



**Requesting Protecting Powers from Taiwan  
Requesting Japan and ICRC to be our Protecting Powers  
And the Declaration of  
Complying all of the Geneva Conventions,  
all of the International Conventions and customs of war  
by  
Rescue Committee for the people of Japan Empire**

**Original addressees**

International Committee of the Red Cross  
Prime minister of Japan

**Copy addressees**

His Majesty the Emperor 天皇陛下

IFRC(International Federation of Red Cross and Red Crescent Societies)  
ICRC Tokyo mission  
American Red Cross  
Japanese Red Cross  
Canadian Red Cross

UN Security Council  
UN International Court of Justice  
United Nations International Criminal Court

The White House  
U.S. Department of State Taiwan Affairs Coordination Office  
Prime minister of British  
Prime minister of Canada

**From**

Rescue Committee for the people of Japan Empire  
大日本人民救援委員會 **RCJE**

## Terms Definitions:

1. **Japan Empire:** The Empire of Japan.

First, the Country has **di-Sovereign Entities**; they are **Japan Emperor** ‘日本天皇’ and the **Imperial Japan Diet** ‘帝國議會’ that formed and pushed the government of the Japan Empire. Second, the Country has the **Meiji Constitution**.

Japan Empire was fighting with the Allied Powers since 1941, surrendering on 1945.9.2 and is **now still under military occupation** by the Allied Powers. **On 1947.10.29 under military occupation** the Japan Emperor agreed with the Peace Constitution rose up by **the General MacArthur of Allied Powers** and **Imperial Japan Diet**, the other Sovereignty Entity of Japan Empire.

At this moment, Japan Empire began the **temporary disappearance**.<sup>(Note 1)</sup>

2. Japan Peace: The Country started from 1947 when under military occupation, forced by **General MacArthur** with **Peace Constitution** to be independent and the country's Sovereignty is on the people of Japan Peace, namely **Japan** nowadays.
3. ICRC: the International Committee of the Red Cross
4. Taiwan: Formosa
5. Penghu: Pescadores

### Note 1.

In 3<sup>rd</sup> Geneva Convention, Art. 2. Commentary Part I, General provisions states ‘**Since 1907** experience has shown that many armed conflicts, displaying all the characteristics of a war, may arise without being preceded by any of the formalities laid down in the Hague Convention. Furthermore, there have been many cases where Parties to a conflict have contested the legitimacy of the enemy Government and therefore refused to recognize the existence of a state of war. In the same way, **the temporary disappearance of sovereign States** as a result of annexation or capitulation has been put forward as a pretext for not observing one or other of the humanitarian Conventions.’

## Subject:

1. Requesting **Japan** to be **Protecting Power** of the being occupied **Japan Empire**.
2. Requesting **ICRC** to be **Protecting Power** of the being occupied **Japan Empire**.
3. RCJE.org, we declare that we understand and comply fully with all provisions of the Hague Conventions and 1st, 2nd, 3rd, 4th Geneva Conventions, all of the international conventions and customs of war.

## Details:

### A. Requesting

1. Depending on Art. 9., Art. 11. of the 4th Geneva Convention, We request Japan independent from 1947 and recognized as a full sovereign country by the Allied Powers of San Francisco Peace Treaty Art.1. in 1951 and being parties of Geneva Conventions on 1953.4.21. as a neutral Power, namely Japan Peace to be **Protecting Power** of the being occupied **Japan Empire**.
2. We request ICRC to be **Protecting Power** of the being occupied **Japan Empire**.
3. We request **Protecting Powers** to help us to restore our country or make us be "resettlement" in our country where we were living.(the 4<sup>th</sup> Geneva Convention Art. 6 Commentary Paragraph 4)
4. We request **Protecting Powers** to protect our human rights and benefits of Geneva Conventions.
5. Pursuant to the provisions of Art. 11. of 4th Geneva Convention,  
'If protection cannot be arranged accordingly, the Detaining Power shall request or shall accept, subject to the provisions of this Article, the offer of the services of a humanitarian organization, such as the International Committee of the Red Cross, to assume the humanitarian functions performed by Protecting Powers under the present Convention.'
6. Call on **Protecting Powers**, Japan and ICRC could answer our request in one month, if not, we would take any methods qualified by Geneva Conventions to protect ourselves, if we do so, we would declare before we take the move.

## B. We understand:

1. When the Qing Empire ceded in perpetuity Formosa and Pescadores to Japan Empire under the Treaty of Shimonoseki of 1895, the ROC (Republic of China) was not yet in existence.
2. The report about Taiwan on September 24<sup>th</sup>, 1904 of **the New York Times** with title as 'SAVAGE ISLAND OF FORMOSA TRANSFORMED BY JAPANESE', this report could help us to know the situation of human rights in Taiwan in 1904, that the people on Taiwan were nationals or citizens of **Japan Empire** and definitely not colonists.

<http://query.nytimes.com/mem/archive-free/pdf?res=9902E5D8123AE733A25756C2A96F9C946597D6CF>

3. In 1906, the government of **Japan Empire** declared clearly that the Meiji Constitution has performed on Taiwan while **Japan Empire** owned the full sovereignty of Taiwan, as mentioned on the page 39 of book 日本統治下五十年の台湾（「外地法制誌」第三部の三）
4. Suffrage is not the necessary factor to determine the residents being citizens or not, in colony cases, in that age before 1920s, if the residents had the same right to educations, medical treatments, social assistance, application of various civil resources and courts, as the citizens or better than citizens, then the residents were citizens.

For example, it's the first time in 1920 that the women of the United States in presidential election to cast their votes. And in 1982, the inhabitants of the Falkland Islands enjoyed the benefits same as or better than British citizens, both of which have proved '**suffrage is not a necessary condition for citizenship**'.

Therefore, the moment that residents of Taiwan and Penghu to be the citizens of **Japan Empire** or the moment that the Meiji Constitution of **Japan Empire** has performed in Taiwan and Penghu to make the residents have the citizens' benefits of **Japan Empire**, it is far earlier before April 1<sup>st</sup>, 1945 when the residents had the Parliament's suffrage of **Imperial Japan Diet**.

5. In 1919 (大正 8 年), the Empire of Japan submitted the "Racial Equality Proposal" to the League of Nations. It obtained 11 votes vs. 5. However, the United States and Great Britain did not consent, so the proposal failed to pass. The Empire of Japan, thus, withdrew from the League, but received affirmation from many countries, which led to the crack between the relationship of Japan with the United States and Great Britain.
  
6. The territories of **Japan Empire** in the Pacific Ocean listed in 1922 of **Five Power Treaty** should be protected to maintain the territorial integrity by **Charter of the United Nations** in 1945.

The Five Power Treaty formally listed the territories of **Japan Empire** with the Kurile Islands, the Bonin Islands, Amami Oshima, the Loochoo Islands, especially **Formosa and the Pescadores** where we, RCJE.org now are setting.

**A. FIVE POWER TREATY OR WASHINGTON TREATY,**

Treaty signed at Washington February 6th, 1922.

...

Article XIX

The United States, the British Empire and Japan agree that the status quo at the time of the signing of the present Treaty, with regard to fortifications and naval bases, shall be maintained in their respective territories and possessions specified hereunder:

...

(3) The following insular territories and possessions of Japan in the Pacific Ocean, to wit: the Kurile Islands, the Bonin Islands, Amami Oshima, the Loochoo Islands, **Formosa and the Pescadores**, and any insular territories or possessions in the Pacific Ocean which Japan may hereafter acquire.

**B. Charter of the United Nations**

Article 2

4. All Members shall refrain in their international relations from the threat or use of force against the **territorial integrity** or **political independence** of any state, or in any other manner inconsistent with the Purposes of the United Nations.

The sovereign state even it was an enemy state should also be protected by **Charter of the United Nations**, our country, **Japan Empire**, signed the international agreement of surrender on 1945 Sep. 2<sup>nd</sup>.

On Oct. 24<sup>th</sup>, 1945, Charter of the United Nations came into force.

On Oct. 25<sup>th</sup>, 1945, the Chinese Occupying Power of the Chinese troop of Chiang Kai-shek (蔣介石) who was "acting on behalf of the United States, the Republic of China, the United Kingdom and the British Empire, and the Union of Soviet Socialist Republics" which stated in **Official US State Department Memorandum on Legal Status of Taiwan** July 13<sup>th</sup>, 1971. The Chinese Occupying Power transported by U.S. Navy, landed to occupy our country's territory Taiwan and Penghu. And the United States is the **Principal Occupying Power**, stated in the Art. 23. of **San Francisco Peace Treaty**.

From the time of surrender till now, our country, the surrender sovereign state, **Japan Empire**, does not signed any Peace Treaty with the Allied Powers because of 'the temporary disappearance of sovereign States as a result of annexation or capitulation that has been put forward as a pretext for not observing one or other of the humanitarian Conventions'. This is also mentioned herein on item 11.that the United States seriously violates Hague Conventions.

Our country, **Japan Empire** is still under occupying.

We request **Protecting Powers** and Geneva conventions' protections from a part of **Japan Empire**, Taiwan and Penghu where are still being occupied by the Chinese Troop and Chinese government namely Republic of China(ROC), now named **Chinese Taipei** with full name of 'Chinese government in-exiled in Taipei'. The Chinese Occupying Power on Taiwan and Penghu **seriously violates** Hague Conventions and Geneva Conventions; mentioned herein on item 16, 28.

According to

1. The **Charter of the United Nations** being in force on Oct. 24<sup>th</sup>, 1945, force to protect territorial integrity or political independence of **any** state.

2. The Treaty signed at Washington on February 6th, 1922, namely **FIVE POWER TREATY OR WASHINGTON TREATY** listed the insular territories and possessions in the Pacific Ocean of *Japan Empire* including Formosa (Taiwan) and the Pescadores (Penghu).
3. Article 4, Para. 1, of the 4th Geneva Convention states  
'Persons protected by the Convention are those who, at a given moment and in any manner whatsoever, find themselves, in case of a conflict or occupation, in the hands of a Party to the conflict or Occupying Power of which they are not nationals'
4. Article 6, Para. 4 of the 4th Geneva Convention states,  
'The word "resettlement" is used in regard to protected persons who cannot be repatriated for one reason or another and are not allowed to settle permanently in the country where they are living. In such cases another country must be found where they will be received and allowed to settle. It was in particular the experience gained at the end of the Second World War which led to the adoption of this clause.'

We request Japan and ICRC to be **Protecting Powers** to help us restore our country or make us be "resettlement" in our country where we were living and protect our human rights and benefits of Geneva Conventions.

7. In 1935 (昭和 10 年), the 40<sup>th</sup> anniversary of Japanese conducting in Taiwan namely 'Taiwan Expo of Dominion for Forty Years since the Inauguration', from October 10 to November 28, exhibitions (Taipei, the main exhibition ground) were held around Taiwan among the 50-day period. This was the first time that Taiwan organized the large-scale exhibition.
8. On November 22<sup>nd</sup>, 1935 (昭和 10 年), our government held election of the representatives of cities and villages. This was the first-ever democratic election and formed the first-ever local self-government in the history of Taiwan.
9. It was Tungchow Massacre on July 29<sup>th</sup>, 1937 that China's massacre on Japanese foreign nationals in violation of the laws of war, led *Japan Empire* "in and out China" rather than the Marco Polo Bridge incident on July 7.

Chinese soldiers' brutal atrocities on Japanese nationals were in the following. A large number of innocent Japanese foreign nationals (mostly elderly, women and children) was rubbed, raped, abused and killed. Chinese soldiers cut men's intestines, bellies and scalps open and dug their eyes out. Japanese women were strung together by using wire through their palms. They were raped with their hands and feet tied and beheaded afterwards. Even some were inserted bayonets into their vagina, and some were wildly stuffed broom into their pussies.

Until midnight, the Japanese soldiers were searching for the whereabouts of the survivors. They called, "is there any Japanese?" and searched from door to door. At this moment in time, Japanese children strung with wire through their noses, elderly women with their hands cut off, and Japanese foreign nationals with bayonets inserted into their abdomens were crawling out of dusted shelves, ditches and wall corners.

10. On December 8, 1941 (昭和 16 年), the United States of **America** cut off the supply of oil and other raw materials and collaborated with **Britain**, **China**, and **Dutch** for monopolizing the resources that contributed to the declaration of war by the **Japan Empire** to the United States of America and Britain.

11. In 1945, the *Japan Empire's kamikaze* attacked the U.S. large-armed equipment with their lives, while the United States widely killed innocent civilians and destroyed entire cities with the harmful B-29 bombers and even two atomic bombs in violation of the 4<sup>th</sup> Hague Convention of 1907.

Art. 23. 'In addition to the prohibitions provided by special Conventions, it is especially forbidden; ...To employ arms, projectiles, or material calculated to cause unnecessary suffering; ...'

Art. 25. 'The attack or bombardment, by whatever means, of towns, villages, dwellings, or buildings which are undefended is prohibited.'

In accordance with **Convention on the Non-applicability of Statutory Limitation to War Crimes and Crimes Against Humanity**, the United States of America is obliged to apologize and compensate.



12. The Potsdam declaration, Cairo communique, Armistice agreement, and Instrument of Surrender are international agreement without legal binding; instead, they represent only the intention of international cooperation. According to the U.S. State Department's archives INTERNATIONAL DOCUMENTS OF A NON-LEGALLY BINDING CHARACTER · **An international agreement must be "governed by international law" in order to be a treaty.**

<http://www.state.gov/documents/organization/65728.pdf>

13. Although the imperial edict signed by Japan Emperor and the Cabinet was according to valid laws of Meiji constitution, it is just domestic law rather than international law.

The Allied Powers signed international treaties with the *Japan Empire* or Japan must be in accordance with international law instead of the imperial edict signed by the Emperor of Japan and the Cabinet.

14. ***Japan Empire*** was originally a country with di-sovereign entities, **Japan Emperor** and **Imperial Japan Diet**.

The imperial edict to be effective must be with signature of Cabinet.

Japan Emperor is the "absolute" sovereign entity of the Empire of Japan.

Imperial Japan Diet, the "relative" sovereign entity, is composed of the people of the regions of the House of Representatives and the House of Peers.

15. After September 2nd, 1945, ***Japan Empire*** surrendered.

- ◆ Allied Powers brought the native people of Japan's four islands back to Japan four islands.
- ◆ The Union of Soviet Socialist Republics brought the residents in northern archipelago to Japan's four islands too, emptying the northern archipelago.
- ◆ Allied Powers brought the native people of Korea back to Korea. The sovereignty entity of the Korea was Korea Royal House, had already merged with ***Japan Empire*** in 1910, and the Royal House of Korea is still in Japan.
- ◆ Allied Powers brought the native people of Ryukyu back to Ryukyu. The sovereignty entity of Ryukyu was Ryukyu Royal House, had already

merged with the **Japan Empire** in 1872.

Both merging of sovereign states are far earlier before Pacific War.

- ◆ Allied Powers brought the native people of Taiwan and Penghu back to Taiwan and Penghu.
- ◆ Meanwhile, Japan Emperor started traveling around the territories on where would be implemented the new constitution by Royal custom.

16. On September 2nd, 1945, by General Order No.1, Chiang Kai-shek occupied Taiwan, Penghu and Vietnam.

Chiang Kai-shek sent Chen Yi (陳儀) to occupy Taiwan and Penghu, the territory of **Japan Empire**, and sent Lu Han (盧漢) to occupy French colony Vietnam.

*In Vietnam*, Chinese soldiers were notorious for rape, obscenity, robbery, dine-n-dash diners, and fare evasion. They even robbed Vietnamese foodstuffs and shipped them to China for supporting their civil war. Their military discipline was seriously corrupted. They also issued vouchers for the purpose of plundering Vietnamese goods that caused approximate 2 millions of people death from starvation. Mr. Ho Chi Minh requested France to be Protecting Power of Vietnam. On April 28, 1946, the Treaty between France and China ended Chinese occupation in Vietnam.

*In Taiwan and Penghu*, Chinese Occupying Power, the Chinese Kuomintang's troop, Chiang Kai-shek and Chen Yi, nowadays namely **Chinese Taipei**, occupies Taiwan and Penghu - the territory of **Japan Empire**.

Chinese Occupying Power caused **228 Massacre**; they massacred well-educated people of **Japan Empire**.

They moved 2 million refugees of Chinese Nationalist government to the occupying area, Taiwan and Penghu. At that time, there were 6 million citizens of Japan Empire on Taiwan and Penghu.

They forced the people on Taiwan and Penghu to exchange 40,000 old Taiwan dollars for one new Taiwan dollar (NTD) in 1949. One old Taiwan Dollar was equal to one Yen in 1945.

They pillage Taiwan and Penghu taking all of our Civil Government Resources, such as Local Governmental Offices, Schools, Civilian hospitals, and Civilian Courts. (Hague IV, 1907, Art. 28, Art. 47.)

They illegally violated humanitarian Conventions and the laws of war announcing that the inhabitants of occupied territory to be their nationals on January 12<sup>th</sup>, 1946.

They compel the inhabitants of occupied territory to swear allegiance to the hostile Power, Chinese Taipei. They conscript soldiers from the inhabitants of occupied territory, Taiwan and Penghu.

They have been levying numerous taxes on various items in Taiwan, buying weapons from the United States at high cost and donating a great amount of political contributions to the U.S. Congress. Notice that U.S.A. is the Principal Occupying Power on the territories of surrendered sovereign State.

Chinese Taipei and the United States have been jointly violating the laws of war and the humanitarian Conventions, hurting our human rights, and pillaging resources, pillaging civil resources, pillaging civil government resources on the occupied territory for 68 years up to date.

Chinese Taipei is twisting correct concepts of education, vandalizing, and violating human rights. It has illegally occupied on Taiwan and Penghu up to now.

17. On February 28<sup>th</sup>, 1947, Chiang Kai-shek's occupying troops well planned to massacre the citizens of the Empire of Japan. Those who educated above high school degree with majoring in non-engineering were killed in the way of Tungchow Massacre in order to prevent the occupied people from seeking for protection under the international law. There were hostilities against the army's pillages and killings. According to the Hague Convention and the 3<sup>rd</sup> Geneva Convention, the hostilities people, should be deem to prisoners of war; however, they were brutally killed by the Occupying Power. It obviously was in violation of the laws of war.

18. In 1947, while **Japan Empire** under military occupation, the **imperial Japan Diet**, the other sovereign entity, composed of the four-island people representatives of the House of Representatives and the House of Peers submitted Peace Constitution under the order and inspection of Allied commander General

MacArthur. Peace Constitution stipulated that the sovereignty of Japan belongs to Japanese people.

However, based on knowledge of laws, we know:

- a. Constitution cannot decide who the sovereign entity of State is. However, the sovereign entity could decide the implement, addition, revision, and abolishment of a constitution.
- b. For any State, when the new sovereignty separates from the old one, it is independence. The establishment of the new sovereign requires the consent of the old sovereign. Thus, Peace Constitution of Japan is essentially a declaration of independence.

The Declaration of Independence requested by one sovereign entity of Japan Empire, the **imperial Japan Diet**, composed of the four-island people representatives of the House of Peers and the House of Representatives formed the **Government of Japan Empire** to the other sovereign entity, Japan Emperor. The Emperor approved it and announced the implement of Peace Constitution. Then, the independence of Japan Peace was completed.

In Europe and America, sons are allowed to have the same name as fathers, customarily and legally.

Japan Peace's English name, Japan, is the same as **Japan Empire**. However, the structures of the two sovereign States are entirely different. In this way, the **Japan Empire** has no government being still under the military occupation of the Allied power.

19. A country's independence needs to be recognized by other countries. Thus in 1951, the San Francisco Peace Treaty Article 1 recognized the Japan Peace's sovereignty.

'The Allied Powers **recognize the full sovereignty** of the Japanese people over Japan (Peace) and its territorial waters'.

20. Right (Executive power), Title (Legislative power), and Claim (Judicial power), the usage of wording in treaty, refer to sovereign rights.

It means:

a. When a country completely implements constitution in the territory, the people on the territory have the right of self-government with Executive power, Legislative power, and Judicial power; they are citizens rather than the colonists.

b. The territory is the inherent territory rather than colonized land.

Cf. The Treaty of Mendota, Treaty of peace with Italy °

In San Francisco Peace Treaty (SFPT) Article 2 states,

Japan renounces all right, title and claim to item a. b. c. f.

That means, Japan Peace renounces the sovereign right to those territories listed in item a. b. c. f. And they are still belonging to **Japan Empire**, *The State of temporary disappearance*.

21. The defeated **Japan Empire** was of Di-Sovereign Entities...His Majesty the Emperor had the "absolutely" sovereignty around all territories of **Japan Empire** and the **imperial Japan Diet** composed of the people representatives of the House of Peers and the House of Representatives had the "relative" sovereignty. These two sovereign entities constitute each other, to complete the entire **Japan Empire's** sovereignty.

22. Although Japan Peace whose independence happened in 1947 was the de jure territory of Japan's four major islands, the boundaries between the Japan Peace and the **Japan Empire** are not clear.

The Article 2 of San Francisco Peace Treaty signed in 1951 by Japan Peace differentiates boundaries of the two. It also recognizes the range of the inherent territory of **Japan Empire**.

'a. Japan (Peace) **recognizing** the independence of Korea, **renounces** all right, title and claim to Korea, including the islands of Quelpart, Port Hamilton and Dagelet.'

In English grammar, the sentence pattern of a gerund explains that when a situational condition is established, then the next move is carried out.

Hence, in this article 2 item a, that means, while the condition of Japan Peace still be independent and Japan Peace still recognizes the independence of Korea, then Japan Peace renounces all right, title and claim to Korea, including the islands of Quelpart, Port Hamilton and Dagelet.

b. Japan (Peace) renounces all right, title and claim to Formosa and the Pescadores.

This states, Japan (independent of Peace Constitution 1947) renounces the sovereign right to Taiwan and Penghu. And they are still belonging to **Japan Empire**.

Likewise, the renounced in this article item c. and f. also means that they are the inherent territory of **Japan Empire**.

23. A peace treaty is just a peace treaty. It does not lead to the transfer of the sovereignty.

24. That Japan Peace under the Peace Constitution of Japan of 1947 departed from the sovereign structure of **Japan Empire** contributed to its independence. Japan Peace's sovereignty came from the **imperial Japan Diet** and its renouncement of the sovereign right of **Japan Empire** by the SFPT of 1951; however, the Japan Peace is still keeping the sovereign obligation of **Japan Empire**.

The Allied Powers have been still occupying **Japan Empire**, and the U.S.A. is the Principal Occupying Power.

Therefore, the boundaries of 'Treaty of Mutual Cooperation and Security between the United States and Japan' include inherent territories of the whole **Japan Empire**.

25. Peace Constitution and the SFPT (no transfer of the sovereignty) brought about the successful separation of the **Japan Empire**.

The **Japan Empire** has two sovereign entities, His Majesty the Emperor and the imperial Japan Diet.

The sovereign right of the occupied areas is still under control by the occupying

powers.

Nevertheless, the sovereignty of all inherently territorial boundaries of the **Japan Empire** still belongs to His Majesty the Emperor except for the Japan Peace.

Japan Peace whose independence was consented by the “absolute” sovereign entity of the **Japan Empire**, the Japan Emperor, the “relative” sovereign entity of the **imperial Japan Diet** was entitled to the complete sovereignty and Inherited the rights and obligations only of the four major islands of the **Japan Empire**.

26. As long as Japan Peace returns part of sovereignty from people stipulated in Peace Constitution to the sovereign entity of the Emperor and organizes a parliament by the people, then it will restore the di-sovereign structure of Japan Empire composed of the **Emperor** and the **imperial Japan Diet** in the four major islands.

In this way, in virtue of the restoration of the old sovereign structure, the boundary between Japan Peace and the Japan Empire is no longer existed. Next, in consequence of the “absolute” sovereignty of the **Japan Empire** owned by the Emperor, the occupied sovereignty of Taiwan and Penghu can be restored. Because the existence condition of Japan Peace independence is gone, the SPFT Article 2a is no longer supported. Then, the sovereignty of Korea can be restored to the **Japan Emperor**. That means that the Greater East Asia Co-Prosperity can be restored and Asian Peace can be insured.

27. The Treaty of Taipei signed in 1952 became invalid on September 29, 1972. Some might think that the Treaty of Taipei Article 10 explicitly determined the naturalization of the occupied people. This violated not only the Universal Declaration of Human Rights “No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality,” but also the Geneva Conventions “Occupation Does Not Transfer Sovereignty.” The original English version of Treaty of Taipei Article 10 on the nationality of the people on Taiwan and Penghu is as follows:

## Treaty of Taipei

### Article 10

"For the purposes of the present Treaty, nationals of the Republic of China, shall be deemed to include all the inhabitants and former inhabitants of Taiwan (Formosa) and Penghu (the Pescadores) and their descendants **【who** are of the Chinese nationality in accordance with the laws and regulations which have been or may hereafter be enforced by the Republic of China in Taiwan (Formosa) and Penghu (the Pescadores)**】** ;

The relative clause of **who** is a usage of determined antecedent. The subordinate clause is used to explain the nature, identity, and trait of an antecedent.

Antecedent: 'all the inhabitants and former inhabitants of Taiwan (Formosa) and Penghu (the Pescadores) and their descendants'

subordinate clause : 'who are of the Chinese nationality in accordance with the laws and regulations which have been or may hereafter be enforced by the Republic of China in Taiwan (Formosa) and Penghu (the Pescadores)'

In this subordinate clause "who are of (condition)," indicates an existent situation, a complete condition.

Neither has the nationality law implemented in Taiwan and Penghu by the ROC never changed the nationality of the people of the **Japan Empire** either any citizen of the being occupied Japan Empire on Taiwan and Penghu has ever applied for the ROC's nationality.

On March 18, 2008, Opinion Statement of US District Court Judge Rosemary M Collyer : "Plaintiffs have essentially been persons without a state for almost 60 years. The last completely clear statement of authority over Taiwan came from General MacArthur in 1945."

The US judge's opinion statement of verdict explicitly explain that the people of Taiwan and Penghu lost their nationality since **Japan Empire** was temporary disappearing shortly after occupation of the General MacArthur rather than since the derecognition of ROC by the U.S. in 1979, not to mention the nationality change in the Treaty of Taipei Article 10.



28. Chinese Occupying Power of Chiang Kai-shek has occupied Taiwan and Penghu since Oct. 25, 1945. In addition to the 2-million refugees of Chinese Nationals government in exile brought to Taiwan and Penghu in 1949 indicated by the archives of the US CIA and the State Department, the Taiwan authorities ROC, Chinese Taipei, the subordinate occupying power recognized by the principal occupying power under the Taiwan Relations Act lately has been intending to do things harmful to the people on Taiwan in virtue of administrative convenience and incentives such as issues in the following:

- a. Immigrant a great deal of Chinese,
- b. Severely edge out the resources of the occupied people,
- c. Illegal health care charge policy leads to the poor of the occupied people's committing charcoal-burning suicide,
- d. Even require the children and expectant mothers of the occupied people to afford high health care fare. However, the occupying powers enjoy the free health care and health insurance.
- e. The occupying powers levy taxes on people. There are various charges added to the taxation. The tax revenue is used to support the occupying powers and the refugees
- f. Illegally and unfairly benefit the occupying powers and students from China in educational resources which causes the occupied people, who have long been in the lower level of culture and economy.
- g. The occupying power renders wrong education and false identity, wipes out the national and tribal language of the Empire of Japan, uglifies Japanese cultures, and destroys our historic spots and Shinto shrines.
- h. The occupied people are conscripted to serve enemy army.
- i. The islanders, the Hakka, and the aborigine are disunited. The occupying powers are the mainlanders with a view to its political manipulation.
- j. Exploit the natural resources, gasoline, natural gas and mineral that belong to the occupied people in violation of the Laws of War.
- k. Illegally take people's lands, seize the Hall of Justice, hospitals, schools, local government, and various civil resources in violation of Hague Conventions and Geneva Conventions.

## SUMMARY

We urgently need the protection of the 4th Geneva Convention and Protecting Powers stationed in Taiwan.

We Request Japan to be our Protecting Power.

We Request ICRC to be our Protecting Power.

We declare that we understand and comply fully with all provisions of the Hague Conventions and 1st, 2nd, 3rd, 4th Geneva Conventions, all of the international conventions and customs of war.

## CONTACT INFORMATION

A. Entity: **Rescue Committee for the people of Japan Empire**

大日本人民救援委員會

B. Mail Address:

No.263, Sec. 6, Yanping N. Rd., Shilin Dist., Taipei City 111, Taiwan

C. Email Address: [geneva4th@rcje.org](mailto:geneva4th@rcje.org)

D. Website: <http://www.RCJE.org>

Presidency President:

Published date: 2013.08.16

*Selig S.N. Tsai* 蔡世能

