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# Taiwanese Lobbying in the European Union: 'Workable Diplomacy' and its Limitations

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## **EU Diplomacy Papers 8/2015**

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## **Abstract**

The policy of the European Union (EU) towards Taiwan has mostly been analysed either as a by-product of EU-China relations or with reference to the general lack of a European geopolitical approach towards East Asia. By adopting a lobbying approach which focusses on Taiwan's different 'channels of influence' within the complex European foreign policy system in Brussels, this study provides new insights into the functioning of EU-Taiwan relations. It also sheds new light on the implications of the radical change in Taiwanese diplomacy after 2008, when Chen Shui-bian's assertive and identity-based diplomacy was replaced with the Kuomintang's new dogma of 'workable diplomacy'.

Based on semi-guided interviews with Taiwanese and European actors, this paper examines why Taiwanese lobbying in Brussels, albeit very active and professional, is not salient enough to meet the challenges arising from the overwhelming Chinese competition and from the increasing proliferation of regional trade agreements – with active EU participation – in the Asia-Pacific region. It argues that the pragmatic 'workable diplomacy' approach, while smoothing out working-level relations between Taiwan and the EU, fails to attract a sufficient degree of political and public attention in Europe to the Taiwan question and thus fosters the neglect of Taiwan by European foreign policy-makers. The main challenge faced by Taiwanese diplomacy, however, is not simply one of convincing through technical arguments, but one of agenda setting, that is, of redefining European priorities in Taiwan's favour.

## About the Author

Bertram Lang holds a Master's degree in EU International Relations and Diplomacy Studies from the College of Europe in Bruges and a Franco-German double Master's degree in Political Science from the University of Freiburg and Sciences Po Aix-en-Provence. He also spent one year in China where he studied Chinese and interned at the EU Delegation in Beijing. His main research interests include the study of social movements, anti-corruption policy as well as political decision-making processes and lobbying. This paper is based on his Master's thesis at the College of Europe (Falcone & Borsellino Promotion).

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## Introduction

Both the European Union and Taiwan can be regarded as 'special cases' in international relations, with debates and uncertainty over their recognition and actorhood. Taiwan, having progressively lost international recognition and facing an ever more powerful People's Republic of China (PRC) which prevents it from (re-) establishing official diplomatic relations, has been compelled to find alternative ways to seek support from, and influence on, European foreign policy actors.<sup>1</sup> Albeit in a different fashion, the EU has equally challenged traditional, sovereignty-based concepts of International Relations (IR). While being significantly different from the sum of its member states' national foreign policies, EU foreign policy is "neither exclusive nor all-encompassing"<sup>2</sup> and also defies realist conceptions of state behaviour in many other regards. Analysing the bilateral relationship between these two peculiar international actors thus requires going beyond traditional IR concepts and exploring new methods to understand Taiwan's relevance (or irrelevance) for European foreign policy-making.

The present paper sets out to fill the gap between theoretical discussions of the EU's potential role in EU-Taiwan relations and empirical IR scholarship, which simply explains the lack of actual EU engagement through structural constraints.<sup>3</sup> Instead, this study examines why Taiwanese lobbying in Brussels is not salient enough to meet the challenges arising from the overwhelming Chinese competition and the proliferation of regional trade agreements (RTA) in the Asia-Pacific region. It does so by adopting a lobbying approach<sup>4</sup> that is sensitive to the specific ways in which

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<sup>1</sup> J. Chen, *Foreign Policy of the New Taiwan: Pragmatic Diplomacy in Southeast Asia*, Cheltenham, Edward Elgar, 2002, p. 8.

<sup>2</sup> S. Keukeleire & T. Delreux, *The foreign policy of the European Union*, New York, Palgrave Macmillan, 2014, 2<sup>nd</sup> edn., p. 14.

<sup>3</sup> S. Hu, "Structural Constraints on the EU's Role in Cross-Taiwan Strait Relations", *European Journal of East Asian Studies*, vol. 10, no. 1, 2011, pp. 37-58; J. Cabestan, "The Taiwan Issue in Europe-China Relations: An Irritant more than Leverage", in D. Shambaugh, E. Sandschneider & H. Zhou (eds.), *China-Europe Relations: Perceptions, Policies, and Prospects*, London, Routledge, 2007, pp. 84-101.

<sup>4</sup> A distinction has to be made between official diplomacy, following codified rules and symbols, and other means of influencing political decision-making, generally referred to as 'lobbying' (J. Melissen, *The New Public Diplomacy: Soft Power in International Relations*, Basingstoke, Palgrave Macmillan, 2005, pp. 15, 95). While the conduct of EU-Taiwan relations certainly includes many elements that could be described as 'diplomacy', they are not officially characterised as such and tend to avoid all appearances of formal diplomatic conduct. As formal diplomatic recognition for Taiwanese representatives is not even on the agenda of EU-Taiwan relations, I refer to all activities geared towards promoting Taiwanese views and interests in Europe as 'lobbying'.

Taiwanese interests are articulated and promoted *vis-à-vis* European foreign policy makers. To this end, Taiwan's different channels of influence in Europe – including unofficial diplomatic relations with institutional actors as well as alternative channels such as the media, civil society and academic discourse, will be examined.<sup>5</sup>

The conventional wisdom about EU-Taiwan relations is that they are mainly economic in nature,<sup>6</sup> while “political extensions” remain purely functional and subordinated to the maximisation of trade benefits.<sup>7</sup> Following the above-mentioned examination of Taiwanese ‘channels of influence’,<sup>8</sup> the most pressing economic issue in EU-Taiwan relations will thus serve to illustrate in how far Taiwanese lobbying today is prepared to face the relentlessly growing competition from China and make its own demands heard among decision makers in Brussels: the question of an Economic Cooperation Agreement (ECA) between the EU and Taiwan, which Taipei has been angling for since the EU abandoned its multilateralist ‘Lamy doctrine’<sup>9</sup> in favour of RTAs with many of Taiwan's fiercest economic competitors. In combination with the analysis of Taiwan's channels of influence in Europe, this case study will also serve to examine how the Kuomintang's (KMT) return to power in 2008 and the ensuing shift towards a much more China-friendly policy as well as the new credo of “workable diplomacy”,<sup>10</sup> have influenced the relevance and success of Taiwanese lobbying in Brussels. Finally, these new insights will also feed in to the debate over a

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<sup>5</sup> The primary goal is not to measure the *amount* of influence, but to understand the *mechanisms* by which an actor tries to incentivise another actor or exercise influence on their positions and decisions. Channels of influence can include institutionalised exchange, personal relations, or media contacts useful for influencing domestic discourses which in turn can be expected to have an impact on policies. C. Mahoney, “Lobbying success in the United States and the European Union”, *Journal of Public Policy*, vol. 27, no. 2, 2007, pp. 35-56.

<sup>6</sup> C. Dent & D. Johnson, “Taiwan-EU Economic Relations. A European Perspective”, *EurAmerica*, vol. 30, no. 1, 2000, pp. 109-157.

<sup>7</sup> F. Mengin, “A Functional Relationship: Political Extensions to Europe-Taiwan Economic Ties”, *The China Quarterly*, vol. 169, 2002, pp. 136-153.

<sup>8</sup> The conceptual reliance on channels of influence in this analysis is based on the assumption that decision-making in EU foreign policy is highly decentralised and takes place as an aggregating process of opinions at different stages and levels, which is why a number of different entry points are necessary to obtain significant results. Keukeleire & Delreux, *op.cit.*, p. 18.

<sup>9</sup> G. Glania & J. Matthes, *Multilateralism Or Regionalism?: Trade Policy Options for the European Union*, Brussels, Centre for European Policy Studies, 2005, p. 2.

<sup>10</sup> This term has been coined by Su Hungdah to describe president Ma Ying Jeou's diplomatic about-face from politicising the ‘Taiwan question’ to focussing purely on pragmatic, mostly economic issues. H. Su, “Taiwan's Strategy towards the EU: From Hallstein Doctrine to Workable Diplomacy”, in H. Su (ed.), *Asian Countries' Strategies towards the European Union in an Inter-regionalist Context*, Taipei, National Taiwan University Press, 2015, p. 108.

potentially more strategic European approach to the 'Taiwan question', as well as possible implications of a further Europeanisation of foreign policy in this domain.

Naturally, conducting field research into the less formalised aspects of EU-Taiwan relations in Brussels, beyond official statements and policy documents, brings about its own hurdles, as the large gap between official parlance and day-to-day practices makes EU-Taiwan relations a very sensitive topic to discuss frankly for both politicians and civil servants. The sensitiveness of the 'Taiwan issue' also meant that interviewees preferred to stay anonymous. In view of these problems, the methodological challenge has been to assemble the pieces of partial information from different sides and combine them with structural analysis of the EU-Taiwan relationship based on existing research and publicly available information.

After a brief outline of the geopolitical context of contemporary EU-Taiwan relations, this paper will turn to a thorough examination of Taiwan's channels of influence within the EU's foreign policy system, encompassing both the EU institutions and non-institutional actors. The last section will address the KMT's economic approach to EU-Taiwan relations in a broader context, paying particular attention to the hidden geopolitics behind the EU's RTA strategy and the potential for a different EU Taiwan policy within the current geopolitical framework in East Asia.

### **Changing parameters for EU-Taiwan relations in the 21<sup>st</sup> century**

Since its expulsion from the United Nations in 1971, the Republic of China on Taiwan's international status has been in constant decline. Even more daunting than the progressive loss of its last formal diplomatic allies, however, is the recent global turn to trade regionalism which threatens to undermine Taipei's major diplomatic achievement of becoming a full member of the World Trade Organisation (WTO) – albeit under the Beijing-imposed name of 'Chinese Taipei' – in 2002. The proliferation of RTAs, allowed as exceptions to the most-favoured nation treatment under WTO law, poses a huge challenge to Taiwan as an economic *and* diplomatic entity, particularly in the Asia-Pacific region.<sup>11</sup> Taiwan is highly dependent on international trade and tightening its grip over the island is an integral part of China's political 'grand strategy':

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<sup>11</sup> M. Kawai & G. Wignaraja, "Multilateralizing regional trade arrangements in Asia", in R. Baldwin & P. Low (eds.), *Multilateralizing Regionalism*, Cambridge, Cambridge University Press, 2009, p. 501.

None of these agreements includes Chinese Taipei, and in fact they all discriminate against Chinese Taipei. The US-Republic of Korea FTA [Free Trade Agreement] will likely cause significant trade diversion away from Chinese Taipei exports [...] That may not be a big economic problem for everyone else, but does raise important political questions.<sup>12</sup>

Concerning Taiwan's number one foreign policy goal of safeguarding its national security *vis-à-vis* the 'China threat', Europe may be virtually irrelevant. Not only does the EU itself have no security strategy or even noteworthy military presence in East Asia, but European states have also all but renounced any major arms deals with Taiwan out of fear of vexing China.<sup>13</sup> But the above-mentioned important political questions raised by trade regionalism in East Asia also concern the EU, which indeed had long upheld its traditional commitment to WTO multilateralism even against the aggressive US competitive liberalisation strategy. However, the EU has become a very active player in trade regionalism since the Commission's 2006 Global Europe strategy, notably through comprehensive FTAs with South Korea (2011), Singapore (2013) and Vietnam (2015).

With regard to Taiwan's continuing exclusion from these deals,<sup>14</sup> numerous critics in the United States, spurred by a very active pro-Taiwan lobby, are already brandishing the looming prospect of an internationally isolated Taiwan left with no other choice but to turn further towards China for economic rescue. In Europe, however, these questions are treated exclusively from a commercial perspective.<sup>15</sup> Thus, the Economic Cooperation Framework Agreement (ECFA) concluded between Taipei and Beijing in 2010 tends to be superficially attributed to the returning KMT government's generally China-friendly positions. Looking at it from the Chinese side, however, it is but one step in a broader strategy of bringing the 'renegade province' of Taiwan under Beijing's influence in a peaceful and

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<sup>12</sup> G. Hufbauer & J. Schott, "Fitting Asia-Pacific agreements into the WTO system", in Baldwin & Low, *op.cit.*, p. 622.

<sup>13</sup> O. Bräuner, "How Europe Shies from Taiwan", *The Diplomat*, 20 March 2012.

<sup>14</sup> Taipei's main concern are the plurilateral Trans-Pacific Partnership (TPP) negotiations, from which it continues to be excluded despite its 2013 membership bid. As for other aspects of Taiwan's foreign policy, the EU only comes in second as a trading partner behind the United States, which continues to be Taiwan's international 'guardian angel'.

<sup>15</sup> Even in the case of the Trade in Services Agreement (TiSA), arguably the only agreement where Taiwan is one step ahead of China, the EU has already pronounced itself in favour of the PRC's participation, thereby indicating its unwillingness to give any privileges to Taiwan *vis-à-vis* China. European External Action Service, "EU backs China joining talks on TiSA", 31 March 2014.



incremental manner. China's "RTA shopping spree",<sup>16</sup> resulting in privileged economic relations with many of Taiwan's former allies, and the generous concessions offered to Hong Kong and Macao in similar agreements, are strategic moves "to lure Chinese Taipei into the game".<sup>17</sup> Taiwan's growing political and economic dependency on Beijing is thus a direct consequence of the RTA proliferation among Taipei's partners and adversaries since the 2000s. The next section will examine how Taiwan struggles to remain relevant and make its voice heard in Brussels despite the EU's choice to actively take part in this RTA race and to prioritise smooth economic relations with China over other concerns.

### **Taiwanese channels of influence within the EU's foreign policy system**

Whereas the US remains the paramount foreign policy priority for Taipei, intensifying relations with Europe has become another important goal of Taiwanese diplomacy.<sup>18</sup> Although a European foreign policy has long been missing, the EU level has significantly gained relevance since the 1990s and both China and Taiwan started to develop specific 'Europe strategies' to intensify institutional links and obtain Brussels' support on vital questions in East Asia.<sup>19</sup>

The Taiwanese lobbying system in Europe today largely corresponds with the exigencies of the EU's 'multi-location' foreign policy system.<sup>20</sup> One assistant in the European Parliament (EP) highlighted the admirably good coordination between the Taipei Representative Office (TRO) in Brussels and national-level TROs in major European capitals, recalling for instance that Taiwanese diplomats in Brussels were perfectly informed of former engagements with Taiwan of Members of the European Parliament (MEPs) at the national level.<sup>21</sup> The staffing of different TROs in Europe equally reflects the predominant importance of the EU level for Taiwan today, with the TRO in Brussels being significantly larger than representations in national capitals

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<sup>16</sup> H. Gao, "The RTA Strategy of China: A Critical Visit", in R. Buckley *et al.* (eds.), *Challenges To Multilateral Trade: The Impact of Bilateral, Preferential and Regional Agreements*, The Hague, Kluwer Law International, 2008, p. 56.

<sup>17</sup> *Ibid.*, p. 59.

<sup>18</sup> Su, *op. cit.*, pp. 94-98.

<sup>19</sup> N. Noesselt, *Die Beziehungen der EU zu China und Taiwan: Hintergründe und Perzeptionen*, Hamburg, Verlag Dr. Kovac, 2008. pp. 57-60, 137.

<sup>20</sup> H. Wallace, "An Institutional Anatomy and Five Policy Modes", in H. Wallace *et al.* (eds.), *Policy-making in the European Union*, Oxford, Oxford University Press, 2005, p. 78.

<sup>21</sup> Interview with a parliamentary assistant, European Parliament, Brussels, 20 April 2015.

and staffed with seasoned diplomats and important figures of Taiwanese politics.<sup>22</sup> More generally, Taiwanese lobbying in Brussels is described by European actors and observers as very active and more adapted to European cultural susceptibility than mainland Chinese diplomacy:

Taiwan is very open, they have a different mentality than the Chinese, we see them as closer to us Europeans [...] the Taiwanese are also very, very active, they are one of the most active embassies in the Parliament.<sup>23</sup>

The creation of the European Economic and Trade Office (EETO) in Taipei has further raised the EU's profile among Taiwanese foreign policy-makers and also provided EU decision-makers with better expertise on Taiwan.<sup>24</sup> The EETO's relations with EEAS headquarters in Brussels can in fact be assimilated to those of official EU Delegations abroad, including regular coordination on political and diplomatic issues despite their absence from official EETO organigrams.<sup>25</sup>

However, Taiwan's relevance for the EU is dwindling as China's influence surges. Furthermore, the subtle improvement in Europe's diplomatic treatment of Taiwan after establishing the EETO<sup>26</sup> was more than offset by tensions during the late phase of Democratic Progressive Party (DPP) rule (2006-2008). The European exasperation over Taiwan's provocativeness is another reason why the Commission stopped taking sides on cross-Strait issues and shifted towards "two-sided admonition".<sup>27</sup>

#### *EU member states and Council positions: growing neglect of Taiwan*

In light of the 21<sup>st</sup> century's new balance of power, it is clear that no single European country remains powerful enough to even cautiously stand up to Beijing on a question as sensitive as the Taiwan issue: "No political upgrading of German-

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<sup>22</sup> The best example for this is David Lin (林永樂), who was Taiwan's representative to the EU from 2010 before being directly promoted to the office of foreign minister in 2012. This contrasts notably with the many junior diplomats in China's mission to the EU and reflects the more limited importance attributed to supranational institutions by the PRC.

<sup>23</sup> Interview with a parliamentary assistant, European Parliament (INTA Committee), via telephone, 27 March 2015.

<sup>24</sup> S. Winkler, *A Question of Sovereignty? The EU's Policy on Taiwan's Participation in International Organizations*, PhD Thesis, Vrije Universiteit Brussel, July 2011, p. 2.

<sup>25</sup> Interview with an EEAS official, European External Action Service, Brussels, 27 March 2015.

<sup>26</sup> S. Tang, "Die Taiwanpolitik der EU - Beschränkungen und Chancen", *Aus Politik und Zeitgeschichte*, no. 49, 2006, p. 35.

<sup>27</sup> Noesselt, *op.cit.*, p. 72.

Taiwanese relations without a strong European backing".<sup>28</sup> This assertion is all the more true today, with the 'China factor'<sup>29</sup> being more relevant than ever and Taiwan's international standing in progressive decline. In view of these new realities, simply lobbying individual member states on issues of 'high politics' has ceased to be a promising strategy for the Taiwanese government. European capitals do, however, remain important lobbying sites both because of the relevance of lower-level commercial dealings, and – more importantly – because their positions are key to EU-level decision-making in the Council.

In principle, the Council's 2007 'Guidelines on the EU's Foreign and Security Policy in East Asia'<sup>30</sup>, which for the first time list the "dispute across the Taiwan Strait" as one of three major "threats to regional security [having] a direct bearing on the interests of the EU" in East Asia,<sup>31</sup> suggest the gradual evolution of a properly European position on the Taiwan question. Concerning many of Taiwan's core interests, however, the Council's position is now much more cautious than it was in the late 1990s, when it openly condemned Chinese meddling with Taiwanese elections.<sup>32</sup> As meetings in the Council are confidential, China should in principle not be able to attribute consensus-based decisions to one or several countries. Nonetheless, most official Council positions fail to go beyond a "lowest common denominator" of individual national interests.<sup>33</sup> The fact that Member States are mostly unable to use their potential common strength to adopt a more vigorous position *vis-à-vis* China also explains the many diplomatic taboos in the EU's Taiwan policy. Besides, the PRC's overwhelming economic importance has flattened out intra-European differences as even formerly Taiwan-friendly countries such as the Czech Republic, Latvia or the Netherlands have aligned their positions with Beijing's demands<sup>34</sup> and even cautious initiatives by the European Commission or the EEAS

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<sup>28</sup> G. Schubert, "The European Dimension of German-Taiwanese Relations: A Critical Assessment", *China aktuell*, vol. 30, no. 9, 2011, p. 989.

<sup>29</sup> R. Solomon (ed.), *The China Factor: Sino-American Relations and the Global Scene*, Englewood Cliffs, Prentice-Hall, 1981.

<sup>30</sup> Council of the European Union, "Guidelines on the EU's Foreign and Security Policy in East Asia", Brussels, 20 December 2007.

<sup>31</sup> *Ibid.*, p. 2.

<sup>32</sup> S. Tang, "The European Union and the Two Sides of the Taiwan Strait (1996-2009): A Content Analysis", *Issues & Studies*, vol. 46, no. 1, 2010, p. 64.

<sup>33</sup> Cabestan, *op.cit.*, pp. 96-97.

<sup>34</sup> E. Sandschneider, "China's Diplomatic Relations with the States of Europe", *The China Quarterly*, vol. 169, 2002, p. 34.

are now met with suspicion.<sup>35</sup> Slight differences only come to the fore on rare occasions, for instance when France and Cyprus were the last countries to oppose the EU-Taiwan visa waiver agreement in 2010.<sup>36</sup> Strong competition for a 'special relationship' with China has also repeatedly driven France and Germany to play particularly hard on Taiwan.<sup>37</sup> As in other aspects of EU-China relations, supranational actors can do little against such national attempts to please the Chinese juggernaut, which is why such issues do not tend to play an important role in Brussels.

In any case, the Council itself cannot be regarded as a primary channel of influence for Taiwan, given that any official relations at ministerial level are precluded and the Council is generally not considered a worthwhile target for direct lobbying efforts even at lower levels.<sup>38</sup> However, as the persistent opposition to the visa waiver agreement has shown, the Council's unanimity rule in foreign policy often makes it the hardest obstacle to overcome in critical moments.

#### *The European Commission and the EEAS: business first*

While being "largely side-lined in the CFSP [Common Foreign and Security Policy] and CSDP [Common Security and Defence Policy]", the European Commission still has a critical role to play in EU foreign policy, notably in "defining, defending, promoting and representing the common interests in the EU's external action".<sup>39</sup> Of the four Directorates-General (DG) directly involved in European foreign policy today,<sup>40</sup> DG Neighbourhood and Enlargement Negotiations is irrelevant for Taiwan for obvious reasons; DG International Cooperation and Development is only marginally involved in one project aiming towards the abolition of the death penalty and the improvement of Taiwan's judicial system; DG Humanitarian Aid and Civil Protection mainly deals with Taiwan on a technical level (in case of typhoons etc.), or through Taiwan's most important humanitarian donor organisation, the Buddhist *Tzu Chi Foundation*. The latter can be seen as a well-established tool of Taiwan's

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<sup>35</sup> EEAS official (Interview 3).

<sup>36</sup> Su, *op. cit.*, p. 108.

<sup>37</sup> M. Mattlin, "A Normative EU Policy towards China: Mission Impossible?", Finnish Institute of International Affairs, *FIIA Occasional Paper*, no. 67, Helsinki, 2010, p. 11.

<sup>38</sup> Whereas approaching permanent representatives in Brussels may be a winning strategy for business lobbyists on more technical issues, the political sensitivity of most Taiwanese demands also excludes this alternative pathway.

<sup>39</sup> Keukeleire & Delreux, *op.cit.*, p. 72.

<sup>40</sup> *Ibid.*, pp. 73-74.

'track-two diplomacy', which is geared towards cultivating quasi-diplomatic links abroad with the help of non-governmental actors.<sup>41</sup>

The by far most relevant role, therefore, is played by DG Trade, which is also the DG enjoying most leeway in external affairs vis-à-vis member states. In a sense, the official conduct of trade relations with the EU is by itself an important achievement of Taiwanese lobbying, which was only made possible by Taiwan's WTO accession in 2001.<sup>42</sup> Besides, however, the Commission has scrupulously stuck to the official European diplomatic line and made little effort to upgrade relations with Taiwan any further.

Since its establishment in 2010, the EEAS has stayed in line with the position of its predecessor DG External Relations on EU-Taiwan relations. The EEAS and DG Trade work hand in hand as "two legs of cooperation on the European side",<sup>43</sup> which means that they continue to follow rather a division by topic (trade vs. all other issues) than pursuing any substantially different approaches. Moreover, Taiwanese diplomats make no real distinction between the two institutions, as the TRO is generally organised by policy fields – with the noteworthy exception of its 'European Parliament division,' where three diplomats focus solely on lobbying parliamentarians and their assistants.<sup>44</sup>

An EEAS official describes Taiwanese lobbying in the Commission/EEAS as "very sophisticated" yet "very pushy", including almost daily phone calls from the TRO and regular "invitations to lunch, dinner, small gifts, all these sorts of things".<sup>45</sup> Taiwanese lobbying also includes regular invitations for Commission/EEAS officials to visit Taiwan. This 'invitation diplomacy' is mainly aimed at raising Taiwan's general profile and appreciation of its cultural and political distinctiveness, rather than being directly related to the promotion of specific issues. Given that meetings at the political level are excluded, high-level officials' (up to the EEAS Secretary General) meetings with Taiwanese representatives are of particular importance.

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<sup>41</sup> B. Lang, "Off the beaten track: Taiwan's changing 'track-two diplomacy' after democratisation – and its pitfalls", College of Europe Essay, academia.edu, 11/2014.

<sup>42</sup> P. Lim, "The European Union's Economic Ties with the Republic of China (Taiwan)", in G. Wiessala, J.F. Wilson & P. Taneja (eds.), *The European Union and China: Interests and Dilemmas*, Amsterdam, Rodopi, 2009, p. 203.

<sup>43</sup> EEAS official (Interview 3).

<sup>44</sup> Based on own investigations at the TRO in Brussels and different interviews.

<sup>45</sup> EEAS official (Interview 3).

In sum, working relations between the Commission/EEAS and Taiwanese diplomats are well established. Although the Taiwanese, who remain clearly on the demanding side, are confronted with a favourably disposed – yet relatively passive – European administration, the EU does not seem inclined to take any pro-Taiwan initiatives in the continuing “absence of significant pressure from domestic constituencies or external allies”.<sup>46</sup> Schucher’s bottom line that “Brussels has taken a hands-off approach to the questions of stability and security in the Taiwan Strait [...] and is still just talking business”<sup>47</sup> still holds true in most regards.

#### *The European Parliament: Taiwan’s remaining friend in Europe?*

In stark contrast to other EU institutions’ extremely cautious stance on the Taiwan question, the EP has long been playing the role of Taiwan’s ‘best friend’ in Europe. Starting with the 1985 Resolution on Trade with Taiwan, it adopted numerous Taiwan-friendly resolutions over the last three decades.<sup>48</sup> Without questioning the EU’s One-China policy, MEPs are thus trying to fully exploit the wiggle room that this policy allows for, notably by consistently taking sides with Taiwan over Chinese military threats and worrying armament in the Taiwan Strait.<sup>49</sup>

An obvious downside to this well-established channel of influence is the non-binding nature of EP resolutions in foreign policy. Lan Yuchun, despite quipping that the “EP’s resolutions have no effect other than upsetting Beijing”<sup>50</sup>, still identifies some secondary effects, namely asserting the EU’s moral position in international politics against the other EU institutions’ *realpolitik*, formulating potential alternatives to the “official EU policy” and functioning as a “multiplier of public opinion”, which he supposes to be in favour of Taiwan’s cause.<sup>51</sup> And whereas institutionally “the Council routinely ignored the EP’s resolutions on Taiwan”,<sup>52</sup> the “main advantage of the EP is to have direct and informal contacts with the Commission, [to] raise

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<sup>46</sup> Y. Lan, “The European Parliament and the China–Taiwan Issue: An Empirical Approach”, *European Foreign Affairs Review*, vol. 9, no. 1, 2004, p. 127.

<sup>47</sup> G. Schucher, “Old Hat, New Rhetoric: The EU’s Policy toward Taiwan after the Fifth Enlargement”, *Issues & Studies*, vol. 43, no. 3, 2007, p. 41.

<sup>48</sup> C. Tubilewicz, “Europe in Taiwan’s Post–Cold War Foreign Relations”, *Diplomacy & Statecraft*, vol. 18, no. 2, 2007, p. 428.

<sup>49</sup> European Parliament, *Resolution of 14 March 2013 on EU-China relations (2012/2137(INI))*, P7\_TA(2013)0097, Brussels, Art. 36-38.

<sup>50</sup> Lan, *op.cit.*, p. 138.

<sup>51</sup> *Ibid.*

<sup>52</sup> Tubilewicz, *op.cit.*, p. 428.

Taiwan's profile through written questions [...] and the right to obtain an answer from the Commission".<sup>53</sup>

One explanation for the EP's continuous pro-Taiwan activism is the existence of a powerful Taiwan lobby among MEPs, the so-called *EP-Taiwan Friendship Group* founded by Viviane Reding and other MEPs in 1991. This grouping has been a driving force behind most of the EP's seminal initiatives to expand quasi-political relations with Taiwan during the late 1990s and early 2000s.<sup>54</sup> Despite this impressive past record, the *EP-Taiwan Friendship Group's* activeness and degree of organisation should not be over-estimated:

Yes, there is interest in Taiwan [...] but the Taiwan issue politically really is nothing to write home about, it is more of a hobby for parliamentarians, which is also why MEPs restrict themselves.<sup>55</sup>

Most importantly, membership of the group is very informal and not even the MEPs in leading positions publicly declare their membership in the group on their own websites.<sup>56</sup> The fact that finding out the names of even the most active MEPs in the group required sedulous research and personal contacts within the Parliament speaks volumes about the nature of this 'Taiwan lobby'. Asked about the specific implications of adhering to the group, a TRO diplomat in Brussels mainly referred to invitations to social events organised by the Taiwanese delegation, and the possibility of regular delegation visits to Taiwan.<sup>57</sup> While such visits are also common for other partner countries, Taiwan's 'invitation diplomacy' beats all records, with up to three trips to Taiwan per year and the generous extension of invitations to parliamentary assistants.<sup>58</sup> The latter are, in fact, rightly considered another important lobbying target by Taiwanese officials, both through their important agenda-setting function for MEPs and because they often ensure continuity between legislatures, by 'hopping' from one MEP to another within political groups and thus increasing and solidifying the pro-Taiwan network.

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<sup>53</sup> Parliamentary assistant INTA Committee (Interview 4); author's translation.

<sup>54</sup> Lan, *op.cit.*, pp. 135-137.

<sup>55</sup> Parliamentary assistant (Interview 7); author's translation.

<sup>56</sup> This informality is not only due to Chinese pressure, but has also the advantage of liberating EP-Taiwan relations from the formal constraints of the One-China policy and allowing for informal contacts at all levels (see Interview 7).

<sup>57</sup> Interview with a Taiwanese diplomat, TRO, European Parliament division, Brussels, 20 April 2015.

<sup>58</sup> Parliamentary assistant INTA (Interview 4); Parliamentary assistant (Interview 7).

The large number of group members (over 200 MEPs during the last legislature, according to the TRO) also suggests that the wider circle of members is hardly more than a mailing list with parliamentarians potentially sympathetic to Taiwan's interests. When it comes down to major lobbying interests such as the drafting of EP reports and resolutions, or even the quest for an economic agreement, MEPs will be targeted no matter whether they are members of the group or not. Conversely, close cooperation or even confidentiality is impossible within such a large and loose group, and relies much more on individual personal contacts and good relationships with individual assistants: "Taiwan's priority is keeping the contacts, always keep channels open for dialogue [...] anyway you get nowhere with aggressive lobbying in the Parliament."<sup>59</sup>

Although a purely *symbolic* foreign policy instrument, supportive EP resolutions remain important diplomatic victories for Taiwan at each time, and TRO officials themselves spontaneously referred to the number of resolutions passed by the EP over time as an indicator for Taiwan's standing in EU foreign policy-making.<sup>60</sup> However, if this is to be made a gauge for Taiwan's lobbying success, the prospects seem bleak. In fact, the number of resolutions dedicated to Taiwan has been in decline since the early 2000s, when the EP had made it a sport to express its support for the democratising Taiwan and denounce Chinese provocations.<sup>61</sup> Even a TRO diplomat acknowledged that

it has become hard for the European Parliament in recent years to pass resolutions with special reference to Taiwan, [therefore] our main goal is now to include [...] references to Taiwan [...] in other resolutions and see to it that, for example, the cross-Strait chapter in resolutions on China or East Asia is more [...] friendly to our position.<sup>62</sup>

#### *Non-institutional actors as alternative channels of influence?*

Apart from institutional channels of influence, advocacy and lobbying also need to account for public pressure on political decision-makers. As the vast academic literature on 'outside lobbying' has shown, raising the political salience of issues by attracting widespread media attention is an important factor of lobbying success,

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<sup>59</sup> Parliamentary assistant (Interview 7, author's translation).

<sup>60</sup> Taiwanese diplomat, EP division (Interview 6).

<sup>61</sup> Tang, *op.cit.*, p. 36.

<sup>62</sup> Taiwanese diplomat, EP division (Interview 6).



not only in the EU.<sup>63</sup> Attracting the attention of the European mass media is, of course, a difficult endeavour for most small-sized countries. It is an even more arduous task for Taiwan, which desperately needs international attention for its cause yet is increasingly overshadowed by the 'China hype' in Western public discourse.<sup>64</sup>

The problem of being marginalised in European public discourse is certainly not new for Taiwan.<sup>65</sup> But while the restrictive European policies towards Taiwan, such as repeated refusals by EU member states to grant visas (even to Taiwanese politicians invited by the EP in the early 2000s<sup>66</sup>) may have passed largely unnoticed, the Taiwan question did remain on the public agenda as an important international flashpoint due to the repeated public stand-offs between Taipei and Beijing.

In order to illustrate Taiwan's more recent role in the European public discourse, an analysis of news coverage in major quality newspapers of four European countries over the last 12 months is presented below.<sup>67</sup>

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<sup>63</sup> See among others Mahoney, *op.cit.*, p. 43.

<sup>64</sup> G. Rawnsley, "Taiwan's Soft Power and Public Diplomacy", *Journal of Current Chinese Affairs*, vol. 43, no. 3, 2014, p. 164.

<sup>65</sup> Lan, *op.cit.*, p. 136.

<sup>66</sup> Tubilewicz, *op.cit.*, pp. 424-425.

<sup>67</sup> The analysis is based on the author's own research in the publicly accessible online archives of *Le Monde* (France), *Süddeutsche Zeitung* (Germany), *The Telegraph* (United Kingdom) and *El País* (Spain). From all news articles mentioning the keyword 'Taiwan\*', those dealing directly with Taiwan-related issues were selected and grouped in six topics.

The results, although not representative for all European media coverage, clearly point to the blatant lack of attention to the Taiwan question in major European newspapers. In addition to the generally low number of articles on Taiwan, most of the news deal with natural disasters and plane crashes (28%), or relate to Taiwanese companies or society trends (24%), without even mentioning political issues. Political aspects, if present at all, are mostly covered from a mainland Chinese perspective and often concern territorial disputes in the South China Sea (25%). The *Umbrella Movement* in Hong Kong in autumn 2014 has also spawned some comparisons with the situation in Taiwan (10%). Taiwan's foreign and cross-Strait relations, however, accounted for less than 6% of the news, showing that serious discussions of the Taiwan question are virtually absent from European media. The starkest contrast became obvious last year between the extensive coverage of Hong Kong's 'Occupy Central' movement against increased PRC interference, while Taiwan's anti-ECFA *Sunflower Movement*, which brought much larger crowds to the streets over similar concerns, was only marginally noticed by the European public.<sup>68</sup>

Furthermore, Taiwan is also confronted with the problem of a weak expatriate community in Europe, depriving it of strong civil society links.<sup>69</sup> This contrasts sharply with the US, where a well-organised Taiwanese expatriate community boasts active civil society lobbying organisations such as the *American Citizens for Taiwan*, an organisation that "strives for a U.S. Government position on Taiwan that is fully supportive of Taiwan's right to self-determination via referendum by all Taiwanese without external threat or interference".<sup>70</sup> Generally speaking, the use of civil society actors' transnational links has emerged as an important flank of Taiwan's 'total diplomacy' which, starting from the 1990s, was designed to reap "the fruits of social and political liberalization".<sup>71</sup>

In Europe, however, Taiwanese non-governmental organisations (NGOs) are barely represented and neither Taiwanese diplomats nor their European counterparts were able to name any politically relevant civil society actors in personal interviews. The only NGO mentioned by a TRO interviewee was the *Fo-Guang Shan Buddhist Organisation*, which indeed is represented and active across

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<sup>68</sup> D. Pilling, "Taiwan resolves to resist China's embrace", *Financial Times*, 5 November 2014.

<sup>69</sup> Cabestan, *op.cit.*, pp. 97-99.

<sup>70</sup> American Citizens for Taiwan, "We are ACT", <http://americancitizensfortaiwan.org>.

<sup>71</sup> Chen, *op.cit.*, p. 223.

Europe, with temples and representative offices in nine EU countries.<sup>72</sup> But as the diplomat conceded himself, “this is more of a general nature, it’s about the improvement of Taiwan’s cultural image [...] they are not a lobby organisation”.<sup>73</sup>

The only pro-Taiwan civil society organisation that is able to attract at least some public attention is the Danish NGO *Taiwan Corner*, which seeks to “defend Taiwan’s democracy” and support Taiwan’s “membership of all international organisations” as well as its “right to self-determination”.<sup>74</sup> Whereas *Taiwan Corner* possesses good contacts within the EP and promotes Taiwanese interests through Europe-wide conferences and opinion articles, it is hardly a ‘second-track’ tool of KMT diplomacy, given the largely divergent views on how to represent Taiwan abroad and the lack of any formal exchange with TROs in Brussels or elsewhere. As other pro-Taiwan actors, however, it is also confronted with the difficulty of attracting the European media’s attention to Taiwan-related issues.<sup>75</sup>

In addition to civil society, business lobbying organisations do play a limited role as well. Both the Taiwanese Chamber of Commerce in Europe and the European Chamber of Commerce in Taiwan (ECCT) coordinate and organise activities such as conferences and delegation visits jointly with Taiwan’s Foreign Affairs Ministry and the TRO.<sup>76</sup> Concerning the quest for improved EU-Taiwan commercial and investment ties, and in particular the more modest idea of a Bilateral Investment Agreement (BIA), the European corporate lobby group *BusinessEurope* is another partner with excellent connections in all EU institutions, from which the Taiwanese side can, to some extent, ‘borrow influence’. The effectiveness of this additional channel may, however, be hampered by a Taiwanese lack of understanding for the specific business structures in many European countries. In an approach that mirrors lobbying in the US, mainly large companies are targeted which may lead Taiwanese diplomats to neglect the fundamental importance of small and medium-sized European companies. The latter are mostly unaware of Taiwan’s potential but could be an important untapped source of influence.

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<sup>72</sup> See Fo Guang Shan Monastery, “Worldwide/Europe”, <https://www.fgs.org.tw/en/worldwide/Europe>.

<sup>73</sup> Interview with a Taiwanese diplomat, TRO, political division, Brussels, 20 April 2015.

<sup>74</sup> See Taiwan Corner, “About us”, [http://taiwancorner.org/?page\\_id=92](http://taiwancorner.org/?page_id=92).

<sup>75</sup> Interview with the director of *Taiwan Corner*, via video call, 15 March 2015.

<sup>76</sup> Taiwanese diplomat, political division (Interview 5).

Besides the mass media and civil society, the production of favourable 'expertise' is another potentially important channel of influence through which decision-makers can be indirectly reached and sensitised for a specific political cause. The particular relevance of expertise-based lobbying for decision-making at the European level makes an examination of academic and think tank research all the more important for understanding Taiwanese lobbying in Europe.<sup>77</sup>

Despite the establishment of a *European Association for Taiwan Studies* (EATS) in 2004 and a few Taiwan research centres in London, Tübingen and Vienna, European Taiwan research still lags far behind the prolific – and mostly sympathetic – academic expertise on the island in the US.<sup>78</sup> Financial and political support for academic exchange and Taiwan-related research has thus become a constant feature of Taiwanese 'track-two diplomacy' in Europe. Formally non-governmental foundations such as the *Chiang Ching-kuo Foundation* (in 1989) or the *Taiwan Foundation for Democracy* (in 2003) have been set up by successive governments to generously fund academic activities and research institutes abroad. However, as in the reckless race for development aid in Africa and Latin America, Taiwanese funding is increasingly insignificant compared to a gargantuan Chinese 'soft power crusade', including the very generous – but not unconditional – funding for *Confucius Institutes* to be established at European universities. As Shambaugh has demonstrated, the *Confucius Institutes* are part of a larger Chinese 'soft power' apparatus bound to the goals of "countering Taiwan independence proclivities" and "propagating China's foreign policy".<sup>79</sup> This translates not only into the suppression of critical debates over the Taiwan question as such, but also into an aggressive strategy to force back Taiwanese influence in Europe. For example, the *European Association for Chinese Studies* has recently criticised Chinese interference and censorship of content provided for an academic conference by the *Chiang Ching-kuo Foundation* in Portugal.<sup>80</sup> *Taiwan Corner* also reported severe difficulties

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<sup>77</sup> C. Robert & A. Vauchez, "L'Académie européenne. Savoirs, experts et savants dans le gouvernement de l'Europe", *Politix*, vol. 23, no. 89, 2010, pp. 9–34.

<sup>78</sup> See among others: S. Rigger, *Why Taiwan Matters: Small Island, Global Powerhouse*, Lanham, Rowman & Littlefield, 2011.

<sup>79</sup> D. Shambaugh, "China's Propaganda System: Institutions, Processes and Efficacy", *The China Journal*, vol. 57, 2007, pp. 48–49.

<sup>80</sup> European Association for Chinese Studies, "Letter of Protest at Interference in EACS Conference in Portugal, July 2014", 1 August 2014.

when looking for a Danish university willing to host an EATS conference due to Chinese pressure and conditional funding arrangements.<sup>81</sup>

Faced with this threat of being completely absorbed by China's embrace of Europe, Taipei has launched a counter-offensive in 'academic soft diplomacy' by founding the *Taiwan Academy* in 2011 as a "tool to promote Taiwanese-flavored Mandarin and traditional Chinese characters, and also sponsor research on Taiwan-related topics".<sup>82</sup> While activities organised by the contact points of the *Taiwan Academy* at European universities mostly comply with the KMT's 'apolitical' cultural diplomacy strategy, the emphasis on Taiwan's linguistic, cultural and political distinctiveness – traditionally an exclusive DPP domain – is an unequivocal signal that even the conciliatory KMT government has taken up the gauntlet and entered into the game of 'soft power competition' for the hearts and minds of Europeans.

Finally, concerning the research activities of Brussels-based think tanks, it is difficult to assess the actual degree of Taiwanese interference or 'stimulus'. In any case, the recent increase in studies and policy papers defending the economic importance and feasibility of an EU-Taiwan ECA has been remarkable.<sup>83</sup> These reports generally focus on expected economic gains for both sides and, more recently, highlight the additional chances for European businesses created by the ECFA, thus amplifying the Taiwanese government's narrative portraying Taiwan as a promising hub for the Chinese market.<sup>84</sup> Financial support for such studies may not only come from Taiwanese para-governmental foundations, but also from the EETO and the ECCT, which have long been in favour of intensified EU-Taiwan trade relations. Conversely, the TRO in Brussels tends to rely on a more reactive and targeted approach, by establishing closer relationships with authors having already published articles sympathetic to Taiwan's cause.<sup>85</sup> Although the increasingly audible

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<sup>81</sup> Head of *Taiwan Corner* (Interview 2).

<sup>82</sup> A. Poon, "Soft Power Smackdown! Confucius Institute vs. Taiwan Academy", *Wall Street Journal*, 12 August 2011.

<sup>83</sup> See among others, F. Erixon, M. Krol & N. Macyra, "After cross-Strait rapprochement: A conceptual analysis of potential gains to Europe from China-Taiwan economic cooperation", European Centre for International Political Economy, *ECIPE Occasional Paper*, no. 3, Brussels, 2012; Y. Tseng, "Challenges and opportunities of a EU-Taiwan ECA: A review of political-economic perspectives", Center for Asian Studies, *Asie Visions*, no. 56, Paris/Brussels, November 2012; P. Messerlin, "The EU Preferential Trade Agreements: Defining Priorities for a Debt-Ridden, Growth-Starving EU", *GEM Working Paper*, Paris, Sciences Po, Groupe d'Économie Mondiale, January 2012.

<sup>84</sup> See Tseng, *op.cit.*, pp. 14-15.

<sup>85</sup> Interview with an official, European Parliament, via video call, 26 April 2015.

(para-)academic calls for an ambitious EU-Taiwan trade agreement have not (yet?) had any tangible impact on the Commission's position, they certainly reinforce the standing of pro-Taiwan actors in Brussels. The EP's own research services constitute another connecting link through which these reports are made accessible to MEPs,<sup>86</sup> with Commission/EEAS officials equally aware of these arguments.<sup>87</sup>

### **Keeping politics out: a successful strategy for deepening EU-Taiwan ties?**

Following the above examination of Taiwan's different channels of influence and their severe limitations in Europe, this section will question the highly economic strategy currently embraced by both the Commission/EEAS and the TRO, based on the case of the Taiwanese attempts to negotiate and conclude an ECA, or at least a BIA, with the EU.

#### *'Economistic pragmatism' as the best way to lobby Europe?*

After an over-politicisation of EU-Taiwan relations, especially during the last two years of Chen Shui-bian's presidency, the new KMT government under president Ma clearly emphasised the importance of a more pragmatic diplomacy and designed a new EU policy that "aims to use détente in the Strait to strengthen Taiwan's functional relations with the EU and promote Taiwan's economic interests without raising any political issues".<sup>88</sup> To be sure, the KMT could not completely ban political aspects from its relations with the EU. In fact, the visa waiver agreement remained a priority issue for Taiwanese lobbying in the first years of Ma's presidency, and its conclusion in 2010 represents the only major success story showing how comprehensive Taiwanese lobbying can work in the EU in recent years. A concerted Taiwanese effort, starting with pro-Taiwanese MEPs in the *EP-Taiwan Friendship Group* and simultaneously involving Commission officials and China desk officers in the member states was necessary to obtain this seminal diplomatic concession.<sup>89</sup>

While current lobbying activities show how Taiwan is trying to build on this with a concerted effort at both the EU and national level, the focus has clearly shifted

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<sup>86</sup> See M. Latek, "EU-Taiwan Trade Relations", European Parliament, Library Briefing, 3 October 2013; M. Armanovica, "Taiwan. The risk of marginalisation. Economic situation and trade relations with the EU", European Parliament, Directorate-General for External Policies of the Union, Policy Briefing, October 2013.

<sup>87</sup> EEAS official (Interview 3).

<sup>88</sup> Su, *op.cit.*, p. 108.

<sup>89</sup> *Ibid.*

towards intensified trade and investment relations. Taiwan's overall interest in getting as close as possible to a comprehensive FTA with the EU would probably have been perceived by any government, be it DPP or KMT.<sup>90</sup> But the way in which the KMT administration is pursuing this interest in Brussels is quite symptomatic for its new economic pragmatism in dealing with Europe.

Based on incrementalism, Taiwan has started to rely on what its government calls a "block-building strategy".<sup>91</sup> According to a lobbying paper of the Ministry of Economic Affairs, "working groups on issues such as [...] IPR [intellectual property rights], pharmaceuticals, and sanitary and phytosanitary (SPS) measures"<sup>92</sup> will help to intensify contacts with the European side through regular videoconferences. This is apparently based on the hope that the technical 'building blocks' will eventually convince European bureaucrats that Taiwan is a partner to be trusted with a more comprehensive ECA. By relying on purely economic arguments in favour of an ECA,<sup>93</sup> the Taiwanese side mirrors the Commission's criteria for opening FTA negotiations, and the expected economic gains do indeed support the Taiwanese bid.<sup>94</sup> The fact that the Ma administration mainly portrays Taiwan as a promising regional hub for European investors in East Asia, and particularly as an access point to the Chinese market,<sup>95</sup> also shows that another KMT rationale behind concluding the ECFA with China in 2010 was to make Taiwan economically relevant again – an argument that has been echoed by pro-Taiwanese forces in Europe:

[E]conomic integration with mainland China, in the framework of the ECFA, would offer preferential access to the Chinese market to EU producers in Taiwan. This could be seen as an *alternative to a direct EU FTA with China*, which is not seen as a likely prospect in the short or medium term.<sup>96</sup>

However, due to the significant improvement of EU-China bilateral relations, as well as China's own substantial reforms within the WTO system, doubts are being cast on

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<sup>90</sup> Ministry of Economic Affairs of Taiwan, "Progress in launching and signing of FTAs between Taiwan and its primary trading partners", Strategy paper, 7 January 2013.

<sup>91</sup> *Ibid.*

<sup>92</sup> *Ibid.*, p. 6.

<sup>93</sup> This reliance on purely economic and trade-related arguments goes beyond official discourse, as personal interviews at the TRO and the EEAS confirmed.

<sup>94</sup> Armanovica, *op.cit.*, pp. 18-19.

<sup>95</sup> M. Okano-Heijmans, S. Wit & F. van der Putten, *Cross-Strait Relations and Trade Diplomacy in East Asia. Towards Greater EU-Taiwan Economic Cooperation?*, Clingendael Report, The Hague, Netherlands Institute of International Relations Clingendael, 2015, pp. 41-42.

<sup>96</sup> Latek, *op.cit.*, p. 1 (emphasis added).

Taiwan's relevance as an access point to China for Europe. Even an EP official sympathetic to Taiwan described its 'hub function' as far less pertinent than before,<sup>97</sup> and Commission officials even tend to be somewhat exasperated about this "Taiwanese mantra".<sup>98</sup> Such European scepticism indicates that improving cross-Strait relations and down-tuning potentially annoying demands for recognition does not automatically increase the effectiveness of Taiwanese lobbying in the commercial domain.

Taiwan's initial wish for a comprehensive FTA, similar to the EU-Korea or EU-Singapore FTAs, has been flatly rejected by all EU actors, which shows that none of Taiwan's channels of influence is strong enough to make up for its particular diplomatic predicament. Staying true to its diplomatic pragmatism, Taiwan quickly scrapped the FTA idea as unrealistic and replaced it with the more flexible notion of an ECA.<sup>99</sup> The EP's repeated support for this option demonstrated that the *EP-Taiwan Friendship Group* is still a viable channel of influence.<sup>100</sup> However, any agreement that would privilege the EU's relations with Taiwan over EU-China relations hardly enjoys any support beyond the EP, which is why the TRO has further retreated towards a more limited BIA in lockstep with the proposed EU-China Bilateral Investment Treaty:

Taiwan's initial ambition was to have a comprehensive FTA or Economic Cooperation Agreement, but the EU responded that this would be a very long process and only a Bilateral Investment Agreement might be possible [...] Taiwan therefore regards the BIA as a stepping stone to an FTA.<sup>101</sup>

But even in this regard, European diplomats continue to play for time: "We would support the idea of it, but negotiations have not been opened so far [...] this is not an issue that will be resolved very soon."<sup>102</sup> By exploring the reasons for this pointed reserve, the next section will bring out some major shortcomings of Taiwan's current depoliticised lobbying style.

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<sup>97</sup> EP official (Interview 8).

<sup>98</sup> Okano-Heijmans, Wit & van der Putten, *op.cit.*, p. 49.

<sup>99</sup> Despite being more flexible in nature than an FTA, such an agreement would still need to be comprehensive enough to comply with WTO rules for RTA.

<sup>100</sup> European Parliament, *Resolution of 9 October 2013 on EU-Taiwan trade relations (2013/2675(RSP))*, P7\_TA(2013)0412, Brussels.

<sup>101</sup> Taiwanese diplomat, political division (Interview 5).

<sup>102</sup> EEAS official (Interview 3).



### *The hidden geopolitics behind the EU's economic façade*

Apart from the general fact that commercial policy is the main source of Commission power in foreign relations,<sup>103</sup> focussing on bilateral trade in relations with Taiwan has had other obvious advantages for the European side: first, the main EU interests *vis-à-vis* Taiwan concern technical barriers to trade and other commercial issues, including the European wish that Taiwan “eliminate overregulation”, “comply with WTO commitments” and “accelerate the development of the service industry”.<sup>104</sup> More broadly, the EU's self-perceived interests in East Asia are of a mainly economic nature, which is why European actors cautiously refrain from touching upon any sensitive geopolitical issues. Under these circumstances, bilateral trade has been a practical tool for maintaining relatively close relations with Taiwan without the requirement of formal diplomatic ties.

However, separating international commerce and geopolitics has always been tricky in reality. Due to what has been dubbed the “new bilateralism”<sup>105</sup> or plurilateralism in global trade policy, this artificial separation is now rapidly becoming even more fragile. The multilateral framework of the General Agreement on Tariffs and Trade (GATT), and even more so the binding dispute settlement mechanisms of the WTO, have made it possible to depoliticise bilateral trade relations between members to a significant extent. Nevertheless, hopes that negotiations about further trade concessions and new rules of international commerce may equally be conducted primarily in a consensus-based multilateral framework have been dampened by the failures of the Doha Round.

Despite the PRC's shrewd use of competitive liberalisation to further isolate Taiwan and eventually make cross-Strait integration the only viable option, there is no compelling reason why Taiwan, as a full member of the WTO, should not be equally entitled to conclude RTAs under WTO law. Economic reasons for its failure to do so – beyond two FTAs with Singapore and New Zealand – can be ruled out as Taiwan's standards for investment protection or government procurement are far more advanced than in many competing economies.<sup>106</sup> By refusing to even open

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<sup>103</sup> Keukeleire & Delreux, *op.cit.*, p. 73.

<sup>104</sup> F. Laursen, “The Politics and Economics of EU-China/Taiwan Relations. A European Perspective”, Dalhousie University, *EUCE Occasional Paper*, no. 1, 2006, p. 22.

<sup>105</sup> J. Ravenhill, “The new bilateralism in the Asia Pacific”, *Third World Quarterly*, vol. 24, no. 2, 2003, pp. 299-317.

<sup>106</sup> Erixon, Krol & Macyra, *op.cit.*, p. 5.

negotiations, other WTO members, including the EU, thus clearly display obedience to Chinese pressure that goes beyond the requirements of the One-China policy.

As for the EU institutions, another far more mundane yet potentially even more important impediment than the fear of Chinese reprisals may be different priority setting, particularly in light of the all-engulfing Transatlantic Trade and Investment Partnership (TTIP).<sup>107</sup> This holds true for the Commission as well as the EP's International Trade (INTA) Committee, where "Taiwan is not often mentioned now [... and] priorities lie elsewhere".<sup>108</sup> The TTIP, however, is also a good example of how important domestic constituencies have become in international trade negotiations. Whereas civil society activism regarding TTIP is generally rather hostile, transatlantic business lobbies are playing a major and decisive role in pushing for a far-reaching EU-US FTA.<sup>109</sup> In contrast, the pro-Taiwan business lobby in Europe is simply too weak and the Taiwanese seem unable to strengthen this channel of influence which would be vital in convincing the Commission of the merits of a trade agreement with Taiwan.

Taiwan's lack of lobbying success despite some convincing economic arguments shows that the KMT's strategy of 'economistic pragmatism' may have fallen into the trap of taking the Commission's technical discourse on trade agreements too seriously, thereby neglecting other, unarticulated constraints. Rawnsley has recently argued that by relying purely on benign themes such as culture and mutual economic benefit, Taiwan is giving up the 'soft power' potential of "more appealing but also more incendiary themes such as democracy".<sup>110</sup> While defending Taiwan's democracy may never have been an important concern for the Commission, it definitely was for the EP in the early 2000s. But even in this regard, normative issues play a minor role today: "Today, democracy [...] values [...] are not seen as an important argument for intensifying trade."<sup>111</sup> The weakness of external pressure on the Commission to treat Taiwan at least as favourably as other, less democratic countries with similar expected liberalisation benefits in its global RTA strategy now turns out to be a massive problem for Taiwan and confirms that even

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<sup>107</sup> EP official (Interview 8); Parliamentary assistant INTA Committee (Interview 4).

<sup>108</sup> Parliamentary assistant INTA Committee (Interview 4).

<sup>109</sup> A. Dür & L. Lechner, "Business Interests and the Transatlantic Trade and Investment Partnership", in J. Morin *et al.* (eds.), *The Politics of Transatlantic Trade Negotiations: TTIP in a Globalized World*, Farnham, Ashgate, 2014, pp. 69-80.

<sup>110</sup> Rawnsley, *op.cit.*, p. 165.

<sup>111</sup> EP official (Interview 8).

within the supposedly expertise-based EU bureaucracy, trade relations cannot be separated from political considerations.

*The 'China factor' and the potential for a different EU Taiwan policy*

Given that a stand-alone EU Taiwan policy without consideration for China is unthinkable, actors from both the European and Taiwanese side will have to reflect upon the chances of obtaining China's consent to a potential upgrade of EU-Taiwan trade relations. As EU-China relations have been intensified and institutionalised over the last decade, it might be expected that the Chinese attitude would also become more lenient in this regard. However, the opposite is true, judging by the most recent Chinese policy paper on the EU, where Beijing recalls that the "Taiwan question concerns China's core interests" and unambiguously formulates its requests:

- Exchanges between the EU and its member states and Taiwan should be strictly limited to nonofficial and people-to-people activities. Political figures of Taiwan *should not* be allowed to visit the EU or its member states *under any pretext*, and the EU and its member states *should refrain* from having any form of official exchanges or signing any official agreements with the Taiwan authorities.
- China asks the EU and its member states not to support Taiwan's accession to any international organization whose membership requires statehood.<sup>112</sup>

Apart from the very harsh, commanding tone of this paragraph, which stands in stark contrast to policy paper's honeyed win-win rhetoric, the 'prohibition' of any official agreement with Taiwan is particularly surprising in light of China's seemingly complaisant acceptance of Taiwan's FTAs with New Zealand and Singapore.<sup>113</sup>

Why has China hardened its stance towards the EU, despite the significant improvement of cross-Strait relations compared to 2003? For one, the relative lenience in other cases may be explained by the fact that both New Zealand and Singapore already had concluded previous FTAs with China, so that Taiwan did not get any preferential treatment in comparison. The EU may also be seen as symbolically more important, especially after its visa waiver agreement with Taiwan

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<sup>112</sup> Ministry of Foreign Affairs of the PRC, "China's Policy Paper on the EU: Deepen the China-EU Comprehensive Strategic Partnership for Mutual Benefit and Win-win Cooperation", 2 April 2014 (emphasis added).

<sup>113</sup> "Commenting on the Taiwan-Singapore pact, a Chinese Foreign Ministry spokesman said Beijing had 'no questions on foreign countries undertaking economic, trade and cultural relations with Taiwan'." (A. Fensom, "Taiwan-Singapore FTA", *The Diplomat*, 8 November 2013).

provoked a remarkable domino effect across the globe.<sup>114</sup> But the Chinese side also appears to have understood that the EU's normative foreign policy can be effectively curtailed by a tough and menacing stance combined with carrots and sticks for individual member states, as the successful strategy against official visits of the Dalai Lama to Europe has equally shown.

EU support for Taiwan as a 'like-minded' democracy – although in accordance with the EU's value-based foreign policy approach – would undoubtedly be interpreted by the PRC in terms of an 'offensive normative approach', similar to public human rights criticism or interference with the Tibet or Xinjiang questions. This kind of normative approach, however, has lost any effectiveness *vis-à-vis* China due to the "loss of moral high ground, conflicting EU interests and lack of leverage".<sup>115</sup> However, if the EU does not want to drop its value-based foreign policy in East Asia altogether, alternatives need to be found. A "defensive normative approach",<sup>116</sup> as advocated by Mattlin, would mean that while Europeans refrain from imposing their version of liberal democracy on China,

[...] neither can China decree, for example, who European leaders meet on their home turf or how we should organize our internal affairs. [Such a] more realising normative policy would be far more understandable to Beijing.<sup>117</sup>

As regards the Taiwan question, such an approach might include not only formalised preferential trade relations within the WTO framework, but also more openly assumed contacts with Taiwan's government and opposition. While Beijing would probably not take kindly to such an EU approach either, it is clear that possible diplomatic pressure or even the threat of sanctions is far more difficult for China as long as such initiatives remain limited to the EU level with only tacit support from the member states. In return, closer economic relations with Taiwan might even represent an additional bargaining chip in the EU's hands when negotiating future commercial agreements with China.

Thus, Taiwan's only hope for improving its standing in Europe rests upon decisions at the EU level. A further Europeanisation of foreign policy in general might therefore play out in Taiwan's favour, in particular insofar as it implies an increased role for the

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<sup>114</sup> Su, *op.cit.*, p. 110.

<sup>115</sup> Mattlin, *op.cit.*, p. 9.

<sup>116</sup> *Ibid.*

<sup>117</sup> *Ibid.*, p. 21.

Taiwan-friendly EP. Whereas Taiwanese diplomats themselves do not see the Lisbon Treaty as having brought about any significant changes,<sup>118</sup> the EP's role has in reality been substantially upgraded through the expansion of its co-decision power to the conclusion of international agreements. In this sense, the EP could theoretically even make the conclusion of an EU-China BIT conditional upon a similar or more far-reaching agreement with Taiwan. For now, however, the Taiwanese diplomatic apparatus does not seem to have grasped the full potential of these new powers of its closest ally in Europe.

## Conclusions

By combining the empirical scrutiny of Taiwan's channels of influence in Brussels with a theoretical analysis of the EU's foreign and commercial policy in East Asia, this paper has shown that the Kuomintang administration's pragmatic 'workable diplomacy' approach, while smoothing out working-level relations between Taiwan and the EU, fails to attract a sufficient degree of political and public attention in Europe to the Taiwan question. Increasing the salience of the Taiwan issue in European foreign policy, however, would be all the more crucial today in light of the overwhelming economic importance of mainland China.

At first sight, the larger picture of Taiwan's channels of influence in Europe has not radically changed following the handover of power in 2008. Without any doubt, the KMT's pursuit of better cross-Strait relations is warmly welcomed by most European policy-makers, who see them as a precondition for closer ties with Taiwan.<sup>119</sup> However, better relations with China have not unambiguously helped the Taiwanese government to improve its standing abroad.<sup>120</sup> Beijing's diplomatic pressure has not softened and European policy-makers have so far shown no willingness to reward Taiwan's accommodating spirit with a substantial upgrade of bilateral relations.

Despite the professionalism and activeness with which Taiwanese diplomats manage to maintain various functional channels of influence in Brussels, Taiwan's relations with the EU remain precarious in many regards. The Council, the European Commission and the EEAS strictly avoid any potential infringement of the One-China

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<sup>118</sup> Taiwanese diplomat, EP division (Interview 6).

<sup>119</sup> EEAS official (Interview 3); EIAS Taiwan expert (Interview 1).

<sup>120</sup> Rawnsley, *op.cit.*, p. 161.

policy. The EP can still be accurately described as Taiwan's strongest channel of influence in Europe, despite the *EP-Taiwan Friendship Group* being less active today than ten years ago. An examination of both national governments' official stances and negotiating positions in Brussels equally suggests relative continuity, apart from the tendency of crisis-stricken European countries to become even more susceptible to China's political requests.<sup>121</sup>

Regarding a potential EU-Taiwan trade agreement, the constraints imposed on EU-Taiwan relations by the 'China factor', important as they may be, do not *per se* preclude an upgrade of Taiwan's partnership with the EU. However, despite very active Taiwanese lobbying of all relevant actors in Brussels, the Commission and the EEAS remain hesitant to take any initiative in this regard. Interestingly enough, this passivity cannot simply be attributed to daunting threats from Beijing, but is explained, even from within the Parliament, by *other priorities* for DG Trade – notably the TTIP. The challenge for Taiwan, thus, is not simply one of convincing through technical arguments or of competing with Chinese lobbying, but one of agenda setting, that is, redefining European priorities in Taiwan's favour. In this regard, however, the complete lack of public attention to Taiwan's political predicament caused by the proliferation of RTAs in its environs is disastrous. It reveals the shortcomings of the accommodating and low-key 'workable diplomacy' strategy that currently characterises Taipei's foreign policy and lobbying in Europe. In this sense, the DPP's provocative lobbying style may have been difficult to deal with for European policy-makers and certainly destroyed a lot of political capital even among Taiwan's closest friends in the EP, but it did manage to keep the Taiwan question on the European foreign policy radar. Ironically, the conciliatory 'workable diplomacy', while being welcomed by European foreign policy-makers, has reduced Taiwan's leverage in other ways, notably by giving the – highly questionable – impression that the Taiwan Strait is no longer a dangerous flashpoint<sup>122</sup> to worry about.

This dilemma also highlights the often under-estimated relevance of extra-institutional lobbying channels. In fact, both the simmering attention given to Taiwanese politics by the European media and the lack of any solid civil society

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<sup>121</sup> See J. Fox & F. Godement, *A Power Audit of EU-China Relations*, London, ECFR, 2009, pp. 19-31.

<sup>122</sup> Pilling, *op. cit.*

network which might help to articulate and advocate Taiwan's interests in Europe are important limitations to the success of Taiwanese lobbying, all the more as its particular diplomatic quagmire makes these alternative diplomacy tracks more crucial for Taiwan than for any other sovereign nation. The positive attitudes of several European think tanks towards an EU-Taiwan FTA suggest that building a more integrated and favourable epistemic community around EU-Taiwan relations is one of the more functional elements of Taiwanese 'track-two diplomacy', although Chinese competition and interference also extend more and more to the academic sphere.

Meanwhile, the KMT is confronted with the double problem of having to abstain from public advocacy of highly political issues itself, while also being unable to harness civil society support to obtain more visibility and leverage, given that civil society mobilisations in Taiwan today are predominantly directed against the KMT's core foreign policy strategy of deepening ties with China. Nonetheless, the *Sunflower Movement* is far from irrelevant for the prospects of Taiwanese representation abroad. Regarding the implications and perspectives of further cross-Strait rapprochement, Pilling noted that "Beijing's plan to lure Taiwan into its embrace risks backfiring"<sup>123</sup> because of increasingly hostile popular sentiments against the seamy side of economic integration with China. In fact, the KMT might very well be ousted in early 2016 precisely for being too conciliatory towards the PRC, despite the benefits of improved cultural ties and new economic opportunities for Taiwanese companies on the mainland. Even if the current DPP leader Tsai Ing-wen cannot be expected to return to the provocative diplomacy style of the Chen era, Taiwanese lobbying in Europe could then be expected to change, possibly making it more difficult for the EU to maintain its 'hands-off approach' to the Taiwan question and eventually forcing it to develop a distinctively European approach to cross-Strait relations – be it normative or purely interest-based.

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<sup>123</sup> *Ibid.*

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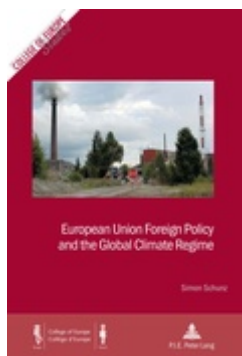
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