

CHAPTER SEVEN

SUGGESTIONS AND CONCLUSION

International environmental concern is absolutely the consequence of the interaction between politics, economic and social development. This concern then influences the development of international environment law, which indirectly constrains and affects related domestic activities, such as the UNFCCC to Taiwan. However, unique domestic political and economic situations can also be another main factor influencing the domestic environmental policy.

Taiwan's economic development in the post-World War II era has been achieved at the cost of environmental degradation. Taiwan adopted nationalism as the national development strategy to achieve industrialization during the authoritarianism period (1950-1987). The "Economic development priority" mandate was used to serve the national development strategy during this period. Under the mandate, environmental degradation was the inevitable outcome of the process of industrialization and the income increases that followed economic development. In the authoritarian state, decisions about how to address environmental problems depended entirely on the regime's elites. Because of the importance of industrial development goal under the nationalism, bureaucrats at decision-making levels were reluctant to restrain industrial development by implementing strict environmental protection policies despite being aware of those great number of heavily-polluting industries that were created under the mandate.

In the Political liberalization period (1987-2000), while nationalism still dominated national development, the new climate of political liberalization meant that government policy-making began to be influenced by social and economic interest groups. As Taiwan transferred to a plural democratic system, civil society gradually gained the impetus to take part in social issues related to sustainable development. Thus environmental consciousness was increased following the democratization process. With the establishment of the EPA in 1987, a gradually increasing budget for environment protection, the promulgation of more comprehensive pollution control laws and regulations, and the adoption of more precautionary measures such as mandatory environmental impact assessments, the nationalist authorities

began to take environmental affairs more seriously. Citizen demands for environmental protection and involvement in the decision-making process began to be voiced and implemented in central and local governments. As sustainable development becomes a global trend to **reconcile** the conflicts between environmental protection and long-term economic growth, political liberalization in Taiwan has created a better institutional environment for the construction of sound institutions for public and private sectors in sustainable decision-making so as it can balance the needs of both development and the environment for national future development.

During the DPP ruling period (2000-2007), the DPP planned to bring green perspective into the national policy-making process to achieve national sustainable development. However, there were still some weak parts in their environmental protection performance. Although some environmentalists entered into the policy-making system after the DPP came into power, such as the NCSD and the Nuclear Power Free Homeland Promotion Committee, they could not function well in the environmental-friendly policy-making process. This was due to the following reasons: First, the environmental sector was still less powerful than the economic sectors in the government policy-making process. Second, the anti-capitalist record made the DPP indecisive about whether their policies should focus on environmental protection or economic development. And with the additional factor of the global economic recession, the DPP was forced to lean toward a pro-economic development policy to attract capital investment.

Since the 1980s, Taiwan's national development policy has vacillated between economic growth and environmental protection. Taiwan lacks the determination to thoroughly implement the "environment first" or at least "sustainable development" principles in national development policy. If every political party put Taiwan's environment first and abandoned their vote-maximizing thinking, then it would not matter which party comes into power. Previous mechanisms, such as the Constitution, regulations and Taiwan Agenda 21, could integrate different interests and set Taiwan on the path of sustainable development.

The lack of direct connections with international environmental organizations has also prevented Taiwan from aligning their development with these international environmental regimes. Taiwan has been unable to send any official representatives to participate in UN-related environmental conferences since 1971. For example, Taiwan only could

participate in the UNFCCC Conferences of the Parties (COPs) as an NGO.

This research uses Taiwan's practice of the UNFCCC as a case study to explain the political economy behind policy implementation. The results reveal that there are still many things needed to do to properly address the global warming issue in Taiwan.

7.1 Suggestions

7.1.1 The Institutional Framework

Although a trans-agencies organization –the NCSO- has been established under the Executive Yuan to coordinate related policies of different agencies, this institution setting for Taiwan's global warming policies still has the following limitations which need reviewing:

- (1) The NCSO is still a mission council, not a legal organization under the Executive Yuan. Without legal duties, budget, and manpower, all its resources are from the EPA, not the Executive Yuan. This status restrains policy coordination and integration ability.
- (2) Ambiguous function in the policy-making process. The NCSO acts only as an advisory body, because its major resolutions need approval of the Executive Yuan and other resolutions must be passed to related agencies for implementation.
- (3) The bureaucratic network is fragmented and lacks of integration. Many GHG emission issues and policies are under the jurisdiction of other governmental agencies. There is no powerful overseeing agency to integrate related policies and resources in order to provide useful information to policy-makers.
- (4) Some government agencies have yet to internalize all global environment issues into their organization mission.

This research seeks possible solution for long-term problems such as weak policy coordination in institution aspects. The Ministry of the Environment and Resources (MOER) does not have authority over energy affairs. A new legal organization under the Executive Yuan would be an effective arrangement, but it will be hard to establish a new organization in the present political situation. A platform has been proposed to coordinate different authorities among related ministries and agencies, but this will also have the same problems as the NCSO. As for the EAP, its coordination ability still needs to be improved. The CEPD (reorganized as the Council for Sustainable Development) could be reformed to eliminate

institutional framework weakness and compromise a long-term unbalanced policy emphasis between economic growth and sustainable development in central government to coordinate and implement global warming policies.

7.1.2 Legal framework

Although some regulations related GHG emission reduction were already sent to the Legislative Yuan to be reviewed, in fact, the government has yet to carry out an overwhelming legal evaluation in all aspects to address the climate change issues. Some necessary amendments or adjustments in responding to the climate change regime have not been fully carried out. For example, Strategies related to reduction of GHG emissions in different Sectors such as energy, industry, transportation as well as residential and business sectors have not be discussed to convert those strategies into relevant regulations. For effective and efficient providing sound legal instruments to implement GHG reduction policy, the Executive Yuan can adopt the ‘packaging legislation’ strategy to ensure that all the related regulations can take effect at the same time to prevent polices discordance. Besides, it also can urge all the responsible agencies to review their own regulations as soon as possible.

7.1.3 Policy analysis

From the nationalist government to the DPP government, the national development policy set by the ruling party seems to focus more on good economic performance and less on environmental protection. Although the Basic Environment Act in 2002 declared that environment protection shall have priority when economic, technological or social development has a seriously negative impact on the environment or when there is concern of endangering the environment, these principles have not been serious considered in the national development policy-making process. For example, the 1998 and 2004 National Energy Meetings, and the 2006 National Meeting for Sustainable Development Affairs all outlined the necessity of addressing climate change issues, but there was no GHG mitigation strategy consideration in the recently national economic policy ‘Big Investment, Big Warmth’. A reason may be that there are no superior global warming guiding principles to direct national wide implementation and related policy coordination. Article five of the draft of the GHG reduction Act already prescribes that the Executive Yuan has to convene related central

agencies, experts and scholars to draw up guidelines about labor division, policy integration and promotion among central government. However the guidelines should be made immediately and need not wait until the Act is passed. Furthermore, there are already many mitigation strategies in different government agencies according to the conclusions of the 2005 National Energy Meeting, so what is lacking are superior guidelines showing the direction for the whole country.

The GHG reduction target is another highly controversial issue in international and domestic negotiation processes. One main reason that Taiwan has been unable to set its target until now is that there are still different opinions between economic and environment agencies in the central government. According to interviews conducted as part of this research, the attitude of the ruling party, uncertain cost of possible economic impacts, and different interest conflicts (including opposition from the industrial sector) have also prevented Taiwan from setting reduction targets and timetable. Although there might be some disagreements over the content of the GHG reduction targets and timetable among those central government interviewees, they all agree that Taiwan should set them. Two disputes still need to be clarified before setting the target and timetable. Should the targets and timetable be prescribed in law or should government agencies be authorized to make decision? And how can targets and a timetable be set to reconcile different interest conflicts.

For the first issue, all government officers interviewed agreed that targets and timetable should be authorized by government agency making decision. However, a compromise would be more flexible for the government and more convincing to the people. The government could set up a big, rough target and timetable in law to show their determination to implement GHG reduction, with detailed implementation plans requiring more adaptability left for government agencies to map out. Thus the latter issue could be solved by legislative process in the Legislative Yuan.

7.2 Conclusion

Timely political and economic reforms must be coupled with environmental consciousness to provide the necessary foundation for a nation's long-term sustainability. The development pattern in Taiwan proves this process, although Taiwan is still working hard on finding the way toward sustainable development.

Isolated from international society since 1971, Taiwan has only maintained connections with global society through international trade. Concerned about trade sanctions or other unfavorable measures, in the 1990s, Taiwan began to pay attention to the development of international environmental regimes. In addition, the government of Taiwan decided to voluntarily abide by some international environmental laws in order to show their willingness to share the obligations about global environmental protection and decrease any possible economic impact. Although the domestic related implementations of the UNFCCC and Kyoto Protocol still have room for improvement, as a non-Party of the UNFCCC, Taiwan's effort towards implementing institutional frameworks, legal frameworks and policy over the past ten years shows their determination to become a responsible member of the global village. The plank and platform of the new ruling party (the KMT won the twelfth presidential election on 22 March and newly elected President Ma and Vice president Shiao were inaugurated on 20 May) shows that the new government has a clear plan to implement GHG reduction policies including setting up the emission targets and a timetable, introducing an energy tax, establishing a CO₂ reduction fund, and other related measures. Furthermore, in his inaugural address President Ma has also declared that Taiwan will fulfill their obligations as an international citizen to prevent global warming according to the UNFCCC. After all, political and economic factors play influential role in the development of environment policy. Taiwan's future practice on the global warming issue still depends on the determination and executive ability of the new ruling party.