

**SELECTED TEXTS AND  
DOCUMENTS FROM THE PRC**

**【中華人民共和國精選政治文件】**

Treaties, statements and laws by the PRC  
pertaining politics of Taiwan / the ROC

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A **WONDERFUL TAIWAN FORUM** publication  
Compiled by Tilman Aretz  
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# Selected texts and documents from the PRC

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## BRIEF REMARKS FROM THE EDITOR

The existence of the democratic, sovereign and independent Republic of China (*Zhonghua minguo* 中華民國, abbrev. ROC, established in 1912) has long been threatened by the authoritarian People’s Republic of China (*Zhonghua renmin gongheguo* 中華人民共和國, abbrev. PRC, established in 1949). While the ROC since the 1990s ruled out the use of force to change the Status Quo in cross-Strait relations, the PRC is determined to annex Taiwan, with force if necessary.

This file shows statements, documents, treaties and laws written or co-authored by high-ranking representatives of the PRC pertaining the relations with Taiwan. All documents are presented in original full text and in the chronological order of their publication. Additional notes from the editor are marked as such and highlighted with a red square (■). Please note that this file is background material for the [Taiwan Politics Database](#).

## PRC Defense Minister Peng Dehuai's Proclamation to Taiwan Compatriots

The Minister of Defense's [Peng Dehuai] Proclamation to Taiwan Compatriots  
(October 6, 1958)

Military and Civilian Compatriots on Taiwan, Penghu [Islands], Jinmen, Mazu:

We are all Chinese; of the thirty-six stratagems, Peace is the best. The battle for Jinmen is of a punitive nature. Your leaders have for a long time been too outrageous, directing aircraft to fly all over the mainland, reaching as far as Yunnan, Guizhou, Sichuan, Xikang, Qinghai, where they scattered leaflets, dropped spies, bombed Fujian, and harassed Jiangsu and Zhejiang. This is beyond intolerable. Therefore, we fired a few cannons, to get your attention.

Taiwan, Penghu, Jinmen and Mazu are Chinese territory. On this point you agree, as can be seen in your leader's statements, and they are definitely not American territory. Taiwan, Penghu, Jinmen and Mazu are part of China, and not a separate country. There is only one China in the world, there are not two Chinas. On this point you also agree, as can be seen in your leader's statements. Your leader has signed a military agreement with the Americans, which is one-sided, we don't accept it, and it ought to be invalidated.

The Americans will certainly one day abandon you, don't you believe it? The giant that is history will bear evidence to this. The clue is already exposed in Dulles' September 30 interview. Can you not shiver, standing in your position? After all, American imperialism is our common enemy. 130,000 soldiers and civilians on Jinmen are running out of supplies, suffering from cold and hunger. They cannot go on in this condition. For humanitarian reasons, I have already ordered the front lines in Fujian [to observe] a one week temporary cease fire, starting on October 6, so that you can completely and freely transport supplies, on the condition that there is no American convoy. If there is a convoy then it won't apply.

This war between us has already been going on for more than thirty years and still hasn't ended, and that is not good. We propose holding negotiation, to achieve a peaceful settlement. Several years ago Premier Zhou [Enlai] had already told you about this. This is China's internal affair, a problem between our two sides, it isn't a bilateral problem involving the United States and China. The U.S. occupation of Taiwan, Penghu, and the Taiwan Straits – that is a bilateral problem between the United States and China, which ought to be resolved through negotiations between the two countries, and there are currently talks being held in Warsaw.

The Americans will have to leave one day, there is no alternative. It would be in the Americans' interest to leave earlier, because they would retain the initiative. Leaving later won't be good [for them] because they will be forced. Why did an Eastern Pacific country come to the Western Pacific? The Western Pacific is the Western Pacific people's Western Pacific, just the same as the Eastern Pacific is the Eastern Pacific people's Eastern Pacific, this is just common sense, and the Americans ought to understand it. There is no war between the People's Republic of China and the United States, so there is no so-called cease-fire. To talk about a cease-fire where there is no fire, isn't it plain nonsense? Friends on Taiwan, there are the fires of war between us, which ought to stop, and be extinguished. This will require negotiations. Of course, to fight for another thirty years would be no big deal, but ultimately it would be preferable to come to an early peaceful resolution. Please, it's up to you to decide where you want to go.

[Peng Dehuai, Minister of Defense, PRC]

### 中華人民共和國國防部告臺灣同胞書

中華人民共和國國防部告臺灣同胞書 (作者：毛澤東)

1958年10月6日

發佈機關：中華人民共和國國防部部長 彭德懷

臺灣、澎湖、金門、馬祖軍民同胞們：

我們都是中國人。三十六計，和為上計。金門戰鬥，屬於懲罰性質。你們的領導者們過去長時期間太猖狂了，命令飛機向大陸亂鑽，遠及雲、貴、川、康、青海，發傳單，丟特務，炸福州，擾江浙。是可忍，孰不可忍？因此打一些炮，引起你們注意。

台、澎、金、馬是中國領土，這一點你們是同意的，見之于你們領導人的文告，確實不是美國人的領土。台、澎、金、馬是中國的一部分，不是另一個國家。世界上只有一個中國，沒有兩個中國。這一點，也是你們同意的，見之于你們領導人的文告。你們領導人與美國人訂立軍事協定，是片面的，我們不承認，應予廢除。

美國人總有一天肯定要拋棄你們的。你們不信嗎？歷史巨人會要出來作證明的。杜勒斯九月三十日的談話，端倪已見。站在你們的地位，能不寒心？歸根結底，美帝國主義是我們的共同敵人。十三萬金門軍民，供應缺乏，饑寒交迫，難為久計。為了人道主義，我已命令福建前線，從十月六日起，暫以七天為期，停止炮擊，你們可以充分地自由地輸送供應品，但以沒有美國人護航為條件。如有護航，不在此例。

你們與我們之間的戰爭，三十年了，尚未結束，這是不好的。建議舉行談判，實行和平解決。這一點，周恩來總理在幾年前已經告訴你們了。這是中國內部貴我兩方有關的問題，不是中美兩國有關的問題。美國侵佔台澎與臺灣海峽，這是中美兩方有關的問題，應當由兩國舉行談判解決，目前正在華沙舉行。

美國人總是要走的，不走是不行的。早走于美國有利，因為它可以取得主動。遲走不利，因為它老是被動。一個東太平洋國家，為什麼跑到西太平洋來了呢？西太平洋是西太平洋人的西太平洋，正如東太平洋是東太平洋人的東太平洋一樣。這一點是常識，美國人應當懂得。中華人民共和國與美國之間並無戰爭，無所謂停火。無火而談停火，豈非笑話？臺灣的朋友們，我們之間是有戰火的，應當停止，並予熄滅。這就需要談判。當然，再打三十年，也不是什麼了不起的大事，但是究竟以早日和平解決較為妥善。何去何從，請你們酌定。

中華人民共和國國防部部長 彭德懷

一九五八年十月六日上午一時

## ■ Editor's note =====

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## Shanghai Communiqué

1. President Richard Nixon of the United States of America visited the People's Republic of China at the invitation of Premier Chou En-lai of the People's Republic of China from February 21 to February 28, 1972. Accompanying the President were Mrs. Nixon, U.S. Secretary of State William Rogers, Assistant to the President Dr. Henry Kissinger, and other American officials.

2. President Nixon met with Chairman Mao Tsetung of the Communist Party of China on February 21. The two leaders had a serious and frank exchange of views on Sino-U.S. relations and world affairs.

3. During the visit, extensive, earnest and frank discussions were held between President Nixon and Premier Chou En-lai on the normalization of relations between the United States of America and the People's Republic of China, as well as on other matters of interest to both sides. In addition, Secretary of State William Rogers and Foreign Minister Chi Peng-fei held talks in the same spirit.

4. President Nixon and his party visited Peking and viewed cultural, industrial and agricultural sites, and they also toured Hangchow and Shanghai where, continuing discussions with Chinese leaders, they viewed similar places of interest.

5. The leaders of the People's Republic of China and the United States of America found it beneficial to have this opportunity, after so many years without contact, to present candidly to one another their views on a variety of issues. They reviewed the international situation in which important changes and great upheavals are taking place and expounded their respective positions and attitudes.

6. The Chinese side stated: Wherever there is oppression, there is resistance. Countries want independence, nations want liberation and the people want revolution--this has become the irresistible trend of history. All nations, big or small, should be equal: big nations should not bully the small and strong nations should not bully the weak. China will never be a superpower and it opposes hegemony and power politics of any kind. The Chinese side stated

that it firmly supports the struggles of all the oppressed people and nations for freedom and liberation and that the people of all countries have the right to choose their social systems according their own wishes and the right to safeguard the independence, sovereignty and territorial integrity of their own countries and oppose foreign aggression, interference, control and subversion. All foreign troops should be withdrawn to their own countries. The Chinese side expressed its firm support to the peoples of Viet Nam, Laos and Cambodia in their efforts for the attainment of their goal and its firm support to the seven-point proposal of the Provisional Revolutionary Government of the Republic of South Viet Nam and the elaboration of February this year on the two key problems in the proposal, and to the Joint Declaration of the Summit Conference of the Indochinese Peoples. It firmly supports the eight-point program for the peaceful unification of Korea put forward by the Government of the Democratic People's Republic of Korea on April 12, 1971, and the stand for the abolition of the "U.N. Commission for the Unification and Rehabilitation of Korea". It firmly opposes the revival and outward expansion of Japanese militarism and firmly supports the Japanese people's desire to build an independent, democratic, peaceful and neutral Japan. It firmly maintains that India and Pakistan should, in accordance with the United Nations resolutions on the Indo-Pakistan question, immediately withdraw all their forces to their respective territories and to their own sides of the ceasefire line in Jammu and Kashmir and firmly supports the Pakistan Government and people in their struggle to preserve their independence and sovereignty and the people of Jammu and Kashmir in their struggle for the right of self-determination.

7. The U.S. side stated: Peace in Asia and peace in the world requires efforts both to reduce immediate tensions and to eliminate the basic causes of conflict. The United States will work for a just and secure peace: just, because it fulfills the aspirations of peoples and nations for freedom and progress; secure, because it removes the danger of foreign aggression. The United States supports individual freedom and social progress for all the peoples of the world, free of outside pressure or intervention. The United States believes that the effort to reduce tensions is served by improving communication between countries that have different ideologies so as to lessen the risks of confrontation through accident, miscalculation or misunderstanding. Countries should treat each other with mutual respect and be willing to compete peacefully, letting performance be the ultimate judge. No country should claim infallibility and each country should be prepared to reexamine its own attitudes for the common good. The United States stressed that the peoples of Indochina should be allowed to determine their destiny without outside intervention; its constant primary objective has been a negotiated solution; the eight-point proposal put forward by the Republic of Viet Nam and the United States on January 27, 1972 represents a basis for the attainment of that objective; in the absence of a negotiated settlement the United States envisages the ultimate withdrawal of all U.S. forces from the region consistent with the aim of self-determination for each country of Indochina. The United States will maintain its close ties with and support for the Republic of Korea; the United States will support efforts of the Republic of Korea to seek a relaxation of tension and increased communication in the Korean peninsula. The United States places the highest value on its friendly relations with Japan; it will continue to develop the existing close bonds. Consistent with the United Nations Security Council Resolution of december 21, 1971, the United States favors the continuation of the ceasefire between India and Pakistan and the withdrawal of all military forces to within their own territories and to their own sides of the ceasefire line in Jammu and Kashmir; the United States supports the right of the peoples of South Asia to shape their own future in peace, free of military threat, and without having the area become the subject of great power rivalry.

8. There are essential differences between China and the United States in their social systems and foreign policies. However, the two sides agreed that countries, regardless of their social systems, should conduct their relations on the principles of respect for the sovereignty and territorial integrity of all states, non-aggression against other states, non-in-terference in the internal affairs of other states, equality and mutual benefit, and peaceful coexistence. International disputes should be settled on this basis, without resorting to the use or threat of force. The United States and the People's Republic of China are prepared to apply these principles to their mutual relations.

9. With these principles of international relations in mind the two sides stated that:

- progress toward the normalization of relations between China and the United States is in the interests of all countries;
- both wish to reduce the danger of international military conflict;
- neither should seek hegemony in the Asia-Pacific region and each is opposed to efforts by any other country or group of countries to establish such hegemony; and
- neither is prepared to negotiate on behalf of any third party or to enter into agreements or understandings with the other directed at other states.

10. Both sides are of the view that it would be against the interests of the peoples of the world for any major country to collude with another against other countries, or for major countries to divide up the world into spheres of interest.

11. The two sides reviewed the long-standing serious disputes between China and the United States. The Chinese side reaffirmed its position: the Taiwan question is the crucial question obstructing the normalization of relations between China and the United States; the Government of the People's Republic of China is the sole legal government of China; Taiwan is a province of China which has long been returned to the motherland; the liberation of Taiwan is China's internal affair in which no other country has the right to interfere; and all U.S. forces and military installations must be withdrawn from Taiwan. The Chinese Government firmly opposes any activities which aim at the creation of "one China, one Taiwan", "one China, two governments", "two Chinas", an "independent Taiwan" or advocate that "the status of Taiwan remains to be determined".

12. The U.S. side declared: The United States acknowledges that all Chinese on either side of the Taiwan Strait maintain there is but one China and that Taiwan is a part of China. The United States Government does not challenge that position. It reaffirms its interest in a peaceful settlement of the Taiwan question by the Chinese themselves. With this prospect in mind, it affirms the ultimate objective of the withdrawal of all U.S. forces and military installations from Taiwan. In the meantime, it will progressively reduce its forces and military installations on Taiwan as the tension in the area diminishes. The two sides agreed that it is desirable to broaden the understanding between the two peoples. To this end, they discussed specific areas in such fields as science, technology, culture, sports and journalism, in which people-to-people contacts and exchanges would be mutually beneficial. Each side undertakes to facilitate the further development of such contacts and exchanges.

13. Both sides view bilateral trade as another area from which mutual benefit can be derived, and agreed that economic relations based on equality and mutual benefit are in the interest of the peoples of the two countries. They agree to facilitate the progressive development of trade between their two countries.

14. The two sides agreed that they will stay in contact through various channels, including the sending of a senior U.S. representative to Peking from time to time for concrete consultations to further the normalization of relations between the two countries and continue to exchange views on issues of common interest.

15. The two sides expressed the hope that the gains achieved during this visit would open up new prospects for the relations between the two countries. They believe that the normalization of relations between the two countries is not only in the interest of the Chinese and American peoples but also contributes to the relaxation of tension in Asia and the world.

16. President Nixon, Mrs. Nixon and the American party expressed their appreciation for the gracious hospitality shown them by the Government and people of the People's Republic of China.

## 中華人民共和國和美利堅合眾國聯合公報（《上海公報》）

（1972年2月28日）

1. 應中華人民共和國總理周恩來的邀請，美利堅合眾國總統理查德·尼克松自一九七二年二月十一日至二月二十八日訪問了中華人民共和國。陪同總統的有尼克松夫人、美國國務卿威廉·羅杰斯、總統助理亨利·基辛格博適和其他美國官員。

2. 尼克松總統于二月二十一日會見了中國共產黨主席毛澤東。兩位領導人就中美關係和國際事務認真、坦率地交換了意見。

3. 訪問中，尼克松總統和周恩來總理就美利堅合眾國和中華人民共和國關係正常化以及雙方關心的其他問題進行了廣泛、認真和坦率的討論。此外，國務卿威廉·羅杰斯和外交部長姬鵬飛也以同樣精神進行了會談。

4. 尼克松總統及其一行訪問了北京，參觀了文化、工業和農業項目，還訪問了杭州和上海，在那裡繼續同中國領導人進行討論，並參觀了類似的項目。

5. 中華人民共和國和美利堅合眾國領導人經過這麼多年一直沒有接觸之後，現在有機會坦率地互相介紹彼此對各種問題的觀點，對此，雙方認為是有益的。他們回顧了經歷著重大變化和巨大動盪的國際形勢，闡明了各自的立場和態度。

6. 中國方面聲明：那裡有壓迫，那裡就有反抗。國家要獨立，民族要解放，人民要革命，已成為不可抗拒的歷史潮流。國家不分大小，應該一律平等，大國不應欺負小國，強國不應欺負弱國。中國決不做超級大國，並且反對任何霸權主權和強權政治。中國方面表示：堅決支持一切被壓迫人民和被壓迫民族除爭取自由、解放的鬥爭，各國人民有權按照自己的意願，選擇本國的社會制度，有權維護本國獨立、

主權和領土完整，反對外來 侵略、干涉、控制和顛覆。一切外國軍隊都應撤回本國去。中國方面表示：堅決支持 越南、查莫、柬埔寨三國人民為實現自己的目標所作的努力，堅決支持越南南方共和臨時革命政府的七點建議以及在今年二月對其中兩個關鍵問題的說明和印度支那人民最高級會議聯合聲明；堅決支持朝鮮民主主義人民共和國政府一九七一年四月十二日 提出的朝鮮和平統一的八點方案和取消“聯合國韓國統一復興委員會”的主張；堅決反對日本軍國主義的復活和對外擴張，堅決支持日本人民要求建立一個獨立、民主、 和平和中立的日本的願望；堅決主張印度和巴基斯坦按照聯合國關於印巴問題的決議，立即把自己的軍隊全部撤回到本國境內以及查莫和克什米爾停火線的各自一方，堅決 支持巴基斯坦政府和人民維護獨立、主權的鬥爭以及查莫和克什米爾人民爭取自決權的鬥爭。

7. 美國方面聲明：為了亞洲和世界的和平，需要對緩和當前的緊張局勢和消除衝突的基本 原因作出努力。美國將致力於建立公正而穩定的和平。這種和平是公正的，因為它滿足 各國人民和各國爭取自由和進步的願望。這種和平是穩定的，因為它消除外來侵略的 危險。美國支持全世界各國人民在沒有外來壓力和干預的情況下取得個人自由和社會 進步。美國相信，改善具有不同意勢形態的國與國之間的聯繫，以便減少由於事故、 錯誤估計或誤會而引起的對峙的危險，有助於緩和緊張局勢的努力。各國應該互相尊重 並願進行和平競賽，讓行動作出最後判斷。任何國家都不應自稱一慣正確，各國都要 準備為了共同的利益重新檢查自己的態度。美國強調：應該允許印度支那各國人民在 不受外來干涉的情況下決定自己的命運；美國一慣的首要目標是談判解決。越南共和國 和美國在一九七二年一月二十七日提出的八點建議提供了實現這個目標的基礎；在談判得不到解決時，美國預計在符合印度支那每個國家自決這一目標的情況下以這個地區 最終撤出所有美國軍隊。美國將保持其與大韓民國的密切聯繫和對它的支持；美國將 支持大韓民國為謀求在朝鮮半島緩和緊張局勢和增加聯繫的努力。美國最高度地珍視同 日本的友好關係，並將繼續發展現存的緊密紐帶。按照一九七一年十二月廿一日聯合國 安全理事會的決議，美國贊成印度和巴基斯坦之間的停火繼續下去，並把全部軍事力量 撤至本國境內以及查莫和克什米爾停火線的各自一方；美國支持南亞各國人民和平地、 不受軍事威脅地建設自己的未來的權力，而不使這個地區成為大國競爭的目標。

8. 中美兩國的社會制度和對外政策有著本質的區別。但是，雙方同意，各國不論社會制度 如何，都應根據尊重各國主權和領土完整、不侵犯別國、不干涉別國內政、平等互利、 和平共處的原則來處理國與國之間的關係。國際爭端因在此基礎上予以解決，而不訴諸 武力和武力威脅。美國和中華人民共和國準備在它們的相互關係中實行這些原則 。

9. 考慮到國際關係的上述這些原則，雙方聲明：

- 中美兩國關係走向正常化是符合所有國家的利益的；
- 雙方都希望減少國際軍事衝突的危險；
- 任何一方都不應該在亞洲 - 太平洋地區謀求霸權，每一方都反對任何其他國家或國家集團建立這種霸權的努力；
- 任何一方都不準備代表任何第三方進行談判，也不準備同對方達成針對其他國家的協定或諒解。

10. 雙方都認為，任何大國與另一大國進行勾結反對其他國家，或者大國在世界上劃分利益範圍，那都是違背世界各國人民利益的。

11. 雙方回顧了中美兩國之間長期存在的嚴重爭端。中國方面重申自己的立場；台灣問題是 阻礙中美兩國關係正常化的關鍵問題；中華人民共和國政府是中國的唯一合法政府； 台灣是中國的一個省，早已歸還祖國；解放台灣是中國內政，別國無權干涉；全部美國武裝力量和軍事設施必須從台灣撤走。中國政府堅決反對任何旨在製造“一中一台”，“一個中國、兩個政府”、“兩個中國”、“台灣獨立”和鼓吹“台灣地位未定”的活動。

12. 美國方面聲明：美國認識到，在台灣海峽兩邊的所有中國人都認為只有一個中國，台灣是中國的一部份。美國政府對這一立場不提出異議。它重申它對由中國人自己和平解決台灣問題的關心。考慮到這一前景，它確認從台灣撤出全部美國武裝力量和軍事設施的最終目標。在此期間，它將隨著這個地區緊張局勢的緩和逐步減少它在台灣的武裝力量 和軍事設施。雙方同意，擴大兩國人民之間的瞭解是可取的。為此目的，它們就科學、技術、文化、 體育和新聞等方面的具體領域進行了討論。在這些領域中進行人民之間的聯繫和交流將會是互相有利的。雙方各自承諾對進一步發展這種聯繫和交流提供便利。

13. 雙方把雙邊貿易看作是另一個可以帶來互利的領域，並一致認為平等互利的經濟關係 是符合兩國人民的利益的。它們同意為逐步發展兩國間的貿易提供便利。

14. 雙方同意，它們將通過不同渠道保持接觸，包括不定期地派遣美國高級代表前來北京， 就促進兩國關係正常化進行具體磋商並繼續就共同關心的問題交換意見。

15. 雙方希望，這次訪問的成果將為兩國關係開闢新的前景。雙方相信，兩國關係正常化 不僅符合中美兩國人民的利益，而且會對緩和亞洲及世界緊張局勢作出貢獻。

16. 尼克松總統、尼克松夫人及美方一行對中華人民共和國政府和人民給予他們有禮貌的款待，表示感謝。

## Joint Communiqué of the Government of Japan and the Government of the PRC

September 29, 1972

Prime Minister Kakuei Tanaka of Japan visited the People's Republic of China at the invitation of Premier of the State Council Chou En-lai of the People's Republic of China from September 25 to September 30, 1972. Accompanying Prime Minister Tanaka were Minister for Foreign Affairs Masayoshi Ohira, Chief Cabinet Secretary Susumu Nikaido and other government officials.

Chairman Mao Tse-tung met Prime Minister Kakuei Tanaka on September 27. They had an earnest and friendly conversation.

Prime Minister Tanaka and Minister for Foreign Affairs Ohira had an earnest and frank exchange of views with Premier Chou En-lai and Minister for Foreign Affairs Chi Peng-fei in a friendly atmosphere throughout on the question of the normalization of relations between Japan and China and other problems between the two countries as well as on other matters of interest to both sides, and agreed to issue the following Joint Communiqué of the two Governments:

Japan and China are neighbouring countries, separated only by a strip of water with a long history of traditional friendship. The peoples of the two countries earnestly desire to put an end to the abnormal state of affairs that has hitherto existed between the two countries. The realization of the aspiration of the two peoples for the termination of the state of war and the normalization of relations between Japan and China will add a new page to the annals of relations between the two countries.

The Japanese side is keenly conscious of the responsibility for the serious damage that Japan caused in the past to the Chinese people through war, and deeply reproaches itself. Further, the Japanese side reaffirms its position that it intends to realize the normalization of relations between the two countries from the stand of fully understanding “the three principles for the restoration of relations” put forward by the Government of the People's Republic of China. The Chinese side expresses its welcome for this.

In spite of the differences in their social systems existing between the two countries, the two countries should, and can, establish relations of peace and friendship. The normalization of relations and development of good-neighborly and friendly relations between the two countries are in the interests of the two peoples and will contribute to the relaxation of tension in Asia and peace in the world.

1. The abnormal state of affairs that has hitherto existed between Japan and the People's Republic of China is terminated on the date on which this Joint Communiqué is issued.

2. The Government of Japan recognizes that Government of the People's Republic of China as the sole legal Government of China.

3. The Government of the People's Republic of China reiterates that Taiwan is an inalienable part of the territory of the People's Republic of China. The Government of Japan fully understands and respects this stand of the Government of the People's Republic of China, and it firmly maintains its stand under Article 8 of the Potsdam Proclamation.

4. The Government of Japan and the Government of People's Republic of China have decided to establish diplomatic relations as from September 29, 1972. The two Governments have decided to take all necessary measures for the establishment and the performance of the functions of each other's embassy in their respective capitals in accordance with international law and practice, and to exchange ambassadors as speedily as possible.

5. The Government of the People's Republic of China declares that in the interest of the friendship between the Chinese and the Japanese peoples, it renounces its demand for war reparation from Japan.

6. The Government of Japan and the Government of the People's Republic of China agree to establish relations of perpetual peace and friendship between the two countries on the basis of the principles of mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit and peaceful co-existence.



The two Governments confirm that, in conformity with the foregoing principles and the principles of the Charter of the United Nations, Japan and China shall in their mutual relations settle all disputes by peaceful means and shall refrain from the use or threat of force.

7. The normalization of relations between Japan and China is not directed against any third country. Neither of the two countries should seek hegemony in the Asia-Pacific region and each is opposed to efforts by any other country or group of countries to establish such hegemony.

8. The Government of Japan and the Government of the People's Republic of China have agreed that, with a view to solidifying and developing the relations of peace and friendship between the two countries, the two Governments will enter into negotiations for the purpose of concluding a treaty of peace and friendship.

9. The Government of Japan and the Government of the People's Republic of China have agreed that, with a view to further promoting relations between the two countries and to expanding interchanges of people, the two Governments will, as necessary and taking account of the existing non-governmental arrangements, enter into negotiations for the purpose of concluding agreements concerning such matters as trade, shipping, aviation, and fisheries.

Done at Peking, September 29, 1972

Prime Minister of Japan, **Tanaka Kakuei**

Minister for Foreign Affairs of Japan, **Ohira Masayoshi**

Premier of the State Council of the People's Republic of China, **Zhou Enlai**

Minister for Foreign Affairs of the People's Republic of China, **Ji Pengfei**

## 中華人民共和國政府和日本國政府聯合聲明(中日聯合聲明)

(1972年9月29日)

日本內閣總理大臣田中角榮應中華人民共和國國務院總理周恩來的邀請，於一九七二年九月二十五日至九月三十日訪問了中華人民共和國。陪同田中角榮總理大臣的有大平正芳外務大臣、二階堂進內閣官房長官以及其他政府官員。

毛澤東主席於九月二十七日會見了田中角榮總理大臣。雙方進行了認真、友好的談話。周恩來總理、姬鵬飛外交部長和田中角榮總理大臣、大平正芳外務大臣，始終在友好氣氛中，以中日兩國邦交正常化問題為中心，就兩國間的各項問題，以及雙方關心的其他問題，認真、坦率地交換了意見，同意發表兩國政府的下述聯合聲明：

中日兩國是一衣帶水的鄰邦，有著悠久的傳統友好的歷史。兩國人民切望結束迄今存在於兩國間的不正常狀態。戰爭狀態的結束，中日邦交的正常化，兩國人民這種願望的實現，將揭開兩國關係史上新的一頁。

日本方面痛感日本國過去由於戰爭給中國人民造成的重大損害的責任，表示深刻的反省。日本方面重申站在充分理解中華人民共和國政府提出的“複交三原則”的立場上，謀求實現日中邦交正常化這一見解。中國方面對此表示歡迎。

中日兩國儘管社會制度不同，應該而且可以建立和平友好關係。兩國邦交正常化，發展兩國的睦鄰友好關係，是符合兩國人民利益的，也是對緩和亞洲緊張局勢和維護世界和平的貢獻。

(一) 自本聲明公佈之日起，中華人民共和國和日本國之間迄今為止的不正常狀態宣告結束。

(二) 日本國政府承認中華人民共和國政府是中國的唯一合法政府。

(三) 中華人民共和國政府重申：臺灣是中華人民共和國領土不可分割的一部分。日本國政府充分理解和尊重中國政府的這一立場，並堅持遵循波茨坦公告第八條的立場。

(四) 中華人民共和國政府和日本國政府決定自一九七二年九月二十九日起建立外交關係。兩國政府決定，按照國際法和國際慣例，在各自的首都為對方大使館的建立和履行職務採取一切必要的措施，並儘快互換大使。

(五) 中華人民共和國政府宣佈：為了中日兩國人民的友好，放棄對日本國的戰爭賠償要求。

(六) 中華人民共和國政府和日本國政府同意在互相尊重主權和領土完整、互不侵犯、互不干涉內政、平等互利、和平共處各項原則的基礎上，建立兩國間持久的和平友好關係。根據上述原則和聯合國憲章的原則，兩國政府確認，在相互關係中，用和平手段解決一切爭端，而不訴諸武力和武力威脅。

(七) 中日邦交正常化，不是針對第三國的。兩國任何一方都不應在亞洲和太平洋地區謀求霸權，每一方都反對任何其他國家或集團建立這種霸權的努力。

(八) 中華人民共和國政府和日本國政府為了鞏固和發展兩國間的和平友好關係，同意進行以締結和平友好條約為目的的談判。

(九) 中華人民共和國政府和日本國政府為進一步發展兩國間的關係和擴大人員往來，根據需要並考慮到已有的民間協定，同意進行以締結貿易、航海、航空、漁業等協定為目的的談判。

中華人民共和國國務院總理 周恩來 ( 簽字 )

日本國內閣總理大臣 田中角榮 ( 簽字 )

中華人民共和國外交部長 姬鵬飛 ( 簽字 )

日本國外務大臣 大平正芳 ( 簽字 )

一九七二年九月二十九日於北京

### ■ Editor's note =====

In Japanese, the “Joint Communiqué of the Government of Japan and the Government of the PRC” is called as follows: *Nippon koku seifuto Chūgoku jimmin kyōwakoku seifuno kyōdō seimei* 日本國政府と中華人民共和國政府の共同声明.

## Treaty of Peace and Friendship between Japan and the PRC

Japan and the People's Republic of China,

Recalling with satisfaction that since the Government of Japan and the Government of the People's Republic of China issued a Joint Communiqué in Peking on September 29, 1972, the friendly relations between the two Governments and the peoples of the two countries have developed greatly on a new basis.

Confirming that the above-mentioned Joint Communiqué constitutes the basis of the relations of peace and friendship between the two countries and that the principles enunciated in the Joint Communiqué should be strictly observed.

Confirming that the principles of the Charter of the United Nations should be fully respected.

Hoping to contribute to peace and stability in Asia and in the world.

For the purpose of solidifying and developing the relations of peace and friendship between the two countries.

Have resolved to conclude a Treaty of Peace and Friendship and for that purpose have appointed as their Plenipotentiaries:

- Japan: Minister for Foreign Affairs Sunao Sonoda
- People's Republic of China: Minister of Foreign Affairs Huang Hua

Who, having communicated to each other their full powers, found to be in good and due form, have agreed as follows:

### Article 1

1. The Contracting Parties shall develop relations of perpetual peace and friendship between the two countries on the basis of the principles of mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit and peaceful co-existence.
2. The Contracting Parties confirm that, in conformity with the foregoing principles and the principles of the Charter of the United Nations, they shall in their mutual relations settle all disputes by peaceful means and shall refrain from the use or threat of force.

### Article 2

The Contracting Parties declare that neither of them should seek hegemony in the Asia-Pacific region or in any other region and that each is opposed to efforts by any other country or group of countries to establish such hegemony.

### Article 3

The Contracting parties shall, in the good-neighborly and friendly spirit and in conformity with the principles of equality and mutual benefit and non-interference in each other's internal affairs, endeavor to further develop economic and cultural relations between the two countries and to promote exchanges between the peoples of the two countries.

#### Article 4

The present Treaty shall not affect the position of either Contracting Party regarding its relations with third countries.

#### Article 5

1. The present Treaty shall be ratified and shall enter into force on the date of the exchange of instruments of ratification which shall take place at Tokyo. The present Treaty shall remain in force for ten years and thereafter shall continue to be in force until terminated in accordance with the provisions of paragraph 2.
2. Either Contracting Party may, by giving one year's written notice to the other Contracting Party, terminate the present Treaty at the end of the initial ten-year period or at any time thereafter.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

DONE in duplicate, in the Japanese and Chinese languages, both texts being equally authentic, at Peking, this twelfth day of August, 1978.

For the People's Republic of China: Huang Hua (signature)

For Japan: Sunao Sonoda (signature)

## 中華人民共和國和日本國和平友好條約 (中日和平友好條約)

(1978年8月12日)

1972年中日邦交正常化後，雙方在政治、經濟等方面的交流發展很快。在此背景下，兩國要求儘早展開和平友好條約談判的呼聲日益高漲。1975年1月，中日兩國進行了預備性談判，並達成兩點共識。但是，由於雙方在某些特定問題上始終無法達成一致，談判一度擱淺。

隨著國際局勢和中日兩國國內形勢的變化，締約談判出現轉機。1978年7月，中斷了兩年多的中日締約談判在北京重新舉行。經歷多輪艱苦談判後，中國外交部長黃華與日本外相園田直8月12日在北京正式簽訂《中日和平友好條約》。10月23日，中國國務院副總理鄧小平訪問日本期間，兩國互換《中日和平友好條約》批准書，條約正式生效。

中華人民共和國和日本國滿意地回顧了自一九七二年九月二十九日中華人民共和國政府和日本國政府在北京發表聯合聲明以來，兩國政府和兩國人民之間的友好關係在新的基礎上獲得很大的發展；確認上述聯合聲明是兩國間和平友好關係的基礎，聯合聲明所表明的各項原則應予嚴格遵守；確認聯合國憲章的原則應予充分尊重；希望對亞洲和世界的和平與安定作出貢獻；為了鞏固和發展兩國間的和平友好關係；決定締結和平友好條約，為此各自委派全權代表如下：

中華人民共和國委派外交部長黃華；

日本國委派外務大臣園田直。

雙方全權代表互相校閱全權證書，認為妥善後，達成協議如下：

- 第一條** 一、締約雙方應在互相尊重主權和領土完整、互不侵犯、互不干涉內政、平等互利、和平共處各項原則的基礎上，發展兩國間持久的和平友好關係。  
二、根據上述各項原則和聯合國憲章的原則，締約雙方確認，在相互關係中，用和平手段解決一切爭端，而不訴諸武力和武力威脅。
- 第二條** 締約雙方表明：任何一方都不應在亞洲和太平洋地區或其他任何地區謀求霸權，並反對任何其他國家或國家集團建立這種霸權的努力。
- 第三條** 締約雙方將本著睦鄰友好的精神，按照平等互利和互不干涉內政的原則，為進一步發展兩國之間的經濟關係和文化關係，促進兩國人民的往來而努力。
- 第四條** 本條約不影響締約各方同第三國關係的立場。
- 第五條** 一、本條約須經批准，自在東京交換批准書之日起生效。本條約有效期為十年。十年以後，在根據本條第二款的規定宣佈終止以前，將繼續有效。  
二、締約任何一方在最初十年期滿時或在其後的任何時候，可以在一年以前，以書面預先通知締約另一方，終止本條約。

雙方全權代表在本條約上簽字蓋章，以昭信守。

本條約於一九七八年八月十二日在北京簽訂，共兩份，每份都用中文和日文寫成，兩種文本具有同等效力。

中華人民共和國全權代表 黃華（簽字）

日本國全權代表 園田直（簽字）

### ■ Editor's note =====

In Japanese, the “Treaty of Peace and Friendship between Japan and the PRC” is called as follows: *Nippon kokuto Chugoku jimmin kyōwakoku tono aidano heiwa yūkō jōyaku* 日本国と中華人民共和国との間の平和友好条約.

## Joint Communiqué of the US and the PRC (Normalization Communiqué)

January 1, 1979

(The communiqué was released on December 15, 1978, in Washington and Beijing.)

1. The United States of America and the People's Republic of China have agreed to recognize each other and to establish diplomatic relations as of January 1, 1979.
2. The United States of America recognizes the Government of the People's Republic of China as the sole legal Government of China. Within this context, the people of the United States will maintain cultural, commercial, and other unofficial relations with the people of Taiwan.
3. The United States of America and the People's Republic of China reaffirm the principles agreed on by the two sides in the Shanghai Communiqué and emphasize once again that:
4. Both wish to reduce the danger of international military conflict.
5. Neither should seek hegemony in the Asia-Pacific region or in any other region of the world and each is opposed to efforts by any other country or group of countries to establish such hegemony.
6. Neither is prepared to negotiate on behalf of any third party or to enter into agreements or understandings with the other directed at other states.
7. The Government of the United States of America acknowledges the Chinese position that there is but one China and Taiwan is part of China.
8. Both believe that normalization of Sino-American relations is not only in the interest of the Chinese and American peoples but also contributes to the cause of peace in Asia and the world.

The United States of America and the People's Republic of China will exchange Ambassadors and establish Embassies on March 1, 1979.

## 美國——中華人民共和國建立外交關係的聯合公報（關係正常化公報）

一九七九年一月一日

1. 中華人民共和國和美利堅合眾國商定自一九七九年一月一日起互相承認並建立外交關係。
2. 美利堅合眾國承認中華人民共和國政府是中國的唯一合法政府。在此範圍內，美國人民將同台灣人民保持文化、商務和其他非官方關係。
3. 中華人民共和國和美利堅合眾國重申上海公報中雙方一致同意的各項原則，並再次強調。
4. 雙方都希望減少國際軍事衝突的危險。
5. 任何一方都不應該在亞洲-太平洋地區以及世界上任何地區謀求霸權，每一方都反對任何其他國家或國家集團建立這種霸權的努力。
6. 任何一方都不準備代表任何第三方進行談判，也不準備同對方達成針對其他國家的協議或諒解。
7. 美利堅合眾國政府承認中國的立場，即只有一個中國，台灣是中國的一部份。
8. 雙方認為，中美關係正常化不僅符合中國人民和美國人民的利益，而且有助於亞洲和世界的和平事實。

中華人民共和國和美利堅合眾國將於一九七九年三月一日互派大使並建立大使館。

## Message to Compatriots in Taiwan

January 1, 1979

(The Standing Committee of the Fifth National People's Congress at its Fifth Plenary Session on December 26, 1978 adopted after discussion a message to compatriots in Taiwan.)

Dear Compatriots in Taiwan:

Today is New Year's Day 1979. We hereby extend our cordial and sincere greetings to you on behalf of the people of all nationalities on the mainland of our motherland.

As an old saying goes, "When festival times come round people think all the more of their loved ones." On this happy occasion as we celebrate New Year's Day, our thoughts turn all the more to our kith and kin, our old folks, our brothers and sisters, in Taiwan. We know you have the motherland and your kinsfolk on the mainland in mind too. This mutual feeling of many years standing grows with each passing day. From the day when Taiwan was unfortunately separated from the motherland in 1949, we have not been able to communicate with or visit each other, our motherland has not been able to achieve reunification, relatives have been unable to get together, and our nation, country and people have suffered greatly as a result. All Chinese compatriots and people of Chinese descent throughout the world look forward to an early end to this regrettable state of affairs.

The Chinese nation is a great nation. It accounts for almost a quarter of the world's population and has a long history and brilliant culture, and its outstanding contributions to world civilization and human progress are universally recognized. Taiwan has been an inalienable part of China since ancient times. The Chinese nation has great vitality and cohesion. Throughout its history, foreign invasions and internal strife have failed to split our nation permanently. Taiwan's separation from the motherland for nearly 30 years has been artificial and against our national interests and aspirations, and this state of affairs must not be allowed to continue. Every Chinese, in Taiwan or on the mainland, has a compelling responsibility for the survival, growth and prosperity of the Chinese nation. The important task of reunifying our motherland, on which hinges the future of the whole nation, now lies before us all; it is an issue no one can evade or should try to. If we do not quickly set about ending this disunity so that our motherland is reunified at an early date, how can we answer our ancestors and explain to our descendants? This sentiment is shared by all. Who among the descendants of the Yellow Emperor wishes to go down in history as a traitor?

Radical changes have taken place in China's status in the world over the past 30 years. Our country's international prestige is rising constantly and its international role becomes ever more important. The people and governments of almost all countries place tremendous hopes on us in the struggle against hegemonism and in safeguarding peace and stability in Asia and the world as a whole. Every Chinese is proud to see the growing strength and prosperity of our motherland. If we can end the present disunity and join forces soon, there will be no end to our contributions to the future of mankind. Early reunification of our motherland is not only the common desire of all the people of China, including our compatriots in Taiwan, but the common wish of all peace-loving peoples and countries the world over.

Reunification of China today is consonant with popular sentiment and the general trend of development. The world in general recognizes only one China, with the government of the People's Republic of China as its sole legal government. The recent conclusion of the China-Japan Treaty of Peace and Friendship and the normalization of relations between China and the United States show still more clearly that no one can stop this trend. The present situation in the motherland, one of stability and unity, is better than ever. The people of all nationalities on the mainland are working hard with one will for the great goal of the four modernizations. It is our fervent hope that Taiwan returns to the embrace of the motherland at an early date so that we can work together for the great cause of national development. Our state leaders have firmly declared that they will take present realities into account in accomplishing the great cause of reunifying the motherland and respect the status quo on Taiwan and the opinions of people in all walks of life there and adopt reasonable policies and measures in settling the question of reunification so as not to cause the people of Taiwan any losses. On the other hand, people in all walks of life in Taiwan have expressed their yearning for their homeland and old friends, stated their desire "to identify themselves with and rejoin their kinsmen," and raised diverse proposals which are expressions of their earnest hope for an early return to the embrace of the motherland. As all conditions now are favourable for reunification and everything is set, no one should go against the will of the nation and against the trend of history.

We place hopes on the 17 million people on Taiwan and also the Taiwan authorities. The Taiwan authorities have always taken a firm stand of one China and have been opposed to an independent Taiwan. We have this stand in common and it is the basis for our co-operation. Our position has always been that all patriots belong to one family. The responsibility for reunifying the motherland rests with each of us. We hope the Taiwan authorities will treasure national interests and make valuable contributions to the reunification of the motherland.

The Chinese government has ordered the People's Liberation Army to stop the bombardment of Jinmen (Quemoy) and other islands as from today. A state of military confrontation between the two sides still exists along the Taiwan Straits. This can only breed man-made tension. We hold that first of all this military confrontation should be ended through discussion between the government of the People's Republic of China and the Taiwan authorities so as to create the necessary prerequisites and a secure environment for the two sides to make contacts and exchanges in whatever area.

The prolonged separation has led to inadequate mutual understanding between the compatriots on the mainland and on Taiwan and various inconveniences for both sides. Since overseas Chinese residing in faraway foreign lands can return for visits and tours and hold reunions with their families, why can't compatriots living so near, on the mainland and on Taiwan, visit each other freely? We hold that there is no reason for such barriers to remain. We hope that at an early date transportation and postal services between both sides will be established to make it easier for compatriots of both sides to have direct contact, write to each other, visit relatives and friends, exchange tours and visits and carry out academic, cultural, sports and technological interchanges.

Economically speaking, Taiwan and the mainland of the motherland were originally one entity. Unfortunately, economic ties have been suspended for many years. Construction is going ahead vigorously on the motherland and it is our wish that Taiwan also grows economically more prosperous. There is every reason for us to develop trade between us, each making up what the other lacks, and carry out economic exchanges. This is mutually required and will benefit both parties without doing any harm to either.

Dear compatriots in Taiwan,

The bright future of our great motherland belongs to us and to you. The reunification of the motherland is the sacred mission history has handed to our generation. Times are moving ahead and the situation is developing. The earlier we fulfil this mission, the sooner we can jointly write an unprecedented, brilliant page in the history for our country, catch up with advanced powers and work together with them for world peace, prosperity and progress. Let us join hands and work together for this glorious goal!

## 告台灣同胞書

中華人民共和國全國人大常委會告台灣同胞書

(一九七九年一月一日，第五屆全國人民代表大會常務委員會於一九七八年十二月二十六日舉行第五次會議討論通過)

親愛的台灣同胞：

今天是一九七九年元旦。我們代表祖國大陸的各族人民，向諸位同胞致以親切的問候和衷心的祝賀。

昔人有言：“每逢佳節倍思親”。在這歡度新年的時刻，我們更加想念自己的親骨肉——台灣的父老兄弟姐妹。我們知道，你們也無限懷念祖國和大陸上的親人。這種綿延了多少歲月的相互思念之情與日俱增。自從一九四九年台灣同祖國不幸分離以來，我們之間音訊不通，來往斷絕，祖國不能統一，親人無從團聚，民族、國家和人民都受到了巨大的損失。所有中國同胞以及全球華裔，無不盼望早日結束這種令人痛心的局面。

我們中華民族是偉大的民族，占世界人口近四分之一，享有悠久的歷史和優秀的文化，對世界文明和人類發展的卓越貢獻，舉世共認。台灣自古就是中國不可分割的一部分。中華民族是具有強大的生命力和凝聚力的。儘管歷史上有過多少次外族入侵和內部紛爭，都不曾使我們的民族陷於長久分裂。近三十年台灣同祖國的分離，是人為的，是違反我們民族的利益和願望的，決不能再這樣下去了。每一個中國人，不論是生活在台灣的還是生活在大陸上的，都對中華民族的生存、發展和繁榮負有不容推諉的責任。統一祖國這樣一個關係全民族前途的重大任務，現在擺在我們大家的面前，誰也不能回避，誰也不應回避。如果我們還不儘快結束目前這種分裂局面，早日實現祖國的統一，我們何以告慰于列祖列宗？何以自解於子孫後代？人同此心，心同此理，凡屬黃帝子孫，誰願成為民族的千古罪人？

近三十年來，中國在世界上的地位已發生根本變化。我國國際地位越來越高，國際作用越來越重要。各國人民和政府為了反對霸權主義、維護亞洲和世界的和平穩定，幾乎莫不對我們寄予極大期望。每一

個中國人都為祖國的日見強盛而感到自豪。我們如果儘快結束目前的分裂局面，把力量合到一起，則所能貢獻於人類前途者，自更不可限量。早日實現祖國統一，不僅是全中國人民包括台灣同胞的共同心願，也是全世界一切愛好和平的人民和國家的共同希望。

今天，實現中國的統一，是人心所向，大勢所趨。世界上普遍承認只有一個中國，承認中華人民共和國政府是中國唯一合法的政府。最近中日和平友好條約的簽定，和中美兩國關係正常化的實現，更可見潮流所至，實非任何人所得而阻止。目前祖國安定團結，形勢比以往任何時候都好。在大陸上的各族人民，正在為實現四個現代化的偉大目標而同心戮力。我們殷切期望台灣早日歸回祖國，共同發展建國大業。我們的國家領導人已經表示決心，一定要考慮現實情況，完成祖國統一大業，在解決統一問題時尊重台灣現狀和台灣各界人士的意見，採取合情合理的政策和辦法，不使台灣人民蒙受損失。台灣各界人士也紛紛抒發懷鄉思舊之情，訴述“認同回歸”之願，提出種種建議，熱烈盼望早日回到祖國的懷抱。時至今日，種種條件都對統一有利，可謂萬事俱備，任何人都不應當拂逆民族的意志，違背歷史的潮流。

我們寄希望於一千七百萬台灣人民，也寄希望於台灣當局。台灣當局一貫堅持一個中國的立場，反對台灣獨立。這就是我們共同的立場，合作的基礎。我們一貫主張愛國一家。統一祖國，人人有責。希望台灣當局以民族利益為重，對實現祖國統一的事業作出寶貴的貢獻。

中國政府已經命令人民解放軍從今天起停止對金門等島嶼的炮擊。台灣海峽目前仍然存在著雙方的軍事對峙，這只能製造人為的緊張。我們認為，首先應當通過中華人民共和國政府和台灣當局之間的商談結束這種軍事對峙狀態，以便為雙方的任何一種範圍的交往接觸創造必要的前提和安全的環境。

由於長期隔絕，大陸和台灣的同胞互不瞭解，對於雙方造成各種不便。遠居海外的許多僑胞都能回國觀光，與家人團聚。為什麼近在咫尺的大陸和台灣的同胞卻不能自由來往呢？我們認為這種藩籬沒有理由繼續存在。我們希望雙方儘快實現通航通郵，以利雙方同胞直接接觸，互通訊息，探親訪友，旅遊參觀，進行學術文化體育工藝觀摩。

台灣和祖國大陸，在經濟上本來是一個整體。這些年來，經濟聯繫不幸中斷。現在，祖國的建設正在蓬勃發展，我們也希望台灣的經濟日趨繁榮。我們相互之間完全應當發展貿易，互通有無，進行經濟交流。這是相互的需要，對任何一方都有利而無害。

親愛的台灣同胞：

我們偉大祖國的美好前途，既屬於我們，也屬於你們。統一祖國，是歷史賦於我們這一代人的神聖使命。時代在前進，形勢在發展。我們早一天完成這一使命，就可以早一天共同創造我國空前未有的光輝燦爛的歷史，而與各先進強國並駕齊驅，共謀世界的和平、繁榮和進步。讓我們攜起手來，為這一光榮目標共同奮鬥！

## Ye Jianying's "Nine-Point Policy"

### Articles & Documents

*Interview With Xinhua Correspondent*

#### Chairman Ye Jianying's Elaborations on Policy Concerning Return of Taiwan To Motherland and Peaceful Unification

Ye Jianying, Chairman of the Standing Committee of the National People's Congress, in an interview with a Xinhua correspondent on September 30, 1981, elaborated on the policy concerning the return of Taiwan to the motherland for the realization of China's peaceful reunification.

The full text of his statement follows:

Today, on the eve of the 32nd anniversary of the founding of the People's Republic of China and at the approach of the 70th anniversary of the 1911 Revolution, I wish, first of all, to extend my festive greetings and cordial regards to the people of all, to extend my festive greetings and cordial regards to the people of all nationalities throughout the country, including the compatriots in Taiwan, Xianggang (Hong Kong) and Aomen (Macao), and Chinese nationals residing in foreign countries.

On New Year's Day 1979, the Standing Committee of the National People's Congress issued a message to the compatriots in Taiwan, in which it proclaimed the policy of striving to reunify the motherland peacefully. The message received warm support and active response from the people of all nationalities throughout China, including the compatriots in Taiwan, Xianggang and Aomen, and those residing abroad. A relaxed atmosphere has set in across the Taiwan Straits. Now, I would taken this opportunity to elaborate on the policy concerning the return of Taiwan to the motherland for the realization of peaceful reunification:

(1) In order to bring an end to the unfortunate separation of the Chinese nation as early as possible, we propose that talks be held between the Communist Party of China and the Kuomintang of China on a reciprocal basis so that the two parties will co-operate for the third time to accomplish the great cause of national reunification. The two sides may first send people to meet for an exhaustive exchange of views.

(2) It is the urgent desire of the people of all nationalities on both sides of the straits to communicate with each other, reunite with their families and relatives, develop trade and increase mutual understanding. We propose that the two sides make arrangements to facilitate the exchange of mails, trade, air and shipping services, family reunions and visits by relatives and tourists as well as academic, cultural and sports exchanges, and reach an agreement there upon.

(3) After the country is reunified, Taiwan can enjoy a high degree of autonomy as a special administrative region and it can retain its armed forces. The Central Government will not interfere with local affairs on Taiwan.

(4) Taiwan's current socio-economic system will remain unchanged, so will its way of life and its economic and cultural relations with foreign countries. There will be no encroachment on the proprietary rights and lawful right of inheritance over private property, houses, land and enterprises, or on foreign investments.

(5) People in authority and representative personages of various circles in Taiwan may take up posts of leadership in national political bodies and participate in running the state.

(6) When Taiwan's local finance is in difficulty, the Central Government may subsidize it as is fit for the circumstances.

(7) For people of all nationalities and public figures of various circles in Taiwan who wish to come and settle on the mainland, it is guaranteed that proper arrangements will be made for them, that there will be no discrimination against them, and that they will have the freedom of entry and exit.

(8) Industrialists and businessmen in Taiwan are welcome to invest and engage in various economic undertakings on the mainland, and their legal rights, interests and profits are guaranteed.

(9) The reunification of the motherland is the responsibility of all Chinese. We sincerely welcome people of all nationalities, public figures of all circles and all mass organizations in Taiwan to make proposals and suggestions regarding affairs of state through various channels and in various ways.

Taiwan's return to the embrace of the motherland and the accomplishment of the great cause of national reunification is a great and glorious mission history has bequeathed on our generation. China's reunification and prosperity is in the vital interest of the Chinese people of all nationalities—not only those on the mainland, but those in Taiwan as well. It is also in the interest of peace in the Far East and the world.

We hope that our compatriots in Taiwan will give full play to their patriotism and work energetically for the early realization of the great unity of our nation and share the honor of it. We hope that our compatriots in Xianggang and Aomen and Chinese nationals residing abroad will continue to act in the role of a bridge and contribute their share to the reunification of the motherland.

We hope that the Kuomintang authorities will stick to their one-China position and their opposition to “two Chinas” and that they will put national interests above everything else, forget previous will and join hands with us in accomplishing the great cause of national reunification and the great goal of making China prosperous and strong, so as to win glory for our ancestors, being benefit to our posterity and write a new and glorious page in the history of the Chinese nation!

*(Xinhua News Agency, September 30, 1981, Beijing)*

Source: Beijing Review 1981, No. 40 (October 5 edition), p. 10-11; retrieved from [Taiwan Info](#)

## 葉劍英向新華社記者發表的談話

(1981年9月30日)

今天是中華人民共和國 32 周年國慶前夕，又欣逢辛亥革命 70 周年紀念日即將來臨之際，我首先向全國各族人民，包括臺灣同胞、港澳同胞以及國外僑胞致以節日祝賀和親切問候。

1979 年元旦，全國人民代表大會常務委員會發表《告臺灣同胞書》，宣佈了爭取和平統一祖國的大政方針，得到全中國各族人民，包括臺灣同胞、港澳同胞以及國外僑胞的熱烈擁護和積極回應。臺灣海峽出現了和緩氣氛。現在，我願趁此機會進一步闡明關於臺灣回歸祖國，實現和平統一的方針政策：

(一) 為了儘早結束中華民族陷於分裂的不幸局面，我們建議舉行中國共產黨和中國國民黨兩黨對等談判，實行第三次合作，共同完成祖國統一大業。雙方可先派人接觸，充分交換意見。

(二) 海峽兩岸各族人民迫切希望互通音訊、親人團聚、開展貿易、增進瞭解。我們建議雙方共同為通郵、通商、通航、探親、旅遊以及開展學術、文化、體育交流提供方便，達成有關協議。



(三) 國家實現統一後，臺灣可作為特別行政區，享有高度的自治權，並可保留軍隊。中央政府不干預臺灣地方事務。

(四) 臺灣現行社會、經濟制度不變，生活方式不變，同外國的經濟、文化關係不變。私人財產、房屋、土地、企業所權、合法繼承權和外國投資不受侵犯。

(五) 臺灣當局和各界代表人士，可擔全國性政治機構的領導職務，參與國家管理。

(六) 臺灣地方財政遇有困難時，可由中央政府酌情補助。

(七) 臺灣各族人民、各界人士願回祖國大陸定居者，保證妥善安排，不受歧視，來去自由。

(八) 歡迎臺灣工商界人士回祖國大陸投資，興辦各種經濟事業，保證其合法權益和利潤。

(九) 統一祖國，人人有責。我們熱誠歡迎臺灣各族人民、各界人士、民眾團體通過各種管道、採取各種方式提供建議，共商國事。

臺灣回歸祖國，完成統一大業是我們這一代人光榮、偉大的歷史使命。中國的統一和富強，不僅是祖國大陸各族人民的根本利益所在，同樣是臺灣各族同胞的根本利益所在，而且有利於遠東和世界和平。

我們希望廣大臺灣同胞，發揚愛國主義精神，積極促進全民族大團結早日實現，共用民族榮譽。希望港澳同胞、國外僑胞繼續努力，發揮橋樑作用，為統一祖國貢獻力量。

我們希望國民黨當局堅持“一個中國”、反對“兩個中國”的立場，以民族大義為重，捐棄前嫌，同我們攜起手來，共同完成統一祖國大業，實現振興中華的宏圖，為列祖列宗爭光，為子孫後代造福，在中華民族歷史上譜寫新的光輝篇章。

[中央政府門戶網站](#) 來源：新華社

## ■ Editor's note =====

The formal term of Ye Jianying's "Nine-Point Policy" is "Nine Principles for the Peaceful Reunification with Taiwan" (*yonguan heping tongyi Taiwan de jiutiao fangzhen zhengce* 有關和平統一臺灣的九條方針政策, abbrev. *Ye jiu tiao* 葉九條), in English it is also often referred to as "Ye's Nine Principles" or "Nine-Article Statement". On Jan. 11, 1982 Deng Xiaoping revealed to foreign guests that Ye's Nine-Point Policy actually means "one country, two systems" (*yiguo liangzhi* 一國兩制, abbrev. 1C2S) and would also apply to the issue of Hong Kong. In this context Deng on June 26, 1983 explained his "Six Conceptions for the Peaceful Reunification" (*guanyu shixian Taiwan han zuguo dalu heping tongyi de liutiao gouxiang* 關於實現台灣和祖國大陸和平統一的六條構想, abbrev. *Deng liutiao* 鄧六條) which are shown further below.

## Joint Communiqué of the PRC and the US

August 17, 1982

(1) In the Joint Communiqué on the Establishment of Diplomatic Relations on January 1, 1979, issued by the Government of the People's Republic of China and the Government of the United States of America, the United States of America recognized the Government of the People's Republic of China as the sole legal Government of China, and it acknowledged the Chinese position that there is but one China and Taiwan is part of China. Within that context, the two sides agreed that the people of the United States would continue to maintain cultural, commercial, and other unofficial relations with the people of Taiwan. On this basis, relations between China and the United States were normalized.

(2) The question of United States arms sales to Taiwan was not settled in the course of negotiations between the two countries on establishing diplomatic relations. The two sides held differing positions, and the Chinese side stated that it would raise the issue again following normalization. Recognizing that this issue would seriously hamper the development of China-United States relations, they have held further discussions on it, during and since the meetings between Premier Zhao Ziyang and President Ronald Reagan and between Vice-Premier and Foreign Minister Huang Hua and Secretary of State Alexander M. Haig, Jr. in October 1981.

(3) Respect for each other's sovereignty and territorial integrity and non-interference in each other's internal affairs constitute the fundamental principles guiding China-United States relations. These principles were confirmed in the Shanghai Communiqué of February 28, 1972 and reaffirmed in the Joint Communiqué on the Establishment of Diplomatic Relations which came into effect on January 1, 1979. Both sides emphatically state that these principles continue to govern all aspects of their relations.

(4) The Chinese Government reiterates that the question of Taiwan is China's internal affair. The Message to Compatriots in Taiwan issued By China on January 1, 1979 promulgated a fundamental policy of striving for peaceful reunification of the motherland. The Nine-Point Proposal put forward by China on September 30, 1981 represented a further major effort under this fundamental policy to strive for a peaceful solution to the Taiwan question.

(5) The United States Government attaches great importance to its relations with China, and reiterates that it has no intention of infringing on Chinese sovereignty and territorial integrity, or interfering in China's internal affairs, or pursuing a policy of "two Chinas" or "one China, one Taiwan." The United States Government understands and appreciates the Chinese policy of striving for a peaceful resolution of the Taiwan question as indicated in China's Message to Compatriots in Taiwan issued on January 1, 1979 and the Nine-Point Proposal put forward by China on September 30, 1981. The new situation which has emerged with regard to the Taiwan question also provides favorable conditions for the settlement of China-United States differences over United States arms sales to Taiwan.

Having in mind the foregoing statements of both sides, the United States Government states that it does not seek to carry out a long-term policy of arms sales to Taiwan, that its arms sales to Taiwan will not exceed, either in qualitative or in quantitative terms, the level of those supplied in recent years since the establishment of diplomatic relations between China and the United States, and that it intends gradually to reduce its sale of arms to Taiwan, leading, over a period of time, to a final resolution. In so stating, the United States acknowledges China's consistent position regarding the thorough settlement of this issue.

(6) In order to bring about, over a period of time, a final settlement of the question of United States arms sales to Taiwan, which is an issue rooted in history, the two Governments will make every effort to adopt measures and create conditions conducive to the through settlement of this issue.

(7) The development of United States-China relations is not only in the interests of the two peoples but also conducive to peace and stability in the world. The two sides are determined, on the principle of equality and mutual benefit, to strengthen their ties in the economic, cultural, educational, scientific, technological and other fields and make strong, joint efforts for the continued development of relations between the Governments and peoples of the United States and China.

(8) In order to bring about the healthy development of United States-China relations, maintain world peace and oppose aggression and expansion, the two Governments reaffirm the principles agreed on by the two sides in the Shanghai Communique and the Joint Communique on the Establishment of Diplomatic Relations. The two sides will maintain contact and hold appropriate consultations on bilateral and international issues of common interest.

## 中華人民共和國和美利堅合眾國聯合公報（八一七公報）

（1982年8月17日）

一、在中華人民共和國政府和美利堅合眾國政府發表的一九七九年一月一日建立外交關係的聯合公報中，美利堅合眾國承認中華人民共和國政府是中國的唯一合法政府，並承認中國的立場，即只有一個中國，臺灣是中國的一部分。在此範圍內，雙方同意，美國人民將同臺灣人民繼續保持文化、商務和其他非官方關係。在此基礎上，中美兩國關係實現了正常化。

二、美國向臺灣出售武器的問題在兩國談判建交的過程中沒有得到解決。雙方的立場不一致，中方聲明在正常化以後將再次提出這個問題。雙方認識到這一問題將會嚴重妨礙中美關係的發展，因而在趙紫陽總理與羅納德·雷根總統以及黃華副總理兼外長與亞歷山大·黑格國務卿于一九八一年十月會見時以及在此以後，雙方進一步就此進行了討論。

三、互相尊重主權和領土完整、互不干涉內政是指導中美關係的根本原則。一九七二年二月二十八日的上海公報確認了這些原則。一九七九年一月一日生效的建交公報又重申了這些原則。雙方強調聲明，這些原則仍是指導雙方關係所有方面的原則。

四、中國政府重申，臺灣問題是中國的內政。一九七九年一月一日中國發表的告臺灣同胞書宣佈了爭取和平統一祖國的大政方針。一九八一年九月三十日中國提出的九點方針是按照這一大政方針爭取和平解決臺灣問題的進一步重大努力。

五、美國政府非常重視它與中國的關係，並重申，它無意侵犯中國的主權和領土完整，無意干涉中國的內政，也無意執行“兩個中國”或“一中一台”政策。美國政府理解並欣賞一九七九年一月一日中國發表的告臺灣同胞書和一九八一年九月三十日中國提出的九點方針中所表明中國爭取和平解決臺灣問題的政策。臺灣問題上出現的新形勢也為解決中美兩國在美國售台武器問題上的分歧提供了有利的條件。

六、考慮到雙方的上述聲明，美國政府聲明，它不尋求執行一項長期向臺灣出售武器的政策，它向臺灣出售的武器在性能和數量上將不超過中美建交後近幾年供應的水平，它準備逐步減少它對臺灣的武器出售，並經過一段時間導致最後的解決。在作這樣的聲明時，美國承認中國關於徹底解決這一問題的一貫立場。

七、為了使美國售台武器這個歷史遺留的問題，經過一段時間最終得到解決，兩國政府將盡一切努力，採取措施，創造條件，以利於徹底解決這個問題。

八、中美關係的發展不僅符合兩國人民的利益，而且也有利於世界和平與穩定。雙方決心本著平等互利的原則，加強經濟、文化、教育、科技和其他方面的聯繫，為繼續發展中美兩國政府和人民之間的關係共同作出重大努力。

九、為了使中美關係健康發展和維護世界和平、反對侵略擴張，兩國政府重申上海公報和建交公報中雙方一致同意的各項原則。雙方將就共同關心的雙邊問題和國際問題保持接觸並進行適當的磋商。

## Deng Xiaoping's "Six Conceptions"

Meeting with Professor Yang Liyu from Seton Hall University of the US on June 26, 1983, Deng Xiaoping elaborated the concept of "One country, two systems".

- (1) The core of the Taiwan question is the reunification has become the common aspiration of both the Communist Party and the Kuomintang and thus has constituted the ground for the third cooperation between the two parties.
- (2) While maintaining the one-China policy, the two sides can adopt different systems, but the People's Republic of China should be the sole representative of China in the international community.
- (3) Taiwan's "absolute autonomy" is not allowed. The "absolute autonomy" actually means two Chinas. There should be some restrictions on autonomy, and the bottom line is that the interest of a unified state must not be harmed.
- (4) After reunification, as a special administrative region, Taiwan can adopt systems different from those on the mainland and enjoys privileges, which other provinces and autonomous regions may not share. The region can have the powers of a legislature, judiciary and final adjudication. The region can also have its own army as long as it poses no threat to the mainland. The central government will not send officials. Affairs pertaining to Taiwan's political parties, government and army shall be managed by Taiwan itself, while the central government will reserve some positions for Taiwan.
- (5) Peaceful reunification does not mean the mainland will swallow Taiwan, or vice versa. To reunify China with the "Three People's Principles" is not practical.
- (6) The proper way for peaceful reunification is to hold negotiations between the Communist Party and the Kuomintang on an equal footing. After the two sides reach an agreement, an official announcement can be made. Foreign powers cannot be allowed to interfere with this affair, because it would otherwise mean China has not achieved independence and would only give use to endless future troubles.

## 鄧小平論以“一國兩制”解決台灣問題

1983年6月25日，鄧小平在會見美國西東大學教授楊力宇時，闡述了按照「一國兩制」解決台灣問題、實現國家統一的構想：

- (一) 台灣問題的核心是祖國統一。和平統一已成為國共兩黨的共同語言。我們希望國共兩黨共同完成民族統一，大家都對中華民族作出貢獻。
- (二) 我們不贊成台灣「完全自治」的提法。自治不能沒有限度，既有限度就不能「完全」。「完全自治」就是「兩個中國」，而不是一個中國。
- (三) 制度可以不同，但在國際上代表中國的，只能是中華人民共和國。
- (四) 我們承認台灣地方政府在對內政策上可以搞自己的一套。台灣作為特別行政區，雖是地區政府，但同其他省、市以至自治區的地方政府不同，可以有其他省、市、自治區所沒有而為自己所獨有的某些權力，條件是不能損害統一的國家的利益。

祖國統一後，台灣特別行政區可以有自己的獨立性，可以實行同大陸不同的制度。司法獨立，終審權不須到北京。台灣還可以有自己的軍隊，只是不能構成對大陸的威脅。大陸不派人駐台，不僅

軍隊不去，行政人員也不去。台灣的黨、政、軍等系統，都由台灣自己來管。中央政府還要給台灣留出名額。

(五) 和平統一不是大陸把台灣吃掉，當然也不能是台灣把大陸吃掉。所謂「三民主義統一中國」，這不現實。

(六) 要實現統一，就要有個適當方式，所以我們建議舉行兩黨平等會談，實行第三次合作，而不提中央與地方談判。雙方達成協議後，可以正式宣佈。但萬萬不可讓外國插手，那樣只能意味著中國還未獨立，後患無窮。

■ Editor's note =====

Most Chinese sources have omitted the precise numbering which in this version was derived from the website of the [PRC embassy in Japan](#) but does not exactly correspond with the numbering shown in the [official English version](#).

## The Sino-British Joint Declaration on the Question of Hong Kong

### JOINT DECLARATION OF THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA ON THE QUESTION OF HONG KONG

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China have reviewed with satisfaction the friendly relations existing between the two Governments and peoples in recent years and agreed that a proper negotiated settlement of the question of Hong Kong, which is left over from the past, is conducive to the maintenance of the prosperity and stability of Hong Kong and to the further strengthening and development of the relations between the two countries on a new basis. To this end, they have, after talks between the delegations of the two Governments, agreed to declare as follows:

1. The Government of the People's Republic of China declares that to recover the Hong Kong area (including Hong Kong Island, Kowloon and the New Territories, hereinafter referred to as Hong Kong) is the common aspiration of the entire Chinese people, and that it has decided to resume the exercise of sovereignty over Hong Kong with effect from 1 July 1997.
2. The Government of the United Kingdom declares that it will restore Hong Kong to the People's Republic of China with effect from 1 July 1997.
3. The Government of the People's Republic of China declares that the basic policies of the People's Republic of China regarding Hong Kong are as follows:
  - (1) Upholding national unity and territorial integrity and taking account of the history of Hong Kong and its realities, the People's Republic of China has decided to establish, in accordance with the provisions of Article 31 of the Constitution of the People's Republic of China, a Hong Kong Special Administrative Region upon resuming the exercise of sovereignty over Hong Kong.
  - (2) The Hong Kong Special Administrative Region will be directly under the authority of the Central People's Government of the People's Republic of China. The Hong Kong Special Administrative Region will enjoy a high degree of autonomy, except in foreign and defence affairs which are the responsibilities of the Central People's Government.
  - (3) The Hong Kong Special Administrative Region will be vested with executive, legislative and independent judicial power, including that of final adjudication. The laws currently in force in Hong Kong will remain basically unchanged.
  - (4) The Government of the Hong Kong Special Administrative Region will be composed of local inhabitants. The chief executive will be appointed by the Central People's Government on the basis of the results of elections or consultations to be held locally. Principal officials will be nominated by the chief executive of the Hong Kong Special Administrative Region for appointment by the Central People's Government. Chinese and foreign nationals previously working in the public and police services in the government departments of Hong Kong may remain in employment. British and other foreign nationals may also be

employed to serve as advisers or hold certain public posts in government departments of the Hong Kong Special Administrative Region.

- (5) The current social and economic systems in Hong Kong will remain unchanged, and so will the life-style. Rights and freedoms, including those of the person, of speech, of the press, of assembly, of association, of travel, of movement, of correspondence, of strike, of choice of occupation, of academic research and of religious belief will be ensured by law in the Hong Kong Special Administrative Region. Private property, ownership of enterprises, legitimate right of inheritance and foreign investment will be protected by law.
  - (6) The Hong Kong Special Administrative Region will retain the status of a free port and a separate customs territory.
  - (7) The Hong Kong Special Administrative Region will retain the status of an international financial centre, and its markets for foreign exchange, gold, securities and futures will continue. There will be free flow of capital. The Hong Kong dollar will continue to circulate and remain freely convertible.
  - (8) The Hong Kong Special Administrative Region will have independent finances. The Central People's Government will not levy taxes on the Hong Kong Special Administrative Region.
  - (9) The Hong Kong Special Administrative Region may establish mutually beneficial economic relations with the United Kingdom and other countries, whose economic interests in Hong Kong will be given due regard.
  - (10) Using the name of "Hong Kong, China", the Hong Kong Special Administrative Region may on its own maintain and develop economic and cultural relations and conclude relevant agreements with states, regions and relevant international organisations.  
The Government of the Hong Kong Special Administrative Region may on its own issue travel documents for entry into and exit from Hong Kong.
  - (11) The maintenance of public order in the Hong Kong Special Administrative Region will be the responsibility of the Government of the Hong Kong Special Administrative Region.
  - (12) The above-stated basic policies of the People's Republic of China regarding Hong Kong and the elaboration of them in Annex I to this Joint Declaration will be stipulated, in a Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, by the National People's Congress of the People's Republic of China, and they will remain unchanged for 50 years.
4. The Government of the United Kingdom and the Government of the People's Republic of China declare that, during the transitional period between the date of the entry into force of this Joint Declaration and 30 June 1997, the Government of the United Kingdom will be responsible for the administration of Hong Kong with the object of maintaining and preserving its economic prosperity and social stability; and that the Government of the People's Republic of China will give its co-operation in this connection.
  5. The Government of the United Kingdom and the Government of the People's Republic of China declare that, in order to ensure a smooth transfer of government in 1997, and with a view to the effective implementation of this Joint Declaration, a Sino-British Joint Liaison Group will be set up when this Joint Declaration enters into force; and that it will be established and will function in accordance with the provisions of Annex II to this Joint Declaration.
  6. The Government of the United Kingdom and the Government of the People's Republic of China declare that land leases in Hong Kong and other related matters will be dealt with in accordance with the provisions of Annex III to this Joint Declaration.
  7. The Government of the United Kingdom and the Government of the People's Republic of China agree to implement the preceding declarations and the Annexes to this Joint Declaration.
  8. This Joint Declaration is subject to ratification and shall enter into force on the date of the exchange of instruments of ratification, which shall take place in Beijing before 30 June 1985. This Joint Declaration and its Annexes shall be equally binding.

Done in duplicate at Beijing on December 19, 1984 in the English and Chinese languages, both texts being equally authentic.

For the Government of the United Kingdom  
of Great Britain and Northern Ireland  
Margaret Thatcher

For the Government of the People's Republic  
of China  
Zhao Ziyang

## 《中華人民共和國政府和大不列顛及北愛爾蘭聯合王國政府關於香港問題的聯合聲明》

中華人民共和國政府和大不列顛及北愛爾蘭聯合王國政府滿意地回顧了近年來兩國政府和兩國人民之間的友好關係，一致認為通過協商妥善地解決歷史上遺留下來的香港問題，有助於維持香港的繁榮與穩定，並有助於兩國關係在新的基礎上進一步鞏固和發展，為此，經過兩國政府代表團的會談，同意聲明如下：

一、中華人民共和國政府聲明：收回香港地區（包括香港島、九龍和“新界”，以下稱香港）是全中國人民的共同願望，中華人民共和國政府決定於一九九七年七月一日對香港恢復行使主權。

二、聯合王國政府聲明：聯合王國政府於一九九七年七月一日將香港交還給中華人民共和國。

三、中華人民共和國政府聲明，中華人民共和國對香港的基本方針政策如下：

- （一）為了維護國家的統一和領土完整，並考慮到香港的歷史和現實情況，中華人民共和國決定在對香港恢復行使主權時，根據中華人民共和國憲法第三十一條的規定，設立香港特別行政區。
- （二）香港特別行政區直轄於中華人民共和國中央人民政府。除外交和國防事務屬中央人民政府管理外，香港特別行政區享有高度的自治權。
- （三）香港特別行政區享有行政管理權、立法權、獨立的司法權和終審權。現行的法律基本不變。
- （四）香港特別行政區政府由當地人組成。行政長官在當地通過選舉或協商產生，由中央人民政府任命。主要官員由香港特別行政區行政長官提名，報中央人民政府任命。原在香港各政府部門任職的中外籍公務、警務人員可以留用。香港特別行政區各政府部門可以聘請英籍人士或其他外籍人士擔任顧問或某些公職。
- （五）香港的現行社會、經濟制度不變；生活方式不變。香港特別行政區依法保障人身、言論、出版、集會、結社、旅行、遷徙、通信、罷工、選擇職業和學術研究以及宗教信仰等各項權利和自由。私人財產、企業所有權、合法繼承權以及外來投資均受法律保護。
- （六）香港特別行政區將保持自由港和獨立關稅地區的地位。
- （七）香港特別行政區將保持國際金融中心的地位，繼續開放外匯、黃金、證券、期貨等市場，資金進出自由。港幣繼續流通，自由兌換。
- （八）香港特別行政區將保持財政獨立。中央人民政府不向香港特別行政區徵稅。
- （九）香港特別行政區可同聯合王國和其他國家建立互利的經濟關係。聯合王國和其他國家在香港的經濟利益將得到照顧。
- （十）香港特別行政區可以“中國香港”的名義單獨地同各國、各地區及有關國際組織保持和發展經濟、文化關係，並簽訂有關協定。香港特別行政區政府可自行簽發出入香港的旅行證件。
- （十一）香港特別行政區的社會治安由香港特別行政區政府負責維持。
- （十二）關於中華人民共和國對香港的上述基本方針政策和本聯合聲明附件一對上述基本方針政策的具體說明，中華人民共和國全國人民代表大會將以中華人民共和國香港特別行政區基本法規定之，並在五十年內不變。

四、中華人民共和國政府和聯合王國政府聲明：自本聯合聲明生效之日起至一九九七年六月三十日止的過渡時期內，聯合王國政府負責香港的行政管理，以維護和保持香港的經濟繁榮和社會穩定；對此，中華人民共和國政府將給予合作。

五、中華人民共和國政府和聯合王國政府聲明：為求本聯合聲明得以有效執行，並保證一九九七年政權的順利交接，在本聯合聲明生效時成立中英聯合聯絡小組；聯合聯絡小組將根據本聯合聲明附件二的規定建立和履行職責。

六、中華人民共和國政府和聯合王國政府聲明：關於香港土地契約和其他有關事項，將根據本聯合聲明附件三的規定處理。

七、中華人民共和國政府和聯合王國政府同意，上述各項聲明和本聯合聲明的附件均將付諸實施。

八、本聯合聲明須經批准，並自互換批准書之日起生效。批准書應於一九八五年六月三十日前在北京互換。本聯合聲明及其附件具有同等約束力。

一九八四年十二月十九日在北京簽訂，共兩份，每份都用中文和英文寫成，兩種文本具有同等效力。

中華人民共和國政府代表  
趙紫陽（簽字）

大不列顛及北愛爾蘭聯合王國政府代表  
瑪格麗特·柴契爾（簽字）

# The Taiwan Question and Reunification of China

## Foreword

It is the sacred right of each and every sovereign State and a fundamental principle of international law to safeguard national unity and territorial integrity. The Charter of the United Nations specifically stipulates that the United Nations and its Members shall refrain from any action against the territorial integrity or political independence of any of its Members or any State and shall not intervene in matters which are essentially within the domestic jurisdiction of any State. The United Nations Declaration on Principles of International Law Concerning Friendly Relations and Co-operation Among States in Accordance with the Charter of the United Nations points out that any attempt aimed at the partial or total disruption of the national unity, territorial integrity or political independence of a State or country is incompatible with the purposes and principles of the Charter of the United Nations.

The modern history of China was a record of subjection to aggression, dismemberment and humiliation by foreign powers. It was also a chronicle of the Chinese people's valiant struggles for national independence and in defense of their state sovereignty, territorial integrity and national dignity. The origin and evolution of the Taiwan question are closely linked with that period of history. For various reasons Taiwan is still separated from the mainland. Unless and until this state of affairs is brought to an end, the trauma on the Chinese nation will not be healed and the Chinese people's struggle for national reunification and territorial integrity will continue.

What is the present state of the Taiwan question? What is the crux of the problem? What are the position and views of the Chinese Government regarding the settlement of this issue? In order to facilitate a better understanding by the international community, it is necessary to elucidate the following points.

## I. Taiwan -- an Inalienable Part of China

Lying off the southeastern coast of the China mainland, Taiwan is China's largest island and forms an integral whole with the mainland.

Taiwan has belonged to China since ancient times. It was known as Yizhou or Liuqiu in antiquities. Many historical records and annals documented the development of Taiwan by the Chinese people in earlier periods. References to this effect were to be found, among others, in Seaboard Geographic Gazetteer compiled more than 1,700 years ago by Shen Ying of the State of Wu during the period of the Three Kingdoms. This was the world's earliest written account of Taiwan. Several expeditions, each numbering over ten thousand men, had been sent to Taiwan by the State of Wu (third century A.D.) and the Sui Dynasty (seventh century A.D.) respectively. Since early seventeenth century the Chinese people began to step up the development of Taiwan. Their numbers topped one hundred thousand at the end of the century. By 1893 (19th year of the reign of Qing Emperor Guangxu) their population exceeded 2.54 million people in 507,000 or more households. That was a 25-fold increase in 200 years. They brought in a more advanced mode of production and settled the whole length and breadth of Taiwan. Thanks to the determined efforts and hard toil of the pioneers, the development of the island as a whole greatly accelerated. This was the historical fact of how Taiwan, like the other parts of China, came to be opened up and settled by the Chinese people of various nationalities. From the very beginning the Taiwan society derived from the source of the Chinese cultural tradition. This basic fact had not changed even during the half century of Japanese occupation. The history of Taiwan's development is imbued with the blood, sweat, and ingenuity of the Chinese people including the local ethnic minorities.

Chinese governments of different periods set up administrative bodies to exercise jurisdiction over Taiwan. As early as in the mid-12th century the Song Dynasty set up a garrison in Penghu, putting the territory under the jurisdiction of Jinjiang County of Fujian's Quanzhou Prefecture. The Yuan Dynasty installed an agency of patrol and inspection in Penghu to administer the territory. During the mid- and late 16th century the Ming Dynasty reinstated the once abolished agency and sent reinforcements to Penghu in order to ward off foreign invaders. In 1662 (first year of the reign of Qing Emperor Kangxi) General Zheng Chenggong (known in the West as Koxinga) instituted Chengtian Prefecture on Taiwan. Subsequently, the Qing government expanded the administrative structure in Taiwan, thereby strengthening its rule over the territory. In 1684 (23rd year of the reign of Emperor Kangxi) a Taiwan-Xiamen Patrol Command and a Taiwan Prefecture Administration were set up under the jurisdiction of Fujian Province. These in turn exercised jurisdiction over three counties on the island: Taiwan (present-day Tainan), Fengshan (present-day Gaoxiong) and Zhuluo (present-day Jiayi). In 1714 (53rd year of the reign of Emperor Kangxi) the

Qing government ordered the mapping of Taiwan to determine its size. In 1721 (60th year of the reign of Emperor Kangxi) an office of imperial supervisor of inspecting Taiwan was created and the Taiwan-Xiamen Patrol Command was renamed Prefecture Administration of Taiwan and Xiamen, incorporating the subsequently-created Zhanghua County and Danshui Canton. In 1727 (5th year of the reign of Emperor Yongzheng) the administration on the island was reconstituted as the Prefecture Administration of Taiwan (which was later renamed Prefecture Command for Patrol of Taiwan) and incorporated the new Penghu Canton. The territory then became officially known as Taiwan. In order to upgrade the administration of Taiwan, the Qing government created Taibei Prefecture, Jilong Canton and three counties of Danshui, Xinzhu and Yilan in 1875 (1st year of the reign of Emperor Guangxu). In 1885 (11th year of the reign of Emperor Guangxu), the government formally made Taiwan a full province covering three prefectures and one subprefecture and incorporating 11 counties and 5 cantons. Liu Mingchuan was appointed first Governor of Taiwan. During his tenure of office, railways were laid, mines opened, telegraph service installed, merchant ships built, industries started and new-style schools set up. Considerable social, economic and cultural advancement in Taiwan was achieved as a result.

After the Chinese people's victory in the war against Japanese aggression in 1945, the Chinese government reinstated its administrative authority in Taiwan Province.

Chinese on both sides of the Taiwan Straits carried out a prolonged, unremitting struggle against foreign invasion and occupation of Taiwan. Since the late 15th century Western colonialists started to grab and conquer colonies in a big way. In 1624 (4th year of the reign of Ming Emperor Tianqi) Dutch colonialists invaded and occupied the southern part of Taiwan. Two years later Spanish colonialists seized the northern part of Taiwan. In 1642 (15th year of the reign of Ming Emperor Chongzhen) the Dutch evicted the Spaniards and took over north Taiwan. The Chinese people on both sides of the Straits waged various forms of struggle including armed insurrections against the invasion and occupation of Taiwan by foreign colonialists. In 1661 (18th year of the reign of Qing Emperor Shunzhi) General Zheng Chenggong (Koxinga) led an expedition to Taiwan and expelled the Dutch colonialists from the island in the following year.

Japan launched a war of aggression against China in 1894 (20th year of the reign of Qing Emperor Guangxu). In the ensuing year, as a result of defeat the Qing government was forced to sign the Treaty of Shimonoseki, ceding Taiwan to Japan. This wanton betrayal and humiliation shocked the whole nation and touched off a storm of protests. A thousand or more candidates from all 18 provinces including Taiwan who had assembled in Beijing for the Imperial Examination signed a strongly-worded petition opposing the ceding of Taiwan. In Taiwan itself, people wailed and bemoaned the betrayal and went on general strikes. General Liu Yongfu and others of the garrison command stood with Taiwan compatriots and put up a fierce fight against the Japanese landing forces. To support this struggle, people on the mainland, particularly in the southeastern region, showed their solidarity by generous donations or organizing volunteers to Taiwan to fight the Japanese forces. Taiwan compatriots never ceased their dauntless struggle throughout the Japanese occupation. Initially, they formed insurgent groups to wage guerrilla warfare for as long as seven years. When the Revolution of 1911 overthrew the Qing monarchy they in turn lent support to their mainland compatriots by staging more than a dozen armed insurrections. The 1920s and 1930s witnessed surging waves of mass action sweeping across the island against Japanese colonial rule.

In 1937 the Chinese people threw themselves into an all-out war of resistance against Japanese aggression. In its declaration of war against Japan, the Chinese Government proclaimed that all treaties, conventions, agreements, and contracts regarding relations between China and Japan, including the Treaty of Shimonoseki, had been abrogated. The declaration stressed that China would recover Taiwan, Penghu and the four northeastern provinces. After eight years of grueling war against Japanese aggression the Chinese people won final victory and recovered the lost territory of Taiwan in 1945. Taiwan compatriots displayed an outburst of passion and celebrated the great triumph of their return to the fold of the motherland by setting off big bangs of fireworks and performing rites to communicate the event to their ancestors.

The international community has acknowledged the fact that Taiwan belongs to China. The Chinese people's war of resistance against Japanese aggression, being part of the world-wide struggle against Fascism, received extensive support from people all over the world. During the Second World War China, the United States, the Soviet Union, Great Britain, France and others formed an alliance to oppose the Axis of Germany, Japan and Italy. The Cairo Declaration issued by China, the United States and Great Britain on 1 December 1943 stated: "It is the purpose of the three great Allies that Japan shall be stripped of all the islands in the Pacific which she has seized or occupied since the beginning of the First World War in 1914, and that all the territories Japan has stolen from the Chinese, such as Manchuria, Formosa [Taiwan] and the Pescadores [Penghu], shall be restored to China." The Potsdam



Proclamation signed by China, the United States and Great Britain on 26 July 1945 (subsequently adhered to by the Soviet Union) reiterated: "The terms of the Cairo Declaration shall be carried out." On 15 August of the same year, Japan declared surrender. The instrument of Japan's surrender stipulated that "Japan hereby accepts the provisions in the declaration issued by the heads of the Governments of the United States, China and Great Britain on July 26, 1945 at Potsdam, and subsequently adhered to by the Union of Soviet Socialist Republics." On 25 October the ceremony for accepting Japan's surrender in Taiwan Province of the China war theater of the Allied powers was held in Taibei. On the occasion the chief officer for accepting the surrender proclaimed on behalf of the Chinese government that from that day forward Taiwan and the Penghu Archipelago had again been incorporated formally into the territory of China and that the territory, people, and administration had now been placed under the sovereignty of China. From that point in time forward, Taiwan and Penghu had been put back under the jurisdiction of Chinese sovereignty.

Since the founding of the People's Republic of China, 157 countries have established diplomatic relations with China. All these countries recognize that there is only one China and that the Government of the People's Republic of China is the sole legal government of China and Taiwan is part of China.

## II. Origin of the Taiwan Question

Taiwan was returned to China de jure and de facto at the end of the Second World War. It became an issue only as an aftermath of the ensuing anti-popular civil war started by Kuomintang, and more especially because of intervention by foreign forces.

Taiwan question and civil war launched by Kuomintang. During the war of resistance against Japanese aggression the Chinese Communist Party and other patriotic groups pressed Kuomintang into a national united front with the Communist Party to fight Japanese imperialist aggression. After victory of the war the two Parties should have joined hands to work for the resurgence of China. But the Kuomintang clique headed by Chiang Kaishek flouted the people's fervent aspirations for peace and for building an independent, democratic and prosperous new China. Relying on U.S. support, this clique tore up the 10 October 1945 agreement between the two Parties and launched an all-out anti-popular civil war. The Chinese people were compelled to respond with a people's liberation war which was to last more than three years under the leadership of the Communist Party. Since the Kuomintang clique had already been spurned by the people of all nationalities for its reign of terror, the government of the "Republic of China" in Nanjing was finally overthrown by the Chinese people. The People's Republic of China was proclaimed on 1 October 1949 and the Government of the new People's Republic became the sole legal government of China. A group of military and political officials of the Kuomintang clique took refuge in Taiwan and, with the support of the then U.S. administration, created the division between the two sides of the Straits.

Taiwan question and responsibility of the United States. Against the backdrop of East-West confrontation in the wake of the Second World War and guided by its conceived global strategy and national interest considerations, the U.S. government gave full support to the Kuomintang, providing it with money, weapons and advisors to carry on the civil war and block the advance of the Chinese people's revolution. However, the U.S. government never achieved its objective. The White Paper on United States Relations with China released by the Department of State in 1949 and Secretary of State Dean Acheson's letter of transmittal to President Harry S. Truman had to admit this. Dean Acheson lamented in his letter: "The unfortunate but inescapable fact is that the ominous result of the civil war in China was beyond the control of the government of the United States. ... Nothing that was left undone by this country has contributed to it. It was the product of internal Chinese forces, forces which this country tried to influence but could not."

At the time of the founding of the People's Republic of China the then U.S. administration could have pulled itself from the quagmire of China's civil war. But it failed to do so. Instead, it adopted a policy of isolation and containment of New China. When the Korean War broke out, it started armed intervention in the inter-Taiwan Straits relations which were entirely China's internal affairs. On 27 June 1950 President Truman announced: "I have ordered the Seventh Fleet to prevent any attack on Formosa." Thus the Seventh Fleet invaded the Taiwan Straits and the U.S. 13th Air Force set up base in Taiwan. In December 1954 the U.S. concluded with the Taiwan authorities a so-called mutual defense treaty placing China's Taiwan Province under U.S. "protection". The erroneous policy of the U.S. government of continued interference in China's internal affairs led to prolonged and intense confrontation in the Taiwan Straits area and henceforth the Taiwan question became a major dispute between China and the United States.

In order to ease tension in the Taiwan Straits area and seek ways of solving the dispute between the two countries, the Chinese Government started dialogues with the United States from the mid-1950s onwards. The two countries held 136 sessions of talks at ambassadorial level from August 1955 to February 1970. However, no progress had been made in that period on the key issue of easing and removing tension in the Taiwan Straits area. It was not until late 1960s and early 1970s when the international situation had undergone changes and as New China had gained in strength that the U.S. began to readjust its China policy and the relations between the two countries started a thawing. In October 1971 the United Nations General Assembly adopted at its 26th session Resolution 2758 which restored all the lawful rights of the People's Republic of China in the United Nations and expelled the "representatives" of the Taiwan authorities from the U.N. U.S. President Richard Nixon visited China in February 1972 in the course of which the two countries issued a joint communiqué<sup>2</sup> in Shanghai stating that: "The U.S. side declared: the United States acknowledges that all Chinese on either side of the Taiwan Strait maintain there is but one China and that Taiwan is a part of China. The United States Government does not challenge that position."

In December 1978 the U.S. Government accepted the three principles proposed by the Chinese Government for the establishment of diplomatic relations between the two countries, namely, the United States should sever "diplomatic relations" and abrogate the "mutual defense treaty" with the Taiwan authorities and withdraw U.S. military forces from Taiwan. On 1 January 1979 China and the United States formally established diplomatic relations. The Communiqué on the Establishment of Diplomatic Relations said that: "The United States of America recognizes the Government of the People's Republic of China as the sole legal government of China. Within this context, the people of the United States will maintain cultural, commercial and other unofficial relations with the people of Taiwan ... The Government of the United States of America acknowledges the Chinese position that there is but one China and Taiwan is part of China." Normalization of Sino-U.S. relations was thus achieved.

Regrettably, however, scarcely three months after the event, a so-called Taiwan Relations Act was passed by the U.S. Congress and signed into law by the President. A domestic legislation of the U.S. as it was, this Act contained many clauses that contravened the communiqué<sup>2</sup> on the establishment of diplomatic relations between China and the U.S. and the principles of international law, and seriously prejudiced the rights and interests of the Chinese people. Invoking this legislation, the U.S. Government has continued its arms sales to Taiwan, interference in China's internal affairs and obstruction to Taiwan's reunification with the mainland.

In order to resolve the issue of U.S. arms sales to Taiwan, the Chinese and the U.S. governments negotiated and reached an agreement on 17 August 1982. A communiqué<sup>2</sup> bearing the same date became the third joint communiqué<sup>2</sup> governing Sino-U.S. relations. In that communiqué<sup>2</sup> the U.S. Government stated that: "It does not seek to carry out a long-term policy of arms sales to Taiwan, that its arms sales to Taiwan will not exceed, either in qualitative or in quantitative terms, the level of those supplied in recent years since the establishment of diplomatic relations between the United States and China and that it intends gradually to reduce its sale of arms to Taiwan, leading, over a period of time, to a final resolution." Yet in the past dozen or more years the U.S. Government has not only failed to implement the communiqué<sup>2</sup> in earnest, but has repeatedly contravened it. In September 1992 the U.S. Government even decided to sell 150 F-16 high-performance fighter aircraft to Taiwan. This action of the U.S. Government has added a new stumbling block in the way of the development of Sino-U.S. relations and settlement of the Taiwan question.

It is clear from the foregoing that the U.S. Government is responsible for holding up the settlement of the Taiwan question. Since the 1970s many Americans of vision and goodwill in or outside the administration have contributed much by way of helping to resolve the differences between China and the U.S. on the Taiwan question. The aforesaid three joint communiqué<sup>2</sup>s testify to their effort and contribution of which the Chinese Government and people are highly appreciative. On the other hand, one cannot fail to note that there are people in the U.S. who still do not want to see a reunified China. They have cooked up various pretexts and exerted influence to obstruct the settlement of the Taiwan question.

The Chinese Government is convinced that the American and the Chinese peoples are friendly to each other and that the normal development of the relations between the two countries accords with the long-term interests and common aspiration of both peoples. Both countries should cherish the three hard-won joint communiqué<sup>2</sup>s guiding the development of bilateral relations. As long as both sides abide by the principles enshrined in those communiqué<sup>2</sup>s, respect each other and set store by their overall common interests, it will not be difficult to settle the Taiwan question that has been left over from history and Sino-U.S. relations will surely see steady improvement and development ahead.

### III. The Chinese Government's Basic Position Regarding Settlement of the Taiwan Question

To settle the Taiwan question and achieve national reunification -- this is a sacrosanct mission of the entire Chinese people. The Chinese Government has persistently worked towards this end since the founding of the People's Republic. Its basic position on this question is: peaceful reunification; one country, two systems.

Peaceful reunification; one country, two systems -- how has this position been formulated? The Chinese Government conceived a peaceful settlement of the Taiwan question as early as in the 1950s. In May 1955 the late Premier Zhou Enlai said at a NPC Standing Committee meeting that two alternatives were open to the Chinese people for the solution of the Taiwan question -- by resort to war or by peaceful means. The Chinese people would strive for a peaceful solution wherever possible, he affirmed. In April 1956 the late Chairman Mao Zedong put forward thoughts for policymaking such as "peace is the best option", "all patriots are of one family" and "it is never too late to join the ranks of patriots". However, those wishes have not come to fruition for reasons such as interference by foreign forces.

Major changes took place in and outside China in the 1970s. Diplomatic ties were established and relations normalized between China and the United States. The Third Plenary Session of the Eleventh Central Committee of the Communist Party of China decided to shift the focus of the work of the Party and the State to the economic modernization programme. In the meantime, people on both sides of the Taiwan Straits, compatriots of Hong Kong and Macao as well as overseas Chinese and people of Chinese descent all expressed their fervent hope that the two sides of the Straits would join hands to work for a resurgence of China. It was against this historical background that the Chinese Government formulated the position of "peaceful reunification; one country, two systems". The position takes the overall national interests and the future of the country into consideration. It respects history as well as the prevailing situation. It is realistic and takes care of the interests of all.

On 1 January 1979 the Standing Committee of the National People's Congress of the People's Republic of China issued a message to compatriots in Taiwan, pronouncing the Chinese Government's basic position regarding peaceful settlement of the Taiwan question. It called for the holding of talks between the two sides of the Straits to seek an end to the military confrontation. It pledged that in the pursuit of national reunification, the Government "will respect the status quo on Taiwan and the views of people of all walks of life there and adopt reasonable policies and measures".

In a statement on 30 September 1981 the late Chairman Ye Jianying of the NPC Standing Committee further elaborated the policy and principles for the settlement of the Taiwan question. He affirmed that "after the country is reunified, Taiwan can enjoy a high degree of autonomy as a special administrative region" and proposed that talks be held on an equal footing between the ruling Parties on each side of the Straits, namely, the Chinese Communist Party and the Kuomintang.

Referring to Ye Jianying's remarks, Chinese leader Deng Xiaoping pointed out on 11 January 1982 that this in effect meant "one country, two systems", i.e., on the premise of national reunification, the main body of the nation would continue with its socialist system while Taiwan could maintain capitalism.

On 26 June 1983 Deng Xiaoping further enunciated the concept of peaceful reunification, stressing that the crucial point was national reunification. He went on to expound the Government's policy on reunification and on the creation of a Taiwan special administrative region.

On 12 October 1992 General Secretary Jiang Zemin of the CPC Central Committee pointed out: "We shall work steadfastly for the great cause, adhering to the principles of peaceful reunification and 'one country, two systems' ... .. We reiterate that the Chinese Communist Party is ready to establish contact with the Chinese Kuomintang at the earliest possible date to create conditions for talks on officially ending the state of hostility between the two sides of the Taiwan Straits and gradually realizing peaceful reunification. Representatives from other parties, mass organizations and all circles on both sides of the Taiwan Straits could be invited to join in such talks."

Basic Contents of "peaceful reunification; one country, two systems". This position is an important component of the theory and practice of building socialism with Chinese characteristics and a fundamental state policy of the Chinese Government which will not change for a long time to come. Its basic contents are as follows:

1. Only one China. There is only one China in the world, Taiwan is an inalienable part of China and the seat of China's central government is in Beijing. This is a universally recognized fact as well as the premise for a peaceful settlement of the Taiwan question.

The Chinese Government is firmly against any words or deeds designed to split China's sovereignty and territorial integrity. It opposes "two Chinas", "one China, one Taiwan", "one country, two governments" or any attempt or act

that could lead to "independence of Taiwan". The Chinese people on both sides of the Straits all believe that there is only one China and espouse national reunification. Taiwan's status as an inalienable part of China has been determined and cannot be changed. "Self-determination" for Taiwan is out of the question.

2. Coexistence of two systems. On the premise of one China, socialism on the mainland and capitalism on Taiwan can coexist and develop side by side for a long time without one swallowing up the other. This concept has largely taken account of the actual situation in Taiwan and practical interests of our compatriots there. It will be a unique feature and important innovation in the state system of a reunified China.

After reunification, Taiwan's current socio-economic system, its way of life as well as economic and cultural ties with foreign countries can remain unchanged. Private property, including houses and land, as well as business ownership, legal inheritance and overseas Chinese and foreign investments on the island will all be protected by law.

3. A high degree of autonomy. After reunification, Taiwan will become a special administrative region. It will be distinguished from the other provinces or regions of China by its high degree of autonomy. It will have its own administrative and legislative powers, an independent judiciary and the right of adjudication on the island. It will run its own party, political, military, economic and financial affairs. It may conclude commercial and cultural agreements with foreign countries and enjoy certain rights in foreign affairs. It may keep its military forces and the mainland will not dispatch troops or administrative personnel to the island. On the other hand, representatives of the government of the special administrative region and those from different circles of Taiwan may be appointed to senior posts in the central government and participate in the running of national affairs.

4. Peace negotiations. It is the common aspiration of the entire Chinese people to achieve reunification of the country by peaceful means through contacts and negotiations. People on both sides of the Straits are all Chinese. It would be a great tragedy for all if China's territorial integrity and sovereignty were to be split and its people were to be drawn into a fratricide. Peaceful reunification will greatly enhance the cohesion of the Chinese nation. It will facilitate Taiwan's socio-economic stability and development and promote the resurgence and prosperity of China as a whole.

In order to put an end to hostility and achieve peaceful reunification, the two sides should enter into contacts and negotiations at the earliest possible date. On the premise of one China, both sides can discuss any subject, including the modality of negotiations, the question of what Parties, groups and personalities may participate as well as any other matters of concern to the Taiwan side. So long as the two sides sit down and talk, they will always be able to find a mutually acceptable solution.

Taking into account the prevailing situation on both sides of the Straits, the Chinese Government has proposed that pending reunification the two sides should, according to the principle of mutual respect, complementarity and mutual benefit, actively promote economic cooperation and other exchanges. Direct trade, postal, air and shipping services and two-way visits should be started in order to pave the way for the peaceful reunification of the country.

Peaceful reunification is a set policy of the Chinese Government. However, any sovereign state is entitled to use any means it deems necessary, including military ones, to uphold its sovereignty and territorial integrity. The Chinese Government is under no obligation to undertake any commitment to any foreign power or people intending to split China as to what means it might use to handle its own domestic affairs.

It should be pointed out that the Taiwan question is purely an internal affair of China and bears no analogy to the cases of Germany and Korea which were brought about as a result of international accords at the end of the Second World War. Therefore, the Taiwan question should not be placed on a par with the situation of Germany or Korea. The Chinese Government has always opposed applying the German or Korean formulas to Taiwan. The Taiwan question should and entirely can be resolved judiciously through bilateral consultations and within the framework of one China.

#### **IV. Relations Across Taiwan Straits: Evolution and Stumbling Blocks**

The present division between the two sides of the Taiwan Straits is a misfortune for the Chinese nation. All the Chinese people are yearning for an early end to this agonizing situation.

In order to enable normal movement of people across the Straits and to achieve reunification of the country, the Chinese Government has made proposals towards this end and, at the same time, adopted measures to step up the development of inter-Straits relations.

On the political plane, policy adjustments have been made with a view to breaking down the mentality of hostility. The Supreme People's Court and the Supreme People's Procuratorate have decided respectively that people who had gone to Taiwan would no longer be prosecuted for offenses prior to the founding of the People's Republic of China.

On the military plane, initiatives have been taken to ease military confrontation across the Straits. Shelling of Jinmen and other islands have been discontinued. Some forward defense positions and observation posts along the Fujian coast have been transformed into economic development zones or tourist attractions.

On the economic plane, doors have been flung open to facilitate the flow of goods and people. Businessmen from Taiwan are welcome to invest or trade on the mainland. They are accorded preferential treatment and legal safeguards.

The Chinese Government has also adopted a positive attitude and taken measures to encourage bilateral exchanges and cooperation in areas such as two-way travels, post and communications as well as scientific, cultural, sports, academic and journalistic activities. A non-governmental Association for Relations Across the Taiwan Straits has been set up and authorized by the Government to liaise with the Straits Exchange Foundation and other relevant non-governmental bodies in Taiwan for the purpose of upholding the legitimate rights and interests of people on both sides and promoting inter-Straits relations.

Such policies and measures of the Chinese Government have won the understanding and support of more and more Taiwan compatriots, compatriots in Hong Kong and Macao as well as overseas Chinese and people of Chinese descent. On their part, Taiwan compatriots have contributed tremendously to the development of inter-Straits relations. In recent years the Taiwan authorities have in turn made readjustments in their policy regarding the mainland. They have taken steps to ease the situation, such as allowing people to visit relatives on the mainland, gradually reducing the restrictions on people-to-people exchanges and contact, expanding indirect trade, permitting indirect investment and cutting red tape in inter-Straits post, telecommunications and bank remittance services. All these are conducive to better interchanges. The past few years have witnessed rapid growth of economic relations and trade as well as increasing mutual visits and sundry exchanges across the Straits. The Wang Daohan--Koo Chen-fu Talks in April 1993 resulted in four agreements, marking a step forward of historic significance in inter-Straits relations. Thus an atmosphere of relaxation prevails in the Taiwan Straits for the first time in the past four decades. This is auspicious to peaceful reunification.

It should be pointed out that notwithstanding a certain measure of easing up by the Taiwan authorities, their current policy vis-a-vis the mainland still seriously impedes the development of relations across the Straits as well as the reunification of the country. They talk about the necessity of a reunified China, but their deeds are always a far cry from the principle of one China. They try to prolong Taiwan's separation from the mainland and refuse to hold talks on peaceful reunification. They have even set up barriers to curb the further development of the interchanges across the Straits.

In recent years the clamours for "Taiwan independence" on the island have become shriller, casting a shadow over the course of relations across the Straits and the prospect of peaceful reunification of the country. The "Taiwan independence" fallacy has a complex social-historical root and international background. But the Taiwan authorities have, in effect, abetted this fallacy by its own policy of rejecting peace negotiations, restricting interchanges across the Straits and lobbying for "dual recognition" or "two Chinas" in the international arena. It should be affirmed that the desire of Taiwan compatriots to run the affairs of the island as masters of their own house is reasonable and justified. This should by no means be construed as advocating "Taiwan independence". They are radically distinct from those handful of "Taiwan independence" protagonists who trumpet "independence" but vilely rely on foreign patronage in a vain attempt to detach Taiwan from China, which runs against the fundamental interests of the entire Chinese people including Taiwan compatriots. The Chinese Government is closely following the course of events and will never condone any manoeuvre for "Taiwan independence".

Certain foreign forces who do not want to see a reunified China have gone out of their way to meddle in China's internal affairs. They support the anti-Communist stance of the Taiwan authorities of rejecting peace talks and abet the secessionists on the island, thereby erecting barriers to China's peaceful reunification and seriously wounding the national feelings of the Chinese people.

The Chinese Government is convinced that Taiwan compatriots want national reunification and that this is also true with most of the political forces in or out of office in Taiwan. The people on both sides of the Straits will overcome all the barriers and stumbling blocks by their joint efforts and ensure a better development of relations across the Straits.

## **V. Several Questions Involving Taiwan in International Relations**

As has been elucidated in the foregoing, there is only one China in the world, of which Taiwan is an inalienable part. The Government of the People's Republic of China has been recognized by the United Nations and throughout the

world as the sole legal government representing the entire Chinese people. In the interest of safeguarding state sovereignty and realizing national reunification the Chinese Government has always stood firm on the principle of one China and ensured the interests of Taiwan compatriots in international relations involving Taiwan. The Chinese Government has no doubt that its position will be respected by all other governments and people.

The Chinese Government deems it necessary to reiterate its position and policy on the following matters.

(1) Relations between Taiwan and countries maintaining diplomatic ties with China

All countries maintaining diplomatic relations with China have, in conformity with international law and the principle of one China, undertaken in formal agreement or understanding with the Chinese Government not to establish any ties of an official nature with Taiwan. According to international law, a sovereign state can only be represented by a single central government. As a part of China, Taiwan has no right to represent China in the international community, nor can it establish diplomatic ties or enter into relations of an official nature with foreign countries. Nevertheless, considering the needs of Taiwan's economic development and the practical interests of Taiwan compatriots, the Chinese Government has not objected to non-governmental economic or cultural exchanges between Taiwan and foreign countries.

In recent years the Taiwan authorities have vigorously launched a campaign of "pragmatic diplomacy" to cultivate official ties with countries having diplomatic relations with China in an attempt to push "dual recognition" and achieve the objective of creating a situation of "two Chinas" or "one China, one Taiwan". The Chinese Government is firmly against this scheme.

It is noted that the overwhelming majority of the countries of the world cherish friendly relations with China and abide by their agreement or understanding with China on the issue of Taiwan. The Chinese Government appreciates this. On the other hand, it should be pointed out that, in disregard of their international credibility, certain countries have breached the undertaking made at the time of the establishment of diplomatic ties with the People's Republic of China by evolving official relations with Taiwan, thereby putting a spoke in the wheel of China's reunification. The Chinese Government sincerely hopes that the governments in question will take measures to rectify the situation.

(2) Relations between international organizations and Taiwan

The sovereignty of each State is an integral whole which is indivisible and unsharable. The Government of the People's Republic of China, as the sole legal government of China, has the right and obligation to exercise state sovereignty and represent the whole of China in international organizations. The Taiwan authorities' lobbying for a formula of "one country, two seats" in international organizations whose membership is confined to sovereign states is a manoeuvre to create "two Chinas". The Chinese Government is firmly opposed to such an attempt. Its principled position fully conforms to the fundamental interests of the entire Chinese people including Taiwan compatriots and overseas Chinese. Only on the premise of adhering to the principle of one China and in the light of the nature and statutes of the international organizations concerned as well as the specific circumstances, can the Chinese Government consider the question of Taiwan's participation in the activities of such organizations and in a manner agreeable and acceptable to the Chinese Government.

All the specialized agencies and organizations of the United Nations system are inter-governmental organizations composed of sovereign states. After the restoration of the lawful rights of the People's Republic of China in the United Nations, all the specialized agencies and organizations of the U.N. system have formally adopted resolutions restoring to the People's Republic of China its lawful seat and expelling the "representatives" of the Taiwan authorities. Since then the issue of China's representation in the U.N. system has been resolved once and for all and Taiwan's re-entry is out of the question. However, it should be pointed out that recently some elements of the Taiwan authorities have been clamouring for "returning to the United Nations". Apparently, this is an attempt to split state sovereignty, which is devoid of any legal or practical basis. The Chinese Government is convinced that all governments and organizations of the U.N. system will be alert to this scheme and refrain from doing anything prejudicial to China's sovereignty.

In principle, Taiwan is also ineligible for membership in other categories of inter-governmental organizations. As to regional economic organizations such as the Asian Development Bank (ADB) and the Asia-Pacific Economic Cooperation (APEC), Taiwan's participation is subject to the terms of agreement or understanding reached between the Chinese Government and the parties concerned which explicitly prescribe that the People's Republic of China is a full member as a sovereign state whereas Taiwan may participate in the activities of those organizations only as a region of China under the designation of Taipei, China (in ADB) or Chinese Taipei (in APEC). This is only an ad hoc arrangement and cannot constitute a "model" applicable to other inter-governmental organizations or

international gatherings.

As regards participation in non-governmental international organizations, the relevant bodies of the People's Republic of China may reach an agreement or understanding with the parties concerned so that China's national organizations would use the designation of China, while Taiwan's organizations may participate under the designation of Taipei, China or Taiwan, China.

(3) Aviation services between Taiwan and countries having diplomatic relations with China

Airspace is an inalienable part of a country's territory. The 1919 Paris Aviation Convention and the 1944 Chicago Convention affirm the principle of complete and exclusive sovereignty of each country over its airspace. Therefore, the opening of aviation services with Taiwan by any airlines, including privately-operated ones, of countries having diplomatic relations with China is a political issue affecting China's sovereignty and cannot be regarded as a non-political transaction. State-run airlines of countries having diplomatic relations with China certainly must not operate air services to Taiwan. Privately-operated airlines must seek China's consent through consultations between their government and the Chinese Government before they can start reciprocal air services with privately-operated airlines of Taiwan. As a matter of fact, according to the afore-said principle the Chinese Government has consented to such services between privately-operated airlines of Britain, Germany, Canada, etc. and their counterparts in Taiwan.

As for countries which already had aviation services with Taiwan before the establishment of diplomatic relations with the People's Republic of China, they can negotiate with the Chinese Government to change the official nature of such services so as to be able to continue the operations as privately-run commercial transportation undertakings.

(4) Arms sales to Taiwan by countries having diplomatic relations with China

The Chinese Government has always firmly opposed any country selling any type of arms or transferring production technology of the same to Taiwan. All countries maintaining diplomatic relations with China should abide by the principles of mutual respect for sovereignty and territorial integrity and non-interference in each other's internal affairs, and refrain from providing arms to Taiwan in any form or under any pretext. Failure to do so would be a breach of the norms of international relations and an interference in China's internal affairs.

All countries, and especially big powers shouldering major responsibilities for world peace, are obligated to strictly abide by the guidelines laid down by the five permanent members of the U.N. Security Council to restrict the proliferation of conventional weapons so as to contribute to maintaining and promoting regional peace and security. However, at a time when relations across the Taiwan Straits are easing up, certain powers have seen fit to renege on their undertakings under international agreements and to flout the Chinese Government's repeated strong representations by making arms sales to Taiwan, thereby whipping up tension between the two sides of the Straits. This not only constitutes a serious threat to China's security and an obstacle to China's peaceful reunification, but also undermines peace and stability in Asia and the world at large. It stands to reason that the Chinese people should voice strong resentment against this conduct.

In international affairs the Chinese Government always pursues an independent foreign policy of peace and adheres to the Five Principles of mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit and peaceful Co-existence. It actively seeks to develop friendly relations with all countries of the world and will never undermine any country's interests nor interfere in its internal affairs. By the same token it expects all other governments to refrain from undermining China's interests or interfering in China's internal affairs and to correctly handle their relations with Taiwan.

## Conclusion

Reunification of the country embodies the fundamental interest of the Chinese nation.

After national reunification the two sides of the Taiwan Straits can pool their resources and make common cause in economic development and work towards China's resurgence. Numerous problems that have been besetting Taiwan would be judiciously resolved within the framework of one China. Taiwan compatriots will share the pride and glory of a great nation with their kith and kin from the other parts of the motherland.

Taiwan question has long been a destabilizing factor in the Asia-Pacific region. Reunification of China will not only bolster the stability and development of the country itself, but also contribute to the further enhancement of the friendly relations and cooperation between China and other countries as well as to peace and development in the Asia-Pacific region and the world as a whole.

The Chinese Government is confident that it can count on the understanding and support of governments and people of all countries in the pursuit of its just cause of safeguarding its state sovereignty and territorial integrity.

## 《台灣問題與中國的統一》（白皮書）

### 前 言

維護國家統一和領土完整，是每個主權國家的神聖權利，也是國際法的基本原則。聯合國憲章明確規定：聯合國和它的成員國不得侵害任何會員國或國家之領土完整或政治獨立，不得干涉在本質上屬於任何國家國內管轄的事件。聯合國《關於各國依聯合國憲章建立友好關係及合作之國際法原則之宣言》指出：凡以局部或全部破壞國家統一及領土完整或政治獨立為目的之企圖，都是不符合聯合國憲章精神的。中國近代史是一部被侵略、被宰割、被凌辱的歷史，也是中國人民為爭取民族獨立，維護國家主權、領土完整和民族尊嚴而英勇奮鬥的歷史。台灣問題的產生與發展，都與這段歷史有著緊密的聯絡。由於種種原因，台灣迄今尚處於與大陸分離的狀態。這種狀態一天不結束，中華民族所蒙受的創傷就一天不能癒合，中國人民為維護國家統一和領土完整的鬥爭也一天不會結束。台灣問題的現狀如何？癥結何在？中國政府解決台灣問題的立場與主張是什麼？為了便於國際社會有一個清楚的了解，有必要就下列問題加以闡述。

### 一、台灣是中國不可分割的一部分

台灣地處中國大陸的東南緣，是中國第一大島，同大陸是不可分割的整體。

台灣自古即屬於中國。台灣古稱夷洲、流求。大量的史書和文獻記載了中國人民早期開發台灣的情景。距今一千七百多年以前，三國時吳人沈瑩的《臨海水土志》等對此就有所著述，它們是世界上記述台灣最早的文字。公元三世紀和七世紀，三國孫吳政權和隋朝政府都曾先後派萬餘人去臺。進入十七世紀之後，中國人民在台灣的開拓規模越來越大。十七世紀末，大陸赴臺開拓者超過十萬人。至公元一八九三年（清光緒十九年）時，總數達到五十點七萬餘戶，二百五十四萬餘人。二百年間增長二十五倍。他們帶去先進的生產方式，由南到北，由西及東，筲路藍縷，披荊斬棘，大大加速了台灣整體開發的進程。這一事實說明，台灣和中國其他省區一樣，同為中國各族人民所開拓所定居。台灣社會的發展始終延續著中華文化的傳統，即使在日本侵佔的五十年間，這一基本情況也沒有改變。台灣的開拓發展史，凝聚了包括當地少數民族在內的中國人民的血汗和智慧。

中國歷代政府在台灣先後建立了行政機構，行使管轄權。早在公元十二世紀中葉，宋朝政府即已派兵駐守澎湖，將澎湖地區劃歸福建泉州晉江縣管轄。元朝政府在澎湖設置行政管理機構“巡檢司”。明朝政府於十六世紀中後期，恢復了一度廢止的“巡檢司”，併為防禦外敵侵犯，增兵澎湖。一六六二年（清康熙元年），鄭成功在台灣設“承天府”。清朝政府逐步在台灣擴增行政機構，加強了對台灣的治理。一六八四年（清康熙二十三年）設“分巡臺廈兵備道”及“台灣府”，下設“台灣”（今台南）、“鳳山”（今高雄）、“諸羅”（今嘉義）三縣，隸屬福建省管轄。一七一四年（清康熙五十三年），清政府派員測繪台灣地圖，勘丈全境裏數。一七二一年（清康熙六十年），增設“巡視台灣監察御史”，改“分巡臺廈兵備道”為“分巡臺廈道”。爾後又增設“彰化縣”和“淡水廳”。一七二七年（清雍正五年），復改“分巡臺廈道”為“分巡台灣道”（後又改為“分巡台灣兵備道”），增“澎湖廳”，定“台灣”為官方統一的名稱。一八七五年（清光緒元年），清政府為進一步經營和治理台灣，再增設“台北府”及“淡水”、“新竹”、“宜蘭”三縣和“基隆廳”。一八八五年（清光緒十一年），清政府正式劃台灣為單一行省，任劉銘傳為首任巡撫，行政區擴為三府一州，領十一縣五廳。劉在任內，鋪鐵路，開礦山，架電線，造商輪，興辦企業，創設新學堂，把台灣社會經濟文化的發展大大向前推進。

一九四五年中國人民抗日戰爭勝利後，中國政府重新恢復了台灣省的行政管理機構。

海峽兩岸中國人為反對外國侵佔台灣進行了長期不懈的鬥爭。十五世紀後期起，西方殖民主義者大肆掠奪殖民地。一六二四年（明天啟四年），荷蘭殖民者侵佔台灣南部。一六二六年（明天啟六年），西班牙殖民者入侵台灣北部。一六四二年（明崇禎十五年），荷蘭又取代西班牙佔領台灣北部。兩岸同胞為反對外國殖民者侵佔台灣進行了包括武裝起義在內的各種方式的鬥爭。一六六一年（清順治十八年），鄭成功率眾進軍台灣，於次年驅逐了盤踞台灣的荷蘭殖民者。

一八九四年（清光緒二十年），日本發動侵略中國的“甲午戰爭”。翌年，清政府戰敗，在日本威迫下簽訂喪權辱國的《馬關條約》，割讓台灣。消息傳來，舉國同憤。在北京會試的包括台灣在內的十八省千余舉人“公車上書”，反對割臺。台灣全省“哭聲震天”，鳴鑼罷市。協理台灣軍務的清軍將領劉永福等和台灣同胞一起，與佔領台灣的日軍拼死搏鬥。中國大陸東南各地居民為支援這一鬥爭，或捐輸餉銀，或結隊赴臺，反抗日本侵略。在日本侵佔台灣期間，台灣同胞一直堅持英勇不屈的鬥爭。初期，他們組織義軍，進行武裝遊擊抵抗，前後達七年之久。繼而，在辛亥革命推翻清政府後，他們又匯同大陸同胞一道，先後發起十餘次武裝起義。及至本世紀二十和三十年代，島內反抗日本殖民統治的群眾運動更加波瀾壯闊，席捲台灣南北。



一九三七年，中國人民開始了全民族的抗日戰爭。中國政府在《中國對日宣戰佈告》中明確昭告中外：所有一切條約、協定、合同有涉及中日關係者，一律廢止。《馬關條約》自屬廢止之列。這一佈告並鄭重宣佈：中國將“收復台灣、澎湖、東北四省土地”。中國人民經過八年艱苦的抗日戰爭，於一九四五年取得了最後的勝利，收復了失土台灣。台灣同胞鳴放鞭炮，歡欣鼓舞，祭告祖先，慶祝回歸祖國懷抱的偉大勝利。

國際社會公認台灣屬於中國。中國人民的抗日戰爭是世界反法西斯鬥爭的一部分，得到了世界人民的廣泛支持。在第二次世界大戰中，為了反對德、日、意法西斯軸心國，中國與美國、蘇聯、英國、法國等結成同盟國。一九四三年十二月一日，中、美、英三國簽署的《開羅宣言》指出：“三國之宗旨，在剝奪日本自一九一四年第一次世界大戰開始以後在太平洋所奪得或佔領之一切島嶼，在使日本所竊取於中國之土地，例如滿洲、台灣、澎湖列島等，歸還中國。”一九四五年七月二十六日，中、美、英三國簽署（後蘇聯參加）的《波茨坦公告》又重申：“開羅宣言之條件必將實施。”同年八月十五日，日本宣佈投降，《日本投降條款》規定：“茲接受中美英三國共同簽署的、後來又有蘇聯參加的一九四五年七月二十六日的波茨坦公告中的條款。”十月二十五日，同盟國中國戰區台灣省受降儀式於台北舉行，受降主官代表中國政府宣告：自即日起，台灣及澎湖列島已正式重入中國版圖，所有一切土地、人民、政事皆已置於中國主權之下。至此，台灣、澎湖重歸於中國主權管轄之下。

中華人民共和國成立以來，一百五十七個國家先後同中國建立了外交關係，它們都承認只有一個中國，中華人民共和國政府是中國的唯一合法政府，台灣是中國的一部分。

## 二、台灣問題的由來

台灣在第二次世界大戰之後，不僅在法律上而且在事實上已歸還中國。之所以又出現台灣問題，與隨後中國國民黨發動的反人民內戰有關，但更重要的是外國勢力的介入。

台灣問題與國民黨發動的內戰。中國抗日戰爭期間，在中國共產黨和其他愛國力量的推動下，中國國民黨與中國共產黨建立了抗日民族統一戰線，抗擊日本帝國主義的侵略。抗日戰爭勝利後，兩黨本應繼續攜手，共肩振興中華大業，惟當時以蔣介石為首的國民黨集團依仗美國的支持，置全國人民渴望和平與建設獨立、民主、富強的新中國的強烈願望於不顧，撕毀國共兩黨簽訂的《雙十協定》，發動了全國規模的反人民內戰。中國人民在中國共產黨領導下被迫進行了三年多的人民解放戰爭，由於當時的國民黨集團倒行逆施，已為全國各族人民所唾棄，中國人民終於推翻了南京的“中華民國”政府。一九四九年十月一日成立了中華人民共和國，中華人民共和國政府成為中國的唯一合法政府。國民黨集團的一部分軍政人員退據台灣。他們在當時美國政府的支持下，造成了台灣海峽兩岸隔絕的狀態。

台灣問題與美國政府的責任。第二次世界大戰後，在當時東西方兩大陣營對峙的態勢下，美國政府基於它的所謂全球戰略及維護本國利益的考慮，曾經不遺餘力地出錢、出槍、出人，支持國民黨集團打內戰，阻撓中國人民革命的事業。然而，美國政府最終並未達到它自己所希望達到的目的。美國國務院一九四九年發表的《美國與中國的關係》白皮書和艾奇遜國務卿給杜魯門總統的信，都不得不承認這一點。艾奇遜在他的信中說：“中國內戰不祥的結局超出美國政府控制的能力，這是不幸的事，卻也是無可避免的”；“這種結局之所以終於發生，也並不是因為我們少做了某些事情。這是中國內部各種力量的產物，我國曾經設法去左右這些力量，但是沒有效果”。

中華人民共和國誕生以後，當時的美國政府本來可以從中國內戰的泥潭中拔出來，但是它沒有這樣做，而是對新中國採取了孤立、遏制的政策，並且在朝鮮戰爭爆發後武裝干涉純屬中國內政的海峽兩岸關係。一九五〇年六月二十七日，美國總統杜魯門發表聲明宣佈：“我已命令第七艦隊阻止對台灣的任何攻擊”。美國第七艦隊侵入了台灣海峽，美國第十三航空隊進駐了台灣。一九五四年十二月，美國又與台灣當局簽訂了所謂《共同防禦條約》，將中國的台灣省置於美國的“保護”之下。美國政府繼續干預中國內政的錯誤政策，造成了台灣海峽地區長期的緊張對峙局勢，台灣問題自此亦成為中美兩國間的重大爭端。

為了緩和台灣海峽地區的緊張局勢，探尋解決中美兩國之間爭端的途徑，中國政府自五十年代中期起，即開始與美國對話。一九五五年八月至一九七〇年二月，中美兩國共舉行了一百三十六次大使級會談，但在緩和與消除台灣海峽地區緊張局勢這個關鍵問題上，未取得任何進展。及至六十年代末七十年代初，隨著國際局勢的發展變化和新中國的壯大，美國開始調整其對華政策，兩國關係逐步出現解凍的形勢。一九七一年十月，第二十六屆聯合國大會通過二七五八號決議，恢復中華人民共和國在聯合國的一切合法權利，並驅逐台灣當局的“代表”。一九七二年二月，美國總統尼克松訪問中國，中美雙方在上海發表了聯合公報。公報稱：“美國方面聲明：美國認識到，在台灣海峽兩邊的所有中國人都認為只有一個中國，台灣是中國的一部分。美國政府對這一立場不提出異議”。

一九七八年十二月，美國政府接受了中國政府提出的建交三原則，即：美國與台灣當局“斷交”、廢除《共同防禦條約》以及從台灣撤軍。中美兩國於一九七九年一月一日正式建立外交關係。中美建交聯合公報聲明：“美利堅合眾國承認中華人民共和國政府是中國的唯一合法政府。在此範圍內，美國人民將同台灣

人民保持文化、商務和其他非官方聯絡”；“美利堅合眾國政府承認中國的立場，即只有一個中國，台灣是中國的一部分”。自此，中美關係實現正常化。

但遺憾的是，中美建交不過三個月，美國國會竟通過了所謂《與台灣關係法》，並經美國總統簽署生效。這個《與台灣關係法》，以美國國內立法的形式，作出了許多違反中美建交公報和國際法原則的規定，嚴重損害中國人民的權益。美國政府根據這個關係法，繼續向台灣出售武器和干涉中國內政，阻撓台灣與中國大陸的統一。

為解決美國售臺武器問題，中美兩國政府通過談判，於一九八二年八月十七日達成協定，發表了有關中美關係的第三個聯合公報，簡稱“八·一七公報”。美國政府在公報中聲明：“它不尋求執行一項長期向台灣出售武器的政策，它向台灣出售的武器在性能和數量上將不超過中美建交後近幾年供應的水平，它準備逐步減少它對台灣的武器出售，並經過一段時間導致最後的解決。”然而，十多年來美國政府不但沒有認真執行公報的規定，而且不斷發生違反公報的行為。一九九二年九月，美國政府甚至決定向台灣出售一百五十架 F-16 型高性能戰鬥機。美國政府的這一行動，給中美關係的發展和台灣問題的解決增加了新的障礙和阻力。

由上可見，台灣問題直到現在還未得到解決，美國政府是有責任的。自七十年代以來，美國朝野許多有識之士和友好人士，曾經為促使中美之間在台灣問題上的分歧的解決做了大量有益的工作，上述三個聯合公報就包含著他們的努力和貢獻。中國政府和人民對此十分讚賞。然而也不能不看到，美國確也有人至今仍不願看到中國的統一，製造種種藉口，施加種種影響，阻撓台灣問題的解決。

中國政府相信，美國人民與中國人民是友好的。兩國關係的正常發展，是符合兩國人民的長遠利益和共同願望的。中美兩國都應珍視來之不易的指導兩國關係發展的三個聯合公報。只要雙方都能恪守三個公報的原則，相互尊重，以大局為重，歷史遺留下來的台灣問題就不難得到解決，中美關係就一定能不斷獲得改善和發展。

### 三、中國政府解決台灣問題的基本方針

解決台灣問題，實現國家統一，是全體中國人民一項莊嚴而神聖的使命。中華人民共和國成立後，中國政府為之進行了長期不懈的努力。中國政府解決台灣問題的基本方針是“和平統一、一國兩制”。

“和平統一、一國兩制”方針的形成。早在五十年代，中國政府就曾設想以和平方式解決台灣問題。一九五五年五月，周恩來總理在全國人民代表大會常務委員會會議上即提出：中國人民解決台灣問題有兩種可能的方式，即戰爭的方式和平的方式，中國人民願意在可能的條件下，爭取用和平的方式解決問題。一九五六年四月，毛澤東主席又提出：“和為貴”、“愛國一家”、“愛國不分先後”等政策主張。但由於某些外國勢力的干預等原因，這些主張未能付諸實踐。

自七十年代末開始，國際國內形勢發生了一些重要變化：中美建立外交關係，實現了關係正常化；中國共產黨召開十一屆三中全會，決定把黨和國家的工作中心轉移到現代化經濟建設上來。與此同時，海峽兩岸的中國人、港澳同胞以及海外僑胞、華人，都殷切期望兩岸攜手合作，共同振興中華。在這樣的歷史條件下，中國政府出於對整個國家民族利益與前途的考慮，本著尊重歷史、尊重現實、實事求是、照顧各方利益的原則，提出了“和平統一、一國兩制”的方針。

一九七九年一月一日，中華人民共和國全國人民代表大會常務委員會發表《告台灣同胞書》，鄭重宣告了中國政府和平解決台灣問題的大政方針，呼籲兩岸就結束軍事對峙狀態進行商談。表示在實現國家統一時，一定“尊重台灣現狀和台灣各界人士的意見，採取合情合理的政策和辦法”。

一九八一年九月三十日，全國人民代表大會常務委員會委員長葉劍英發表談話，進一步闡明解決台灣問題的方針政策。表示“國家實現統一後，台灣可作為特別行政區，享有高度的自治權”，並建議由兩岸執政的國共兩黨舉行對等談判。

一九八二年一月十一日，中國領導人鄧小平就葉劍英的上述談話指出：這實際上就是“一個國家、兩種制度”，在國家實現統一的大前提下，國家主體實行社會主義制度，台灣實行資本主義制度。

一九八三年六月二十六日，鄧小平進一步發揮了關於實現台灣與大陸和平統一的構想，指出，問題的核心是祖國統一。他還就兩岸統一和設置台灣特別行政區問題，闡明了中國政府的政策。

一九九二年十月十二日，中共中央總書記江澤民指出：“我們堅定不移地按照‘和平統一、一國兩制’的方針，積極促進祖國統一。”“我們再次重申，中國共產黨願意同中國國民黨儘早接觸，以便創造條件，就正式結束兩岸敵對狀態、逐步實現和平統一進行談判。在商談中，可以吸收兩岸其他政黨、團體和各界有代表性的人士參加。”

“和平統一、一國兩制”的基本點。“和平統一、一國兩制”是建設有中國特色的社會主義理論和實踐的重要組成部分，是中國政府一項長期不變的基本國策。這一方針，有以下基本點：

(一)一個中國。世界上只有一個中國，台灣是中國不可分割的一部分，中央政府在北京。這是舉世公認的事實，也是和平解決台灣問題的前提。

中國政府堅決反對任何旨在分裂中國主權和領土完整的言行，反對“兩個中國”、“一中一台”或“一國兩府”，反對一切可能導致“台灣獨立”的企圖和行徑。海峽兩岸的中國人民都主張只有一個中國，都擁護國家的統一，台灣作為中國不可分割的一部分的地位是確定的、不能改變的，不存在什麼“自決”的問題。

(二)兩制並存。在一個中國的前提下，大陸的社會主義制度和台灣的資本主義制度，實行長期共存，共同發展，誰也不吃掉誰。這種考慮，主要是基於照顧台灣的現狀和台灣同胞的實際利益。這將是統一後的中國國家體制的一大特色和重要創造。

兩岸實現統一後，台灣的現行社會經濟制度不變，生活方式不變，同外國的經濟文化關係不變。諸如私人財產、房屋、土地、企業所有權、合法繼承權、華僑和外國人投資等，一律受法律保護。

(三)高度自治。統一後，台灣將成為特別行政區。它不同於中國其他一般省區，享有高度的自治權。它擁有在台灣的行政管理權、立法權、獨立的司法權和終審權；黨、政、軍、經、財等事宜都自行管理；可以同外國簽訂商務、文化等協定，享有一定的外事權；有自己的軍隊，大陸不派軍隊也不派行政人員駐臺。特別行政區政府和台灣各界的代表人士還可以出任國家政權機構的領導職務，參與全國事務的管理。

(四)和平談判。通過接觸談判，以和平方式實現國家統一，是全體中國人的共同心願。兩岸都是中國人，如果因為中國的主權和領土完整被分裂，兵戎相見，骨肉相殘，對兩岸的同胞都是極其不幸的。和平統一，有利於全民族的大團結，有利於台灣社會經濟的穩定和發展，有利於全中國的振興和富強。

為結束敵對狀態，實現和平統一，兩岸應儘早接觸談判。在一個中國的前提下，什麼問題都可以談，包括談判的方式，參加的黨派、團體和各界代表人士，以及台灣方面關心的其他一切問題。只要兩岸坐下來談，總能找到雙方都可以接受的辦法。

鑒於兩岸的現實狀況，中國政府主張在實現統一之前，雙方按照相互尊重、互補互利的原則，積極推動兩岸經濟合作和各項交往，進行直接通郵、通商、通航和雙向交流，為國家和平統一創造條件。

和平統一是中國政府既定的方針。然而，每一個主權國家都有權採取自己認為必要的一切手段包括軍事手段，來維護本國主權和領土的完整。中國政府在採取何種方式處理本國內部事務的問題上，並無義務對任何外國或圖謀分裂中國者作出承諾。

這裡還應指出，台灣問題純屬中國的內政，不同於第二次世界大戰後經國際協議而形成的德國問題和朝鮮問題。因此，台灣問題不能和德國、朝鮮問題相提並論。中國政府歷來反對用處理德國問題、朝鮮問題的方式來處理台灣問題。台灣問題應該也完全可以通過兩岸的協商，在一個中國的架構內求得合理的解決。

#### 四、台灣海峽兩岸關係的發展及其阻力

台灣海峽兩岸目前的分離狀態，是中華民族的不幸。所有中國人無不殷切盼望早日結束這種令人痛心的局面。

為了實現兩岸人民正常往來和國家統一，中國政府在提出和平統一主張的同時，也採取了一系列推動兩岸關係發展的措施：

政治方面，調整有關政策措施，化解敵對情緒。最高人民法院、最高人民檢察院決定不再追訴去臺人員在中華人民共和國成立前的犯罪行為。

軍事方面，主動緩和海峽兩岸軍事對峙狀態，停止對金門等島嶼的炮擊，並把福建沿海一些前沿陣地、觀察所開闢為經濟開發區和旅遊點。

經濟方面，敞開門戶，促進交流，歡迎臺商來大陸投資和從事貿易活動，併為之提供優惠條件和法律保障。

其他如人員往來、郵電交通以及科技、文化、體育、學術、新聞等方面，中國政府亦持積極態度，採取了相應措施，鼓勵發展兩岸在各個領域的交流與合作。還成立了得到政府授權的民間團體“海峽兩岸關係協會”，同台灣“海峽交流基金會”及有關民間團體建立聯絡，維護兩岸人民的合法權益，推動兩岸關係的發展。

中國政府的對臺政策和措施，得到了越來越多的台灣同胞、港澳同胞和海外僑胞、華人的理解和支持。廣大台灣同胞為發展兩岸關係作出了很大的努力。台灣當局近幾年也相應調整了對大陸的政策，採取了一些鬆動措施，諸如開放島內民眾赴大陸探親，逐步放寬對兩岸民間交流交往的限制，擴大間接貿易，開放間接投資，簡化兩岸同胞通話、通郵、通匯的手續。這些都是有利於相互交往的。近年來，兩岸的經濟貿易迅速發展，人員往來及各項交流活動不斷擴大。一九九三年四月舉行的“汪辜會談”簽訂了四項協議，邁出了兩岸關係上具有歷史意義的重要一步。台灣海峽出現了四十餘年來前所未有的緩和氣氛，這是有利於和平統一的。

必須指出，台灣當局雖對兩岸關係作了某些鬆動，但其現行大陸政策仍嚴重阻礙著兩岸關係的發展和國家的統一。他們口頭上雖聲稱“中國必須統一”，但行動上卻總是背離一個中國的原則，繼續維持與大陸分離的局面，拒絕就和平統一問題進行商談，甚至設置障礙，限制兩岸交往的進一步發展。

近年來，台灣島內“台獨”活動日形囂張，給兩岸關係的發展和國家和平統一投下了陰影。“台獨”的產生有著複雜的社會歷史根源和國際背景，而台灣當局拒絕和談、限制交往、在國際上推行“雙重承認”和“兩個中國”的政策，又實際上為“台獨”活動提供了條件。應當說，台灣同胞要求當家作主管理台灣的願望是合情合理的、正當的，這不同於“台灣獨立”，更與極少數堅持要走“台獨”道路的人有著根本的區別。極少數“台獨”分子鼓吹“獨立”，甚至投靠外國，妄圖將台灣從中國分裂出去，這是違背包括台灣同胞在內的全中國人民的根本利益的。中國政府嚴重關注這一事態的發展，對任何製造“台灣獨立”的行徑絕不會坐視不理。

某些國際勢力不希望中國統一，仍千方百計插手中國內政，支持台灣當局的“反共拒和”政策和島內的分裂勢力，為中國的和平統一製造障礙，嚴重傷害了中國人民的民族感情。

中國政府堅信，廣大台灣同胞是要求國家統一的；台灣朝野政治力量的大多數也是主張國家統一的。在兩岸人民共同努力下，上述障礙和阻力一定可以排除，兩岸關係一定可以獲得更好的發展。

## 五、國際事務中涉及台灣的幾個問題

如前所述，世界上只有一個中國，台灣是中國不可分割的一部分。中華人民共和國政府作為代表全中國人民的唯一合法政府，得到了聯合國及世界各國的普遍承認。為維護國家主權和實現國家的統一，中國政府在國際事務中處理涉及台灣的問題時，始終堅持一個中國的原則，一貫維護台灣同胞的利益。中國政府相信，這一立場必能贏得各國政府和人民的尊重。在此，中國政府認為有必要就以下幾個問題重申自己的立場和政策。

(一)與中國建交國同台灣的關係問題。目前，世界上凡與中國建交的國家，均遵照國際法和一個中國的原則，與中國政府就台灣問題達成正式協議或諒解，承諾不與台灣建立任何官方性質的關係。按照國際法，一個主權國家只能有一個中央政府代表這個國家。台灣作為中國的一部分，它在國際上無權代表中國，不能與外國建立外交關係和發展具有官方性質的關係。但考慮到台灣經濟發展的需要和台灣同胞的實際利益，對台灣同外國的民間經濟、文化往來，中國政府不持異議。

近幾年，台灣當局在國際上竭力推行所謂“務實外交”，謀求同一些與中國建交的國家發展官方關係，推行“雙重承認”，達到製造“兩個中國”、“一中一台”的目的。對此，中國政府堅決反對。

應該指出，世界上絕大多數國家都能珍視同中國的友好關係，恪守在台灣問題上和中國達成的協議和諒解，中國政府對此表示讚賞。但也不能不指出，有的國家竟不顧國際信譽，違反與中華人民共和國建交時所作的承諾，同台灣發展官方關係，從而給中國統一事業設置障礙。中國政府衷心希望，有關國家的政府能夠採取措施，糾正這一做法。

(二)國際組織與台灣的關係問題。每個國家的主權是完整的，既不能分割，也不能分享。中華人民共和國政府作為中國的唯一合法政府，有權利也有義務在國際組織中行使國家主權，代表整個中國。台灣當局企圖在某些只有主權國家才能參加的國際組織中搞所謂“一國兩席”，就是要製造“兩個中國”。中國政府堅決反對這種行徑。這一原則立場完全符合包括台灣同胞和海外僑胞在內的全中國人民的根本利益。只有在堅持一個中國原則立場的前提下，中國政府才可以考慮，根據有關國際組織的性質、章程規定和實際情況，以中國政府同意和接受的某種方式，來處理台灣參加某些國際組織活動的問題。

聯合國系統的所有機構，是由主權國家代表參加的政府間國際組織。在恢復中華人民共和國在聯合國的合法權利後，聯合國系統的所有機構都已通過正式決議，恢復中華人民共和國享有的合法席位，驅逐了台灣當局的“代表”。自此，在聯合國組織中的中國代表權問題已獲得了徹底的解決，根本不存在台灣再加入的問題。需要指出的是，近一個時期來，台灣當局的某些人又為“重返聯合國”而大肆鼓噪。十分明顯，這是一種妄圖割裂國家主權的行徑，它無論在法理上或實際上都是行不通的。中國政府相信各國政府和聯合國系統的組織會識破這一圖謀，不做有損於中國主權的事情。

其他政府間國際組織，原則上台灣也無權參加。至於亞洲開發銀行(ADB)、亞太經濟合作組織(APEC)等地區性經濟組織，台灣的加入係根據中國政府與有關方面達成的協議或諒解，明確規定中華人民共和國作為主權國家參加，台灣只作為中國的一個地區以“中國台北”(英文在亞行為 TAIPEI, CHINA；在亞太經濟合作組織為 CHINESE TAIPEI)的名稱參加活動。這種做法屬於特殊安排，不能構成其他政府間國際組織及國際活動效做的“模式”。

在民間性質的國際組織中，中華人民共和國的相應組織同有關方面達成協定或諒解，在中國的全國性組織以中國的名義參加的情況下，台灣的相應組織可以以“中國台北”(TAIPEI, CHINA)或“中國台灣”(TAIWAN, CHINA)的名稱參加。

(三)與中國建交國同台灣通航問題。一個國家的領空是該國領土不可分割的組成部分。一九一九年公佈的《巴黎航空公約》和一九四四年簽署的《芝加哥公約》均確認，每個國家對其領空具有完全的、排他性的主權的原則。因此，凡是同中國建交國家的任何航空公司，即使是私營航空公司與台灣通航，都是涉及中國主權的政治問題，而不是一般的民間關係。與中國建交國家的官方航空公司當然不可與台灣通航，

而其民間航空公司如欲同台灣通航，則須由其政府與中國政府磋商。在徵得中國政府同意後，其民間航空公司始可同台灣的私營航空公司互飛。實際上，根據上述原則，中國政府已經同意英、德、加拿大等國的民間航空公司與台灣的私營航空公司通航。

有的國家在與中華人民共和國建交前就同台灣通航的，則可通過與中國政府談判，改變其同台灣通航的官方性質後繼續其民間商業運輸安排。

(四)與中國建交國向台灣出售武器問題。中國政府一貫堅決反對任何國家向台灣出售任何種類的武器裝備或提供生產武器的技術。凡與中國建交的國家，都應遵循互相尊重主權和領土完整、互不干涉內政的原則，而不以任何形式或藉口向台灣提供武器，否則就是違反國際關係準則，干涉中國內政。

世界各國，尤其是對世界和平事業負有重大責任的大國，理應嚴格遵守聯合國安理會五常任理事國關於限制常規武器擴散的指導原則，為維護和促進地區的和平與安全作出貢獻。然而，在目前台灣海峽兩岸關係日益緩和的形勢下，有的國家竟違背自己在國際協議中的承諾，置中國政府的一再嚴正交涉於不顧，向台灣出售武器，在海峽兩岸之間製造緊張局勢。這不僅是對中國安全的嚴重威脅，為中國的和平統一事業設置障礙，也不利於亞洲和世界的和平與穩定。中國人民當然要強烈反對。

在國際事務中，中國政府一貫奉行獨立自主的和平外交政策，堅持“互相尊重主權和領土完整、互不侵犯、互不干涉內政、平等互利、和平共處”五項原則，積極發展同世界各國的友好關係，從不損害別國利益，不干涉別國內政。同樣，中國政府也要求各國政府，不做損害中國利益、干涉中國內政的事情，正確處理與台灣的关系問題。

### 結束語

中國的統一是中華民族的根​​本利益所在。

中國實現統一後，兩岸可攜手合作，互補互助，發展經濟，共同振興中華。原來一直困擾台灣的各種問題，都將在一個中國的架構下得到合理解決。台灣同胞將與祖國其他地區人民一道共享一個偉大國家的尊嚴和榮譽。

長期以來，台灣問題一直是亞洲與太平洋地區一個不穩定的因素。中國的統一，不僅有利於中國本身的穩定和發展，也有利於中國同各國進一步加強友好合作關係，有利於亞太地區乃至全世界的和平與發展。中國政府相信，在維護自己國家主權與領土完整的正義事業中，一定能夠得到世界各國政府和人民的理解和支持。

國務院新聞辦公室

一九九三年八月 北京

### ■ Editor's note =====

This white paper was issued on Aug. 31, 1993 and was the first of altogether three white papers the PRC issued on Taiwan so far. The second white paper on the topic was issued on Feb. 21, 2000, the third on Aug. 10, 2022.

## The One-China Principle and the Taiwan Issue

### Foreword

On October 1, 1949, the Chinese people won a great victory in the new democratic revolution and founded the People's Republic of China (PRC). The Kuomintang (KMT) ruling clique retreated from the mainland to entrench in China's Taiwan Province in confrontation with the Central Government with the support of foreign forces. This is the origin of the Taiwan issue. Settlement of the Taiwan issue and realization of the complete reunification of China embody the fundamental interests of the Chinese nation. The Chinese government has worked persistently toward this goal in the past 50 years. From 1979, the Chinese government has striven for the peaceful reunification of China in the form of "one country, two systems" with the greatest sincerity and the utmost effort. Economic and cultural exchanges and people-to-people contacts between the two sides of the Taiwan Straits have made rapid progress since the end of 1987. Unfortunately, from the 1990s, Lee Teng-hui, the leader of the Taiwan authorities, has progressively betrayed the One-China Principle, striving to promote a separatist policy with "two Chinas" at the core, going so far as to openly describe the cross-Straits relations as "state to state relations, or at least special state to state relations." This action has seriously damaged the basis for peaceful reunification of the two sides, harmed the fundamental interests of the entire Chinese nation including the Taiwan compatriots, and jeopardized peace and

stability in the Asia-Pacific region. The Chinese government has consistently adhered to the One-China Principle and resolutely opposed any attempt to separate Taiwan from China. The struggle between the Chinese government and the separatist forces headed by Lee Teng-hui finds its concentrated expression in the question of whether to persevere in the One-China Principle or to create "two Chinas" or "One-China, one Taiwan."

In August 1993, we issued a white paper entitled "The Taiwan Question and Reunification of China," which systematically expounds the fact concerning Taiwan as an inalienable part of China, the origin of the Taiwan issue and the Chinese government's basic principles and related policies regarding resolution of the Taiwan question. We deem it necessary here to further explain to the international community the Chinese government's position and policy on the One-China Principle.

## **I. The Basis for One China, de Facto and de Jure**

The One-China Principle has been evolved in the course of the Chinese people's just struggle to safeguard China's sovereignty and territorial integrity, and its basis, both de facto and de jure, is unshakable.

Taiwan is an inalienable part of China. All the facts and laws about Taiwan prove that Taiwan is an inalienable part of Chinese territory. In April 1895, through a war of aggression against China, Japan forced the Qing government to sign the unequal Treaty of Shimonoseki, and forcibly occupied Taiwan. In July 1937, Japan launched an all-out war of aggression against China. In December 1941, the Chinese government issued the Proclamation of China's Declaration of War Against Japan, announcing to the world that all treaties, agreements and contracts concerning Sino-Japanese relations, including the Treaty of Shimonoseki, had been abrogated, and that China would recover Taiwan. In December 1943, the Cairo Declaration was issued by the Chinese, U.S. and British governments, stipulating that Japan should return to China all the territories it had stolen from the Chinese, including Northeast China, Taiwan and the Penghu Archipelago. The Potsdam Proclamation signed by China, the United States and Britain in 1945 (later adhered to by the Soviet Union) stipulated that "The terms of the Cairo Declaration shall be carried out." In August of that year, Japan declared surrender and promised in its instrument of surrender that it would faithfully fulfill the obligations laid down in the Potsdam Proclamation. On October 25, 1945, the Chinese government recovered Taiwan and the Penghu Archipelago, resuming the exercise of sovereignty over Taiwan.

On October 1, 1949, the Central People's Government of the PRC was proclaimed, replacing the government of the Republic of China to become the only legal government of the whole of China and its sole legal representative in the international arena, thereby bringing the historical status of the Republic of China to an end. This is a replacement of the old regime by a new one in a situation where the main bodies of the same international laws have not changed and China's sovereignty and inherent territory have not changed therefrom, and so the government of the PRC naturally should fully enjoy and exercise China's sovereignty, including its sovereignty over Taiwan.

Since the KMT ruling clique retreated to Taiwan, although its regime has continued to use the designations "Republic of China" and "government of the Republic of China," it has long since completely forfeited its right to exercise state sovereignty on behalf of China and, in reality, has always remained only a local authority in Chinese territory.

The formulation of the One-China Principle and its basic meaning. On the day of its founding, the Central People's Government of the PRC declared to governments of all countries in the world, "This government is the sole legitimate government representing the entire people of the People's Republic of China. It is ready to establish diplomatic relations with all foreign governments that are willing to abide by the principles of equality, mutual benefit and mutual respect for each other's territorial integrity and sovereignty." Shortly afterwards, the Central People's Government telegraphed the United Nations, announcing that the KMT authorities had "lost all basis, both de jure and de facto, to represent the Chinese people," and therefore had no right to represent China at all. One principle governing New China's establishment of diplomatic relations with a foreign country is that it recognizes the government of the PRC as the sole legitimate government representing the whole of China, severs or refrains from establishing diplomatic relations with the Taiwan authorities.

These propositions of the Chinese government met with obstruction by the U.S. government. On January 5, 1950, the U.S. President Truman issued a statement, saying that the U.S. and other Allied countries recognized China's exercise of sovereignty over Taiwan Island in the four years since 1945. However, after the start of the Korean War in June 1950, to isolate and contain China the U.S. government not only sent troops to occupy Taiwan, but it also dished out such fallacies as "the status of Taiwan has yet to be determined" and later, step by step, lobbied for "dual recognition" among the international community in order to create "two Chinas." Naturally, the Chinese government resolutely opposed this, insisting that there is only one China in the world, Taiwan is a part of China and the

government of the PRC is the sole legal government representing the whole of China. China has evolved the One-China Principle precisely in the course of the endeavor to develop normal diplomatic relations with other countries and the struggle to safeguard state sovereignty and territorial integrity. The above propositions constitute the basic meaning of the One-China Principle, the crucial point being to safeguard China's sovereignty and territorial integrity.

During the 30 or 40 years after 1949, although the Taiwan authorities did not recognize the legitimate status of the government of the PRC as the representative of the whole of China, they did insist that Taiwan is a part of China and that there is only one China, and opposed "two Chinas" and "Taiwan independence." This shows that for a long time there has been a common understanding among the Chinese on both sides of the Taiwan Straits on the fundamental question that there is only one China and Taiwan is a part of Chinese territory. As far back as October 1958, when the People's Liberation Army (PLA) was engaged in the battle to bombard Jinmen, Chairman Mao Zedong declared to the Taiwan authorities, "There is only one China, not two, in the world. You agree with us on this point, as indicated in your leaders' proclamations." In January 1979, the Standing Committee of the National People's Congress (NPC) issued a Message to Taiwan Compatriots, pointing out that "the Taiwan authorities have always stood firm on the one China position and opposed the independence of Taiwan. This is our common stand and our basis for cooperation."

The Chinese government's solemn and reasonable stand for the One-China Principle has gained the understanding and support of more and more countries and international organizations, and the One-China Principle has been gradually accepted by the international community at large. In October 1971, the United Nations General Assembly adopted at its 26th session Resolution 2758, which expelled the representatives of the Taiwan authorities and restored the seat and all the lawful rights of the government of the PRC in the United Nations. In September 1972, China and Japan signed a Joint Statement, announcing establishment of diplomatic relations between the two countries, and that Japan recognizes the government of the PRC as the only legitimate government of China, fully understands and respects the Chinese government's position that Taiwan is an inalienable part of the territory of the PRC, and promises to adhere to the position as prescribed in Article 8 of the Potsdam Proclamation. In December 1978, China and the U.S. issued the Joint Communiqué on the establishment of diplomatic relations, in which the U.S. "recognizes the government of the People's Republic of China as the sole legal government of China" and "acknowledges the Chinese position that there is but one China and Taiwan is a part of China." Up to now, 161 countries have established diplomatic relations with the PRC; they all acknowledge the One-China Principle and promise to handle their relations with Taiwan within the one-China framework.

## **II. The One-China Principle--the Basis and Prerequisite for Achieving Peaceful Reunification**

The One-China Principle is the foundation stone for the Chinese government's policy on Taiwan. On Comrade Deng Xiaoping's initiative, the Chinese government has, since 1979, adopted the policy of peaceful reunification and gradually evolved the scientific concept of "one country, two systems." On this basis, China established the basic principle of "peaceful reunification, and one country, two systems." The key points of this basic principle and the relevant policies are: China will do its best to achieve peaceful reunification, but will not commit itself to ruling out the use of force; will actively promote people-to-people contacts and economic and cultural exchanges between the two sides of the Taiwan Straits, and start direct trade, postal, air and shipping services as soon as possible; achieve reunification through peaceful negotiations and, on the premise of the One-China Principle, any matter can be negotiated. After reunification, the policy of "one country, two systems" will be practiced, with the main body of China (Chinese mainland) continuing with its socialist system, and Taiwan maintaining its capitalist system for a long period of time to come. After reunification, Taiwan will enjoy a high degree of autonomy, and the Central Government will not send troops or administrative personnel to be stationed in Taiwan. Resolution of the Taiwan issue is an internal affair of China, which should be achieved by the Chinese themselves, and there is no call for aid by foreign forces. The afore-mentioned principles and policies embody the basic stand and spirit of adhering to the One-China Principle, and fully respect Taiwan compatriots' wish to govern and administer Taiwan by themselves. On January 30, 1995, President Jiang Zemin put forward eight propositions on the development of relations between the two sides of the Taiwan Straits and the promotion of peaceful reunification of China, explicitly pointing out: "Adhering to the One-China Principle is the basis and prerequisite for peaceful reunification."

Only by adhering to the One-China Principle can peaceful reunification be achieved. The Taiwan issue is one left over by the Chinese civil war. As yet, the state of hostility between the two sides of the Straits has not formally

ended. To safeguard China's sovereignty and territorial integrity and realize the reunification of the two sides of the Straits, the Chinese government has the right to resort to any necessary means. Peaceful means would be favorable to the common development of the societies on both sides of the Straits, and to the harmony and unity of the compatriots across the Straits. Peaceful means is therefore the best means. The Chinese government's declaration in 1979 on implementing the principle of peaceful reunification was based on the premise that the Taiwan authorities at that time upheld the principle that there is only one China in the world and Taiwan is a part of China. Meanwhile, the Chinese government took into account the fact that the U.S. government, which for many years had supported the Taiwan authorities, had accepted that there is only one China in the world, Taiwan is a part of China and the government of the PRC is the only legitimate government of China, and saw this acknowledgment as being beneficial to the peaceful resolution of the Taiwan issue. While carrying out the policy of peaceful reunification, the Chinese government always makes it clear that the means used to solve the Taiwan issue is a matter of China's internal affairs, and China is under no obligation to commit itself to rule out the use of force. This is by no means directed against Taiwan compatriots, but against the scheme to create an "independent Taiwan" and against the foreign forces interfering in the reunification of China, and is intended as a necessary safeguard for the striving for peaceful reunification. Resort to force would only be the last choice made under compelling circumstances.

As for Taiwan, upholding the principle of one China indicates that it acknowledges that China's sovereignty and territory are inalienable. In this way, both sides of the Taiwan Straits will have a common basis and premise and may find ways to solve their political differences and realize peaceful reunification through consultation on an equal footing. If Taiwan denies the One-China Principle and tries to separate Taiwan from the territory of China, the premise and basis for peaceful reunification will cease to exist. As for the United States, if it promises to follow a one-China policy, it should earnestly implement the three communiqués between the Chinese and U.S. governments and fulfill the series of promises it has made. It should maintain only cultural, commercial and other non-governmental relations with Taiwan; oppose "Taiwan independence," "two Chinas" or "one China, one Taiwan" and not to stand in the way of the reunification of China. Acting otherwise will destroy the external conditions necessary for the Chinese government to strive for peaceful reunification.

As for countries in the Asia-Pacific region and other regions in the world, the situation across the Taiwan Straits has always been closely linked with the stability of the Asia-Pacific region. Adherence to the policy of one China by countries concerned will be beneficial to peace and stability in the Asia-Pacific region and favorable for China to develop friendly relations with other countries, and therefore conforms to the interests of the Asia-Pacific region and other countries in the world.

The Chinese government is actively and sincerely striving for peaceful reunification. To achieve peaceful reunification, the Chinese government has appealed time and again for cross-Straits negotiations on the basis of equality and the One-China Principle. Taking Taiwan's political reality into full account and out of consideration for the Taiwan authorities' request for the negotiations to be held on an equal footing, we have put forward one proposal after another, such as that the negotiations should be held between the Communist Party of China (CPC) and the Chinese KMT on a reciprocal basis and that the talks between the two parties may include representatives from all parties and mass organizations of Taiwan, and we have never spoken of negotiations between the "central and local authorities." The Chinese government has also proposed that dialogues may start first, including political dialogues, which may gradually move on to procedural consultations for political talks to solve the name, the topics for discussion and the forms of official talks before political talks are held. Political talks may be carried out step by step. First, negotiations should be held and an agreement reached on an official end to the state of hostility between the two sides under the principle of one China so as to jointly safeguard China's sovereignty and territorial integrity and work out plans for the development of the future cross-Straits relations. In January 1998, to seek and expand the political basis for relations between the two sides, the Chinese government explicitly proposed to the Taiwan side that before the realization of reunification and in handling affairs concerning inter-Straits relations, especially during the talks between the two sides, the One-China Principle should be upheld, namely that there is only one China in the world, Taiwan is a part of China and China's sovereignty and territorial integrity is not to be separated. The Chinese government hopes that on the basis of the One-China Principle, the two sides will hold consultations on an equal footing and discuss national reunification together.

To strive for peaceful reunification, the Chinese government has adopted a series of positive policies and measures to promote the comprehensive development of cross-Straits relations. From the end of 1987, when the state of isolation between the two sides was terminated, to the end of 1999, the number of Taiwan compatriots coming to the mainland of China for visiting their relatives, sightseeing or exchanges reached 16 million by turnstile count. The



total indirect trade volume between the two sides of the Straits has exceeded US\$ 160 billion; the agreed capital to be invested by Taiwan business people in the mainland has exceeded US\$ 44 billion, of which US\$ 24 billion has been actually used. Great progress has been made in the exchange of mail and telecommunications across the Straits; and some progress has been made in the exchange of air and shipping services too. The NPC and its Standing Committee, the State Council, and local governments have worked out a sequence of laws and regulations to safeguard the legitimate rights and interests of Taiwan compatriots. To properly solve the concrete issues arising from the people-to-people contacts between the two sides through consultations, in November 1992 the mainland's Association for Relations Across the Taiwan Straits and Taiwan's Straits Exchange Foundation reached the common understanding during talks on routine affairs that each of the two organizations should express verbally that "both sides of the Taiwan Straits adhere to the One-China Principle." On this basis, the leaders of these two organizations successfully held the "Wang Daohan-Koo Chen-fu talks" and signed several agreements on protecting the legitimate rights and interests of the compatriots on both sides of the Taiwan Straits in April 1993. In October 1998, the leaders of the two organizations met in Shanghai, starting political dialogue across the Straits. The talks between the two organizations were carried out on an equal footing. Practice has proved that on the basis of the One-China Principle, it is entirely possible to find a proper way for holding talks, based on equality, between the two sides. Since Hong Kong and Macao's return to China, people-to-people contacts and exchanges between Hong Kong and Taiwan and between Macao and Taiwan have continued and developed on the basis of the One-China Principle.

### **III. The Chinese Government--Staunch Champion for the One-China Principle**

Separatist forces in Taiwan are bent on violating the One-China Principle. In 1988, after Lee Teng-hui became the leader of the Taiwan authorities, he publicly stated time and again that the basic policy of the Taiwan authorities was that "there is only one China, not two," and "we have always maintained that China should be reunited, and we adhere to the principle of 'one China.'" However, since the early 1990s, Lee Teng-hui has gradually deviated from the One-China Principle, trumpeting "two governments," "two reciprocal political entities," "Taiwan is already a state with independent sovereignty," and "At the present stage the Republic of China is on Taiwan and the People's Republic of China is on the mainland." Moreover, he went back on his words, saying that "I have never said that there is only one China." In addition, he has connived at and provided support for the separatists who advocate "Taiwan independence" and their activities, thus helping the rapid development of the "Taiwan independence" forces and the spread of the "Taiwan independence" ideology. Under the direction of Lee Teng-hui, the Taiwan authorities have adopted a series of measures toward actual separation. In matters of Taiwan's form of government, the Taiwan authorities are seeking to transform Taiwan into an "independent political entity" through a "constitutional reform," so as to suit the needs of creating "two Chinas." In foreign relations, the Taiwan authorities have spared no effort to carry out the activities for "expanding the international space of survival," with the aim of creating "two Chinas." Since 1993, for seven years running, the Taiwan authorities have maneuvered for participation in the United Nations. In military affairs, the Taiwan authorities have bought large quantities of advanced weapons from foreign countries and sought to join the Theater Missile Defense system (TMD), in an attempt to establish a military alliance of a disguised form with the United States and Japan.

In ideology and culture, the Taiwan authorities have endeavored to obliterate the Chinese awareness of Taiwan compatriots, especially young people, and their identification with the motherland, in order to create misunderstanding of the motherland among Taiwan compatriots and estrange them from her, thus cutting off the ideological and cultural ties between the compatriots on both sides of the Taiwan Straits. Since 1999, Lee Teng-hui has stepped up his separatist activities. In May, he published the book *The Road to Democracy*, which advocates the division of China into seven regions, each enjoying "full autonomy." On July 9, he went so far as to publicly distort the cross-Straits relations as "state to state relations, or at least special state to state relations," in an attempt to fundamentally change the status of Taiwan as a part of China, sabotage the relations between both sides of the Taiwan Straits, especially the basis for cross-Straits political dialogues and negotiations, and wreck the foundation for peaceful reunification. Lee Teng-hui has become the general representative of Taiwan's separatist forces, a saboteur of the stability of the Taiwan Straits, a stumbling-block preventing the development of relations between China and the United States, and a troublemaker for the peace and stability of the Asia-Pacific region.

The Chinese government firmly defends the One-China Principle. The Chinese government and people have always maintained sharp vigilance and fought resolutely against the secessionist activities of the Taiwan separatists, represented by Lee Teng-hui.

After Lee Teng-hui's "private" visit to the United States in June 1995, the Chinese government has waged a resolute struggle against separation and against "Taiwan independence," and made strong protests and representations to the U.S. government for openly allowing Lee Teng-hui to visit the U.S., violating its promises made in the three Sino-U.S. joint communiques, and seriously prejudicing China's sovereignty. This struggle has shown the Chinese government and people's firm resolve and ability to safeguard state sovereignty and territorial integrity, and exerted an important and far-reaching influence. Compatriots in Taiwan have further realized the serious harm "Taiwan independence" can cause. Lee Teng-hui has received a heavy blow for his separatist activities in the international community, so that some of the "Taiwan independence" protagonists have had to abandon certain extremist propositions aimed at division. The international community has further realized the necessity of upholding the one-China policy. The U.S. government has explicitly undertaken not to support "Taiwan independence," not to support "two Chinas" or "one China, one Taiwan," and not to support Taiwan joining any international organization whose membership is restricted to sovereign states.

The Chinese government and people have fought more unremittingly after Lee Teng-hui cooked up his "two states" theory. The relevant department of the Chinese government has clearly stated that the attempt of the Taiwan separatists to implement the "two states" theory in "legal" form was an even more serious and dangerous step toward division and a grave provocation against peaceful reunification. Were the attempt to succeed, it would be impossible for China to achieve peaceful reunification. The struggle against this attempt has grown in momentum with Chinese both at home and abroad condemning the "two states" theory with one voice. Most countries in the world have reaffirmed their position of upholding the One-China Policy. The U.S. government has also reasserted its adherence to the One-China Policy and its commitment to the "Three Non-supports" for Taiwan. Finally, the Taiwan authorities have been compelled to announce that they will not amend their "constitution" and "laws" according to the "two states" theory.

Nevertheless, separatists in Taiwan are still attempting to detach Taiwan "de jure" from China in the name of the "Republic of China" by various forms, including "formulating a new constitution," "amending the constitution," and "explaining the constitution" or through "legislation." Special vigilance should be maintained to the fact that the Taiwan separatists are continually scheming to disrupt the Sino-U.S. relations and provoke conflicts and confrontation between the two nations to achieve their aim of dividing China.

Facts prove that a serious crisis still exists in the situation of the Taiwan Straits. To safeguard the interests of the entire Chinese people including compatriots in Taiwan and maintain the peace and development of the Asia-Pacific region, the Chinese government remains firm in adhering to "peaceful reunification" and "one country, two systems"; upholding the eight propositions put forward by President Jiang Zemin for the development of cross-Straits relations and the acceleration of the peaceful reunification of China; and doing its utmost to achieve the objective of peaceful reunification. However, if a grave turn of events occurs leading to the separation of Taiwan from China in any name, or if Taiwan is invaded and occupied by foreign countries, or if the Taiwan authorities refuse, sine die, the peaceful settlement of cross-Straits reunification through negotiations, then the Chinese government will only be forced to adopt all drastic measures possible, including the use of force, to safeguard China's sovereignty and territorial integrity and fulfill the great cause of reunification. The Chinese government and people absolutely have the determination and ability to safeguard China's sovereignty and territorial integrity, and will never tolerate, condone or remain indifferent to the realization of any scheme to divide China. Any such scheme is doomed to failure.

#### **IV. Several Questions Involving the One-China Principle in the Cross-Straits Relations**

Chinese territory and sovereignty has not been split, and the two sides of the Straits are not two states. The Taiwan authorities support their position on "two Chinas," including the "two states" theory proposed by Lee Teng-hui, with the following arguments:

Since 1949, the territories on either side of the Straits have been divided and governed separately, with neither side having jurisdiction over the other; the government of the PRC has never ruled Taiwan; and since 1991 Taiwan has witnessed a form of government that has nothing to do with that of the Chinese mainland. These arguments are absolutely untenable, and can never lead to the conclusion that Taiwan may declare itself a state under the name of the "Republic of China," or that the two sides of the Straits have been divided into two states. Firstly, state sovereignty is inseparable. The territory is the space in which a state exercises its sovereignty. In the territory of a country there can only be a central government exercising sovereignty on behalf of the state. As we have already said, Taiwan is an inalienable part of Chinese territory and, after replacing the government of the Republic of China in

1949, the government of the PRC has become the sole legal government of China, enjoying and exercising sovereignty over the whole of China, including Taiwan.

Although the two sides of the Straits remain to be reunified, the long-term existence of this abnormal situation has not imbued Taiwan with a status and rights in international law, nor can it change the legal status of Taiwan as a part of China. The problem now is that the separatists in Taiwan and some foreign anti-China forces seek to change this state of affairs, and it is this that the Chinese government and people are firmly against.

We firmly oppose changing Taiwan's status as a part of China by referendum. The Taiwan separatists' attempt to change Taiwan's status as a part of China by referendum on the pretext that "sovereignty belongs to the people" is futile. Firstly, under both domestic and international laws Taiwan's legal status as a part of Chinese territory is unequivocal, and there can be no premise for using referendum to decide any matter of self-determination. Secondly, the phrase "sovereignty belongs to the people" refers to all the people of state, and not certain people or the people of a certain area. The sovereignty over Taiwan belongs to all the Chinese people including Taiwan compatriots, and not to some of the people in Taiwan. Thirdly, at no time in history has Taiwan been a state in its own right, and since 1945 Taiwan has not been a foreign colony, nor has it been under foreign occupation. The issue of national self-determination, therefore, does not exist. In short, from the time that China recovered Taiwan in 1945, there has been no question at all of changing Taiwan's status as a part of China by holding a referendum. The only future for Taiwan is reunification with the China mainland, and certainly not separation. Any attempt to separate Taiwan from China through so-called referendum would only lead the Taiwan people to disaster.

The "two German states formula" cannot be applied to the settlement of the Taiwan issue. Some people in Taiwan have suggested that cross-Straits relations should be dealt with according to the "two German states formula," since Germany was divided into two states after the Second World War, and was later reunified. This proposal shows a misunderstanding of history and reality. The division of Germany after the war and the temporary division between the two sides of the Straits are questions of a different nature, the difference lying mainly in three aspects. The first is the reasons for, and the nature of, the division. After its defeat in the Second World War in 1945, Germany was divided into zones occupied separately by the four victorious nations of the United States, Britain, France and the Soviet Union according to a declaration on the defeat of Germany and the assumption of supreme authority and the subsequent Potsdam Agreement. The reunification of Germany became a focus of the confrontation in Europe between the United States and the Soviet Union during the cold war. The Federal Republic of Germany and the German Democratic Republic were established in the zones occupied by the U.S., Britain and France, and that occupied by the Soviet Union. Thus Germany was divided into two states. Obviously, the German question arose entirely from external factors, while the Taiwan issue, left over by China's civil war, is a matter of China's internal affairs. The second aspect is the difference in status between the two under international law. Germany was divided according to a series of international treaties during and after the Second World War, while the Taiwan question involves provisions of the Cairo Declaration, the Potsdam Proclamation and other international treaties, stating that Japan must return Taiwan, which it had stolen from China, to the Chinese. The third is the difference between the two in their actual conditions of existence.

Against the backdrop of the confrontation between the U.S. and the Soviet Union, the two German states had foreign troops stationing in their territories and so were compelled to recognize each other and co-exist in the international community. The Chinese government has always persisted in the principle of one China. Before Lee Teng-hui assumed power, and during his early days in office, the Taiwan authorities recognized only one China and opposed "two Chinas," and the One-China Principle has also been widely accepted by the international community. For these reasons, the Taiwan issue and the German issue cannot be placed in the same category, nor can the "two German states formula" be copied to settle the Taiwan question. Any question can be discussed under the One-China Principle. The Chinese government advocates that the final purpose of cross-Straits negotiations is to achieve peaceful reunification; and that to achieve this purpose, talks should be held based on the principle of one China. However, the proposals for "Taiwan independence," "two Chinas" and "two states," aiming for separation instead of reunification, violate the One-China Principle, and are naturally unacceptable to the Chinese government. Provided that it is within the framework of one China, any question can be discussed, including the various issues that are of concern to the Taiwan side. The Chinese government believes that Taiwan's international space for economic, cultural and social activities compatible with its status, the political status of the Taiwan authorities and other questions can be finally settled in the process of peaceful reunification through political negotiations within this framework.

The so-called controversy about democracy and system is an excuse for obstructing the reunification of China. In recent years the Taiwan authorities have repeatedly declared that "democratization on the China mainland is the key to the reunification of China" and that "the real essence of the cross-Straits issue is a contest between systems." This is an excuse for postponing and resisting reunification, as well as a scheme to deceive compatriots in Taiwan and world opinion. The CPC and the Chinese government have consistently striven to achieve socialist democracy. To achieve peaceful reunification in the form of "one country, two systems," and to allow the two different social systems on both sides of the Straits to coexist without imposing them on one or the other--this is best able to embody the wishes of compatriots on both sides of the Straits and is itself democratic. The different social systems across the Straits, therefore, should not constitute any barrier to peaceful reunification. Moreover, the Chinese government acknowledges the differences between Taiwan on the one hand and Hong Kong and Macao on the other and, after peaceful reunification, is prepared to apply a looser form of the "one country, two systems" policy in Taiwan than in Hong Kong and Macao. It is totally unreasonable and undemocratic for the Taiwan authorities to seek to obstruct reunification on the pretext of the "controversy about democracy and system" and to force the more than 1.2 billion people living on the Chinese mainland to practice the political and economic systems in Taiwan. The demand for democracy should not be used as a reason for refusing reunification. The essence of the difference between the two sides of the Straits on this question lies by no means in the controversy over whether to practice democracy or in the controversy over what system to practice, but rather a controversy over the choice between reunification and separation.

## **V. Several Questions Involving Adherence to the One-China Principle in the International Community**

The Chinese government has expressed its appreciation to the international community for widely pursuing a one-China policy. In August 1993, we published the white paper *The Taiwan Question and Reunification of China*. In Chapter V of this document, "Several Questions Involving Taiwan in International Relations," we explained our position and policy on a number of issues, including relations between Taiwan and countries maintaining diplomatic ties with China, relations between international organizations and Taiwan, aviation services between Taiwan and countries having diplomatic relations with China, and arms sales to Taiwan by countries having diplomatic relations with China. Here, we would like to reaffirm our related position and policy.

Taiwan is ineligible for membership of the United Nations and other international organizations whose membership is confined to sovereign states. The United Nations is an inter-governmental international organization composed of sovereign states. After the restoration of the lawful rights of the PRC in the United Nations, the issue of China's representation in the UNO was resolved once and for all and Taiwan's re-entry became totally out of the question. The Taiwan authorities have asserted that Resolution 2758 of the UN resolved only "the problem of China's representation," but not "the problem of Taiwan's representation," and demanded participation in the UN. We will never permit such a separatist act of creating "two Chinas" or "one China, one Taiwan."

All members of the UN should adhere to the purpose and principles of the Charter of the United Nations and related UN resolutions, abide by norms governing international relations, including mutual respect for sovereignty and territorial integrity and non-interference in each other's internal affairs, and never, in any form, support Taiwan's joining the UN or other international organizations whose membership is confined to sovereign states.

On the basis of the principle of one China, the Chinese government has made arrangements for Taiwan's participation in some inter-governmental international organizations which accept region membership in an agreeable and acceptable way according to the nature, regulations and actual conditions of these international organizations. As a region of China, Taiwan has participated in the Asian Development Bank (ADB) and the Asia-Pacific Economic Cooperation (APEC) respectively in the names of "Taipei, China" and "Chinese Taipei." In September 1992, the chairman of the council of the predecessor of the World Trade Organization (WTO), the General Agreement on Tariffs and Trade (GATT), stated that Taiwan may participate in this organization as "a separate Taiwan-Penghu-Jinmen-Mazu tariff zone" (abbreviated as Chinese Taipei) after the PRC's entry to GATT. The WTO should persist in the principle defined in the afore-said statement when examining the acceptance of Taiwan's entry to the organization. This is only an ad hoc arrangement and cannot constitute a model applicable to other inter-governmental international organizations or international gatherings.

No country maintaining diplomatic relations with China should provide arms to Taiwan or enter into military alliance of any form with Taiwan. All countries maintaining diplomatic relations with China should abide by the principles of mutual respect for sovereignty and territorial integrity and non-interference in each other's internal

affairs, and refrain from providing arms to Taiwan or helping Taiwan produce arms in any form or under any pretext.

The Taiwan question is the most crucial and most sensitive issue in the relations between China and the U.S. The three Sino-U.S. joint communiques are the basis for the healthy and stable development of relations between the two countries. For over twenty years, the U.S. has promised to adhere to a One-China Policy, which has brought to itself benefits such as the establishment of diplomatic relations with China, the development of Sino-U.S. relations and the relative stability of the Taiwan situation. Regrettably, the U.S. has repeatedly contravened its solemn undertakings to China made in the August 17 Communique and continued its sale of advanced arms and military equipment to Taiwan. Recently, some people in the U.S. Congress have cooked up the so-called Taiwan Security Enhancement Act and are attempting to include Taiwan in the TMD. This is gross interference in China's internal affairs and a grave threat to China's security, obstructing the peaceful reunification of China and jeopardizing the peace and stability of the Asia-Pacific region and the world at large. The Chinese government is firmly against such actions.

The Chinese government adheres to the One-China Principle in dealing with Taiwan's contacts with the outside world. The Taiwan authorities have spared no effort to promote "pragmatic diplomacy" in the international arena and enlarge their "international space of survival," the essence of these being to create "two Chinas" or "one China, one Taiwan." It is only natural that the Chinese government should firmly oppose these. Meanwhile, considering the needs of Taiwan's socio-economic development and the actual benefits of compatriots in Taiwan, the Chinese government has no objection to Taiwan's non-governmental economic and cultural contacts with foreign countries; in fact, on the premise of one China, it has adopted many flexible measures to make Taiwan's economic, trade and cultural contacts with foreign countries more convenient. For example, Taiwan may stay on the International Olympic Committee in the name of "Chinese Taipei." As a matter of fact, Taiwan has maintained extensive economic, trade and cultural relations with many countries and regions in the world. Every year, a million Taiwan compatriots go abroad for travel, business or study, as well as for academic, cultural or sports exchanges, and Taiwan's annual import and export trade volume has exceeded the US\$200-billion mark. This has demonstrated that adhering to the One-China Principle has not prevented Taiwan compatriots from engaging in non-governmental international exchanges or affected the needs of Taiwan's normal economic, trade and cultural activities.

The Chinese government safeguards all the justified and lawful rights and interests of Taiwan compatriots abroad. The people of Taiwan are of the same flesh and blood with us. The Chinese government has always worked for safeguarding their justified and lawful rights and interests abroad. Chinese embassies and consulates stationed abroad have always considered it their duties to strengthen their ties with Taiwan compatriots, listen to their suggestions and requests and safeguard their interests, and done everything they can to help them overcome their difficulties. During the Gulf War, the Chinese embassy helped Taiwanese labor service personnel stranded in Kuwait pull out of dangerous places safely. After the big earthquakes in Osaka and Kobe, Japan, the Chinese embassy and consulate general there promptly extended their sympathies to stricken Taiwan compatriots. When the civil war in Cambodia broke out, the Chinese embassy lost no time in helping Taiwanese business people and tourists whose lives and property were seriously imperiled by the war to move to safe places. All the above-mentioned facts reflect the Chinese government's care for Taiwan compatriots. When both sides of the Taiwan Straits are reunified, Taiwan compatriots will, together with people of all ethnic groups in the country, have more possibilities to fully enjoy the dignity and honor of the PRC in the world.

## **Conclusion**

China has a long history of 5,000 years. The Chinese people have lived and multiplied on this land where all ethnic groups have mixed together, in the course of which they have evolved powerful cohesiveness, and the values of cherishing and safeguarding unity. Over the long course of history, the Chinese nation has witnessed changes of dynasties, transfers of governments, local separatist regimes, and foreign invasions, especially the untold invasions and dismemberment by foreign powers in modern history. However, unity has always been the main trend in the development of Chinese history. After every separation, the country was invariably reunified, only to be followed in its wake by rapid political, economic, cultural, scientific and technological development. Our compatriots in Taiwan have a glorious tradition of patriotism, and have performed brilliant exploits in the struggles against foreign invasions of Taiwan. Since the founding of the PRC, the Chinese people have particularly valued their hard-earned national independence, firmly upheld state sovereignty and territorial integrity and struggled unswervingly for reunification of the motherland. The 5,000-year history and culture have been implanted deeply in the minds of the Chinese people, sprouting the strong national consciousness of the need for national unification.

The Chinese government hopes that the international community will follow the principle of one China now and always and that the U.S. government will earnestly fulfil all the principles concerning the Taiwan issue in the three Sino-U.S. joint communiques, and its solemn promise to uphold the One-China Principle.

As the Chinese government has successively resumed the exercise of sovereignty over Hong Kong and Macao, the people of the whole of China are eager to resolve the Taiwan issue as early as possible and realize the total reunification of the country. They cannot allow the resolution of the Taiwan issue to be postponed indefinitely. We firmly believe that the total reunification of China will be achieved through the joint efforts of the entire Chinese people including compatriots on both sides of the Taiwan Straits and those living overseas.

## 一個中國的原則與台灣問題

中華人民共和國  
國務院台灣事務辦公室  
國務院新聞辦公室  
二〇〇〇年二月·北京

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  - 二、一個中國原則是實現和平統一的基礎和前提
  - 三、中國政府堅決捍衛一個中國原則
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### 前 言

一九四九年十月一日，中國人民取得了新民主主義革命的偉大勝利，建立了中華人民共和國。國民黨統治集團退踞中國的台灣省，在外國勢力的支持下，與中央政府對峙，由此產生了台灣問題。

解決台灣問題，實現中國完全統一，是中華民族的根本利益。五十年來，中國政府為此進行了不懈的奮鬥。一九七九年後，中國政府以極大的誠意、盡最大的努力，爭取以“一國兩制”的方式實現和平統一。自一九八七年底以來，兩岸經濟、文化交流和人員往來有了長足的發展。但是，九十年代以來，台灣當局領導人李登輝逐步背棄一個中國原則，極力推行以製造“兩個中國”為核心的分裂政策，一直髮展到公然主張兩岸關係是“國家與國家，至少是特殊的國與國的關係”，嚴重損害了兩岸和平統一的基礎，危害了包括台灣同胞在內的整個中華民族的根本利益，也危害了亞洲太平洋地區的和平與穩定。中國政府始終如一地堅持一個中國原則，堅決反對任何把台灣從中國分割出去的圖謀。中國政府與以李登輝為首的分裂勢力的鬥爭，集中表現在是堅持一個中國原則還是製造“兩個中國”、“一中一台”的問題上。

我們於一九九三年八月發表了《台灣問題與中國的統一》白皮書，系統地論述了台灣是中國不可分割的一部分、台灣問題的由來、中國政府解決台灣問題的基本方針和有關政策。現在，有必要進一步向國際社會闡述中國政府堅持一個中國原則的立場和政策。

### 一、一個中國的事實和法理基礎

一個中國原則是在中國人民捍衛中國主權和領土完整的正義鬥爭中形成的，具有不可動搖的事實和法理基礎。

台灣是中國不可分割的一部分。有關台灣的全部事實和法律證明，台灣是中國領土不可分割的一部分。一八九五年四月，日本通過侵華戰爭，強迫清朝政府簽訂不平等的《馬關條約》，霸佔了台灣。一九三七年七月，日本發動全面侵華戰爭。一九四一年十二月，中國政府在《中國對日宣戰佈告》中昭告各國，中國廢止包括《馬關條約》在內的一切涉及中日關係的條約、協定、合同，並將收復台灣。一九四三年十二月，中美英三國政府發表的《開羅宣言》規定，日本應將所竊取於中國的包括東北、台灣、澎湖列島等在內的土地，歸還中國。一九四五年，中美英三國共同簽署、後來又有蘇聯參加的《波茨坦公告》規定：“開羅宣言之條件必將實施。”同年八月，日本宣佈投降，並在《日本投降條款》中承諾“忠誠履行波茨坦公告各項規定之義務”。十月二十五日，中國政府收復台灣、澎湖列島，重新恢復對台灣行使主權。一九四九年十月一日，中華人民共和國中央人民政府宣告成立，取代中華民國政府成為全中國的唯一合

法政府和在國際上的唯一合法代表，中華民國從此結束了它的歷史地位。這是在同一國際法主體沒有發生變化的情況下新政權取代舊政權，中國的主權和固有領土疆域並未由此而改變，中華人民共和國政府理所當然地完全享有和行使中國的主權，其中包括對台灣的主權。

國民黨統治集團退踞台灣以來，雖然其政權繼續使用“中華民國”和“中華民國政府”的名稱，但它早已完全無權代表中國行使國家主權，實際上始終只是中國領土上的一個地方當局。

一個中國原則的產生和基本涵義。中華人民共和國中央人民政府成立當天即向各國政府宣佈：“本政府為代表中華人民共和國全國人民的唯一合法政府。凡願遵守平等、互利及互相尊重領土主權等項原則的任何外國政府，本政府均願與之建立外交關係。”隨後又致電聯合國，聲明：國民黨當局“已喪失了代表中國人民的任何法律的與事實的根據”，完全無權代表中國。外國承認中華人民共和國政府是代表全中國的唯一合法政府，與台灣當局斷絕或不建立外交關係，是新中國與外國建交的原則。

中國政府的上述主張受到當時美國政府的阻撓。儘管一九五〇年一月五日美國總統杜魯門發表聲明，表示美國及其他盟國承認一九四五年以來的四年中國對台灣島行使主權，但是同年六月朝鮮戰爭爆發後，美國政府為了孤立、遏制中國，不僅派軍隊侵佔台灣，而且拋出“台灣地位未定”等謬論，以後又逐步在國際社會策動“雙重承認”，企圖製造“兩個中國”。對此，中國政府理所當然地予以堅決反對，主張和堅持世界上只有一個中國，台灣是中國的一部分，中華人民共和國政府是代表全中國的唯一合法政府。正是在中國與外國發展正常的外交關係中，在維護中國的主權和領土完整的鬥爭中，產生了一個中國原則。上述主張構成了一個中國原則的基本涵義，核心是維護中國的主權和領土完整。

在一九四九年後的三四十年間，台灣當局雖然不承認中華人民共和國政府代表全中國的合法地位，但也堅持台灣是中國的一部分、只有一個中國的立場，反對製造“兩個中國”和“台灣獨立”。這說明，在一個相當長的時間裏，兩岸的中國人在只有一個中國、台灣是中國領土的一部分這一根本問題上具有共識。早在一九五八年十月，中國人民解放軍在進行炮擊金門的戰鬥時，毛澤東主席就向台灣當局公開指出：“世界上只有一個中國，沒有兩個中國。這一點，也是你們同意的，見之於你們領導人的文告。”一九七九年一月，全國人大常委會發表《告台灣同胞書》，指出“台灣當局一貫堅持一個中國的立場，反對台灣獨立。這就是我們共同的立場，合作的基礎。”

中國政府堅持一個中國原則的嚴正立場和合理主張，贏得了越來越多的國家和國際組織的理解和支持，一個中國原則逐步為國際社會所普遍接受。一九七一年十月，第二十六屆聯合國大會通過 2758 號決議，驅逐了台灣當局的代表，恢復了中華人民共和國政府在聯合國的席位和一切合法權利。一九七二年九月，中日兩國簽署聯合聲明，宣佈建立外交關係，日本承認中華人民共和國政府是中國的唯一合法政府，充分理解和尊重中國政府關於台灣是中華人民共和國領土不可分割的一部分的立場，並且堅持遵循《波茨坦公告》第八條規定的立場。一九七八年十二月，中美發表建交公報，美國“承認中華人民共和國政府是中國的唯一合法政府”；“承認中國的立場，即只有一個中國，台灣是中國的一部分”。目前，161 個國家與中華人民共和國建立了外交關係，它們都承認一個中國原則，並且承諾在一個中國的框架內處理與台灣關係。

## 二、一個中國原則是實現和平統一的基礎和前提

一個中國原則是中國政府對臺政策的基石。經由鄧小平同志的倡導，中國政府自一九七九年開始實行和平統一的方針，並逐步形成了“一國兩制”的科學構想，在此基礎上，確立了“和平統一、一國兩制”的基本方針。這一基本方針和有關政策的要點是：爭取和平統一，但是不承諾放棄使用武力；積極推動兩岸人員往來和經濟、文化等各項交流，早日實現兩岸直接通郵、通航、通商；通過和平談判實現統一，在一個中國原則下什麼都可以談；統一後實行“一國兩制”，中國的主體（中國大陸）堅持社會主義制度，台灣保持原有的資本主義制度長期不變；統一後台灣實行高度自治，中央政府不派軍隊和行政人員駐臺；解決台灣問題是中國的內政，應由中國人自己解決，不需借助外國力量。上述方針和政策，貫徹了堅持一個中國原則的基本立場和精神，也充分尊重了台灣同胞當家作主、管理台灣的願望。江澤民主席在一九九五年一月發表發展兩岸關係、推進祖國和平統一進程的八項主張時，明確指出：“堅持一個中國的原則，是實現和平統一的基礎和前提。”

只有堅持一個中國原則才能實現和平統一。台灣問題是中國內戰遺留下來的問題。迄今，兩岸敵對狀態並未正式結束。為了維護中國的主權和領土完整，為了實現兩岸統一，中國政府有權採用任何必要的手段。採用和平的方式，有利於兩岸社會的共同發展，有利於兩岸同胞感情的融合和團結，是最好的方式。中國政府於一九七九年宣佈實行和平統一的方針時，是基於一個前提，即當時的台灣當局堅持世界上只有一個中國、台灣是中國的一部分。同時，中國政府考慮到長期支持台灣當局的美國政府承認了世界上只有一個中國、台灣是中國的一部分、中華人民共和國政府是中國的唯一合法政府，這也有利於用和平的方式解決台灣問題。中國政府在實行和平統一方針的同時始終表明，以何種方式解決台灣問題是中國的內政，並無義務承諾放棄使用武力。不承諾放棄使用武力，決不是針對台灣同胞的，而是針對製造“台

灣獨立”的圖謀和干涉中國統一的外國勢力，是為爭取實現和平統一提供必要的保障。採用武力的方式，將是最後不得已而被迫作出的選擇。

對台灣而言，堅持一個中國原則，標誌著承認中國的主權和領土不可分割，這就使兩岸雙方有了共同的基礎和前提，可以通過平等協商，找到解決雙方政治分歧的辦法，實現和平統一。如果否認一個中國原則，圖謀將台灣從中國領土中分割出去，那就使和平統一的前提和基礎不復存在。

對美國而言，承諾奉行一個中國政策，就要切實執行中美兩國政府之間的三個公報和美方的一系列承諾，就應當只與台灣保持文化、商務和其他非官方的關係，反對所謂“台灣獨立”、“兩個中國”、“一中一台”，不阻撓中國的統一。反之，就破壞了中國政府爭取和平統一的外部條件。

對於亞太地區和世界其他地區的國家而言，台灣海峽局勢一直與亞太地區的安定密切相關。有關各國堅持一個中國政策，有利於維護亞太地區的和平與穩定，也有利於中國同各國發展友好關係，符合亞太地區乃至世界各國的利益。

中國政府積極地真誠地努力爭取實現和平統一。為了爭取和平統一，中國政府一再呼籲在一個中國原則基礎上舉行兩岸平等談判。充分考慮到台灣的政治現實，為了照顧台灣當局關於平等談判地位的要求，我們先後提出了舉行中國共產黨和中國國民黨兩黨對等談判、兩黨談判可以吸收台灣各黨派團體有代表性的人士參加等主張，而始終不提“中央與地方談判”。中國政府還提出，可先從進行包括政治對話在內的對話開始，逐步過渡到政治談判的程序性商談，解決正式談判的名義、議題、方式等問題，進而展開政治談判。政治談判可以分步驟進行，第一步，先就在一個中國原則下正式結束兩岸敵對狀態進行談判，並達成協定，共同維護中國的主權和領土完整，並對今後兩岸關係發展進行規劃。一九九八年一月，為尋求和擴大兩岸關係的政治基礎，中國政府向台灣方面明確提出，在統一之前，在處理兩岸關係事務中，特別是在兩岸談判中，堅持一個中國原則，也就是堅持世界上只有一個中國，台灣是中國的一部分，中國的主權和領土完整不容分割。中國政府希望，在一個中國原則基礎上，雙方平等協商，共議統一。

為爭取和平統一，中國政府採取了一系列積極的政策和措施，全面推動兩岸關係發展。自一九八七年底兩岸隔絕狀態被打破後至一九九九年，到中國大陸從事探親、旅遊、交流的台灣同胞已達 1600 萬人次；兩岸間接貿易總額超過 1600 億美元，臺商在中國大陸投資的協議金額及實際到位金額分別超過了 440 億美元與 240 億美元；兩岸互通郵政、電信取得了很大進展；兩岸海上、空中通航也取得了局部進展。全國人民代表大會及其常務委員會、國務院、地方政府制定了一系列法律、法規，依法保障台灣同胞的正當權益。為了通過商談妥善解決兩岸同胞交往中所衍生的具體問題，一九九二年十一月，海峽兩岸關係協會與台灣的海峽交流基金會達成在事務性商談中各自以口頭方式錶述“海峽兩岸均堅持一個中國原則”的共識，在此基礎上，兩會領導人於一九九三年四月成功舉行了“汪辜會談”，並簽署了幾項涉及保護兩岸同胞正當權益的協議。一九九八年十月，兩會領導人在上海會晤，開啟了兩岸政治對話。兩會商談是在平等的地位上進行的。實踐證明，在一個中國原則的基礎上，完全可以找到兩岸平等談判的適當方式。香港、澳門回歸中國以來，港臺之間、澳臺之間原有的各種民間往來與交流，在一個中國原則的基礎上繼續保持和發展。

### 三、中國政府堅決捍衛一個中國原則

台灣分裂勢力蓄意破壞一個中國原則。一九八八年，李登輝繼任為台灣當局的領導人。當時他多次公開表示，台灣當局的基本政策就是“只有一個中國而沒有兩個中國的政策”；“我們一貫主張中國應該統一，並堅持‘一個中國’的原則”。

但是，從九十年代初開始，李登輝逐步背離一個中國原則，相繼鼓吹“兩個政府”、“兩個對等政治實體”、“台灣已經是個主權獨立的國家”、“現階段是‘中華民國在台灣’與‘中華人民共和國在大陸’”，而且自食其言，說他“始終沒有講過一個中國”。李登輝還縱容、扶持主張所謂“台灣獨立”的分裂勢力及其活動，使“台獨”勢力迅速發展、“台獨”思潮蔓延。在李登輝主導下，台灣當局採取了一系列實際的分裂步驟。在台灣政權體制方面，力圖通過所謂的“憲政改革”將台灣改造成一個“獨立的政治實體”，以適應製造“兩個中國”的需要。在對外關係方面，不遺餘力地進行以製造“兩個中國”為目的的“拓展國際生存空間”活動。一九九三年以來，連續七年推動所謂“參與聯合國”的活動。在軍事方面，大量向外國購買先進武器，謀求加入戰區導彈防禦系統，企圖變相地與美、日建立某種形式的軍事同盟。在思想文化方面，圖謀抹殺台灣同胞、特別是年輕一代的中國人意識和對祖國的認同，挑起台灣同胞對祖國的誤解和疏離感，割斷兩岸同胞的思想和文化紐帶。

一九九九年以來，李登輝的分裂活動進一步發展。五月，他出版《台灣的主張》一書，鼓吹要把中國分成七塊各自享有“充分自主權”的區域。七月九日，他公然將兩岸關係歪曲為“國家與國家，至少是特殊的國與國的關係”，企圖從根本上改變台灣是中國一部分的地位，破壞兩岸關係、特別是兩岸政治對話與談判的基礎，破壞兩岸和平統一的基礎。李登輝已經成為台灣分裂勢力的總代表，是台灣海峽安定局面的破壞者，是中美關係發展的絆腳石，也是亞太地區和平與穩定的麻煩製造者。



中國政府堅決捍衛一個中國原則。對於以李登輝為代表的台灣分裂勢力的種種分裂活動，中國政府和人民一直保持著高度的警惕，並進行了堅決的鬥爭。

一九九五年六月李登輝以所謂“私人”名義訪問美國後，中國政府果斷地開展了反分裂、反“台獨”的鬥爭，並對美國政府公然允許李登輝訪美、違背美國在中美三個聯合公報中所作的承諾、嚴重損害中國主權的行為，提出了強烈的抗議，進行了嚴正的交涉。這場鬥爭顯示了中國政府和人民捍衛國家主權和領土完整的堅強決心和能力，產生了重大和深遠的影響。台灣同胞進一步認識到“台獨”的嚴重危害。李登輝在國際上進行分裂活動受到沉重打擊。部分“台獨”勢力被迫放棄了某些極端的分裂主張。國際社會進一步注意到堅持一個中國政策的必要性，美國政府還明確承諾不支持“台灣獨立”、不支持“兩個中國”或“一中一台”、不支持台灣加入任何必須由主權國家參加的國際組織。

李登輝拋出“兩國論”後，中國政府和人民進行了更加堅決的鬥爭。針對台灣分裂勢力企圖通過所謂“法律”形式落實“兩國論”的活動，中國政府有關部門明確指出，這是一個更加嚴重和危險的分裂步驟，是對和平統一的極大挑釁。如果這一圖謀得逞，中國和平統一將變得不可能。這場鬥爭形成了海內外中國人同聲譴責“兩國論”的強大聲勢。世界上大多數國家重申堅持一個中國政策。美國政府也重申堅持一個中國政策和對台灣“三不支持”的承諾。台灣當局被迫表示不會依照“兩國論”修改所謂“憲法”、“法律”。

但是，台灣分裂勢力仍在企圖以所謂“制憲”、“修憲”、“解釋憲法”或“立法”等多種形式，用所謂“法律”形式實現在“中華民國”名義下把台灣從中國分割出去的圖謀。特別值得警惕的是，台灣分裂勢力一貫圖謀破壞中美關係，挑起中美衝突和對抗，以便實現他們的分裂圖謀。

事實證明，台灣海峽局勢仍然存在著嚴重的危機。為了維護包括台灣同胞在內的全中國人民的利益，也為了維護亞太地區的和平與發展，中國政府仍然堅持“和平統一、一國兩制”方針不變，仍然堅持江澤民主席提出的發展兩岸關係、推進祖國和平統一進程的八項主張不變，仍然盡一切可能爭取和平統一。但是，如果出現台灣被以任何名義從中國分割出去的重大事變，如果出現外國佔領台灣，如果台灣當局無限期地拒絕通過談判和平解決兩岸統一問題，中國政府只能被迫採取一切可能的斷然措施、包括使用武力，來維護中國的主權和領土完整，完成中國的統一大業。中國政府和人民完全有決心、有能力維護國家主權和領土完整，決不容忍、決不姑息、決不坐視任何分裂中國的圖謀得逞，任何分裂圖謀都是註定要失敗的。

#### 四、兩岸關係中涉及一個中國原則的若干問題

中國領土和主權沒有分裂，海峽兩岸並非兩個國家。台灣當局支撐其製造“兩個中國”的主張，包括李登輝提出的“兩國論”的所謂理由無非是：一九四九年以後海峽兩岸已經分裂分治且互不隸屬，中華人民共和國政府從未統治過台灣，一九九一年以後台灣也已產生了與中國大陸沒有關係的政權體制。這些理由是根本不能成立的，也絕對不能得出台灣可以“中華民國”的名義自立為一個國家和海峽兩岸已經分裂為兩個國家的結論。第一，國家主權不可分割。領土是國家行使主權的空間。在一個國家的領土上，只能有一個代表國家行使主權的中央政府。如前所述，台灣是中國領土不可分割的一部分，一九四九年中華人民共和國政府取代中華民國政府成為全中國的唯一合法政府，已經享有和行使包括台灣在內的全中國的主權。雖然海峽兩岸尚未統一，但是台灣是中國領土一部分的地位從未改變，由此，中國擁有對台灣的主權也從未改變。第二，國際社會承認只有一個中國、台灣是中國的一部分、中華人民共和國政府是中國的唯一合法政府。第三，台灣問題長期得不到解決，主要是外國勢力干涉和台灣分裂勢力阻撓的結果。海峽兩岸尚未統一，這種不正常狀態的長期存在，並沒有賦予台灣在國際法上的地位和權利，也不能改變台灣是中國一部分的法律地位。目前的問題是台灣分裂勢力和某些外國反華勢力要改變這種狀況，而這正是中國政府和人民堅決反對的。

堅決反對以公民投票方式改變台灣是中國一部分的地位。台灣分裂勢力以“主權在民”為藉口，企圖以公民投票方式改變台灣是中國一部分的地位，這是徒勞的。首先，台灣是中國領土一部分的法律地位，無論在國內法還是在國際法上，都已經是明確的，不存在用公民投票方式決定是否應自決的前提。其次，“主權在民”是指主權屬於一個國家的全體人民，而不是指屬於某一部分或某一地區的人民。對台灣的主權，屬於包括台灣同胞在內的全中國人民，而不屬於台灣一部分人。第三，歷史上台灣從未曾成為一個國家；一九四五年以後，台灣既不是外國的殖民地，又不處於外國佔領之下，不存在行使民族自決權的問題。總之，自一九四五年中國收復台灣之後，就根本不存在就改變台灣是中國一部分的地位舉行公民投票的問題。台灣的前途只有一條，就是走向與祖國大陸的統一，而決不能走向分裂。任何人以所謂公民投票的方式把台灣從中國分割出去，其結果必將把台灣人民引向災難。

“兩德模式”不能用於解決台灣問題。台灣有些人主張用第二次世界大戰後德國被分裂為兩個國家後又重新統一的所謂“兩德模式”來處理兩岸關係。這是對歷史和現實的誤解。戰後德國的分裂和兩岸暫時分離是兩個不同性質的問題。主要有三點不同：第一，兩者形成的原因、性質不同。一九四五年德國在二戰中戰敗，被美、英、法、蘇四個戰勝國依據《鑒於德國失敗和接管最高政府權力的聲明》及其後的波茨

坦協議，分區佔領。冷戰開始後，德國統一問題成為美蘇兩國在歐洲對抗的一個焦點，在美英法佔領區和蘇聯佔領區分別相繼成立了德意志聯邦共和國和德意志民主共和國，德國被分裂為兩個國家。顯然，德國問題完全是由外部因素造成的。而台灣問題則是中國內戰遺留的問題，是內政問題。第二，兩者在國際法上的地位不同。德國的分裂，為二戰期間和戰後一系列國際條約所規定。而台灣問題，則有《開羅宣言》、《波茨坦公告》等國際條約關於日本必須將竊取於中國的台灣歸還中國的規定。第三，兩者存在的實際狀況不同。在美蘇兩國對抗的背景下，兩個德國都分別駐有外國軍隊，被迫相互承認和在國際社會並存。而中國政府始終堅持一個中國原則，李登輝上臺前的台灣當局和李登輝上臺初期也承認一個中國，反對“兩個中國”；一個中國原則也被國際社會所普遍接受。因而，德國問題與台灣問題不能相提並論，更不能照搬“兩德模式”解決台灣問題。

在一個中國原則下，什麼問題都可以談。中國政府主張兩岸談判最終目的是實現和平統一；主張以一個中國原則為談判基礎，是為了保證實現談判的目的。而“台灣獨立”、“兩個中國”、“兩國論”違背了一個中國原則，不是談統一，而是談分裂，當然不可能被中國政府接受。只要在一個中國的框架內，什麼問題都可以談，包括台灣方面關心的各種問題。中國政府相信，台灣在國際上與其身份相適應的經濟的、文化的、社會的對外活動空間，台灣當局的政治地位等等，都可以在這個框架內，通過政治談判，最終在和平統一的過程中得到解決。

所謂“民主和制度之爭”是阻撓中國統一的藉口。近些年來，台灣當局一再聲稱，“大陸的民主化是中國再統一的關鍵”、“兩岸問題的真正本質是制度競賽”。這是拖延和抗拒統一的藉口，是欺騙台灣同胞和國際輿論的伎倆。中國共產黨和中國政府不斷為實現社會主義民主的理想而奮鬥。按照“一國兩制”的方式實現和平統一，允許海峽兩岸兩種社會制度同時存在，互不強加於對方，最能體現兩岸同胞的意願，這本身就是民主的。兩岸不同的社會制度，不應構成和平統一的障礙。而且，中國政府注意到台灣與香港、澳門的不同特點，實現兩岸和平統一之後，在台灣實行“一國兩制”的內容，可以比香港、澳門更為寬鬆。台灣當局企圖以“民主和制度之爭”阻撓統一，妄想居住在中國大陸的十二億多人實行台灣的政治、經濟制度，是毫無道理的，也是不民主的。“要民主”不應成為“不要統一”的理由。兩岸雙方在這個問題上分歧的實質，絕不是要不要民主之爭、實行哪種制度之爭，而是要統一還是要分裂之爭。

## 五、在國際社會中堅持一個中國原則的若干問題

中國政府對於國際社會普遍奉行一個中國政策表示讚賞。我們于一九九三年八月發表的《台灣問題與中國的統一》白皮書，在第五部分“國際事務中涉及台灣的幾個問題”中，闡述了在有關與中國建交國同台灣關係、國際組織與台灣關係、與中國建交國同台灣通航、與中國建交國向台灣出售武器等問題上的立場和政策。在此，謹重申有關立場和政策。

台灣無權參加聯合國及其他只有主權國家參加的國際組織。聯合國是由主權國家組成的政府間國際組織。中華人民共和國政府在聯合國的合法權利恢復後，聯合國組織中的中國代表權問題已經獲得徹底解決，根本不存在台灣當局加入聯合國的問題。台灣當局聲稱聯合國 2758 號決議只解決了“中國代表權問題”，沒有解決“台灣的代表權問題”，要求“參與聯合國”。這是製造“兩個中國”、“一中一台”的分裂行徑，是絕對不能允許的。聯合國的所有成員國，都應遵守《聯合國憲章》的宗旨、原則及有關聯合國決議，遵循相互尊重主權和領土完整、互不干涉內政等國際關係準則，不以任何方式支持台灣加入聯合國及只能由主權國家參加的其他國際組織。

對於某些允許地區參加的政府間國際組織，中國政府已經基於一個中國原則，根據有關國際組織的性質、章程和實際情況，以所能同意和接受的方式對台灣的加入問題作出了安排。台灣已作為中國的一個地區，以“中國台北”的名義，分別參加了亞洲開發銀行（英文名稱為 TAI-PEI, CHINA）和亞太經合組織（英文名稱為 CHINESE TAIPEI）等組織。一九九二年九月，世界貿易組織的前身關稅及貿易總協定理事會主席聲明指出，在中華人民共和國加入關貿總協定後，台灣可以“台灣、澎湖、金門、馬祖單獨關稅區”（簡稱“中國台北”）的名義參加。世貿組織在審議接納台灣加入該組織時，應堅持上述聲明確定的原則。上述特殊安排，並不構成其他政府間國際組織及國際活動仿效的模式。

與中國建交的國家不能向台灣出售武器，或與台灣進行任何形式的軍事結盟。凡是與中國建交的國家，都應本著互相尊重主權和領土完整、互不干涉內政的原則，不以任何形式或藉口向台灣出售武器，或幫助台灣生產武器。

台灣問題是中美關係中最核心、最敏感的問題。中美三個聯合公報是兩國關係健康、穩定發展的基礎。二十多年來，美國承諾堅持一個中國政策，為自己帶來了美中建交、兩國關係發展和台灣局勢相對穩定的利益。令人遺憾的是，美國一再違反自己在“八一七公報”中對中國作出的莊嚴承諾，不斷向台灣出售先進的武器和軍事裝備。現在，美國國會又有人炮製所謂《加強台灣安全法》，還企圖將台灣納入戰區導彈防禦系統。這是對中國內政的粗暴干涉和對中國安全的嚴重威脅，阻礙了中國的和平統一進程，同時也危害了亞太地區乃至世界的和平與穩定。對此，中國政府堅決反對。

中國政府以一個中國原則對待台灣的對外交往活動。台灣當局極力在國際上推行所謂“務實外交”，擴大所謂“國際生存空間”，其實質是製造“兩個中國”、“一中一台”。中國政府理所當然地要堅決反對。同時，考慮到台灣經濟社會發展的需要和台灣同胞的實際利益，中國政府對台灣同外國進行民間性質的經濟、文化往來不持異議；並在一個中國前提下，採取了許多靈活措施，為台灣同外國的經貿、文化往來提供方便。例如，台灣可以“中國台北”的名義繼續留在國際奧委會中。事實上，台灣與世界上許多國家和地區保持著廣泛的經貿和文化聯絡，台灣同胞每年到國外旅遊、經商、求學和進行學術、文化、體育交流活動的人員多達百萬人次，年進出口貿易額高達 2000 多億美元。這表明，堅持一個中國原則並不影響台灣同胞從事民間的對外交流活動，並未影響台灣正常的經貿、文化活動的需要。

中國政府保障台灣同胞在國外的一切正當、合法權益。台灣人民是我們的骨肉同胞。中國政府一貫致力於維護台灣同胞在國外的正當的、合法的權益。中國駐外國使領館一向把加強與台灣同胞的聯絡、傾聽台灣同胞的意見和要求、保障台灣同胞的利益作為自己的責任，盡可能幫助他們解決困難。在海灣戰爭中，中國使館幫助滯留在科威特的台灣勞務人員安全撤離險境。日本阪神大地震發生後，中國使領館及時撫慰受災的台灣同胞。柬埔寨爆發內戰後，中國使館積極幫助生命財產受到嚴重威脅的台灣商人和旅遊者安全轉移和撤離。上述事例體現了中國政府對台灣同胞的關心和照顧。在海峽兩岸實現統一後，台灣同胞更能夠與全國各族人民一道充分共享中華人民共和國在國際上的尊嚴與榮譽。

## 結 束 語

中國具有五千年悠久歷史。中華民族繁衍生息在中國這塊土地上，各民族相互融合，具有強大的凝聚力，形成了崇尚統一、維護統一的價值觀念。在漫長的歷史過程中，中國雖然經歷過改朝換代、政權更迭，出現過地方割據，遭遇過外敵入侵，特別是近代史上曾飽受外國列強的侵略和瓜分，但統一始終是中國歷史發展的主流，每一次分裂之後都復歸統一，並且都贏來了國家政治、經濟、文化、科技的快速發展。台灣同胞具有光榮的愛國主義傳統，在反抗外國侵略台灣的鬥爭中建立了卓越的功勳。中華人民共和國誕生後，中國人民倍加珍視得來不易的民族獨立，堅決捍衛國家主權和領土完整，併為實現祖國的完全統一而努力奮鬥。中國五千年的歷史和文化深深地中國人的心中根植了一種強烈的民族意識，這就是中國必須統一。中國政府希望國際社會始終如一地奉行一個中國政策，希望美國政府切實履行中美三個聯合公報關於台灣問題的各項原則和自己作出的堅持一個中國政策的莊嚴承諾。

隨著中國政府相繼對香港、澳門恢復行使主權，全中國人民迫切期望早日解決台灣問題，實現國家的完全統一，不能允許台灣問題再無限地拖下去了。我們堅信，在包括兩岸同胞和海外僑胞在內的全中國人民的共同努力下，中國的完全統一一定能夠實現。

## ■ Editor's note =====

This white paper was issued on Feb. 21, 2000 and was the second of altogether three white papers the PRC issued on Taiwan so far. The first white paper on the topic had been issued on Aug. 31, 1993, the third was issued on Aug. 10, 2022.

# The “Anti-Secession Law” of the PRC

ORDER OF THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF CHINA

No. 34

*The Anti-Secession Law, adopted at the Third Session of the Tenth National People's Congress of the People's Republic of China on March 14, 2005, is hereby promulgated and shall go into effect as of the date of promulgation.*

Hu Jintao

*President of the People's Republic of China*

March 14, 2005

## ANTI-SECESSION LAW

*(Adopted at the Third Session of the Tenth National People's Congress on March 14, 2005)*

### Article 1

This Law is formulated, in accordance with the Constitution, for the purpose of opposing and checking Taiwan's secession from China by secessionists in the name of “Taiwan independence”, promoting peaceful national

reunification, maintaining peace and stability in the Taiwan Straits, preserving China's sovereignty and territorial integrity, and safeguarding the fundamental interests of the Chinese nation.

## **Article 2**

There is only one China in the world. Both the mainland and Taiwan belong to one China. China's sovereignty and territorial integrity brook no division. Safeguarding China's sovereignty and territorial integrity is the common obligation of all Chinese people, the Taiwan compatriots included.

Taiwan is part of China. The state shall never allow the "Taiwan independence" secessionist forces to make Taiwan secede from China under any name or by any means.

## **Article 3**

The Taiwan question is one that is left over from China's civil war of the late 1940s.

Solving the Taiwan question and achieving national reunification is China's internal affair, which subjects to no interference by any outside forces.

## **Article 4**

Accomplishing the great task of reunifying the motherland is the sacred duty of all Chinese people, the Taiwan compatriots included.

## **Article 5**

Upholding the principle of one China is the basis of peaceful reunification of the country.

To reunify the country through peaceful means best serves the fundamental interests of the compatriots on both sides of the Taiwan Straits. The state shall do its utmost with maximum sincerity to achieve a peaceful reunification.

After the country is reunified peacefully, Taiwan may practice systems different from those on the mainland and enjoy a high degree of autonomy.

## **Article 6**

The state shall take the following measures to maintain peace and stability in the Taiwan Straits and promote cross-Straits relations:

- (1) to encourage and facilitate personnel exchanges across the Straits for greater mutual understanding and mutual trust;
- (2) to encourage and facilitate economic exchanges and cooperation, realize direct links of trade, mail and air and shipping services, and bring about closer economic ties between the two sides of the Straits to their mutual benefit;
- (3) to encourage and facilitate cross-Straits exchanges in education, science, technology, culture, health and sports, and work together to carry forward the proud Chinese cultural traditions;
- (4) to encourage and facilitate cross-Straits cooperation in combating crimes; and
- (5) to encourage and facilitate other activities that are conducive to peace and stability in the Taiwan Straits and stronger cross-Straits relations.

The state protects the rights and interests of the Taiwan compatriots in accordance with law.

## **Article 7**

The state stands for the achievement of peaceful reunification through consultations and negotiations on an equal footing between the two sides of the Taiwan Straits. These consultations and negotiations may be conducted in steps and phases and with flexible and varied modalities.

The two sides of the Taiwan Straits may consult and negotiate on the following matters:

- (1) officially ending the state of hostility between the two sides;
- (2) mapping out the development of cross-Straits relations;
- (3) steps and arrangements for peaceful national reunification;
- (4) the political status of the Taiwan authorities;
- (5) the Taiwan region's room of international operation that is compatible with its status; and
- (6) other matters concerning the achievement of peaceful national reunification.

## Article 8

In the event that the “Taiwan independence” secessionist forces should act under any name or by any means to cause the fact of Taiwan’s secession from China, or that major incidents entailing Taiwan’s secession from China should occur, or that possibilities for a peaceful reunification should be completely exhausted, the state shall employ non-peaceful means and other necessary measures to protect China’s sovereignty and territorial integrity.

The State Council and the Central Military Commission shall decide on and execute the non-peaceful means and other necessary measures as provided for in the preceding paragraph and shall promptly report to the Standing Committee of the National People’s Congress.

## Article 9

In the event of employing and executing non-peaceful means and other necessary measures as provided for in this Law, the state shall exert its utmost to protect the lives, property and other legitimate rights and interests of Taiwan civilians and foreign nationals in Taiwan, and to minimize losses. At the same time, the state shall protect the rights and interests of the Taiwan compatriots in other parts of China in accordance with law.

## Article 10

This Law shall come into force on the day of its promulgation.

## 反分裂國家法

《反分裂國家法》全文發布

2005年3月14日第十屆全國人民代表大會第三次會議通過

- 第一條 爲了反對和遏制“台獨”分裂勢力分裂國家，促進祖國和平統一，維護臺灣海峽地區和平穩定，維護國家主權和領土完整，維護中華民族的根本利益，根據憲法，制定本法。
- 第二條 世界上只有一個中國，大陸和臺灣同屬一個中國，中國的主權和領土完整不容分割。維護國家主權和領土完整是包括臺灣同胞在內的全中國人民的共同義務。臺灣是中國的一部分。國家絕不允許“台獨”分裂勢力以任何名義、任何方式把臺灣從中國分裂出去。
- 第三條 臺灣問題是中國內戰的遺留問題。解決臺灣問題，實現祖國統一，是中國的內部事務，不受任何外國勢力的干涉。
- 第四條 完成統一祖國的大業是包括臺灣同胞在內的全中國人民的神聖職責。
- 第五條 堅持一個中國原則，是實現祖國和平統一的基礎。以和平方式實現祖國統一，最符合臺灣海峽兩岸同胞的根本利益。國家以最大的誠意，盡最大的努力，實現和平統一。國家和平統一後，臺灣可以實行不同於大陸的制度，高度自治。
- 第六條 國家採取下列措施，維護臺灣海峽地區和平穩定，發展兩岸關係：  
 (一) 鼓勵和推動兩岸人員往來，增進瞭解，增強互信；  
 (二) 鼓勵和推動兩岸經濟交流與合作，直接通郵通航通商，密切兩岸經濟關係，互利互惠；  
 (三) 鼓勵和推動兩岸教育、科技、文化、衛生、體育交流，共同弘揚中華文化的優秀傳統；  
 (四) 鼓勵和推動兩岸共同打擊犯罪；  
 (五) 鼓勵和推動有利於維護臺灣海峽地區和平穩定、發展兩岸關係的其他活動。
- 第七條 國家依法保護臺灣同胞的權利和利益。國家主張通過臺灣海峽兩岸平等的協商和談判，實現和平統一。協商和談判可以有步驟、分階段進行，方式可以靈活多樣。臺灣海峽兩岸可以就下列事項進行協商和談判：  
 (一) 正式結束兩岸敵對狀態；  
 (二) 發展兩岸關係的規劃；  
 (三) 和平統一的步驟和安排；  
 (四) 臺灣當局的政治地位；  
 (五) 臺灣地區在國際上與其地位相適應的活動空間；  
 (六) 與實現和平統一有關的其他任何問題。

- 第八條 “台獨”分裂勢力以任何名義、任何方式造成臺灣從中國分裂出去的事實，或者發生將會導致臺灣從中國分裂出去的重大事變，或者和平統一的可能性完全喪失，國家得採取非和平方式及其他必要措施，捍衛國家主權和領土完整。  
依照前款規定採取非和平方式及其他必要措施，由國務院、中央軍事委員會決定和組織實施，並及時向全國人民代表大會常務委員會報告。
- 第九條 依照本法規定採取非和平方式及其他必要措施並組織實施時，國家盡最大可能保護臺灣平民和在臺灣的外國人的生命財產安全和其他正當權益，減少損失；同時，國家依法保護臺灣同胞在中國其他地區的權利和利益。
- 第十條 本法自公佈之日起施行。

## Xi Jinping’s “Five Points”

### Working Together to Realize Rejuvenation of the Chinese Nation and Advance China’s Peaceful Reunification

Speech at the Meeting Marking the 40th Anniversary of the Issuance of the Message to Compatriots in Taiwan  
January 2, 2019

Xi Jinping

Comrades, my compatriots, and friends,

Today, we are meeting here to solemnly commemorate the 40th anniversary of the issuance of the Message to Compatriots in Taiwan by the Standing Committee of the National People’s Congress. As a new year begins, on behalf of the people on the mainland, I extend sincere greetings and best wishes to our compatriots in Taiwan.

It has been 70 years since Taiwan and the mainland were separated. The emergence and evolution of the Taiwan question has, since China entered the modern times, been inextricably interwoven with the history of the Chinese nation. The Opium War of 1840 and ensuing wars of aggression launched by Western powers plunged China into an anguished state of turmoil and foreign threat, with its lands torn apart, and Taiwan fell under foreign occupation that was to last half a century. Wave upon wave, the Chinese people were engaged in an epic struggle to resist foreign invasion, liberate the Chinese nation, and realize the country’s reunification. Our compatriots in Taiwan made a huge contribution to this struggle. In 1945, together with peoples around the world, the Chinese people won victory in the War of Resistance against Japanese Aggression, a part of the global War against Fascism. Taiwan was thus recovered and returned to China. It was not long, however, before the two sides of the Taiwan Straits fell into a special state of protracted political confrontation due to the civil war in China and the interference of foreign forces.

Since 1949, the Communist Party of China, the Chinese government, and the Chinese people have endeavored to pursue the historic mission of resolving the Taiwan question and realizing China’s complete reunification. Working with our compatriots in Taiwan, we have de-escalated tense confrontation across the Taiwan Straits, improved cross-Straits relations, and set out on a path of peaceful development and continually made breakthroughs in cross-Straits relations.

Over the past 70 years, we have, responding to the longing of people on both sides of the Taiwan Straits, ended the absence of contact between the two sides. We have achieved overall direct two-way “three links” (mail, business and transport) and have initiated substantial exchanges, communication, and cooperation between the two sides. Cross-Straits exchanges and cooperation have steadily expanded and grown increasingly closer, and mutual affinity has deepened. Our compatriots in Taiwan have made a major contribution to the mainland’s reform and opening up and they in turn have also shared the mainland’s development opportunities.

Over the past 70 years, we have, acting in a spirit of seeking common ground while setting aside differences and on the basis of the one-China principle, enabled the two sides to reach the “1992 Consensus” that “both sides of the Taiwan Straits belong to one China and will work together toward national reunification.” The two sides have thus initiated consultations and negotiation and promoted cross-Straits party-to-party exchanges. We have opened up a path for promoting the peaceful development of cross-Straits relations and realized a historic meeting between leaders of both sides, thus elevating cross-Straits political interactions to a new height.

Over the past 70 years, we have, keeping in mind the changes over time in the growth of cross-Straits relations, proposed the policy of seeking a peaceful solution to the Taiwan question and the well-conceived concept of “one country, two systems”, and established the fundamental guideline of “peaceful reunification and one country, two

systems”. On this basis, we have formulated a fundamental strategy of upholding the principle of “one country, two systems” and promoting national reunification. With this we have responded to the call of our time, namely, to promote, in the new era, the peaceful development of cross-Straits relations and unite our compatriots in Taiwan to strive for our country’s rejuvenation and peaceful reunification.

Over the past 70 years, we have, holding high the banner of peace, development, cooperation, and mutual benefit, and on the basis of the Five Principles of Peaceful Coexistence, forged friendship and strengthened cooperation with other countries and consolidated the international community’s commitment to the one-China principle. More and more countries and people have gained a better understanding of National reunification endeavor and given their support to it.

Over the past 70 years, we have, bearing in mind the overall and long-term interests of the Chinese nation, stood firm in safeguarding China’s sovereignty and territorial integrity. Rallying all the Chinese people around us, we have resolutely defeated all attempts to create “two Chinas,” “one China, one Taiwan,” or “Taiwan independence,” and have achieved major victories in the fight against the separatist activities for “Taiwan independence”.

As the evolution of cross-Straits relations attests, the historical and legal fact that Taiwan is part of China and the two sides belong to one and same China can never be changed by any force or anyone. We people on both sides of the Taiwan Straits are Chinese and share a natural affinity and national identity built of kinship and mutual assistance, a fact that can never be altered by any force or anyone. The tide of our times — the cross-Straits situation moving toward peace and stability and cross-Straits relations continuing to move forward — is a tide that cannot be stopped by any force or anyone. The historical trend toward a stronger China, national rejuvenation, and reunification cannot be stopped by any force or anyone!

Comrades, my compatriots, and friends, by reviewing the past, we can draw inspiration for both the present and the future. Our country must be reunified, and will surely be reunified. This is a historical conclusion drawn from the evolution of cross-Straits relations over the past seven decades; it is also critical to the rejuvenation of the Chinese nation in the new era. We Chinese on both sides of the Straits, all of us Chinese at home and abroad, should jointly uphold the national interest, follow the historical trend, and work together for the peaceful development of cross-Straits relations and China’s peaceful reunification.

**FIRST**, we should work together to promote China’s rejuvenation and achieve its peaceful reunification.

The rejuvenation of the Chinese nation and reunification of our country are a surging popular trend. It is where the greater national interest lies, and it is what the people desire. We face each other just across a strip of water, yet our two sides are still far apart. The fact that until now, we have not yet been reunified is a wound left by history on the Chinese nation. We Chinese on both sides should work together to achieve reunification and heal this wound. All our compatriots in Taiwan are members of the Chinese nation and should be proud of their Chinese identity, fully consider the position and role of Taiwan in national rejuvenation and pursue both the complete reunification and rejuvenation of China as an honorable cause.

The future of Taiwan lies in national reunification and the wellbeing of the people in Taiwan hinges on the rejuvenation of the Chinese nation. The peaceful development of cross-Straits relations is the right path for safeguarding peace, promoting common development and benefiting people on both sides. Thus, the peaceful development of cross-Straits relations is something people on both sides should jointly promote, safeguard, and enjoy. The Chinese Dream is a dream shared by people on both sides of the Taiwan Straits; only China’s rejuvenation and prosperity can deliver a life of plenty and happiness to us Chinese on both sides. As the Chinese nation moves toward rejuvenation, our compatriots in Taiwan will certainly not miss out. We people on both sides should join hands to fulfill the Chinese Dream, shoulder the responsibility and share the glory of national rejuvenation. The Taiwan question originated in a weak and ravaged China, and it will definitely end with China’s rejuvenation!

**SECOND**, we should explore a “two systems” solution to the Taiwan question and enrich practical efforts toward peaceful reunification.

The concept of “peaceful reunification and one country, two systems” is the best approach to realizing national reunification. It embodies the Chinese wisdom that we thrive by embracing each other, gives full account to Taiwan’s reality and is conducive to the long-term stability in Taiwan after reunification.

Difference in systems is not an obstacle to reunification; it is certainly no excuse for separation. The principle of “one country, two systems” was proposed precisely to accommodate Taiwan’s actual conditions and to safeguard the interests and wellbeing of our compatriots in Taiwan. In terms of how the principle should be carried out in Taiwan, we will fully consider Taiwan’s reality, give full consideration to the views and proposals from all walks of life on both sides and fully accommodate the interests and sentiments of our compatriots in Taiwan. Provided that China’s

sovereignty, security, and development interests are ensured, after peaceful reunification, Taiwan's social system and its way of life will be fully respected, and the private property, religious beliefs, and lawful rights and interests of our compatriots in Taiwan will be fully protected.

We people on both sides of the Taiwan Straits are of one family; issues between our two sides are domestic affairs, which, as such, should naturally be discussed and resolved by family members. Peaceful reunification means achieving it through consultation and discussion as equals. The long-standing political differences between the two sides are the root cause that affects the steady growth of cross-Straits relations, but we should not allow this problem to be passed down from one generation to the next. We both sides must live up to our responsibility to our nation and to future generations; we should put our heads together, show creativity, and reduce difference and seek common ground. Doing so will enable us to resolve the political antagonism at an early date, ensure lasting peace across the Taiwan Straits, and agree on a vision for national reunification, so that our future generations can live and grow up in a shared home with peace, stability, prosperity, and dignity.

On the basis of adhering to the one-China principle, there will be no obstacles in exchanges between political parties and groups in Taiwan and the mainland. Only when dialogue replaces confrontation, cooperation replaces disputes, and win-win mindset replaces zero-sum mentality, will cross-Straits relations move steadily and progress far. We are willing to engage in broad exchanges of views with all parties, groups, or individuals in Taiwan regarding political issues between the two sides and the promotion of China's peaceful reunification, in order to forge social consensus and advance political negotiation.

Here we wish to make a solemn proposal: on the common political foundation of adhering to the "1992 Consensus" and opposing "Taiwan independence," all political parties and all sectors of society on both sides recommend representatives who will engage in extensive and in-depth democratic consultations on cross-Straits relations and the future of the nation and work toward institutional arrangements for promoting the peaceful development of cross-Straits relations.

**THIRD**, we should adhere to the one-China principle and ensure the prospects for peaceful reunification.

Although our two sides have yet to be reunified, the sovereignty and territory of China has never been severed and the fact that the mainland and Taiwan belong to one and same China has never changed. The one-China principle is the political foundation of cross-Straits relations. When we adhere to this principle, cross-Straits relations will improve and grow and our compatriots in Taiwan will benefit. However, if we deviate from it, cross-Straits relations will become strained and volatile, and the interests of our compatriots in Taiwan will be harmed.

China's reunification is a historical trend and the right path, while "Taiwan independence" goes against the tide of history, and it is a path to nowhere. Our compatriots in Taiwan have a glorious patriotic tradition and share a close kinship with us. We remain committed to the principle of placing our hopes on the people of Taiwan. We will continue, as ever, to respect, care about, work with, and rely on them, and we will do our utmost to help them overcome difficulties and meet their needs. Our compatriots in Taiwan, regardless of political affiliation, religious belief, social status, or origin of birth, whether civilian or military: You must see that "Taiwan independence" will only bring disaster. You should resolutely oppose "Taiwan independence" and join hands with us to pursue the bright prospects of peaceful reunification. We are willing to create vast space for peaceful reunification; but we will definitely not leave any room for separatist activities aimed at "Taiwan independence" in any form.

We Chinese should not fight each other. We will work with the greatest sincerity and exert utmost efforts to achieve peaceful reunification, because this works best for the people on both sides and for our whole nation. We do not renounce the use of force and reserve the option of taking all necessary measures. This is to guard against external interference and a tiny number of separatists and their separatist activities for "Taiwan independence". It does in no way target our compatriots in Taiwan. We people on both sides should work together to pursue peace, protect peace, and enjoy peace.

**FOURTH**, we should deepen integrated development of the two sides and cement the foundation for peaceful reunification.

People on both sides of the Taiwan Straits share the bonds of kinship. Just as loved ones wish each other well, we Chinese should help each other. We treat our compatriots in Taiwan as equals, and will continue paving the way for them to share first the mainland's development opportunities and ensure that our compatriots and enterprises from Taiwan receive the same treatment as those from the mainland, thus giving them a greater sense of fulfillment. After the peaceful reunification, Taiwan will enjoy lasting peace and the people there will live in peace and contentment. Backed by a strong motherland, our compatriots in Taiwan will enjoy better life, have more opportunities for development, and they will have stronger confidence, greater sense of security and dignity in the



international community.

We should take active steps to institutionalize cross-Straits economic cooperation and create a common market for the two sides, so as to increase momentum for development and vitality of cooperation and strengthen the economy of the Chinese nation. We on the two sides should promote connectivity wherever necessary, including trade and economic cooperation, infrastructure building, energy and resources development, and sharing industrial standards. We can start by supplies of water, electricity, gas, and construction of sea-crossing bridges from coastal areas in Fujian province to Kinmen and Mazu in Taiwan. We should promote cooperation in culture, education, and healthcare, and the sharing of social security and public resources, and we should support neighboring areas or areas with similar conditions on the two sides in providing equal, universal, and accessible basic public services.

**FIFTH**, we should forge closer bonds of heart and mind between people on both sides and strengthen our joint commitment to peaceful reunification.

The soul of a nation is molded and cast by its culture. We on the mainland and in Taiwan share the same roots, culture, and ethnic identity; it is Chinese culture that has instilled vitality in us and given us a sense of belonging. The key to kinship lies in mutual understanding. No matter the extent of interference and obstructions we may encounter, exchanges and cooperation between our people on both sides must never be diminished, suspended, or stopped.

We people on both sides should together pass on the fine traditional Chinese culture and promote its evolution and growth in new and creative ways. We should engage in exchanges and mutual learning, promote dialogue and inclusiveness, enhance empathy, deepen mutual understanding, strengthen mutual trust, and increase our shared sense of identity. We should maintain our bonds of kinship and shared values, adhere to the right approach to our history, our nation, and our country in raising awareness of younger generations, and keep alive the great spirit of our nation. Between loved ones, there is no knot of perception that cannot be untied. With perseverance, we are sure to forge closer bonds of heart and mind between people on both sides.

Supporting and pursuing reunification is a righteous cause of the Chinese nation, and this commitment should be recognized by all of us Chinese. Our great country will always stand firm behind patriots working for reunification. It is our sincere hope that all our compatriots in Taiwan will treasure peace as they do the gift of sight, pursue reunification with the same zeal with which they pursue a better life, and play an active part in advancing the just cause of China's peaceful reunification.

The young are the hope of the country and the future of the nation. Young people on both sides should shoulder responsibility, forge solidarity and friendship, and work together for a better future. Young people from Taiwan are welcome to pursue and fulfill their dreams on the mainland. We Chinese on both sides must be united and work together to seek happiness for ourselves and create a bright future for our nation.

Comrades, my compatriots, and friends, over the years, our compatriots in Hong Kong, Macao, and overseas have shown understanding for and supported the great cause of reunification, and have made a positive contribution to this cause. I hope that they will remain committed and further contribute to the peaceful development of cross-Straits relations and China's peaceful reunification.

Comrades, my compatriots, and friends, there is only one China in the world. The one-China principle is a generally recognized norm in international relations, and it represents a general consensus of the international community. The international community has extended understanding and support for the Chinese people's just cause of opposing "Taiwan independence" separatist activities and striving for national reunification; the Chinese government expresses its appreciation and gratitude for such understanding and support. The affairs of us Chinese must be decided by ourselves. The Taiwan question is an internal affair that involves China's core interests and the Chinese people's national sentiments, and no external interference in this issue will be tolerated.

China's reunification will not harm any other country's legitimate interests, including its economic interests in Taiwan. On the contrary, it will bring the world more opportunities for development, create more positive momentum for the prosperity and stability of the Asia Pacific and the rest of the world. Indeed, it will make greater contribution to building a community with a shared future for mankind, to the cause of global peace and development, and to the cause of human progress.

Comrades, my compatriots, and friends, we cannot choose our history, but we can steer the current course and shape the future. The new era is an era for the Chinese nation to achieve major development and make major accomplishment; it is also an era for the people on both sides of the Taiwan Straits to achieve major development and make major accomplishment. The path ahead may not be all smooth, but when we stand and work together, we can surely create a promising future for the rejuvenation of the Chinese nation, and we can surely achieve the great cause of national reunification!

## 習五條

2019/01/02 14:38

告台灣同胞書 40 週年 中共中央總書記、國家主席、中央軍委主席習近平演說【全文】

同志們、同胞們、朋友們，今天在這裡隆重集會，紀念告台灣同胞書發表 40 周年。新年之際，代表祖國大陸人民，向廣大台灣同胞致以誠摯問候與衷心祝福。

海峽兩岸分隔已屆 70 年，台灣問題的產生與演變同近代以來中華民族命運休戚相關，1840 年鴉片戰爭之後，西方列強入侵，中國陷入內憂外患，山河破碎的悲慘境地。台灣更是被外族侵占長達半個世紀。

為戰勝外來侵略、爭取民族解放、實現國家統一，中華兒女前仆後繼進行了可歌可泣的鬥爭，台灣同胞在這場鬥爭中做出了重要貢獻，1945 年，中國人民從世界人民一道，取得了中國人民抗日戰爭暨世界反法西斯戰爭的偉大勝利，台灣隨之光復，重回祖國懷抱，且後不久，因中國內戰延續與外部勢力干涉，海峽兩岸陷入長期政治對立的特殊狀態。

1949 年以來，中國共產黨、中國政府、中國人民，始終把解決台灣問題、實現祖國完整統一作為矢志不渝的歷史任務，我們團結台灣同胞，推動台海形勢從緊張對峙走向緩和改善，進而走向和平發展道路，兩岸關係不斷取得突破性進展。

70 年來，順應兩岸同胞共願望，推動打破兩岸隔絕狀態，實現直接雙向三通，開啟兩岸同胞大交流大交往大合作局面，兩岸交流日益廣泛，相互往來日益密切，彼此心靈日益契合。台灣同胞為祖國改革開放做出重大貢獻，也分享大陸發展機運。

70 年來，我們秉持求同存異精神，推動兩岸雙方在一個中國的基礎上達成「兩岸同屬一個中國，共同努力謀求國家統一」的九二共識，開啟兩岸協商談判，推動協商兩岸政黨黨際交流，開闢兩岸和平發展道路，實現兩岸領導人歷史性會晤，使兩岸政治互動達到新高度。

70 年來，我們把握兩岸關係發展時代變化，推出和平解決台灣問題的政策主張和「一國兩制」科學構想，確立了「和平統一、一國兩制」的基本方針，進而形成了堅持一國兩制和推進祖國統一基本方略，回答了新時代推動兩岸關係和平發展，團結台灣同胞共同致力於民族偉大復興與祖國和平統一的時代命題。

70 年來，我們高舉和平、發展、合作、共贏的旗幟，在和平共處五項和平基礎五項原則基礎上，發展同各國的友好合作，鞏固國際社會堅持一個中國原則的格局，越來越多國家和人民理解和支持中國統一事業。

70 年來，我們始終著眼於中華民族整體利益和長遠利益，堅定維護國家主權和領土完整，堅決挫敗各種製造「兩個中國、一中一台、台灣獨立」的圖謀，確立一切反台獨鬥爭的重大勝利。

兩岸關係發展歷程證明：台灣是中國一部分、兩岸同屬一個中國的歷史和法理事實，是任何人任何勢力都無法改變的！兩岸同胞都是中國人，血濃於水、守望相助的天然情感和民族認同，是任何人任何勢力都無法改變的！台海形勢走向和平穩定、兩岸關係向前發展的時代潮流，是任何人任何勢力都無法阻擋的！國家強大、民族覆興、兩岸統一的歷史大勢，更是任何人任何勢力都無法阻擋的！

同志們、同胞們、朋友們！回顧歷史，是為了啟迪今天、昭示明天。祖國必須統一，也必然統一。這是 70 載兩岸關係發展歷程的歷史定論，也是新時代中華民族偉大復興的必然要求。兩岸中國人、海內外中華兒女理應共擔民族大義、順應歷史大勢，共同推動兩岸關係和平發展、推進祖國和平統一進程。

第一，攜手推動民族復興，實現和平統一目標。民族復興、國家統一是大勢所趨、大義所在、民心所向。一水之隔、咫尺天涯，兩岸迄今尚未完全統一是歷史遺留給中華民族的創傷。兩岸中國人應該共同努力謀求國家統一，撫平歷史創傷。廣大台灣同胞都是中華民族一份子，要做堂堂正正的中國人，認真思考台灣在民族復興中的地位和作用，把促進國家完全統一、共謀民族偉大復興作為無上光榮的事業。

台灣前途在於國家統一，台灣同胞福祉繫於民族復興。兩岸關係和平發展是維護兩岸和平、促進兩岸共同發展、造福兩岸同胞的正確道路。兩岸關係和平發展要兩岸同胞共同推動，靠兩岸同胞共同維護，由兩岸同胞共同分享。中國夢是兩岸同胞共同的夢，民族復興、國家強盛，兩岸中國人才能過上富足美好的生活。

在中華民族走向偉大復興的進程中，台灣同胞定然不會缺席。兩岸同胞要攜手同心，共圓中國夢，共擔民族復興的責任，共享民族復興的榮耀。台灣問題因民族弱亂而產生，必將隨著民族復興而終結！

第二，探索「兩制」台灣方案，豐富和平統一實踐。「和平統一、一國兩制」是實現國家統一的最佳方式，體現了海納百川、有容乃大的中華智慧，既充分考慮台灣現實情況，又有利於統一後台灣長治久安。

制度不同，不是統一的障礙，更不是分裂的藉口。「一國兩制」的提出，本來就是為了照顧台灣現實情況，維護台灣同胞利益福祉。「一國兩制」在台灣的具体實現形式會充分考慮台灣現實情況，會充分吸收兩岸各界意見和建議，會充分照顧到台灣同胞利益和感情。在確保國家主權、安全、發展利益的前提下

下，和平統一後，台灣同胞的社會制度和生活方式等將得到充分尊重，台灣同胞的私人財產、宗教信仰、合法權益將得到充分保障。

兩岸同胞是一家人，兩岸的事是兩岸同胞的家裡事，當然也應該由家裡人商量著辦。和平統一，是平等協商、共議統一。兩岸長期存在的政治分歧問題是影響兩岸關係行穩致遠的總根子，總不能一代一代傳下去。兩岸雙方應該本著對民族、對後世負責的態度，凝聚智慧，發揮創意，聚同化異，爭取早日解決政治對立，實現台海持久和平，達成國家統一願景，讓我們的子孫後代在祥和、安寧、繁榮、尊嚴的共同家園中生活成長。

在一個中國原則基礎上，台灣任何政黨、團體同我們的交往都不存在障礙。以對話取代對抗、以合作取代爭鬥、以雙贏取代零和，兩岸關係才能行穩致遠。我們願意同台灣各黨派、團體和人士就兩岸政治問題和推進祖國和平統一進程的有關問題開展對話溝通，廣泛交換意見，尋求社會共識，推進政治談判。

我們鄭重倡議，在堅持「九二共識」、反對「台獨」的共同政治基礎上，兩岸各政黨、各界別推舉代表性人士，就兩岸關係和民族未來開展廣泛深入的民主協商，就推動兩岸關係和平發展達成制度性安排。

第三，堅持一個中國原則，維護和平統一前景。儘管海峽兩岸尚未完全統一，但中國主權和領土從未分割，大陸和台灣同屬一個中國的事實從未改變。一個中國原則是兩岸關係的政治基礎。堅持一個中國原則，兩岸關係就能改善和發展，台灣同胞就能受益。背離一個中國原則，就會導致兩岸關係緊張動蕩，損害台灣同胞切身利益。

統一是歷史大勢，是正道。「台獨」是歷史逆流，是絕路。廣大台灣同胞具有光榮的愛國主義傳統，是我們的骨肉天親。我們堅持寄希望於台灣人民的方針，一如既往尊重台灣同胞、關愛台灣同胞、團結台灣同胞、依靠台灣同胞，全心全意為台灣同胞辦實事、做好事、解難事。

廣大台灣同胞不分黨派、不分宗教、不分階層、不分軍民、不分地域，都要認清「台獨」只會給台灣帶來深重禍害，堅決反對「台獨」分裂，共同追求和平統一的光明前景。我們願意為和平統一創造廣闊空間，但絕不為各種形式的「台獨」分裂活動留下任何空間。

中國人不打中國人。我們願意以最大誠意、盡最大努力爭取和平統一的前景，因為以和平方式實現統一，對兩岸同胞和全民族最有利。我們不承諾放棄使用武力，保留採取一切必要措施的選項，針對的是外部勢力干涉和極少數「台獨」分裂分子及其分裂活動，絕非針對台灣同胞。兩岸同胞要共謀和平、共護和平、共享和平。

第四，深化兩岸融合發展，夯實和平統一基礎。兩岸同胞血脈相連。親望親好，中國人要幫中國人。我們對台灣同胞一視同仁，將繼續率先同台灣同胞分享大陸發展機遇，為台灣同胞台灣企業提供同等待遇，讓大家有更多獲得感。和平統一之後，台灣將永保太平，民眾將安居樂業。有強大祖國做依靠，台灣同胞的民生福祉會更好，發展空間會更大，在國際上腰桿會更硬、底氣會更足，更加安全、更有尊嚴。

我們要積極推進兩岸經濟合作制度化，打造兩岸共同市場，為發展增動力，為合作添活力，壯大中華民族經濟。兩岸要應通盡通，提升經貿合作暢通、基礎設施聯通、能源資源互通、行業標準共通，可以率先實現金門、馬祖同福建沿海地區通水、通電、通氣、通橋。要推動兩岸文化教育、醫療衛生合作，社會保障和公共資源共享，支持兩岸鄰近或條件相當地區基本公共服務均等化、普惠化、便捷化。

第五，實現同胞心靈契合，增進和平統一認同。國家之魂，文以化之，文以鑄之。兩岸同胞同根同源、同文同種，中華文化是兩岸同胞心靈的根脈和歸屬。人之相交，貴在知心。不管遭遇多少干擾阻礙，兩岸同胞交流合作不能停、不能斷、不能少。

兩岸同胞要共同傳承中華優秀傳統文化，推動其實現創造性轉化、創新性發展。兩岸同胞要交流互鑒、對話包容，推己及人、將心比心，加深相互理解，增進互信認同。要秉持同胞情、同理心，以正確的歷史觀、民族觀、國家觀教育後人，弘揚偉大民族精神。親人之間，沒有解不開的心結。久久為功，必定能達到兩岸同胞心靈契合。

支持和追求國家統一是民族大義，應該得到全民族肯定。偉大祖國永遠是所有愛國統一力量的堅強後盾！我們真誠希望所有台灣同胞，像珍視自己的眼睛一樣珍視和平，像追求人生的幸福一樣追求統一，積極參與到推進祖國和平統一的正義事業中來。

國家的希望、民族的未來在青年。兩岸青年要勇擔重任、團結友愛、攜手打拼。我們熱忱歡迎台灣青年來祖國大陸追夢、築夢、圓夢。兩岸中國人要精誠團結，攜手同心，為同胞謀福祉，為民族創未來！

同志們、同胞們、朋友們！長期以來，香港同胞、澳門同胞和海外僑胞關心支持祖國統一大業，作出了積極貢獻。希望香港同胞、澳門同胞和海外僑胞一如既往，為推動兩岸關係和平發展、實現祖國和平統一再立新功。

同志們、同胞們、朋友們！世界上只有一個中國，堅持一個中國原則是公認的國際關係準則，是國際社會普遍共識。國際社會廣泛理解和支持中國人民反對「台獨」分裂活動、爭取完成國家統一的正義事業。中國政府對此表示讚賞和感謝。中國人的事要由中國人來決定。台灣問題是中國的內政，事關中國核心利益和中國人民民族感情，不容任何外來干涉。

中國的統一，不會損害任何國家的正當利益包括其在台灣的經濟利益，只會給各國帶來更多發展機遇，只會給亞太地區和世界繁榮穩定注入更多正能量，只會為構建人類命運共同體、為世界和平發展和人類進步事業作出更大貢獻。

同志們、同胞們、朋友們！歷史不能選擇，現在可以把握，未來可以開創！新時代是中華民族大發展大作為的時代，也是兩岸同胞大發展大作為的時代。前進道路不可能一帆風順，但只要我們和衷共濟、共同奮鬥，就一定能夠共創中華民族偉大復興美好未來，就一定能夠完成祖國統一大業！

■ Editor's note =====

Sources for the text—[English](#), [Chinese](#).

## Hong Kong National Security Law

The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region

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### CHAPTER I: GENERAL PRINCIPLES

**Article 1**

This Law is enacted, in accordance with the Constitution of the People's Republic of China, the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, and the Decision of the National People's Congress on Establishing and Improving the Legal System and Enforcement Mechanisms for Safeguarding National Security in the Hong Kong Special Administrative Region, for the purpose of:

- ensuring the resolute, full and faithful implementation of the policy of One Country, Two Systems under which the people of Hong Kong administer Hong Kong with a high degree of autonomy;
- safeguarding national security;
- preventing, suppressing and imposing punishment for the offences of secession, subversion, organisation and perpetration of terrorist activities, and collusion with a foreign country or with external elements to endanger national security in relation to the Hong Kong Special Administrative Region;
- maintaining prosperity and stability of the Hong Kong Special Administrative Region; and
- protecting the lawful rights and interests of the residents of the Hong Kong Special Administrative Region.

## **Article 2**

The provisions in Articles 1 and 12 of the Basic Law of the Hong Kong Special Administrative Region on the legal status of the Hong Kong Special Administrative Region are the fundamental provisions in the Basic Law. No institution, organisation or individual in the Region shall contravene these provisions in exercising their rights and freedoms.

## **Article 3**

The Central People's Government has an overarching responsibility for national security affairs relating to the Hong Kong Special Administrative Region.

It is the duty of the Hong Kong Special Administrative Region under the Constitution to safeguard national security and the Region shall perform the duty accordingly.

The executive authorities, legislature and judiciary of the Region shall effectively prevent, suppress and impose punishment for any act or activity endangering national security in accordance with this Law and other relevant laws.

## **Article 4**

Human rights shall be respected and protected in safeguarding national security in the Hong Kong Special Administrative Region. The rights and freedoms, including the freedoms of speech, of the press, of publication, of association, of assembly, of procession and of demonstration, which the residents of the Region enjoy under the Basic Law of the Hong Kong Special Administrative Region and the provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as applied to Hong Kong, shall be protected in accordance with the law.

## **Article 5**

The principle of the rule of law shall be adhered to in preventing, suppressing, and imposing punishment for offences endangering national security. A person who commits an act which constitutes an offence under the law shall be convicted and punished in accordance with the law. No one shall be convicted and punished for an act which does not constitute an offence under the law.

A person is presumed innocent until convicted by a judicial body. The right to defend himself or herself and other rights in judicial proceedings that a criminal suspect, defendant, and other parties in judicial proceedings are entitled to under the law shall be protected. No one shall be liable to be tried or punished again for an offence for which he or she has already been finally convicted or acquitted in judicial proceedings.

## **Article 6**

It is the common responsibility of all the people of China, including the people of Hong Kong, to safeguard the sovereignty, unification and territorial integrity of the People's Republic of China.

Any institution, organisation or individual in the Hong Kong Special Administrative Region shall abide by this Law and the laws of the Region in relation to the safeguarding of national security, and shall not engage in any act or activity which endangers national security.

A resident of the Region who stands for election or assumes public office shall confirm in writing or take an oath to uphold the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and swear allegiance to the Hong Kong Special Administrative Region of the People's Republic of China in accordance with the law.

## **CHAPTER II: THE DUTIES AND THE GOVERNMENT BODIES OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION FOR SAFEGUARDING NATIONAL SECURITY**

### ***Part 1: Duties***

## **Article 7**

The Hong Kong Special Administrative Region shall complete, as early as possible, legislation for safeguarding national security as stipulated in the Basic Law of the Hong Kong Special Administrative Region and shall refine relevant laws.

### **Article 8**

In order to safeguard national security effectively, the law enforcement and judicial authorities of the Hong Kong Special Administrative Region shall fully enforce this Law and the laws in force in the Region concerning the prevention of, suppression of, and imposition of punishment for acts and activities endangering national security.

### **Article 9**

The Hong Kong Special Administrative Region shall strengthen its work on safeguarding national security and prevention of terrorist activities. The Government of the Hong Kong Special Administrative Region shall take necessary measures to strengthen public communication, guidance, supervision and regulation over matters concerning national security, including those relating to schools, universities, social organisations, the media, and the internet.

### **Article 10**

The Hong Kong Special Administrative Region shall promote national security education in schools and universities and through social organisations, the media, the internet and other means to raise the awareness of Hong Kong residents of national security and of the obligation to abide by the law.

### **Article 11**

The Chief Executive of the Hong Kong Special Administrative Region shall be accountable to the Central People's Government for affairs relating to safeguarding national security in the Hong Kong Special Administrative Region and shall submit an annual report on the performance of duties of the Region in safeguarding national security.

The Chief Executive shall, at the request of the Central People's Government, submit in a timely manner a report on specific matters relating to safeguarding national security.

## ***Part 2: Government Bodies***

### **Article 12**

The Hong Kong Special Administrative Region shall establish the Committee for Safeguarding National Security. The Committee shall be responsible for affairs relating to and assume primary responsibility for safeguarding national security in the Region. It shall be under the supervision of and accountable to the Central People's Government.

### **Article 13**

The Chief Executive shall be the chairperson of the Committee for Safeguarding National Security of the Hong Kong Special Administrative Region. The other members of the Committee shall be the Chief Secretary for Administration, the Financial Secretary, the Secretary for Justice, the Secretary for Security, the Commissioner of Police, the head of the department for safeguarding national security of the Hong Kong Police Force established under Article 16 of this Law, the Director of Immigration, the Commissioner of Customs and Excise, and the Director of the Chief Executive's Office.

A secretariat headed by a Secretary-General shall be established under the Committee. The Secretary-General shall be appointed by the Central People's Government upon nomination by the Chief Executive.

### **Article 14**

The duties and functions of the Committee for Safeguarding National Security of the Hong Kong Special Administrative Region shall be:

- (1) analysing and assessing developments in relation to safeguarding national security in the Hong Kong Special Administrative Region, making work plans, and formulating policies for safeguarding national security in the Region;
- (2) advancing the development of the legal system and enforcement mechanisms of the Region for safeguarding national security; and
- (3) coordinating major work and significant operations for safeguarding national security in the Region.

No institution, organisation or individual in the Region shall interfere with the work of the Committee. Information

relating to the work of the Committee shall not be subject to disclosure. Decisions made by the Committee shall not be amenable to judicial review.

### **Article 15**

The Committee for Safeguarding National Security of the Hong Kong Special Administrative Region shall have a National Security Adviser, who shall be designated by the Central People's Government and provide advice on matters relating to the duties and functions of the Committee. The National Security Adviser shall sit in on meetings of the Committee.

### **Article 16**

The Police Force of the Hong Kong Special Administrative Region shall establish a department for safeguarding national security with law enforcement capacity.

The head of the department for safeguarding national security of the Hong Kong Police Force shall be appointed by the Chief Executive. The Chief Executive shall seek in writing the opinion of the Office established under Article 48 of this Law before making the appointment. When assuming office, the head of the department for safeguarding national security of the Hong Kong Police Force shall swear to uphold the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, swear allegiance to the Hong Kong Special Administrative Region of the People's Republic of China, and swear to abide by the law and to observe the obligation of secrecy.

The department for safeguarding national security of the Hong Kong Police Force may recruit qualified professionals and technical personnel from outside the Hong Kong Special Administrative Region to provide assistance in the performance of duties for safeguarding national security.

### **Article 17**

The duties and functions of the department for safeguarding national security of the Hong Kong Police Force shall be:

- (1) collecting and analysing intelligence and information concerning national security;
- (2) planning, coordinating and enforcing measures and operations for safeguarding national security;
- (3) investigating offences endangering national security;
- (4) conducting counter-interference investigation and national security review;
- (5) carrying out tasks of safeguarding national security assigned by the Committee for Safeguarding National Security of the Hong Kong Special Administrative Region; and
- (6) performing other duties and functions necessary for the enforcement of this Law.

### **Article 18**

The Department of Justice of the Hong Kong Special Administrative Region shall establish a specialised prosecution division responsible for the prosecution of offences endangering national security and other related legal work. The prosecutors of this division shall be appointed by the Secretary for Justice after obtaining the consent of the Committee for Safeguarding National Security of the Hong Kong Special Administrative Region.

The head of the specialised prosecution division of the Department of Justice shall be appointed by the Chief Executive, who shall seek in writing the opinion of the Office established under Article 48 of this Law before making the appointment. When assuming office, the head of the specialised prosecution division shall swear to uphold the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, swear allegiance to the Hong Kong Special Administrative Region of the People's Republic of China, and swear to abide by the law and to observe the obligation of secrecy.

### **Article 19**

The Financial Secretary of the Hong Kong Special Administrative Region shall, upon approval of the Chief Executive, appropriate from the general revenue a special fund to meet the expenditure for safeguarding national security and approve the establishment of relevant posts, which are not subject to any restrictions in the relevant provisions of the laws in force in the Region. The Financial Secretary shall submit an annual report on the control and management of the fund for this purpose to the Legislative Council of the Hong Kong Special Administrative Region.

## CHAPTER III: OFFENCES AND PENALTIES

### *Part 1: Secession*

#### **Article 20**

A person who organises, plans, commits or participates in any of the following acts, whether or not by force or threat of force, with a view to committing secession or undermining national unification shall be guilty of an offence:

- (1) separating the Hong Kong Special Administrative Region or any other part of the People's Republic of China from the People's Republic of China;
- (2) altering by unlawful means the legal status of the Hong Kong Special Administrative Region or of any other part of the People's Republic of China; or
- (3) surrendering the Hong Kong Special Administrative Region or any other part of the People's Republic of China to a foreign country.

A person who is a principal offender or a person who commits an offence of a grave nature shall be sentenced to life imprisonment or fixed-term imprisonment of not less than ten years; a person who actively participates in the offence shall be sentenced to fixed-term imprisonment of not less than three years but not more than ten years; and other participants shall be sentenced to fixed-term imprisonment of not more than three years, short-term detention or restriction.

#### **Article 21**

A person who incites, assists in, abets or provides pecuniary or other financial assistance or property for the commission by other persons of the offence under Article 20 of this Law shall be guilty of an offence. If the circumstances of the offence committed by a person are of a serious nature, the person shall be sentenced to fixed-term imprisonment of not less than five years but not more than ten years; if the circumstances of the offence committed by a person are of a minor nature, the person shall be sentenced to fixed-term imprisonment of not more than five years, short-term detention or restriction.

### *Part 2: Subversion*

#### **Article 22**

A person who organises, plans, commits or participates in any of the following acts by force or threat of force or other unlawful means with a view to subverting the State power shall be guilty of an offence:

- (1) overthrowing or undermining the basic system of the People's Republic of China established by the Constitution of the People's Republic of China;
- (2) overthrowing the body of central power of the People's Republic of China or the body of power of the Hong Kong Special Administrative Region;
- (3) seriously interfering in, disrupting, or undermining the performance of duties and functions in accordance with the law by the body of central power of the People's Republic of China or the body of power of the Hong Kong Special Administrative Region; or
- (4) attacking or damaging the premises and facilities used by the body of power of the Hong Kong Special Administrative Region to perform its duties and functions, rendering it incapable of performing its normal duties and functions.

A person who is a principal offender or a person who commits an offence of a grave nature shall be sentenced to life imprisonment or fixed-term imprisonment of not less than ten years; a person who actively participates in the offence shall be sentenced to fixed-term imprisonment of not less than three years but not more than ten years; and other participants shall be sentenced to fixed-term imprisonment of not more than three years, short-term detention or restriction.

#### **Article 23**

A person who incites, assists in, abets or provides pecuniary or other financial assistance or property for the commission by other persons of the offence under Article 22 of this Law shall be guilty of an offence. If the circumstances of the offence committed by a person are of a serious nature, the person shall be sentenced to fixed-term imprisonment of not less than five years but not more than ten years; if the circumstances of the offence



committed by a person are of a minor nature, the person shall be sentenced to fixed-term imprisonment of not more than five years, short-term detention or restriction.

### *Part 3: Terrorist Activities*

#### **Article 24**

A person who organises, plans, commits, participates in or threatens to commit any of the following terrorist activities causing or intended to cause grave harm to the society with a view to coercing the Central People's Government, the Government of the Hong Kong Special Administrative Region or an international organisation or intimidating the public in order to pursue political agenda shall be guilty of an offence:

- (1) serious violence against a person or persons;
- (2) explosion, arson, or dissemination of poisonous or radioactive substances, pathogens of infectious diseases or other substances;
- (3) sabotage of means of transport, transport facilities, electric power or gas facilities, or other combustible or explosible facilities;
- (4) serious interruption or sabotage of electronic control systems for providing and managing public services such as water, electric power, gas, transport, telecommunications and the internet; or
- (5) other dangerous activities which seriously jeopardise public health, safety or security.

A person who commits the offence causing serious bodily injury, death or significant loss of public or private property shall be sentenced to life imprisonment or fixed-term imprisonment of not less than ten years; in other circumstances, a person who commits the offence shall be sentenced to fixed-term imprisonment of not less than three years but not more than ten years.

#### **Article 25**

A person who organises or takes charge of a terrorist organisation shall be guilty of an offence and shall be sentenced to life imprisonment or fixed-term imprisonment of not less than ten years, and shall be subject to confiscation of property; a person who actively participates in a terrorist organisation shall be sentenced to fixed-term imprisonment of not less than three years but not more than ten years and shall be imposed with a criminal fine; and other participants shall be sentenced to fixed-term imprisonment of not more than three years, short-term detention or restriction, and shall be liable to a criminal fine.

For the purpose of this Law, a terrorist organisation means an organisation which commits or intends to commit the offence under Article 24 of this Law or participates or assists in the commission of the offence.

#### **Article 26**

A person who provides support, assistance or facility such as training, weapons, information, funds, supplies, labour, transport, technologies or venues to a terrorist organisation or a terrorist, or for the commission of a terrorist activity; or manufactures or illegally possesses substances such as explosive, poisonous or radioactive substances and pathogens of infectious diseases or uses other means to prepare for the commission of a terrorist activity, shall be guilty of an offence. If the circumstances of the offence committed by a person are of a serious nature, the person shall be sentenced to fixed-term imprisonment of not less than five years but not more than ten years, and shall be imposed with a criminal fine or subject to confiscation of property; in other circumstances, a person shall be sentenced to fixed-term imprisonment of not more than five years, short-term detention or restriction, and shall be imposed with a criminal fine.

If the act referred to in the preceding paragraph also constitutes other offences, the person who commits the act shall be convicted and sentenced for the offence that carries a more severe penalty.

#### **Article 27**

A person who advocates terrorism or incites the commission of a terrorist activity shall be guilty of an offence. If the circumstances of the offence committed by a person are of a serious nature, the person shall be sentenced to fixed-term imprisonment of not less than five years but not more than ten years, and shall be imposed with a criminal fine or subject to confiscation of property; in other circumstances, a person shall be sentenced to fixed-term imprisonment of not more than five years, short-term detention or restriction, and shall be imposed with a criminal fine.

## **Article 28**

The provisions of this Part shall not affect the prosecution of terrorist offences committed in other forms or the imposition of other measures such as freezing of property in accordance with the laws of the Hong Kong Special Administrative Region.

## ***Part 4: Collusion with a Foreign Country or with External Elements to Endanger National Security***

### **Article 29**

A person who steals, spies, obtains with payment, or unlawfully provides State secrets or intelligence concerning national security for a foreign country or an institution, organisation or individual outside the mainland, Hong Kong and Macao of the People's Republic of China shall be guilty of an offence; a person who requests a foreign country or an institution, organisation or individual outside the mainland, Hong Kong and Macao of the People's Republic of China, or conspires with a foreign country or an institution, organisation or individual outside the mainland, Hong Kong and Macao of the People's Republic of China, or directly or indirectly receives instructions, control, funding or other kinds of support from a foreign country or an institution, organisation or individual outside the mainland, Hong Kong and Macao of the People's Republic of China, to commit any of the following acts shall be guilty of an offence:

- (1) waging a war against the People's Republic of China, or using or threatening to use force to seriously undermine the sovereignty, unification and territorial integrity of the People's Republic of China;
- (2) seriously disrupting the formulation and implementation of laws or policies by the Government of the Hong Kong Special Administrative Region or by the Central People's Government, which is likely to cause serious consequences;
- (3) rigging or undermining an election in the Hong Kong Special Administrative Region, which is likely to cause serious consequences;
- (4) imposing sanctions or blockade, or engaging in other hostile activities against the Hong Kong Special Administrative Region or the People's Republic of China; or
- (5) provoking by unlawful means hatred among Hong Kong residents towards the Central People's Government or the Government of the Region, which is likely to cause serious consequences.

A person who commits the offence shall be sentenced to fixed-term imprisonment of not less than three years but not more than ten years; a person who commits an offence of a grave nature shall be sentenced to life imprisonment or fixed-term imprisonment of not less than ten years.

The institution, organisation and individual outside the mainland, Hong Kong and Macao of the People's Republic of China referred to in the first paragraph of this Article shall be convicted and punished for the same offence.

### **Article 30**

A person who conspires with or directly or indirectly receives instructions, control, funding or other kinds of support from a foreign country or an institution, organisation, or individual outside the mainland, Hong Kong and Macao of the People's Republic of China to commit the offences under Article 20 or 22 of this Law shall be liable to a more severe penalty in accordance with the provisions therein respectively.

## ***Part 5: Other Provisions on Penalty***

### **Article 31**

An incorporated or unincorporated body such as a company or an organisation which commits an offence under this Law shall be imposed with a criminal fine.

The operation of an incorporated or unincorporated body such as a company or an organisation shall be suspended or its licence or business permit shall be revoked if the body has been punished for committing an offence under this Law.

### **Article 32**

Proceeds obtained from the commission of an offence under this Law including financial aid, gains and rewards, and funds and tools used or intended to be used in the commission of the offence shall be seized and confiscated.

### **Article 33**

A lighter penalty may be imposed, or the penalty may be reduced or, in the case of a minor offence, exempted, if an offender, criminal suspect, or defendant:

- (1) in the process of committing an offence, voluntarily discontinues the commission of the offence or voluntarily and effectively forestalls its consequences;
- (2) voluntarily surrenders himself or herself and gives a truthful account of the offence; or
- (3) reports on the offence committed by other person, which is verified to be true, or provides material information which assists in solving other criminal case.

Sub-paragraph (2) of the preceding paragraph shall apply to a criminal suspect or defendant who is subjected to mandatory measures and provides a truthful account of other offences committed by him or her under this Law which are unknown to the law enforcement or judicial authorities.

### **Article 34**

A person who is not a permanent resident of the Hong Kong Special Administrative Region may be subject to deportation as the sole or an additional punishment if he or she commits an offence under this Law.

A person who is not a permanent resident of the Region may be subject to deportation if he or she contravenes the provisions of this Law but is not prosecuted for any reason.

### **Article 35**

A person who is convicted of an offence endangering national security by a court shall be disqualified from standing as a candidate in the elections of the Legislative Council and district councils of the Hong Kong Special Administrative Region, holding any public office in the Region, or serving as a member of the Election Committee for electing the Chief Executive. If a person so convicted is a member of the Legislative Council, a government official, a public servant, a member of the Executive Council, a judge or a judicial officer, or a member of the district councils, who has taken an oath or made a declaration to uphold the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and swear allegiance to the Hong Kong Special Administrative Region of the People's Republic of China, he or she shall be removed from his or her office upon conviction, and shall be disqualified from standing for the aforementioned elections or from holding any of the aforementioned posts.

The disqualification and removal from offices referred to in the preceding paragraph shall be announced by the authorities responsible for organising and managing the relevant elections or for the appointment and removal of holders of public office.

## *Part 6: Scope of Application*

### **Article 36**

This Law shall apply to offences under this Law which are committed in the Hong Kong Special Administrative Region by any person. An offence shall be deemed to have been committed in the Region if an act constituting the offence or the consequence of the offence occurs in the Region.

This Law shall also apply to offences under this Law committed on board a vessel or aircraft registered in the Region.

### **Article 37**

This Law shall apply to a person who is a permanent resident of the Hong Kong Special Administrative Region or an incorporated or unincorporated body such as a company or an organisation which is set up in the Region if the person or the body commits an offence under this Law outside the Region.

### **Article 38**

This Law shall apply to offences under this Law committed against the Hong Kong Special Administrative Region from outside the Region by a person who is not a permanent resident of the Region.

### **Article 39**

This Law shall apply to acts committed after its entry into force for the purpose of conviction and imposition of punishment.

## **CHAPTER IV: JURISDICTION, APPLICABLE LAW AND PROCEDURE**

### **Article 40**

The Hong Kong Special Administrative Region shall have jurisdiction over cases concerning offences under this Law, except under the circumstances specified in Article 55 of this Law.

### **Article 41**

This Law and the laws of the Hong Kong Special Administrative Region shall apply to procedural matters, including those related to criminal investigation, prosecution, trial, and execution of penalty, in respect of cases concerning offence endangering national security over which the Region exercises jurisdiction.

No prosecution shall be instituted in respect of an offence endangering national security without the written consent of the Secretary for Justice. This provision shall not prejudice the arrest and detention of a person who is suspected of having committed the offence or the application for bail by the person in accordance with the law.

Cases concerning offence endangering national security within the jurisdiction of the Hong Kong Special Administrative Region shall be tried on indictment.

The trial shall be conducted in an open court. When circumstances arise such as the trial involving State secrets or public order, all or part of the trial shall be closed to the media and the public but the judgment shall be delivered in an open court.

### **Article 42**

When applying the laws in force in the Hong Kong Special Administrative Region concerning matters such as the detention and time limit for trial, the law enforcement and judicial authorities of the Region shall ensure that cases concerning offence endangering national security are handled in a fair and timely manner so as to effectively prevent, suppress and impose punishment for such offence.

No bail shall be granted to a criminal suspect or defendant unless the judge has sufficient grounds for believing that the criminal suspect or defendant will not continue to commit acts endangering national security.

### **Article 43**

When handling cases concerning offence endangering national security, the department for safeguarding national security of the Police Force of the Hong Kong Special Administrative Region may take measures that law enforcement authorities, including the Hong Kong Police Force, are allowed to apply under the laws in force in the Hong Kong Special Administrative Region in investigating serious crimes, and may also take the following measures:

- (1) search of premises, vehicles, vessels, aircraft and other relevant places and electronic devices that may contain evidence of an offence;
- (2) ordering any person suspected of having committed an offence endangering national security to surrender travel documents, or prohibiting the person concerned from leaving the Region;
- (3) freezing of, applying for restraint order, charging order and confiscation order in respect of, and forfeiture of property used or intended to be used for the commission of the offence, proceeds of crime, or other property relating to the commission of the offence;
- (4) requiring a person who published information or the relevant service provider to delete the information or provide assistance;
- (5) requiring a political organisation of a foreign country or outside the mainland, Hong Kong and Macao of the People's Republic of China, or an agent of authorities or a political organisation of a foreign country or outside the mainland, Hong Kong and Macao of the People's Republic of China, to provide information;
- (6) upon approval of the Chief Executive, carrying out interception of communications and conducting covert surveillance on a person who is suspected, on reasonable grounds, of having involved in the commission of an offence endangering national security; and
- (7) requiring a person, who is suspected, on reasonable grounds, of having in possession information or material relevant to investigation, to answer questions and furnish such information or produce such material.

The Committee for Safeguarding National Security of the Hong Kong Special Administrative Region shall be responsible for supervising the implementation of the measures stipulated in the first paragraph of this Article by law enforcement authorities including the department for safeguarding national security of the Hong Kong Police Force.

The Chief Executive shall be authorised, in conjunction with the Committee for Safeguarding National Security of the Hong Kong Special Administrative Region, to make relevant implementation rules for the purpose of applying the measures under the first paragraph of this Article.

#### **Article 44**

The Chief Executive shall designate a number of judges from the magistrates, the judges of the District Court, the judges of the Court of First Instance and the Court of Appeal of the High Court, and the judges of the Court of Final Appeal, and may also designate a number of judges from deputy judges or recorders, to handle cases concerning offence endangering national security. Before making such designation, the Chief Executive may consult the Committee for Safeguarding National Security of the Hong Kong Special Administrative Region and the Chief Justice of the Court of Final Appeal. The term of office of the aforementioned designated judges shall be one year.

A person shall not be designated as a judge to adjudicate a case concerning offence endangering national security if he or she has made any statement or behaved in any manner endangering national security. A designated judge shall be removed from the designation list if he or she makes any statement or behaves in any manner endangering national security during the term of office.

The proceedings in relation to the prosecution for offences endangering national security in the magistrates' courts, the District Court, the High Court and the Court of Final Appeal shall be handled by the designated judges in the respective courts.

#### **Article 45**

Unless otherwise provided by this Law, magistrates' courts, the District Court, the High Court and the Court of Final Appeal shall handle proceedings in relation to the prosecution for offences endangering national security in accordance with the laws of the Hong Kong Special Administrative Region.

#### **Article 46**

In criminal proceedings in the Court of First Instance of the High Court concerning offences endangering national security, the Secretary for Justice may issue a certificate directing that the case shall be tried without a jury on the grounds of, among others, the protection of State secrets, involvement of foreign factors in the case, and the protection of personal safety of jurors and their family members. Where the Secretary for Justice has issued the certificate, the case shall be tried in the Court of First Instance without a jury by a panel of three judges.

Where the Secretary for Justice has issued the certificate, the reference to "a jury" or "a verdict of the jury" in any provision of the laws of the Hong Kong Special Administrative Region applicable to the related proceedings shall be construed as referring to the judges or the functions of the judge as a judge of fact.

#### **Article 47**

The courts of the Hong Kong Special Administrative Region shall obtain a certificate from the Chief Executive to certify whether an act involves national security or whether the relevant evidence involves State secrets when such questions arise in the adjudication of a case. The certificate shall be binding on the courts.

### **CHAPTER V: OFFICE FOR SAFEGUARDING NATIONAL SECURITY OF THE CENTRAL PEOPLE'S GOVERNMENT IN THE HONG KONG SPECIAL ADMINISTRATIVE REGION**

#### **Article 48**

The Central People's Government shall establish in the Hong Kong Special Administrative Region an office for safeguarding national security. The Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region shall perform its mandate for safeguarding national security and exercise relevant powers in accordance with the law.

The staff of the Office shall be jointly dispatched by relevant national security authorities under the Central People's Government.

#### **Article 49**

The Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region shall perform the following mandate:

- (1) analysing and assessing developments in relation to safeguarding national security in the Hong Kong Special Administrative Region, and providing opinions and making proposals on major strategies and important policies for safeguarding national security;
- (2) overseeing, guiding, coordinating with, and providing support to the Region in the performance of its duties for safeguarding national security;
- (3) collecting and analysing intelligence and information concerning national security; and
- (4) handling cases concerning offence endangering national security in accordance with the law.

#### **Article 50**

The Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region shall perform its mandate in strict compliance with the law and be subject to supervision in accordance with the law. It shall not infringe upon the lawful rights and interests of any individual or organisation.

The staff of the Office shall abide by the laws of the Hong Kong Special Administrative Region as well as national laws.

The staff of the Office shall be subject to the supervision of the national supervisory authorities in accordance with the law.

#### **Article 51**

The Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region shall be funded by the Central People's Government.

#### **Article 52**

The Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region shall strengthen working relations and cooperation with the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region, the Office of the Commissioner of the Ministry of Foreign Affairs in the Hong Kong Special Administrative Region, and the Hong Kong Garrison of the Chinese People's Liberation Army.

#### **Article 53**

The Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region shall establish a mechanism of coordination with the Committee for Safeguarding National Security of the Hong Kong Special Administrative Region to oversee and provide guidance on the work of the Hong Kong Special Administrative Region for safeguarding national security.

The working departments of the Office shall establish mechanisms for collaboration with the relevant authorities of the Region responsible for safeguarding national security to enhance information sharing and operations coordination.

#### **Article 54**

The Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region and the Office of the Commissioner of the Ministry of Foreign Affairs in the Hong Kong Special Administrative Region shall, together with the Government of the Hong Kong Special Administrative Region, take necessary measures to strengthen the management of and services for organs of foreign countries and international organisations in the Region, as well as non-governmental organisations and news agencies of foreign countries and from outside the mainland, Hong Kong, and Macao of the People's Republic of China in the Region.

#### **Article 55**

The Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region shall, upon approval by the Central People's Government of a request made by the

Government of the Hong Kong Special Administrative Region or by the Office itself, exercise jurisdiction over a case concerning offence endangering national security under this Law, if:

- (1) the case is complex due to the involvement of a foreign country or external elements, thus making it difficult for the Region to exercise jurisdiction over the case;
- (2) a serious situation occurs where the Government of the Region is unable to effectively enforce this Law; or
- (3) a major and imminent threat to national security has occurred.

### **Article 56**

In exercising jurisdiction over a case concerning offence endangering national security pursuant to Article 55 of this Law, the Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region shall initiate investigation into the case, the Supreme People's Procuratorate shall designate a prosecuting body to prosecute it, and the Supreme People's Court shall designate a court to adjudicate it.

### **Article 57**

The Criminal Procedure Law of the People's Republic of China and other related national laws shall apply to procedural matters, including those related to criminal investigation, examination and prosecution, trial, and execution of penalty, in respect of cases over which jurisdiction is exercised pursuant to Article 55 of this Law.

When exercising jurisdiction over cases pursuant to Article 55 of this Law, the law enforcement and judicial authorities referred to in Article 56 of this Law shall exercise powers in accordance with the law. The legal documents issued by these authorities on their decisions to take mandatory and investigation measures and on their judicial decisions shall have legal force in the Hong Kong Special Administrative Region. The institutions, organisations and individuals concerned must comply with measures taken by the Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region in accordance with the law.

### **Article 58**

In a case over which jurisdiction is exercised pursuant to Article 55 of this Law, a criminal suspect shall have the right to retain a lawyer to represent him or her from the day he or she first receives inquiry made by the Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region or from the day a mandatory measure is taken against him or her. A defence lawyer may provide legal assistance to a criminal suspect or defendant in accordance with the law.

A criminal suspect or defendant who is arrested in accordance with the law shall be entitled to a fair trial before a judicial body without undue delay.

### **Article 59**

In a case over which jurisdiction is exercised pursuant to Article 55 of this Law, any person who has information pertaining to an offence endangering national security under this Law is obliged to testify truthfully.

### **Article 60**

The acts performed in the course of duty by the Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region and its staff in accordance with this Law shall not be subject to the jurisdiction of the Hong Kong Special Administrative Region.

In the course of performing duty, a holder of an identification document or a document of certification issued by the Office and the articles including vehicles used by the holder shall not be subject to inspection, search or detention by law enforcement officers of the Region.

The Office and its staff shall enjoy other rights and immunities provided by laws of the Region.

### **Article 61**

The relevant departments of the Government of the Hong Kong Special Administrative Region shall provide necessary facilitation and support to the Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region in performing its mandate in accordance with this Law, and shall stop any act obstructing the performance of such mandate and hold those who commit such act liable in accordance with the law.

## CHAPTER VI: SUPPLEMENTARY PROVISIONS

### Article 62

This Law shall prevail where provisions of the local laws of the Hong Kong Special Administrative Region are inconsistent with this Law.

### Article 63

The law enforcement and judicial authorities and their staff who handle cases concerning offence endangering national security under this Law, or the law enforcement and judicial authorities of the Hong Kong Special Administrative Region and their staff who handle other cases concerning offence endangering national security, shall keep confidential State secrets, trade secrets or personal information which they come to know in the process of handling such cases.

A lawyer who serves as defence counsel or legal representative shall keep confidential State secrets, trade secrets or personal information which he or she comes to know in the practice of law.

The relevant institutions, organisations and individuals who assist with the handling of a case shall keep confidential any information pertaining to the case.

### Article 64

In the application of this Law in the Hong Kong Special Administrative Region, the terms “fixed-term imprisonment”, “life imprisonment”, “confiscation of property” and “criminal fine” in this Law respectively mean “imprisonment”, “imprisonment for life”, “confiscation of proceeds of crime” and “fine”; “short-term detention” shall be construed, with reference to the relevant laws of the Region, as “imprisonment”, “detention in a detention centre” or “detention in a training centre”; “restriction” shall be construed, with reference to the relevant laws of the Region, as “community service” or “detention in a reformatory school”; and “revoke licence or business permit” means “revoke registration or exemption from registration, or revoke licence” as provided for in the relevant laws of the Region.

### Article 65

The power of interpretation of this Law shall be vested in the Standing Committee of the National People’s Congress.

### Article 66

This Law shall come into force on the date of its promulgation.

## 《中華人民共和國香港特別行政區維護國家安全法》

### 【第一章 總則】

- 第一條 為堅定不移並全面準確貫徹「一國兩制」、「港人治港」、高度自治的方針，維護國家安全，防範、制止和懲治與香港特別行政區有關的分裂國家、顛覆國家政權、組織實施恐怖活動和勾結外國或者境外勢力危害國家安全等犯罪，保持香港特別行政區的繁榮和穩定，保障香港特別行政區居民的合法權益，根據中華人民共和國憲法、中華人民共和國香港特別行政區基本法和全國人民代表大會關於建立健全香港特別行政區維護國家安全的法律制度和執行機制的決定，制定本法。
- 第二條 關於香港特別行政區法律地位的香港特別行政區基本法第一條和第十二條規定是香港特別行政區基本法的根本性條款。香港特別行政區任何機構、組織和個人行使權利和自由，不得違背香港特別行政區基本法第一條和第十二條的規定。
- 第三條 中央人民政府對香港特別行政區有關的國家安全事務負有根本責任。  
香港特別行政區負有維護國家安全的憲制責任，應當履行維護國家安全的職責。  
香港特別行政區行政機關、立法機關、司法機關應當依據本法和其他有關法律規定有效防範、制止和懲治危害國家安全的行為和活動。
- 第四條 香港特別行政區維護國家安全應當尊重和保障人權，依法保護香港特別行政區居民根據香港特別行政區基本法和《公民權利和政治權利國際公約》、《經濟、社會與文化權利的國際



- 公約》適用於香港的有關規定享有的包括言論、新聞、出版的自由，結社、集會、遊行、示威的自由在內的權利和自由。
- 第五條 防範、制止和懲治危害國家安全犯罪，應當堅持法治原則。法律規定為犯罪行為的，依照法律定罪處刑；法律沒有規定為犯罪行為的，不得定罪處刑。
- 任何人未經司法機關判罪之前均假定無罪。保障犯罪嫌疑人、被告人和其他訴訟參與人依法享有的辯護權和其他訴訟權利。任何人已經司法程序被最終確定有罪或者宣告無罪的，不得就同一行為再予審判或者懲罰。
- 第六條 維護國家主權、統一和領土完整是包括香港同胞在內的全中國人民的共同義務。
- 在香港特別行政區的任何機構、組織和個人都應當遵守本法和香港特別行政區有關維護國家安全的其他法律，不得從事危害國家安全的行為和活動。
- 香港特別行政區居民在參選或者就任公職時應當依法簽署文件確認或者宣誓擁護中華人民共和國香港特別行政區基本法，效忠中華人民共和國香港特別行政區。

## 【第二章 香港特別行政區維護國家安全的職責和機構】

### ● 第一節 職責

- 第七條 香港特別行政區應當盡早完成香港特別行政區基本法規定的維護國家安全立法，完善相關法律。
- 第八條 香港特別行政區執法、司法機關應當切實執行本法和香港特別行政區現行法律有關防範、制止和懲治危害國家安全行為和活動的規定，有效維護國家安全。
- 第九條 香港特別行政區應當加強維護國家安全和防範恐怖活動的工作。對學校、社會團體、媒體、網絡等涉及國家安全的事宜，香港特別行政區政府應當採取必要措施，加強宣傳、指導、監督和管理。
- 第十條 香港特別行政區應當通過學校、社會團體、媒體、網絡等開展國家安全教育，提高香港特別行政區居民的國家安全意識和守法意識。
- 第十一條 香港特別行政區行政長官應當就香港特別行政區維護國家安全事務向中央人民政府負責，並就香港特別行政區履行維護國家安全職責的情況提交年度報告。
- 如中央人民政府提出要求，行政長官應當就維護國家安全特定事項及時提交報告。

### ● 第二節 機構

- 第十二條 香港特別行政區設立維護國家安全委員會，負責香港特別行政區維護國家安全事務，承擔維護國家安全的主要責任，並接受中央人民政府的監督和問責。
- 第十三條 香港特別行政區維護國家安全委員會由行政長官擔任主席，成員包括政務司長、財政司長、律政司長、保安局長、警務處長、本法第十六條規定的警務處維護國家安全部門的負責人、入境事務處長、海關關長和行政長官辦公室主任。
- 香港特別行政區維護國家安全委員會下設秘書處，由秘書長領導。秘書長由行政長官提名，報中央人民政府任命。
- 第十四條 香港特別行政區維護國家安全委員會的職責為：
- （一）分析研判香港特別行政區維護國家安全形勢，規劃有關工作，制定香港特別行政區維護國家安全政策；
- （二）推進香港特別行政區維護國家安全的法律制度和執行機制建設；
- （三）協調香港特別行政區維護國家安全的重點工作和重大行動。
- 香港特別行政區維護國家安全委員會的工作不受香港特別行政區任何其他機構、組織和個人的干涉，工作信息不予公開。香港特別行政區維護國家安全委員會作出的決定不受司法覆核。
- 第十五條 香港特別行政區維護國家安全委員會設立國家安全事務顧問，由中央人民政府指派，就香港特別行政區維護國家安全委員會履行職責相關事務提供意見。國家安全事務顧問列席香港特別行政區維護國家安全委員會會議。
- 第十六條 香港特別行政區政府警務處設立維護國家安全的部門，配備執法力量。
- 警務處維護國家安全部門負責人由行政長官任命，行政長官任命前須書面徵求本法第四十八條規定的機構的意見。警務處維護國家安全部門負責人在就職時應當宣誓擁護中華人民共和國香港特別行政區基本法，效忠中華人民共和國香港特別行政區，遵守法律，保守秘密。

- 警務處維護國家安全部門可以從香港特別行政區以外聘請合格的專門人員和技術人員，協助執行維護國家安全相關任務。
- 第十七條 警務處維護國家安全部門的職責為：
- (一) 收集分析涉及國家安全的情報信息；
  - (二) 部署、協調、推進維護國家安全的措施和行動；
  - (三) 調查危害國家安全犯罪案件；
  - (四) 進行反干預調查和開展國家安全審查；
  - (五) 承辦香港特別行政區維護國家安全委員會交辦的維護國家安全工作；
  - (六) 執行本法所需的其他職責。
- 第十八條 香港特別行政區律政司設立專門的國家安全犯罪案件檢控部門，負責危害國家安全犯罪案件的檢控工作和其他相關法律事務。該部門檢控官由律政司長徵得香港特別行政區維護國家安全委員會同意後任命。
- 律政司國家安全犯罪案件檢控部門負責人由行政長官任命，行政長官任命前須書面徵求本法第四十八條規定的機構的意見。律政司國家安全犯罪案件檢控部門負責人在就職時應當宣誓擁護中華人民共和國香港特別行政區基本法，效忠中華人民共和國香港特別行政區，遵守法律，保守秘密。
- 第十九條 經行政長官批准，香港特別行政區政府財政司長應當從政府一般收入中撥出專門款項支付關於維護國家安全的開支並核准所涉及的人員編制，不受香港特別行政區現行有關法律規定的限制。財政司長須每年就該款項的控制和管理向立法會提交報告。

### 【第三章 罪行和處罰】

#### ● 第一節 分裂國家罪

- 第二十條 任何人組織、策劃、實施或者參與實施以下旨在分裂國家、破壞國家統一行為之一的，不論是否使用武力或者以武力相威脅，即屬犯罪：
- (一) 將香港特別行政區或者中華人民共和國其他任何部分從中華人民共和國分離出去；
  - (二) 非法改變香港特別行政區或者中華人民共和國其他任何部分的法律地位；
  - (三) 將香港特別行政區或者中華人民共和國其他任何部分轉歸外國統治。
- 犯前款罪，對首要分子或者罪行重大的，處無期徒刑或者十年以上有期徒刑；對積極參加的，處三年以上十年以下有期徒刑；對其他參加的，處三年以下有期徒刑、拘役或者管制。
- 第二十一條 任何人煽動、協助、教唆、以金錢或者其他財物資助他人實施本法第二十條規定的犯罪的，即屬犯罪。情節嚴重的，處五年以上十年以下有期徒刑；情節較輕的，處五年以下有期徒刑、拘役或者管制。

#### ● 第二節 顛覆國家政權罪

- 第二十二條 任何人組織、策劃、實施或者參與實施以下以武力、威脅使用武力或者其他非法手段旨在顛覆國家政權行為之一的，即屬犯罪：
- (一) 推翻、破壞中華人民共和國憲法所確立的中華人民共和國根本制度；
  - (二) 推翻中華人民共和國中央政權機關或者香港特別行政區政權機關；
  - (三) 嚴重干擾、阻撓、破壞中華人民共和國中央政權機關或者香港特別行政區政權機關依法履行職能；
  - (四) 攻擊、破壞香港特別行政區政權機關履職場所及其設施，致使其無法正常履行職能。
- 犯前款罪，對首要分子或者罪行重大的，處無期徒刑或者十年以上有期徒刑；對積極參加的，處三年以上十年以下有期徒刑；對其他參加的，處三年以下有期徒刑、拘役或者管制。
- 第二十三條 任何人煽動、協助、教唆、以金錢或者其他財物資助他人實施本法第二十二條規定的犯罪的，即屬犯罪。情節嚴重的，處五年以上十年以下有期徒刑；情節較輕的，處五年以下有期徒刑、拘役或者管制。

● 第三節 恐怖活動罪

第二十四條 為脅迫中央人民政府、香港特別行政區政府或者國際組織或者威嚇公眾以圖實現政治主張，組織、策劃、實施、參與實施或者威脅實施以下造成或者意圖造成嚴重社會危害的恐怖活動之一的，即屬犯罪：

- (一) 針對人的嚴重暴力；
- (二) 爆炸、縱火或者投放毒害性、放射性、傳染病病原體等物質；
- (三) 破壞交通工具、交通設施、電力設備、燃氣設備或者其他易燃易爆設備；
- (四) 嚴重干擾、破壞水、電、燃氣、交通、通訊、網絡等公共服務和管理的電子控制系統；
- (五) 以其他危險方法嚴重危害公眾健康或者安全。

犯前款罪，致人重傷、死亡或者使公私財產遭受重大損失的，處無期徒刑或者十年以上有期徒刑；其他情形，處三年以上十年以下有期徒刑。

第二十五條 組織、領導恐怖活動組織的，即屬犯罪，處無期徒刑或者十年以上有期徒刑，並處沒收財產；積極參加的，處三年以上十年以下有期徒刑，並處罰金；其他參加的，處三年以下有期徒刑、拘役或者管制，可以並處罰金。

本法所指的恐怖活動組織，是指實施或者意圖實施本法第二十四條規定的恐怖活動罪行或者參與或者協助實施本法第二十四條規定的恐怖活動罪行的組織。

第二十六條 為恐怖活動組織、恐怖活動人員、恐怖活動實施提供培訓、武器、信息、資金、物資、勞務、運輸、技術或者場所等支持、協助、便利，或者製造、非法管有爆炸性、毒害性、放射性、傳染病病原體等物質以及以其他形式準備實施恐怖活動的，即屬犯罪。情節嚴重的，處五年以上十年以下有期徒刑，並處罰金或者沒收財產；其他情形，處五年以下有期徒刑、拘役或者管制，並處罰金。

有前款行為，同時構成其他犯罪的，依照處罰較重的規定定罪處罰。

第二十七條 宣揚恐怖主義、煽動實施恐怖活動的，即屬犯罪。情節嚴重的，處五年以上十年以下有期徒刑，並處罰金或者沒收財產；其他情形，處五年以下有期徒刑、拘役或者管制，並處罰金。

第二十八條 本節規定不影響依據香港特別行政區法律對其他形式的恐怖活動犯罪追究刑事責任並採取凍結財產等措施。

● 第四節 勾結外國或者境外勢力危害國家安全罪

第二十九條 為外國或者境外機構、組織、人員竊取、刺探、收買、非法提供涉及國家安全的國家秘密或者情報的；請求外國或者境外機構、組織、人員實施，與外國或者境外機構、組織、人員串謀實施，或者直接或者間接受外國或者境外機構、組織、人員的指使、控制、資助或者其他形式的支援實施以下行為之一的，均屬犯罪：

- (一) 對中華人民共和國發動戰爭，或者以武力或者武力相威脅，對中華人民共和國主權、統一和領土完整造成嚴重危害；
- (二) 對香港特別行政區政府或者中央人民政府制定和執行法律、政策進行嚴重阻撓並可能造成嚴重後果；
- (三) 對香港特別行政區選舉進行操控、破壞並可能造成嚴重後果；
- (四) 對香港特別行政區或者中華人民共和國進行制裁、封鎖或者採取其他敵對行動；
- (五) 通過各種非法方式引發香港特別行政區居民對中央人民政府或者香港特別行政區政府的憎恨並可能造成嚴重後果。

犯前款罪，處三年以上十年以下有期徒刑；罪行重大的，處無期徒刑或者十年以上有期徒刑。

本條第一款規定涉及的境外機構、組織、人員，按共同犯罪定罪處刑。

第三十條 為實施本法第二十條、第二十二條規定的犯罪，與外國或者境外機構、組織、人員串謀，或者直接或者間接受外國或者境外機構、組織、人員的指使、控制、資助或者其他形式的支援的，依照本法第二十條、第二十二條的規定從重處罰。

● 第五節 其他處罰規定

第三十一條 公司、團體等法人或者非法人組織實施本法規定的犯罪的，對該組織判處罰金。

公司、團體等法人或者非法人組織因犯本法規定的罪行受到刑事處罰的，應責令其暫停運作或者吊銷其執照或者營業許可證。

- 第三十二條 因實施本法規定的犯罪而獲得的資助、收益、報酬等違法所得以及用於或者意圖用於犯罪的資金和工具，應當予以追繳、沒收。
- 第三十三條 有以下情形的，對有關犯罪行為人、犯罪嫌疑人、被告人可以從輕、減輕處罰；犯罪較輕的，可以免除處罰：
- （一）在犯罪過程中，自動放棄犯罪或者自動有效地防止犯罪結果發生的；
  - （二）自動投案，如實供述自己的罪行的；
  - （三）揭發他人犯罪行為，查證屬實，或者提供重要線索得以偵破其他案件的。
- 被採取強制措施的犯罪嫌疑人、被告人如實供述執法、司法機關未掌握的本人犯有本法規定的其他罪行的，按前款第二項規定處理。
- 第三十四條 不具有香港特別行政區永久性居民身分的人實施本法規定的犯罪的，可以獨立適用或者附加適用驅逐出境。
- 不具有香港特別行政區永久性居民身分的人違反本法規定，因任何原因不對其追究刑事責任的，也可以驅逐出境。
- 第三十五條 任何人經法院判決犯危害國家安全罪行的，即喪失作為候選人參加香港特別行政區舉行的立法會、區議會選舉或者出任香港特別行政區任何公職或者行政長官選舉委員會委員的資格；曾經宣誓或者聲明擁護中華人民共和國香港特別行政區基本法、效忠中華人民共和國香港特別行政區的立法會議員、政府官員及公務人員、行政會議成員、法官及其他司法人員、區議員，即時喪失該等職務，並喪失參選或者出任上述職務的資格。
- 前款規定資格或者職務的喪失，由負責組織、管理有關選舉或者公職任免的機構宣布。

● 第六節 效力範圍

- 第三十六條 任何人在香港特別行政區內實施本法規定的犯罪的，適用本法。犯罪的行為或者結果有一項發生在香港特別行政區內的，就認為是在香港特別行政區內犯罪。
- 在香港特別行政區註冊的船舶或者航空器內實施本法規定的犯罪的，也適用本法。
- 第三十七條 香港特別行政區永久性居民或者在香港特別行政區成立的公司、團體等法人或者非法人組織在香港特別行政區以外實施本法規定的犯罪的，適用本法。
- 第三十八條 不具有香港特別行政區永久性居民身分的人在香港特別行政區以外針對香港特別行政區實施本法規定的犯罪的，適用本法。
- 第三十九條 本法施行以後的行為，適用本法定罪處刑。

【第四章 案件管轄、法律適用和程序】

- 第四十條 香港特別行政區對本法規定的犯罪案件行使管轄權，但本法第五十五條規定的情形除外。
- 第四十一條 香港特別行政區管轄危害國家安全犯罪案件的立案偵查、檢控、審判和刑罰的執行等訴訟程序事宜，適用本法和香港特別行政區本地法律。
- 未經律政司長書面同意，任何人不得就危害國家安全犯罪案件提出檢控。但該規定不影響就有關犯罪依法逮捕犯罪嫌疑人並將其羈押，也不影響該等犯罪嫌疑人申請保釋。
- 香港特別行政區管轄的危害國家安全犯罪案件的審判循公訴程序進行。
- 審判應當公開進行。因為涉及國家秘密、公共秩序等情形不宜公開審理的，禁止新聞界和公眾旁聽全部或者一部分審理程序，但判決結果應當一律公開宣布。
- 第四十二條 香港特別行政區執法、司法機關在適用香港特別行政區現行法律有關羈押、審理期限等方面的規定時，應當確保危害國家安全犯罪案件公正、及時辦理，有效防範、制止和懲治危害國家安全犯罪。
- 對犯罪嫌疑人、被告人，除非法官有充足理由相信其不會繼續實施危害國家安全行為的，不得准予保釋。
- 第四十三條 香港特別行政區政府警務處維護國家安全部門辦理危害國家安全犯罪案件時，可以採取香港特別行政區現行法律准予警方等執法部門在調查嚴重犯罪案件時採取的各種措施，並可以採取以下措施：
- （一）搜查可能存有犯罪證據的處所、車輛、船隻、航空器以及其他有關地方和電子設備；
  - （二）要求涉嫌實施危害國家安全犯罪行為的人員交出旅行證件或者限制其離境；
  - （三）對用於或者意圖用於犯罪的財產、因犯罪所得的收益等與犯罪相關的財產，予以凍結，申請限制令、押記令、沒收令以及充公；
  - （四）要求信息發布人或者有關服務商移除信息或者提供協助；

- (五) 要求外國及境外政治性組織，外國及境外當局或者政治性組織的代理人提供資料；
- (六) 經行政長官批准，對有合理理由懷疑涉及實施危害國家安全犯罪的人員進行截取通訊和秘密監察；
- (七) 對有合理理由懷疑擁有與偵查有關的資料或者管有有關物料的人員，要求其回答問題和提交資料或者物料。

香港特別行政區維護國家安全委員會對警務處維護國家安全部門等執法機構採取本條第一款規定措施負有監督責任。

授權香港特別行政區行政長官會同香港特別行政區維護國家安全委員會為採取本條第一款規定措施制定相關實施細則。

第四十四條 香港特別行政區行政長官應當從裁判官、區域法院法官、高等法院原訟法庭法官、上訴法庭法官以及終審法院法官中指定若干名法官，也可從暫委或者特委法官中指定若干名法官，負責處理危害國家安全犯罪案件。行政長官在指定法官前可徵詢香港特別行政區維護國家安全委員會和終審法院首席法官的意見。上述指定法官任期一年。

凡有危害國家安全言行的，不得被指定為審理危害國家安全犯罪案件的法官。在獲任指定法官期間，如有危害國家安全言行的，終止其指定法官資格。

在裁判法院、區域法院、高等法院和終審法院就危害國家安全犯罪案件提起的刑事檢控程序應當分別由各該法院的指定法官處理。

第四十五條 除本法另有規定外，裁判法院、區域法院、高等法院和終審法院應當按照香港特別行政區的其他法律處理就危害國家安全犯罪案件提起的刑事檢控程序。

第四十六條 對高等法院原訟法庭進行的就危害國家安全犯罪案件提起的刑事檢控程序，律政司長可基於保護國家秘密、案件具有涉外因素或者保障陪審員及其家人的人身安全等理由，發出證書指示相關訴訟毋須在有陪審團的情況下進行審理。凡律政司長發出上述證書，高等法院原訟法庭應當在沒有陪審團的情況下進行審理，並由三名法官組成審判庭。

凡律政司長發出前款規定的證書，適用於相關訴訟的香港特別行政區任何法律條文關於「陪審團」或者「陪審團的裁決」，均應當理解為指法官或者法官作為事實裁斷者的職能。

第四十七條 香港特別行政區法院在審理案件中遇有涉及有關行為是否涉及國家安全或者有關證據材料是否涉及國家秘密的認定問題，應取得行政長官就該等問題發出的證明書，上述證明書對法院有約束力。

## 【第五章 中央人民政府駐香港特別行政區維護國家安全機構】

第四十八條 中央人民政府在香港特別行政區設立維護國家安全公署。中央人民政府駐香港特別行政區維護國家安全公署依法履行維護國家安全職責，行使相關權力。

駐香港特別行政區維護國家安全公署人員由中央人民政府維護國家安全的有關機關聯合派出。

第四十九條 駐香港特別行政區維護國家安全公署的職責為：

- (一) 分析研判香港特別行政區維護國家安全形勢，就維護國家安全重大戰略和重要政策提出意見和建議；
- (二) 監督、指導、協調、支持香港特別行政區履行維護國家安全的職責；
- (三) 收集分析國家安全情報信息；
- (四) 依法辦理危害國家安全犯罪案件。

第五十條 駐香港特別行政區維護國家安全公署應當嚴格依法履行職責，依法接受監督，不得侵害任何個人和組織的合法權益。

駐香港特別行政區維護國家安全公署人員除須遵守全國性法律外，還應當遵守香港特別行政區法律。

駐香港特別行政區維護國家安全公署人員依法接受國家監察機關的監督。

第五十一條 駐香港特別行政區維護國家安全公署的經費由中央財政保障。

第五十二條 駐香港特別行政區維護國家安全公署應當加強與中央人民政府駐香港特別行政區聯絡辦公室、外交部駐香港特別行政區特派員公署、中國人民解放軍駐香港部隊的工作聯繫和工作協同。

第五十三條 駐香港特別行政區維護國家安全公署應當與香港特別行政區維護國家安全委員會建立協調機制，監督、指導香港特別行政區維護國家安全工作。

- 駐香港特別行政區維護國家安全公署的工作部門應當與香港特別行政區維護國家安全的有關機關建立協作機制，加強信息共享和行動配合。
- 第五十四條 駐香港特別行政區維護國家安全公署、外交部駐香港特別行政區特派員公署會同香港特別行政區政府採取必要措施，加強對外國和國際組織駐香港特別行政區機構、在香港特別行政區的外國和境外非政府組織和新聞機構的管理和服務。
- 第五十五條 有以下情形之一的，經香港特別行政區政府或者駐香港特別行政區維護國家安全公署提出，並報中央人民政府批准，由駐香港特別行政區維護國家安全公署對本法規定的危害國家安全犯罪案件行使管轄權：
- （一）案件涉及外國或者境外勢力介入的複雜情況，香港特別行政區管轄確有困難的；
- （二）出現香港特別行政區政府無法有效執行本法的嚴重情況的；
- （三）出現國家安全面臨重大現實威脅的情況的。
- 第五十六條 根據本法第五十五條規定管轄有關危害國家安全犯罪案件時，由駐香港特別行政區維護國家安全公署負責立案偵查，最高人民檢察院指定有關檢察機關行使檢察權，最高人民法院指定有關法院行使審判權。
- 第五十七條 根據本法第五十五條規定管轄案件的立案偵查、審查起訴、審判和刑罰的執行等訴訟程序事宜，適用《中華人民共和國刑事訴訟法》等相關法律的規定。
- 根據本法第五十五條規定管轄案件時，本法第五十六條規定的執法、司法機關依法行使相關權力，其為決定採取強制措施、偵查措施和司法裁判而簽發的法律文書在香港特別行政區具有法律效力。對於駐香港特別行政區維護國家安全公署依法採取的措施，有關機構、組織和個人必須遵從。
- 第五十八條 根據本法第五十五條規定管轄案件時，犯罪嫌疑人自被駐香港特別行政區維護國家安全公署第一次訊問或者採取強制措施之日起，有權委託律師作為辯護人。辯護律師可以依法為犯罪嫌疑人、被告人提供法律幫助。
- 犯罪嫌疑人、被告人被合法拘捕後，享有盡早接受司法機關公正審判的權利。
- 第五十九條 根據本法第五十五條規定管轄案件時，任何人如果知道本法規定的危害國家安全犯罪案件情況，都有如實作證的義務。
- 第六十條 駐香港特別行政區維護國家安全公署及其人員依據本法執行職務的行為，不受香港特別行政區管轄。
- 持有駐香港特別行政區維護國家安全公署制發的證件或者證明文件的人員和車輛等在執行職務時不受香港特別行政區執法人員檢查、搜查和扣押。
- 駐香港特別行政區維護國家安全公署及其人員享有香港特別行政區法律規定的其他權利和豁免。
- 第六十一條 駐香港特別行政區維護國家安全公署依據本法規定履行職責時，香港特別行政區政府有關部門須提供必要的便利和配合，對妨礙有關執行職務的行為依法予以制止並追究責任。

## 【第六章 附則】

- 第六十二條 香港特別行政區本地法律規定與本法不一致的，適用本法規定。
- 第六十三條 辦理本法規定的危害國家安全犯罪案件的有關執法、司法機關及其人員或者辦理其他危害國家安全犯罪案件的香港特別行政區執法、司法機關及其人員，應當對辦案過程中知悉的國家秘密、商業秘密和個人隱私予以保密。
- 擔任辯護人或者訴訟代理人的律師應當保守在執業活動中知悉的國家秘密、商業秘密和個人隱私。
- 配合辦案的有關機構、組織和個人應當對案件有關情況予以保密。
- 第六十四條 香港特別行政區適用本法時，本法規定的「有期徒刑」「無期徒刑」「沒收財產」和「罰金」分別指「監禁」「終身監禁」「充公犯罪所得」和「罰款」，「拘役」參照適用香港特別行政區相關法律規定的「監禁」「入勞役中心」「入教導所」，「管制」參照適用香港特別行政區相關法律規定的「社會服務令」「入感化院」，「吊銷執照或者營業許可證」指香港特別行政區相關法律規定的「取消註冊或者註冊豁免，或者取消牌照」。
- 第六十五條 本法的解釋權屬於全國人民代表大會常務委員會。
- 第六十六條 本法自公布之日起施行。

■ Editor’s note =====

Sources for the text—[English](#), [Chinese](#).

Following the promulgation of the law on June 30, 2020, the PRC on July 8, 2020 established the Office for Safeguarding National Security of the Central People’s Government in the Hong Kong Special Administrative Region (*zhongyang renmin zhengfu zhu Xianggang tebie xingzhengqu weihu guojia anquan gongshu* 中央人民政府駐香港特別行政區維護國家安全公署, abbrev. CPGNSO) to ensure and supervise the implementation of the law. The office is not subject to Hong Kong jurisdiction, and the regime in Beijing appointed Zheng Yanxiong 鄭雁雄 (b. 1963, Guangdong) as its inaugural director (*shuzhang* 署長).

## Implementation Rules for Article 43 of the HKSAR National Security Law

Implementation Rules for Article 43 of the Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region

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Implementation Rules for Article 43 of the Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (Implementation Rules) were gazetted today (July 6) and will take effect on July 7.

The Standing Committee of the National People’s Congress (NPCSC) passed on June 30 the Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (the National Security Law) and listed the legislation in Annex III to the Basic Law in accordance with the procedures under Article 18 of the Basic Law. The Hong Kong Special Administrative Region (HKSAR) Government promulgated the National Security Law in the gazette for implementation at 11pm the same day. Article 43 of the National Security Law stipulates various measures that the department for safeguarding national security of the Police Force of HKSAR may take when handling cases concerning offence endangering national security, and authorises the Chief Executive of the HKSAR, in conjunction with the Committee for Safeguarding National Security of the HKSAR (National Security Committee) to make relevant implementation rules for the purpose of applying the measures stipulated under Article 43.

At the first meeting of the National Security Committee today, the Chief Executive, in conjunction with the National Security Committee, exercised the power under Article 43 of the National Security Law to make relevant implementation rules for law enforcement agencies such as the department for safeguarding national security of the Hong Kong Police Force to implement the measures stipulated under Article 43. The Implementation Rules provide for rules that relevant officers should observe when carrying out the specific measures concerned to prevent, suppress and impose punishment for offences endangering national security, and relevant offences and penalties for the effective implementation of the measures, so as to improve the enforcement mechanisms for the HKSAR to safeguard national security.

The Government spokesman pointed out that the aforementioned Implementation Rules, formulated for the exercise of various measures by relevant officers, clearly set out in detail the procedural requirements, circumstances that must be met and conditions for approval, etc. when implementing those measures. The purpose is to ensure that when relevant officers exercise powers and apply measures under Article 43 of the National Security Law to enforce the Law, the objectives of preventing, suppressing and imposing punishment for any acts and activities endangering national security can be achieved, while the requirement under the General Principles of the National Security Law to respect and protect human rights, as well as the protection of various rights and freedom in accordance with the law can be complied with.

The Implementation Rules have the force of law, and details are as follows:

1. Search of Places for Evidence

The relevant rules are formulated with reference to various existing ordinances regarding the permission to conduct urgent search under exceptional circumstances, including the Firearms and Ammunition Ordinance (Cap.

238) and the Import and Export Ordinance (Cap. 60). For investigation of an offence endangering national security, a police officer may apply to a magistrate for a warrant to enter and search a place for evidence. Under exceptional circumstances (for instance, in urgent situations), a police officer not below the rank of Assistant Commissioner of Police may authorise his officers to enter the relevant place to search for evidence without a warrant.

2. Restriction on Persons under Investigation from Leaving Hong Kong

With reference to provisions under the Prevention of Bribery Ordinance (Cap. 201) which restrict a person under investigation from leaving Hong Kong, the rules authorise police officers to apply to a magistrate for a warrant to require a person who is suspected to have committed offences endangering national security to surrender his travel document, and to restrict that person from leaving Hong Kong, lest some of the persons involved in the case abscond overseas. A person who has surrendered a travel document may make application in writing to the Commissioner of Police or to a magistrate for its return and for permission to leave Hong Kong.

3. Freezing, Restraint, Confiscation and Forfeiture of Property Related to Offences Endangering National Security

The arrangements concerned are formulated with reference to the existing powers and provisions under the Organized and Serious Crimes Ordinance (Cap. 455) and the United Nations (Anti-Terrorism Measures) Ordinance (Cap. 575). If the Secretary for Security has reasonable grounds to suspect that any property is property related to an offence endangering national security, he may, by notice in writing, direct that a person must not deal with the property. The Court of First Instance may, on the application by the Secretary for Justice, order the confiscation of the property related to the offence. Anyone who knows or suspects that any property is property related to an offence endangering national security is obliged to make a disclosure to the Police Force as soon as is reasonably practicable, and must not disclose to another person any information which is likely to prejudice any investigation which might be conducted following that first-mentioned disclosure. In addition, the Secretary for Justice may make an application to the Court of First Instance for a restraint order or charging order to prohibit any person from dealing with any realisable property, or impose on any realisable property that is specified in the order a charge for securing the payment of money to the Government. Furthermore, the Secretary for Justice may also make an application to the court for confiscating the proceeds arising from an offence endangering national security and ordering the amount due be paid within a fixed period.

4. Removal of Messages Endangering National Security and Request for Assistance

If the Commissioner of Police has reasonable grounds to suspect that an electronic message published on an electronic platform is likely to constitute an offence endangering national security or is likely to cause the occurrence of an offence endangering national security, he may, with the approval of the Secretary for Security, authorise a designated police officer to request the relevant message publisher(s), platform service provider(s), hosting service provider(s) and/or network service provider(s) to remove the message; restrict or cease access by any person to the message; or restrict or cease access by any person to the platform or its relevant part(s). It is a reasonable defence if the technology necessary for complying with the requirement was not reasonably available to the publisher or relevant service provider; or there was a risk of incurring substantial loss to, or otherwise substantially prejudicing the right of, a third party.

If the publisher fails to cooperate immediately, and the relevant information on the Internet will continue to seriously affect members of the public, police officers may apply to the magistrate for a warrant to seize the relevant electronic device and take any action for removing that information as soon as practicable. Relevant officers may also apply to the magistrate for a warrant under specific circumstances to authorise police officers to request the relevant service provider to provide the identification record or decryption assistance as the case requires.

5. Requiring Foreign and Taiwan Political Organisations and Agents to Provide Information on Activities Concerning Hong Kong

If the Commissioner of Police reasonably believes that it is necessary for the prevention and investigation of an offence endangering national security, the Commissioner of Police may, with the approval of the Secretary for Security, by written notice served on a foreign political organisation or Taiwan political organisation, or a foreign agent or a Taiwan agent, require the organisation or agent to provide the Commissioner of Police with the prescribed information (including the activities, the personal particulars, as well as the assets, income, sources of income, and expenditure of the organisation in Hong Kong) in a prescribed manner within the specified period. The relevant rules are formulated with reference to the prevailing provisions of the Societies Ordinance (Cap. 151) under which Societies Officers may request the provision of information from societies.



#### 6. Application on Authorisation for Interception of Communications and Covert Surveillance

To effectively prevent and detect offences endangering national security and protect the confidentiality of information related to national security, all applications for interception of communications and covert surveillance operations must be approved by the Chief Executive. Applications for the less intrusive covert surveillance may be made to a directorate officer of the Police Force designated by the Chief Executive. The authorising authority has to ensure that the covert operation concerned satisfies the proportionality and necessity tests before granting the authorisation. According to Article 43 of the National Security Law, the National Security Committee shall be responsible for supervising the implementation of the stipulated measures by the Police Force. On the other hand, the Implementation Rules provide that the Chief Executive may appoint an independent person to assist the National Security Committee in performing the aforementioned supervising responsibility. Furthermore, the Secretary for Security issues Operating Principles and Guidelines for the purpose of providing operating principles and guidance to officers of the HKPF regarding the making of relevant applications and the exercise of powers. Officers of the HKPF are required to comply with the provisions in the Operating Principles and Guidelines when performing any function under the relevant rules. The Operating Principles and Guidelines will be gazetted at the same time with the Implementation Rules.

#### 7. Requirement to Furnish Information and Produce Materials

For the purpose of assisting an investigation into an offence endangering national security or the proceeds obtained with the commission of the relevant offence, the Secretary for Justice or police officers may apply to the court for an order to require the person concerned to answer questions within a specified time period, or to furnish or produce the relevant information or material. The provisions are formulated with reference to the relevant powers and provisions under the Organized and Serious Crimes Ordinance (Cap. 455) and the United Nations (Anti-Terrorism Measures) Ordinance (Cap. 575) currently.

To ensure the effective implementation of the above relevant measures, there is also a need to provide in the Implementation Rules relevant penalties for contravention of the requirements. For instance, if a person who published a message fails to comply with the requirement of the police to remove the message endangering national security without reasonable excuse, the person is liable on conviction to a fine of \$100,000 and to imprisonment for one year. If a service provider fails to comply with the requirement to remove messages endangering national security, or to restrict or cease access to messages or platforms, or the request to provide assistance, the service provider is liable on conviction to a fine of \$100,000 and to imprisonment for six months. Furthermore, a foreign political organisation or Taiwan political organisation, or a foreign agent or a Taiwan agent, who fails to provide information as requested by the Police is liable on conviction to a fine of \$100,000 and to imprisonment for six months unless it can prove that it has exercised due diligence and there have been reasons beyond its control. If any information provided is false, incorrect, or incomplete, the person who provided the information is liable on conviction to a fine of \$100,000 and to imprisonment for two years, unless the person has grounds to believe that the relevant information was true, correct and complete. As for other items, the relevant offences and defence (if specified) are largely the same as the existing provisions in the laws that the Implementation Rules have made reference to. The provision of defence provisions under appropriate circumstances provide appropriate defence for people who fail to comply with the requirements. The above Implementation Rules are in compliance with the requirements concerned under the National Security Law and the Basic Law, including the requirements concerning the respect and protection of human rights.

Government representatives will attend a joint panel meeting of the Panel on Security, the Panel on Administration of Justice and Legal Services and the Panel on Constitutional Affairs of the Legislative Council on July 7 to brief Members on the content of National Security Law and the Implementation Rules.

Monday, July 6, 2020

Issued at HKT 21:51

## 《中華人民共和國香港特別行政區維護國家安全法第四十三條實施細則》

《中華人民共和國香港特別行政區維護國家安全法第四十三條實施細則》  
(《實施細則》) 今日 (七月六日) 刊憲公布, 於七月七日生效。

全國人民代表大會常務委員會（全國人大常委會）六月三十日正式通過《中華人民共和國香港特別行政區維護國家安全法》（《國安法》），並按《基本法》第十八條的程序列入《基本法》附件三。香港特別行政區（香港特區）政府於同日晚上十一時刊憲公布實施。《國安法》第四十三條規定特區政府警務處維護國家安全部門辦理危害國家安全犯罪案件時可以採取的各種措施，並授權香港特區行政長官會同香港特別行政區維護國家安全委員會（國安委）為採取第四十三條所規定的措施制定相關實施細則。

行政長官於今日首次召開的國安委會議上，會同國安委行使《國安法》第四十三條所授予的權力，為警務處維護國家安全部門等執法機構，制定使用第四十三條所規定的措施的相關實施細則。《實施細則》包括為相關人員採取該特定措施以防範、制止及懲治危害國家安全罪行時的細則，及為確保有效執行措施所需的相關罪行和罰則，以完善特區維護國家安全的執行機制。

政府發言人指出，上述為相關人員行使各項規定措施所訂定的《實施細則》，清晰並詳細地列明執行各項措施的程序要求、所需符合的情況和審批的條件等，其目的是確保相關人員在執行《國安法》時，所行使《國安法》第四十三條的權力和採取的措施，既能達到防範、制止和懲治危害國家安全行為和活動的目的，也能同時符合《國安法》總則下對尊重和保障人權以及依法保護各項權利和自由的要求。

《實施細則》具有法律效力，詳情如下：

#### 1. 為搜證而搜查有關地方

有關細則參照多條現行法例中有關特殊情況下容許緊急搜查的條文，包括《火器及彈藥條例》（第 238 章）及《進出口條例》（第 60 章）等。為偵查危害國家安全罪行，警務人員可向裁判官申請手令進入和搜查有關地方進行搜證。在特殊情況（如緊急情況）下，助理處長級或以上警務人員可授權其人員在無手令的情況下，進入有關地方搜證。

#### 2. 限制受調查的人離開香港

參照現行《防止賄賂條例》（第 201 章）限制受調查人離境的條文，細則授權警務人員可向裁判官申請手令，要求懷疑犯了該等危害國家安全罪行而受調查的人交出旅行證件，並限制其離開香港，以免部分涉案人士潛逃海外。交出旅行證件的人，可以書面向警務處處長或裁判官申請發還該旅行證件及批准離開香港。

#### 3. 凍結、限制、沒收及充公與危害國家安全罪行相關財產

有關安排參考現行《有組織及嚴重罪行條例》（第 455 章）及《聯合國（反恐怖主義措施）條例》（第 575 章）相關權力和規定。保安局局長如有合理理由懷疑某財產是危害國家安全罪行相關財產，可藉書面通知作出指示，任何人不得處理該財產。而原訟法庭可在律政司司長的申請下，命令將罪行相關財產充公。任何人如知悉或懷疑任何財產是危害國家安全罪行相關財產，亦有責任在切實可行的情況下盡快向警方披露，以及不得向另一人披露任何相當可能損害或會因應上述的披露而進行的任何調查的資料。律政司司長亦可向原訟法庭申請限制令或押記令，禁止任何人處理任何可變現財產，或指明可變現財產作為押記以擔保向政府繳付款項的命令，並可向法庭申請沒收危害國家安全罪行的犯罪得益，命令在訂定期間內妥為繳付追討款額。

#### 4. 移除危害國家安全的信息及要求協助

如警務處處長有合理理由懷疑在電子平台上發布的電子信息相當可能構成危害國家安全罪行或相當可能會導致危害國家安全罪行的發生，可在保安局局長批准下，授權指定的警務處人員要求有關發布人士、平台服務商、主機服務商及 / 或網路服務商移除危害國家安全的信息；限制或停止任何人接達該信息；或限制或停止任何人接達該平台或相關部分。但若所需的科技並非發布者或有關服務商合理可得，或有關服務商遵從有關要求有對第三方招致相當程度損失或損害第三方的權利的風險存在，則可為合理辯解。

若有關的信息發布人未即時合作，而有關資訊會繼續在網上嚴重影響公眾，警務人員可向裁判官申請手令檢取有關電子器材，並作出行動盡快移除該信息。有關人員亦可在指定情況向裁判官申請發出手令，授權警務人員，要求有關服務商按情況所需提供有關身分紀錄或解密協助。

#### 5. 向外國及台灣政治性組織及其代理人要求就涉港活動提供資料

警務處處長如合理地相信是防止及偵查危害國家安全罪行所需要的，可在保安局局長批准下，藉向某外國政治性組織或台灣政治性組織，或某外國代理人或台灣代理人，送達書面通知，規定該組織或代理人在指定期限內，按指定方式向警務處處長提交指明資料（包括在香港的活動及個人資料、資產、收入、收入來源及開支）。此細則參考了現有《社團條例》（第 151 章），社團事務主任可要求社團提供資料的條文。

#### 6. 進行截取通訊及秘密監察的授權申請

為有效防止和偵測危害國家安全罪行及保護涉及國家安全的資料的機密性，所有截取通訊及秘密監察行動的申請，須經行政長官批准；而進行侵擾程度較低的秘密監察行動，可向行政長官指定的首長級警務處人員申請。授權當局須確定秘密行動能符合「相稱性」和「必要性」的驗證標準，方可作出授權。

根據《國安法》第四十三條，國安委對警務處採取規定的措施負有監督責任，而根據實行細則，行政長官可委任一名獨立人士，協助國安委履行上述的監督責任。此外，保安局局長亦發出《運作原則及指引》，為警務人員如何作出有關申請及行使權力提供運作原則及指引，規定警務處人員在執行有關職能時須予遵守。有關《運作原則及指引》會與《實施細則》同時刊憲。

#### 7. 提供資料和提交物料

為協助偵查危害國家安全罪行，或干犯有關罪行而獲得的得益，律政司司長或警務人員可向法庭申請批准，要求有關人士在指定時限內回答問題，或提供或交出相關資料或物料。有關條文，參考現行《有組織及嚴重罪行條例》(第455章)及《聯合國(反恐怖主義措施)條例》(第575章)相關權力和規定。

為確保上述有關措施能有效實施，《實施細則》亦按需要訂定違反規定的相關罰則。舉例而言，若無合理辯解，如信息發布人未有遵從警方移除危害國家安全的信息要求，一經定罪，可被判罰款\$100,000及監禁一年；如有服務商未有遵從移除或限制或停止任何人接達危害國家安全的信息或平台，或提供協助的要求，一經定罪，則可被判罰款\$100,000及監禁六個月。此外，若外國及台灣政治性組織或外國及台灣代理人未有按要求向警方提供資料，除非可證明已經盡力或有非可能控制的原因，否則一經定罪，可被判罰款\$100,000及監禁六個月；而若涉及提供虛假、不正確或不完整的資料，則可被判罰款\$100,000及監禁兩年，但有理由相信有關資料是真實、正確及完整則屬合理辯解。至於其他的各項，有關的罪行及免責辯護(如有訂明)與所參考的現有法律條文大致相同。在合適的情況下提供辯解條文，可以為無法遵從要求的人提供合適的辯解理由。上述的實施細則符合《國安法》及《基本法》的規定，包括關於尊重和保障人權的規定。

政府代表明日(七月七日)會出席立法會保安事務委員會、司法及法律事務委員會及政制事務委員會聯合會議，向議員講解《國安法》及《實施細則》的內容。

2020年7月6日(星期一)

香港時間 20時 16分

#### ■ Editor's note =====

Sources for the text—[English](#), [Chinese](#).

## The Taiwan Question and China's Reunification in the New Era

The People's Republic of China

The Taiwan Affairs Office of the State Council and The State Council Information Office

August 2022

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### Preamble

Resolving the Taiwan question and realizing China's complete reunification is a shared aspiration of all the sons and daughters of the Chinese nation. It is indispensable for the realization of China's rejuvenation. It is also a historic mission of the Communist Party of China (CPC). The CPC, the Chinese government, and the Chinese people have striven for decades to achieve this goal.

The 18th National Congress of the CPC in 2012 heralded a new era in building socialism with Chinese characteristics. Under the strong leadership of the CPC Central Committee with Xi Jinping at the core, the CPC and the Chinese government have adopted new and innovative measures in relation to Taiwan. They have continued to chart the course of cross-Straits relations, safeguard peace and stability across the Taiwan Straits, and promote progress towards national reunification. However, in recent years the Taiwan authorities, led by the Democratic

Progressive Party (DPP), have redoubled their efforts to divide the country, and some external forces have tried to exploit Taiwan to contain China, prevent the Chinese nation from achieving complete reunification, and halt the process of national rejuvenation.

The CPC has united the Chinese people and led them in fulfilling the First Centenary Goal of building a moderately prosperous society in all respects as scheduled, and in embarking on a new journey towards the Second Centenary Goal of building China into a modern socialist country.

The Chinese nation has achieved a historic transformation from standing upright to becoming prosperous and growing in strength, and national rejuvenation is driven by an unstoppable force. This marks a new starting point for reunification.

The Chinese government has published two previous white papers on Taiwan. One was The Taiwan Question and Reunification of China in August 1993, and the other was The One-China Principle and the Taiwan Issue in February 2000. These two white papers provided a comprehensive and systematic elaboration of the basic principles and policies regarding the resolution of the Taiwan question. This new white paper is being released to reiterate the fact that Taiwan is part of China, to demonstrate the resolve of the CPC and the Chinese people and their commitment to national reunification, and to emphasize the position and policies of the CPC and the Chinese government in the new era.

## **I. Taiwan Is Part of China - This Is an Indisputable Fact**

Taiwan has belonged to China since ancient times. This statement has a sound basis in history and jurisprudence. New archeological discoveries and research findings regularly attest to the profound historical and cultural ties between the two sides of the Taiwan Straits. A large number of historical records and annals document the development of Taiwan by the Chinese people in earlier periods.

The earliest references to this effect are to be found, among others, in Seaboard Geographic Gazetteer compiled in the year 230 by Shen Ying of the State of Wu during the Three Kingdoms Period. The royal court of the Sui Dynasty had on three occasions sent troops to Taiwan, called Liuqiu at that time. Starting from the Song and Yuan dynasties, the imperial central governments of China all set up administrative bodies to exercise jurisdiction over Penghu and Taiwan.

In 1624, Dutch colonialists invaded and occupied the southern part of Taiwan. In 1662, General Zheng Chenggong, hailed as a national hero, led an expedition and expelled them from the island. Subsequently, the Qing court gradually set up more administrative bodies in Taiwan. In 1684, a Taiwan prefecture administration was set up under the jurisdiction of Fujian Province. In 1885, Taiwan's status was upgraded and it became the 20th province of China.

In July 1894, Japan launched a war of aggression against China. In April 1895, the defeated Qing government was forced to cede Taiwan and the Penghu Islands to Japan. During the Chinese People's War of Resistance Against Japanese Aggression (1931-1945), China's Communists called for the recovery of Taiwan. Talking with American journalist Nym Wales on May 15, 1937, Mao Zedong said that China's goal was to achieve a final victory in the war - a victory that would recover the occupied Chinese territories in Northeast China and to the south of the Shanhai Pass, and secure the liberation of Taiwan.

On December 9, 1941, the Chinese government issued a declaration of war against Japan, and proclaimed that all treaties, conventions, agreements, and contracts regarding relations between China and Japan had been abrogated, and that China would recover Taiwan and the Penghu Islands.

The Cairo Declaration issued by China, the United States and the United Kingdom on December 1, 1943 stated that it was the purpose of the three allies that all the territories Japan had stolen from China, such as Northeast China, Taiwan and the Penghu Islands, should be restored to China.

The Potsdam Proclamation was signed by China, the United States and the United Kingdom on July 26, 1945, and subsequently recognized by the Soviet Union. It reiterated: "The terms of the Cairo Declaration shall be carried out." In September of the same year, Japan signed the instrument of surrender, in which it promised that it would faithfully fulfill the obligations laid down in the Potsdam Proclamation. On October 25 the Chinese government announced that it was resuming the exercise of sovereignty over Taiwan, and the ceremony to accept Japan's surrender in Taiwan Province of the China war theater of the Allied powers was held in Taibei (Taipei). From that point forward, China had recovered Taiwan de jure and de facto through a host of documents with international legal effect.

On October 1, 1949, the People's Republic of China (PRC) was founded, becoming the successor to the Republic of China (1912-1949), and the Central People's Government became the only legitimate government of the whole of

China. The new government replaced the previous KMT regime in a situation where China, as a subject under international law, did not change and China's sovereignty and inherent territory did not change. As a natural result, the government of the PRC should enjoy and exercise China's full sovereignty, which includes its sovereignty over Taiwan.

As a result of the civil war in China in the late 1940s and the interference of external forces, the two sides of the Taiwan Straits have fallen into a state of protracted political confrontation. But the sovereignty and territory of China have never been divided and will never be divided, and Taiwan's status as part of China's territory has never changed and will never be allowed to change.

At its 26th session in October 1971, the United Nations General Assembly adopted Resolution 2758, which undertook "to restore all its rights to the People's Republic of China and to recognize the representatives of its Government as the only legitimate representatives of China to the United Nations, and to expel forthwith the representatives of Chiang Kai-shek from the place which they unlawfully occupy at the United Nations and in all the organizations related to it". This resolution settled once and for all the political, legal and procedural issues of China's representation in the UN, and it covered the whole country, including Taiwan. It also spelled out that China has one single seat in the UN, so there is no such thing as "two Chinas" or "one China, one Taiwan".

The specialized agencies of the UN later adopted further resolutions restoring to the PRC its lawful seat and expelling the representatives of the Taiwan authorities. One of these is Resolution 25.1 adopted at the 25th World Health Assembly in May 1972. It was clearly stated in the official legal opinions of the Office of Legal Affairs of the UN Secretariat that "the United Nations considers 'Taiwan' as a province of China with no separate status", and the "'authorities' in 'Taipei' are not considered to... enjoy any form of government status". At the UN the island is referred to as "Taiwan, Province of China"[1].

Resolution 2758 is a political document encapsulating the one-China principle whose legal authority leaves no room for doubt and has been acknowledged worldwide. Taiwan does not have any ground, reason, or right to join the UN, or any other international organization whose membership is confined to sovereign states.

In recent years some elements in a small number of countries, the US foremost among them, have colluded with forces in Taiwan, to falsely claim that the resolution did not conclusively resolve the issue of Taiwan's representation. Puffing up the illegal and invalid Treaty of San Francisco[2] and disregarding the Cairo Declaration, the Potsdam Proclamation and other international legal documents, they profess that the status of Taiwan has yet to be determined, and declare their support for "Taiwan's meaningful participation in the UN system". What they are actually attempting to do is to alter Taiwan's status as part of China and create "two Chinas" or "one China, one Taiwan" as part of a political ploy - using Taiwan to contain China. These actions in violation of Resolution 2758 and international law are a serious breach of political commitments made by these countries. They damage China's sovereignty and dignity, and treat the basic principles of international law with contempt. The Chinese government has condemned and expressed its resolute opposition to them.

The one-China principle represents the universal consensus of the international community; it is consistent with the basic norms of international relations. To date, 181 countries including the United States have established diplomatic relations with the PRC on the basis of the one-China principle. The China-US Joint Communiqué on the Establishment of Diplomatic Relations, published in December 1978, states: "The Government of the United States of America acknowledges the Chinese position that there is but one China and Taiwan is part of China." It also states: "The United States of America recognizes the Government of the People's Republic of China as the sole legal Government of China. Within this context, the people of the United States will maintain cultural, commercial, and other unofficial relations with the people of Taiwan."

The Constitution of the People's Republic of China, adopted at the Fifth Session of the Fifth National People's Congress (NPC) in December 1982, stipulates: "Taiwan is part of the sacred territory of the People's Republic of China. It is the inviolable duty of all Chinese people, including our compatriots in Taiwan, to accomplish the great task of reunifying the motherland."

The Anti-Secession Law, adopted at the Third Session of the 10th NPC in March 2005, stipulates: "There is only one China in the world. Both the mainland and Taiwan belong to one China. China's sovereignty and territorial integrity brook no division. Safeguarding China's sovereignty and territorial integrity is the common obligation of all Chinese people, the Taiwan compatriots included. Taiwan is part of China. The state shall never allow the 'Taiwan independence' secessionist forces to make Taiwan secede from China under any name or by any means."

The National Security Law, adopted at the 15th meeting of the Standing Committee of the 12th NPC in July 2015, stipulates: "The sovereignty and territorial integrity of China brook no violation or separation. Safeguarding national

sovereignty, unity and territorial integrity is the common duty of all Chinese citizens, including Hong Kong, Macao and Taiwan compatriots."

We are one China, and Taiwan is part of China. This is an indisputable fact supported by history and the law. Taiwan has never been a state; its status as part of China is unalterable. Any attempt to distort these facts and dispute or deny the one-China principle will end in failure.

## **II. Resolute Efforts of the CPC to Realize China's Complete Reunification**

The CPC has always been dedicated to working for the wellbeing of the Chinese people and the rejuvenation of the Chinese nation. Soon after its founding in 1921, the CPC set itself the goal of freeing Taiwan from colonial rule, reuniting it with the rest of the country and liberating the whole nation, including compatriots in Taiwan. It has made a tremendous effort to achieve this goal.

The CPC is committed to the historic mission of resolving the Taiwan question and realizing China's complete reunification. Under its resolute leadership, people on both sides of the Taiwan Straits have worked together to de-escalate tension across the Straits. They have set out on a path of peaceful development and made many breakthroughs in improving cross-Straits relations.

After the founding of the PRC in 1949, China's Communists, under the leadership of Mao Zedong, proposed the essential guideline, underlying principle, and basic policy for peaceful settlement of the Taiwan question. The CPC prepared and worked for the liberation of Taiwan, thwarted the Taiwan authorities' plans to attack the mainland, and foiled attempts to create "two Chinas" and "one China, one Taiwan". Through their efforts, the lawful seat and rights of the PRC in the United Nations were restored and the one-China principle was subscribed to by the majority of countries, laying important groundwork for peaceful reunification. The CPC central leadership established high-level contact with the Taiwan authorities through proper channels in pursuit of a peaceful solution to the Taiwan question.

Following the Third Plenary Session of the 11th CPC Central Committee in 1978, with the establishment of diplomatic relations between the PRC and the United States, China's Communists, led by Deng Xiaoping, defined the fundamental guideline for peaceful reunification in the vital interests of the country and the people and on the basis of the consensus for peaceful settlement of the Taiwan question. The CPC introduced the creative and well-conceived concept of One Country, Two Systems, and applied it first in resolving the questions of Hong Kong and Macao. It took action to ease military confrontation across the Taiwan Straits, restore contact, and open up people-to-people exchanges and cooperation, opening a new chapter in cross-Straits relations.

After the Fourth Plenary Session of the 13th CPC Central Committee in 1989, China's Communists, led by Jiang Zemin, made eight proposals for the development of cross-Straits relations and the peaceful reunification of China<sup>[3]</sup>. The CPC facilitated agreement across the Straits on the 1992 Consensus, which embodies the one-China principle. It initiated cross-Straits consultations and negotiations, resulting in the first talks between heads of the non-governmental organizations authorized by the two sides of the Straits, and expanded cross-Straits exchanges and cooperation in various fields. The CPC took firm action against separatist activities led by Lee Teng-hui, and struck hard at the separatist forces seeking "Taiwan independence". It ensured the smooth return of Hong Kong and Macao to China, and applied the policy of One Country, Two Systems, which had a constructive impact on the settlement of the Taiwan question.

After the 16th CPC National Congress in 2002, China's Communists, led by Hu Jintao, highlighted the importance of peaceful development of cross-Straits relations. The CPC pushed for the enactment of the Anti-Secession Law to curb separatist activities in Taiwan, hosted the first talks between the leaders of the CPC and the Kuomintang in six decades since 1945, and defeated attempts by Chen Shui-bian to fabricate a legal basis for "independence". The CPC effected profound changes in moving the peaceful development of cross-Straits relations forward by promoting institutionalized consultations and negotiations that produced fruitful results, establishing overall direct two-way links in mail, business and transport, and facilitating the signing and implementation of the Economic Cooperation Framework Agreement.

After the 18th CPC National Congress in 2012, China's Communists, under the leadership of Xi Jinping, took a holistic approach to cross-Straits relations in keeping with changing circumstances, added substance to the theory on national reunification and the principles and policies concerning Taiwan, and worked to keep cross-Straits relations on the right track. The CPC developed its overall policy for resolving the Taiwan question in the new era, and set out the overarching guideline and a program of action.

At its 19th National Congress in October 2017, the CPC affirmed the basic policy of upholding One Country, Two Systems and promoting national reunification, and emphasized its resolve never to allow any person, any organization, or any political party, at any time or in any form, to separate any part of Chinese territory from China.

In January 2019, Xi Jinping, general secretary of the CPC Central Committee and president of China, addressed a meeting marking the 40th anniversary of the release of the Message to Compatriots in Taiwan. In his speech, Xi Jinping proposed major policies to advance the peaceful development of cross-Straits relations and the peaceful reunification of China in the new era. These are: first, working together to promote China's rejuvenation and its peaceful reunification; second, seeking a Two Systems solution to the Taiwan question and making innovative efforts towards peaceful reunification; third, abiding by the one-China principle and safeguarding the prospects for peaceful reunification; fourth, further integrating development across the Straits and consolidating the foundations for peaceful reunification; fifth, forging closer bonds of heart and mind between people on both sides of the Straits and strengthening joint commitment to peaceful reunification.

The CPC and the Chinese government have thereby adopted a series of major measures for charting the course of cross-Straits relations and realizing China's peaceful reunification:

- The CPC and the Chinese government have facilitated the first meeting and direct dialogue between leaders of the two sides since 1949, raising exchanges and interactions to new heights, opening up a new chapter, and creating new space for cross-Straits relations. This is a new milestone. The departments in charge of cross-Straits affairs on both sides have established regular contact and communication mechanisms on a common political foundation, and the heads of the two departments have exchanged visits and set up hotlines.

- Upholding the one-China principle and the 1992 Consensus, the CPC and the Chinese government have facilitated exchanges between political parties across the Straits, and conducted dialogues, consultations, and in-depth exchanges of views on cross-Straits relations and the future of the Chinese nation with relevant political parties, organizations, and individuals in Taiwan. These efforts have resulted in consensus on multiple issues, and promoted a number of joint initiatives exploring the Two Systems solution to the Taiwan question with all sectors of Taiwan society.

- Guided by the conviction that people on both sides of the Taiwan Straits are of the same family, the CPC and the Chinese government have promoted peaceful development of cross-Straits relations and integrated development of the two sides for the benefit of both the mainland and Taiwan. We have also refined the institutional arrangements, policies and measures to promote cross-Straits exchanges and cooperation, designed to advance the wellbeing of the people of Taiwan. These include the delivery of water from the coastal province of Fujian to Kinmen Island, electronic travel passes for Taiwan residents to enter or leave the mainland, residence permits for Taiwan residents, progressively ensuring that Taiwan compatriots have equal access to public services so as to facilitate their studying, starting businesses, working and living on the mainland, and an ongoing effort to pave the way for Taiwan to benefit first from the mainland's development opportunities.

- While countering interference and obstruction from separatist forces, the CPC and the Chinese government have called on the people of Taiwan to promote effective and in-depth cooperation and people-to-people exchanges in various fields across the Straits. Having overcome the impact of COVID-19, we have held a number of exchange events such as the Straits Forum, and maintained the momentum of cross-Straits exchanges and cooperation.

- Resolute in defending state sovereignty and territorial integrity and opposing separatist activities and external interference, the CPC and the Chinese government have safeguarded peace and stability in the Taiwan Straits and the fundamental interests of the Chinese nation. We have taken lawful action against and effectively deterred separatist forces. We have handled Taiwan's external exchanges in a sound manner, and consolidated the international community's commitment to the one-China principle.

Under the guidance of the CPC, great progress has been made in cross-Straits relations over the past seven decades, especially since the estrangement between the two sides was ended. Increased exchanges, broader cooperation and closer interactions have brought tangible benefits to people across the Straits, especially of Taiwan. This fully demonstrates that cross-Straits amity and cooperation are mutually beneficial.

The volume of cross-Straits trade was only US\$46 million in 1978. It rose to US\$328.34 billion in 2021, up by a factor of more than 7,000. The mainland has been Taiwan's largest export market for the last 21 years, generating a large annual surplus for the island. The mainland is also the largest destination for Taiwan's off-island investment. By the end of 2021 Taiwan businesses had invested in almost 124,000 projects on the mainland, to a total value of US\$71.34 billion[4].

In 1987 less than 50,000 visits were made between the two sides; by 2019 this number had soared to about 9 million. In the past three years, affected by COVID-19, online communication has become the main form of people-to-people interactions across the Straits, and the numbers of people participating in and covered by online communication are reaching new highs.

The CPC has always been the spine of the Chinese nation, exercising strong leadership in realizing national rejuvenation and reunification. Its consistent efforts over the decades to resolve the Taiwan question and achieve complete national reunification are based on the following:

First, the one-China principle must be upheld, and no individual or force should be allowed to separate Taiwan from China.

Second, it is imperative to strive for the wellbeing of all Chinese people, including those in Taiwan, and to realize the aspirations of all Chinese people for a better life.

Third, we must follow the principles of freeing the mind, seeking truth from facts, maintaining the right political orientation, and breaking new ground, and defend the fundamental interests of the nation and the core interests of the state in formulating principles and policies on work related to Taiwan.

Fourth, it is necessary to have the courage and skill to fight against any force that attempts to undermine China's sovereignty and territorial integrity or stands in the way of its reunification.

Fifth, extensive unity and solidarity must be upheld to mobilize all factors to fight against any force that would divide the country, and pool strengths to advance national reunification.

### **III. China's Complete Reunification Is a Process That Cannot Be Halted**

Against a backdrop of profound and complex changes in the domestic and international situation, our cause of complete national reunification is facing new challenges. The CPC and the Chinese government have the strength and the confidence to deal with complexities and overcome risks and threats, and the ability to take great strides forward on the path to national reunification.

#### **1. Complete Reunification Is Critical to National Rejuvenation**

Throughout China's 5,000-year history, national reunification and opposition to division have remained a common ideal and a shared tradition of the whole nation. In the modern era from the mid-19th century, due to the aggression of Western powers and the decadence of feudal rule, China was gradually reduced to a semi-feudal, semi-colonial society, and went through a period of suffering worse than anything it had previously known. The country endured intense humiliation, the people were subjected to great pain, and the Chinese civilization was plunged into darkness. Japan's 50-year occupation of Taiwan epitomized this humiliation and inflicted agony on both sides of the Taiwan Straits. Our two sides face each other just across a strip of water, yet we are still far apart. The fact that we have not yet been reunified is a scar left by history on the Chinese nation. We Chinese on both sides should work together to achieve reunification and heal this wound.

National rejuvenation has been the greatest dream of the Chinese people and the Chinese nation since the modern era began. Only by realizing complete national reunification can the Chinese people on both sides of the Straits cast aside the shadow of civil war and create and enjoy lasting peace. National reunification is the only way to avoid the risk of Taiwan being invaded and occupied again by foreign countries, to foil the attempts of external forces to contain China, and to safeguard the sovereignty, security, and development interests of our country. It is the most effective remedy to secessionist attempts to divide our country, and the best means to consolidate Taiwan's status as part of China and advance national rejuvenation. It will enable us to pool the strengths of the people on both sides, build our common home, safeguard our interests and wellbeing, and create a brighter future for the Chinese people and the Chinese nation. As Dr Sun Yat-sen, the great pioneer of China's revolution, once said, "Unification is the hope of all Chinese nationals. If China can be unified, all Chinese will enjoy a happy life; if it cannot, all will suffer." In exploring the path to rejuvenation and prosperity, China has endured vicissitudes and hardships. "Unification brings strength while division leads to chaos." This is a law of history. The realization of complete national reunification is driven by the history and culture of the Chinese nation and determined by the momentum towards and circumstances surrounding our national rejuvenation. Never before have we been so close to, confident in, and capable of achieving the goal of national rejuvenation. The same is true when it comes to our goal of complete national reunification. The Taiwan question arose as a result of weakness and chaos in our nation, and it will be resolved as national rejuvenation becomes a reality. When all the Chinese people stick together and work together, we will surely succeed in realizing national reunification on our way to national rejuvenation.



## 2. National Development and Progress Set the Direction of Cross-Straits Relations

China's development and progress are a key factor determining the course of cross-Straits relations and the realization of complete national reunification. In particular, the great achievements over four decades of reform, opening up and modernization have had a profound impact on the historical process of resolving the Taiwan question and realizing complete national reunification. No matter which political party or group is in power in Taiwan, it cannot alter the course of progress in cross-Straits relations or the trend towards national reunification.

International Monetary Fund statistics show that in 1980 the GDP of the mainland was about US\$303 billion, just over 7 times that of Taiwan, which was about US\$42.3 billion; in 2021, the GDP of the mainland was about US\$17.46 trillion, more than 22 times that of Taiwan, which was about US\$790 billion.[5]

China's development and progress, and in particular the steady increases in its economic power, technological strength, and national defense capabilities, are an effective curb against separatist activities and interference from external forces. They also provide broad space and great opportunities for cross-Straits exchanges and cooperation. As more and more compatriots from Taiwan, especially young people, pursue their studies, start businesses, seek jobs, or go to live on the mainland, cross-Straits exchanges, interaction and integration are intensified in all sectors, the economic ties and personal bonds between the people on both sides run deeper, and our common cultural and national identities grow stronger, leading cross-Straits relations towards reunification.

The CPC has united the Chinese people and led them in embarking on the new journey of building China into a modern socialist country in all respects. Following the path of socialism with Chinese characteristics, the mainland has improved its governance and maintained long-term economic growth; it enjoys a solid material foundation, a wealth of human resources, a huge market, strong resilience in development, and social stability. It therefore has many strengths and favorable conditions for further development, and these have become the driving force for reunification.

Grounding its effort in the new development stage, the mainland is committed to applying the new development philosophy, creating a new development dynamic, and promoting high-quality development. As a result, the overall strength and international influence of the mainland will continue to increase, and its influence over and appeal to Taiwan society will keep growing. We will have a more solid foundation for resolving the Taiwan question and greater ability to do so. This will give a significant boost to national reunification.

## 3. Any Attempt by Separatist Forces to Prevent Reunification Is Bound to Fail

Taiwan has been an integral part of China's territory since ancient times. Moves to separate Taiwan from China represent the serious crime of secession, and undermine the common interests of compatriots on both sides of the Taiwan Straits and the fundamental interests of the Chinese nation. They will lead nowhere.

The DPP authorities have adopted a separatist stance, and colluded with external forces in successive provocative actions designed to divide the country. They refuse to recognize the one-China principle, and distort and deny the 1992 Consensus. They assert that Taiwan and the mainland should not be subordinate to each other, and proclaim a new "two states" theory. On the island, they constantly press for "de-sinicization" and promote "incremental independence". They incite radical separatists in and outside the DPP to lobby for amendments to their "constitution" and "laws". They deceive the people of Taiwan, incite hostility against the mainland, and obstruct and undermine cross-Straits exchanges, cooperation and integrated development. They have steadily built up their military forces with the intention of pursuing "independence" and preventing reunification by force. They join with external forces in trying to sow the seeds of "two Chinas" or "one China, one Taiwan". The actions of the DPP authorities have resulted in tension in cross-Straits relations, endangering peace and stability in the Taiwan Straits, and undermining the prospects and restricting the space for peaceful reunification. These are obstacles that must be removed in advancing the process of peaceful reunification.

Taiwan belongs to all the Chinese people, including the 23 million Taiwan compatriots. The Chinese people are firm in their resolve and have a deep commitment to safeguarding China's sovereignty and territorial integrity, and the fundamental interests of the Chinese nation, and this resolve and commitment will frustrate any attempt to divide the country. When Taiwan was invaded by a foreign power more than 100 years ago, China was a poor and weak country. More than 70 years ago, China defeated the invaders and recovered Taiwan. Today, China has grown into the world's second largest economy. With significant growth in its political, economic, cultural, technological, and military strength, there is no likelihood that China will allow Taiwan to be separated again. Attempts to reject reunification and split the country are doomed, because they will founder against the history and culture of the Chinese nation as well as the resolve and commitment of more than 1.4 billion Chinese people.

#### 4. External Forces Obstructing China's Complete Reunification Will Surely Be Defeated

External interference is a prominent obstacle to China's reunification. Still lost in delusions of hegemony and trapped in a Cold War mindset, some forces in the US insist on perceiving and portraying China as a major strategic adversary and a serious long-term threat. They do their utmost to undermine and pressurize China, exploiting Taiwan as a convenient tool. The US authorities have stated that they remain committed to the one-China policy and that they do not support "Taiwan independence". But their actions contradict their words. They are clouding the one-China principle in uncertainty and compromising its integrity. They are contriving "official" exchanges with Taiwan, increasing arms sales, and colluding in military provocation. To help Taiwan expand its "international space", they are inducing other countries to interfere in Taiwan affairs, and concocting Taiwan-related bills that infringe upon the sovereignty of China. They are creating confusion around what is black and white, right and wrong. On the one hand, they incite separatist forces to create tension and turmoil in cross-Straits relations. On the other hand, they accuse the mainland of coercion, pressurizing Taiwan, and unilaterally changing the status quo, in order to embolden these forces and create obstacles to China's peaceful reunification.

The important principles of respecting state sovereignty and territorial integrity as enshrined in the Charter of the United Nations are the cornerstones of modern international law and basic norms of international relations. It is the sacred right of every sovereign state to safeguard national unity and territorial integrity. It goes without saying that the Chinese government is entitled to take all measures necessary to settle the Taiwan question and achieve national reunification, free of external interference.

Behind the smokescreens of "freedom, democracy, and human rights" and "upholding the rules-based international order", some anti-China forces in the US deliberately distort the nature of the Taiwan question - which is purely an internal matter for China - and try to deny the legitimacy and justification of the Chinese government in safeguarding national sovereignty and territorial integrity. This clearly reveals their intention of using Taiwan to contain China and obstruct China's reunification, which should be thoroughly exposed and condemned.

These external forces are using Taiwan as a pawn to undermine China's development and progress, and obstruct the rejuvenation of the Chinese nation. They are doing so at the cost of the interests, wellbeing and future of the people of Taiwan rather than for their benefit. They have encouraged and instigated provocative actions by the separatist forces; these have intensified cross-Straits tension and confrontation, and undermined peace and stability in the Asia-Pacific region. This runs counter to the underlying global trends of peace, development and win-win cooperation, and goes against the wishes of the international community and the aspiration of all peoples.

Shortly after the PRC was founded, even though the country itself had to be rebuilt on the ruins of decades of war, China and its people won a resounding victory in the War to Resist US Aggression and Aid Korea (1950-1953). We defeated a powerful and well-armed enemy through gallantry and tenacity. In doing so, we safeguarded the security of the newly founded People's Republic, reestablished the status of China as a major country in the world, and demonstrated our heroic spirit, our lack of fear, and our will to stand up against the abuse of the powerful.

China is firmly committed to peaceful development. At the same time, it will not flinch under any external interference, nor will it tolerate any infringement upon its sovereignty, security and development interests. Relying on external forces will achieve nothing for Taiwan's separatists, and using Taiwan to contain China is doomed to fail.

Tranquility, development and a decent life are the expectations of our Taiwan compatriots, and the common aspiration of those on both sides of the Taiwan Straits. Under the strong leadership of the CPC, the Chinese people and the Chinese nation have stood upright, won prosperity, and grown in strength. A moderately prosperous society in all respects has been built on the mainland, where a large population once lived in dire poverty. We now have better conditions, more confidence, and greater capabilities. We can complete the historic mission of national reunification, so that both sides of the Straits can enjoy a better life. The wheel of history rolls on towards national reunification, and it will not be stopped by any individual or any force.

#### **IV. National Reunification in the New Era**

Taking into consideration the overall goal of national rejuvenation in the context of global change on a scale unseen in a century, the CPC and the Chinese government have continued to follow the CPC's fundamental guidelines on the Taiwan question and implement its principles and policies towards Taiwan, and have made concrete efforts to promote peaceful cross-Straits relations, integrate the development of the two sides, and work towards national reunification.

## 1. Upholding the Basic Principles of Peaceful Reunification and One Country, Two Systems

National reunification by peaceful means is the first choice of the CPC and the Chinese government in resolving the Taiwan question, as it best serves the interests of the Chinese nation as a whole, including our compatriots in Taiwan, and it works best for the long-term stability and development of China. We have worked hard to overcome hardships and obstacles to peaceful reunification over the past decades, showing that we cherish and safeguard the greater good of the nation, the wellbeing of our compatriots in Taiwan, and peace on both sides.

The One Country, Two Systems principle is an important institutional instrument created by the CPC and the Chinese government to enable peaceful reunification. It represents a great achievement of Chinese socialism. Peaceful reunification and One Country, Two Systems are our basic principles for resolving the Taiwan question and the best approach to realizing national reunification. Embodying the Chinese wisdom - we thrive by embracing each other - they take full account of Taiwan's realities and are conducive to long-term stability in Taiwan after reunification.

We maintain that after peaceful reunification, Taiwan may continue its current social system and enjoy a high degree of autonomy in accordance with the law. The two social systems will develop side by side for a long time to come. One Country is the precondition and foundation of Two Systems; Two Systems is subordinate to and derives from One Country; and the two are integrated under the one-China principle.

We will continue working with our compatriots in Taiwan to explore a Two Systems solution to the Taiwan question and increase our efforts towards peaceful reunification. In designing the specifics for implementing One Country, Two Systems, we will give full consideration to the realities in Taiwan and the views and proposals from all walks of life on both sides, and fully accommodate the interests and sentiments of our compatriots in Taiwan.

Ever since the One Country, Two Systems principle was proposed, certain political forces have been misrepresenting and distorting its objectives. The DPP and the authorities under its leadership have done everything possible to target the principle with baseless criticisms, and this has led to misunderstandings about its aims in some quarters of Taiwan. It is a fact that since Hong Kong and Macao returned to the motherland and were reincorporated into national governance, they have embarked on a broad path of shared development together with the mainland, and each complements the others' strengths. The practice of One Country, Two Systems has been a resounding success.

For a time, Hong Kong faced a period of damaging social unrest caused by anti-China agitators both inside and outside the region. Based on a clear understanding of the situation there, the CPC and the Chinese government upheld the One Country, Two Systems principle, made some appropriate improvements, and took a series of measures that addressed both the symptoms and root causes of the unrest. Order was restored and prosperity returned to Hong Kong. This has laid a solid foundation for the law-based governance of Hong Kong and Macao and the long-term continuation of One Country, Two Systems.

To realize peaceful reunification, we must acknowledge that the mainland and Taiwan have their own distinct social systems and ideologies. The One Country, Two Systems principle is the most inclusive solution to this problem. It is an approach that is grounded in democratic principles, demonstrates good will, seeks peaceful resolution of the Taiwan question, and delivers mutual benefit. The differences in social system are neither an obstacle to reunification nor a justification for secessionism. We firmly believe that our compatriots in Taiwan will develop a better understanding of the principle, and that the Two Systems solution to the Taiwan question will play its full role while compatriots on both sides work together towards peaceful reunification.

Peaceful reunification can only be achieved through consultation and discussion as equals. The long-standing political differences between the two sides are the fundamental obstacles to the steady improvement of cross-Straits relations, but we should not allow this problem to be passed down from one generation to the next. We can phase in flexible forms of consultation and discussion. We are ready to engage with all parties, groups, or individuals in Taiwan in a broad exchange of views aimed at resolving the political differences between the two sides based on the one-China principle and the 1992 Consensus. Representatives will be recommended by all political parties and all sectors of society on both sides, and they will engage in democratic consultations on peaceful development of cross-Straits relations, integrated development of the two sides, and the peaceful reunification of our country.

## 2. Promoting Peaceful Cross-Straits Relations and Integrated Development

Peaceful cross-Straits relations and integrated development pave the way for reunification and serve to benefit our people on both sides. Thus, both sides should work together towards this goal. We will extend integrated development, increase exchanges and cooperation, strengthen bonds, and expand common interests in the peaceful development of cross-Straits relations. In this way, we will all identify more closely with the Chinese culture and Chinese nation, and heighten the sense of our shared future. This lays solid foundations for peaceful reunification.

We will explore an innovative approach to integrated development and take the lead in setting up a pilot zone for integrated cross-Straits development in Fujian Province, advancing integration through better connectivity and more preferential policies, and based on mutual trust and understanding. Both sides should continue to promote connectivity in any area where it is beneficial, including trade and economic cooperation, infrastructure, energy and resources, and industrial standards. We should promote cooperation in culture, education, and health care, and the sharing of social security and public resources. We should support neighboring areas or areas with similar conditions on the two sides in providing equal, universal, and accessible public services. We should take active steps to institutionalize cross-Straits economic cooperation and create a common market for the two sides to strengthen the Chinese economy.

We will improve the systems and policies to guarantee the wellbeing of Taiwan compatriots and ensure that they are treated as equals on the mainland, and we will protect their legitimate rights and interests here in accordance with the law. We will support our fellow Chinese and enterprises from Taiwan in participating in the Belt and Road Initiative, major regional development strategies, and the strategy for coordinated regional development. We will help them integrate into the new development dynamic, participate in high-quality development, share in more development opportunities, and benefit from national socio-economic development.

We will expand cross-Straits exchanges and cooperation in various fields and overcome any obstacles and obstruction. We will encourage our people on both sides to pass on the best of traditional Chinese culture and ensure that it grows in new and creative ways. We will strengthen communication among the general public and the younger generations on both sides, and encourage more fellow Chinese in Taiwan - young people in particular - to pursue studies, start businesses, seek jobs, or live on the mainland. This will help people on both sides to expand mutual understanding, strengthen mutual trust, consolidate a shared sense of identity, and forge closer bonds of heart and mind.

### 3. Defeating Separatism and External Interference

Separatism will plunge Taiwan into the abyss and bring nothing but disaster to the island. To protect the interests of the Chinese nation as a whole, including our compatriots in Taiwan, we must resolutely oppose it and work for peaceful reunification. We are ready to create vast space for peaceful reunification; but we will leave no room for separatist activities in any form.

We Chinese will decide our own affairs. The Taiwan question is an internal affair that involves China's core interests and the Chinese people's national sentiments, and no external interference will be tolerated. Any attempt to use the Taiwan question as a pretext to interfere in China's internal affairs or obstruct China's reunification will meet with the resolute opposition of the Chinese people, including our compatriots in Taiwan. No one should underestimate our resolve, will and ability to defend China's sovereignty and territorial integrity.

We will work with the greatest sincerity and exert our utmost efforts to achieve peaceful reunification. But we will not renounce the use of force, and we reserve the option of taking all necessary measures. This is to guard against external interference and all separatist activities. In no way does it target our fellow Chinese in Taiwan. Use of force would be the last resort taken under compelling circumstances. We will only be forced to take drastic measures to respond to the provocation of separatist elements or external forces should they ever cross our red lines.

We will always be ready to respond with the use of force or other necessary means to interference by external forces or radical action by separatist elements. Our ultimate goal is to ensure the prospects of China's peaceful reunification and advance this process.

Some forces in the US are making every effort to incite groups inside Taiwan to stir up trouble and use Taiwan as a pawn against China. This has jeopardized peace and stability across the Taiwan Straits, obstructed the Chinese government's efforts towards peaceful reunification, and undermined the healthy and steady development of China-US relations. Left unchecked, it will continue to escalate tension across the Straits, further disrupt China-US relations, and severely damage the interests of the US itself. The US should abide by the one-China principle, deal with Taiwan-related issues in a prudent and proper manner, stand by its previous commitments, and stop supporting Taiwan separatists.

### 4. Working with Our Fellow Chinese in Taiwan Towards National Reunification and Rejuvenation

National reunification is an essential step towards national rejuvenation. The future of Taiwan lies in China's reunification, and the wellbeing of the people in Taiwan hinges on the rejuvenation of the Chinese nation, an endeavor that bears on the future and destiny of the people on both sides. A united and prosperous China will be a blessing for all Chinese, while a weak and divided China will be a disaster. Only China's rejuvenation and prosperity can bring lives of plenty and happiness to both sides. But it requires the joint efforts of both sides, as does the

complete reunification of the country.

Separatist propaganda and the unresolved political dispute between the two sides have created misconceptions over cross-Straits relations, problems with national identity, and misgivings over national reunification among some fellow Chinese in Taiwan. Blood is thicker than water, and people on both sides of the Straits share the bond of kinship. We have great patience and tolerance and we will create conditions for closer exchanges and communication between the two sides, and to increase our compatriots' knowledge of the mainland and reduce these misconceptions and misgivings, in order to help them resist the manipulation of separatists.

We will join hands with our fellow Chinese in Taiwan to strive for national reunification and rejuvenation. We hope they will stand on the right side of history, be proud of their Chinese identity, and fully consider the position and role of Taiwan in China's rejuvenation. We hope they will pursue the greater good of the nation, resolutely oppose separatism and any form of external interference, and make a positive contribution to the just cause of China's peaceful reunification.

## **V. Bright Prospects for Peaceful Reunification**

Once peaceful reunification is achieved under One Country, Two Systems, it will lay new foundations for China to make further progress and achieve national rejuvenation. At the same time, it will create huge opportunities for social and economic development in Taiwan and bring tangible benefits to the people of Taiwan.

### **1. Taiwan Will Have a Vast Space for Development**

Taiwan boasts a high level of economic growth, industries with distinctive local features, and robust foreign trade. Its economy is highly complementary with that of the mainland. After reunification, the systems and mechanisms for cross-Straits economic cooperation will be further improved. Backed up by the vast mainland market, Taiwan's economy will enjoy broader prospects, become more competitive, develop steadier and smoother industrial and supply chains, and display greater vitality in innovation-driven growth. Many problems that have long afflicted Taiwan's economy and its people can be resolved through integrated cross-Straits development with all possible connectivity between the two sides. Taiwan's fiscal revenues can be better employed to improve living standards, bringing real benefits to the people and resolving their difficulties.

Taiwan's cultural creativity will also enjoy a great boost. Both sides of the Taiwan Straits share the culture and ethos of the Chinese nation. Nourished by the Chinese civilization, Taiwan's regional culture will flourish and prosper.

### **2. The Rights and Interests of the People in Taiwan Will Be Fully Protected**

Provided that China's sovereignty, security and development interests are guaranteed, after reunification Taiwan will enjoy a high degree of autonomy as a special administrative region. Taiwan's social system and its way of life will be fully respected, and the private property, religious beliefs, and lawful rights and interests of the people in Taiwan will be fully protected. All Taiwan compatriots who support reunification of the country and rejuvenation of the nation will be the masters of the region, contributing to and benefitting from China's development. With a powerful motherland in support, the people of Taiwan will enjoy greater security and dignity and stand upright and rock-solid in the international community.

### **3. Both Sides of the Taiwan Straits Will Share the Triumph of National Rejuvenation**

The people of Taiwan are brave, diligent and patriotic, and have made unremitting efforts to improve themselves. They revere their ancestry and love their homeland. Working together and applying their talents, people on both sides of the Taiwan Straits will create a promising future. After reunification, we Chinese will bridge gaps and differences caused by long-term separation, share a stronger sense of national identity, and stand together as one. After reunification, we can leverage complementary strengths in pursuit of mutual benefit and common development. After reunification, we can join hands to make the Chinese nation stronger and more prosperous, and stand taller among all the nations of the world.

The people separated by the Taiwan Straits share the same blood and a common destiny. After reunification, China will have greater international influence and appeal, and a stronger ability to shape international public opinion, and the Chinese people will enjoy greater self-esteem, self-confidence and national pride. In Taiwan and on the mainland the people will share the dignity and triumph of a united China and be proud of being Chinese. We will work together to refine and implement the Two Systems solution to the Taiwan question, to improve the institutional arrangements for implementing the One Country, Two Systems policy, and to ensure lasting peace and stability in Taiwan.

**4. Peaceful Reunification of China Is Conducive to Peace and Development in the Asia-Pacific and the Wider World**  
Peaceful cross-Straits reunification is of benefit not only to the Chinese nation, but to all peoples and the

international community as a whole. The reunification of China will not harm the legitimate interests of any other country, including any economic interests they might have in Taiwan. On the contrary, it will bring more development opportunities to all countries; it will create more positive momentum for prosperity and stability in the Asia-Pacific and the rest of the world; it will contribute more to building a global community of shared future, promoting world peace and development, and propelling human progress.

After reunification, foreign countries can continue to develop economic and cultural relations with Taiwan. With the approval of the central government of China, they may set up consulates or other official and quasi-official institutions in Taiwan, international organizations and agencies may establish offices, relevant international conventions can be applied, and relevant international conferences can be held there.

## Conclusion

Over its 5,000-year history, China has created a splendid culture that has shone throughout the world from past times to present, and has made an enormous contribution to human society. After a century of suffering and hardship, the nation has overcome humiliation, emerged from backwardness, and embraced boundless development opportunities. Now, it is striding towards the goal of national rejuvenation.

Embarking on a new journey in a new era, the CPC and the Chinese government will continue to rally compatriots on both sides of the Taiwan Straits, and lead the efforts to answer the call of the times, shoulder historic responsibilities, grasp our fate and our future in our own hands, and work hard to achieve national reunification and rejuvenation.

The journey ahead cannot be all smooth sailing. However, as long as we Chinese on both sides of the Taiwan Straits devote our ingenuity and energy to the same goal, let there be no doubt - we will tolerate no foreign interference in Taiwan, we will thwart any attempt to divide our country, and we will combine as a mighty force for national reunification and rejuvenation. The historic goal of reuniting our motherland must be realized and will be realized.

## Notes

[1] United Nations Juridical Yearbook 2010, p. 516.

[2] Between September 4 and 8, 1951, the United States gathered a number of countries in San Francisco for what they described as the San Francisco Peace Conference. Neither the PRC nor the Soviet Union received an invitation. The treaty signed at this meeting, commonly known as the Treaty of San Francisco, included an article under which Japan renounced all rights, title and claim to Taiwan and the Penghu Islands. This treaty contravened the provisions of the Declaration by United Nations signed by 26 countries - including the United States, the United Kingdom, the Soviet Union and China - in 1942, the fundamental principles of the UN Charter, and the basic norms of international law. The PRC was excluded from its preparation, drafting and signing, and its rulings on the territory and sovereign rights of China - including the sovereignty over Taiwan - are therefore illegal and invalid. The Chinese government has always refused to recognize the Treaty of San Francisco, and has never from the outset deviated from this stance. Other countries, including the Soviet Union, Poland, Czechoslovakia, the Democratic People's Republic of Korea, Mongolia, and Vietnam, have also refused to recognize the document's authority.

[3] In his speech titled "Continue to Promote the Reunification of the Motherland" on January 30, 1995, Jiang Zemin, then general secretary of the CPC Central Committee and president of China, made eight proposals for the development of cross-Straits relations and peaceful national reunification. He emphasized, "Adhering to the one-China principle is the basis and prerequisite for peaceful reunification", and "in not promising to renounce the use of force, we are in no way targeting our Taiwan compatriots, but rather foreign forces conspiring to interfere in China's peaceful reunification and bring about Taiwan independence". (See Selected Works of Jiang Zemin, Vol. I, Eng. ed., Foreign Languages Press, Beijing, 2009, pp. 407-412.)

[4] This figure does not include reinvestment by Taiwan investors through a third place.

[5] From the statistics of the April 2022 edition of the World Economic Outlook databases of the International Monetary Fund.

## 台灣問題與新時代中國統一事業

( 2022 年 8 月 )  
中華人民共和國

國務院台灣事務辦公室  
國務院新聞辦公室

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### 前言

解決台灣問題、實現祖國完全統一，是全體中華兒女的共同願望，是實現中華民族偉大復興的必然要求，是中國共產黨矢志不渝的歷史任務。中國共產黨、中國政府和中國人民為此進行了長期不懈的努力。中共十八大以來，中國特色社會主義進入新時代。在以習近平同志為核心的中共中央堅強領導下，中國共產黨和中國政府積極推進對台工作理論和實踐創新，牢牢把握兩岸關係主導權和主動權，有力維護台海和平穩定，扎實推進祖國統一進程。但一個時期以來，台灣民進黨當局加緊進行“台獨”分裂活動，一些外部勢力極力搞“以台制華”，企圖阻擋中國實現完全統一和中華民族邁向偉大復興。中國共產黨團結帶領全國各族人民長期奮鬥，如期全面建成小康社會、實現第一個百年奮鬥目標，開啟全面建設社會主義現代化國家、向第二個百年奮鬥目標進軍新征程。中華民族迎來了從站起來、富起來到強起來的偉大飛躍，實現中華民族偉大復興進入了不可逆轉的歷史進程。這是中國統一大業新的歷史方位。

中國政府于1993年8月、2000年2月分別發表了《台灣問題與中國的統一》、《一個中國的原則與台灣問題》白皮書，全面系統闡述了解決台灣問題的基本方針和有關政策。為進一步重申台灣是中國的一部分的事實和現狀，展現中國共產黨和中國人民追求祖國統一的堅定意志和堅強決心，闡述中國共產黨和中國政府在新時代推進實現祖國統一的立場和政策，特發布本白皮書。

### 一、台灣是中國的一部分不容置疑也不容改變

台灣自古屬於中國的歷史經緯清晰、法理事實清楚。不斷有新的考古發現和研究證明海峽兩岸深厚的歷史和文化聯系。大量的史書和文獻記載了中國人民早期開發台灣的情景。公元230年，三國時期吳人沈瑩所著《臨海水土志》留下了關於台灣最早的記述。隋朝政府曾三次派兵到時稱“流求”的台灣。宋元以後，中國歷代中央政府開始在澎湖、台灣設治，實施行政管轄。1624年，荷蘭殖民者佔台台灣南部。1662年，民族英雄鄭成功驅逐荷蘭殖民者收復台灣。清朝政府逐步在台灣擴增行政機構，1684年設立台灣府，隸屬福建省管轄；1885年改設台灣為行省，是當時中國第20個行省。

1894年7月，日本發動侵略中國的甲午戰爭，次年4月迫使戰敗的清朝政府割讓台灣及澎湖列島。抗日戰爭時期，中國共產黨人明確提出收復台灣的主張。1937年5月15日，毛澤東同志會見美國記者尼姆·韋爾斯時表示：“中國的抗戰是要求得最後的勝利，這個勝利的範圍，不限于山海關，不限于東北，還要包括台灣的解放。”

1941年12月9日，中國政府發布對日宣戰布告，宣告“所有一切條約、協定、合同，有涉及中日間之關係者，一律廢止”，並宣布將收回台灣、澎湖列島。1943年12月1日，中美英三國政府發表《開羅宣言》

宣布，三國之宗旨在使日本所竊取於中國之領土，例如東北、台灣、澎湖列島等，歸還中國。1945年7月26日，中美英三國共同簽署、後來蘇聯參加的《波茨坦公告》，重申“開羅宣言之條件必將實施”。同年9月，日本簽署《日本投降條款》，承諾“忠誠履行波茨坦公告各項規定之義務”。10月25日，中國政府宣告“恢復對台灣行使主權”，並在台北舉行“中國戰區台灣省受降儀式”。由此，通過一系列具有國際法律效力的文件，中國從法律和事實上收復了台灣。

1949年10月1日，中華人民共和國中央人民政府宣告成立，取代中華民國政府成為代表全中國的唯一合法政府。這是在中國這一國際法主體沒有發生變化情況下的政權更替，中國的主權和固有領土疆域沒有改變，中華人民共和國政府理所當然地完全享有和行使中國的主權，其中包括對台灣的主權。由於中國內戰延續和外部勢力干涉，海峽兩岸陷入長期政治對立的特殊狀態，但中國的主權和領土從未分割也決不允許分割，台灣是中國領土的一部分的地位從未改變也決不允許改變。

1971年10月，第26屆聯合國大會通過第2758號決議，決定：“恢復中華人民共和國的一切權利，承認她的政府的代表為中國在聯合國組織的唯一合法代表並立即把蔣介石的代表從它在聯合國組織及其所屬一切機構中所非法佔據的席位上驅逐出去。”這一決議不僅從政治上、法律上和程序上徹底解決了包括台灣在內全中國在聯合國的代表權問題，而且明確了中國在聯合國的席位只有一個，不存在“兩個中國”、“一中一台”的問題。隨後，聯合國相關專門機構以正式決議等方式，恢復中華人民共和國享有的合法席位，驅逐台灣當局的“代表”，如1972年5月第25屆世界衛生大會通過第25.1號決議。聯合國秘書處法律事務辦公室官方法律意見明確指出，“台灣作為中國的一個省沒有獨立地位”，“台灣當局不享有任何形式的政府地位”。實踐中，聯合國對台灣使用的稱謂是“台灣，中國的省（Taiwan, Province of China）”<sup>①</sup>。聯大第2758號決議是體現一個中國原則的政治文件，國際實踐充分證實其法律效力，不容曲解。台灣沒有任何根據、理由或權利參加聯合國及其他只有主權國家才能參加的國際組織。近年來，以美國為首的個別國家一些勢力與“台獨”分裂勢力沆瀣一氣，妄稱該決議沒有處理“台灣的代表權問題”，炒作非法無效的“舊金山和約”<sup>②</sup>，無視《開羅宣言》、《波茨坦公告》在內的一系列國際法律文件，再度鼓吹“台灣地位未定”，宣稱支持台灣“有意義地參與聯合國體系”，其實質是企圖改變台灣是中國的一部分的地位，製造“兩個中國”、“一中一台”，實現其“以台制華”的政治目的。這些行徑歪曲聯大第2758號決議，違反國際法，嚴重背棄有關國家對中國作出的政治承諾，侵犯中國的主權和尊嚴，踐踏國際關係基本準則。對此，中國政府已經表明了反對和譴責的嚴正立場。

一個中國原則是國際社會的普遍共識，是遵守國際關係基本準則的應有之義。目前，全世界有包括美國在內的181個國家，在一個中國原則的基礎上與中國建立了外交關係。1978年12月發表的《中美建交公報》聲明：“美利堅合眾國政府承認中國的立場，即只有一個中國，台灣是中國的一部分”；“美利堅合眾國承認中華人民共和國政府是中國的唯一合法政府。在此範圍內，美國人民將同台灣人民保持文化、商務和其他非官方關係”。

1982年12月，中華人民共和國第五屆全國人民代表大會第五次會議通過《中華人民共和國憲法》，規定：“台灣是中華人民共和國的神聖領土的一部分。完成統一祖國的大業是包括台灣同胞在內的全中國人民的神聖職責。”2005年3月，第十屆全國人民代表大會第三次會議通過《反分裂國家法》，規定：“世界上只有一個中國，大陸和台灣同屬一個中國，中國的主權和領土完整不容分割。維護國家主權和領土完整是包括台灣同胞在內的全中國人民的共同義務。”“台灣是中國的一部分。國家絕不允許‘台獨’分裂勢力以任何名義、任何方式把台灣從中國分裂出去。”2015年7月，第十二屆全國人民代表大會常務委員會第十五次會議通過《中華人民共和國國家安全法》，規定：“中國的主權和領土完整不容侵犯和分割。維護國家主權、統一和領土完整是包括港澳同胞和台灣同胞在內的全中國人民的共同義務。”

世界上只有一個中國，台灣是中國的一部分的歷史事實和法理事實不容置疑，台灣從來不是一個國家而是中國的一部分的地位不容改變。任何歪曲事實、否定和挑戰一個中國原則的行徑都將以失敗告終。

## 二、中國共產黨堅定不移推進祖國完全統一

中國共產黨始終致力於為中國人民謀幸福、為中華民族謀復興。在成立初期，中國共產黨就把爭取台灣擺脫殖民統治回歸祖國大家庭、實現包括台灣同胞在內的民族解放作為奮鬥目標，付出了巨大努力。

中國共產黨始終把解決台灣問題、實現祖國完全統一作為矢志不渝的歷史任務，團結帶領兩岸同胞，推動台海形勢從緊張對峙走向緩和改善、進而走上和平發展道路，兩岸關係不斷取得突破性進展。

新中國成立以後，以毛澤東同志為主要代表的中國共產黨人，提出和平解決台灣問題的重要思想、基本原則和政策主張；進了解放台灣的準備和鬥爭，粉碎了台灣當局“反攻大陸”的圖謀，挫敗了各種製造“兩個中國”、“一中一台”的圖謀；促成聯合國恢復了中華人民共和國的合法席位和一切權利，爭取了世界上絕大多數國家接受一個中國原則，為實現和平統一創造了重要條件。中共中央還通過適當渠道與台灣當局高層人士接觸，為尋求和平解決台灣問題而積極努力。



中共十一屆三中全會以後，以鄧小平同志為主要代表的中國共產黨人，從國家和民族的根本利益出發，在實現中美建交的時代條件下，在爭取和平解決台灣問題思想的基礎上，確立了爭取祖國和平統一的大政方針，創造性地提出了“一個國家，兩種制度”的科學構想，並首先運用于解決香港問題、澳門問題；主動緩和兩岸軍事對峙狀態，推動打破兩岸長期隔絕狀態，開啟兩岸民間交流合作的大門，使兩岸關係進入新的歷史階段。

中共十三屆四中全會以後，以江澤民同志為主要代表的中國共產黨人，提出發展兩岸關係、推進祖國和平統一進程的八項主張<sup>③</sup>；推動兩岸雙方達成體現一個中國原則的“九二共識”，開啟兩岸協商談判，實現兩岸授權團體負責人首次會談，持續擴大兩岸各領域交流合作；堅決開展反對李登輝分裂祖國活動的鬥爭，沉重打擊“台獨”分裂勢力；實現香港、澳門順利回歸祖國，實行“一國兩制”，對解決台灣問題產生積極影響。

中共十六大以後，以胡錦濤同志為主要代表的中國共產黨人，提出兩岸關係和平發展重要思想；針對島內“台獨”分裂活動猖獗制定實施《反分裂國家法》，舉行中國共產黨和中國國民黨兩黨主要領導人 60 年來首次會談，堅決挫敗陳水扁“法理台獨”圖謀；開闢兩岸關係和平發展新局面，推動兩岸制度化協商談判取得豐碩成果，實現兩岸全面直接雙向“三通”，簽署實施《海峽兩岸經濟合作框架協議》，兩岸關係面貌發生深刻變化。

中共十八大以來，以習近平同志為主要代表的中國共產黨人，全面把握兩岸關係時代變化，豐富和發展國家統一理論和對台方針政策，推動兩岸關係朝著正確方向發展，形成新時代中國共產黨解決台灣問題的總體方略，提供了新時代做好對台工作的根本遵循和行動綱領。2017 年 10 月，中共十九大確立了堅持“一國兩制”和推進祖國統一的基本方略，強調：“絕不允許任何人、任何組織、任何政黨、在任何時候、以任何形式、把任何一塊中國領土從中國分裂出去！”2019 年 1 月，習近平總書記在《告台灣同胞書》發表 40 周年紀念會上發表重要講話，鄭重提出了新時代推動兩岸關係和平發展、推進祖國和平統一進程的重大政策主張：攜手推動民族復興，實現和平統一目標；探索“兩制”台灣方案，豐富和平統一實踐；堅持一個中國原則，維護和平統一前景；深化兩岸融合發展，夯實和平統一基礎；實現同胞心靈契合，增進和平統一認同。中國共產黨和中國政府採取一系列引領兩岸關係發展、促進祖國和平統一的重大舉措：

——推動實現 1949 年以來兩岸領導人首次會晤、直接對話溝通，將兩岸交流互動提升到新高度，為兩岸關係發展翻開了新篇章、開闢了新空間，成為兩岸關係發展道路上一座新的里程碑。雙方兩岸事務主管部門在共同政治基礎上建立常態化聯系溝通機制，兩部門負責人實現互訪、開通熱線。

——堅持一個中國原則和“九二共識”，推進兩岸政黨黨際交流，與台灣有關政黨、團體和人士就兩岸關係與民族未來開展對話協商，深入交換意見，達成多項共識並發表共同倡議，與台灣社會各界共同努力探索“兩制”台灣方案。

——踐行“兩岸一家親”理念，以兩岸同胞福祉為依歸，推動兩岸關係和平發展、融合發展，完善促進兩岸交流合作、保障台灣同胞福祉的制度安排和政策措施，實行卡式台胞證，實現福建向金門供水，制發台灣居民居住證，逐步為台灣同胞在大陸學習、創業、就業、生活提供同等待遇，持續率先同台灣同胞分享大陸發展機遇。

——團結廣大台灣同胞，排除“台獨”分裂勢力干擾阻撓，推動兩岸各領域交流合作和人員往來走深走實。克服新冠肺炎疫情影響，堅持舉辦海峽論壇等一系列兩岸交流活動，保持了兩岸同胞交流合作的發展態勢。

——堅定捍衛國家主權和領土完整，堅決反對“台獨”分裂和外部勢力干涉，有力維護台海和平穩定和中華民族根本利益。依法打擊“台獨”頑固分子，有力震懾“台獨”分裂勢力。妥善處理台灣對外交往問題，鞏固發展國際社會堅持一個中國原則的格局。

在中國共產黨的引領推動下，70 多年來特別是兩岸隔絕狀態打破以來，兩岸關係獲得長足發展。兩岸交流合作日益廣泛，互動往來日益密切，給兩岸同胞特別是台灣同胞帶來實實在在的好處，充分說明兩岸和則兩利、合則雙贏。1978 年兩岸貿易額僅有 4600 萬美元，2021 年增長至 3283.4 億美元，增長了 7000 多倍；大陸連續 21 年成為台灣最大出口市場，每年為台灣帶來大量順差；大陸是台商島外投資的第一大目的地，截至 2021 年底，台商投資大陸項目共計 123781 個、實際投資額 713.4 億美元<sup>④</sup>。1987 年兩岸人員往來不足 5 萬人次，2019 年約 900 萬人次。近 3 年來受疫情影響，線上交流成為兩岸同胞溝通互動的主要形式，參與及可及人數屢創新高。

中國共產黨始終是中國人民和中華民族的主心骨，是民族復興、國家統一的堅強領導核心。中國共產黨為解決台灣問題、實現祖國完全統一不懈奮鬥的歷程充分表明：必須堅持一個中國原則，絕不允許任何人任何勢力把台灣從祖國分裂出去；必須堅持為包括台灣同胞在內的全體中國人民謀幸福，始終致力於實現兩岸同胞對美好生活的向往；必須堅持解放思想、實事求是、守正創新，把握民族根本利益和國家核心利益，制定實施對台方針政策；必須堅持敢于鬥爭、善于鬥爭，同一切損害中國主權和領土完整、企圖阻擋祖國統一的勢力進行堅決鬥爭；必須堅持大團結大聯合，廣泛調動一切有利于反“獨”促統的積

極因素，共同推進祖國統一進程。

### 三、祖國完全統一進程不可阻擋

當前，在國內國際兩個大局都發生深刻復雜變化的時代背景下，推進祖國完全統一面臨著新的形勢。中國共產黨和中國政府有駕馭復雜局面、戰勝風險挑戰的綜合實力和必勝信心，完全有能力推動祖國統一大業闊步前進。

#### （一）實現祖國完全統一是中華民族偉大復興的必然要求

在中華民族五千多年的發展進程中，追求統一、反對分裂始終是全民族的主流價值觀，這一價值觀早已深深融入整個中華民族的精神血脈。近代以後，由於西方列強入侵和封建統治腐敗，中國逐步成為半殖民地半封建社會，國家蒙辱、人民蒙難、文明蒙塵，中華民族遭受了前所未有的劫難。台灣被日本霸佔半個世紀的歷史，是中華民族近代屈辱的縮影，給兩岸同胞留下了剜心之痛。一水之隔、咫尺天涯，兩岸迄今尚未完全統一是歷史遺留給中華民族的創傷。兩岸同胞應該共同努力，謀求國家統一，撫平歷史創傷。

實現中華民族偉大復興，是近代以來中國人民和中華民族最偉大的夢想。實現祖國完全統一，才能使兩岸同胞徹底擺脫內戰的陰霾，共創共享台海永久和平；才能避免台灣再次被外國佔領的危險，打掉外部勢力遏制中國的圖謀，維護國家主權、安全、發展利益；才能清除“台獨”分裂的隱患，穩固台灣作為中國的一部分的地位，推進中華民族偉大復興；才能更好地凝聚兩岸同胞力量建設共同家園，增進兩岸同胞利益福祉，創造中國人民和中華民族更加幸福美好的未來。正如中國偉大的革命先行者孫中山先生所言：“統一”是中國全體國民的希望。能夠統一，全國人民便享福；不能統一，便要受害。”

中華民族在探尋民族復興強盛之道的過程中飽經苦難滄桑。“統則強、分必亂”，這是一條歷史規律。實現祖國完全統一，是中華民族的歷史和文化所決定的，也是中華民族偉大復興的時和勢所決定的。我們比歷史上任何時期都更接近、更有信心和能力實現中華民族偉大復興的目標，也更接近、更有信心和能力實現祖國完全統一的目標。台灣問題因民族弱亂而產生，必將隨著民族復興而解決。全體中華兒女團結奮鬥，就一定能在同心實現中華民族偉大復興進程中完成祖國統一大業。

#### （二）國家發展進步引領兩岸關係發展方向

決定兩岸關係走向、實現祖國完全統一的關鍵因素是國家的發展進步。國家發展進步特別是 40 多年來改革開放和現代化建設所取得的偉大成就，深刻影響著解決台灣問題、實現祖國完全統一的歷史進程。無論何黨何派在台灣掌權，都無法改變兩岸關係向前發展的總體趨勢和祖國統一的歷史大勢。

根據國際貨幣基金組織的統計<sup>⑤</sup>，1980 年，大陸生產總值約 3030 億美元，台灣生產總值約 423 億美元，大陸是台灣的 7.2 倍；2021 年，大陸生產總值約 174580 億美元，台灣生產總值約 7895 億美元，大陸是台灣的 22.1 倍。國家發展進步特別是經濟實力、科技實力、國防實力持續增強，不僅有效遏制了“台獨”分裂活動和外部勢力干涉，更為兩岸交流合作提供了廣闊空間、帶來了巨大機遇。越來越多的台灣同胞特別是台灣青年來大陸學習、創業、就業、生活，促進了兩岸社會各界交往交流交融，加深了兩岸同胞利益和情感聯系，增進了兩岸同胞文化、民族和國家認同，有力牽引著兩岸關係沿著統一的正確方向不斷前行。

中國共產黨團結帶領中國人民已經踏上了全面建設社會主義現代化國家的新征程。大陸堅持中國特色社會主義道路，治理效能提升，經濟長期向好，物質基礎雄厚，人力資源豐厚，市場空間廣闊，發展韌性強大，社會大局穩定，繼續發展具有多方面優勢和條件，並持續轉化為推進統一的動力。立足新發展階段，貫徹新發展理念，構建新發展格局，推動高質量發展，將使大陸綜合實力和國際影響力持續提升，大陸對台灣社會的影響力、吸引力不斷擴大，我們解決台灣問題的基礎更雄厚、能力更強大，必將有力推動祖國統一進程。

#### （三）“台獨”分裂勢力抗拒統一不會得逞

台灣自古是中國的神聖領土。所謂“台灣獨立”，是企圖把台灣從中國分割出去，是分裂國家的嚴重罪行，損害兩岸同胞共同利益和中華民族根本利益，是走不通的絕路。

民進黨當局堅持“台獨”分裂立場，勾連外部勢力不斷進行謀“獨”挑釁。他們拒不接受一個中國原則，歪曲否定“九二共識”，妄稱“中華民國與中華人民共和國互不隸屬”，公然拋出“新兩國論”；在島內推行“去中國化”、“漸進台獨”，縱容“急獨”勢力鼓噪推動“修憲修法”，欺騙台灣民眾，煽動仇視大陸，阻撓破壞兩岸交流合作 and 融合發展，加緊“以武謀獨”、“以武拒統”；勾結外部勢力，在國際上竭力製造“兩個中國”、“一中一台”。民進黨當局的謀“獨”行徑導致兩岸關係緊張，危害台海和平穩定，破壞和平統一前景、擠壓和平統一空間，是爭取和平統一進程中必須清除的障礙。

台灣是包括 2300 萬台灣同胞在內的全體中國人民的台灣，中國人民捍衛國家主權和領土完整、維護中華民族根本利益的決心不可動搖、意志堅如磐石，這是挫敗一切“台獨”分裂圖謀的根本力量。100 多年前中國積貧積弱，台灣被外國佔領。70 多年前中國打敗侵略者，收復了台灣。現在的中國，躍升為世界第二

大經濟體，政治、經濟、文化、科技、軍事等實力大幅增強，更不可能再讓台灣從中國分裂出去。搞“台獨”分裂抗拒統一，根本過不了中華民族的歷史和文化這一關，也根本過不了 14 億多中國人民的決心和意志這一關，是絕對不可能得逞的。

#### （四）外部勢力阻礙中國完全統一必遭失敗

外部勢力干涉是推進中國統一進程的突出障礙。美國一些勢力出于霸權心態和冷戰思維，將中國視為最主要戰略對手和最嚴峻的長期挑戰，竭力進行圍堵打壓，變本加厲推行“以台制華”。美國聲稱“奉行一個中國政策，不支持‘台獨’”，但美國一些勢力在實際行動上卻背道而馳。他們虛化、掏空一個中國原則，加強與台灣地區官方往來，不斷策動對台軍售，加深美台軍事勾連，助台拓展所謂“國際空間”，拉攏其他國家插手台灣問題，不時炮制損害中國主權的涉台議案。他們顛倒黑白、混淆是非，一方面慫恿“台獨”分裂勢力製造兩岸關係緊張動蕩，另一方面卻無端指責大陸“施壓”、“脅迫”、“單方面改變現狀”，為“台獨”分裂勢力撐腰打氣，給中國實現和平統一製造障礙。

《聯合國憲章》規定的尊重國家主權和領土完整、不干涉別國內政等重要原則，是現代國際法和國際關係的基石。維護國家統一和領土完整，是每個主權國家的神聖權利，中國政府理所當然可以采取一切必要手段解決台灣問題、實現國家統一，不容外部勢力干涉。美國的一些反華勢力以所謂“自由、民主、人權”和“維護以規則為基礎的國際秩序”為幌子，刻意歪曲台灣問題純屬中國內政的性質，企圖否定中國政府維護國家主權和領土完整的正當性與合理性。這充分暴露了他們搞“以台制華”、阻撓中國統一的政治圖謀，必須予以徹底揭露和嚴正譴責。

外部勢力打“台灣牌”，是把台灣當作遏制中國發展進步、阻撓中華民族偉大復興的棋子，犧牲的是台灣同胞的利益福祉和光明前途，絕不是為了台灣同胞好。他們縱容鼓動“台獨”分裂勢力滋事挑釁，加劇兩岸對抗和台海形勢緊張，破壞亞太地區和平穩定，既違逆求和平、促發展、謀共贏的時代潮流，也違背國際社會期待和世界人民意願。新中國成立之初，在百廢待興、百業待舉的情況下，中國共產黨和中國政府緊緊依靠人民，以“鋼少氣多”力克“鋼多氣少”，贏得抗美援朝戰爭偉大勝利，捍衛了新中國安全，彰顯了新中國大國地位，展現了我們不畏強暴、反抗強權的錚錚鐵骨。中國堅定不移走和平發展道路，同時決不會在任何外來干涉的壓力面前退縮，決不會容忍國家主權、安全、發展利益受到任何損害。“挾洋謀獨”沒有出路，“以台制華”注定失敗。

要安寧、要發展、要過好日子，是台灣同胞的普遍心聲，創造美好生活是兩岸同胞的共同追求。在中國共產黨的堅強領導下，中國人民和中華民族迎來從站起來、富起來到強起來的偉大飛躍，一窮二白、人口眾多的祖國大陸全面建成小康社會，我們更有條件、更有信心、更有能力完成祖國統一大業，讓兩岸同胞都過上更好的日子。祖國統一的歷史車輪滾滾向前，任何人任何勢力都無法阻擋。

### 四、在新時代新征程上推進祖國統一

在民族復興的新征程上，中國共產黨和中國政府統籌中華民族偉大復興戰略全局和世界百年未有之大變局，深入貫徹新時代中國共產黨解決台灣問題的總體方略和對台大政方針，扎實推動兩岸關係和平發展、融合發展，堅定推進祖國統一進程。

#### （一）堅持“和平統一、一國兩制”基本方針

以和平方式實現祖國統一，最符合包括台灣同胞在內的中華民族整體利益，最有利于中國的長期穩定發展，是中國共產黨和中國政府解決台灣問題的第一選擇。盡管幾十年來遇到困難和阻力，但我們仍然堅持不懈地爭取和平統一，這體現了我們對民族大義、同胞福祉與兩岸和平的珍視和維護。

“一國兩制”是中國共產黨和中國政府為實現和平統一作出的重要制度安排，是中國特色社會主義的一個偉大創舉。“和平統一、一國兩制”是我們解決台灣問題的基本方針，也是實現國家統一的最佳方式，體現了海納百川、有容乃大的中華智慧，既充分考慮台灣現實情況，又有利于統一後台灣長治久安。我們主張，和平統一後，台灣可以實行不同于祖國大陸的社會制度，依法實行高度自治，兩種社會制度長期共存、共同發展。“一國”是實行“兩制”的前提和基礎，“兩制”從屬和派生于“一國”並統一于“一國”之內。我們將繼續團結台灣同胞，積極探索“兩制”台灣方案，豐富和平統一實踐。“一國兩制”在台灣的具體實現形式會充分考慮台灣現實情況，會充分吸收兩岸各界意見和建議，會充分照顧到台灣同胞利益和感情。“一國兩制”提出以來，台灣一些政治勢力曲解誤導，民進黨及其當局不遺余力地造謠抹黑，造成部分台灣同胞的偏頗認知。事實是，香港、澳門回歸祖國後，重新納入國家治理體系，走上了同祖國內地優勢互補、共同發展的寬廣道路，“一國兩制”實踐取得舉世公認的成功。同時，一個時期內，受各種內外複雜因素影響，“反中亂港”活動猖獗，香港局勢一度出現嚴峻局面。中國共產黨和中國政府審時度勢，采取一系列標本兼治的舉措，堅持和完善“一國兩制”制度體系，推動香港局勢實現由亂到治的重大轉折，進入由治及興的新階段，為推進依法治港治澳、促進“一國兩制”實踐行穩致遠打下了堅實基礎。

實現兩岸和平統一，必須面對大陸和台灣社會制度與意識形態不同這一基本問題。“一國兩制”正是為解決這個問題而提出的最具包容性的方案。這是一個和平的方案、民主的方案、善意的方案、共贏的方案。

兩岸制度不同，不是統一的障礙，更不是分裂的借口。我們相信，隨著時間的推移，“一國兩制”將被廣大台灣同胞重新認識；在兩岸同胞共同致力實現和平統一的過程中，“兩制”台灣方案的空間和內涵將得到充分展現。

和平統一，是平等協商、共議統一。兩岸長期存在的政治分歧問題是影響兩岸關係行穩致遠的總根子，總不能一代一代傳下去。兩岸協商談判可以有步驟、分階段進行，方式可靈活多樣。我們願意在一個中國原則和“九二共識”的基礎上，同台灣各黨派、團體和人士就解決兩岸政治分歧問題開展對話溝通，廣泛交換意見。我們也願意繼續推動由兩岸各政黨、各界別推舉的代表性人士開展民主協商，共商推動兩岸關係和平發展、融合發展和祖國和平統一的大計。

#### （二）努力推動兩岸關係和平發展、融合發展

兩岸關係和平發展、融合發展是通向和平統一的重要途徑，是造福兩岸同胞的康莊大道，需要凝聚兩岸同胞力量共同推進。我們要在兩岸關係和平發展進程中深化兩岸融合發展，密切兩岸交流合作，拉緊兩岸情感紐帶和利益聯結，增強兩岸同胞對中華文化和中華民族的認同，鑄牢兩岸命運共同體意識，厚植祖國和平統一的基礎。

突出以通促融、以惠促融、以情促融，勇于探索海峽兩岸融合發展新路，率先在福建建設海峽兩岸融合發展示範區。持續推進兩岸應通盡通，不斷提升兩岸經貿合作暢通、基礎設施聯通、能源資源互通、行業標準共通。推動兩岸文化教育、醫療衛生合作，社會保障和公共資源共享，支持兩岸鄰近或條件相當地區基本公共服務均等化、普惠化、便捷化。積極推進兩岸經濟合作制度化，打造兩岸共同市場，壯大中華民族經濟。

完善保障台灣同胞福祉和在大陸享受同等待遇的制度和政策，依法維護台灣同胞正當權益。支持台胞台企參與“一帶一路”建設、國家區域重大戰略和區域協調發展戰略，融入新發展格局，參與高質量發展，讓台灣同胞分享更多發展機遇，參與國家經濟社會發展進程。

排除干擾、克服障礙，不斷擴大兩岸各領域交流合作。推動兩岸同胞共同傳承和創新發展中華優秀傳統文化，加強兩岸基層民眾和青少年交流，吸引更多台胞特別是台灣青年來大陸學習、創業、就業、生活，使兩岸同胞加深相互理解，增進互信認同，逐步實現心靈契合。

#### （三）堅決粉碎“台獨”分裂和外來干涉圖謀

搞“台獨”分裂只會將台灣推入災難深淵，給台灣同胞帶來深重禍害。維護包括台灣同胞在內的中華民族整體利益，必須堅決反對“台獨”分裂、促進祖國和平統一。我們願意為和平統一創造廣闊空間，但絕不為各種形式的“台獨”分裂活動留下任何空間。中國人的事要由中國人來決定。台灣問題是中國的內政，事關中國核心利益和中國人民民族感情，不容任何外來干涉。任何利用台灣問題干涉中國內政、阻撓中國統一進程的圖謀和行徑，都將遭到包括台灣同胞在內的全體中國人民的堅決反對。任何人都不要低估中國人民捍衛國家主權和領土完整的堅強決心、堅定意志、強大能力。

我們願繼續以最大誠意、盡最大努力爭取和平統一。我們不承諾放棄使用武力，保留採取一切必要措施的選項，針對的是外部勢力干涉和極少數“台獨”分裂分子及其分裂活動，絕非針對台灣同胞，非和平方式將是不得已情況下做出的最後選擇。如果“台獨”分裂勢力或外部干涉勢力挑釁逼迫，甚至突破紅線，我們將不得不採取斷然措施。始終堅持做好以非和平方式及其他必要措施應對外部勢力干涉和“台獨”重大事變的充分準備，目的是從根本上維護祖國和平統一的前景、推進祖國和平統一的進程。

當前，美國一些勢力圖謀“以台制華”，處心積慮打“台灣牌”，刺激“台獨”分裂勢力冒險挑釁，不僅嚴重危害台海和平穩定，妨礙中國政府爭取和平統一的努力，也嚴重影響中美關係健康穩定發展。如果任其發展下去，必將導致台海形勢緊張持續升級，給中美關係造成顛覆性的巨大風險，並嚴重損害美國自身利益。美國應該恪守一個中國原則，慎重妥善處理涉台問題，停止說一套做一套，以實際行動履行不支持“台獨”的承諾。

#### （四）團結台灣同胞共謀民族復興和國家統一

國家統一是中華民族走向偉大復興的歷史必然。台灣前途在於國家統一，台灣同胞福祉系於民族復興。實現中華民族偉大復興，與兩岸同胞前途命運息息相關。民族強盛，是兩岸同胞之福；民族弱亂，是兩岸同胞之禍。民族復興、國家強盛，兩岸同胞才能過上富足美好的生活。實現中華民族偉大復興需要兩岸同胞共同奮鬥，實現祖國完全統一同樣需要兩岸同胞攜手努力。

由於受到“台獨”思想毒害，也由於兩岸政治分歧問題尚未得到解決，一些台灣同胞對兩岸關係性質和國家認同問題認識出現偏差，對祖國統一心存疑懼。台灣同胞是我們的骨肉天親，兩岸同胞是血濃於水的一家人。我們願意保持足夠的耐心和包容心，創造條件加強兩岸交流交往，不斷加深廣大台灣同胞對祖國大陸的了解，逐步減少他們的誤解和疑慮，進而走出受“台獨”煽惑的歷史誤區。

我們將團結廣大台灣同胞共創祖國統一、民族復興的光榮偉業。希望廣大台灣同胞堅定站在歷史正確的一邊，做堂堂正正的中國人，認真思考台灣在民族復興中的地位和作用，深明大義、奉義而行，堅決反對“台獨”分裂和外部勢力干涉，積極參與到推進祖國和平統一的正義事業中來。

## 五、實現祖國和平統一的光明前景

按照“一國兩制”實現兩岸和平統一，將給中國發展進步和中華民族偉大復興奠定新的基礎，將給台灣經濟社會發展創造巨大機遇，將給廣大台灣同胞帶來實實在在的好處。

### （一）台灣發展空間將更為廣闊

台灣經濟發展水平較高，產業特色明顯，對外貿易發達，兩岸經濟互補性強。統一後，兩岸經濟合作機制、制度更加完善，台灣經濟將以大陸市場為廣闊腹地，發展空間更大，競爭力更強，產業鏈供應鏈更加穩定通暢，創新活力更加生機勃勃。長期困擾台灣經濟發展和民生改善的眾多難題，可以在兩岸融合發展、應通盡通中得到解決。台灣財政收入盡可用于改善民生，多為老百姓做實事、辦好事、解難事。台灣的文化創造力將得到充分發揚，兩岸同胞共同傳承中華文化、弘揚民族精神，台灣地域文化在中華文化根脈的滋養中更加枝繁葉茂、煥發光彩。

### （二）台灣同胞切身利益將得到充分保障

在確保國家主權、安全、發展利益的前提下，台灣可以作為特別行政區實行高度自治。台灣同胞的社會制度和生活方式等將得到充分尊重，台灣同胞的私人財產、宗教信仰、合法權益將得到充分保障。所有擁護祖國統一、民族復興的台灣同胞將在台灣真正當家作主，參與祖國建設，盡享發展紅利。有強大祖國做依靠，台灣同胞在國際上腰桿會更硬、底氣會更足，更加安全、更有尊嚴。

### （三）兩岸同胞共享民族復興的偉大榮光

台灣同胞崇敬祖先、愛土愛鄉、勤勞勇敢、自強不息，具有光榮的愛國主義傳統。兩岸同胞發揮聰明才智，攜手共創美好未來潛力巨大。統一後，兩岸同胞可以彌合因長期沒有統一而造成的隔閡，增進一家人的同胞親情，更加緊密地團結起來；可以發揮各自優勢，實現互利互補，攜手共謀發展；可以共同促進中華民族的繁榮昌盛，讓中華民族以更加昂揚的姿態屹立于世界民族之林。

兩岸同胞血脈相連、命運與共。統一後，中國的國際影響力、感召力、塑造力將進一步增強，中華民族的自尊心、自信心、自豪感將進一步提升。台灣同胞將同大陸同胞一道，共享一個偉大國家的尊嚴和榮耀，以做堂堂正正的中國人而驕傲和自豪。兩岸同胞共同探索實施“兩制”台灣方案，共同發展完善“一國兩制”制度體系，確保台灣長治久安。

### （四）有利于亞太地區及全世界和平與發展

實現兩岸和平統一，不僅是中華民族和中國人民之福，也是國際社會和世界人民之福。中國的統一，不會損害任何國家的正當利益包括其在台灣的經濟利益，只會給各國帶來更多發展機遇，只會給亞太地區和世界繁榮穩定注入更多正能量，只會為構建人類命運共同體、為世界和平發展和人類進步事業作出更大貢獻。

統一後，有關國家可以繼續同台灣發展經濟、文化關係。經中國中央政府批准，外國可以在台灣設立領事機構或其他官方、半官方機構，國際組織和機構可以在台灣設立辦事機構，有關國際公約可以在台灣適用，有關國際會議可以在台灣舉辦。

## 結束語

具有五千多年文明史的中華民族創造了震古爍今的燦爛文化，對人類社會發展進步作出了重大貢獻。在經歷了近代以來從屈辱走向奮起、從落伍走向崛起的百年滄桑之後，中華民族迎來了大發展大作為的時代，邁出了走向偉大復興的鏗鏘步伐。

在新時代新征程上，中國共產黨和中國政府將繼續團結帶領兩岸同胞順應歷史大勢，勇擔時代責任，把前途命運牢牢掌握在自己手中，為實現祖國完全統一和中華民族偉大復興而努力奮鬥。

前進道路不可能一馬平川，但只要包括兩岸同胞在內的所有中華兒女同心同德、團結奮鬥，就一定能夠粉碎任何形式的“台獨”分裂和外來干涉圖謀，就一定能夠匯聚起促進祖國統一和民族復興的磅礴偉力。祖國完全統一的歷史任務一定要實現，也一定能夠實現！

① 詳見《聯合國司法年鑒 2010》（United Nations Juridical Yearbook 2010）第 516 頁。

② 1951 年 9 月 4 日至 8 日，美國糾集一些國家，在排斥中華人民共和國、蘇聯的情況下，在美國舊金山召開所謂“對日和會”，簽署包含“日本放棄對台灣、澎湖列島之所有權利和請求權”等內容的“舊金山和約”。該“和約”違反 1942 年中美英蘇等 26 國簽署的《聯合國國家宣言》規定，違反《聯合國憲章》和國際法基本原則，對台灣主權歸屬等任何涉及中國作為非締約國的領土和主權權利的處置也都是非法、無效的。中國政府從一開始就鄭重聲明，“舊金山和約”由于沒有中華人民共和國參加準備、擬制和簽訂，中國政府認為是非法無效的，絕不承認。蘇聯、波蘭、捷克斯洛伐克、朝鮮、蒙古、越南等國家也拒絕承認“和約”效力。

- ③ 1995 年 1 月 30 日，時任中共中央總書記、國家主席江澤民發表題為《為促進祖國統一大業的完成而繼續奮鬥》的講話，提出發展兩岸關係、推進祖國和平統一進程的八項主張，強調“堅持一個中國的原則，是實現和平統一的基礎和前提”、“我們不承諾放棄使用武力，決不是針對台灣同胞，而是針對外國勢力干涉中國統一和搞‘台灣獨立’的圖謀的”等。詳見《江澤民文選》第一卷，人民出版社 2006 年 8 月第 1 版，第 418 至 423 頁。
- ④ 這裡不含經第三地的轉投資。
- ⑤ 根據 2022 年 4 月國際貨幣基金組織“世界經濟展望數據庫”的統計。

■ Editor's note =====

This white paper was issued on Aug. 10, 2022 and was the third of altogether three white papers the PRC issued on Taiwan so far. The first white paper on the topic had been issued on Aug. 31, 1993, the second on Feb. 21, 2000.



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