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Cross-strait interactions on the South China Sea issues: a need for CBMs

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Abstract

Recent developments in the South China Sea (SCS) and the actions expected to be taken by China and member states of ASEAN in accordance with the Declaration on the Conduct of Parties in the SCS have the potential to further marginalize Taiwan’s role in any serious discussion on SCS issues and then deprive Taiwan of its legitimate rights and interest in the area. These developments will also force Taiwan to respond by taking more active actions for the sole purpose of safeguarding its sovereignty and maritime jurisdiction in the SCS. This article discusses a number of possible confidence-building measures that could be considered for adoption by China to help engage Taiwan in the regional security dialogue process and enable Taiwan to participate in the planned joint co-operative activities in the SCS. The co-operative actions taken in the SCS area could enhance mutual trust between the two sides of the Taiwan Strait.

1. Introduction

Taiwan is one of the six parties directly involved in sovereignty and maritime jurisdictional disputes in the South China Sea (SCS). Coast guard personnel from Taiwan are now stationed on the largest island in the Spratly island chain, Taiping-dao (Itu Aba Island), and the Pratas Islands. Despite this fact, Taiwan has been excluded from the discussions on the code of conduct in the SCS, mainly because of China’s opposition and the adherence to the so-called “One China” policy by member states of the Association of Southeast Asian Nations (ASEAN). Taiwan has also been barred from participating in the Track One regional security dialogue processes, such as the ASEAN Regional Forum (ARF), which address security issues, including the SCS territorial disputes, confidence building measures (CBMs), and preventive diplomacy in the Asia-Pacific region.

Recent developments in the SCS and the actions expected to be taken by China and member states of ASEAN in accordance with the Declaration on the Conduct of Parties in the South China Sea (SCSCOP Declaration) have the potential to further marginalize Taiwan’s role in any serious discussion on SCS issues and then deprive Taiwan’s legitimate rights and interest in the area. The development will also force Taiwan to respond by taking more active actions for the...
sole purpose of safeguarding its sovereignty and maritime jurisdiction in the SCS.

On November 13, 2003, the China National Offshore Oil Corporation (CNOOC) and the Philippine National Oil Company agreed to jointly look for oil and gas in the SCS. A committee will be set up by the two companies to help select parts of the waters in the SCS area where exploration for oil may be carried out. They also agreed to a program to “review, assess and evaluate relevant geological, geophysical and other technical data available to determine the oil and gas potential in the area”.

This joint project is one of the most recent examples that exclude Taiwan from participation in the proposed co-operative activities in the SCS. Taiwan cannot but respond to the recent developments in the area by taking counter-actions. On August 18, 2003, Taiwan’s Interior Minister Yu Cheng-Hsien, on behalf of Premier Yu Shyh-Kun, traveled to Taiping-Dao to reaffirm the nation’s sovereignty over the Spratly Islands. In late October 2003, Taiwan’s coast guard personnel stationed on Taiping-Dao drove Vietnamese fishing vessels away in the waters near the island. It can be expected that more actions will be taken by Taiwan if both China and member states of the ASEAN keep ignoring Taiwan’s territorial claims and fail to respect its legitimate right in the SCS area.

Taiwan’s being excluded continuously from the regional security dialogue on the SCS issues and the failure of the parties concerned to invite Taiwan to participate in any of the proposed joint co-operative activities in the disputed areas that are also claimed by Taiwan have the potential to destabilize the overall situation in the SCS. The cross-strait relations and foreign relations between Taiwan and member states of ASEAN will also likely be affected. China is holding the key to Taiwan’s involvement in the regional security dialogue process on the SCS issues and its participation in any of the proposed co-operative activities in the Spratly area between China and the ASEAN based on the guidelines underlined in the SCSCOP Declaration. It is suggested that China should consider the utility of taking a “win–win–win–WIN” approach to deal with the territorial and jurisdictional disputes in the SCS. It is believed that China, by adopting the approach, will gain (win), Taiwan likewise (win), and the ASEAN will also benefit from it (win). In the end, all parties concerned and the region as a whole will WIN. Not only will this approach help realize China’s policy goal of “setting aside sovereignty disputes, jointly develop the resources” in the SCS, but also help promote peace, stability and prosperity in the region. The cross–strait relations could also be improved.

The purpose of this paper is to discuss a number of possible CBMs that could be considered for adoption by China to help engage Taiwan in the regional security dialogue process and enable Taiwan to participate in the planned joint co-operative activities in the SCS. This paper begins with a short review of the ASEAN–China relations, focusing in particular on the result of their consultations over the SCS issues. After that, the impact of the recent development in the SCS and the actions to be taken following the signing of the SCSCOP Declaration between China and member states of ASEAN on Taiwan’s SCS policy and its sovereign right and maritime interest in the SCS will be assessed. Then, the paper moves to review the cross–strait interactions on the SCS issues in the period of time between 1990 and 2003. Finally, possible CBMs will be identified and discussed.

2. China–ASEAN relations: from conflict to co-operation

Mainly in response to the serious disputes between China and the Philippines over Mischief Reef, the foreign minister of the ASEAN issued a statement on the recent developments in the SCS on March 18, 1995, in which they asked inter alia all parties concerned to refrain from taking actions that destabilize the region.

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4“Chinese, Philippine firms join forces to look for oil in South China Sea,” *Agence France Presse*, November 13, 2003 (LexisNexis on-line search, page not available).

5“Taiwanese Interior Minister Returns from Inspection Tour to Spratly Islands,” *BBC Monitoring International Reports*, August 18, 2003 (LexisNexis on-line search, page not available).

6The Vietnamese name of the island is Dao Ba Binh.

7“Vietnam warns Taiwan over Spratly Islands,” *Channel News Asia*, November 1, 2003 (LexisNexis on-line search, page not available).
and to undertake co-operative activities in the SCS area. The United States also responded to the increasing tensions in the SCS by issuing a strong official statement on the SCS on May 10, 1995, which inter alia urged all claimants to exercise restraint, to avoid destabilizing actions, and to intensify diplomatic efforts which address issues related to competing territorial and jurisdictional claims in the SCS [1]. On July 28, 1995, Vietnam became the seventh member state of the ASEAN. China’s SCS policy during the second half of the 1990s had been influenced to a large extent by the actions taken by the United States, the ASEAN, admission of Vietnam to the organization, and the increasing importance of ASEAN market to China’s foreign trade development.

It is observed that China began to calculate carefully the costs it had to bear and the benefits it could gain between the policy options of taking a much more aggressive stand, such as occupying new reefs or constructing new structures on the islands it occupies in the SCS area, or undertaking co-operative activities with the member states of the ASEAN in the future. The increasing US involvement in the SCS area through strengthening military co-operation with member states of the ASEAN, such as the Philippines, Singapore, and Thailand, and the increasing frequency of joint military exercises conducted at sea between the United States and member states of the ASEAN, which was interpreted by the Chinese scholars and officials as a change of US SCS policy, moving from a position of neutral to active concerns, are believed to have important impacts on the direction of China’s SCS policy. The development pushed the Chinese policy makers to move further toward adopting a diplomatic co-operative approach when the SCS issues are to be tackled with. The Asian financial crisis of 1997–1998 reinforced this policy choice of China. [11]

In 1997, China and the ASEAN issued a joint statement, in which the two sides reaffirmed the principles of peaceful settlement of disputes in the SCS, agreed to resolve their disputes in the SCS through friendly consultations and negotiations in accordance with universally recognized international law, including the 1982 United Nations Convention on the Law of the Sea, and agreed that the concerned countries should exercise self-restraint and to explore ways for co-operation in the SCS. [12] On December 28, 1999, at the informal ASEAN–China summit, Zhu Rongji, Premier of China, stated that China would continue to render support to and co-operate with member states of ASEAN in regional and international organizations such as the ARF, the UN, and others. He also said that China would increase multilateral and bilateral security dialogue and consultations and made joint efforts for the establishment of a new just and reasonable international political, economic and security order. [13] As far as the SCS issues are concerned, the Chinese premier stressed that

China will, as always, adhere to the principles and spirit of the China–ASEAN Joint Statement signed in 1997 and resolve its differences and disputes with ASEAN countries through friendly consultations and peaceful means. China appreciated the purposes and spirit of the Treaty of Amity and Cooperation in Southeast Asia and will continue to support ASEAN in its efforts to establish a zone of peace, freedom and neutrality and a Southeast Asia Nuclear Weapon Free Zone.

A joint statement between China and Vietnam was signed in Beijing on February 27, 1999, in which the two sides agreed to settle territorial disputes through peaceful means and consultations. Before reaching a final settlement of the disputes, the two sides agreed to strive for maritime co-operation in areas such as marine environmental protection, marine scientific research, and others. The normal development of foreign relations between China and Vietnam should not be affected by any existing differences over the ownership of the islands in the SCS [2]. [14] In 2000, China signed a joint statement on comprehensive co-operation with Indonesia (May 8), the Philippines (May 16), and Vietnam (December 25), respectively. [15] The three statements share one common goal, namely enhancing bilateral relations between China and the member state of ASEAN, and then moving toward the establishment of a comprehensive co-operative framework as well as setting the direction of co-operation between the two sides for the 21st century.

At the 8th ASEAN Summit and the 6th ASEAN + 3 (China, Japan, and South Korea) Summit, held in

(footnote continued)

People’s Republic of China, Kuala Lumpur, December 16, 1997. The text of the statement is available in the website of ASEAN at: http://www.aseamsec.org/summit/praschn1.htm.

[14] Joint Statement between the People’s Republic of China and the Socialist Republic of Vietnam, Beijing, February 27, 1999. A copy of the text of the joint statement (in Chinese) is available at: [2].

[15] A copy of the three joint statements (in Chinese) are available in [2, p. 192–205].

[10] For the text of the Statement by the ASEAN Foreign Ministers on the recent development in the South China Sea, March 18, 1995, visit the website of ASEAN at: http://www.aseamsec.org/5038.htm.

[11] During the Asian financial crisis, China decided not to devalue its currency and contributed US$1 billion to the International Monetary Fund’s rescue package for Thailand. China’s performance during the crisis won thanks from the member states of ASEAN.

[12] See the Joint Statement of the Meeting of Heads of State/Government of the Member States of ASEAN and the President of the
Phnom Penh, Cambodia, November 4–5, 2002, a number of important legal and political documents were signed or adopted, including (1) The Declaration on the Conduct of Parties in the South China Sea (SCSCOP Declaration); (2) The Framework Agreement on ASEAN–China Comprehensive Economic Cooperation; (3) The Memorandum of Understanding on Agricultural Cooperation between the Chinese Ministry of Agriculture and the ASEAN Secretariat; (4) The Joint Declaration of ASEAN and China on Cooperation in the Field of Non-Traditional Security Issues; (5) The Joint Declaration of the Leaders of ASEAN and Japan on the Comprehensive Economic Partnership. The signing of the SCSCOP Declaration, in particular, attracted great attention, which was described as “a major leap for peace” and would lead to an eventual adoption of a regional code of conduct in the SCS. It was also believed that the signing of the declaration would help build up trust, enhance co-operation, reduce tensions between China and member states of the ASEAN, and thus promote peace and stability in the SCS area and the Asia-Pacific.

The SCSCOP Declaration contains several important CBMs, including: holding dialogues and exchange of views between defense and military officials; ensuring just and humane treatment of all persons who are either in danger of in distress; and notifying on a voluntary basis other parties concerned of any impending joint/combined military exercises conducted in the Spratly/SCS region. In addition, China and member states of the ASEAN agreed to explore or undertake cooperative activities in the SCS area, which may include marine environment protection, marine scientific research, safety of navigation and communication at sea, search and rescue operation, and combating transnational crimes.

On August 19, 2003, a senior officials meeting between China and the ASEAN was held in Wuyishan Mountain, Fujian Province, China, in which they agreed that the two sides will strictly follow the guidelines underlined in the SCSCOP Declaration to jointly maintain regional stability. On August 31, 2003, China and the Philippines, on the occasion of an official goodwill visit to Manila by China’s top legislator Wu Bangguo, issued a joint communiqué, in which they welcomed the signing of the SCSCOP Declaration and expressed their readiness to press ahead with follow-up actions for continued progress. A proposal was submitted by Wu Bangguo to the Philippines to jointly explore oil resources in the SCS area.

On October 8, 2003, China acceded to the Treaty of Amity and Cooperation in Southeast Asia. On the same day, ASEAN and China also issued a joint declaration on strategic partnership for peace and prosperity, in which the two sides agreed, inter alia, to “[i]mplement the Declaration of the Conduct of Parties in the South China Sea, discuss and plan the way, areas and projects of follow-up actions.” This was followed by a news report, in which His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam stated that ASEAN looks forward to implementing cooperative activities outlined in the SCSCOP Declaration, especially in CBMs. China also expressed its willingness to accede to the Protocol to the Treaty on the Southeast Asia Nuclear Weapons Free Zone in the future.

The closer relationships between China and member states of the ASEAN, together with China’s recent rise in regional and global prominence in geostrategic, political, economic, social and cultural terms make China become more patient when it comes to the handling of the territorial and maritime jurisdictional disputes in the SCS. China is now not only becoming supportive to a regional code of conduct in the SCS, but also willing to take actions to speed up the process of developing the code. The main purpose is to help facilitate joint use and prevent military clashes in the SCS area. China has not changed its essential position on sovereignty over the islands in the SCS, but it seems that on this matter, Beijing is taking a longer view with a sense that time is on China’s side. At present, joint development of oil and gas reserves is put on the top of its SCS policy agenda, given the fact that China’s demand for oil soared to new record high of 5.62 million barrel per day (mb/d) in August 2003. By the year 2004, China will replace Japan and become the second largest oil consuming country in the world, only after the United States.

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16 For the texts of these documents, visit the website of ASEAN Secretariat at: http://www.aseansec.org.
17 “ASEAN–China Accord is a Major Leap for Peace,” Philippine FM,” Asia Pulse, November 6, 2002 (LexisNexis on-line search, page not available).
18 Paragraph 5 of the Declaration.
19 Paragraph 6 of the Declaration.
20 “China, Philippines Issue Joint Communiqué on Relations,” Xinhua Economic News Service, August 20, 2003 (LexisNexis on-line search, page not available).
3. Potential impact of the recent developments on Taiwan's SCS policy

The recent developments in the SCS and the tendency to exclude Taiwan one step further from cooperative activities to be carried out in the areas also claimed by Taiwan make it more difficult for Taiwan to accomplish the goals explicitly stated the 1993 Policy of the Republic of China towards the SCS, which include “firmly safeguarding [Taiwan’s] sovereignty in the South China Sea, enhancing the development and management of [the resources in the SCS], actively promoting co-operation [with the countries concerned] in the SCS, peacefully handling the disputes in the SCS, and protecting the ecological environment of the SCS [3]”. Without Taiwan’s consent and participation, Taiwan’s sovereignty, sovereign rights, and maritime jurisdiction in the SCS will be encroached upon by other claimants, provided that the co-operative activities or joint development projects are to be carried out in the areas also claimed by Taiwan. Taiwan’s participation in the regional security, political, economic, or technical talks on the SCS issues will also be affected by the recent agreements done between the member states of ASEAN and China, and the follow-up activities. As a result, Taiwan will be further marginalized in any serious consultations or negotiations over the SCS issues in the future. The recent development in the SCS will also turn Taiwan’s policy regarding “temporarily shelving the sovereignty disputes in order to explore ways of jointly developing, managing and policing the SCS” into empty words, with no possibility of being implemented. Taiwan will continuously be excluded from the regional dialogue over the adoption of a code of conduct in the SCS. On the other hand, if indeed the co-operative activities were carried out in the areas also claimed by Taiwan, and thereafter oil reserves for example were found, Taiwan would be forced to take actions to defend its sovereignty and maritime interests in the SCS.29 It is believed that the words, with no possibility of being implemented. Taiwan will continuously be excluded from the regional dialogue over the adoption of a code of conduct in the SCS. On the other hand, if indeed the co-operative activities were carried out in the areas also claimed by Taiwan, and thereafter oil reserves for example were found, Taiwan would be forced to take actions to defend its sovereignty and maritime interests in the SCS.

4. Cross–strait interactions on the SCS issues, 1990–2003: a review

In a background briefing to members of the Legislative Yuan shortly after China and Vietnam engaged in armed conflicts in the waters near the disputed Chigua Jiao (Johnson Reef)27 of the Spratly Islands in March 1988, Taiwan’s Defense Minister Cheng Wei-yuan reportedly said that Taiwan, if asked by China to help defend the islands from a third party attack, would respond affirmatively. His statement was then confirmed by Taiwan’s Ministry of Foreign Affairs [4]. It was also reported in December 1988 that the PLA Navy had the intention to co-operate with Taiwan’s navy to defend the Spratly Islands.28 The possibility for the cross–strait co-operation in the SCS in areas such as fisheries, marine environmental protection, marine scientific research, drug trafficking, underwater shipwreck salvage, and marine archaeology were proposed and discussed.

The possibility for the cross–strait co-operation in the SCS area was enhanced by a symposium on SCS issues, which was organized by the Ministry of Interiors and National Sun Yet-San University, and held in Taipei, Taiwan in January 1991. One of the major policy recommendations made at the end of the conference was that, based on the common position taken by the Chinese regimes across the two sides of the Taiwan Strait, cross–strait co-operative relationship should be developed to jointly safeguard the sovereignty, jurisdiction, and interests in the SCS.29 It is believed that the “One China” principle adhered to by the then KMT from participating in the process that deals with SCS issues. Given the fact that member states of ASEAN are adhering to the so-called “One China” principle, it is also unlikely for Taiwan to enter into official talks with countries such as Vietnam, the Philippines, and Malaysia to explore the possibility of jointly developing resources in the SCS. As a result, one of the policy choices for Taiwan is to find means and ways to participate in the future talks and co-operative activities on the SCS issues. A flexible arrangement for Taiwan’s involvement in the Track One SCS talks and participation in the future planned or agreed co-operative projects in the SCS could possibly be made only after obtaining China’s consent, directly or indirectly.

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26 For a copy of the policy guidelines, see [3].
27 Vietnamese name is: Da Gac Ma.
28 United Daily (Taipei, in Chinese), December 17, 1988, p. 3.
29 See Records of the Symposium on SCS Issues, January 15, 1991, p. 89.
government in the early 1990s and Taiwan’s proposal to jointly defend the SCS islands with Beijing were the two major reasons that help explain why China did not oppose Taiwan’s participation in the Indonesian-sponsored, Canadian-funded Informal Workshop on Managing Potential Conflicts in the South China Sea held in Bandung, Indonesia in July 1991 (the Second SCS Workshop). Both Taipei and Beijing agreed to attend the Second SCS workshop on the same condition that the question of sovereignty over the islands in the SCS should not be raised at the meeting.

In July 1991, seven representatives from China and four from Taiwan attended the Second SCS Workshop. The majority of the Chinese participants were governmental officials, in particular, from the Ministry of Foreign Affairs. Two of the Taiwanese participants were professors teaching at National Taiwan University. The other two came from Taiwan’s de-facto embassy “Taipei Economic and Trade Office” in Jakarta. The participants at the workshop agreed to recommend to the relevant governments to explore areas of co-operation in the SCS, which include cooperation to promote safety of navigation and communications, to coordinate search and rescue to combat piracy and armed robbery, to promote the rational utilization of living resources, to protect and preserve the marine environment, and to conduct marine scientific research, and to eliminate illicit traffic in drugs in the SCS.

Since July 1991, both Taiwan and China have continued sending representatives to attend the SCS workshop and its relevant meetings on legal matters, marine scientific research, marine environmental protection, shipping and safety of navigation, resource assessment, and others in the SCS. Scientists from China and Taiwan also participated in the Anambas Expedition, which is the first joint co-operative project on marine biodiversity implemented in the SCS area in 2002, participated and funded by countries in the SCS area. In September 2003, nine participants from China and seven from Taiwan attended the 13th SCS Workshop held in Medan, Indonesia. Table 1 lists the Workshop and its relevant technical and group of experts meetings that were held between 1990 and 2003. It is expected that scientists from China and Taiwan will also participate in the Exercise Palawan in April 2004, which is the second agreed biodiversity project to be funded and participated by countries in the SCS area without financial support from the “outsiders”.

Both Taiwan and China agreed that the workshop process should continue to function to develop and promote co-operation in the SCS. It was also discussed between and among the Taiwanese and Chinese participants at the informal gathering when attending the workshop or its relevant meetings that Taiwan and China should exchange views on the SCS issues or reach understanding before attending the workshop meetings. But it is totally wrong to say that there had no conflicts between Taiwan and China at the SCS workshop. On the contrary, the use of Taiwan’s official or preferred names (in particular the Republic of China or Taiwan) and Taiwan’s right to host technical working group meetings or group of experts meetings under the Workshop framework have always been the source of conflict between the Taiwanese and Chinese participants over the past 12 years.

Participants from China at the Workshop took actions to delete any wording found in the documents delivered or circulated during the meeting, or written in the draft version of the final statement of the meeting, which they worried would have policy implications for recognizing Taiwan as a sovereign country or not consistent with the “One China” principle. For Taiwan, the participation in the SCS workshop has also created a policy dilemma. On the one hand, Taiwan is concerned very much about the discussion on the SCS issues per se, and is therefore willing to co-operate with China and other claimants in accordance with its SCS policy position, that is, “setting aside the territorial disputes, and jointly developing the SCS resources”. On the other hand, Taiwan intends to use the SCS Workshop as a diplomatic platform to promote its international legal status recognized as a country, instead of being treated as another special administrative district like “Hong Kong”, and to strengthen its foreign relations with member states of the ASEAN.

The “One China” problem made it very difficult for the workshop process to be formalized or establish a permanent secretariat. But it should also be noted that the SCS workshop is the only regional dialogue mechanism dealing specifically with the SCS issues, where scholars and governmental officials from both
Taiwan and China can meet regularly and exchange views on a variety of SCS issues even though in their personal capacity. Given that fact that Taiwan has been excluded from the Track One security dialogue mechanisms in the region that also discuss the SCS issues, the SCS Workshop and its relevant technical/group of experts meetings have become the very few international occasions where Taiwan's voice and its concerns over the SCS issues can be raised and heard.

In addition to the SCS Workshop, scholars and governmental officials from Taiwan and China had also met at a number of cross-strait informal talks on the SCS issues between 1991 and 2003 as shown in Table 2. Taiwanese and Chinese scholars as well as governmental officials met and exchange views on a variety of SCS issues at these academic symposia.

The first cross-strait academia symposium on the SCS issues was held in Haikou, Hainan, China in September 1991. Most of the participants were Chinese scholars, but four representatives from Taiwan were also invited to attend the meeting. Around 38 papers on a variety of issues related to the SCS were presented. Among them, Zhao Enbo, the then Section Chief of Office of Laws and Regulations at the State Oceanic Administration, presented a paper entitled “Prospects for Cross-strait Cooperation in the Spratly Islands” in which he called upon both sides of the Taiwan Strait to promote cooperation in the areas of marine scientific research, marine weather forecasting, marine fisheries, search and rescue at sea, and even military co-operation such as conducting alternative naval patrols in the Spratly archipelago area. He listed three bases for the proposed cross-strait cooperation in the SCS: (1) the consensus on the ownership of the Spratly Islands; (2) common actions taken against other claimants in the SCS; and (3) the efforts made to safeguard the sovereignty of the Spratly Islands. In addition, he stressed that any implementation of the cross-strait co-operation on the SCS issues must be guided by the principle of “peaceful re-unification, and one country two systems”.

Hu Chizi, a participant from Taiwan, called for cross-strait co-operation to develop fisheries resources in the Spratly Islands by setting up a fisheries base on Itu Aba Island.

In June 1994, the Cross-Strait and Oversea Chinese Academic Symposium was organized by the Chinese International Law Association and held at Soochow University in Taipei, Taiwan. The goal of the symposium, as stated in the invitation letter, was to establish...
consensus on the SCS issues between the Chinese people who are living in the two sides of the Taiwan Strait, and to help protect their rights in the SCS area. Ten scholars came from Mainland China, each of them presented a paper on different topics related to the SCS, including China’s legal claim, historical evidence, archaeology, marine environmental protection, marine scientific research, research institutions, assessment and exploitation of oil and gas resources, marine fisheries, and shipping and navigation. It was understood that both Taiwan and China at that time considered the need to strengthen the cross-strait co-operation in the SCS area.

Under the Guidelines for National Unification, that was adopted by Taiwan’s Executive Yuan Council (Cabinet) on March 14, 1991, the principle of one China should be applied to the cross-strait interactions on the SCS issues. As stated clearly in one of the four principles listed in the Guidelines, “Both the mainland and Taiwan areas are parts of Chinese territory. Helping to bring about national unification should be the common responsibility of all Chinese people.”

In addition, under Taiwan’s SCS Policy Guidelines, adopted in April 1993, one of the policy implementing actions to be taken is to support the Guidelines for National Unification by studying and setting up relevant policy and plans, and studying the matters relevant to the SCS issues that involve both sides of the Taiwan Strait [6].

At the 1994 Cross-Strait and Oversea Chinese Academic Symposium, Lin Chin-Tz, a senior researcher from Xiamen University, proposed to consider the possibility of cross-strait co-operation on compiling the historical literature in relation to the SCS, inviting scholars to participate in the joint compilation project, and exchange data or research findings/results [7]. Wang Henjie, a professor from the Central National University, called for setting up a general academic structure to be in charge of the responsibility for coordinating the SCS research works done by scholars in Taiwan, China, Macau, and Hong Kong [8]. Du Bilan, the Chinese participant from the State Oceanic Administration, proposed to organize a cross-strait co-operative research project on environmental and ecological studies in the SCS [9]. Du Shu, a senior engineer from the CNOOC, stated at the end of his paper that “the Chinese people of both sides of the Taiwan Strait have

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**Table 2**

SCS meetings attended by Taiwanese and Chinese Scholars, 1990–2004

| Date       | Theme of the conference                                      | Organizer                                                                 | Venue                   |
|------------|-------------------------------------------------------------|---------------------------------------------------------------------------|-------------------------|
| December 4–6, 1990 | International Academic Conference on Territorial Claims in the SCS | Centre of Asian Studies, University of Hong Kong | Hong Kong               |
| September 19–21, 1991 | Academic Symposium on SCS Islands                           | Chinese Law of the Sea Association and Hainan SCS Research Group | Haikou, Hainan Province, China |
| June 29–29, 1994 | Cross-Strait and Oversea Chinese Academic Symposium on SCS | Chinese International Law Association | Soochow University, Taipei, Taiwan |
| September 7–9, 1994 | South China Sea Conference                                 | Institute for National Policy Research and American Enterprise Institute for Public Policy Research | Wohlstetter Conference Center, American Enterprise Institute, US |
| October 16–18, 1995 | Hainan and SCS Academic Symposium                           | Department of History, National Chengchi University | Central Library, Taiwan Branch, Taipei, Taiwan, Haikou, Hainan, China |
| November 22–25, 1999 | Academic Symposium: SCS in the 21st Century: Retrospect and Prospect on Human and Regional Security around the SCS: the Oslo Conference | China Institute for Marine Development Strategy and Hainan SCS Research Centre | Radisson, Hotel, Oslo, Norway |
| June 2–4, 2000 | Cross-Strait SCS Issues Exchange and Cooperation Academic Symposium | China Institute for Marine Development Strategy and Hainan SCS Research Centre | Sanya, Hainan, China |
| December 20–22, 2000 | Cross-Strait SCS Issues Exchange and Cooperation Academic Symposium | National Chengchi University, Taipei | Howard Hotel, Tao Yuan, Taiwan |
| November 14–15, 2001 | Coordinating Meetings for the Establishment of a Cross-Strait SCS Forum | Hainan SCS Research Centre | Haikou, Hainan, China |
| September 27–28, 2002 | SCS Resources and Cross-Strait Cooperation                  | China Institute for Marine Development Strategy, Hainan SCS Research Centre, and Ocean Law and Policy Center, Xiamen Univ. | Boao, Hainan, China |

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34See III (1) of the Guidelines for National Unification, adopted by the National Unification Council at its third meeting on February 23, 1991, and by the Executive Yuan Council at its 23rd meeting on March 14, 1991. A copy of the Guidelines in English version is available at: http://www.president.gov.tw/2_special/unification/tw.html.

35This mandate was amended in April 1996, which also called for cross-strait co-operation in the SCS on issues related to marine scientific research, fisheries development, oil resources exploration and exploitation, environmental protection, academic exchange, and others. For the policy guidelines, see [6].
common interests and position on the issues related to the Spratly Islands, and therefore can fully co-operate to make contribution in safeguarding the legitimate rights and benefits of the Chinese people in the waters surrounding the Spratly Islands [10].” Yu Mainyu, a research fellow at the Nanhai Aquaculture Research Institute, called for setting up a coordinating mechanism between the two sides of the Taiwan Strait to manage fisheries resources in the SCS [11]. Ideas for cross-strait co-operation in the SCS had also been raised by the Taiwanese participants.

The 1994 Cross-Strait and Oversea Chinese Academic Symposium was followed by the Hainan and Nanhai Academic Symposium, organized by the Department of History, National Chengchi University and held in Taipei on 16–18 October 1995. Originally there were 16 participants from different cities of Mainland who were invited and planned to attend the symposium. Suddenly the organizing committee was informed that all of the invited Chinese participants decided to cancel their trip to Taiwan. The main reason for the cancellation obviously was President Lee Teng-hui’s visit to Cornell University in the United States in June 1995. After the visit, the cross-strait relations deteriorated. The tension in the Taiwan Strait area was escalated and reached to the peak in March 1996, when China decided to “test-fire” its missiles in the water areas near Taiwan’s two largest sea ports, Keelung in the north and Kaohsiung in the south, to intimidate Taiwan and therefore influence the outcome of the presidential election. The deteriorating relations between Taiwan and China made it impossible for the cross-strait exchange of views on the SCS issues to be continued.

While the 16 Chinese participants could not attend the symposium on the SCS issues, they sent their papers on different subjects in relation to the Hainan and SCS issues to the organizing committee in advance, possibly before the final decision made by their authority to cancel the trip. However, it is worthwhile to read the paper prepared by Zhao Enbo, the then Section Chief of Office of Laws and Regulations at the State Oceanic Administration. He stated in the paper that

In recent years, at a series of local meetings, and academic symposia held in Mainland and Taiwan surrounding the Spratly Islands issues, experts and scholars from the two sides of the Taiwan Strait have had a wider contact, and reached a consensus on many issues, which laid the foundation for the cross-strait co-operation to take concrete actions in the Spratly Islands. It is assumed that the timing for the two sides of the Taiwan Strait to adopt jointly concrete actions has become matured, with the needed conditions [12].

He then proposed that China and Taiwan could begin with co-operation in joint oil and gas exploration activities and then the development of fisheries resources in the Spratly area.

The Taiwanese participants, in particular, Professor Fu Kuen-chen of National Taiwan University, urged that the common position taken by the two sides of the Taiwan Strait should be actively utilized, and that China and Taiwan should co-operate “equally” on the following issues: (1) to study how those countries surrounding the semi-enclosed sea could proceed to co-operation in accordance with Article 123 of the 1982 United Nations Convention on the Law of the Sea; (2) to study and sort out the content of China’s preferential rights in the U-shaped historic waters within the SCS; (3) to delimit and announce the archipelagic waters in the Paracel Islands and Spratly Islands and control the foreign passage through the waters; (4) to decide and draw the identical base points and baselines off the Chinese coasts; (5) to collect, preserve, and publish those historical evidence found in Taiwan, China, France, and Japan; (6) to conduct underwater shipwreck and archaeological works in the waters surrounding the Paracel Islands and Spratly Islands; (7) to conduct joint marine scientific investigating activities; (8) to exchange weather information and research; (9) to draw and exchange satellite images and sea charts; and (10) to conduct survey of fisheries resources [13]. The 10 items for cross-strait co-operation were proposed in the 1994 cross-strait SCS symposium held in Taipei at Soochow University. He also listed the following possible areas for cross-strait co-operation: (1) China and Taiwan conduct joint oil and gas exploration activities in the waters of the SCS where are not disputed by the neighboring countries; (2) the development of marine tourism on the Paracel Islands and Spratly Islands and their surrounding water areas; (3) the establishment of a military warning system in the Spratly Islands; or (4) the establishment of a oil pollution prevention warning co-operative mechanism [13, p. 509].

After 4 years of suspension, the cross-strait exchange of views on the SCS issues resumed in November 1999. Surprisingly, the statement on “special state-to-state relations” made by President Lee in July 1999 to define the cross-strait relations, unlike his trip to the United States in 1995, did not affect the decision of the Chinese State Oceanic Administration and the Hainan SCS Research Institute to hold a cross-strait SCS academic symposium in Haikou, Hainan in November 1999. Several Taiwanese scholars and one former rear admiral were invited to attend the meeting entitled “Academic Symposium: the SCS in the 21st Century: Retrospect and Prospect. These Taiwanese participants are active advocates of cross-strait co-operation in the SCS area. For instance, Zhao Guochai, a professor from National Chengchi University, suggested in his paper that both sides of the Taiwan Strait should not take counter-actions to negate other’s claim and interests because of
the same position taken on the SCS issues. Taiwan and China should make every endeavor to safeguard the territorial integrity and legitimate rights in the SCS so that foreign countries would not have the opportunity to take advantage of the conflict between Taipei and Beijing and thus obtain the benefits in the SCS from the cross–strait confrontation [14].

At the meeting, the Chinese participants, such as Wang Peiyun, chief-editor of Chinese Offshore Oil Report, and Shu Danfu, deputy secretary-general of Kwangsi Southeast Asian Research Center, called for cross–strait co-operation on the SCS issues. Wang Peiyun pointed out in his paper that while there exist differences between the two sides of the Taiwan Strait, China and Taiwan do have common language and common interests in the Spratly Islands. China would obtain advantages in the Spratly Islands if China and Taiwan could co-operate. Shu Danfu also urged to utilize the cross–strait consensus on the Spratly issues and then develop co-operation to protect the rights and interests of the Chinese people. At the meeting, for the first time, a paper prepared by Ma Yin of Shanghai ASEAN Research Center examined the shift of Taiwan’s SCS policy. Ma Yin listed three changes she observed: (1) President Lee’s government is taking a position not to co-operate with China on the Spratly issues; (2) Taiwan gives up the sovereignty claims in the historical waters within the SCS; and (3) Taiwan intends to invite the United States and Japan to involve in the SCS issues. She interpreted the changes as Taiwan’s strategy to split China, move to independence, and to break the international political myth of “One China”. Therefore, she suggested that China should take actions to disclose and criticize President Lee’s “Two States Statement”, and prevent his goal of splitting China from becoming a reality. In addition, China should urge Taiwanese authority to consider and respect the interest of the Chinese people and insist on the principle of “One China”.

In December 2000, the Cross–Strait Exchange and Co-operation on SCS Issues Academic Symposium, organized by State Oceanic Administration and Hainan SCS Research Institute, was held in Sanya, Hainan. Around 40 scholars and governmental officials attended the meeting, but only three from Taiwan. Gao Zhigu, director of the Institute of Ocean Development and Strategy Institute, suggested to increase academic exchange and to promote cross–strait co-operation to safeguard rights and interest in the SCS. Wang Peiyun, chief-editor of the Chinese Offshore Oil Report, called for cross–strait joint development of SCS resources, in particular oil and gas [15].

One of the Taiwanese participants delivered a paper entitle “On the SCS Policy of Taiwan’s New Government,” in which the author compared the positions on the SCS policy taken by the KMT government and the DPP government in Taiwan. The organizer of the symposium decided not to distribute the paper to the Chinese participants because of political consideration, such as the use of official names of the country and governmental officials used by the Taiwanese participant in his paper.

One important discussion at the Cross–Strait Exchange and Co-operation on SCS Issues Academic Symposium needs to be mentioned before moving to the review of the discussion at the symposium held in Taiwan in November 2001. At the Sanya SCS meeting, the Chinese participants raised their great concerns over Taiwan’s move to replace its marines stationed on the Taiping Dao (Itu Aba) with personnel from the Coast Guard Administration. According to a report prepared by the Institute of Ocean Development and Strategy Institute, which is under China’s State Oceanic Administration, the Taiwanese move was interpreted as another practice of President Lee’s “Two States Statement”. It is also believed that the move was taken for the strategic purpose of differentiating Taiwan SCS policy from China’s and was an important indicator of Taiwan’s adjustment of its security strategy. It is also stated in the report that Taiwan’s move in the Spratly Islands would have the potential to make the situation in the SCS more complicated and to weaken China’s overall safeguarding strength in the SCS area.

In December 2001, the Cross–Strait Exchange and Co-operation on SCS Issues Exchange and Co-operation Academic Dialogue Meeting was held in Tao-Yuan, Taiwan. Around 16 Taiwanese and 6 Chinese scholars and governmental officials attended the meeting. One of the major issues discussed was cross–strait co-operation on the SCS issues. It was proposed in a paper prepared by Taiwanese participant Chung-Young Chang, Professor at Central Police University, that at the non-governmental level, the two sides of the Taiwan Strait may (1) study the possibility of setting up a permanent, institutional co-operative mechanism and exchange channel to help ordinate those research institutions, universities or graduate schools that are involving in the SCS research; (2) encourage the private research

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36 “Let the Chinese People in the 21st Century Understand [the Importance] of the Spratly Islands,” paper presented at the meeting, in Chinese.
37 “Spratly Disputes and the Policy Measures that Should be Adopted by Our Government,” paper presented at the meeting, in Chinese.
38 “The Changing Attitudes of Taiwanese Authority on the Spratly Islands and its Impact on the Situation of the SCS,” paper presented at the meeting, in Chinese.
39 “Analysis and Recommendations on Taiwan’s Withdrawal of Military Force from the Spratly Islands and Its Replacement,” a report prepared by the Institute of Ocean Development and Strategy, State Oceanic Administration, October 2000.
include three steps: making the co-operative plan, setting up a co-operative fund, and then establishing a coordination mechanism [19].

The consensus reached at the 2001 Cross–Strait SCS Issues Exchange and Co-operation Academic Dialogue Meeting on the possibility of setting up a cross–strait SCS forum was further discussed at a special meeting held in Haikou, Hainan Province, China on October 28, 2002. Two representatives from Taiwan were invited to attend the meeting. It is clear that the idea of setting up a cross–strait SCS forum had been approved before by the Chinese government in Beijing, since a copy of draft by-law for the cross–strait SCS forum was prepared for discussions at the special meeting. In fact, the main purpose of the meeting, as decided by the host Hainan SCS Research Institute, was to adopt the by-law that will govern the operation of the cross–strait SCS forum if established.

Under the by-law, the official name of the forum is: Cross–Strait Non-Governmental Academic Forum on the SCS Issues,” abbreviated as “Cross–Strait SCS Forum”. The goal of the forum is “to safeguard the territorial integrity and maritime interests of the Chinese people in the SCS, to integrate, develop and expand the power of the cross–strait in studying the SCS issues, to promote the cross–strait academic exchange and co-operation, to increase the depth and width of the research on safeguarding SCS rights and interests, and to co-ordinate the positions and claims of the academic institutions against foreign countries on the SCS issues.40 A secretariat will be set up, respectively, in Taiwan and China to be responsible for communication matters between the two sides. The secretariat is also in charge of issuing news release, organizing the forum’s preparatory meetings, coordinating with the counter-secretariat across the strait to draft or amend the by-law, and to raise funds for the forum activities.41 The forum meetings will be held alternatively in Hainan and Taiwan without fixed dates. The two secretariats, after obtaining the permission from the authors, could either respectively or jointly publish the papers delivered at the meeting.42 The two secretariats of the forum may accept financial support from contributors to cover the expenses for daily administrative works and hosting of academic symposia, but no conditions considered inconsistent with the goals of setting up the Cross–Strait SCS Forum should be attached for the financial contributions.43 Due to the fact that the two Taiwanese representatives were not instructed to talk about the adoption of the by-law, in addition to several political and administrative concerns raised by Taiwan’s counter-
institute, National Chengchi University thereafter, the idea for setting up the cross–strait SCS forum remains a matter to be discussed between the two sides of the Taiwan Strait at other meetings.44

5. Areas for cross–strait co-operation and obstacles to their implementation

Over the past 12 years, as mentioned in the review done earlier, quite a few new and old ideas that advocated the cross–strait co-operation on the SCS issues have indeed been raised by scholars from Taiwan and China, in particular, at the cross–strait SCS academic symposia held in two sides of the Taiwan Strait. However, it is noticed that most of the recommended items for the co-operation fall in the category of “low politics”, which call for cross–strait co-operation in the areas of marine scientific research, marine environmental protection, combating piracy, armed robbery, and illegal activities at sea, exploration and development of natural resources, and other technical and functional matters. Table 3 summarizes the areas for the cross–strait co-operation on the SCS issues that have been proposed over the last decade or so.

Table 3 demonstrates that no items for the cross–strait co-operation on the SCS issues are considered “high politics” matters. The Taiwanese scholars and governmental officials have been asking for participation in the regional Track One security dialogue mechanisms that also deal with the SCS issues. But China insists on the exclusion of Taiwan from the process because of the concern over the risk of helping upgrade Taiwan’s international status. China, for instance, has been blocking Taiwan’s involvement in the process of developing a regional code of conduct in the SCS. Even though it is a Track Two dialogue mechanism, China has been adopting the same strategy to block Taiwan’s proposal for hosting technical or group of expert meetings on technical matters such as

44At the time of this writing, it had been proposed to organize a cross–strait SCS meeting to be held in Hainan in January 2004.
shipping and safety of navigation in the SCS. In fact, Taiwan is the only participating party in the SCS Workshop process that has never had the chance to host TWG or GEM meetings (see Table 4). Why so? Again, because China is worried about the risk of upgrading or strengthening the diplomatic relations between Taiwan and member states of the ASEAN, which is interpreted by the policy makers in Beijing as a violation of the principle of “One China”. There is no possibility for the proposed areas of SCS co-operation being accepted if they are considered not abiding by the principle of “One Country, Two Systems” or “One China, Joint Development”.

Indeed there exist several major obstacles to the implementation of the cross–strait cooperation in the SCS, which are unlikely to be overcome in the near future. As pointed out by Professor Steven Kuan-Tshey Yu, the insistence on the principle of “One China” by China and Taiwan’s being forced to adopt a strategy of “pragmatic diplomacy” to counter China’s diplomatic blockade are the main barriers to any ideas of cross–strait co-operation in the SCS [20]. From the perspective of Taiwan, if Taipei co-operates closely with Beijing government in the SCS, its foreign policy goal of improving diplomatic relations with member states of the ASEAN would then be jeopardized. Professor Hung-Yu Chen listed a number of obstacles to the implementation of co-operative projects in the SCS area, which include: (1) ideological differences between the two sides; (2) limitation on contact between the Taiwanese and Chinese officials; (3) China’s political and military intervention in Taiwan’s domestic politics and presidential election; (4) China’s misinterpretation of the consensus reached between Beijing and Taipei in 1991; (5) China’s successful attempt to prevent Taiwan from attending the APEC summit held in Shanghai in October 2001; (6) the co-operation on SCS issues involving the sensitive issue of sovereignty; and (7) actions taken by China to prevent Taiwan from participating in the regional and international security dialogues [21]. Chung-Young Chang also stated in his paper presented at the 2001 Cross-strait SCS Issues Exchange and Co-operation Academic Dialogue Meeting that if Taiwan adopts a position identical with China’s, it would not only alienate its bilateral diplomatic relations from the member states of the ASEAN, but also imply Taiwan’s acquiesce in the principle of “One China”, which, as a result, would make its sovereign status and independent entity subject to doubt [22]. Wen-Chen Lin argued that China’s military threat against Taiwan is the major obstacle to the cross–strait co-operation in the SCS. China’s diplomatic suppression also makes it impossible for Taiwan to trust China on the SCS issues. How can Taiwan co-operate with China if Beijing continues to impose embargo against Taiwan’s proposal to host TWG or GE meetings within the Track Two framework of SCS Workshop? [23]. Kuen-Chen Fu called for a cross–strait co-operation on the SCS issues based on equality and listed the following difficulties in the cross–strait co-operation on the SCS issues: (1) shortage of financial support from the governments in Taiwan and China; (2) Taiwan’s being discriminated by China without fair treatment; and (3) both Taiwan and China are concerned about the reaction of the member states of ASEAN to the cross–strait co-operation in the SCS [24].

### Table 4

| Country | SCS Workshopa | TWG meeting | SCS GE meeting | Study group meeting | Total |
|---------|---------------|-------------|----------------|---------------------|-------|
| Brunei  | 1             | 1           |                | 1                   | 3     |
| Cambodia| 1             | 1           |                |                     | 2     |
| Indonesia| 14           | 3           | 2              | 1                   | 20    |
| Laos    | 2             | 1           |                | 1                   | 4     |
| Malaysia| 2             | 2           |                | 2                   | 6     |
| China   | 2             | 1           |                | 3                   | 6     |
| Philippines| 2          | 3           |                |                     | 5     |
| Singapore| 2            | 2           | 1              | 5                   | 9     |
| Taiwan  | 0             | 0           | 0              | 0                   | 0     |
| Thailand| 5             | 0           |                | 5                   | 10    |
| Vietnam | 1             | 1           |                |                     | 2     |
| Total   | 14            | 16          | 11             | 3                   | 44    |

aA special SCS meeting on funds was held in Jakarta in August 2001.

The shift from a direct and indirect confrontation to co-operation between China and member states of the ASEAN on the SCS issues has the potential to alleviate Taiwan’s concern that its move toward a closer cross–strait co-operation in the SCS area would jeopardize its foreign policy goal of improving bilateral relations with the member states of the ASEAN and the association as a whole. But, on the contrary, it can be argued that the development of a closer cross–strait co-operative relationship between Taipei and Beijing could also help improve Taiwan’s bilateral relations with the member states of the ASEAN. As a result of improvement of the cross–strait relations in the SCS, Taiwan might be invited to participate in the proposed joint projects between China and member states of the ASEAN based on the guidelines underlined in the 2002 SCSCOP Declaration, provided that flexible arrangements are found and accepted by the parties concerned. In addition, the rising power and influence of China in
the international affairs in general and in the SCS area in particular would have the impact of discouraging member states of the ASEAN to take actions that challenge the principle of “One China”

As a matter of fact, Taipei and Beijing has been co-operating on the issue of oil and gas exploration in the Taiwan Strait and northern part of the SCS area since the early 1990s. In December 1992, for instance, authorities in Hainan province of China proposed joint exploitation of natural resources in the SCS with Taiwan. In addition, some investors from Taiwan also proposed the establishment of a “South China Sea Development Funds” for joint fishing and crude oil exploration in the area of the sea not involved in sovereignty disputes with Vietnam and other member states of the ASEAN. In October 1994, two state-run oil companies from China and Taiwan met in Singapore to discuss the possibility of joint oil exploration in the East China Sea and SCS. In July 1996, Taiwan and China finally agreed their first ever upstream joint venture with the signing in Taipei of a 2-year exploration and surveying accord for acreage in the SCS. In 1998, it was also reported that China National Offshore Oil Corporation (CNOOC) and Taiwan’s Chinese Petroleum Corporation (CPC) would begin a joint oil-exploration project in the SCS in August of that year. It was also reported in February 1998 that the border defense corps of Fujian Province of China would explore channels with Taiwan for jointly maintaining cross-strait security and co-operation.

Allen, a senior associate in the CBM project at the Henry L. Stimson Center, concluded in his study of military CBMs across the Taiwan Strait that “it is unlikely there will be any significant movement toward military CBMs across the Taiwan Strait until there is movement on political issues”. This is also true for the movement of cross-strait co-operation in the SCS area. As pointed out by Allen, two of the most important CBMs in the cross-strait relations are: (1) the unilateral declaration made by Beijing, promising not to use force to reunify Taiwan with the mainland; and (2) the announcement made by Taiwan not to declare independence. It should be noted that the “Four Nos” commitments were made under the pre-condition of “rapprochement, co-operation and peace”. But clearly the policy makers in Beijing do not trust President Chen. The recent move made by China to block Taiwan’s efforts to join the World Health Organization (WHO) in May 2003 generated a series of counter-measures adopted by Taiwan, in particular, advocating a “referendum to join the WHO and revising its Constitution.”

The recent developments in Taiwan have sparked new tension in the cross-strait relations. Under the current situation, it seems remote for the realization of the establishment of a closer relationship between Taiwan and China on the SCS issues. However, it is likely that the cross-strait relations would move toward a different direction when the presidential election ends in March 2004. While it is still subject to debates, it seems that the chance for the cross-strait co-operation on the SCS issues would be bigger if the Pan-Blue camp wins the election. If the Pan-Green camp wins the election,
however, the possibility for adopting CBMs between Taiwan and China in the SCS area can never be ruled out either, given the fact that President Chen might renew his call for rapprochement and co-operation with China.

Accordingly, the following declaration, communications, transparency, and constraint CBMs are listed for consideration by the policy makers in Beijing and Taipei:

- Exchange of visits by scholars and retired military officer to the occupied Pratas Islands (Taiwan), Paracel Islands (China), and Spratly Islands (Taiwan and China) in the SCS.
- Declaration of not use of force or not threat to use force against each either in the SCS area.
- Exchange of monitoring information on activities taken by other claimants in the area of the sea in the SCS that are also claimed by Taiwan and China.
- Setting up hotlines or notification mechanism to assist stationed military and coast guard personnel in the occupied islands and fishermen operating in the claimed waters in maritime rescue.
- Pre-notification, on voluntary basis, of the military exercises to be conducted in the SCS area.
- Avoidance of entering the waters or flying over the zones in the SCS, that are considered by each other as sensitive in terms of security and military defense.
- Inviting national security academics and retired military personnel to attend the cross–strait SCS conferences held either in Taiwan or China for discussions on SCS issues.
- Dispatching national security academics and military personnel to attend international meetings on the SCS issues.
- Setting up a cross–strait SCS academic forum that is based on the principle of equality.
- Organizing friendship sports games on the occupied Spratly Islands in the SCS.
- Conducting cross–strait anti-piracy, anti-maritime terrorism, and search and rescue joint exercises in the SCS areas.
- Encouraging member states of the ASEAN to invite Taiwanese scholars and governmental officials to attend regional Track One or Track Two SCS dialogues; at the same time, discouraging Taiwan’s attempt to take advantage of the chance to participate to achieve other political and diplomatic goals.
- Making a flexible arrangement to allow Taiwan to participate in the process of developing a regional code of conduct in the SCS.
- Finding a way to enable Taiwan to participate in the joint projects to be implemented in the SCS in accordance with the guidelines underlined in the 2002 SCSCOP.

7. Conclusion

It is possible for Taiwan and China, in 2004 and the years that follow to move toward strengthening the cross–strait co-operation on the SCS issues. The cooperative actions taken in the SCS area could enhance mutual trust between the two sides of the Taiwan Strait. If China and member states of the ASEAN can reach agreements to move from confrontation to co-operation in the SCS area, there are more reasons to believe that Taiwan and China should do the same thing. The CBMs suggested in the paper are welcomed to be considered seriously by the policy makers of the two sides of the Taiwan Strait. It is believed that the adoption of the proposed CBMs will not only help improve the cross–strait relations, but also assist in maintaining stability and peace in the Taiwan Strait and the SCS areas. All of the people in the region would benefit from the adoption of the proposed “win–win–win–WIN approach” by China as urged in this paper.

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