



Taiwan Communiqué

Published by:

Formosan Association for Public Affairs
552 7th St. SE, Washington, D.C. 20003
Tel. (202) 547-3686

International edition, December 2012
Published 5 times a year
ISSN number: 1027-3999

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FAPA celebrates 30th anniversary *Birthday bash in San Jose, California*

On 8 December 2012, the Formosan Association for Public Affairs celebrated its 30th anniversary at a festive meeting in San Jose, California. The Taiwanese-American grassroots organization was set up in Los Angeles in 1982, and played a key role in Taiwan's transition to democracy in the 1980s by working with members of the US Congress, including then Senate Foreign Relations Committee Chairman Claiborne Pell (D-RI), Massachusetts Senator Ted Kennedy (D-MA), and congressmen Stephen Solarz (D-NY) and Jim Leach (R-IA).

Photo: Taiwan Communiqué

During the 1990s, the organization shifted its focus to Taiwan's membership in international organizations, and worked with Senators Frank Murkowski (R-AK) and Joe Lieberman (D-CT), and then Congressman Sherrod Brown (D-OH) to raise the issue of membership in the World Health Organization and the United Nations.



Former Governor Frank Murkowski addressing the FAPA convention at San Jose, CA on 8 December 2012

During the years of the Chen Shui-bian administration (2000-2008) the organization worked in sync with the Taiwan government in enhancing US-Taiwan relations, and advocated issues such as a Free Trade Agreement, Taiwan's participation in the US Visa Waiver Program, Taiwan's membership in international organizations, and support for the principle of self-determination so the people of the island can make a free choice on the country's future..

Since the election of President Ma Ying-jeou in 2008, FAPA and its members have sounded the alarm bell in Washington about the dangers of closer economic integration of Taiwan with its undemocratic neighbor China, and the not-so-transparent moves of the Ma administration towards closer political linkages with China. At the same time, it has highlighted the erosion of the judicial and democratic institutions in Taiwan in its communications with the US Congress and Obama Administration.

The highlight of the celebration were keynote speeches by former Alaska senator and governor Frank Murkowski, by former Taiwan Vice president Annette Lu, by the newly appointed DPP representative to Washington, Dr. Joseph Wu, and a series of congratulatory notes by members of Congress. An overview.

Former governor Murkowski's keynote speech

In his speech, former governor and senator Murkowski lauded FAPA for its pioneering work for human rights and democracy in Taiwan in the 1980s, and told the gathering how he himself became involved in the 1990s, when as a US Senator he co-sponsored resolutions in support of Taiwan's membership in international organizations.

Murkowski also recounted how he and other colleagues in the Senate had strongly opposed President Bill Clinton's "Three Noes" in 1998, which included "*no support for independence, and no support for membership in international organizations that require statehood.*" Murkowski said this had constituted in a change of policy by Clinton that was in violation of the Taiwan Relations Act. The "Three Noes" were rejected by the Senate when it adopted resolution SCR-107 on 10 July 1998 with a vote of 92-0.

Murkowski then discussed the initial high hopes in 2000 when the DPP came to power in Taiwan, and President George Bush said he would do "*whatever it takes to help defend Taiwan.*" Murkowski also said that the downturn in US-Taiwan relations in the period 2003-2008 was also due to problems on the American side: "*we didn't have people in the US government who knew where President Chen was coming from, and where he wanted to go: we didn't have people who understood the background of Taiwan's democratic transition*", he said.

Murkowski went on to decry the lack of a fair trial and treatment of former President Chen Shui-bian in prison after his November 2008 arrest and imprisonment on corruption charges. He stated: *“irrespective of his alleged misdeeds, he did not deserve the inhumane treatment he received at the hands of the current government in Taiwan.”* He added: *“The prison conditions are unconscionable and reminiscent of the Soviet Union 45 years ago.”*

Photo: Taiwan Communiqué

Murkowski then recounted how he had headed an election observation mission in January 2012 at the invitation of the International Committee for Fair Elections in Taiwan (ICFET), chaired by Prof. Peng Ming-min. He said the group, made up of 19 observers from eight countries, had concluded the elections were *“mostly free but partly unfair”* due to the lack



**Newly appointed DPP representative to Washington
Joseph Wu addressing the FAPA banquet**

of a level playing field caused by the overwhelming advantage the ruling Kuomintang has because of its party assets, and also due to the increasing efforts by the PRC to influence the elections.

Murkowski concluded by urging the organization to continue its excellent work in Washington by having its voice heard on issues such as freedom and democracy in Taiwan. He said: *“Let Washington know that you are proud to be Taiwanese-Americans who still care for their homeland.”*

Members of Congress express appreciation

On the occasion of FAPA’s 30th anniversary, a number of members of Congress sent congratulatory letters, lauding the organization for its contributions to US-Taiwan relations and Washington’s understanding of political developments in Taiwan.

The two co-chairs of the Senate Taiwan Caucus, **Robert Menendez** (D-NJ) and **James Inhofe** (R-OK) wrote: *“We commend FAPA for its three decades of working towards greater peace and security for Taiwan, and for promoting the establishment of an independent and democratic country within the international community. As co-chairs*

of the Senate Taiwan Caucus, we also appreciate FAPA's efforts to promote relations between the United States and Taiwan, and to advance our shared interests and common values throughout the world."

The two senators from Alaska, who in August 2012 jointly introduced a resolution in the Senate in support of democracy in Taiwan, also wrote congratulatory notes. Senator **Lisa Murkowski** (R-AK) wrote: *"FAPA has made valuable contributions to US-Taiwan relations since its inception in 1982, and is an important voice for Taiwan with policymakers in Washington, DC and across the country."*

Her colleague **Mark Begich** (D-AK) wrote in a separate letter: *"I support many of your efforts and I am proud to have co-sponsored S.Res. 542, expressing the sense of the Senate that the United States Government should continue to support democracy and human rights in Taiwan following the January 2012 presidential and legislative elections in Taiwan."*

Two other prominent senators also added their congratulatory remarks. Ohio Senator **Sherrod Brown** (D-OH) wrote: *"For 30 years, FAPA has been a leading voice for Taiwanese Americans seeking peace, democracy and liberty for the nation of Taiwan."*



Senator Joe Lieberman

Connecticut Senator **Joe Lieberman** (I-CT), who will be leaving the Senate, had this to say: *"FAPA has made valuable contributions to US-Taiwan relations since its inception in 1982, and is an important voice for Taiwan on Capitol Hill. As I conclude my career in the Senate, I believe that the relationship between the United States and Taiwan is as strong as it has ever been and that this progress is in no small part due to your efforts."*

On the House side, Foreign Affairs Committee Chairperson **Ileana Ros-Lehtinen** (R-FL) wrote: *"For many decades, Taiwan has been a reliable friend of the United States, and I have been impressed by the significant political and economic developments that have taken place in Taiwan over the years. While this progress is meaningful, work remains to be done."*

The Ranking Member of the House Committee on Foreign Affairs, Mr. **Howard Berman** (D-CA) wrote in a separate letter: *"I have been a long-time supporter of Taiwan, and have advocated on behalf of the Taiwanese-American community at both the state and*

national level. This past May, I persuaded the California state government to change its online voter registration system to allow Taiwanese-Americans to list “Taiwan” as their birthplace, rather than “Taiwan, Province of China.” Additionally, in July, the Department of Homeland Security agreed, at my request, to change I-94 customs document reflecting “Taiwan” as place of citizenship, not “China (Taiwan)” .”

Several other key Taiwan supporters in the House added their congratulations. Congressman **Scott Garrett** (R-NJ) wrote: *“Taiwan clearly has much to offer the global community, and a greater international role for Taiwan is in America’s national interest. I will continue to work hard in support of Taiwan’s active participation in international organizations such as the United Nations and the World Health Organization.”*



Congresswoman Ileana Ros-Lehtinen (R-FL)

His Democratic neighbor from NJ, Mr. **Robert Andrews** (D-NJ), wrote: *“On July 12th, together with Congressman Dan Lungren, I submitted a report to the co-chairs of the Tom Lantos Human Rights Commission regarding the human rights situation of former Taiwanese President Chen Shui-bian. I also strongly support the conclusion of a US-Taiwan free trade agreement. Such an agreement will be extremely beneficial for both countries and will also free Taiwan from the current economic stranglehold that Beijing holds over Taiwan.”*



Congressman Howard Berman (D-CA)

And last but not least, Congressman **Michael McCaul** (R-TX) lauded the organization on its first thirty years, and added: *“I introduced legislation this year calling upon the US administration to revisit the fundamentally flawed “One China” policy in favor of a more realistic “One China, One Taiwan” policy that would recognize democratic Taiwan’s sovereignty and independence separate from the undemocratic People’s Republic of China. It also calls upon the administration to begin the process of resuming normalized diplomatic relations with Taiwan.”*

Tensions surrounding Senkakus continuing *China ratchets up the pressure*

In our previous issue of *Taiwan Communiqué* we reported on the rising tensions surrounding the Senkakus, the small island group between Japan and Taiwan, and especially the violence against Japanese companies and institutions located in China, as well as the mixed signals given by the Ma Ying-jeou government in Taiwan (*Rising tensions surrounding Senkakus*, Taiwan Communiqué no. 138, October 2012).

Photo: Associated Press

Since then, China has ratcheted up the pressure by continuing to send patrol boats into the area, crossing into Japanese territorial waters. According to the press reports, starting from mid-October 2012, Chinese patrol boats entered the disputed waters on an almost daily basis, in what analysts saw as an attempt by China to



Japanese Coast Guard engaging Taiwanese fishing boats and Coast Guard in water-cannon fight on 25 September 2012

wear down Japan's resolve over the islands, and gradually move to a joint control over the area.

According to one analyst, Professor Taylor Fravel, who teaches political studies at MIT, China's strategy seemed to be to "redefine the status quo" by presenting the patrols as "routine" and forcing Japan to accept China's co-management of the area. Mr. Fravel gave the example of the Scarborough Shoal in the South China Sea, where China had done the same with the Philippines, effectively pushing the Philippines out of the area (*"China's Island Strategy: 'Redefining the Status Quo'"*, *The Diplomat*, 1 November 2012).

US mission to Japan and China

The increasing tension caused by China's moves in the area prompted the Obama administration to send a mission to Japan and China. The delegation, made up of four former US government officials, Messrs. Joseph Nye, Jim Steinberg, Richard Armitage and Stephen Hadley, visited Tokyo and Beijing in late October 2012, and met with Japanese Prime Minister Yoshihiko Noda and Chinese Vice Premier Li Keqiang respectively. The fact that the mission was made up of two Republicans and two Democrats was widely interpreted as a signal of bipartisan support for the positions voiced by the group.

The group noted that the dispute could spin out of control due to miscalculation and miscommunication between the two sides. According to press reports the group did relay a very clear message to the Chinese side, that while the US takes no position on the sovereignty over the islands, it does consider them covered under Article 5 of the US-Japan Mutual Defense Treaty, which requires the US to come to Japan's defense in case the territory its controls is attacked.

However, in spite of the appeals for moderation, Beijing continued to take an uncompromising stance, both on the Senkaku issue, as well as the issue of the South China Sea, where the PRC has conflicting sovereignty claims with almost all other nations bordering the SCS, including Vietnam, the Philippines, Brunei, Indonesia, Malaysia and Taiwan. That issue even boiled over onto the agenda of the ASEAN meeting and the East Asia Summit, held in Phnom Penh, Cambodia on 19-21 November 2012, where outgoing Chinese premier Wen Jiabao adamantly defended China's claims.

Hsieh Ch'ang-ting and the China debate *Attending bartenders convention ...*

From 4-8 October 2012, Mr. "Frank" Hsieh Ch'ang-ting visited China, ostensibly to attend a competition of the International Bartenders Association, but it was rather clear from the beginning that the visit would have relatively little to do with mixing drinks, and have a political overtone.

Being a former DPP Chairman (2000-2002) and a Prime Minister (Febr. 2005- January 2006), as well as the DPP's presidential candidate in 2008, Hsieh is the highest DPP official to

visit China so far. A number of other DPP officials and legislators have visited China on earlier occasions, but Hsieh's visit was perceived by some as a shift in the DPP attitude towards interaction with China.

Still, DPP Chairman Su Tseng-chang emphasized in remarks made in Ilan on 7 October 2012 that Hsieh was on a *private* visit, and that he did not represent the DPP or its position. Former DPP Chairwoman Tsai Ing-wen separately stated that while she supported mutual understanding through exchanges, she cautioned against attaching too much political significance to the visit.

.... *but meeting high Chinese officials*

During the visit Hsieh did attend the bartenders meeting in Beijing, and also visited an ancestral shrine near Xiamen. But to the surprise of many observers, he also had meetings with the PRC's State Councilor Dai Bingguo (who serves as director of the foreign affairs leadership group in the CCP's Central Committee), with ARATS Chairman Chen Yunlin, and with the PRC's Taiwan Affairs Office Director Wang Yi, three of the highest Chinese officials dealing with Taiwan.

This rubbed many of his colleagues in the DPP the wrong way, as he had assured them that he would not have any "political meetings" during his visit. The controversy over the visit intensified during October and early November 2012, with many observers questioning Hsieh's wisdom in terms of timing, and criticizing the fuzziness of his "constitutional one China" and "constitutions with different interpretations" proposals.

Hsieh's proposals themselves are not new, but they gained new prominence as he elaborated on them during and after his visit to China. The controversy over his

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Frank Hsieh trying to lure China with a "Constitutional consensus" tune

statements also played a role in the decision making surrounding the chairing of a new “China Affairs Committee” which was set up by the DPP in November 2012.

Originally Hsieh was mentioned as the potential chair of the committee, but on 21 November 2012, DPP Chairman Su Tseng-chang announced that he himself would be the convener of the committee, as he as party chairman had the responsibility of integrating different opinions in the party. It was also announced that former DPP chairperson Tsai Ing-wen would join the committee, which would consist of seven to nine members, and would serve as an internal consensus-building platform on the party’s positions towards China.

Taiwan's “China policy” could be very simple

By Mei-chin Chen, a political commentator based in Washington DC. This article first appeared in the Taipei Times on 21 November 2012. Reprinted with permission.

Taiwan’s policy towards China could be very simple: most people in Taiwan would agree to the following three elements:

1. China needs to remove its missiles aimed at Taiwan, and reduce the military threat against its democratic neighbor;
2. China needs to respect Taiwan’s sovereignty and territorial integrity;
3. China needs to give Taiwan more international space and remove its blockage against membership in international organizations.

These goals should also be supported by the international community, as it represents a move towards peaceful coexistence of the two countries as friendly neighbors.

However, the policies of the Ma administration have made things more confusing and complicated. It has sought accommodation with the PRC that is giving us something like Neville Chamberlain’s “peace in our time” in the short run, but is setting Taiwan up for instability in the longer term, as it is tying Taiwan too closely to an undemocratic and belligerent China. Eventually, Taiwanese expectations for a free and democratic future will collide with China’s designs for incorporation of Taiwan into the fold.

The Ma government has sought to paper over the difference by devising formulations such as the infamous 1992 Consensus (“*One China, different interpretations*”), Wu Po-hsiung’s formulation of March 2012 “One Country, two areas”, which later evolved into the “One ROC, two areas” adage. These confused formulations have rightly earned the ROC the name “*Republic of Confusion*.”

This “China confusion” is only too common: all too often people from Taiwan are denied entry into other countries because their ROC passport gives the foreign immigration officials the impression that the person is from the PRC. All too often when there is a mishap with a China Airlines airplane, the press, unsurprisingly, refers to a “Chinese airliner.” And when recently a candidate for Congress in the United States accused a competitor of accepting all-expenses-paid trips to Taiwan, the flag used was that of the PRC.

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So, against this background we now have a debate within the DPP about its policy towards China. There is a general agreement that economic ties are acceptable, but even there Taiwan will need to watch its steps: too close an economic entanglement with China will give the PRC undesirable political leverage: Taiwan will need to hedge and not put all its economic eggs in the China basket.



Frank Hsieh in the "1992 Consensus" jaws:
Ah, there's nothing to worry about!

But what policies or positions can be devised beyond that?

Now former DPP Chairman and Prime Minister Frank Hsieh has come up with yet another formulation: “*Constitutional One China*” or “*Constitutions, different interpretations.*” To be honest, these fuzzy formulations are just as bad as, or even worse than, the “One China” confusion of the Ma administration.

The DPP needs to stick to its principles, and those are that Taiwan is a free and democratic nation that deserves to be accepted as a full and equal member of the international community. Any decision on Taiwan’s future needs to be made by the Taiwanese people themselves, in a democratic fashion, without any outside interference.

So if the DPP — and all the people of Taiwan — want to move forward they need to come to a Taiwan Consensus that incorporates at least the three element mentioned in the beginning of this article: 1) removal of China’s military threat, 2) respect for Taiwan’s sovereignty and territorial integrity, and 3) international space for Taiwan and membership in international organizations.

Leadership transitions in Beijing and Washington

What implications for Taiwan?

By Julian Baum, former correspondent for the Far Eastern Economic Review and the Christian Science Monitor

What can Taiwanese expect from the new leadership recently installed in Beijing at the top of the Chinese Communist Party? There is no clear agreement among China watchers. Some look positively on Xi Jinping, the new party general-secretary and next Chinese president, who is reputed to be exceptionally knowledgeable about Taiwan.

Photo: Reuters

Others say that Xi's knowledge about Taiwan, especially of the vast investment and trade relationship, makes him a formidable adversary, even though the two sides are "very comfortable" with each other at present and no changes are likely in the near term.

During the next few years, however, China's new leaders could "squeeze some concessions" out of President Ma, Christopher Johnson, a former CIA analyst and adviser at the Center for Strategic and International Studies, said recently.



The new central standing committee of the Chinese Communist Party in Beijing

Many China watchers agree that nothing came out of the 18th party congress in Beijing that altered the fundamental calculus of cross-strait relations, and that the legacy of Deng Xiaoping and Jiang Zemin will shape that policy for the foreseeable future. In this view, Taiwan must defend itself more vigorously as a free and sovereign society, since leaders on both sides are following a mutually agreed agenda that is accountable mostly to themselves, their ruling parties, and big corporate interests.

Those who see Beijing's leaders as unimaginative and inflexible point to the absence of fresh thinking in the voluminous report delivered by outgoing Chinese president Hu Jintao to the opening session of the 18th congress. Hu presented six densely written

paragraphs on Taiwan under the heading “*Enriching the Practice of ‘One Country, Two Systems’ and Advancing China’s Reunification.*”

He applauded developments under President Ma which, he said, “*ushered in a new stage of peaceful growth.*” Hu mentioned for the first time the so-called “1992 consensus,” under which the Ma government agreed to multiple pacts with the People’s Republic of China. Hu used the phrase “peaceful unification” five times in just one paragraph.

Yet there were no signs of a kinder, gentler PRC that some observers had hoped to see, with more openness and democratic accountability for China’s single-party Leninist government. Much less was there accommodation for Taiwan’s separate status as a democratic state. Hu called for further cultural ties and people-to-people exchanges with Taiwan, discussions about confidence-building mechanisms for military security, and a “*peace agreement through consultation.*”

Ma’s immediate response to Hu took the form of a congratulatory message on the new leader’s promotion and signaled broad agreement on a common agenda, despite the absence of consensus at home. “*We hope the two sides can continue to expand and deepen their exchanges, and work for the establishment of representative offices in each other’s side,*” Ma said, according to the Xinhua news agency. And using the language of ethno-nationalism that is unsettling for many Taiwanese, Ma also said, “*Looking towards the future, the great cause of rejuvenating the Chinese nation is in the ascendant.*”

Responding to Hu’s renewed calls for deeper integration and political talks, the chairman of the opposition Democratic Progressive Party was not so accommodating. “*Taiwan is a sovereign and independent country,*” Su Tseng-chang told the Taipei Times. “*The differences between Taiwan and China, as well as mainstream public opinion in Taiwan, are a political reality that Beijing cannot evade.*”

Taiwan’s relations with the United States rest on more stable and less controversial ground. Little is known about President Obama’s new foreign policy team in his 2nd term, except that it could be shaken up considerably if Secretary of State Hillary Clinton steps down next year.

President Ma’s admirers in Washington remain puzzled at his weak domestic support and his passive compliance in the face of Beijing’s aggressive agenda-setting. This may make him vulnerable to maneuvering from Xi to come to terms on a peace agreement, an idea which Ma’s new representative to Washington, King Pu-tsung, tentatively floated last year but was unpopular and quickly pulled back as a formal proposal.

Former CIA analyst Johnson said that Xi would likely be “realistic” about such an agreement, while continuing policies that added lots more Chinese military hardware across the Taiwan Strait. “*There is no sign they intend a cessation of their military buildup, and in fact they are moving it forward even more dramatically,*” Johnson said, according to the **Taipei Times** (“*Analyst say Xi will not change cross-Strait ties*”, 28 November 2012).

Unpopular policies push Ma’s polls down

Waffling on pension reform and electricity rates

Since April 2012, Ma had already been struggling with strong reactions to several unpopular proposals made in the months after the January presidential elections: a steep hike in the electricity rates and his seesaw on the capital gains tax (see *Ma’s popularity sinking deeper*, **Taiwan Communiqué** no. 137, June/July 2012).

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At the end of October and beginning of November 2012, two new opinion polls showed a further drop in popularity of President Ma. The first poll, released by the pro-green **Taiwan Thinktank** on 18 October 2012, focused on opinions on a number of sensitive socio-economic issues: the financial difficulties of the Labor Pension Fund and the controversial year-end bonuses for retired civil servants.



Civil servants enjoying their pension system balloon

A week later, on 29 October 2012, the highly-regarded **Taiwan Indicator Research Survey (TIRS)** published its survey results, in which Ma received a disapproval rating of 76.6 %, while his approval rating hit a new low, 15.2%, the lowest measured by the organization since Ma took office in may 2008.

The Ma government had always continued the KMT tradition of retaining the loyalty of government employees, military personnel and teachers by granting them

sumptuous retirement benefits, including large year-end bonuses not available in other sectors of society.

The Taiwan Thinktank survey showed that some 71.8% of the respondents were critical of these bonuses and supported ending them, as projections show that the largesse is not sustainable and will soon lead to depletion of the pension funds. Some 72.6 percent of the respondents were not confident in the Ma administration's ability to resolve the issue. The survey showed Ma as having the highest disapproval rating, 69.8%, since the think tank began its surveys on March 2012.

The looming "fiscal cliff" of the pension funds and the general dissatisfaction with President Ma's policies prompted the KMT Prime Minister, Mr. Sean Chen, to announce on 23 October 2012 that the government would significantly strip the list of people eligible for the year-end bonuses, essentially bringing the budget down to less than one tenth of the original budget of US\$ 690 million. Currently some 432,000 retired civil servants, teachers and military personnel receive the special bonus. Premier Chen said that under the new rules, only some 42,000 people would qualify.

The announcement caused a major backlash among the affected groups, which do constitute an important part of the KMT's power base. Under pressure from these interest groups, Mr. Ma – who had originally lauded Premier Chen proposals as a "wise move" – started to backtrack again, and indicated a willingness to water the proposals down.

This in turn prompted labor groups and other civic organizations to take to the streets to protest the government's economic policies, which had brought the country hardly any growth, and had only benefited big companies exporting jobs to China. At one such demonstration, on 25 November 2012, some 5,000 workers representing some 50 labor groups demonstrated in front of the presidential office, pelting it with eggs.

Ma rejects national affairs conference

On 9 November 2012, former DPP Chairperson Dr. Tsai Ing-wen proposed holding a national affairs conference and establishing an interparty special legislative committee to discuss the problems surrounding pension reform, the economy in general, and the mounting fiscal problems. She suggested that such a broad-based approach would have the best chance of success in overcoming the multiple problems facing the society, and lead to a much-needed reform of the system.

However, a few days later, President Ma rejected the idea, arguing that the existing legislative and administrative structure could adequately deal with the issues, and offering to meet with DPP chairman Su Tseng-chang and Dr. Tsai Ing-wen bilaterally instead.

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Su and Tsai responded that the complex issues could not be dealt with in a single meeting, and needed a bi-partisan approach in order to gain broad-based support in society, saying that the existing institutions seemed totally incapable to resolve the issues.

Earlier, Dr. Tsai had also criticized the government for its overall economic policies, which she said were tilting dangerously in the direction of China. She termed this

“chronic suicide.” When the Ma government signed the Economic Cooperation Framework Agreement with China in June 2010, it promised that the deal would lead to significant economic growth. This has not materialized: according to estimates in early November 2012, Taiwan’s GDP growth in 2012 is expected to hover around an anemic 1.0%.



President Ma rejects National Affairs Conference proposed by democratic opposition

Economist: Ma the “ineffectual bumbler”

The failed pension reform episode and the general economic malaise in Taiwan prompted the London-based **The Economist** to publish a hard-hitting criticism of Ma and his policies, in which the publication detailed Ma’s indecisiveness on the pension scheme issue, as well as the earlier debacle on electricity rates (“*Ma the Bumbler*”, **The Economist**, 17 November 2012). A few quotes from the article:

.... popular satisfaction with Mr Ma has plummeted, to a record low of 13%, according to the TVBS Poll Centre. The country appears to agree on one thing: Mr Ma is an ineffectual bumbler.

Ordinary people do not find their livelihoods improving. Salaries have stagnated for a decade. The most visible impact of more open ties with China, which include a free-trade agreement, has been property speculation in anticipation of a flood of mainland money. Housing in former working-class areas on the edge of Taipei,

the capital, now costs up to 40 times the average annual wage of \$15,400. The number of families below the poverty line has leapt. Labour activists have taken to pelting the presidential office with eggs.

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The Economist: "Ma the bumbler"

The piece concludes:

But the next election is four years away, and presidential hopefuls will not try to oust or even outshine Mr Ma anytime soon. After all, they will not want to take responsibility for the country's economic problems. Nothing suggests Mr Ma's main policies will change (or that they should), but his credibility is draining by the day.

The problems highlighted in **The Economist** were not the only ones plaguing Mr. Ma's position, and Taiwan as a whole. Observers in Taiwan and overseas are also concerned that Mr. Ma's drift towards China is undermining Taiwan's sovereignty, its freedom, and the country's international space. Two examples are given below.

Further erosion of press freedom with Next Media sale

In our previous issue we gave an overview of the resistance against the takeover of the Chinese Network Systems (CNS) cable TV network by the Want Want / China Times group, owned by the pro-PRC magnate Tsai Eng-men, who became well-known in the West in January 2012, when he made outrageous statements in an interview with the **Washington Post** ("Tycoon prods Taiwan closer to China", 21 January 2012).

In mid-October 2012, Mr. Tsai Want Want group was in the news again when it was disclosed that Mr. Tsai was the main person behind the takeover bid of the Next Media group. On 17 October 2012, it was announced in Hong Kong that Next Media owner Jimmy Lai was planning to sell his four media outlets in Taiwan, the **Apple Daily**, the **Sharp Daily**, **Next Magazine** and **Next TV** to a consortium headed by Chinatrust Charity Foundation chairman Jeffrey Koo Jr. Mr. Lai even stated in an interview with the **Apple Daily** on 18 October 2012 that he had decided to go ahead with the sale after ensuring that none of the approx. US\$ 600 mln. funding came from Tsai.

However, on 7 November 2012, Taipei-based **Wealth Magazine** reported that more than half of the money did come from Tsai's Want Want group, causing a public uproar in Taiwan, and prompting calls from legislators for the National Communications Commission to block the sale. In mid-November 2012, DPP chairman Su Tseng-chang also called on President Ma and his government not to allow the sale in order to protect press freedom in Taiwan.

Photo: Taipei Times

On 17 November 2012, a number of employees of the media group staged a protest in front of the group's headquarters in the Neihu suburb of Taipei. Despite the cold weather and pouring rain, they held up signs and chanted in unison: "*We want our Apple, down with intervention.*"



Apple-eating Apple Daily reporters at 17 November protest

The reporters and editors were particularly concerned about interference in news reporting and editing: Tsai Eng-meng has a history of meddling with reporting and editing in his **Want Want / China Times Media Group**. One Apple Daily reporter was quoted as saying: "*We're concerned about editorial independence, Freedom and independence in the editorial room are the core of a news outlet.*"

On 25 November 2012, students and journalists opposed to the deal started a sit-in protest in front of the Executive Yuan office. Also several major press freedom groups in Taiwan,

the Alliance Against Media Monopoly and the Association of Taiwan Journalists again voiced concern that the deal would lead to a media monopoly.

However, in spite of the broad popular opposition, the deal was signed on 28 November 2012, with Hong Kong-based owner Jimmy Lai receiving approx. US\$ 600 mln. in the transaction. Officially the deal still needs approval by Next Media's shareholders and Taiwan media regulators, the Fair Trade Commission (FTC) and the National Communications Commission (NCC).

While the FTC promised to take a "proactive approach" to the sale, in practice both regulatory bodies have in the past proven to be rather toothless and lacking any resolve to show some spine. These bodies tend to only move when there is a signal from "higher up", but on 28 November 2012 a spokesperson from the KMT Cabinet announced that it "... has no plans to intervene in the sale of Next Media Group's Taiwan operations."

China includes Taiwan in passport map

Another issue bringing a significant amount of inconvenience to the Ma government erupted on 21 November 2012, when the **Financial Times** reported that in its newly printed passports, the PRC included a map which has both all of the South China Sea as well as Taiwan itself included in PRC territory. The new passports also included two images from Taiwan – Sun-Moon Lake and Hualien's Chinshui Cliffs – as Chinese "scenic spots."

Photo: Associated Press



Image of PRC passport with Taiwan and other disputed territories included in the map

The matter caused an immediate firestorm of protests in surrounding countries such as Vietnam and the Philippines, but the Ma government's initial reaction was only that it had "noticed" the new passports. This prompted members of the democratic opposition in Taiwan to raise the issue in the Legislative Yuan, saying that China's move had infringed on Taiwan's national sovereignty, and urging the Ma government to lodge a protest.

This in turn prompted President Ma to instruct the Mainland Affairs Council to issue a statement, which it did on 23 November 2012. In the statement the Council said that China's move had "damaged the mutual trust between the two sides of the Taiwan Strait" and urged Beijing "to address the issue of Taiwan's sovereignty pragmatically."

The United States State Department has also weighed in on the matter: on 27 November 2012, spokeswoman Victoria Nuland said that the map "is causing tension and anxiety between and among the states in the South China Sea." She said the US government would bring up the matter with Beijing.

Taiwan Communiqué comment: *Across the range of issues highlighted above, there are a couple of common denominators: Ma's indecisiveness in resolving practical problems affecting the livelihood of so many people in Taiwan, and his single-minded drive to push Taiwan closer to China, at the expense of freedom and liberty in Taiwan and of the country's sovereignty and international space.*

*For instance, the passport issue shows that in spite of Ma's rapprochement with China, the PRC keeps pushing Taiwan into a corner and leaves it little international space. His lack of action in the case of the sale of **Next Media** shows a disregard for press freedom and a total insensitivity to the issue of Chinese meddling in Taiwan's media.*

On electricity rates and pension reform the developments over the past half year have shown a government that cannot go through an adequate process of decision-making, and arrive at a solution that is supported by a broad base in society. Ma has apparently developed a habit of agreeing to half-hearted measures, only to pull back again when some specific KMT interest group makes some noise. The way he is going about all this has certainly undermined the island's hard-won democracy.

Medical parole for former President Chen

In the previous issue of *Taiwan Communiqué* we reported on former President Chen's deteriorating health, and about the fact that on 12 September 2012 he was hospitalized again and diagnosed with severe mental problems. Since early October 2012 a number of prominent figures have called for medical parole for the former President. An overview.

Liberal International calls for medical parole

From 17 through 21 October 2012, **Liberal International**—an international organization of some 60 liberal parties around the world—held its 58th annual congress in Abidjan, Ivory Coast. At the meeting, the group passed a statement calling for medical parole for former President Chen.

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A week later, from 29 October through 1 November 2012, Liberal International President Hans van Baalen, who also serves as the leader of the Dutch Liberals in the European Parliament, visited Taipei and met with former President Chen at the Taipei Veterans General Hospital.



**Chen Shui-bian supporters demonstrate
for medical parole**

Van Baalen also raised the issue with the Ma government, saying that the question of whether Chen should be released on parole for medical treatment should not be treated as a political issue. Van Baalen said that doctors' professional opinions should guide such a decision, and that they say Chen should be provided with a better place for medical treatment.

Senator Brown urges AIT director to visit Chen

On 23 October 2012, US Senator Sherrod Brown (D-OH) also expressed his concern about the medical condition of former President Chen by sending a letter to American Institute in Taiwan—Taipei Director Chris Marut, who was just appointed to his position effective September 2012.

Senator Brown first congratulated Mr. Marut on his appointment, and then referred to the January 2012 Taiwan elections as follows:

Earlier this year, the people of Taiwan held national elections, another sign of the nation's successful transition to democratic self-governance. As advocates for human rights, freedom, democracy, and the rule of law around the world, it is critical

that we continue to support Taiwan as it builds a society based on the ideals of freedom we hold so dear.

Senator Brown then urged Mr. Marut to visit the ailing former President.

Granting medical parole would heal the nation

By Ambassador Nat Bellocchi, Chairman of the Board of the American Institute in Taiwan from 1990 through 1995. This article first appeared in the Taipei Times on 4 November 2012. Reprinted with permission.

Over the past few months, I have observed a series of expressions of concern about the physical and mental health of former Taiwanese president Chen Shui-bian.

As a former US diplomat and former chairman of the American Institute in Taiwan, I am not taking sides in internal political debates nor taking a position on the politics of the situation.

Purely on humanitarian grounds, I am now convinced that the time has come to join those many voices, both in Taiwan and overseas, who call for Chen to be granted parole on medical grounds.

I have looked closely at the terms of his imprisonment and at his physical ailments, and conclude that a release on medical parole is warranted. Many city and county councils in Taiwan agree on this and have adopted resolutions calling for medical parole for the former president. Among these voices is Taipei Mayor Hau Lung-bin, who has courageously spoken out in favor of medical parole.

In the international media, Chen's case has also become more prominent: On 16 October 2012, the London-based **The Economist** published an article on its Web site describing recent developments in the case titled "*Terms of Imprisonment*," which concluded that the case of the former leader has "*brought public scrutiny to his harsh treatment and even public sympathy for his plight.*"

The article also made reference to President Ma Ying-jeou, saying that the case is "*also undermining Mr Ma's now dangerously low popularity, not to mention faith in this young democracy's system of justice.*"

After Chen was hospitalized on 12 September 2012, it has become clear that he suffers not only from a whole series of physical ailments brought about by the conditions of his imprisonment, but is also showing signs of severe depression. Doctors have recommended

sustained psychiatric treatment, which is not possible in prison, but the authorities have not given the green light for the medical parole that would make that possible.

Medical parole would also help heal the nation and get past the political divide that exists in Taiwan today. There is precedent for this in other democratic countries.

In the US, no matter what one's political ideology or views on former US president Richard Nixon were, US citizens understood that then-US president Gerald Ford pardoned him to remove the haze of Watergate and get the country back on track. The overriding concern was what was best for the US to heal and get past a difficult, divisive time.

Similarly, no matter what his opinion of his predecessor may be, President Ma could engage his second and final term by taking humanitarian action — something all sides in Taiwan, and the international community, could agree on.

MOFA / MOJ press conference: no medical parole

However, in spite of all the international pressure, the Ministry of Justice together with the Ministry of Foreign Affairs, organized a press conference for the international press on 16 November 2012, where high officials of the two ministries stated that Chen “*does not meet the conditions required for medical parole.*”

The two deputy ministers who spoke, Mr. Tung Kuo-yu of Foreign Affairs and Mr. Chen Shou-huang of the Ministry of Justice, both went out of their way to emphasize that Chen was serving a prison sentence for a “criminal offense” and that he was neither a political prisoner nor a prisoner of conscience.

It was also ironic that the spokesmen for the two ministries on the one hand emphasized that the Ma government does not afford special treatment to any prisoner, but in the next breath stated that as former president, Mr. Chen “obviously enjoys special privileges.”

The two ministries also went to great lengths in trying to argue that the expressions of concern from abroad were due to a “misunderstanding” by foreign politicians, international organizations and human rights activists over the treatment Chen had received in prison, which reportedly had led to health issues.

Former U.S. Congressman Tom Tancredo, who saw the former President in Taipei on 9 November 2012, categorically rejected the ministries' claims that Chen's health condition had improved, saying: “*I hardly recognized President Chen when I met with him in the hospital. There is no ‘misunderstanding’ about it.*” Tancredo continued: “*President Ma should resist the partisan demands of a few people on the fringe of his party, and*

grant President Chen medical parole. Taiwan’s democracy should be above this kind of political score settling.”

Taiwan Communiqué comment: *Until mid-September 2012 the former President was obviously held as a common criminal under despicable circumstances. The situation of his imprisonment actually brought to light the dire circumstances under which prisoners in general are held in Taiwan: a small, damp cell, with no bed, chair or desk. It was only after many international protests that a gradual change was noted, with Chen being able to exercise one hour instead of only half an hour per day, and his access to a room with a chair and a desk for a couple hours per day.*

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Chen Shui-bian being moved to a hospital

On the issue of medical treatment, the KMT authorities were equally reluctant to grant adequate medical care: from February through September 2012, the former president developed increasingly serious medical issues, and it wasn’t until there was a whole series of pleas and protests that the government finally relented and had him treated in the hospital.

And by mid-September 2012 the physical and mental problems were so serious that they required lengthy hospitalization.

So, under these circumstances, a medical parole is warranted and even essential. It is highly needed, not only for Mr. Chen’s well-being, but to start the much-needed process of reconciliation within Taiwan itself. The case has contributed to a serious widening of the political divide, and if President Ma is serious about maintaining a free, democratic and cohesive Taiwan, he needs to take the first step in this process.

The two ministries also tried to emphasize that Chen is not a “political prisoner.” In response we want to emphasize that Chen and his family may well have been tainted by corrupt practices (which were by the way a norm in the KMT itself), but that the way this case has been handled by the Ma administration certainly amounts to a political vendetta not unlike those of old Chinese emperors against their predecessors.

FROM:
Formosan Association for
Public Affairs
552 7th St. S.E.
WASHINGTON, DC 20003

First-class Mail
U.S. Postage PAID
Washington DC
Permit no. 354

ISSN Number: 1027-3999

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The goals of FAPA are: 1) to promote international support for the right of the people of Taiwan (Formosa) to establish an independent and democratic country, and to join the international community; 2) to advance the rights and interests of Taiwanese communities throughout the world; and 3) to promote peace and security for Taiwan

Internet homepages: www.fapa.org and www.taiwandc.org

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