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Taiwan: Political and Security Issues

Taiwan, which officially calls itself the Republic of China (ROC), is an island democracy of 23.6 million people located across the Taiwan Strait from mainland China. U.S.-Taiwan relations have been unofficial since January 1, 1979, when the Carter Administration established diplomatic relations with the People's Republic of China (PRC) and broke formal diplomatic ties with self-ruled Taiwan, over which the PRC claims sovereignty. The Taiwan Relations Act (TRA, P.L. 96-8; 22 U.S.C. §3301 et seq.), enacted on April 10, 1979, provides a legal basis for this unofficial bilateral relationship. It also includes commitments related to Taiwan's security. For discussion of economic issues, see CRS In Focus IF10256, *U.S.-Taiwan Trade Relations*, by Karen M. Sutter.

Taiwan's Modern History

In 1949, after losing a civil war on mainland China to the Communist Party of China, the ROC's ruling party, the Kuomintang (KMT), moved the ROC seat of government to Taiwan. The KMT continued to assert that the ROC was the sole legitimate government of all China. In 1971, however, U.N. General Assembly Resolution 2758 recognized the PRC's representatives as "the only legitimate representatives of China to the United Nations," and expelled "the representatives of Chiang Kai-shek," the ROC's then-leader. Taiwan remains outside the United Nations. It today claims "effective jurisdiction" over Taiwan, the archipelagos of Penghu, Kinmen, and Matsu, and some smaller islands. It also claims disputed islands in the East and South China Seas.

Figure 1. Taiwan



Sources: Graphic by CRS. Map generated by Hannah Fischer using data from NGA (2017); DoS (2015); Esri (2014); DeLorme (2014).

The KMT maintained authoritarian one-party rule on Taiwan until 1987, when popular pressure forced it to allow political liberalization. Taiwan held its first direct parliamentary election in 1992 and its first direct presidential election in 1996. The May 2016 inauguration of current President Tsai Ing-wen of the Democratic Progressive Party (DPP) marked Taiwan's third peaceful transfer of political power from one party to another.

In January 2020 elections held against the backdrop of protests in Hong Kong over erosions of the city's promised "high degree of autonomy" within the PRC, voters elected President Tsai to a second four-year term with 57.1% of the vote. The DPP lost 7 seats in the 113-seat legislature, but retained its majority, with 61 seats. The KMT now controls 38 seats, a gain of 3. The results empowered Tsai to move forward with an agenda that includes demanding "respect from China" for what she calls Taiwan's "separate identity." Tsai has since won plaudits from Taiwan's public for her government's response to the Coronavirus Disease 2019 (COVID-19) pandemic. She has also angered some at home with moves to ease restrictions on imports of U.S. pork and beef, and with her administration's closure of a leading cable news station accused of pro-China bias and spreading disinformation.

U.S. Commitments Related to Taiwan

The PRC seeks to enforce a "one China principle," under which other countries affirm that Taiwan is part of China. The United States adheres to its own "one-China policy," which the Trump Administration presented as based on U.S.-PRC joint communiqués concluded in 1972, 1978, and 1982; the TRA; and "Six Assurances" that President Ronald Reagan communicated to Taiwan in 1982, shortly before the release of the third U.S.-PRC joint communiqué.

In the communiqués, the United States recognized the PRC as the "sole legal government of China"; acknowledged, but did not affirm, "the Chinese position that there is but one China and Taiwan is part of China"; and pledged to maintain only unofficial relations with Taiwan. In the 1982 communiqué, the United States stated "that it intends gradually to reduce its sale of arms to Taiwan."

Key provisions of the TRA include the following:

- Relations with Taiwan shall be carried out through the American Institute in Taiwan (AIT), a private corporation. (AIT Taipei performs many of the same functions as U.S. embassies elsewhere and is staffed by U.S. government personnel assigned or detailed to AIT.)
- It is U.S. policy "to maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan."
- The United States "will make available to Taiwan such defense articles and defense services in such quantity as

may be necessary to enable Taiwan to maintain a sufficient self-defense capability.”

The 1982 Six Assurances, which the Trump Administration declassified in 2020, include assurances that in negotiations with the PRC, the United States did not agree to consult with the PRC on arms sales to Taiwan, did not agree to set a date for ending such arms sales, and did not agree “to take any position regarding sovereignty over Taiwan.”

In September 2020 Senate testimony, Assistant Secretary of State for East Asian and Pacific Affairs David Stilwell said it is U.S. policy to leave Taiwan’s sovereignty “undecided and to be worked out between the two parties,” meaning Taiwan and the PRC, while insisting that PRC-Taiwan differences “be resolved peacefully and through dialogue, not with coercion or use of force.” The TRA does not require the United States to defend Taiwan, but states that it is U.S. policy to maintain the capacity to do so. In October 2020, National Security Advisor Robert O’Brien referred to, “a lot of ambiguity there about what the United States would do in response to an attack by China on Taiwan.”

Trump Administration Policy

The Trump Administration sought to strengthen bilateral relations with Taiwan, even as the Administration stated that it remained committed to the framework of unofficial U.S.-Taiwan relations. In August 2020, Secretary of Health and Human Services Alex Azar became the first U.S. cabinet member to visit Taiwan since 2014. In September 2020, Under Secretary of State for Economic Growth, Energy, and the Environment Keith Krach became the highest-ranking State Department official to visit Taiwan since 1979. In January and May 2020, U.S. Secretary of State Michael R. Pompeo issued statements congratulating Tsai, respectively, on her reelection and the start of her second term, making him the highest-level U.S. official ever to have issued such statements.

A prominent element of Trump Administration policy was an effort to help Taiwan strengthen its relations with other countries, particularly the 15 countries that maintain diplomatic relations with Taiwan rather than the PRC. In 2019, Japan joined the United States and Taiwan as a formal member of the Global Cooperation and Training Framework, which convenes workshops to share Taiwan’s expertise with other countries. Also in 2019, the United States and Taiwan launched Consultations on Democratic Governance in the Indo-Pacific Region, to help Indo-Pacific countries address governance challenges. The United States is also partnering with Taiwan to provide development assistance to Taiwan’s diplomatic partners in the Pacific and the Western Hemisphere.

Although the United States terminated its Mutual Defense Treaty with Taiwan in 1980, it engages with Taiwan’s military through dialogues, training, and arms sales. The United States has long called on Taiwan to spend more on defense. In October 2020, a senior Department of Defense official urged Taiwan to prioritize “small dollar investments in lethal capabilities tailored to counter the military threat Taiwan faces.” The Trump Administration notified Congress of 20 proposed major Foreign Military Sales cases for Taiwan, with a combined value of over \$18 billion. By comparison, over eight years in office, the Obama Administration notified Congress of 16 cases with a

combined value of about \$14 billion. The U.S. Navy conducted 11 Taiwan Strait transits in FY2020.

The PRC, Taiwan, and “One China”

The PRC maintains that mainland China and Taiwan are parts of “one China” whose sovereignty cannot be divided. The PRC’s 2005 Anti-Secession Law commits Beijing to “do its utmost with maximum sincerity to achieve a peaceful unification” with Taiwan. It states, however, that in the case of Taiwan’s “secession” from China, or if the PRC concludes that possibilities for peaceful unification have been exhausted, “the state shall employ non-peaceful means and other necessary measures to protect China’s sovereignty and territorial integrity.” In 2019, PRC leader Xi Jinping recommitted the PRC to peaceful unification, but reserved the option to use force. He called for exploring “a two systems plan for Taiwan,” a reference to an arrangement under which mainland China and Taiwan would be parts of one country, but maintain different political and other systems, as in Hong Kong. After China imposed a national security law on Hong Kong in June 2020, President Tsai declared the approach “not viable.”

Unlike her KMT predecessor, President Tsai has not endorsed the “1992 consensus,” under which Taiwan and the PRC acknowledged “one China,” but retained their own interpretations of what it meant. After her reelection, Tsai said, “We don’t have a need to declare ourselves an independent state. We are an independent country already and we call ourselves the Republic of China (Taiwan).” The PRC suspended contacts with Taiwan’s government in 2016 after Tsai declined to endorse the “1992 consensus.”

Since 2016, the PRC has established diplomatic relations with eight countries that previously recognized Taiwan: first the Gambia, then São Tomé and Príncipe, Panama, the Dominican Republic, Burkina Faso, El Salvador, the Solomon Islands, and Kiribati. The PRC has stepped up military patrols and exercises around Taiwan, including sending military aircraft across the median line of the Taiwan Strait. The PRC has also blocked Taiwan’s attendance as an observer at annual World Health Assembly meetings, which Taiwan attended from 2009 to 2016.

Select Legislation in the 116th Congress

The Taiwan Assurance Act of 2020, enacted into law as part of the Consolidated Appropriations Act, 2021 (H.R. 133), directs the Department of State to review its guidance on relations with Taiwan and states that it is the sense of Congress that the guidance “should be crafted with the intent to deepen and expand” U.S.-Taiwan relations. The act also states, *inter alia*, that it is U.S. policy to advocate for Taiwan’s meaningful participation or membership in various international bodies, and urges Taiwan to increase its defense spending. The William M. (Mac) Thornberry National Defense Authorization Act for FY2021 (H.R. 6395) requires an annual briefing to Congress on Taiwan arms sales and a report on the feasibility of establishing a medical security partnership with Taiwan’s Ministry of Defense. It also instructs the U.S. Executive Director at each international financial institution to seek to ensure that Taiwan nationals are not discriminated against in employment decisions.

Susan V. Lawrence, Specialist in Asian Affairs

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