

Remarks at an international press conference

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Members of the Press, Ladies and Gentlemen,

Good afternoon.

1. Concerning the attack on the Republic of China fishing vessel Guang Da Xing No. 28, we made four demands of the Philippine government, namely a formal apology from the Philippine government, proper compensation to the victim's family, punishment of those responsible for the shooting, and launching talks on a bilateral fishery arrangement in order to prevent similar incidents from happening again in the future. These four demands are fully supported by international law and practice.

The response from the Philippine government up to now is not positive enough, not sufficient, and not concrete. They have made an official apology through Presidential Spokesperson Edwin Lacierda and by sending a personal representative of the Philippine President to Taiwan to convey deep regret and apology to the family of Mr. Hong Shi-cheng as well as to the people of Taiwan over the unfortunate and unintended loss of life. We acknowledge the official apology, but we feel strongly that the word "unintended" is totally unacceptable to the ROC government. Since the Philippine government claims that the case is still being investigated and no conclusion has been made in the ongoing investigation, there is no basis to say that it was an "unintended" loss of life.

2. The Philippine official vessel's excessive and unnecessary use of force against a Taiwanese fishing boat in the overlapping exclusive economic zones (EEZs) of the two countries violated both international law and the UN Convention on the Law of the Sea (UNCLOS 1982). Such outrageous behavior cannot be tolerated by the international community.

We cannot accept the statement by Philippine Presidential Spokesperson Edwin Lacierda yesterday claiming that the Philippines has already gone the extra mile, stressing that the incident occurred during a fisheries law enforcement operation within Philippine waters. In actual fact, the unfortunate incident took place in the two countries' overlapping EEZs, not the Philippine EEZ as claimed by the Philippine government.

In addition, concerning the overlapping EEZs between the two countries, the United Nations Convention on the Law of the Sea and relevant case law from the International Tribunal for the Law of the Sea have laid out proper due process, that is, what actions may be taken by a state while enforcing the law in its EEZ. Paragraph 1 of Article 73 of the Convention states that these are limited to boarding, inspection, arrest, and judicial proceedings. Paragraph 3 of that same Article states that coastal states may not undertake corporal punishment, of which killing is the most extreme type. Shooting and killing are not allowed under any circumstances.

In this particular case, the Philippines' law enforcement personnel of an official vessel opened fire with automatic weapons on an unarmed Taiwanese fishing vessel that was not provoking it, and killed our fisherman, in an unacceptable act of violence.

Moreover, the Philippine attack on our fishing boat, and the killing of our fisherman, are not in keeping with principles of proportionality. The Philippine official vessel even fled the scene without offering assistance after first disabling our ship and killing our fisherman. This is clearly in contravention of international law and humanitarian principles.

The Philippines has also claimed that our fishing boat provoked the incident by ramming their official vessel. Our inspection of the Guang Da Xing No. 28 revealed no evidence supporting their position. Given that the Guang Da Xing No. 28 is a vessel of about 15 tons, and the Philippine official vessel is more than six times this size, it is scarcely conceivable that such an action would have occurred in any case.

Fifty-nine bullet holes found in the victimized Taiwan fishing boat are strong evidence that the Philippine official vessel committed an

intentional killing in violation of international law and practice. No claim of self-defense or law enforcement can justifiably be made by the Philippine government.

3. The attack was perpetrated by a Philippine official vessel. As such, the Philippine government should be held responsible for Mr. Hong Shi-cheng's death. The Philippine government must act in a positive and concrete manner as a responsible stakeholder in the international community.

Moreover, I wish to reiterate our call for the Philippine government to make a public commitment to provide state compensation to the victim's family. Also, we have called on the Philippine government to enter into a joint investigation with our law enforcement personnel as it is committed to a thorough, exhaustive, impartial, and expeditious investigation. In connection with the ongoing investigation, MECO and TECO have already made arrangements for coordination between our investigation team and theirs under the provisions of the Agreement on Mutual Legal Assistance in Criminal Matters concluded last month.

Further, we urge the Philippine Bureau of Fisheries and Aquatic Resources to hold meetings with our Fisheries Agency as soon as possible to work out an arrangement that will allow for orderly fishing operations to take place in these overlapping EEZs. This will ensure the safety of fishermen of both countries, and prevent such an unfortunate incident from happening again in the future. To this end, we first need a firm commitment by the Philippine government to conduct talks in a manner befitting the principles of parity and reciprocity.

4. Let me reiterate that the Republic of China is a peace-loving country and a responsible stakeholder in the international community. At the same time, we must protect our sovereignty, dignity, and overall interests, especially the fishing rights of our fishermen in the overlapping EEZs.

Up to now, we have received five different versions of responses from the Philippine government. The Philippine government has not shown sufficient sincerity and has wavered back and forth in its position. We cannot accept such a perfunctory response from the government of the

Philippines. As a result, we have already taken eleven punitive countermeasures. These sanctions will remain in place until the Philippine government takes more positive, concrete, and sufficient steps to meet the four demands of the ROC government. Our government will continue to communicate with the Philippine government in order to find a just and peaceful resolution to this unfortunate incident so that bilateral relations between the two countries will not be harmed.

We consider the Filipino people as our friends. There are 87,000 Filipinos working and living in Taiwan. We call on our people to treat them well, and our government will continue to provide a friendly environment for them.

Thank you.