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## The Nation of Taiwan

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## *The Nation of Taiwan*

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### **Body**

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The U.N. General Assembly refused this year during its 48th regular session to even consider one of the most important issues of justice and equity placed before it. I am speaking of the joint request by seven member nations that Taiwan be considered for membership in the United Nations.

The General Assembly's refusal to consider this request does violence to the shared demands and expectations of the Taiwanese people, and it means the United Nations, which is supposed to represent all nations of the world, will continue to exclude a politically and economically dynamic nation with 21 million inhabitants and a \$ 210 billion GNP.

The United Nations' action -- or inaction -- perpetuates an injustice done 22 years ago, when the General Assembly seated China in place of Taiwan. In October 1971, the General Assembly adopted Resolution 2758, by which the People's Republic of China (PRC) was seated in the United Nations and "Chiang Kai-shek's representatives," under the banner of the Republic of China (ROC), were "expelled." Thus, the tables were turned: China was in and Taiwan was out.

In fact, what happened was that an old myth was replaced by a new myth. The old myth was that Chiang's Kuomintang (KMT) regime represented mainland China as well as Taiwan. The new myth was that the PRC represented Taiwan as well as China. The status of Taiwan (a colony of Japan from 1895 to 1945), which was the crux of the Chinese question in the United Nations, was not addressed at all.

China's territorial claim to Taiwan, as most recently reiterated in its "Taiwan White Paper" of Aug. 31, is as absurd as Iraq's territorial claim to Kuwait. Since its founding in October 1949, the PRC has never extended its effective control and actual jurisdiction over Taiwan for a single day, despite its militant rhetoric about Taiwan's being "an indivisible part of China."

Taiwan is Taiwan and China is China. They are two separate, sovereign states, diverging fundamentally in their political, economic and social systems. Taiwan is not an internal affair of China.

Judged by the international legal requirements of statehood, Taiwan is a sovereign, independent state in every sense of the word: It has control over its people, a defined territory and a government capable of governing effectively in internal processes and of acting responsibly in external relations. Its population is larger than those of three-quarters of the 184 U.N. member states. It is the 14th-largest trading state in the world and has been a leading holder of foreign exchange reserves for years.

Furthermore, Taiwan has undergone a profound political transformation toward democracy and human rights, along with impressive economic development. This is what the Taiwan experience is all about.

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It is time for Taiwan to be made a member of the United Nations and of other international governmental organizations. Taiwan's membership in the United Nations as Taiwan, not as a truncated China, would serve the common interests of the world community by affording the people of Taiwan human dignity, respect and participation by serving the long-term interests of China and by making the United Nations a more representative and effective world body.

Toward this end, Taiwan -- as an independent, peace-loving country -- should take the initiative to apply for admission as a new member of the United Nations in accordance with Article 4 of the U.N. Charter. Taiwan is amply qualified to be a new U.N. member, provided it discontinues the lingering KMT claim to represent mainland China, or to "reunify" China.

This straightforward approach for Taiwan's admission must not be confused with such alternative formulas as "one country, two seats" or "parallel representation for a divided nation." The simultaneous admission of the two Germanys or of the two Koreas was not an appropriate analogy.

Anything short of full U.N. membership would prolong the injustice being done to 21 million Taiwanese. A referendum of the Taiwanese people would show widespread support for U.N. membership and disdain for timid half-measures such as "observer" status or membership dependent on prior participation in secondary organizations such as the International Sugar or Tropical Timber organizations.

China has arrogantly expressed its strong objection to Taiwan's membership. But the question of Taiwan's admission is one for all member states, to be decided in accordance with the purposes, principles and procedures of the U.N. Charter. It is not a matter for China to dictate, nor is it one for private negotiation between China and Taiwan. Taiwan's membership application should stand on its own merits, not be used as a means toward the fantasy of "the ultimate reunification with China."

The people of Taiwan are doing their best in their drive for U.N. membership. They deserve the strong support of the United States and other members of the United Nations.

The writer is a professor at the New York Law School.

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