

**On Legal Justifications for the First Set of Provisional Law  
Enforcement Lines in the Exclusive Economic Zone of the  
Republic of China**

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**Abstract**

Several disputes remain regarding the overlapping maritime claims of Taiwan and Japan. One area currently under consideration is the conservation and management of living resources in these overlapping zones. Although the two sides are presently engaged in talks on fishing rights, in November 2003 Taiwan, fearful of no imminent breakthrough, approved the First Set of Republic of China Exclusive Economic Zone Provisional Law Enforcement Lines of the Republic of China with an aim to enhancing Taiwan's negotiation position. This article tries to analyze the legal basis of this set of lines from the view of international law, beginning with an introduction to the basic context and content of the publication of the set of provisional law enforcement lines, followed by a more detailed explanation of international law rules for the delimitation of overlapping maritime claims. Any such delimitation must be reached by agreement between the parties in accordance with international law with a view to achieving an equitable result, failing which provisional arrangements can be made, which must not hinder a final resolution. If Taiwan and Japan are to come to an agreement regarding their overlapping maritime claims and the limits of legitimate activity therein, it will probably be on the conservation and management of living resources in the Exclusive Economic Zone. This article will then provide an analysis and evaluation of the factors influencing the provisional lines as set by Taiwan in this case, including coastal length ratio, and social, economic and political factors. Based on the reasons cited above and on an

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