

## Congressional Friends Press Administration on Taiwan Policy

At the April 21 House International Relations Committee hearing on the twenty-fifth anniversary of the Taiwan Relations Act, a number of Taiwan's strongest Congressional friends pressed the Bush Administration to revisit aspects of U.S. policy toward Taiwan.

Chair Henry Hyde (R-IL), noting that he is "one of the small group of members remaining in the House who were actually serving at the time of the TRA's creation," stated that Congress faced a "dilemma" when President Carter decided to formalize relations with the People's Republic of China. "How could one engage fully with a rising power which ruled the world's largest population, without at the same time casting aside an old friend, something which the American people and their representatives found to be unacceptable and even repugnant," was the issue.

The way out of this dilemma, said Hyde, "was found through the genius of the Taiwan Relations Act. The act clearly stated in the opening paragraphs the intention to make clear that the United States' decision to establish diplomatic relations with the People's Republic of China rests upon the expectation that the future of Taiwan will be determined by peaceful means. Many of the great congressional leaders -- such as Senator Barry Goldwater -- who met the challenge to ensure there would be no use of force in the Taiwan Strait, and that the future of Taiwan would only be determined with the express consent of the people of Taiwan, have passed into history."

Members did press the Bush Administration representatives, James Kelly, Assistant Secretary of State for East Asia and Pacific Affairs, and Peter Rodman, Assistant Secretary of Defense for International Security Affairs, on several points of current U.S. policy.

Rep. Tom Lantos (D-CA) declared, "As we look at the next quarter century of challenges facing the Asia-Pacific region, the United States must redouble its efforts to build closer ties to Taiwan, while at the same

time maintaining a mutually productive relationship with the PRC.

"The United States and other nations must acknowledge the fact that there is a tremendous rise in Taiwan national consciousness among average Taiwanese, and we must find ways to accommodate a stronger role for Taiwan on the international stage. "Unfortunately, this administration has paid mere lip service to winning Taiwan's entry into the World Health Organization. Sustained, concerted efforts by the Department of State and the White House are essential in convincing other nations to join us in supporting Taiwan's WHO bid, and Taiwan's participation in other international organizations and fora.

"We must also speak plainly to the Chinese leadership in Beijing. They must understand that from an American perspective any settlement between China and Taiwan must be arrived at through peaceful means, without coercion and with the full support of the people of Taiwan," Lantos argued.

Lantos also stated that it was his "fondest hope that both you and I will have the honor of greeting President Chen in Washington in the foreseeable future." Lantos forcefully pressed this issue, declaring, "I, for the life of me, cannot understand the continued insistence of this administration on truly absurd diplomatic policies such as denying the president of Taiwan the right to visit Washington DC, the right to meet with members of Congress here in our nation's capital."

Rep. Steve Chabot (R-OH) also worked over the Administration regarding high-level visits by Taiwanese officials. "Many members of this committee have developed a strong friendship and close working relationship with President Chen, for example, with Vice President Lu and with many other Taiwanese officials that we've met [who] only have been able to come to the United States on preapproved transit visits. I had lunch in the Capitol a few weeks ago with Mr. Mark Chen, then a legislator. Today Mr.

Chen is Taiwan's new foreign minister -- basically like our Secretary of State -- and can no longer come to our Capitol on an official visit. Frankly I think that that policy is kind of silly.

“Can you tell me what the administration's position on high-level visits is at present? And do you anticipate any changes in the policy in the near future?” Chabot asked.

Kelly's response did not please Chabot, as Kelly stated, “Mr. Chabot, the position on high-level visits would suggest an official visit, and in that case they're not welcome. The possibility though of personal travel of unofficial communications is very great, although there are signals that would be sent for the president or vice president of Taiwan to come to Washington, D.C.”

Chabot repeated his concerns, “I know that this administration and many previous ones have dealt with this for some time. But I would strongly urge this administration to break with previous administrations and permit high-level officials to come here to the United States. After all, we're supposed to be -- we stand for freedom and democracy and we ought to let them come here.”

Rep. Robert Wexler (D-FL) raised the issue of Taiwan's participation in the WHO and US support for Taiwan on this question. “I would hope to inquire of Secretary Kelly where we exactly stand in terms of the World Health Organization in the context of Taiwan. And I would like to take this opportunity to ask your view in terms of the contextual perspective of this relationship. It seems to me that so much of what we wind up doing in the context of balancing our relationship between or amongst Taiwan and China is a plus and a negative on the ledger. Whenever we do one, we wind up compromising the other in certain instances. And I've had this conversation with the Chinese government, and it would seem to me that one of the most of the most useful roles we could play is to find those few issues where by advocating for moderate change we would be enhancing both parties, if we could convince both parties that is in fact what we are doing. And it would seem to me the World Health Organization is such an opportunity.”

Kelly agreed with Wexler's remarks but noted that China was not dealing with the WHO as a health issue but rather as a political one. He then stated, “We're going to be back there [Geneva] again this year, sir, working hard at it. We're going through all of the

different options that the Secretary of Health and Human Services, who is the U.S. rep, will do there.”

Wexler asked Kelly, “And our level of commitment to seeing this through, is it very high, high, moderate?”

Kelly assured Wexler, but added a caveat, “It's very high, but our commitment to see things through, especially U.N. organizations like the WHO, all too frequently, as we saw with the human rights resolution in Geneva, [is] not matched by results with necessary support that we need to have from other countries.”

As usual, Rep. Dana Rohrabacher (R-CA) was a vociferous proponent for Taiwan, stating, “Let's just state very clearly that until there are free elections, opposition parties, a free press, and freedom of speech on the mainland of China, the communist government should butt out of Taiwan's affairs. They have enough reform to do under their own domain, that should take up their time and their effort, as compared to the time and effort that they now are using to try to intimidate Taiwan. The threat to peace in the Pacific is not too much democracy and independence in Taiwan, but the dictatorship and militarism in Beijing.

“The people of Taiwan will determine through a democratic process whether or not they want to be part of a government controlled from Beijing,” Rohrbacher declared.

Because the Committee members had to recess for a series of votes, Rep. Shelley Berkley (D-NV) had to submit her questions to Kelly for later response. Berkley did state, “I wanted to associate myself with the remarks of Mr. Chabot. I had the opportunity to join him on a Congressional trip which he led to Taiwan. It was very enlightening and he was an outstanding leader of our delegation. I share his concerns. His questions would be my own.

“We all know,” Berkley continued, “there are precious few democracies in the world, and I think it's our responsibility as the greatest democracy to nurture and support those that do exist. In my opinion, as China become stronger, both economically and militarily, there will be less inclination on their part to exercise restraint and less need for them to do so.”

Berkley did ask, “If China were to move aggressively militarily against Taiwan, what would the response of the United States government be, in your opinion?”

Kelly responded, “The United States would, in accordance with the direction of the Taiwan Relations Act, view any such act as a matter of grave concern.

And I think the president's remarks from three years ago [the US would do "whatever it takes" to help Taiwan defend herself] that have been cited several times here, would very much apply."

During his testimony, Kelly was quick to point out US concerns about war in the Taiwan Strait. He stated, "Because the possibility for the United States to become involved in a cross-strait conflict is very real, the president knows that American lives are potentially at risk. Our One China policy reflects our abiding commitment to preserve peace in the Taiwan Straits so long as there are irreconcilable differences."

Kelly continued, "Realistically, any unilateral move towards independence will, in our view, avail Taiwan of nothing it does not already enjoy in terms of freedom, autonomy, prosperity and security. Such measures could carry the potential for a military response from the PRC, a dangerous, objectionable, and foolish response, if such a thing were done by China, that could destroy much of what Taiwan has built, and it would damage China, too, of course. We in the United States see these risks clearly and trust they are well understood by President Chen Shui-bian and others in Taiwan."

Kelly added, "The United States is not a direct participant in the dispute between the PRC and Taiwan, but we have strong interest in doing all we can to create an environment conducive to peaceful resolution. We believe both sides desire and need good relations with one another. The United States will continue to urge Beijing and Taipei to pursue dialogue as soon as possible through any available channels without preconditions. It is also time the two sides begin exploring measures that reduce the chance for miscalculation and improved communications in the event of a crisis."

Rep. James Leach (R-IA), the chair of the Asia Pacific Subcommittee, reflected several of Kelly's points when he stated, "In an American historical context, there is an assumption that the precepts of self-determination and independence are interlinked. But for the sake of peace and security for Taiwan and the broader Asia-Pacific region, there would appear to be no credible option except to recognize that these precepts are divorced on one place in the planet -- that being Taiwan.

"Taiwan can have de facto self-determination -- meaning the ability of a people to determine their own fate through democratic means -- only if it does not attempt to be recognized with the de jure sovereignty

by the international community. While clarity of national identity is psychologically attractive, there is clearly greater security for the Taiwanese people in political ambiguity. There is nothing to be gained by steps towards independence if they precipitate a catastrophic and unwinnable conflict between the mainland and the island," Leach continued.

He concluded, "Hence, as we make it clear to China that the U.S. is steadfastly committed to ensuring that the status of Taiwan not be altered by the use of force, we also have an obligation not to entice Taiwan's real chosen rhetoric of ours or theirs into a sovereignty clash with China. Substantial Taiwanese self-determination is clearly possibly only if sovereign national identity is not loudly trumpeted."

Rep. Dan Burton (R-IN) made a forceful statement about Taiwan when he said, "I was never a big fan of the Taiwan Relations Act. I always felt like the people of Free China, that's what I call Taiwan, deserved better treatment than was given in the Taiwan Relations Act, but I understand that it may have been helpful in staving off a military conflict. So there may be some positives in that act. But, I also think there's a lot of negatives. One of the negatives that really bothers me is that, regardless of who the President of Taiwan is, it seems to me unseemly that he can't visit the United States as a head of state, and he has to come in almost under the cover of darkness into places like New York after he gets his visa. And members of Congress can't meet with him in the capital of the United States, our capital, we have to go to New York or someplace else. And that just seems to me unseemly, because that is a democracy, and we should be happy they're a democracy, and treat them as a democracy."

But Burton also gave airtime to pan-blue criticisms of Taiwan's election and President Chen. "On March 27th, after a 500,000-people rally, President Chen promised that he would establish an independent committee to investigate the gun shooting and the voting irregularities. And so far, to my knowledge, nothing has been done. Could we do anything to accelerate that process?"

He added, "Congratulatory messages from both the State Department and the White House emphasized the use of established legal mechanisms to resolve the disputes around Taiwan's presidential elections. If the disputes cannot be resolved before the May 20th inauguration, is it wise for us to send a delegation while everything's still in limbo?"

Burton also raised the phony issue of “thousands and maybe tens of thousands of military personnel” having been denied their voting rights. He asked what the State Department was doing “to express our concern to the government of Taiwan.”

The TRA hearing was, overall, a big plus for Taiwan as our Congressional friends stood up for Taiwan’s rightful place in the world. But, as Burton’s comments indicate, we still have “miles to go before we sleep and promises to keep” for our Beautiful Island.

## **Congress Strongly Supports Referendum and Self-Determination on Eve of Elections**

On March 17, 2004, 36 members of the U.S. House of Representatives led by Representatives Peter Deutsch (D-FL) and Dana Rohrabacher (R-CA) sent an open letter (See: below for full text and signatories) to the people of Taiwan concluding: "You have earned the right to hold exclusive responsibility for determining the future of Taiwan and to exercise democratic processes. This includes holding referenda free from intimidation or threat of force from any country including communist China."

FAPA President Ming-chi Wu stated: "This is the first time the United States Congress directly appeals and writes to the people of Taiwan, praising their long-fought democratic achievements. This letter is also the clearest and most powerful manifestation of the United States Congress' support for the upcoming referendum."

Wu continued: "According to Rep. Deutsch, the initiators of the letter could have gotten hundreds of signatures if they would not have been limited by the time constraints. Reps. Deutsch and Rohrabacher literally had two working days to recruit the signatures, officially starting from last Friday."

Wu concluded, "Referenda are a frequent practice in democratic countries such as the United States and/or Switzerland. The voice of the people is fundamental to a democracy and referenda are the ultimate demonstration of the free expression of the views and free will of the people. That is the reason why Members of the U.S. Congress have stood up today and have expressed their strong support for Taiwan holding referenda. To them, supporting referenda equals to supporting freedom and democracy. We hope this open letter will affect those undecided voters, encouraging them to vote and thus becoming first-hand participants in this historic event."

**United States Congress**

**Washington DC 20515**

**March 17, 2004**

*To the people of Taiwan:*

*The Preamble to the U.S. Constitution is clear and straightforward: "We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."*

*This assertion of self-determination is fundamental to our nation and our national psyche. It is also fundamental to our desire to share the ideals and benefits of democracy with our neighbors. As Members of Congress, we are committed to both protecting this democratic tradition and to ensuring that our nation follows a foreign policy that supports democracies around the world.*

***We believe that you, the people of Taiwan have consistently demonstrated your passion for human rights, transparency, and the democratic process. Your 23 million citizens have earned the right to decide for yourselves the issues affecting your well-being and security. You have earned the right to hold exclusive responsibility for determining the future of Taiwan and to exercise democratic processes. This includes holding referenda free from intimidation or threat of force from any country including communist China."***

Rob Andrews, Joe Barton, Michael Bilirakis, Sherrod Brown, Allen Boyd, Richard Burr, Dennis A. Cardoza, Julia Carson, Steve Chabot, Jerry Costello, Chris Cox, Jo Ann Davis, Lincoln Diaz-Balart, Peter Deutsch, Tom Feeney, Scott Garrett, Mark Green, Joel Hefley, Patrick Kennedy, Steve King, James Langevin, Nita M. Lowey, Michael R. McNulty, Bob Ney, Frank Pallone, Dana Rohrabacher, Ileana Ros-Lehtinen, Pete Sessions, David Scott, Chris Smith, Mark E. Souder, Cliff Stearns, Tom Tancredo, Edolphus Towns, Anthony Weiner, David Wu

**Taiwan’s Presidential Election:**

## Some Personal Reflections

The untold story of Taiwan's 2004 presidential election is the heroic effort of President Chen and the Democratic Progressive Party to keep their followers calm in the face of unprecedented provocations by the opposition.

I was on the edge of the crowd that had gathered at the DPP's campaign headquarters the afternoon that the president was shot. Several old timers heard me speaking in the Minnan dialect used by 70% of the island's people as their first language. They were ready to strike back at what they believed was a KMT inspired attack on the president. They recounted a long litany of grievances, starting with the massacre of about 20,000 Taiwanese by KMT troops in 1947 and running through the unsolved murders of several democratic dissidents over the 38 years of KMT imposed martial law.

I felt a chill go through me. These conversations scared me, not for my own safety but because I realized that a single confrontation at that time could well spark a vicious retaliatory cycle. The 2/28/47 events, I remembered, started with a relatively simple altercation between a woman selling cigarettes without a license and KMT police/soldiers. That incident escalated to an island-wide set of confrontations and, I thought, the tension here this afternoon could well spark the same.

The DPP campaign officials seemed to realize this as well. Immediately they had their people on the stage at the campaign headquarters and they began to lead the crowd in song. The one that was heartbreaking in its simplicity and emotion was used at the 228 Hand-in-Hand rally and called on all to stand "hand-in-hand, heart-to-heart, walking together to protect our precious island." No recriminations here, no calling for retaliation. Keep calm, all will be well, hang in there for the sake of Taiwan.

That evening, as the crowd at the campaign headquarters swelled, DPP officials continued to urge calm. They had Presbyterian ministers and Buddhist monks speak to the crowd, urging them to stand together, to not be provoked, to remain calm under the pressure, to have hope in Taiwan and its future.

The high point was Lin Yi-hsiung's reading of a prayer of hope, reconciliation and peace. In 1980, while Lin was being held as a political prisoner and about to be interrogated, his mother and twin daughters were brutally knifed to death in their home. Because he was a political prisoner, his home was under

constant surveillance, yet the perpetrator of these terrible murders was never found. For him to be able to call for calm and reconciliation at that moment was simply astounding, yet very much in character for a man who has dedicated himself to healing the wounds of the past.

At the same time as Lin and others were calling for calm, independent legislator Sisy Chen, who had associated herself with the pan-blue campaign, was on television using inflammatory rhetoric claiming that the assassination attempt was a fake.

The election went off without a hitch the next day. I watched for about an hour at a polling place in downtown Taipei as a steady stream of voters took their ballots. Calm was the order of the day there, and by all reports, throughout the island.

About 20 of us gathered at the DPP campaign headquarters to watch the election returns and they began to stream in later in the afternoon. "We're going to win, we're going to win," I told a friend who called. "And we will dance the night away," I said.

No such luck. We watched the tv screen as the voting tally finally rolled to a stop. Chen/Lu by less than 30,000 votes. We were overjoyed. But then the announcement came that Lien Chan was to give a speech, a concession speech we all thought. Lien started off quietly, asking all to keep cool and be reasonable. Then his face contorted, his anger visible, and he began to claim the election was unfair, that the assassination attempt of the previous day left many "uncertainties," that the election should be annulled.

Joseph Wu, the deputy secretary-general to the president, was seated beside me. Two sentences into Lien's tirade, he jumped up and ran out the door, shouting, "This means trouble." The rest of us were left stunned, wanting to be happy with the victory but unable to be so because of the turmoil Lien had unleashed.

On the night of March 19<sup>th</sup>, I had helped refine the English version of President Chen's draft acceptance speech. I knew that imbedded in it was a paragraph which stated, "I also want to express my highest respects to Mr. Lien and Mr. Soong. I want to thank the KMT and PFP parties for their criticisms and suggestions during the campaign period. Taiwan's democracy will only make progress if the ruling and opposition parties engage in serious monitoring and mutual criticism."

No way in hell he's going to use that paragraph after Lien's tirade, I thought as I waited to hear what President Chen would actually say when he greeting the immense crowd outside the campaign headquarters the evening of March 20<sup>th</sup>.

But use it he did, as well as a paragraph making "a sincere and serious appeal to our supporters. We must not demonstrate any arrogance, and we must refrain from any irrational or undemocratic behavior. The election is over, and even though there are people who have different ideologies and beliefs, from now on we must all embrace each other, creating a harmonious and unified new Taiwan through our love and tolerance."

So far, so good. As I write today, April 5, 2004, the opposition continues to make unsubstantiated claims yet the Chen Administration has met legitimate calls for a recount and for an investigation into the shooting incident with equanimity and graciousness. We are days away from that fateful afternoon when a single spark could have set off a conflagration. Let us hope that the cooler heads of the DPP prevail and the business of creative democratic debate resumes in Taiwan. If so, East Asia and the world will sleep better. I know I will.

**Michael J. Fonte**

## On to Geneva: Taiwan's WHO CAMPAIGN

As the mid-May World Health Assembly meeting approaches, the House passed H.R. 4019, "Concerning the Participation of Taiwan in the World Health Organization," on April 21<sup>st</sup> and the bill also passed the Senate on May 6.

The bill authorizes the State Department to:

- (1) initiate a United States plan to endorse and obtain observer status for Taiwan at the annual week-long summit of the World Health Assembly each year in Geneva, Switzerland;
- (2) instruct the United States delegation to the World Health Assembly in Geneva to implement that plan; and
- (3) introduce a resolution in support of observer status for Taiwan at the summit of the World Health Assembly.

The bill also mandates:

(c) Report Concerning Observer Status for Taiwan at the Summit of the World Health Assembly- Not later than 30 days after the date of the enactment of this Act, and not later than April 1 of each year thereafter, the Secretary of State shall submit a report to the Congress, in unclassified form, describing the United States plan to endorse and obtain observer status for Taiwan at the annual week-long summit of the World Health Assembly (WHA) held by the World Health Organization (WHO) in May of each year in Geneva, Switzerland. Each report shall include the following:

- (1) An account of the efforts the Secretary of State has made, following the last meeting of the World Health Assembly, to encourage WHO member states to promote Taiwan's bid to obtain observer status.
- (2) The steps the Secretary of State will take to endorse and obtain observer status at the next annual meeting of the World Health Assembly in Geneva, Switzerland.

*[We continue to solicit signatures from Members of Congress for the following congratulation letter]*

## Congressional Congratulation Letter to President Chen Shui-bian

President Chen Shui-bian  
Office of the President  
Taipei, Taiwan

Dear President Chen:

We write to congratulate you on your election as President of Taiwan and the people of Taiwan for their historic vote to strengthen democracy in Taiwan. Congress and the American people remain unequivocally committed in their support for the people of Taiwan, and it is important that we highlight this momentous occasion and the unbreakable bond between our two peoples.

The Taiwanese people should be praised for their continued commitment to freedom, human rights and democracy, and for their dramatic voter turnout in the Presidential election - greater than 80% of registered voters. Taiwan has truly emerged as a model for other developing democracies to emulate in Asia and across the globe.

Over the past years, Taiwan's democracy has grown stronger and more resilient. We are extremely impressed by your commitment to the political and economic success of Taiwanese who share your unbridled enthusiasm and determination for a better future. As you form your new government, there will be several important issues that your Administration will have to address:

As Members of Congress, we hope that you will advocate for renewed cross-strait dialogue with the People's Republic of China (PRC). Stability and peace are in the best interest of Taiwan, China, the United States and all nations in the region. Successful cross-strait dialogue must also include cooperation from Beijing. We strongly believe that continued statements coming from Beijing threatening to use force against Taiwan are unacceptable. Please know that although we seek first and foremost to promote peace and stability in the Taiwan Strait, the United States is committed to ensuring that the future of Taiwan be determined peacefully by the people of Taiwan and free from outside threats, intimidation, or interference.

It is the goal of Congress to further strengthen U.S.-Taiwan relations and we look forward to working with you and your government in a number of critical areas, including a renewed American effort to support Taiwan's bid to obtain observer status at the World Health Organization and other international multilateral organizations, enhancing Taiwan's security, expanding overall trade and economic relations, the continuation of high-level meetings between American and Taiwanese cabinet members, a concerted effort to reinvigorate cross-strait talks to help preserve peace and stability in the Taiwan Strait, and other issues that of mutual benefit to the United States and Taiwan.

Additionally, we seek your nation's continued support in the war on terrorism and in international efforts to rebuild Afghanistan and Iraq.

President Chen, as you begin your second term, we hope to reassure you that we are committed to the security, prosperity and future of the people of Taiwan. All Americans can truly appreciate the steps taken by the people of Taiwan to strengthen their nation for future generations.

We know that you will continue to be a strong advocate for the people of Taiwan, and we welcome the opportunity to work with you and to foster even stronger links between our two democracies.

Again, congratulations on your second term as President of Taiwan. We know that Taiwan's future as a bastion of democracy and freedom will continue to shine brightly in this new millennium.

Sincerely yours, Members of Congress