ANCHOR 1: For over seventy years, the history books compiled in Taiwan have stressed that Taiwan belongs to the Republic of China. Is there any flaw with that argument? From 1993 to 2008, Taiwan made formal applications to participate in the United Nations as a member country, either under the name of “Taiwan,” “Republic of China,” “Chinese Taipei,” etc. However, our reporters in New York talked to officials at the United Nations’ Legal Affairs Office, and uncovered a major problem. Specifically, none of those applications included any international legal documentation or evidence that the territorial sovereignty of Taiwan has ever been transferred any governing authority on the island.

As most people know, the US Secretary of State and other officials have made pointed comments about Taiwan’s lack of sovereignty here in the 21st century. Over fifty years ago, President Eisenhower also made similar comments about Taiwan and its adjacent islands. He clearly stated that the post-WWII San Francisco Peace Treaty: “ . . . . . ended Japanese sovereignty over the islands but did not formally cede them to ‘China,’ either Communist or Nationalist."

Yet, this war of words regarding Taiwan’s legal status has not ended up to the present day. Can a solution be found which fulfills the demands of international law? A new study by a group of students at an east-coast Ivy League University says that there is. They have concluded that the post-war treaty provisions need to be fully re-examined. With that premise in mind, they also conclude that United States Executive Branch officials have numerous unfulfilled obligations to Taiwan.

Stay tuned for full details.

ANCHOR2: We have arranged interview with some of the US students who participated in his recent research project on Taiwan’s history and legal issues. Our audience members would be interested in more details on what the research questions were, what was accomplished, and whether you actually travelled to Taiwan for fact finding.

STUDENT 1: Well, let me give some background information first. Over the past few years, there have been numerous student led movements in Taiwan objecting to all types of government actions. Those include many decisions made by the Executive Yuan and Legislative Yuan regarding trade arrangements, labor policies, immigration policies, etc. between Taiwan and the People’s Republic of China. The student groups charged that these decisions were essentially made in a black-box fashion. Other government policies, such as the implementation of a very Chinese-centric bias in the teaching of history courses, and the compilation of textbooks in the schools, and the editing of study guides used by teachers, government employees, etc. have also aroused quite a bit of student anger. There have been many instances of mass sit-ins, rallies, parades, etc. In response to this, a number of American students in east-coast universities decided to look at these issues in greater detail, and see what the real problems were. We were also interested to see if we could obtain any new insights on the BIG PICTURE, which is of course the entire topic of Taiwan’s correct position in the international community. In the end, we found over forty people willing to participate. Approximately ten of those people later travelled to Taiwan for on the site fact finding. The others stayed in North America to do research in the libraries, on the internet, and to conduct interviews with knowledgeable people.

STUDENT 2: In discussing any of these issues that the Taiwanese students have been protesting about, one always comes back to a question of the legitimacy of the Republic of China government structure existing in Taiwan. The Chinese like to say that based on various meetings of the wartime Allies, and the resulting declarations which were issued, the transfer of Taiwan’s territorial sovereignty became effective with the surrender of Japanese troops on October 25, 1945. But after a thorough overview of the historical record, and interviews with Pentagon officials, we determined that there are no examples in the last 200 years or more to say that the "surrender" of local troops results in a transfer of territorial sovereignty to the country of the troops accepting the surrender. So, this kind of rationale by the Chinese is clearly wrong.

STUDENT 3: The only possible explanation for the significance of the surrender ceremonies of October 25, 1945 in Taiwan is to say that this event marked the beginning of the military occupation. However, international law specifies that military occupation does not transfer sovereignty.

ANCHOR 2: We have collected some dates here which most people say are quite important in modern Taiwan history.

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history books used in the the United States have jurisdiction over Taiwan? A new study by a team of university students at an east coast Ivy League University strongly suggests that it does, and criticizes that the US Executive Branch is not fulfilling its obligations to Taiwan under the Senate-ratified post war treaty.