

LEGAL STATUS OF TAIWAN IN THE WORLD

HEALTH ORGANIZATION

Bin Li*

From 1997 to 2007, in order to fight for its so-called “international room”, Taiwan continuously endeavored to try and squeeze into the World Health Organization (Hereinafter referred to as the “WHO”). However, the outcome has always been disappointing for Taiwan due to the diplomatic endeavor of the People’s Republic of China. In 2007, the fight especially attracted the world’s attention because Taiwan bid for membership to the WHO instead of observer status for which it had previously been bidding. In fact, Taiwan’s request for WHO membership had a big impression on the world and the reason why Taiwan has had a great interest in the WHO is not to engage in meaningful participation within the WHO, as propagandized by Taiwanese authorities, but to eventually acquire recognition as an independent state.¹ Although Taiwan has failed to achieve its goals for 11 years, accession to membership of the WHO has been, and still will be, a political goal pursued by Taiwanese authorities. The question is whether this goal can be backed from a legal perspective. It is submitted that the answer is “No.”

* Lecturer of international law at Beihang University School of Law in Beijing. LL.B. (Ocean University of China), LL.M. and Ph.D. (Renmin University). Email: ruelb@126.com. This paper reflects the views of the author alone.

¹ On May 14, 2007, the Sixtieth World Health Assembly refused to list the proposal raised by several states on its agenda that Taiwan be a member of the WHO. Chinese Chief Delegate and Health Minister of China, Mr. Gao Qiang, pointed out in his presentation to the assembly that Taiwanese authorities instigated a few countries to put forward such a proposal, not for the health of the people in Taiwan, but for its own political goals. This proposal explicitly raised that Taiwan shall be a member of WHO as a state, which completely was against the “One-China Principle”, the United Nations Charter and the WHO Constitution. See <http://paper.people.com.cn/rmrb/html/2007-05/15/node_15.htm>. (last visited on Feb. 21, 2008)