

Taiwan's Quest for Greater Participation in the International Community



AUTHOR
Bonnie S. Glaser

CSIS | CENTER FOR STRATEGIC & INTERNATIONAL STUDIES

*A Report of the CSIS Freeman
Chair in China Studies*

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Acronyms

ADB	Asian Development Bank
ADP	Ad Hoc Working Group on the Durban Platform for Enhanced Action
ANZTEC	Agreement between New Zealand and the Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu on Economic Cooperation
APAC	Asia and Pacific
APEC	Asia-Pacific Economic Cooperation
APT	Asia Pacific Telecommunity
ARATS	Association for Relations Across the Taiwan Straits
ASC	Aviation Safety Council
ASEAN	Association for Southeast Asian Nations
ASTEP	Agreement between Singapore and the Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu on Economic Partnership
BIA	Bilateral Investment Agreement
CAA	Civil Aeronautics Administration
CAEP	Committee on Aviation Environmental Protection
CANSO	Civil Air Navigation Services Organization
CAPSCA	Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation
CCP	Chinese Communist Party
CEO	chief executive officer
CICIR	China Institutes of Contemporary International Relations
CO ₂	carbon dioxide
COP	Conference of the Parties
COP17	17th Conference of the Parties
CSIS	Center for Strategic and International Studies
DPI	Department of Public Information
DPP	Democratic Progressive Party (Taiwan)
ECFA	Economic Cooperation Framework Agreement
ECOSOC	Economic and Social Council
EU	European Union
FAO	Food and Agriculture Organization
FIR	Flight Information Region
FTA	free trade agreement
GATT	General Agreement on Tariffs and Trade

GDP	gross domestic product
GMI	Global Methane Initiative
IATA	International Air Transport Association
IBAC	International Business Aviation Council
ICAO	International Civil Aviation Organization
ICCAT	International Commission for the Conservation of Atlantic Tunas
IEA	International Energy Agency
IGO	intergovernmental organization
IHR	International Health Regulations
INGO	international nongovernmental organization
IOTC	Indian Ocean Tuna Commission
IPCC	Intergovernmental Panel on Climate Change
IPTP	Indo-Pacific Tuna Development and Management Program
IS-BAO	International Standard for Business Aircraft Operations
ITRI	Industrial Technology Research Institute
KMT	Kuomintang (Taiwan; also called the Nationalist Party)
MAC	Mainland Affairs Council
MOFA	Ministry of Foreign Affairs (Taiwan)
MOU	memorandum of understanding
NGO	nongovernmental organization
ODA	official development assistance
OECD	Organization for Economic Cooperation and Development
OIML	International Organization of Legal Metrology
PLO	Palestine Liberation Organization
PRC	People's Republic of China
RCEP	Regional Comprehensive Economic Partnership
ROC	Republic of China (Taiwan)
SAARC	South Asian Association for Regional Cooperation
SARP	standards and recommended practices
SARS	severe acute respiratory syndrome
SEF	Straits Exchange Foundation
SPREP	Secretariat of the Pacific Regional Environmental Programme
SPRFMO	South Pacific Regional Fisheries Management Organization
TAO	Taiwan Affairs Office
TIFA	Taiwan-U.S. Trade and Investment Framework Agreement
TPP	Trans-Pacific Partnership
TRA	Taiwan Relations Act
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFCCC	United Nations Framework Convention on Climate Change
WHA	World Health Assembly
WHO	World Health Organization
WMO	World Meteorological Organization
WTO	World Trade Organization

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Executive Summary

Taiwan's ambiguous international status has long complicated its ability to participate in international organizations in which the rest of the world shares information and makes critical global decisions. The island's 23 million people cannot reap the benefits that derive from full membership in most international organizations and are unable to contribute their well-developed knowledge, skills, and resources to issues that directly affect them, such as civil aviation regulations, natural disaster response and recovery, and regional economic cooperation. Being barred from international economic organizations erodes Taiwan's international competitiveness and hinders economic liberalization of the domestic economy as well as its further integration regionally.

Mainland China is fearful that as the island's global participation independent of the Mainland continues to grow, Taiwan could use its increased space to push for *de jure* independence. This fear exists despite the fact that Beijing's considerable economic and political influence in the world makes it extremely unlikely that Taipei could leverage its presence in international organizations to achieve independence. The Mainland essentially has two preconditions for handling Taiwan's participation in international organizations and activities. First, it insists that any arrangements not create a situation of "two Chinas" or "one China, one Taiwan" in the international community. Second, it insists that Taipei consult with Beijing. In June 2013 President Xi Jinping of China reportedly told Honorary Chairman Wu Poh-hsiung of the Kuomintang (KMT) that the issue of Taiwan's international space could be dealt with through talks between both sides on an equal footing.

Despite pressure and opposition from Beijing, Taipei has made strides in developing an extensive network of "quasi-diplomatic" and informal relations with many governments, gaining membership in a number of intergovernmental organizations (IGOs) and nongovernmental organizations (NGOs) and increasing its participation in others. The United States, Japan, Canada, Australia, and many countries in the European Union support a larger role for Taiwan in the international community. Since 2009 Taiwan has been invited to attend the annual meeting of the World Health Assembly (WHA), the decisionmaking body of the World Health Organization (WHO). Nevertheless, Taipei's ability to engage in various WHO working groups and technical activities remains limited.

In one of the most recent examples of progress in expanding its international space, Taiwan participated in the 38th International Civil Aviation Organization (ICAO) Assembly in September 2013 as an invited guest of the ICAO Council president, which fell short of its

hope to become an observer. It remains to be seen whether the island's participation will be sustained and whether its Civil Aeronautics Administration (CAA) will be able to have timely access to ICAO's database and annexes that contain critical information on flight safety and environmental protection.

Within the bounds of the "one China" policy, the United States has played a key role in facilitating Taiwan's participation in the international community. U.S. strategy seeks to build a political consensus among relevant parties, including Mainland China, to allow Taiwan to join IGOs in an appropriate capacity on a case-by-case basis and participate meaningfully in a wide range of international activities.

Selected Policy Recommendations

FOR TAIWAN

- While pursuing membership in ICAO and the United Nations Framework Convention on Climate Change (UNFCCC), Taipei should simultaneously explore participating in other organizations that could enable Taiwan to contribute to strengthening aviation security and combating climate change.
- Taiwan should consider focusing its energies on joining regional organizations along with its efforts to join UN-affiliated organizations.
- Taipei should continue to seek the support of other countries in expanding its international space.
- Taiwan should attach priority to making the necessary economic adjustments that will enable it to join the Regional Comprehensive Economic Partnership (RCEP) and the Trans-Pacific Partnership (TPP).
- Taiwan should continue pursuing bilateral trade agreements with other countries, targeting TPP stakeholder countries.

FOR MAINLAND CHINA

- Beijing should provide greater support for Taiwan's international space to further its broader cross-strait policy of winning the hearts and minds of the people of Taiwan.
- The People's Republic of China (PRC) government should devise policies to implement its pledge that a "reasonable arrangement" be reached on Taiwan's international space.
- Beijing should officially notify the WHO that the 2005 memorandum of understanding (MOU) is no longer the basis for Taiwan's participation in WHO organizations and events, and eschew similar MOUs to restrict Taiwan's potential participation in other organizations.

- Mainland China should provide unqualified support and assistance for Taiwan to participate in the regional economic integration process.

FOR THE UNITED STATES

- The United States should, in consultation with the PRC and other countries, seek to revise or amend the charters or rules of membership for key international organizations so that Taiwan can join in some capacity without raising sovereignty matters.
- The United States should assist Taiwan to make the necessary structural adjustments so it can make gains toward TPP standards.
- The United States should take concrete steps to support Taiwan's expanded role in organizations in which it is already a party but has difficulty securing meaningful participation.
- In discussions with the PRC, the United States should emphasize that Beijing hurts its own goals with Taiwan by its grudging approach to the issue of Taiwan's international space.

1 | Introduction

Taiwan's ambiguous international status has long complicated its ability to participate in international organizations in which the rest of the world shares information and makes critical global decisions. The island's 23 million people cannot reap the benefits that derive from full membership in most international organizations and are unable to contribute their well-developed knowledge, skills, and resources to issues that directly affect them, such as civil aviation regulations, natural disaster response and recovery, and regional economic cooperation. Taiwan is often left out of the loop, maintaining full membership in only 38 intergovernmental organizations (IGO), observership in 15, and other forms of official participation (i.e. associate member, cooperating non-member, etc.) in another 4.¹ In the most recent examples of progress in expanding its international space, Taipei participated in the 38th International Civil Aviation Organization (ICAO) Assembly in September 2013 as an invited guest of the president of the ICAO Council and was a founding member of the Association of World Election Bodies in October 2013. Exclusion from international political organizations puts Taiwan at a distinct disadvantage. Being barred from international economic organizations erodes Taiwan's international competitiveness and hinders economic liberalization of the domestic economy as well as its further integration regionally.

The concept of international space is broadly construed as participation in international institutions and affairs, be they diplomatic, nongovernmental, or economic in nature. Countries pursue international space for a multitude of reasons, which include but are not limited to maintaining a voice on issues that have both domestic and global impact; preventing conflict from arising in the global community; reducing the transaction costs of cooperation; and gaining greater legitimacy both internationally and domestically.²

Since the 1990s the issue of international space has been an important component of Taipei's foreign policy and has broad domestic support. In 2007 and 2008 opinion polls commissioned by the Mainland Affairs Council (MAC) found that 77.3 percent of respondents favored Taiwan's joining UN-affiliated organizations.³ Due to Mainland China's

1. See tables in Appendix I.

2. Miles Kahler, *International Institutions and the Political Economy of Integration* (Washington, DC: Brookings Institution Press, 1995); Emilie M. Hafner-Burton and Alexander H. Montgomery, "Power Positions: International Organizations, Social Networks, and Conflict," *Journal of Conflict Resolution* 50, no. 1 (February 2006): 3–27.

3. "民眾對當前兩岸關係之看法" 民意調查 (民國96年4月20日~4月22日) 調查結果摘要 ["People's views on the current cross-strait relations," poll (Republic of China 96 years; April 20–April 22) Summary of Findings],

growing economic and political leverage, however, many states are unable or unwilling to risk Beijing's ire by lobbying on Taiwan's behalf in international organizations. As a result Taiwan has been excluded from participating in many international organizations, particularly those that require statehood for membership.

As a member of the international community in an increasingly interconnected world, Taiwan faces numerous challenges that cannot be addressed unilaterally. Isolation from institutions designed to promote cooperation on environmental and health-related issues endangers the safety of Taiwan's population as well as the island's livelihood. When an epidemic breaks out in nations around the world, the World Health Organization (WHO) does not share information about the disease with Taiwan because the island is excluded from the organization's Global Outbreak Alert and Response Network. In 1998 this exclusion delayed assistance from the international community and contributed to the deaths of more than 80 Taiwanese children when an outbreak of a virulent strain of enterovirus type-71 spread from Malaysia to Taiwan. When Taiwan was rocked by a massive earthquake measuring 7.6 on the Richter scale on September 21, 1999, lives were lost as the WHO attempted to figure out "unofficial" and "indirect" ways to provide assistance to Taiwan.⁴ The UN Office for the Coordination of Humanitarian Affairs refused to do more than pass on information about the quake unless the Mainland Chinese government requested assistance on Taiwan's behalf.⁵ The delivery of aid by a Russian rescue team was delayed, initially by a lengthy procedure to gain UN approval and then by the denial of an air corridor by Beijing. The aircraft were compelled to make two extra unnecessary refueling stops.⁶ In 2003 when severe acute respiratory syndrome (SARS) spread to Taiwan from southern China, the WHO refused to offer any assistance, such as providing Taiwan's scientists with the sample viruses needed in their research toward treatment and vaccines, or sending any experts to advise the island on containment efforts. Letters from Taiwan's Ministry of Health and medical experts to the director-general of the WHO went unanswered as Taiwan scrambled to contain the epidemic.⁷

The exclusion of Taiwan from global networks also carries a cost for international society. Taiwan is a significant provider of official development assistance (ODA), but because it is not a member of the major international donor organizations it has to employ innovative ways of delivering aid through or with nongovernmental organizations (NGOs) and multilateral institutions. Taiwan's government faces challenges securing visas for aid workers from Taiwan heading to countries with which it does not have diplomatic ties,

Mainland Affairs Council, 2007, <http://www.mac.gov.tw/ct.asp?xItem=54157&ctNode=6138&mp=1>; "民眾對當前兩岸關係之看法" 民意調查 (民國97年3月23日~25日) 調查結果摘要 ["People's views on the current cross-strait relations," poll (December 31, 2008; March 23–25, 2011) Summary of Findings], Mainland Affairs Council, 2008, <http://www.mac.gov.tw/ct.asp?xItem=53997&ctNode=6137&mp=1>.

4. Dennis V. Hickey, "The High Cost of Excluding Taiwan from the WHO," in *China's Rise, Taiwan's Dilemmas and International Peace*, ed. Edward Friedman (New York: Routledge, 2006), 73.

5. Lauren Chen, "World Leaders Express their Condolences," *Taipei Times*, September 22, 1999, <http://www.taipeitimes.com/News/react/archives/1999/09/22/3512>.

6. H.J. Res. 70, October 5, 1999, <http://www.taiwandocuments.org/hjres70.htm>.

7. Eugene Chien, "Beyond SARS: Give Taiwan WHO status," *New York Times*, May 16, 2003, http://www.nytimes.com/2003/05/16/opinion/16iht-edchien_ed3_.html.

whether official or unofficial. When SARS first spread to Taiwan, the government in Taipei attempted to report the suspected cases directly to the WHO, but the inclusion of the data from Taiwan was delayed for several days. Even after Taiwan became an observer to the World Health Assembly (WHA), the decisionmaking body of the WHO, its health experts frequently have been denied permission to participate in WHO technical meetings and have thus been prevented from sharing their expertise. In 2011 Taipei applied for 21 WHO working panels and technical activities. Approval was granted in eight cases, while nine applications were rejected; in four cases no response from the WHO was received.⁸ Offers by Taiwan to contribute to WHO-organized health promotion programs around the world have often been rejected. For example, Taiwan offered to provide \$5 million for a vaccination program during an outbreak of a new strain of H1N1 influenza, but the WHO turned down the offer because it would not accept Taiwan's payment terms.⁹

The political challenges Taiwan faces in expanding its international space have also resulted in the island being side-lined economically. Despite the conclusion of two recent quasi-free trade agreements with New Zealand and Singapore, intervention from Mainland China and questions surrounding Taiwan's international personality¹⁰ continue to restrict Taipei's ability to sign FTAs with other countries. Taiwan has grown increasingly concerned about becoming too dependent on Beijing for its economic survival.¹¹ Forty percent of Taiwan's exports go directly to Mainland China and Hong Kong. There are concerns that Beijing could use its economic leverage to force political talks and unification in the long run.¹² Finally, Taiwan remains concerned about its international legitimacy as a sovereign state. Without the ability to act as an independent entity, Taiwan would be forced to rely on Beijing even more and put at risk its credibility both at home and abroad. With continued participation in international organizations, Taipei can seek opportunities to work with other countries on its own footing rather than relying excessively on the Mainland.

Taiwan's ability to pursue and expand its international footprint is limited by the unique challenges it faces, namely ambiguity surrounding its statehood and relations vis-à-vis Beijing.

However, Taiwan's ability to pursue and expand its international footprint is limited by the unique challenges it faces, namely ambiguity surrounding its statehood and relations vis-à-vis Beijing. Taiwan remains in limbo with regard to its sovereignty, as it meets only

8. Hsiu-chuan Shih, "US questions WHO's name for Taiwan," *Taipei Times*, May 18, 2012, <http://www.taipetimes.com/News/front/archives/2012/05/18/2003533099>.

9. *Ibid.*

10. Angeline G. Chen, "Taiwan's International Personality: Crossing the River by Feeling the Stones," *International & Comparative Law Review* 20, no. 223 (1998), <http://digitalcommons.lmu.edu/ilr/vol20/iss2/1>.

11. Wang Yuan-kang, "China's Growing Strength, Taiwan's Diminishing Options," *Taiwan-U.S. Quarterly Analysis*, No. 4, Brookings Institution, November 2010, <http://www.brookings.edu/research/papers/2010/11/china-taiwan-wang>.

12. Republic of China, Bureau of Foreign Trade, "Value of Exports & Imports by Country (2012)," Trade Statistics, data generated on website on July 11, 2013, <http://cus93.trade.gov.tw/ENGLISH/FSCE/>.

three of the four criteria of statehood under the 1933 Montevideo Convention. The island has a distinct territory, a distinct population, and a government that administers locally and does not answer to any other country. However, it faces great difficulty meeting the fourth condition: the ability to engage in *formal* relations with other states.¹³ Since 1949 both Beijing and Taipei have claimed sole representation of the Chinese nation, but after Taiwan lost its United Nations seat in 1971, most countries switched diplomatic recognition to Beijing.¹⁴ Currently, only 23 countries, referred to as Taiwan’s “diplomatic allies,” formally have diplomatic relations with Taipei.

Beijing remains wary of Taiwan’s international space aspirations. The Taiwan Affairs Office (TAO), dual-hatted as an entity under both the Chinese Communist Party (CCP) and the State Council, regularly reiterates Beijing’s stance that the Mainland and Taiwan belong to “one China” and their relations are not on a “country-to-country” basis. In the international arena, the Mainland emphasizes that there is only one legitimate seat of government for China, insisting that countries that wish to conduct relations with the Mainland must abolish all official interaction with Taiwan, and vice versa.¹⁵ This policy, established in 1949 upon the founding of the People’s Republic of China (PRC), has served as a guiding principle for Mainland China’s relations with Taiwan and as the basis for its diplomatic ties with other countries. In 1995 China’s President Jiang Zemin delivered his “Continuing to Strive Toward the Unification of China” speech in which he outlined his eight-point proposal on the development of cross-strait relations. Jiang indicated that Beijing has no “objections to the development of nongovernmental economic and cultural ties between Taiwan and other countries” and Taipei’s participation in economic organizations would be possible so long as this participation adhered to the “one China” principle.” He also reasserted key guidelines from the 1993 Taiwan white paper, holding that Beijing viewed “Taiwan’s activities in expanding its living space internationally” as a means of achieving “the independence of Taiwan.”¹⁶ In 2000 Beijing released its second white paper on Taiwan, “The One China Principle and the Taiwan Issue,” which reaffirmed China’s adherence to the “one China” principle.¹⁷

Mainland China is fearful that as the island’s global participation independent of the Mainland continues to grow, Taiwan could use its increased space to push for *de jure* independence. This fear exists despite the fact that Beijing’s considerable economic and political influence in the world makes it extremely unlikely that Taipei could leverage its presence in international organizations to achieve independence. The Mainland’s anxiety

13. “The Montevideo Convention on Rights and Duties of States,” 1933, <http://www.jus.uio.no/english/services/library/treaties/01/1-02/rights-duties-states.xml>.

14. At the time, both the People’s Republic of China (PRC) and Taiwan refused to consider dual recognition.

15. “Mainland reiterates ‘1992 Consensus’ for promoting cross-strait ties,” Taiwan Affairs Office of the State Council of the PRC Spokesperson’s Remarks, October 31, 2012, http://www.gwytb.gov.cn/en/SpokespersonRemarks/201211/t20121101_3319711.htm.

16. “Jiang Zemin’s Eight-point Proposal,” Taiwan Affairs Office of the State Council, PRC, January 30, 1995, http://www.gwytb.gov.cn/en/Special/Jiang/201103/t20110316_1789198.htm.

17. “White Paper—The One China Principle and the Taiwan Issue,” Taiwan Affairs Office and the Information Office of the State Council, February 21, 2000, http://english.gov.cn/official/2005-07/27/content_17613.htm.

is rooted in part in its experience with former Taiwan president Chen Shui-bian, who led the Democratic Progressive Party (DPP) in governing Taiwan from 2000–2008. As was the case with his predecessor, Lee Teng-hui, expanding international space was an important component of Chen’s foreign policy. Under Chen’s leadership Taiwan gained full membership in eight IGOs and observer status in seven (see Appendix I), and pursued nongovernmental organization (NGO) diplomacy through active participation in international NGOs. Among these successes was Taiwan’s accession to the World Trade Organization (WTO) as a full member (under the name “Separate Customs Territory of Taiwan, Kinmen, Penghu, and Matsu”) at essentially the same time as the Mainland in 2001.

Meanwhile, Taiwan continued to bid for UN membership annually and pursued inter-parliamentary diplomacy as a means for Taiwan’s legislators to forge relations with their foreign counterparts.¹⁸ Taipei also attempted to negotiate an FTA with Singapore using the name Taiwan and held a referendum to join the United Nations under the name Taiwan. The Mainland opposed such steps forcefully, partly because use of “Taiwan” or the “Republic of China” (ROC) suggests the existence of “two Chinas” or “one China, one Taiwan” in the international community.¹⁹ Moreover, Beijing viewed these measures as part of Chen’s pro-independence agenda that posed a threat to its sovereignty claim over Taiwan and the CCP’s domestic legitimacy.

The Mainland’s strenuous opposition subsequently made countries around the globe more wary of interacting too directly with a Taiwan that, under Chen, followed policies that were widely viewed as overly provocative. These problems, combined with Taiwan’s attempts to compete with Beijing to induce the other’s diplomatic partners to switch formal recognition, damaged Taiwan’s image abroad, and many countries began to suspect Taiwan’s intentions.²⁰ While the first half of his administration saw positive movement for expansion of Taiwan’s international space, during Chen’s second term cross-strait relations became tense and international support for greater participation by Taiwan in international organizations and activities declined.

The Mainland knows that President Ma Ying-jeou attaches great importance to enhancing Taiwan’s participation in the international community and that the majority of Taiwan’s citizens support this goal. Consequently, Beijing must walk a fine line between allowing some international space for Taiwan in order to build trust across the Strait, and avoiding the possibility of setting a precedent that could encourage international perception and even endorsement of Taiwan independence.²¹ Time constraints also plague the

18. Unrepresented Peoples and Nations Organization, “Taiwan: NGOs Back Bid to Join UN Agencies,” September 15, 2008, <http://www.unpo.org/article/8655>; Dennis Hickey, “NGOs keep diplomacy on track,” *Taipei Times*, October 20, 2003, <http://www.taipetimes.com/News/editorials/archives/2003/10/20/2003072672>.

19. “White Paper—The One China Principle and the Taiwan Issue.”

20. “Taiwan makes its presence felt through soft-power diplomacy,” President’s Notes, Office of the President of the Republic of China (Taiwan), July 12, 2010, <http://english.president.gov.tw/Default.aspx?tabid=1124&itemid=21953&rmid=3048>.

21. T.Y. Wang, Wei-Chin Lee, and Ching-Hsin Yu, “Taiwan’s Expansion of International Space: Opportunities and Challenges,” *Journal of Contemporary China* 20, no. 69 (March 2011): 249–267.

Chinese leadership. With Taiwan's next presidential election set for 2016, there is a limited amount of time to work with an administration in Taipei that has made progress in cross-Strait relations a priority. Continued efforts by the Mainland to block Taiwan's efforts to expand its participation in international organizations could also further weaken the ruling Kuomintang (KMT), also called the Nationalist Party, and increase the possibility of a return to power by the DPP, which has not renounced the goal of independence.

2 | The Ma Administration's Cross-Strait Policies and Their Impact

When Ma Ying-jeou assumed the presidency in May 2008, he put in place policies that would improve ties between Taipei and Beijing as well as promote positive global attitudes toward Taiwan. While he wanted improved relations with the Mainland, too much emphasis on cross-Strait relations as the basis for international participation would not only hold this pursuit hostage to Beijing's goodwill, but also open up the Ma administration to accusations of surrendering Taiwan's sovereignty. Walking this fine line, Ma said Taiwan simply wanted "room to breathe." He began the cross-Strait rapprochement process by accepting the "1992 Consensus" and proposing a "diplomatic truce" between Taiwan and the Mainland.¹ He emphasized the "clear link" between improved relations with the Mainland and expanding Taiwan's international space.² Ma recognized, however, that increasing Taiwan's participation in international organizations would require tacit support from Beijing. In his inaugural address, Ma indicated willingness to "enter consultations with Mainland China over Taiwan's international space and a possible cross-Strait peace accord."³

The 1992 Consensus was born of a meeting between representatives from Mainland China and Taiwan in Hong Kong, during which both sides reached an understanding that there was only one China but left open to interpretation what the concept of "One China" entailed. This understanding enabled each side to retain its respective definition, without resolving their dispute over sovereignty. On occasion, President Ma has said explicitly that from Taiwan's perspective, "one China" means the Republic of China.⁴ The Ma administration has promulgated a "Three No's" policy of "no unification, no independence, and no use of force" in its approach to the consensus and as a guiding principle for cross-Strait peace.⁵

1. Ma formally affirmed his commitment to a diplomatic truce, which was first introduced as a campaign promise, on May 20, 2008, during his inaugural address, holding that, "I would like to call upon the two sides [Taiwan and China] to pursue reconciliation and truce in both cross-straits and international arenas." See Ma Ying-jeou, "Full text of President Ma's Inaugural Address," *The China Post*, May 21, 2008, <http://www.chinapost.com.tw/taiwan/national/national-news/2008/05/21/157332/p3/Full-text.htm>.

2. "An Interview with Ma Ying-jeou," *New York Times*, February 22, 2009, http://www.nytimes.com/2009/02/22/world/asia/matranscript.html?pagewanted=all&_r=0.

3. Ma Ying-jeou, "Full text of President Ma's Inaugural Address," 2008.

4. "President Ma holds press conference to discuss '1992 Consensus,'" Office of the President, Republic of China (Taiwan), August 28, 2011, <http://english.president.gov.tw/Default.aspx?tabid=491&itemid=25164&rmid=2355>.

5. Ma Ying-jeou, "Taiwan's Renaissance," inaugural address, May 21, 2008, <http://www.chinapost.com.tw/taiwan/national/national-news/2008/05/21/157332/p3/Full-text.htm>.

The “no independence” provision meets Chinese demands that cross-Strait talks must be grounded in the 1992 framework, while “no unification” provides Taiwan a degree of ambiguity when dealing with the ultimate question of sovereignty. Currently, the 1992 Consensus serves as a foundation for cross-Strait relations and allows both sides to set aside the more difficult political definitions of Taiwan’s status and instead foster cooperation on economic and other less sensitive issues first.⁶

Another key component of Ma’s rapprochement with the Mainland was his proposal for a “diplomatic truce,” which is part of his broader “flexible diplomacy” policy.⁷ Under the diplomatic truce, Taiwan would cease its aggressive campaign to win over diplomatic partners with foreign aid and Beijing would do the same.⁸ This proposal did not pertain to Taiwan’s participation in the international community, however. The motivation behind this plan was to ease past competition and signal the Mainland that Taipei was not seeking independence but instead hoped to maintain the status quo in the Taiwan Strait.⁹ Beijing never publicly or officially referred to, much less agreed to, Ma’s diplomatic truce; however, after President Ma’s announcement of the truce, the Mainland ceased to push for diplomatic recognition from Taipei’s remaining diplomatic allies.

Ma’s approach to cross-Strait relations reduced tensions and fostered more cooperation than ever before. Taiwan’s Straits Exchange Foundation (SEF) and the Mainland’s Association for Relations Across the Taiwan Straits (ARATS), the two quasi-official organizations authorized to handle “unofficial” cross-Strait dialogue, resumed meetings after a nine-year hiatus on November 3, 2008.¹⁰ These two organizations concluded sixteen agreements on a range of economic and practical cooperative areas over the course of Ma’s first term. Among them was the 2010 Economic Cooperation Framework Agreement (ECFA), which serves as a quasi-FTA between Taiwan and the Mainland. That agreement has since opened up opportunities for Taiwan to pursue bilateral trade agreements with some of its other

6. Ma Ying-jeou, “Steering through a Sea of Change,” remarks at the University of Southern California’s video conference, April 15, 2013.

7. Ma first proposed a “flexible diplomacy” policy during his 2008 presidential campaign. The policy focused on elevating Taiwan’s “international standing” and improving the “cost-effectiveness of [its] diplomatic budget.” It also aimed to increase mutual trust with the Mainland with the intention that this mutual trust will also permeate onto the international arena. See “President Ma’s Remarks at Ministry of Foreign Affairs: The Concept and Strategy of the ‘Flexible Diplomacy,’” Taiwan Economic and Cultural Representative Office, New Zealand, August 4, 2008, <http://www.taiwanembassy.org/nz/ct.asp?xItem=65451&ctNode=2237&mp=3&nowPage=66&pagesize=50>.

8. Wang, Lee, and Yu, “Taiwan’s Expansion of International Space: Opportunities and Challenges.”

9. In his inaugural address, Ma attested that the “Three No’s” would help maintain the status quo, as it adheres to Taiwan’s public opinion. The preservation of the status quo was also achieved through the related concept of “mutual non-denial,” of “not denying China’s existence and not recognizing its sovereignty,” which falls under the guidelines of the 1992 Consensus and allows for movement on Taiwan’s relationship with China. Ma promulgated a “One Country, Two Areas” concept (with “One Country” signifying the Republic of China) under this mutual non-denial policy, attesting that it was the “unchanged cross-strait definition under the [ROC] Constitution” and subsequently an extension of the status quo. See Ma Ying-jeou, “Taiwan’s Renaissance”; and Mo Yan-chih, “Ma defends ‘one ROC, two areas,’” *Taipei Times*, June 1, 2012, <http://www.taipeitimes.com/News/taiwan/archives/2012/06/01/2003534243>.

10. “SEF, ARATS ready for historical talks,” *The China Post*, November 2, 2008, <http://www.chinapost.com.tw/taiwan/china-taiwan-relations/2008/11/02/181354/SEF-ARATS.htm>.

major trading partners. Additionally, SEF and ARATS have signed three more agreements since President Ma's reelection in 2012: the Cross-Strait Investment Protection and Promotion Agreement, the Cross-Strait Customs Cooperation Agreement, and the Services Trade Agreement.¹¹

Early in his tenure as president, Ma adopted a more pragmatic approach toward expanding Taiwan's international space than his predecessors had pursued. In 2008 the Ma administration adjusted the policy of seeking full membership in the UN, and instead asked Taiwan's diplomatic allies to submit a proposal to the UN General Assembly for Taiwan's "meaningful participation in the specialized agencies."¹² The near-term impetus behind the policy change was to focus on securing a position in the WHA, the executive body of the WHO, which was deemed the "most important goal at this stage."¹³ Though the UN General Assembly rejected the broader bid, Taiwan was invited to attend the WHA as an observer in early 2009.¹⁴ The following year, citing an examination of the "overall situation," Taipei decided to break from its sixteen-year policy of asking its allies to submit a proposal for representation in the United Nations on its behalf.¹⁵ Taiwan's Ministry of Foreign Affairs (MOFA) indicated that the policy shift was partly a consequence of improvement in cross-strait relations, noting that past bids to join the UN had been fruitless and only antagonized Beijing. MOFA also indicated that Taipei would be seeking alternative channels for participation in UN activities, including SEF/ARATS deliberations.¹⁶

In President Ma's second inaugural address in May 2012, he stated that flexible diplomacy was "the second leg of [Taiwan's] national security." Moreover, he held that flexible diplomacy had "restored mutual trust" with Washington and garnered international support for Taiwan's participation in international organizations.¹⁷ As an extension of this policy, Taipei publicly sought to increase Taiwan's presence and role in international IGOs and NGOs. This effort aims to bring the flexible diplomacy policy full-circle by reinforcing "mutual tolerance" between Taipei and Beijing and winning support from the international community for Taiwan to play a bigger role on the international stage.

11. As of October 1, 2013, the Services Agreement had not yet been ratified by Taiwan's legislature.

12. Jenny W. Hsu and Ko Shu-ling, "Ma, MOFA regret latest rejection of UN attempt," *Taipei Times*, September 19, 2008, <http://www.taipeitimes.com/News/front/archives/2008/09/19/2003423647/1>; UN General Assembly, UN Document A/63/194, "Request for the inclusion of a supplementary item in the agenda of the sixty-third session: Need to examine the fundamental rights of the 23 million people of the Republic of China (Taiwan) to participate meaningfully in the activities of the United Nations specialized agencies," August 22, 2008, www.mofa.gov.tw/webapp/public/Attachment/811317165971.doc.

13. Shih Hsiu-Chuan, "ANALYSIS: Official shares insight on 'diplomatic truce' strategy," *Taipei Times*, August 25, 2008, <http://www.taipeitimes.com/News/taiwan/archives/2008/08/25/2003421376/1>.

14. "Talking to Taiwan's President," *Time*, August 11, 2008, <http://www.time.com/time/world/article/0,8599,1831748,00.html>.

15. Ralph Jennings, "Taiwan drops annual U.N. bid as China relations warm," Reuters, September 9, 2009, <http://www.reuters.com/article/2009/09/04/us-taiwan-un-idUSTRE5830QM20090904>.

16. Xie Yu, "Taiwan not to bid for UN seat," *China Daily*, September 5, 2009, http://www.chinadaily.com.cn/china/2009-09/05/content_8658590.htm; "Taipei Brief," American Chamber of Commerce in Taipei, 2009, <http://www.amcham.com.tw/topics-archive/topics-archive-2009/vol-39-no-10/2851-taiwan-brief198>.

17. "President Ma's inaugural address," Republic of China (Taiwan): Office of the President, May 20, 2012, <http://english.president.gov.tw/Default.aspx?tabid=491&itemid=27199>.

On the economic front, the Ma administration began to focus on boosting economic growth and increasing participation in regional economic arrangements such as bilateral FTAs and multilateral institutions following the signing of the ECFA. In November 2011 Ma's special envoy to the Asia-Pacific Economic Cooperation (APEC) forum, Lien Chan, indicated Taiwan's hope to take part in negotiations for the Trans-Pacific Partnership (TPP), a "high standard" multilateral FTA aimed at emerging trade issues in the twenty-first century that currently includes 12 negotiating partners.¹⁸ Eleven days later, Ma Ying-jeou formally announced his government's plan to join the TPP, with the goal of signing on to the agreement in ten years,¹⁹ as part of his "Golden Decade" initiative to push forward market liberalization and promote Taiwan's integration into the regional economy.²⁰ Subsequently, Ma reduced the timeframe to eight years, targeting 2020 for TPP membership.²¹ In 2013 the government also began to examine the possibility of joining the Regional Comprehensive Economic Partnership (RCEP), a regional FTA under negotiation to reduce tariffs and other trade barriers and increase economic cooperation and integration among 16 nations in the Asia-Pacific region.²² Recognition that Taiwan is losing out to South Korea's free trade successes is making Ma's administration more determined to avoid economic marginalization, although the process of joining RCEP and TPP is likely to take years.

18. Shih Hsiu-chuan, "Taiwan to make bid to get in on TPP talks, Lien says," *Taipei Times*, November 4, 2011, <http://www.taipeitimes.com/News/taiwan/archives/2011/11/04/2003517440>.

19. Huang Tien-lin, "Why Ma is not keen to pursue TPP membership," *Taipei Times*, November 23, 2011, <http://www.taipeitimes.com/News/editorials/archives/2011/11/23/2003518974>.

20. Ma Ying-jeou, "Achieving a Golden Decade for Taiwan," Office of the President, Republic of China (Taiwan), October 5, 2011, <http://english.president.gov.tw/Default.aspx?tabid=1124&itemid=25464>.

21. Shirley A. Kan and Wayne M. Morrison, "U.S.-Taiwan Relationship: Overview of Policy Issues," Congressional Research Service, September 11, 2013, p. 14, <http://www.fas.org/sgp/crs/row/R41952.pdf>.

22. The 16 nations are the 10 ASEAN member states and their Free Trade Agreement partners (Australia, China, India, Japan, the Republic of Korea, and New Zealand). They aim to conclude RCEP by the end of 2015.

3 | Beijing's Policy toward Taiwan's International Space

Mainland China does not oppose Taiwan's participation in the international community, but it insists that Beijing's substantive and procedural concerns be addressed in handling the matter. A senior PRC official told a visiting Center for Strategic and International Studies (CSIS) delegation in mid-August 2013 that the Mainland prefers to find a comprehensive solution to the issue of Taiwan's international space. One precondition is that Taipei must express or demonstrate through concrete actions that Taiwan adheres to "one China." "If we can feel [Taiwan's] sincerity on this issue," the official stated, "then giving Taiwan international space can be good for reunification." The official lamented that for the past five years "that has not happened," and thus it remains a bone of contention between the two sides of the Strait. It remains unclear, however, what Taiwan has to do to show sincerity, and Beijing reserves the right to determine whether or not Taipei has done so.

Beijing's willingness to address Taiwan's desire for greater international space was demonstrated as early as 2005 when President Hu Jintao signed an agreement with Lien Chan, then chairman of Taiwan's KMT, that endorsed "discussion on issues of participation in international activities, which concern the Taiwan public, after cross-Strait consultations are resumed."¹ After Ma assumed the presidency, Hu indicated even more clearly that Beijing would be willing to concede to Taiwan increased international space. In his 2008 "Message to Taiwan Compatriots" Hu outlined his Six Points, one of which included having an "appropriate and reasonable arrangement for Taiwan's participation in the activities of international organizations."² In 2009, due largely to President Ma's persistent signaling that Taiwan's participation in the WHA was one of his administration's top priorities, Beijing arranged for Taiwan to secure an invitation to become an observer. Moreover, although it has never explicitly embraced the diplomatic truce, Mainland China has tacitly accepted it, on occasion refusing to respond positively to appeals from Taiwan's allies to establish diplomatic ties.³

1. Hu Jintao and Lien Chan, "Text of KMT-Beijing agreement," BBC News, April 29, 2005, <http://news.bbc.co.uk/2/hi/asia-pacific/4498791.stm>; Xin Qiang, "Mainland China's Taiwan Policy Adjustments," *China Security* 5, no. 1 (Winter 2009), <http://www.chinasecurity.us/pdfs/xinqiang.pdf>.

2. Hu Jintao, "President Hu Jintao offered new proposals on further promoting cross-Straits peaceful development," press release, Embassy of the People's Republic of China, December 31, 2008, <http://www.china-embassy.org/eng/sghd/sgxwgb/t530288.htm>.

3. For example, since the onset of the diplomatic truce, Beijing has declined offers of diplomatic

The Mainland essentially has two preconditions.

First, it insists that any arrangements not create a situation of “two Chinas” or “one China, one Taiwan” in the international community. Second, it insists that Taipei consult with Beijing.

In the absence of a comprehensive solution, the issue of Taiwan’s international space is being dealt with on a case-by-case basis. The Mainland essentially has two preconditions. First, it insists that any arrangements not create a situation of “two Chinas” or “one China, one Taiwan” in the international community. Second, it insists that Taipei consult with Beijing. By consult, the Mainland appears to mean conduct discussions that result in Beijing’s approval.

Mainland officials say they favor that such discussions be publicly known, though they are willing to keep silent about them since this is Ma’s preference. As noted, President Ma has not rejected the notion of consultations with the Mainland.

However, he is wary, with good reason, that such consultations would be portrayed by the DPP as asking for Beijing’s permission, and therefore be harmful politically. Taiwan’s achievements in recent years in expanding its international space (for example, becoming an observer to WHA), have in fact involved quiet talks between Taipei and Beijing, without which progress would not have been made.

Mainland China has conflicting interests when it comes to responding to Taiwan’s desire for greater international space. On the one hand, Beijing seeks to avoid any erosion of its claim to sovereignty over Taiwan as well as its position as the sole legal government of China and the only representative of China in the international community. It also wants to ensure that if a pro-independence leader comes to power in Taiwan in the future, that individual will not be able to use international organizations as a platform to promote a separate, independent status for the island. On the other hand, however, Beijing recognizes that blocking Taiwan’s international space could further weaken Ma’s popularity at home and reduce domestic support for his policy of improving cross-Strait relations. Moreover, the Mainland wants to win the hearts and minds of the people of Taiwan, the majority of whom attach great importance to the issue of international space. At least some in Beijing support Taiwan’s participation in regional economic integration—so long as political criteria are met—as a means of furthering Taiwan’s economic stake in stable and predictable cross-Strait ties. In addition, by responding to Ma’s agenda with positive approaches for forward movement on international space matters, Beijing hopes to prove the sincerity of its “people first” policy and persuade those skeptical of the value of better cross-Strait ties to adopt more pro-Mainland China attitudes.⁴

recognition from Paraguay, Panama, and El Salvador. See: “FM ‘cautiously optimistic’ of China diplomatic truce,” *The China Post*, May 7, 2009, <http://www.chinapost.com.tw/taiwan/china-taiwan-relations/2009/05/07/207165/FM-cautiously.htm>; and “Sorry, the offer’s closed,” *The Economist*, June 25 2009, <http://www.economist.com/node/13917493>.

4. Robert Sutter, “Taiwan’s Future: Narrowing Straits,” NBR Analysis No. 96, National Bureau of Asian Research, May 2011, http://www.nbr.org/publications/analysis%5Cpdf/Free%5C02112012/A11_Taiwan.pdf.

The positive consequences of assisting Taiwan to expand its international space may have been in Hu Jintao's mind when he met with Lien Chan, KMT's honorary chairman and Taiwan's APEC representative, on the margins of the 20th Economic Leaders' Meeting in September 2012. President Hu Jintao reportedly signaled willingness to consider Taiwan's bid to join ICAO. According to accounts of the meeting published in Taiwan, Hu promised to "seriously study" the possibility of helping Taiwan participate in ICAO "in an appropriate way."⁵

In February 2013, after Xi Jinping became the general secretary of the Chinese Communist Party, but prior to assuming the presidency, he met with Lien Chan, and pledged to "continue promoting the peaceful development of cross-Strait ties and the peaceful reunification of the two sides of the Taiwan Strait."⁶ Xi indicated that he was aware of Taiwan's desire to expand its international space, but noted that this was a political question that has to be sorted out with patience when the conditions are right.⁷ Subsequently, Xi emphasized that Taiwan's international space should be discussed between Taipei and Beijing. On the sidelines of the 2013 Boao Forum, Xi Jinping reportedly told Vincent Siew, Taiwan's former vice president, that Beijing and Taipei could sit down at a "proper time" to discuss a way for Taiwan to join different regional economic cooperation projects in the hope that Taiwan can "find a new space for its economic development."⁸

Beijing's insistence that Taipei engage in consultations with the Mainland on its aspirations to join regional free trade mechanisms was demonstrated clearly in statements by Zhang Zhijun, director of the TAO, to the *United Daily News* in May 2013. Asked about the Mainland's approach to Taiwan's interest in participating in regional economic integration, Zhang said that he was aware that Taiwan's economic community "is very concerned about this question and is also very worried about Taiwan being marginalized." He advised Taipei to "enhance cross-Strait cooperation and communication" rather than dealing with the matter "through a microphone." Zhang insisted that cross-Strait economic cooperation is already helping to act as a bridge for Taiwan's participation in economic integration," adding that the Mainland "can create a feasible channel" for Taiwan to achieve its objective of joining the regional economic integration process.⁹

In June KMT's Honorary Chairman Wu Poh-hsiung met with President Xi Jinping and once again raised Taiwan's interest in broadening its international space. Using language that was likely aimed at winning the mainland's support, Wu expressed Taiwan's hope for

5. "China signals support for Taiwan's participation in ICAO," *Want China Times*, September 7, 2012, <http://www.wantchinatimes.com/news-subclass-cnt.aspx?id=20120907000084&cid=1101>.

6. "Xi meets KMT's Lien, stresses cross-Strait ties," Xinhua, February 25, 2013, http://news.xinhuanet.com/english/china/2013-02/25/c_132191064.htm.

7. "Talk of the Day—KMT honorary chairman meets top Chinese Communist," Central News Agency, February 26, 2013, http://www.etaiwannews.com/etn/news_content.php?id=2158397.

8. "China to 'help' Taiwan on regional economic cooperation: official," *The China Post*, April 9, 2013, <http://www.chinapost.com.tw/taiwan/china-taiwan-relations/2013/04/09/375531/China-to.htm>.

9. Lin Zehong, "Zhang Zhijun Discusses Constructive Cross-Strait Political Arrangements" [author's translation], *World Journal*, May 23, 2013, http://www.worldjournal.com/view/full_news/22679088/article-%E5%BC%B5%E5%BF%97%E8%BB%8D%E8%AB%87%E5%BB%BA%E6%A7%8B%E5%85%A9%E5%B2%B8%E6%94%BF%E6%B2%BB%E5%AE%89%E6%8E%92?instance=m1b.

“meaningful participation in international activities” rather than organizations, and in the regional economic integration process.¹⁰ Wu specifically mentioned Taiwan’s desire to participate in the RCEP, a pending trade agreement that would initially include the 10 Association for Southeast Nation Nations (ASEAN) member states and countries that have existing FTAs with ASEAN—Australia, China, India, Japan, Republic of Korea, and New Zealand. In a positive gesture, which is especially significant since President Ma Ying-jeou signaled his support for the visit by meeting with Wu prior to his departure for Beijing, Wu told Xi that the KMT would uphold the “one China structure” in accordance with the ROC Constitution. This formulation is very close to the “one China framework” that has been put forward by Beijing as a more firm basis for cooperation than the “1992 Consensus.”¹¹ According to Wu, Xi responded that the issue of Taiwan’s international participation could be dealt with through talks between both sides on an equal footing.¹² Xi has yet to reiterate Hu Jintao’s statement that reasonable arrangements can be made for Taiwan’s international space, although that position has been reiterated by Beijing’s TAO. For example, in July 2013 TAO spokesperson Yang Yi stated that the Mainland and Taiwan can continue to “work out reasonable arrangements for Taiwan’s participation in international organizations and activities under the premise that such arrangements would not lead to ‘two Chinas’ or ‘one China, one Taiwan.’”¹³

Despite the positive rhetoric, real progress has yet to be made with the Mainland on this issue and Taipei still faces an uncertain path toward increasing its participation in international organizations. Beijing continues to be hypersensitive to any move by Taiwan that could be used now or in the future to promote independence or “two Chinas,” and often blocks Taipei’s moves in international forums, which leads Taiwan to distrust Beijing even further. There have even been instances in which the Mainland has not protested prior to Taipei’s engagement abroad, only to later express disapproval. For example, the Mainland raised very little fuss prior to Ma Ying-jeou’s March 2013 trip to the Vatican to attend the inaugural mass of Pope Francis, which provided an opportunity for Ma to meet the pope and interact with other foreign leaders.¹⁴ Criticism from Beijing, however, followed shortly thereafter. Beijing’s Foreign Ministry spokeswoman urged the Vatican to “dissolve ties” with Taipei and to “recognize the Chinese government as the sole legal representative of China.”¹⁵ The Mainland continues to harbor reservations about Taiwan participating in any IGO or international nongovernmental organization (INGO), evidenced by the

10. “Looking Forward to New Cross-Strait Relationship,” *China Times*, translated on Kuomintang official website, June 17, 2013, <http://www.kmt.org.tw/english/page.aspx?type=article&mnum=113&anum=13051>.

11. “Talk of the Day—Road Map for Cross-Strait Peaceful Development,” Central News Agency, June 17, 2013, http://www.taiwannews.com.tw/etn/news_content.php?id=2241363.

12. “Wu Poh-hsiung reminds Xi of Taiwan’s desire for involvement,” *Want China Times*, June 14, 2013, <http://www.wantchinatimes.com/news-subclass-cnt.aspx?id=20130614000069&cid=1101>.

13. Wang Shu-fen, Angelea Tsai, Chou Hui-ying, and Sofia Wu, “Taiwan key to ICAO’s pursuit of seamless global airspace: minister,” *Focus Taiwan*, July 13, 2013, <http://focustaiwan.tw/news/aip/201307130029.aspx>.

14. Lawrence Chung, “Ma Ying-jeou’s Vatican Trip, Which Beijing Barely Protested, a Success,” *South China Morning Post*, March 22, 2013, <http://www.scmp.com/news/china/article/1196646/ma-ying-jeous-vatican-trip-which-beijing-barely-protested-success>.

15. While press coverage of Hua Chunying’s remarks reported her making these demands to the Vatican, they do not appear in the official record, suggesting they were purged because the language was too harsh. See Alan Romberg, “Striving for New Equilibria,” *China Leadership Monitor* 41 (June 1, 2013).

consistent blocking of Taiwan's bid to join the United Nations Framework Convention on Climate Change (UNFCCC), which Beijing is staunchly opposed to on the grounds that the organization requires statehood for membership.

Additionally, Beijing has put pressure on organizations to compel NGOs from Taiwan to change the nomenclature they use to participate, or be barred from involvement. Taiwan NGOs that have attended UNFCCC meetings, including the quasi-official Industrial Technology Research Institute (ITRI) and the independent NGOs (Environmental Quality Protection Foundation, Taiwan Institute for Sustainable Energy, and Supreme Master Television) have been compelled to accept being listed as from "China" in order to be allowed to attend.¹⁶ Beijing's objection even extends to participation by individuals not claiming official government representation, as was the case in 2010 when representatives from the Chinese film industry demanded that Taiwan's name at the Tokyo Film festival be changed to "China Taiwan" or "Chinese Taipei." Beijing boycotted the event when organizers left the name unchanged.¹⁷ Furthermore, in 2013, despite an invitation and a record of prior participation, the Mainland barred two scholars from Taiwan, along with two officials, from participating in the Jakarta International Defense Dialogue.¹⁸

Beijing has put pressure on organizations to compel NGOs from Taiwan to change the nomenclature they use to participate, or be barred from involvement.

16. Vincent Y. Chao, "Climate NGOs listed as Chinese," *Taipei Times*, December 2, 2009, <http://www.taipeitimes.com/News/front/archives/2009/12/02/2003459951>.

17. Julian Ryall, "Tokyo film festival 'becomes shouting match between China, Taiwan, and Japan,'" *The Telegraph*, October 26, 2010, <http://www.telegraph.co.uk/news/worldnews/asia/japan/8087532/Tokyo-film-festival-becomes-shouting-match-between-China-Taiwan-and-Japan.html>.

18. Sarah Mishkin and Ben Bland, "Jakarta forum hit by China-Taiwan spat," *Financial Times*, March 21, 2013. <http://www.ft.com/intl/cms/s/0/2f59e8b4-91d7-11e2-b4c9-00144feabdc0.html#axzz2RyFi22H8>.

4 | Taiwan's Participation in International Organizations and Institutions

Despite pressure and opposition from Beijing, Taipei has made strides in developing an extensive network of “quasi-diplomatic” and informal relations with many governments, gaining membership in a number of IGOs and NGOs and increasing its participation in other organizations. The United States, Japan, Canada, Australia, and many countries in the European Union support a larger role for Taiwan in the international community.

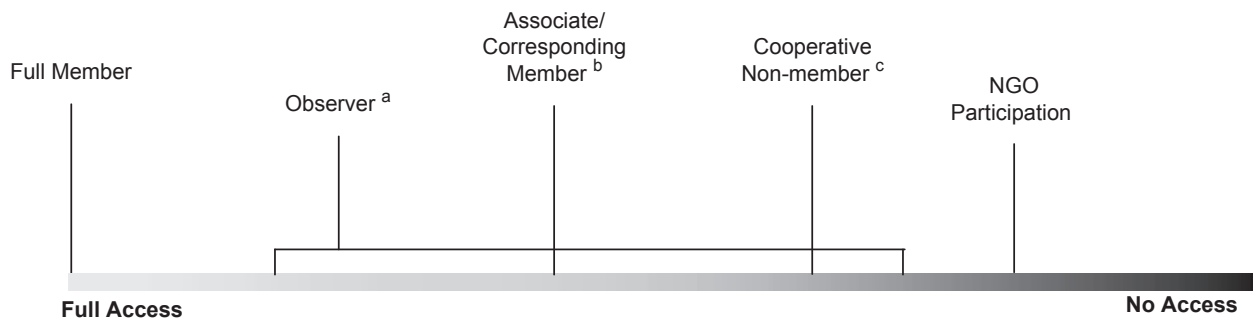
International Governmental Organizations

Taiwan's participation in IGOs has grown slowly but surely over the past few decades. Since it lost its seat in the United Nations in 1971 under its formal name, the Republic of China, the island has gained membership, observership, or other status (e.g., associate member, corresponding member, cooperating non-member) in over 40 governmental organizations (see Figure 4.1) including the Asian Development Bank (ADB), APEC, the WTO, the Extended Commission for the Conservation of Southern Bluefin Tuna, the Organization for Economic Cooperation and Development (OECD) Steel Committee, the WHA, and the Inter-American Tropical Tuna Commission (see Appendix I).

Following the outbreak of the 2003 SARS epidemic, major countries lobbied in support of Taiwan's accession into the WHA. At the 57th WHA meeting in May 2004, the United States and Japan voted in favor of Taiwan's observership for the first time, while the EU and Canada lobbied for “flexible mechanisms” that would allow for Taiwan's participation.¹ Sustained support from the international community along with quiet discussions between Taipei and Beijing achieved results in 2009 when Taiwan was invited to attend the WHA as an observer.²

1. Sigrid Winkler, “Taiwan's UN Dilemma: To Be or Not to Be,” Brookings Institution, June 2012, http://www.brookings.edu/research/opinions/2012/06/20-taiwan-un-winkler#_ftnref18.

2. While the WHO, a specialized agency of the United Nations, restricts membership and participation to sovereign states, the WHA allows for observership, enabling Taiwan to be included. Y.F. Low, “Taiwan invited to attend World Health Assembly,” *The China Post*, April 29, 2009, <http://www.chinapost.com.tw/taiwan/national/national-news/2009/04/29/206179/Taiwan-invited.htm>.



^aTaiwan’s participation as an observer is dependent on individual organizations. Its degree of access varies across organizations, as different organizations allow for different observership rights and powers, so there remains some fluidity in Taiwan’s scope of participation in this info graphic. However, Taiwan’s observership in UN specialized agencies is ad-hoc and must be reviewed on an annual basis. Taiwan also continues to face barriers to joining technical and subsidiary meetings of these agencies.

^bTaiwan is a corresponding member in the International Organization of Legal Metrology (OIML). The status affords it an expanded observer status. Taiwan has no voting rights, but is allowed automatic access to information on OIML activities and publications, password-protected member pages, and OIML technical committees and subcommittees. See “OIML Membership Information,” International Organization of Legal Metrology, May 2011, http://www.oiml.org/download/docs/membership_info_eng.pdf.

^cTaiwan is a cooperative non-member in the International Commission for the Conservation of Atlantic Tunas (ICCAT). It cannot vote and its status within the commission must be annually reviewed for renewal. However, cooperating non-members are allowed “enhanced” speaking opportunities and can present and co-sponsor proposals. See “Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-contracting Party, Entity or Fishing Entity in ICCAT,” International Commission for the Conservation of Atlantic Tunas, 2003, <http://www.iccat.int/Documents/Recs/compendiopdf-e/2003-20-e.pdf>; “International Commission for the Conservation of Atlantic Tuna,” Government of Canada, April 2005, <http://www.dfo-mpo.gc.ca/fgc-cgp/documents/meltzer/ICCATfinal.pdf>; and “International Convention for the Conservation of Atlantic Tunas (Basic Instruments for the International Commission for the Conservation of Atlantic Tunas [ICCAT]),” North Oceanic and Atmospheric Administration, 2013, p. 14, http://www.nmfs.noaa.gov/ia/species/tunas/advisory_committee/iccat_101_2013.pdf.

Despite this achievement, Taiwan’s ability to engage in various working groups and technical activities of the WHO remains limited. Even its participation in the WHA has been “sporadic” and “intermittent” according to a report by the U.S. Department of State to Congress.³ In 2011 and 2012 delegates from Taiwan faced difficulties obtaining invitations to WHA meetings in Geneva. In addition, all of Taiwan’s ports on the International Health Regulations (IHR) ports list are identified as belonging to the Mainland. This results in some WHO communications being incorrectly routed through Beijing or through China’s Mission in Geneva.⁴ Some experts see these setbacks as a consequence of the continued implementation of a secret memorandum of understanding (MOU) allegedly signed between Beijing and the WHO in 2005, four years prior to Taiwan gaining observership status in the WHA.⁵ A leaked copy of the MOU outlined procedures for WHO interaction with Taiwan and required the organization to go through Beijing before inviting Taiwan to participate in activities or exchanging information.⁶ Since its accession to observer

3. Kan and Morrison, “U.S.-Taiwan Relationship: Overview of Policy Issues.”

4. Shih Hsiu-chuan, “US concerned about WHO restrictions on Taiwan,” *Taipei Times*, May 9, 2013, <http://www.taipetimes.com/News/front/archives/2013/05/09/2003561816>.

5. Winkler, “Taiwan’s UN Dilemma: To Be or Not To Be.”

6. Memorandum on Application of the International Health Regulations (2005) to the Taiwan Province of China, September 14, 2010, <http://www.scribd.com/doc/57152017/WHO-Memo-on-Taiwan-Status>.

status in the WHA some officials from Taiwan maintain that the WHO practice of routing contact with Taiwan through representatives from the Mainland has caused delayed communications and allowed Beijing to block experts from Taiwan from attending WHA events.⁷

Moreover, Taiwan has only been incorporated into one of six WHO information-sharing mechanisms, the IHR, and is not permitted access to the functional expertise of the other five, which address issues such as food safety and global outbreak alert and response for epidemics and other public health emergencies.⁸ Even Taipei's role in the IHR was called into question in 2011 when the leaked WHO memo surfaced, which held that "WHA resolution 25.1 [the document that expelled Taiwan from the WHO in 1972] remains the touchstone for such matters and consistent with that resolution, Taiwan, as a province of China, cannot be party to the IHR."⁹

After securing observership in the WHA, President Ma Ying-jeou's administration shifted its attention to ICAO, and the UNFCCC as priority targets for expanding Taiwan's international space.

Taiwan's exclusion from ICAO has prevented its civil aviation authorities from obtaining timely information regarding ICAO standards and recommended practices (SARPs), which has impeded Taiwan's efforts to maintain civil aviation practices that comport with evolving international standards.

INTERNATIONAL CIVIL AVIATION ORGANIZATION

ICAO is a specialized UN agency that sets the standards and regulations for aviation safety, security, efficiency, regulation, and environmental protection. The ROC was a founding member of ICAO in 1944, but lost its status after losing representation in the United Nations. Taiwan launched its effort to "rejoin" the organization in 2009.¹⁰ This effort yielded some progress in the fall of 2013, when the director general of Taiwan's Civil Aeronautics Administration (CAA), Jean Shen, was invited to lead a delegation to the September 24–October 4, 2013, ICAO Assembly triennial meeting as an invited guest of Roberto Kobeh Gonzalez, the ICAO Council's president. Taipei remains determined to gain observer status so it can have "professional,

7. "US Presses to Normalize Taiwan's participation in WHO," *Taiwan Insights*, May 23, 2013, <http://www.taiwaninsights.com/2012/05/23/us-presses-to-normalize-taiwans-participation-in-who/>.

8. Jaw-ling Joanne Chang, "Taiwan's Participation in the World Health Organization: The U.S. 'Facilitator' Role," *American Foreign Policy Interests*, Vol. 32, 2010.

9. Vincent Y. Chao, "Memo says Taiwan not a party to IHR," *Taipei Times*, May 10, 2011, <http://www.taipeitimes.com/News/taiwan/archives/2011/05/10/2003502869>; Memorandum on Application of the International Health Regulations (2005) to the Taiwan Province of China, September 14, 2010, <http://www.scribd.com/doc/57152017/WHO-Memo-on-Taiwan-Status>.

10. Rachel Chan, "Ma welcomes Beijing's ICAO support," *Taiwan Today*, September 10, 2012, <http://taiwantoday.tw/ct.asp?xItem=195986&ctNode=413>.

pragmatic, dignified and meaningful” participation in ICAO, and will continue to try to achieve this goal.

Taiwan’s exclusion from ICAO has prevented its civil aviation authorities from obtaining timely information regarding ICAO standards and recommended practices (SARPs), which has impeded Taiwan’s efforts to maintain civil aviation practices that comport with evolving international standards. SARPs are international conventions that set guidelines for aviation safety and ensure consistency of policies in the aviation community.¹¹ The inability of Taiwan’s CAA and Aviation Safety Council (ASC) to have direct contact with ICAO has meant that they can only access ICAO’s SARPs through indirect channels. This includes relaying requests through the United States to ICAO headquarters in Montreal and waiting for responses to be routed through the United States to Taipei. Taiwan has also sought access to ICAO’s SARPs through coordination with the International Air Transport Association (IATA) and nationally headquartered airlines, which can buy information commercially. Such methods, however, are not ideal because they are neither comprehensive nor timely, as aviation technology and procedures are constantly being updated and modernized. States, organizations, and other bodies party to ICAO receive updates immediately through ICAO’s online database. Taiwan’s inability to access ICAO’s information-sharing network that contains up-to-date information on aviation standards and norms and its inability to receive technical assistance in implementing new regulations and to participate in technical meetings hosted by ICAO poses inefficiencies and risks for aviation safety in Taipei’s Flight Information Region (FIR).¹²

This is particularly problematic because the Taipei FIR handles an extremely high volume of traffic each year. It covers 180,000 square nautical miles and borders the FIRs of Fukuoka, Manila, Hong Kong, and Shanghai. There are 14 international flight routes and 4 domestic flight routes in Taipei’s FIR which cover 181 air passenger flights and 86 air freight flights that connect to 117 cities around the globe. In 2012 the Taipei FIR provided services to more than 1.3 million flights carrying 40 million travelers entering, leaving, or passing through its airspace, making Taiwan a key component of air navigation in East Asia.¹³ SEF and ARATS finalized an agreement in August 2013 to raise the number of weekly cross-strait passenger flights from 616 to 670.¹⁴ This increases both Beijing’s stake to protect its citizens and its burden of responsibility in the face of international condemnation if an aviation accident were to occur within the jurisdiction of Taiwan’s FIR.

It remains unclear whether by attending the 38th ICAO Assembly in 2013 Taiwan will be able to obtain access to ICAO’s SARPs and fully understand the deliberations involved in formulating these regulations so as to ensure Taipei FIR operations meet ICAO requirements.

11. “Aviation Security Branch: Annex 17,” International Civil Aviation Organization, 2010, <http://www2.icao.int/en/AVSEC/SFP/Pages/Annex17.aspx>; “International Civil Aviation Organization, Air Navigation Bureau,” International Civil Aviation Organization, November 1, 2011, <http://legacy.icao.int/icao/en/anb/mais/>.

12. Conversations in Taipei, August 14–16, 2013.

13. *ICAO For All*, pamphlet published by Taiwan’s Ministry of Foreign Affairs; Yu-Hern Chang, “Taiwan and ICAO,” *Prospects & Perspectives*, no. 15, Prospect Foundation, August 30, 2013.

14. “Taiwan announces plans to increase number of cross-strait flights,” *Focus Taiwan*, August 12, 2013, <http://focustaiwan.tw/news/acs/201308120031.aspx>.

Taiwan's presence at the triennial ICAO Assembly, while welcome, will not by itself guarantee involvement in ICAO Council and technical meetings. It is even unclear whether Taiwan's guest status applies only to the September 24–October 4 two-week period that the ICAO Assembly met in Montreal or is valid for the three years until the next assembly meeting convenes. Moreover, the invitation to the head of Taiwan's CAA to attend the 38th ICAO Assembly is a one-time gesture. A new invitation will be necessary for Taiwan to participate in the 39th ICAO Assembly in 2016. This arrangement, similar to the circumstances that provide for Taiwan's participation in the World Health Assembly, enables Beijing to prevent the island from attending in the event that a pro-independence government comes to power in Taipei.

In theory, Taiwan may seek to join ICAO through three possible channels: as an observer in the ICAO Assembly, as an observer in the ICAO Council, and as a participant in ICAO expert meetings. Taipei so far prefers representation as an observer in the ICAO Assembly, which would signify level footing with contracting states in the international arena. The ICAO Assembly is the general legislative body of the organization that is composed of all 191 contracting states and meets once every three years. It is charged with the task of reviewing ICAO's work, formulating its policies, and setting its budget. Taiwan faces significant challenges to participating even as an observer in the ICAO Assembly. As a specialized agency of the United Nations, ICAO requires statehood for membership. Although the ICAO Assembly has nonpermanent observers, there is no provision in the ICAO charter for observership or a clear precedent for Taiwan to join the organization as an observer, as the status of observer has been restricted to non-member states, NGOs, and international organizations. Beijing likely strongly opposes Taiwan becoming an observer on these grounds, and therefore only agreed to support its participation as an invited guest of the ICAO Council president. There are, however, many IGOs that have no technical provision for observer status that nevertheless have dozens of observers in their ranks. Even when an organization's charter lacks the language for official observership, this does not prohibit non-members from obtaining observer status.

There are several examples within the ICAO Assembly itself that could be used as partial models for Taiwan's future participation. The case of the Cook Islands' membership provides one such example. The Cook Islands joined ICAO in 1986 as a full member despite *not* being a member of the United Nations. A crucial difference between the Cook Islands and Taiwan lies in the fact that the Cook Islands is a state in free association with New Zealand, meaning that while the Cook Islands maintains control over its international relations and agreements with other countries, it still openly shares some degree of sovereignty with Wellington.¹⁵ The case of Palestine, which currently holds observer status in

15. As a state in "free association" with New Zealand under the UN Resolution 1541 (Principle VIIa), the Cook Islands maintain their own government and laws and act as a full, sovereign state in international affairs. However, the New Zealand government has some responsibility on certain foreign affairs and defense issues if, and only if, the Cook Islands government requests Wellington's aid. Because of this free association with New Zealand, the Cook Islands cannot be a member of the UN, but they have the legal rights to enter into agreements with other countries and participate in other IGOs, including UN specialized agencies like ICAO. See "General Assembly Resolution defining the three options for self-determination, General Assembly Resolution 1541," the "Joint Centenary Declaration of the Principles of the Relationship between New Zealand and the Cook Islands"; United Nations General Assembly, "United Nations General Assembly Resolution A/RES/1541(XV):

ICAO, provides another unique scenario for Taipei to study. The Palestine Liberation Organization (PLO), a non-state actor, was granted observership status with ICAO in 1977.¹⁶ While this demonstrates flexibility on the part of ICAO itself, the PLO had already achieved observer status within the UN General Assembly and other UN bodies, which differentiates its case from Taiwan's. Nevertheless, it can be argued that Taiwan has a more compelling case for observership than the PLO since Palestine "control[s] no territory and operate[s] no aviation facilities," meaning its observership provides limited value for the organization.¹⁷

Unofficially, there are two paths that Taiwan can follow to obtain observer status in the ICAO Assembly. If the island can gain the support of a majority of current ICAO Council member states, its case for observership will be brought up at the next ICAO Assembly or Council meeting. (The ICAO Council meets three times each year.) With pressure from Beijing, however, it is unlikely that Taiwan can convince more than half of the 36 members to champion its cause. Alternatively, ICAO's future president could take a top-down approach and grant Taiwan observer status unilaterally. Taiwan's accession to observer status through either of these paths is complicated by the fact that Beijing views the ICAO Assembly as a political entity and holds that Taiwan has no substantive grounds for participation, given that the body meets once every three years and thus serves less functional purpose than do the ICAO Council or technical and regional ICAO meetings.

Taiwan could also or alternatively be granted observership in the ICAO Council, which would allow its representatives a more active and meaningful role within ICAO, since the ICAO Council meets on a regular and continuous basis. The ICAO Council is the governing body of the organization and is made up of 36 states; each state holds its post for three-year terms. Although commissions and working groups analyze potential SARPs, which are proposed by the ICAO Assembly or contracting states, the ICAO Council is responsible for reviewing and approving these standards and practices, and incorporating them into the annexes of the Convention on International Civil Aviation.

To argue their case in support of Taiwan's observership in the ICAO Council, officials in Taipei and elsewhere have looked to the rules of procedure for the ICAO Council, which allow noncontracting parties, international organizations, and *other bodies* to be granted

Principles which should guide members in determining whether or not an obligation exists to transmit the information called for under Article 73e of the Charter," December 15, 1960, <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/153/15/IMG/NR015315.pdf?OpenElement> and "Cook Islands: Constitutional Status and International Personality." Cook Islands Ministry of Foreign Affairs and Immigration, "Cook Islands: Constitutional; Status and International Personality," May 2005, http://www.mfai.gov.ck/attachments/068_WELLINGTON-1129712-v1-CookIslands%20%20Constitutional%20Status%20and%20International%20Personality%20%20informationpaper.pdf.

16. Palestinians were then represented somewhat ambiguously as "Palestine," following UN acknowledgment of the "proclamation of the State of Palestine" in 1988 and were not granted "non-member observer State status" until 2012. See UN General Assembly, Resolution 43/177, "Question of Palestine," December 15, 1988, <http://unispal.un.org/UNISPAL.NSF/0/146E6838D505833F852560D600471E25>; and UN General Assembly, Resolution 67/19, "Status of Palestine in the United Nations," December 4, 2012, <http://unispal.un.org/UNISPAL.NSF/0/19862D03C564FA2C85257ACB004EE69B>; "PLO Gets Observer Status in Icao," *Jewish Telegraphic Agency*, October 5, 1977, <http://www.jta.org/1977/10/05/archive/plo-gets-observer-status-in-the-icao>.

17. David McKensie, *ICAO: A History of the International Civil Aviation Organization* (Toronto: University of Toronto Press, 2010), 282.

observer status.¹⁸ Since observer status is clearly articulated in the ICAO Council's rules of procedure and provides for participation by "other bodies," which should not raise the issue of sovereignty, Beijing might be willing to permit Taiwan to be an observer.

Representatives from Taiwan could also be included in ICAO's various expert working groups, projects, initiatives, panels, and committees, which would allow its specialists to contribute to the development of international aviation standards. For example, the ICAO Committee on Aviation Environmental Protection (CAEP), itself comprising numerous specialized technical working groups,¹⁹ is committed to emissions standards, aircraft noise reduction, and related effects on the economy.²⁰ CAEP allows observers from "states, inter-governmental and non-governmental organizations, including airlines, aircraft and engine manufacturers, environmental NGOs, and UN bodies."²¹ Observers must be nominated by one of a predetermined group of nominating countries and organizations, which includes New Zealand, the European Union, and the Civil Air Navigation Services Organization (CANSO). Taiwan could seek support from Wellington and the European Council for its Civil Aeronautics Administration to participate as an observer, and utilize its existing membership in CANSO to push for nomination.

Participation in specialized bodies within ICAO's regional Asia and Pacific (APAC) Office would also benefit Taiwan. The APAC Office has various functional organs and initiatives that work to promote various aspects of aviation safety. One example and a good starting point is the Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation (CAPSCA), which aims to ensure good health safety practices in accordance with WHO regulations and ICAO standards through coordination among vested parties.²² The practical benefits of Taiwan's participation, through its experts and specialists, in CAPSCA extend beyond health security and information sharing among parties and contact with other regional and UN organizations, as CAPSCA collaborates with the International Air Transport Association and the World Food Program, among others.²³ Although the civil aviation and public health authorities that participate in CAPSCA must

18. Italics added. Rule 32a defines an observer as "a person representing a Contracting State not represented on the Council, a non-Contracting State, an international organization or other body, designated and authorized by his State or organization to participate in one or more of the meetings of the Council without the right to vote or to move or second motions or amendments." "Rules of Procedure for the Council—Document 7559/8," International Civil Aviation Organization, 2007. The process for becoming an observer and the right of observers to participate are clearly standardized in Rules 2 to 4 of the Rules of Procedure.

19. "CAEP Structure," International Civil Aviation Organization, 2013, http://www.icao.int/environmental-protection/documents/Caep_Structure.pdf.

20. "Committee on Aviation Environment Protection (CAEP)," The International Civil Aviation Organization, 2013, <http://www.icao.int/environmental-protection/pages/CAEP.aspx>.

21. *ICAO Environmental Report 2010*, p. 13, <http://www.slideshare.net/vladlenw/icao-environmental-report-2010>.

22. "Terms of Reference for CAPSCA Asia Pacific Regional Project," International Civil Aviation Organization, Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation, 2013, <http://www.capsca.org/Documentation/CAPSCA-APAC-ToRs.pdf>; "Intro and Objectives," International Civil Aviation Organization, Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation, 2013, <http://www.capsca.org/IntroandObjectivesWeb.pdf>.

23. "CAPSCA ASIA/PAC," International Civil Aviation Organization, Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation, 2013, <http://www.capsca.org/AsiaPac.html>.

be associated with the states that have signed on to the project, there is a clause in the Terms of Reference that states participation is “open to any representative who can further the objectives of CAPSCA . . . as determined by the ICAO CAPSCA Project Manager.”²⁴ Taiwan could cite the role of transportation and aviation in the spread of diseases, which was pertinent to its bid in becoming a WHA observer.

Lawmakers in the United States, Canada, Australia, and the European Union, as well as from several of Taipei’s diplomatic allies, have backed Taiwan’s bid to become an observer in ICAO.²⁵ In the run-up to the triennial meeting in Montreal in September 2013, the U.S. representative to ICAO raised Taiwan’s case with the ICAO Council president in Montreal and pressed the issue with Mainland Chinese officials in Beijing.²⁶ U.S. support persists despite Beijing’s criticism of President Barack Obama’s decision to sign the bill into law supporting Taiwan’s participation in ICAO as “grossly violating the one-China policy.”²⁷

UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE

The next organization Taipei has prioritized for greater participation is the UNFCCC. According to the 2013 Key World Energy Statistics released by the International Energy Agency (IEA), Taiwan’s carbon dioxide (CO₂) emissions amounted to 264.66 million tons in 2011, making it the world’s 21st largest emitter with 0.89 percent of the total.²⁸ Taiwan also ranks as the 21st largest emitter per capita, at 11.31 metric tons. Taiwan has often voiced its wish to participate in the UNFCCC as an observer. Taiwan voluntarily announced energy saving and carbon reduction targets, aiming to improve energy efficiency by more than 2 percent per year in the coming eight years, so as to reduce energy intensity by more than 20 percent by 2015 compared to 2005 levels, and 50 percent by 2025. Taiwan is also striving to bring national CO₂ emissions back to 2005 levels by 2020, and back to 2000 levels by 2025, so as to keep up with global trends in this area.²⁹

Apart from the 198 Parties to the UNFCCC (which includes three observer states: Palestine, South Sudan, and the Holy See), other participants in the climate change process as observers include UN bodies, specialized agencies and related organizations, 36 accredited

24. Terms of Reference for CAPSCA Asia Pacific Regional Project,” International Civil Aviation Organization, Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation, 2013, <http://www.capsca.org/Documentation/CAPSCA-APAC-ToRs.pdf>,” “CAPSCA ASIA/PAC,” International Civil Aviation Organization, Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation, 2013, <http://www.capsca.org/AsiaPac.html>.

25. “Taiwan’s ICAO observer-bid garners European and global support,” *European Business Review*, August 20, 2013, <http://www.europeanbusinessreview.eu/page.asp?pid=1083>.

26. Conversation with U.S. official, May 14, 2013.

27. “Foreign Ministry Spokesperson Hua Chunying’s Remarks on the US President’s Endorsement of an Act Supporting Taiwan’s Participation in the International Civil Aviation Organization (ICAO),” Ministry of Foreign Affairs of the People’s Republic of China, July 16, 2013, <http://www.fmprc.gov.cn/eng/xwfw/s2510/2535/t1059285.shtml>.

28. “Key World Energy Statistics,” The International Energy Agency, 2013, http://www.iea.org/publications/freepublications/publication/KeyWorld2013_FINAL_WEB.pdf.

29. “The Case for Taiwan’s UNFCCC Observership,” Press Release, Taipei Mission in the Republic of Latvia, October 30, 2012, <http://www.roc-taiwan.org/LV/ct.asp?xItem=323379&ctNode=7925&mp=507>.

IGOs, and 390 accredited NGOs. Because Taiwan is not a UNFCCC contracting party, it has had to participate in Conference of the Parties (COP) meetings as an NGO observer under the Industrial Technology Research Institute (ITRI) name since 1995.

In defining observer status, the rules of procedures for the UNFCCC state, “Any body or agency, whether national or international, governmental or non-governmental, which is qualified in matters covered by the Convention, and which has informed the secretariat of its wish to be represented at a session of the Conference of the Parties as an observer, may be so admitted unless at least one third of the Parties present object.”³⁰ Observer applications are typically reviewed by the secretariat twice a year, once in the spring in advance of the interim negotiating sessions held by the secretariat in May or June, and once in the fall in advance of the COP meeting. Once admitted, observers can be actively involved in UNFCCC meetings, including the annual COP, as well as display material, have a booth, and host side events inside the official COP area. They can also provide badges to members and guests of their organization to enter the official COP area.

Taiwan is unilaterally abiding by UNFCCC standards while seeking official observer status. Despite its exclusion, Taiwan sends NGOs to UNFCCC events to participate and represent Taiwan as civil society observers.

Taiwan is unilaterally abiding by UNFCCC standards while seeking official observer status. Despite its exclusion, Taiwan sends NGOs to UNFCCC events to participate and represent Taiwan as civil society observers. In 2010 ITRI successfully held a side event at the 16th Conference of the Parties sessions on the efforts Taiwan has made to reduce emissions. This was the first time Taiwan contributed a side event to a COP, further demonstrating its commitment to UNFCCC participation. In 2012 ITRI held a side event comparing climate change adaptation in Least Developed Countries, Africa, and small islands.

As the world’s 17th largest economy, the emitter of 1 percent of world greenhouse gases, and an island facing environmental challenges from global warming and rising sea levels, Taiwan hopes that enhanced participation in the UNFCCC will aid in its efforts to address its own environmental challenges as well as contribute to global efforts in combating climate change. However, Taipei’s pursuit of observership in the UNFCCC also faces stiff opposition and challenges. Whereas Taiwan’s inclusion in WHO and ICAO provides a practical solution to international health and safety, it is more difficult to argue that Taiwan’s membership in the UNFCCC is essential to alleviate a global security threat. Beijing remains opposed to Taiwan’s observership, even under the name “Chinese Taipei,” which is the agreed upon designation used by Taipei in APEC, the WHA, and almost all sporting events, including the Olympics. At the 2009 Copenhagen COP, a Mainland Chinese delegate

30. Article 7, paragraph 6, of the UNFCCC.

blocked other nations' initiatives to include Taiwan, citing the "one China" principle and claiming the effort had "hurt the feelings of the 1.3 billion Chinese people."³¹

Additionally, the international community views Mainland China's cooperation on meeting environmental standards as a higher priority than supporting Taiwan's inclusion in the UNFCCC, and pushing for Taiwan's observership could antagonize Beijing to the point that it would refuse to play a more constructive role. Furthermore, Taiwan's goal of achieving meaningful participation in the UNFCCC would not be fully met even if it were able to become an observer. Even as an observer, Taiwan would not be able to participate in the climate negotiations process or directly partake in the Kyoto Protocol's carbon markets.³²

Multilateral Economic Organizations

In addition to UN-affiliated IGOs, Taiwan's leaders have attempted to expand international space through multilateral economic organizations and institutions. Taiwan officials often maintain that the island's work in this area has increased Taiwan's international competitiveness, promoted Taipei's foreign policy agenda, improved ties with allies and trading partners, and promoted an alternative means of diplomacy.³³ But as has been the case with intergovernmental political organizations, participation in these bodies has not come easily.

Among Taiwan's successful bids for broader economic integration are APEC and the WTO; Taiwan participates as a full member in both. With its growing economic success in the 1980s, Taiwan sought to be a founding member of APEC but faced challenges from both Beijing and other original APEC founders. Although other nations—the United States and Australia in particular—backed Taiwan's membership in APEC, the island's inclusion had to be handled with care. It was decided that the organization would be composed of "economies" rather than sovereign states.³⁴ Not yet a member of APEC itself, Beijing's ability to thwart Taiwan's membership was limited. Mainland China's diplomatic isolation after the 1989 Tiananmen Square crackdown also worked in Taiwan's favor. In an effort to break out of this isolation and grow its economy, Beijing displayed a greater willingness to join, participate in, and cooperate with international organizations. Thus it did not oppose Taiwan's membership in APEC.³⁵ Taiwan successfully joined APEC in 1991 as a

31. Jou Ying-cheng and Deborah Kuo, "China cuts in to oppose Taiwan's UNFCCC bid," *The China Post*, December 18, 2009, <http://www.chinapost.com.tw/taiwan/foreign-affairs/2009/12/18/237105/China-cuts.htm>.

32. Hsiao I-chun and Jerry I-H Hsiao, "Taiwan's participation in the UNFCCC," *Taipei Times*, December 19, 2011, <http://www.taipetimes.com/News/editorials/archives/2011/12/19/2003521081>.

33. "Foreign Policy Report, 7th Congress of the Legislative Yuan, 6th Session," Ministry of Foreign Affairs, Republic of China (Taiwan) Press Release, October 14, 2010, <http://www.mofa.gov.tw/EnOfficial/ArticleDetail/DetailDefault/31ec5478-02d1-462f-bc66-87fe15e11448?arfid=850653df-8ded-42f7-b824-06e8b1a3fc1f&opno=2f74fdcf-2b5e-4683-b051-3608957e43b6>.

34. Philip Y.M. Yang, "Taiwan's Approaches to APEC: Economic Cooperation, Political Significance, and International Participation," International Conference on Canada-Taiwan Relations in the 1990s, November 14, 1997, <http://club.ntu.edu.tw/~yang/apec-paper-2.htm>.

35. Jang-Hee Yoo, "Membership and Participation in APEC," *Whither APEC: The Progress to Date and Agenda for the Future*, ed. Carl Fred Bergsten (Washington D.C.: Peterson Institute for International Economics, 1997); Zi Kwan, "'Three' Chinas? APEC Covers All The Bases," *Taiwan Today*, June 8, 1990, <http://www.taiwantoday.tw/ct.asp?xItem=9620&CtNode=122>.

full member under the name of “Chinese Taipei” and has since hosted numerous APEC conferences and events.

The Mainland has periodically sought to obstruct Taipei’s APEC participation, however. At the 2001 Shanghai APEC Forum Summit, for example, Beijing refused to issue a letter of invitation to Taiwan’s lead delegate, forcing Taipei to withdraw from the summit.³⁶ Due to Mainland China’s sensitivities, it is also understood that Taiwan’s president will not attend the APEC leaders’ summit, instead appointing a trusted adviser to represent Taiwan in his place. The Mainland’s objections aside, Taiwan has pushed to enhance its participation, hosting several subministerial meetings, and plans to host eighteen APEC events in 2013 alone.³⁷ In a major step in deepening ministerial-level contributions to APEC, Taiwan’s minister of agriculture, Chen Bao-ji, proposed an initiative to increase educational resources on forest conservation, which was then adopted by APEC’s of Ministers Responsible for Forestry in Peru.³⁸

Gaining membership in the WTO involved significant challenges, despite membership being open to economic regions rather than sovereign states only. Taipei sought to join the General Agreement on Tariffs and Trade (GATT), the WTO’s predecessor, in 1990 as a separate customs territory. At the time, Beijing opposed Taiwan’s membership in any form; the acting PRC ambassador to the organization even stated that Taiwan’s bid was “utterly illegal.”³⁹ Nonetheless, in 1992 the GATT accepted Taiwan’s application and appointed a Working Party to start the membership negotiations. Beijing began seeking its own entry to the agreement at roughly the same time, maintaining its objections against Taiwan’s inclusion after the GATT became the WTO in 1995. Beijing later demanded that Taiwan could not enter the WTO until after the Mainland, which slowed Taiwan’s accession process considerably.⁴⁰ Throughout the negotiation process, the United States monitored developments with concern and worked to include both sides of the Strait. The House of Representatives weighed in by including a provision in House Resolution 4444, which called for the U.S. representative to the WTO to request that WTO’s General Council consider Taiwan’s accession.⁴¹ Washington’s public and behind-the-scenes backing of Taiwan as well as its negotiating leverage over the Mainland contributed directly to the island’s eventual success in joining the WTO in 2001 as the “Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu,” one day after the accession of Mainland China.

36. Alex Frew McMillan, “Taiwan pulls out of APEC Shanghai summit,” *CNN News*, October 19, 2001, <http://archives.cnn.com/2001/WORLD/asiapcf/east/10/18/apec.taiwan.china/index.html>.

37. Meg Chang, “Taiwan set to host 18 APEC events in 2013,” *Taiwan Today*, February 22, 2013, <http://www.taiwantoday.tw/ct.asp?xItem=202016&ctNode=445>.

38. “APEC adopts Taiwan forestry initiative,” *Taiwan Today*, August 19, 2013, <http://taiwantoday.tw/ct.asp?xitem=208704&CtNode=414>.

39. Susanna Chan, “Taiwan’s Application to the GATT: A New Urgency with the Conclusion of the Uruguay Round,” *Indiana Journal of Global Legal Studies*, 2: 1, (Fall 1994).

40. Robert P. O’Quinn, “How to Bring China and Taiwan into the World Trade Organization,” *Asia Studies Backgrounder*, The Heritage Foundation, 140, March 22, 1996.

41. U.S.-China Relations Act of 2000, Pub. L. No. 106-286, Sec. 601 (2000); Wayne M. Morrison, “Taiwan’s Accession to the WTO and its Economic Relations with the United States and China,” CRS Report for Congress, May 16, 2003.

During his second term, Ma Ying-jeou has expressed interest in pursuing Taiwan's inclusion into the TPP and the RCEP, in part due to growing concern that Taiwan is losing its edge over regional economic competitors like South Korea.⁴² In the spring of 2012 Ma reduced the planned timeframe for joining TPP from ten years to eight years.⁴³ However, even this target will be difficult to attain unless Taiwan truly opens its markets and liberalizes its economy. Recognizing the stiff entry requirements for TPP and the urgency of opening up the Taiwan economy, President Ma has called for Taiwan to "get rid of [its] protectionist mindset" and "eliminate artificial trade and investment barriers and create a genuinely free and open economic environment for Taiwan that is more in line with international practices."⁴⁴ At the same time, however, he is undoubtedly mindful of the ferocity of domestic opposition to such reforms, for example, from Taiwan's pork producers, and likely realizes that 2020 is an extremely ambitious target. Washington has not ruled out Taiwan's potential TPP membership, saying it is "open to the idea of Taiwan participating in the negotiations" but that consensus from existing members is needed.⁴⁵ Beijing has not officially enunciated a position on the issue of Taiwan's potential membership in TPP.

In addition to the TPP, Taipei has been pursuing avenues to join the RCEP. With all 10 ASEAN members, Mainland China, Japan, South Korea, Australia, and New Zealand in talks for membership, the RCEP will encompass a huge swathe of the regional and global economy, with estimates that the trading bloc will constitute a third of global gross domestic product (GDP) and 40 percent of world trade, becoming one of the largest free trade zones in the world when it is finalized.⁴⁶ Officials in the Ma administration have acknowledged that Taiwan is working to join RCEP by talking to member states.⁴⁷

Beijing has signaled willingness to consider Taiwan's participation in the regional economic integration process. TAO spokesman Yang Yi reportedly emphasized that if the Mainland and Taiwan proceed with follow-up ECFA talks, Taiwan's inclusion in other

42. Jens Kastner, "Taiwan's Ma seeks to join Trans Pacific Partnership," *The Asia Sentinel*, January 25, 2012, http://www.asiasentinel.com/index.php?option=com_content&task=view&id=4162&Itemid=436.

43. "President Ma meets with congratulatory delegation from the United States," Office of the President, Republic of China (Taiwan), May 20, 2012, <http://english.president.gov.tw/Default.aspx?tabid=491&itemid=27412&rmid=2355>.

44. "Comprehensive push needed for 3rd round of Taiwan economic liberalization," *Taiwan Today*, February 2, 2013, <http://www.taiwantoday.tw/ct.asp?xItem=201482&ctNode=426>; "President Ma's inaugural address," Republic of China (Taiwan): Office of the President, May 20, 2012, <http://english.president.gov.tw/Default.aspx?tabid=491&itemid=27199>.

45. Raymond Burghardt, "AIT Chairman Raymond Burghardt Press Roundtable Taipei, January 25, 2011," Press Release, American Institute in Taiwan, February 1, 2011, <http://www.ait.org.tw/en/officialtext-ot1102.html>.

46. "Factsheet on the Regional Comprehensive Economic Partnership (RCEP)," Singapore Ministry of Trade and Industry, November 2012, http://www.fta.gov.sg/press_release/FACTSHEET%20ON%20RCEP_final.pdf; Murray Hiebert and Liam Hanlon, "ASEAN and Partners Launch Regional Comprehensive Economic Partnership," Center for Strategic and International Studies, December 7, 2012, <http://csis.org/publication/asean-and-partners-launch-regional-comprehensive-economic-partnership>.

47. Chiao-wen Huang and Hanna Liu, "Minister reiterates Taiwan is working to join regional partnership," *Focus Taiwan*, December 6, 2012, http://focustaiwan.tw/ShowNews/WebNews_Detail.aspx?Type=aECO&ID=201212060042.

regional economic agreements could be a possibility.⁴⁸ During the June 2013 meeting of Honorary KMT Chairman Wu Poh-hsiung and President Xi Jinping, Wu specifically expressed Taiwan's desire to participate in RCEP.⁴⁹ However, nothing substantive has been agreed upon. Because the RCEP is not expected to be finalized by the original members until 2015, Taiwan's inclusion in the partnership is likely to be a longer-term prospect.

Regional Fishery Organizations

Taiwan has encountered fewer obstacles in securing participation in regional fishery organizations for two reasons: (1) the island's participation is widely seen as vital to ensuring the comprehensive application of fishing rights and regulations; and (2) Taiwan qualifies for membership or observership in almost all such organizations as a fishing "entity" rather than a sovereign nation. Taiwan's involvement in regional fishery organizations began in 1996, when it became a founding member of the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean under the name "Fishing Entity of Chinese Taipei." In 2002, with support from Australia, Taiwan joined the Extended Commission for the Conservation of Southern Bluefin Tuna under the name "Fishing Entity of Taiwan."⁵⁰ The most recent success came in 2012 with Taiwan's accession to the South Pacific Regional Fisheries Management Organization (SPRFMO), which Taipei has been lobbying to join since 2006. After extensive negotiations, Taiwan was admitted as a "fishing entity" rather than a "contracting party." As a member, Taiwan will be able to "expand [fishery] activities to the South Pacific region, solidify our fishing privileges on the Pacific high seas and protect the rights of our fishermen working in these waters."⁵¹

The Indian Ocean Tuna Commission (IOTC) is one of the only remaining fishing organizations Taiwan is not a member of, and Taipei has indicated a strong interest in joining. Initially set up in 1982 as the Indo-Pacific Tuna Development and Management Program (IPTP), the organization became the IOTC in 1996 after adopting an Agreement on the Establishment of the Indian Ocean Tuna Commission under the UN's Food and Agriculture Organization (FAO). Taiwan currently attends IOTC meetings as an "invited expert" and submits fishing fleet data to the IOTC in accordance with its regulations. However, because of the IOTC's ties with the FAO, which is a UN specialized agency, Taiwan has been unable to become a full member. Taipei has sought to overcome this hurdle by lobbying current members to propose a resolution to change the IOTC's relationship with the FAO, as well as attempting to apply as a "fishing entity" (which has not succeeded since the IOTC

48. "Taiwan must grab opportunity presented by TIFA talks," *Want China Times*, February 7, 2013, <http://www.wantchinatimes.com/news-subclass-cnt.aspx?id=20130207000045&cid=1701>.

49. "Wu touts Taiwan's RCEP participation," *Taiwan Today*, June 14, 2013, <http://www.taiwantoday.tw/ct.asp?xItem=206355&ctNode=445>.

50. Joel Atkinson, *Australia and Taiwan: Bilateral Relations, China, the United States, and the South Pacific*, (Leiden, the Netherlands: Koninklijke Brill NV, 2013), 154.

51. Grace Kuo, "Taiwan Joins South Pacific Fisheries Body," *Taiwan Today*, September 24, 2012, <http://taiwantoday.tw/ct.asp?xItem=196570&CtNode=453>.

Agreement does not contain a provision for “fishing entities” to become members). The continuing relationship with the UN’s FAO and lack of a fishing entity category for membership make it difficult for Taiwan to join this organization despite the island’s evident qualifications as a major fishing entity in the Asia-Pacific.⁵²

International Nongovernmental Organizations

Faced with multiple hurdles to greater international participation through IGOs, President Ma and his predecessors have had to exhibit resourcefulness in expanding Taiwan’s international space through a larger international NGO presence. Since martial law was lifted in 1987 and movement toward democratization made in the 1990s, Taiwan’s domestic and international NGO participation has flourished. Today Taiwan has over 40,000 NGOs, some 2,100 of which operate internationally. Many of Taiwan’s nongovernmental representatives are warmly received abroad, especially in humanitarian assistance, disaster relief, health aid, and environmental activities. This has provided Taiwan a degree of access to organizations and countries it otherwise would be denied.

Because of the challenges Taipei faces in official international dialogue, MOFA’s Department of NGO International Affairs encourages NGO participation as a means of increasing international awareness of Taiwan’s goals, interests, and capabilities. According to Wu Rong-chuan, director-general of the Department of NGO International Affairs, sponsored NGOs are responsible for building ties with other countries. The department often covers the expenses of NGO representatives traveling overseas to participate in international conferences, encourages them to host events in Taiwan, and helps them handle any problems arising from Taiwan’s international participation.⁵³ Since 2010 the Department has funded trips by 25 representatives from local NGOs to engage in two-month internships in international NGOs in countries that are not official allies of Taiwan.⁵⁴

Since Taiwan’s domestic NGO sector has begun to thrive, the island’s participation in international organizations has increased in range and scope. As an island along the Pacific Rim, Taiwan has a great deal of experience responding to natural disasters (e.g., typhoons, earthquakes, and mudslides) and thus has the expertise and know-how to address the immediate physical consequences of natural disasters and provide financial assistance to victims. In the provision of disaster relief, organizations from Taiwan have been among the most active groups in the world.⁵⁵ For example, in 2008 two of Taiwan’s biggest humanitarian aid NGOs, the Buddhist Compassion Relief Tzu Chi Foundation and Dharma Drum Mountain Social Welfare and Charity Foundation, were among the first

52. “Taiwan promotes bid to join Indian Ocean tuna commission,” *The China Post*, May 9, 2007, <http://www.chinapost.com.tw/taiwan/2007/05/09/109159/Taiwan-promotes.htm>.

53. “Message from the Minister,” Taiwan Department of NGO International Affairs, Ministry of Foreign Affairs Press Release, February 9, 2012, <http://www.taiwanngo.tw/files/11-1000-303.php?Lang=en>.

54. Oscar Chung, “Unofficial Relationship, Solid Friendship,” *Taiwan In-Depth: Global Outreach*, January 12, 2012, <http://taiwanindepth.tw/ct.asp?xItem=199542&CtNode=1918>.

55. “Taiwan’s charities: Help with a bow,” *The Economist*, May 29, 2008, <http://www.economist.com/node/11455853>.

disaster relief groups allowed into Myanmar after Cyclone Nargis, while the Tzu Chi Foundation was one of the first responders in Mainland China's 2008 Sichuan earthquake. Furthermore, Tzu Chi Foundation and other Taiwan organizations offered both emergency food and financial assistance to Japanese victims following the 2011 Fukushima earthquake and tsunami. In the aftermath of the disaster, the Tzu Chi Foundation provided US\$73 million to 96,000 affected households in Japan.⁵⁶ Taiwan's MOFA has frequently sponsored not only disaster relief operations, but also medical teams to travel abroad to give free diagnoses to local populations as well as provide food aid to victims of natural disasters in Pakistan and other countries.⁵⁷ Participation in international environmental efforts has also become more important to Taiwan's NGOs in the past few years as the island has worked toward greener practices. Delegations from Taiwan's environmental organizations traveled to the June 2012 UN Conference on Sustainable Development Rio Earth Summit to participate in discussions on global environmental issues and present Taiwan's conservation accomplishments to other participants.⁵⁸

While official participation in the United Nations is not available to Taiwan's NGOs, some have successfully developed links with the United Nations. For example, the World League for Freedom and Democracy, founded in 1954 after the Korean War, is the only Taiwan-funded NGO that remained a part of the United Nations, through the UN Department of Public Information (DPI), after Taiwan lost its seat to the PRC.⁵⁹ Other Taiwan organizations have developed links with the DPI, including the Tzu Chi Foundation and Buddha's Light International Association. Tzu Chi Foundation, Buddha's Light, and Simply Help have also forged connections to the UN's Economic and Social Council (ECOSOC) where they hold special consultative status that allows them to attend and circulate statements at ECOSOC meetings.⁶⁰

Greater NGO participation has increased Taiwan's international profile and provided an avenue for Taiwan to interact with states around the world in a cooperative fashion. Taiwan's international NGOs have also enabled the island to engage in unofficial forms of international and people-to-people diplomacy, which has promoted better relations with countries both in the Asia-Pacific region and around the world. For example, after NGOs from Taiwan provided aid in the Tōhoku earthquake, 91 percent of Japanese respondents said the Japan-Taiwan relationship was good or very good, compared to 76 percent in 2009.⁶¹ Taiwan's NGO activities abroad have helped the island gain a reputation for being a

56. Chung, "Unofficial Relationship, Solid Friendship."

57. "FAQ: Taiwan's Membership in INGOs," Taiwan Department of NGO International Affairs, Ministry of Foreign Affairs Press Release, <http://www.taiwannngo.tw/files/11-1000-340.php?Lang=en>.

58. June Tsai, "Taiwan NGOs head to Rio for Earth Summit," *Taiwan Today*, June 12, 2012, <http://taiwantoday.tw/ct.asp?xItem=192063&ctNode=413>.

59. Darren Wee, "WLFD celebrates 57th World Freedom Day," *The China Post*, January 24, 2011, <http://www.chinapost.com.tw/supplement/2011/01/24/288883/WLFD-celebrates.htm>.

60. "Introduction to ECOSOC Consultative Status," NGO Branch of United Nations Department of Economic and Social Affairs, <http://esango.un.org/paperless/Web?page=static&content=intro>.

61. "Poll Shows Most Japanese feel affection for Taiwan," *Taipei Times*, June 3, 2011, <http://www.taipeitimes.com/News/taiwan/archives/2011/06/03/2003504862>; Jimmy Chuang, "Japan Omits Highest Donor Taiwan From Thank You Note," *Want China Times*, April 16, 2011, <http://www.wantchinatimes.com/news-subclass-cnt.aspx?cid=1101&MainCatID=11&id=20110416000057>.

civic-minded society and for coming to the aid of disaster victims in a timely and effective manner.

Although NGO participation abroad has benefited Taiwan, it has not been an effective substitute for official status in multilateral institutions. When the PRC took over Taiwan's UN seat in 1971, for example, Beijing demanded

that the United Nations Educational, Scientific and Cultural Organization (UNESCO)-affiliated NGOs cut ties with Taiwan. Most refused on the grounds that NGOs are not supposed to be political bodies. Therefore, Taiwan's membership is not an issue of sovereignty.⁶² Even after Ma Ying-jeou assumed the presidency and improved cross-Strait relations, there has been persistent pressure on Taiwan NGOs from Beijing to change their names or registered locations to "Taiwan, China," according to David Wu, vice chairman of Taiwan's MOFA NGO Affairs Committee.⁶³ In 2010, for example, the Taiwan chapter of the Internet Society was pressed to list itself as located in "Taiwan, China," and later that same year, as mentioned earlier, Beijing withdrew films and boycotted the Tokyo film festival over a quarrel about the name of the Taiwan delegation.⁶⁴ As a result of such pressure, President Ma has called on the Mainland to stop obstructing Taiwan's NGO efforts "or else Taiwanese will have a bad impression of China."⁶⁵ In the past year, UN agencies have frequently canceled Taiwan NGO-sponsored side events for spurious reasons, raising the specter, anathema to global civil society, that a UN member state could veto the participation of accredited NGOs in global discussions fostered by UN secretariats. Real difficulties remain for Taiwan in participation both within the UN system and outside of it.

Although NGO participation abroad has benefited Taiwan, it has not been an effective substitute for official status in multilateral institutions.

62. Lee Wei-chin, "Diplomatic Impetus and Altruistic Impulse: NGOs and the Expansion of Taiwan's International Space," *Taiwan-U.S. Quarterly Analysis*, No. 10, Brookings Institution, July 2012, <http://www.brookings.edu/research/opinions/2012/07/16-taiwan-ngo-lee>.

63. Jenny W. Hsu, "Pressure on our NGOs Unrelated to 'Truce': MOFA," *Taipei Times*, January 1, 2010, <http://www.taipeitimes.com/News/taiwan/archives/2010/01/01/2003462372>.

64. Ryall, "Tokyo film festival 'becomes shouting match between China, Taiwan, and Japan.'"

65. Hsu, "Pressure on our NGOs unrelated to 'truce': MOFA."

5 | Progress in Bilateral Free Trade Agreements

During his 2008 presidential campaign and into the beginning of his presidency, Ma Ying-jeou proposed a “free trade–like” agreement between Taiwan and the Mainland. While the agreement aimed to help rebuild Taiwan’s economy after the 2008 global financial crisis and set the stage for major improvements in cross-strait relations, it was also intended to pave the way for Taiwan to expand its international space in the economic realm. The implementation in the past decade of FTAs throughout the Asia-Pacific as a means of promoting trade beyond the APEC trade liberalization process has hindered Taiwan’s economy due to its exclusion. To mitigate the negative impact on Taiwan, Ma quietly won Beijing’s tacit acceptance to not block the island from signing free trade–like agreements with other countries once a cross-strait trade accord was launched.

After four rounds of negotiations over six months, SEF chair Chiang Ping-kun and ARATS president Chen Yunlin signed the ECFA on June 29, 2010.¹ The agreement was later ratified by Taiwan’s Executive Yuan and Legislative Yuan and entered into force on January 1, 2011. One major benefit of the ECFA was that it gave the island the necessary stimulus to “break the ice” and begin much-needed economic liberalization policies and to pursue new free trade–like agreements to better integrate with the regional economy.

Prior to the conclusion of the ECFA, only four nations—all of them Taipei’s diplomatic allies—were willing to negotiate free trade agreements.² Following the agreement’s completion, several nonallies agreed to engage in talks with Taiwan to explore a potential FTA-like accord (see Table 5.1). The Agreement between New Zealand and the Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu on Economic Cooperation (ANZTEC) was signed in July 2013.³ As the first quasi-FTA to be signed, the ANZTEC carries great political significance, even though Taipei’s trade with New Zealand is only 0.2 percent of Taiwan’s overall trade.⁴ The agreement is expected to boost Taiwan’s gross domestic

1. David G. Brown, “China-Taiwan Relations: Economic Cooperation Framework Agreement Signed,” *Comparative Connections* 12, no. 2 (July 2010), http://csis.org/files/publication/1002qchina_taiwan.pdf.

2. Taiwan has FTAs with Panama, Nicaragua, El Salvador, Honduras and Guatemala.

3. “Taiwan and New Zealand Sign Free-Trade Agreement,” *Wall Street Journal*, July 10, 2013, <http://online.wsj.com/article/SB10001424127887324425204578597022344060966.html>.

4. How Taiwan is identified within international organizations and in its bilateral agreements with other countries has often been seen as a roadblock. For example, under the administration of President Chen, Taiwan made movements toward an FTA-like agreement with Singapore but stalled when Chen pushed for Taiwan to sign as a political entity, rather than as a customs territory. However, as the recent agreement with New

Table 5.1. Status of Taiwan's FTA-like Agreements

Country	Feasibility Studies		Agreement Reached
	Underway	Complete	
New Zealand			July 2013
Singapore			November 2013
The Philippines	X		
Indonesia		X	
Malaysia	X		
India		X	

product (GDP) by \$303 million, increase total national output by \$1.18 billion after 12 years, and create more than 6,000 jobs.⁵ A similar accord is close to completion with Singapore, which constitutes 4.9 percent of Taiwan's total bilateral trade.⁶ The Agreement between Singapore and the Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu on Economic Partnership (ASTEP) will reportedly reduce tariffs and open Singapore's financial sector to Taiwan's banks. From Taiwan's perspective, these trade accords will not only enhance the island's economic competitiveness and regional integration but also enable Taiwan to move closer to joining the RCEP and the TPP, since Singapore will be included in RCEP and New Zealand is already a member of the TPP.⁷

Taipei is also purportedly exploring agreements with Indonesia, the Philippines, Malaysia, and India,⁸ which comprised 2.2 percent, 1.9 percent, and 1.1 percent of Taiwan's total bilateral trade in 2012 respectively.⁹ Feasibility studies for the Philippines-Taiwan agreement were expected to be concluded in March 2013, but are still ongoing.¹⁰ Indonesia concluded its joint feasibility study with Taiwan at the end of 2012 but is moving slowly in beginning negotiations.¹¹ Taiwan officials in Indonesia have since been promoting the study's findings to the government in Jakarta and to Indonesian businesses, while the two think tanks charged with the feasibility study, Taiwan's Chung-Hua Institution for Economic Research and the Indonesian Institute of Sciences, have continued research on

Zealand has shown, a small degree of flexibility on nomenclature can in actuality give Taiwan a substantial increase in its international space.

5. "Taiwan and New Zealand sign free trade deal," *Channel News Asia*, July 10, 2013, <http://www.channel-newsasia.com/news/business/international/taiwan-and-new-zealand/740190.html>.

6. "Year Comparison of ROC Imports & Exports by Content (Area) 2011–2012," Bureau of Foreign Trade, Ministry of Foreign Affairs.

7. Kristy Hsu, "Taiwan-New Zealand ECA opens door to more trade pacts," *Taiwan Today*, October 27, 2011, <http://taiwantoday.tw/ct.asp?xItem=178906&ctNode=426>.

8. Jens Kastner, "Taiwan steps up FTA race," *The Asia Times Online*, March 26, 2011, http://www.atimes.com/atimes/China_Business/ME26Cb01.html.

9. "Year Comparison of ROC Imports & Exports by Content (Area) 2011–2011," Bureau of Foreign Trade, Ministry of Foreign Affairs.

10. "Domingo sees short-term trade disruption over RP-Taiwan row," *The Manila Bulletin*, May 18, 2013, <http://ph.news.yahoo.com/domingo-sees-short-term-trade-disruption-over-rp-210920934.html>

11. "Joint LIPI-CIER workshop on the feasibility study of Economic Cooperation Agreement between Indonesia and Taiwan successfully concluded," Republic of China (Taiwan) Diplomatic Missions Press Release, December 20, 2012, <http://www.taiwanembassy.org/ct.asp?xItem=337664&ctNode=2237&mp=2>.

specific details of the proposed agreement. In the meantime, Taipei is seeking to negotiate early tariff cuts with Jakarta in order to enhance bilateral trade ahead of slow-moving negotiations on an economic cooperation agreement.¹² Jakarta and Taipei have acknowledged that a trade agreement will be beneficial to both, and Taiwan in particular wants to take advantage of Indonesia's growing energy market and large pool of cheap labor.¹³ Taiwan and India recently completed a joint feasibility study, which was undertaken by the Chung-Hua Institution for Economic Research and the Indian Council for Research on International Economic Relations.¹⁴ Both sides are keen to open new trade opportunities, and Indian officials have said the country wants "more Taiwan investment in India."¹⁵ However, since India has not signed an FTA with Mainland China, Beijing may put pressure on Delhi to forego a trade agreement with Taiwan.

Throughout Taiwan's pursuit of free trade agreements, Beijing has remained largely silent, urging countries only to "continue adhering to the one-China policy."¹⁶ Ma Zhaoxu, a spokesperson for Beijing's Ministry of Foreign Affairs, stated in 2010 that the Mainland "[did] not object to non-governmental economic and trade exchanges between Taiwan and countries having diplomatic relations with China" but that Beijing "opposed" agreements of an "official nature."¹⁷ Fan Liqing, spokesperson for the Mainland's TAO, reiterated this position in 2012, noting that though Beijing was "against any agreements signed between foreign countries and Taiwan that concern sovereignty," it had "never opposed economic and non-governmental exchanges between Taiwan and foreign countries."¹⁸ Countries seeking FTAs with Taiwan have likely notified or consulted with Mainland China to ensure that there will be no negative repercussions. Thus far, it appears that Beijing is only opposed to countries signing an FTA with Taiwan that do not already have an FTA with Mainland China, such as India.¹⁹

12. "Taiwan promotes early tariff cuts in trade with Indonesia," *Focus Taiwan*, July 15, 2013, <http://focustaiwan.tw/news/aeco/201307150025.aspx>.

13. "Indonesia, Taiwan to optimize opportunities in the rise of China," *Antara News*, October 2, 2012, <http://www.antaraneews.com/en/news/84819/indonesia-taiwan-to-optimize-opportunities-in-the-rise-of-china>.

14. "Editorial: Bartering away the nation's future," *Taipei Times*, May 4, 2013, <http://www.taipeitimes.com/News/editorials/archives/2013/05/04/2003561387>; "Taiwan and India begin exploring feasibility of a free trade agreement," *Taipei Times*, March 9, 2011, <http://www.chinapost.com.tw/taiwan-business/2011/03/09/294005/Taiwan-and.htm>. "Talk of the Day—Taiwan eyeing FTAs with Chile, Switzerland," *Focus Taiwan*, July 10, 2013, <http://focustaiwan.tw/news/aeco/201307100035.aspx>.

15. Ko Shu-ling, "Indian officials optimistic on FTA deal," *Taipei Times*, March 9, 2011, <http://www.taipeitimes.com/News/taiwan/archives/2011/03/09/2003497745>.

16. Yu Xie, "Parties urged to be cautious in trade talks," *China Daily*, August 6, 2010, http://www.chinadaily.com.cn/cndy/2010-08/06/content_11106456.htm.

17. "Foreign Ministry Spokesperson Ma Zhaoxu's Regular Press Conference," Permanent Mission of the People's Republic of China to the UN, June 1, 2010, <http://www.china-un.org/eng/fyrth/t705556.htm>.

18. "ECFA boosts cross-Straits trade after 17 months of implementation: mainland," Taiwan Affairs Office Press Release, June 27, 2012, http://www.gwytb.gov.cn/en/SpokespersonRemarks/201206/t20120627_2763800.htm.

19. Interview with U.S. official, May 6, 2013.

6 | U.S. Policy

As Taiwan seeks to expand its international space, Washington has remained a staunch supporter of its efforts and objectives. The U.S.-Taiwan relationship is grounded in the 1979 Taiwan Relations Act (TRA), which serves as the basis for the unofficial relationship between Washington and Taipei, along with the three U.S.-China joint communiqués signed in 1972, 1979, and 1982, and the Six Assurances given Taiwan in 1982.¹ The TRA does not explicitly back Taiwan’s international participation in the international arena, but does state that the language should not be “construed as a basis for supporting the exclusion or expulsion of Taiwan from continued membership in any international financial institution or any other international organization.”²

The issue of Taiwan’s international space was addressed explicitly in the 1994 Taiwan Policy Review conducted by the Clinton administration, which stated, “When we believe it is clearly appropriate, we will more actively support Taiwan’s membership in international organizations accepting non-states as members, and look for ways to have Taiwan’s voice heard in organizations of states where Taiwan’s membership is not possible.”³ In 2001–2002, senior Bush administration officials pushed the government bureaucracy to be more supportive of Taiwan’s desire for greater international space.⁴ The U.S. position evolved further when a State Department official endorsed Taiwan’s “meaningful participation” in the WHA in a background briefing in April 2007.⁵ The United States subsequently voiced support for “Taiwan’s meaningful participation in international organizations whenever appropriate,” in a statement issued by the U.S. Mission to the United Nations in September 2007 that also indicated that the United States “does not support Taiwan’s membership in international organizations where statehood is a requirement.” This statement was made

1. President Reagan offered “Six Assurances” to Taipei on July 14, 1982, that in negotiating the third Joint Communiqué with the PRC, the United States: (1) has not agreed to set a date for ending arms sales to Taiwan; (2) has not agreed to hold prior consultations with the PRC on arms sales to Taiwan; (3) will not play any mediation role between Taipei and Beijing; (4) has not agreed to revise the Taiwan Relations Act; (5) has not altered its position regarding sovereignty over Taiwan; and (6) will not exert pressure on Taiwan to negotiate with the PRC. Shirley A. Kan, “China/Taiwan: Evolution of the “One China” Policy—Key Statements from Washington, Beijing, and Taipei,” CRS Report for Congress, August 26, 2013, <http://www.fas.org/sgp/crs/row/RL30341.pdf>.

2. Taiwan Relations Act, Enacted April 10, 1979, <http://www.taiwandocuments.org/tra01.htm#3303>.

3. *1994 Taiwan Policy Review*, <http://www.fapa.org/generalinfo/TPR1994.html>. Also see Winston Lord, “Taiwan Policy Review: Statement before the Senate Foreign Relations Committee,” September 27, 1994, <http://www.ait.org.tw/en/19940927-taiwan-policy-review-by-winston-lord.html>.

4. Interview with former Bush administration official, September 18, 2013.

5. Nadia Tsao, “US will not back WHO membership bid,” *Taipei Times*, April 14, 2007, <http://www.taipei-times.com/News/taiwan/archives/2007/04/14/2003356575>.

in reaction to Chen Shui-bian's bid to join the UN under the name Taiwan.⁶ The most recent articulation of U.S. policy was made by Assistant Secretary of State Daniel Russel in July 2013 in response to a reporter's question. Russel stated that "the United States has and continues to support Taiwan's active participation and membership in international organizations where statehood is not a requirement. And we also welcome or encourage Taiwan's meaningful participation as appropriate in organizations where membership itself is not an option."⁷

Within the bounds of the "one China" policy, the United States has played a key role in facilitating Taiwan's participation in international organizations. Both the executive and legislative branches of government continue to voice their support for Taiwan's inclusion in additional IGOs, especially ICAO and the UNFCCC, which, U.S. officials argue, directly affect the lives of the Taiwan people.⁸ For example, in written responses submitted to Congress during his confirmation hearings, Secretary of State John Kerry reaffirmed that "the U.S. Department of State will work with the international community to help with Taiwan's participation in the ICAO" and will additionally "encourage other UN agencies and global organization to expand opportunities for Taiwan to participate in their technical and specialist meetings."⁹

In July 2013 Congress passed legislation backing Taiwan's participation in ICAO. The bill included legally binding language that the secretary of state shall:

1) develop a strategy to obtain observer status for Taiwan at the triennial ICAO Assembly . . . and other related meetings, activities, and mechanisms thereafter; 2) instruct the United States Mission to the ICAO to officially request observer status for Taiwan at the ICAO Assembly and other related meetings, activities, and mechanisms thereafter and to actively urge ICAO member states to support such observer status and participation for Taiwan; and 3) not later than 30 days after the date of the enactment of this Act . . . submit to Congress a report, in unclassified form, describing the United States strategy to endorse and obtain observer status for Taiwan at the triennial ICAO Assembly and at subsequent ICAO Assemblies and at other related meetings, activities, and mechanisms thereafter.¹⁰

President Barack Obama signed the bill into law and specifically stated his support for the cause, but reserved the right to interpret and implement sections of the law in a way that does not interfere with the president's authority to formulate foreign policy.¹¹

6. Shirley A. Kan, "China/Taiwan: Evolution of the "One China" Policy—Key Statements from Washington, Beijing, and Taipei," CRS Report for Congress, August 26, 2013, <http://www.fas.org/sgp/crs/row/RL30341.pdf>.

7. Danny Russel, "Overview of U.S. Policy in the East Asia and Pacific Region," U.S. Department of State, July 22, 2013, <http://fpc.state.gov/212107.htm>.

8. Kan and Morrison, "U.S.-Taiwan Relationship," 19.

9. "Kerry commits to Taiwan's defense," *Taipei Times*, February 10, 2013, <http://www.taipetimes.com/News/front/archives/2013/02/10/2003554648>.

10. H.R. [House Resolution] 1151, <http://www.gpo.gov/fdsys/pkg/BILLS-113hr1151enr/pdf/BILLS-113hr1151enr.pdf>.

11. "Statement by the President on H.R. 1151," Office of the Press Secretary, The White House, July 12, 2013, <http://www.whitehouse.gov/the-press-office/2013/07/12/statement-president-hr-1151>.

On August 28, 2013, the State Department submitted the required report to Congress in which it described its strategy for aiding Taiwan to be admitted as an observer to ICAO and to be permitted to participate as a “permanent *ad hoc* observer in the sessions and the work of the ICAO assembly and other international or regional meetings, activities, and mechanisms under the auspices of ICAO.” The State Department noted that U.S. support for Taiwan in ICAO is consistent with the “one China” policy and the TRA.¹²

U.S. strategy seeks to build a political consensus among relevant parties, including Mainland China, to allow Taiwan to join IGOs in an appropriate capacity on a case-by-case basis and participate meaningfully in a wide range of international activities. In pursuit of this goal, the United States seeks to garner support from its allies for the expansion of Taiwan’s international space. Washington encouraged South Korea to support Taiwan’s bid for APEC membership, which resulted in Seoul serving as the chief negotiator between the Mainland and Taiwan in the process.¹³ The Bush administration not only publicly voiced its support for Taiwan’s participation in the WHA but also called for others, in particular Japan, Canada, and the European Parliament, to back Taiwan as well.¹⁴ Regrettably, in most cases, other nations do little to advocate for Taiwan’s expansion of its international role.

U.S. strategy seeks to build a political consensus among relevant parties, including Mainland China, to allow Taiwan to join IGOs in an appropriate capacity on a case-by-case basis and participate meaningfully in a wide range of international activities.

As demonstrated in precedents set by Taiwan’s entry into the WTO and APEC, the United States promotes Taiwan’s international space by utilizing available diplomatic channels and conducting behind-the-scenes consultations. When Taiwan sought participation in those two economic organizations, U.S. officials quietly worked with counterparts from Beijing and Taipei to arrange the latter’s smooth accession. These consultations continued after Taiwan’s entry to ensure effective implementation. For example, Washington sent a representative to Beijing to discuss the exact terms through which Taiwan could participate in the APEC leadership conference after the question arose of how both sides of the Strait “abide by the MOU” and “give expressions to the differences between a sovereign state and a regional economic entity in protocol.”¹⁵ Consistent with this approach, U.S.

12. “U.S. Support for Taiwan’s Participation as an Observer at the International Civil Aviation Organization (ICAO) General Assembly and in the Work and General Meetings of ICAO.”

13. Philip Y.M. Yang, “Taiwan’s Approaches to APEC: Economic Cooperation, Political Significance, and International Participation,” International Conference on Canada-Taiwan Relations in the 1990s, November 14, 1997, <http://club.ntu.edu.tw/~yang/apec-paper-2.htm>.

14. Jaw-ling Joanne Chang, “Taiwan’s Participation in the World Health Organization: The U.S. ‘Facilitator’ Role,” *American Foreign Policy Interests* 32 (2010): 131–146.

15. An MOU was reached between China, Taiwan, Hong Kong, and the APEC chair and primary negotiator, South Korea, during deliberations on how the “three Chinas” would be included in APEC. They agreed on the designation of each party (“Hong Kong, China” and “Chinese Taipei”), limits on Taiwan’s representation at

government officials have held talks with the Mainland's TAO to pursue Taiwan's current bid to join ICAO.

At the same time that the United States seeks to assist Taiwan in its quest for greater international space, Washington expects Taipei to undertake its own efforts to promote its international space objectives. Recognizing that Taiwan's participation in IGOs and in certain NGOs cannot expand dramatically absent Beijing's tacit support, Washington sometimes urges Taipei to discuss specific cases with Mainland China. The United States has long supported dialogue and negotiations between the two sides of the Strait and, by logical extension, would support any understandings reached between Taiwan and Mainland China on the former's international space.¹⁶ In addition, the United States urges Taipei to talk directly to the organization in which it is seeking membership, as well as to member nations that could support its bid for observership or enhanced participation.

The U.S. Congress, motivated by Taiwanese-American constituents and the symbolic value of the island's democracy, has maintained an active role and a more public approach in supporting Taiwan's participation in international organizations. Legislators have been instrumental in pushing policy along when they view moves by the executive branch as inadequate,¹⁷ as they did with the recent passage of the bill in support of Taiwan's ICAO bid. The Taiwan Policy Act of 2013, legislation that was introduced in the House of Representatives, also contains strong support for Taiwan's expanded participation in the international community.¹⁸ These efforts are reminiscent of Congress' 2004 role in pushing for Taiwan's observership in the WHO.

An equally important role played by the United States is its continued support for Taiwan within the organizations it has joined, ensuring that Taiwan's participation is not merely nominal. This is particularly apparent in the WHO, as Taiwan attempts to participate in the organization's specialized initiatives have been largely ignored. Washington has been integral in helping Taiwan experts participate in WHO working groups and technical activities. It has also pressed for the use of "Chinese Taipei" as consistent nomenclature for Taiwan in the WHO, arguing that use of other titles such as "Taiwan, Province of China," or "Taiwan, China" hampers Taiwan's effective participation. U.S. intervention on Taiwan's behalf was likely a factor in the WHO's invitation to the Taiwan-based Adimmune Corp's invitation to join the Pandemic Influenza Preparedness Framework in early 2013.¹⁹

ministerial meetings, and most importantly, that participation in APEC meetings would be "on an equal basis with current APEC participants." See Yang, "Taiwan's Approaches to APEC.

16. Statement of James A. Kelly, assistant secretary of state for East Asian and Pacific affairs, Hearing on Taiwan before the House International Affairs Committee, 108th Congress, April 21, 2004.

17. Nat Bellocchi, "Change the rules of US-Taiwan ties," *Taipei Times*, August 7, 2006, <http://www.taipeitimes.com/News/editorials/archives/2006/08/07/2003322213/1>.

18. H.R. 419, The Taiwan Policy Act of 2013, was introduced in the 113th Congress on January 25, 2013. The House of Representatives Foreign Affairs Committee unanimously approved the Taiwan Policy Act on August 1, 2013.

19. Hsiu-chuan Shih, "US concerned about WHO restrictions on Taiwan," *Taipei Times*, May 9, 2013, <http://www.taipeitimes.com/News/front/archives/2013/05/09/2003561816>.

7 | Policy Recommendations

For Taiwan

- *Taipei should continue to press Mainland China to cease blocking and instead facilitate its participation in intergovernmental organizations (IGOs) and nongovernmental organization (NGOs). Discussions with counterparts in Beijing must be sustained to protect and expand Taiwan’s participation in international organizations. Taiwan should continue to highlight specific organizations in which it seeks membership in meetings between Taiwan’s Kuomintang (KMT) representatives and Mainland China’s President Xi Jinping*
- *While pursuing membership in the International Civil Aviation Organization (ICAO) and the United Nations Framework Convention on Climate Change (UNFCCC), Taipei should simultaneously explore participating in other organizations that could enable Taiwan to contribute to strengthening aviation security and combating climate change. (See Appendix II.)*
- *Taiwan should consider focusing its energies on joining regional organizations along with its efforts to join UN–affiliated organizations. Taipei should seek to join organizations that are important and relevant for its citizens, as well as those in which Taiwan already has contributions it can make. Taipei should explore:*
 - *Pursuing observership in the South Asian Association for Regional Cooperation (SAARC), a regional organization focusing on promoting stability and development in South Asia that currently consists of eight member states and nine observers.¹ Originally the charter of SAARC held no provision for observership. With the application of the United States and South Korea for observer status, however, the member states adopted guidelines for observer participation at the 2008 Summit that do not stipulate a requirement for statehood.²*
 - *Seeking membership in the Asia Pacific Telecommunity (APT), an organization that coordinates and facilitates the development of telecommunications activity in the*

1. Observers include China, the United States, and the European Union (EU), with China indicating a desire to accede to full membership at the next summit. “SAARC Charter,” South Asian Association for Regional Cooperation, <http://www.saarc-sec.org/SAARC-Charter/5/>.

2. Lawrence Saez, *The South Asian Association for Regional Cooperation: An Emerging Collaboration Architecture* (New York: Routledge, 2011). SAARC’s 18th summit has stalled because Nepal is scheduled to host, but due to political turmoil has been unable to organize the meetings necessary. The summit is likely to be postponed at least until mid-2014, which would give Taiwan more time to prepare a bid for membership.

Asian region. The APT allows for three levels of membership: full member, associate member, and affiliate member. While the People's Republic of China (PRC) is a full member, and territories such as Hong Kong and Macao are the primary associate members, affiliate membership is open to a wide range of participants and is an appealing path for Taiwan to pursue.³ Taiwan has a rapidly growing and developed telecommunications industry that is a critical contributor to its own economy and the regional economy as well. Thus Taiwan should ask its diplomatic partners to nominate it for affiliate membership in the APT and seek international support for Taiwan's participation in the organization.

- *Exploring the possibility of joining the Secretariat of the Pacific Regional Environmental Program (SPREP) as an alternative or even supplement to joining international environmental and climate organizations.* SPREP includes many of Taiwan's allies and aims to create a stable ecosystem and sustainable environment in the region.⁴ While the SPREP rules of procedure provide that the secretariat may invite observers to attend meetings, the lack of a clear path for becoming a permanent observer or member could present a procedural obstacle for Taiwan to join. Nevertheless, the participation of several NGOs and IGOs as observers that issue statements at meetings indicates that room exists for Taiwan to seek meaningful participation in SPREP.
- *Taiwan's Department of NGO International Affairs should encourage its NGOs and citizens participating in international NGOs to lobby more aggressively for Taiwan's participation in target organizations.* While Taiwan already provides significant support, training, and funding to NGOs, more should be done to capitalize on the positive contribution that Taiwan's NGOs make to international society and to deepen NGOs' supplementary role in international diplomacy. After the severe acute respiratory syndrome (SARS) outbreak, Taiwan public health NGOs played a critical role in pushing for Taiwan's participation in the World Health Organization (WHO).⁵ If Taiwan's citizens and NGO representatives can gain a foothold in organizations Taiwan is interested in joining, they can gain critical experience and knowledge on global issues and on the workings of these organizations.⁶
- *Taiwan should continue to seek the support of other countries in expanding its international space.* This extends beyond the United States. Though Washington has been an invaluable ally, broader and more active support is needed from countries that are on the decisionmaking bodies of IGOs in which Taiwan seeks to expand its participation.
- *Taiwan should attach priority to making the necessary economic adjustments that will enable it to join the Regional Comprehensive Economic Partnership (RCEP) and the*

3. "How to become a member," Asia Pacific Telecommunity, <http://www.aptssec.org/become-members>.

4. "About Us," SPREP, <http://www.sprep.org/About-Us>.

5. Lee Wei-chin, "Diplomatic Impetus and Altruistic Impulse".

6. "Taiwan's Opportunities and Challenges at WHA," *Taiwan Today*, June 2, 2013, <http://taiwantoday.tw/ct.asp?xItem=205801&ctNode=426>.

Trans-Pacific Partnership (TPP). The pace and scope of economic liberalization is a variable completely under Taiwan's control. The faster Taipei moves domestically, the more options it will have internationally with regard to participation in regional trade and investment opportunities. Recommendations made by the American Chamber of Commerce in Taipei in its annual white paper should be implemented, including the establishment of an oversight task force to guide Taiwan through the necessary structural adjustments for TPP entry.⁷ Furthermore, by enacting changes to match its practices to international standards, Taiwan will expand the list of international stakeholders who have an interest in the stable and predictable development of the Taiwan economy.

- *Taiwan should continue pursuing bilateral trade agreements with other countries, targeting TPP stakeholder countries, which may facilitate a path to joining the TPP in the future.* Beyond those countries with which it has already entered—or completed—free trade agreement (FTA) negotiations, Taiwan should target its major trading partners as well. In particular, Taiwan should focus on negotiating bilateral trade accords with Australia and Malaysia, both of which are negotiating partners in the TPP and are among Taiwan's top 10 trading partners.⁸
- *Taiwan should ensure that its participation in IGOs is substantive and not just symbolic.* Taipei must make sure that its IGO actions are in its long-term interests.
- *Taiwan should seek to expand its involvement in APEC by hosting its own APEC ministerial meeting.* After successfully hosting subministerial meetings and having a proposal adopted at the ministerial meeting in Peru, Taiwan should build on this momentum to increase its meaningful participation in APEC.

For Mainland China

- *Beijing should provide greater support for Taiwan's international space in order to further its broader cross-Strait policy of winning the hearts and minds of the people of Taiwan.* Moves to stifle Taiwan's international space foster distrust and resistance to unification among Taiwan's citizens that run counter to Mainland China's efforts to gain their support for closer cross-Strait relations and promote peaceful reunification. Rather than attach conditions to helping Taiwan expand its participation in international organizations, Beijing should demonstrate unilateral goodwill.
- *Beijing should work with Washington (after Taiwan's approval is secured), to find suitable terminology and implement changes in organizational charters or rules of membership that would allow Taiwan to join organizations that currently require statehood status for membership or observership.*

7. "Taiwan must speed up economic reform: AmCham," *Want China Times*, June 7, 2013, <http://www.wantchinatimes.com/news-subclass-cnt.aspx?id=20130607000038&cid=1102>.

8. Republic of China Bureau of Foreign Trade, "Value of Exports & Imports by Country (2012)," Trade Statistics, data generated on website on July 11, 2013, <http://cus93.trade.gov.tw/ENGLISH/FSCE/>.

- *The PRC government should devise policies to implement its pledge that a “reasonable arrangement” be made for Taiwan’s international space.* This should include revised instructions to its Ministry of Foreign Affairs, which continues to constrain Taiwan’s participation in the international arena in accordance with long-standing guidelines. While Beijing can be expected to oppose Taiwan’s membership in organizations requiring statehood for members, Mainland China should publicly state that it supports observer status for Taiwan in any organization relevant to Taiwan.
- *Beijing should officially notify the WHO that the 2005 memorandum of understanding (MOU) is no longer the basis for Taiwan’s participation in WHO organizations and events, including the World Health Assembly (WHA).* Enabling Taiwan to have a direct line of communication with the WHO will benefit the global health community and demonstrate Mainland China’s support for Taiwan’s international participation in organizations it has already established standing in. Similar MOUs should not be put in place to restrict Taiwan’s potential participation in other organizations.
- *Mainland China should provide unqualified support and assistance for Taiwan to participate in the regional economic integration process.* Promoting the quality of life and economic well-being of the people of Taiwan is a goal that serves Beijing’s interests. The approach of noninterference adopted by the Mainland toward the Taiwan–New Zealand quasi-FTA should be sustained as Taipei negotiates similar agreements with other nations.

For the United States

- *The United States should, in consultation with the PRC and other countries, seek to revise or amend the charters or rules of membership for key international organizations so that Taiwan can join in some capacity without raising sovereignty matters.⁹* Given their respective influential statuses within international organizations, the United States and Mainland China have significant leverage to execute such changes. For example, if Washington and Beijing can reach a consensus on nomenclature and the exact terms for Taiwan’s membership or observership, and as long as Taipei is willing to have the United States negotiate on its behalf, then there should be little outside opposition. As part of this effort, the United States should work with others who seek to expand their international participation, demonstrating that revisions of charters or rules of membership have broader relevance beyond Taiwan’s international space. For example, the European Commission, the executive body of the EU, holds observer status in ICAO and has sought to amend the Convention on International Civil Aviation so that regional economic integration organizations can hold membership. Combining efforts to formulate a designation that is suitable for both

9. Mainland Chinese academics have raised the idea of revising or amending the constitutions or rules of membership for several international organizations. See, for example, 郭震遠 [Guo Zhenyuan], “關於台灣‘國際空間’問題的歷史經驗與探討” [Discussion on the historical experience of Taiwan’s “international space” issue], 中國評論 [China Review News] 185 (May 6, 2013): 9–13.

Taiwan and the EU could bolster the case for pushing for amendments to organizational charters or rules of procedure.¹⁰

- *The United States should assist Taiwan to make the necessary structural adjustments so it can make gains toward TPP standards, while recognizing that economic reform is likely to be politically fraught in Taiwan. The best medium through which to conduct deliberations is the existing Taiwan-U.S. Trade Investment Framework Agreement (TIFA). After a six-year suspension due to an impasse over U.S. beef, the TIFA talks were reinstated in March 2013. Progress in the TIFA talks to remove trade barriers and conclude a U.S.-Taiwan Bilateral Investment Agreement (BIA) would help Taiwan make strides toward qualifying for the TPP.*
- *The United States should take concrete steps to support Taiwan's expanded role in organizations in which it is already a party but has difficulty securing meaningful participation, such as the WHO. The United States should use its influence to ensure officials and experts from Taiwan are invited and allowed access to IGO meetings in which they already have an accepted status.*
- *The United States should continue holding discussions with Beijing and the host nation of meetings of IGOs in regard to Taiwan's meaningful participation, but be more forceful in its approach. U.S. officials must emphasize to Chinese counterparts that Taiwan's contributions hold practical value to organizational objectives and do not violate any regulations. At the same time, U.S. officials should attempt to convince Beijing that its fears that Taiwan's participation would give substance and legitimacy to Taiwan independence are unfounded.*
- *In discussions with the PRC, the United States should emphasize that Beijing hurts its own goals with Taiwan by its grudging approach to the issue of Taiwan's international space. U.S. officials should emphasize that Beijing's goal of a peaceful settlement of Mainland Chinese differences with Taiwan will be advanced if the PRC supports rather than blocks Taiwan's efforts to play a greater role in the international community.*

10. "The European Union at ICAO," European Commission, April 16, 2013, http://ec.europa.eu/transport/modes/air/international_aviation/european_community_icao/.

Appendix I: Taiwan's International Governmental Organization Participation and Retained Memberships Since Losing Its Seat in the United Nations

Table I.1. Taiwan's Participation in International Governmental Organizations

<i>IGO</i>	<i>Status</i>	<i>Year Joined</i>
Association of World Election Bodies	Full Member	2013
International Civil Aviation Organization	Invited guest	2013
Global Methane Initiative	Visitor	2013
Global Platform for Disaster Risk Reduction*	NGO participation	2013
South Pacific Regional Fisheries Management Organization	Full member	2012
Asia Pacific Regional Working Group on Environmental Information	Full member	2011
Civil Air Navigation Services Organization	Full member	2011
International Renewable Energy Association	Observer	2011
International Council for Information Technology in Government Administration	Full member	2010
Inter-American Tropical Tuna Commission	Full member	2010
Standards and Trade Development Facility	Full member	2010
International Frigate Working Group	Full member	2009
World Health Assembly	Observer	2009
Versailles Project on Advanced Materials and Standards	Full member	2007
Organization for Economic Cooperation and Development: Fisheries Committee	Observer	2006
World Customs Organization: Revised Kyoto Convention Management Committee	Observer	2006
Conferencia de las Fuerzas Armadas Centroamericanas	Observer	2005
Organization for Economic Cooperation and Development: Steel Committee	Observer	2005
Advisory Center on World Trade Organization Law	Full member	2004
Western and Central Pacific Fisheries Commission	Full member	2004
Economic and Social Council of the United Nations*	NGO participation	2003
Kimberley Process	Observer	2003

Extended Commission for the Conservation of Southern Bluefin Tuna	Full member	2002
Organization for Economic Cooperation and Development: Competition Committee	Observer	2002
The International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean	Full member	2002
World Customs Organization (Technical Committee on Customs Valuation)	Full member	2002
World Customs Organization (Technical Committee on Rules of Origin)	Full member	2002
World Trade Organization	Full member	2002
The International Competition Network	Full member	2002
Sistema de la Integración Centroamericana	Observer	2000
Asia Pacific Association of Agricultural Research Institutions	Full member	1999
Parlamento Centroamericano	Observer	1999
Association of Asian Election Authorities	Full member	1998
Egmont Group	Full member	1999
Asia/Pacific Group on Money Laundering	Full member	1997
International Organization of Legal Metrology	Associate member, corresponding member	1997
Study Group on Asian Tax Administration and Research	Full member	1996
Food Aid Committee	Observer	1995
International Grains Council	Observer	1995
United Nations Framework Convention on Climate Change*	NGO participation	1995
Asia-Pacific Legal Metrology Forum	Full member	1994
Association for Science Cooperation in Asia	Full member	1994
International Association of Insurance Supervisors	Full member	1994
Commission for the Conservation of Southern Bluefish Tuna	Observer	1994
Central American Bank for Economic Integration	Full member	1992
International Satellite System for Search and Rescue	Full member	1992
Conference of Governors of South East Asian Central Banks	Full member	1992
Asia Pacific Economic Cooperation	Full member	1991
European Bank for Reconstruction and Development	Observer	1991
Foro de Presidentes de Poderes Legislativos de Centroamericana y la Cuenca del Caribe	Observer	1991
Inter-American Development Bank	Observer	1991
International Organization of Securities Commissions	Full member	1987
International Commission for the Conservation of Atlantic Tunas	Cooperating non-member	1972

Note: IGO, intergovernmental organization; NGO, nongovernmental organization. Asterisk (*) indicates that participation is only through NGO representation without official government participation. This listing includes only three of the major IGOs in which Taiwan's NGOs participate.

Sources: Ministry of Foreign Affairs of the Republic of China (Taiwan), IGO Member list, <http://www.mofa.gov.tw/EnOfficial/NationalOrg/OrgList/?opno=3400817f-1a5b-443c-8969-174b5c7819b2>; discussions with U.S. government officials.

Table I.2. Organizations Taiwan Has Maintained Membership in Since Losing Its Seat in the United Nations in 1971

<i>Organization</i>	<i>Status</i>	<i>Year Joined</i>
Asian Vegetable Research and Development Center	Full member	1971
Food and Fertilizer Technology Center for the Asian and Pacific Region	Full member	1970
Afro-Asian Rural Development Organization	Full member	1968
Asian Development Bank	Full member	1966
International Cotton Advisory Committee	Full member	1963
International Seed Testing Association	Full member	1962
Asian Productivity Organization	Full member	1961
World Organization for Animal Health	Full member	1954
United Nations Department of Public Information*	NGO participation	1954

Note: NGO, nongovernmental organization. Asterisk (*) indicates that participation is only through NGO representation without official government participation.

Sources: Ministry of Foreign Affairs of the Republic of China (Taiwan), IGO Member list, <http://www.mofa.gov.tw/EnOfficial/NationalOrg/OrgList/?opno=3400817f-1a5b-443c-8969-174b5c7819b2>; discussions with U.S. government officials.

Appendix II: Other International Organizations for Taiwan's Consideration

Alternatives to UNFCCC Observership

While Taiwan seeks to overcome the obstacles to joining the UNFCCC, there are a few other climate related options Taiwan can explore, including the World Meteorological Organization (WMO), the Intergovernmental Panel on Climate Change (IPCC), the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP), and the Global Methane Initiative (GMI).

As a specialized agency of the UN, becoming an observer in the WMO would offer Taiwan a chance to participate in workshops and programs in the organization's purview, including those that facilitate cooperation and exchange on meteorological issues and further the "application of meteorology to aviation, shipping, water problems, agriculture and other human activities."¹ Taiwan is already a leader in several aspects of meteorology and possesses a highly advanced typhoon surveillance system, proving it can make significant contributions and has a real national interest in joining the organization.² After Typhoon Morakot in 2009, Premier Wu Den-yih asserted, "[I]t is necessary for Taiwan to seek to take part in the UNFCCC and the World Meteorological Organization to strengthen Taiwan's access to advanced climate technologies data." However, Taipei has yet to undertake a concerted effort to join the WMO, opting instead to focus on the UNFCCC.³ The WMO "maintains and seeks to expand working relations with many international organizations, both governmental and non-governmental,"⁴ which may provide an opportunity for Taiwan to participate.

In addition to the WMO, Taiwan has also expressed some interest in two other climate-related groups, the IPCC and the Durban Platform, which could enhance Taiwan's ability to

1. "World Meteorological Organization," UN Non-Governmental Liaison Service, http://www.un-ngls.org/spip.php?page=article_s&id_article=833.

2. I-chun Hsiao and Jerry I-hsuan Hsiao, "Taiwan aims for the wrong UN body," *Taipei Times*, August 1, 2012, <http://www.taipeitimes.com/News/editorials/archives/2012/08/01/2003539140/1>.

3. "Taiwan needs to participate in UNFCCC, ICAO: Premier Wu," Central News Agency, October 1, 2009, <http://www.carbonoffsetsdaily.com/news-channels/asia/taiwan-needs-to-participate-in-unfccc-icao-premier-wu-16476.htm>.

4. World Meteorological Organization, http://www.un-ngls.org/spip.php?page=article_fr_s&id_article=833.

participate in decisionmaking on international climate issues. The IPCC serves as an inter-governmental body that reviews existing research and scientific assessments of climate-related issues and then issues authoritative reports with policy advice.⁵ While some scientists from Taiwan have participated in IPCC reviews and reports, Taipei could achieve a greater presence in the organization by applying for observer status, perhaps as an “observer entity” similar to the status enjoyed by the Palestinian National Authority. Nevertheless, joining IPCC entails significant challenges for Taiwan, including a lack of an institutionalized process for a nonsovereign entity, rather than an organization, to join as an observer, as well as resistance from Beijing.⁶

The Durban Platform offers an opportunity for Taiwan to have a voice in negotiations on emissions mitigation targets even as it continues to be denied observership in the full UNFCCC. After the working group for the Durban Platform was established in 2011 by the UNFCCC 17th Conference of the Parties (COP17), Taiwan requested that its allies propose and support the admission of nonparty actors, such as Taiwan, to the Durban Platform “in order to ensure an effective, fair and ambitious agreement after the expiration of Kyoto Protocol.”⁷ Taiwan should further push for involvement and representation at the next working group so that it can lend expertise to the new emissions reduction accord, a critical element of UNFCCC goals that will enter into force in 2020.

Taiwan could also apply for NGO membership in the Global Methane Initiative (GMI). Launched in 2004, the GMI is an international public-private effort and is the only international initiative to specifically target abatement, recovery, and use of methane as a clean energy source in four sectors: agriculture, coal mines, municipal solid waste, oil and gas systems, and wastewater. GMI works in concert with the UNFCCC, among other international agreements, to reduce greenhouse gas emissions. Although only national governments can become partners, other organizations including development banks, private-sector entities, and other governmental and nongovernmental organizations can participate in GMI by joining the Project Network.⁸ Taiwan participated in Methane Expo 2013 in Vancouver, Canada, as a visitor and participated in a subcommittee meeting chaired by the United States.

A Stepping Stone to ICAO Observership

The International Business Aviation Council (IBAC) represents the interests of business aviation worldwide. Joining IBAC could provide a means for Taiwan to gain access to information from ICAO, and perhaps serve as a springboard to increasing its participation in ICAO.

5. “Organization,” Intergovernmental Panel on Climate Change, <http://www.ipcc.ch/organization/organization.shtml#UeAf0Hq11M>.

6. “IPCC Policy and Process for Admitting Observer Organizations,” IPCC, last amended June 2012, <http://www.ipcc.ch/pdf/ipcc-principles/ipcc-principles-observer-org.pdf>; “List of IPCC Observer Organizations,” IPCC, July 2012, <http://www.ipcc.ch/pdf/ipcc-principles/observers-as-of-july-2012.pdf>.

7. “The Case for Taiwan’s UNFCCC Observership,” press release, Taipei Mission in the Republic of Latvia, October 30, 2012, <http://www.roc-taiwan.org/LV/ct.asp?xItem=323379&ctNode=7925&mp=507>.

8. “Global Methane Initiative,” <https://www.globalmethane.org/>.

The IBAC is an international NGO based in Montreal, Canada, with permanent ICAO observer status.⁹ The IBAC coordinates with its member associations to provide “technical and operational expertise to government policy and rulemaking organizations” and promote “international harmonization of rules.”¹⁰ The IBAC also formulated and drafted the International Standard for Business Aircraft Operations (IS-BAO), for which they hold workshops numerous times a year to promote information sharing and accreditation of IS-BAO standards.¹¹ Taiwan could utilize channels provided through IBAC, and its frequent meetings, to access information on aviation safety. Taiwan can seek to increase its participation through an enhanced role of its national airlines through the Asian regional member, the Asian Business Aviation Association.¹²

Taiwan’s participation in IBAC, complemented by its membership in CANSO, would allow it increased access to vital aviation information, given the CANSO’s close relationship to ICAO.¹³ This would enable Taiwan to better adhere to ICAO norms and standards, which will not only substantiate its bid to join the organization, but also allow operators in Taiwan to better safeguard the well-being and lives of travelers.

9. “International Business Aviation Council (IBAC),” International Business Aviation Council, 2013, <http://www.ibac.org/>.

10. “Membership Benefits: IBAC—A Family of Global Business Aviation Associations,” International Business Aviation Council, 2013, <http://www.ibac.org/about-ibac/membership-benefits>.

11. “IS-BAO Workshop Schedule,” International Business Aviation Council, 2013, http://www.ibac.org/is_bao/is-bao-workshop-schedule.

12. Taiwan’s Eva Sky Jet is currently a corporate member of the Asian Business Aviation Association. For the purpose of increasing Taiwan’s participation within this organization and in IBAC, other airline companies that are Taiwan owned and Taiwan based should seek to become members. See “Corporate Members,” Asian Business Aviation Association, 2012, http://www.asbaa.org/corporate_members.php; and “Member organizations,” International Business Aviation Council, 2013, <http://www.ibac.org/about-ibac/member-organizations>.

13. Civil aviation is made up of two components, private and commercial aviation. IBAC would fulfill the former, while Taiwan’s existing membership in CANSO would fulfill the latter.

Appendix III: CSIS Delegation Members

A delegation led by the Center for Strategic and International Studies (CSIS) traveled to Beijing and Taiwan August 12–16, 2013, where they discussed the issues in this paper extensively with senior officials and scholars.

The Honorable James A. Kelly
Former Assistant U.S. Secretary of State for East Asian and Pacific Affairs
Senior Adviser (Nonresident) and Distinguished Alumni, CSIS

Ambassador James R. Keith
Senior Director
McLarty Associates

Ms. Bonnie S. Glaser
Senior Adviser for Asia
Freeman Chair in China Studies
CSIS

Mr. Alan D. Romberg
Distinguished Research Fellow and Director
East Asia Program
Henry L. Stimson Center

Dr. Phillip C. Saunders
Distinguished Research Fellow
Director of Studies, Center for Strategic Research
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Ms. Jacqueline A. Vitello
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About the Author

Bonnie S. Glaser is a senior adviser for Asia in the Freeman Chair in China Studies, where she works on issues related to Chinese foreign and security policy. She is concomitantly a senior associate with CSIS Pacific Forum and a consultant for the U.S. government on East Asia. From 2003 to mid-2008 Ms. Glaser was a senior associate in the CSIS International Security Program. Prior to joining CSIS, she served as a consultant for various U.S. government offices, including the Departments of Defense and State. Ms. Glaser has written extensively on various aspects of Chinese foreign policy, including Sino-U.S. relations, U.S.-China military ties, cross-Strait relations, China's relations with Japan and Korea, and Chinese perspectives on missile defense and multilateral security in Asia. Her writings have been published in *Washington Quarterly*, *China Quarterly*, *Asian Survey*, *International Security*, *Problems of Communism*, *Contemporary Southeast Asia*, *American Foreign Policy Interests*, *Far Eastern Economic Review*, *Korean Journal of Defense Analysis*, *New York Times*, and *International Herald Tribune*, as well as various edited volumes on Asian security. Ms. Glaser is a regular contributor to the Pacific Forum quarterly Web journal *Comparative Connections*. She is currently a board member of the U.S. Committee of the Council for Security Cooperation in the Asia Pacific, a member of the Council on Foreign Relations and the Institute of International Strategic Studies, and she served as a member of the Defense Department's Defense Policy Board China Panel in 1997. Ms. Glaser received her B.A. in political science from Boston University and her M.A. with concentrations in international economics and Chinese studies from the Johns Hopkins School of Advanced International Studies.



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