**A *Modus Vivendi* for Taiwan’s “International Space”?**

**A Functional-Competence Model for Taiwan’s Participation in International Organizations**

By

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INTRODUCTION

Cross-strait relations have eased considerably since the May 2008 inauguration of President Ma Ying-jeou of the KMT in Taiwan. Scheduled charter flights now fly between the mainland and Taiwan every day, rather than only during special holidays or weekends, fulfilling the so-called Three Links (*san tong*) – a goal the mainland authorities first articulated in 1979. The Chinese gave Taiwan a pair of giant pandas with names that denoted union. An increasing number of mainland tourists now visit Taiwan. Negotiations between the two sides’ quasi-official bodies – Taiwan’s Straits Exchange Foundation (SEF) and China’s Association of Relations Across the Taiwan Strait (ARATS) resumed for the first time since 1998 under the pretext of the so-called “1992 consensus.”[[1]](#footnote-1) China’s top envoy on Taiwan, Chen Yunlin, head of ARATS, visited Taiwan last November and met President Ma.

Because Taiwan’s cross-strait relations and foreign relations are intertwined, Ma sought to leverage improved cross-strait relations so as to improve Taiwan’s “international space.” He advocated a “viable diplomacy” (*huolu waijiao*) based on a “diplomatic truce” (*waijiao xiubing*) and a pledge of “three noes” (no unification, no declaration of independence, and no war) during his term.[[2]](#footnote-2)

Despite the thaw in cross-strait relations, the question of Taiwan’s “international space” remains a thorny issue – one that can derail the cross-strait rapprochement. Taiwan’s “international space” entails several aspects: bilateral official and unofficial (or “substantive”) relations, memberships in intergovernmental organizations (IGOs) and nongovernmental organizations (NGOs). Participation in IGOs is arguably the toughest area, where the gap between Taiwan’s aspirations and stature is the greatest.

Starting in 2005, Chinese Communist Party (CCP) Secretary-General Hu Jintao has started to address Taiwan’s “international space.” In the joint press release of 2005 between the CCP’s Hu and then KMT Chairman Lien Chan, Hu proposed to “(after the resumption of cross-strait dialogue) discuss the issue that Taiwan people are concerned about – participation in international activities, including set as a priority the discussion of the issue of (Taiwan’s) participation in the World Health Organization.”[[3]](#footnote-3) Then on 31 December 2008, the eve of the thirtieth anniversary of Ye Jianying’s “To Taiwan Compatriots” speech, Hu further said that “regarding the issue of Taiwan’s participation in activities of international organizations, under the precondition of not creating “two Chinas” or “one China, one Taiwan,” (we) can, through the pragmatic negotiation between the two sides (of the Strait), make suitable and reasonable arrangements.”[[4]](#footnote-4)

Speculation abounds whether China will permit (or at least will not oppose) Taiwan’s participation, for the first time, as an observer at the World Health Assembly (WHA) in May 2009.[[5]](#footnote-5) Pundits point to that prospect, as well as the observation that the number of countries with which Taiwan has maintained diplomatic relations (23) has remained the same as evidence of “success” of Ma’s policies. A *modus vivendi* may be emerging.

However, what happens *after* Taiwan becomes an observer at WHA (but not member at WHO)? Is that the beginning or the end of Taiwan’s participation in IGOs? What if China treats WHA as an exception, a “concession” of some sort to “reward” the more cooperative KMT but can take it away if a less cooperative party follows the KMT in 2012 or 2016?

This paper seeks to tackle this challenging issue – both from scholarly and policy perspectives. It proposes a *general* model based on *functional competence* for Taiwan’s participation in international organizations. This model is compatible with the core principles of Taiwan and China and their current policies. By reconceptualizing the rationale for IGOs from *state centrality* to *functional competence*, this model seeks to contribute a solution to one of the toughest issues in international law and politics.

DILEMMAS FOR TAIWAN’S INTERNATIONAL PARTICIPATION

Discussions on Taiwan’s international participation should begin with choosing among the contrasting perspectives on Taiwan’s contested international status.[[6]](#footnote-6)

According to the official yearbook of Taiwan,[[7]](#footnote-7)

The Republic of China (ROC) is a sovereign state with a population of 23 million and a defined territory consisting of the islands of Taiwan, Penghu, Kinmen, Matsu, and several islets. Since the establishment of the People’s Republic of China (PRC) in 1949, the two sides of the Taiwan Strait have been governed separately, with neither subject to the other’s rule. The Republic of China maintains its own national defense and conducts its own independent foreign policy, including full diplomatic relations with nearly 30 (*sic*) countries and substantive ties with more than 140 others. Its democratically elected government represents the 23 million people living in Taiwan, and no other government in the world can legitimately claim to represent them or speak on their behalf.[[8]](#footnote-8)

According to the official “White Paper” of China,[[9]](#footnote-9)

There is only one China in the world, of which Taiwan is an inalienable part. The Government of the People’s Republic of China has been recognized by the United Nations and throughout the world as the sole legal government representing the entire Chinese people… The sovereignty of each State is an integral whole which is indivisible and unsharable. The Government of the People’s Republic of China, as the sole legal government of China, has the right and obligation to exercise state sovereignty and represent the whole of China in international organizations. The Taiwan authorities’ lobbying for a formula of “one country, two seats” in international organizations whose membership is confined to sovereign states is a maneuver to create “two Chinas.” The Chinese Government is firmly opposed to such an attempt.[[10]](#footnote-10)

Objectively, Taiwan meets the four criteria for statehood authoritatively defined by the Montevideo Convention: (1) a permanent population, (2) a defined territory, (3) government, and (4) capacity to enter into relations with other states.[[11]](#footnote-11) However, its international relations have been severely restricted by China’s obstruction and by the international community’s reluctance to challenge China’s position (or acquiescence).

Consequently, Taiwan is the most prominent of a handful of “*de facto* states”: “entities which feature long-term, effective, and popularly-supported organized political leaderships that provide governmental services to a given population in a defined territorial area.”[[12]](#footnote-12) *De facto* states are in some ways mirror images of “quasi-states” – those so-called states that enjoy juridical equality as a result of international support but cannot otherwise stand on their own. As Pegg puts it, “The quasi-state is legitimate no matter how ineffective it is. Conversely, the *de facto* state is illegitimate no matter how effective it is.”[[13]](#footnote-13) A *de facto* state like Taiwan is a functional reality that is denied legitimacy by the international society.

Currently 23 states recognize and maintain diplomatic relations with the ROC,[[14]](#footnote-14) and some 170 states maintain diplomatic ties with the PRC. No country simultaneously keeps formal ties with both the ROC and the PRC – largely owing to the PRC’s opposition to “dual recognition.” The ROC joins a select group of partially recognized states. For example, Kosovo, which declared independence in February 2008 from Serbia, is recognized by 46 countries. The Sahrawi Arab Democratic Republic (Western Sahara) is recognized by 49 states.[[15]](#footnote-15) Other cases are more tenuous: The Turkish Republic of Northern Cyprus is only recognized by Turkey. In the aftermath of the Russian-Georgian war in August 2008, Russia unilaterally recognized South Ossetia and Abkhazia, which were regarded as parts of Georgia. The proliferation of partially recognized states, especially those that are recognized by more than one United Nations members, shows the limits of traditional international law. It raises the question of whether sovereignty should be understood as degree or kind. Is there a threshold above or below which a state’s sovereignty is judged to be present?

Taiwan’s case exemplifies this anomaly. The country’s quandary is a result of the “sovereignty game.” Stanford political scientist Stephen Krasner thinks “A state like Taiwan can have Westphalian sovereignty, but not international legal sovereignty.”[[16]](#footnote-16) In his taxonomy, “international legal sovereignty” refers to the practices associated with mutual recognition, usually between territorial entities that have formal juridical independence, while “Westphalian sovereignty” as political organization based on the exclusion of external actors from authority structures within a given territory.[[17]](#footnote-17)

Although Taiwan is recognized by only twenty-three mostly small and poor states, it maintains “substantive relationships” with over 140 others, including the most influential ones like the United States, Japan, and the European Union (EU).[[18]](#footnote-18) Some of these relationships are unofficial only in name.

One respected international law text observes: “The American Institute of (*sic*) Taiwan functions like an embassy and actually all U.S. relations with Taiwan are much like those with any state or government.” It asks, “In view of the unofficial relations maintained with Taiwan by so many states, should it be considered to be a state, although perhaps a state a bit different from the usual?”[[19]](#footnote-19)

Major states have been unwilling to recognize Taiwan in deference to the PRC and the government of Taiwan has hitherto not sought recognition as a new Taiwanese *state*.[[20]](#footnote-20) In other words, an implicit fifth Montevideo element – an entity can only be recognized as a state if it calls itself a state – could be used to reject Taiwan’s statehood (but not ROC’s statehood, because the ROC was founded in 1912, still exists, was a member of the UN from 1945 to 1971, and is still recognized by 23 states).

Until 2000, Taipei’s position had been that Taiwan (1) is a part of a historical China, (2) is open to unifying with a future democratic China, and (3) presently is synonymous with the Republic of China, a sovereign state that exercises effective jurisdiction over Taiwan and some smaller islands. For the current ruling party, the KMT (or the Nationalists), who also ruled Taiwan from 1945 until 2000, the issue is one of recognition of an existing *government*.

However, the ruling party from 2000 to 2008, the Democratic Progressive Party (DPP), seems to envision a new state. The DPP’s platform states: “Taiwan’s sovereignty is separate from and does not belong to the People’s Republic of China. Nor does Taiwan’s sovereignty extend to the Chinese mainland.” The platform calls for “establishing an independent country in accordance with the reality of Taiwan’s sovereignty, enacting a new constitution…and returning to international society based on principles of international law.”[[21]](#footnote-21) President Chen Shui-bian in fall 2003 called for a new constitution for Taiwan by 2006, which he eventually failed to deliver.[[22]](#footnote-22)

Chen’s predecessor, former president of Taiwan and current spiritual leader of the Taiwan Solidarity Union (TSU) Lee Teng-hui, argues that “the Republic of China no longer exists,” and that for Taiwan to become a “normal country” it must have a name “rectification” [*zheng ming*] and “discard the ‘Republic of China’ moniker.”[[23]](#footnote-23)

In sum, Taiwan’s unique international legal status is more a result of the recognition game rather than an intrinsic lack of statehood.

There are two main schools of thoughts on the issue of recognition. The *declaratory* school argues that statehood is objective. An entity is a State or it is not. Article 3 of the Montevideo Convention declares, “The political existence of the state is independent of recognition of other states.” Article 6 further clarifies the nature of recognition: “The recognition of a state merely signifies that the state which recognizes it accepts the personality of the other with all the rights and duties determined by international law” and “recognition is unconditional and irrevocable.”[[24]](#footnote-24)

In contrast, the *constitutive* school argues that recognition should be added to the four Montevideo elements of statehood.[[25]](#footnote-25) Theory notwithstanding, recognition, in practice, has been granted or withheld on *political* grounds, to preserve or advance national interests, to convey disapproval or censure.

Although Taiwan satisfies the four Montevideo elements of statehood, it is not accorded recognition by other states because of China’s opposition. China’s rising international stature means that states may be increasingly unwilling to challenge its position. Hence, the differences between the KMT and the DPP on recognition, for all practical purposes, are rendered moot.

China’s refusal to treat Taiwan as an equal and its opposition to Taiwan’s participation in intergovernmental organizations (IGOs) rests on a syllogism:

* There is only one China and Taiwan is a part of China;
* The PRC is the sole legal government representing all China;
* Membership in IGOs is confined to sovereign states;
* Hence, Taiwan is ineligible to join the United Nations (UN) and other IGOs.

China insists on this formula. Most IGOs, eager to include a major power like China, accept this condition. The result is that Taiwan has been excluded from all but a few IGOs. As Deon Geldenhuys shows, in terms of IGO membership, the ROC is the most isolated.[[26]](#footnote-26) Taiwan’s pariah status was imposed by the international community. “State-directed isolation means that the very existence of the ostracized state is at issue… That particular population’s claim to nationhood and independence are rejected.”[[27]](#footnote-27)

SYNOPSIS OF TAIWAN’S IGO MEMBERSHIP

According to the authoritative *Yearbook of International Organizations,* as of 1999 there were 251 IGOs and 5825 nongovernmental organizations (NGOs).[[28]](#footnote-28) Table 1 shows the growth of these organizations. Table 2 provides a different answer to the question “How many international organizations are there?” By including other types of organizations, Table 2 shows that there are in fact a lot more IGOs and NGOs than commonly appreciated. They form the backbone of an interdependent world.

(Tables 1 and 2 about here)

Taiwan’s isolation in terms of IGO membership can be seen in Table 3. In 1981 Taiwan belonged to only nine IGOs, all outside the UN ambit. Since China crushed the 1989 Tiananmen movement for democracy, a modest but steady improvement in Taiwan’s IGO participation has ensued. In 2002 Taiwan doubled its 1981 IGO memberships. With its entry into the Inter-American Tropical Tuna Commission (IATTC) in July 2003, the number of Taiwan’s IGO membership increased to nineteen. As of 2007, Taiwan enjoys membership in 26 IGOs and their subsidiary bodies and has observer status or associate membership in 20 other IGOs and their subsidiary bodies.[[29]](#footnote-29)

(Tables 3 and 4 about here)

Table 4 lists the IGOs to which Taiwan belongs or holds observer status. There were two periods in which Taiwan was most successful in participating in IGOs: 1950-60s and 1990s-present. Taiwan joined eleven out of the nineteen IGOs in Table 4 after 1991. There was a two-decade hiatus between 1971 (the year the ROC was expelled from the UN) and 1991. Second, with the exception of the World Trade Organization (WTO), most of these IGOs are regional or technical. None is within the UN family. Table 4 reveals the changing importance of the various issues represented by IGOs to Taiwan over time. In the early days, Taiwan was active in IGOs devoted to agrarian and rural development. In recent years, the emphasis shifted to trade, tuna fishing, money laundering, and so on. Such changes parallel Taiwan’s transformation from an agrarian society to an industrial and service-oriented society.

Given its population size and economic strength, Taiwan’s stature in IGOs falls glaringly short. Taiwan’s population is larger than all but 40 UN members; its economy is the 17th largest in the world; it has the world’s fifth highest foreign exchange reserves; and is the world’s sixteenth largest exporter and sixteenth largest importer. Yet according to *Foreign Policy* and A.T. Kearney, among the 62 countries measured for the “Globalization Index,” Taiwan ranks 62nd (dead last) on the dimensions of international organizations, international treaties, and UN peacekeeping.[[30]](#footnote-30) This anomaly has severely affected Taiwan’s international space in an era of globalization – a point I will return later in this paper.

However, Table 5 presents a quite different profile for Taiwan’s stature in global governance – NGOs.

(Table 5 about here)

Taiwan has membership in 1,064 NGOs (as of July 2002) – a fairly high percentage of participation in the 5,825 total NGOs (only dozens are well-known and important). These NGOs serve nearly every conceivable function, cater to almost every interest, and permit multiple opportunities for representation. Individuals, associations, schools, institutions, and other entities alternately represent Taiwan in these NGOs.

From the above analysis, it is clear that the traditional state-centric model of IGOs does not capture Taiwan’s reality in the era of globalization. This paper proposes a functional-competence approach and makes a case for a *sui generis* model for Taiwan membership in IGOs based on its status in globalization.

FROM WTO TO WHO?

After twelve years of negotiations, Taiwan became the 144th member of the World Trade Organization (WTO) on 1 January 2002. For a diplomatically isolated trade powerhouse like Taiwan, WTO membership resembled admittance into the “economic UN.” Pent-up aspirations gave Taiwan’s persistent quest for “international space” a new impetus: some hoped “the WTO model” may spearhead Taiwan’s entry (or the ROC’s return) to many IGOs, particularly those affiliated with the UN system, and hence, the most important from Taipei’s standpoint.

Utilizing Article 33 of the General Agreement on Tariffs and Trade (GATT), which defined members (“contracting parties,”) as “governments which are applying the provisions of the Agreement,”[[31]](#footnote-31) Taiwan applied for membership in 1990 as a “Separate Customs Territory” partly to sidestep the thorny issue of sovereignty. Gaining full membership without the litmus test of statehood in this specialized agency within the UN system inspires Taiwan to try replicating the “WTO model” in other UN-affiliated specialized agencies.

The WHO became the next focal point. Since 1997 Taiwan has sought observer status at the World Health Assembly (WHA), the “supreme decision-making body for the WHO.”[[32]](#footnote-32) In May 2002 for the first time Taiwan sought to make its case for the WHO as a “public health entity.”[[33]](#footnote-33) Citing precedents for observers set by the WHO – The Holy See, the Order of Malta,[[34]](#footnote-34) and the Palestinian Liberation Organization (PLO) -- Taiwan proposed an apolitical nomenclature, “public health entity.” Taiwan invoked functional “precedents,” its entry into the WTO as a “customs territory,” as a “fishing entity” (under the name “Chinese Taipei”) in the Multilateral High-Level Conference on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific (MHLC),[[35]](#footnote-35) and as an “economy” (under the name “Chinese Taipei”) in the Asia-Pacific Economic Cooperation (APEC) forum.[[36]](#footnote-36)

But despite this non-confrontational approach, the WHA Steering Committee refused to include Taiwan’s application on the agenda.[[37]](#footnote-37) China’s opposition and its mobilization of other states to oppose Taiwan prevailed.[[38]](#footnote-38)

In 2003, severe acute respiratory syndrome (SARS) added drama to Taiwan’s WHO bid.[[39]](#footnote-39) Taiwan, with the world’s third-highest SARS toll, received an unprecedented expert team from the WHO that May. However, neither this development nor increased U.S. support could change the outcome. Taiwan’s quest for observer status was rejected.[[40]](#footnote-40) Notwithstanding China’s mishandling of SARS, which contributed to the worldwide outbreak, and Taiwan’s acute needs, China did not soften its opposition to Taiwan’s bid.

In the final years of the Chen Shui-bian administration, Taiwan changed its strategy by applying directly to WHO as a member, but met the same fate.

Optimism was dashed. WTO membership proved no shortcut for Taiwan into the WHO, despite similarities in their acronyms. Since there was no WTO model to serve as a precedent trailblazing Taiwan’s return to international society, it remains *sui generis*.

Nonetheless, as mentioned before, with the resumption of cross-strait dialogue in 2008, pundits speculate whether Taiwan will finally become an observer at WHA this year.

FOREIGN POLICY VS. MAINLAND POLICY

Taiwan’s quandary with IGOs results from an international legal theoretical void and a domestic policy dilemma. The theoretical lacuna points to the inadequacies of the conventional state-centric approach toward international law and organization -- one based on the juridical standing of a sovereign state hypocritically constructed, to use Stephen Krasner’s phrase,[[41]](#footnote-41) on the issue of Taiwan membership in IGOs, when compared to a newer approach based on functional competence dictated by globalization.

The domestic policy dilemma stems from the paradoxical symbiosis of Taiwan’s foreign and mainland policies. Opinion polls consistently show that developing foreign relations enjoys a high degree of public support, providing an impetus for a campaign to join the UN (since 1993) and the WHO (since 1997), which became a key electoral factor. In the lead-up to his reelection bid, Chen Shui-bian considered conducting a referendum on the issue of WHO entry.

Taiwan’s public is more likely to support participation in international bodies and less concerned about Taiwan’s status in such bodies. A 2002 poll shows that when asked whether they consider participation in international organization in any capacity or participation only under a proper name (one that presumably reflects Taiwan’s sovereign status) as more important, participation wins by more than two to one.[[42]](#footnote-42)

But developing foreign relations may be at odds with developing better relations with the mainland. Table 6 compares the results from several polls on whether developing foreign or cross-strait relations is more important.

(Table 6 about here)

Taiwan people are pragmatic but ambivalent on the tradeoff between foreign policy and mainland policy, as seen in the fluctuations from poll to poll. Their preference for foreign policy reflects their aspirations for greater dignity and international status, and for resisting China’s isolation. But they also understand that promoting foreign relations cannot be pursued without paying heed to China’s reaction. Hence, sometimes more respondents think that developing cross-Strait relations should be the priority. It is Taiwan’s dilemma. People like former Foreign Minister Fredrick Chien and current Foreign Minister Francisco Ou are of the opinion that mainland policy should guide foreign policy.

An increasing number find it untenable to avoid a choice. In August 1999, 46% (the largest group) answered that both foreign and mainland policies were important. In May 2003, only 16% chose this answer. Respondents support efforts to develop foreign relations despite China’s opposition. Polls from May 1998 to May 2003 show that 54.5-79.4% of the respondents say yes to the question “If developing foreign ties led to rising tension on cross-strait relations, would you agree with such an effort.” Only 11.9-20.0% said no.[[43]](#footnote-43) But into the 2000s, respondents became more realistic. For example, in the December 2006 poll, a plurarity (41.6%) actually said that “Developing cross-strait relations is more important;” and in the December 2007 poll, 32.8% said foreign relations is more important, and yet an equal number of respondents said cross-strait relations is more important.

Taiwan has evinced pragmatism by exploring the variegated modalities of “participation.” But fundamentally, through participation in IGOs, Taiwan seeks to define an international personality distinct from one subordinated under Chinese Communist Party rule. But Beijing has not softened its objection to any formula for Taiwan’s participation that does not imply the IGO’s acceptance of (or acquiescence to) China’s claim of sovereignty over Taiwan, or at least the latter’s “Chineseness.”[[44]](#footnote-44)

Consequently, Taiwan suffers prolonged diplomatic isolation but Taiwanese also toughen their resolve to resist Chinese pressure. China keeps Taiwan out of most IGOs, but further alienates the Taiwanese people, whom it claims to wish to win over. IGOs lose a valuable partner and have to spend time and resources on debates over Taiwanese membership. The outcome is the internationalization of the cross-Strait dispute.

The root cause for this impasse lies in Beijing’s and Taipei’s contrasting notions of their relationship. For Taipei, there are several different opinions. The KMT, as exemplified by the National Unification Guidelines (*guotong gangling*), has viewed the relationship between the mainland and Taiwan as akin to those between North and South Koreas or between East and West Germanys – in other words, a “divided state” model, that is, “two Chinas” now and “one China” in the future.[[45]](#footnote-45) A respected international law scholar describes divided states as follows:

A peculiar phenomenon in the post-1945 world, reflecting a bipolar orientation of world politics, was the emergence of several states divided into two entities, each equipped with an operative government: Germany (Federal Republic and Democratic Republic), Korea (North and South), China (Republic of China and People’s Republic), Vietnam (North and South), and Cyprus.[[46]](#footnote-46)

Those that view the cross-Strait relationship as one of divided states prefer to push for “parallel representation”, an ROC and a PRC, following the examples of the two Germanys and two Koreas in the UN.

By contrast, the DPP views the cross-Strait relationship as between two states, China and Taiwan. It calls for “establishing an independent country in accordance with the reality of Taiwan’s sovereignty, enacting a new constitution…and returning to the international society based on principles of international law.”[[47]](#footnote-47) DPP adherents prefer that Taiwan enter IGOs as “Taiwan.” Indeed, Chen tried this with both Taiwan’s WHO bid and its UN bid – an “escalation” in response to the futility of Taiwan’s previous “milder” approach and a ploy to boost DPP’s electoral support in 2008 (the referendum on whether the country should apply to the UN under the name “Taiwan”)

Beijing attempts to impose the mainland-Hong Kong relationship upon the cross-Strait relationship, a central government and a local government, a “one country, two systems” model. On Taiwan’s IGO participation, Beijing opposes Taiwan’s entry where membership requires statehood. But the PRC might offer to sponsor Taiwan as an “associate member” in those IGOs with such provisions (i.e., a Hong Kong-like status) as a reward for progress in cross-Strait relations. The cross-Strait political relationship is currently at a standstill, albeit thawing. Presumably Taiwan’s “international space” would be a topic in the cross-Strait dialogue. In May 2008, Chinese Communist Party General-Secretary Hu Jintao, after meeting visiting KMT Chairman Wu Po-hsiung, offered to discuss, after cross-strait dialogue resumes, the issue of “Taiwanese people’s participation in international activities,” including discussing WHO participation as a priority issue.[[48]](#footnote-48) But even if China were to offer Hong Kong like status to Taipei, Taipei may well reject it, since acceptance would signify approval of Beijing’s sovereignty over Taiwan. Furthermore, Beijing’s idea about Taiwan’s international participation is very different from Taipei’s; initially, it will almost certainly not include membership.[[49]](#footnote-49)

A stalemate persists. The impasse is undesirable for both and clearly more disadvantageous for Taiwan. Taiwan should have more incentive to break out of this deadlock. However, how Taiwan can maintain a proper balance between its foreign policy and its mainland policy poses challenges. People debate whether a diplomatic breakthrough hinges on reaching a *modus vivendi* with Beijing or altering international law or practices. Taiwan should rethink its strategy on IGO participation in light of globalization and present to the international community a compelling case on why it merits a *sui generis* treatment with respect to international participation.

## FROM SOVEREIGN STATE-CENTRACITY TO FUNCTIONAL COMPETENCE

The centrality of the state as the primary actor in international relations is challenged by “simultaneous trends toward globalism, on the one hand, and subnational particularisms, on the other.”[[50]](#footnote-50) The need for “global governance,” a broader concept encompassing not only regimes and rules concerning inter-state activity, but also situations in which the creators and operators of rules are nonstate actors of various kinds, working within or across state boundaries,[[51]](#footnote-51) is illustrated by the tremendous growth of international organizations (see Table 1).

Taiwan is excluded from nearly all IGOs but a few. Table 4 shows the IGOs in which Taiwan is a member or participates in the activities. The proliferation of international organizations reinvigorates Wilsonian idealism, raising hopes of global governance through representation based on popular participation. Although the current configuration of global politics continues to rest on sovereign states protective of territorial integrity, ethnic particularism and globalism combine to weaken the force of nationalism based on territoriality.

Nowhere is this more evident than in the global economy and environment where the pervasive transnational nature of international finance, drug trafficking or money laundering, and global warming erode the sovereignty of the state. Consequently, a fruitful approach to studying international organization (as a historical process) is the structural-functional analysis of institutions created by particular IGOs. Functions refer to “what must be done,” and structures refer to “what must be done is to be done.”[[52]](#footnote-52)

Although public interests often focuses on high-profile comprehensive IGOs that glamorize diplomacy (e.g., the UN), the specialized agencies are the actors that get things done. Their approach is decidedly functional. For every conceivable important function, there is an international organization to facilitate interstate cooperation and enhance global human welfare. Table 7 summarizes the main functions or purposes of some of the most well-known and important UN-specialized agencies.

(Table 7 about here)

Earlier, Table 4 has shown that the IGOs that Taiwan participates in are mostly Asian in scope, rather than global, and mostly technical or with a narrow mandate, rather than political or with a broad mandate. Until Taiwan’s unique legal status stimulates creative ideas on statehood, recognition, and IGOs, Taiwan’s international participation is most fruitfully studied in a functionalist context. Taiwan’s international participation will show the most promise if it focuses on those IGOs that will more likely recognize Taiwan’s functional competence on the issues entrusted to these IGOs, rather than those IGOs that are weighed down by *realpolitik* and the gamesmanship of sovereignty. In this light, it is interesting to note that the first annual UN bid of the Ma administration is about “participation” (not membership) in UN-affiliated specialized agencies (rather than UN itself). Arguably it reflects a less provocative and more pragmatic approach, as these agencies are probably more important for Taiwan. However, whether this milder strategy will face the same obstacle – Beijing’s opposition and the international community’s silence – remain to be seen.

A FUNCTIONALLY COMPETENT TAIWAN IN GLOBAL GOVERNANCE

Most IGOs seek democratic *representation* and effective *governance*. Both contribute to the IGO’s legitimacy. Representation stresses the idealistic principle of sovereign equality. Effectiveness stresses the pragmatic need for governing. The two goals are embodied in two institutional arrangements, “one person, one vote” in the plenary body, and an executive system (e.g., council) that adds weight to the more important members on a given issue. The charters of certain IGOs have provisions for members “of chief importance / interest” (see Table 8).

(Table 8 about here)

Aside from the “veto power” exercised by the five permanent members of the UN Security Council, one well-known example of the “chief importance / interest” clause is the IMF’s weighted voting system (as opposed to “one person, one vote” as seen in the UN General Assembly), under which a member’s vote is determined by its quota assigned by the Fund in terms of this member’s relative size in the world economy.[[53]](#footnote-53)

The functional competence approach has two premises: (1) international organizations need to accommodate globalization, and (2) better governance demands the inclusion of functionally competent actors. By accepting these premises, discussions on globalization, IGOs, and Taiwan’s international participation link together and imply the following conclusions: (1) In the era of globalization, IGOs must include all the most “globalized” nations, and (2) these most globalized nations are the members of chief importance in globalization-era IGOs.

So, how does Taiwan stack up on globalization?

If countries could be traded like company stocks, Thomas Friedman would “buy Taiwan, hold Italy, and sell France”[[54]](#footnote-54) because in the “globalization system” what matters is no longer *where* or *who* you are but *what* you are -- how an entity scores on speed for change, capacity to harvest knowledge, ability to add value, openness to the outside world, internal transparency and tolerance that encourages innovation, good leadership, creative destruction, ability to partner with others, and ability to market itself as a superior “brand.”[[55]](#footnote-55)

From this globalization perspective, Taiwan is a key player. Consequently, in the era of globalization, IGOs should include this highly globalized nation so Taiwan can contribute its functional competence to global governance. China’s isolation of Taiwan hurts most everyone in this age.

Taiwan is a crucial player in the global supply chain of information technology (IT) products. Taiwanese firms are the world’s largest supplier of thirteen IT products -- cases, screens, microprocessors, hubs, modems, LAN cards, keyboards, monitors, scanners, motherboards, power suppliers, CD-ROMs, and graphics cards.[[56]](#footnote-56) World IT markets felt the aftershocks of Taiwan’s 21 September 1999 earthquake which cut power supply to the Hsinchu Science-Based Industrial Park – Taiwan’s “Silicon Valley” – and disrupted the Park’s production and worldwide sales.[[57]](#footnote-57)

Although globalization has long been conceptually associated with the intensification of socioeconomic and cultural links across borders, finding a satisfactory measure to operationalize this concept has not been easy. A globalization index including 62 countries, who make up more than 80% of the world’s trade is composed of 12 indicators that measure four major aspects of globalization: (1) economic integration: trade and foreign direct investment,[[58]](#footnote-58) (2) personal contact: travel, international telephone traffic, and remittance and personal transfers, (3) technology: number of internet users, internet hosts, and secure servers, and (4) political engagement: number of memberships in international organizations, U.N. peacekeeping, treaties, and government transfers.[[59]](#footnote-59)

The ten most globalized countries on the 2006 Globalization Index were Singapore, Switzerland, United States, Ireland, Denmark, Canada, Netherlands, Australia, Austria, and Sweden.[[60]](#footnote-60) Taiwan ranked 35th, right after Poland and Chile, but ahead of Uganda and Tunisia (Japan ranks 28th and South Korea ranks 29th). Taiwan’s ranking results from an incongruity within the various components that make up the index: 12th on the economic integration, 18th on the technological connectivity, 33rd on the personal contact, but 62nd (dead last) on political engagement.

Taiwan’s respectable economic integration and technological prowess contrast sharply with its political isolation, a result of PRC pressure and the acquiescing international community. Commenting on Taiwan’s showing on the Globalization Index, a Taiwan newspaper charged that China’s relentless diplomatic isolation and economic absorption of Taiwan threaten to undermine Taiwan’s globalization.[[61]](#footnote-61) In this context, Taiwan’s record in forging close economic and interpersonal interactions with the rest of the world in spite of its political isolation counts as a remarkable accomplishment.

Certain conventional elements that constitute Taiwan as an economic powerhouse – the world’s 17th largest economy, 25th highest GNP per capita, 5th largest foreign exchange reserves – make clear the importance of Taiwan’s inclusion in such keystone international economic organizations as the IMF and the World Bank. In addition, Taiwan is a major player in areas that comprise the Globalization Index as one of the world’s major producers of semiconductors and other IT products and as one of the largest foreign direct investors.

Viewed from a functional competence perspective, international organizations in the globalization era – both new-age bodies operating on the basis of functional competence and reinvented conventional bodies that are now more receptive to a reconstructed and renegotiated concept of “sovereignty” – should find ways to include Taiwan not only to fulfill the lofty ideal of universalism but also to enhance the effectiveness of global governance. Given Taiwan’s weight, it should play a key role in certain IGOs by virtue of the “special interests / chief importance” principle.

Accordingly, Taiwan should reprioritize its IO strategy to mesh with the imperatives of globalization. While membership in universal political IGOs (e.g., UN) may have the appeal of bestowing collective recognition of the nation’s political aspirations, functional global imperatives suggest that Taiwan’s attention should be turned to those IGOs listed in Table 8 and those functional IGOs in which Taiwan’s importance cannot be easily dismissed. In these cases, the costs of isolating Taiwan are easy to demonstrate. This can be achieved while instituting a moratorium over the issue of Taiwan’s sovereignty and setting aside cross-Strait differences.

Indeed, Taiwan’s 2008 UN bid has focused on these bodies, rather than the UN itself.

A *SUI GENERIS* MODEL OF IGO PARTICIPATION

Given the diametrically opposed viewpoints of Taipei and Beijing over Taiwan’s status, deadlock continues. Due to its clout, the PRC has been successful in establishing diplomatic relations with 170 states (and getting them to use words like “take note of,” “understand,” “acknowledge,” “respect,” or “recognize” to express their varying degrees of concurrence with China’s view of Taiwan’s status -- from passively refraining to active endorsement) and in pressuring most IGOs to adhere to Beijing’s “one China” principle.

The ROC is still recognized by 23 states and belongs to 26 IGOs. Furthermore, judging from its ability to maintain “substantive relations” with over 140 countries, Taiwan is treated as a *de facto* state. Beijing’s view that Taiwan is a part of the PRC and should be represented by Beijing is not universally shared. Each state and IGO weighs its own interests when deciding on the level and modality of interacting with Taiwan.

Taiwan is thus a *sui generis* case in international law. A majority of states do not accept that Taiwan is a normal state enjoying privileges of statehood such as diplomatic recognition and IGO membership. But these same states do not consider Taiwan a territory or dependency under PRC control. Although they refrain from challenging China’s claim of sovereignty, they have developed pragmatic ways for doing business with Taiwan by virtue of the government’s actual control of Taiwan and its importance in the world economy.

This unique status has been gradually acknowledged. The CIA’s authoritative *World Factbook 2001* recognizes 268 “separate geographic entities,” of which 192 are “independent states” and 63 are “dependencies and areas of special sovereignty.” Taiwan is the only entity in a category called “other” (see Table 9). This publication, widely used by the U.S. government, considers Taiwan neither an independent state nor a territory or dependency; it sees Taiwan as a *sui generis* entity, which conventional international legal concepts fail to capture.

(Table 9 about here)

This is a realistic reading of the actual situation and holds potential for constructing an unprecedented yet feasible model for Taiwan’s participation in IGOs. All parties bear the high cost arising from Taiwan’s international isolation: Taiwan, because of its prolonged exclusion and humiliation; China, because of the energy and expense it spends on blocking Taiwan (which also causes Taiwan people’s backlash against China’s unification overture); and the international community, because of its inability to devise a way to accept Taiwan and benefit from its contribution.

The main cause for this collective inferior outcome is Beijing’s notion of sovereignty, which is at odds with the norms and the needs of the era of globalization. China treats humanitarian intervention as at odds with its stance of non-interference in internal affairs. On Taiwan’s participation in IGOs, China again places its concern (real or imagined) for sovereignty and territorial integrity above the needs of Taiwan’s people and the benefits that the international community can derive from such a player.

The ROC argues that IGO participation is essential for its security, interests, and dignity. The PRC asserts that its opposition to Taiwan’s IGO endeavors is required to safeguard China’s sovereignty. Given the conflicting positions of Taipei and Beijing, Taiwan’s IGO participation seems an irreconcilable zero-sum game.

However, by differentiating the various parties’ “first principles” and ranking their preferences, this game (Taiwan’s IGO participation) could be transformed into a win-win game.

For the ROC, participation is preferable to exclusion. Furthermore, participation in a capacity with full trappings of statehood (e.g., joining under the name “Republic of China” or another formula that indicates that Taiwan is not subordinated under China) is preferable to participation in a capacity that falls short of statehood and / or implies subordination to the PRC (e.g., joining with names like “Chinese Taipei,” “Taipei, China,” etc.).

For the PRC, exclusion (of Taiwan) is better than (allowing its) participation. If (allowing) participation is inevitable, then imposing a name like “Chinese Taipei” or “Taipei, China” is better than allowing Taiwan to join as the “ROC” or “Taiwan.”

For the international community, admitting Taiwan in a formula that is acceptable to all the major players (including the PRC) is better than excluding Taiwan, because the former option rewards the IGOs with both Taiwan’s contribution and China’s blessing, whereas the latter option gains only China’s satisfaction but not Taiwan’s participation. Allowing Taiwan to join in a sovereign capacity is the least preferred option since the cost of China’s fury exceeds the benefit of Taiwan’s contribution.

The following rank orders of each player’s preferences thus emerge. S = Taiwan joins as a sovereign state; O = Taiwan joins as an “other” (i.e., a *sui generis* capacity); E = Taiwan is excluded.

For the ROC: S > O > E

For the PRC: E > O > S

For IGOs: O > E > S

Even though the above rank orders are in ordinal scale (e.g., O is higher than E, but how much higher is unknown), the case can still be proved by assigning a score of three (3) to the first-place choice, two (2) to the second-place choice, and one (1) to the third-place choice. By this simple modeling, O (admitting Taiwan in a *sui generis* capacity) emerges as the overall superior choice (with 7 points); E (excluding Taiwan) is the second best overall choice (with 6 points), and S (admitting Taiwan as a sovereign state) is the worst overall choice (with 5 points).[[62]](#footnote-62)

In other words, O is the second-best choice for both the ROC and the PRC and the best choice for the IGOs. Neither the ROC nor the PRC can get their best choice, since their respective first choices are zero-sum. Compromise and ingenuity are thus needed. It behooves all the major actors to find a way to include Taiwan while accommodating everybody’s core interests: security for Taiwan, sovereignty for China, and universality for the IGOs.

Exactly what this O capacity is remains to be worked out and requires a mindset completely different from the kind which has brought hostile confrontations. I propose the following elements to form the contours of a *sui generis* model for Taiwan’s membership in IGOs.

1. *Decoupling the issues of Taiwan’s IGO membership and diplomatic recognition*.

Under this principle, member states are not obligated to individually recognize Taiwan as a result of Taiwan’s entry into any IGO (although they are not prevented from doing so, either). They only judge whether Taiwan’s intrinsic value serve the organization’s interests. This condition can alleviate China’s fear that IGO membership for Taiwan may imply collective international recognition of Taiwan, and hence constitute a challenge to China’s sovereignty claim. Another advantage of this condition is to reduce the politics – hence, obstacles -- involved in Taiwan’s IGO memberships.

1. *Amending charters or constitutions of those IGOs that allegedly only admit sovereign states so that they can also admit a functionally competent entity (for a particular issue area).*

This institutional innovation is needed in light of the needs of globalization (both cooperation to attain joint benefits and coordination to avoid joint disasters) and the reality that a player like Taiwan, which is important in various areas and exercises effective control over 23 million inhabitants of an island that stands at the crossroad of international commerce and navigation, has no formal representation in most IGOs. By creating a new *sui generis* category, IGOs are not automatically conferring statehood on Taiwan; rather, they find ways to include Taiwan in their work. The key is that the PRC not block the mutually beneficial innovation.

The WTO model is illustrative. Taiwan, Hong Kong, and Macao are all full members, because these “customs territories” exercise effective control over trade going in and out of their jurisdictions. Although Taiwan’s international status is contested, it is recognized by 23 states. By contrast, no country recognizes either Hong Kong or Macao as an independent state; in fact, the CIA *World Factbook* groups both under the category of “dependencies and areas of special sovereignty,” rather than “independent states” (see Table 9). Taiwan’s status is more state-like than Hong Kong’s or Macao’s.

Following this logic, Taiwan should be admitted into those IGOs in which Hong Kong or / and Macao enjoy full memberships but Taiwan does not, or those for which Taiwan can make a good case because of its importance. According to the CIA *World Factbook*, Hong Kong is a member of these IGOs but Taiwan is not: Bank for International Settlements (BIS), International Hydrographic Organization (IHO), IMF, Universal Postal Union (UPU), World Customs Organization (WCO),[[63]](#footnote-63) and World Meteorological Organization (WMO). Hong Kong also has associate memberships in International Maritime Organization (IMO),[[64]](#footnote-64) International Organization for Standardization (ISO)(correspondent), World Tourism Organization (UNWTO), and Interpol (subbureau); none for Taiwan. Macao is a member of IHO, IMF, UPU, WCO, WMO, and is an associate member of IMO, UNESCO, UNWTO, and an ISO correspondent. Even Puerto Rico and Tokelau, neither independent state, have associate memberships in the WHO, and the Vatican has membership in the World Intellectual Property Organization (WIPO) and observerships in the WHO, the UN, and International Organization for Migration (IOM).[[65]](#footnote-65) It is thus hardly inconceivable to at least include Taiwan in these bodies (perhaps more). Memberships in these bodies seem “commensurate” with Taiwan’s more state-like quality. Table 10 compares the IGO membership status between the more state-like Taiwan and such territories and dependencies as Hong Kong, Macao, and Puerto Rico.

(Table 10 about here)

That so many IGOs have found ways to include non-sovereign entities in global governance *strengthens* the case for Taiwan to participate in a *sui generis* capacity. This can take the form of simply adding a new clause in each IGO’s membership criteria to include “entities that possess functional competence in \_\_\_\_\_\_\_\_\_.” Hence, Taiwan can be admitted as a “fishing party,” “public health authority,” “tourism operator,” “criminal-investigation authorities,” “currency board,” “development fund subscriber,” etc.

1. *Stating on Taiwan’s accession documents that admission into a given IGO does not have any impact on that body’s position on China representation or imply sovereignty for Taiwan.*

This formula can assuage China’s concerns and preserves the IGOs’ one-China posture. It may be hard for Taiwan to swallow this condition, but China’s attitudes are an important factor in Taiwan’s success in IGO participation. Since its entry into the UN in 1971, the PRC has sought to enshrine its one China principle in all IGOs. China’s successful rejectionism has been the biggest obstacle for Taiwan’s IGO participation. Given the improbability (at least in the near-term) of a fundamental change in the mindset of China’s leaders, Taiwan’s IGO membership proposal should include this minimal homage to China’s formula.

Case studies on those IGOs in which both China and Taiwan are members, such as the WTO, ADB (Asian Development Bank), APEC (Asia-Pacific Economic Cooperation), show several important lessons (or necessary conditions) for Taiwan’s success in preserving / gaining memberships: (1) Taiwan joined the body before China did and this body had no clause for expelling a member in good standing (ADB) or China was not yet a member in the body and hence could not oust Taiwan (WTO); (2) Taiwan was an important player and other major players were determined to bring it in (e.g., US attitudes for Taiwan’s APEC and WTO memberships); (3) some limitations were placed upon Taiwan’s participation, such as name (all three) or which officials could participate (APEC), in exchange for (4) China’s acquiescence (all three). The WTO model could further interest China, for it offered the allure of “one country, four seats.”

(4) *Stipulating that Taiwan will automatically lose membership if it declares independence after its entry into the IGOs.*

This is another “safeguard” for China that Taiwan’s entry into IGOs is not a prelude to gaining formal legal independence. Because Taipei has championed its IGO participation on the principles of universality and globalization, and China has opposed Taiwan’s IGO participation on the ground of sovereignty, this condition has the potential to satisfy both sides. This condition could produce incentives for Taipei and Beijing to start a comprehensive political dialogue regarding their political relationship and the issue of Taiwan’s international participation. It also could create an environment for Taipei and Beijing to continue interacting with each other and thus to realize the benefits of mutual cooperation, rather than mutual confrontation.

Everyone benefits if China accepts this *sui generis* method to include Taiwan in the IGOs. Development trends of IGOs and practices of the PRC show that international actors are capable of learning[[66]](#footnote-66) and that the kind of international order they will live in is what they make of it. Past practices by Beijing and Taipei have resulted in a debilitating deadlock. Most other major powers and the international society in general look the other way and pretend the problem does not exist. But Taiwan is not going to fade away and the problem is unlikely to resolve itself. Other players can actually help.

First, they should involve China more in the work of IGOs and encourage it to play a constructive role in global governance. Through this process, China may feel more secure about its place in the international community and learn to negotiate its worldview with changing trends in international norms and customs.

Second, they should also politely but firmly tell Beijing that an all-out isolation of Taiwan does not serve its own stated objective of peaceful unification with Taiwan by winning over the hearts of Taiwan people. On the contrary, it may stoke Taiwan nationalism and cause it to adopt more provocative moves. Ma’s electoral victory presents an opportunity for China to exhibit flexibility and creativity, but it is only an opportunity that can be either seized or missed. If Beijing continues its old way in strangulating Taiwan’s international space, it could quickly weaken Ma’s political base and pave way for the DPP’s return. Other players should also make clear to Beijing that the international community stands to gain from Taiwan’s participation, as long as the two sides of the Taiwan Strait can reach an agreement on how this may come about.

Third, they should tell Taiwan that while they may be sympathetic to its arguments for universality and the need to have international space, they are not prepared to endorse any ulterior diplomatic motives behind Taipei’s campaign to join IGOs. They should also advise Taipei against a confrontational approach or exercise in futility. In this regard, Chen’s “Taiwan in UN campaign” might have provoked backlash.

Fourth, the international community should encourage cross-Strait dialogue and discourage unilateral provocative acts by either party. This is too important to let either Beijing or Taipei alone decide the course of action. They should remind the two to consider the interests of the international community. Conflicts in the Taiwan Strait will hurt the international community, whereas cross-Strait reconciliation will benefit it. Taiwan’s “international space” may well be a topic in the cross-Strait dialogue, but genuine breakthrough, rather than rhetorical gain, will be the real yardstick for success.

These policy recommendations derive from the functional-competence model elaborated earlier. The shift of discourse from traditional sovereign state-centricity to globalization-era functional competence hopefully helps open new possibilities for tackling a tough international problem.

Table 1

Patterns of Growth in Numbers of Conventional IOs, 1909-1999

|  |  |  |
| --- | --- | --- |
|  | IGOs | NGOs |
| 1909 | 37 | 176 |
| 1951 | 123 | 832 |
| 1956 | 132 | 973 |
| 1964 | 179 | 1470 |
| 1972 | 280 | 2173 |
| 1978 | 289 | 2420 |
| 1985 | 378 | 4676 |
| 1987 | 311 | 4235 |
| 1989 | 300 | 4621 |
| 1991 | 297 | 4620 |
| 1993 | 272 | 4830 |
| 1995 | 266 | 5121 |
| 1997 | 258 | 5585 |
| 1998 | 254 | 5766 |
| 1999 | 251 | 5825 |

Source: *Yearbook of International Organizations,* 1999/2000edition (Brussels, Union of International Associations, 2000). <http://www.uia.org/statistics/organizations/ytb299.php>.

Table 2

“How Many International Organizations Are There?”

International Organizations by Type

|  |  |  |  |
| --- | --- | --- | --- |
|  | Intergovernmental (IGO) | Nongovernmental (NGO) | Total |
|  | No. | % Type | % IGO | No. | % Type | % NGO | No. | % Total |
| Conventional International Bodies |
| A. Federations of international organizations | 1 | 2.63 | 0.39 | 37 | 97.36 | 0.63 | 38 | 0.62 |
| B. Universal membership organizations | 35 | 6.74 | 13.94 | 484 | 93.25 | 8.30 | 519 | 8.54 |
| C. Intercontinental membership organizations | 35 | 3.20 | 13.94 | 1057 | 96.79 | 18.14 | 1092 | 17.97 |
| D. Regionally oriented membership organizations | 180 | 4.06 | 71.73 | 4247 | 95.93 | 72.93 | 427 | 72.87 |
| Total Conventional | *251* | *4.13* | *100.0* | *5825* | *95.87* | *100.0* | *6076* | *100.0* |
| *Other International Bodies* |
| E. Organizations emanating from places or persons or other bodies | 775 | 25.60 | 48.81 | 2138 | 73.39 | 19.00 | 2913 | 22.68 |
| F. Organization of special form | 724 | 16.95 | 45.59 | 3547 | 83.04 | 31.52 | 4271 | 33.26 |
| G. Internationally oriented national organizations | 89 | 1.57 | 5.60 | 5567 | 98.42 | 49.48 | 5656 | 44.06 |
| Total Other | *1588* | *12.36* | *100.0* | *11252* | *87.64* | *100.0* | *12840* | *100.0* |
| *Total: Types A to G* | *1839* |  |  | *17077* |  |  | *18916* |  |
| Special Types |
| H. Dissolved or apparently inactive organizations | 460 | 11.43 | 10.05 | 3563 | 88.56 | 13.25 | 4023 | 12.78 |
| J. Recently reported bodies – not yet confirmed | 170 | 15.93 | 3.71 | 897 | 84.06 | 3.33 | 1067 | 3.39 |
| K. Subsidiary and internal bodies | 560 | 29.27 | 12.23 | 1353 | 70.72 | 5.03 | 1913 | 6.08 |
| N. National organizations | 0 | 0 | 0 | 3370 | 100 | 12.53 | 3370 | 10.71 |
| R. Religious orders and secular institutes | 0 | 0 | 0 | 893 | 100 | 3.32 | 893 | 2.83 |
| S. Autonomous conference series | 113 | 17.25 | 2.46 | 542 | 82.74 | 2.01 | 655 | 2.08 |
| T. Multilateral treaties and intergovernmental agreements | 2028 | 100 | 44.35 | 0 | 0 | 0 | 2028 | 6.44 |
| U. Currently inactive nonconventional bodies | 1245 | 7.11 | 27.20 | 16263 | 92.88 | 60.53 | 17508 | 55.69 |
| Total special | *4576* | *14.54* | *100.0* | *26881* | *85.46* | *100.0* | *31457* | *100.0* |
| *Total all types* | *6415* |  |  | *43958* |  |  | *50373* |  |

Source: Union of International Associations, *Yearbook of International Organizations, 1999/2000 edition,* available at <<http://www.uia.org/uiastats/ytb199.htm>.

Table 3

Numbers of IGOs and NGOs to Which Taiwan Belong (Select Years)

|  |  |  |
| --- | --- | --- |
| Year | IGOs | NGOs |
| 1981 | 9 | -- |
| 1988 | 10 | -- |
| 1992 | 12 | 781 |
| 1996 | 13 | 909 |
| 1998 | 16 | 943 |
| 2001 | 18 | 1059 |
| 2003 | 19 |  |
| 2007 | 26 |  |

Source: *zhonghua minguo jiushiyi nian waijiao tongji nianbao (Republic of China Foreign Affairs Statistical Yearbook, 2002*), online at <http://www.mofa.gov.tw/newmofa/sdo/kc-91/p68.pdf>; Government Information Office, *Taiwan Yearbook 2007,* <http://www.gio.gov.tw/taiwan-website/5-gp/yearbook/06foreign%20relations.html>; and Deon Geldenhuys, *Isolated States: A Comparative Analysis* (Cambridge: Cambridge University Press, 1990), 173.

Table 4

1. IGOs in Which Taiwan is a Member

|  |  |  |  |
| --- | --- | --- | --- |
| IGO | Acronym | Name / capacity | Date joined |
| Inter-American Tropical Tuna Commission | IATTC | Chinese Taipei (fishing entity) | 2003/07/231 |
| Interim Scientific Committee for Tuna and Tuna-like Species in the Northern Pacific Ocean | ISC |  | 2002/01/30 |
| World Trade Organization | WTO | Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu | 2002/01/01 |
| Egmont Group of Financial Intelligence Units of the World |  |  | 1998/07 |
| Association of Asian Election Authorities | AAEA |  | 1998/02 |
| Asian/Pacific Group on Money Laundering | APG |  | 1997/02 |
| Study Group on Asian Tax Administration and Research | SGATAR |  | 1996/02 |
| Association for Science Cooperation in Asia | ASCA |  | 1994 |
| Central American Bank for Economic Integration | CABEI(BCIE) | China | 1992/11/10 |
| Conference of Governors of South-east Asian Central Banks | SEACEN |  | 1992/01/24 |
| Asia-Pacific Economic Cooperation | APEC | Chinese Taipei | 1991 |
| Asian Vegetable Research and Development Center | AVRDC |  | 1971/05/22 |
| Food and Fertilizer Technology Center for the Asian and Pacific Region | FFTC/ASPAC |  | 1970 |
| Afro-Asian Rural Development Organization | AARDO |  | 1968 |
| Asian Development Bank | ADB | Taipei, China | 1966/08/22 |
| International Cotton Advisory Committee | ICAC |  | 1963 |
| International Seed Testing Association | ISTA | Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu | 1962 |
| Asian Productivity Organization | APO |  | 1961/05/11 |
| International Office of Epizootics | OIE | Taipei, China | 1954/10/01 |

1. IGOs in which Taiwan is an Observer

|  |  |  |
| --- | --- | --- |
| IGO | Acronym | Date joined |
| Organization for Economic Cooperation and Development | OECD | 2001/12/20 |
| Sistema de la integracion Centroamerica | SICA | 2000/02/01 |
| Foro de Presidentes Legislativos de Centroamerica | FORPEL | 1999/12/15 |
| Central American Parliament | PARLACEN | 1999 |
| Convention for the Conservation of Southern Bluefin Tuna | CCSBT | 1994 |
| Inter-American Development Bank | IDB | 1991 |
| European Bank of Reconstruction and Development | EBRD | 1991 |
| International Commission for the Conservation of Atlantic Tunas | ICCAT | 1972 |

1. Taiwan’s International Organization Participation (CIA World Factbook)
* ADB
* APEC
* BCIE
* ICC (International Chamber of Commerce)
* IOC (International Olympic Committee)
* ITUC (International Trade Union Confederation) 2
* WCL (World Confederation of Labor)
* WTO

Notes:

1 Taiwan had been an observer at the IATTC since 1973. The Antigua Convention, passed in the organization’s 70th meeting in 24-27 June 2003, established the concept of “fishing entity” (article XXVIII). Resolution C-03-09 decided to admit Taiwan into this previously 13-member body under the name “Chinese Taipei.”

2 Its predecessors were the Confederation of Free Trade Unions (ICFTU) and the World Confederation of Labor (WCL)

Sources: Ministry of Foreign Affairs <<http://www.mofa.gov.tw/newmofa/org/nation3_other.htm>>(names compiled from the website’s links to various IGOs); CIA, *The World Factbook*  < https://www.cia.gov/library/publications/the-world-factbook/appendix/appendix-b.html>; CIA, *Handbook of the Nations*, 21st edition (Thomson Learning, 2001); Inter-American Tropical Tuna Commission(IATTC) <<http://www.iattc.org/PDFFiles2/Antigua%20Convention%20ENG%20SPN%20FRA%20adopted%20text%2023%20JUL%2003.pdf>> and <<http://www.iattc.org/PDFFiles2/C-03-09%20Participation%20of%20fishing%20entity.pdf>>; “Taiwan will Join Tuna Commission,” *China Times*, 11 July 2003

Table 5

Taiwan Membership in International Nongovernmental Organizations (NGOs)*(as of July 2002)*

|  |  |  |
| --- | --- | --- |
| Nature of organization | Number | Example |
| Medicine and hygiene | 232 | World Medical Association |
| Science and technology | 101 | International Association of Science Parks |
| Sports | 100 | International Baseball Association |
| Trade unions | 82 | World Federation of Teachers' Unions |
| R & D and management | 76 | International Political Science Association |
| Business, finance, and economics | 68 | Pacific Economic Cooperation Council |
| Religion and philosophy | 61 | World Muslim Congress |
| Agriculture, forestry, fisheries, and animal husbandry | 48 | International Seed Testing Association |
| Charity and social welfare | 49 | Rotary International |
| Culture and arts | 37 | World Congress of Poets |
| Education | 32 | International Association of Universities |
| Industrial technology | 31 | World Semiconductor Council |
| Leisure and recreation | 27 | World Leisure and Recreation Association |
| Wildlife conservation and environmental protection | 26 | Sustainable and Peaceful Energy Network Asia |
| Transportation and tourism | 21 | International Association of Ports and Harbors |
| Mining and energy | 18 | World Nuclear Fuel Market |
| Law and police administration | 17 | Amnesty International |
| Engineering | 16 | World Federation of Engineering Organizations |
| Electronics and mechanical engineering | 11 | International Federation of Robotics |
| Women, family, and youth | 8 | Zonta International |
| Journalism | 3 | International Press Institute |
| *Total* | *1064* |  |

Source: Ministry of Foreign Affairs <<http://www.mofa.gov.tw/newmofa/org/nation3_other.htm>>, and Government Information Office, *The Republic of China Yearbook Taiwan 2001* (Taipei: GIO, 2001), 137. Examples are author’s picks from the website’s links.

Table 6

Whether to Develop Foreign or Cross-Strait Relations as Priority

Percentage

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Survey date | Effective sample size | Developing foreign relations is more important | Developing cross-strait relations is more important | Both are equally important | Don’t know |
| Mar 2008 | 1068 | 35.7 | 30.0 | 32.3 | 2.0 |
| Dec 2007 | 1067 | 32.8 | 32.8 | 30.8 | 3.6 |
| Dec 2006 | 1073 | 32.2 | 41.7 | 14.7 | 11.4 |
| Nov 2005 | 1102 | 39.7 | 33.8 | 17.7 | 8.8 |
| Dec 2004 | 1067 | 21.9 | 27.7 | 42.1 | 8.3 |
| May 2003 | 1082 | 36.8 | 29.9 | 15.8 | 17.5 |
| Jul 2002 | 1091 | 26.0 | 35.0 | 16.2 | 22.8 |
| Apr 2000 | 1085 | 33.8 | 26.7 | 27.7 | 16.8 |
| Aug 1999 | 1067 | 31.3 | 20.1 | 46.6 | 2.4 |

Source: Compiled from Mainland Affairs Council, “Whether to Develop Foreign or Cross-Strait Relations as Priority,” online at <http://www.mac.gov.tw/english/index1-e.htm>.

Table 7

Functionalist Approach to Global Governance: Main Functions of Selected IGOs

|  |  |
| --- | --- |
| IGO | Main Functions / Purposes |
| Food and Agricultural Organization (FAO) | To raise levels of nutritionTo promote efficient production and distribution of food and agricultural products |
| International Atomic Energy Agency (IAEA) | To seek to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the worldTo ensure…that assistance provided by it…is not used…to further any military purpose |
| International Civil Aviation Organization (ICAO) | To ensure the safe, orderly, and efficient growth of international civil aviation, with the concomitant development of airports, air navigation facilities, and so on |
| International Labor Organization (ILO) | To enhance working conditions, living standards and equitable treatment of workers |
| International Maritime Organization (IMO) | To promote cooperation among governments regarding the technical aspects of shippingTo facilitate high standards of maritime safety, efficiency of navigation and control of pollution from ships |
| International Monetary Fund (IMF) | To promote international monetary cooperation and the expansion of tradeTo promote change stabilityTo establish a multilateral system of payments among membersTo eliminate foreign exchange restrictions that would hinder world trade |
| United Nations Educational, Scientific, and Cultural Organization (UNESCO) | Its substantive programs promote the advancement and exchange of knowledge through…Its operational programs are…to combat illiteracy and to raise the overall level of education |
| World Health Organization (WHO) | Provides world-wide information services on…major diseasesGives assistance to countries for disease prevention and controlEncourages medical research by… |

Source: Compiled from Frederic L. Kirgis, Jr., *International Organizations in Their Legal Setting: Selected Documents* (St. Paul, MN: West, 1993), 3-8.

Table 8

When Global Governance Values Functional Importance Over Fairness:

Special Provisions for Members of Chief Importance in Governing (Selected IGOs)

|  |  |
| --- | --- |
| IGO | Special Role for Members of Chief Importance in the Executive Body |
| International Civil Aviation Organization (ICAO) | The Council’s membership (39) represents three groups: states of chief importance in air transport; states making the largest contribution to facilities for international civil air navigation; and states selected on the basis of geographic representation. |
| International Labor Organization (ILO) | The Governing Body is composed of 56 members: 28 representing governments, 14 representing employers and 14 representing workers. Currently, ten of the government representatives are appointed by the member states of chief industrial importance. |
| International Maritime Organization (IMO) | The Council consists of 32 members elected by the Assembly. Eight of the Council members must be states with the largest interest in providing international shipping; eight others have the largest interest in seaborne trade; and the other 16 represent the major geographic areas of the world and have special interests in maritime transport or navigation. |
| International Monetary Fund (IMF) | Each member is assigned a quota… the size of the quota reflects the member’s relative size in the world economy. The quota determines not only the subscription (investment) a member must make, but also affects the extent to which it may draw on the Fund’s financial resources, determines the extent of its voting power under the Fund’s system of weighted voting, and defines the quantity of SDRs to which it may be entitled. |
| United Nations Educational, Scientific, and Cultural Organization (UNESCO) | The Executive Board consists of 51 members, elected as representatives of their governments…with regard to their competence in the arts, humanities, sciences, education, and the dissemination of ideas |
| World Health Organization (WHO) | The Executive Board is composed of 31 state representatives, technically qualified in the health field. |

Source: Compiled from Frederic L. Kirgis, Jr., *International Organizations in Their Legal Setting: Selected Documents* (St. Paul, MN: West, 1993), 3-8.

Table 9

States, Countries, and Territories:

Separate Geographic Entities as Defined by the CIA *World Factbook*

|  |
| --- |
| Some of the independent states, dependencies, areas of special sovereignty, and governments included in this publication are not independent, and others are not officially recognized by the US Government. "Independent state" refers to a people politically organized into a sovereign state with a definite territory. "Dependencies" and "areas of special sovereignty" refer to a broad category of political entities that are associated in some way with an independent state. "Country" names used in the table of contents or for page headings are usually the short-form names as approved by the US Board on Geographic Names and may include independent states, dependencies, and areas of special sovereignty, or other geographic entities. There are a total of 267 separate geographic entities in *The World Factbook* that may be categorized as follows:INDEPENDENT STATES (192) Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, The Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei, Bulgaria, Burkina Faso, Burma, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Democratic Republic of the Congo, Republic of the Congo, Costa Rica, Cote d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, East Timor, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, The Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Holy See, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, North Korea, South Korea, Kuwait, Kyrgyzstan, Laos, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, The Former Yugoslav Republic of Macedonia,  Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Federated States of Micronesia, Moldova, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nauru, Nepal, Netherlands, NZ, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Russia, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syria, Tajikistan, Tanzania, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, UAE, UK, US, Uruguay, Uzbekistan, Vanuatu, Venezuela, Vietnam, Yemen, Yugoslavia, Zambia, ZimbabweOTHER (1) TaiwanDEPENDENCIES AND AREAS OF SPECIAL SOVEREIGNTY (63)  6 Australia - Ashmore and Cartier Islands, Christmas Island, Cocos (Keeling) Islands, Coral Sea Islands, Heard Island and McDonald Islands, Norfolk Island     2 China - Hong Kong, Macau     2 Denmark - Faroe Islands, Greenland    16 France - Bassas da India, Clipperton Island, Europa Island, French Guiana, French Polynesia, French Southern and Antarctic Lands, Glorioso Islands, Guadeloupe, Juan de Nova Island, Martinique, Mayotte, New Caledonia, Reunion, Saint Pierre and Miquelon, Tromelin Island, Wallis and Futuna     2 Netherlands - Aruba, Netherlands Antilles     3 New Zealand - Cook Islands, Niue, Tokelau     3 Norway - Bouvet Island, Jan Mayen, Svalbard    15 UK - Anguilla, Bermuda, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Guernsey, Jersey, Isle of Man, Montserrat, Pitcairn Islands, Saint Helena, South Georgia and the South Sandwich Islands, Turks and Caicos Islands    14 US - American Samoa, Baker Island, Guam, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Islands, Navassa Island, Northern Mariana Islands, Palmyra Atoll, Puerto Rico, Virgin Islands, Wake IslandMISCELLANEOUS (6) Antarctica, Gaza Strip, Paracel Islands, Spratly Islands, West Bank, Western SaharaOTHER ENTITIES (6) 5 oceans - Arctic Ocean, Atlantic Ocean, Indian Ocean, Pacific Ocean, Southern Ocean     1 World      268 total |

Source: Central Intelligence Agency, *The World Factbook 2001,* <http://www.odci.gov/cia/publications/factbook/>.

Table 10: IGO Membership Status

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Taiwan** | **Hong Kong** | **Macao** | **Puerto Rico** |
| ADB | V | V |   |   |
| APEC | V | V |   |   |
| BCIE | V |   |   |   |
| BIS |  | V |   |   |
| ICC | V | V |   |   |
| IHO |   | V | V |   |
| IMF |   | V | V |   |
| IMO |   | associate | associate |   |
| Interpol |   |   |   | subbureau |
| IOC | V | V |   | V |
| ISO |   | correspondent | correspondent |   |
| ITUC | V | V |   | V |
| UNESCO |   |   | V |   |
| UNWTO |   | associate | associate | associate |
| UPU |   | V | V | V |
| WCL | V | V |   | V |
| WCO |   | V | V |   |
| WMO |   | V | V |   |
| WTO | V | V | V |   |
| Total | 8 | 16 | 10 | 6 |

1. Whether there was ever a consensus and what that consensus was are very controversial. In 1992, negotiations between SEF and ARATS reached a stalemate that was only broken by the two sides “agreeing to disagree.” The Chinese side insisted that their understanding was that the two sides had each respectively expressed “one China” verbally (*gebiao yizhong*), whereas the Taiwanese side insisted that their understanding was that the two sides had expressed “one China” but each side had its own interpretation (*yizhong gebiao*). Former Taiwan Mainland Affairs Council Chairman and presently President Ma’s National Security Advisor Su Chi coined the phrase, 1992 Consensus, to denote that agreed basis for cross-strait dialogue. See Chi Su, *Relations Across the Taiwan Straits* (London: Routledge, 2008). [↑](#footnote-ref-1)
2. Cf. President Ma Ying-jeou’s inauguration address, “Taiwan’s Renaissance,” 20 May 2008, available online at <http://www.president.gov.tw/en/>. [↑](#footnote-ref-2)
3. The full text of the joint press release (29 April 2005) can be found at <http://big5.xinhuanet.com/gate/big5/news.xinhuanet.com/tw/2005-04/29/content_8200179.htm>. [↑](#footnote-ref-3)
4. The full text of Hu’s speech can be found at <http://big5.xinhuanet.com/gate/big5/news.xinhuanet.com/newscenter/2008-12/31/content_10586495_2.htm>. [↑](#footnote-ref-4)
5. The WHA is “the supreme decision-making body for WHO. It meets each year in May in Geneva, and is attended by delegations from all 193 Member States.” See <http://www.who.int/about/governance/en/index.html>. Article 18(h) of the WHO Constitution states that one of the functions of the WHA is “to invite any organization, international or national, governmental or non-governmental, which has responsibilities related to those of the Organization, to appoint representatives to participate, without right of vote, in its meetings or in those of the committees and conferences convened under its authority, on conditions prescribed by the Health Assembly; but in the case of national organizations, invitations shall be issued only with the consent of the Government concerned.” See WHO Constitution, available at <http://www.who.int/governance/eb/who_constitution_en.pdf>. [↑](#footnote-ref-5)
6. See, *inter alia*, Jean-Marie Henckaerts, ed., *The International Status of Taiwan in the New World Order: Legal and Political Considerations* (London: Kluwer Law International, 1996); Jonathan I. Charney and J. R. V. Prescott, “Resolving Cross-Strait Relations Between China and Taiwan,” *American Journal of International Law*, vol. 94 (July 2000), 453-77; and Christopher J. Carolan, “The ‘Republic of Taiwan’: A Legal-Historical Justification for a Taiwanese Declaration of Independence,” *New York University Law Review*, vol. 75, no. 4 (May 2001), 429-67. [↑](#footnote-ref-6)
7. Throughout this paper, the term “Taiwan” is used interchangeably with “the Republic of China (ROC),” which controls Taiwan, Penghu, Kinmen, and Matsu, with its capital in Taipei. [↑](#footnote-ref-7)
8. Government Information Office, *The Republic of China Yearbook Taiwan 2002* (Taipei: GIO, 2002), 126. [↑](#footnote-ref-8)
9. Throughout this paper, the term “China” is used interchangeably with “the People’s Republic of China (PRC),” which controls the Chinese mainland with its capital in Beijing (Peking). [↑](#footnote-ref-9)
10. Taiwan Affairs and Information Office, State Council, People’s Republic of China, “The Taiwan Question and Reunification of China” (August 1993), reprinted in Henckaerts, *The International Status of Taiwan,* 275, 276. [↑](#footnote-ref-10)
11. Convention on the Rights and Duties of States (Montevideo Convention), 26 December 1933, 49 Stat. 3097, T.S. No. 881, 3 Bevans 145, 165 L.N.T.S. 19, Article 1. For two accounts testing Taiwan’s statehood against the Montevideo Convention, see Vincent Wei-cheng Wang, “How Can Taiwan Enter the United Nations: History, Issues, and Approaches,” *Issues & Studies*, vol. 30, no. 10 (October 1994), 118-21; and Carolan, “The ‘Republic of Taiwan,’” 450-8. [↑](#footnote-ref-11)
12. Scott Pegg, *International Society and the De Facto State* (Aldershot, England and Brookfield, USA: Ashgate, 1998), 4. [↑](#footnote-ref-12)
13. Pegg, *International Society*, 5. [↑](#footnote-ref-13)
14. For a list of Taiwan’s diplomatic allies, see <http://www.mofa.gov.tw/webapp/ct.asp?xItem=32618&CtNode=1379&mp=6>. [↑](#footnote-ref-14)
15. See <http://en.wikipedia.org/wiki/List_of_unrecognized_countries>. [↑](#footnote-ref-15)
16. Stephen D. Krasner, *Sovereignty: Organized Hypocrisy* (Princeton, NJ: Princeton University Press, 1999), 4. [↑](#footnote-ref-16)
17. Krasner mentions two additional ways that the term “sovereignty” has been used: Domestic sovereignty refers to the formal organization of political authority within the state and the ability of public authorities to exercise effective control within the borders of their own polity. Interdependence sovereignty refers to the ability of public authorities to regulate the flow of information, ideas, goods, people, pollutants, or capital across the borders of their state. Krasner warns “Various kinds of sovereignty do not necessarily covary.” *Sovereignty*, 3-4. [↑](#footnote-ref-17)
18. Gary D. Rawnsley’s *Taiwan's Informal Diplomacy and Propaganda* (New York: St. Martin’s 2000) is an excellent study on how a diplomatically isolated state endeavors to promote itself in the international community. [↑](#footnote-ref-18)
19. Both quotes are from Christopher L. Blakesley, Edwin B. Firmage, Richard F. Scott, and Sharon A. Williams, *The International Legal System,* 5th ed. (New York: Foundation Press, 2001), 105. [↑](#footnote-ref-19)
20. The ROC’s 1991 Guidelines for National Unification (GNU) calls for a three-stage approach to unification. It declares that “both the mainland and Taiwan are Chinese territories,” and that to achieve the short-term goals of promoting exchanges and mutual benefits, neither side should “deny that the other side is a political entity.” It is reasonable to deduce that the GNU envisages a “one state, two political entities” or “one state, two governments” formula. The issue is thus one of recognition of government (i.e., two governments within the same Chinese state), rather than recognition of state (i.e., a Taiwanese state that administers Taiwan and a Chinese state that administers the mainland). For the text of GNU, see <http://www.mac.gov.tw/big5/mlpolocy/gnu.htm>. [↑](#footnote-ref-20)
21. *Democratic Progressive Party Basic Program* (in Chinese), available at <http://newcongress.yam.org.tw/dpp/programme.html>. [↑](#footnote-ref-21)
22. “Taiwan’s President Sparks Debate on New Constitution,” *The Financial Times*, 30 September 2003, 3; “Taiwan President Seeks to Clarify Plan for Constitution,” *The Financial Times*, 1 October 2003, 3; “Chen Starts Push for New Taiwan Constitution,” *The Financial Times*, 26 October 2003. [↑](#footnote-ref-22)
23. Lee Teng-hui, “’Rectifying’ Taiwan’s Name,” *Far Eastern Economic Review,* 16 October 2003, 29. [↑](#footnote-ref-23)
24. Convention on the Rights and Duties of States (Montevideo Convention), 26 December 1933, 49 Stat. 3097, T.S. No. 881, 3 Bevans 145, 165 L.N.T.S. 19. [↑](#footnote-ref-24)
25. For more discussions, see David J. Bederman, *International Law Frameworks* (New York: Foundation Press, 2001), 54-55. [↑](#footnote-ref-25)
26. Deon Geldenhuys, *Isolated States: A Comparative Study* (Cambridge: Cambridge University, 1990), 187. [↑](#footnote-ref-26)
27. Geldenhuys, *Isolated States*, 93, 22. [↑](#footnote-ref-27)
28. *Yearbook of International Organizations,* 1999/2000ed. (Brussels: Union of International Associations, 2000), <http://www.uia.org/statistics/organizations/ytb299.php>. For a description (year of founding, aim, members) of some of the most important IGOs, see U.S. Central Intelligence Agency, *Handbook of the Nations, 21st edition: A Brief Guide to the Economy, Government, Land, Demographics, Communications, Transportation Systems, and National Defense Establishment of Each of 267 Entities of the World* (Detroit: Gale Group Thomson Learning, 2001), 575-609. [↑](#footnote-ref-28)
29. *Taiwan Yearbook 2007,* online at <http://www.gio.gov.tw/taiwan-website/5-gp/yearbook/06foreign%20relations.html>; [↑](#footnote-ref-29)
30. “The Global Top 20,” *Foreign Policy* (November/December 2006), p. 77. [↑](#footnote-ref-30)
31. Pegg, *International Society and the De Facto State*, 183; and WTO website, “Members and Observers,” <http://www.wto.org/english/thewto_e/whatis_e/tif_e/org6_e.htm>. [↑](#footnote-ref-31)
32. See Chapter V (Article 10-23) of the *Constitution of the World Health Organization,* in Frederic L. Kirgis, Jr., *International Organizations in Their Legal Setting: Selected Documents* (St. Paul: West, 1993), 175-177; and WHO website under “Governance” at <http://www.who.int/m/topicgroups/governance/en/index.html>. [↑](#footnote-ref-32)
33. See “Allowing Taiwan to Participate in the World Health Organization as a ‘Public Health Entity’” (n.d.), courtesy of the Taipei Economic and Cultural Representative Office in the U.S.A. [↑](#footnote-ref-33)
34. The full name is the Sovereign Military Order of the Knights of Malta. For a brief account of the Order’s origin and evolution, see Gerhard von Glahn, *Law Among Nations: An Introduction to Public International Law,* 5th ed. (New York: Macmillan, 1986), 66-67. [↑](#footnote-ref-34)
35. See Multilateral High Level Conferences on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific website at <http://www.ffa.int/multilat.html>. [↑](#footnote-ref-35)
36. “Allowing Taiwan,” 3-4. [↑](#footnote-ref-36)
37. Monique Chu, “No Place for Taiwan on WHO Agenda,” *Taipei Times Online,* 14 May 2002,at <http://www.taipeitimes.com/news/2002/05/14/story/0000135933>. [↑](#footnote-ref-37)
38. Beijing’s principled stance against Taiwan membership in UN-affiliated special agencies is exemplified by Foreign Ministry Spokeswoman Zhang Qiyue’s response: WHO membership is open only to sovereign states; as a province of China, Taiwan is thus ineligible whatsoever to join that organization (*genben meiyou zige canjia gai zuzhi*). “Chinese Communists Protest to the U.S.,” *China Times Online*, 9 April 2002, [http://news.chinatimes.com/Chinatimes/newslist/newslist-content/0,3546,110502+11200240900](http://news.chinatimes.com/Chinatimes/newslist/newslist-content/0%2C3546%2C110502%2B11200240900). [↑](#footnote-ref-38)
39. Donald G. McNeil, “SARS Furor Heightens Taiwan-China Rift,” *The New York Times*, 19 May 2003; Alastair Iain Johnston, “Here’s How a Tiny Virus Can Help Improve Cross-Strait Ties,” *Straits Times*, 17 May 2003. [↑](#footnote-ref-39)
40. Melody Chen, Wang Ping-yu, and Brian Hsu, “WHO Shoots Down Assembly Entry Bid,” *Taipei Times*, 20 May 2003, 1; “Shutting Out Taiwan,” editorial, *The Washington Post*, 20 May 2003, A18. [↑](#footnote-ref-40)
41. Krasner, *Sovereignty*. [↑](#footnote-ref-41)
42. 49.4% of the respondents say that participation is more important, and 20.3% think ensuring proper designation is more important. See Ministry of Foreign Affairs, “The First Opinion Poll, 2002,” powerpoint presentation slide 13, 9 May 2002. The survey was conducted over 15-18 April 2002 based on a sample of 1090. At 95% confidence level, the margins of error were ± 2.97%. [↑](#footnote-ref-42)
43. Mainland Affairs Council, “If Developing Foreign Ties Led to Rising Tension on Cross-Strait Relations, Would You Agree with Such an Effort?” available online at <http://www.mac.gov.tw/english/english/pos/9205/9205e_4gif>. [↑](#footnote-ref-43)
44. The ROC was a founding member of the Asian Development Bank (ADB) in 1966. In accepting China’s entry (and its conditions for entry) in 1986, the ADB changed Taiwan’s designation to “Taipei, China” – a format similar to “Hong Kong, China” now that the former British colony has become a special administrative region of the PRC. Taiwan protested ADB’s unilateral change every year, but stayed in the organization. See ADB website <http://www.adb.org/About/members.asp>. [↑](#footnote-ref-44)
45. See National Unification Guidelines; John J. Metzler, *Divided Dynamism: The Diplomacy Of Separated Nations: Germany, Korea, China*, rev. ed. (Lanham, MD: University Press of America, 2001); Yung Wei, “Recognition of Divided States: Implication and Application of Concepts of ‘Multi-System Nations,’ ‘Political Entities,’ and ‘Intra-National Commonwealth,’” *The International Lawyer* (Fall 2000). [↑](#footnote-ref-45)
46. Gerhard von Glahn, *Law Among Nations: An Introduction to Public International Law*, 6th revised edition (New York: Macmillan, 1992), 60. [↑](#footnote-ref-46)
47. *Democratic Progressive Party Basic Program* (in Chinese), available at <http://newcongress.yam.org.tw/dpp/programme.htm>. [↑](#footnote-ref-47)
48. “Taiwan’s International Space: GS Hu Promises Discussion,” *Wenweipo* (29 May 2008), <http://paper.wenweipo.com/2008/05/29/YO0805290001.htm>. [↑](#footnote-ref-48)
49. For example, Wang Yi, a career Chinese diplomat now tasked to be China’s top Taiwan affairs official, said on May 23, 2008, “China does not accept Taiwan’s formal entry into the WHO, but will attempt to construct a new framework so that Taiwan, when avian flu and other diseases break out, can utilize international networks outside WHO to share information with countries around the world.” “Taiwan opposition says China deceiving Taiwan people over WHO,” *Central News Agency* (26 June 2008). [↑](#footnote-ref-49)
50. Robert S. Jordan, *International Organizations: A Comparative Approach to the Management of Cooperation,* 4th ed. (Westport, CT: Praeger, 2001), 1. [↑](#footnote-ref-50)
51. Jordan, *International Organizations*, 9 [↑](#footnote-ref-51)
52. Jordan, *International Organizations*, 6. [↑](#footnote-ref-52)
53. Currently the quotas of the G-7 countries are as follows: the U.S. (17.49%), Japan (6.27%), Germany (5.12%), France (5.06%), the UK (5.06%), Italy (3.32%), and Canada (3.00%), for a total of 46.32%. For a current breakdown of IMF members’ quotas and voting power, see <http://www.imf.org/external/np/sec/memdir/members.htm>. [↑](#footnote-ref-53)
54. Thomas L. Friedman, *The Lexus and the Olive Tree: Understanding Globalization*, newly updated and expanded ed. (New York: Anchor Books, 2000), 212-47. [↑](#footnote-ref-54)
55. These categories are modified from Friedman’s nine rhetorical section headings. *Ibid*. [↑](#footnote-ref-55)
56. Friedman, *Lexus*, 260; Vincent Wei-cheng Wang, “Developing the Information Industry in Taiwan: Entrepreneurial State, Guerrilla Capitalists, and Accommodative Technologists,” *Pacific Affairs,* Vol. 68, No. 4 (Winter 1995/96), 560. [↑](#footnote-ref-56)
57. Craig Addison, “A ‘Silicon Shield’ Protects Taiwan from China,” *International Herald Tribune*, 29 September 2000, 6. [↑](#footnote-ref-57)
58. Earlier versions of this index also include indicators such as portfolio capital flows, and income payments and receipts. [↑](#footnote-ref-58)
59. “The Global Top 20,” *Foreign Policy* (November / December 2006), pp. 74-81. Earlier versions include foreign embassies that each country hosts. See “Globalization’s Last Hurrah?” *Foreign Policy* (January / February 2002), 38-51; “Measuring Globalization: Who’s Up, Who’s Down?” *Foreign Policy* (January / February 2003), 60-72. For data used to calculate the index, visit A.T. Kearney’s website, <http://www.atkearney.com/>, locate “Latest Thoughts…Our Ideas and Insights,” and click and download each of the 13 indicators on that page (in pdf format). [↑](#footnote-ref-59)
60. “The Global Top 20.” [↑](#footnote-ref-60)
61. “Beijing Hampers Our Globalization,” by the *Liberty Times* editorial, *Taipei Times*, 19 January 2003, 8. [↑](#footnote-ref-61)
62. No attempts have been made to theorize on the intensity or distance between these ordinal numbers, that is, I am mainly interested in showing that 3 (best outcome) is better than 2 (second best), rather than how much better. While when I derive the aggregate scores I treat these numbers as if they were real numbers (i.e., equal distance), my point is still valid, for an outcome with a total “score” of 7 is still better (perhaps much better) than another outcome with a “score” of 6. [↑](#footnote-ref-62)
63. Kaohsiung, Taiwan is the world’s sixth largest container port. [↑](#footnote-ref-63)
64. Taiwan’s Evergreen is the world’s largest commercial liner. [↑](#footnote-ref-64)
65. All membership information is from the CIA *World Factbook*. [↑](#footnote-ref-65)
66. For a representative treatise of the constructionist theory of international relations, see Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999) [↑](#footnote-ref-66)