛的材料，来证明今天越南当局对中国西沙群岛和南沙群岛提出领土要求的合法性，更是站不住脚的。根据国际法，侵略行为不能产生主权，对侵占得来的别国领土的所谓“继承”，当然也是非法的，因而也是无效的。

×××

西沙群岛和南沙群岛自古以来就是中国的领土，这是具有充分法理根据的。人们通过上面列举的大量事实和材料，可以得出公正的结论。越南当局非法占领中国南沙群岛部分岛屿，对中国西沙、南沙群岛提出领土要求，只能暴露他们地区霸权主义和侵略扩张的野心。中国对西沙群岛和南沙群岛的主权是无可争辩的。

Translated by BBC Summary of Word Broadcasts on Lexus Nexus database (many misprints)

"Document on China's Claim to Xisha and Nansha Islands." BBC Summary of World Broadcasts. Date Accessed: 2013/01/23. www.lexisnexis.com/hottopics/lnacademic.

Translated by BBC Summary of World Broadcasts as:

China's indisputable sovereignty over the Xisha and Nansha islands

The Xisha and Nansha islands are two large island groups in the South China Sea. Like the Dongsha and Zhongsha islands, they have been China's territory since ancient times. This is not only proved by numerous Chinese and foreign historical records, documents, maps and cultural relics of ancient or modern times, but also recognized by many countries and extensive world opinion. These island groups were for a time in modern history illegally seized by foreign

countries, but this in no way changes the historical fact and legal basis of their belonging to China.

It is impermissible to falsify historical facts or trample upon principles of international law. Here we cite authentic historical records and official documents to indisputable sovereignty of the PRC over the Xisha and Nansha islands.

From Section: (1) The Xisha and Nansha islands have been China's territory since ancient times

The above historical facts fully prove that China was the first to discover, develop and administer the Xisha and Nansha islands. Consecutive jurisdiction was exercised over them by successive Chinese governments for more than a thousand years. The Chinese are indisputable owners of these islands groups.

From Section: (2) China's struggle in defense of its sovereignty over the Xisha and nansha islands

During the second world war, Japn invaded and occupied the Xisha and Nansha islands in 1939. Following the Japa-nese surrender in 1945, the then Chinese government in November and December 1946 designated senior officials to proceed to the Xisha and Nansha islands by warships to take over these islands, where take-over ceremonies were held and stone tablets erected (see annex 2 below) ad troops garrisoned. These were followed by the renaming of the Dongsha, Xisha, Zhongsha and Nansha islands and their various islands, sands cays, reef and banks. Thus, the Xisha and Nansha islands, once illegally seized by foreign powers, were restored to the jurisdiction of the Chinese government.

After the founding of the PRC, Foreign Minister Zhou Enlai, in his statement on the US-UK draft of [the] peace treaty with Japan and the San Francisco Conference, solemnly declared on 15th august, 1951 that, like the Donsha and Zhongsha islands, the Xisha and Nansha islands "have always been China's territory", the "although they had been occupied by Japan for some time during the war of aggression waged by Japanese imperialism, they were all taken over by the then Chinese government, following Japan's subject and no matter how these provisions are worded", China's sovereignty over the Xisha and Nansha islands "will not be in any way affected".

Thereafter, the government and Foreign Ministry of the PRC have issued many solemn statements opposing foreign infrigemnts on China's sovereignty over the Xisha and Nansha islands and reaffirming China's inviolable sovereignty over them. Since the founding of the PRC the Chinese government and people have continued to administer and de-velop the Xisha and Nansah islands.

For years the Taiwan authorities of China have maintained a military garrison on Taiping island, the biggest among the Nansha islands.

From Section: (3) China's sovereignty over the Xisha and Nansha islands is widely acknowledged internationally

Since the beginning of the 20th century, most of the authoritative encyclopaedias recognize the Xisha and Nansha is-lands as China's territory.

Atlases and maps published in many countries mark the Xisha and Nansha islands as belonging to China.

From Section: (4) The perfidy of the Vietnamese authorities

It must be pointed out that there used to be no dispute between China and Vietnam over the ownership of the Xisha and Nansha islands. During a long period of time the Vietnamese side formally acknowledged these islands as being Chinese territory since ancient times, whether in their government statements and notes, or in their newspapers, periodicals, maps and textbooks.

Last Two Paragraphs:

The Vietnamese authorities cite in their White Book the occupation of China's Xisha and Nansha islands by the French colonial authorities and the South Vietnamese authorities in Saigon since 1933 in order to prove the legitimacy of the Vietnamese authorities' territorial claim to China's Xisha and Nansha islands. This is untenable, according to international law, aggression does not establish sovereignty, and "inheritance" of territory seized from another country through occupation is illegal and therefore invalid.

That the Xisha and Nansha islands have been China's territory since ancient times is fully proved by legal evidence, and one can draw an impartial conclusion from the ample facts and material mentioned above. The Vietnamese authorities' illegal occupation of part of China's Nansha islands and their territorial claim to China's Xisha and Nansha islands can only serve to reveal their regional hegemonist and aggressor expansionist ambitions. China's sovereignty over the Xisha and Nansha islands is indisputable.

C.11 1988:

中华人民共和国外交部发表关于西沙群岛、南沙群岛问题的备忘录
Dated(May 12th 1988)

From 南海问题文献汇编

Also accessible from: <http://www.hnszw.org.cn/data/news/2010/02/46045/>

越南当局随心所欲拼凑的“材料”和对中国进行的种种诬蔑攻击，丝毫改变不了中国对西沙群岛、南沙群岛无可争辩的主权。(1st paragraph)

西沙群岛和南沙群岛自古以来就是中国的领土，这不仅古今中外的大量史料、文件、地图和文物可作证明，而且也为世界上许多国家和广泛国际舆论所承认。中国外交部 1980 年 1 月 30 日发表的文件已对此作了全面的、具有充分说服力的阐述。(2nd paragraph)

中国在抗日战争胜利以后收复西沙群岛和南沙群岛正式交还中国方面。中国在抗日战争胜利以后收复西沙群岛和南沙群岛，世界上没有任何国家提出任何异议。直到今天，南沙群岛中最大的太平岛仍一直由中国台湾方面派军队驻守着。越南当局置起码的事实于不顾，硬说中国在 1987 年以前从未在南沙存在，这岂不是弥天大谎吗？(3rd paragraph) (Use of 抗日战争 instead of 第二次世界大战)

必须强调指出，针对外国对西沙、南沙主权的侵犯，中华人民共和国政府曾多次发表声明，重申中国对这两个群岛拥有无可争辩的领土主权 (4th paragraph)

与中国的有效管辖的情况相反，越南方面过去不仅从未在南沙群岛存在过，而且直至 1974 年以前它所发表的政府声明，正式照会和公开出版的地图和教科书中，都一直正式承认西沙群岛和南沙群岛自古以来就是中国的领土。例如，1956 年 6 月 15 日，越南民主共和国外交部副部长在接见中国驻越南大使馆临时代办时曾郑重表示：“根据越南方面的材料，从历史上看，西沙群岛和南沙群岛应当属于中国领土”。当时在座的越南外交部亚洲司代司长进一步具体介绍了越南方面的材料，指出：“从历史上看，西沙群岛和南沙群岛早在宋朝时就属于中国了”。1958 年 9 月 4 日，中华人民共和国政府发表声明。宣布中华人民共和国的领海宽度为 12 海里，并且明确指出：“这项规定适用于中华人民共和国的一切领土，包括……东沙群岛、西沙群岛、中沙群岛、南沙群岛以及其他属于中国的岛屿”。同年 9 月 14 日，越南政府总理范文同照会中国国务院总理周恩来，郑重表示：“越南民主共和国政府承认和赞同中华人民共和国政府 1958 年 9 月 4 日关于领海决定的声明”。越南 1960 年、1972 年出版的世界地图及 1974 年出版的教科书都承认西沙群岛、南沙群岛是中国的领土。所有这些都是白纸黑字、有案可查的。人们注意到，1988 年 4 月 25 日越南外交部公布的文件也不得不承认上述事实。然而越南方面却公然编造谎言为其出尔反尔的立场进行诡辩，说什么越南过去之所以这样做是出于寻求中国支持越南抗美斗争的需要等等。这种自欺欺人的解释恐怕连越南当局自己也是难以相信的。事实上，越南当局很清楚，当年中国支援越南，完全出于正义的目的，从未向越方提出过任何要求和条件。稍有国际常识的人都知道，对任何一个国家来说，领土主权都是神圣不可侵犯的，不可能拿来作“交易”。便何史 1956 年和 1958 年越南方面向中国方面确认西沙群岛和南

沙群岛属于中国领土的时候，在越南还根本没有发生什么抗美战争。越南当局在西沙群岛和南沙群岛问题上所采取的不顾事实、背信弃义的态度，只能使人们进一步看清它为了实现领土扩张野心，已经到了何等不择手段的地步。

中国一贯主张和平解决国与国之间的争端，在南沙问题上也是如此。正是本着这种精神，中国主张将南沙群岛问题暂时搁置一下，将来商量解决 (6th paragraph)

中国一贯奉行和平友好的外交政策，主张在和平共处五项原则基础上发表同各国的友好合作关系。 (7th paragraph)

Translated by me, edited and revised by Professor Yin

English Translation also available at LexisNexis database.

"PRC MEMORANDUM ON PARACEL AND SPRATLY ISLANDS." BBC Summary of World Broadcasts. www.lexisnexis.com/hottopics/lnacademic.

The PRC's Ministry of Foreign Affairs issued memorandum on the issue of Xisha Islands, Nansha Islands.

The "data" that Vietnamese authorities whimsically assembled and the slanderous attacks of all sorts Vietnamese authorities mounted on China do not in the slightest amount change China's indisputable sovereignty over the Xisha and Nansha Islands.

The Xisha and Nansha Islands have been China's territory since ancient times. Not only have there been multiple historical materials, documents, maps, and relics throughout history as proof, but it has also been acknowledged by many countries in the world as well as international public opinions widely. The document that China's Ministry of Foreign Affairs issued on January 30, 1980 already comprehensively elaborates all these with full persuasiveness.

After China's victory in the War of Resistance against Japan, the recovered Xisha Islands and Nansha Islands were formally returned to the side of China. When China resumed the sovereignty of the Xiasha Islands and Nansha Islands after China's victory in the War of Resistance against Japan, there was no country in the world that raised any objection. Until today, the biggest island of the Nansha Islands, Taiping Island, is still defended by the troops dispatched by China's Taiwanese side. Vietnamese authorities, ignoring the minimum facts, stubbornly insisted that before 1987 China had never been at the Nansha Islands. How couldn't this be a monstrous lie?

It is necessary to point out with emphasis that to the foreign infringements on the Xisha and Nansha sovereignty, the PRC government has issued statements many times reaffirming that China has indisputable territorial sovereignty over both of these archipelagos.

(5th paragraph not translated but important counter to Vietnamese claims after the North/South Vietnam merger)

China has consistently advocated for a peaceful settlement between disputing countries, and the same is the case with the issue of Nansha. So in this very spirit, China advocates that the Nansha Island issue be temporarily put aside and be resolved through consultation in the future.

China has consistently pursued peaceful friendly foreign policy, advocating Five Principles of Peaceful Coexistence as a base to develop friendly cooperative relations with every country.

C.12 1992:

中华人民共和国领海及毗连区法
From 1992.2.25

From 南海问题文献汇编
http://www.gov.cn/ziliao/flfg/2005-09/12/content_31172.htm

第二条 中华人民共和国领海为邻接中华人民共和国陆地领土和内水的一带海域。

中华人民共和国的陆地领土包括中华人民共和国大陆及其沿海岛屿、台湾及其包括钓鱼岛在内的附属各岛、澎湖列岛、东沙群岛、西沙群岛、中沙群岛、南沙群岛以及其他一切属于中华人民共和国的岛屿。

第五条 中华人民共和国对领海的主权及于领海上空、领海的海床及底土

English:

The Law on the Territorial Sea and the Contiguous Zone of the People's Republic of China
From

http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/CHN_1992_Law.pdf

Article 2: The PRC's territorial sea refers to the waters adjacent to its territorial land. The PRC's territorial land includes the mainland and its offshore islands, Taiwan and the various affiliated islands including Diaoyu Island, Penghu Islands, Dongsha Islands, Xisha Islands, Nansha (Spratly) Islands and other islands that belong to the People's Republic of China. The PRC's internal waters refer to the waters along the baseline of the territorial sea facing the land.

Article 5: The People's Republic of China exercises sovereignty over its territorial sea and the airspace over the territorial sea, as well as its seabed and subsoil.

2000 documents all from 2000/11/22

5 Documents from the same assortment (The Issue of South China Sea) 5 parts (Shen).

C.13 2000

南海问题的由来 From:

http://www.fmprc.gov.cn/mfa_chn/ziliao_611306/tytj_611312/t10647.shtml

中国对南沙群岛及其附近海域拥有无可争辩的主权。

中国最早发现、命名南沙群岛，最早并持续对南沙群岛行使主权管辖。对此我们有充分的历史和法理依据，国际社会也长期予以承认。第二次世界大战期间，日本发动侵华战争，占领了中国大部分地区，包括南沙群岛。《开罗宣言》和《波茨坦公告》及其他国际文件明确规定把被日本窃取的中国领土归还中国，这自然包括了南沙群岛。1946年12月，当时的中国政府指派高级官员赴南沙群岛接收，在岛上举行接收仪式，并立碑纪念，派兵驻守。日本政府于1952年正式表示“放弃对台湾、澎湖列岛以及南沙群岛、西沙群岛之一切权利、权利名义与要求”，从而将南沙群岛正式交还给中国。对于这一段历史经纬，各国都是十分清楚的。事实上，在此后的一系列国际会议和国际实践中，美国一直承认中国对南沙群岛的主权。

...

70年代开始，越、菲、马等国以军事手段占领南沙群岛部分岛礁，在南沙群岛附近海域进行大规模的资源开发活动并提出主权要求。对此中国政府一再严正声明，这些行为是对中国领土主权的严重侵犯，是非法的、无效的。这些国家的所谓法律依据是根本站不住脚的。

Translated by FMPRC

Its Origion(sic)

From:

<http://www.fmprc.gov.cn/eng/topics/3754/t19233.htm>

China has indisputable sovereignty over the Nansha Islands and their adjacent waters. It was the first to discover and name the islands as the Nansha Islands and the first to exercise sovereign jurisdiction over them. We have ample historical and jurisprudential evidence to support this, and the international community has long recognized it. During World War II, Japan launched the war of aggression against China and occupied most of China's territory, including the Nansha Islands. It was explicitly provided in the Cairo Declaration, the Potsdam Proclamation and other international documents that all the territories Japan had stolen from China should be restored to

China, and naturally, they included the Nansha Islands. In December 1946, the then Chinese government sent senior officials to the Nansha Islands for their recovery. A take-over ceremony was held on the islands and a monument erected in commemoration of it, and the troops were sent over on garrison duty. In 1952 the Japanese Government officially stated that it renounced all its "right, title and claim to Taiwan, Penghu Islands as well as Nansha and Xisha islands", thus formally returning the Nansha Islands to China. All countries are very clear about this part of historical background. As a matter of fact, the United States recognized China's sovereignty over the Nansha Islands in a series of subsequent international conferences and international practice.

Beginning from the 1970s, countries like Vietnam, the Philippines and Malaysia have by military means occupied part of the islands and reefs of the Nansha Islands, gone in for big-scale resource development in waters adjacent to the Nansha Islands and laid claim to sovereignty over them. In view of this, the Chinese Government has time and again made solemn statements that these acts constitute serious infringement upon China's sovereignty and territorial integrity, and are illegal, null and void. The so-called legal basis provided by those countries is not tenable at all.

C.14 2000

中国对南沙群岛拥有主权的历史依据。 From

http://www.fmprc.gov.cn/mfa_chn/ziliao_611306/tytj_611312/zcwj_611316/t10648.shtml

中国是历史上最早发现并命名、最早开发经营和最早管辖南沙群岛的国家。

综上所述，大量翔实的史实证明，南沙群岛是中国人民最早发现和开发经营的，中国政府早已对其行使管辖和主权。南沙群岛自古以来就是中国领土不可分割的一部分。

Translated by FMPRC to

Historical Evidence To Support China's Sovereignty over Nansha Islands

From: <http://www.fmprc.gov.cn/eng/topics/3754/t19231.htm>

China was the first to discover, name, develop, conduct economic activities on and exercise jurisdiction of the Nansha Islands. (Para. 1)

In short, a host of historical facts have proved that it was the Chinese people who were the first to discover and develop the Nansha Islands and it was the Chinese Government that has long exercised sovereignty and jurisdiction over these islands. The Nansha Islands have become an inalienable part of Chinese territory since ancient times. (Last Paragraph)

C.15 2000

中国对南沙群岛拥有主权的法理依据。 From

http://www.fmprc.gov.cn/mfa_chn/ziliao_611306/zt_611380/ywzt_611452/wzzt_611670/2305_611918/t10649.shtml

中国对南沙群岛拥有无可争辩的主权，这是有充分的法理依据的。

大量翔实的中外史料对中国人民最早发现、命名南沙群岛提供了丰富的证据。

这些记载是中国人民对自己居住和生产经营的土地的认识，

从国际法发展的过程来看，古代中国对南海群岛的发现足已证明中国对南沙群岛享有无可争辩的领土主权。南沙群岛不是“无主地”，而是中国领土不可分割的组成部分。任何其他国家都无权以任何名义改变南沙群岛属于中国这一法律地位。

中国人民对南沙群岛及其附近海域的开发经营以及中国对南沙群岛的实际管辖进一步加强了中国对南沙群岛的主权。

本世纪初以来，历届中国政府都持续不断地维护中国对南沙群岛的主权。

中国为收复被日本占领的南沙群岛进行了不懈努力。

中国政府一直坚持并采取实际行动积极维护对南沙群岛的主权。

综上所述，中国对南沙群岛享有无可争辩的主权。有的国家声称南沙群岛在其大陆架或专属经济区内，并据此主张对南沙群岛的主权。根据国际法和海洋法，领土主权是海洋权益的基础，海洋权益是从领土主权派生出来的。

Translated by FMPRC to

Jurisprudential Evidence To(sic) Support China's Sovereignty over the Nansha Islands

From <http://www.fmprc.gov.cn/eng/topics/3754/t19234.htm>

China has indisputable sovereignty over the Nansha Islands and it has ample jurisprudential evidence to support this. (Para 1.)

Full and accurate historical data, both Chinese and foreign, has provided rich and substantial evidence to show that the Chinese people were the first to discover and name the Nansha Islands. (Para A1.)

All these historical records represent the Chinese people's cognition and appreciation of the land on which they lived and worked. (Para A1.)

In view of the development of international law, these records and accounts of the discovery by the ancient Chinese people of the islands on the South China Sea bear abundant evidence to China's indisputable territorial sovereignty over the Nansha Islands. Obviously, the Nansha Islands are not land without owners, but rather they are an inalienable part of Chinese territory. No country in the world has the right to change China's legal status as the owner of the Nansha Islands in any way. (Para A1)

The fact that the Chinese people have developed the Nansha Islands and carried out productive activities there and that the Chinese Government has actually exercised jurisdiction over these islands has reinforced China's sovereignty over the Nansha Islands. (Para. B1)

Since the beginning of this century, the Chinese Government has undauntedly maintained China's sovereignty over the Nansha Islands. (Para C2)

China made unremitting efforts for the recovery of these islands from the Japanese occupation. (Para C3)

Chinese Gvoernment (sic) has all along maintained China's sovereignty over the Nansha Islands and taken effective actions for that. (Para C4)

In view of all this, the Chinese Government has indisputable sovereignty over the Nansha Islands. Some countries have claimed sovereignty of these islands on the ground that these islands are within their continental shelves or exclusive economic zones. According to international law and the UN Convention on the Law of the Sea, maritime rights and interests should be based on territorial sovereignty for the former derives from the latter. (Para C5)

C.16 2000

中国在南海问题上的基本立场以及解决南沙争端的政策主张 。 From

http://www.fmprc.gov.cn/mfa_chn/ziliao_611306/tytj_611312/t10650.shtml

中国政府一贯主张以和平方式谈判解决国际争端。根据这一精神，中国已同一些邻国通过双边协商和谈判，公正、合理、友好地解决了领土边界问题。

近些年来，越南、菲律宾等出兵强占南海一些无人岛礁，摧毁中国在南沙无人岛礁所设主权标志，抓扣或以武力驱赶我在南海作业的渔民，

这充分体现了中国维护地区稳定和双边友好关系大局的诚意。

南海问题是中国与有关国家间的问题。中国政府一贯主张通过双边友好协商解决与有关国家之间的分歧。任何外部势力的介入都是不可取的，只能使局势进一步复杂化。中国与有关国家完全有能力、有信心妥善处理彼此的争议。南海地区的和平与安宁可以长期保持。目前，南海地区根本不存在什么危机。渲染南海局势紧张，是与事实相违的。甚至是别有用心。

Translated by FMPRC to

Basic Stance and Policy of the Chinese Government in Solving the South China Sea Issue

From <http://www.fmprc.gov.cn/eng/topics/3754/t19230.htm>

The Chinese Government has always stood for negotiated settlement of international disputes through peaceful means. In this spirit, China has solved questions regarding territory and border with some neighboring countries through bilateral consultations and negotiations in an equitable, reasonable and amicable manner (Para. 1)

In recent years, countries like Viet Nam(sic) and the Philippines have sent troops to seize some uninhabited islands and reefs of the Nansha Islands, destroyed the marks of sovereignty erected by China there, and arrested, detained or driven away by force Chinese fishermen fishing in the South China Sea. (Para 2.)

It fully testifies to China's sincerity in preserving regional stability and the overall interests of bilateral friendly relations. (Para 2.)

The question of the South China Sea is a question between China and the relevant countries. The Chinese Government has consistently advocated settlement of the disputes between China and the countries concerned through amicable bilateral consultations. Involvement by any external force is undesirable and will only further complicate the situation. China and the countries concerned are fully capable and confident of handling their disputes appropriately. Peace and tranquility in the South China Sea area can be maintained on a long-term basis. At present, there is no crisis at all in that area. The kind of tension in the South China Sea which has been played up, even with ulterior motives, is contrary to the facts. (Para 4.)

C.17 2000

中国对南沙群岛拥有主权得到国际上的承认。 From

http://www.fmprc.gov.cn/mfa_chn/ziliao_611306/zt_611380/ywzt_611452/wzzt_611670/2305_611918/t10651.shtml

世界上许多国家、国际舆论和出版物承认南沙群岛是中国领土。

将南海诸岛标注为中国领土的其他国家出版的地图

有关承认中国对南沙群岛主权的国际会议

Translated by FMPRC to

International Recognition Of China's Sovereignty over the Nansha Islands

From: <http://www.fmprc.gov.cn/eng/topics/3754/t19232.htm>

Many countries, world public opinions and publications of other countries recognize the Nansha Islands as Chinese territory. (Para. A)

The maps printed by other countries in the world that mark the islands on the South China Sea as part of Chinese territory include (Not really a bold statement but implying recognition of sovereignty by other justifications) (Para. B)

China's sovereignty over the Nansha Islands is recognized in numerous international conferences. (Para. C)

C.18 2012

外交部发言人秦刚就美国务院发表所谓南海问题声明阐明中方严正立场

From: http://www.fmprc.gov.cn/mfa_chn/wjdt_611265/fyrbt_611275/t958213.shtml

Dated August 4th 2012

8月3日，美国国务院就南海问题发表所谓声明，罔顾事实，混淆是非，发出了严重错误信号，无助于有关各方维护南海乃至亚太地区和平稳定的努力。中方对此表示强烈不满和坚决反对。

中国对南海诸岛及其附近海域拥有无可争辩的主权，这方面的历史事实是清楚的。而且，1959年中国就设立了隶属广东省的西、南、中沙群岛办事处，对西沙、中沙和南沙

群岛的岛礁及其海域进行行政管辖。此次设立三沙市是中国对现有有关地方行政管辖机构的必要调整，是中国主权范围内的事情。

需要指出的是，20多年来，在中国和有关地区国家的共同努力下，保持了南海的和平稳定，航行自由和正常贸易得到充分保障。2002年，中国和东盟国家共同签署《南海各方行为宣言》。《宣言》明确规定，由直接有关的主权国家通过友好协商和谈判，以和平方式解决领土和管辖权争议，同时承诺不采取使争议复杂化、扩大化的行动。现在令人担心的是，个别国家不尊重、不遵守《宣言》，以挑衅的方式一而再、再而三地破坏《宣言》的基本原则和精神，也给商谈“南海行为准则”制造了困难。因此，中方在对同东盟国家商谈“南海行为准则”持开放态度的同时，主张各方必须严格遵守《宣言》，以为商谈“准则”创造必要条件和气氛。

美方对中国正常、合理之举的无端指责不能不使人们对美方的意图提出质疑。美国为什么对有的国家在南海划出大批油气区块、出台将中国的岛礁和海域划为己有的国内立法视而不见，为什么对有的国家出动军舰威胁中国渔民，对无争议的中国岛礁无理提出主权要求避而不谈，却对中方应对这些挑衅行为的合理、适度反应提出无端指责？又为什么在地区有关国家加强对话沟通、努力化解矛盾、平息事态之际突兀发声，拨弄是非？这种选择性视盲和发声有悖其所声称的对争议“不持立场”、“不介入”的态度，不利于地区国家的团结合作与和平稳定。

当前，全球经济低迷，一些地区国家动荡，亚太是相对稳定和最具活力的地区，也是世界经济复苏的重要支撑。美方应该顺应时代潮流，尊重本地区国家谋和平、求稳定、促发展的普遍愿望和有关共识，尊重中国的主权和领土完整，多做有利于亚太稳定繁荣的事，而不是相反。

中国同东盟建立对话关系20多年来，建立了发展中国家间最大的自由贸易区，共同应对了亚洲金融危机、国际金融危机和重大自然灾害等各种挑战，各领域合作全面推进。中国重视同东盟的友好合作关系，支持东盟一体化进程，支持东盟在东亚合作中的主导地位，愿同东盟一道努力，排除干扰，进一步推动双方战略伙伴关系向前

Translated by the FMPRC to :

Statement by Spokesperson Qin Gang of the Ministry of Foreign Affairs of China on the US State Department Issuing a So-called Press Statement On the South China Sea.

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On August 3, the US Department of State issued a so-called press statement on the South China Sea. The statement showed total disregard of facts, confounded right and wrong, and sent a seriously wrong message. It is not conducive to efforts by the parties concerned to uphold peace

and stability in the South China Sea and the Asia-Pacific region at large. The Chinese side expresses strong dissatisfaction of and firm opposition to it.

China has indisputable sovereignty over the South China Sea islands and adjacent waters. This is supported by clear historical facts. Moreover, China set up the office governing the Xisha, Nansha and Zhongsha Islands under the Province of Guangdong in 1959 to exercise administrative jurisdiction over the islands and reefs of the Xisha, Nansha and Zhongsha Islands and adjacent waters. The recent establishment of the Sansha City is a necessary adjustment made by China to the existing local administrative structure and is well within China's sovereign rights.

It needs to be pointed out that over the past 20 years or more, thanks to concerted efforts of China and other countries concerned in the region, peace and stability in the South China Sea has been maintained and freedom of navigation and normal trade fully guaranteed. In 2002, China and ASEAN countries signed the Declaration on the Conduct of Parties in the South China Sea (DOC), which stipulated in explicit terms that territorial and jurisdictional disputes should be resolved through peaceful means and friendly consultations and negotiations between sovereign states directly concerned. Parties to the DOC also undertook not to take actions that might complicate or escalate disputes. What concerns people now is that some individual countries, showing no respect for or compliance with the DOC, have time and again resorted to provocative means, which undermined the basic principles and spirit of the DOC and created difficulties for discussing a code of conduct (COC) in the South China Sea. Therefore, while being open to discussing a COC with ASEAN countries, China believes that all parties concerned must act in strict accordance with the DOC to create the necessary conditions and atmosphere for the discussion of a COC.

Regarding the unfounded accusations made by the United States against China's normal and reasonable acts, people cannot but question the true intention of the US side. Why has the United States chosen to turn a blind eye to the acts of some country marking out a large number of oil and gas blocks in the South China Sea and making domestic legislation claiming as its own China's islands, reefs and waters? Why has the United States chosen on the one hand not to mention the acts of some country using naval vessel to threaten Chinese fishermen and laying groundless sovereignty claims over the islands and reefs that indisputably belong to China, while on the other hand make unfounded accusations against China's reasonable and appropriate reaction to provocations? And why has the United States chosen to speak out all of a sudden to stir up trouble at a time when countries concerned in the region are stepping up dialogue and communication in an effort to resolve disputes and calm the situation? Such an act of being selective in approaching facts and making responses breaches the claimed US stance of not taking a position on or getting involved in the disputes. It is not conducive to unity and cooperation among countries in the region or to peace and stability in this part of the world.

Now that the global economy is weak and turbulence still persists in some countries and regions, the Asia-Pacific has emerged as a relatively stable and most dynamic region underpinning world economic recovery. The United States needs to follow the trend of the times and respect the

shared aspiration and consensus of countries in the region for peace, stability and development. It should respect China's sovereignty and territorial integrity, and act in a way that contributes to stability and prosperity of the Asia-Pacific and not otherwise.

Over the past 20 years or more since China and ASEAN entered into dialogue relations, the two sides have established the largest free trade area among developing countries, and jointly responded to challenges including the Asian financial crisis, the international financial crisis and major natural disasters. Cooperation has advanced in all fields. China values its friendship and cooperation with ASEAN and supports ASEAN's integration process and its centrality in promoting East Asian cooperation. China stands ready to work with ASEAN to remove disturbance and further advance the strategic partnership between the two sides.

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