



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. 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 issues related to Taiwan’s economy, see CRS In Focus IF10256, *U.S.-Taiwan Trade Relations*, by Karen M. Sutter.

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 leader at

the time. Taiwan has remained outside the United Nations ever since. Taiwan 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.

On Taiwan, the KMT maintained authoritarian one-party rule 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 2016, the DPP also ended the KMT’s previously unbroken control of Taiwan’s legislature, the Legislative Yuan.

2020 Elections

In elections on January 11, 2020, President Tsai clinched a second four-year term with the most votes for a presidential candidate since Taiwan began direct elections, winning 57.1% of the presidential vote to KMT candidate and Kaohsiung Mayor Han Kuo-yu’s 38.6%. Her party, the DPP, retained control of the legislature. The results have empowered Tsai to move forward with an agenda that includes demanding “respect from China” for what she calls Taiwan’s “separate identity.” Months of protests in Hong Kong likely contributed to Tsai’s wide margin of victory, with voters seeing events in the PRC Special Administrative Region as vindicating Tsai’s wariness of the PRC. Her chief rival, Han, favored closer PRC ties. With a loss of 7 seats, the DPP now controls 61 seats in the 113-seat legislature. The KMT controls 38 seats, a gain of 3 seats. Three smaller parties control a combined 9 seats and independents control 5 seats. U.S. Secretary of State Mike Pompeo congratulated Tsai on her win and applauded “her commitment to maintaining cross-Strait stability in the face of unrelenting pressure.” PRC State Councilor and Foreign Minister Wang Yi dismissed the significance of what he called “a local election in Taiwan,” asserting, “The rejuvenation of the Chinese nation and reunification across the Taiwan Strait is an invincible trend of history.”

Trump Administration Policy

The Trump Administration has sought to “strengthen and deepen” bilateral relations with Taiwan, including by hosting a May 2019 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, Assistant Secretary of State for East Asian and Pacific Affairs David Stilwell signaled, however, that the Trump Administration remains committed to the fundamental post-1979 framework of U.S.-Taiwan relations, under which the United States maintains official relations with the PRC and unofficial ties with Taiwan, while upholding the TRA. (This U.S. “one-

China policy” is distinct from the PRC’s “one-China principle,” which asserts that Taiwan is part of China.) In his testimony, Stilwell referred to Taiwan as a “non-state” entity and referenced 1970s-era U.S.-China communiqués (see below), stating, “We, certainly, want to remain inside our own commitments to the PRC.”

An increasingly prominent element of U.S. policy is 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 Indo-Pacific Democratic Governance Consultations, to help Indo-Pacific countries address governance challenges, and a new Pacific Islands Dialogue, 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. In 2019, the U.S. Navy conducted 10 transits of the Taiwan Strait.

U.S. Commitments Related to Taiwan

Four documents underpin the U.S. “one-China policy” and U.S. relations with Taiwan: joint communiqués concluded with the PRC in 1972, 1978, and 1982, plus the TRA. In the three joint communiqués, the United States recognized the PRC as the “sole legal government of China”; acknowledged, though 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. The United States does not take a position on Taiwan’s future political 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 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 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 recommended 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; the protest movement reflects popular dissatisfaction with it.

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 denounced 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.” In a BBC interview after her re-election, 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 in June 2016 over Tsai’s unwillingness to endorse the “1992 consensus.” Since Tsai’s initial 2016 election, the PRC has established diplomatic relations with eight countries that previously recognized Taiwan: first the Gambia, then Sao Tome and Principe, Panama, the Dominican Republic, Burkina Faso, El Salvador, the Solomon Islands, and Kiribati. The PRC has also stepped up military patrols around Taiwan and 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 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 (P.L. 116-92) requires a review and report related to the TRA, a report on cybersecurity activities with Taiwan, and a report on PRC efforts to influence Taiwan’s 2020 election. It also includes sense of Congress provisions on enhancement of the U.S.-Taiwan defense relationship. 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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