

US must add more teeth to the TRA

Written by Manik Mehta

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Not many Americans know Taiwan's location, they might confuse its moniker the Republic of China (ROC) with China and some might even respond by saying that they love "Thai food" when asked if they have heard about Taiwan.

Therefore, it is hardly surprising that only a few with exposure to the geopolitics of the region know about the existence of the Taiwan Relations Act (TRA), which is turning 40 this year and has guided US policy toward Taiwan and cross-strait relations.

Tracing the genesis of the TRA is a historic journey going back 40 years after Washington took that fateful decision to formally terminate its diplomatic ties and a mutual defense agreement with Taiwan as it rushed to open what was then euphorically called a "historic relationship" with the People's Republic of China (PRC).

On Dec. 15, 1978, then-US president Jimmy Carter announced that Washington would terminate diplomatic relations with Taiwan, the ROC, and instead formally recognize China, the PRC.

The news shocked and saddened many Taiwanese, plunging the nation into gloom and despair. People felt betrayed and worried about an increasingly uncertain future, but the news also hardened Taiwanese resolve to survive despite the odds and work toward what later became known as its "economic miracle."

The resolve of Taiwanese was strengthened by the TRA. Enacted in 1979 by the US Congress, which was dissatisfied with the reckless manner in which the Carter administration had handled the issue of normalizing relations with China, the TRA has now guided US-Taiwan relations for four decades — a feat few could have anticipated then.

A recent panel discussion at the Taipei Economic and Cultural Office in New York, in conjunction with the Foreign Policy Research Institute, highlighted some of the challenges faced by the TRA-centered framework for US policy amid new pressures from Beijing, including what US experts describe as the "cold confrontation" against President Tsai Ing-wen's (蔡英文) administration, as Chinese President Xi Jinping (习近平) aggressively pressures Taiwan to unify

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with China.

The prominent panelists included Jerome Cohen, professor of law at the New York University School of Law and senior fellow for Asia Studies at the Council on Foreign Relations; June Teufel Dreyer, professor of political science at the University of Miami; Shelley Rigger, professor of East Asian Politics at Davidson College; Jacques deLisle, director of the Foreign Policy Institute's Asia Program; and Russell Hsiao (許雪姬), executive director of Global Taiwan Institute and a Penn Kemble fellow.

The discussion, under the title "Taiwan Relations Act at 40: An Enduring Framework for US-Taiwan Relations," provided some out-of-the-box ideas for Taiwan to assert its international status.

One such idea was to switch from the widespread use of the prefix "Taipei" in foreign representations to "Taiwan."

"Taipei," which does not reflect the republic's international identity, was conceived when Taiwan joined APEC as a compromise to placate China. Americans would not mind the switchover from "Taipei" to "Taiwan." After all, China has no *locus standi* in determining the nomenclature of Taiwan's representation on sovereign US soil.

The Taiwan Travel Act and the National Defense Authorization Act, signed last year by US President Donald Trump, reflect the US' desire not only to forge a stronger relationship with Taiwan, but also send a signal to the world to upgrade its ties with the nation.

Taiwan's other great achievement is that it has evolved into a full-fledged democracy, one of the freest in Asia; indeed, it is the only Chinese democracy in history.

Taiwan's vibrant democracy and thriving economy is considered a thorn in Beijing's side. China's 1.4 billion people notice — but cannot openly discuss — that a small republic on their doorstep has acquired a strong democratic character with liberties that Chinese can only dream of.

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Thanks to the TRA, which also provided a security shield for Taiwan, the US treated Taiwan as a state and its governing authorities as a government, despite the formal derecognition of both by Washington.

Even after formally acknowledging Beijing's position that Taiwan is a part of China, the US continued to accord economic benefits to Taiwan.

The US played a crucial role in Taiwan's export-led growth, offering itself as a large market for finished manufactured products and an important source of technological know-how and capital.

Taiwan's information technology industry, an export mainstay, has been crucial in strengthening the economic relationship between Taiwan and the US.

While Washington has been Taiwan's biggest arms supplier, even though for purely defense needs, the TRA's usefulness becomes pronounced, particularly with China's growing belligerence, as witnessed recently when Chinese jets made incursions into Taiwan's airspace.

Another way to help Taiwan would be to facilitate its membership in important international organizations to enable the nation to become an internationally responsible member state.

For example, while Taiwan's exclusion from the International Civil Aviation Organization denies it access to updated information on important aviation security issues, it also precludes Taiwan from contributing vital input to help the organization track weather disruptions such as typhoons — an area in which Taiwan has acquired expertise.

The US could provide a helping hand by opening the door for Taiwan's entry into such organizations, and not shy away from such efforts because of China's sensitivities.

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Adding teeth to the TRA would give Taiwan the necessary space it is striving for in the international arena. After all, a “tiger economy” of nearly 24 million people and the world's 10th freest economy with a GDP of about US\$1.2 trillion cannot simply be sidelined.

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