

The Taiwan Relations Act at 30

A seminar on Capitol Hill

On April 2nd, the Project 2049 Institute hosted “The Taiwan Relations Act at 30: A Seminar on Capitol Hill”. Enacted by the U.S. Congress on April 10, 1979, the Taiwan Relations Act (TRA) is the key legislation that has helped to preserve peace in the Taiwan Strait. This event commemorated the 30th anniversary of the TRA and reflected upon its legacy in policymaking to this day as well as into the future.

Remarks | **Senator James Inhofe, Senator Mel Martinez and Senator Sherrod Brown**

The event opened with remarks from co-host Senator James Inhofe (R-OK), co-chair of the Senate Taiwan Caucus, who praised Taiwan’s demonstration of the rewards of freedom.

Senators Mel Martinez (R-FL) and Sherrod Brown (D-OH) of the Caucus also participated in the seminar to provide their insights on the U.S. – Taiwan relationship. Senator Martinez drew parallels between human rights issues in China and in his native Cuba, arguing “when human rights are not preserved we all lose a little bit of our humanity”. He also called Taiwan a beacon of hope for other societies that yearn to become democratic.



From left to right: Sen. Inhofe, Sen. Martinez & Sen. Brown

Senator Brown urged a continuation of Taiwan’s efforts to achieve full sovereignty, UN membership, and World Health Organization recognition. He also noted that he looked forward to the day when Taiwan enjoyed official diplomatic representation in the U.S.

Comments | **Raymond F. Burghardt**

A distinguished audience member, the American Institute in Taiwan (AIT) Chairman Raymond Burghardt made some impromptu remarks explaining AIT’s role as an unofficial embassy to Taiwan, which has enabled the U.S. to preserve diplomatic relations with the island.

Panel | **The Taiwan Relations Act: 1979 – 2009**

Shirley Kan (Congressional Research Service), Peter Brookes (The Heritage Foundation), and Dr. Joseph Wu (National Chengchi University, Taiwan) discussed the history and evolution of the TRA over the past 30 years. The panelists focused on the TRA’s legacy as a tool to keep the peace in East Asia, to guide policymaking by Congress and the Executive, and to ensure the continuation of *de facto* relations between the US and Taiwan, even as the *de jure* official recognition was transferred to China.

Moderator Randy Shriver (former Deputy Assistant Secretary of State for East Asian and Pacific Affairs and Project 2049 Institute President and CEO) initiated the discussion by calling the event “an anniversary worth remembering, worth reflecting upon, and worth discussing”.

Shirley Kan criticized the freezing of arms sales under President George W. Bush, calling for the new administration to faithfully adhere to the principles of the TRA.



From left to right: Randy Schriver, Peter Brookes, Shirley Kan and Dr. Joseph Wu.

Dr. Wu pointed out that Taiwan should be proud of its mature and important economy, and reminded the audience that Taiwan's development would not have been possible without the protection provided by the TRA. However, he cautioned that Taiwan's democracy was still fragile, and expressed concern over recent judicial action against opposition party members.

Audience members questioned the panelists on the implications of Taiwan's increasing interconnectedness to mainland China, the most appropriate military posture for Taiwan, and the prospects for the TRA to survive for another 30 years.

Panel | **The Taiwan Relations Act: continuing relevance and challenges going forward**

This panel brought together Dr. Shelley Rigger (Davidson College), Dr. James Mulvenon (Center for Intelligence Research and Analysis), Rupert Hammond-Chambers of the (U.S.-Taiwan Business Council) and moderator Mark Stokes (former Country Director for the PRC and Taiwan, OSD and Project 2049 Institute Executive Director).

Dr. Rigger expressed that the overwhelming majority of Taiwanese preferred *de facto* independence from China while maintaining friendly relations with the mainland.

Dr. Mulvenon emphasized the foresight of the TRA, explaining that it was passed when the PRC posed little threat to Taiwan, and that the TRA has only grown more relevant over time as the PLA has grown in capabilities. He listed growing PLA capabilities that threaten to upset the balance of power in the Strait: the PLA's cyberwarfare capabilities, fifth column potential, conventional military buildup, and burgeoning anti-ship ballistic missile and second-strike nuclear capabilities. He also indicated his concern for the possibility of an accident in the Taiwan Strait that would trigger a three-way crisis involving the U.S, Taiwan, and China.

Mr. Hammond-Chambers argued that the TRA had played a vital role in enabling the emergence of Taiwan's economy, ensuring that the loss of diplomatic recognition had not threatened Taiwan's Most Favored Nation trading status with the U.S. He also called for an ECFA (Economic Cooperation Framework Agreement)-style trade agreement between Taiwan and the US to promote the maturing of the U.S. - Taiwan relationship.

The second panel also fielded questions from the audience, assessing the risk of President Ma's strategy of positive cross-strait relations, arguing that Taiwan needed to effectively brand itself to the international community to bolster its prospects for sovereignty, and pointing out that the democratization of Taiwan had disproved the notion that Chinese culture is not compatible with democracy.

Keynote | **James A. Kelly**

The event concluded with a keynote address by James A. Kelly (Former Assistant Secretary of State for East Asian and Pacific Affairs) who argued that the TRA has stood the test of time, and that Taiwan has earned the respect of the world, and cautioned the U.S. against pressuring Taiwan or trying to mediate cross-Strait relations. He also joined other speakers in fondly remembering Harvey Feldman, the late State Department official who helped to draft the TRA.



James A. Kelly

Written by Blair Foulds