

THE ONE-CHINA POLICY: ADAPTING TO TENSIONS IN THE TAIWAN STRAIT

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Summary

Tensions are growing in the Taiwan Strait. Chinese warplanes have violated Taiwan's air defense identification zone in record numbers, prompting fears of an invasion.¹ 2021 was the first year in which a potential crisis over Taiwan rose to the level of a "Tier 1 risk" in the Council on Foreign Relations' Preventive Priorities Survey, which is an annual survey of American foreign policy experts.² The United States faces a decision about what it can do to help prevent cross-strait tensions from escalating into war.

A vital question is whether, and how much, the United States should change its "One-China policy." Beginning with the Trump administration and continuing with the Biden administration, the United States has bolstered its support for Taiwan and become more assertive in resisting Beijing's claims of sovereignty over the self-governing democracy.³ Although U.S. officials stress that the United States continues to adhere to the One-China policy, there is growing concern, as expressed by Daniel Russel of the Asia Society Policy Institute, that the United States is "edging closer and closer to the line that separates unofficial relations with official relations, which, in effect, could hollow out America's One-China policy."⁴ How much flexibility is built into the One-China policy, and what limits does the policy impose on what the United States can do to support Taiwan?

To answer those questions, this policy brief explains what the One-China policy is and how it can exhibit both continuity and change. Analysis of the One-China policy often focuses on the Three U.S.-China Joint Communiqués, the Taiwan Relations Act, and the Six Assurances, which can create the impression that the One-China policy has not changed since those texts were formulated in the 1970s and 1980s.⁵ In fact, the One-China policy has been revised, such as in the Taiwan Policy Review during the Clinton administration.⁶ The One-China policy is neither set in stone nor completely fluid, and this policy brief identifies which elements are fixed and which elements are variable. It explains the One-China policy at three levels: the fundamental position, the doctrinal statements, and the practices and conventions. These levels of policy range from the most abstract to the most concrete, but each is logically consistent with the others.

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First Level of the One-China Policy: The Fundamental Position (Fixed Element)

At the highest level of abstraction, the United States' One-China policy can be understood in terms of a fundamental position on the Taiwan question, elaborated through four guiding concepts by which the United States conducts relations with Beijing and Taipei. The United States has maintained this position ever since it normalized relations with the People's Republic of China (PRC) in 1979, and changing any one of the guiding concepts would amount to a violation of the One-China policy. In other words, the fundamental position is a fixed element of the One-China policy.

Fundamental Position:

The United States only recognizes one Chinese government, which is the People's Republic of China. The United States does not recognize Taiwan.

1. **The United States has official relations with the People's Republic of China and unofficial relations with Taiwan.**
2. **The United States is neutral on the current political status of Taiwan.** The United States does not currently consider Taiwan to be a part of China or an independent country; dating back to a statement by President Truman on June 27, 1950, the United States has maintained the position that the status of Taiwan is undetermined.⁷
3. **The United States is neutral on the substance of the future political status of Taiwan.** The United States does not support or oppose either future unification between Taiwan and (mainland) China or future Taiwan independence.
4. **The United States is not neutral on process: it is opposed to unilateral changes in the status quo, including the use of force or coercion to determine the status of Taiwan.** The United States has a policy of maintaining the capacity – but not the obligation – to intervene in Taiwan's defense in the event of a PRC attack.

This neutrality distinguishes the One-China policy from the One-China principle, which is the position that Taiwan is a part of China. Beijing maintains the One-China principle and often calls on the United States to do the same, but the United States has a One-China policy.⁸

Second Level of the One-China Policy: The Doctrinal Statements (Fixed Elements)

The United States' fundamental position has been expressed through a set of doctrinal statements that express the One-China policy in more concrete terms. These doctrinal elements are also a fixed element of the One-China policy.

1. The Three U.S.-China Joint Communiqués
 - a. Shanghai Communiqué (1972)⁹
 - b. Normalization Communiqué (1979)¹⁰
 - c. Arms Sales Communiqué (1982)¹¹
2. The United States' unilateral statements of support for Taiwan
 - a. The Taiwan Relations Act (1979)¹²
 - b. The Six Assurances (1982)¹³

The most important features of the doctrinal statements are that the United States does not recognize the PRC's position that Taiwan is a part of China; that the United States has a policy of selling arms to Taiwan; and that the United States has a policy of maintaining the capacity to intervene in Taiwan's defense.¹⁴ The notable absence of a clear commitment to exercise that capacity is known as "strategic ambiguity": the United States has not said whether it would intervene in Taiwan's defense in the event of a PRC attack, nor has it specified

conditions under which it would do so.¹⁵ Even though U.S. officials often express a U.S. "commitment" to Taiwan, the Taiwan Relations Act and the Six Assurances do not define an international legal obligation.¹⁶

Part of the controversy surrounding the Taiwan question stems from the fact that the Chinese and English versions of the Normalization Communiqué express different U.S. positions on the status of Taiwan. The English version says that "the Government of the United States of America *acknowledges* the Chinese position that there is but one China and Taiwan is part of China" (emphasis added). The PRC negotiators insisted on translating "acknowledges" as *chengren* 承认, which is closer in meaning to "recognizes." The United States maintains that the English version is binding because the English version of the Communiqué was what was negotiated and agreed upon, and only the English version conveys the U.S. position. The United States does not recognize Taiwan as being part of China.¹⁷

Third Level of the One-China Policy: Practices and Conventions (Variable Elements)

Though doctrinal statements express the fundamental position more concretely, they are still statements of high policy, which are not specific enough to define the day-to-day procedures by which the United States conducts unofficial relations with Taiwan. Accordingly, the United States has implemented a set of practices and conventions to regulate the unofficial relationship. These include the “contact guidelines,” which were first formulated after the Taiwan Policy Review under the Clinton administration.¹⁸ Briefly lifted in the last weeks of the Trump administration, the State Department announced in the early months of the Biden administration that it had developed a new set of contact guidelines. The details are not publicly known, but the State Department has said that they “liberalize guidance on contacts with Taiwan, consistent with our unofficial relations.”¹⁹

These practices and conventions have been revised at various points in the history of U.S.-Taiwan relations, usually to reflect new understandings of how to interpret “unofficial relations.”²⁰

They represent the variable elements of the One-China policy, but the need to maintain consistency with the fixed elements means that the variability of these practices and conventions is subject to certain limits. Daniel Russel’s reference to a potential hollowing-out of the One-China policy reflects the concern that the meaning of “unofficial relations” has been interpreted so widely that the United States is diluting the policy itself.²¹

Interpreting the One-China policy is more an art than a science, but it should be governed by the following considerations:

1. **Consistency with the fundamental position and the doctrinal statements.** The practices and conventions should follow—or at least not contradict—the fundamental position and the doctrinal statements. For example, the United States should not adopt policies or issue statements that state or strongly suggest that Taiwan’s political status has already been determined (either as a province of China or as a country).

As the United States engages in great power competition with the PRC, it will need to continue to adapt the One-China policy to keep the peace in the most vigorously contested flashpoint in the Indo-Pacific.

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President Tsai Ing-wen, accompanied by Secretary-General of National Security Council Joseph Wu and Foreign Minister David Lee, made a phone call to Donald J. Trump, President-elect of the United States, on December 2, 2016. Credit: CC BY 2.0, via Wikimedia Commons

2. **Impact on PRC perceptions.** The PRC routinely accuses the United States of supporting Taiwan independence whenever the United States provides support for Taiwan, warning the United States about crossing its “red lines.”²² Much of this is strategic rhetoric aimed at constraining the United States and isolating Taiwan. But it would be a mistake to suppose that “red lines” don’t exist at all, or that they are such a distant concern that the United States need not consider them in formulating policy. The United States should distinguish between the rhetorical red lines and the real red lines, and it should consider whether or not its policies will actually create the perception in Beijing that it is supporting Taiwan’s independence.²³
3. **Concrete benefits for Taiwan’s security.** Given the heightened sensitivity surrounding the Taiwan question and the disastrous consequences of a conflict over Taiwan, the United States should only revise its practices and conventions if doing so will appreciably enhance Taiwan’s security. The United States should not “play the Taiwan card” to score political points against Beijing.

Applying the Framework: Taiwan's De Facto Embassy as a Case Study

To provide an example of how this framework can be applied to a policy question, this section examines an ongoing debate in U.S.-Taiwan relations. At the time of writing (October 2021), the United States was considering Taiwan's request to change the name of its de facto embassy from "Taipei Economic and Cultural Representative Office" to "Taiwan Representative Office."²⁴ Not surprisingly, Beijing has protested.²⁵ Would approving Taiwan's request be consistent with the One-China policy?

The fundamental position and doctrinal statements require that the United States not have official relations with Taiwan and not recognize Taiwan as a country. Some consider including the word "Taiwan" in the name of the de facto embassy to be provocative, but it would not confer Taiwan the status of a country, since "Taiwan" is also an economic and geographical term (Taiwan is a full member of the World Trade Organization under the elaborate designation of the "Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu").²⁶ The resulting name of "Taiwan Economic and Cultural Representative Office" would be consistent with the unofficial character of U.S.-Taiwan relations: the 1979 Normalization Communiqué states that "the people of the United States will maintain cultural, commercial,

and other unofficial relations with the people of Taiwan."²⁷ Removing "Economic and Cultural" from the name, however, would be much more provocative, since "Taiwan Representative Office" implies the full spectrum of relations and not merely economic and cultural relations.

Determining the impact of this change on perceptions in Beijing is more difficult to assess, since it would require information that may be available only to U.S. officials and not to the public. Nonetheless, agreeing to only a partial name change would show that the United States is proceeding cautiously on this issue and that it is trying to maintain the unofficial character of U.S.-Taiwan relations. As for the question of whether the change would promote Taiwan's security, there does not appear to be a concrete benefit. Commenting on the request for the full name change to "Taiwan Representative Office," Bonnie Glaser at the German Marshall Fund said that the United States and Taiwan should "focus their energies on meaningful actions that strengthen Taiwan's security, not symbolic steps to poke China."²⁸

Conclusion

The analysis of the One-China policy in this policy brief identifies three “levels of policy,” ranging from a fundamental position on the Taiwan question to a set of practices and conventions by which the United States carries out its unofficial relations with Taiwan. This brief also distinguishes between the fixed and variable elements of the One-China policy, showing how it can be both flexible and stable. For decades, the United States has succeeded in adapting the One-China policy to help safeguard Taiwan’s security. As the United States engages in great power competition with the PRC, it will need to continue to adapt the One-China policy to keep the peace in the most vigorously contested flashpoint in the Indo-Pacific.

Endnotes

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