

112TH CONGRESS
1ST SESSION

S. RES. 217

Calling for a peaceful and multilateral resolution to maritime territorial disputes in Southeast Asia.

IN THE SENATE OF THE UNITED STATES

JUNE 27, 2011

Mr. WEBB (for himself, Mr. INHOFE, Mr. LIEBERMAN, and Mr. INOUE)
submitted the following resolution; which was considered and agreed to

RESOLUTION

Calling for a peaceful and multilateral resolution to maritime territorial disputes in Southeast Asia.

Whereas, on June 9, 2011, 3 vessels from China, including 1 fishing vessel and 2 maritime security vessels, ran into and disabled the cables of an exploration ship from Vietnam, the VIKING 2;

Whereas that use of force occurred within 200 nautical miles of Vietnam, an area recognized as its Exclusive Economic Zone;

Whereas, on May 26, 2011, a maritime security vessel from China cut the cables of another exploration ship from Vietnam, the BINH MINH, in the South China Sea in waters near Cam Ranh Bay;

Whereas, in March 2011, the Government of the Philippines reported that patrol boats from China attempted to ram 1 of its surveillance ships;

Whereas those incidents occurred within disputed maritime territories of the South China Sea, including the Spratly Islands, composed of 21 islands and atolls, 50 submerged land atolls, and 28 partly submerged reefs over an area of 340,000 square miles, and the Paracel Islands, a smaller group of islands located south of China's Hainan Island;

Whereas China, Vietnam, the Philippines, Taiwan, Malaysia, and Brunei have disputed territorial claims over the Spratly Islands, and China and Vietnam have a disputed claim over the Paracel Islands;

Whereas the Government of China claims most of the 648,000 square miles of the South China Sea, more than any other nation involved in those territorial disputes;

Whereas, in 2002, the Association of Southeast Asian Nations and China signed a declaration on the code of conduct of parties in the South China Sea;

Whereas that declaration committed all parties to those territorial disputes to "reaffirm their respect for and commitment to the freedom of navigation in and overflight above the South China Sea" and to "resolve their territorial and jurisdictional disputes by peaceful means, without resorting to the threat or use of force";

Whereas the South China Sea contains vital commercial shipping lines and points of access between the Indian Ocean and Pacific Ocean;

Whereas, although not a party to these disputes, the United States has a national economic and a security interest in

ensuring that no party uses force unilaterally to assert maritime territorial claims in East Asia;

Whereas, in September 2010, the Government of China also deliberately provoked a controversy within the waters of the Senkaku Islands, territory under the legal administration of Japan in the East China Sea;

Whereas the actions of the Government of China in the South China Sea have also affected United States military and maritime vessels transiting through international air space and waters, including the collision of a fighter plane of the Government of China with a United States surveillance plane in 2001, the harassment of the USNS IMPECCABLE in March 2009, and the collision of a Chinese submarine with the sonar cable of the USS JOHN MCCAIN in June 2009;

Whereas, like every nation, the United States has a national interest in freedom of navigation and open access to the maritime commons of Asia;

Whereas the Government of the United States expressed support for the declaration by the Association of Southeast Asian Nations and China in 2002 on the code of conduct of parties in the South China Sea, and supports a collaborative diplomatic process by all claimants for resolving the various territorial disputes without coercion;

Whereas the United States has a national interest in freedom of navigation and in unimpeded economic development and commerce;

Whereas, on October 11, 2010, Secretary Gates maintained “The United States has always exercised our rights and supported the rights of others to transit through, and operate in, international waters.”;

Whereas, on June 3, 2011, at the Shangri-La Dialogue in Singapore, Secretary Gates stated that “[m]aritime security remains an issue of particular importance for the region, with questions about territorial claims and the appropriate use of the maritime domain presenting on-going challenges to regional stability and prosperity”;

Whereas, on June 4, 2011, at the Shangri-La Dialogue, Liang Guanglie, the Defense Minister from China, said, “China is committed to maintaining peace and stability in the South China Sea.”;

Whereas, on June 11, 2011, the Government of Vietnam held a live-fire military exercise on the uninhabited island of Hon Ong, 25 miles off the coast of Vietnam in the South China Sea; and

Whereas, on June 11, 2011, Hong Lei, the Foreign Ministry spokesman of China, stated, “[China] will not resort to force or the threat of force” to resolve the territorial dispute: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) reaffirms the strong support of the United
3 States for the peaceful resolution of maritime terri-
4 torial disputes in the South China Sea, and pledges
5 continued efforts to facilitate a multilateral, peaceful
6 process to resolve these disputes;

7 (2) deplores the use of force by naval and mari-
8 time security vessels from China in the South China
9 Sea;

1 (3) calls on all parties to the territorial dispute
2 to refrain from threatening force or using force to
3 assert territorial claims; and

4 (4) supports the continuation of operations by
5 the United States Armed Forces in support of free-
6 dom of navigation rights in international waters and
7 air space in the South China Sea.

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