Although denied by many people at present, what is urgently needed is a thorough review of the content of the peace treaty which ended WWII in the Pacific . . . . . .

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The San Francisco Peace Treaty

Part 2

The Japanese surrender ceremonies in Taiwan were held on Oct. 25, 1945, hence this was the date when the military occupation of Taiwan began. Temporary governance over the island was given to the Republic of China (ROC), in accordance with the instructions provided by General Douglas MacArthur in General Order #1.

Nearly seven years later, the San Francisco Peace Treaty (SFPT) came into force on April 28, 1952, however this treaty did not transfer (or “grant”) the territorial sovereignty of Taiwan to China. Moreover, there is no wording in the treaty to indicate that the signatories recognized any relinquishment of Japan’s sovereignty over Taiwan before this date.

Based on these undeniable facts, all U.S. Senators must immediately recognize that the implementation of the following actions --

* Announcement of "Taiwan Retrocession Day" on Oct. 25, 1945,
* Mass naturalization of the local Taiwan populace as ROC citizens on Jan. 12, 1946,
* Promulgation of ROC Constitution in occupied Taiwan on Dec. 25, 1947,
* Establishment of an ROC Ministry of National Defense on Taiwan soil after ROC central government moved to occupied Taiwan Dec. 10, 1949,
* Implementation of ROC military conscription policies over the Taiwan populace on July 25, 1951,

should have all been completely rescinded after the SFPT came into force.

But the U.S. Executive Branch officials did not demand that this be done!

A close reading of the SFPT shows that:

(1) Taiwan was left under the jurisdiction of a U.S. federal agency – the United States Military Government (USMG), in a similar situation to that of the Ryukyu Island group (Okinawa).

(2) the signatories did not award or delegate any role for the ROC to play in the continuing governance of Taiwan after April 28, 1952. To put this in plain language, the ROC cannot be recognized as the legal government of Taiwan after this 1952 date.

The Taiwan Relations Act (TRA) also supports the assertion that the ROC is not the legal government of Taiwan.

Significantly, after the conquest of the (a) Ryukyu Island group, and (b) Taiwan, during the period of WWII in the Pacific, in order to provide for governance, the U.S. Joint Chiefs of Staff authorized the organization of the “United States Civil Administration.”

With the coming into force of the SFPT, the United States Civil Administration of the Ryukyu Islands (USCAR) was already in operation. Next should have been the organization of the United States Civil Administration of Taiwan (USCAT) to govern Taiwan.

But the U.S. Executive Branch officials did not demand that this be done!

As a result, effectively speaking, up to the present day the Taiwan people have been denied their legal rights under the SFPT, and under the U.S. Constitution. Viewed in this light, the “human rights clause” of the TRA has never been faithfully enforced!

As of late April 1952, Taiwan has remained as conquered territory of the USA which has not reached a final political status, therefore continuing under the jurisdiction of U.S. military authorities. USCAT should be organized at an early date. The SFPT does not support the hypothesis that Taiwan belongs to China.

In reality, the position of the ROC in Taiwan is (1) proxy occupying forces, beginning Oct. 25, 1945; and (2) government in exile, beginning Dec. 10, 1949.

All Senators should firmly recognize these facts.

This much seems certain. The failure to fully implement the SFPT is the true source of Taiwan’s “identity crisis” in the world today. Urgent action is needed to remedy this situation.

U.S. Senators should castigate Executive Branch officials for their gross mismanagement of the Taiwan question since 1952. They should demand that all Articles of the SFPT be fully implemented, in order to protect the human rights of the Taiwan people, as well as insure the continuing development of freedom and democracy on the island.

The time for the U.S. Senate to act is now.

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Internet reference –

<https://www.twclarify.com/taiwan/sfpt/>