



The Duties & Benefits of the Protecting Power for Executing the Fourth Geneva Convention of 1949 to the State of the Empire of Japan (Japan Empire, JPE)

1949 的日內瓦公約的大日本帝國的保护國做什麼事？

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Preamble

1.

The sovereignty between the Japan Empire and the new Japan are completely different.

The State of the **Japanese Empire**, also known as the State of the **Empire of Japan** (hereinafter “**Japan Empire**”, “**JPE**”)

The State of the Japanese People (which was forced to be independent from the Japan Empire on 3 May 1947)

On 3 May 1947, the US forced a new Japan (of which sovereign power resides with Japanese people) to be independent from the Japan Empire (of which sovereign entities are His Majesty the Emperor and the JPE Government).

2.

During the World War II, the sovereign State of Japan Empire (**JPE**) has been fighting against the imperialism of the USA and the British Empire.

(If you said the World War II had been passed, and this document shall use the past tense or past perfect tense in grammar, then please notice that there is no any peace treaty to end the said War between the sovereignties of the belligerent States of the JPE and the USA.)

The JPE's sovereign territories include the present Japan (new Japan), the south and north Korea, Taiwan

前言

1.

大日本帝國與日本國，是兩個完全不同的主權。

在 1947 年 5 月 3 日，美國強迫了一個新的日本國(其主權屬於全體日本國民)從大日本帝國(其主權實體為天皇陛下及帝國政府)獨立。

2.

在二戰時，有一個對抗美國及大英帝國之帝國殖民主義的主權國家 - 大日本帝國，

(如果您認為二戰已經過去、本文件應該使用過去式或過去完成式的文法時態；那麼，請注意交戰國之日本帝國與美國的主權之間沒有任何和平條約以結束第二次世界大戰。)

大日本帝國的主權領土包含了今天的日本國、南韓、北韓、台灣與澎湖、及南海諸島。



(Formosa) and Penghu (Pescadores), and the Spratly Islands and the Paracel Islands.

Pursuant to the provisions of Article 2 of the Principle of the UN Charter (1945), the US-led Allied Powers shall refrain from the threat or use of force against the territorial integrity or political independence of **any State** (including the said Japan Empire.)

3. Subsequently, here, we got some serious problems.

The first question is “Where is the sovereign State of the Empire of Japan (JPE) as of today?”

The second question is “Why do the nationals of the JPE still exist in Formosa and Pescadores (Taiwan)?”

The third question is “How many populations of the JPE nationals, now, live in Taiwan? (It is sciencely estimated to 20 million JPE nationals in 23 million of Taiwan population.)”

The fourth question is “How about the human rights of the nationals of the Japan Empire in their day to day lives?”

The fifth question is “Why are the nationals of the Japan Empire not protected yet by the 1949 Fourth Geneva Convention after their JPE Government made the declaration to respect and accept and accession to the 1949 Geneva Conventions and their three Additional Protocols?”

The sixth and hopefully the last question is “According to the **Genocide** definitions which is provided by the Rome Statute of the International Criminal Court (**ICC**), has not the USA President committed genocide against the Japan Empire nationals in Taiwan?”

根據聯合國憲章(1945)的原則部份的第二條的規定，美國為首的盟軍不能以武力或威脅侵犯**任何國家**(包含大日本帝國)的領土完整或政治獨立。

3. 但是，

問題 1、今天，世界上大日本帝國在哪裏？

問題 2、大日本帝國的國民為什麼仍存在於台灣與澎湖？

問題 3、上述的大日本帝國國民現在約有多少人？(科學估計，台灣的 2 千 3 百萬人口中有 2 千萬大日本帝國國民)

問題 4、大日本帝國的國民處在什麼樣的人權的日常生活裏？

問題 5、大日本帝國的國民為什麼在其大日本帝國政府宣告遵守並簽署 1949 日內瓦公約及其三個附加議定書之後，還沒受到 1949 日內瓦第四公約保護？

問題 6，希望這是最後一個問題，

依據國際刑事法院的羅馬規約的**滅絕種族罪**定義，美國總統是不是對台灣的大日本帝國國民犯了滅絕種族罪？或者，誰對台



<p>“If it is not that the USA President has continuously committed genocide against the Japan Empire nationals, then who has continuously committed genocide against the nationals of the Japan Empire in Taiwan?”</p> <p>We are so appreciative that Your Excellency could take time to read this document.</p> <p>This document not only analyzes and makes solutions to the above mentioned problems under international law; but also respectfully invites Your Excellency to restore the sovereign rights of the occupied State, to protect the human rights of the nationals of the occupied State under international law.</p> <p>We, at the JPE Government, request Your State to be the Protecting Power, to dedicate together with our State for the civilizing the human society, of respecting the sovereignty of any State, of protecting human rights, of living in peace, in health, and in wealth.</p>	<p>灣的大日本帝國國民犯了滅絕種族罪？</p> <p>很感謝 閣下，花費寶貴的時間閱讀這份文件。</p> <p>這份文件不只能以國際法完整說明上面提及的問題；這份文件，更邀請閣下為被佔領國的國家主權及其國民的人權，以國際法提供重建及保護。</p> <p>希望您的國家成為大日本帝國的保護國，讓我們一起為尊重主權、保護人權、常樂於和平、健康、富足的人類世界文明而努力。</p>
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**Part 1.**

**Why is Taiwan the occupied territory?
Which State's sovereignty still presents in
Taiwan? And, Taiwan is under occupied by
which State?**

**A. Formosa and Pescadores (Taiwan) are the
sovereign territories of the State of the Empire
of Japan (Japan Empire, JPE).**

1. Formosa and Pescadores (hereinafter "**Taiwan**") are the sovereign territories of the sovereign State of the Empire of Japan (hereinafter "**Japan Empire**", "**JPE**") as stated in Article 2 of the 1895 Shimonoseki Treaty, Article 19 of the 1922 Five-Power Treaty signed in Washington, and Article 2 of the San Francisco Peace Treaty (**SFPT**) entered into force in 1952.
2. China (the sovereign State of the Qing Empire) had ceded to Japan (the sovereign State of the Empire of Japan, JPE) its full sovereignty over Formosa and Pescadores (**Taiwan**) in the 1895 Shimonoseki Treaty.
3. Before the 1895 Shimonoseki Treaty, the inhabitants of **Taiwan** were without any nationality. Notably, they were never of the nationality of China (the State of the Qing Empire nor the Republic of China outlined in Section 19).
4. Under Article 5 of the Shimonoseki Treaty of 1895, the JPE government gave each inhabitant of **Taiwan** the freedom of choice to be of the nationality of the sovereign State of the Empire of Japan (**Japan Empire, JPE**).
5. After the Shimonoseki Treaty of 1895 came into force, in **Taiwan**, the JPE government immediately implemented the Meiji Constitution and set up laws and registered sovereign courts to accept grievances and litigation from the inhabitants of **Taiwan** thus enabling them the benefits of having human rights under the sovereignty of the Empire of Japan (**Japan Empire, JPE**).

Part 1

台灣為什麼是被佔領領
土？是哪一國的領土，被哪
一國佔領？

**A. 台灣與澎湖是大日本帝
國的主權領土**

1. 台灣與澎湖，明列於 1895 的下關條約的第 2 條，1922 在華盛頓簽署的五國條約的第 19 條，以及 1952 生效的舊金山和平條約第 2 條。
2. 台灣與澎湖，在 1895 年的下關條約，由中國(大清帝國主權國家)與大日本帝國主權國家簽訂，大清帝國完整割讓台灣與澎湖的主權給大日本帝國。
3. 在 1895 的下關條約之前，台灣與澎湖住民沒有任何國籍。
4. 在 1895 的下關條約第 5 條，大日本帝國給予個別的台灣與澎湖住民，選擇是否成為大日本帝國主權的國籍的權利。
5. 並且，1895 年的下關條約生效後，大日本帝國即在台灣實施大日本帝國的法律，並設置主權國家的法院接受台灣與澎湖住民的申請及訴訟，使台灣與澎湖住民擁有大日本帝國(明治憲法)國籍的人權。



<p>6. In 1902, the nationality law of Japan Empire was implemented in Taiwan. No later than 8 May 1902, all of the inhabitants of Taiwan had become the nationals of the Japan Empire.</p> <p>7. Many countries, including the United States of America and the Republic of China, had recognized that Formosa and Pescadores (Taiwan) are the sovereign territories of Japan Empire and requested the JPE Government for allowing their diplomatic consulates to be set up in Taiwan.</p> <p>8. Under Article 19 of the Five-Power Treaty of 1922, it recognizes that Formosa and Pescadores (Taiwan) are the sovereign territories of Japan Empire.</p> <p>9. On 3 May 1947, in the occupied Japan Empire, the US-led Allied Powers forced a new Japan (which sovereign entities is not the same as the original Japan Empire, but a new sovereignty of "sovereign power which resides with Japanese people") to be illegally independent from the Japan Empire by means of outside interference – i.e. the Occupying Power USA designed and supervised a new Japan's Constitution (the MacArthur Constitution.)</p> <p>10. Undoubtedly, from 3 May 1947, the former sovereign government of the Japan Empire had started its temporary disappearance until 20 February 2014 (further details given in Section 22, 23.) In the said period of temporary disappearance, there is neither any documentation nor a war-end peace treaty signed by the State of Empire of Japan (Japan Empire, JPE) can be found anywhere in the world.</p> <p>11. Since the General Order No.1 of Armistice agreement on 2 September 1945, the sovereignty of the State of the Empire of Japan (Japan Empire, JPE) has been continuously under military occupation without a peace treaty to end the war.</p> <p>12. In 1946, document shows during the occupation under the US-led Allied Powers, the United States of America did</p>	<p>6. 1902 年大日本帝國的國籍法在台灣與澎湖實施，全部台灣與澎湖住民都是合法的大日本帝國國籍的國民。</p> <p>7. 許多國家，包含美國及中華民國，都承認台灣與澎湖是大日本帝國的主權領土，並在台灣設置外交領事館。</p> <p>8. 1922 年五國條約第 19 條，也承認台灣與澎湖是大日本帝國的主權領土。</p> <p>9. 1947 年 5 月 3 日，美國為首的盟軍，在被佔領的大日本帝國，強制要求馬卡殺憲法的主權在民的日本國獨立。</p> <p>10. 毫無疑問地，大日本帝國的主權政府在 1947 年 5 月 3 日，就在美國為首盟軍的軍事佔領下，開始它的暫時消失，從那天開始，直到 2014 年 2 月 20 日之前(請見第 22、23 段)，世界上找不到大日本帝國主權政府的文件。</p> <p>11. 大日本帝國之主權，自 1945 年 9 月 2 日的停戰協議的一般命令第一號，至今持續在美國為首盟軍的無和平條約的戰爭佔領下。</p> <p>12. 1946 年，在美國為首盟軍對大日本帝國的佔領下，美國不認為有台灣國人民 Taiwanese 這種不合法的說法。美國指出，台灣 澎湖的</p>
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not recognize "Taiwanese" as a legal term. The USA pointed out that the inhabitants of **Taiwan** are all the enemy's nationals of the USA. They are of the nationality of the Japan Empire unless they, individually, take the procedures to abandon the nationality of Japan Empire.

The said document was published on 16 October 1946 at "United States Department of State / Foreign relations of the United States", when the JPE government was still in existence actively executing the Meiji Constitution.

Besides, at that time there were about 6.3 million Japan Empire nationals (population) in **Taiwan**.

B. The sovereign territories of Formosa and Pescadores (Taiwan) of the State of the Empire of Japan as of today are still being occupied by Chiang Kai-shek armed group which is dispatched by General Order No.1 from the US-led Allied Powers.

13. Little was known, in 1938, the United States, the British Empire, and the US-backed Chiang Kai-shek's Chongqing Army violated the provisions of the 1907 Fourth Hague Convention and even without declaring war, started bombing civilian buildings in Taiwan (The Taihoku Air Strike) and shooting the civil trains, civil boats by air force's machine gun. The American, the British, the Dutch, and the United States backed warlord Chiang Kai-Shek in southern China (ABCD line) went on a series of embargoes against the Japan Empire (JPE). The JPE complies with the Laws of War in all circumstances, and in 1941, the JPE declared war on the USA and the British Empire, then struck the US military base at Pearl Harbor (but the western controlled media have always said it was the JPE imperialism that pulled the US into WWII. However, the JPE called itself "Empire" with no intention of imperialism, but merely denote it has sovereign monarchy entities in accordance with international law of the time.)

14. Ceaselessly, in 1945, the United States continued to violate the provisions of the Fourth Hague Convention of 1907 with bombing hospitals, schools, cities, and civilian

住民都是美國的敵國國民，他們都有大日本帝國的國籍，除非他們每個人，個別地，依照大日本帝國的程序，放棄大日本帝國的國籍。該文件發布於 1946 年 10 月 16 日，當時大日本帝國政府還存在，實施著明治憲法。所以文中的 Japan，是大日本帝國 Japan Empire, Japan (Meiji)。此外，當時在台灣與澎湖的大日本帝國國民約有 630 萬人。

B. 大日本帝國的主權領土台灣正被美國為首盟軍以第一號命令派遣蔣介石佔領

13. 1938 年美國、大英帝國及美國支持的重慶軍蔣介石軍閥，違反海牙第四公約的規定，轟炸大日本帝國的台灣、恣意攻擊大日本帝國台灣的平民。美國並聯合大英帝國、荷蘭、控制中國南方的蔣介石軍閥，以包圍禁運封鎖大日本帝國。隨及，1941 年大日本帝國遵守戰爭法地對美國及大英帝國宣戰。

14. 1945 年美國違反 1907 的海牙第四公約的規定，轟炸大日本帝國的醫院、學校、城市、平民住宅、恣意射殺平



residences of the JPE in **Taiwan**. The US forces shot and killed civilians in indiscriminate attacks. In August, the USA dropped two nuclear weapons at Hiroshima and Nagasaki which entirely destroyed two peaceful cities of the State of the Empire of Japan (**Japan Empire, JPE**). Immediately after that, the sovereign entity of the Japan Empire, His Majesty the Emperor, could not bear the civilians' sufferings and the gross violations of the Laws of War done by the USA, then the JPE Government announced surrender without additional conditions.

15. On 2 September 1945, the Japan Empire signed an Armistice agreement with the US-led Allied Powers and accepted the military occupation of the US-led Allied Powers. The US-led Allied Powers demanded the JPE military government to publish the General Order No.1. In the first Section of the said Order, it indicates that all the JPE forces within China (excluding Manchuria), Formosa and French Indo-China north of 16 north latitude shall surrender to Generalissimo Chiang Kai-shek who was a non-State armed group at that time.

16. On 24 October 1945, the UN Charter came into force, and on 25 October 1945, the Chiang Kai-shek armed group which was transported to **Taiwan** by the US military, held an accepting surrender ceremony at JPE Taipei Public Hall.

The significance of the said ceremony in international law is to declare formally that the military occupation in **Taiwan** has begun by the US dispatched Chiang Kai-shek armed group, and it is to declare that the said military occupation is bound by Article 2 of Principles of the UN Charter, the US-led Allied Powers cannot use force or threats against the territorial integrity nor political independence of any State including the territorial integrity or the political independence of the **Japan Empire**.

17. The "Taiwan Legal Status" Memorandum of the US State Department in 1971 pointed out that: (1) Taiwan has been continuously occupied based on the General Order No.1 published by the JPE military government under the order of

民，8月美國在大日本帝國的廣島、長崎投下兩顆原子彈，整整摧毀兩座和平的城市。隨及，大日本帝國的主權實體天皇陛下，不忍平民受到美國違反戰爭法的侵略戰爭的殺害，宣布對美國為首的盟軍沒有特別投降條件要求的投降。

15. 1945年9月2日，大日本帝國對美國為首的盟軍簽署停戰協議，接受美國為首盟軍的佔領。美國為首盟軍要求日本帝國的軍事政府發布的第一號命令，其第1項a款指示所有在中國（不含滿州國）、台灣及越南的陸海空日本帝國軍隊向不是國家的蔣介石元帥投降。

16. 1945年10月25日，聯合國憲章生效的次日，蔣介石武裝團在美國軍隊的運送下，在大日本帝國台北公會堂舉行受降儀式。

這個受降儀式的日子的法律意義是，宣告正式的軍事佔領啟始，以及宣告其佔領是受到聯合國憲章原則之部第2條的約束，不能以武力或威脅破壞任何國家(包含大日本帝國)的領土完整或政治獨立。

17. 1971年美國國務院的《台灣法律地位》備忘錄，指出台灣仍是持續地受到美國為首盟軍命令日本帝國軍事政府發布的第一號命令的佔領；



<p>US-led Allied Powers; and (2) the sovereignty of the Japan Empire over Taiwan has never been transferred to another State.</p>	<p>原大日本帝國對台灣的主權，則從來未曾轉移。</p>
<p>Part 2</p> <p><i>Who are the persons protected by the Fourth Geneva Convention (GCIV) in Formosa and Pescadores (Taiwan)?</i></p> <p>18. The current population in Taiwan consists of two main groups of nationals. The first group is the nationals of the State of the Empire of Japan (Japan Empire nationals, JPE nationals). Japan Empire nationals are those persons who himself/herself or his/her ancestor has been living in Taiwan having the official Family Registration Certificate before the day of the Chiang Kai-shek landed to occupy Japan Empire's Taiwan under the General Order No.1 on 25 October 1945. The said Japan Empire nationals are of the nationality of the State of the Empire of Japan (Japan Empire nationality, JPE nationality).</p> <p>(Section 2 to 6 of this document, mentioned that the sovereignty of Japan Empire is over Taiwan and the inhabitants of Taiwan are all Japan Empire nationals; Section 12 mentioned that the Principal Occupying Power – USA had confirmed that the said inhabitants of Taiwan are all Japan Empire nationals;</p> <p>Also refer to “Annex 1: The inhabitants of Taiwan and Penghu are nationals of the Japan Empire” of “Proclamation on the Forever Heaven Celebration Day of 2015”, http://www.regovje.org/files/20160806ECfor20161223.pdf)</p> <p>The said Japan Empire nationals are the civilian persons protected by the GCIV in Taiwan.</p> <p>19. The second group in Taiwan is collectively called as Chinese nationals. The said Chinese nationals are the nationals of Manchuria Empire (the successor State of the State of the Qing Empire) and the nationals of the Republic of</p>	<p>Part 2</p> <p><i>在台灣의哪些人是受到日内瓦第四公約保護的人？</i></p> <p>18. 在台灣現在的住民裏，主要有兩種國籍。第一種是 1945 年 10 月 25 日第一號命令的蔣介石軍隊還沒來到大日本帝國的台灣以前，就住在台灣的住民，他們是大日本帝國國籍。見本文件之第 2-6 段及第 12 段。也可以參考 2015 天長節感恩文告之 附件 1- 臺灣 澎湖住民 是大日本帝國臣民。</p> <p>這些大日本帝國國籍的人民，他們是被佔領的平民，是受到日内瓦第四公約保護的人。</p> <p>19. 台灣現在住民裏的第二種國籍，總稱它是中國國籍，他們是從中國大陸來的滿洲帝國的國民或殖民地建國運動</p>



China (which is listed in Article 23 of the UN Charter, had fought for **independence** from the Qing Empire since 1912 but failed its existence in 1949.) The said Chinese nationals are the **Chinese refugees**, including their Nationalist government, which is known as Chinese government in exile in Taipei – **a.k.a. Chinese Taipei**; they fled to the occupied Japan Empire’s sovereign territory of **Taiwan** from the Mainland China at the end of 1949. The official website of the US State Department states:

“[...] When the civil war ended in 1949, 2 million refugees, predominately from the Nationalist government, military, and business community, fled to Taiwan [...]”

20. The said Chinese refugees (including their Nationalist government) are neither the protected persons of **GCIV**, nor the Chiang Kai-shek armed groups dispatched by the US-led Allied Powers (see Section 15, 16, 17); they are the aggressors that are not subjects to be protected by the **GCIV**.

Hence, the way to distinguish whether a person is the protected person of the **GCIV** in **Taiwan**, is by the identification of the person’s legitimate nationality under international law. As it has been mentioned above in Section 18, the Japan Empire nationals, are persons that had been of the nationality of the State of the Empire of Japan, such are the protected persons of **GCIV** in **Taiwan**. And, the said identification is the “Instrument of Identification Card Issuance for Civilians in the Areas of Occupied Japan Empire” (**GCIV - JPE - ID Instrument**) outlined in Section 23 to 25 of this document.

21. Pursuant to Article 4 of the **GCIV**

“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 [...]”,

The **RCJE** (the **UN NGO RCJE**, the United Nations’ NGO Rescue Committee for the people of Japan Empire, which was formed on 22 May 2013 in the occupied Japan Empire’s territory of **Taiwan** at Taipei, also known as the **Red Cross of**

的中華民國國民。依據美國國務院的官網告示，在 1949 年底，有 200 萬中國難民，包含他們的國民政府也是難民，逃難到被佔領的大日本帝國主權領土台灣。

20. 上述的本文第 15 - 17 段的
美國為首盟軍的蔣介石武裝
團及第 19 段所述的中國難
民包含中華民國政府都不是
受日內瓦第四公約保護的
人。

而區分是否為日內瓦第四公
約的被保護人的方式，在國
際法的國籍，也就是本文件
第 18 段，以及 23-25 段所陳
述的「大日本帝國被佔領區
人民身分識別證件核發辦
法」。

21. 依據日內瓦第四公約第 4 條
規定「本公約之被保護人，
即為其人於任一時刻及不論
何種方式，發現他們自己處
於衝突且在非其本國之衝突
之一方之掌控下，或者，在
佔領國的掌控下，而他們不
是佔領國的國民。」；對於上
述的大日本帝國國籍的被保
護人，聯合國 NGO 國際組織



Japan Empire, hereinafter "**RCJE**") proclaimed the "Instrument of Identification Card Issuance for Civilians in the Areas of Occupied Japan Empire" (**GCIV - JPE - ID Instrument**) on 16 September 2013 in its official website (with the document's URL to <http://www.rcje.org/index.php/en/declaration-request/id-issued-request>) and submitted to the **International Committee of the Red Cross (ICRC)**, Japan; and sovereign entities of Japan Empire: His Majesty the Emperor; and the UN Secretary-General, the UN Security Council, the UN General Assembly, the International Criminal Court; and the Occupying Power (United States of America and its dispatched force of the Chiang Kai-shek armed group in Taiwan), for protecting the said protected persons of nationality of the State of the Empire of Japan. The said **GCIV - JPE - ID Instrument** has been opened to accept legal corrections by the above Parties.

22. The said **GCIV - JPE - ID Instrument** received its legal correction letter from **International Committee of the Red Cross (ICRC)** on 5 February 2014. The **ICRC** said that the nationality of a person should be identified by the Government under its sovereignty. But, the Government of the State of the Empire of Japan (**Japan Empire Government, JPE Government**) had started its *temporary disappearance* just like the US David Copperfield's magic trick on 3 May 1947 by US forcing a new Japan (of which sovereign power resides with Japanese people) to be independent from the Japan Empire (of which sovereign entities are His Majesty the Emperor and the JPE Government).

23. For the purpose of holding up the human rights of the occupied State; For the Honor of the 1949 Geneva Convention protecting the occupied civilians' human rights and dignity; For the World War II to be ended with a peace treaty between the belligerent sovereign States in the East Asia, and; For the promotion to the real peace of Asia under International law, the **RCJE** (also known as the Red Cross of Japan Empire, see Section 21) bravely accepted the challenge and courageously declared to the world on the World Day of Social Justice on 20 February 2014 that the

RCJE 大日本帝國人民救援委員會(即 大日本帝國赤十字社), 在 2013 年 9 月 16 日向紅十字國際委員會、日本國、大日本帝國主權實體天皇陛下、聯合國秘書長、聯合國安理會、聯合國大會、佔領國美國及美國的蔣介石派遣軍報告並公開請求此辦法的法律校正, 也在大日本帝國赤十字社官網公告「大日本帝國被佔領區人民身分識別證件核發辦法」。

22. 上述的「大日本帝國被佔領區人民身分識別證件核發辦法」在 2014 年 2 月 5 日得到紅十字國際委員會的校正指導, 那就是, 國籍必需由國籍國政府認定。但是 1947 年 5 月 3 日開始, 在美國的軍事佔領下, 大日本帝國政府像美國的大衛魔術般, 暫時消失在世界上。

23. 為了被佔領國的人權、為了日內瓦公約保護的人權與尊嚴、為了以和平條約結束戰爭、為了促進亞洲在國際法下的真正和平, 聯合國 NGO 國際組織 **RCJE** 大日本帝國人民救援委員會(即 大日本帝國赤十字社)勇敢地接受挑戰, 在 2014 年 2 月 20 日世界社會正義日, 宣告大日



<p>Government of the State of the Empire of Japan (Also known as the Re-establishing Government of Japan Empire; hereinafter “JPE Government”) has been re-established. And, pursuant to the provisions of Article 2 of GCIV, the JPE Government declared that the JPE Government has accepted, and respected the Geneva Conventions of 1949 and their three Additional Protocols in all circumstances. And at the same time, the JPE Government authorized the RCJE to continue to issue protected persons’ Identification Card (GCIV ID of Japan Empire nationals) in accordance with the said GCIV - JPE - ID Instrument to protect Japan Empire nationals in the occupied territory for their human rights as provided in GCIV.</p> <p>On 8 March 2014, the JPE Government (Also known as the Re-establishing Government of Japan Empire) has accessioned to the Geneva Conventions of 1949 and their three Additional Protocols, and has submitted the accession documents to the Swiss Federal Council as depository of the said Conventions and Protocols in accordance with the provisions of Article 145 and Article 156 of GCIV, and respectfully notified His Majesty the Emperor, the United Nations Secretary-General, and ICRC the said accession to the said Conventions and Protocols.</p>	<p>本帝國政府重建，並且政府立即依據 1949 的日內瓦第四公約第 2 條規定，宣告了解、接受與尊重 1949 的四個日內瓦公約及其三個附加議定書。並授權大日本帝國赤十字社依法核發大日本帝國臣民身分證暨日內瓦第四公約被保護人身分證件。</p> <p>重建的大日本帝國政府在 2014 年 3 月 8 日簽署 1949 的四個日內瓦公約及其三個附加議定書，送呈大日本帝國主權實體-天皇陛下、紅十字國際員會、並依據日內瓦第四公約第 145、156 條規定，送呈聯合國秘書長及瑞士聯邦委員會。</p>
<p>Part 3</p> <p><i>The duty of the Protecting Power to the State of the Empire of Japan, in the occupied territories (Formosa and Pescadores), is asking the Occupying Power (USA) to comply with the GCIV.</i></p> <p><i>The Protecting Power should station its military personnel in the occupied territories.</i></p> <p>24. Article 2 of the First Additional Protocol to the 1949 Geneva Conventions provides that: "Protecting Power</p>	<p>Part 3</p> <p><i>保護國應在被佔領土台灣要求佔領國美國做什麼事？</i></p> <p>保護國應進駐 被佔領領土大日本帝國臺灣</p> <p>24. 1949 的日內瓦公約的保護國是被佔領國政府請求執行</p>



means a neutral or other State not a Party to the conflict which has been designated by a Party to the conflict and accepted by the adverse Party and has agreed to carry out the functions assigned to a Protecting Power under the Conventions and this Protocol;" and Article 5 of the said Protocol provides that if there is no Protecting Power finally, "the Parties to the conflict shall accept without delay an offer which may be made by the International Committee of the Red Cross or by any other organization which offers all guarantees of impartiality and efficacy, after due consultations with the said Parties and taking into account the result of these consultations, to act as a substitute. [...]"

25. Notifications from the Protecting Powers:

When your State accepted the request or the designation by the JPE Government (the Government of Japan Empire, also known as the Re-establishing Government of Japan Empire) to be the Protecting Power of the State of the Empire of Japan, then your State should inform the Swiss Federal Council, the Secretary-General of the United Nations, the International Committee of the Red Cross, the Occupying Power, and the JPE Government that your State has been ready to carry out the functions assigned by the 1949 Geneva Conventions.

26. The Protecting Power shall, immediately after the said notifications have been made, send its Peacekeeping Forces into the occupied territory (**Taiwan**), and shall the said Peacekeeping Forces closely contact and take orders from the JPE Government for duly executing the Geneva Conventions of 1949 in the occupied territory (**Taiwan**).

The Protecting Power shall, supervise and demand the Occupying Power - the United States of America (USA) and its dispatched force - Chiang Kai-shek armed group (it had fooled people in the world by calling itself the Republic of China; hereinafter "ROC"), to observe the following provisions provided by the GCIV:

公約任務的國家。當被佔領國政府未指定保護國時，日內瓦公約第一附加議定書，有另外的方式指派保護國。

25. 保護國受到被佔領國大日本帝國政府(重建政府)的關於 1949 的日內瓦公約的請求，應該通知瑞士聯邦委員會、聯合國秘書長，並通知紅十字國際委員會、被佔領國政府及佔領國，表示將執行 1949 的日內瓦公約的任務。

26. 保護國應在上述的通知完成後，即刻派維護和平的軍隊進入被佔領領土，並向被佔領國大日本帝國政府(重建政府)聯繫。

監督及要求佔領國美國及其派遣軍-蔣介石的中華民國重建組織，令其遵守日內瓦第四公約規定之以下事項：



27. The Occupying Power - the United States of America (USA) and its dispatched force - Chiang Kai-shek armed group (ROC), in the said occupied territory (Taiwan), shall assist the ICRC to station permanently, and respect the international humanitarian organizations, and facilitate to the greatest extent possible the task of the said organizations and of the Protecting Powers.

(Article 3, 9, 10, 11, 12, 14, 30, 59, 61, 63, 76, 109, 111, 142 and 143 of the GCIV).

28. The Occupying Power - the United States of America (USA) and its dispatched force - Chiang Kai-shek armed group (ROC), in the said occupied territory (Taiwan), shall post the text of the GCIV everywhere in public, and their officials must possess the text of the GCIV.

“[...] Any civilian, military, police or other authorities, who in time of war assume responsibilities in respect of protected persons, must possess the text of the Convention and be specially instructed as to its provisions.” *(Article 144 of the GCIV)*

29. The Occupying Power - the United States of America (USA) and its dispatched force - Chiang Kai-shek armed group (ROC)), in the said occupied territory (Taiwan), shall be prohibited from imposing monetary punishment or physical and mental ill-treatment on protected person.

“The provisions of Part II cover the whole of the populations of the countries *in* conflict, without any adverse distinction based, in particular, on **race**, **nationality**, religion, or political opinion, and are intended to alleviate the sufferings caused by war.” *(Article 13 of the GCIV)*

“No physical or moral coercion shall be exercised against protected person, [...]” *(Article 31 of the GCIV)*

“Protected persons who are in occupied territory shall not be deprived, in any case or in any manner whatsoever, of the benefits of the present Convention by any change introduced, as the result of the occupation of a territory, into the institutions or government of the said

27. 在被佔領領土大日本帝國臺灣，應協助紅十字國際委員會進駐，並尊重國際人道救援組織，並儘可能給予一切便利。(日內瓦第四公約 第 3、10、11、12、14、30、59、61、63、76、109、111、142、143 條)

28. 在被佔領領土大日本帝國臺灣，應該到處張貼日內瓦第四公約的文本，佔領軍的公務員，應該人手一份日內瓦第四公約的文本。

「...凡在戰時擔任有關被保護人之責任之任何民政，軍事，警察或其他當局必須備有本公約之約文，並須對其各項規定受有特別之教導。」
(日內瓦第四公約 第 144 條)

29. 禁止對被保護人施以金錢處罰或身心的虐待。

「本公約第二部之規定，涵蓋衝突各國之全部人民，不得有任何歧視，特別是基於**種族、國籍**、宗教或政治意見之歧視，各規定之目的在於減輕戰爭所致之痛苦。」
(日內瓦第四公約第 13 條)

「對被保護人不得施以身體上或精神上之強迫...」
(日內瓦第四公約第 31 條)

「本公約所賦予在被佔領土內之被保護人之各項利益，均不得因佔領領土之結果引起該地制度或政府之變更，或因被佔領地當局與佔領國所訂立之協定，或因



territory, nor by any agreement concluded between the authorities of the occupied territories and the Occupying Power, nor by any annexation by the latter of the whole or part of the occupied territory.” (*Article 47 of the GCIV*)

“[...] and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly.” (*Article 147 of the GCIV*)

30. The Occupying Power - the United States of America (USA) and its dispatched force - Chiang Kai-shek armed group (ROC) , in the said occupied territory (Taiwan), shall be prohibited from the conscription of civilians.

“The Occupying Power may not compel protected persons to serve in its armed or auxiliary forces. No pressure or propaganda which aims at securing voluntary enlistment is permitted. [...]” (*Article 51 of the GCIV*)

“[...] compelling a protected person to serve in the forces of a hostile Power, [...]” (*Article 147 of the GCIV*)

31. The Occupying Power - the United States of America (USA) and its dispatched force - Chiang Kai-shek armed group (ROC), in the said occupied territory (Taiwan), shall be prohibited from demanding civilians to swear allegiance to their enemy State (USA or ROC) . And, Schools at all levels should ban the rise of the ROC’s flag and ban the singing of ROC’s anthems. Instead, should sing the national anthem of the State of the Empire of Japan (Japan Empire, JPE).

"It is forbidden for the inhabitants of the occupied territories to swear allegiance to the hostile country." (*Article 45 of The Fourth Hague Convention of 1907*)

“[...] Its object is to protect the inhabitants of the occupied territory from actions offensive to their patriotic feelings or from attempts to undermine their allegiance to their own country. [...]” (*Commentary on Article 51 of the GCIV*)

32. Pursuant to Article 6, Article 47, and Article 147 of the GCIV, the Occupying Power - the United States of America (USA) and its dispatched force - Chiang Kai-shek armed group (ROC), in the said occupied territory (Taiwan), shall

佔領國兼併佔領地之全部或一部，而在任何情況下或依任何方式加以剝奪。」(日內瓦第四公約第 47 條)

「…無軍事上之必要而以非法與暴亂之方式對財產之大規模的破壞與徵收」(日內瓦第四公約第 147 條)

30. 禁止對被佔領土的平民徵兵。

「佔領國不得強迫被保護人在其武裝或輔助部隊服務。以獲得志願應募為目的之壓迫及宣傳均所不許。…」(日內瓦第四公約第 51 條)

「…強迫被保護人在敵國軍隊中服務…」(日內瓦第四公約第 147 條)

31. 禁止要求被佔領土的平民效忠敵國，各級學校應該禁止升中華民國國旗及禁止唱中華民國國歌。並應唱日本國與大日本帝國共同國歌 君が代。

「禁止強迫佔領地的住民宣誓效忠敵對國。」(海牙第四公約第 45 條)

「…愛國情操不被侵犯，人民效忠自己原來所屬的國家…」(日內瓦第四公約第 51 條釋文)

32. 應該依據日內瓦第四公約第 6 條及第 47 條及第 147 條規定，返還民事治理當局及其相關一切建物給大日本帝國



respect the institutions or civil authorities which has carried on before the said US-led Allied Powers military occupation and return to all civil authorities with their land and buildings to the JPE Government, and; shall respect the national language of the occupied Japan Empire which is the Japanese language and all the second national languages of the Japan Empire which are the national languages of the Protecting Powers as promised in the Chapter 4 of the *“Proclamation on the Forever Heaven Celebration Day of 2015”* (for its URL, please see above Section 18).

33. The Occupying Power - the United States of America (USA) and its dispatched force - Chiang Kai-shek armed group (ROC), in the said occupied territory (Taiwan), shall immediately stop collecting all civil taxes and fees from civilians.

“Protected persons who are in occupied territory shall not be deprived, in any case or in any manner whatsoever, of the benefits of the present Convention by any change introduced, as the result of the occupation of a territory, into the institutions or government of the said territory, nor by any agreement concluded between the authorities of the occupied territories and the Occupying Power, nor by any annexation by the latter of the whole or part of the occupied territory.” (*Article 47 of the GCIV*)

“[...] and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly.” (*Article 147 of the GCIV*)

34. The Occupying Power - the United States of America (USA) , in the said occupied territory (Taiwan), should assume all financial obligations to-provide the basic necessities as below for the protected persons under the GCIV:

- a. Free residential housing:** the Occupying Power - the United States of America (USA) should respect the civil government affairs of the JPE Government under the **GCIV**, and respect the Protecting Powers to assist the JPE Government taking back the public housing for the protected person to live on “free

政府，並依同條文，佔領國美國應尊重被佔領土原來的國家語言日本語，為本地民事政府官方語言，以及依據 2015 天長節感恩文告之大日本帝國政府的承諾，以保護國家語言為大日本帝國的國家第二語言。

33. 佔領國美國及其派遣軍應即刻停止徵收被佔領土大日本帝國台灣的一切民事稅費。

「本公約所賦予在被佔領土內之被保護人之各項利益，均不得因佔領領土之結果引起該地制度或政府之變更，或因被佔領地當局與占領國所訂立之協定，或因佔領國兼併佔領地之全部或一部，而在任何情況下或依任何方式加以剝奪。」(日內瓦第四公約第 47 條)

「…無軍事上之必要而以非法與暴亂之方式對財產之大規模的破壞與徵收。」(日內瓦第四公約第 147 條)

34. 佔領國美國應該付費出資，提供被佔領土的被保護人以下免費的基本的維生物質：

- a. 免費住宅：**佔領國美國應尊重大日本帝國政府的民事治理，由保護國協助收回公共住宅，免費地配給住宅給被保護人。
- b. 免費水電：**佔領國美國及其派遣軍在保護國未進駐協助之前，違反 1907



housing” in the said public housing.

- b. Free Electricity and Free Municipal Water:** The civil government affairs in the said occupied territory (**Taiwan**) has been illegally ruled by the Occupying Power - the USA and its dispatched force - ROC in violation of the 1907 Hague Convention and the 1949 Geneva Conventions, all the natural resources are managed crudely and are heavily polluted. Water cannot be boiled directly for drinking and must be purified by the water treatment plant. Therefore, safe water must be supplied to the protected persons free of charge. And, without electricity, it is impossible to cook food for basic survival, therefore, the electricity should be supplied free of charge to the protected persons.

- c. Free medical care:** the Occupying Power - the USA and its dispatched force - ROC, in the said occupied territory (**Taiwan**), shall offer medical care free of charge, with no registration fee for medical visits, to the protected persons.

“In addition to the duties specified in Article 55 of the Fourth Convention concerning food and medical supplies, the Occupying Power shall, to the fullest extent of the means available to it and without any adverse distinction, also ensure the provision of clothing, bedding, means of shelter, other supplies essential to the survival of the civilian population of the occupied territory and objects necessary for religious worship.” (*Basic needs in occupied territories, Article 69 of the First Protocol Additional to the 1949 Geneva Conventions*)

- d. The JPE nationals who are in the said occupied territory (Taiwan) and in the hand of the Occupying Power - the USA and its dispatched force - ROC, shall have same working treatment and welfare as the USA nationals:** The Occupying Power - the USA, in the said occupied territory (**Taiwan**), should take care of the protected persons with the same or better benefits as compared to

的海牙公約、1949 的日內瓦公約，在被佔領領土大日本帝國臺灣的劣質治理、水源嚴重污染，河水不能直接煮沸飲用，必需自來水廠淨化處理，因此自來水必需免費供應給被保護人。沒有電力也無法煮飯燒菜基礎維生，因此水電都應該免費供應給被保護人。

- c. 免費醫療：**健康醫療應該免費提供給被保護人，並免收掛號費。

「除日內瓦第四公約第 55 條所規定關於食物和醫療用品的義務外，佔領國應在其所擁有的手段的最大範圍內，並在不加任何不利區別的條件下，還應保證向被佔領領土的平民居民，提供其生存所需的衣服、被褥、住宿所和其他用品以及宗教禮拜所必需的物體。」(日內瓦公約第一附加議定書 第 69 條 被佔領領土內基本需要)

- d. 相同於美國國民的工作待遇及福利：**佔領國美國應比照美國國民的工作、津貼、退休、照顧給予被保護人相同的或更好的福利。(日內瓦第四公約 第 38、39、40 條、第 91 條)



the work, allowances, retirement of US nationals.
(Article 38, 39, 40, and 91 of the **GCIV**)

35. The courts at all levels of the State of the Empire of Japan (JPE courts) which are occupied by the USA and its dispatched force - ROC, in the said occupied territory (Taiwan), shall be immediately returned to the JPE Government for re-establishment.

"[...] d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples." (Article 3 of the **GCIV**)

"[...] In the case of occupied territory, the application of the present Convention shall cease one year after the general close of military operations; however, the Occupying Power shall be bound, for the duration of the occupation, to the extent that such Power exercises the functions of government in such territory, by the provisions of the following Articles of the present Convention: 1 to 12, 27, 29 to 34, 47, 49, 51, 52, 53, 59, 61 to 77, 143." and, "Protected persons whose release, repatriation or re-establishment may take place after such dates shall meanwhile continue to benefit by the present Convention." (Article 6 of the **GCIV**)

"Protected persons who are in occupied territory shall not be deprived, in any case or in any manner whatsoever, of the benefits of the present Convention by any change introduced, as the result of the occupation of a territory, into the institutions or government of the said territory, nor by any agreement concluded between the authorities of the occupied territories and the Occupying Power, nor by any annexation by the latter of the whole or part of the occupied territory." (Article 47 of the **GCIV**)

"[...] Or willfully depriving a protected person of the rights of fair and regular trial prescribed in the present Convention. [...]" (Article 147 of the **GCIV**)

35. 應立刻返還被佔領土大日本帝國臺灣的各級法院。

「...d) 未經具有文明人類所承認不可或缺之司法保證的正規建構之法庭之宣判...」(日內瓦第四公約 第 3 條)

「...佔領國於佔領期間在被佔領領土行使政府職權之範圍，應受本公約下列各條規定之約束：第 1 至 12、27、29 至 34、47、49、51、52、53、59、61 至 77、143 條。」以及，「被保護人之釋放、遣返、或安置，若在上述各期限之後實施，於此期間，被保護人仍應繼續享受本公約之利益。」(日內瓦第四公約 第 6 條)

「本公約所賦予在被佔領土內之被保護人之各項利益，均不得因佔領領土之結果引起該地制度或政府之變更，或因被佔領地當局與占領國所訂立之協定，或因佔領國兼併佔領地之全部或一部，而在任何情況下或依任何方式加以剝奪。」(日內瓦第四公約 第 47 條)

「...故意剝奪被保護人依本公約規定應享之公允及合法的審訊之權利...」(日內瓦第四公約 第 147 條)

**Part 4**

The benefits of the Protecting Power, of the Japan Empire, in the occupied territory (Taiwan) and with respect to the international honor and interest, are listed as follows:

It's the honor and glory of being the Protecting Power under the Geneva Conventions of 1949.

36. The Geneva Conventions of 1949 are the specific regulations in accordance with all international laws, and the highest presentation of human civilization. The Fourth Geneva Convention (**GCIV**) contains substantial rules and is universally recognized, and it is the fundamental way for understanding the international Human rights Law and the International Humanitarian Laws. A State respecting, observing and executing the 1949 Geneva Conventions to become the Protecting Power is the highest honor to the High Contracting Parties and to the human civilization.

The Japan Empire will honor and promise to the Protecting Power that executes the GCIV in the said occupied territory (Taiwan) the highest approbation in our relationship indefinitely.

37. The JPE Government, in “Chapter 4 - The Promises of the JPE Government” of “Proclamation on the Forever Heaven, Celebration Day of 2015”, made the following commitments to the Protecting Power:

“For the Protecting Powers of Japan Empire, who station themselves in Formosa to duly execute the 1949 Geneva Conventions, **JPE Government will forever issue them visa-free, tariff-free (Most Favoured Nation Status), and invite the Protecting Powers to develop Japan Empire's natural resources for sustainable development.** Furthermore, we are willing to share the benefits together

Part 4

做為大日本帝國的保護國有什麼利益？

1949 的日內瓦公約的榮耀

36. 1949 的日內瓦公約是一切國際法的總集，是人類文明的最高體現，是國際人權法及國際人道法的根本。尊重、遵守及行使 1949 的日內瓦公約，是一個國家最高的榮譽。

被佔領國大日本帝國的承諾

37. 大日本帝國政府，在 2015 年天長節感恩文告第四章，對保護國做出以下承諾：
「本政府對擔任大日本帝國於 1949 的日內瓦公約的保護國之國家，給予免關稅免簽證的最惠國待遇，並邀請保護國之國家政府共同永續地開發大日本帝國的天然資源，幸福利益共享，以及給予保護國國民等同帝國臣民的尊重與生活福利，永遠不



and we are willing to commit to **giving the nationals of our Protecting Powers the same benefits as our nationals in our territories**. This promise will never change;" and,

"The national language of the Japan Empire shall be the Japanese language. The JPE Government shall respect and educate local languages. The JPE Government shall educate our nationals the language of Protecting Powers, and make **the language of Protecting Powers be the second national language of Japan Empire.**"

38. The first thing the Protecting Power should immediately do is to assist the JPE Government get back to the old Taiwan Governor-General's Office building for running civil affairs in accordance with Article 47 of the **GCIV**; and, in Chapter 5 of "*Proclamation on the Forever Heaven Celebration Day of 2015*", there is a provision:

"Any agreements between the Japan Empire and the Protecting Powers shall express in public and designate the signing venue at our original Taiwan Governor-General's Office building or at the parliament/congress of the Protecting Powers."

會改變。」以及，
「大日本帝國的國家語言，應以日本語為國家語言，尊重並教育當地的母語，並以國家教育推廣保護國的國家語言為大日本帝國的第二語言。」

38. 請保護國注意到應該立即協助本政府取回被佔領土台灣的民事機關-舊台灣總督府。因為在 2015 年天長節感恩文告第五章有規定：「本政府 與保護國 締結任何協議，指定地點於 舊台灣總督府，或保護國之國會，以公開方式而締約。」

11 April 2019, Heisei 31
(Second) Prime Minister
Selig S.N. Tsai 蔡 世能
The plenipotentiary of the Government of Japan Empire

平成 31 年 4 月 11 日
大日本帝國政府
全權代表
(次)內閣總理大臣 蔡世能

Signature

Selig S.N. Tsai 蔡世能

The official seal of Government of the JAPAN EMPIRE





Definitions of Terms:

1. The occupied territory

Article 42 of the 1907 Hague Regulations (HR) states that a "territory is considered occupied when it is actually placed under the authority of the hostile army. The occupation extends only to the territory where such authority has been established and can be exercised."

2. Persons protected by the Fourth Geneva Convention (the protected persons)

Article 4 of the IV GENEVA CONVENTION RELATIVE TO THE PROTECTION OF CIVILIAN PERSONS IN TIME OF WAR OF 12 AUGUST 1949 (Fourth Geneva Convention of 1949, hereinafter "**GCIV**") provides that "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;" (hereinafter "**protected persons**")

In other words, "**protected persons**" are those persons who, at any moment, find the legitimate nationality of 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 its nationals.

3. Obligations of the Occupying Power

Article 6 of GCIV provides that "[...] In the case of occupied territory, the application of the present Convention shall cease one year after the general close of military operations; however, the Occupying Power shall be bound, for the duration of the occupation, to the extent that such Power exercises the functions of government in such

1. 被佔領領土

1907 年海牙公約 (HR) 第 42 條規定, "領土在被實際置於敵對軍隊的當局控制下時被認為是被佔領領土。佔領的範圍是指該當局已建立並可控制的領土範圍。"

2. 受到公約保護的人 (被保護人)

依據一九四九年八月十二日關於戰時保護平民之日內瓦公約(下稱 日內瓦第四公約)第 4 條規定「本公約之被保護人,即為其人於任一時刻及不論何種方式,發現他們自己處於衝突且在非其本國之衝突之一方之掌控下,或者,在佔領國的掌控下,而他們不是佔領國的國民。」

簡單地說,也就是,無論什麼時候,當一個人發現自己處於衝突而且在非自己國家的佔領或控制下。或者,處於佔領國的掌控下,而自己不是佔領國的國籍,就是受到公約保護的人(下稱被保護人)。

3. 佔領國的責任

依據日內瓦第四公約第 6 條規定,「佔領國於佔領期間在被佔領領土行使政府職權之範圍,應受本公約下列各條規定之約束:第 1 至 12、27、29 至 34、47、49、51、52、53、59、61 至 77、143 條。」以及,「被保護



territory, by the provisions of the following Articles of the present Convention: 1 to 12, 27, 29 to 34, 47, 49, 51, 52, 53, 59, 61 to 77, 143;" and, "Protected persons whose release, repatriation or re-establishment may take place after such dates shall meanwhile continue to benefit by the present Convention." and;

Article 147 of GCIV provides that "Grave breaches to which the preceding Article relates shall be those involving any of the following acts, if committed against persons or property protected by the present Convention: wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, unlawful deportation or transfer or unlawful confinement of a protected person, compelling a protected person to serve in the forces of a hostile Power, or wilfully depriving a protected person of the rights of fair and regular trial prescribed in the present Convention, taking of hostages and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly."

Put simply, the obligations of the Occupying Power in the occupied territory are: (1) to respect and protect the original courts of the occupied sovereign State; (2) to respect and protect the occupied government's right of collecting civil taxes, moreover the Occupying Power and its dispatched force are not allowed to levy civil taxes on protected persons in the occupied territory; (3) to respect and protect the land and property laws that have been implemented by the occupied sovereign government in the occupied territory; (4) to insure the provision of adequate supplies for survival and free medical care for the protected persons, and; (5) to fulfill the obligations to the protected persons:

人之釋放、遣返、或安置，若在上述各期限之後實施，於此期間，被保護人仍應繼續享受本公約之利益。」以及；

日內瓦第四公約第 147 條規定，「上述所述之嚴重破壞公約行為，應係對於受本公約保護之人或財產所犯之任何下列行為：故意殺害，酷刑及不人道待遇，包括生物學實驗，故意使身體及健康遭受重大痛苦或嚴重傷害；將被保護人非法驅逐出境或移送，或非法禁閉，強迫被保護人在敵國軍隊中服務，或故意剝奪被保護人依本公約規定應享之公允及合法的審訊之權利，以人為質，以及無軍事上之必要而以非法與暴亂之方式對財產之大規模的破壞與徵收。」

簡單地說，佔領國的責任就是對被佔領土原有法院的尊重及保護；原有政府稅收權的尊重及保護且佔領國及其派遣軍不得在被佔領土對被保護人徵收民事稅費；原已實施之法律的尊重及保護；給予被保護人充分的生存補給及免費醫療，以及；被保護人免除兵役、不被掠奪財產、不被違法審判的責任。



exemption from military service, no confiscation of private property, and not being tried illegally.

4. The “*intra legitimus tempus*” of the 1949 Geneva Conventions enter into force in the occupied territory

Article 2 of GCIV provides that “[...] The Convention shall also apply to all cases of partial or total occupation of the territory of a High Contracting Party, even if the said occupation meets with no armed resistance,” and “Although one of the Powers in conflict may not be a party to the present Convention, the Powers who are parties thereto shall remain bound by it in their mutual relations. They shall furthermore be bound by the Convention in relation to the said Power, if the latter accepts and applies the provisions thereof,” and;

Before the protected persons whose re-establishment (resettlement) has taken place as provided in Article 6 of the **GCIV**, the said Convention shall continue to be valid for benefiting the protected persons.

5. Formosa and Pescadores (Taiwan)

Formosa (Taiwan) and Pescadores (Penghu) (hereinafter “**Taiwan**”) are the sovereign territories of Japan Empire(JPE) stated in Article 2 of the 1895 Shimonoseki Treaty, Article 19 of the 1922 Five-Power Treaty signed in Washington, and Article 2 of the San Francisco Peace Treaty entered into force in 1952.

However, because of the domestic law of the JPE, and the US Taiwan Relations Act (which effectively bonds the Chiang Kai-shek armed group to the US), both denoting Formosa and Pescadores as Taiwan, this document denotes Formosa and Pescadores as Taiwan.

4. 日內瓦公約在被佔領土生效的法定期間

依據日內瓦第四公約第 2 條規定，「凡在一締約國的領土一部或全部被佔領之場合，即使此項占領未遇武裝抵抗，亦適用本公約。」以及，「雖然衝突中之某一國可能不是締約國，其他曾簽訂本公約之國家於其相互關係上，仍應受本公約之拘束。設若上述非締約國接受並援用本公約之規定時，則締約各國對該國之關係，亦應受本公約之拘束」，以及；

日內瓦第四公約第 6 條規定的被保護人得到安置前，則該公約對於被保護人繼續有效。

5. 台灣與澎湖 (台灣)

台灣與澎湖是明列於 1895 的下關條約的第 2 條，1922 在華盛頓簽署的五國條約的第 19 條，以及 1952 生效的舊金山和平條約第 2 條的主權物件。

由於大日本帝國國內法及美國對蔣介石集團的台灣關係法，都統稱台灣與澎湖為台灣，因此本文件以台灣一詞，代表台灣與澎湖。



6. Sovereignty of the Japan Empire

The State of Empire of Japan (**Japan Empire, JPE**) is a sovereign state. With reference to the Meiji Constitution, it is a State of dual sovereign entities - His Majesty the Emperor and the Government. It participated in many international treaties and international conventions with signature as "**Japan**" before 3 May 1947 and carried out its responsibilities in the International Society.

The State of the Empire of Japan (**Japan Empire, JPE**) had its **temporary disappearance**^{*1} in the international society from 3 May 1947 to 20 February 2014.

**1. The temporary disappearance of Japan Empire*

"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 1907 Hague Convention. Furthermore, there have been many cases where States at war 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."

(Fourth Geneva Convention of 1949, Article 2, Commentary, Section 1)

6. 大日本帝國之主權

大日本帝國是一個主權國家，參照明治憲法的精神，它是一個雙主權實體-天皇主權實體及政府主權實體的國家。它曾在 1947 年 5 月 3 日以前，參與國際條約、國際公約的簽署，承擔它在國際社會對於它簽署的條約及公約的國際責任。它在 1947 年 5 月 3 日到 2014 年 2 月 20 日之間，**暫時消失**^{*1} 在國際社會上。

**1. 大日本帝國的暫時消失*

"自 1907 年以來的經驗表明，許多武裝衝突，顯示所有戰爭的特點，可能不會依照 1907 海牙公約規定的任何程序。更進一步，已經有許多案例，衝突各方一直爭議敵國政府的合法性，因此拒絕承認戰爭的狀態存在。以同樣的方式，使主權國家在兼併或投降後 **暫時消失**，已經被作為不遵守公約或不遵守其他的人道公約的規避方式。" (日內瓦第四公約第 2 條，釋文第一段)