Doctor of Political Science

Rethinking Recognition and Non-Recognition: Taiwan’s Bilateral and Plurilateral Agreements

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Abstract:
The thesis aims to provide a clear roadmap for the theoretical evolution from G.W.F Hegel’s concept of recognition to the IR concepts of recognition and non-recognition. It enriches the IR literature by analyzing how these IR concepts have converged and diverged with international law concepts and policy implementation. IR academics recognized the desirable “missing link” between IR and international law literature that has deterred both discipline from cross-fertilization.

The research focuses on the issue of Taiwan as a case study and examines why and how Taiwan has concluded trade and investment agreements with foreign states in the absence of recognition. Engaging Taiwan in light of the one-China policy that recognizes the People’s Republic of China is one of the most longstanding and intricate political and legal challenges to most states and international organizations. The models that Taiwan and other states have developed for bilateral relations and agreements in the past half-century are critical to other unrecognized entities but have yet to be systematically examined. Given the complexity of surrounding political and legal considerations, the added value of the research also lies in the findings derived from the intersections between IR and international law.

In particular, the thesis explores Taiwan’s economic agreements with China, Singapore, the Association of Southeast Asian Nations and the European Union, respectively. In particular, the articles seek to understand the political considerations and legal mechanisms that contributed to finalizing the agreements and how these agreements could in turn enhance the gradual forms of recognition in IR in line with a policy of non-recognition. Although these forms of recognition do not amount to recognition of statehood in international law, they create legally binging effects and facilitate mutual cooperation. Collectively, the articles address the following research questions: 1) what are the concepts of recognition and non-recognition in IR and international law and how do they converge and diverge in theory and state practice that concern the Taiwan issue? 2) in light of a policy of non-recognition, how and why have China and other states developed legitimate mechanisms that “normalize” trade relations with Taiwan by signing various forms of economic agreements? 3) how have these agreements fortified the IR concept of recognition and, moreover, create legal recognition in domestic and international laws?