



Commentary:

President-Elect Tsai Ing-wen and the Future of Taiwan's South China Sea Policy

By Olga Daksueva and Jonathan Spangler / *Perspectives 7* / 2016

President-Elect Tsai Ing-wen's remarks during her international press conference on election night may shed some light on the future of Taiwan's South China Sea policy and how it may differ from that of her predecessor.

Over the past year, there has been some question as to whether or not an opposition party victory in the general election and formation of a new political administration in Taiwan would lead to significant changes in the government's policies towards the South China Sea. On January 16, 2016, Democratic Progressive Party (DPP) candidate Tsai Ing-wen was elected in a landslide victory as the eighth President of the Republic of China (ROC). In the elections, the DPP also gained a significant majority of seats in the Legislative Yuan for the first time in ROC history. At the international press conference on the evening of her election, one of the three questions raised by members of the international media sought an elaboration as to how the new government would approach the East China Sea and South China Sea issues.¹

In reference to the South China Sea, President-Elect Tsai emphasized five key points.

First, the administration will reaffirm its sovereignty over the South China Sea. Second, it will call upon all parties involved to abide by international law, including the United Nations Convention on the Law of the Sea (UNCLOS). Third, it will support freedom of navigation and overflight in the area. Fourth, it will oppose provocative actions that increase regional tensions. Fifth, it will continue to express its hope for a peaceful resolution to the maritime territorial disputes.

Although responses at an election night press conference should not be taken as a comprehensive policy plan for the South China Sea, several observations can be made based on her remarks. In particular, the stated policies of the upcoming Tsai administration do not mark a major departure from those under current President Ma Ying-jeou. It appears that the policies will continue to be supportive of

¹ Video of the relevant question and response, including English translations, is available at <https://youtu.be/1Ffmvi4eKA?t=29m54s>



international maritime law and peaceful dispute settlement while reasserting ROC sovereignty over the area. However, whereas much of the focus of the Ma administration's South China Sea Peace Initiative has been on shelving the disputes and pursuing joint development, it should be noted that President-Elect Tsai's remarks reiterated national sovereignty over the area, but no explicit mention was made of those two key aspects of the Ma administration's policy approach.

As for the ongoing arbitration case initiated by the Philippines against China, it is possible that some of the decisions made by the Tribunal and set to be issued in 2016 will have a direct

impact on Taiwan's sovereignty claims in the South China Sea. For the Tsai administration, choosing the extent to which it respects those decisions may become a major challenge for the new government in designing its own diplomatic and strategic approach to the South China Sea. Because of its expressed support for international law, the results of the arbitral proceedings may pressure the government to carefully consider its policies in order to find a balance between maintaining its sovereignty claims and upholding its reputation as a proponent of the rule of international law and a responsible stakeholder in the international system.

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