Excerpt from a letter dated 28 August 1788 from Count de Kergariou Locmaria, Captain of the frigate Calypso
avoir une voie d'eau près la ville, enfin beaucoup plus saale. Le 27, je vie 
voyage, ensuite, l'abatoume à l'île 
trouvée. Je ravitai deux jours en main 
poivre, bonne compagnie. 

Tels intermèdes, la brume, la mer, le 
je progresai en. Ils restèrent de Chine 
reportant, dans les rivières qu'je 
un pilote Chinois, je vis mouiller à 
entrée du Tjipa.

J'arrivai le 13 décembre à Manille, 
j'atteignis en mer quittant la baie, par 
umer, très unie, et sans aucun dommage 
pour la frégate, ni augmentation de 
voile. J'aurai le bon désastre des rivières 
le conteur de ces rivières de Cavite, se quel 
difficultés, cela par des Chef d'Atelier. 

ne faisais employer de carène de sauf 
3 mois. Ses rivières, le conteur étant 
absolument sans étoile, le cuire fusil 
permettait à la frégate de flotter. Après 
de Manille, pour Macao, le 4 avril 1782...

Aucun. Autrement, n'étai jamais.
n'a vu retard de vitesse à que m'engage,

du manille, à prendre toutes les informations
que vous viendrez avoir sur le voyage.
Tous le bonheur d'obtenir à Macao les
nouvelles cartes de Dalrime. Alors
restera des vols des mers de la Chine, soit
par cette route nouvelle, soit par celle des
galions, par l'embrasé Sud de Mindanao.
Je fis voile de Macao le 29 avril 1788,
par un beau temps, très sûre,
A l'appui de l'avis général, la
maimonelle, le courant, avour, mais
par mon attrape immédiat à la côte de
la Coromandel, le 3 mai à l'instant,
vis je des échoué l'orgueille et il a monni la
quelle de Scorpion après avoir traversé
obliquement le passage par un vent
modéré, un œil très clair, une mer très
une, sans moindre indice du point où
au cieux, qui lors tendu sur la carte,
j'ai reconnu qu'elles courants méritèrent
porté, comme M. Dagaré, sur le compte de
29. lignes dans l'Ouest. Alors suivie...
la direction... sur le sol... sans recevoir et pour ne point perdre d’entrer à cet être voulant à la conséquence, j’aurais pu... prendre connaissance de Malmehlin, j'en... pouvait l’être. La vie, pour cette voile qui est plus courte, one évit, perdant la dernière guerre les citoyens, elle son délire plus vite qu’il advienne dans cette saison...
Annex 7

S. C. de Senjou, cher ami, je reconnais les dangers de la route et de la rivière. En
le seul manuscrit authentique de 1775.

Toujours, donnez, guidez par mes conseils dans les routes peu communes, formez pour
la multitude d'îles situées entre l'île de Singin
ricelle de réjouir. Cette île, Batang et Gallandi,
je suis renseigné par les étranges heures des dangers que je vis.

Béron, où je me suis rendu, Malta
pour prendre des renseignements de guerre, va la conduire.

Les apparences de guerre, va la conduire.

Les Anglois, c'est-à-dire le Kadi, des Hollandais
mis à faire renoncer au projet de revoir
l'état de la coque et celui de parcouvrir
le détroit de Singin sans connaître des
Hollandais, qu'auquei important,
pour eux. Aujourd'hui, il se voit.

M. des cartes à celui

Voir, voir, voir, voir, voir.
Annex 7

J'ai repéré aussi de Durion,
connaissais son importance et son importance
sur toute la carte.

Depuis le 1er juin, nous parcourons
un pays nommé Jornot, où nous avons
rencontré de nombreuses îles. J'ai
continué ce voyage en brisant des
neiges perméables, plus de 300 mètres de
hauteur, des montagnes aussi
détails. Nous avons même pris
notions de latitude, donc des
constantes importantes pour déterminer
la position des îles, toujours au Sud de
Durion. J'ai aussi le voyage fait lors de
l'île Barcelo, mais surtout
connaitre si c'est l'île où quelque
établissement j'ai dû passer entre elle et
la chaîne de roches située près de
Durion. J'ai une route très lâche pour
reconnaître toutes les îles et Barcelo
situées au Sud de Durion. J'ai remarqué
que sur nos nouvelles cartes, l'île Barcelo
près de l'île est moins visible que sur les
cartes anciennes, où il était de marquer
le Nord-ouest et l'Aigle.
avoir déterminé tous ces points au milieu du passage par le détroit de Baiao, qui est bien connu, au moins, comme pour la saison. Dans cette saison, j'ai fait route vers le détroit de Gaspard, fréquente par eux.

D'avril à juin, dans le sud de cette île, j'ai retrouvé la route parcourue par un Anglais, qui a traversé le détroit dangereux de Belliton.

J'espère que le courant contraire devrait être moins rapide dans ce détroit que dans tout autre, plus bas ou plus haut. J'ai pourtant suivi avec soin le détroit de Chincotta, que je crois utile pour le commerce du ferrostier, mais il était difficile de se déplacer dans le détroit de la flèche, qui m'a été défendu.

J'ai traversé le détroit de la Sonde. J'y ai appris la mort de l'ambassadeur anglais, dont je n'ai pas été informé de la première dernière a.
Annex 7

Le fin du mois de juin dernier, la frégate
étoit rentrée sur le port, quand, jour
après, notre arrivée dans cette ile, je
ai appris aussi d'une rãdier que le
return de guerre et une sirène avoient
vu un vaisseau de l'isle de Sainte-Marguerite. Mais le mouvement du vent de l'île,
le vent, la grosseur de la mer jointe
tant de viviers, devait faire si grand
sauvetage que nous n'avons pu y
porter plus d'un vaisseau de guerre,
qui n'avait été donné comme bonne
et meilleure que celles des autres
et qu'il y avait aussi des viviers,
de viviers et voiles, dont nous avions
joignî à une petite voile, longueur
endommagées, qui nous obliga de rentrer
la mer découverte, ce dont nous reparûmes
la frégate à l'île de France. Nous
avons affecté d'une solution pour mon attachement à notre
lieu, à notre vaisseau de mer, dans le
moment de la mort de la frégate sur une carte
toute nouvelle, que j'avais été donné.
d'un chronomètre, j'apprécie ma flotte qu'elle,
pour une, que j'ai remarqué, 
soit déterminée avec exactitude, mais 
tel que circonstance privée, d'avoir de 
bouille de fréquentes observations ;
qui est mort d'une santé pour ne pas 
leur seul moyen, la position de terre qui 
fait d'ouvertes. Malgré cela, les relevements 
très appréciés, donneront un résultat passable,
et le voyage est des plus intéressants pour 
le connu, et des plus instructifs pour 
le jeune, qui ne peut se conformer 
leurs de demande, sans avoir quand même
très facile, la manière de parcourir avec 
prudence, sans pilote pratique, ni connaissance 
d'erreur de terre, une vaste étendue de 
mer, savoir depuis le golfe Persique 
à Surat, jusqu'à Bombay, et 
Philippines, et la Chine ;
Letter of 22 January 1929, from the Chief Resident of Annam, Hue, to the Governor General of Indochina, Hanoi

No. 184-A

I have the honour to acknowledge receipt of your letter No. 103-A Ex dated 12 January 1929 regarding the ownership of the Paracels.

The matter was the subject of a detailed study carried out in 1925, prior to the voyage undertaken by the director of the Nhatrang Oceanographic and Fisheries Institute.

No new information providing a definitive answer to the vexed question of ownership having since emerged, I can do no more than reiterate the facts established by the above-mentioned investigation.

The Paracels archipelago, deserted and barren, a veritable labyrinth of small coral islands and sandbanks deservedly feared by sailors, seems to have remained *res nullius* until the beginning of the last century.

In his work *The Geography of Cochin China*, translated into English and published in the Journal of the Asiatic Society of Bengal in 1838, Monsignor Jean Louis Taberd, Bishop of Isauropolis and Apostolic Vicar of Cochin China-Cambodia and Champa, reports the occupation of the Paracels archipelago in 1816 by Emperor Gia Long, who is said ceremoniously to have raised the flag of Cochin China.

Although doubts may be cast on the authenticity of the formal taking of possession by Gia Long himself, the occupation was nonetheless effective, as evidenced by works such as *Annals of the Annamese Government (Dai-Nam-Nhat-Thang-Chi)*, book 6, *Nam-Viet-Dia-Du*, volume 2, a geographical work on Annam published in the 14th year of the reign of Minh-Mang, or *Nam-Nhat-Thong-Chi*, No. 4, a geographical work by Duy-Tan.

These documents, conserved in the archives of the Annamese Government, give the following details.

Under former dynasties, a corps of 70 men recruited from among the inhabitants of the village of Vinh-An formed a garrison on the Paracel Islands under the name Hoang Sa doi. Another doi named Bac Hai was later formed and placed under the command of the Hoang Sa doi.

Gia Long reorganized the garrison in the Paracels, and later disbanded it. Since then, it does not appear to have been re-established.
Minh Mang despatched several official missions with instructions to explore the archipelago. One of them discovered an ancient pagoda bearing an inscription in characters.

In 1838 Minh Mang sent workmen and materials to the islands to erect a pagoda and a monument to commemorate the expedition. During the excavation required for this construction, around 2,000 pounds (can) of various objects - laminated copper, iron, pig-iron, etc. - were found, providing clear evidence of a former appropriation of the island.

It would appear that Annam no longer has any connection with the Paracel Islands. Most of the fishermen or junk owners of the coast know nothing at all about the islands and none of them go there. Our proteges, therefore, appear not to have asserted their ownership of the Paracels for many years, although His Majesty Than-trong-Hue, former Minister for War who died in 1925, did state in a letter dated 3 March that year that 'these islands still belong to Annam, there is no dispute on this score'.

When China claimed the islands in 1909, it should have been for France - which, under the terms of the Treaty of Protectorate, had taken the place of Annam in the conduct of its foreign relations - to assert the right of the State under its protection to the islands in question. It seems on the contrary that France completely lost interest, thus playing into the hands of the Chinese, who were reportedly preparing officially to take possession (Eveil Économique, 30 December 1928).

In the present circumstances, no-one is entitled to ignore the considerable strategic importance of the Paracels. In the event of war, their occupation by a foreign power would be one of the most serious conceivable threats to the defence and integrity of the territory of the [French] Union.

The islands are actually the natural prolongation of Hainan. An adversary would find that they provided a powerful naval base, with wells and several excellent anchorages. By its very nature, such a base would be practically impregnable. A flotilla of submarines based there would be able not only to blockade Tourane, Annam's largest port, but also to isolate Tonkin by cutting off access from the sea. In order to maintain a link between Cochin China and Tonkin, we would be obliged to use the existing railway, even though this is too vulnerable because the coastal route lays it open to destruction by the long-range guns currently in use in existing naval units.

Similarly, all communication between Indochina, the Far East and the Pacific would be cut off, since the shipping route between Saigon and Hong Kong, which passes close to the Paracels, would be directly under the eye of a base set up in the islands.
I am well aware that these threats, and other more serious ones, cannot have escaped the notice of the competent authorities, although in my view some authorities have failed to appreciate the very serious nature of such threats. Nevertheless, I felt it my duty to bring them to your attention once again, at this critical juncture, since of all the countries of the Union, Annam will be the one most directly interested in a solution to the question./.

(Signed) Le Fol
ANNEX 9

Map of Indochina - From the geographical work Hoang-Viet-Dia-Du
14th year of the reign of Minh Mang
Note of 29 September 1932 from the Legation of the Chinese Republic in France to the Ministry of Foreign Affairs, Paris

On the instructions of its Government, the Legation of the Chinese Republic in France has the honour to transmit its Government's reply to the Foreign Ministry's Note of 4 January 1932 on the subject of the Paracel Islands.

The Si-Chao-Chuin-Tao Islands ( 四州蕉島 ), also known as Tsi-Cheou-Yang ( 崇州洋 ), and called the Paracel Islands in the foreign tongue, lie in the territorial sea of Kwangtung Province (South China Sea); to the north-east are the Ton-Chao Islands ( 奔洲 ); the Si-Chao-Chuin-Tao Islands form one group among all the islands in the South China Sea which are an integral part of the territorial sea of Kwangtung Province.

According to the reports on the Si-Chao-Chuin-Tao (Paracel) Islands drawn up in the Year XVII of the Chinese Republic (1926) by Mr Shen-Pang-Fei, President of the Commission of Inquiry into these islands, and to the files on the islands compiled by the Department of Industry of Kwangtung Province, the islands lie between longitude 110°13' and 112°47' east. More than 20 in number, large and small, most of them are barren sandbanks, 10 or so are rocks and 8 are true islands. The eastern group is called the Amphitrites and the western group the Crescent. These groups lie 145 nautical miles from Hainan Island, and form the southernmost part of Chinese territory.

Clause 3 of the Convention on the Delimitation of the Frontier between China and Tonkin, signed in Peking on 26 June 1887, stipulates that at Kwangtung it is agreed that the disputed points which lie east and north-east of Mon Cai, beyond the frontier as determined by the Delimitation Commission, are allocated to China. The islands which are east of the north-south line passing through the eastern point of the island of Tch'a Kou, which forms the boundary, are also allocated to China. The Gotho Islands and the other small islands west of this line belong to Annam.

The starting point of the frontiers between Indochina and the Chinese Province of Kwangtung is Chou-Chan ( 重山 ), at latitude 21°30' north and longitude 108°2' east. Since the coastline of Indochina lies west of Chou-Chan, according to the above provisions, following the coast southwards from this point, the Paracel Islands in any event lie far to the east of the line and are separated from the coast of Indochina by Hainan Island. From their
geographical position, it is easy to see to which country they should be attached.

Apart from Woody Island and Lincoln Island, where guano deposits provide material for fertilizers, the remainder of the islands in the archipelago are formed of nothing more than sand or outcrops of coral, presenting no value from the point of view of colonization. The only people to visit these places are the inhabitants of Hainan Island, who come here to catch or collect fish and Indochinese people have never been known to settle there. What exceptional grounds did the Kings of Annam invoke for going there and erecting monuments and tablets? The French Government may well consider such literary allusions to be historical, but it omits to mention that 100 years ago Indochina was under Chinese tutelage. Since the Paracel Islands already formed part of China's territory, Indochina had no right to carry out acts of occupation on the possessions of its suzerain. The Foreign Ministry's Note does not say on what island monuments and tablets were erected.

Compelling evidence which might justify the French Government's resort to the right of priority of claim is lacking. Since the Tenth Year of the Chinese Republic, the authorities of Kwangtung Province have already on more than five occasions granted authorization to Chinese nationals wishing to exploit the resources of the islands. The archives which substantiate these claims may be consulted. The French Government, moreover, has never before expressed any claim to occupy these islands.

According to international law and custom, the prime condition for the possession of an island lying far from the mainland is the first effective occupation, in other words the nationals who were the first to settle lands, thereby bringing these territories into their country's possession. The natives of Hainan who settled in the Paracels, and built houses and fishing boats there to supply their needs, have done so since the distant past. Indeed, in 1909 the Government of the former Ch'ing dynasty sent a naval expedition to study conditions in the islands and to manifest its effective occupation to other nations of the world: the Chinese flag was raised and was saluted with a round of gunfire on Woody Island. The French Government made no protest, on that occasion either. In 1908 the question of constructing a lighthouse on one of the islands in the Paracels for the protection of shipping was a matter of international maritime importance. The Chinese Government, having received through the maritime customs service a request from the shipping companies concerned for the construction of a lighthouse, subsequently consented. In April 1930, on the occasion of the Meteorological Conference held in Hong Kong, the French Director of the Observatories of
Indochina, Mr E. Bruzon, and the Director of the Zi-Ka-Wei Observatory, Reverend Father L. Froc, who both attended the Conference, suggested to the representative of China that an observatory might be set up in the Paracels. This proves that not only are the Paracel Islands internationally recognized as belonging to China, but that the French themselves share this view. It is difficult for the Chinese Government to verify the case involving the loss of vessels in the area of the Paracels in 1898, and the subsequent intervention of the British Consul in Hoihow, as stated in the Note of the Ministry of Foreign Affairs, since there is no mention of this matter in its records.

The treaties, documents and records incontrovertibly show that the Paracels archipelago forms a part of China's territory. According to the principles of international law concerning the right of priority of claim and continuous occupation, the islands belong to China as a result of its occupation of them over a period of many centuries, and consequently there is no doubt that no other country may claim any rights to them.

Stamp of the Legation of the Republic of China, Paris
ANNEX 11

Internal Ministry of Foreign Affairs Note of 25 May 1950, addressed to the
Directorate for Asia by the Legal Adviser

Re: the Paracels

The purpose of this note is not - with a view to any subsequent arbitral or jurisdic- tional debate - to establish the arguments on the merits which might be put forward in support of the claim to French sovereignty over the Paracels. Its purpose is solely to answer the question raised by the Directorate for Asia and Oceania in its Note No. 194 of 16 May 1950, namely to indicate the possibilities open to France 'to submit the case to the International Court of Justice, even unilaterally', for a settlement of the dispute between France and China concerning sovereignty over the archipelago.

* *

The consistent reluctance of the Chinese Government, in 1947 as in 1937, to accept the French Government's proposal to take the matter to arbitration, suggests that the Chinese Government will be no more willing today than it was yesterday to conclude a special agreement with us on this point. Legally speaking, the only means of settlement which remains open is thus a unilateral one. Technically, we can do this, since the two States involved in the dispute have accepted the optional clause in the Statute of the International Court of Justice, recognizing the Court's compulsory jurisdiction. The Chinese Government did so by its declaration of 26 October 1946 and the French Government by its declaration of 18 February 1947, both of which are valid for a period of five years, on condition of reciprocity. The decision to initiate proceedings directly against the Chinese Government before the International Court of Justice therefore depends on the French Government - and the French Government alone.

Although apparently simple, this procedure is not without difficulties, owing to the present situation in both Indochina and China.

* *
A. France took possession of the Spratlys in 1931-1932 'in the name of the Emperor of Annam'. The sole titles to which France lays claim in this case - i.e. the earlier exercise of sovereignty - are titles which belong to Annam and it is in its capacity as the protector State, responsible for the conduct of Annam's foreign relations, that France claims to invoke these rights against third States and possibly to obtain recognition of such rights before the International Court.

Were relations between France and Annam still governed by the Treaty of Protectorate concluded in Hue on 6 June 1884, this would present no difficulty; it would be for the French Government, acting as protector State, to exercise for and on behalf of the State under its protection, the powers which it is unable to exercise.

However, such a view is more in line with the current state of the law, which is determined by the exchange of letters of 8 March 1949 between the President of the French Republic, in his capacity as President of the French Union, and Emperor Bao Dai, in his capacity as sovereign of Vietnam. Under Article II of these diplomatic instruments, 'Vietnam shall be empowered to negotiate and sign agreements relating to its own interests, on the express condition that, prior to any negotiation, it submits its plans to the Government of the Republic for examination by the High Council and that negotiations are conducted in consultation with the diplomatic missions of the Republic'.

Admittedly, on a narrow interpretation of the text, submitting the dispute to the International Court of Justice by means of a unilateral application could be said not to involve the 'negotiation' or the 'signature' of an 'agreement' at all. However, it would be difficult to deny that the dispute over the Paracels directly affects Vietnam's 'own interests'. The Vietnamese Government might therefore express the wish to share in the drafting of the application, might even demand that the application be submitted in its name, and might insist on appointing Vietnamese agents or counsel with instructions to defend the view of the applicant Government(s) before the Court. Such demands would probably raise no insoluble legal problems and their moderate character might even prompt the French Government to accept them. Yet it must be clearly seen that they would definitively enshrine Vietnam's international personality and would result in Vietnam appearing directly before the International Court of Justice, thus constituting a precedent whose ramifications it would be unrealistic to underestimate.

**

*
B. A second difficulty relates to the existence in Indochina of a de facto authority, the Government of Ho Chi Minh, which the French Government has refused to recognize, and against which it is engaged in hostilities.

There seems very little likelihood - apart from inevitable protests on the radio and in the press - of this de facto authority intervening in any proceedings before the International Court of Justice. However, several third States have recognized the Ho Chi Minh Government as the sole Government of Vietnam. Without for one moment wishing to impugn the independence of the judges of the Court - who in no way are the agents of their respective governments - the possibility that this consideration might influence the decision of the judges - the Soviet, Yugoslav and Polish judges for example - who are nationals of the States which have already recognized Ho Chi Minh, can perhaps not be absolutely ruled out.

The existence of two governments and the instability of the present situation in Vietnam might thus mean a weakening of the impact of the Court's Judgment, and might prompt dissenting opinions unwanted in their conclusions and their reasoning alike.

* * *

Similar objections must be made with regard to the Government of the respondent State. At present there are two authorities in China: one - the only one recognized by France - is the Nationalist Government; the other, the People's Republic of China (Government of Mao Tse Tung), which is recognized by several States including the USSR, the Republics of Eastern Europe, the United Kingdom, India, Pakistan and the Netherlands.

Here too there is reason to believe that the Government of the People's Republic of China - especially if it succeeds meanwhile in establishing effective control over the Paracels - will not fail to pose as the sole heir to Chinese sovereignty in the archipelago. Unfortunately, the fact that China has a judge at the Court, and that consequently no Chinese judge ad hoc would be appointed, does not dispense with all the difficulties. Some of these are easily imagined: a demand by the Communist Chinese Government to take part in the proceedings; a refusal by that Government to recognize any international settlement achieved without its participation; possibly even rejection of the present Chinese judge, etc.

Certain judges would most probably not fail to avail themselves of such arguments, thus strengthening neither our position nor the authority of the Court.
For all these reasons, without of course claiming that such reasons are decisive in a debate in which political factors are also important, the Legal Department finds it preferable to defer settlement of the dispute before the Court until such time as a single, unchallenged governmental authority has been established in both China and Vietnam.

(Signed) A.S.
ANNEX 12

Note dated 6 May 1921, from the Directorate for Political and Indigenous Affairs, Government General of Indochina, Hanoi

The first mention of the Paracel Islands found in the files of the Government General dates from 1898.

At that time the Ministry of the Colonies, following a communication from our Consul in Hoihow, felt it proper to draw the Governor General's attention to the importance of the geographical situation of these islands in relation to Indochina.

The Paracel Islands, over 150 nautical miles south-east of Hainan, lie more or less equidistant from Tuling Kan, the southernmost port of Hainan, and Tourane on the coast of Annam. They form a thinly scattered group of islands surrounded by coral banks. The largest, Woody Island, is only one mile long by three-quarters of a mile wide. Large expanses of reef feared by sailors lie scattered between the islands.

A few islands are isolated and outlying, such as the Triton group to the south-west, Passu Keah Island to the south, Lincoln Island to the east. Others lie clustered in the two main groups: the Crescent to the north, including Duncan, Drummond, Pattle, Robert and Money Islands; the Amphitrites to the north-east, including Woody Island and Rocky Island.

The Paracels are not permanently inhabited and anyway are almost barren. Only two islands have springs yielding brackish water, which fishermen from Hainan and Annam find drinkable if boiled. Towards the end of the north monsoon, flotillas of Annamese and (mostly) Chinese fishermen set out for the Paracels, which remain their operational base until October. On land they have primitive huts used for storing provisions, and for salting and drying fish. When their activities are finished, they take advantage of the end of the south-west monsoon to return home.

In winter the Paracels are deserted. The anchorage they offer would not be suitable during the north-east monsoon. The islands are low-lying, and their roadsteads are traversed by violent currents, as well as being too deep (40 metres or more), too exposed and of poor quality (coral seabed). While they might offer temporary refuge from a violent wind from a particular direction, they cannot provide permanent shelter. Sailors avoid them in the season of typhoons and fogs, and in winter. Ship captains make it their business to identify them, and then only by day. In calm, clear weather they are a known landmark.
There have been many shipwrecks: the *Mariana* (a German vessel) on Bombay Reef in 1891, the *Bellona* (a German vessel) on North Reef in 1895 and the *Imegu Maru*, (a Japanese vessel) on the Amphitrites in 1896, the latter two giving rise to noteworthy disputes.

The *Bellona* and the *Imegu Maru* were both carrying cargoes of copper insured with British companies. A vain attempt was made to salvage the cargoes. Ships expensively chartered for that very purpose were dogged by bad weather and had to return to Hong Kong with very little to show. The wrecks were abandoned.

Chinese Fishermen in light craft then began systematically to loot the wrecked ships. Through their shipowners in Hoihow, they offered to sell the looted copper for half its value. The insurance companies refused, and since part of the copper had already been landed at Hainan, at their behest the Minister of Great Britain in Peking and the Consul in Hoihow intervened, demanding that the copper be impounded, stating that the mandarins of Hainan had been informed of the wrecks as soon as they occurred, that they should have taken precautions to prevent the looting, and that they should be held responsible.

The mandarins protested, claiming that the Paracels were abandoned islands which belonged no more to China than they did to Annam, that they were not administratively attached to any district of Hainan and that no special authority was responsible for policing them.

Until 1908-1909, it seems that no power manifested any intention of annexing the Paracel Islands. The Germans made systematic hydrographic surveys of the area between 1881 and 1884. It was not possible to infer their true intentions from such operations, which they carried out in general in almost all corners of China's seas (Hainan, Pakhoi, Weitanao), as far north as Amoy and Foochow.

On various occasions the British press urged the British Government to build a lighthouse on one of the islands in the Paracels. However, it seems that this was solely in the interests of navigation.

In December 1898, the Ministry of the Colonies transmitted to the Governor General a request for information it had received from a journalist, Mr N. Chabrier, who wished to set up stores in the Paracels to supply fishermen.

On the advice of Mr Pichon, France's Minister in Peking, in June 1899 Mr Doumer informed the Ministry that the commercial venture planned by Mr Chabrier stood no chance of success. However, the Governor General of Indochina felt that France might be well-advised to prevent another power from becoming established in the Paracels, in view of their situation. With
this in mind, he advocated building a lighthouse for the purpose of justifying any subsequent claim to sovereignty on our part.

Nothing came of the matter, and the archives of the Government General contain no reply from either of the two Ministries concerned, nor do they contain any document showing that either metropolitan France or the colony has since shown any interest in the question of the Paracels.

In 1907, in the wake of Japan's claims to the Pratas Island group, the Viceroy of Canton became exercised with claiming ownership of all the groups of islands along the coast of the Celestial Empire, which might in some way be considered part of that Empire. They included the Paracels.

In April 1909, an official Chinese expedition explored the Paracels and concluded that it would be possible to mine the rich deposits of phosphates the expedition claimed to have identified.

In June 1909 a second expedition was sent. It formally raised the Chinese flag, firing a 21-round salute on two of the larger islands. Having thus taken possession of the whole of the Paracels on behalf of its Government, the expedition returned home some days later, apparently less enthusiastic than its predecessor, having found nothing but rocks, sand, some brackish wells and a torrid, unhealthy climate.

Following these various displays, our Consul in Canton, Mr Beauvais, asked the Minister for Foreign Affairs for advice on what to do in this situation: whether to prevent the Chinese Government from taking effective possession of this group of reefs, or else 'to turn a blind eye' so as not to stir up Chinese 'nationalism'. It appears that Mr Beauvais never received a reply, at least not to our knowledge.

I must add that, at approximately the same time, Mr Boissonnas suggested in one of his letters that any French concession at all to the Chinese Government, saving that Government's face, would make it easier to settle the matter of compensation for the Tunnam railway. In such a situation, the abandonment by France of all rights to ownership of the Paracels might seem like the compensation demanded.

Since that time, there has been no further mention of the Paracel Islands, until recently under the following circumstances: in a letter dated 20 September 1920, a Japanese shipping company, Mitsui Bussan Kaisha, felt it necessary to ask the Commander of the Navy in Indochina, Captain Remy, whether the Paracel Islands were French possessions. In explanation, the company claimed that it intended to mine minerals having a phosphoric acid content of 32 per cent which it had identified on the islands. A few days later, on 24 September 1920, Captain Remy saw fit to reply:
'There is no paper in the official documents of the Navy allowing the nationality of the Paracel Islands to be determined. Nevertheless, I think I can assure you that they are not a French possession, but this assertion is based solely on my personal memories and I cannot provide you with any conclusive document in support of this.'

From a letter addressed by the Commander of the Navy to the Government General, dated 24 January 1921, it appears that, having failed to find any information in the naval records establishing the nationality of the Paracel Islands, the Commander of the Navy had turned to the Governor of Cochin China, who reportedly had the matter investigated in his own archives and in those of the Government General to no avail:

'Deeming the question interesting, the Governor of Cochin China requested me to raise it directly with the Ministry of the Navy.'

This explains the following cables:
- No. 206 of 28 September 1920 Navy Saigon to Navy Paris
  ((Question having been raised and investigations Indochina unfruitful please advise whether nationality Paracel Islands duly established pursuant to what document. 1100/28/29));
- No. 569 of 23 January 1921 Navy Paris to Navy Saigon
  ((Your 206 - Chinese claimed ownership of Paracel Islands in 1909 only information found so far. Advise origin and purpose of this question - 1830/21/1)).

It must be said that there is no document in the Department of Political and Indigenous Affairs either from the Governor of Cochin China or the Commander of the Navy referring to any request for information on the Paracel Islands, despite the fact that the Department held full records on the question since the present note has been drawn up solely on the basis of the documents in its archives.

For whatever reason, the Government General was not directly confronted with the question until a telegram of 1 February 1921 from the Ministry of the Colonies. The telegram referred to a short paragraph which had appeared in the newspaper Europe Nouvelle of 2 January 1921, reading as follows: 'Approximately 300 kilometres from the coast of Annam lies a group of deserted rocks, the Paracel Islands. Recently the Consul of Japan wrote to the Government of Indochina to ask whether France claimed ownership of the islands. The reply was negative. Did the official who drafted the reply not realize that one submarine base in the Paracel Islands would be sufficient to blockade the entire coastline of Indochina?'

Clearly, Europe Nouvelle was referring to Captain Remy's reply to the Mitsui Bussan Kaisha Company. Moreover this Government General has
never had occasion to reply to any request whatsoever for information on the matter, either from a Japanese consular or diplomatic authority, or from any other source.

The inquiry into the matter, immediately ordered by the Governor General, had barely begun when a letter was received from Mr Beauvais, Consul General in Canton, dated 6 April 1921, informing the Governor General that:

((By an order No. 831 dated 30 March 1921 and published in the Official Gazette of Kwangtung (No, 2619 of 2 April 1921), the civilian Governor of Kwangtung announced that, at a meeting on 11 March 1921, the heads of the military Government of the south had decided administratively to incorporate the Paracels into the sub-prefecture of Yai Hien, Hainan Island)).

In view of the previous events we reported above, it may well be possible that there is no connection between the recent decision of the Canton Government - ratification of the act done in June 1909 - and Captain Remy's above-mentioned reply to the Japanese shipping company, nor between the Government's decision and the article in Europe Nouvelle referred to in the Ministry's telegram of 10 February. However, one cannot help but compare the dates, and it is not beyond the bounds of possibility that the Canton Government's attention may have been more particularly alerted to this matter, by the opinion of diplomats at the Legation of China, or by eminent Chinese nationals having read Europe Nouvelle in Paris, or others, no doubt interested parties, who were aware of Captain Remy's reply to the Mitsui Bussan Kaisha Company.†

This being so, it seems regrettable that the Commander of the Navy saw fit to reply, albeit in a personal capacity, to a foreign shipping company on matters whose very nature should have warranted silence or at least more cautious reservations, and did so without first consulting the Government General, for whom the claimed authority of the Governor of Cochin China could in no event serve as substitute in such circumstances.

Furthermore, if some surprise is also warranted at the fact that the Ministry of the Navy was consulted on a dispute concerning French nationality, it is even more surprising to note that that Ministry, when approached, did not see fit to bring the matter to the attention of the relevant

† We read today in a report from Mr Beauvais that the representative of Mitsui Bussan Kaisha in Canton has sent a personal letter of congratulation to Dr Sun Yat-Sen on his recent elevation to the Presidency of the Republic of Kwangtung. The Company, at least in the person of its representative in Canton, appears to enjoy fairly close relations with the most eminent personage in the new Government.
department of the Ministry of Foreign Affairs, or, concerning as it did land close to one of our major possessions, the Ministry of the Colonies.

Hanoi, 6 May 1921
ANNEX 13

Note dated 4 May 1909 from Mr Beauvais, Consulate of France in Canton

Re: The Paracel Islands

The difficulties which arose over the Pratas Island group drew the Chinese Government's attention to the various groups of islands along the coasts of the Celestial Empire, particularly the Paracels archipelago. To counter the possibility of a similar attempt on these islands, the Viceroy of the Two Kwangs sent an expedition comprising three officers to the Paracels at the end of last March. In the report submitted on their return, the three envoys stated that they had identified 15 islands, the largest ones being five to six miles long, and that there were no Europeans in the archipelago. However there were any number of clearly visible traces of the passage of foreigners at various times. Names had been carved in many places, including on the trunks of coconut palms. Since the Viceroy had originally been told that the Japanese and the Germans had visited the islands, the envoys closely questioned the Chinese fishermen living in flimsy huts, the only people they found in the normally deserted islands. The fishermen said they were aware of the passage of foreigners in the area, but that they were to be found in southern Hainan. The officers did indeed find proof that an expedition consisting of two Germans and one Japanese, together with their Malay servants, had travelled around the southern part of the large island, and had prospected for deposits worth mining, as evidenced by the many boreholes they left in their wake.

On reading the report, the Viceroy contrived a plan to entrust the exploitation of the islands to a syndicate of Chinese merchants: to this end, he instructed the Taotais Wang p'ing ngen and Li Che-suin to conduct a new survey of the islands, and a fresh voyage to the Paracels is about to be made by the Chinese authorities.

In this connection, our agent states that the Paracels have a certain importance for France: lying halfway between Saigon and Hong Kong, they pose a major threat to shipping and a lighthouse may prove necessary. The islands are also visited by Annamese and Chinese fishermen, who halt there during their fishing trips for a perfunctory preparation of their catch. Bloody fights break out on such occasions between fishermen of the two countries.

Mr Beauvais contends that France has as many rights to the islands as China and that it would be easy for us to find arguments to support our
claims. However, should the game not be worth the candle, it would be preferable, in his view, to turn a blind eye, since any intervention on our part might lead to a fresh wave of nationalist feeling in the population, more damaging to us than the possession of the Paracel Islands would be useful. /

(Signed) Beauvais
Letter of 6 October 1921, from the official in charge of the Consulate of France in Canton to the President du Conseil, Minister for Foreign Affairs

No. 76

Re: The Paracel Islands

I have the honour to advise you of the content of a fresh order published in the Official Gazette of Kwangtung dated 4 October, concerning the concession for the exploitation of the Paracels and addressed by the civilian Governor to the sub-prefect of Ch'ang Kiang.

As I stated in my report No. 74 of 30 September, Mr Ho Jouei-Nien, the holder of the concession for the islands, travelled to the Paracels on a study voyage. On passing through Ch'ang Kiang, he noted the existence of an unworked island named Feou-Choei-Cheou (浮水洲) lying very close to this sub-prefecture. Immediately on his return to Canton he applied for the concession for the island, to enable him to work it in conjunction with the Paracels.

The civilian Governor approved this application.

Incidentally, I must advise you, for information only and without in any way being able to vouch for their veracity, of the recent allegations in some newspapers on the subject of the concession for these islands. From articles published in Min Yi Pao and Sin Min Kouo Pao, it would appear that Mr Ho Jouei-Nien is nothing more than a figurehead and that the real founders and beneficiaries of the company set up to exploit the resources of the Paracels are none other than Japanese. /

(Signed) Tulasne
ANNEX 15

Letter dated 4 May 1909 from Mr Beauvais, Consul of France in Canton, to the Minister for Foreign Affairs, Paris

Re: The Paracel Islands

As I informed you at the end of my last report (No. 86 of 1 May 1909) on the Pratas Island group, this matter drew the attention of the Chinese Government to the various groups of islands along the coasts of the Celestial Empire, islands which to some extent may be considered part of that Empire.

These islands include the Paracels archipelago.

On 26 and 31 March, the Chinese press reported that a European gunboat had recently sailed the length of the Si cha Islands, 西沙島, which is the Chinese name for the Paracels. It was also reported that the Viceroy of the Two Kwangs, fearing that an attempt might be made on the islands similar to the Japanese attempt to claim the Pratas Island group, had just sent three officers on a mission there, Wang Jen-t'ang, 林科梁, Lin Kouo Siang, 林國祥, and Ou King Yong, 欧敬勇. The three envoys embarked on the cruiser K'ai pan, 普官, belonging to the customs service and used for many years on surveillance duties off the coasts of southern China, its crew having a thorough knowledge of the seas around Hainan and the Gulf of Tonkin.

On 15 April, the mission returned from its explorations and arrived in Hong Kong, where it caused wonder in the local population by exhibiting 20 or so enormous turtles brought back from these deserted islands.

By 19 April, the Viceroy's envoys had already submitted their report. They had identified 15 islands, the largest ones being five to six miles long, and the smallest just two miles long, falling into two groups, east and west, comprising eight and seven islands respectively.

On each of the 15 islands, lying at a distance of approximately 145 miles from Ling chouei hien 楚圍县, and 150 miles from Yu lin kang Bay 楚林港 in Hainan, there was a small pagoda, its walls fashioned from pieces of coral, and the roof from sea shells.

The seven islands in the western group were covered with coconut palms. The water was brackish; the envoys, who brought the Viceroy back a map of the archipelago, reckoned that salt production could be successfully undertaken there.
The authors of the report noted that there were no Europeans in the archipelago. However there were any number of clearly visible traces of the passage of foreigners at various times. Names had been carved in many places, including on the trunks of coconut palms. Since the Viceroy had originally been told that the Japanese and the Germans had visited the islands, the delegates closely questioned the Chinese fishermen living in flimsy huts, the only people they found in the normally deserted islands. The fishermen said they were aware of the passage of foreigners in the area, but that they were to be found in southern Hainan. The officers did indeed find proof that an expedition consisting of two Germans and one Japanese, together with their Malay servants, had travelled around the southern part of the large island, and had prospected for deposits worth mining, as evidenced by the many boreholes they left in their wake, and that it seemed to have done a lot of work.

This was, of course, the expedition which my colleague in Hoihow, Mr Hauchecorne, recently discussed with you.

On reading the reports, the Viceroy of the Two Kwangs said that he wished to have the Paracels surveyed as accurately as possible and to transport a number of Chinese families there in order to collect phosphates, coral and other sea produce, which his emissaries assured him were found there in extreme abundance. It was the idea of His Excellency Chang that warships would visit at frequent, regular intervals, thus averting any recurrence of incidents similar to the recent events involving the Pratas Islands.

As the Viceroy's intentions became clearer, and his projects took shape, he had the idea of entrusting the development of these islands, which he had just taken back into the fold of the Celestial Empire, to a syndicate of Chinese merchants.

Enclosed please find the text of the orders which he gave the Taotaïs Wang p'ing ngen and Li Che-suïn. These men are to make a fresh, detailed inspection, and a new voyage to the Paracels by the Chinese authorities is about to take place.

On 3 May, it was announced that the Viceroy of the Two Kwangs had borrowed the cruiser Yuan k'ai from a colleague, the Viceroy of Min Cheu, at Foochow, and that Admiral Li had been requested to provide the explorers with all possible assistance.

I was on the point of telegraphing a brief outline of the situation to you. However, I refrained from doing so, recalling that in 1898, during my time in charge of the Vice Consulate of Hoihow, you requested from that post as much information as possible on the Paracels and on any objection
which the Chinese Government might have to their occupation. Mr Kahn, the incumbent, answered your questions, which, if my memory serves me well, you transmitted in code for greater security. The French Government having subsequently given no sign whatsoever of embarking on the practical implementation of the plans which your above-mentioned letter appeared to indicate, I did not feel it proper to use telegraphy to inform you of a question in which the Ministry appeared to have lost interest for 11 years.

Nonetheless, the Paracels are of some importance for France: lying halfway between Saigon and Hong Kong, they pose a major threat to shipping and may need a lighthouse. I have heard it said that we once had this project in mind but drew back in view of the expenditure entailed. Moreover, since it is impossible to land on the islands during the north-east monsoon, it would have been necessary to abandon the lighthouse keepers to their fate for all that time.

However, these islands, equidistant from Annam and Hainan, on the same parallel as Tourane, are also visited by Annamese and Chinese fishermen, who halt there during their fishing trips for a perfunctory preparation of their catch. Bloody fights sometimes break out on such occasions between fishermen from the two countries. Some of them find it much easier to steal from those who have taken the trouble to catch their cargoes of fish. Moreover, since the Annamese are in the habit of taking their wives and children with them, when our proteges come off worst in the fight, the women and children are added to the stolen cargo and sold by the Chinese, along with the cargo, in the ports of the Hainan coast, where it is not unusual to encounter them.

In my opinion, France has as many rights to the islands as China.

Yet precisely at the time you requested information on the intentions of the Chinese Government vis-a-vis the Paracels, an incident occurred which elicited from the Chinese a peremptory denial of ownership.

A steamship, a Japanese vessel I believe, carrying a cargo of copper ingots was wrecked in the Paracels. The vessel being abandoned by its owners, the insurance companies attempted to salvage the cargo. However, when they arrived at the scene, Chinese fishermen had already taken care of the salvage and the copper had been removed. Evidence later emerged that the copper had been taken to Hainan, and the insurance companies were able to obtain receipts for the import duties levied on the ingots by Chinese customs authorities on the island.

That was enough for Mr O'Brien Butler, the then Consul of Great Britain in Hoihow, recently appointed Consul General of His Britannic Majesty in Yunnansen, who lodged a request for compensation. The Chinese
Government rejected this, precisely on the grounds that the Paracels were not part of the Chinese Empire. It would therefore seem that, were it in our interest to prevent the Chinese Government from seizing this group of reefs, we could perhaps, with a little research, easily find arguments clearly demonstrating our right as well as irrefutable evidence of it. However, should the game not be worth the candle, it would perhaps be preferable, all things considered, to turn a blind eye, since any intervention on our part might lead to a fresh wave of nationalist feeling in the population, more damaging to us than the possession of the Paracel Islands would be useful.

I trust you will advise me of any steps you feel I should take on this matter./.

(Signed) Beauvais
ANNEX 16

Letter of 18 April 1921 from the Minister for the Colonies to the President du Conseil, Minister for Foreign Affairs

Re: The Paracel Islands

Further to your letter No. 441 dated 26 May 1921, I have the honour to enclose herewith for your information a copy of a letter the Governor General of Indochina has just sent me concerning the Paracel Islands.

Appended to this letter, which contains all the requisite information on the short paragraph published in *L’Europe Nouvelle*, is a Note prepared by the Government General of Indochina. The Note gives the fullest possible account of the question of the Paracel Islands, including geographical and historical relations with Indochina and the known diplomatic background to the current state of affairs.

I would particularly draw your attention to the idea mentioned by Mr Long on the last page of his letter, to the effect that 'It would perhaps not be excessive, in exchange for official recognition that the Paracels are Chinese, to request a formal commitment from the sovereign Government never to set up a military or naval base there and to install no facilities to that end.'

I would much welcome your opinion on this suggestion.

As for the regrettable consequences of Captain Remy's reply of 24 September last to an inquiry made by the general agent in Saigon of the Japanese shipping company Mitsui Bussan Kaisha Limited, I did not feel I should approach the Ministry of the Navy about this before ascertaining your own views on the matter.

I would be grateful if you could return the enclosed documents once you have perused them./.

(Signed) Illegible
I have the honour to inform you that Mr Kurosawa, Consul General of Japan, asked the Head of the Foreign Relations Department of the Government General, during an interview, whether he could give him any information, 'in a purely personal capacity', on the territorial status of several groups of small islands and reefs lying in an area of the China Sea off the coast of Borneo and Palawan, between latitude 7° and 12° and longitude 117° and 118°.

The names of the main islands concerned are: Trident Reef, Danger Reef, Thí Tu Island, Loai Ta Reef, Tizard Reef, Discovery Reef, Fiery Cross, London Reefs, Storm Island, Amboyna Cay, Rifleman Bank, Ardasier Bank, Swallow Reef.

Mr Kurosawa said that the three groups of islands and reefs off the coast of Hainan Island and the coast of Annam, known as the Paracels, lay outside the delimited quadrilateral and were of no interest to the Japanese Government.

On the other hand, Mr Kurosawa wished to know whether France or Great Britain, or more probably America (owing to the proximity of the large island of Palawan, forming part of the Philippines archipelago) might claim rights of sovereignty or rights of first occupant in the event of any question as to the territorial status of these uninhabited reefs and islands, which together make up an area particularly dangerous for shipping, and on which only a few Chinese fishermen or Japanese nationals mining guano venture to set foot.

It would seem that France has never voiced any claim to these islands, which belong more logically to the Indonesian archipelago than to the Indochinese peninsula.

There is no mention on any chart of the territorial dependency of these islands.

Mr Kurosawa had in his possession a long letter from his Government and a Japanese nautical chart on which the zone concerned had been carefully marked.

There is no doubt that the question put by the Japanese Consul General would be of great interest to the British, American and Dutch authorities. It betrays certain ambitions which cannot be a matter of indifference to our
Ministry of the Colonies, Ministry of Foreign Affairs and Ministry of the Navy.

You will doubtless see fit to inform the latter two Ministries of the above inquiry./.

(Signed) Pasquier
ANNEX 18

Note dated 8 March 1928 from Mr Bourgouin

Re: Japanese claims to the islands of the China Sea

According to *Nautical Instructions* (China Seas, pages 612 et seq.), the group of islets and reefs to which Mr Kurosawa referred in his inquiry to Hanoi comprises a vast area of coral shoals and outcrops which are separated by trenches over 1,000 metres deep, and over which the sea breaks dangerously in bad weather.

Most of these reefs are covered by three to four metres of water even at low tide. Some just break the surface, having either a lagoon or an expanse of sand in the centre. Only three islands, Itu Aba Island (Tizard Bank), Loai Ta Island and Thi Tu Island, protrude slightly above the water and have sparse vegetation (bushes, coconut palms); they are circular in shape with a diameter of 300 to 500 metres; two of them have wells.

Overall, the area has the reputation of being dangerous ground for shipping, owing to the poor visibility of the shoals, very few of which are marked or buoyed, such markers as there are being rudimentary. The shipping routes give them a wide berth, passing on the south-east flank, in the corridor which separates this area from Palawan Island. The only remotely detailed observations were made at the end of the last century by the British vessel *Rifleman*, which took soundings and noted some co-ordinates, not without encountering a whole collection of wrecks washed onto the shoals by the currents. The area is now visited only by a few Chinese fishermen from Hainan, who find an abundance of turtles and sea cucumbers there; it appears that some of them built temporary shelters, most of them now destroyed, on the above-mentioned islands.

No trace of any document relating to the territorial situation of the islands has been found in the Ministry's archives.

However it should be noted that the quadrilateral to which Mr Kurosawa refers overlaps the territorial waters and the dependent territory of the Philippines level with Barobao Island, the southernmost land belonging to the Philippines. The delimitation of the Philippines under Article III of the Treaty of Paris of 10 December 1898 placed under American rule the area between longitude 116° and 117° east of Greenwich, and between latitude 7°40' and 9° north. Strictly according to the details given by Mr Kurosawa, the Japanese claims to the area would totally conflict with the rights of
sovereignty granted to the United States. It may be supposed, more realistically, that they stop at longitude 115° or 116° east of Greenwich, which would already bring the Japanese very close to the southern islands of the Philippines and to the immediate vicinity of the Palawan passage.

In any event, the islands in question belong neither politically nor geographically to the coastline of Annam, being separated from this coast by an unbroken ocean trench 1,000 to 2,000 metres deep. Similarly, in geographical terms they are separated from Palawan Island by an ocean trench where the sounding line reached a depth of almost 3,000 metres.

It therefore seems that France, for its part, has no need to worry about the mentions revealed by Mr Kurosawa's inquiry, especially if, as Mr Kurosawa assured us, the Japanese Government no longer has any interest in the Paracels archipelago, where we would be more interested in maintaining the status quo. However, this loss of interest perhaps applies only at the official level, since information gleaned by the Consul of France in Hoihow early in 1925 makes it clear that Japanese smugglers are still active in the archipelago.

Nevertheless, it cannot be denied that, in the event of war, any exercise by Japan of a right of surveillance in the region concerned might constitute a threat to the security of maritime communications between the islands of the various south-east Asian archipelagos and the Chinese or American ports on the China Sea.