

Calendar No. 110

117TH CONGRESS
1ST SESSION

S. 812

To direct the Secretary of State to develop a strategy to regain observer status for Taiwan in the World Health Organization, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 17 (legislative day, MARCH 16), 2021

Mr. MENENDEZ (for himself, Mr. INHOFE, Mr. COONS, and Mr. CRUZ) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

JULY 28, 2021

Reported by Mr. MENENDEZ, without amendment

A BILL

To direct the Secretary of State to develop a strategy to regain observer status for Taiwan in the World Health Organization, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PARTICIPATION OF TAIWAN IN THE WORLD**

4 **HEALTH ORGANIZATION.**

5 (a) FINDINGS.—Congress makes the following find-
6 ings:

1 (1) The World Health Organization (WHO) is
2 a specialized agency of the United Nations, charged
3 with coordinating health efforts within the United
4 Nations system. The World Health Assembly
5 (WHA) is the decision-making body of the WHO,
6 which convenes annually in May to set the policies
7 and priorities of the organization. Statehood is not
8 a requirement for attendance at the WHA, and nu-
9 merous observers, including non-members and non-
10 governmental organizations, attended the most re-
11 cent virtual WHA in May 2020.

12 (2) Taiwan began seeking to participate in the
13 WHO as an observer in 1997. In 2009, with strong
14 support from successive United States Administra-
15 tions, Congress, and like-minded WHO Member
16 States, and during a period of improved Cross-Strait
17 relations, Taiwan received an invitation to attend
18 the WHA as an observer under the name “Chinese
19 Taipei”. Taiwan received the same invitation each
20 year until 2016, when following the election of Presi-
21 dent Tsai-Ing Wen of the Democratic Progressive
22 Party, Taiwan’s engagement in the international
23 community began facing increased resistance from
24 the People’s Republic of China (PRC). Taiwan’s in-
25 vitation to the 2016 WHA was received late and in-

1 cluded new language conditioning Taiwan’s partici-
2 pation on the PRC’s “one China principle”. The
3 WHO did not invite Taiwan to attend the WHA as
4 an observer in 2017, 2018, 2019, or 2020.

5 (3) Taiwan remains a model contributor to
6 world health, having provided financial and technical
7 assistance to respond to numerous global health
8 challenges. Taiwan has invested over
9 \$6,000,000,000 in international medical and human-
10 itarian aid efforts impacting over 80 countries since
11 1996. In 2014, Taiwan responded to the Ebola crisis
12 by donating \$1,000,000 and providing 100,000 sets
13 of personal protective equipment. Through the Glob-
14 al Cooperation and Training Framework, the United
15 States and Taiwan have jointly conducted training
16 programs for experts to combat MERS, Dengue
17 Fever, and Zika. In 2020, after successfully con-
18 taining the spread of the novel coronavirus within its
19 borders while upholding democratic principles, Tai-
20 wan generously donated millions of pieces of per-
21 sonal protective equipment and COVID–19 tests to
22 countries in need. These diseases know no borders,
23 and Taiwan’s needless exclusion from global health
24 cooperation increases the dangers presented by glob-
25 al pandemics.

1 (4) Taiwan’s international engagement has
2 faced increased resistance from the PRC. Taiwan
3 was not invited to the 2016 Assembly of the Inter-
4 national Civil Aviation Organization (ICAO), despite
5 participating as a guest at the organization’s prior
6 summit in 2013. Taiwan’s requests to participate in
7 the General Assembly of the International Criminal
8 Police Organization (INTERPOL) have also been
9 rejected. In May 2017, PRC delegates disrupted a
10 meeting of the Kimberley Process on conflict dia-
11 monds held in Perth, Australia, until delegates from
12 Taiwan were asked to leave. Since 2016, the Demo-
13 cratic Republic of São Tomé and Príncipe, the Re-
14 public of Panama, the Dominican Republic, Burkina
15 Faso, the Republic of El Salvador, the Solomon Is-
16 lands, and the Republic of Kiribati have terminated
17 longstanding diplomatic relationships with Taiwan
18 and granted diplomatic recognition to the PRC.

19 (5) Congress has established a policy of support
20 for Taiwan’s participation in international bodies
21 that address shared transnational challenges, par-
22 ticularly in the WHO. Congress passed H.R. 1794
23 in the 106th Congress, H.R. 428 in the 107th Con-
24 gress, and S. 2092 in the 108th Congress to direct
25 the Secretary of State to establish a strategy for,

1 and to report annually to Congress on, efforts to ob-
2 tain observer status for Taiwan at the WHA. Con-
3 gress also passed H.R. 1151 in the 113th Congress,
4 directing the Secretary to report on a strategy to
5 gain observer status for Taiwan at the ICAO Assem-
6 bly, and H.R. 1853 in the 114th Congress, directing
7 the Secretary to report on a strategy to gain ob-
8 server status for Taiwan at the INTERPOL Assem-
9 bly. However, since 2016, Taiwan has not received
10 an invitation to attend any of these events as an ob-
11 server.

12 (b) AUGMENTATION OF REPORT CONCERNING THE
13 PARTICIPATION OF TAIWAN IN THE WORLD HEALTH OR-
14 GANIZATION.—

15 (1) IN GENERAL.—Subsection (c) of section 1
16 of the Act entitled, “To address the participation of
17 Taiwan in the World Health Organization” (Public
18 Law 108–235; 22 U.S.C. 290 note) is amended by
19 adding at the end the following new paragraph:

20 “(3) An account of the changes and improve-
21 ments the Secretary of State has made to the
22 United States plan to endorse and obtain observer
23 status for Taiwan at the World Health Assembly,
24 following any annual meetings of the World Health

1 Assembly at which Taiwan did not obtain observer
2 status.”.

3 (2) EFFECTIVE DATE.—The amendment made
4 by paragraph (1) shall take effect and apply begin-
5 ning with the first report required under subsection
6 (c) of section 1 of the Act entitled, “To address the
7 participation of Taiwan in the World Health Organi-
8 zation” (Public Law 108–235; 22 U.S.C. 290 note)
9 that is submitted after the date of the enactment of
10 this Act.

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