

In recent months, both chambers of the US Congress have passed the Taiwan Relations Act (TRA) and the “six assurances” as cornerstones of US-Taiwan relations.

The “six assurances,” which were given to Taiwan by then-US president Ronald Reagan in July 1982, are US pledges not to set a date for ending arms sales to Taiwan, not to hold prior consultation with China on the sales of specific weapons systems, not to play a mediation role between Taiwan and China, not to pressure Taiwan to enter into negotiations with China, not to revise the Taiwan Relations Act, and not to change the US position regarding sovereignty over Taiwan (ie, not to accept China’s claim of sovereignty over Taiwan).

Members of the US Congress have been critical of the failures of US President Barack Obama’s administration to fully implement the provisions of the TRA and the “six assurances.” Hence they gave a bipartisan approval of the concurrent resolution to convey to Obama’s administration a strong “sense of congress” regarding US support to Taiwan.

On July 18, the Republican National Convention included, for the first time, the “six assurances” in its official platform. Calling Taiwan “a loyal friend of America,” the Republican platform also expressed support for the timely sales of defensive arms and technology to build diesel submarines and Taiwan’s full participation in the WHO, the International Civil Aviation Organization and other international institutions.

The next US president is likely to initiate a new foreign policy. It is an opportune moment for Taiwan to deliberate, plan and launch a new policy initiative toward the US, to promote the normalization of Taiwan-US relations.

First, review US-Taiwan relations.

In 1979, then-US president Jimmy Carter severed diplomatic ties with the Republic of China (ROC) in Taiwan under the Chinese Nationalist Party (KMT) regime and instead, recognized the communist regime of the People’s Republic of China (PRC). Over the objections of Carter, congress drafted and passed the Taiwan Relations Act — which is a unique piece of legislation, as it is a US law that governs relations with another country (Taiwan) and provides

a security umbrella for Taiwan due to the nation's geopolitical importance.

In 1994, then-US president Bill Clinton ordered a review of US-Taiwan relations. The KMT regime did not seem to be prepared for the US move and did not make substantial input to the US' Taiwan policy review.

In the wake of the review, the name of Taiwan's unofficial diplomatic mission in the US was permitted to change from the "Coordination Council of North American Affairs" to the "Taipei Economic and Cultural Representative Office" (TECRO), but otherwise Taiwan got a very bad deal. Clinton's administration announced that from then on the US would not support Taiwan's membership in international organizations that require statehood. Such a policy decision clearly contradicts, and therefore violates, the TRA.

Clinton did further and greater damage to Taiwan with his so-called "three noes." During his tour of China in June 1998 in Shanghai he asserted that the US would not support Taiwan's membership in any state-based international organizations, would not support Taiwan's independence, and will not pursue a "two Chinas, or one China one Taiwan policy." To accept and support Beijing's party line on Taiwan, Clinton completely ignored and directly violated US law.

The TRA's legislative history, committee reports, conference reports, as well as US Senate and House of Representatives floor statements regarding the TRA in the congressional record, make very plain that lawmakers intended affirmative US support for Taiwan's continuing membership in the World Bank and the IMF and had no desire to exclude Taiwan from seeking future membership in other international organizations.

Hence the TRA stipulates that: "Nothing in this act may be construed as a basis for supporting the exclusion or expulsion of Taiwan from continuing membership in any international financial institutions or any other international organization."

In addition, the TRA says that for all purposes of US law, Taiwan is a state and its government is that of a friendly state.

Time for Taiwan-US normalization

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It is time for the US to undertake another Taiwan policy review. It must recognize that the TRA has encouraged and fostered Taiwan's democratization and the changed circumstances democracy has brought to Taiwan. The democratic polity that exists in Taiwan today is irreversible, and the quest of Taiwanese for self-determination and dignified and meaningful international participation should be seen in this light. The US policy toward Taiwan is outdated, and must be updated.

Second, report on US-Taiwan security cooperation.

The TRA specifically mandates the US "to provide Taiwan with arms of defensive character" and "will make available to Taiwan such defense articles and defense services in such quantity as may be necessary."

In direct violation of the TRA, the Reagan administration signed a communique with China on Aug. 17, 1982, that aimed to freeze the weaponry Taiwan may purchase both in quality and quantity, and gradually reduce weapons sales to Taiwan. Amid the uproar on these concessions to China, Reagan fired then-US secretary of state Alexander Haig, who played a central role on the communique and provided the "six assurances" to Taiwan, seeking to downplay the inconsistency between the communique and the TRA. Nonetheless, the damage was done.

US administrations continue to place restrictions on arms sales to Taiwan and curtail Taiwan's defense capabilities, even as the PRC pursues rapid military expansion and aggressive intimidation against Taiwan.

In order to avoid irritating Beijing, the US has rejected Taipei's repeated requests for submarines and advanced fighters, even as the balance of military forces in the Taiwan Strait has tilted so much toward China, as US Pentagon reports in the past decade have warned.

Inasmuch as Congress exercises the power of oversight over the execution of US foreign policy, and the TRA specifically requires the executive branch to render an annual report to congress on US-Taiwan relations, it is incumbent on Taiwan, and especially the TECRO, to work closely with members of congress, as they are well placed to monitor and supervise the full and faithful implementation of the TRA and the "six assurances."

Third, normalize US-Taiwan relations.

Carter's derecognition of the KMT authoritarian regime in 1979 was, with the benefit of hindsight, a blessing in disguise for Taiwanese. To put it succinctly, the US move eroded the legitimacy and political support of Chiang Kai-shek's (蔣經國) one-party rule in Taiwan, forcing the KMT to undergo liberalization and end martial law. These changes in turn expanded popular political participation and accelerated democratization.

In the eyes of US officials, congressional leaders and heads of civic organizations, Taiwan is a vibrant, open society and a beacon of freedom and democracy to Asia-Pacific. If these officials mean what they say, they should help foster a new US policy toward Taiwan, which is a democratic nation and a dependable security partner in the region.

The Democratic Progressive Party government, Legislative Yuan and Taiwan's attentive public should work together on how to mobilize the resources of government institutions, think tanks, civic groups and concerned citizens to launch a public diplomacy toward the US. Our major objectives are to persuade the US to undertake another Taiwan policy review; and to reset and normalize US relations with Taiwan — a free and democratic state.

People who voted for President Tsai Ing-wen (蔡英文) in January expect her to bring about timely changes in Taiwan-US relations and are watching to see if she and her national security team are able and willing to initiate new policy measures.

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