



**The Future  
Reimagined**



**GREYFRIARS APRIL 2023, MONT ROUGE, WESTERN CAPE**

# IS TAIWAN THE NEXT UKRAINE?

Greyfriars April 2023, Mont Rouge, Western Cape



# A. INTRODUCTION: THE USE OF FORCE FRAMEWORK

1. Treaty for the Renunciation of War 1928 (Kellogg/Briand Pact)
2. UN Charter art 2(3) and (4); art 51 and the right of self-defence.
3. UNGA res 2625 (XXV)(1970); UNGA res 3314 (XXIX)(1974).
4. Rome Statute of the ICC, art 8*bis* (crime of aggression): The invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof;



## B. RUSSIA'S 'SPECIAL MILITARY OPERATION'

1. UNSC meeting of 23 Feb 2022.
2. The flexibility of Russia's opportunistic objectives.
3. Russia's self-defence justification and the UN Charter threshold of art 51: "if an armed attack occurs".
4. UNGA res ES-11/1 (2 March 2022).



## C. US – TAIWAN RELATIONS

1. US Dept of Defence Report 2021.
2. US -Taiwan Policy Act 2022.
3. Nancy Pelosi visit to Taipei Aug 2022
4. President of Taiwan visit to US House Speaker Kevin McCarthy.
5. Other Defence alliances (UK, US, Aus).



## D. THE UKRAINE LESSON

1. Supply of weapons = direct participation in hostilities?
2. The ICJ Ruling in the Nicaragua case 1986.
3. The solidarity response to Putin's war of aggression.
4. Putin's nuclear threat: Hein Goemans's assessment.
5. From *Blitzkrieg* to prolongation of armed hostilities.



## E. CHINA AND TAIWAN

1. The broader context: China's two strategies: (1) rejuvenating the nation; and (2) modernizing the military (the party's army).
2. Objective: to play a more forceful role in international relations (with the help of the army).
3. Where does Taiwan fit in?
4. Reintegration with or without force?

