The Sovereignty of the Ryukyu Islands from the Perspective of International Law

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Abstract

Republic of China is the only country that holds dispute against Japan’s possession over Ryukyu’s sovereignty. Since the peace treaty with Japan went into effect, the United States returned Amami Island of north Ryukyu island to Japan on August 8, 1953, where article 8 of Potsdam Proclamation was raised, which is that Japanese sovereignty shall be limited to the islands of Honshu, Hokkaido, Kyushu, Shikoku, and such minor islands as we determine. Since the international status of Ryukyu is to be determined by major allies, Ryukyu’s sovereignty then became a disputed issue.

First of all, although Ryukyu was once a tributary state of China, never once part of Chinese territory. Afterward, Japan obtained sovereignty over Ryukyu by conquest. The fact did not violate the law of the international law at the time. Though once China and Japan signed a treaty dividing Ryukyu into two parts, such a decision was aborted along with Japan’s abolishing tributary counties, China didn’t propose objection ever since. After the signing of Treaty of Shimonoseki, Japan’s sovereignty over Ryukyu was then further confirmed.

Besides, international documents before and after the World War II didn’t have the record while Republic of China didn’t hold objection against the move. Afterwards, the United States seized the control of Ryukyu Islands and with the reason that Japan held residual sovereignty
of Ryukyu, the principle of return Ryukyu to Japan was reserved for the future. In that sense the Republic of China has no position to dispute over the issues of Ryukyu’s sovereignty.

As for Ryukyu citizen’s exercising the autonomy; since Japan is a democratic country, if citizens of Ryukyu advocate Ryukyu autonomy or independence, such an assertion can be proposed or a referendum can be conducted. Yet Ryukyu citizens do not have such a request.

From the perspective of international status and law, Republic of China has a hard call on Ryukyu’s sovereignty. Japan’s conquest of retaining the sovereignty of the Ryukyu territory is considered legal in terms of international law. While no other countries object such a fact, Japan has gradually established the legitimacy. Given the situation, Republic of China should not dispute over the sovereignty of the Ryukyu islands, but instead bilateral exchanges and cooperation should be promoted.

**Keywords:** Ryukyu Islands, Okinawa, territory, international law, residual sovereignty, conquest