



Taiwan: Select 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. Since January 1, 1979, U.S.-Taiwan relations have been unofficial, a consequence of the Carter Administration’s decision to establish diplomatic relations with the People’s Republic of China (PRC) and break 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.

Taiwan’s Modern History

China’s Qing Dynasty ceded Taiwan to Japan at the end of the First Sino-Japanese War in 1895. The Republic of China, which was founded in 1912 on mainland China and led by the Kuomintang Party (KMT), assumed control of Taiwan in 1945, after Japan’s defeat in World War II. In 1949, after losing a civil war to the Communist Party of China, the KMT moved the seat of the ROC to Taipei, and the Communists established the PRC on mainland China.

Figure 1. Taiwan



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

Long after the retreat to Taiwan, the KMT continued to assert that the ROC government was the sole legitimate government of all China. In 1971, however, United Nations 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 president at the time. Taiwan has remained outside the United Nations ever since. Taiwan today claims “effective

jurisdiction” only 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.

On Taiwan, the KMT maintained authoritarian one-party rule until 1987, when it began allowing 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 2016, the DPP also ended the KMT’s previously unbroken control of the Legislative Yuan, Taiwan’s 113-member legislature.

The DPP suffered deep losses in November 2018 local elections. It now controls 6 of Taiwan’s 22 municipalities. Taiwan is to hold presidential and legislative elections on January 11, 2020. President Tsai is running for reelection. Her chief rival, KMT candidate and Kaohsiung Mayor Han Kuo-yu, has blamed Tsai’s policies for increased tensions with Beijing and pledged to re-start cross-strait dialogue.

Trump Administration Policy

As President-elect, Donald J. Trump spoke by telephone with President Tsai and publicly questioned the long-standing U.S. “one-China” policy, under which the United States maintains only unofficial ties with Taiwan, while upholding the TRA. After taking office, however, the President recommitted to the U.S. one-China policy in a February 2017 telephone call with PRC President Xi Jinping. The Trump Administration’s December 2017 National Security Strategy states that the United States “will maintain our strong ties with Taiwan in accordance with our ‘One China’ policy, including our commitments under the Taiwan Relations Act to provide for Taiwan’s legitimate defense needs and deter coercion.” The U.S. one-China policy is distinct from the PRC’s one-China principle, which asserts that Taiwan is part of China.

Since 2017, the Administration has taken some actions that have diverged from past practice. In May 2019, for example, it hosted a meeting between the U.S. and Taiwan National Security Advisors, reportedly the first such meeting in the era of unofficial relations. In September 2019 congressional testimony, however, Assistant Secretary of State for East Asian and Pacific Affairs David Stilwell signaled a commitment to the traditional framework of relations. He referred to Taiwan as a “non-state” entity and referenced 1970s-era U.S.-China communiques on U.S. relations with the PRC and Taiwan, stating, “We, certainly, want to remain inside our own commitments to the PRC.”

Administration policy goals include “increasing international awareness of Taiwan’s contributions to global society,” encouraging other governments to show support for Taiwan, and helping Taiwan shore up relations with its 15 remaining diplomatic partners. The United States,

Taiwan, and Japan jointly administer the Global Cooperation and Training Framework (GCTF), convening workshops to share Taiwan's expertise with partners around the world. In 2019, the United States and Taiwan launched annual Indo-Pacific Democratic Governance Consultations, intended to produce joint projects to help Indo-Pacific countries address governance challenges, and a Pacific Islands Dialogue, intended to help "meet the development needs of Taiwan's diplomatic partners in the Pacific."

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 Trump Administration has notified Congress five times of proposed major Foreign Military Sales cases for Taiwan (11 cases with a combined value of about \$11.76 billion). The largest case is for 66 F-16C/D Block 70 aircraft and related equipment and support, worth about \$8 billion. The U.S. Navy conducted 10 transits of the Taiwan Strait in the first 11 months of 2019. French and Canadian warships also transited the Strait in 2019.

U.S. Commitments Related to Taiwan

Four documents underpin U.S. policy on Taiwan: the TRA and joint communiqués concluded with the PRC in 1972, 1978, and 1982. In the communiqués, the United States said it would recognize the PRC as the "sole legal government of China"; acknowledge, if not affirm, "the Chinese position that there is but one China and Taiwan is part of China"; and maintain only unofficial relations with Taiwan. The United States does not take a position on Taiwan's future status, but insists that it be resolved peacefully without resort to threats or use of force.

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 consider any effort to determine the future of Taiwan by other than peaceful means, including by boycotts or embargoes, a threat to the peace and security of the Western Pacific area and of grave concern to the United States."
- 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 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, creating "strategic ambiguity" regarding the U.S. role in the event of a PRC attack on Taiwan.

The Six Assurances

President Ronald Reagan communicated what became known as the "Six Assurances" to Taiwan shortly before release of the 1982 U.S.-PRC communiqué. They include

an assurance that in the negotiations with the PRC, the United States did not agree "to engage in prior consultations with Beijing on arms sales to Taiwan," and did not agree to set a date for ending arms sales to Taiwan.

The PRC, Taiwan, and "One China"

The PRC maintains that mainland China and Taiwan are parts of "one China" whose sovereignty cannot be divided. A 2005 PRC 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 in a situation in which 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." On January 2, 2019, PRC President Xi recommitted the PRC to peaceful unification, but reserved the option to use force. He called for exploring "a Taiwan plan for 'one country, two systems,'" a reference to an arrangement under which mainland China and Taiwan would be parts of one country, but maintain different political and other systems. Hong Kong is currently subject to such an arrangement.

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. In March 2019, she lodged objections to Xi's "one country-two systems" plan, saying it "unilaterally undermines the status quo, eliminates the sovereignty of the Republic of China (Taiwan), and forces Taiwan to accept unification with China."

The PRC suspended contacts with Taiwan in June 2016 over Tsai's unwillingness to endorse the "1992 consensus." Since Tsai's 2016 election, the PRC has established diplomatic relations with eight countries that previously recognized Taiwan: the Gambia, Sao Tome and Principe, Panama, the Dominican Republic, Burkina Faso, El Salvador, the Solomon Islands, and Kiribati. The PRC has stepped up military aircraft patrols around Taiwan and on March 31, 2019, allowed two of its J-11 fighter jets to cross over the median line in the Taiwan Strait for the first time in 20 years. The PRC has also blocked Taiwan's attendance as an observer at annual World Health Assembly meetings, which Taiwan attended from 2009 to 2016. The PRC has offered carrots, too: 2018's "31 measures" and November 2019's "26 measures," intended to improve living and working conditions and business opportunities for Taiwan people in mainland China.

Select Legislation in the 116th Congress

The National Defense Authorization Act for FY2020 (S. 1790) would require a review and report related to the TRA, a report on PRC efforts to influence Taiwan's 2020 election, and a report on the feasibility of a high-level U.S.-Taiwan working group on cybersecurity. The TAIPEI Act of 2019 (H.R. 4754 and Senate-passed S. 1678) would encourage the U.S. government to support Taiwan in strengthening its official and unofficial relationships, and to consider increasing or reducing U.S. engagement with nations that enhance relations with or undermine Taiwan.

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