

115TH CONGRESS
2D SESSION

S. 2962

To advocate for Taiwan’s inclusion in certain international organizations,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 24, 2018

Mr. GARDNER (for himself and Mr. MARKEY) introduced the following bill;
which was read twice and referred to the Committee on Foreign Relations

A BILL

To advocate for Taiwan’s inclusion in certain international
organizations, 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. SHORT TITLE.**

4 This Act may be cited as the “Taiwan International
5 Participation Act of 2018”.

6 **SEC. 2. PARTICIPATION OF TAIWAN IN INTERNATIONAL OR-**
7 **GANIZATIONS.**

8 (a) FINDINGS.—Congress makes the following find-
9 ings:

1 (1) The Taiwan Relations Act of 1979 (Public
2 Law 96–8) states that it is the policy of the United
3 States “to preserve and promote extensive, close,
4 and friendly commercial, cultural, and other rela-
5 tions between the people of the United States and
6 the people on Taiwan”.

7 (2) The Taiwan Relations Act of 1979 states
8 that it is the policy of the United States “to main-
9 tain the capacity of the United States to resist any
10 resort to force or other forms of coercion that would
11 jeopardize the security, or the social or economic
12 system, of the people on Taiwan”.

13 (3) The Taiwan Relations Act of 1979 states,
14 “Nothing in this Act may be construed as a basis
15 for supporting the exclusion or expulsion of Taiwan
16 from continued membership in any international fi-
17 nancial institution or any other international organi-
18 zation.”.

19 (4) The United States, in the 1994 Taiwan Pol-
20 icy Review, declared its intention to support Tai-
21 wan’s participation in appropriate international or-
22 ganizations.

23 (5) Taiwan is a free, democratic, and pros-
24 perous nation of 23,000,000 people and an impor-

1 tant contributor to peace and stability around the
2 world.

3 (6) Taiwan currently maintains full diplomatic
4 relations with 19 nations around the world.

5 (7) Taiwan is a full member of the World
6 Trade Organization (WTO), the Asia-Pacific Eco-
7 nomic Cooperation (APEC) forum, and the Asian
8 Development Bank (ADB).

9 (8) United Nations General Assembly Resolu-
10 tion 2758, passed on October 25, 1971, states that
11 “the representatives of the Government of the Peo-
12 ple’s Republic of China are the only lawful rep-
13 resentatives of China to the United Nations and that
14 the People’s Republic of China is one of the five per-
15 manent members of the Security Council,” and Tai-
16 wan was subsequently expelled as a member of the
17 United Nations and all United Nations bodies.

18 (9) The Minister of Foreign Affairs of Taiwan,
19 David Tawei Lee, stated on September 11, 2017, “It
20 is important to remember that, while it seated the
21 People’s Republic of China (PRC) in the UN, this
22 resolution did not address the issue of representation
23 of Taiwan and its people in the organization; much
24 less did it give the PRC the right to represent the
25 people of Taiwan.”.

1 (10) According to the Department of State,
 2 “[t]he United States supports Taiwan’s membership
 3 in international organizations that do not require
 4 statehood as a condition of membership and encour-
 5 ages Taiwan’s meaningful participation in inter-
 6 national organizations where its membership is not
 7 possible”.

8 (11) According to the Ministry of Foreign Af-
 9 fairs of the People’s Republic of China, “Taiwan’s
 10 participation is subject to the terms of agreement or
 11 understanding reached between the Chinese Govern-
 12 ment and the parties concerned which explicitly pre-
 13 scribe that the People’s Republic of China is a full
 14 member as a sovereign state whereas Taiwan may
 15 participate in the activities of those organizations
 16 only as a region of China under the designation of
 17 Taipei, China (in ADB) or Chinese Taipei (in
 18 APEC). This is only an ad hoc arrangement and
 19 cannot constitute a ‘model’ applicable to other inter-
 20 government organizations or international gath-
 21 erings.”.

22 (12) Since the election of President Tsai Ing-
 23 wen as President of Taiwan in 2016, the Govern-
 24 ment of the People’s Republic of China has intensi-

1 fied its efforts to exclude Taiwan from international
2 organizations.

3 (13) Taiwan has participated as an observer in
4 the World Health Assembly (WHA), the decision-
5 making body of the World Health Organization
6 (WHO), from 2009 until 2017, when it did not re-
7 ceive an invitation.

8 (14) Taiwan has been an active contributor to
9 global health challenges, including by donating
10 \$1,000,000 and providing 100,000 sets of personal
11 protective equipment to combat the Ebola crisis in
12 2014. Taiwan's request to participate in the 2016
13 General Assembly of the International Criminal Po-
14 lice Organization (INTERPOL) was rejected.

15 (15) In May 2017, delegates from the People's
16 Republic of China disrupted a meeting of the Kim-
17 berley Process on conflict diamonds held in Perth,
18 Australia, until delegates from Taiwan were asked to
19 leave.

20 (16) Public Law 106–137, Public Law 113–17,
21 and Public Law 114–139 required the Secretary of
22 State to submit a report to Congress on efforts by
23 the executive branch to support Taiwan's participa-
24 tion in international organizations, in particular the

1 WHO, the International Civil Aviation Organization
2 (ICAO), and INTERPOL.

3 (b) STATEMENT OF POLICY.—It should be the policy
4 of the United States—

5 (1) to advocate, as appropriate—

6 (A) for Taiwan’s membership in all inter-
7 national organizations in which statehood is not
8 a requirement and in which the United States
9 is also a participant; and

10 (B) for Taiwan to be granted observer sta-
11 tus in other appropriate international organiza-
12 tions;

13 (2) to instruct, as appropriate, representatives
14 of the United States Government in all organizations
15 described in paragraph (1) to use the voice and vote
16 of the United States to advocate for Taiwan’s mem-
17 bership or observer status in such organizations; and

18 (3) for the President or the President’s des-
19 ignees to advocate, as appropriate, for Taiwan’s
20 membership or observer status in all organizations
21 described in paragraph (1) as part of any relevant
22 bilateral engagements between the United States
23 and the People’s Republic of China, including leader

- 1 summits and the U.S.-China Comprehensive Eco-
- 2 nomic Dialogue.

