

French court rules for Taiwan in land dispute with China

By Jenny W. Hsu / STAFF REPORTER, WITH AFP



A French court on Wednesday recognized Taiwan's right to make its case in a legal dispute, despite Paris not recognizing it as an independent state.

The Taiwanese government has been involved in a battle with Beijing over the ownership of a patch of land on Tahiti, in French Polynesia, for more than 30 years, and the case has now been transferred to the appeals court in Paris.

China built a consulate on a patch of land in Papeete, the capital of the French Polynesian island of Tahiti in 1946. Taipei and Beijing have since disputed ownership of the property in a legal battle that started back in 1978.

Last week, in an interim judgment, the court ruled that Taiwan's case could be heard "independent of the diplomatic situation" even given Taipei's status as "a Chinese state not recognized by the international community."

The Taipei government's lawyer on Wednesday welcomed the French ruling.

"This decision formalizes the recognition of Taiwan by the French judicial authorities," Guillaume Selnat said. "If Taiwan can play a judicial role, it follows that the Republic of China must exist."

Beijing's lawyer, Francois Froment-Meurice, said he would appeal the ruling, which he ascribed to the judges' "stupidity" and complained that the appeals court had displayed a "worrying judicial mediocrity."

French foreign ministry spokesman Eris Chevallier said that he could not comment on a judicial decision.

France has recognized the People's Republic of China since 1964 and does not acknowledge Taiwan as an independent state.

Ministry of Foreign Affairs Spokesman Henry Chen (陳銘政) said yesterday the property was donated to the then-Chinese Nationalist Party (KMT) government by an overseas Chinese group in 1946.

The land was registered in the KMT's name and the Republic of China in Tahiti's consular office was built the same year, Chen said.

In 1964, Taiwan and France broke diplomatic ties and the office was shut down the following year. After being vacant for 13 years, the Taiwanese government turned the property over to be managed by the overseas Chinese group, he said.

In 2003, Beijing sued the group and insisted it was the rightful owner of the property. In 2004, a local court in Tahiti ruled in favor of China. The decision infuriated the group, which immediately appealed against the ruling in February 2005.

When the appeal was rejected in May 2005, the group made a direct appeal in 2006 to a French court to retry the case.

Chen said this was not the first time that a property had been confiscated by the local government after the severance of official ties with Taipei.

When Seoul switched recognition to Beijing 1992, a piece of real estate that included the Republic of China embassy was given to Beijing.