

**Forum:** *Security Council*

**Issue:** *The issue of tensions in the Taiwan Strait*

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## Introduction

Ever since the retreat of the Republic of China (ROC) to the island of Taiwan, cross-strait tensions have remained a grave and consequential issue. The People's Republic of China (PRC) claims that it is the sole and only sovereign representing China. However, the current government in the ROC (led by President Tsai from the Democratic Progressive Party) has a strong stance towards the independence of Taiwan from China and into two separate countries. The ROC's position goes against the One-China Principle set forth by the PRC, and the PRC claimed to use "unpeaceful means" of force to achieve full reunification when necessary.

Over time, this issue developed into multiple key issues contributing to the continuous increase of cross-strait tensions. Contrasting beliefs about the ROC's status and geographical claims differ from the PRC, external forces like the United States of America (US), and the Democratic Progressive Party and Kuomintang Party within the ROC. Fully comprehending the issue requires one to consider the multiple parties influencing the status quo. The rise and prevalence of militarism in the Taiwan Strait have contributed to the ongoing tensions and hinders the possibilities of negotiations. Military exercises in controversial territories evoke inflammatory rhetorics. Aggravating US-China relations and the recent increase in US arms sales to the PRC further exacerbated the situation.

## Definition of Key Terms

### Taiwan Strait

The Taiwan Strait, also known as the Formosa Strait, is a strait that separates the island of Taiwan from mainland China. The Taiwan Strait is currently a part of the South China Sea.



**Caption #1:** This is a map of the South China Sea, including the Taiwan Strait (top right corner).

## South China Sea

The South China Sea is a marginal sea encompassing an area from the Taiwan Strait to the Malacca Strait, the Luzon Strait, and the Karimata, located in the Western Pacific Ocean. Multiple countries, such as China, view this sea as a strategic location and have laid claims to the region. A report from the United Nations Conference on Trade and Development (UNCTAD) suggests that about a third of the world's maritime shipping carries out through the South China Sea. Additionally, the sea holds an abundance of natural resources such as oil, natural gas, and fisheries.

## United Nations Convention on the Law of the Sea (UNCLOS)

The United Nations Convention on the Law of the Sea, more commonly called the Law of the Sea, is an international agreement that defines the right and responsibilities regarding nations' use of world oceans and establishes legal measures to ensure these rights and responsibilities. The UNCLOS is ratified by 168 parties (167 states of 164 UN member states, the UN observer state Palestine, Cook Islands, and Niue). However, countries such as the United States of America (USA) recognize the convention as a part of international law. Thus, they have not yet ratified it.

## One-China Principle

The One China Policy is the diplomatic acknowledgment that recognizes that there is only one sovereign state of China. With the One China Policy being a requirement for the establishment of any diplomatic relations with the PRC, there are currently 180 countries that adopt the policy.

## 1992 Consensus

The 1992 Consensus is the agreement in a 1992 meeting of semi-official representatives from the PRC and the ROC. It is a modification of the "One China Principle," and the 1992 consensus states that governments from both sides agree that there is only one sovereign representative of China, but may disagree on how they interpret "China." However, this "consensus" drew criticism, such as from the Democratic Progressive Party, who questions the existence of such consensus.

## Anti-Secession Law

Anti-Secession Law is a law of the PRC that claims to use "non-peaceful means" against the independence of Taiwan to achieve unification of China. Due to the "non-peaceful means" it states to employ, this law was met with much concern and controversy after it was ratified on March 14, 2015, by the Third Session of the 10th National People's Congress in the PRC.

## Background Information

### Early history

In the early 239 AD, a Chinese expeditionary force first stepped foot on Taiwan, an island located in the Pacific Ocean 160 km from the coast of southeastern China. After the Dutch East Indian Company colonized Taiwan from 1624 to 1661, Taiwan was annexed by the Qing dynasty of China, which ruled the island from 1683 to 1895. Ever since the administration of the Qing dynasty, migrants from the Fujian and Guangdong provinces of China flooded into Taiwan to flee from political repression, economic hardships, and turmoil, gradually constituting the majority of the local population on the island.

However, after the Japanese victory in the First Sino-Japanese War, Qing China ceded Taiwan to Japan in 1895 in accordance with the Treaty of Shimonoseki. During World War II, the Chinese Kuomintang government and the Allies renounced the treaties with Japan and continued the war against it. They pledged to eject Japan from its conquered territories, which included Taiwan. After Japan surrendered in 1945, it was forced to concede Taiwan to the Republic of China of Chiang Kai-shek. In the following years, discontent boiled over the Kuomintang government's authority. The civil war that broke out between Chiang's Kuomintang and the Communist Party led by Mao Zedong forced Chiang and the remnants of the Kuomintang to retreat to neighboring Taiwan and dominated the island until the martial law ended in 1987.

## Recognition and overlapping claims

The accumulating tensions in the Taiwan Strait can be traced back to the territorial recognition of Taiwan and mainland China among different parties as well as overlapping claims. After Chiang and his Kuomintang party retreated to Taiwan, they insisted on the one-party rule that his government represents both the mainland and the island. The Cold War further strengthened the stance of the US and the West in the recognition of the ROC instead of the PRC. Over the next few years, the US contributed to the tension by leading to the creation of the Southeast Asia Treaty Organization, an international organization aimed to suppress the Communist threat by unifying the region. There were also discussions within the US about signing a Mutual Defense Treaty with the Kuomintang party. Viewing these developments as increased aggression and threats, the PRC started to bolster its power in the islands of the Taiwan Strait by bombarding Jinmen, Mazu, and the Dachen Islands in the 1950s.

In 1971, after Chiang Kai Shek refused a dual-representation deal with the PRC in the United Nations (UN), the UN recognized the PRC as the sole and legitimate government representing China, causing the ROC to lose its UN Security Council seat to the communist party. During the Nixon administration, Washington reverted its stance on the issue in the Taiwan Strait. To achieve backchannel diplomacy, the US formally recognized the legitimacy of the PRC in 1979. In the 1980s, relations between China and Taiwan improved as decades of heightened tensions and hostile threats started to relax. The PRC also proposed the "one country, two systems" policy, which claims to give Taiwan a significant degree of freedom if it accepts unification from the PRC. Although the offer was rejected in Taiwan, strict rules on investments and visits to China were relaxed, and the war with mainland China was proclaimed over in 1991, marking a period of ameliorating relations.

## Ongoing tensions

In 2000, tensions surged again after the elected president Chen Shui-bian from the newly formed Democratic Progressive Party (DPP) openly backed the independence of Taiwan. Furthermore, Mr. Chen won re-election in 2004. Currently, the PRC, under its One-China Principle, recognizes that it is the sole and legitimate representative of the sovereignty in China; the Kuomintang claims that the Republic of China is the sole and legitimate representative of China, but has been in friendlier relations with the PRC. The Democratic Progressive Party, however, recognizes both the PRC and the ROC as two independent sovereign nations. His policies prompted China to ratify the Anti-Secession Law on March 14, 2005, shortly after his re-election. This law reaffirms that because Taiwan is a part of China, unpeaceful methods could be used as means to achieve reunification.

In January 2016, Tsai Ing-wen from the Democratic Progressive Party won the election against the KMT candidate. In the same year, Donald Trump won the US election, President Tsai and the US

President-elect had a direct telephone conversation, with Tsai congratulating Trump's victory. Trump later publicized the conversation and thanked the "President of Taiwan." This action, which violated the 1979 US policy when formal relations between Taiwan were cut in recognizing the PRC. In 2020, President Tsai was re-elected, which further worsened the strait relations. Moreover, the US has been intensifying its support to Taiwan through increased military arms sales and sending high ranking officials to hold meetings in Taiwan.

## Key Issues

### Contrasting views

The status of Taiwan remains a controversial and divisive topic today. The PRC strongly opposes the ROC's independence as it fundamentally opposes the One-China Principle. It views the ROC as a breakaway province that will and should eventually unify with mainland China, even though unpeaceful means. This issue is also divisive internally in Taiwan due to the differing opinions of the two major parties, the Kuomintang Party and the Democratic Progressive Party. The Kuomintang Party claims that the Republic of China is the sole and legitimate representative of China, but does not support the independence of the island. The Democratic Progressive Party, however, recognizes both the PRC and the ROC as two independent sovereign nations. The PRC and the KMT back the 1992 Consensus between the PRC and ROC that "agrees" on the fact that there exists only one sovereign China. Numerous from Taiwan, such as President Tsai who claimed that "China is threatening to impose its 'One Country Two Systems Taiwan model' on us [Taiwan]" (Tsai), and that Taiwan is an independent sovereign state — Taiwan not only has its own working government and constitution, it also democratically elect its own leaders and keeps active armed troops of around 300,000. Still, internationally, the majority of countries recognize the PRC as the sole and legitimate China. As of currently, only 15 countries internationally recognize the Republic of China and do not have formal relations with the PRC. The UN also does not recognize the Republic of China. According to the UN General Assembly Resolution 2758, it states that "Recognizing that the representatives of the Government of the PRC are the only lawful representatives of China to the UN," showing that the UN continues to recognize the PRC as the legitimate representative of China.

Furthermore, there are contrasting views regarding geographical claims in the Taiwan Strait. The US believes that the Taiwan Strait is considered as international waters and that there should be freedom of navigation in that area. However, this notion differs from that of the PRC, who believes that

free navigation in its exclusive economic zone of the Taiwan Strait is a violation of the United Nations Convention on the Law of the Sea.

## **Militarization**

Continuous militarization has been a key contributor to the ongoing and heightened tensions in the Taiwan Strait. The three main contributors of militarization are military exercises, arms sales, and the US-China tensions that indirectly spur and contribute to the two aforementioned factors.

### ***US-China tensions***

The US and China's tense relationship, soured by hostile threats and angry rhetorics between Beijing and Washington under the Trump administration, further exacerbated the situation in the Taiwan Strait. In recent years, Washington has strengthened its stance against Beijing and has leaned increasingly towards Taiwan. In 2016, President Tsai of Taiwan made a direct phone call to President-elect Donald Trump congratulating his presidential victory, which was a clear violation in the US policy in 1979 that recognizes the legitimacy of the PRC as sole China. Moreover, the recent trade war between the two superpowers has provoked further mutual aggression, indirectly contributing to more tensions in the Taiwan Strait. On October 15, 2020, the US Navy destroyer USS Barry sailed through the Taiwan Strait. The destroyer revisited on November 21, 2020, claiming that it was navigating in international waters. Tensions flared on both sides, leading to increased military exercises and arms sales that contributed to the tensions in the Taiwan Strait.

### ***Military exercises***

China has been increasingly conducting military exercises over the Taiwan Strait. President Tsai's victories in the 2016 and 2020 elections and the recently closer ties between the US and Taiwan has alarmed the PRC in mainland China. This forces the PRC to deliberately conduct more military exercises amid the growing tensions. On August 13, Beijing announced that it will commence conducting "multi-units and multi-directional systematized actual combat drills" in the Taiwan Strait. On September 18, shortly after the visit of a high official in the US State Department to Taiwan, Beijing conducted live-fire drills, justifying the action by claiming that it was done to "protect its sovereignty." In addition, the Chinese military conducted a series of military drills lasting five days shortly after October 10, the National Day of Taiwan. Beijing has been ramping up military pressure by crossing the "median line" that acted as an unofficial buffer zone. These military drills continue to heighten tensions and alarm the neighboring ROC.

## Arms sales

Due to primarily the increase in strait tensions and with Beijing ramping up military pressure, Taiwan responded by purchasing more arms, mostly from the US. On August 14, 2020, the US formalized the arms sales that included 66 F-16 American jets, marking the first sale of advanced fighter jets ever since the arms sale in the presidency of President George H.W. Bush. Furthermore, on October 22, 2020, the US approved arms sales worth around \$1.8 billion to Taiwan. The deal includes 135 precision-guided cruise missiles, light rocket launchers, sensors, and artillery. The arms sales to Taiwan, together with increasing military drills from the PRC have been key factors that deteriorated the relations between the two sides.

## Major Parties Involved and Their Views

### United States of America (US)

The US is one of the most influential external influencers in the Taiwan Strait. Although the US abides by the One China Policy when it first recognized that the PRC is the sole sovereign representative of China, it still maintains a position that Taiwan's sovereignty is yet to be determined. The Taiwan Relations Act (TRA) passed in 1979 from the US guarantees security to Taiwan as well as defensive weapons sales. The US Congress is a key supporter of Taiwan, passing numerous laws and resolutions as a way to maintain unofficial relations. Taiwan serves as a strategic geopolitical location, serving both as a buffer zone in the Pacific Ocean as well as an obstacle in the PRC's to gain full control over its claimed territories. Recently, the US has been increasingly involved in this issue due to increasing aggressions between it and the PRC.

### People's Republic of China (PRC)

The People's Republic of China is the main actor in the issue in the Taiwan Strait. The PRC believes that Taiwan is a breakaway province of China that will eventually be reunified into the one and only sovereign China, as outlined in the One-China Principle. This principle, claimed by the PRC, is agreed upon in the 1992 Consensus, a semi-official meeting between the representatives of the Kuomintang and the PRC. In 2005, the PRC passed the Anti-Secession Law, which allows the country to use "unpeaceful" means to achieve reunification in the Taiwan Strait. Recently, cross-strait tensions have been ramped up due to military exercises. The PRC requires all countries that have formal diplomatic relations with it to maintain and abide by the One China Policy. As a result, 180 countries recognize the PRC as the sole sovereign China.

## Republic of China (ROC)

The Republic of China has a drastically different stance on this issue depending on the party in power. The Kuomintang Party claims that the Republic of China is the sole and legitimate representative of China. Under the leadership of the former President of Taiwan Ma Ying-jeou, the Republic of China worked with the PRC in stabilizing strait relations through means such as economic cooperation. Both agreed on the 1992 Consensus, an “agreement” the 1992 consensus states that governments from both sides agree that there is only one sovereign representative of China, but may disagree on how they each interpret "China." The Democratic Progressive Party, however, recognizes both the PRC and the ROC as two independent sovereign nations and denies the existence of the 1992 Consensus. Despite having its own democratically elected leader, own constitution, and own military, most countries do not recognize the ROC. In recent years under the DPP government President Tsai, cross-strait tensions is increasingly intensified.

## United Nations (UN)

The UN recognizes the PRC and thus, does not recognize the ROC. In 1971, by passing the UN General Assembly Resolution 2758, the UN recognized the PRC as the sole sovereign representing China, causing the ROC to lose the UN Security Council seat.

## Timeline of Relevant Resolutions, Treaties and Events

Date	Description of event
April 17th, 1895	<p><b>China loses Taiwan</b></p> <p>After China was defeated in the First Sino-Japanese War, the Qing dynasty ceded Taiwan to Japan in accordance with the Treaty of Shimonoseki.</p>
	<p><b>Japan concedes Taiwan</b></p> <p>After the Japanese defeat in World War II, Japan conceded Taiwan the Republic of China under Chiang Kai-shek’s rule.</p>
1949	<p><b>Chiang flees to Taiwan</b></p> <p>Shortly after the return of Taiwan in 1945, discontent arose over the authoritative rule of the Republic of China. Chiang lost the civil war against the</p>

Communist Party led by Mao Zedong. In 1949, he and the remnants of the Republic of China fled to neighboring Taiwan.

#### **First Taiwan Strait Crisis**

1954

The First Taiwan Strait Crisis was a brief armed conflict that arose between the ROC and the PRC, with the PRC capturing the Yijiangshan Islands and forcing the ROC to abandon the Tachen Islands.

#### **Second Taiwan Strait Crisis**

1958

As the Republic of China built military bases on the archipelago of Matsu and the island of Kinmen, the PRC began the bombardment of the islands.

#### **The United Nations recognizes the People's Republic of China**

October 25th, 1971

After Chiang refused a dual-representation deal with the PRC in the UN, the UN passed Resolution 2758, Restoration of the lawful rights of the PRC in the UN, which claims that the PRC is the sole and legitimate government representing China.

#### **The United States recognizes the People's Republic of China**

1979

The US formally recognized the PRC as the sovereign representing China and adopted the One-China Policy.

#### **1992 Consensus**

October 28th, 1992

The 1992 Consensus refers to the meeting between semi-official representatives of the PRC and the ROC under Kuomintang. They agreed that there is only one sovereign China, but may disagree on the interpretation of that China.

#### **Ratification of the Anti-Secession Law**

March 14th, 2015

The Anti-Secession Law was passed by the third session of the 10th National People's Congress, with the PRC claiming to use 'unpeaceful means' to reunify China.

## **Relevant UN Treaties and Events**

- Restoration of the lawful rights of the People's Republic of China in the United Nations, 25 October 1971 (**A/RES/2758(XXVI)**)

## Evaluation of Previous Attempts to Resolve the Issue

There have been limited attempts to resolve the issue. A cause leading up to this is the fact that the vast majority of countries recognize the PRC as the only sovereign representative of China; 180 countries recognize the PRC as the sole representative of China while only 15 countries recognize the Republic of China. There have also been limited UN resolutions aimed at tackling this issue. With the UN Resolution 2758 being arguably the most impactful one, it dates back to 1971 and recognizes that the "representatives of the Government of the PRC are the only lawful representatives of China to the United Nations" (UN resolution 2758). It should be noted that given the nature of the Security Council and the current influence of the PRC, plans that differ from the PRC's interpretation of the issue are likely to be vetoed.

Still, attempts to ameliorate the tensions in the Taiwan Strait can still be seen in the former leadership of President Ma from the Kuomintang Party. In 2010, the Republic of China signed the Economic Cooperation Framework Agreement (ECFA) with the PRC as a way to foster regional economic integration and cross-strait relations. Ministers in charge of cross-strait relations from both sides met in February 2014, both referring to the other through their official titles. On November 7, 2015, President Ma of Taiwan and Chinese leader Xi Jinping met in Singapore, the first time in 66 years after the two became separated, marking a key step towards developing sustainable and peaceful cross-strait relations.

## Possible Solutions

Due to the recent increase in tensions, it is critical to establish measures to foster confidence and peaceful relations in the Taiwan Strait. Lowering militarization is a critical first step towards solving this issue, as the increase in militarization is a crucial contributor to rising tensions that prevent negotiations and a consensus. Military officials in Taiwan have urged the People's Liberation Army (PLA) to increase transparency and confidence by publishing details of military exercises, but such a solution would be difficult for China to agree on as the PLA often insists on keeping the element of surprise. The PRC could also consider a withdrawal of a portion of missiles aimed at Taiwan. The threat of the unpeaceful means through force makes it difficult for negotiations and proposals. The downgrading of the military alert levels, accompanied by the downsizing of military deployment can be useful in opening new possibilities. A reduction in military drills or intentional military navigation in disputed waters could also decrease cross-strait tensions. A change, reduction, or even a curb in the increasing arms sales from the

US to the PRC could also foster regional peace, but a modification to the current arms sales could bring huge and unpredicted consequences due to the complications involved in this action.

With tensions lowered, the ROC and the PRC could focus on confidence-building measures. An increase in regional interests in non-security issues can create new opportunities for cooperation. For example, economic development such as establishment of The Economic Cooperation Framework Agreement (ECFA) in 2010 has significantly ameliorated cross-strait tensions.

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