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# The Distortion of UN Resolution 2758 to Limit Taiwan's Access to the United Nations

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## ACRONYMS

BRI	Belt and Road Initiative
CCP	Chinese Communist Party
DPP	Democratic Progressive Party
ISO	International Organization for Standardization
KMT	Kuomintang (Nationalist Party)
MOU	memorandum of understanding
NGO	nongovernmental organization
OLA	United Nations Office of Legal Affairs
PRC	People's Republic of China
ROC	Republic of China
WHA	World Health Assembly
WHO	World Health Organization
UN	United Nations
UNGA	United Nations General Assembly
UNSC	United Nations Security Council

## EXECUTIVE SUMMARY

There is a campaign underway by the People's Republic of China (PRC) to reinterpret UN Resolution 2758 as based on its "One China" Principle and spread the fallacy that, through the resolution, UN member states came to a determination that Taiwan is a part of the PRC. Yet, in passing the resolution in 1971, the countries solely intended to grant the seat occupied by the Republic of China in the General Assembly and the Security Council to the PRC. This is reflected in the official historic record and meeting minutes as well as in the resolutions raised at the time for the General Assembly's consideration.

The PRC understood then that the resolution did not contain the Taiwan conclusions it wanted. Prime Minister Zhou Enlai noted that, if Resolution 2758 passed, "the status of Taiwan is not yet decided." Beijing, through its proxies at the UN, expressed its unwillingness to join the organization if it allowed "'two Chinas,' 'one China, one Taiwan,' or 'the status of Taiwan remaining to be determined.'" However, given that Beijing did not enjoy the same level of international influence then as it does today, it did not reject the resolution when it passed. Instead, PRC officials assumed the "China" seat and only later began to leverage their position to promote Beijing's stance on Taiwan at the UN level.

The PRC's efforts to rewrite Taiwan's status at the UN ramped up in the 1990s and early 2000s at the same time as the island's democratization. The PRC has since worked to "internationalize" its "One China" Principle and to conflate it with UN Resolution 2758, a revisionist shift from the original intent of the document.

Beijing has managed to further institutionalize and normalize its stance on Taiwan within the UN by signing secret agreements with UN bodies, restricting Taiwan's access to the UN and its facilities, and embedding PRC nationals across various levels of UN staff. The UN and its specialized agencies have not made the texts of these agreements, such as that of the 2005 memorandum of understanding (MOU) between the PRC and the World Health Organization, available to the public or to any entity beyond the main signatories, though leaked guidance memos provide insights into the scope of the MOU's content (See Appendix B).

The PRC has likewise sought to force its views on nomenclature relating to Taiwan within the UN. This includes withholding UN accreditation from NGOs and civil society groups that do not refer to Taiwan as a part of the PRC in their organizational materials or on their websites. Recently, it has come to light that the PRC and its representatives have altered historic UN documents to change references of "Taiwan" to "Taiwan, Province of China." (Examples are presented in a case study.)

These developments have played out alongside marked shifts in the guidance of the UN Office of Legal Affairs on Taiwan, where it only 15 years ago cited an ambiguous and undefined "One China" policy, but now reiterates the PRC position on Taiwan.

The PRC has likewise used UN Resolution 2758 and bilateral normalization agreements with other member states to falsely claim that its "One China" Principle is a universally accepted norm. It has also ensured that a plurality of countries back its views at the UN level and will cast votes alongside it—particularly on issues of Taiwan's participation—and it reinforces this support through economic pressure on governments.

The PRC's efforts to constrain Taiwan at the UN have broader implications for international governance, as it shows a prioritization of one member state's national interests over the global community's—as exemplified by Taiwan's damaging exclusion from global health debates during the coronavirus pandemic. The United States opposes the PRC's attempts to redefine UN Resolution 2758 and has pushed back against UN statements claiming

that Taiwan is a province of the PRC, including issuing a 2007 “non-paper” asserting its position that Taiwan’s status is not yet determined. The PRC has recently attempted to use its narrative of the “One China” Principle as embedded in UN Resolution 2758 to call into question the legitimacy of longstanding US policy on Taiwan—including the Taiwan Relations Act, which is US law.

### *Policy Recommendations*

The United States should develop a strategy to push back more effectively against the PRC’s attempts to redefine UN Resolution 2758 as encompassing its “One China” Principle and against its broader pressure campaign against Taiwan’s participation at the United Nations. This should consist of the following elements.

- The United States should launch a major diplomatic effort to forge a group of like-minded countries willing to challenge the PRC’s interpretation of UN Resolution 2758. This group should write a letter to the UN secretary general expressing their opposition to Beijing’s attempt to distort the meaning of the resolution to block Taiwan’s participation in the UN.
- The United States and its allies should press the International Organization for Standardization (ISO), an independent NGO with a membership of 167 national standards bodies, to reverse its decision to use “Taiwan, Province of China.” The ISO usage has led many international organizations and multinational corporations to adopt the same lexicon.
- The United States and its allies should take steps to curb the PRC’s growing coercive and corrupting influence as well as its efforts to promote and legitimize its agenda across the UN system. In particular, there should be a sustained effort to lobby against the appointments and elections of PRC nationals to high positions in UN agencies. The United States and its allies should take additional steps to safeguard the secrecy of national voting for leadership positions of UN bodies.
- The US Mission to the UN should request that the full text of all MOUs and other agreements that the PRC has signed with the UN Secretariat and with UN funds and programs—including those concerning Taiwan—should be made public.
- The United States should reassess its approach to voting blocs in the UN voting and branch beyond the support of its traditional allies and partners, developing strategies and outreach to UN member states on an issue-by-issue basis, including those that touch on Taiwan’s meaningful participation.
- The United States should publicly emphasize the differences between its “One China” policy and Beijing’s “One China” Principle. It should encourage other countries that have “One China” policies that differ from the PRC’s “One China” Principle to do the same. US officials should make clear that the United States acknowledges the Chinese position that Taiwan is part of China but does not accept PRC claims to sovereignty over Taiwan.
- Building on existing congressional interest,<sup>1</sup> the Department of State should leverage its membership on the NGO Committee, the Economic and Social Council, the Human Rights Council, and in other relevant fora to highlight and counter PRC efforts to restrict UN access and participation by otherwise qualified NGOs that refer to Taiwan in their communications without adding “Province of China,” that have offices in Taiwan, or that partner with Taiwanese organizations.

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<sup>1</sup> The America COMPETES Act of 2022, H.R. 4521, 117th Cong. § 30210 (as passed by the House of Representatives, February 4, 2022).

## INTRODUCTION

October 25, 2021 marked the 50<sup>th</sup> anniversary of the passing of United Nations General Assembly (UNGA) Resolution 2758. In the half century that has passed, the global landscape has shifted markedly from that day in 1971 when the People’s Republic of China (PRC) formally replaced the Republic of China (ROC) as the holder of the “China” seat in the UNGA and the UN Security Council (UNSC).

Of the two main affected parties, the PRC has since enjoyed unprecedented economic growth, which has simultaneously fueled its military modernization and enabled the expansion of its international presence and influence, including in key intergovernmental organizations. For its part, Taiwan has transitioned from an authoritarian government under Chiang Kai-Shek to a thriving democracy of 23.5 million and become a key node in global technology supply chains. It has a robust civil society with world-class expertise on an array of transnational issues, from public health and climate change to humanitarian assistance and disaster relief.

Yet, despite these accomplishments, Taiwan officials and representatives of its nongovernmental organizations (NGOs) are often excluded from attending and participating in discussions on these pressing topics in international fora, including those led by the UN and its affiliated organizations. This is in spite of the fact that, for the past decade, Taiwan has prioritized participating in targeted UN specialized agencies, aiming to make functional contributions as a responsible international stakeholder.<sup>1</sup>

***The primary reason for Taiwan’s exclusion is the PRC and its relentless efforts to distort the original text of UN Resolution 2758 in ways that construe it as equivalent to its “One China” Principle.***

The primary reason for Taiwan’s exclusion is the PRC and its relentless efforts to distort the original text of UN Resolution 2758 in ways that construe it as equivalent to its “One China” Principle, which states that “there is only one China in the world, Taiwan is a part of China and the government of the PRC is the sole legal government representing the whole of China.”<sup>2</sup> Beijing alleges that the UN has adopted its position that Taiwan is a part of the PRC and it has worked to insinuate its political priorities at the UN level. It has allowed and tolerated the inclusion of Taiwan when it is governed by the Kuomintang (KMT) party—achieved under a vague understanding between the KMT and the Chinese Communist Party (CCP) that both sides of the Taiwan Strait belong to “One China”—while staunchly blocking Taiwan when it is governed by the Democratic Progressive Party (DPP). Since the inauguration of President Tsai Ing-wen from the DPP in May 2016, Taiwan has yet again been prevented from participating in UN and UN-affiliated organizations.

The PRC’s ability to do so can be attributed to its disproportionate influence within the UN system—attained through a variety of means such as specialized funding schemes, the signing of memoranda of understandings (MOUs), and embedding PRC nationals across all levels of UN staff as well as outside it. This also includes using

1 For more details, see Bonnie Glaser, [Taiwan’s Quest for Greater Participation in the International Community](#), Center for Strategic and International Studies, December 2013.

2 The Taiwan Affairs Office and The Information Office of the State Council, [White Paper—The One China Principle and the Taiwan Issue](#); Embassy of the People’s Republic of China in the Kingdom of Norway, February 21, 2000.

**Box 1. Full Text of UN Resolution 2758.**

THE GENERAL ASSEMBLY.

Recalling the principles of the Charter of the United Nations.

Considering the restoration of the lawful rights of the People's Republic of China is essential both for the protection of the Charter of the United Nations and for the cause that the United Nations must serve under the Charter.

Recognizing that the representatives of the Government of the People's Republic of China are the only lawful representatives of China to the United Nations and that the People's Republic of China is one of the five permanent members of the Security Council.

Decides to restore all its rights to the People's Republic of China and to recognize the representatives of its Government as the only legitimate representatives of China to the United Nations, and to expel forthwith the representatives of Chiang Kai-shek from the place which they unlawfully occupy at the United Nations and in all the organizations related to it.

*Source: American Institute in Taiwan, [U.N. Resolution 2758 - Oct. 25 1971](#).*

a combination of carrots and sticks to convince other countries, predominantly those in the Global South, to vote alongside China in support of its interests on the UNGA floor.

The PRC has over time seen success in normalizing its stance on Taiwan within UN institutions and in getting a plurality of countries to back its views—which then bolsters its argument that there is an international consensus on its claim to the island. However, UN Resolution 2758 does not substantiate this and is succinct in its language. (See Box 1.)

Crucially, UN Resolution 2758 does not include the words “Republic of China” or “Taiwan”—it merely alludes to the former vacating its UN seat. Accordingly, it does not present an institutional position on the status of Taiwan, even though the PRC claims it does—it solely states that the PRC will, from that day forth, represent “China” at the UN.<sup>3</sup>

This report first explores the geopolitical backdrop to UN Resolution 2758 and reviews historical UN documents and meeting minutes to demonstrate that member states' original intent for the resolution was solely to determine the holder of the “China” seat at the UN. It then examines how the PRC has worked over the years to drive a new narrative around the resolution by conflating it with the “One China” Principle. It then explores the nature and extent of PRC efforts to restrict Taiwan at the UN and its related organizations, assessing the broader implications of PRC influence within the UN system. The conclusion sets out policy recommendations on how to preserve space for Taiwan's meaningful participation in the UN.

<sup>3</sup> Yu-Jie Chen, “[Must Taiwan Remain Invisible for the Next 50 Years?](#)” *The Diplomat*, October 25, 2021.

## HISTORICAL CONTEXT AND ORIGINAL INTENT

A review of the historical backdrop and the debates surrounding UN Resolution 2758 is instructive. It reveals that there was a broad spectrum of views among UN member states in 1971 and that, given the lack of consensus on how to approach the Taiwan issue, the representatives of these countries cast votes only on the question of the “China” seat. The resolution did not make any determinations regarding Taiwan or Taiwan’s status. Official documents also indicate that PRC leadership was aware of—and concerned about—this reality but acquiesced to the decision and assumed the “China” seat at the UN and the UNSC.

The contest for the “China” seat at the UN played out against the historical backdrop of the Cold War—from the legacy of the Chinese civil war to the posturing between the United States and its North Atlantic Treaty Association allies and the Soviet Union and Warsaw Pact countries, including associated proxy disputes in the Asia-Pacific. These geopolitical tensions played out at the UN level, with the Soviet Union, the first country to recognize the PRC, pushing for its “legitimate” claims to the “China” seat as well as one of the five powerful and permanent seats on the UNSC.<sup>1</sup> For the first two decades after the PRC was established in 1949, efforts to replace the ROC were unsuccessful, due largely to US-backed motions and resolutions that deferred a vote or decreased the odds of a vote succeeding—including, on numerous occasions, by elevating the matter to an “important question” and thus requiring a two-thirds majority vote to pass.<sup>2</sup>

Since its founding, the PRC had made repeated attempts to unseat the ROC at the UN—directly and through the support of sympathetic member states.<sup>3</sup> The initial ones were unsuccessful and there was a lull after 1965, during which time the PRC expressed disinterest in joining an organization it viewed as “a place for playing power politics” between the United States and the Soviet Union and with overt US influence and manipulation.<sup>4</sup> This view was in part spurred by Indonesia’s withdrawal from the UN in 1965, which prompted Beijing to issue a comprehensive list of demands and preconditions for its entry—which largely went unheeded.<sup>5</sup> Soon after, with the onset of the Cultural Revolution in 1966, the PRC’s attention turned inward.<sup>6</sup>

As the Cultural Revolution began to wind down, which allowed the CCP to regain greater control over state mechanisms, Beijing began a renewed push to join the UN.<sup>7</sup> This was part of a broader, more flexible foreign

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1 Global Times, “[Color Footage of the Founding Ceremony of the People’s Republic of China — A Precious Gift from Russia](#),” June 3, 2021; Ministry of Foreign Affairs of the People’s Republic of China, [Struggle to restore China’s lawful seat in the United Nations](#), accessed 15 November 2021; Wilson Center’s Digital Archive, “[Telegram: Mao Zedong to Zhou Enlai and CCP CC](#),” January 7, 1950; Eric Ting-Lun Huang, “[Taiwan’s Status in a Changing World: United Nations Representation and Membership for Taiwan](#),” Annual Survey of International & Comparative Law, Vol. 9, Issue 1, 2003, p. 78.

2 [United States Department of State Office of the Historian, Foreign Relations of the United States](#), 1969–1976, Volume XVII, China, 1969–1972; Ting-Lun Huang, “Taiwan’s Status in a Changing World,” pp. 80–81.

3 Ministry of Foreign Affairs of the People’s Republic of China, Struggle to restore China’s lawful seat in the United Nations.

4 Samuel S. Kim, “[The People’s Republic of China in the United Nations: A Preliminary Analysis](#),” World Politics, 26, no. 3, 1974, pp. 300–302.

5 Indonesia’s withdrawal “triggered off a process of negative polemics,” with the PRC intensifying its rhetoric against the UN by expanding its list of demands for its entry. Prior, Beijing had only asked for Chiang Kai-shek’s representatives to be expelled but, following Indonesia’s departure, it added additional preconditions, such as calling for “all imperialist countries” to be expelled, insisting that the organization pass a resolution deeming the United States an “aggressor,” and requiring that all previous UN resolutions against the PRC and North Korea be overturned. For more, see Kim, “The People’s Republic of China in the United Nations,” pp. 299–301.

6 *Ibid.*, pp. 301–303.

7 *Ibid.*, p. 303.

policy that sought to further legitimize the PRC party-state within the international community and, following the earlier Sino-Soviet split, to counter-balance the Soviet Union.<sup>8</sup> The PRC's new foreign policy strategy placed greater emphasis on fostering bilateral relations, including the aim of normalizing ties with former adversaries, on people-to-people relations, and on aid diplomacy, with particular emphasis on developing countries.<sup>9</sup>

Such overtures, especially those focused on the Global South, began to pay dividends. The wave of decolonization following the Second World War, in which three dozen countries in Africa and Asia gained independence between 1945 and 1960, shifted the balance of power at the UN.<sup>10</sup> The addition of these new members, coupled with the geopolitical shifts stemming from the Sino-Soviet split—which saw the rapid normalization between the PRC and multiple countries, including several Western ones—created sufficient opposition to raising the issue again of ejecting the ROC to an “important question” (See Row 2 in Table 1) and ultimately spurred the passage of UN Resolution 2758.<sup>11</sup>

***The historical record shows that the only question that was resolved by member states was that the PRC would hold the “China” seat at the UN and that the “representatives of Chiang Kai-Shek” would be expelled.***

In the late summer of 1971, UN member states proposed resolutions and held discussions on how to best address the “China” seat on the UNGA, the permanent “China” seat on the UNSC, and questions pertaining to the ROC and Taiwan—both as separate and singular entities.<sup>12</sup> Seven draft resolutions, as well as an amendment by Saudi Arabia, were raised on the UNGA floor in October, with three pressed to a vote—including the resolution that was eventually passed, sponsored by Albania and 22 other countries.<sup>13</sup> (For a summary of these, see Table 1.)

Table 1 shows the breadth of the discussion within the General Assembly, particularly the topics that were raised for consideration by member states, including resolutions that sought to address the question of how the UN would handle the ROC/Taiwan, particularly given that the “Albanian resolution” would deprive Taiwan's then-14 million people of representation at the UN—and not of their volition.<sup>14</sup> Sponsors and supporters of the six other resolutions expressed similar concerns, as well as about how passage of the “Albanian resolution” would do little to resolve longstanding cross-strait disputes.<sup>15</sup> Any momentum behind attempting to address these questions at the UN level was halted when the UNGA decided not to press the other proposed resolutions and amendment to a vote—functionally tabling the Taiwan issue within the organization.

Thus, the historical record—as reflected in the resolutions and amendments considered, as well as the official records of the 26<sup>th</sup> session of the UNGA—shows that the only question that was resolved by member states was

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8 Kim, “The People's Republic of China in the United Nations,” pp. 303-306; Jonathan D. Pollack, [The Sino-Soviet Rivalry and Chinese Security Debate](#), RAND Corporation, October 1982.

9 Kim, “The People's Republic of China in the United Nations,” pp. 303-306.

10 United States Department of State Office of the Historian, [Decolonization of Asia and Africa](#), 1945–1960.

11 Kim, “The People's Republic of China in the United Nations,” p. 304; Ting-Lun Huang, “Taiwan's Status in a Changing World,” p. 81; Henry Tanner, “[U.N. Seats Peking and Expels Taipei](#),” *The New York Times*, October 26, 1971.

12 Over the course of the debate over the “China” seat, various points were raised by UN member states on the future of both the ROC and Taiwan but in multiple different conceptualizations. Some called for a separate seat for the ROC but noted that this would only entail the territory over which it had jurisdictional control, while others indicated that the people of Formosa on Taiwan may seek self-determination separate from the ROC government and should likewise be represented at the UN. For more see Yearbook of the United Nations, “Questions relating to Asia and the Far East: Representation of China in the United Nations,” 1971 pp. 127-132; Marc J. Cohen and Emma Teng, (eds), *Let Taiwan Be Taiwan*, Center for Taiwan International Relations, 1990, pp. 114-118.

13 Yearbook of the United Nations, “Questions relating to Asia and the Far East,” 1971, pp. 127-128.

14 UN General Assembly Official Records, 26<sup>th</sup> Session, 1976<sup>th</sup> plenary meeting at 3 p.m., U.N. Doc. A/PV.1976 (October 25, 1971), pp. 1-7.

15 *Ibid.*, pp. 1-7.

**Table 1. Draft Resolutions and Amendments considered by the UN General Assembly in October 1971.**

Document Name	Number of Sponsor States/Sponsor States	Summary	Decision
A/L. 630 (the “Albanian resolution”)	23   Albania, Algeria, Burma, Ceylon [now Sri Lanka], Congo (People’s Republic), Cuba, Equatorial Guinea, Guinea, Iraq, Mali, Mauritania, Nepal, Pakistan, Romania, Sierra Leone, Somalia, Sudan, Syrian Arab Republic, United Republic of Tanzania, Yemen, Yemen (People’s Democratic Republic), Yugoslavia, Zambia	Restore the “lawful rights” of the PRC at the UN and as one of the five permanent members of the UNSC and expel the representatives of Chiang Kai-Shek.	Passed, 76 to 35 with 17 abstentions.
A/L. 632	22   Australia, Bolivia, Colombia, Costa Rica, Dominican Republic, El Salvador, Fiji, Gambia, Guatemala, Haiti, Honduras, Japan, Lesotho, Liberia, Mauritius, New Zealand, Nicaragua, Philippines, Swaziland, Thailand, United States, Uruguay	Have the UNGA decide whether depriving the ROC of representation at the UN constitutes an “important question.”	Rejected, 61 to 53 with 15 abstentions.
A/L. 633	19   Australia, Bolivia, Chad, Costa Rica, Dominican Republic, Fiji, Gambia, Haiti, Honduras, Japan, Lesotho, Liberia, Mauritius, New Zealand, Philippines, Swaziland, Thailand, United States, Uruguay	Affirm representation of the PRC in both the UNGA and the UNSC, but also affirm the “continued right of representation for the ROC” and “recommend that all [UN] bodies and the specialized agencies take into account the provisions of this resolution in deciding the question of Chinese representation.”	Not pressed to a vote.
A/L. 637	1   Saudi Arabia	Proposed amendments to the “Albanian resolution.” Notably, these include Paragraphs 3 and 4, which would have the UNGA decide whether to restore the rights to the PRC at the UN, but as “the sole legitimate representatives of the whole territory over which the [PRC] exercised full authority”—rather than “of China”—and to “notify the representatives of the [ROC] that they represented only the people of the country over which their government ruled both de jure and de facto and that, as such, the Government might retain its seat at the [UN], taking into account that no people should be denied the right of self-determination.”	Paragraphs 3 and 4 not pressed to a vote.
A/L. 638	1   Saudi Arabia	Decide whether the PRC should hold a seat at the UN and as one of the permanent five of the UNSC, but also decide whether the ROC should maintain a seat at the UN and its affiliated organizations until the “people of the island of Taiwan” decide to make determinations of their own future “enabled by plebiscite or referendum under the auspices of the [UN].”	Not pressed to a vote.

Document Name	Number of Sponsor States/Sponsor States	Summary	Decision
A/L. 639	1   Tunisia	“Draft resolution inviting the People’s Republic of China to arrange to be represented by duly accredited representatives in the organs of the United Nations.”	Withdrawn.
A/L. 640	1   Tunisia	“Draft resolution inviting the Republic of China to continue in the United Nations under the name Formosa,” but not in the UNSC.	Withdrawn.
A/L. 641	1   Tunisia	“Draft resolution requesting inclusion of this item on the agenda of the 27 <sup>th</sup> session of the General Assembly”—would raise the question of Chinese representation at the next UNGA Session if it was not resolved at the current one.	Withdrawn.

Note: The greyed-out box shows the resolution that was passed.

Sources: United Nations, [Index to proceedings of the General Assembly: Twenty-sixth session—1971](#), 1971, p.22, ; Yearbook of the United Nations, “Questions relating to Asia and the Far East: Representation of China in the United Nations,” 1971, pp. 127-132.

that the PRC would hold the “China” seat at the UN and that the “representatives of Chiang Kai-Shek” would be expelled. Thus, the text of UN Resolution 2758 does not include the words “Taiwan” nor does it seek to define what “China” constitutes.<sup>16</sup>

This outcome was contrary to what the PRC hoped for. Ahead of the UNGA meeting, the PRC had its proxies pass along an August 20 letter from its Ministry of Foreign Affairs conveying its stance that Taiwan was a part of its territory that was returned after the Second World War, and that Beijing would “have absolutely nothing to do with the [UN]” if it adopted a position of “‘two Chinas,’ ‘one China, one Taiwan,’ or ‘the status of Taiwan remaining to be determined.’”<sup>17</sup> This message was relayed again by the Albanian representative during UNGA debates.<sup>18</sup>

The PRC leadership remained worried that the exact language in what was to become UN Resolution 2758 was insufficient, with Prime Minister Zhou Enlai telling US National Security Advisor Henry Kissinger in a meeting in Beijing ahead of the General Assembly meeting:

The question is that in the other resolution [the “Albanian resolution”] it calls for the restoration of all lawful rights of China in the United Nations, including its seat in the UN. In that resolution it is not possible to put in a clause concerning the status of Taiwan, and if it is passed, the status of Taiwan is not yet decided....

... Of course, countries who support the Albanian Resolution haven’t thought of this side of the question... what we are worried about is that if our legitimate rights in the United Nations are restored, while the status of Taiwan is left hanging in the air, we will have to consider this matter.<sup>19</sup>

16 Russell Hsiao, “[Resolution 2758 and the Fallacy of Beijing’s UN “One-China Principle”](#),” Global Taiwan Brief, Volume 6, Issue 20, October 20, 2021.

17 Yearbook of the United Nations, “Questions relating to Asia and the Far East,” p. 127; U.N.G.A., 26<sup>th</sup> Sess., 1976<sup>th</sup> plen. mtg.: p. 9.

18 U.N. GAOR, 26th Sess., 1976th plen. mtg.: p. 9.

19 US Department of State Office of the Historian, “[41. Memorandum of Conversation, Beijing, October 21, 1971, 4:42-7:17 p.m.](#)”

The PRC's concern that the "Albanian resolution" failed to address the question of Taiwan was proved correct, given recorded comments by representatives of several member states that voted in support of the resolution and given what is—and is not—explicitly stated in UN Resolution 2758.<sup>20</sup> On the former point, multiple countries in favor of the "Albanian resolution" expressed support for Taiwan's self-determination, with others holding divergent viewpoints on the validity of the PRC's and the ROC's respective claims to the island (see Appendix A).<sup>21</sup> Accordingly, with the diverse range of viewpoints held by member states in regard to Taiwan, it is clear that countries voted solely on the question of the UN "China" seat and did not make a UN-level determination on the status of Taiwan.

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Ultimately, the PRC elected to join the UN—without complaint or stipulations—in spite of its concerns that UN Resolution 2758 did not adequately resolve the issue of Taiwan. While the intent of the resolution was made clear through the debate, the fact that the word "Taiwan" is not mentioned in the text of the document enabled PRC propaganda to claim a win.<sup>22</sup> State media lauded the move as a major victory for the PRC and its ideational peers and as a "heavy blow to the US imperialist scheme to create 'two Chinas' in the UN and carve out China's sacred territory Taiwan."<sup>23</sup>

The benefits afforded to the PRC through the UN, especially its permanent UNSC seat, likewise offered its representatives an invaluable perch from which to advance its national and foreign policy interests. Furthermore, PRC concerns about Taiwan, though significant, were less pressing in the decades prior to the island's democratization than after.<sup>24</sup> Hence, the PRC has worked more relentlessly to normalize and institutionalize its claims to Taiwan within the UN, with relative success—which is all the more striking when considering how the range of viewpoints and arguments in the foundational debates have less traction today.

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20 Cohen and Teng (eds.), *Let Taiwan Be Taiwan*, pp. 116-117; American Institute in Taiwan, U.N. Resolution 2758 - Oct. 25 1971.

21 Cohen and Teng, *Let Taiwan Be Taiwan*, pp. 116-117.

22 The PRC has since pursued a legal argument on this debate. Chen Xinxin, the director of the Center of Taiwan, Hong Kong, and Macau Law Studies of the Chinese Academy of Social Sciences—which falls under the State Council—argued in 2017 that, while UN Resolution 2758 "does not clearly state that 'Taiwan is a part of the PRC' or 'Taiwan is a part of China'" [没有明确写明 '台湾是中华人民共和国的一部分' 或 '台湾是中国的一部分'], the UNGA "implicitly confirmed that 'Taiwan is part of the PRC'" [隐含确认了 '台湾是中华人民共和国的一部分'] by not voting on the resolution proposing dual representation. For more, see Chen Xinxin, "台湾法律地位的国际法理据" [The Legal Status of Taiwan on the Basis of International Law], *Chinese Review of International Law*, 3, 2017, pp. 37-47.

23 People's Daily, "全世界人民的胜利 美帝国主义的惨败 联大以压倒多数通过恢复我在联合国合法权利、驱逐蒋帮的阿尔巴尼亚、阿尔及利亚等国提案" [The victory of the people of the world [and] the fiasco of US imperialism: the UN General Assembly overwhelmingly approves the proposal from Albania, Algeria, and other countries to restore our legal rights in the UN and expel the Chiang clique.], October 27, 1971; Peking Review, "[A Victory for World's People, Crushing Defeat for US Imperialism.](#)" Vol. 44, October 29, 1971.

24 Alan Wachman, *Why Taiwan?: Geostategic Rationales for China's Territorial Integrity*, Stanford University Press, 2007, pp. 5-12.

## PRC VIEWS AND THE INTERNATIONALIZATION OF THE “ONE CHINA” PRINCIPLE

The PRC’s justification and push for Taiwan’s exclusion from the UN and other international organizations is grounded entirely in its “One China” Principle. The website of its Ministry of Foreign Affairs states that:

Only on the premise of adhering to the principle of one China and in the light of the nature and statutes of the international organizations concerned and the specific circumstances, can the Chinese Government consider the question of Taiwan’s participation in the activities of such organizations in a manner agreeable and acceptable to the Chinese Government.<sup>1</sup>

Yet, the narrative that the PRC has worked to impose on the global community—that there is equivalency between the “One China” Principle and UN Resolution 2758—has been pursued *ex post facto*, with its efforts surging since the 1990s, driven by a combination of increasing influence at the UN and fears that political trends in Taiwan are moving in a direction counter to Beijing’s preferred outcome. Accordingly, the PRC has attempted to shift the global understanding of Resolution 2758 from one that is distinct and separate from its “One China” Principle to one that mirrors it—with the most recent statements of its state media declaring that the “One China” Principle was “confirmed” or “affirmed” by the resolution.<sup>2</sup>

The PRC’s efforts to consolidate its views on Taiwan at the UN picked up pace and urgency almost in parallel to Taiwan’s democratization in the 1990s and into the early 2000s, which spread political power beyond the KMT’s single-party rule to Taiwan’s people—bringing more diverse viewpoints to debates on Taiwan and its future. These included more localized, Taiwan-centric priorities and the emergence of the DPP as a viable opposition party, as well as political reform and party-level adjustments within the KMT in response to these developments.<sup>3</sup> This encompassed a marked shift from the decades prior—which had seen an alignment in the claims of the two main players, the CCP and the KMT, as the rightful governing party of all of China—and spurred a deterioration in cross-strait relations. Taiwan’s political liberalization also led to increased calls by its people for greater international representation, including at the UN.<sup>4</sup>

The PRC ramped up its broader campaign against Taiwan in response to these developments and worked more assiduously to embed its stance on Taiwan within the UN and its specialized agencies, often in direct response to developments on the island (See Figure 1). This included issuing two white papers. 台湾问题与中国的统一

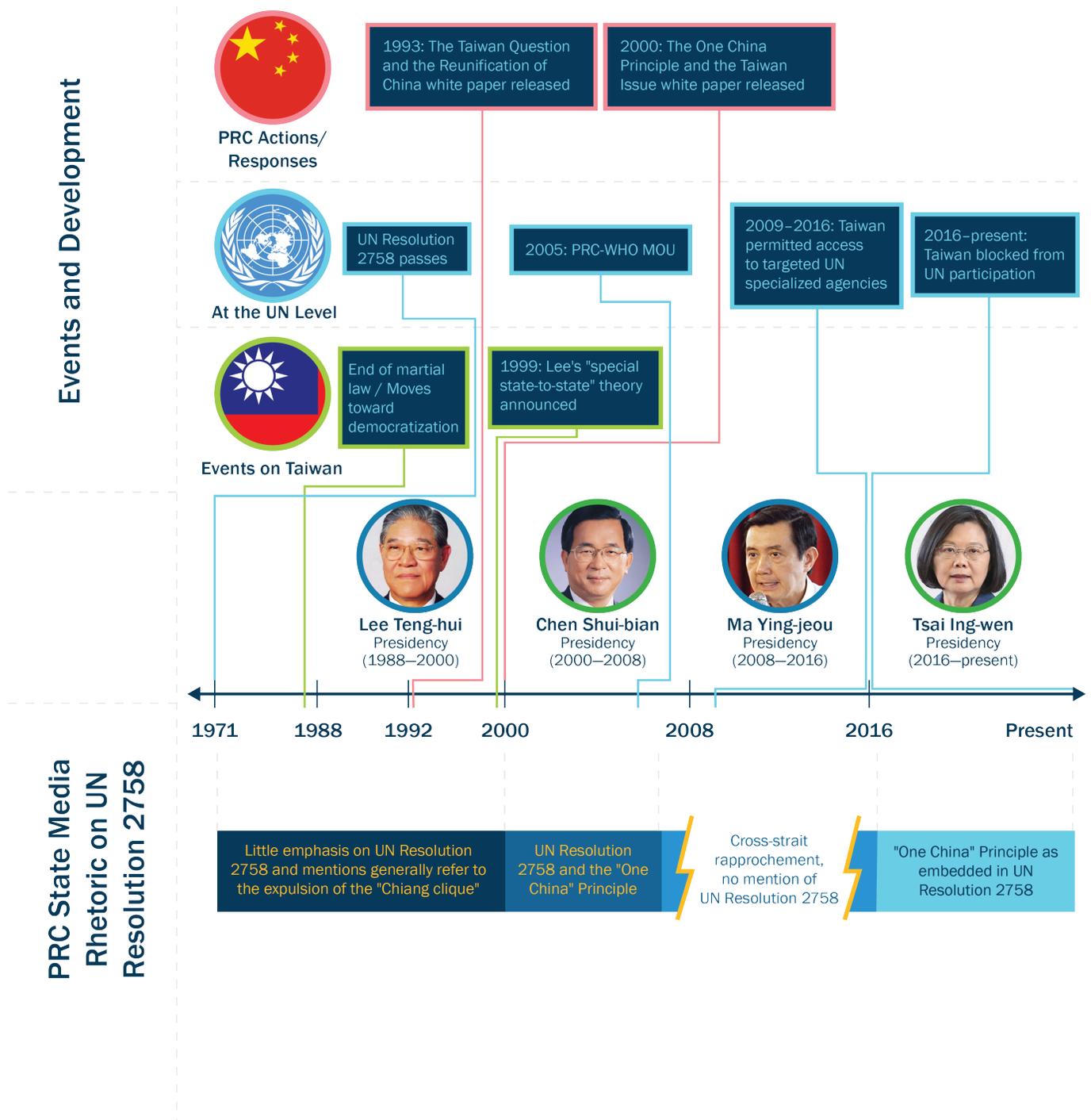
1 Ministry of Foreign Affairs of the People’s Republic of China, [How does the Chinese Government handle the relations between international organizations and Taiwan?](#) accessed October 20, 2021.

2 Embassy of the People’s Republic of China in Sweden, [No ‘Taiwan Independence’ Activity Is Ever Allowed—Chinese Embassy Spokesperson’s Remarks on Taiwan-related Issues](#), March 2, 2019; Permanent Mission of the People’s Republic of China to the UN, [Remarks by Spokesperson of the Permanent Mission of the People’s Republic of China to the United Nations on the Wrongful Comment on Taiwan by the Permanent Mission of the United States to the United Nations](#), May 1, 2020.

3 Denny Roy, *Taiwan: A Political History*, Cornell University Press, 2003, pp. 180-195.

4 *Ibid.*, pp. 212-217.

**Figure 1. PRC Efforts to Consolidate its Views on Taiwan at the UN alongside Key Political Developments in Taiwan.**



[The Taiwan Question and the Reunification of China]<sup>5</sup> was issued on August 31, 1993, two months after Taiwan's President Lee Teng-hui voiced support for Taiwan's entry into the UN. 一个中国的原则与台湾问题 [The "One China" Principle and the Taiwan Issue] was issued on February 21, 2000, after Lee's announcement of his "special state-to-state" theory<sup>6</sup> and ahead of Taiwan's 2000 presidential election.<sup>7</sup> According to Zhang Mingqing, information bureau director of the Taiwan Affairs Office, the timing was intentional, meant to intimidate Taiwanese voters from voting for the DPP's Chen Shui-bian, who was projected as the likely victor.<sup>8</sup>

***Both white papers included discussion of PRC views on Taiwan's participation in international fora, with The One China Principle and the Taiwan Issue explaining these perspectives in greater depth.***

Both white papers included discussion of PRC views on Taiwan's participation in international fora, with The One China Principle and the Taiwan Issue explaining these perspectives in greater depth. It not only elevated the PRC's "One China" Principle<sup>9</sup> to a higher-level of policy prioritization, but also presented its relevance as going beyond the realm of cross-strait relations to have global applicability.<sup>10</sup> According to PRC Central Government overview of the 2000 white paper, its purpose was to "[explain] to the international community [its] basic position and policies...on the 'One China' Principle," which was said to have "gained the understanding and support of" an increasing number of countries and international organizations and thus "been gradually accepted by the international community at large."<sup>11</sup>

5 According to the PRC Central People's Government, this white paper serves to "systematically discuss the origins and the current situation of the Taiwan issue for the first time, explaining clearly the Chinese government's principled position and basic policy on the Taiwan issue" [第一次系统地论述了台湾问题的由来及现状, 阐明了中国政府关于台湾问题的原则立场和基本方针。]. It includes a section on "Relations between international organizations and Taiwan" and outlines PRC views on how—and under what designations—Taiwan can participate in UN-affiliated organizations. For more, see The Taiwan Affairs Office and The Information Office of the State Council, [White Paper—The Taiwan Question and Reunification of China](#), Embassy of the People's Republic of China in the Kingdom of Norway, August 1993, and The Central People's Government of the People's Republic of China, [中国共产党大事记 \(2000年\)](#), [[Chronicle of Events of the Communist Party of China](#) (2000)] September 5, 2007.

6 President Lee first proposed what is referred to as the "special state-to-state" theory in July 1999 during an interview. ([Interview of Taiwan President Lee Teng-Hui with Deutsche Welle Radio](#), July 9, 1999). In it, Lee characterized cross-strait relations as "special state-to-state relations" [特殊的國與國的關係], breaking from the Taiwan government's prior position of defining both sides as "two equal political entities." The concept of "special state-to-state relations" was a premeditated government policy rather than a slip of the tongue by Lee. It had been studied by a group headed by the secretary general of the ROC Presidential Office in the year leading up to Lee's statement and then confirmed to be his government's official position by the foreign minister and the chairman of the Mainland Affairs Council. For more, see Lijun Sheng, "Lee Teng-Hui and the 'Two States' Theory" in *China and Taiwan: Cross-Strait Relations Under Chen Shui-Bian*, Zed Books, 2003, pp. 11–39.

7 Fu Zhengyuan, "[China's Perception of the Taiwan Issue](#)," *UCLA Journal of International Law and Foreign Affairs*, 1, no. 2 (1996): pp. 328, 341; The Taiwan Affairs Office and The Information Office of the State Council, [White Paper—The Taiwan Question and Reunification of China](#); The Taiwan Affairs Office and The Information Office of the State Council, [White Paper—The One China Principle and the Taiwan Issue](#); Gary Klintworth, *China and Taiwan—From Flashpoint to Redefining One China*, Parliament of Australia, November 7, 2000; Sheng Lijun, "[Chen Shui-Bian and Cross-Strait Relations](#)," *Contemporary Southeast Asia*, 23, no. 1, 2001, pp. 128–129.

8 Sheng, "Chen Shui-Bian and Cross-Strait Relations," p. 129.

9 The idea of "One China" can be traced to the founding of the PRC. The preamble of the PRC constitution states that "Taiwan is part of the sacred territory of the People's Republic of China." The concept of Taiwan being an inalienable part of PRC has been a common element in Beijing's rhetoric since the CCP took power, but there was a concerted shift in the late 1990s, coinciding with the release of The One China Principle and the Taiwan Issue white paper, to incorporate the term into common party-state lexicon, where PRC officials and representatives began to widely and regularly use accusations of violating the "One China" Principle in talking points related to Taiwan. For more, see People's Republic of China, *Constitution of the People's Republic of China*, Adopted on September 20, 1954 by the First National People's Congress of the People's Republic of China at Its First Session. For examples of mentions of the "One China" Principle prior to the release of the 2000 white paper, see Shirley A. Kan, [China/Taiwan: Evolution of the 'One China' Policy—Key Statements from Washington, Beijing, and Taipei](#), Congressional Research Service, October 10, 2014.

10 The Taiwan Affairs Office and The Information Office of the State Council, [White Paper—The One China Principle and the Taiwan Issue](#).

11 The Taiwan Affairs Office and The Information Office of the State Council, [White Paper—The One China Principle and the Taiwan Issue](#); The Central People's Government of the People's Republic of China, [中国共产党大事记 \(2000年\)](#) [[Chronicle of Events of the Communist Party of China](#) (2000)], September 5, 2007.

Crucially, the 2000 white paper separately referenced UN Resolution 2758 and the normalization agreements Beijing signed with 161 countries, and it rejected Taiwan's claim that the resolution does not address "Taiwan's representation"—implicitly suggesting a connection between the "One China" Principle and the resolution.<sup>12</sup>

Following the release of the 2000 white paper and Chen Shui-bian's election as Taiwan's president a month later, the PRC intensified its campaign of asserting the "One China" Principle as an international norm, including at the UN. Over the course of Chen's two terms in office, the PRC released a flurry of statements allegedly proving that the "One China" Principle is widely recognized by the international community.<sup>13</sup> It also regularly referenced how UN member states abide by both UN Resolution 2758 and the "One China" Principle—at this point, keeping the two separate but suggesting they embodied the same concepts.<sup>14</sup>

Nonetheless, this rhetoric was a shift from the original framing of UN Resolution 2758—showcasing that PRC party-state discourse was retroactively tying a concept, its "One China" Principle, to the resolution. Around the time of the passage of the resolution in 1971, PRC state media did not draw direct equivalency between it and Beijing's position on Taiwan. Instead, articles referenced the "expulsion of the Chiang Kai-shek clique," adhering closely to the original language of Resolution 2758.<sup>15</sup>

***Nonetheless, this rhetoric was a shift from the original framing of UN Resolution 2758—showcasing that PRC party-state discourse was retroactively tying a concept, its "One China" Principle, to the resolution.***

Concurrent with this narrative shift in the early 2000s, the PRC worked actively within the UN system to fortify its position on Taiwan. The full breadth of these efforts is unclear, given a lack of transparency in the UN system, but leaked documents provide insights into its inner workings at the time. For example, in 2005, the World Health Organization (WHO) Secretariat signed an MOU with the PRC Ministry of Health that laid out modalities for how the WHO would interact with Taiwan, which included guidance on refraining from actions that would deem Taiwan an entity separate from the PRC. In addition, the MOU required communications with Taiwan to be channeled through PRC representatives (See Appendix. B). The WHO had been high on Taiwan's list of priority organizations to participate in, given appeals from its civil society, but it became even more important after the SARS outbreak in 2003, with more countries advocating for Taiwan's inclusion.<sup>16</sup>

Chen Shui-bian's presidency also saw efforts by senior UN leadership to clarify the organization's position on Taiwan, though this likely stemmed more from the perceived need to respond to Taipei's unprecedented push for representation at the UN than from PRC pressure. In one instance in 2003, the director general of the Taipei Economic and Cultural Center in New York, Andrew L.Y. Hsia, was barred from entering the UN headquarters

12 The Taiwan Affairs Office and The Information Office of the State Council, White Paper—The One China Principle and the Taiwan Issue.

13 Embassy of the People's Republic of China in the United States of America, [UN rejects Taiwan's representation proposal](#) (16/09/04), September 16, 2004; Embassy of the People's Republic of China to the United Arab Emirates, [Letter from Ambassador Zhang Yishan to Secretary-General Kofi Annan on the So-called Question of the Representation of Taiwan in the United Nations](#), August 12, 2004; Embassy of the People's Republic of China in the Republic of the Seychelles, [Foreign Ministry Spokesperson Liu Jianchao's Remarks on UN Secretariat's Rejection of Taiwan Authorities' Application](#), July 25, 2007.

14 Ministry of Foreign Affairs of the People's Republic of China, [Spokesperson on the rejected motion concerning the so-called question of Taiwan's "participation" in the United Nations](#), September 15, 2001; Ministry of Foreign Affairs of the People's Republic of China, [Foiling Taiwan's Attempt to Participate in the United Nations](#), November 15, 2000.

15 Peking Review, ["A Victory for World's People, Crushing Defeat for US Imperialism."](#) Vol. 44, October 29, 1971; People's Daily, "全世界人民的胜利 帝国主义的惨败 联大以压倒多数通过恢复我在联合国合法权利、驱逐蒋帮的阿尔巴尼亚、阿尔及利亚等国提案" [Victory of the People of the World against US Imperialism. The UN General Assembly Overwhelmingly approves the Proposal by Albania, Algeria, and other countries to restore [the PRC's] Legal Rights in the UN and Expel the Chiang Gang], October 27, 1971.

16 Cheng-yi Lin, ["Taiwan's Campaign for United Nations Participation,"](#) Krakowskie Studia Międzynarodowe, 2004, p. 47.

building to speak on Taiwan's bid to join the WHO, with Secretary General Kofi Annan claiming that this would violate the UN's "One China" policy—the first public mention of such a policy by the highest UN official.<sup>17</sup>

In 2008, the final year of Chen's second term, Taiwan shifted its approach toward the UN, calling for the organization to process its application for full membership.<sup>18</sup> Secretary General Ban Ki-moon rejected the application in a letter saying that, "[i]n accordance with [UN Resolution 2758], the United Nations considers Taiwan for all purposes to be an integral part of the People's Republic of China."<sup>19</sup> According to a leaked cable, this was met with pushback from Australia, Canada, Japan, New Zealand, and the United States, and Ban reflected that "he had gone too far" and "confirmed that the UN would no longer use the phrase 'Taiwan is a part of China.'"<sup>20</sup> The UN Office of Legal Affairs (OLA) echoed these sentiments, saying the UN would "[drop] the unhelpful phrase."<sup>21</sup>

The Chen administration's request for full UN membership likely prompted Beijing to harden its rhetoric on Taiwan and the UN. Official PRC statements in 2007 used more explicit language tying together UN Resolution 2758 and the "One China" Principle. For example, the Ministry of Foreign Affairs' spokesperson stated that the resolution "reflects the universally-recognized 'One China' Principle"—a talking point that the PRC would use again with the next DPP administration.<sup>22</sup>

### ***The Chen administration's request for full UN membership likely prompted Beijing to harden its rhetoric on Taiwan and the UN.***

With the election of the KMT's Ma Ying-jeou as president in 2008 and the reaching of a cross-strait understanding on "One China," based on the "1992 Consensus,"<sup>23</sup> the PRC was sufficiently satisfied to allow Taiwan's participation in some international organizations in which sovereignty was not a requirement, including select UN specialized agencies.<sup>24</sup> This included observer status at the World Health Assembly (WHA)—the governing arm of the WHO—as well as an invitation to be a "special guest" of the council president of the International Civil Aviation Organization at its triennial meeting.<sup>25</sup> Commentary by PRC state media and statements by PRC government spokespersons during the eight years of Ma's presidency avoided direct mention of the "One China" Principle in the context of the UN and instead focused on the PRC's "goodwill and sincerity"<sup>26</sup> toward Taiwan's people in permitting its inclusion in UN specialized agencies.<sup>27</sup>

17 Michael Mazza and Gary Schmitt, [Righting a Wrong: Taiwan, the United Nations, and United States Policy](#), The Project 2049 Institute, October 25, 2021.

18 Sigrid Winkler, [Taiwan's UN Dilemma: To Be or Not To Be](#), Brookings Institution, June 20, 2012.

19 Ibid.

20 J. Michael Cole, "UN told to drop 'Taiwan is part of China': cable," Taipei Times, September 6, 2011; John Tkacik, [Taiwan's "Unsettled" International Status: Preserving US Options in the Pacific](#), The Heritage Foundation, June 19, 2008.

21 Ibid.

22 Embassy of the People's Republic of China in the Republic of the Seychelles, [Foreign Ministry Spokesperson Liu Jianchao's Remarks on UN Secretariat's Rejection of Taiwan Authorities' Application](#), July 25, 2007.

23 The "1992 Consensus" refers to a tacit agreement reached between representatives from the KMT and CCP at a semi-official meeting held in Hong Kong that year, though the term itself was not coined until 2000. The "1992 Consensus" is based on a shared acceptance that there is only "One China," though the two sides define it differently. The KMT views and markets the concept to domestic audiences as "One China, respective interpretations" (with the KMT holding that the "One China" is the ROC). The CCP has never explicitly endorsed the KMT's position but has tolerated it in order to advance cross-strait dialogue. For more, see Jessica Drun, ["Taiwan's Opposition Struggles to Shake Pro-China Image,"](#) Foreign Policy, March 11, 2020.

24 Glaser, Taiwan's Quest for Greater Participation in the International Community.

25 Ibid.

26 Embassy of the People's Republic of China in the Republic of the Philippines, [Resolving Issue of Taiwan's WHA Role Shows Mainland Goodwill and Sincerity](#), April 30, 2009.

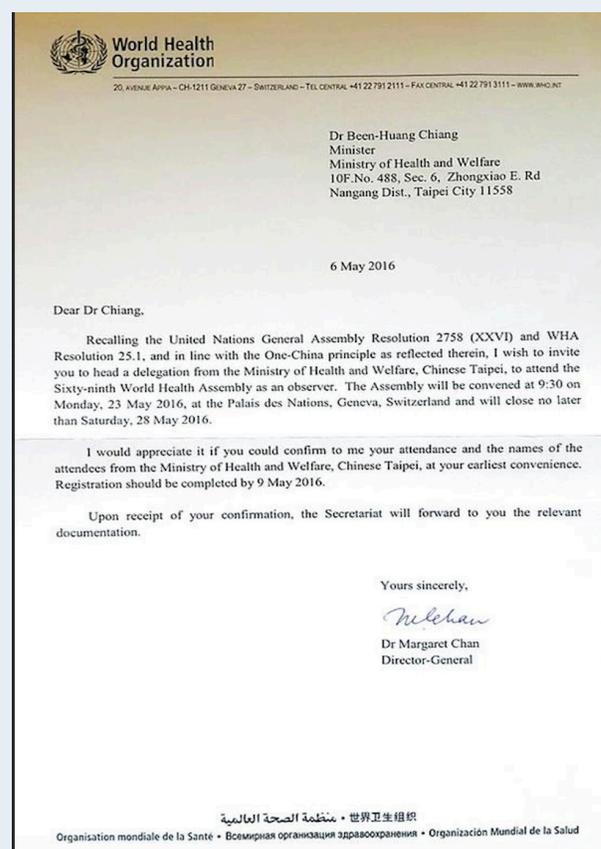
27 The authors conducted a tailored Internet search on Chinese government websites between Ma's inauguration and exit from office (May 2008 to December 2016).

Yet, in spite of these goodwill overtures to the KMT, Taiwan officials and subject-matter experts still faced restrictions at UN specialized agencies, including being barred from some WHO technical meetings and constrained from contributing substantively to their discussions.<sup>28</sup> At the same time, the PRC continued to more strictly enforce its stance on Taiwan at the UN, including having WHO Director General Margaret Chan circulate an internal memo in 2010 issuing guidance on the International Health Regulations as they relate to “Taiwan, Province of China.” (See Appendix B)

Further, local Taiwan media began publishing stories in 2015 that some ROC citizens were being barred from entering UN buildings and facilities using their ROC passports as identification. Many were told to come back with PRC passports—which are impossible for them to acquire—or that they would only be permitted entry if they had a Mainland Travel Permit for Taiwan Residents (*Taibaozheng*) issued by the PRC.<sup>29</sup> Those who were denied entry were often told by UN staff that Taiwan is part of China and that their ROC passports were invalid. The first such incident was reportedly at the UN Office in Geneva that year, though other sources indicate that this policy had been in place as early as 2009.<sup>30</sup>

In the years that followed, the PRC continued to further restrict Taiwan’s access to international organizations. After the DPP’s Tsai Ing-wen was elected president in January 2016, Taiwan’s invita-

**Figure 2. The 2016 WHA Invitation Letter to Taiwan.**



Source: Sina, “美国国务院支持台湾参与WHA 称仍信守一中政策” [[The US Department of State strongly supports Taiwan’s participation in the WHA, claiming that it still abides by the “One China” Policy](#)].

28 Glaser, Taiwan’s Quest for Greater Participation in the International Community.

29 Shelly Shan, “[Taiwanese denied entry to UN](#),” Taipei Times, September 18, 2015.

30 A memorandum featured in the 2010 UN Juridical Yearbook, with redacted dates, indicates that the policy of restricting Taiwan passport holders has been in place since at least 2009, noting that Taiwan passports cannot be accepted, given that, “Since the adoption of [UN Resolution 2758] and in accordance with the decision which it contains, the United Nations has considered ‘Taiwan’ for all purposes to be an integral part of the People’s Republic of China, without any separate status.” Separately, according to a confidential interview conducted by International Service for Human Rights, the policy began in 2014 due to “deteriorating [cross-strait] relations”—likely resulting from the Sunflower Movement student protests, which halted the passage of a cross-strait services agreement, and the KMT’s losses in that year’s local elections. For more, see 6. Miscellaneous, 2010 U.N. Juri. Y.B.; Klaus Bardenhagen, “[Interview with U.N.: Taiwanese passports unacceptable – but not these other official documents](#),” In Taiwan, September 21, 2015; [International Service for Human Rights, Briefing Note: China and the UN Economic and Social Council](#), July 2021. However, implementation appeared to have been ad hoc with some ROC passport holders being allowed in while others were denied entry. Guidance on how to bypass these restrictions have likewise been inconsistent across UN offices. ROC officials required certification from the US Department of State to attend meetings at UN headquarters in New York, while average citizens were allowed entry with their ROC passports. The UN’s European offices required two forms of government-issued identification. For more, see The News Lens, [Taiwan Officials Holding ROC Passports Rejected Entrance of UN](#), October 20, 2015.

tion to that year's WHA was delayed. When the invitation did arrive, it included for the first time a direct reference to the "One China" Principle as "reflected" in UN Resolution 2758 and WHA Resolution 25.1, or the WHO's agency-level equivalent of the UNGA resolution.<sup>31</sup> (See Figure 2.)

PRC commentators argued that the inclusion of the "One China" Principle in the letter was a signal to President-elect Tsai that if her incoming government did not recognize the "1992 Consensus," then future invitations would be withheld.<sup>32</sup> PRC state media echoed these views, reporting that the Taiwan Affairs Office, when asked about Taiwan's continued participation at the WHA, called its previous involvement "a special arrangement" made under the "One China" Principle and the "1992 Consensus."<sup>33</sup>

Though Tsai affirmed her commitment to the cross-strait status quo in her inauguration address, she fell short of accepting the "1992 Consensus," which was viewed as insufficient by Beijing.<sup>34</sup> In response, the PRC began to deploy the full extent of its toolkit against Taiwan, including squeezing its international space. Beijing likewise ramped up its rhetoric on the "One China" Principle and began to regularly and unambiguously paint it as embedded in UN Resolution 2758, using language such as the "One China" Principle was "incorporated by," "confirmed by," "adopted by," or "affirmed by" the resolution.<sup>35</sup>

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31 Global Times, "评论:面对“九二共识” 蔡英文不能再装睡” [[Commentary: Facing the “1992 Consensus,” Tsai Ing-wen can no longer pretend to be asleep](#)], May 9, 2016; Sina, “美国务院支持台湾参与WHA 称仍信守一中政策” [[The US Department of State strongly supports Taiwan's participation in the WHA, claiming that it still abides by the “One China” Policy](#)], May 10, 2016.

32 Global Times, ““评论:面对“九二共识” 蔡英文不能再装睡” [[Commentary: Facing the “1992 Consensus,” Tsai Ing-wen can no longer pretend to be asleep](#)].

33 Global Times, “国台办:台湾方面参与世卫大会是在一个中国原则下作出的安排” [[TAO: Taiwan's participation in the WHA is a special arrangement made under the “One China” Principle](#)], May 6, 2016.

34 Office of the President of the Republic of China (Taiwan), [Inaugural address of ROC 14th-term President Tsai Ing-wen](#), May 20, 2016.

35 Embassy of the People's Republic of China in the United Kingdom of Great Britain and Northern Ireland, [Embassy Spokesperson's letter to the Financial Times on unjustified comments on the establishment of diplomatic ties between China and the Dominican Republic](#), May 10, 2018; Embassy of the People's Republic of China in Sweden, [No “Taiwan Independence” Activity Is Ever Allowed—Chinese Embassy Spokesperson's Remarks on Taiwan-related Issues](#), March 2, 2019; Ministry of Foreign Affairs of the People's Republic of China, [Wang Yi on the Resumption of Diplomatic Relations Between China and Kiribati: The Rainbow Displays Even More Splendor after the Rain](#), September 28, 2019; Permanent Mission of the People's Republic of China to the UN, [Remarks by Spokesperson of the Permanent Mission of the People's Republic of China to the United Nations on the Wrongful Comment on Taiwan by the Permanent Mission of the United States to the United Nations](#), May 1, 2020.

## CHINA AND TAIWAN AT THE UN TODAY

As shown above, over the past five decades, the PRC has systematically reframed the narrative around UN Resolution 2758. It has gone from keeping the resolution separate from its claims to Taiwan to asserting that the resolution substantiates its “One China” Principle.

Concurrently, Beijing has worked to embed its position on Taiwan within the UN and its affiliated agencies to justify the exclusion of Taiwan from all UN activities. These efforts have been more public and prominent when the DPP is in power in Taiwan, but have nonetheless continued when the KMT is in office, and go hand in hand with the broader trend of deepening Chinese influence at the UN. In 2021, which marked the 50<sup>th</sup> anniversary of the passing of UN Resolution 2758, steps by Chinese officials and representatives to consolidate PRC claims to Taiwan at the UN have ramped up, reaching an all-time high.

### *The extent of PRC efforts to codify the “One China” Principle into the UN system is pervasive and their influence and reach is wide-ranging.*

The extent of PRC efforts to codify the “One China” Principle into the UN system is pervasive—no issue item, memo, or note is too small or insignificant for Beijing and its proxies to overlook—and their influence and reach is wide-ranging. While the magnitude of these efforts is impossible to fully capture, largely due to the opaqueness of the UN system, the examples below drawn from publicly available, open-source information show how Taiwan is being systematically recast as a province of China:

#### *Limiting Taiwanese Access to UN and UN Facilities*

As discussed above, ROC passport holders continue to face restrictions accessing UN buildings and offices. This has become more pervasive during the Tsai administration, though restrictions have been applied inconsistently. In one instance in June 2017, a Taiwan professor, Liuhuang Li-chuan, and her students were denied entry into the public gallery of UN human rights office in Geneva after being told that their international student identification cards were not an acceptable form of documentation and that only documents issued by the PRC would be allowed. The professor says she was shown a document of internal guidelines provided to UN staff checking in visitors.<sup>1</sup> Figure 3 shows a mockup of the internal UN documents seen by Liuhuang when she and her students were denied entry to the UN facilities, which revealed that a combination of ROC national identity card and ROC passport was deemed unacceptable (top) while a ROC passport with a Mainland Travel Permit for Taiwan Residents (bottom) was permitted.<sup>2</sup>

Yet, in another case in October 2018, a journalist was blocked from entering the UN headquarters building, despite having both an ROC passport and a Mainland Travel Permit for Taiwan Residents, because he did not have a PRC passport.<sup>3</sup> Others affected include Taiwan scientists, subject-matter experts, human-rights activists, and other members of civil society who were invited to take part in UN-affiliated events but were unable to step foot

1 Elson Tong, “[Not just officials: Taiwan students blocked from visiting UN public gallery in Geneva](#),” Hong Kong Free Press, June 15, 2017.

2 Ibid.

3 Jennifer Creery, “[Taiwan lodges protest with the United Nations for denying entry to Taiwanese reporter](#),” Hong Kong Free Press, October 15, 2018.

in UN compounds or who had their applications for online forums rejected.<sup>4</sup>

US Secretary of State Antony Blinken released a press statement in October 2021 that highlighted this issue, saying:

Members of civil society from around the world engage every day in activities at the UN, but Taiwan’s scientists, technical experts, business persons, artists, educators, students, human rights advocates, and others are blocked from entry and participating in these activities simply because of the passports they hold.<sup>5</sup>

### *Specialized-agency-level Resolutions and Agreements*

Each specialized agency of the UN has its equivalent of UN Resolution 2758 that is often referenced by its representatives to deny Taiwan participation. The most prominent example is the WHO, which has WHA Resolution 25.1, but there are also other examples such as Resolution 693 of the International Telecommunication Union and the 9<sup>th</sup> Decision adopted by the 88<sup>th</sup> Session of the United Nations Educational, Scientific and Cultural Organization Executive Board.<sup>6</sup> The language of WHA Resolution 25.1 essentially replicates that of UN Resolution 2758 but for recognition of the “China” seat at the WHO.<sup>7</sup> While the language similarly does not touch on Taiwan or make determinations on its status, WHA Resolution 25.1 has been another medium through which Beijing claims adherence to the “One China” Principle.<sup>8</sup>

Further, as the 2005 MOU between the PRC and the WHO demonstrates (See Appendix C), Beijing has been able to sign agreements with UN specialized agencies that allows for its “One China” Principle to be applied at a functional level—in this case providing it with a veto over when Taiwan and its health representatives can participate in technical meetings.<sup>9</sup> This makes Taiwan subordinate to the PRC in practice. The existence of the WHO MOU was revealed when internal UN documents referencing it were leaked. It is unclear whether similar agree-

**Figure 3. Mock-up of Internal UN Documents Regarding the Entry of ROC Citizens in UN Facilities in Geneva.**



Source: Elson Tong, “Not just officials: Taiwan students blocked from visiting UN public gallery in Geneva,” Hong Kong Free Press, June 15, 2017.

4 Jess Macy Yu, “Taiwan says shut out of U.N. climate talks due to China pressure,” Reuters, November 14, 2017; Lu Yi-hsuan and William Hetherington, “Taiwanese shut out of UNESCO events,” Taipei Times, December 7, 2020.

5 US Department of State, [Supporting Taiwan’s Participation in the UN System](#), October 26, 2021.

6 International Telecommunication Union Resolution 693 (May 29, 1972); United Nations Educational, Scientific and Cultural Organization 88 Ex/Decision 9 (December 7, 1971).

7 World Health Assembly Resolution 25.1 (May 10, 1972).

8 Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland, [Statement by H.E. Ambassador CHEN Xu at the Plenary of the 74th World Health Assembly](#), May 24, 2021.

9 World Health Organization, [Memorandum on implementation of the 2005 China-WHO Taiwan MOU](#), Wikisource, April 19, 2020.

ments exist and, if they do, what restrictions they place on Taiwan.<sup>10</sup> Tellingly, the PRC appears to use MOUs to consolidate its priorities through the UN and UN organs; for example, it has signed more than 20 with UN agencies on the Belt and Road Initiative (BRI) alone.<sup>11</sup> Like with the WHO-PRC MOU, the UN Secretariat and the related agencies have refused to make the text of these agreements available to other funders or member-state governing bodies of the relevant agencies.<sup>12</sup>

### *Nomenclature*

How Taiwan is referenced at the UN and in UN documents has been a pervasive issue, with the PRC working assiduously to insert language that identifies Taiwan as a “Province of China.” It likewise pressures NGOs seeking access to the UN to make the same adjustments in their organizational materials. The United States has expressed concerns about this. In November 2021, Erica Barks-Ruggles from the Department of State’s Bureau of International Affairs stated that there have been “efforts to change how Taiwan is referred to in UN documents” and that Washington will “continue to push back.”<sup>13</sup> Earlier, in January 2020, Courtney Nemroff, the acting US representative to the United Nations Economic and Social Council, noted that “In 2010, the UN’s Office of Legal Affairs made it clear that the UN may not alter the nomenclature in documents submitted by UN member states” and that “[t]his principle, based on non-interference in official positions, equally applies to submissions by NGOs.”<sup>14</sup>

In the past few years, there have been numerous instances of the PRC preventing NGOs, civil society representatives, and even high schools, from accessing UN resources or attending UN-organized forums and events if Taiwan features on their websites or organization materials as “Taiwan,” as opposed to “Taiwan, Province of China.”<sup>15</sup> Affected organizations that often do not want to become involved in geopolitical issues, are unaware of the nuances, or seek to avoid negative repercussions generally acquiesce to enable entry and access to UN-related organizations.<sup>16</sup> (See the case study section.)

Further exacerbating the issue are the standards set forth by the International Organization for Standardization (ISO), an “an independent, non-governmental international organization with a membership of 167 national standards bodies” that develops international standards, including on how countries are designated and “us[ing] United Nations sources to define the names of countries.”<sup>17</sup> Taiwan has been designated as ISO 366, “Taiwan (Province of China)” since 1974, having made unsuccessful efforts to join in relevant discussions and to amend how it is named.<sup>18</sup>

The PRC’s objective appears to be to implant the “One China” Principle across all levels of the UN and its related organizations, and to establish an equivalency between it and UN Resolution 2758 so that this position

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10 Winkler, Taiwan’s UN Dilemma.

11 Interview with Ambassador Kelley E. Currie, former US representative to the UN Economic and Social Council.

12 Ibid.

13 Erica Barks-Ruggles, [Personnel is Policy: UN Elections and US Leadership in International Organizations](#), statement before the House Foreign Affairs Committee, Subcommittee on International Development, International Organizations and Global Corporate Social, November 18, 2021.

14 United States Mission to the United Nations, [Opening Remarks at a UN General Assembly Meeting for the UN Committee on Non-Governmental Organizations](#), January 20, 2020.

15 Stu Woo, [“China Makes Sure Everyone Writes Taiwan’s Name Just So—Even a Colorado High School,”](#) Wall Street Journal, September 10, 2021.

16 Ibid.

17 International Organization for Standardization, [About Us](#), and [What We Do](#), accessed March 11, 2022; Reuters, [“Top Canada university says won’t call Taiwan part of China after complaint,”](#) July 7, 2020.

18 Sean Lin, [“Protests about ISO designation are to continue: Cabinet,”](#) Taipei Times, November 8, 2019; Huang Tzu-ti, [“Taiwan urged to address mislabeling by ISO as part of China,”](#) Taiwan News, November 7, 2019.

becomes customary international law, or “international obligations arising from established international practices.”<sup>19</sup> Notably, since its 2000 “One China” Principle white paper, the PRC has used a mutually reinforcing argument to claim the universality of its position on Taiwan. First, that since UN member states have subscribed to the “One China” Principle through diplomatic recognition of the PRC,<sup>20</sup> this validates the “One China” Principle at the UN-level and in UN Resolution 2758. And second, the converse, that UN Resolution 2758, which was successfully passed by a plurality of UN member states, requires countries to agree to the “One China” Principle. Embedding its stance on Taiwan within UN organs seems to be the next layer and Beijing has already achieved headway on this front.

***The PRC’s objective appears to be to implant the “One China” Principle across all levels of the UN and its related organizations, and to establish an equivalency between it and UN Resolution 2758.***

As mentioned above, the United States and its allies and partners successfully pushed back against UN Secretary General Ban Ki-moon’s statement in 2007 that Taiwan is a province of China. Ban indicated that he “went too far” and the OLA agreed to drop “the unhelpful phrase.” That same year, Taiwan’s bid for UN membership was rejected, with the OLA noting that it based its decision on UN Resolution 2758, which it said “recognized the UN’s ‘One China’ *policy* [italics added]”—seemingly reverting to existing UN policy, with its “One China” policy first publicly referenced in 2003.<sup>21</sup>

While the UN’s “One China” policy has never been defined, there has been a marked shift in the OLA’s guidance on Taiwan—from citing a UN-wide “One China” policy to explicitly reiterating the PRC position on Taiwan. That shift prompted US official criticism during the Trump administration. In January 2020, Acting US Representative Nemroff stated that: “We note that we do not accept other aspects of OLA’s opinion, namely that General Assembly resolution 2758 means that the UN must consider Taiwan to be a province of China.”<sup>22</sup> The PRC view, by contrast, was exemplified by Vice Minister of Foreign Affairs Xie Feng in November 2021 when he said that the OLA:

in a number of legal opinions following the resolution, has also confirmed that “the United Nations considers ‘Taiwan’ as a province of China with no separate status,” and the “‘authorities’ in ‘Taipei’ are not considered to enjoy any form of government status.”<sup>23</sup>

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19 Cornell Law School: Legal Information Institute, [Customary International Law](#), accessed December 15, 2021.

20 Many countries maintain their own “One China” policies that can be distinct from the PRC’s “One China” Principle. For example, the United States and several of its allies and partners have “One China” policies that hold that Taiwan’s status is undetermined. For more, see Richard Bush, [A One-China policy primer](#), Brookings Institution, March 2017.

21 Representative Bill Sali, [speaking on the United Nations Office of Legal Affairs rejecting Taiwan’s bid for membership](#), September 6, 2007, Congressional Record 153, pt. 17: 23860; Mazza and Schmitt, *Righting a Wrong*.

22 United States Mission to the United Nations, Opening Remarks at a UN General Assembly Meeting for the UN Committee on Non-Governmental Organizations.

23 Ministry of Foreign Affairs of the People’s Republic of China, [China-US Presidential Meeting: Setting Direction and Providing Impetus for Bilateral Relations— Transcript of Vice Foreign Minister Xie Feng’s Interview with the Press](#), November 16, 2021.

### *Leveraging UN Member States for Support of PRC Views*

As noted, the PRC has gradually shifted the narrative on UN Resolution 2758 so that it is tied as closely as possible to its conceptualization of the “One China” Principle. Along with this effort, it has worked to convince other UN member states to fall in line with this position.

The PRC has used UN Resolution 2758 and its bilateral normalization agreements with UN member states to promote international acceptance of its “One China” Principle. It wields undue influence over smaller UN member states, particularly those that encompass the Group of 77 (G77), a coalition of developing countries generally of the Global South. Since the founding of the PRC, Beijing has successfully weaved an anti-colonial narrative, which has garnered the sympathy of the G77, including prior to its assumption of the “China” seat at the UN, and it has since received relatively consistent support from the group. These countries often repeat PRC talking points on the “One China” Principle and UN Resolution 2758 as well as vote alongside the PRC on motions in UN fora on allowing Taiwan’s participation, ensuring an effective voting bloc to deny the latter access.<sup>24</sup>

When G77 countries diverge from the PRC’s preference, they become targets of its economic pressure. There have been reports of Beijing using its loans to African countries as leverage to encourage African diplomats to align with PRC motions and sign on to PRC joint statements at the UN—with particular emphasis on opposing Taiwan’s WHO bids for observership. For those that are hesitant or object, Beijing allegedly threatens consequences by broaching the subject of outstanding debts.<sup>25</sup>

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24 U.N. GAOR, 62<sup>nd</sup> Sess., 3<sup>rd</sup> plen. mtg., U.N. Doc A/62/PV.3 (September 21, 2007); U.N. GAOR, 61<sup>st</sup> Sess., 2<sup>nd</sup> plen. mtg., U.N. Doc A/61/PV.2 (September 13, 2006); U.N. GAOR 59<sup>th</sup> Sess., 1<sup>st</sup> plen. mtg., U.N. Doc A/BUR/59/SR.2 (September 15, 2004).

25 Africa Confidential, [“Beijing uses its leverage.”](#) October 22, 2021.

## IMPLICATIONS BEYOND TAIWAN

The passage of UN Resolution 2758 holds value for Beijing beyond its claims to Taiwan, as it signifies the PRC being formally welcomed into the international community, with all the associated benefits and opportunities that come with it. On October 25, 2021, in his remarks on the occasion of the 50<sup>th</sup> anniversary of the PRC's entry into the UN, President Xi Jinping praised the contributions the PRC has made to the organization and elaborated on his vision of joint cooperation and peaceful development for the UN and the global community.<sup>1</sup>

Its UN participation has over time given the PRC significant and consequential influence within the organization. Its views differ radically from those held by the United States and its allies and partners on the international order, with less emphasis on human rights, the rule of law, and a values-led system. The implications extend beyond Taiwan, but the PRC's actions in regard to Taiwan at the UN level provide insights into how it can use and is using the UN to advance its own national interests.

### *Risks to the Global Community*

The PRC's relentless drive to enforce its position on Taiwan at the UN level hampers international coordination on transnational issues that pose threats to the safety and well-being of the global community. This includes its exclusion of Taiwan and its national aviation authority—which manages one of the busiest transit hubs in the Indo-Pacific—from the International Civil Aviation Organization and valuable information-sharing mechanisms.

### ***The PRC's relentless drive to enforce its position on Taiwan at the UN level hampers international coordination on transnational issues that pose threats to the safety and well-being of the global community.***

The risks of Taiwan's exclusion from the WHO were evidenced in the early days of the coronavirus pandemic. In December 2019, Taiwan's Center for Disease Control raised the question of whether the outbreak of a virus in Wuhan had the potential for human-to-human transmission. This question was relayed to the WHO through the appropriate International Health Regulations channels—in accordance with the MOU between the PRC and the WHO.<sup>2</sup> The question went unanswered, with only a simple “received” as acknowledgement that it was successfully transmitted.<sup>3</sup> This is evidence that the mechanism set up for Taiwan to participate in and contribute to the world's only global health organization failed.

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1 Ministry of Foreign Affairs of the People's Republic of China, Speech by H.E. Xi Jinping President of the People's Republic of China at the Conference Marking the 50th Anniversary of the Restoration of the Lawful Seat of the People's Republic of China in the United Nations, October 25, 2021.

2 Taiwan Centers for Disease Control, 因應中國大陸武漢發生肺炎疫情, 疾管署持續落實邊境檢疫及執行武漢入境班機之登機檢疫 [In response to the outbreak of pneumonia in Mainland China's Wuhan, the CDC has continued to implement border quarantines and boarding quarantines for inbound flights from Wuhan], December 31, 2019; Editorial Board, “World Health Coronavirus Disinformation,” The Wall Street Journal, April 5, 2020; Edward Felsenthal, “Front Line Workers Tell Their Own Stories in the New Issue of TIME,” Time, April 8, 2020; Taiwan Centers for Disease Control, The facts regarding Taiwan's email to alert the WHO to possible danger of COVID-19, April 11, 2020.

3 Liberty Times Net, “武漢肺炎》美提台灣早示警...衛福部官網12/31拉響警報” [Wuhan Pneumonia: The United States mentions Taiwan's early warning...The official website of the Ministry of Health and Welfare sounded the alarm on 12/31], March 24, 2020.

### *Use of the UN to Advance PRC Party-state Goals*

The PRC's focus on gaining greater influence at the UN also has implications at the organizational and personnel levels. Its ability to advance its agenda by implementing directives in support of its positions, editing documents to reflect those positions, and pressing other UN member states to spearhead efforts that advance PRC priorities—such as further restricting Taiwan's international space—is partly due to the vast number of PRC nationals employed by the UN at various levels. Currently, three of the 15 UN specialized agencies are headed by PRC nationals and, as of 2019, the organization counts over 1,300 PRC nationals among its staff.<sup>4</sup> PRC nationals likewise hold senior positions across UN funds and programs, its principal organs, and other UN-affiliated international organizations.<sup>5</sup>

UN staff are supposed to be impartial. However, numerous instances show that this is far from the case. As reported by the International Service for Human Rights, Wu Hongbo, a PRC national serving as the under-secretary general for economic and social affairs, told PRC media in 2018 that Beijing's priorities take precedence, vowing that “when it comes to Chinese national sovereignty and security, [PRC UN officials] will undoubtedly defend our country's interests.”<sup>6</sup> The same report notes how the PRC uses its trade and economic relationships with countries to secure votes in favor of its preferred candidates in UN leadership elections.<sup>7</sup> Beyond that, the PRC uses the UN to prioritize and funnel funding toward its national projects, specifically the BRI, incorporating multiple different UN agencies and programs to further develop BRI projects. With greater PRC influence at the UN, there is greater misuse of UN resources in advancing Beijing's goals, with the UN used as a tool for its interests.<sup>8</sup>

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4 Morgan Lorraine Viña and Brett D. Schaefer, [Get More Americans Working at the United Nations](#), The Heritage Foundation, February 24, 2021; United Nations Digital Library, [Personnel statistics, data as at 31 December 2019: note / by the CEB Secretariat](#), December 31, 2019.

5 US China Economic and Security Review Commission, [PRC Representation in International Organizations](#), April 2020.

6 International Service for Human Rights, Briefing Note: China and the UN Economic and Social Council.

7 Ibid.

8 Ibid.

## US POLICIES AND VIEWS

Growing PRC influence at the UN on Taiwan—as well as on other matters—has been a cause of concern for the United States. Washington has consistently held the position that UN Resolution 2758 should not be equated to the PRC’s “One China” Principle. As noted above, US diplomats have on occasion pushed back, publicly and privately, against UN statements claiming that Taiwan is a province of the PRC. This includes in 2007, after Secretary General Ban Ki-moon wrote to the Nauru Mission that the UN considered “Taiwan to be an integral part of the PRC.”<sup>1</sup> Expressing its concern, the United States issued a letter asserting its position that Taiwan’s status is not yet determined and also issued a demarche via a Non-Paper on the Status of Taiwan in 2007, which set out the US position in nine points.<sup>2</sup> (See Box 2.)

Ahead of the 50<sup>th</sup> anniversary of UN Resolution 2758, the United States again clarified its position. Deputy Assistant Secretary of State for East Asian and Pacific Affairs Rick Waters detailed how the PRC “misuses” UN Resolution 2758 to the detriment of not only Taiwan but other UN member states as well.<sup>3</sup> Both chambers of Congress released statements reaffirming the US position that UN Resolution 2758 did not make determinations on the status of Taiwan, opposing PRC efforts to reinterpret the resolution as equivalent to the “One China” Principle, and encouraging the continuation of Taiwan’s meaningful participation at the UN and other international organizations.<sup>4</sup>

Further, the PRC has recently begun to publicly weaponize its narrative of the “One China” Principle as embedded in UN Resolution 2758 against the United States, wielding the two together to label key elements of US policy on Taiwan<sup>5</sup> as invalid. In his speech on the 50<sup>th</sup> anniversary of the Shanghai Communiqué,<sup>6</sup> State Councilor Wang Yi stated that:

Both [the US Taiwan Relations Act<sup>7</sup> and the Six Assurances<sup>8</sup>] were unilaterally concocted by the United States. They conflict with U.S. commitments in the three joint communiqués, and *violate the one-China principle*

1 Tkacik, Taiwan’s “Unsettled” International Status.

2 Ibid.

3 German Marshall Fund of the United States, [UN Resolution 2758 Turns 50: Implications for Taiwan, 11:14](#), October 21, 2021.

4 Office of Representative Ami Bera, [Reps. Bera and Chabot Statement on 50th Anniversary of UNGA Resolution recognizing the People’s Republic of China at the United Nations](#), October 25, 2021; United States Senate Committee on Foreign Relations, [Senators Menendez, Inhofe Statement On Anniversary Of UN Approval Of Resolution 2758](#), October 25, 2021.

5 The US “One China” policy is guided by the Taiwan Relations Act, the Three Joint Communiqués, and the Six Assurances. For more, see: Richard Bush, [A One-China Policy Primer](#), The Brookings Institution, March 2017.

6 The Shanghai Communiqué marked the first step toward normalization between the United States and the PRC, with the two sides pledging to set aside differences and improve relations during President Richard Nixon’s historic trip to the PRC. For more, see The Wilson Center, [Joint Communiqué between the United States and China](#), February 27, 1972.

7 The Taiwan Relations Act of 1979 “provides the legal basis for the unofficial relationship between the United States and Taiwan and enshrines the U.S. commitment to assist Taiwan in maintaining its defensive capability.” US Department of State, [U.S. Relations with Taiwan: Bilateral Fact Sheet](#), August 31, 2018. For the full text of the Taiwan Relations Act, see: The American Institute in Taiwan, [Taiwan Relations Act](#), January 1, 1979.

8 Following the 1982 joint communiqué between the United States and the PRC on arms sales to Taiwan, President Ronald Reagan provided assurances to Taiwan on what Washington “had not agreed to in those negotiations,” to include not setting a date for ending arms sales and agreeing not to consult with the PRC on them as well as commitments to not altering existing US policy on Taiwan. [“President Reagan’s Six Assurances to Taiwan,”](#) Congressional Research Service, October 8, 2020.

*established by the UN General Assembly Resolution 2758 which is widely observed by the international community. They are therefore illegal and void from the very beginning [emphasis added].<sup>9</sup>*

This is a marked shift from earlier talking points that criticized these components of US Taiwan policy—which previously centered on accusations of violating the “One China” Principle, the three US-China joint commu-

### **Box 2. US Non-Paper on the Status of Taiwan, 2007.**

1. The United States reiterates its One China policy which is based on the three US–China Communiqués and the Taiwan Relations Act, to the effect that the United States acknowledges China’s view that Taiwan is a part of China. We take no position on the status of Taiwan. We neither accept nor reject the claim that Taiwan is a part of China.
2. The United States has long urged that Taiwan’s status be resolved peacefully to the satisfaction of people on both sides of the Taiwan Strait. Beyond that, we do not define Taiwan in political terms.
3. The United States noted that the PRC has become more active in international organizations and has called on the UN Secretariat and member states to accept its claim of sovereignty over Taiwan. In some cases, as a condition for the PRC’s own participation in international organizations, Beijing has insisted the organization and its member states use nomenclature for Taiwan that suggests endorsement of China’s sovereignty over the island.
4. The United States is concerned that some UN organizations have recently asserted that UN precedent required that Taiwan be treated as a part of the PRC and be referred to by names in keeping with such status.
5. The United States has become aware that the UN has promulgated documents asserting that the United Nations considers “Taiwan for all purposes to be an integral part of the PRC.” While this assertion is consistent with the Chinese position, it is not universally held by UN member states, including the United States.
6. The United States noted that the UN General Assembly resolution 2758 adopted on 25 October 1971 does not in fact establish that Taiwan is a province of the PRC. The resolution merely recognized the representation of the government of the PRC as the only lawful representation of China to the UN, and expelled the representative of Chiang Kai-shek from the seats they occupied at the UN and all related organizations. There is no mention in Resolution 2758 of China’s claim of sovereignty over Taiwan.
7. While the United States does not support Taiwan’s membership in organizations such as the UN, for which statehood is a prerequisite, we do support meaningful participation by Taiwan’s experts as appropriate in such organizations. We support membership as appropriate in organizations for which such statehood is not required.
8. The United States urged the UN Secretariat to review its policy on the status of Taiwan and to avoid taking sides in a sensitive matter on which UN members have agreed to disagree for over 35 years.
9. If the UN Secretariat insists on describing Taiwan as a part of the PRC, or on using nomenclature for Taiwan that implies such status, the United States will be obliged to disassociate itself on a national basis from such position.

<sup>9</sup> Ministry of Foreign Affairs of the People’s Republic of China, [Drawing Wisdom from History to Light up the Road Ahead](#), February 28, 2022.

niqués<sup>10</sup>, and/or international laws or norms.<sup>11</sup> Accordingly, Wang Yi's statement demonstrates that the PRC continues to escalate its approach to UN Resolution 2758, using it not only as a means to restrict Taiwan's access to the UN and as justification for the universality of its "One China" Principle but is now also attempting to drive the false narrative that the resolution nullifies longstanding US approaches to Taiwan, including US law as reflected in the Taiwan Relations Act.

Most critically, it reflects the consistent tactic deployed by the PRC over the past 50 years on UN Resolution 2758 of shifting the goalpost from the original intent of the resolution to a narrative that better aligns with its goals, interests, and preferred outcomes.

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10 The three joint communiqués include the 1972 Shanghai Communiqué, the 1979 normalization communiqué, and the 1982 communiqué. The PRC holds these to be the foundation of bilateral relations and legally binding while the United States views them instead as a statement of future policy. For more, see Kan, China/Taiwan.

11 Embassy of the People's Republic of China in the United States of America, [Foreign Ministry Spokesperson Zhao Lijian's Regular Press Conference on October 27, 2021](#), October 27, 2021; Embassy of the People's Republic of China in Solomon Islands, [Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference on September 1, 2020](#), September 1, 2020; Consulate-General of the People's Republic of China in Mumbai, [Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on July 8, 2016](#), July 8, 2016.

## POLICY RECOMMENDATIONS

The United States should develop a strategy to push back more effectively against the PRC's attempts to redefine UN Resolution 2758 as encompassing its "One China" Principle and against its broader pressure campaign against Taiwan's participation at the United Nations. This should consist of the following elements.

- The United States should launch a major diplomatic effort to forge a group of like-minded countries willing to challenge the PRC's interpretation of UN Resolution 2758. This group should write a letter to the UN secretary general expressing their opposition to Beijing's attempt to distort the meaning of the resolution to block Taiwan's participation in the UN.
- The United States and its allies should press the International Organization for Standardization (ISO), an independent NGO with a membership of 167 national standards bodies, to reverse its decision to use "Taiwan, Province of China." The ISO usage has led many international organizations and multinational corporations to adopt the same lexicon.
- The United States and its allies should take steps to curb the PRC's growing coercive and corrupting influence as well as its efforts to promote and legitimize its agenda across the UN system. In particular, there should be a sustained effort to lobby against the appointments and elections of PRC nationals to high positions in UN agencies. The United States and its allies should take additional steps to safeguard the secrecy of national voting for leadership positions of UN bodies.
- The US Mission to the UN should request that the full text of all MOUs and other agreements that the PRC has signed with the UN Secretariat and with UN funds and programs—including those concerning Taiwan—should be made public.
- The United States should reassess its approach to voting blocs in the UN voting and branch beyond the support of its traditional allies and partners, developing strategies and outreach to UN member states on an issue-by-issue basis, including those that touch on Taiwan's meaningful participation.
- The United States should publicly emphasize the differences between its "One China" policy and Beijing's "One China" Principle. It should encourage other countries that have "One China" policies that differ from the PRC's "One China" Principle to do the same. US officials should make clear that the United States acknowledges the Chinese position that Taiwan is part of China but does not accept PRC claims to sovereignty over Taiwan.
- Building on existing congressional interest,<sup>1</sup> the Department of State should leverage its membership on the NGO Committee, the Economic and Social Council, the Human Rights Council, and in other relevant fora to highlight and counter PRC efforts to restrict UN access and participation by otherwise qualified NGOs that refer to Taiwan in their communications without adding "Province of China," that have offices in Taiwan, or that partner with Taiwanese organizations.

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<sup>1</sup> The America COMPETES Act of 2022, H.R. 4521, 117th Cong. § 30210 (as passed by the House of Representatives, February 4, 2022).

## CASE STUDY. COMPELLING NGOS TO CHANGE REFERENCES TO “TAIWAN” AND REVISING HISTORICAL UN DOCUMENTS

There have been numerous media reports on the breadth of PRC influence at the UN, including how NGOs are being restricted from UN access and accreditation, particularly at the ECOSOC, if they do not comply with Beijing’s demands to reframe references of “Taiwan” to “Taiwan, Province of China” on their websites and publications.<sup>1</sup> Yet, the extent of this pressure and the ways it is being applied is not fully appreciated. The PRC is increasingly threatening independent organizations with losing access to the UN if they do not adopt its preferred language regarding Taiwan. There are also instances of UN documents being revised to accommodate PRC preferences. These issues, when taken together, show a clear trend of privileging one member state’s interests over the UN’s stated commitment to partnering and sharing information with civil society.<sup>2</sup>

Below are examples of such changes and revisions. These examples showcase ways the PRC is using the UN and its affiliated agencies as a medium through which to pressure NGOs and to gain further leverage on Taiwan.

### *The World Intellectual Property Organization (WIPO)*

WIPO is a specialized agency of the UN that serves as a “global forum for intellectual property (IP) services, policy, information and cooperation.”<sup>3</sup> During the 2020 Assemblies of the Member States of WIPO, the PRC delegation requested to suspend the discussion on Wikimedia Foundation’s application for observership to WIPO because the information available on Wikipedia—which is hosted by the Wikimedia Foundation—features content that purportedly “violated” the PRC’s “One China” Principle and UN Resolution 2758.<sup>4</sup>

Given that any member state can veto accreditation, the Wikimedia Foundation was blocked from acquiring observer status at WIPO in 2020 and again in 2021, despite submitting materials describing how Wikipedia works and how the foundation does not directly manage its authors and contributors.<sup>5</sup> The foundation has said that it plans to reapply for observer status in 2022 but that it understands “it will only be admitted by WIPO if China decides to lift its blockade.”<sup>6</sup>

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1 Stu Woo, “China Makes Sure Everyone Writes Taiwan’s Name Just So—Even a Colorado High School,” Wall Street Journal, September 10, 2021.

2 United Nations, [The UN and Civil Society](#), accessed February 12, 2022.

3 World Intellectual Property Organization, [Inside WIPO: What is WIPO?](#), accessed February 12, 2022.

4 WIPO, Assemblies of the Member States of WIPO: Sixty-First Series of Meetings. A/61/10 (September 21–25, 2020).

5 Wikimedia Foundation, “[China blocks Wikimedia Foundation’s accreditation to World Intellectual Property Organization](#),” September 24, 2020; Wikimedia Foundation, “[China again blocks Wikimedia Foundation’s accreditation to World Intellectual Property Organization](#),” October 5, 2021; and WIPO, Assemblies of the Member States of WIPO: Sixty-Second Series of Meetings. A/62/13 Prov (October 4–8, 2021).

6 Wikimedia Foundation, “[China again blocks Wikimedia Foundation’s accreditation to World Intellectual Property Organization](#),” October 5, 2021.

### Box A. WIPO meeting record showing the PRC blocking the Wikimedia Foundation from observership for “violating” the “One China” Principle and “contradicting” UN Resolution 2758 in its references to Taiwan<sup>a</sup>

was evidently inconsistent with the application documents submitted by the Foundation to the Assembly for its consideration, and further clarification was thus required. At the same time, China had spotted a large amount of content and disinformation in violation of the one-China principle on the affiliated websites of the Foundation, which contradicted UNGA Resolution 2758 and the consistent position of WIPO on Taiwan-related issues. The Delegation expressed serious concerns over that practice. There was reason to believe that this Foundation had been carrying out political activities through its member organizations, which could undermine the State's sovereignty and territorial integrity. Therefore, it was not fitting for the Foundation to serve as an observer in this professional Organization. The Delegation emphasized that the

a. WIPO, Assemblies of the Member States of WIPO: Sixty-First Series of Meetings. A/61/10 (September 21–25, 2020). Ibid.

### *The Convention on the Physical Protection of Nuclear Material (CPPNM)*

The CPPNM, under the auspices of the International Atomic Energy Agency, holds an annual conference to review the implementation of the convention.<sup>7</sup> NGOs are allowed to participate as observers, but are “subject to the approval of the Parties [to the CPPNM]” and “participate as determined by the Parties.”<sup>8</sup>

In late December 2021, the PRC objected to the participation of five organizations, which were directed to correct “mistakes” in their publications that mention Taiwan or risk having their attendance blocked.<sup>9</sup> These organizations include the Nuclear Threat Initiative (NTI) and the Stimson Center, a US think tank.

NTI and Stimson bowed to PRC pressure to avoid being barred from participation in UN conferences and losing access to the UN and its affiliated agencies, which are essential to their work. The demands demonstrate that PRC representatives have identified and targeted critical pressure points that can be applied to compel NGOs to comply or lose invaluable resources provided by access to the UN.

NTI made adjustments to its website’s “Taiwan” country page, which originally featured an image of the ROC flag, as well as text description of “losing mainland China to the Chinese Communist Party.”<sup>10</sup> Both have since been removed, while a sentence explaining Taiwan’s inclusion among country pages has been added.<sup>11</sup> (See Box B.)

In addition, the PRC complained that one of the Stimson Center’s reports on illegal, unreported, and unregulated fishing contained “incorrect” references to Taiwan.<sup>12</sup> The Stimson Center made changes to the wording of the report to address PRC concerns. Box C shows the original text at the time of publication in November 2019 and the amended text that is now on the Stimson Center website. Of note, all sentences in which Taiwan was referenced alongside China have had the latter changed to “Mainland China,” as seen in the page 2 example.

<sup>7</sup> [“Conference of the Parties to the Amendment to the Convention on the Physical Protection of Nuclear Material 2022,”](#) International Atomic Energy Agency, accessed February 12, 2022.

<sup>8</sup> [Ibid.](#)

<sup>9</sup> Private interview on February 3, 2022.

<sup>10</sup> [“Taiwan,”](#) Nuclear Threat Initiative, web-archived date: October 22, 2021.

<sup>11</sup> [“Taiwan,”](#) Nuclear Threat Initiative, accessed February 12, 2022.

<sup>12</sup> Private interview on February 3, 2022.

**Box B. NTI “Taiwan” Country Page Before and After PRC Complaints to the CPPNM**

*Web-archived, October 2021*

*Current*

**Taiwan** 

SPOTLIGHT

Since losing mainland China to the Chinese Communist Party, the Republic of China (better known as Taiwan) has remained a significant flashpoint in East Asia. While Taiwan pursued—and abandoned—nuclear weapons programs in the past, its current relationship to nonproliferation regimes remains ambiguous, as most countries do not recognize its sovereignty.

**Taiwan**

SPOTLIGHT

The Republic of China (better known as Taiwan) is a significant flashpoint in East Asia. While Taiwan pursued—and abandoned—nuclear weapons programs in the past, its current relationship to nonproliferation regimes remains ambiguous, as most countries do not recognize its sovereignty.

Taiwan is included in NTI analysis due to its autonomous nuclear regulatory structure.

**Box C. Stimson Center Report Before and After PRC Complaints to the CPPNM**

*Original Text<sup>a</sup>*

*Amended Text<sup>b</sup>*

**PAGE 2**

from 2015 to 2017. The report further illuminates the top five DWF fleets, which account for nearly 90 percent of DWF efforts. China and Taiwan represented nearly 60 percent of all global DWF

from 2015 to 2017. The report further illuminates the top five DWF fleets, which account for nearly 90 percent of DWF efforts. Mainland China and Taiwan represented nearly 60 percent of all global DWF

**PAGE 13**

DWF FISHING COUNTRY
South Korea
Japan
Taiwan
China
Spain

DWF FISHING COUNTRY/REGION
South Korea
Japan
Taiwan
China
Spain

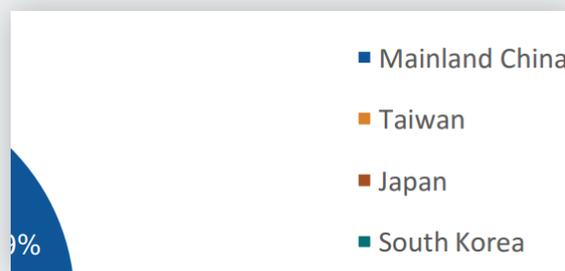
a. Stimson Center, “[Shining a Light: The Need for Transparency across Distant Water Fishing](#),” November 19, 2019. (web-archived date: April 17, 2020).

b. Ibid. accessed February 11, 2022.

PAGE 14



PAGE 15



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### Acknowledgements

The authors would like to thank Oceans 5 for their generous financial support. Special thanks to Global Fishing Watch for their technical support. Further thanks to the Stimson editing team: Jack Stuart, Alex Hopkins, and James Siebens.

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### Note

References to *China and Taiwan, mainland China and Taiwan, Chinese and Taiwanese, mainland Chinese and Taiwanese*, etc. are specific to the origins of fishing fleets and vessels, and do not represent a judgment, explicit or implicit, on the issue of Taiwan’s sovereignty, on which the Stimson Center does not take a position. Reference to *Chinese and Taiwanese fleets* refer to their respective flags of origin.

### *The International Telecommunication Union (ITU)*

Perhaps most egregious cases are the ones in which UN personnel revised historical documents, replacing original mentions of “Taiwan” with “Taiwan, Province of China.” One such instance was found in a 2014 ITU report on disaster relief. Another example was found in a report of an Information and Communications Technologies (ICT) Study Group meeting in Geneva from November 2000. (See Box D.)

#### **Box D. Examples of Changes Made to References of Taiwan in ITU reports and documents (highlights added)**

*ITU report on disaster relief, web-archived version, October 10, 2017, p. 8<sup>a</sup>*

3) 5th workshop, Session 2-3, GeoThings Platform, How ICT Coordinates Humanitarian Assistance and Disaster Relief

GeoThing is an incubation project of the Industrial Technology Research Institute of **Taiwan**. It integrates Ushahidi (open data platform), Open GeoSMS (a message format for encoding location information in SMS) and others, and helps coordinate people such as volunteers, NGO workers and organizations such as NGOs and governments during disasters.

*ITU report on disaster relief, current version on website, p. 8<sup>b</sup>*

3) 5th workshop, Session 2-3, GeoThings Platform, How ICT Coordinates Humanitarian Assistance and Disaster Relief

GeoThing is an incubation project of the Industrial Technology Research Institute of **Taiwan, province of China**. It integrates Ushahidi (open data platform), Open GeoSMS (a message format for encoding location information in SMS) and others, and helps coordinate people such as volunteers, NGO workers and organizations such as NGOs and governments during disasters.

a. Telecommunication Standardization Sector of the International Telecommunication Union, [Focus Group on Disaster Relief Systems, Network Resilience and Recovery: Version 1.0](#) (05/2014) [web-archived date October 10, 2017], p.8.

b. Telecommunication Standardization Sector of the International Telecommunication Union, [Focus Group on Disaster Relief Systems, Network Resilience and Recovery: Version 1.0](#) (05/2014) [accessed February 11, 2022], p.8.

*ITU ICT Study Group report, original version, November 2000<sup>a</sup>***1 PROSE DESCRIPTION**

There is a need for priority communications among governmental, civil, and other essential users of public telecommunications services in crisis situations, such as earthquakes, severe storms, and floods. Telecommunication services are often restricted during these events due to physical damage, congestion, or associated equipment failures. In more serious situations, such as the recent earthquakes in Turkey, Taiwan and Honduras, these effects may be felt far beyond the local area or national boundary as a severe increase in international traffic both into and out of the crisis area.

*ITU ICT Study Group edited version, January 2021<sup>b</sup>***1 PROSE DESCRIPTION**

There is a need for priority communications among governmental, civil, and other essential users of public telecommunications services in crisis situations, such as earthquakes, severe storms, and floods. Telecommunication services are often restricted during these events due to physical damage, congestion, or associated equipment failures. In more serious situations, such as the recent earthquakes in Turkey, Taiwan Province of China, and Honduras, these effects may be felt far beyond the local area or national boundary as a severe increase in international traffic both into and out of the crisis area.

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a. Telecommunication Standardization Sector of the International Telecommunication Union, Telecommunication Standardization Sector [Temporary Document 78 \(PLEN\) Study Group 16: Report of the Geneva Meeting](#) (November 13–17, 2000).

b. International Telecommunication Union, [Liaison Statement to SGs 13, 2, 4, 11, ETSI Tiphon, IETF: International emergency multimedia service to support critical communications \(FIEMS\)](#), January 28, 2021.

## APPENDIX A. UN GENERAL ASSEMBLY STATEMENTS FROM MEMBER STATES THAT VOTED IN SUPPORT OF UN RESOLUTION 2758 IN 1971, SHOWING THE DIVERSITY OF VIEWPOINTS ON TAIWAN

Mr. Zakaria (Malaysia): “My delegation will therefore in favor of the draft resolution. I should make it clear, however, that we view the question of Taiwan as a separate issue which will have to be resolved by the parties concerned. We are anxious that this question should be resolved by peaceful means and we hope that in the solution due account would be taken of the wishes of the people of Taiwan, to be ascertained by the process of self-determination.”<sup>1</sup>

Mr. Fall (Senegal): “My Government considers that the People’s Republic of China is the sole representative of the Chinese people; but it is not, however, convinced that its authority should automatically be exercised over the entire territory of the island of Formosa. The people of Senegal, which for almost three centuries knew the constraints of colonization, would certainly find it paradoxical if its Government were to consider itself justified in giving its unreserved endorsement to the proposition that Formosa should be considered an integral part of the territory of China without the indigenous population of that island being given an opportunity to exercise its right to self-determination.”<sup>2</sup>

Mr. Benites (Ecuador): “[If], as a result of the vote, we decided that the People’s Republic of China is the one that is the lawful representative of the people of China, we would not be depriving the Republic of China of representation but rather we would change the representation that it has held so far...Perhaps the most realistic approach to this problem would have been to accept the representation of the People’s Republic of China with a full measure of its rights and negotiate politically with it in advance for the recognition of a provisional status for Taiwan which should be resolved through a consultation for the self-determination of the population inhabiting Taiwan and the other islands.”<sup>3</sup>

Mr. Fack (Netherlands): “It would appear that the problem facing my delegation, and indeed this Assembly, is twofold. In the first place, we see a territory, an island territory of considerable size, inhabited by a population of 14 million people under the factual authority of a Government claiming to represent the entire Chinese people. The Netherlands Government is of the opinion that the existence of this factual political entity is undeniable, although we, for our part, do not maintain relations with it, nor do we recognize its professed claim. Secondly, the Netherlands Government attaches great importance to the principle of the universality of the United Nations as a world-wide organization. In this respect we are by no means alone, as has transpired during the general debate at this session. The question seems justified, therefore, whether at any time in the future a solution can be found to meet the particular requirements of the people of Taiwan.”<sup>4</sup>

1 U.N. GAOR, 26<sup>th</sup> Sess., 1976<sup>th</sup> plen. mtg., U.N. Doc. A/PV.1976 (Oct. 25, 1971).

2 Ibid.

3 U.N. GAOR, 26<sup>th</sup> Sess., 1968<sup>th</sup> plen. mtg., U.N. Doc. A/PV.1968 (Oct. 19, 1971).

4 U.N. GAOR, 26<sup>th</sup> Sess., 1971<sup>st</sup> plen. mtg., U.N. Doc. A/PV.1971 (Oct. 20, 1971).

Mr. Driss (Tunisia): “[If] the Republic of China must unequivocally vacate China’s seat for the People’s Republic of China, this should not prejudge the future interests of Formosa, which, in conformity with the principles of the Charter concerning the right of peoples to self-determination, may wish to be represented in the General Assembly of the United Nations and in its subsidiary organs as an entity separated from China or linked to it by special ties. The major Powers concerned might recognize Formosa as a separate entity in the interests of a balance which would allow the establishment of a durable peace in the region. That possibility should not be rejected out of hand.”<sup>5</sup>

Mr. Kufuor (Ghana): “Ghana has for a very long time recognized the People’s Republic of China and its right to seats in both the Security Council and the General Assembly. It has also been saying for a long time that the best way to ensure that this Organization continues to represent the best hopes of mankind is to be guided, as far as its membership is concerned, by the concept of universality. That concept above all compels my delegation to recognize that the Republic of China also has a right to a seat in the General Assembly.”<sup>6</sup>

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5 U.N. GAOR, 26<sup>th</sup> Sess., 1976<sup>th</sup> plen. mtg.

6 Ibid.

## APPENDIX B. WHO DOCUMENTS CONCERNING THE MEMORANDUM OF UNDERSTANDING WITH THE PRC

The implementation memo for the 2005 memorandum of understanding between the WHO Secretariat and the PRC was publicly available on WikiSource until at least April 19, 2020.<sup>1</sup> The page was taken down sometime between then and May 16, 2020 and has been unavailable since. Its text is reproduced below.

### IMPLEMENTATION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE WHO SECRETARIAT AND CHINA

1. A Memorandum of Understanding Between the Ministry of Health of the People's Republic of China and the Secretariat of the World Health Organisation (MOU) was signed on 14 May 2005 by the Director-General and the Minister of Health of the PRC. The MOU establishes exceptional arrangements concerning (1) the participation of Taiwanese medical and public health experts in technical activities organized by the Secretariat, (2) the dispatch of staff members or experts to Taiwan, China to investigate the public health or epidemiological situation there; as well as (3) the provision of medical and public health technical assistance to Taiwan, China by the Secretariat.

2. The purpose of this memorandum is to set out clear procedures which the competent technical units both at Headquarters and in regional or country offices must follow in correctly implement the provisions of the MOU.

3. The following general points should be underscored at the outset: (i) the implementation of the MOU must take place with full respect for resolution WHA 25.1 (copy attached) and the consequent obligation for the Secretariat of refraining from action which could constitute a recognition of a separate status of Taiwanese authorities and institutions;

(ii) As explained in more detail below, requests under the MOU must in all cases be channelled through a Focal Point at Headquarters, who will interact with the Permanent Mission of China in Geneva as well as with DGO and LEG, as necessary. That also applies to requests arising in regional or country offices. The Director General, Department of Governance has appointed Dr B.P. Kean (e-mail: keanb@who.int; tel 791 364). Should Dr Kean be absent, Ms C. Rose-Oduycrni (e-mail: roseoduyernni@who.int; tel 791 2554) and Mr P. Mertens (e-mail: mertensp@who.int; tel 791 2554) from the same Department will be acting on his behalf;

(iii) Please refer to Paragraphs 19-22 below for general Instructions on dealing with the Taiwanese authorities on issues unrelated to the Memorandum.

4. The MOU addresses three broad areas, which will be revisited in turn: (a) Invitation of Taiwanese medical and public health experts to technical activities organized by the Secretariat; (b) Dispatch of staff members and experts to Taiwan, China, to investigate the health situation there and provision of medical and public health technical assistance, whether or not it entails dispatching WHO staff and experts to Taiwan, China; (c) Responses by the Secretariat in case of an acute public health emergency in Taiwan, China which can include any of the activities

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<sup>1</sup> World Health Organization, "[Memorandum on implementation of the 2005 China-WHO Taiwan MOU](#)," Wikisource, 19 April 2020; World Health Organization, "[Memorandum on implementation of the 2005 China-WHO Taiwan MOU](#)," Wikisource, 16 May 2020.

spelt out under a) and b) above. Invitation of Taiwanese and public health experts to technical activities organized by the Secretariat.

5. Invitations could either be generated by requests from Taiwanese experts or by competent technical unit in the Secretariat. Informal contacts between WHO technical staff and possible invitees (e.g. by e-mail or telephone) are allowed as long as it is made clear that they are only for the purpose of verifying their potential availability and interest and that those contacts do not imply a commitment on the part of the Secretariat. In either case, the participation of Taiwanese experts in WHO technical activities, involving meetings and conferences, has to be justified by the particular expertise of the person or persons to be invited as well as the nature of the event. Initiations are to be considered on a case-by-case basis. The MOU would not allow, for example, the inclusion of Taiwanese experts in WHO expert advisory panels.

6. The following procedures shall be observed:

- Requests to invite Taiwanese medical and public health experts shall be sent by the competent technical unit to the Focal Point (see 3(ii) above) as early as possible, and no later than five weeks before the beginning of the technical activity or meeting in question, giving all necessary details about the meeting or activity concerned, the reason for wishing to invite specific experts, and full contact details of the latter;
- The requests should as a rule identify the individual experts to be invited, with an indication of their affiliation, expertise and contact address, as well as an explanation of why the invitation is considered necessary or appropriate by the technical unit. It is anticipated, however, that situations may exceptionally arise in which it is either not possible to initially identify specific persons, or it is only possible to identify a group of experts among whom the participants would be chosen;
- The Focal Point shall, in consultation with DGO and LEG as necessary, make an assessment of the requests received from a policy point of view and may seek additional information from the technical unit concerned. Should the request not appear justified, the Focal Point will inform the technical unit accordingly;
- Those requests which appear justified from both a technical and policy point of view are sent to the Permanent Mission of China in Geneva (the Chinese Mission) for transmission to the Ministry of Health (MOH). The technical unit should fill for this purpose the model note contained in Annex 1 (Annex 1 is available on the “PubDept” drive Legal-All Legal Team level, and can be provided by LEG electronically upon request.) and send it to the Focal Point together with its request. The Chinese Mission shall inform the Secretariat of the MOH’s agreement or disagreement with the proposed invitation within two weeks from the receipt of the request from the Secretariat;
- After obtaining the agreement of the Chinese MOH, the technical unit may issue a written invitation to the Taiwanese experts, with a copy to the Chinese Mission and the Focal Point. The technical unit should use for this purpose the model letter contained in Annex 2 (Annex 2 is available on the “PubDept” drive; Legal-All Legal-Team level, and can be provided by LEG electronically upon request.), adapting it as necessary. Letters should be signed in principle by the responsible Director or Coordinator.
- As to the geographic expression to be included in the mailing address for any correspondence with invited Taiwanese experts, the use of “Republic of China” or “Taiwan” is not acceptable. At the same time, the use of expression “Taiwan, China” could possibly discourage the participation of the invited experts. Consequently, technical units should only indicate the name of the city of the

addressee, without indicating a “country” of destination, and invitations should as much as possible be sent by telefax to avoid problems with the regular mail. Any deviation from this practice should be cleared with the Focal Point;

7. Participation by Taiwanese medical and public health experts in technical activities is subject to the following conditions:

- The experts shall participate in their personal capacity. When designations are used (e.g. on conference badges or lists of participants), reference shall be made to “Taiwan, China”;
- Only experts under the level of “director-general” in their respective institutions or agencies may be invited;
- The Secretariat shall request the experts in question not to engage in political activities during their participation. If they do not comply with this requirement, the, the Secretariat should request them to stop any activity of a political nature and, if necessary, shall terminate their participation in the technical activities.
- The technical unit concerned should make efforts to also invite medical and public health experts from mainland China when inviting Taiwanese experts.

Dispatch of staff members and experts for investigating the public health or epidemiological situation or provisions of medical and public health technical assistance to Taiwan, China

8. Under the MOU, the Secretariat may dispatch staff members and experts to Taiwan, China to investigate the local health or epidemiological situation, as well as provide medical and public health technical assistance to Taiwan, China. Such assistance may be provided through the dispatch of WHO staff members and experts or through other means, such as seeking medical products and equipments or making available public health information publications.

9. Technical units at Headquarters or regional offices may receive from Taiwanese agencies or institutions requests for technical assistance or for visits by WHO staff members and experts to investigate the public health or epidemiological situation on the island. In such a case, they should assess from a technical point of view whether or not they are justified before transmitting them to the Focal Point. Requests under this section may also be formulated by the technical units concerned.

10. The following procedures shall be observed:

- Requests shall be sent by the competent technical unit to the Focal Point as early as possible, preferably no later than five weeks before the intended visit or the provision of technical assistance. Requesting units should provide the Focal Point with all necessary details about the activity or assistance concerned, as well as of the staff members or experts they intend to dispatch to Taiwan, China. If the request is urgent, the submitting technical units should inform the Focal Point accordingly, with an indication of the reasons for the urgency;
- The requests should identify the staff members or experts to be dispatched, or indicate the technical assistance envisaged, its justification and purpose, its intended beneficiaries, and an estimate of its duration;
- The Focal Point shall, in consultation with DGO and LEG as necessary, make an assessment of the requests received from a policy point of view and may seek additional information from the technical unit concerned;

- The requests which appear justified from both a technical and policy point of view are sent to the Permanent Mission of China in Geneva (the Chinese Mission) for transmission to the Ministry of Health (MOH). The technical unit shall inform the Secretariat of the MOH's agreement or disagreement with the proposed invitation within two weeks from the receipt of the request from the Secretariat.
- After obtaining the agreement of the Chinese MOH through the Chinese Mission, the technical unit may make arrangements for the dispatch of staff members or experts or the provision of technical assistances. The Focal Point should be kept regularly informed of the outcome of the activities carried out under this section.

11. If WHO dispatches staff members to Taiwan, China, they shall be at Director level or below. consequently, no visits by staff members above that level may be envisaged under the MOU. WHO staff members may initiate and accept meetings and discussions with Taiwanese medical and public health officials under the level of "Director-General". More generally, WHO staff members should recall and abide by resolution WHA25.1, mentioned above.

12. If WHO dispatches experts other than staff members (e.g. temporary advisers or persons holding an SSA or an APW), they should not have a profile due to either current or previous affiliations such that it may give rise to political implications. Current or former governmental or political personalities, for example, should in principle not be selected for expert assignments under this section.

13. Under the MOU, China agrees in case of an acute public health emergency in Taiwan, China, the Director-General, in consultation with the MOH of China through the Chinese Mission, may deem it necessary to dispatch staff members or experts to Taiwan, China for field visits, or provide technical assistance or to invite Taiwanese medical and public health experts to participate in relevant technical activities organized by the Secretariat.

14. The MOU does not define what may constitute an acute public health emergency in Taiwan, China, the Director-General, in consultation with the MOH of China through the Chinese Mission, may deem it necessary to dispatch staff members or experts to Taiwan, China for field visits, or provide technical assistance or to invite Taiwanese medical and public health experts to participate in relevant technical activities organised by the Secretariat.

15. In view of the foregoing, it is very important that technical units which consider that the gravity of an event consult without delay with the Focal Point and provide as much information as possible. The Focal Point, with the assistance of the technical unit concerned if appropriate, shall consult with the Chinese Mission with a view to enable the Director-General to decide whether action by WHO is necessary. If the Director-General so decides, the technical unit or units concerned may take the necessary actions.

16. The Focal Point shall keep the Chinese Mission regularly informed of the development of the acute public health emergency and the response by WHO. No later than eight weeks after the decision to take action has been taken, the Focal Point shall, with the assistance of the technical unit concerned if appearance, review in consultation with the Chinese Mission whether the emergency is still occurring. In the event of a continuing emergency, the Focal Point, with the assistance of the technical unit concerned if appropriate, shall consult periodically with the Chinese Mission.

17. The conditions spelt out in paragraphs 7, 11 and 12 apply to the implementation of activities in response to an acute public health emergency.

### Other issues

18. Other health issues not specifically covered by the MOU as described above, but falling within the general aim of facilitating technical contacts, shall be handled on a case-by-case basis through consultations between the Focal Point and the Chinese Mission.

### Additional measures to avoid unauthorized interactions

19. Correspondence, proposals and requests other than those referred below from Taiwanese authorities, institutions or individuals, except those relating to implementation of the MOU on which guidance is provided in the preceding section of this note, must be forwarded to the Office of the Legal Counsel. The Office will advise, in consultation with the Office of the Director-General as necessary, as to whether and how to respond to them. No reply should be given before contacting the Office of the Legal Counsel.

20. Technical meetings open to any individual without pre-screening of participants should not be held. Particular care should be taken to ensure proper care of participants if invitations or registration forms are available online.

21. Particular attention should be paid to ensure that NGO's participating in WHO meetings do not contain representatives of the Taiwanese authorities on their delegation.

22. Lists of participants for meetings should be checked in advance by the relevant Director to avoid the unintended inclusion of Taiwanese individuals.

12 July 2005<sup>2</sup>

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<sup>2</sup> Ibid.

March 2022

## Memorandum from WHO Executive Director, Margaret Chan, on “Applications of the International Health Regulations (2005) to the Taiwan Province of China”<sup>1</sup>

### MEMORANDUM

From: Executive Director, DGO To: RDs and ADGs Date: 14 September 2010

Our ref: Attention:

Your ref: Through:

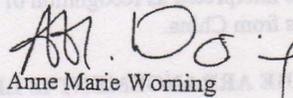
Originator: SAS Subject: Application of the International Health Regulations (2005) to the Taiwan Province of China

Please find attached a note on the procedures to be followed concerning the arrangement with China to facilitate implementation of the International Health Regulations (2005) ("IHR") with respect to the Taiwan Province of China. The note explains the procedures for the implementation by the WHO Secretariat of the arrangement concerned.

The full knowledge and correct implementation by WHO staff concerned of the content of the abovementioned note is of high importance, in order to address technical issues concerning the application of the IHR to the Taiwan Province of China, while avoiding counterproductive situations with regard to the Secretariat's compliance with resolution WHA25.1.

In view of the foregoing, you are kindly requested to circulate the attached note to all staff in your Region/cluster/office/programme whose work may be related to the implementation of the IHR, ensuring that senior management is fully aware of it and that it impresses upon all concerned staff the importance attached by the Director-General to the full and correct implementation of the measures and procedures laid out in the note.

Thank you for your continuing cooperation in this important matter. In case of questions, please contact the Legal Counsel.

  
Anne Marie Worning

<sup>1</sup> “WHO Memo on Taiwan Status,” Scribd, accessed 31 March 2020.

MEMORANDUM

**PROCEDURES CONCERNING AN ARRANGEMENT TO  
FACILITATE IMPLEMENTATION OF THE INTERNATIONAL  
HEALTH REGULATIONS (2005) WITH RESPECT TO THE  
TAIWAN PROVINCE OF CHINA**

1. Following the entry into force of the International Health Regulations (2005) ("IHR (2005)"), the Permanent Mission of China has communicated to the Director-General an arrangement to facilitate the implementation of the IHR (2005) with respect to the Taiwan Province of China. This IHR arrangement (hereinafter "the Arrangement") allows certain interactions and communications between the WHO Secretariat and technical health authorities in Taipei and clarifies the activities that the WHO Secretariat may undertake pursuant to the IHR (2005) with regard to the Taiwan Province of China.

**PURPOSE OF THIS MEMORANDUM**

2. This memorandum sets out procedures which the competent technical units both at Headquarters and in Regional and Country offices - in particular in the Western Pacific Region - must follow to correctly implement the Arrangement.

**CIRCULATE ONLY "AS NEEDED"**

3. This memorandum should be treated as a confidential document and should only be circulated on an "as needed" basis within WHO. It should not be circulated to non-WHO staff or outside WHO.

**WHA/GOVERNANCE CONTEXT FOR THIS MEMORANDUM**

4. The implementation of the Arrangement must take place with full respect for resolution WHA25.1 concerning the representation of China in WHO and the consequent obligation for the Secretariat of refraining from actions which could constitute or be interpreted as recognition of a separate status of Taiwanese authorities and institutions from China.

**SCOPE OF THE ARRANGEMENT IS LIMITED TO IHR**

5. The Arrangement deals with the implementation of the IHR. Matters involving Taiwanese authorities unrelated to the IHR may fall within the scope of the 2005 Memorandum of Understanding (MOU) that was concluded between China and WHO. The 2005 MOU addresses (1) the participation of Taiwanese medical and public health experts in technical activities organized by the Secretariat; (2) the dispatch of staff members or experts to the Taiwan Province to investigate the public health or epidemiological situation there; as well as (3) the provision of medical and public health technical assistance to the Taiwan Province by the Secretariat. Guidance concerning the implementation of the MOU by the Secretariat was provided in a note dated 12 July 2005 from the Executive Director, DGO (attached for ease of reference). If in doubt about whether a Taiwanese-related situation concerns the IHR, the unit concerned should contact the Office of the Legal Counsel.

**THE ARRANGEMENT ESTABLISHES A WHO CONTACT POINT FOR ALL IHR ISSUES INVOLVING THE TAIWAN PROVINCE OF CHINA**

6. The key element of the Arrangement is that on matters relating to the IHR, there can be direct communications between the WHO Secretariat and technical health authorities in Taipei. However, such communications will take place between two designated officials referred to as the WHO Contact Point within the WHO Secretariat and the Point of Contact of the Taiwan Province.
7. All communications between WHO's technical units and the Point of Contact of the Taiwan Province will be channelled through the WHO Contact Point who will be responsible for ensuring that the procedures detailed in the arrangement are complied with. Such communications include a) all those directly referring to the IHR and those conveying or containing information about current public health risks or events relevant for the implementation of the IHR arising b) within the Taiwan Province of China, or c) where the source of the report comes from within the Taiwan Province of China.
8. The Contact Point in the WHO Secretariat will be Dr Max Hardiman, medical officer, IHR Coordination Department (tel. 791 2572, fax 791 4667, e-mail [hardimann@who.int](mailto:hardimann@who.int)) and E-mails from WHO's units to the WHO Contact Point under the present IHR arrangement must be copied to [ihrtpc@who.int](mailto:ihrtpc@who.int). In the event Dr Hardiman is unavailable, Mr Bruce Plotkin may be contacted (tel. 791 1280, e-mail [plotkinb@who.int](mailto:plotkinb@who.int)). Proposed communications to the Point of Contact of the Taiwan Province of China should be sent to the WHO Contact Point as soon as possible, considering that the WHO Contact Point may require several days to be in a position to send communications to the Point of Contact of the Taiwan Province. There are streamlined clearance procedures for information of an urgent nature, in particular with regard to events which have been declared or may constitute a public health emergency of international concern under the IHR (2005).
9. Any WHO unit receiving communications from Taiwanese entities involving the IHR, whether or not they refer to events occurring in the Taiwan Province of China, should immediately forward the communications to the Contact Point in the WHO Secretariat, without response or acknowledgement to the sender.
10. The WHO Contact Point will coordinate, as necessary, with the Secretariat Focal Point concerning the implementation of the 2005 MOU. The Focal Point is currently Mr Gian Luca Burci, Legal Counsel ([burcig@who.int](mailto:burcig@who.int)). The alternate Focal Point is Mr Steven Solomon ([solomons@who.int](mailto:solomons@who.int)), Principal Legal Officer.
11. WHO units which receive documents or information from the Point of Contact or other official sources in the Taiwan Province of China related to the implementation of the IHR and which intend to make use of such information or documents, must contact the WHO Contact Point to clear the use of such information in any WHO publication or document either printed, electronic or posted on the Internet. Such clearance involves coordination with the Permanent Mission of China in Geneva and timely internal communication is essential. Non-urgent IHR matters

should be notified sufficiently in advance to allow at least 7 working days for clearance procedures.

#### OTHER ELEMENTS OF THE ARRANGEMENT

12. The IHR arrangement also includes procedures to facilitate IHR-related activities in a number of areas, including:

- The provision of on-site technical guidance and assistance by WHO to the Taiwan province of China or requests to Taiwanese authorities for verification, in the case of an event occurring in the Taiwan Province of China which may constitute a PHEIC, subject to specified procedures.
- The participation of experts from the Taiwan Province of China in the IHR Expert Roster and meetings of the IHR Emergency Committee or Review Committee. Invitations to Taiwanese experts to meetings of those Committees or other technical meetings related to the implementation of the IHR shall be cleared through the Focal Point for the 2005 MoU.
- Inviting the Taiwan Province of China to present its views to the Emergency Committee when the latter is considering an event in its territory.
- The Point of Contact of the Taiwan Province of China has been provided with access to the IHR Event Information Site.

#### ✱ PROPER TERMINOLOGY FOR THE TAIWAN PROVINCE OF CHINA

13. Documents or information which is published, incorporated or referred to in WHO publications or documents, whether electronic or in hard copy, must use the terminology "the Taiwan Province of China". Information related to the Taiwan Province of China must be listed or shown as falling under China and not separately as if they referred to a State. The practical implementation of this requirement will depend to a large extent on the nature and format of each document or publication in question. In case of doubt, please contact the Office of the Legal Counsel in good time before finalizing the publication or document.

#### "IF ASKED" TALKING POINTS ABOUT THE ARRANGEMENT

14. The following bullets should be used in responding to questions raised from outside WHO about the arrangement:

- There has been no change in the status of Taiwan Province of China within the WHO.
- WHA resolution 25.1 remains the touchstone for such matters and, consistent with that resolution, Taiwan, as a province of China, cannot be party to the IHR.



- This IHR arrangement does not, of course, prejudice or change, in any way, any rights or obligations under the IHR. Rather, it will help ensure the IHR's effective implementation for all concerned.

**QUESTIONS?**

15. Any questions related to the Arrangement should be directed to WHO Contact Point or the Office of Legal Counsel.

8 September 2010

The views expressed in GMF publications and commentary are the views of the author(s) alone.

#### **About the Author(s)**

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#### **About GMF Asia**

GMF's Asia Program advances US and European coordination and cooperation on the Indo-Pacific, a region which promises to be the center of gravity in global geopolitics for decades to come.

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