



- 立法委員雷倩用圖表進一步解釋我國專屬經濟海域劃界問題，左起內政部地政司長張元旭、國安會諮詢委員陳忠信、謝立功博士  
Legislator Lei Chien further explains Taiwan's exclusive economic sea territory's division issue using charts; from left are Ministry of Interior Land Administration director Chang Yuan-shu, National Security Council member Chen Zhong-hsin, Dr. Hsieh Li-kong

- 立法委員帥化民針對台灣周邊海域整體情勢提出看法，左起海巡署署長許惠祐、姜皇池博士、孫國祥博士  
Legislator Shuai Hua-min presents his view on the overall scenario of Taiwan's peripheral seas; from left Coast Guard Administrator director Syu Huie-you, Dr. Jiang Huang-tze, Dr. Suen Kuo-shiang

文 | 林鴻鈞 圖 | 呂澄海

Article | Lin Hong-jun Photos | Lu Cheng-hai

# 我們在寫海洋史重要的一章 臺灣周邊海域情勢及對策 研討會紀實

We are writing an important chapter in the oceanic history - chronicle of the Taiwan peripheral sea scenario and strategy symposium



- 中華珊瑚礁協會理事長鄭明修博士於會中發表建言  
Coral Association of the ROC managing director Dr. Cheng Ming-shu speaks at the symposium

21世紀為海洋之新世紀，各國政府為掌握海洋開發、管轄海域空間、探索海洋資源、維護海洋生態環境，以尋求更廣大之海洋利益，莫不積極投入，海洋事務已然成為世界性的公共議題。按「1982年聯合國海洋法公約」之規定，沿海國可主張12浬領海、24浬鄰接區之主權權利及200浬內專屬經濟區之管轄權，而大陸礁層之權利甚可擴張至350浬，這些海域自然資源之探勘與開發，使領土主權、海域劃界問題日趨白熱化。

二次世界大戰以後，世界人口不斷增長，導致陸地資源逐漸耗竭，為尋求開發新的能源，各國無不積極制定海洋戰略，俾能謀求國家最大的權益。復以全球化趨勢，國際間貿易往來頻繁，因經貿活絡與否代表國力強弱之展現，為能推動國際貿易，各國對於海上交通運輸安全更加重視，如何維護和控制這條國際貿易「藍色動脈」，已為各國致力達成的目標。此外，海洋更是國家安全之重要屏障，據統計，距海200公里以內的陸地地區約集中了世界1/2以上的人口，而國家的政治、經濟與文化重心則密布於沿海地區。是以，保衛沿海地區的安全與穩定發展，成為臨海國家從事海洋競爭重要之課題。

臺灣位於東北亞與東南亞中心，地處遠東至北美航線樞紐，臺灣海峽每天有400艘國際船舶行駛通過、350架國際航線飛機飛越，交通往來相當頻繁。而周邊海域來自大陸沿岸流、黑潮及來自南中國海高溫低鹽之水團匯集，孕育出2500種魚類，及蘊藏世界近1/3的珊瑚產量，不僅具有豐沛的生物多樣性，在海域底層更擁有豐富的石油、天然氣及其他礦產。臺灣雖於1979年將專屬經濟

As the 21st century has emerged as a new maritime millennium, the world governments have actively take part in grappling maritime exploration, safeguarding territorial sea space, exploration of maritime resources, and maintaining ocean environment in search of securing a greater maritime equity, pushing maritime issue to be a subject of worldwide importance. As per the 1982 UN Ocean Treaty, coastal countries are entitled to 12 nautical mile of sea territorial claim, 24 nautical mile of sovereignty claim, and 200 nautical miles os exclusive economic zone jurisdiction claim, or even up to 350 nautical mile of continental reef claim; the exploration and development of natural resources within these sea territories have further heated the issues of territorial claim and sea territorial division.

As world population begin to swell following World War II that result in land resources being gradually depleted, in search of exploring new energy sources, world countries are rushing to instigate maritime strategies in search of securing maximum national equity. This, coupled with globalization, frequent international trading, and how economic and trade ties have come to dictate a nation's power, has pushed world countries to turn to maritime transportation safety in search of promoting global trade, spurring a worldwide effort for maintaining a sea shipping network that helps to maintain and secure global trade. Moreover, as the oceans further provide an important buffer zone to national security, statistics put one-half of the world population to be concentrating at a 200km strip from the coastline, and national political, economic and cultural strongholds are also situated in coastal areas. With that, how best to protect the security and stable development in the coastal areas has emerged to become an important issue to seafaring countries that are active in seafaring enterprise.

As Taiwan remains a hub between northeast Asia and southeast Asia, and a transit hub from the Fareast to North American, the Taiwan Strait sees 400 vessels coming and going everyday, 350 international flights passing through, where the traffic has been vibrant and busy. In the peripheral waters are mainland coastal currents, the Black Tides, and pockets of warm, low-saline water bodies from the South China Sea that culminate some 2,500 varieties of fish, nurture nearly one-third of corals worldwide, where the region not only offers great biodiversity but hidden beneath the bottom of the seas a wealth of oil, natural gas and other minerals. Despite that Taiwan has extended its exclusive economic zone to a 200 nautical mile area, yet the sea territories do overlap with many nearby countries, where the territories are fought over by all for the exceptional wealth of natural resources. Countries



● 行政院吳榮義副院長(中)主持綜合討論情形  
A snapshot of Executive Yuan vice speaker Wu Rong-yi (middle) presiding the integrated plenary discussions

區擴大至200浬，但此海域與鄰近國家重疊很多，再加上得天獨厚的天然條件，每每成爲兵家必爭之地。包括中國大陸、日本及南海東協各國均陸續採取行動，其中日本更於今年2月宣稱，將由政府接管釣魚台之民間燈塔等措施。部分政治觀察家甚至評論，東亞海域所衍生的問題，正如同二次世界大戰前「歐洲火藥庫」之巴爾幹半島般，一觸即發，因此臺灣周邊海域具高度敏感性可見一般。

有鑑於此，行政院謝院長於今(94)年4月25日行政院海推會第3次委員會議中明確指示，對我國周邊海域爭端及相關法理建構問題，應儘速釐清，並責成行政院海岸巡防署(以下簡稱本署)儘速著手規劃辦理研討會，蒐集各界意見，俾供未來政策規劃參考。是以，本署於94年6月28日上午9時在辦公大樓中正堂舉辦「臺灣周邊海域情勢及對策」研討會，計邀請政府機關、民意代表及學者共200餘人參加。本次研討議題特別設定「臺灣周邊海域情勢研析及未來發展策略」、「春曉油氣田事件」及「釣魚台爭議」之情勢發展與對策、「南海問題及東沙情勢研析」等3項議題討論，並安排「綜合討論」。本次會議除由署長許惠祐擔任第1場次主持外，並邀請國安會陳忠信諮詢委員、政治大學林碧炤副校長及行政院吳榮義副院長分別擔任各場次主持人，同時邀請多位立法委員及

including Mainland China, Japan, and APEC countries are making claims of it, and Japan even moves to announce in this February that the Japanese government would move to take over the private lighthouse on the Senkaku (Diaoyu) Island. Some political observers even assert that issues derived from the East Asia sea territories are ready to explode, much like the arsenal of the Balkan Peninsula before World War II, highlight the highly sensitive nature of Taiwan's peripheral sea areas.

In light of which, Executive Yuan speaker has clearly instructed at the 3rd committee committing held on April 25, 2005 that Taiwan's peripheral sea territorial dispute and relevant legal development issues need to be addressed as early as possible, and has ordered the Executive Yuan Coast Guard Administration, hereinafter the Administration, to begin staging a symposium as expeditiously as possible for gathering widespread opinions as references for future policy development. With that, the Administration has at 9:00AM, June 28, 2005 staged a "Taiwan peripheral sea territorial scenario and strategization" symposium at the Coast Guard Building's Chung Chen Hall, which expects to extend invitations to over 200 government agency officials, lawmakers and scholars. The symposium agenda is set out to cover three discussions entitled "Taiwan's peripheral sea territorial scenario and future development strategy", "Tsuen Shiao gas field incident and the Senkaku Island incident's scenario development and strategy", an "Nansha issue and Dongsha scenario profiling", with integrated plenary discussions scheduled. The symposium not only has Administration director Syu Huei-you presiding session one meeting, invitations have also been extended to National Security Council consultant Chen Chung-hsin, Chen Chi University vice director Lin Bi-shao, Executive Yuan vice speaker Wu Rong-yi, who would preside additional sessions as meeting chairs, together with several lawmakers, experts and scholars on hand to exchange viewpoints and form consensus utilizing this gathering.

Administration director has said in his keynote, "The



專家學者擔任與談人，期能藉由這次會議，讓與會人員互相交換彼此看法，形成共識。

署長於會上致辭表示：本署於這段時間對於護漁問題之處理，並不斷地提醒同仁，不要只把眼光限縮在12浬領海的範圍，而應該擴大到200浬海域，本署的業務要從原先較單純的走私偷渡等犯罪查緝，轉型為「海域執法」、「海事服務」與「海洋事務」三大核心任務並重的型態。如此的轉變，不僅在自我心態及業務轉型上已屬不易，但本署裝備及海空能量不足的問題更顯嚴重，由於缺乏空中執勤能量及大型艦艇，不僅無法建構三度空間的執法能量，更難以達成遠距執法的目標。而在政府組織改造的規劃中，海洋事務專責機關已然消失，中山大學海洋政策中心主任胡念祖老師對此現象更為文「逐漸消失的海洋國家願景」乙篇，刊登在報紙上，經認真檢討這樣的結果，我們發現最大問題仍在於海洋意識的不足。

最近發生的「臺日漁事」糾紛中，蘇澳漁民發出怒吼之後，引發眾人對於海洋事務前所未有的重視，這不但是個危機，同時也是轉機。實際上，臺灣周邊海域的問題不僅限於護漁問題，北方尚存在「春曉油田」爭議問題，以及釣魚台主權之爭；南方在東沙海域有中國大陸探測船不斷入侵的問題，同時，存在南沙群島的主權之爭亦從未停歇。最近，更在花蓮東方約800浬處海域，發生日本將所謂「沖之鳥島」礁石以人工方式加工，宣稱其為島嶼，而據以劃定200浬之專屬經濟海域的問題，不僅嚴重影響我國漁民的海上作業，在在均足以損及我國的海洋權利。

本次研討會主要目的在廣徵各界建言，凝聚國人共識，俾使未來在遭遇周邊海域爭端問題時，能建構一套完整因應機制及運作模式。例如針對臺日漁場爭議，內政部地政司長張元旭特別提出經濟海域未來5項執行策略，包括健全國內法制、加速海域調查、加強海域巡護、蒐集國際案例及整備談判團隊掌握談判時機等，認為海域界線越早確定糾紛越少，建議採扣留、處罰等做法施壓。另有學者提出在重疊海域原則上以和平方法解決，且專屬經濟海域劃界問題有必要審慎研究因應，而釣魚台主權的爭端，除應儘速與日本進行漁權談判外，更需在法律基礎上

Administration, when dealing with the response of the fishery escorting issue during this period, has constantly reminded the associates to expand Taiwan's sea territorial claim to 200 nautical miles, rather than its 12 nautical mile sea territories, and administration associates need to transform the agency's once simplistic trafficking crackdown, criminal tracking efforts into a three-part crucial mission of maritime law enforcement, maritime service and maritime affairs. Such transformation has not only been regarded as difficult in terms of mindset and operational transformation but a more pressing issue lie with the Administration's equipment and its deficiency in sea and aerial dynamics. The lack of aerial duty performing capability and large ships has not only kept the Administration from developing a three dimensional law enforcement dynamic, but further hinders attaining the goal of remote law enforcement. In the government's organizational reengineering plan, a abolition of a full time maritime affairs agency has been had Chung Shan University maritime policy center director Hu Nien-tsu lamenting the phenomenon with a newspaper article, entitled "the gradually vanishing vision of becoming a maritime nation", and a closer examination of which leads us to believe hat the biggest issue rests on the lack of maritime awareness.

Of the recent Sino-Japanese fishery dispute that triggered angry voice coming from the fishermen in Suao, the incident has triggered the public with unprecedented emphasis on maritime affairs, which presents a crisis but also a turning point. In fact, Taiwan's peripheral sea territorial dispute concerns more than the fishery escorting issue but alos the Tsuen Shiao oil field issue up north, and the sovereignty dispute on the Senkaku Island; the issue of constant mainland vessel infringement on Dong Sha sea territories down south; in the meantime, the sovereignty claim dispute over the Nan Sha islets never ceased. More recently, what Japan has done to the so-called Toru Jima reef 800 nautical miles off to the east of Hualien with artificial reinforcement proclaiming it an island of Japan, triggering the 200 nautical mile exclusive economic sea territory issue, has not only emerged to severely hinder Taiwan's fishermen operations at sea but would also suffice to jeopardize Taiwan's maritime claim.

The purpose of the current symposium lies in gathering input from all sectors, helping to solidify public consensus, in order to develop a comprehensive response mechanism and implementation mode when disputes in the island's peripheral sea territories should break out in the future. For instance, focusing on the Sino-Japanese fishing ground dispute, The head of Land Administration, Ministry of Interior, Chang Yuan-shu has presented a five implementation strategies for the future, which consist of strengthening the domestic legislation, speeding up sea territory surveying, stepping up sea territorial escort, gathering prior international case rulings, as well as mobilizing a negotiation team in order to seize the negotiation timing, by taking to minimizing disputes through establishing the boundaries, and a recommendable approach for adopting detention, corrective action to raise the stake. In addition, there are scholars who propose that the overlapping sea territorial principle needs to be resolved peacefully, and that the division of the exclusive economic zone issue needs to be carefully assessed by studying its cause and effect, while the Senkaku Island's sovereignty claim dispute calls for a fishery right negotiation with Japan as expeditiously as possible, and the need to locate a legal framework that is independently differed from China's sovereignty claim.

尋求並架構能獨立有別於「中國」之主權。

行政院副院長吳榮義在主持綜合座談時，更做了以下提示，包括：有關成立「海洋事務部」乙節，大家可以共同努力；有關強化海域執法能力，充實海巡艦艇及空中能量、建置噸位數較大之海測(研)船，從事周邊海域及大陸礁層調查、東沙及南沙設立國家公園等，屬政策面問題，可彙整提送海推會第4次委員會議討論。同時表示政府對於海洋事務一向至為重視，未來仍將廣續推動海洋相關活動，也期許在座參與本次研討會的所有來賓，均能繼續給予支持與鼓勵，俾期喚起國人海洋意識，進而愛護及守護我們的海洋。而許署長表示本次研討會議，非常難得能獲得具有相當份量的文章發表，將另集結印製「論文集」，提供各界參考。

21世紀是發展海洋文明的新紀元，「海洋立國」是臺灣國家發展的新藍圖，過去一般民衆普遍對海洋資源之開發與保育之觀念認知不足，政府又未能重視海洋事務的相關發展，致缺乏周密與前瞻的海洋政策，造成「片段管理」及「政策不銜接」等情況，嚴重影響我國海洋權益。政府已於去(93)年1月成立行政院海洋事務推動委員會，做為各機關(構)推動海洋事務之平台，未來我們應積極建構以臺灣為中心，以輻射狀全方向海洋發展，同時輔以民主、和平及促進繁榮為核心的海洋戰略，並遵守聯合國海洋法公約各項規範，有效維護海洋利益，確保太平洋永續發展。面對專屬經濟海域爭端問題，應透過「非零和」思維，藉由司法救濟協商途徑，取代軍事武力對峙衝突，避免使雙方陷入「零和」窠臼，引發國際爭端，方能創造共生合作之方式，俾謀求彼此長久和平與最大福祉，而為期落實 陳總統海洋立國理念，我們更應整合海洋各項資源，推動成立海洋專責機構，早日實現「生態、安全及繁榮」的海洋國家願景。

(作者任職於海巡署企劃處)

Executive Yuan vice speaker Wu Rong-yi has concluded the following instructions in his presiding the plenary symposium, which covers that all can work together with regard to addressing the issue of launching a full-time maritime affairs agency; for stepping up sea territorial law enforcement capabilities, it is viable to step up a patrol vessels and aerial patrol dynamics, launching sea survey ships of larger tonnage for conducting surveys in peripheral seas and continental reefs; the issues of setting up a national park on Dong Sha and Nan Sha, which falls under policy issue, could have the information consolidated and forwarded to the 4th council meeting for discussion. In the meantime, he also reasserts that the government has always been emphasizing on maritime affairs, and will continue to push forward maritime related activities, who also anticipates all attendees partaking the current symposium to continue providing their support and contribution to bring forth maritime awareness among the public to care for and guard the oceans that we depend upon. While Administration director Hsu has said that the symposium has garnered a significant contribution of articles being published, which will be compiled into a thesis compendium print that will be available to all as reference material.



● 海巡署署長許惠祐於台灣周邊海域情勢及對策研討會中致詞情形  
A snapshot of Coast Guard Administration director Syu Huei-you addressing the Taiwan peripheral sea scenario and strategy symposium

As the 21st century has emerged as a new millennium dominated by a maritime culture, and maritime infrastructure has emerged to become new blueprint for Taiwan's national development, the general lack of public maritime development and conservation concept, coupled with the government's lack of emphasizing maritime affair related development, has led to the absence of a well-sought, innovative maritime policy, causing fragmented management and policy inconsistency to severely hinder Taiwan's maritime equity. With the Taiwan government's moving to launch a maritime affairs promotional council in January 2004 serving as a platform for all agency to promote maritime affairs, in the future we need to actively embrace the oceans in an all encompassing manner taking to utilizing the island of Taiwan as a hub, backed by a democratic, peaceful and prosperity inducing maritime strategy, abiding by UN maritime treaty guideline, to effectively maintain Taiwan's maritime equity, and ensure a sustainable development of the Pacific Ocean. When faced with the disputes of the exclusive economic zone, it is prudent to seek the judicial negotiation means taking to a non scattered, peaceful approach, in place of military standoff conflicts, to avoid the both sides from being trapped in an impasse situation that would only lead to global dispute, that would poise to create a peaceful coexistence collaboration mode, seeking long-term peace and optimal equity. In a move to realize president Chen's national development vision, it is prudent for all of us to launch a full-time maritime agency by integrating various resources that would help to realize a maritime national vision of ecology, security and prosperity.

(The author is a officer of Department of Planning, the Coast Guard Administration)