Cross-Strait Relations: Marking Time

Alan D. Romberg

There have been no dramatic developments in cross-Strait relations of late. Instead, Beijing continues its steady pressure on the Taiwan authorities while courting private interests. President Tsai’s bid for acceptance of reciprocal responsibility for the improvement of cross-Strait relations was pushed aside by the Mainland and Taiwan’s hopes to attend WHA were unrealized. Meanwhile, President Trump seemed to be marking time on Taiwan while seeking Xi Jinping’s support on North Korea.

No Let-up from Beijing

Throughout the recent period, there has been a lot of talk in Taiwan about how the table was being set for the next phase in cross-Strait relations. As part of that process, President Tsai Ing-wen reportedly gave the nod in early February to a business community proposal to expedite a bill on the rules for the Legislative Yuan’s (LY) monitoring of negotiations between the two sides. At the same time, she indicated that the latter half of the year would be a better time to launch a “new policy.” By then, she reasoned, with the fall’s 19th Party Congress behind him, Xi Jinping would have greater ability to deal flexibly with Taiwan. Just as Tsai was not prepared to endorse “one China,” she did not assume Xi would be prepared to abandon it. But as an experienced trade negotiator, she seemed convinced that there would be a way around that obstacle.

The supervisory bill still languishes in the LY, and in any case, as one commentator explained, the issue for the Mainland is not whether Taiwan adopts a “new” policy but whether it adopts the “right” policy. In Beijing’s mind, that means acceptance of the “1992 Consensus” and its core connotation that Taiwan and the Mainland belong to one and the same China. As this commentator put it, Tsai’s continued unwillingness to embrace any “one China” position is the key reason for the cross-Strait stalemate inasmuch as she is not giving the Mainland a clear strategic guarantee of “no independence” (“不独”的清晰战略保证).

Hence, at least for the moment, instead of showing flexibility Beijing continues to differentiate between how it treats the people of Taiwan, whom it is courting, and how it treats the authorities, whom it seeks to pressure. Appealing to private citizens, especially younger people, the Mainland has announced that it will gradually adopt new policies granting Taiwan residents equal “national treatment,” facilitating their integration into Mainland society whether in terms of studies, employment, entrepreneurship, or daily living. These measures are aimed at encouraging these residents to put down roots on the Mainland and promoting cross-Strait economic and social integration. In addition, Beijing wants everyone to “see clearly” who is responsible for hindering cross-Strait economic cooperation and investment in the Mainland.
Fundamentally, Beijing has underscored that its beneficence is based on a foundation of the “one China principle.” As had already been made clear, this means that businesses that support Taiwan independence are not welcome.

Underscoring growing public negativism on the Mainland toward the Tsai administration, rumors began circulating early in the year about a toughening of the March 2005 “Anti-Secession Law.” By the time the National People’s Congress met in March, the focus had shifted to the more threatening possibility of a “National Unification Law” (though it quickly became clear that there would be no serious attention to any such law until the 2018 NPC at the earliest).

Although Xi Jinping—unlike at the 2016 NPC—made no remarks on Taiwan this year, one heard toughened rhetoric that seemed to be part of an effort to highlight Xi’s personal role on cross-Strait matters.

TAO head Zhang Zhijun issued stern warnings regarding the “grim challenges” (严峻挑战) peaceful development of cross-Strait relations faced due to the DPP’s refusal to accept “one China.” He predicted that the situation would become even “more complicated and grimmer” (更加复杂严峻) in 2017, with rising uncertainty, risks, and challenges in Taiwan-related work.

Zhang then went on in a vein that seemed to have as much political purpose as policy relevance.

The party’s Central Committee, with comrade Xi Jinping as the core, has studied and made accurate judgments about the situation, made decisions and plans scientifically, and gotten a firm grasp of the main direction of the development of cross-Strait relations. . . . Under the new circumstances, we must earnestly study General Secretary Xi Jinping’s important ideas on the work related to Taiwan affairs, firmly implement the general policies and guiding principles of the party’s Central Committee toward Taiwan, and comprehensively carry out all work plans.

Zhang’s most widely cited remark in this period was that “pursuing Taiwan independence will ultimately result in reunification, but the manner of said reunification will be one that has a pernicious effect on both Taiwan’s society and its people. They will face huge consequences as a result.”

Asked about the meaning of Zhang’s statement, ARATS vice chairman (and former TAO vice minister) Sun Yafu responded that it was a principally a warning that even though Taiwan independence activity would ultimately fail, it would stir up troubles and seriously harm cross-Strait relations and Taiwan’s fundamental interests.

While Sun stressed the importance of the DPP authorities recognizing the “1992 Consensus,” the examples he chose to illustrate his point about “Taiwan independence”
activity were striking. They were extreme actions and drew on the experience of the Chen Shui-bian era that most observers outside of the Mainland would consider to have zero likelihood of being repeated.

Sun spoke of perniciously promoting the rectification of Taiwan’s name by enacting a new constitution. Echoing the language of the 2005 Anti-Secession Laws provision regarding the triggers for the use of force, he identified holding a referendum on joining the United Nations as an example of a “major incident” of Taiwan independence.

Not all remarks from the Mainland reflected doom and gloom. For example, the head of the All-China Federation of Taiwan Compatriots, reportedly occupying a position equivalent to Cabinet rank, said the 19th Party Congress will formulate “new language” on Taiwan in its work report that he hoped would contribute to a warming trend in the currently strained cross-Strait ties.13 “I believe and expect that there will be new prospects for cross-Strait relations in the wake of the party’s 19th national congress.”14

Even so, Beijing continued not only to issue warnings but also to engage in what Taiwan’s Mainland Affairs Council (MAC) called “completely unacceptable” practices such as identifying a Taiwan table tennis team competing in the Mainland with the politically fraught name “China Taipei” (中國台北). This was a name the Mainland had used before Ma Ying-jeou’s election in 2008, rather than the current, mutually acceptable “Chinese Taipei” (中華台北).15 In a similar vein, the PRC delegation to an intercessional meeting of the diamond trade–regulating Kimberley Process also insisted—successfully—that the Taiwan delegation be ousted even though Taiwan had reportedly been regularly participating under observer status granted since 2007.16

Of more serious import, Beijing also took into custody a Taiwan human rights worker, Lee Ming-che, for “engaging in activities which endanger state security” and refused to allow his wife to visit him, withholding most information about his situation except for a claim he was in good health.17 This created a significant backlash in Taiwan, which was then exacerbated by Mainland actions blocking Taiwan’s participation in the World Health Assembly (WHA) meeting several weeks later (discussed below).

Taipei Refuses to Be Provoked—Tsai Adopts a “Three New” Concept

Nonetheless, not only did Taipei determinedly stick to its commitment not to provoke Beijing, it sought in various ways to keep the door open to possible progress after the 19th Party Congress this fall.

Tsai recognized that the impact of the party congress was still an unknown. Nonetheless, in early May she introduced a “three new” (三新) concept.18 The “three new” ideas were that cross-Strait relations now operate in a new situation, there is need for a new “test paper,” and the two sides must adopt a new framework of cross-Strait relations. Both sides must view the new set of circumstances objectively, she argued, and must work together to decide on a new, mutually beneficial framework. Such an achievement would ensure peace and stability not only across the Strait but also in the region.
Tsai emphasized that the Mainland’s continued reference to her as having submitted an “incomplete test answer sheet” was not an act of goodwill. There must be a new test paper to be answered not by any individual but through “concerted efforts” grounded in “mutual interactions of goodwill.”

Though Taipei justified the action as being in accordance with Taiwan law, its refusal to grant political asylum to a visiting PRC human rights advocate was obviously intended as a demonstration of such goodwill. Similarly, the Tsai administration’s apparent steps earlier in the year to turn away Uighur activist Rebiya Kadeer reflected a similar intention.

As to the creation of a new framework for cross-Strait interaction, Tsai said, “whenever the Mainland is ready and willing to show goodwill, we can all come together to work it out.”

Although many scholars on the Mainland and even a media website operated by the TAO were more direct in dismissing Tsai’s ideas than the TAO spokesman, the basic message was the same: “one China” was the key to resolving the current problem and she was evading it. As Zhang Zhijun put it, there is only one “new” thing that is certain, and that is that there has been a negative change in cross-Strait relations since Tsai took office on May 20, 2016.

Nonetheless, Tsai’s office characterized her “3 new” concept as “more vigorous,” indicating that for the time being the government would not take any stronger position on cross-Strait relations and would decide on any future changes depending on the Mainland’s attitude.

**World Health Assembly**

Readers may recall that although the WHA convened after Tsai took office in 2016, an invitation was issued while Ma was still president. Recognizing that it was Tsai who would send a delegation, the invitation made specific reference to UNSC and WHO resolutions of 1971 recognizing the PRC as the legal government representing all of China in those bodies. This was a temporizing move to see how Tsai would handle “one China” as she took office, including in her inaugural address.

By May 2017, however, Beijing was no longer temporizing. It had made the judgment that Tsai had destroyed the common “one China” political foundation on which progress during Ma Ying-jeou’s eight years in office had rested. And unless and until she accepted that same political foundation, however expressed, there would be no high-level cross-Strait consultation or dialogue to agree on “fair and reasonable” arrangements for Taiwan’s international participation and no political basis for such participation. Accordingly, much to Taipei’s frustration and clearly at Beijing’s direction the WHA declined to issue an invitation for Taiwan to attend its annual session as an “observer” for the first time since 2009.
Setting aside the fact that WHO is a UN specialized agency, Tsai and her administration argued that WHO is a “non-political organization” and they characterized equal health treatment as an inalienable “human right.” In making this case, Tsai herself tweeted 10 times in the run-up to the final registration date.

But Beijing was having none of it. Having reprised the claim that Beijing passes on relevant health information to Taiwan in a timely way, that Taiwan can attend all WHO technical meetings and WHO experts can visit the island if needed (all being claims that Taipei firmly rebutted), the Mainland drew a bright line between the health of people in Taiwan and exclusion from meetings. On the latter score, Zhang Zhijun explained, “The precondition and basis for Taiwan’s presence at the WHA no longer exist. And everyone is quite clear as to which side should be responsible.”

This all came in the face of Tsai’s wide-ranging April 27 interview with Reuters, in which she laid down a broad hint of flexibility. She said “If China shows flexibility and goodwill, I believe that the Taiwanese people will then think about how Taiwan can be more flexible. A relationship cannot be led by just one side. There has to be a process of engagement. If this relationship is to develop, there must be an accumulation of goodwill.”

In this context Tsai brought up the fate of Taiwan’s representation at WHA, saying it would be a “very important indicator in cross-Strait relations.” Having suggested that a positive decision on WHA would generate a positive response, she said that if China made a negative decision this would have a major adverse impact on cross-Strait relations; Taiwan people will not understand why they cannot participate in a non-political experts meeting.

It was intriguing that she set this up essentially as a litmus test when, in light of the recent experiences with ICAO and INTERPOL, a negative outcome was almost certain. If there were an authoritative back channel, that could help provide an explanation. And with the WHA spokesman hinting even after the registration deadline had passed that a later-than-last-minute reversal was possible, and with Taipei saying it still was trying, that cannot be totally ruled out.

But there have been no other indicators of such a channel at this point, and two quiet “front channel” efforts by Taiwan to communicate with Beijing in recent weeks were ignored. Moreover, Beijing denounced Taipei’s plan to send a high-level delegation to Geneva to meet with other delegations on the margins of the WHA session, saying it was “severely damaging” to cross-Strait peace and stability.

One can only conclude that if, in fact, the PRC’s right hand is maneuvering behind the scenes, the left hand either does not know about it or is doing a very good job at dissembling. Taiwan’s exclusion will probably not lead to a reversal of Tsai’s pledge not to return to the road of confrontation, but it could affect the tone of her approach to Beijing, as the
negative public reaction in Taiwan could limit her flexibility to take further positive steps.

_Other openings?_

As this article is heading to the printer, the May 22 opening of the WHA meeting is fast approaching. Tsai’s inaugural anniversary, two days earlier, will provide an occasion for her to speak—and for Beijing to react. That exchange will obviously be closely watched. But even if Tsai’s poll numbers were not continuing to lag, without some gesture from the Mainland in the form of a compromise over WHA, it is hard to see where she will find the incentive to make a unilateral gesture.

Perhaps by the time of the DPP party congress in July, one or more of Tsai’s major legislative reform efforts will have succeeded to the point where she has enough political capital to consider a step forward such as addressing the Taiwan independence plank in the DPP party charter. Yet even if one of her controversial priority programs such as pension reform is enacted, not only is it unlikely to have had a sufficient impact by then to generate public support for a controversial cross-Strait initiative but, as now, without a firm indication from Beijing of a significant reciprocal step to justify it, it is hard to foresee Tsai promoting any major cross-Strait measures before the 19th Party Congress.

**Implications of Trump’s Courting of Xi**

The post–U.S. election period appeared to start out with Taiwan-U.S. relations likely to experience an upgrade in both substance and visibility. However, Trump’s recommitment to the U.S. “one China policy” in a late February telephone conversation with Xi Jinping as well as the subsequent Mar-a-Lago summit in early April and the active Trump-Xi dialogue since then have significantly changed the dynamic of U.S.-PRC relations. This has had a limited but measurable impact on Taipei-Washington relations.

Taipei’s fears of a “4th U.S.-PRC Communiqué” that might redefine American commitments to Taiwan seemed unjustified from the outset. Despite Trump’s toying with the “one China policy” in hopes of gaining leverage with Beijing, a fourth communiqué seems never to have been under serious consideration. Moreover, during his confirmation process, Secretary of State Rex Tillerson reaffirmed the U.S. commitment not only to the three U.S.-PRC joint communiqués, but also to the Taiwan Relations Act and the Six Assurances. As he said, “The people of Taiwan are friends of the United States and should not be treated as a bargaining chip. The U.S. commitment to Taiwan is both a legal commitment and a moral imperative.”

On the other hand, it was certainly untrue that Taiwan was ignored at Mar-a-Lago, as the Taiwan press initially reported. PRC Foreign Minister Wang Yi noted in his post-summit press briefing that “[t]he Chinese side reiterated its principles and positions on the Taiwan issue and Tibet-related issues, and urged the US side to stick to the principles of the Three Joint Communiqués and the one-China policy to prevent the China-US relations from being disrupted.”
In subsequent weeks, as President Trump worked hard to promote Xi’s cooperation on North Korea, it became obvious that aspects of Washington-Taipei ties would be affected to some degree. As the Mar-a-Lago summit was still under way, it was reported that an arms sales package for Taiwan had been sent to the White House for review. Perhaps, as the report said, further consideration would be held up until relevant assistant secretaries of state and defense had been nominated (which still has not happened), but it is at least worth noting that nothing further has been heard of such a sale.

Moreover, although press reporting that Tsai Ing-wen had suggested a possible second phone call with Trump appears to have been misleading, nonetheless, what is noteworthy is that Trump not only pushed aside the idea of such a call but went as far as to say that it was a sensitive matter for Xi Jinping and he would want to talk with Xi about it first.

Thus, although cooperation in a number of important areas continues to grow, and it would be wrong to suggest that U.S.-Taiwan relations were in any fundamental way at risk, it seems unlikely that the U.S. will go along with Tsai’s expressed hope that bilateral relations can be elevated to an “upgraded version” of strategic partnership that will cover regional security, at least in any publicly recognized form. Moreover, upgraded economic and trade relations, which Tsai has also called for, will likely be approved only on economic grounds, not political ones, and will require that Taiwan demonstrate that a bilateral FTA would meet what one Taiwan daily called “U.S. first and fair trade” principles that would solve bilateral trade imbalances, create U.S. jobs and, given the history of Taiwan reneging on trade commitments, generate renewed trust that Taiwan will keep its word, even in the face of critical public opinion.

That begs the question, of course, of what will happen not only in Taiwan policy but in other areas of U.S.-PRC relations if at some point Mr. Trump determines that Xi is not delivering what Trump expects, especially on North Korea or trade issues. At this point, however, that also falls into the realm of sheer speculation.

Notes
2 Wang Dake, “Why is little attention being paid to the ‘new model of cross-Strait interaction’?” (“两岸互動新模式” 为何被看淡?), People’s Daily (Overseas Edition), February 7, 2017, http://paper.people.com.cn/rmrbhwb/html/2017-02/07/content_1748058.htm. Taipei officials denied that Tsai ever intended to push a new model but rather that, after the 19th Party Congress and with a new American President in place, opportunities for progress would be greater. (Chung Ning, “In the second half of the year will there be a push for a new cross-Strait policy? MAC: This is not the President’s intention” [下半年推兩岸新政策？陸委會：與總統原意有出入], China Times, February 9, 2017, http://www.chinatimes.com/realtimenews/20170209006384-260409.)

As usual, tourism seemed to be an exception, where arrivals from the Mainland during 2016 dropped 18 percent over 2015, with a drop of 33 percent between the time Tsai took office and the end of the year. Non-tourist visitors from the Mainland dropped over 16 percent in 2016. (Elaine Hou and Hsieh Chia-chen, “Chinese tourists to Taiwan down 33 percent since May 2016,” CNA, February 11, 2017, http://focustaiwan.tw/news/aall/201702110008.aspx). In the first four months of 2017 tourism dropped to only half the previous year’s level. Of this decline, group tours were down by 61.8 percent while independent tourists declined by 35 percent. (Ting Yang-chieh, “MAC: Mainland tourists declined by 50 percent from January to March” [陸委會：1至3月陸客年減5成], China Times, March 23, 2017, http://www.chinatimes.com/realtimenews/20170323005918-260409.) While tourists from other countries made up the gap in the number of arrivals, Mainland tourists reportedly spend far more than others. For example, each tourist in a Mainland group spends five times more in duty-free shops than Korean and Thai counterparts. (Yang Wen-chi, “The value of tourism falls to a 10-year low” [觀光產值掉十年低點], UDN, March 21, 2017, https://udn.com/news/story/7238/2354627.)


习近平同志为核心的党中央准确研判形势, 科学决策部署, 牢牢把握两岸关系发展大方向...新形势下, 我们要认真学习习近平总书记对台工作重要思想, 坚决贯彻党中央对台大政方针, 全面落实各项工作部署.


The PRC foreign ministry justified the Mainland delegation’s stance on two grounds. First, that “Taiwan is neither a participant nor observer of the Kimberly Process and shall not attend meetings of its working groups or committees.” Second, strongly implying that Taiwan’s participation came at the grace and favor of Beijing, the spokesman referred to the PRC’s “clear and consistent” position that Taiwan’s participation in activities of international organizations is to follow the “one China” principle. (“Foreign ministry spokesperson Geng Shuang’s regular press conference [transcript],” May 3, 2017, http://www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/2511_665403/t1458633.shtml.)


19 Chu Tze-wei and Elizabeth Hsu, “Chinese activist leaves Taiwan on flight back to China,” CNA, April 19, 2017, http://focustaiwan.tw/news/ac/201704190012.aspx. On his return to Beijing, the activist was placed under investigation.


21 Chu Yeh, “Tsai raises the ‘three new’ concept in cross-Strait relations, continues to evade ‘one China,’ expert criticizes the attempt to shift responsibility by emphasizing trivial questions in place of important ones” (蔡提兩岸「三新」續迴避一中 專家批避重就輕圖轉移責任), Wen Wei Po, May 4, 2017, http://paper.wenweipo.com/2017/05/04/TW170504001.htm.

22 “TAO’s media website responds with one China principle to Tsai’s ‘3 new’ concept,” UDN, translated by KMT News Network, May 7, 2017, http://www1.kmt.org.tw/english/page.aspx?type=article&mnum=112&anum=19161. The TAO website article went beyond rejecting Tsai’s new concept. It argued that, due to split views in Taiwan—with some people supporting “one country, two areas” (一國兩區) as the status quo while others believed that the status quo was “one China, one Taiwan” or “two Chinas”—Tsai in reality backed an ambiguous status quo in an effort to satisfy everyone, including the Mainland. In fact, however, precisely due to the split opinions on the island, the article said, “it is utterly impossible for the Mainland to accept maintaining the status quo.” (The original UDN story is at Lee Chung-wei, “Media under the TAO banner, listening to the three new [concept] calls for one China” (國台辦旗下媒體 聽著三新喊一中), May 7, 2017, https://udn.com/news/story/7331/2447468.)


27 A WHO official said that the organization’s director general was “not in a position” to invite Taiwan. (Matthew Strong, “WHO not inviting Taiwan to WHA, but talks continue,” Taiwan News Online, May 12, 2017, http://www.taiwannews.com.tw/en/news/3161014.)


如果中國展現出這樣的彈性與善意，我相信台灣的人民也一定會思考台灣能展現如何的彈性，兩岸關係絕對不是單方可以主導的，一定是互動的過程，如果關係要有進展，必須有很多善意的累積。


“WHA hints at ‘further developments’ after snubbing Taiwan,” China Post, May 10, 2017, http://www.chinapost.com.tw/taiwan/national/national-news/2017/05/10/497119/WHA-hints.htm. Two days later, the WHO was still saying (without further explanation) that negotiations were continuing. (Matthew Strong, “WHO not inviting Taiwan,” see endnote 27.)


Romberg, “The Bull in the China Shop” (see endnote 34).


47 Media reported that she proposed a call. In fact, she responded to a question by stating she wouldn’t exclude it, but it depended on the overall situation and U.S. priorities in the region. (“Office of the President responds to media reports concerning President Tsai’s recent interview with Reuters,” http://english.president.gov.tw/Default.aspx?tabid=491&itemid=39135&krmid=2355.)

48 “My problem is that I have established a very good personal relationship with President Xi. I really feel that he is doing everything in his power to help us with a big situation [in North Korea]. So I wouldn’t want to be causing difficulty right now for him. I think he’s doing an amazing job as a leader and I wouldn’t want to do anything that comes in the way of that. So I would certainly want to speak to him first.” (Jeff Mason, Stephen J. Adler and Steve Holland, “Exclusive: Trump spurns Taiwan president’s suggestion of another phone call,” Reuters, April 28, 2017, http://in.reuters.com/article/usa-trump-taiwan-exclusive-idINKBN17U05O.)