China 201

The U.S. Government's Taiwan Policy Framework

Excerpt from 2019 Annual Report to Congress, pages 452–453

U.S. government policy toward Taiwan is based on the 1979 Taiwan Relations Act (Pub. L. No. 96-8), the three U.S.-PRC joint communiques, and the "Six Assurances" to Taiwan.

Taiwan Relations Act: The Taiwan Relations Act (TRA) laid the legal foundation for continued ties between the United States and Taiwan after Washington established diplomatic relations with Beijing in 1979. In addition to creating a nonprofit corporation called the American Institute in Taiwan (AIT) to be the entity through which U.S.-Taiwan relations are conducted, the TRA contains a list of statements of U.S. policy regarding Taiwan, including that it is U.S. policy to:

- "consider any effort to determine the future of Taiwan by other than peaceful means, including by boycotts or embargoes, a threat to the peace and security of the Western Pacific area and of grave concern to the United States."
- "make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability."
- "maintain the capacity … to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan."

In addition, the TRA directs the president to promptly inform Congress of any threat to Taiwan's security or social or economic system and any related danger to U.S. interests. It further states, "The President and the Congress shall determine, in accordance with constitutional processes, appropriate action by the United States in response to any such danger."[1]

Three Joint Communiques: The 1972, 1978, and 1982 U.S.- PRC joint communiques normalized relations between the United States and the PRC and sought to address the differences between Washington and Beijing regarding Taiwan. In the communiques, the U.S. government stated that the United States will "maintain cultural, commercial, and other" relations with the people of Taiwan and acknowledged Beijing's position that "there is but one China and Taiwan is part of China." In the 1982 communique, the United States appeared to commit to "reduce gradually its sales of arms to Taiwan," but predicated that on China's commitment to a "peaceful solution of the Taiwan question."[2] Then Assistant Secretary of State for East Asian and Pacific Affairs John Holdridge, who participated in negotiations on the communique, testified to Congress, saying, "Any adjustments in our arms sales to Taiwan had to be premised on a continuation of China's peaceful policy" regarding

the resolution of the cross-Strait sovereignty dispute. Assistant Secretary Holdridge attested, "We refused [to commit to an end to U.S. arms sales] because the level of our arms sales must be determined by the needs of Taiwan." He further noted, "China's peaceful policy bore directly on the defense needs of Taiwan," arguing that if China pursued a peaceful resolution, "the threat to Taiwan would be diminished."[3] Successive administrations have held that China has failed to reduce, and at times has even increased, the threat to Taiwan, requiring continued arms sales under U.S. commitment in the TRA.

"Six Assurances": In 1982, during the negotiations on the final U.S.-PRC communique, the then head of AIT James Lilley orally communicated "six assurances" from President Ronald Reagan to Taiwan President Chiang Ching-kuo. The assurances, which different U.S. administrations have embraced to varying degrees, consisted of the following:*

The United States:

1. "has not set a date for ending arms sales to Taiwan";
2. "has not agreed to consult with the PRC on arms sales to Taiwan";
3. "will not play any mediation role between Taipei and Beijing";
4. "has not agreed to revise the Taiwan Relations Act";
5. "has not altered its position regarding sovereignty over Taiwan"; and
6. "will not exert pressure on Taiwan to enter into negotiations with the PRC."[4]

Endnotes

[1] American Institute in Taiwan, *Taiwan Relations Act (Pub. L. No. 96-8)*.
[2] Shirley A. Kan, "Reagan's Memo and its Prequel on Arms Sales to Taiwan," *Global Taiwan Institute*, October 9, 2019; Ronald W. Reagan, *Memorandum: Arms Sales to Taiwan*, August 17, 1982. *https://www.ait.org.tw/wp-content/uploads/ sites/269/08171982-Reagan-Memo-DECLASSIFIED.pdf*; American Institute in Taiwan, *U.S.-PRC Joint Communique (1982)*; American Institute in Taiwan, *Joint Communique of the United States of America and the People's Republic of China (Normalization Communique)*; American Institute in Taiwan, *U.S.-PRC Joint Communique (1972)*.
[3] Piin-Fen Kok and David J. Firestein, "Threading the Needle: Proposals for U.S. and Chinese Actions on Arms Sales to Taiwan," *EastWest Institute*, 2013, 59–60.
[4] Alan D. Romberg, "Rein-In at the Brink of the Precipice," *Henry L. Stimson Center*, 2003, 134–136; Shirley A. Kan, "China/Taiwan: Evolution of the "One China" Policy—Key Statements from Washington, Beijing, and Taipei," *Congressional Research Service*, October 10, 2014, 43–44.