

ANALYSIS: Taiwan's negotiators not on the ball

Written by Taipei Times
Monday, 26 July 2010 08:43 -

The recent dispute between Taipei and Beijing over additional cross-strait flights highlights the administration's need to improve its negotiating skills, analysts said.

Taiwan suspended five cross-strait flights operated by Chinese airlines in retaliation for decisions by Beijing that affect Taiwanese airlines. The dispute centers around the distribution of 50 flights added to the schedule after negotiations in May.

China said 20 of the 50 new flights had to be reserved for airports in Xiamen and Fuzhou — part of its plan to develop the Strait West Special District — while 14 were reserved for service between Taipei Songshan Airport and Shanghai Hongqiao Airport.

Taiwanese airlines were also under the impression that they could make changes to the arrangements for 135 flights agreed upon earlier, such as moving some scheduled for Fujian Province elsewhere. Beijing, however, said no changes could be made.

The Ministry of Transportation and Communications said although the two sides agreed in principle during the negotiations, they did not put it in writing. The ministry declined to admit any mistake.

A Democratic Progressive Party (DPP) lawmaker alleged on Saturday that the foul-up resulted from the government giving in to China's request that Taiwan's lead negotiator be replaced with a less experienced one.

However, this was not the first time negotiators have botched -important deals. From the US beef fiasco to the Economic Cooperation Framework Agreement, the government's poor negotiating skills have irked many.

Political commentator Paul Lin (林豐喜), a researcher who specializes in Chinese Communist Party (CCP) history, said he did not have much confidence in the Chinese Nationalist Party's (KMT) negotiating skills because the KMT has lost in every negotiation with the CCP.

"They cannot even guarantee the interests of Straits Exchange Foundation Chairman Chiang Pin-kung (蔣經國) or former KMT chairman Lien Chan (連戰). How can we expect them to protect the interest of the Taiwanese?" Lin said.

The government's negotiating team not only did not do their homework ahead of time, but also proved unable to react to changing circumstances, Lin said.

"A good negotiating team must be able to see through pitfalls when they come across one or they will fall right into it," he said. "But what we see is usually not what we expect."

Chinese leaders liked to say they wanted to "yield benefits" to Taiwan, but Lin questioned why

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Chinese airlines would give profitable routes to their Taiwanese counterparts if they don't receive any benefits first.

The biggest beneficiary of the additional flights was the airlines, not the Taiwanese, he said.

Tung Li-wen (譚力文), a professor at the Graduate School of Public Security at Central Police University, said botching up the additional flights was the quintessential example of unequal cross-strait negotiations.

The 14 flights reserved for the direct service between Songshan and Hongqiao airports were not part of the dispute because they concerned KMT Taipei Mayor Hau Lung-bin's (郝龍斌) bid for re-election, Tung said.

However, Yang Kai-huang (楊凱煌), a public affairs professor at Ming Chuan University, said he did not think the problem was the negotiators were not skilled enough.

"Negotiations reflect the might of a country," he said. "When a country is weak, it is hard to turn defeat into victory and the negotiation on US beef is a perfect example."

In the case of cross-strait flights, Yang said Taiwan's bargaining chips were no match to those of China. If the business interests of Chinese airlines risked being compromised, they were unlikely to toe the CCP's line, he said.

"One thing was certain. Future cross-strait negotiations will be increasingly difficult," he said.

Negotiations on political issues are inevitable and that has several analysts concerned. They worry about what they see as the administration's cavalier attitude toward political negotiations.

A Chinese academic said last week that Beijing had already begun preparations for a cross-strait peace accord.

Sun Zhe (孫澤), director of Tsinghua University's Center for US-China Relations, was quoted by the Chinese-language United Daily News on Wednesday as saying that the preparations included establishing an official cross-strait committee to replace the Straits Exchange Foundation (SEF) and Association for Relations Across the Taiwan Strait (ARATS), as well as studying the possibility of enacting a "Taiwan Act."

Mainland Affairs Council officials dismissed Sun's remarks as merely his own opinion.

Lin said it was not necessary for Taipei and Beijing to sign any peace treaty because in 1991 former president Lee Teng-hui (李登輝) abolished the Temporary Provisions Effective during the Period of National Mobilization for the Suppression of the Communist Rebellion (動員戡亂時期臨時條款).

"What this means is that Taiwan will not attack China as the government does not see the Chinese Communist Party as a rebellious group," he said. "However, it is still possible for China to attack Taiwan and take it over by force if necessary, unless China annuls its

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‘Anti-Secession’ Law and renounces the use of force against Taiwan.”

Sun’s proposal might be the opinion of a Chinese academic, but it should be considered a test balloon and was likely authorized by Beijing, he said.

While Lee had also suggested replacing the SEF, Lin said the former president had meant to highlight Taiwan’s sovereignty and show that cross-strait negotiations should be conducted on a country-to-country and government-to-government basis. Sun’s proposal meant the opposite direction, Lin said.

The idea of Beijing enacting a “Taiwan Act” was aimed at making Taiwan just like Hong Kong, Lin said. While Taiwan has a Constitution written in China, the proposed “Taiwan Act” would no doubt make clear that Taiwan was part of China, he said.

“Hong Kong was handed over to China seven years after the Basic Law [Hong Kong’s mini--constitution] was adopted by the People’s National Congress,” Lin said. “If Taiwan is not careful, there won’t be seven years before it is taken over by the Chinese.”

President Ma Ying-jeou (馬英九) has repeatedly said he would not negotiate unification with Beijing during his presidency, but what he has done was to create an environment favorable to unification, Lin said. The result was to set an irreversible course for Taiwan’s future even if the DPP returned to power, he said.

“That is why Beijing was willing to yield petty economic benefits’ now, because they will make Taiwan pay a high political price in the future,” he said.

Tung said Mainland Affairs Council officials have been too weak in responding to Sun’s comments, which had probably been sanctioned by the Chinese authorities. The council’s response would only encourage Beijing to dictate cross-strait political agenda, he said.

“Since the two sides signed the ECFA, Beijing proceeds to the next item on the agenda,” he said. “The government cannot pretend that nothing has happened. It must respond properly.”

Yang, however, said Sun’s comments were just the “personal opinion of an academic specializing in China-US relations.”

Sun was correct about one thing, Yang said, adding: “The SEF and ARATS cannot handle political negotiations.”

As for a “Taiwan Act,” Yang said it could be in the form of a domestic Chinese law or a cross-strait agreement. China needs a domestic law sanctioning its further interaction with Taiwan, which Beijing has realized reluctantly is a different political entity.

Nevertheless, if a “Taiwan Act” were to be signed as a cross-strait agreement, Yang said, both Taipei and Beijing would be required to honor the accord no matter who was in power or Taiwan would risk undercutting its credibility in the international community.

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Source: [Taipei Times - 2010/07/26](#)