

UGRD_YPHSL_2620_COR-LAW2653_PASHA HSIEH



Singapore Management University

COURSE INFORMATION

Course Code & Title

COR-LAW2653 - ASEAN–Taiwan Law and
Relations

Effective Start Date

11/01/2027

Offering Unit / Department / School

YPHSL

Course Career

Undergraduate

Course Units

Grading Basis

PNP - Pass/Fail

CU:

1

Course Description

This course will explore the legal system of Taiwan, officially known as the Republic of China (ROC), as well as its external relations with key trading partners such as ASEAN countries. Taiwan was ceded to Japan by the Qing Dynasty under the Treaty of Shimonoseki in 1895. The ROC was established in 1912 following the overthrow of the Qing Dynasty. According to the Cairo Declaration, the ROC resumed control of Taiwan after the Second World War. In 1949, following its defeat in the civil war by the Chinese Communist Party, which established the People's Republic of China (PRC), the ROC government relocated to Taipei. In 1971, United Nations General Assembly Resolution 2758 transferred China's seat from the ROC to the PRC, contributing to Taiwan's unique status under international law. Taiwan's legal system is based on the ROC Constitution promulgated in 1947. The ROC implemented the Chinese legal system in Taiwan, which had been influenced by Japan during its administration. Germany and

the United States have also significantly influenced Taiwan's legal development, particularly in constitutional, civil and commercial law. The Legislative Yuan (Parliament) is Taiwan's unicameral legislature. The Constitutional Court of the Judicial Yuan holds the power to interpret the Constitution. The Executive Yuan serves as the executive branch, with the Premier appointed by the President, who is elected every four years by universal suffrage. Today, Taiwan ranks among the largest Asian economies and operates as a vibrant democracy under a two-party system. In this SMU-X course, students will examine various aspects of Taiwanese law and explore Taiwan's legal relationships with China, the EU, Singapore and the United States. They will gain practical experience by working with lawyers and legal counsel to address real-world legal challenges. Please note: Supported by the Taiwan Studies Project Grant from the ROC Ministry of Education, this course does not include an overseas trip and does not fulfil SMU's global exposure requirement. However, students will interact and engage in projects with legal and policy experts specialising in EU-ASEAN law and relations. The course will also incorporate SMU's blended learning approach, which may include some online sessions.

Course Learning Outcomes

At the end of this course, students will be able to:

1. Understand Taiwan and civil law jurisdictions
2. Solve real-world legal issues through a student consultancy project
3. Incorporate active mentoring by faculty and project sponsors

SMU Graduate Learning Outcomes

Disciplinary knowledge, Multidisciplinary knowledge, Intercultural understanding and sensitivity

Competencies

Conflict Resolution, Regulatory and Legal Advisory, Regulatory Compliance

Course Area(s)

AREA - Asia Studies (Intake 2019 to 2023), AREA - Global Asia Electives, AREA - Law Electives, AREA - Legal Studies Electives, ENRL - SS Enrolment: 4 ISEP; 1 SUSEP, AREA - Communities - Cultures of the Modern World

CLASS SECTION INFORMATION

Instructor(s)

PASHA L. HSIEH HSIEH (pashahsieh@smu.edu.sg)

Instruction Mode

In Person

Assessment Components (New)

Category*		Weightage*				
Class Participation and Activities		15				
Description	Individual Group?*	or	With Component?*	Writing	With Component?*	Oral
Class Participation	Individual		No		Yes	

Category*		Weightage*		Assessment/Submission Period*		
Proctored Assessments		20		Week 9		
Description	Individual Group?*	or	With Component?*	Writing	With Component?*	Oral
Mid-term Examination	Individual		Yes		No	

Category*		Weightage*		Assessment/Submission Period*		
Projects/Assignments		15		Week 12		

Description Group Client Presentation	Individual Group?* Group	or	With Component?* Yes	Writing	With Component?* Yes	Oral
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Category* Projects/Assignments	Weightage* 50	Assessment/Submission Period* Week 16				
Description Final Project Report	Individual Group?* Group	or	With Component?* Yes	Writing	With Component?* No	Oral

Instructional Methods and Expectations

This course offers an international experiential learning opportunity that allows students to translate classroom knowledge and theory into practical solutions for various institutions. Through the project, students will learn how to solve business problems with guidance from the faculty and project sponsor mentors. The project will focus on evaluating legal problems in different areas of law and recommending/applying solutions to these problems.

Weekly Lesson Plan

Week	Topic	Readings (if any)
1	History of Taiwan	
2	The Legal System of the ROC	
3	The Constitutional Framework and Human Rights Protection	
4	Administrative, Civil, and Criminal Law Systems	
5	Administrative, Civil, and Criminal Law Systems	

6	Cross-Straits Relations and Agreements	
7	International Law Issues	
8	Recess week	
9	Mid-Term Exam	
10	Taiwan-ASEAN relations and beyond	
11	Discussions with Mentors	
12	Group Presentations	
13	Group Presentations	
14	Revision Week	

Note: The above syllabus/schedule is meant only as a guide and is subject to amendment.

Recommended Textbooks and Readings

Principal Texts:

1. Chang-Fa Lo, *The Legal Culture and System of Taiwan* (Kluwer Law International 2006), placed on course reserve in the Law Library [**Lo**]
2. Tay-sheng Wang & I-Hsun Sandy Chou, *The Emergence of Modern Constitutional Culture in Taiwan*, 5:1 National Taiwan University Law Review 1 (2010) (e-learn) [**Wang**]
3. Björn Ahl, [Taiwan](#), Oxford Public International Law (2020) [**Ahl**]
4. Pasha L. Hsieh, [An Unrecognized State in Foreign and International Courts: The Case of the Republic of China on Taiwan](#), 28 Michigan Journal of International Law 765 (2007) [**Hsieh 1**]
5. Pasha L. Hsieh, [The China-Taiwan ECFA, Geopolitical Dimensions and WTO Law](#), 14:1 Journal of International Economic Law 121 (2011) [**Hsieh 2**]

6. Pasha L. Hsieh, *The Quest for Recognition: Taiwan's Military and Trade Agreements with Singapore under the One-China Policy*, 19 International Relations of the Asia-Pacific 89 (2019) [Hsieh 3]
7. Pasha L. Hsieh, *Rethinking Non-Recognition: The EU's Investment Agreement with Taiwan under the One-China Policy*, 33 Leiden Journal of International Law 689 (2020) [Hsieh 4]
8. Pasha L. Hsieh, *Beyond Non-Recognition: US-Taiwan Trade Agreements in Indo-Pacific Dynamics*, 47:1 University of Pennsylvania Journal of International Law 1 (2025) [Hsieh 5]

Useful Sources:

1. Taipei Times, <http://www.taipeitimes.com/>
2. ROC Constitution, <https://english.president.gov.tw/Page/93>
3. Republic of China (Taiwan) Legal Research, Harvard Law School, <https://guides.library.harvard.edu/law/Taiwan>&<https://guides.library.harvard.edu/c.php?g=368710&p=2491432>
4. Taiwan Legal Research Guide, New York University Law School, <https://www.nyulawglobal.org/globalex/taiwan.html>

Students are not expected to purchase these texts. The instructor has arranged for them to be placed on course reserve. Additional readings may be assigned as necessary. Students are expected to keep abreast of current developments reported in major newspapers and periodicals.

UNIVERSITY POLICIES

Academic Integrity

All acts of academic dishonesty (including, but not limited to, plagiarism, cheating, fabrication, facilitation of acts of academic dishonesty by others, unauthorized possession of exam questions, or tampering with the academic work of other students) are serious offences.

All work (whether oral or written) submitted for purposes of assessment must be the student's own work. Penalties for violation of the policy range from zero marks for the component assessment to expulsion, depending on the nature of the offence.

When in doubt, students should consult the instructors of the course. Details on the SMU Code of Academic Integrity may be accessed at <https://smu.sharepoint.com/sites/oasis/SitePages/DOS-WKLSWC/UCSC.aspx>.

Responsible Use of AI

The University recognises the importance of equipping students with the skills to navigate an AI-driven world. While AI tools may support learning, they must be used judiciously and responsibly. Students must not present AI-generated output as their own work.

Each course may set specific guidelines on the use of AI in assessments. Students are required to follow these guidelines carefully and should seek clarification from the instructors if uncertain.

Misuse of AI constitutes a breach of academic integrity and will be subject to the same penalties as other acts of academic dishonesty.

Copyright Notice

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Accessibility

SMU strives to make learning experiences accessible for all. Students who anticipate or experience physical or academic barriers due to disability are encouraged to inform the course instructor as soon as possible. Students may also contact the university's disability services team if they have questions or concerns about academic provisions:

accessibility@smu.edu.sg. Please be aware that the accessible tables in our seminar room should remain available for students who require them.

Digital Readiness for Teaching and Learning (DRTL)

As part of emergency preparedness, instructors may conduct lessons online via the Zoom platform during the term, to prepare students for online learning. During an actual emergency, students will be notified to access the Zoom platform for their online lessons. The class schedule will mirror the current face-to-face class timetable unless otherwise stated.