

# Notification about PCA Case number 2013-19

Notification about “The Republic of Philippines v. The People's Republic of China”

Published on 6 May 2016

The Re-establishing government of Japan Empire

To Respected Judges: Judge Thomas A. Mensah of Ghana, Judge Jean-Pierre Cot of France, Judge Stanislaw Pawlak of Poland, Professor Alfred Soons of the Netherlands, and Judge Rüdiger Wolfrum of Germany.

This is the Government of Japanese Empire and named the Re-establishing government of Japan Empire spoken.

The Government was formed by UN NGO RCJE (Rescue Committee for the people of Japan Empire) on World Day of Social Justice of 2014, with declaration of respecting, accepting and complying with all Geneva Conventions (1949) and their three additional protocols.

(<http://www.regovje.org/index.php/en/profile/re-establishing-government>)

The Government in all territories subjects to the Jurisdiction of International Court of Justice(ICJ), Permanent Court of Arbitration(PCA) and International Criminal Court(ICC).

The Government brings forward this notification about Case “The Republic of Philippines v. The People's Republic of China” (PCA Case number 2013-19).

## Notification

The argued areas in PCA Case number 2013-13 belong to the Japanese Empire. Japanese Empire’s **Spratly Islands and Paracel Islands** are fully entitled to Territorial Sea, Exclusive Economic Zone (EEZ) and Continental Shelf. All the things that Japan (MacArthur Constitution) renounced belong to Japanese Empire.

## Details

1. **Spratly Islands and Paracel Islands** are listed in “TREATY OF PEACE WITH JAPAN” which is also named “San Francisco Peace Treaty (hereinafter referred to SFTP).”  
**SFPT Article 2 f.** states “Japan renounces all right, title and claim to the

Spratly Islands and to the Paracel Islands.”

**SFPT Article 25** states “Subject to the provisions of Article 21, the present Treaty shall not confer any rights, titles or benefits on any State which is not an Allied Power as herein defined; nor shall any right, title or interest of Japan be deemed to be diminished or prejudiced by any provision of the Treaty in favor of a State which is not an Allied Power as so defined.”

**SFPT Article 21** states “Notwithstanding the provisions of Article 25 of the present Treaty, China shall be entitled to the benefits of Articles 10 and 14 a. 2.; and Korea to the benefits of Articles 2, 4, 9 and 12 of the present Treaty.”

**China didn't sign SFPT neither one of the Allied Powers. China can only be entitled to the benefits of Articles 10 and 14 a. 2., and not like Korea be entitled to the benefits of Articles 2.**

**Obviously, China cannot be entitled to the benefits of Spratly Islands and Paracel Islands.**

2. **SFTP 1 b.** states “The Allied Powers recognize the full sovereignty of the Japanese people over Japan and its territorial waters.”

This Article defined that Japan which signed SFPT is not the Japan (Japanese Empire) surrendered to Allied Powers but **the Japan who was independent on 3 May 1947 with MacArthur Constitution under military occupying.**

“Transferring sovereignty under military occupying” violated Laws of War. This is maybe another topic about USA's aggression of war crimes. The government has brought forward the denouncement against illegal MacArthur Constitution in the document”平成 27 年 天長節 感恩文告” or in English “proclamations on forever god celebration 2015” dated on 20 December 2015. (<http://www.regovje.org/files/20151223S.pdf> in Chinese)

**The Charter of the United Nations** Article 2 paragraph 4 states “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.”.

According to **The Charter of the United Nations**, the Japanese Empire surrendered on 2 September 1945 shall still keep her **territorial integrity** or **political independence**.

Peace Treaty is Only for Peace but not for transferring sovereignty of territories,

**SFPT Article 2** helped the Japan (MacArthur Constitution) to distinguish her executive power, legislative power and jurisdiction from Japanese Empire (Meiji Constitution).

**(See “Jurisdiction over Formosa and Pescadores”**

[http://www.rcje.org/files/Jurisdiction\\_over\\_Formosa\\_and\\_Pescadores.pdf](http://www.rcje.org/files/Jurisdiction_over_Formosa_and_Pescadores.pdf)  
in English / Chinese )

All the things that Japan (MacArthur Constitution) renounced in SFPT belong to Japanese Empire.

## Conclusion

The Charter of the United Nations Article 2 paragraph 4 states “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 Japanese Empire shall still keep her territorial integrity or political independence.

SFPT Article 2 helped The Japan (MacArthur Constitution) to distinguish her executive power, legislative power and jurisdiction from Japanese Empire (Meiji Constitution).

All the things that Japan (MacArthur Constitution) renounced in SFPT belong to Japanese Empire.

**Yours sincerely,**

*Selig S.N. Tsai* 蔡世能

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(Sec.) Prime Minister

Re-establishing government of Japan Empire



# 通知於 PCA 案號 2013-19

通知於“菲律賓共和國訴中華人民共和國”

發布日期：2016 年 5 月 6 日

大日本帝國重建政府

## 致 尊敬的法官：

迦納籍法官 Thomas A. Mensah，法國籍法官 Jean-Pierre Cot，波蘭籍法官 Stanislaw Pawlak，荷蘭籍教授 Alfred Soons 和德國籍法官 Rüdiger Wolfrum

大日本帝國的政府-大日本帝國重建政府，在此宣說。

本政府由聯合國 NGO 大日本帝國人民救援委員會 RCJE 在 2014 年的世界社會正義日成立，並宣告尊敬、接受及遵守 1949 的日內瓦諸公約及其三個附加議定書。

(請見網址：<http://www.regovje.org/index.php/en/profile/re-establishing-government>)

本政府在一切領土，遵從於國際法院(ICJ)、常設仲裁法院(ICJ)及國際刑事法院(ICC)的管轄權。

本政府提出了有關這個案件“菲律賓共和國訴中華人民共和國”的通知（PCA 案號 2013-19）。

## 通知

**PCA 案號 2013-13 之系爭區域屬於大日本帝國所有。**

大日本帝國的新南諸島及西沙諸島擁有領海、專屬經濟區和大陸架。

麥克阿瑟憲法的日本國所放棄的所有事物，都屬於大日本帝國所有。

## 細節

1. 新南諸島及西沙諸島列示於“對日和平條約”或稱“舊金山和平條約(下稱 SFPT)”。
- SFPT 第 2 條 f 明記“日本國放棄對新南諸島與西沙諸島之行政權、立法權與管轄權”。
- SFPT 第 25 條明記“除本約第 21 條之外，本條約不授與任何行政權、權源與利益給予非前述盟國之任何國家。日本之任何權利、權源與利益亦不得為非屬前述之盟國，而引用本條約之規定以致於有所減少、損害。”

SFPT 第 21 條明記 “中國與朝鮮不受本條約第 25 條規定之所限，中國應享有本條約第 10 條與第 14 條 a2 之權益、朝鮮則享有本條約第 2 條、第 4 條、第 9 條與第 12 條之權益。”

**中國沒有簽署舊金山和平條約也不是盟國，中國只能享有第 10 條與第 14 條 a2 之權益；中國不像朝鮮享有第 2 條之權益。**

**顯然地，中國不能享有新南諸島及西沙諸島的權益。**

2. 舊金山和平條約第 1 條 b 明記”盟國承認日本國人民對於日本國及其領海之完全主權”

本條文定義簽署舊金山和平條約的日本國不是對盟國投降的日本(大日本帝國)，而是在軍事佔領下，以麥克阿瑟憲法，獨立於 1947 年 5 月 3 日的日本國。

“軍事佔領下移轉主權”違反戰爭法，這可能是另一個主題，關於美國侵略的戰爭罪。本政府已於 2015 年 12 月 23 日提出譴責非法的麥克阿瑟憲法之文件 “平成 27 年 天長節 感恩文告”。

(<http://www.regovje.org/files/20151223S.pdf>)

聯合國憲章第 2 條第 4 段明記 “各會員國在其國際關係上不得使用威脅或武力，或以與聯合國宗旨不符之任何其他方法，侵害**任何國家之領土完整或政治獨立**。”

依據聯合國憲章，大日本帝國投降於 1945 年 9 月 2 日應該仍然保有其**領土完整或政治獨立**。

和平條約只是為了和平，而不是為了轉移領土主權。

舊金山和平條約第 2 條，幫助麥克阿瑟憲法的日本國從大日本帝國的範圍，界定其行政權、立法權及管轄權。

(請見“台灣及澎湖諸島的管轄權”

[http://www.rcje.org/files/Jurisdiction\\_over\\_Formosa\\_and\\_Pescadores.pdf](http://www.rcje.org/files/Jurisdiction_over_Formosa_and_Pescadores.pdf))

麥克阿瑟憲法的日本國在舊金山和平條約放棄的所有事物，都屬於大日本帝國所有。

## 結論

聯合國憲章第 2 條第 4 段明記 “各會員國在其國際關係上不得使用威脅或武力，或以與聯合國宗旨不符之任何其他方法，侵害任何國家之領土完整或政治獨立。”

大日本帝國應該仍然保有其領土完整或政治獨立。

舊金山和平條約第 2 條，幫助麥克阿瑟憲法的日本國從大日本帝國的範圍，界定其行政權、立法權及管轄權。

麥克阿瑟憲法的日本國在舊金山和平條約放棄的所有事物，都屬於大日本帝國所有。

大日本帝國重建政府  
(次) 內閣總理大臣  
Selig S.N. Tsai 蔡世能

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敬識

