

ARBITRATION UNDER ANNEX VII OF THE UNITED NATIONS
CONVENTION ON THE LAW OF THE SEA



REPUBLIC OF THE PHILIPPINES

v.

PEOPLE'S REPUBLIC OF CHINA

SUPPLEMENTAL DOCUMENTS OF THE PHILIPPINES

**VOLUME I
ANNEXES**

19 NOVEMBER 2015

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2010 Census and Housing Population

Population and Annual Growth Rates for The Philippines and Its Regions, Provinces, and Highly Urbanized Cities
Based on 1990, 2000, and 2010 Censuses

Region/Province/Highly Urbanized City	Total Population			Population Growth Rate		
	1-May-90	1-May-00	1-May-10	1990-2000	2000-2010	1990-2010
Philippines	60,703,810^a	76,506,928^b	92,337,852^c	2.34	1.90	2.12
National Capital Region	7,948,392	9,932,560	11,855,975	2.25	1.78	2.02
City of Las Piñas	297,102	472,780	552,573	4.75	1.57	3.15
City of Makati	453,170	471,379	529,039	0.39	1.16	0.78
City of Malabon	280,027	338,855	353,337	1.92	0.42	1.17
City of Mandaluyong	248,143	278,474	328,699	1.16	1.67	1.41
City of Manila	1,601,234	1,581,082	1,652,171	-0.13	0.44	0.16
City of Marikina	310,227	391,170	424,150	2.34	0.81	1.58
City of Muntinlupa	278,411	379,310	459,941	3.14	1.95	2.54
City of Navotas	187,479	230,403	249,131	2.08	0.78	1.43
City of Parañaque	308,236	449,811	588,126	3.85	2.72	3.28
City of Pasig	397,679	505,058	669,773	2.42	2.86	2.64
City of San Juan	126,854	117,680	121,430	-0.75	0.31	-0.22
City of Valenzuela	340,227	485,433	575,356	3.62	1.71	2.66
Caloocan City	763,415	1,177,604	1,489,040	4.43	2.37	3.39
Pasay City	368,366	354,908	392,869	-0.37	1.02	0.32
Pateros	51,409	57,407	64,147	1.11	1.12	1.11
Quezon City	1,669,776	2,173,831	2,761,720	2.67	2.42	2.55
Taguig City	266,637	467,375	644,473	5.77	3.26	4.51
Cordillera Administrative Region	1,146,191	1,365,412	1,616,867	1.76	1.70	1.73
Abra	184,743	209,491	234,733	1.26	1.14	1.20
Apayao	74,720	97,129	112,636	2.66	1.49	2.07
Benguet (excluding Baguio City)	302,715	330,129	403,944	0.87	2.04	1.45
Baguio City	183,142	252,386	318,676	3.26	2.36	2.81
Ifugao	147,281	161,623	191,078	0.93	1.69	1.31
Kalinga	137,055	174,023	201,613	2.41	1.48	1.95
Mountain Province	116,535	140,631	154,187	1.90	0.92	1.41
Region I – Ilocos Region	3,550,642	4,200,478	4,748,372	1.69	1.23	1.46
Ilocos Norte	461,661	514,241	568,017	1.08	1.00	1.04
Ilocos Sur	519,966	594,206	658,587	1.34	1.03	1.19
La Union	548,742	657,945	741,906	1.83	1.21	1.52
Pangasinan	2,020,273	2,434,086	2,779,862	1.88	1.34	1.61
Region II – Cagayan Valley	2,340,545	2,813,159	3,229,163	1.85	1.39	1.62
Batanes	15,026	16,467	16,604	0.92	0.08	0.50
Cagayan	829,867	993,580	1,124,773	1.82	1.25	1.53
Isabela	1,080,341	1,287,575	1,489,645	1.77	1.47	1.62
Nueva Vizcaya	301,179	366,962	421,355	1.99	1.39	1.69
Quirino	114,132	148,575	176,786	2.67	1.75	2.21
Region III – Central Luzon	6,338,590	8,204,742	10,137,737	2.61	2.14	2.37
Aurora	139,573	173,797	201,233	2.22	1.48	1.84
Bataan	425,803	557,659	687,482	2.73	2.11	2.42
Bulacan	1,505,219	2,234,088	2,924,433	4.02	2.73	3.37
Nueva Ecija	1,312,680	1,659,883	1,955,373	2.37	1.65	2.01
Pampanga (excluding Angeles City)	1,295,929	1,618,759	2,014,019	2.25	2.21	2.23
Angeles City	236,686	263,971	326,336	1.10	2.14	1.62
Tarlac	859,708	1,068,783	1,273,240	2.20	1.76	1.98
Zambales (excluding Olongapo City)	369,665	433,542	534,443	1.61	2.11	1.86
Olongapo City	193,327	194,260	221,178	0.05	1.31	0.67

2010 Census and Housing Population

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Region/Province/Highly Urbanized City	Total Population			Population Growth Rate		
	1-May-90	1-May-00	1-May-10	1990-2000	2000-2010	1990-2010
Region IVA – CALABARZON	6,349,452	9,320,629	12,609,803	3.91	3.07	3.49
Batangas	1,476,783	1,905,348	2,377,395	2.58	2.24	2.41
Cavite	1,152,534	2,063,161	3,090,691	5.99	4.12	5.05
Laguna	1,370,232	1,965,872	2,669,847	3.67	3.11	3.39
Quezon (excluding Lucena City)	1,221,831	1,482,955	1,740,638	1.95	1.61	1.78
Lucena City	150,624	196,075	246,392	2.67	2.31	2.49
Rizal	977,448	1,707,218	2,484,840	5.73	3.82	4.77
Region IVB – MIMAROPA	1,774,074	2,299,229	2,744,671	2.62	1.79	2.20
Marinduque	185,524	217,392	227,828	1.60	0.47	1.03
Occidental Mindoro	282,593	380,250	452,971	3.01	1.76	2.39
Oriental Mindoro	550,049	681,818	785,602	2.17	1.43	1.80
Palawan (excluding Puerto Princesa City)	436,140	593,500	771,667	3.13	2.66	2.89
Puerto Princesa City	92,147	161,912	222,673	5.79	3.24	4.51
Romblon	227,621	264,357	283,930	1.51	0.72	1.11
Region V – Bicol Region	3,910,001	4,686,669	5,420,411	1.83	1.46	1.65
Albay	903,785	1,090,907	1,233,432	1.90	1.23	1.57
Camarines Norte	390,982	470,654	542,915	1.87	1.44	1.65
Camarines Sur	1,305,919	1,551,549	1,822,371	1.74	1.62	1.68
Catanduanes	187,000	215,356	246,300	1.42	1.35	1.39
Masbate	599,355	707,668	834,650	1.67	1.66	1.67
Sorsogon	522,960	650,535	740,743	2.21	1.31	1.75
Region VI – Western Visayas	5,393,333	6,211,038	7,102,438	1.42	1.35	1.38
Aklan	380,497	451,314	535,725	1.72	1.73	1.72
Antique	406,361	472,822	546,031	1.53	1.45	1.49
Capiz	584,091	654,156	719,685	1.14	0.96	1.05
Guimaras	117,990	141,450	162,943	1.83	1.42	1.63
Iloilo (excluding Iloilo City)	1,337,981	1,559,182	1,805,576	1.54	1.48	1.51
Iloilo City	309,505	366,391	424,619	1.70	1.49	1.59
Negros Occidental (excluding Bacolod City)	1,892,728	2,136,647	2,396,039	1.22	1.15	1.19
Bacolod City	364,180	429,076	511,820	1.65	1.78	1.71
Region VII – Central Visayas	4,594,124	5,706,953	6,800,180	2.19	1.77	1.98
Bohol	948,403	1,139,130	1,255,128	1.85	0.97	1.41
Cebu (excluding Cebu City, Lapu-Lapu City and Mandaue City)	1,709,621	2,160,569	2,619,362	2.37	1.94	2.15
Cebu City	610,417	718,821	866,171	1.65	1.88	1.76
Lapu-lapu City	146,194	217,019	350,467	4.03	4.91	4.47
Mandaue City	180,285	259,728	331,320	3.72	2.46	3.09
Negros Oriental	925,272	1,130,088	1,286,666	2.02	1.31	1.66
Siquijor	73,932	81,598	91,066	0.99	1.10	1.05
Region VIII – Eastern Visayas	3,054,490	3,610,355	4,101,322	1.68	1.28	1.48
Biliran	118,012	140,274	161,760	1.74	1.43	1.59
Eastern Samar	329,335	375,822	428,877	1.33	1.33	1.33
Leyte (excluding Tacloban City)	1,230,925	1,413,697	1,567,984	1.39	1.04	1.22
Tacloban City ¹	136,891	178,639	221,174	2.70	2.16	2.43
Northern Samar	383,654	500,639	589,013	2.69	1.64	2.17
Samar (Western Samar)	533,733	641,124	733,377	1.85	1.35	1.60
Southern Leyte	321,940	360,160	399,137	1.13	1.03	1.08
Region IX – Zamboanga Peninsula	2,281,064	2,831,412	3,407,353	2.18	1.87	2.03
City of Isabela	59,078	73,032	97,857	2.14	2.97	2.55
Zamboanga del Norte	676,862	823,130	957,997	1.97	1.53	1.75
Zamboanga del Sur (excluding Zamboanga City)	695,741	836,217	959,685	1.85	1.39	1.62
Zamboanga City	442,345	601,794	807,129	3.12	2.98	3.05
Zamboanga Sibugay	407,038	497,239	584,685	2.02	1.63	1.83

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	1-May-90	1-May-00	1-May-10	1990-2000	2000-2010	1990-2010
Region X – Northern Mindanao	2,811,646	3,505,708	4,297,323	2.23	2.06	2.14
Bukidnon	843,891	1,060,415	1,299,192	2.31	2.05	2.18
Camiguin	64,247	74,232	83,807	1.45	1.22	1.34
Lanao del Norte (excluding Iligan City)	387,524	473,062	607,917	2.01	2.54	2.28
Iligan City	226,568	285,061	322,821	2.32	1.25	1.78
Misamis Occidental	424,365	486,723	567,642	1.38	1.55	1.46
Misamis Oriental (excluding Cagayan de Oro City)	525,453	664,338	813,856	2.37	2.05	2.21
Cagayan de Oro City	339,598	461,877	602,088	3.12	2.69	2.90
Region XI – Davao Region	2,933,743	3,676,163	4,468,563	2.28	1.97	2.12
Compostela Valley	466,286	580,244	687,195	2.21	1.71	1.96
Davao del Norte	590,015	743,811	945,764	2.34	2.43	2.39
Davao del Sur (excluding Davao City)	632,798	758,801	868,690	1.83	1.36	1.60
Davao City	849,947	1,147,116	1,449,296	3.04	2.36	2.70
Davao Oriental	394,697	446,191	517,618	1.23	1.50	1.36
Region XII – SOCCSKSARGEN	2,399,953	3,222,169	4,109,571	2.99	2.46	2.72
Cotabato City	127,065	163,849	271,786	2.57	5.19	3.87
Cotabato (North Cotabato)	763,995	958,643	1,226,508	2.29	2.49	2.39
Sarangani	283,141	410,622	498,904	3.78	1.97	2.87
South Cotabato (excluding General Santos City)	539,458	690,728	827,200	2.50	1.82	2.16
General Santos City (Dadiangas)	250,389	411,822	538,086	5.10	2.71	3.90
Sultan Kudarat	435,905	586,505	747,087	3.01	2.45	2.73
Autonomous Region of Muslim Mindanao	2,108,061	2,803,045	3,256,140	2.89	1.51	2.20
Basilan (excluding City of Isabela)	179,230	259,796	293,322	3.78	1.22	2.49
Lanao del Sur	599,982	800,162	933,260	2.92	1.55	2.23
Maguindanao (excluding Cotabato City)	630,674	801,102	944,718	2.42	1.66	2.04
Sulu	469,971	619,668	718,290	2.80	1.49	2.14
Tawi-Tawi	228,204	322,317	366,550	3.51	1.29	2.40
CARAGA	1,764,297	2,095,367	2,429,224	1.73	1.49	1.61
Agusan del Norte (excluding Butuan City)	237,629	285,570	332,487	1.85	1.53	1.69
Butuan City	227,829	267,279	309,709	1.61	1.48	1.55
Agusan del Sur	420,763	559,294	656,418	2.88	1.61	2.25
Dinagat Islands	98,865	106,951	126,803	0.79	1.72	1.25
Surigao del Norte	327,113	374,465	442,588	1.36	1.68	1.52
Surigao del Sur	452,098	501,808	561,219	1.05	1.12	1.09

Sources:

National Statistics Office, 1990 Census of Population and Housing
National Statistics Office, 2000 Census of Population and Housing
National Statistics Office, 2010 Census of Population and Housing

Notes:

- ^a Population counts for the regions do not add up to the national total. Includes 2,876 homeless population and 2,336 Filipinos in Philippine Embassies, Consulates and Mission Abroad.
- ^b Population counts for the regions do not add up to the national total. Includes 18,989 persons residing in the areas disputed by the City of Pasig (NCR) and the province of Rizal (Region IVA); and 2,851 Filipinos in Philippine Embassies, Consulates and Mission Abroad.
- ^c Population counts for the regions do not add up to the national total. Includes 2,739 Filipinos in Philippine Embassies, Consulates and Mission Abroad.
- ¹ Converted into a highly urbanized city under Presidential Proclamation No. 1637; ratified on December 18, 2008.

Annex 608

Department of Foreign Affairs of the Republic of the Philippines, *Statement on China's Reclamation Activities and their Impact on the Region's Marine Environment* (13 Apr. 2015)



REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF FOREIGN AFFAIRS

2330 ROXAS BOULEVARD, PASAY CITY, PHILIPPINES 1300

13 April 2015

PRINT

China's massive reclamation activities are causing irreversible and widespread damage to the biodiversity and ecological balance of the South China Sea/ West Philippine Sea. We cannot accept China's claim that its activities have not caused damage to the ecological environment of the South China Sea.

China has pursued these activities unilaterally, disregarding peoples in the surrounding states who have depended on the sea for their livelihood for generations. The destruction of 300 hectares of coral reef systems resulting from the reclamations is estimated to lead to economic losses to coastal states valued at US\$100 million annually.

Moreover, we note that China has tolerated environmentally harmful fishing practices by its nationals at Bajo De Masinloc which breaches its obligations under the 1982 United Nations Convention on the Law of the Sea (UNCLOS), the Convention on Biological Diversity, and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

We are especially concerned by the statement of the Chinese Foreign Ministry Spokesperson on 09 April 2015 that after completion of their reclamation activities in the South China Sea, the islands and reefs would provide "comprehensive services to meet civilian demands and satisfy the need of necessary military defense". Such statements by China only serve to raise the spectre of increasing militarization and threaten peace and stability in the region.

We should not allow China to distract us from the real issues in the South China Sea, which are China's illegitimate "nine-dash line" claim, and China's unilateral and aggressive behavior in asserting that claim, as exemplified by its massive and unrestrained reclamation.

We call on China to stop the reclamation activities and to be mindful of its responsibilities as a claimant state and an important member of the international community. We call on China to respect the letter and spirit of the 2002 ASEAN-China Declaration on the Conduct of Parties in the South China Sea and to cooperate in discussing constructive long-term solutions to the peaceful resolution of disputes in the West Philippine Sea/South China Sea, in accordance with international law. END

Annex 609

Republic of the Philippines, Bureau of Fisheries and Aquatic Resources, *Press Release: DA-BFAR, National Scientist condemn the destruction of marine resources in the West Philippine Sea (23 Apr. 2015)*



Republic of the Philippines
 Department of Agriculture
Bureau of Fisheries and Aquatic Resources
 PCA Compound, Elliptical Road, Diliman, Quezon City
 Tel. Nos. 929-95-97* 929-80-74

PRESS RELEASE
 April 23, 2015

DA-BFAR, National Scientist condemn the destruction of marine resources in the West Philippine Sea

The Department of Agriculture Bureau of Fisheries and Aquatic Resources (DA-BFAR) and a national scientist, on Thursday, joined the Department of Foreign Affairs (DFA) in its call against China's reclamation activities in the South China Sea/West Philippine Sea.

In a press conference titled "The Destruction of Marine Resources in the West Philippine Sea," DA-BFAR, and University of the Philippines Marine Science Institute Professor Emeritus and National Scientist Dr. Edgardo D. Gomez presented a comprehensive study on the damage inflicted to marine biodiversity and economic productivity by China's increased militarization in the region.

Satellite photos have captured the massive and irreversible damage by China's reclamation activities in several coral reef ecosystems including but not limited to Burgos Reef (Gaven Reef) and Kagitingan Reef (Fiery Cross Reef) which are both part of the disputed waters. As of March 2015, reef ecosystems destroyed in Spratlys or the Kalayaan Group of Islands have already reached an estimated area of 311 has.

According to Dr. Gomez, Spratlys' coral reef ecosystem services, or both the direct and indirect contribution of the ecosystem to human well-being, amount to 350,000 US dollars per hectare per year. That is a total of 108.9 million US dollars of annual economic losses to countries around the South China Sea, which China claims wholly based on its nine-dash line principle.

Aside from the construction of military bases in the West Philippine Sea, poaching of giant clam shells, corals, and other marine species by Chinese fishing vessels has repeatedly caused damage to the area's ecological balance, said Gomez. Illegally harvested shells are brought to mainland China, particularly to its Hainan province, where they are processed and sold as various coral crafts, shell bracelets, shell necklaces and mounted shell carvings.

"Healthy coral reefs in the West Philippine Sea are very important not only to us but also to the productivity of neighboring marginal seas made possible through larval connectivity," Gomez explained.

Meanwhile, BFAR Director and concurrent OIC-DA Undersecretary for Fisheries Atty. Asis Perez has stressed the significance of these resources as they provide livelihood for Filipino fisherfolk. Unabated destruction of coral reefs affects at least nine fishing municipalities along the country's western seaboard. That is equivalent to more than 12,000¹ people who directly rely on fishing for income. Total combined volume of catch in these regions is estimated at 21,186.8 MT based on the 2014 data of BFAR's National Stock Assessment Program (NSAP).

"We urge China to respect its international commitments and be mindful of millions of people not only in the Philippines who depend on these very important marine resources," Perez said.

"We cannot allow China's reclamation activities and tolerance of environmentally harmful fishing practices to continue as these endanger global food security and long-lasting biological diversity," he explained.

Previously, the DFA has called on China to stop its reclamation activities in the West Philippine Sea which not only compromises ecological balance but also "threaten peace and stability in the region."

###

¹ Number of registered fisherfolk under BFAR's FishR as of April 22, 2015

FAST FACTS**Recent estimates (March 2015) of reef ecosystems destroyed in the Spratlys**

REEF	ESTIMATED RECLAIMED LAND AREA
Gaven Reef	14 has
Union Reef North	7.5 has
Union Reef South	12.5 has
Cuateron Reef	12 has
Fiery Cross Reef	265 has
Total Reclaimed Area	311 has

Source: National Security Council (NSC) Secretariat as cited in *Physical Destruction of Coral Reef Ecosystems and Overexploitation of Endangered Species: Compromising Biodiversity and Economic Productivity* presentation by Emeritus Prof. Edgardo D. Gomez, Ph. D., et al., University of the Philippines Marine Science Institute

Coral Reef Ecosystem Services* Value

**Direct and indirect contribution of the ecosystem to survival and quality of human life*

CORAL REEF	INT. \$/HA/YR
Provisioning Services	55,724
Food	677
Raw Materials	21,528
Genetic Resources	33,048
Ornamental Resources	472
Regulating Services	171,478
Climate Regulation	1,188
Disturbance Moderation	16,991
Waste Treatment	85
Erosion Prevention	153,214
Habitat Services	16,210
Genetic Diversity	16,210
Cultural Services	108,837
Esthetic Information	11,390
Recreation	96,302
Cognitive Information	1,145
Total Economic Value	352,249

Source: de Groot et al, 2012, as cited in *Physical Destruction of Coral Reef Ecosystems and Overexploitation of Endangered Species: Compromising Biodiversity and Economic Productivity* presentation by Emeritus Prof. Edgardo D. Gomez, Ph. D., et al., University of the Philippines Marine Science Institute

Actual Landed Catch* Estimates for West Philippine Sea

** Fish catch estimates were only for actual landed catch recorded in NSAP-monitored landing centers*

Region	Annual Catch in MT		
	2012**	2013**	2014***
1 – Ilocos	4,604.2	3,755.2	10,658.0
3 – Central Luzon	10,542.0	13,621.0	10,528.8
Total	15,146.2	17,376.2	21,186.8

** Original NSAP Sites | *** Expanded NSAP Sites

Source: NSAP National Database, BFAR-NFRDI National Stock Assessment Program (NSAP)

Affected Fishing Municipalities and Fisherfolk

Region	Province	Municipality	No. of Registered Fisherfolk (as of April 22, 2015)
1	Pangasinan	Dasol	923
1	Pangasinan	Infanta	314
3	Zambales	Subic	1,814
3	Zambales	Masinloc	2,528
3	Zambales	Santa Cruz	2,544
3	Bataan	Mariveles	1,845
3	Bataan	Morong	1,313
3	Bataan	Bagac	926
4-B	Palawan	Kalayaan	30
Total			12,237

Source: BFAR Municipal Fisheries Registration System (MFRS)

References:

ATTY. ASIS G. PEREZ

Bureau of Fisheries and Aquatic Resources
dabfar_iprg@yahoo.com
(02) 454-5863

EMERITUS PROF. EDGARDO D. GOMEZ, PH. D., ET AL.

University of the Philippines Marine Science Institute
(02) 435-7417

Annex 610

Letter from Voltaire T. Gazmin, Secretary of National Defense of the Republic of the Philippines, to Albert F. Del Rosario, Secretary of Foreign Affairs of the Republic of the Philippines (22 June 2015)

Republika ng Pilipinas
Kagawaran ng Tanggulang Pambansa
Tanggapan ng Kalihim



Republic of the Philippines
Department of National Defense
Office of the Secretary

JUN 22 2015

The Honorable
Secretary ALBERT F. DEL ROSARIO
Department of Foreign Affairs
2330 Roxas Boulevard, Pasay City

Dear **Secretary Del Rosario**:

May I have the honor to apprise the Honorable Secretary regarding the latest developments on land reclamation activities in Chinese-occupied features in the West Philippine Sea (WPS) and the recent challenge to Philippine aircraft.

China continues to achieve significant progress in its reclamation and construction activities. During an aerial reconnaissance mission conducted on May 9, 2015, around 54 ground-based mounted solar panel plates measuring approximately 5-6 feet were observed in Mabini (Johnson) Reef. The 6-storey building is now fully painted. Paved street/road was also constructed around the reef. The permanent pier now serves as docking area for People's Liberation Army Navy (PLAN) ships and the jetty remains operational. Two (2) armored vehicles were noted, which could either be armored carrier personnel (APC) or multiple independently targetable re-entry vehicles (MIRV) truck (**Annex A**).

Similar to Mabini, the permanent pier in Chigua (Kennan) Reef also serves as docking area for PLAN ships and the jetty remains operational. There has been a massive onshore construction of a 6-storey building (**Annex B1**). As of May 28, newly reclaimed land, approximately 300 meters long, was observed in the southwest portion of the Reef. Large cargo vessels also continue to transport sand sediments (**Annex B2**).

As of May 9, one (1) aviation facility for helicopter was built and the construction of a watch post near the original outpost is completed in Gaven Reef (**Annex C1**). Latest photo dated May 28 reveals the ongoing expansion of the wharf northeast of the Reef (**Annex C2**).

In Calderon (Cuarteron) Reef, latest image dated May 7 reveals that the permanent pier serves as docking area for PLAN ships, particularly Landing Ship Tanks (LSTs), and the jetty remains operational (**Annex D**).

Aerial photo of Panganiban (Mischief) Reef dated May 28 reveals new dredging area (**Annex E**). There were around 32 dredger vessels, 32 cargo ships and three (3) ocean tugs. The fish cages previously installed at the inner lagoon of the reef were not sighted.

In another significant development, Philippine *F-27 Fokker* aircraft received an audio challenge from the Chinese Navy while conducting patrol mission over Philippine-held Ayungin Shoal and Pag-asa Island on May 28. Such incident has been a regular occurrence only in Chinese-held features

since April this year. However, this is the first time that an audio message was received during an aerial reconnaissance over Philippine-occupied features. It appears that China is starting to limit the Philippines in monitoring even its claimed areas.

I hope this information merits the appreciation of the Honorable Secretary.

Very truly yours,


VOLTAIRE T. GAZMIN
Secretary.



VTG-18645

A

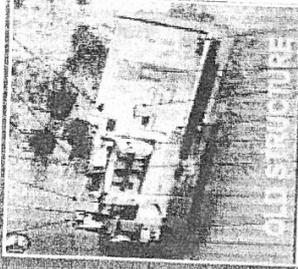
Total reclaimed Area: Approx 10.9 Hectares

Established more or less fifty-four (54) ground based mounted solar panel plates measuring approximately 5-6 feet each

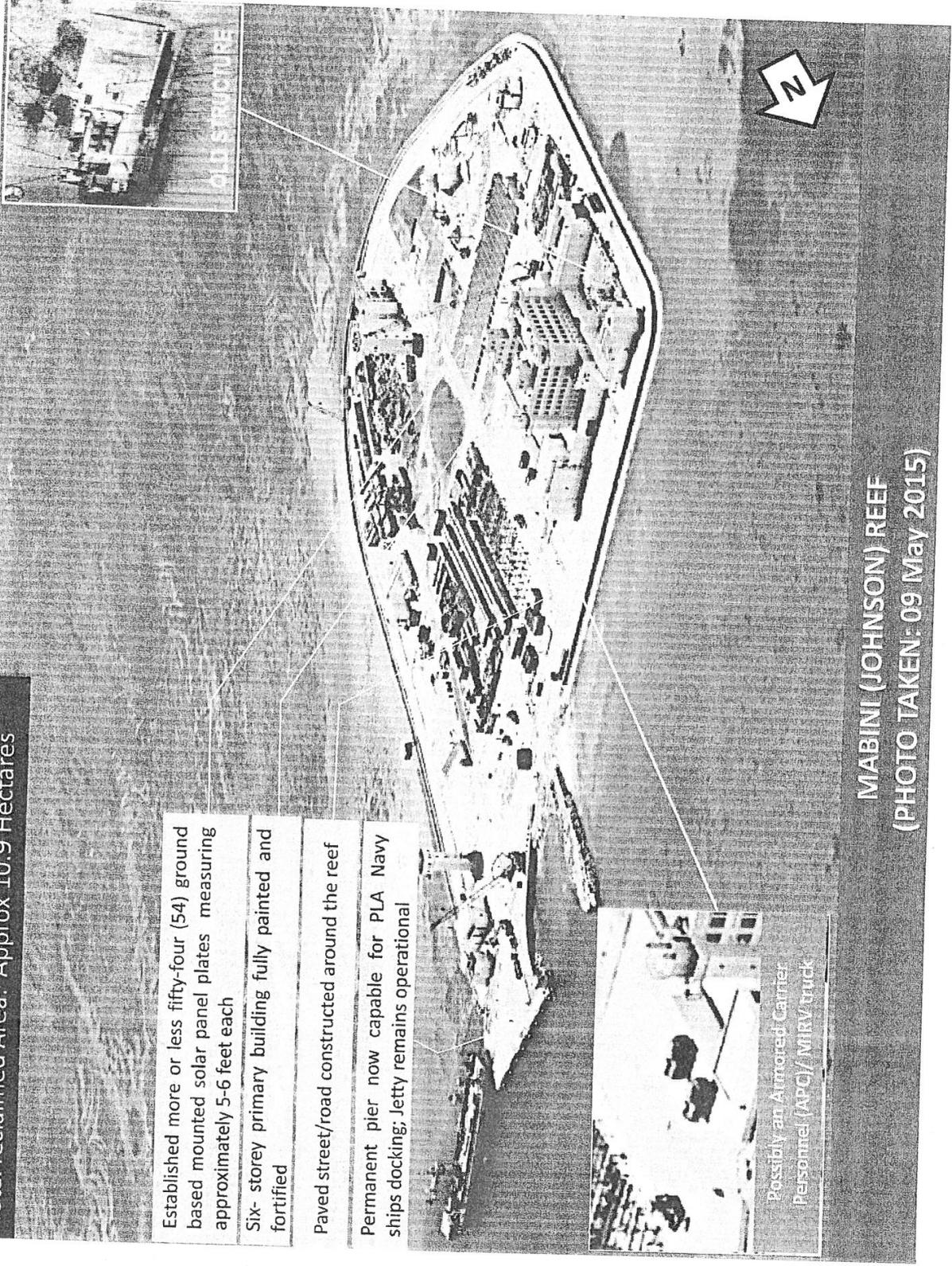
Six- storey primary building fully painted and fortified

Paved street/road constructed around the reef

Permanent pier now capable for PLA Navy ships docking; Jetty remains operational



MABINI (JOHNSON) REEF
(PHOTO TAKEN: 09 May 2015)



	B
	1

Total reclaimed Area: Approx. 7.2 Hectares



2012 ORIGINAL STRUCTURE

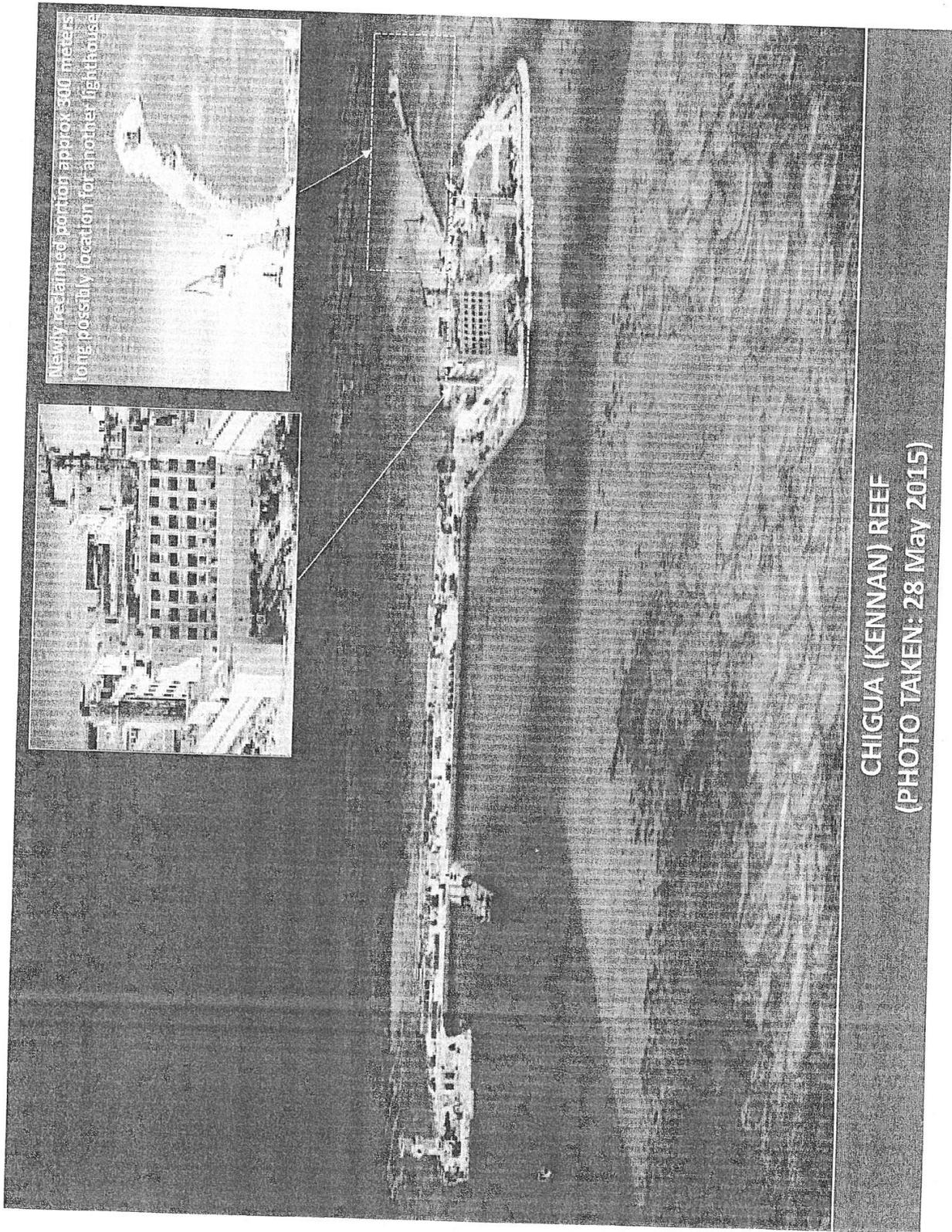
Permanent pier now capable for PLA Navy ships docking; Jetty remains operational

Continuous sand stabilization

Massive onshore construction of 6-storey primary building

CHIGUA (KENNAN) REEF
(PHOTO TAKEN: 05 May 2015)

2



Newly reclaimed portion approx 300 meters long, possibly location for another lighthouse

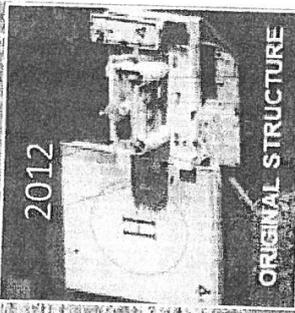
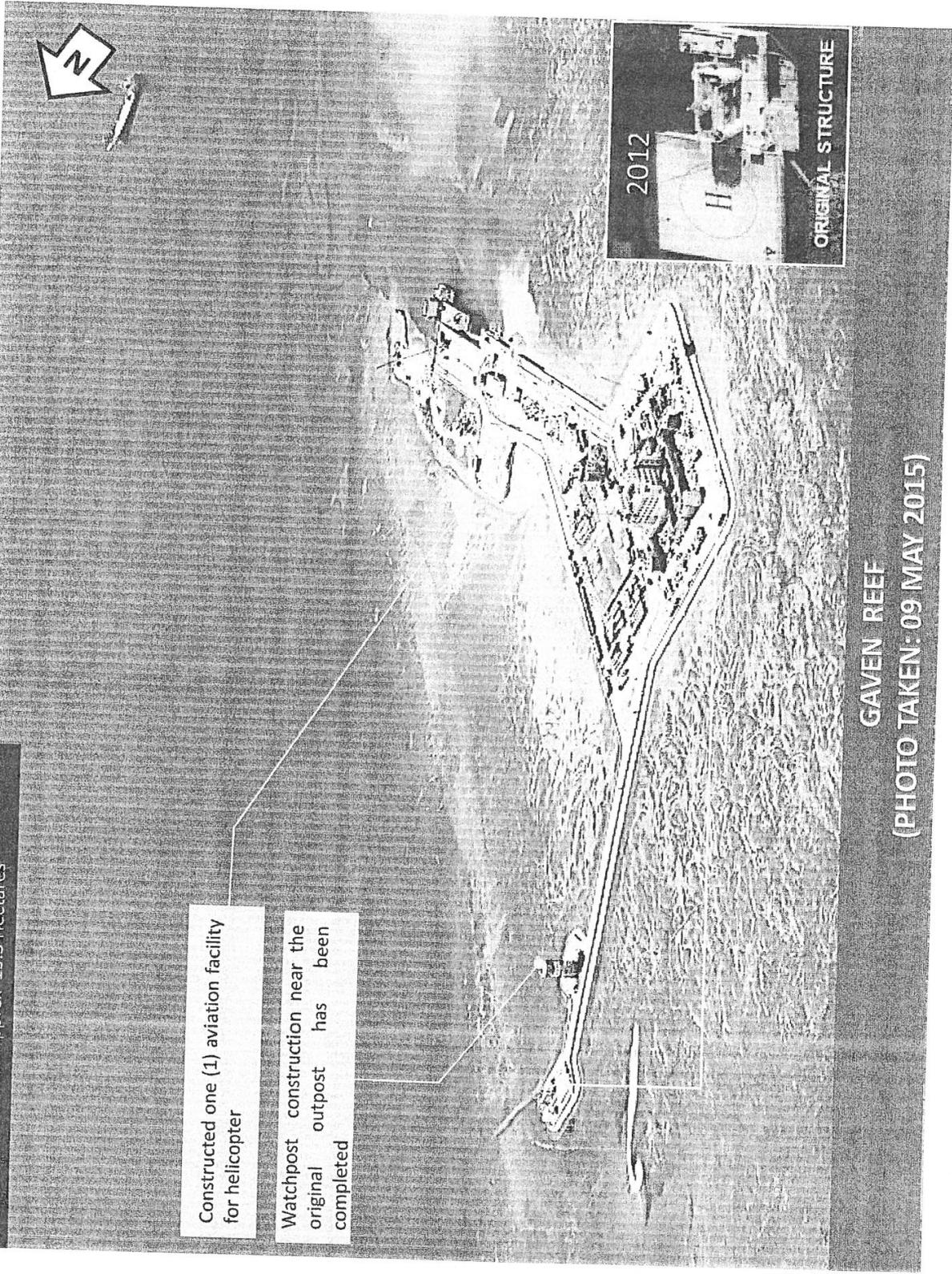
CHIGUA (KENNAN) REEF
(PHOTO TAKEN: 28 May 2015)

	C
	1

Total reclaimed Area: Approx 15.3 Hectares

Constructed one (1) aviation facility for helicopter

Watchpost construction near the original outpost has been completed

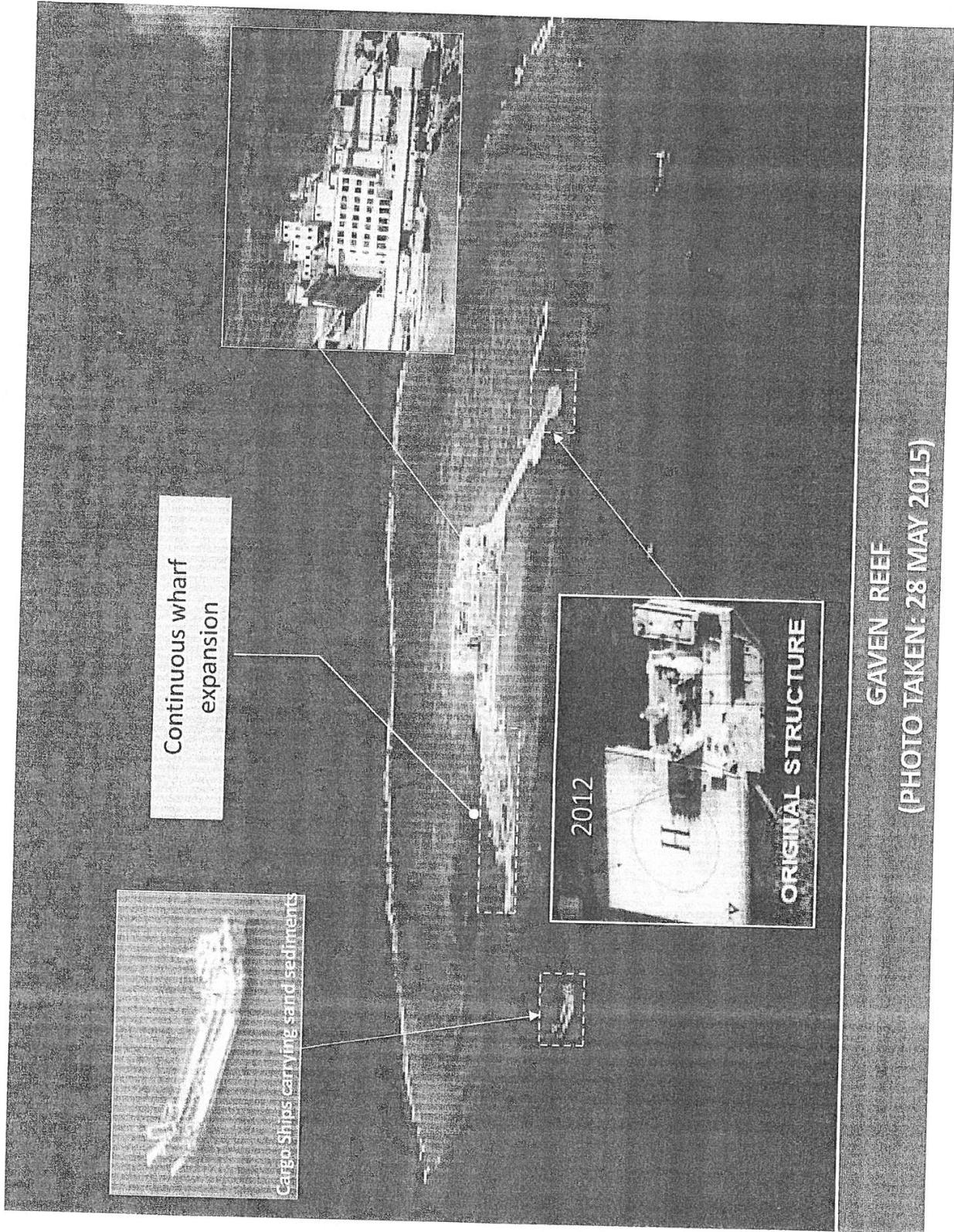


2012

ORIGINAL STRUCTURE

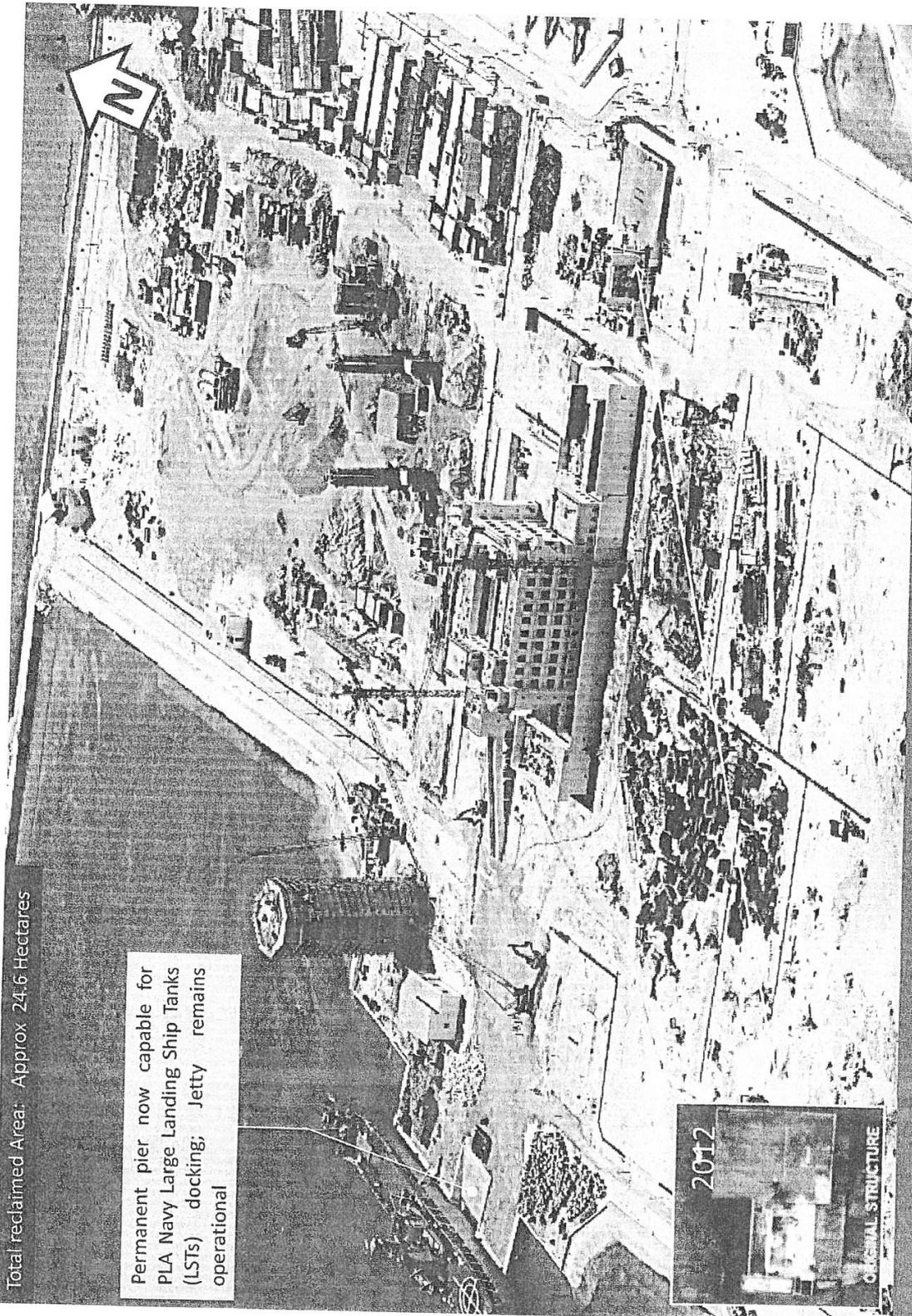
GAVEN REEF
(PHOTO TAKEN: 09 MAY 2015)

2



GAVEN REEF
(PHOTO TAKEN: 28 MAY 2015)

	D
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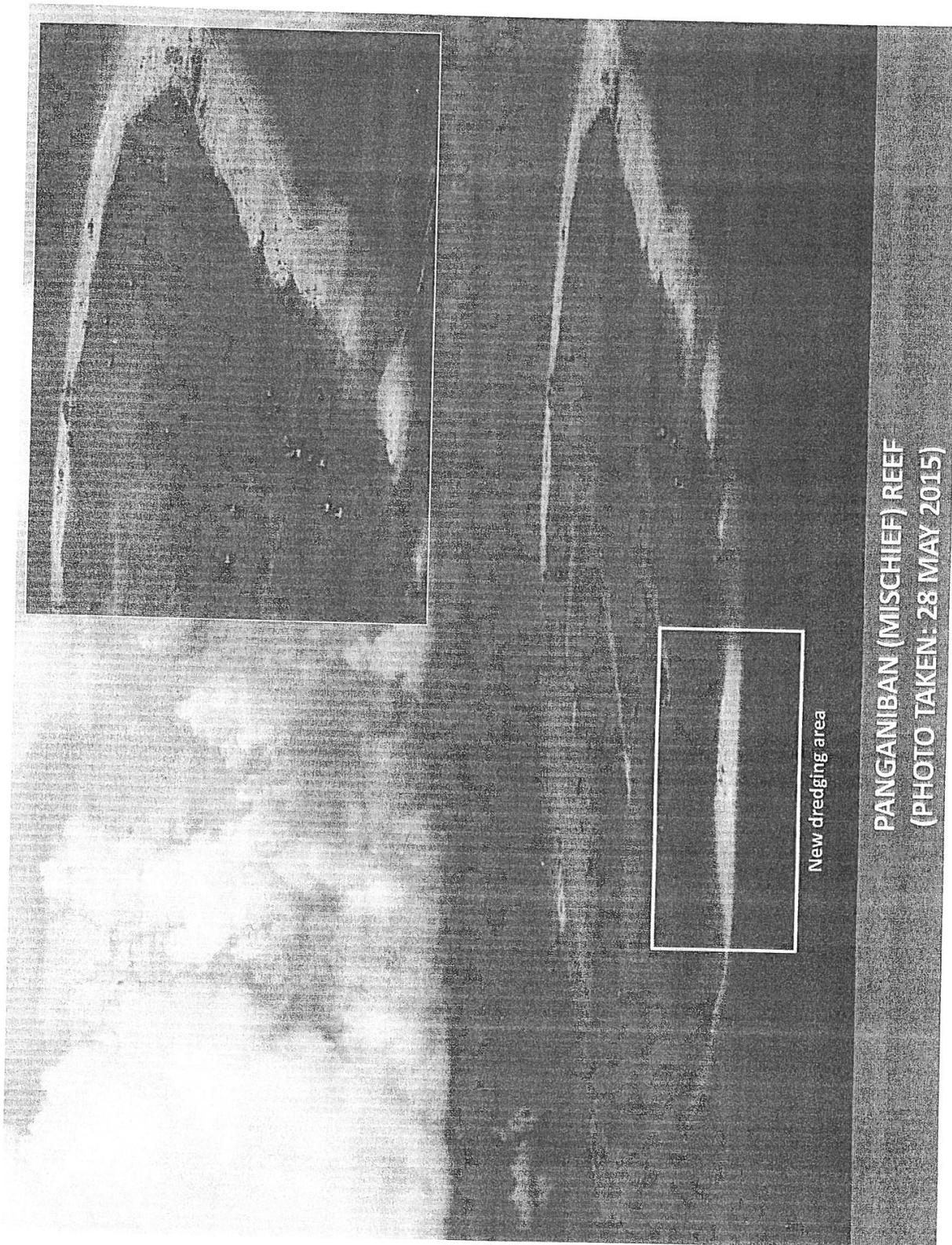
Total reclaimed Area: Approx. 24.6 Hectares

Permanent pier now capable for PLA Navy Large Landing Ship Tanks (LSTs) docking; Jetty remains operational

CALDERON (CUARTERON) REEF
(PHOTO TAKEN: 07 May 2015)



E



New dredging area

PANGANIBAN (MISCHIEF) REEF
(PHOTO TAKEN: 28 MAY 2015)

Annex 611

Letter from Voltaire T. Gazmin, Secretary of National Defense of the Republic of the Philippines, to Albert F. Del Rosario, Secretary of Foreign Affairs of the Republic of the Philippines (10 Aug. 2015)

Republika ng Pilipinas
Kagawaran ng Tanggulang Pambansa
Tanggapan ng Kalihim



Republic of the Philippines
Department of National Defense
Office of the Secretary

AUG 10 2015

The Honorable
Secretary ALBERT F. DEL ROSARIO
Department of Foreign Affairs
2330 Roxas Boulevard, Pasay City

AUG 12 2015

Dear **Secretary Del Rosario**:

0066540

May I have the honor to apprise the Honorable Secretary regarding the latest Chinese activities in the South China Sea (SCS) monitored during the month from our US counterparts. The photos are not clear but could be better appreciated through the analyst comments at the bottom of the photos.

Aerial reconnaissance conducted on July 26, 2015 revealed massive construction activities in **Panganiban** (Mischief) Reef. Twenty vessels, three (3) dredgers with hoses attached, multiple vehicles and cranes were monitored around the Reef (**Tab A**). One (1) CCG vessel with bow number 3184 and one (1) *Jiangkai II* FFG with bow number 571 were sighted in the area conducting maritime patrol (**Tab B**). Four (4) surface vessels were also sighted travelling from **Panganiban** Reef (**Tab C**).

On the same day, one (1) CCG vessel with bow number 3402 and one (1) **PRC Combatant** were monitored conducting patrol in the vicinity of Malaysia-claimed James (South Luconia) Shoal (**Tab D**). Two (2) CCG vessels with bow numbers 2401 and 3469 were also monitored conducting patrol in the vicinity of **Ayungin** (Second Thomas) Shoal (**Tab E**).

Photos taken on July 20, 2015 in Gaven Reef (**Tab F**) showed one (1) communications tower, one (1) large tower, one (1) loading vessel and one (1) helipad. Multiple personnel, semi-trucks and conex boxes were also observed in the Reef.

In **Calderon** (Cuarteron) Reef, the latest image dated July 18, 2015 revealed the presence of one (1) large vessel, one (1) dredger in harbor, one (1) dinghy, one (1) dredger line and two (2) cranes on the Reef (**Tab G**). At **Kagitingan** (Fiery Cross) Reef, one (1) *Jiangkai II* FFG with bow number 530 and seven (7) vessels were observed in the vicinity (**Tab H**). Eighteen vessels in harbor were monitored to be unloading construction equipment and multiple radars are spotted building near the harbor.

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In *Zamora* (Subi) Reef, photos taken on July 7, 2015 showed **74** ships in harbor, **10** ships outside harbor and one (**1**) dredger. More significant is an empty barge sighted heading northwest away from the Reef (**Tab I**).

I hope this information merits the appreciation of the Honorable Secretary.

Very truly yours,

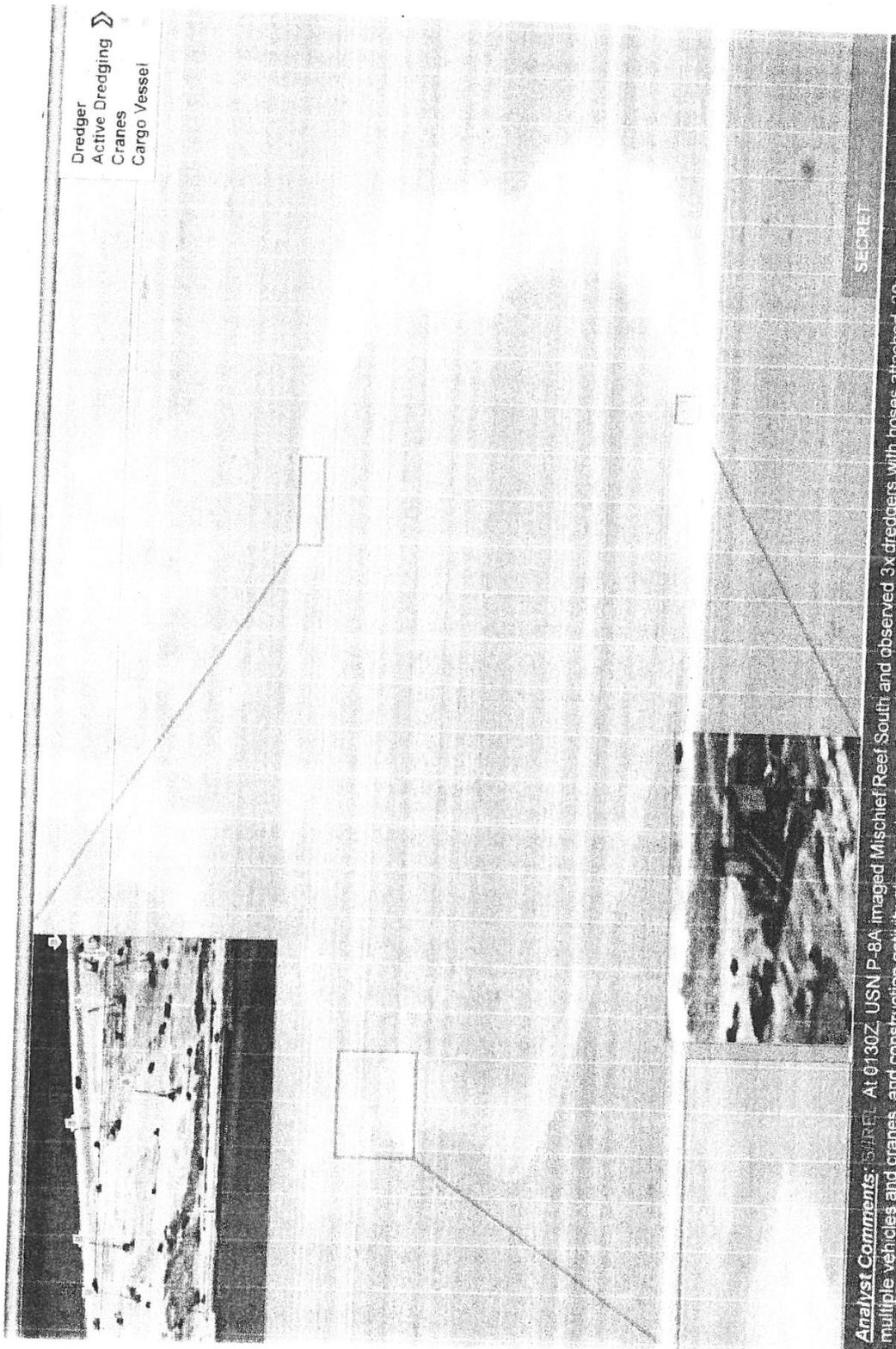

VOLTAIRE T. GAZMIN
Secretary



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Mischief Reef

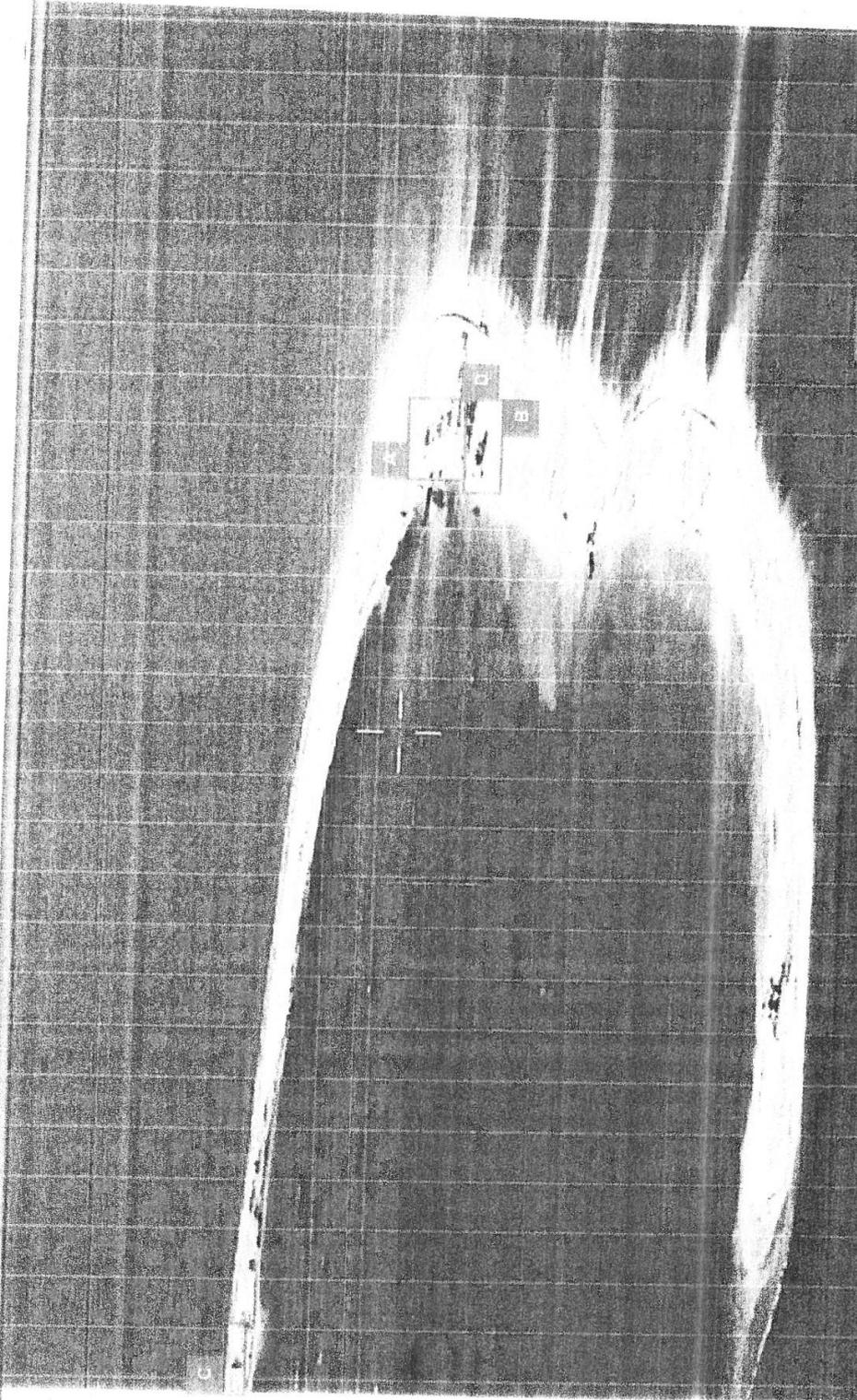


Analyst Comments: (S//REL) At 0130Z, USN P-8A imaged Mischief Reef South and observed 3x dredgers with hoses attached, 20x vessels I/O of reef, multiple vehicles and cranes, and construction activity at concrete plants and areas around reef.

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Mischief Reef North



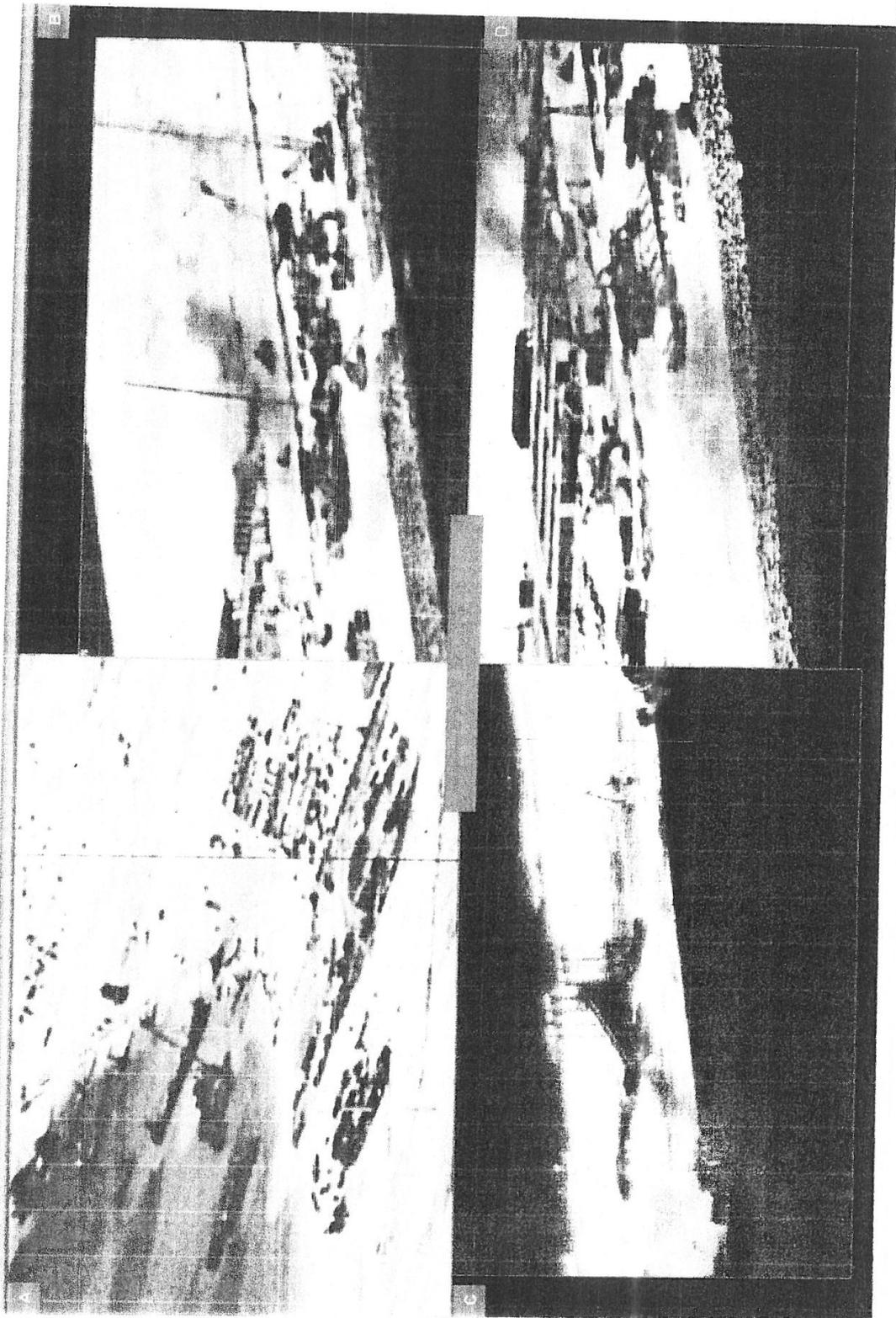
SECRET

Analyst Comments: At 0121Z, USN P-8A imaged Mischief Reef North and observed 2x cranes active, 1x minivan driving down road, 1x active dump truck, 2x inactive dump trucks, 2x active bulldozers, and multiple containers surrounded by construction material. Additionally, USN P-8A observed 5x cement mixers and 6x flat bed trucks.

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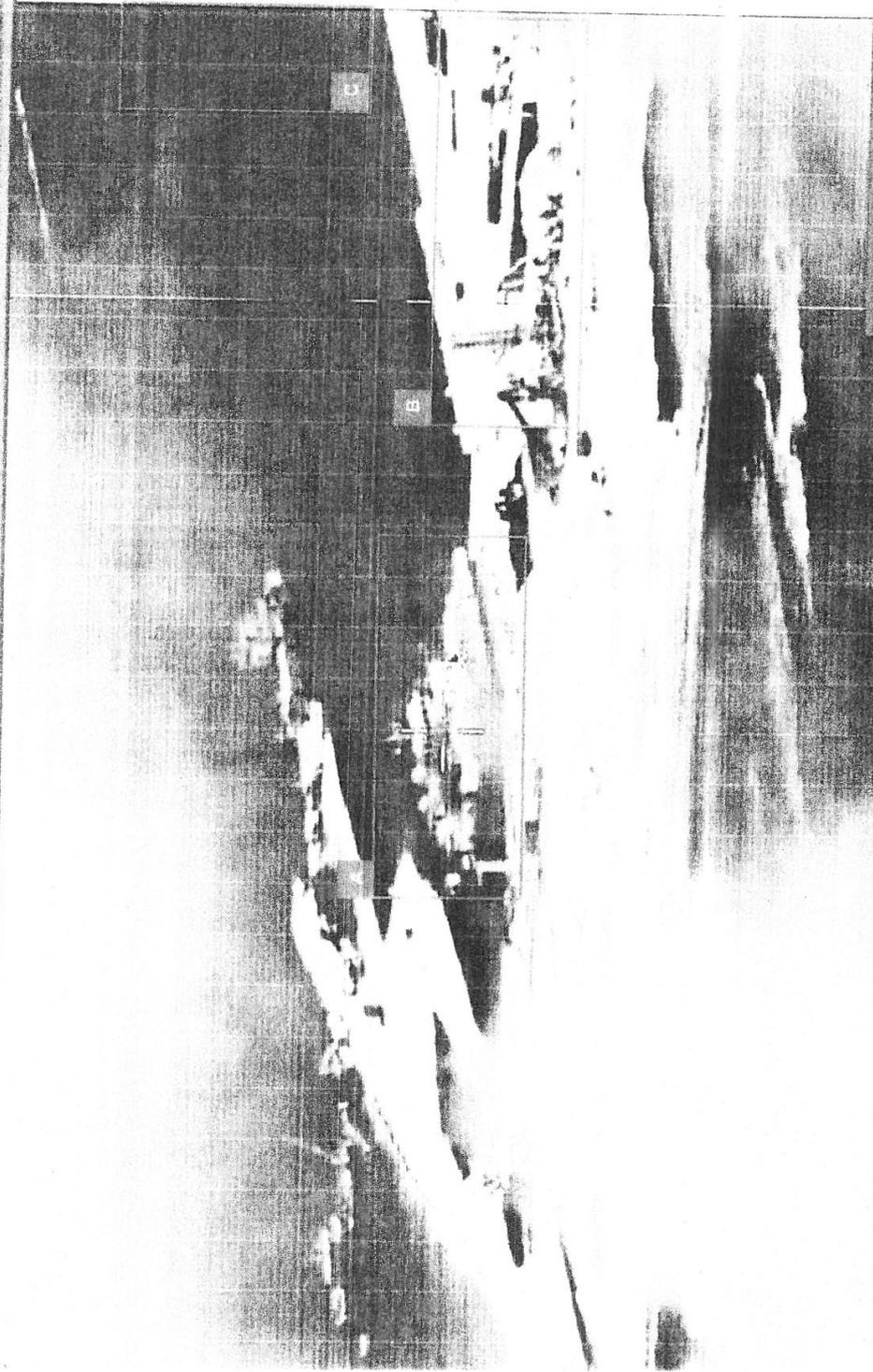
Mischief Reef North



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Mischief Reef South



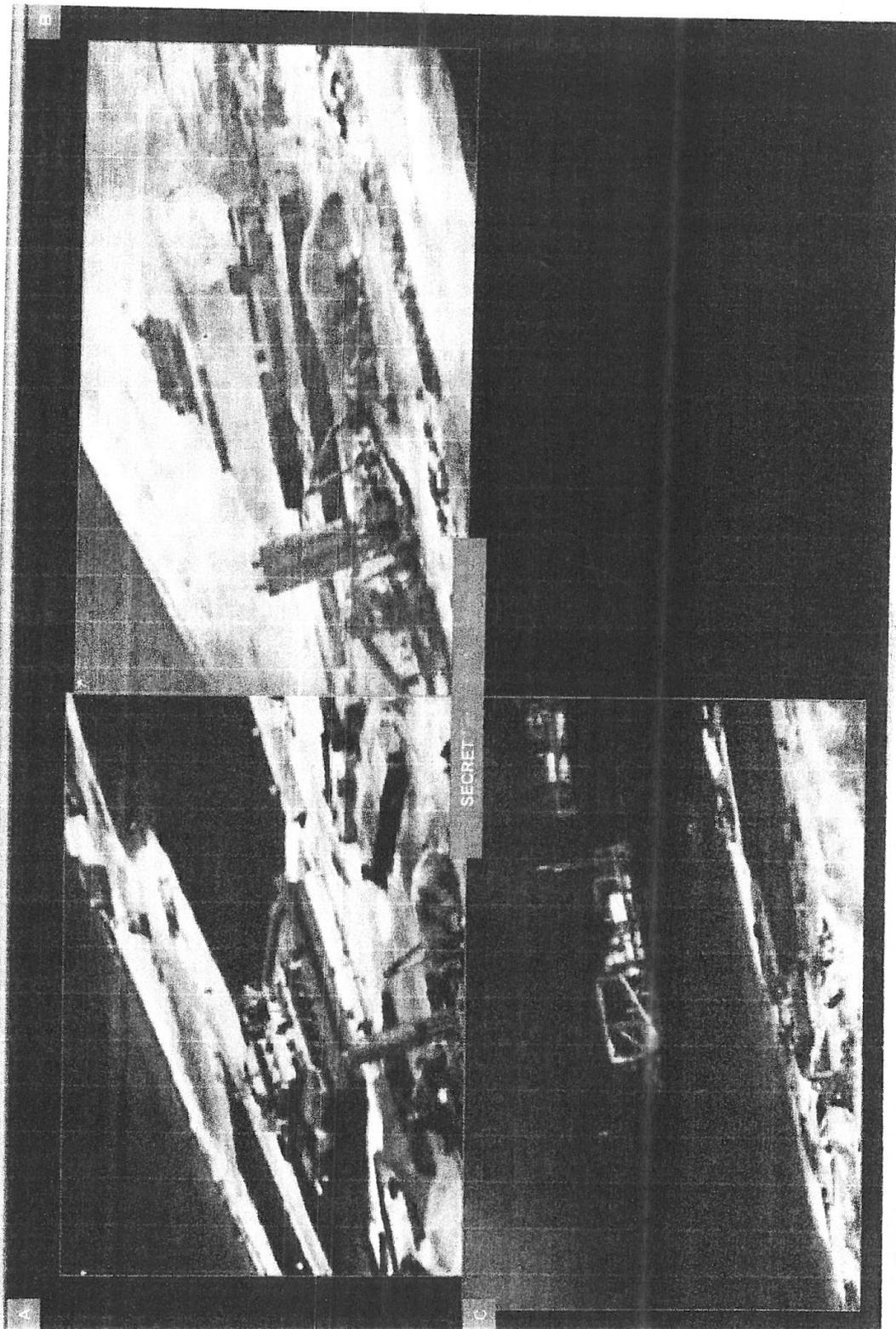
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Analysf Comments: BURHL At 0134Z USN P-8A imaged Mischief Reef South and observed 3x dredgers with one active, 1x dump truck moving, and 7x tractors with 2x active

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Mischief Reef South

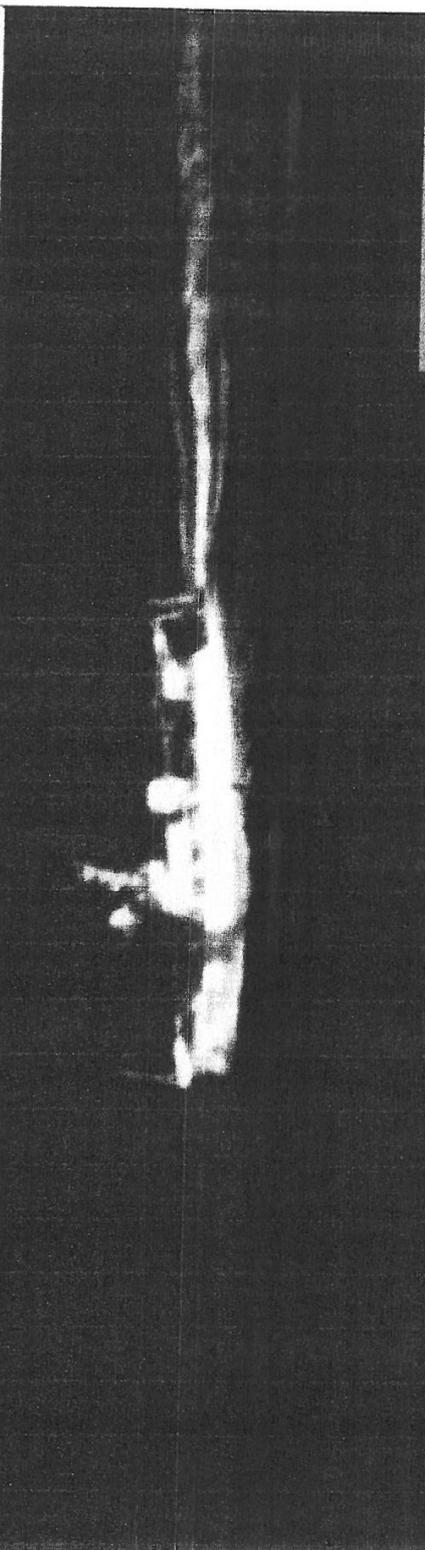


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SHUWU WPS 3184

SHUWU WPS 3184	
DTG:	260545Z JUL15
Position:	0950N 11550E
Course/Speed:	160T/13kts



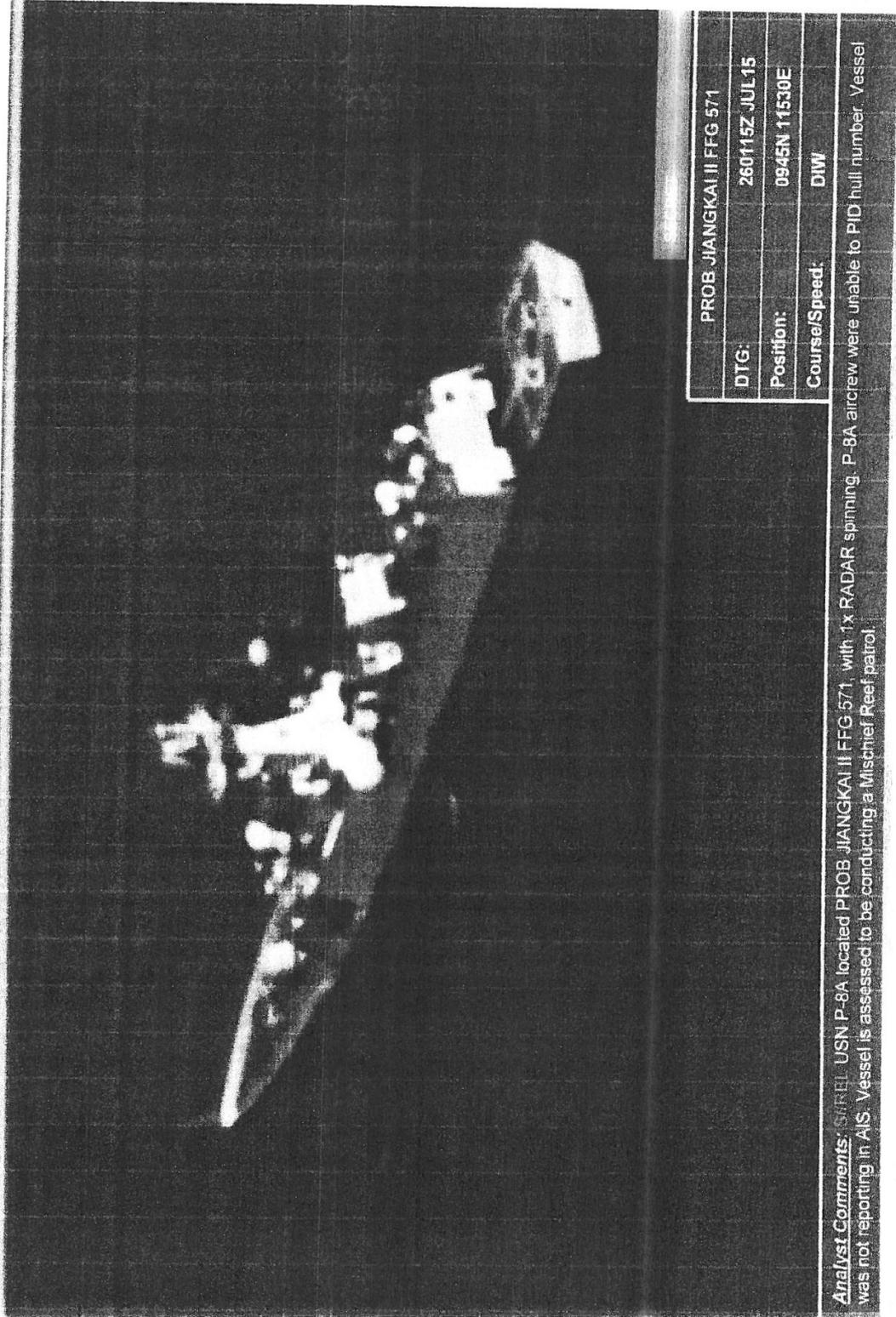
SECRET

Analyst Comments: ~~SECRET~~ USN P-8A located SHUWU WPS 3184, with 1x RADAR spinning and observed no personnel on deck. Vessel was not reporting in AIS. Vessel is assessed to be conducting a Mischief Reef patrol

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PROB JIANGKAI II FFG 571



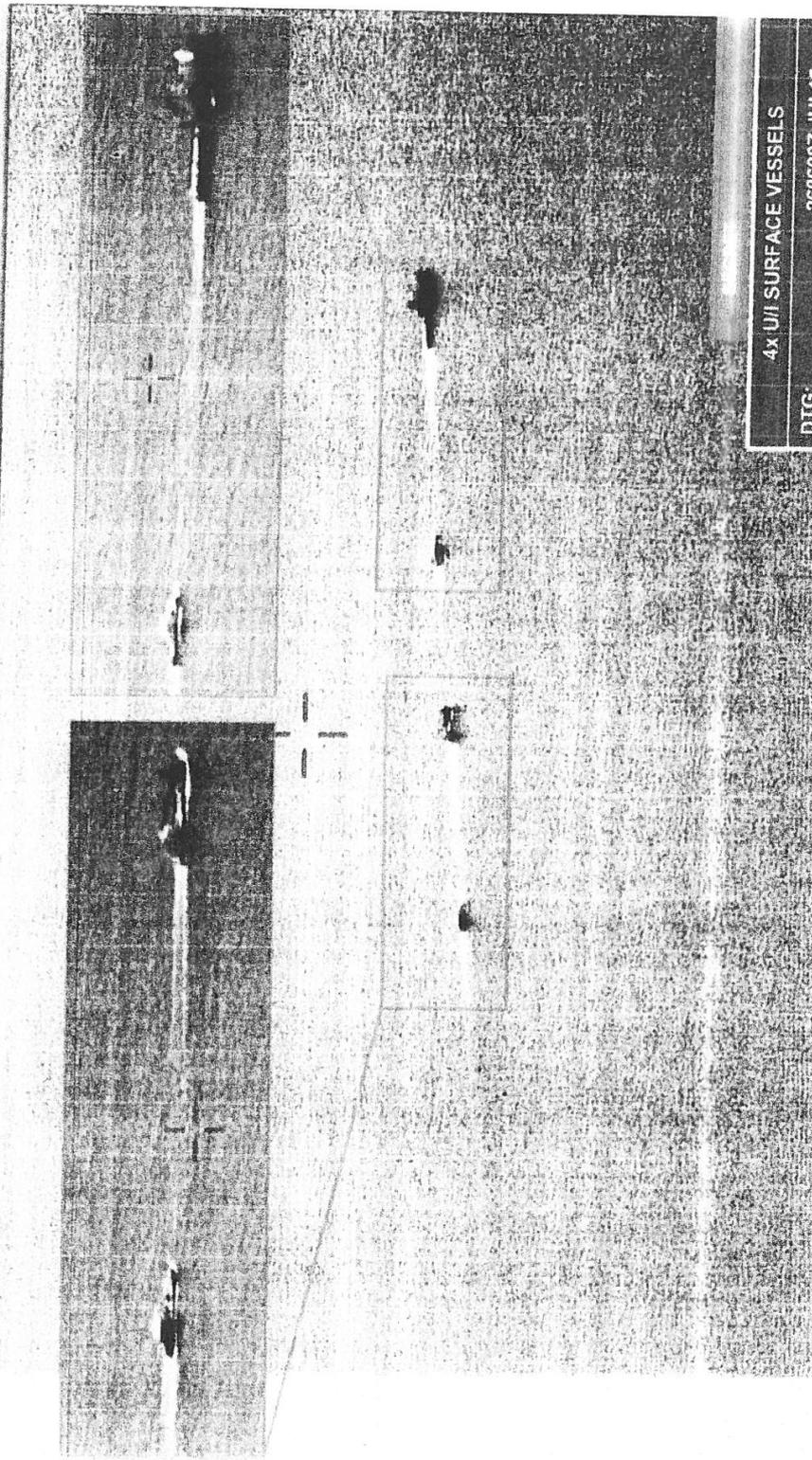
PROB JIANGKAI II FFG 571	
DTG:	260115Z JUL15
Position:	0945N 11530E
Course/Speed:	DIW

Analyst Comments: ~~USREEL~~ USN P-8A located PROB JIANGKAI II FFG 571, with 1x RADAR spinning. P-8A aircrew were unable to PID hull number. Vessel was not reporting in AIS. Vessel is assessed to be conducting a Mischief Reef patrol.

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4x U/I SURFACE VESSELS



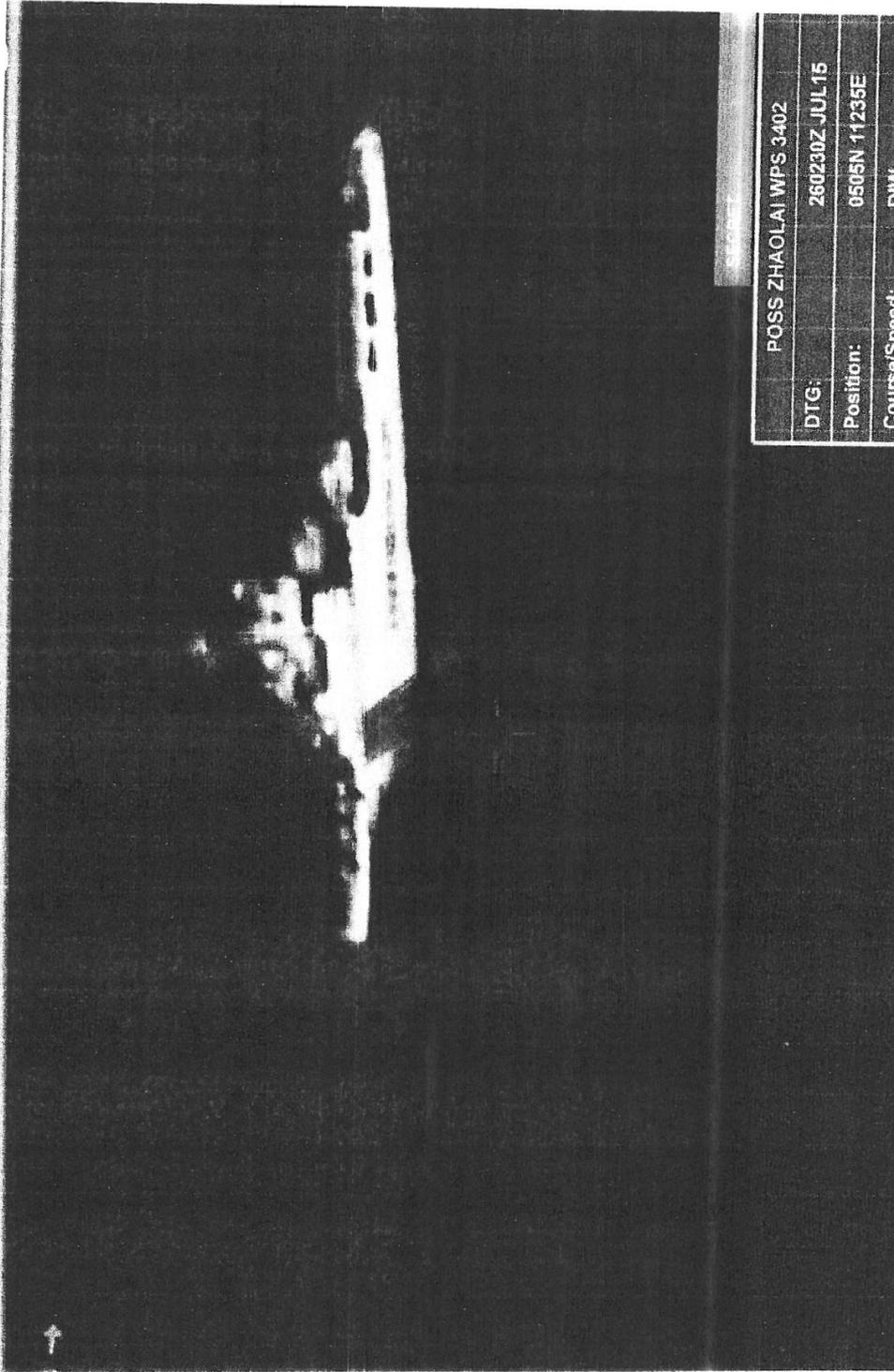
4x U/I SURFACE VESSELS	
DTG:	260600Z JUL 15
Position:	1000N 11530E
Course/Speed:	020/178kts

Analyst Comments: SAREL USN P-8A located 4x U/I SURFACE VESSELS, with no RADAR spinning. Vessels were not reporting in AIS. Vessels were traveling from Mischief Reef. 3x in rear appeared to be towed by forward vessel.

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POSS ZHAOLAI WPS 3402



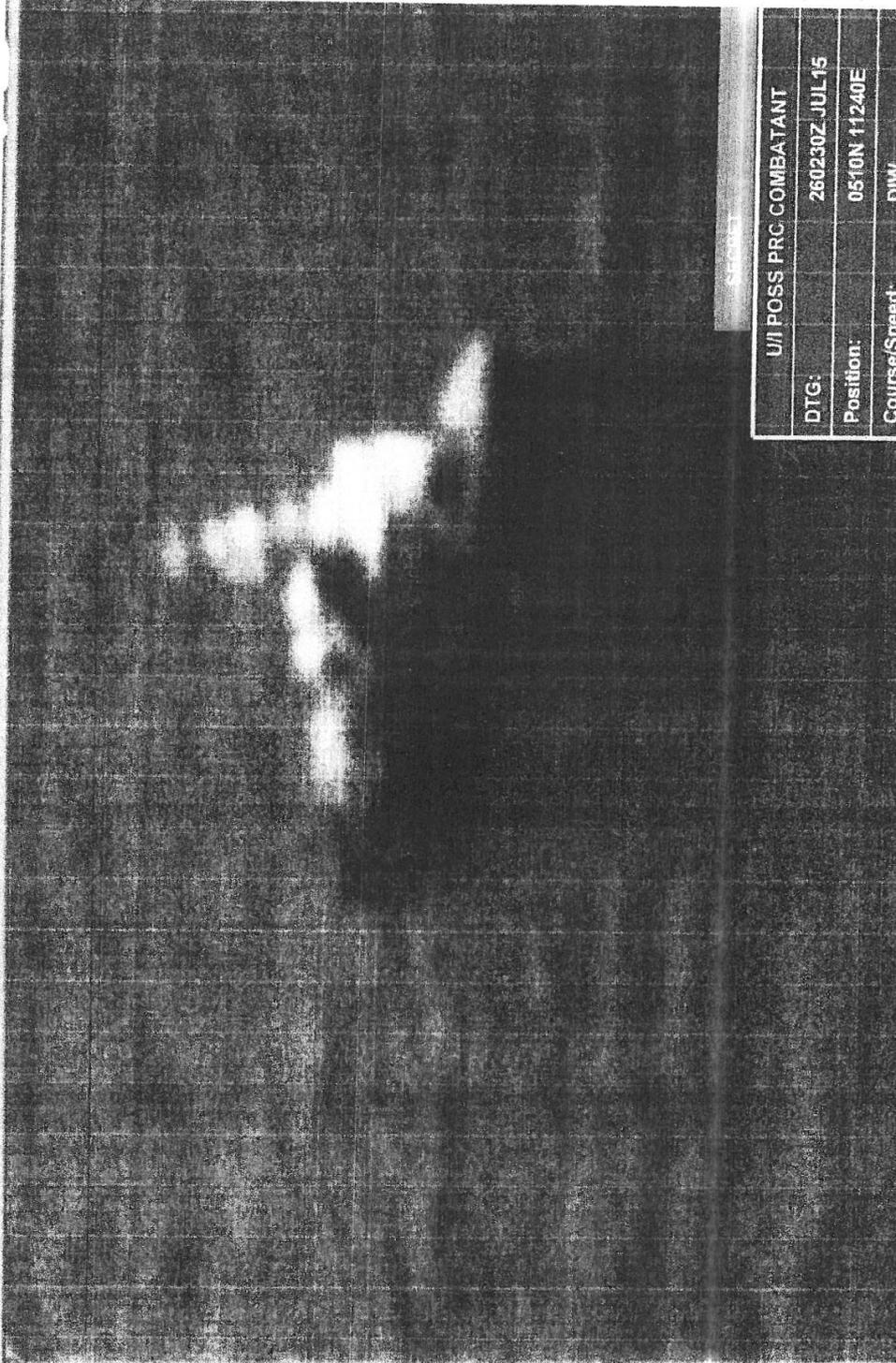
POSS ZHAOLAI WPS 3402	
DTG:	260230Z JUL 15
Position:	0505N 11235E
Course/Speed:	DIW

Analyst Comments: S/REL USN P-8A located POSS ZHAOLAI WPS 3402, with no RADAR spinning. Vessel was not reporting in AIS. Vessel is assessed to be conducting a South Luconia Shoal patrol.

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U/I POSS PRC COMBATANT



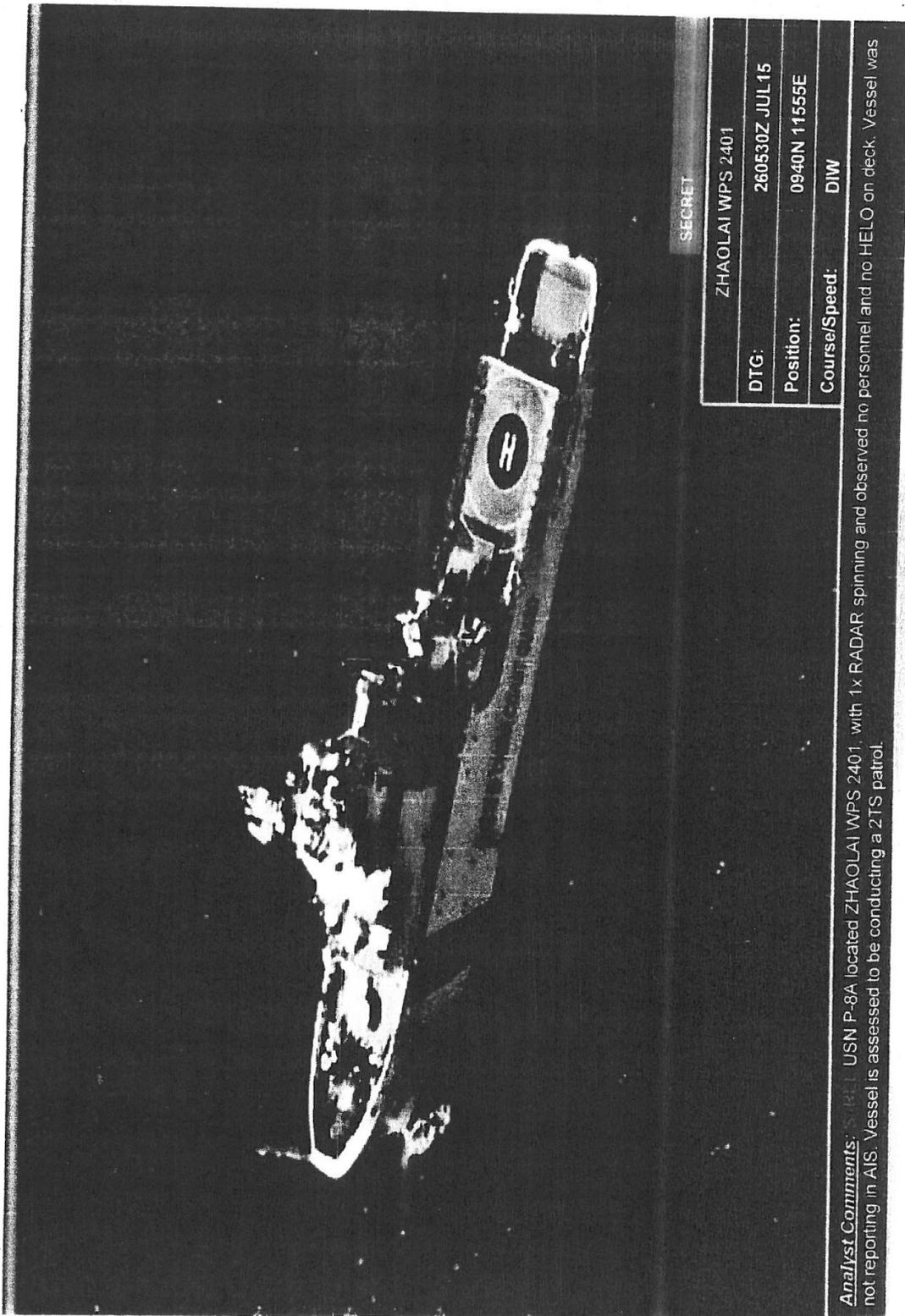
U/I POSS PRC COMBATANT	
DTG:	260230Z JUL 15
Position:	0510N 11240E
Course/Speed:	DIW

Analyst Comments: S/PRI USN P-8A located U/I POSS PRC COMBATANT, with no RADAR spinning. Vessel was not reporting in AIS. Vessel is assessed to be conducting a South Luconia Shoal patrol.

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ZHAOLAI WPS 2401



SECRET

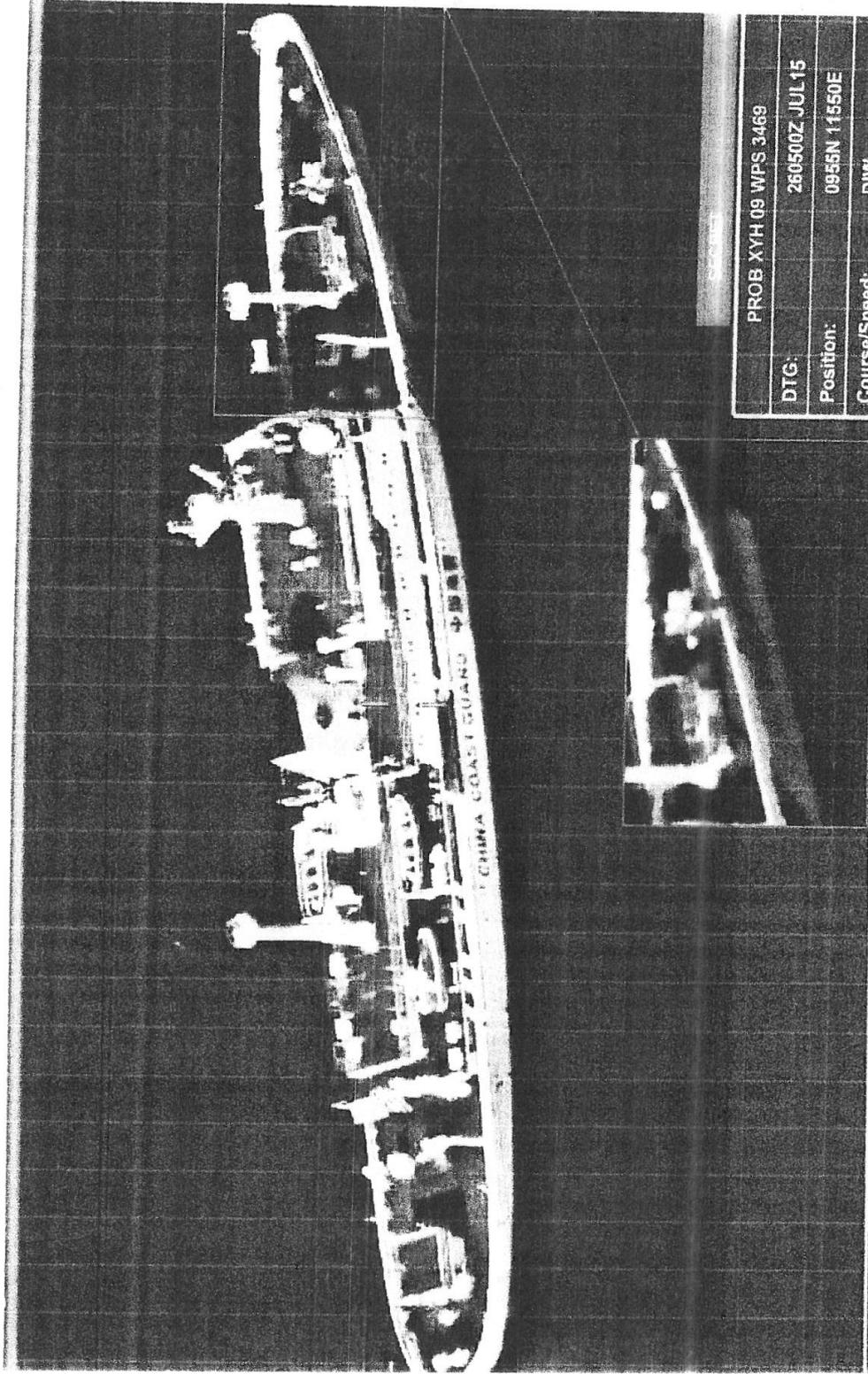
ZHAOLAI WPS 2401
DTG: 260530Z JUL 15
Position: 0940N 11555E
Course/Speed: DIW

Analyst Comments: 57441 USN P-8A located ZHAOLAI WPS 2401, with 1x RADAR, spinning and observed no personnel and no HELO on deck. Vessel was not reporting in AIS. Vessel is assessed to be conducting a 2TS patrol.

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PROB XYH 09 WPS 3469



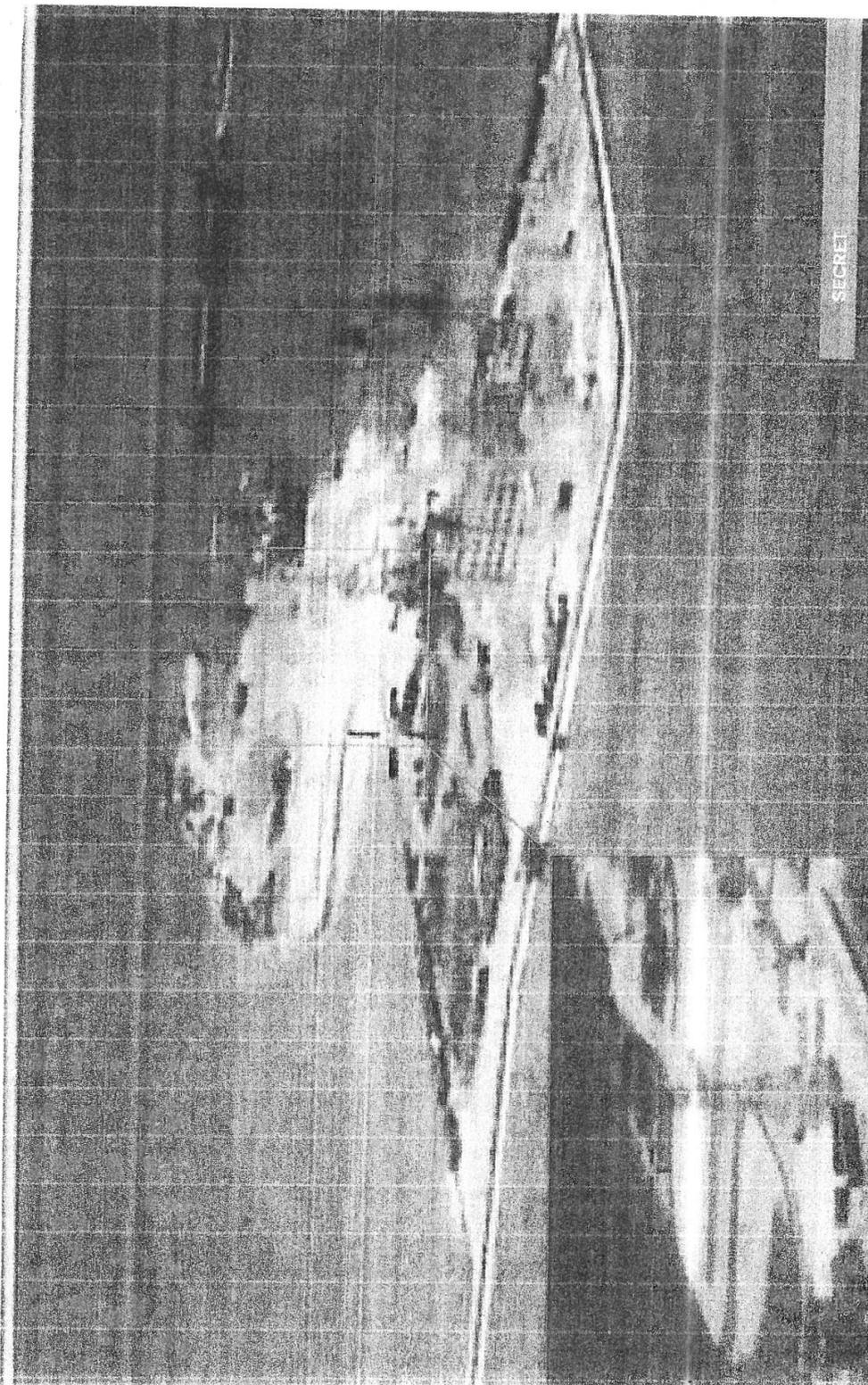
PROB XYH 09 WPS 3469	
DTG:	260500Z JUL 15
Position:	0955N 11550E
Course/Speed:	DIW

Analyst Comments: S/P-8A USN P-8A located PROB XYH 09 WPS 3469, with 1x RADAR spinning and observed 2x personnel on deck. USN P-8A unable to PID hull number. Vessel was not reporting in AIS. Vessel is assessed to be conducting a 2TS patrol.

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Gaven Reef



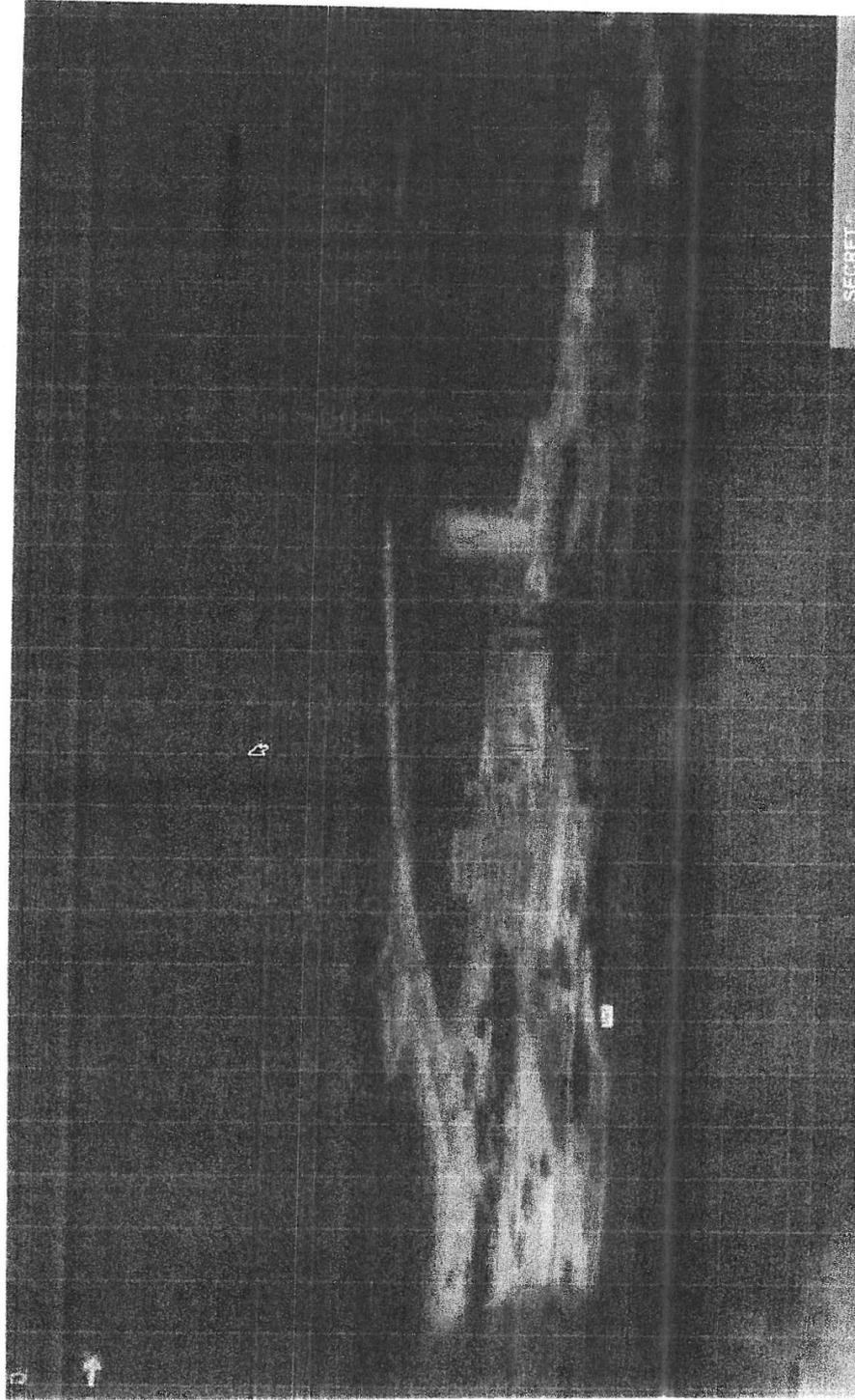
Analyst Comments: S//REL At 0400Z, U.S. P-8 observed Gaven Reef. U.S. P-8 observed 1x Poss comms tower, 1x large watch tower, 1x group three with tug next to it moored to pier, 1x loading vessel, 1x helo pad, and multiple personnel, semi trucks, and conex boxes.

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SECRET

Cuarteron Reef

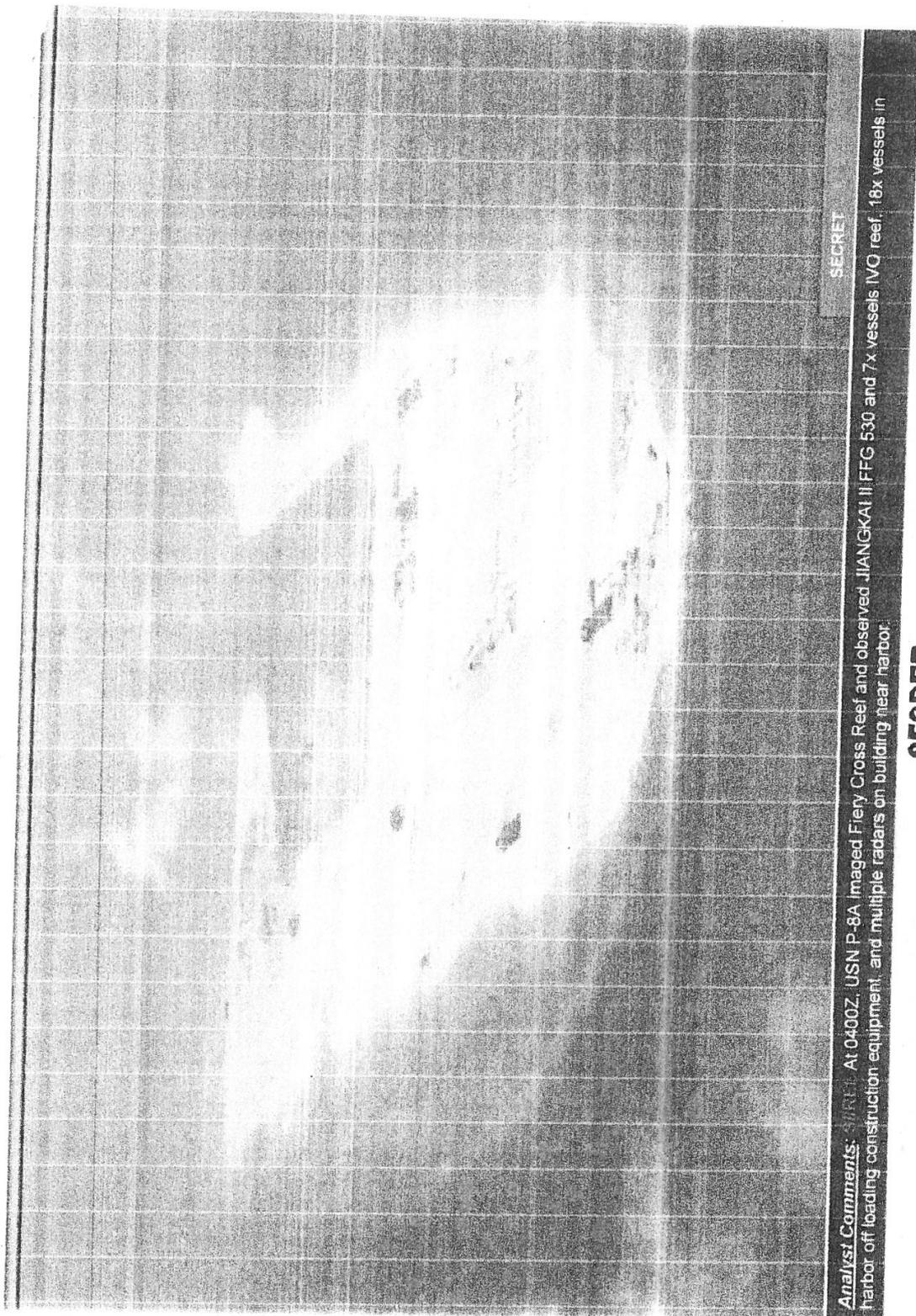


SECRET
Analyst Comments: **SECRET** AI 0300Z. USN P-8A imaged Cuarteron Reef and observed 1x large vessel, 1x POSS dredger in harbor, 1x dingy, 1x dredger line, 2x cranes on reef.

SECRET

SECRET

Fiery Cross Reef



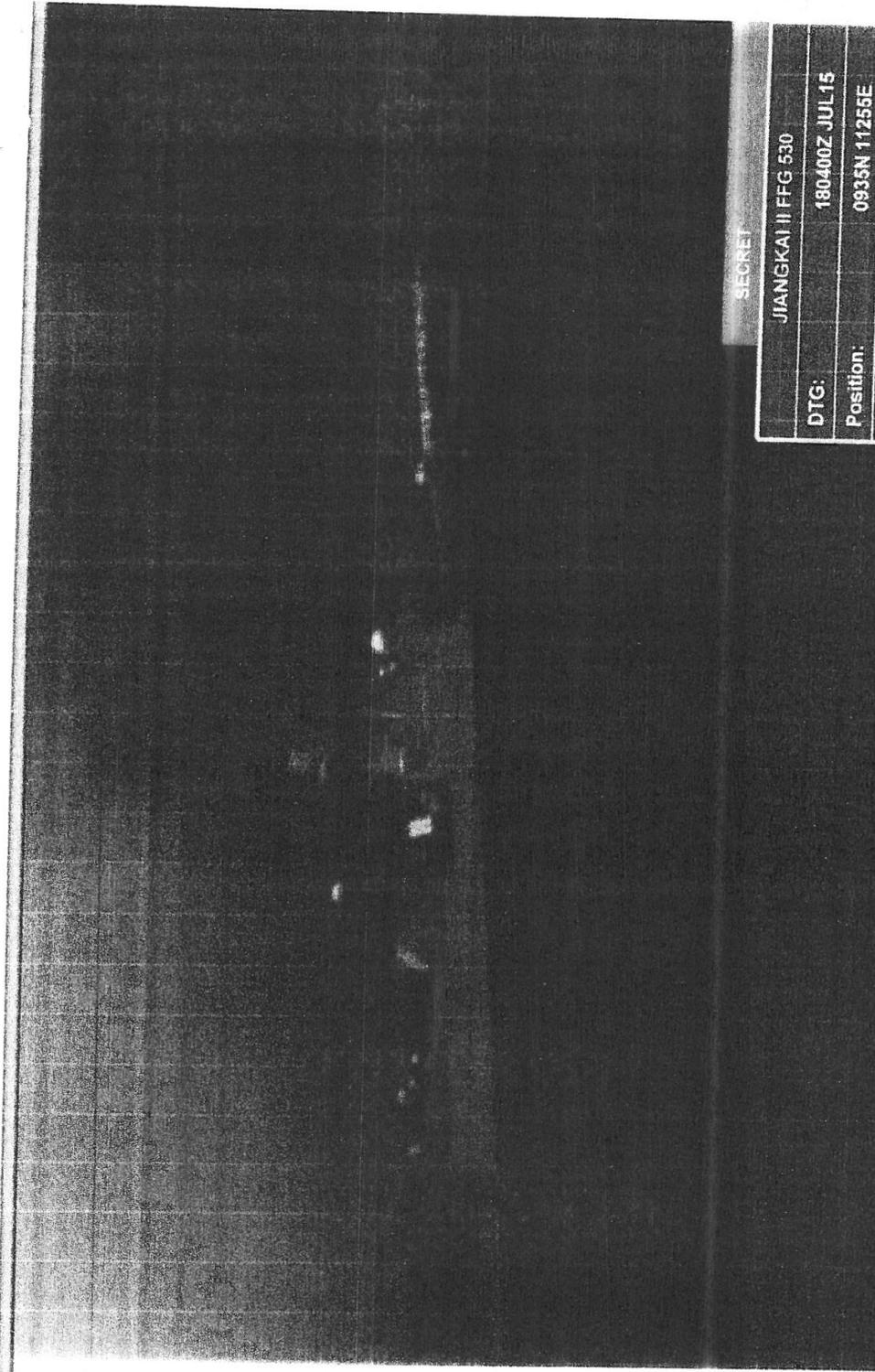
SECRET

Analyst Comments: ~~SECRET~~ AT 0400Z, USN P-8A imaged Fiery Cross Reef and observed JIANGKAI II FFG 530 and 7x vessels IVQ reef, 18x vessels in harbor off loading construction equipment, and multiple radars on building near harbor.

SECRET

SECRET

JIANGKAI II FFG 530



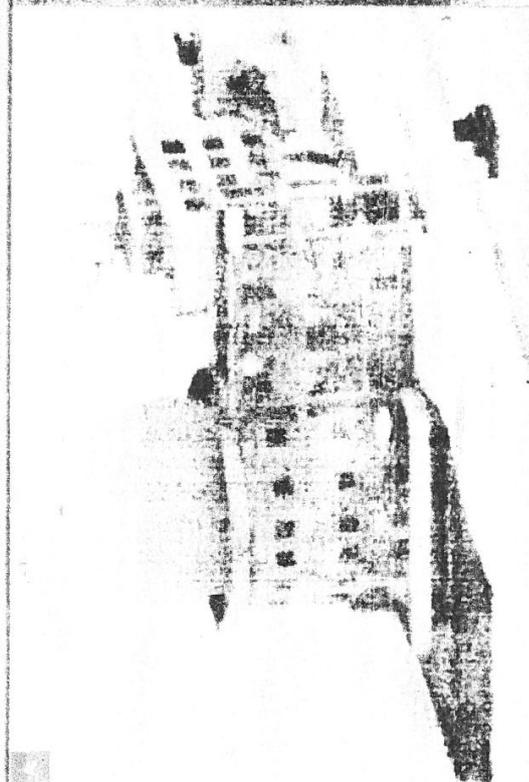
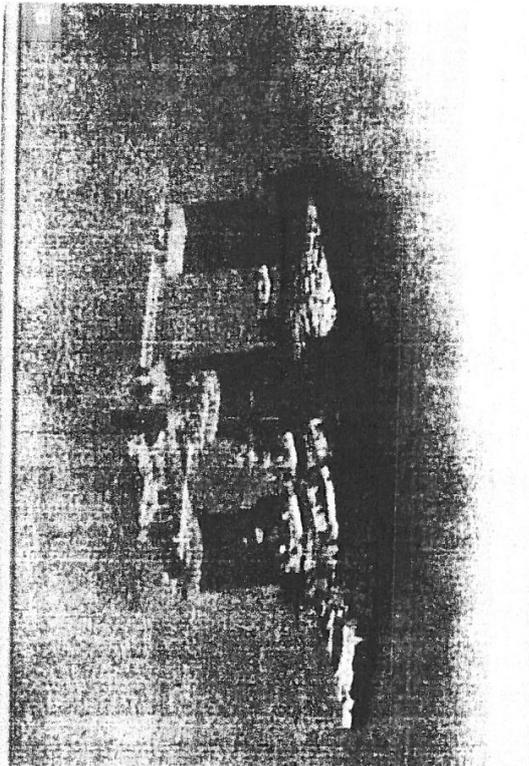
SECRET	
DTG:	JIANGKAI II FFG 530 180400Z JUL 15
Position:	0935N 11256E
Course/Speed:	DIW

Analyst Comments: ~~SECRET~~ USN P-8A located JIANGKAI II FFG 530, with 1x RADAR spinning. Vessel was not reporting in AIS. Vessel tried hailing USN P-8A multiple times, but the aircrew did not respond. Vessel is assessed to be conducting a Fiery Cross patrol.

SECRET

SECRET

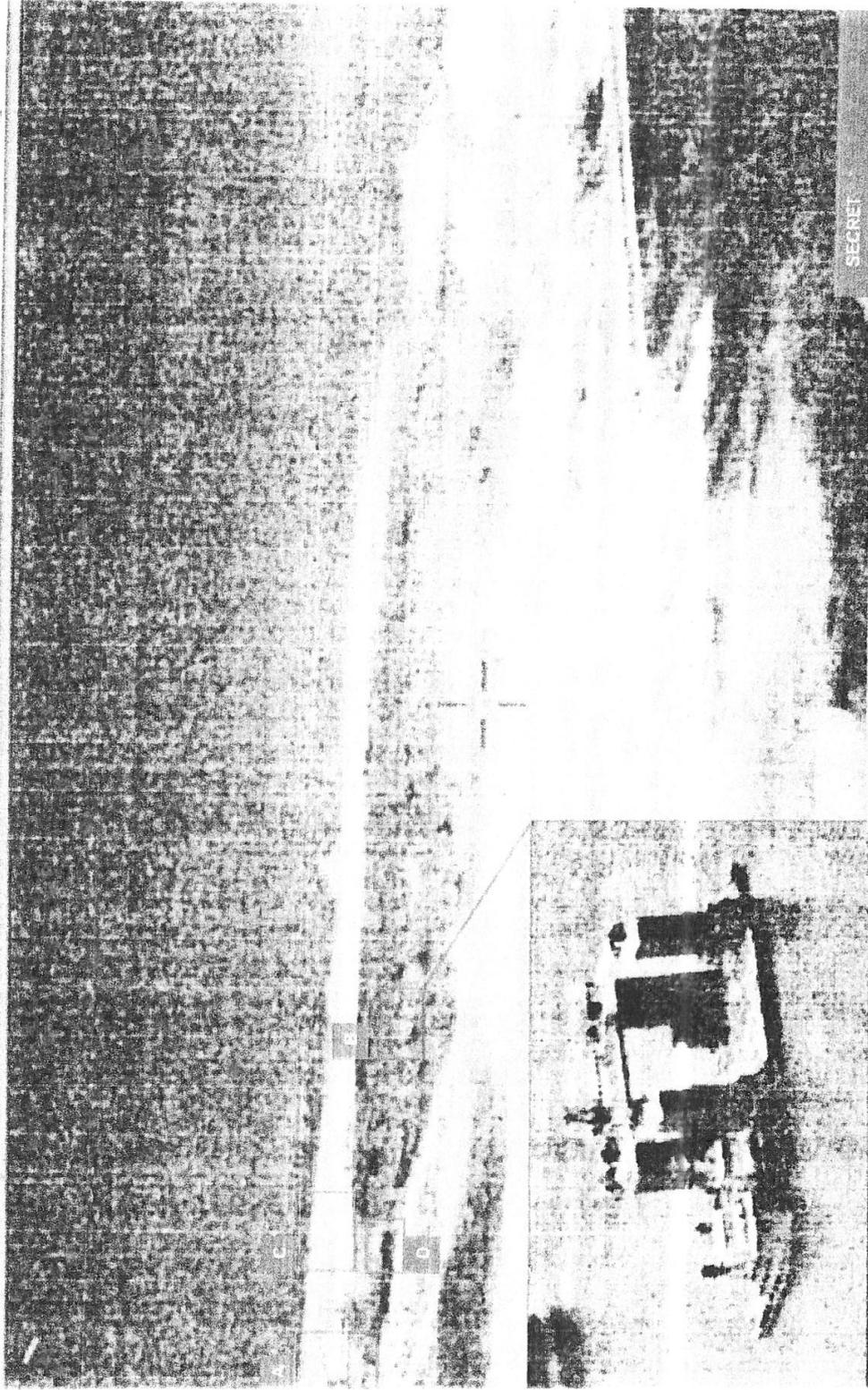
Subi Reef



SECRET

SECRET

Subi Reef

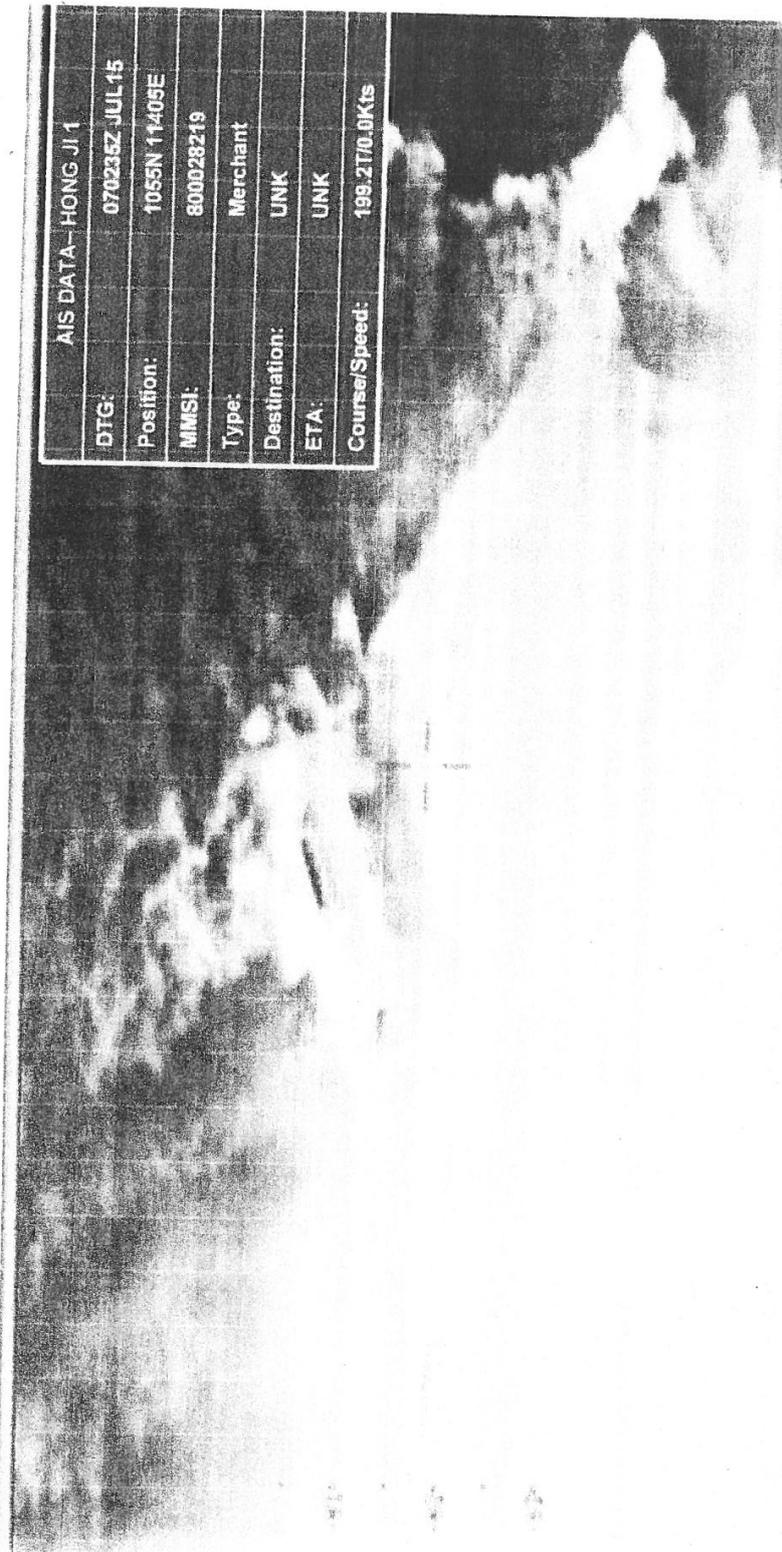


SECRET
Analyst Comments: **SECRET** At 0145Z, USN P-8A imaged Subi Reef and observed 74x ships in harbor, 10x ships outside harbor, 1x empty barge 3NM from reef, 1x dredger reporting in AIS (MMSI 412053060) and 1x vessel in port. Visibility was obscured due to weather. Nothing significant to report.

SECRET

SECRET

UNKNOWN EMPTY BARGE



AIS DATA- HONG JI 1	
DTG:	070235Z JUL 15
Position:	1055N 11405E
MMSI:	800028219
Type:	Merchant
Destination:	UNK
ETA:	UNK
Course/Speed:	199.21/0.0Kts

SECRET	
UNKNOWN EMPTY BARGE	
DTG:	0215Z JUL 15
Position:	1105N 11400E
Course/Speed:	340T/8kts

Analyst Comments: SWRCEL USN P-8A located UNKNOWN EMPTY BARGE with no RADAR spinning. Vessel was observed heading Northwest away from Subi Reef.

SECRET

Annex 612

Letter from Voltaire T. Gazmin, Secretary of National Defense of the Republic of the Philippines, to Albert F. Del Rosario, Secretary of Foreign Affairs of the Republic of the Philippines (10 Aug. 2015)

Republika ng Pilipinas
Kagawaran ng Tanggulang Pambansa
Tanggapan ng Kalihim



Republic of the Philippines
Department of National Defense
Office of the Secretary

The Honorable
Secretary ALBERT F. DEL ROSARIO
Department of Foreign Affairs
2330 Roxas Boulevard, Pasay City

AUG 10 2015
DEPARTMENT OF NATIONAL DEFENSE
OFFICE OF THE SECRETARY
AUG 17 2015
0066539

Dear **Secretary Del Rosario**:

May I have the honor to apprise the Honorable Secretary regarding the latest developments in the Chinese-occupied feature Zamora (Subi) Reef.

During an aerial reconnaissance mission conducted by 300th AISG, PAF on July 26, 2015, two (2) cutter suction dredgers, 44 cargo supply vessels, 22 tugboats and one (1) floating barge crane were monitored in the said Reef (**Tab A**). Compared to photos taken on May 28, 2015, a larger portion of the Reef has been reclaimed (**Tab B**). The two (2) sides of the Reef being reclaimed now appear to have nearly the same measurement. More significantly, the sea walls around the Reef are almost completed (**Tab C**). This is likely an indication that China may now focus on the construction of structures in the reclaimed areas.

I hope this information merits the appreciation of the Honorable Secretary.

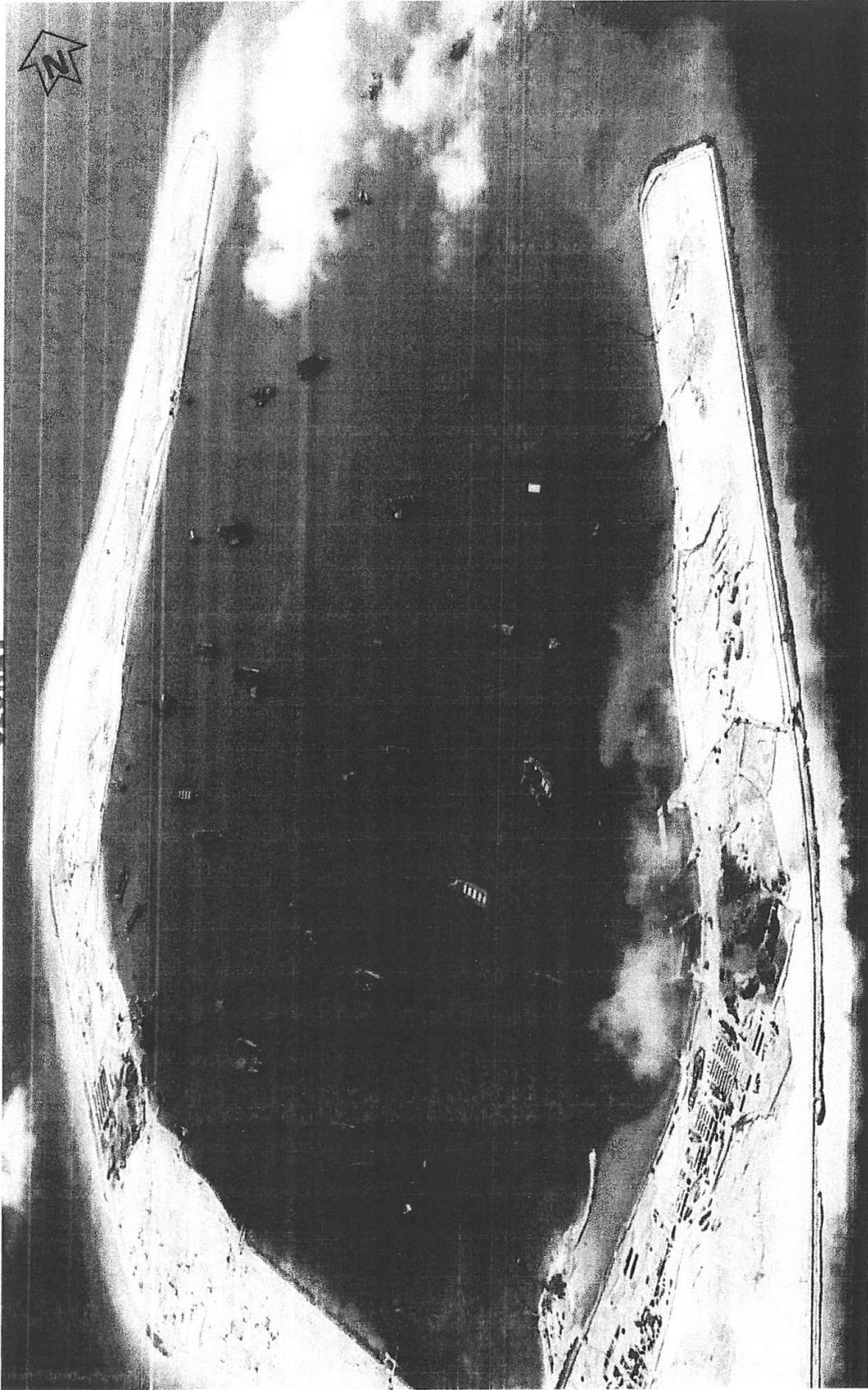
Very truly yours,


VOLTAIRE T. GAZMIN
Secretary



VTG-19708

SECRET



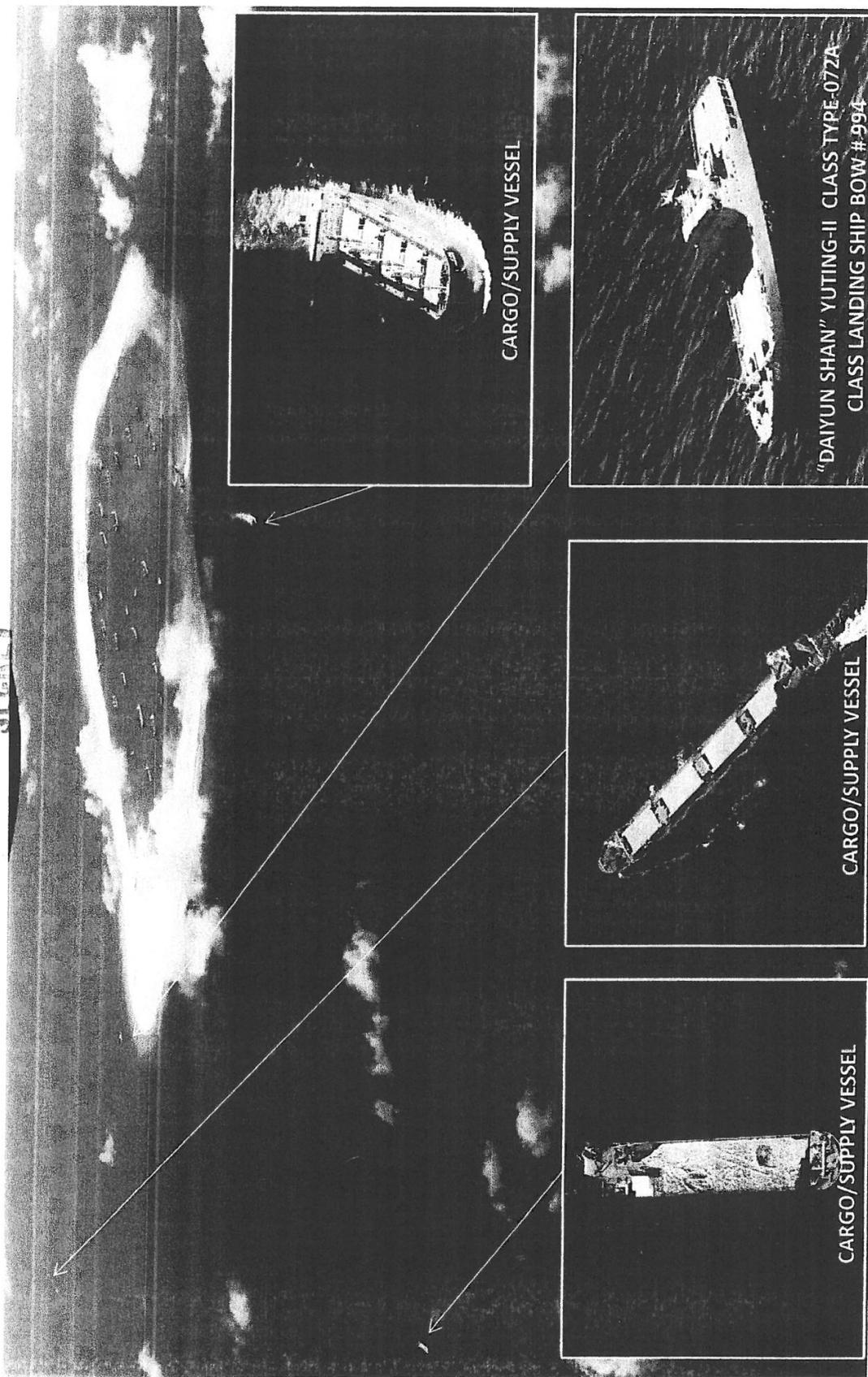
**SHIPS AND VESSELS SPOTTED INSIDE THE LAGOON
OF ZAMORA (SUBI) REEF (PROC)**

ALTITUDE: 6,500 FEET

LAT/LONG: N 10° 43' 41.75" E 115° 49' 15.29"

26 JULY 2015

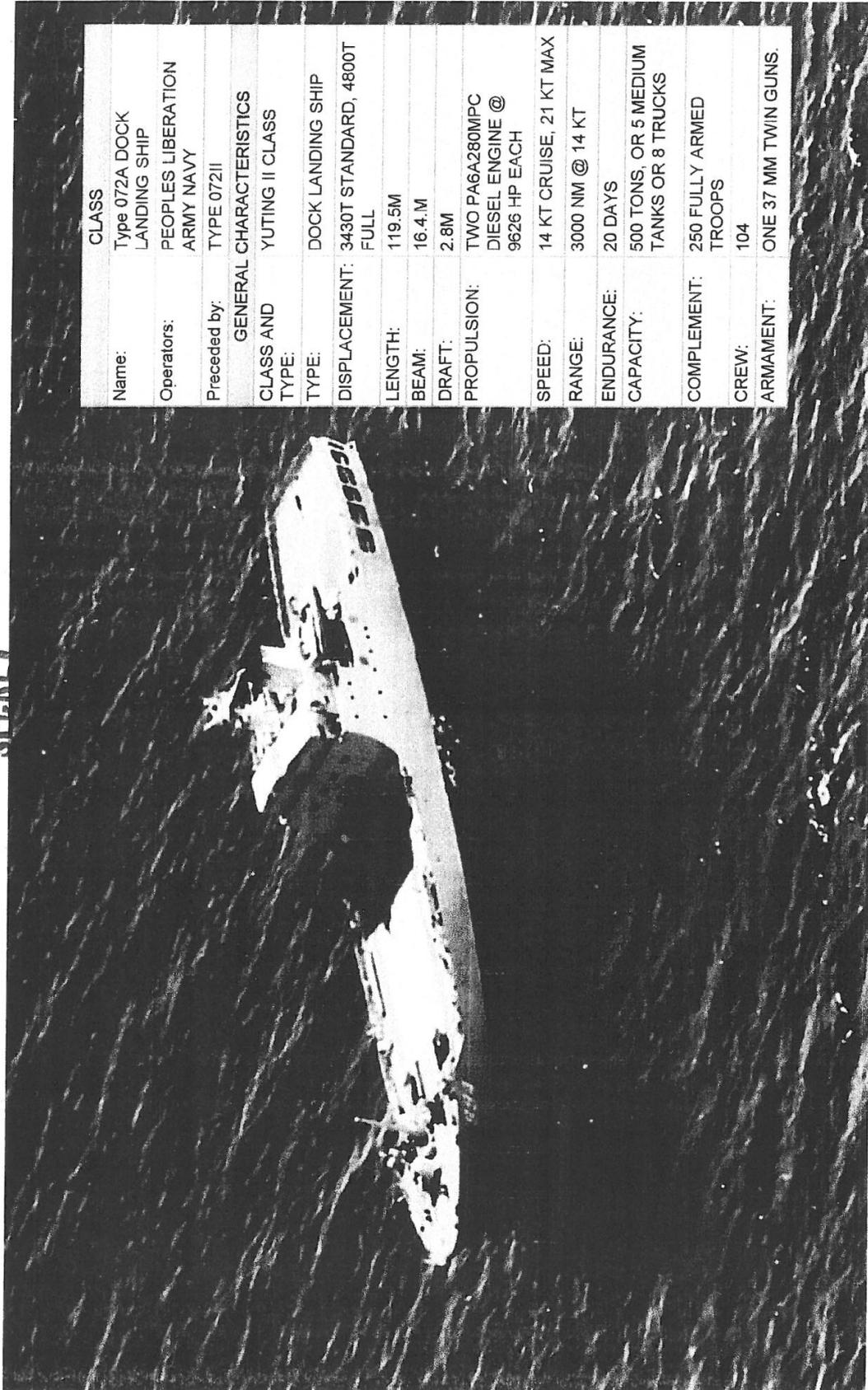
SECRET



**SHIPS AND VESSELS SPOTTED OUTSIDE
ZAMORA (SUBI) REEF (PROC)**

ALTITUDE: 6,500 FEET
 LAT/LONG: N 10° 43' 41.75" E 115° 49' 15.29"
 26 JULY 2015

SECRET

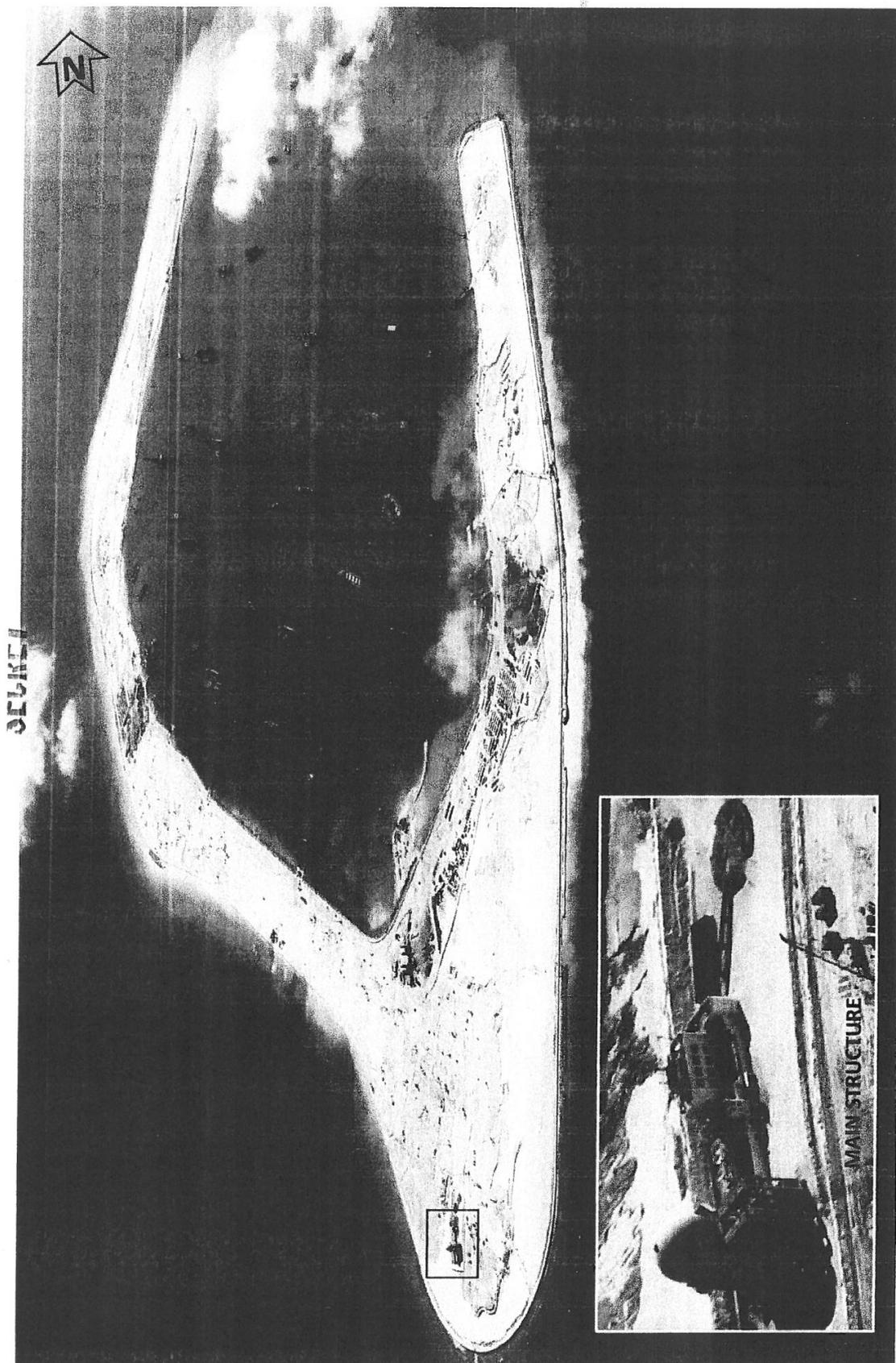


CLASS	Type 072A DOCK LANDING SHIP
Name:	PEOPLES LIBERATION ARMY NAVY
Operators:	TYPE 072II
Preceded by:	GENERAL CHARACTERISTICS
	YUTING II CLASS
CLASS AND TYPE:	DOCK LANDING SHIP
DISPLACEMENT:	3430T STANDARD, 4800T FULL
LENGTH:	119.5M
BEAM:	16.4.M
DRAFT:	2.8M
PROPULSION:	TWO PA6A280MPC DIESEL ENGINE @ 9626 HP EACH
SPEED:	14 KT CRUISE, 21 KT MAX
RANGE:	3000 NM @ 14 KT
ENDURANCE:	20 DAYS
CAPACITY:	500 TONS, OR 5 MEDIUM TANKS OR 8 TRUCKS
COMPLEMENT:	250 FULLY ARMED TROOPS
CREW:	104
ARMAMENT:	ONE 37 MM TWIN GUNS.

**"DAIYUN SHAN" YUTING-II TYPE 072A
CLASS LANDING SHIP BOW NUMBER 994**

ALTITUDE: 6,500 FEET
LAT/LONG: N 10° 43' 41.75" E 115° 49' 15.29"
26 JULY 2015

SECRET



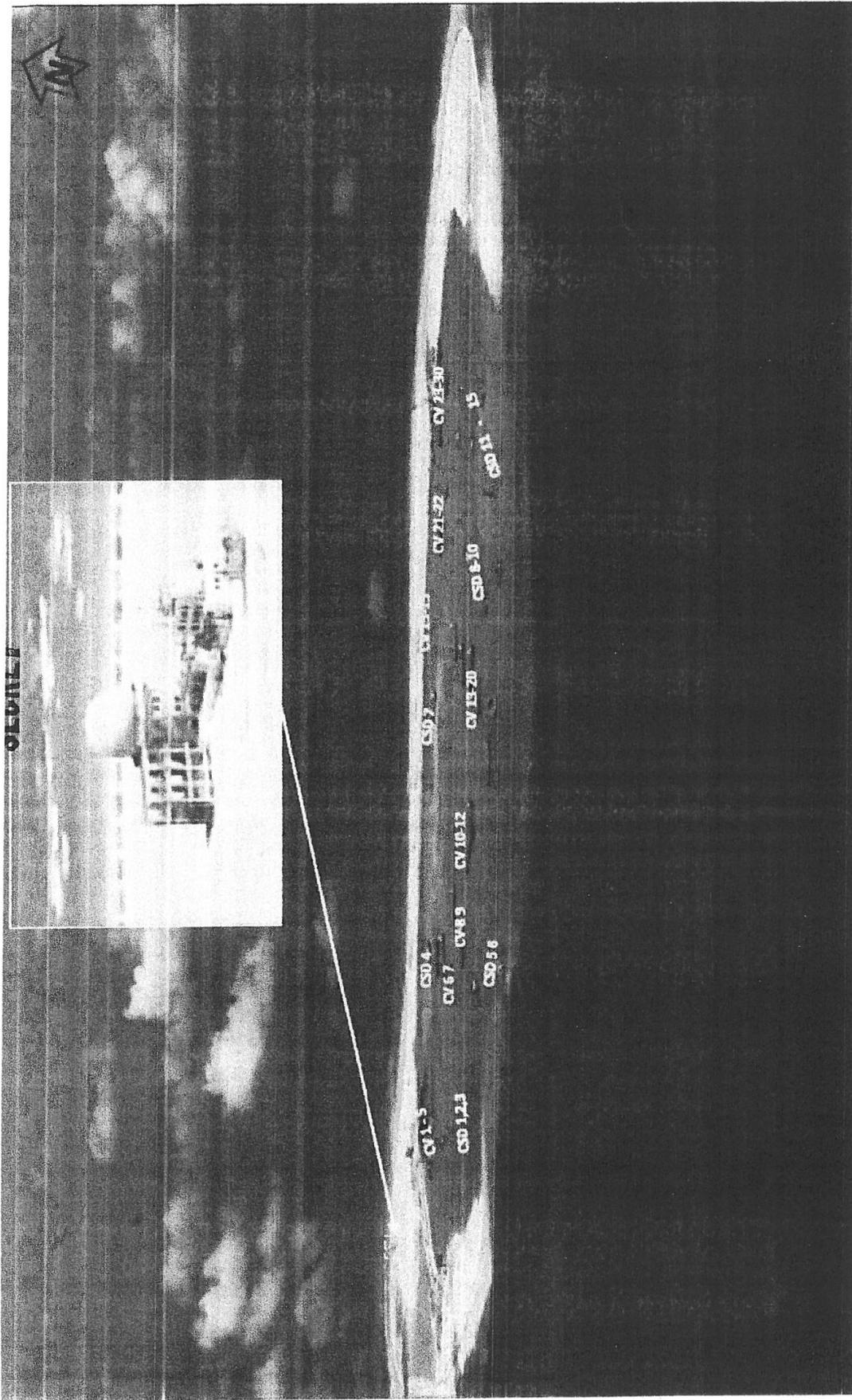
ZAMORA (SUBI) REEF (PROC)

ALTITUDE: 6,500 FEET

LAT/LONG: N 10° 54' 29.57" E 114° 06' 10.68"

26 JULY 2015

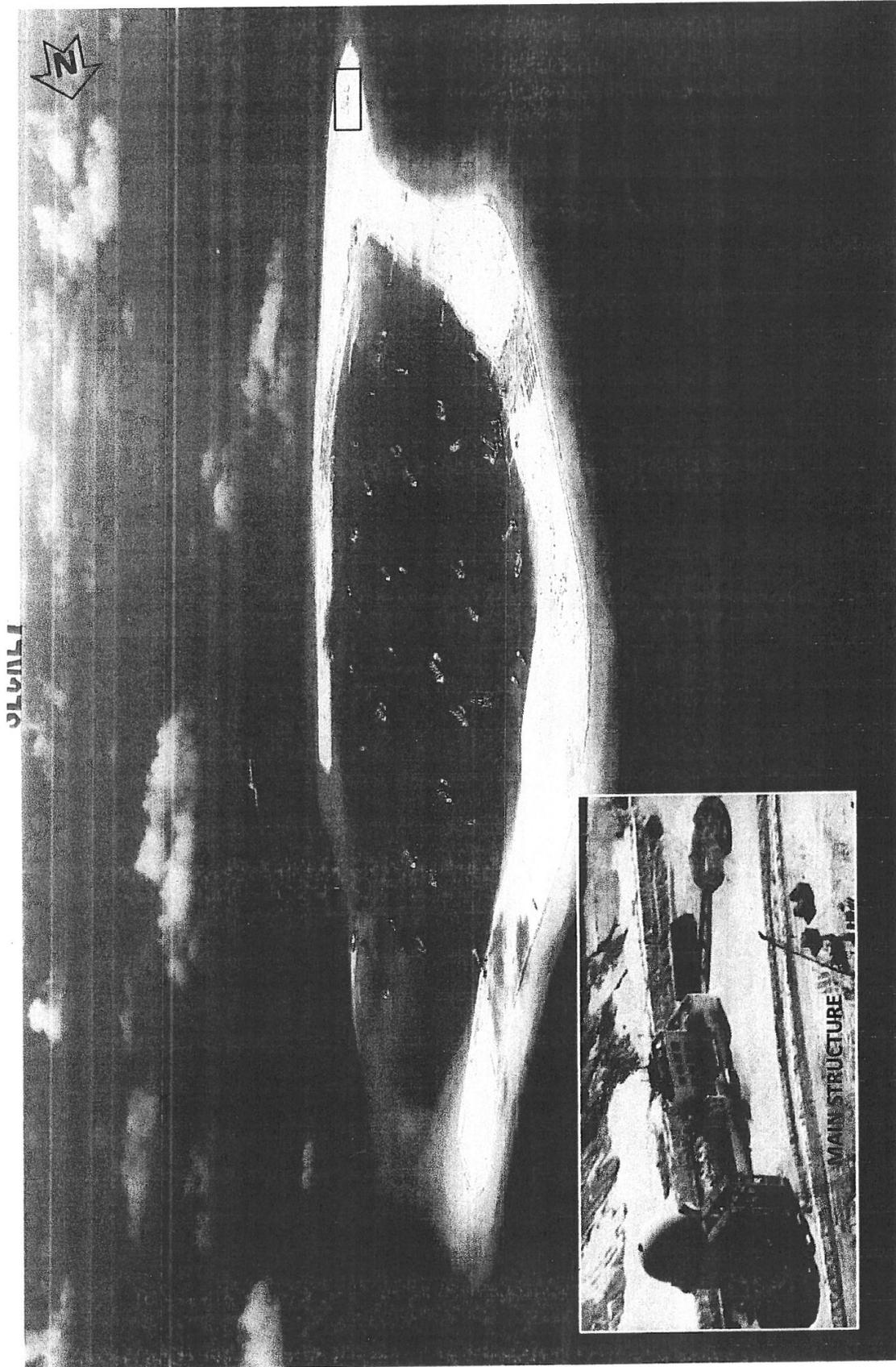
SECRET



SPOTTED 30 CARGO VESSELS (CV) AND 15 CUTTER SUCTION DREDGERS (CSD) AND INSIDE (SUBI) REEF (PROC)

ALTITUDE: 7,300 FEET
 LAT/LONG: N 10° 53' 36.70" E 114° 2' 24.53"
 28 MAY 2015

SECRET



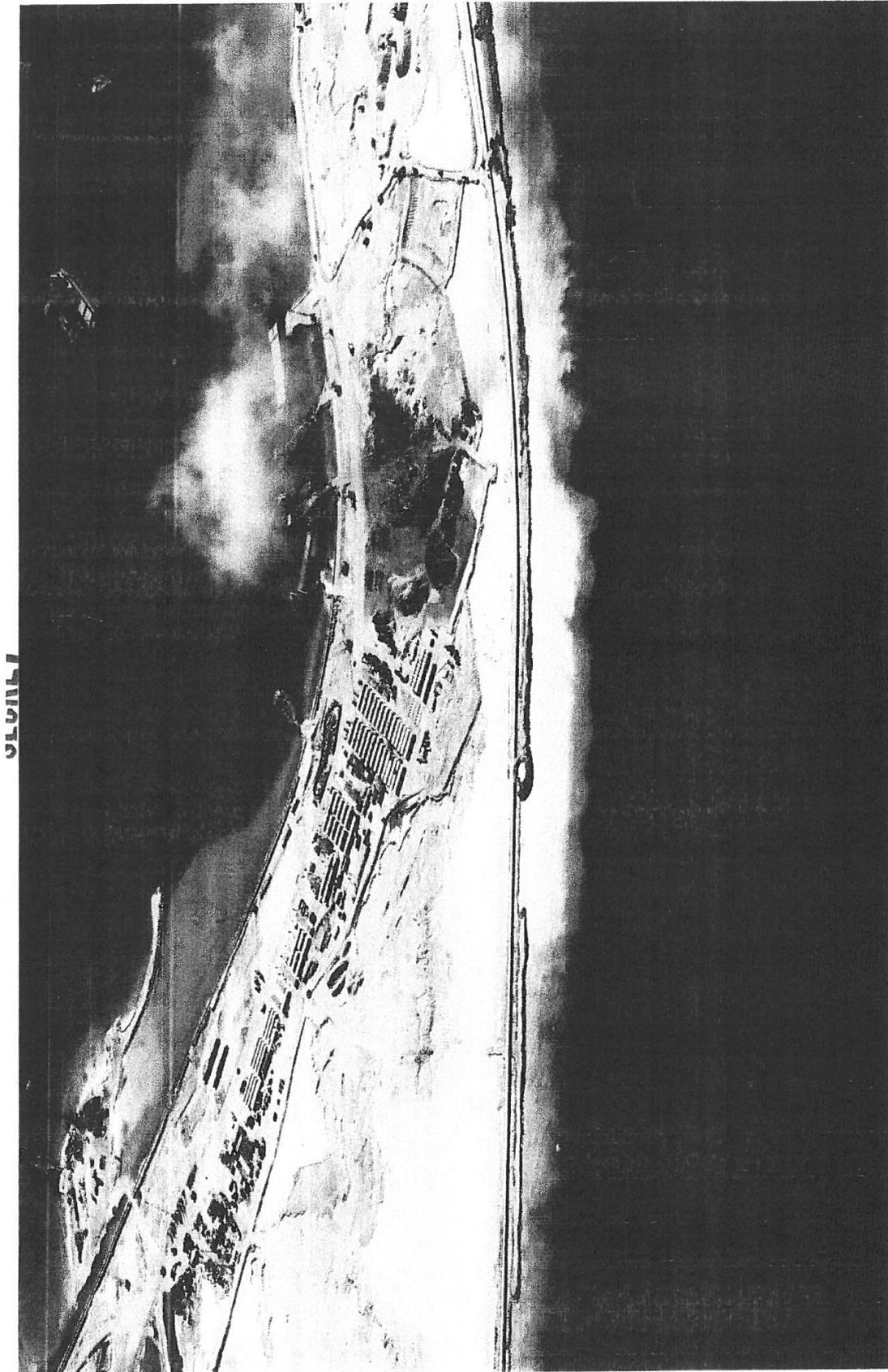
ZAMORA (SUBI) REEF (PROC)

ALTITUDE: 6,500 FEET

LAT/LONG: N 10° 54' 29.57" E 114° 06' 10.68"

26 JULY 2015

SECRET



**ON-GOING CONSTRUCTION ON THE
SOUTHERN PART OF ZAMORA (SUBI) REEF (PROC)**

ALTITUDE: 6,500 FEET
LAT/LONG: N 10° 54' 29.57" E 114° 06' 10.68"
26 JULY 2015

SECRET

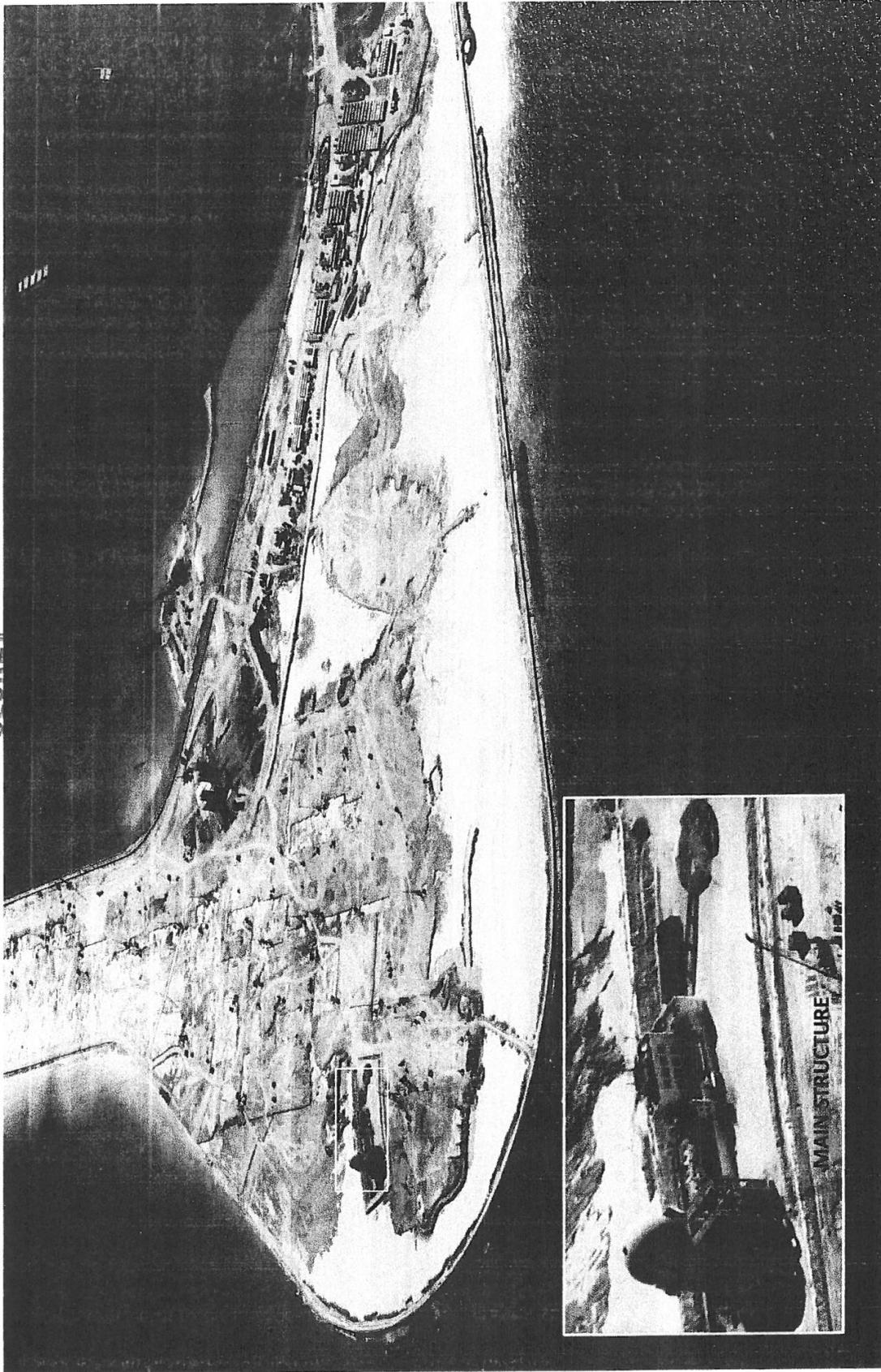
010111



NORTHERN PART OF ZAMORA (SUBI) REEF (PROC)

ALTITUDE: 6,500 FEET
LAT/LONG: N 10° 54' 29.57" E 114° 06' 10.68"
26 JULY 2015

SECRET



SOUTHERN PART OF ZAMORA (SUBI) REEF (PROC)

ALTITUDE: 6,500 FEET
LAT/LONG: N 10° 54' 29.57" E 114° 06' 10.68"
26 JULY 2015

SECRET

Annex 613

Memorandum from the Assistant Secretary of Foreign Affairs of the Republic of the Philippines to the Undersecretary of Foreign Affairs of the Republic of the Philippines for Policy (30 Sept. 2015)

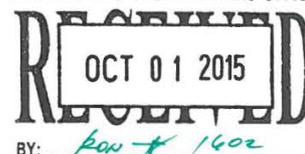
IN# 15-10-19



Kagawaran ng Ugayang Panlabas

Department of Foreign Affairs

OFFICE OF ASIAN AND PACIFIC AFFAIRS

MCC - ~~607~~⁵-2015/DIV1**URGENT and CONFIDENTIAL**
MEMORANDUM FOR THE SECRETARYThrough : The Undersecretary for Policy
Cc : The Assistant Secretary, MOAODEPARTMENT OF FOREIGN AFFAIRS
MARITIME AND OCEAN AFFAIRS OFFICEFrom : *Minda Calaguan-Cruz*
MINDA CALAGUAN-CRUZ
Assistant SecretarySubject : **Chinese Response to PH Protest on Audio Challenges
Against PH Aircraft**

Date : 30 September 2015

This is to inform the Secretary that on 30 September 2015, the Chinese Embassy¹ handed over to ASPAC Note Verbale No. (2015)PG-329 dated 29 September 2015 (**Annex A**) responding to PH protest on Chinese audio challenges against PH aircraft or PH Note No. 15-3529 dated 25 August 2015 (**Annex B**).

1. In PH Note No. 15-3529 dated 25 August 2015, PH protested against five (5) reported incidents of audio challenges by the Chinese Navy against PH aircraft overflying Chinese-reclaimed features in the West Philippine Sea.
2. China's response contains the following elements which are regular features of Notes from the Chinese on the South China Sea:
 - Cited international treaties that define PH territory and claiming that Scarborough Shoal and the Spratly Islands are not part of PH territory based on these treaties;
 - Claims that PH has been building facilities in features it "illegally" occupies;
 - Demands PH tow away "illegally grounded" vessel in Ren'ai Reef (Second Thomas Shoal); and
 - States China will not accept or participate in arbitration.
3. China's response also includes the following new elements:
 - Claims that disputes in the South China Sea is caused by PH's "expansion policy"
 - States China will not accept PH referring to the "Nansha Islands" as "Kalayaan island Group"

¹ The Chinese Embassy was represented by First Secretary and Director of Political Section Yu Jun and Third Secretary Yuan Fang. ASPAC was represented by China Division Acting Director Nicole De Castro and Principal Assistant Jet Olfato.

- PH should not use UNCLOS to infringe upon China's "sovereignty"

Attached is an updated list of protest notes from PH since the 2012 Bajo de Masinloc incident. (**Annex C**)

For the Secretary's information.

Enclosures: As stated.

(Unofficial translation)

No.(2015)PG-

The Embassy of the People's Republic of China in the Republic of the Philippines presents its compliments to the Department of Foreign Affairs of the Republic of the Philippines, and with reference to the latter's *Note Verbale* No. 15-3529 dated 25 August 2015, has the honor to reiterate China's position which has been stated in *Note Verbale* No.(15)PG-214 dated 28 June 2015 of the Embassy of the People's Republic of China in the Republic of the Philippines and *Note Verbale* No.(2015) Bu Bian Zi-46 dated 24 June 2015 of the Ministry of Foreign Affairs of the People's Republic of China and underline relevant position as follows:

China has indisputable sovereignty over the Nansha Islands and their adjacent waters, which has ample historical and legal basis. On the contrary, in accordance with a series of international treaties that determine the scope of the Philippines' territory such as the *Treaty of Peace Between the United States of America and the Kingdom of*

Spain(Treaty of Paris, 1898), *Treaty Between the Kingdom of Spain and the United States of America for Cession of Outlying Islands of the Philippines* (Treaty of Washington, 1900), *Convention Between the United States of America and Great Britain Delimiting the Boundary Between the Philippine Archipelago and the State of North Borneo*(1930 Convention), Nansha Islands have never been part of the Philippine territory.

Since the 1970s, the Philippines, in violation of the *Charter of the United Nations* and other international law and basic principles governing international relations, illegally occupied by force some of the islands and reefs of China's Nansha Islands successively, namely Mahuan Dao, Feixin Dao, Zhongye Dao, Nanyue Dao, Beizi Dao, Xiyue Dao, Shuanghuang Shazhou and Siling Jiao, on which the Philippines has kept on building and updating airports, harbors, stilt houses, schools and other facilities. The Philippines has also been attempting to make fresh "occupation" through its construction activities on the illegally "grounded" vessel on China's Ren'ai Jiao.

The Occurrence of relevant disputes in the South China Sea between China and the Philippines is wholly caused by the latter's longtime undertaking an expansion policy in the South China Sea, and flagrant

infringing upon China's sovereignty and legal rights and interests. China is strongly opposed to and will never recognize either the so-called "status quo" of the Philippines' illegal occupation of some of the islands and reefs of China's Nansha Islands, or the behavior by the Philippines itself of naming some islands and reefs of the China's Nansha Islands as a so-called "Kalayaan Islands Group". Having been all along firmly opposed to and keeping on making strong representations on the illegal construction activities and other provocative acts by the Philippines on China's islands and reefs illegally occupied by the Philippines, China demands once again the Philippines to withdraw all its personnel and facilities from the aforesaid islands and reefs of China's Nansha Islands, and honor its commitment without further delay by towing away its illegally "grounded" vessel on Ren' ai Jiao.

The *Charter of the United Nations* expressly forbids any state from encroaching on other States' territorial integrity. The *United Nations Convention on the Law of the Sea*(UNCLOS) also prescribes in its preamble that " The States Parties to this Convention recognize the desirability of establishing through this Convention, with due regard for the sovereignty of all States, a legal order for the seas and oceans..." Therefore, the UNCLOS shall not be used by the Philippines, under any circumstance, as an excuse to infringe upon or damage China's territorial

sovereignty. The Philippine military aircrafts' closing in on and overflying of some of the islands and reefs of China's Nansha Islands violate the international law including the *Charter of the United Nations* and basic principles governing international relations, severely infringe upon China's sovereignty and rights and interests, pose a grave threat to the security of China's relevant islands and reefs, constitute a serious political and military provocation, and are prone to cause miscalculation and even untoward maritime and aerial incidents. While firmly upholding sovereignty, rights and interests and maritime and aerial security in and over the relevant waters, China has exercised utmost self-restraints. China is hereby strongly opposed to, and does not accept absolutely the unfounded accusations and so-called "protests" by the Philippines.

China reiterates that, as a sovereign state and a State Party to the UNCLOS, China has the freedom and right to choose, on its own will, means and procedures of dispute settlement, which is honored by international law and deserves full respect. With regard to issues of territorial sovereignty and maritime rights and interests, China will not accept any imposed solution or any unilateral resort to a third-party settlement. China's clear and consistent position of neither accepting nor participating in the arbitration initiated by the Philippines is supported by sufficient legal evidence, and will not change.

China urges the Philippines to respect earnestly China's territorial sovereignty, rights and interests, abide by strictly the international law including the *Charter of the United Nations*, basic principles governing international relations, and the *Declaration on the Conduct of Parties in the South China Sea*(DOC), and stop any action infringing upon China's territorial sovereignty and rights and interests.

The Embassy of the People's Republic of China in the Republic of the Philippines avails itself of this opportunity to renew to the Department of Foreign Affairs of the Republic of the Philippines the assurances of its highest consideration.

Makati, 29 September, 2015

Department of Foreign Affairs
Republic of the Philippines
Pasay City



中 华 人 民 共 和 国 大 使 馆

(2015)329号

菲律宾共和国外交部:

中华人民共和国驻菲律宾共和国大使馆向菲律宾共和国外交部致意,并谨就菲律宾共和国外交部2015年8月25日第15-3529号照会,重申中方在中华人民共和国驻菲律宾共和国大使馆2015年6月28日(2015)第214号照会和中华人民共和国外交部2015年6月24日(2015)部边字第46号照会中已阐明的立场并强调有关立场如下:

中国对南沙群岛及其附近海域拥有无可争辩的主权,并对此有充分的历史和法理依据。相反,根据确定菲律宾领土范围的1898年《美西巴黎条约》、1900年《美西华盛顿条约》和1930年《英美条约》等一系列国际条约,菲领土范围从不包括中国南沙群岛。

自20世纪70年代以来,菲律宾违反《联合国宪章》等国际法和国际关系基本准则,陆续通过武力非法侵占了中国南沙群岛的部分岛礁,包括马欢岛、费信岛、中业岛、南钥岛、北子岛、西月岛、双黄沙洲和司令礁,并在上面不断修

建有关工程设施，包括机场、码头、高脚屋、学校等设施并升级改造。菲方还企图利用在仁爱礁非法“坐滩”的船只修建设施，实施新的占礁行为。正是菲方长期以来在南海采取扩张政策，悍然侵犯中国的主权和权益，制造了中菲南海有关争端。对中国南沙群岛部分岛礁被菲方非法侵占的所谓“现状”，以及菲方将中国南沙群岛部分岛礁私自命名为所谓“卡拉延群岛”，中方坚决反对，绝不承认。中方对菲方长期在非法侵占的中国岛礁上进行非法建设等挑衅行为一向坚决反对和强烈抗议，并再次要求菲方从非法侵占的中国南沙群岛岛礁上撤走一切人员和设施，尽快履行承诺，拖走在仁爱礁非法“坐滩”的船只。

《联合国宪章》明确要求任何国家不得侵害他国的领土完整。《联合国海洋法公约》在序言中也明确规定：“本公约缔约各国认识到有需要通过本公约，在妥为顾及所有国家主权的情形下，为海洋建立一种法律秩序……。”因此，《联合国海洋法公约》在任何情况下都不能成为菲律宾侵犯或损害中国领土主权的借口。菲律宾军机抵近和飞越中国南沙群岛部分岛礁的行为违反了包括《联合国宪章》在内的国际法和国际关系基本准则，严重侵犯中国主权和权益，严重威胁中方有关岛礁安全，是严重的政治和军事挑衅行为，极易引发误判甚至发生海空意外事件。中方在坚定维护国家主权和权益以及相关海域的海空安全的同时，保持了高度克制。对菲

方的无理指责和所谓抗议，中方坚决反对，绝不接受。

中方强调，作为主权国家和《联合国海洋法公约》的缔约国，中国拥有自主选择争端解决方式和程序的自由和权利，有关自由和权利受国际法保护并应得到尊重。中国在领土主权和海洋权益问题上不会接受强加于中国的任何方案，不会接受任何单方面诉诸第三方的争端解决办法。中国不接受、不参与菲律宾所提南海仲裁案，这是中国政府的既定立场，是一贯、明确的，具有充分的国际法依据，不会改变。

中方敦促菲方尊重中国的领土主权和权益，严格遵守《联合国宪章》等国际法、国际关系基本准则和《南海各方行为宣言》，停止一切侵犯中国领土主权和权益的行为。

中华人民共和国驻菲律宾共和国大使馆再次向菲律宾共和国外交部致以崇高敬意。

二〇一五年十一月十一日 于马尼拉



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FOREIGN AFFAIRS
MANILA

No. 15-3529

The Department of Foreign Affairs of the Republic of the Philippines presents its compliments to the Embassy of the People's Republic of China and with reference to the Embassy's Note Verbale No. (15) PG-214 dated 28 June 2015, has the honor to state as follows:

The overflight of the Philippine aircraft, including C-130, near Panganiban (Mischief) and Kagitingan (Fiery Cross) Reefs is a lawful activity by the Philippines.

Panganiban Reef is a low-tide elevation as defined in Article 13 of the United Nations Convention on the Law of the Sea (UNCLOS). As such, no State may claim sovereignty of the air space over it. Nor may any State prohibit flight over it. Moreover, Panganiban Reef is located in the exclusive economic zone of the Philippines and on its continental shelf. Only the Philippines has the sovereign rights and jurisdiction in the area where Panganiban Reef is located.

Kagitingan Reef, for its part, is an integral part of the Philippines' Kalayaan Island Group (KIG).

Accordingly, the Philippines has long been undertaking overflight over Panganiban and Kagitingan Reefs and other features in the West Philippine Sea as part of its customary and usual maritime patrols, which are lawful activities under international law.

In this regard, the Department protests the audio challenges by the Chinese Navy to Philippine aircraft F-27 on 19 April 2015 near Zamora (Subi) Reef, on 7 May 2015 near Kagitingan Reef, on 8 May 2015 near Mabini (Johnson) Reef, and on 26

May 2015 near Panganiban and Kagitingan Reefs. The Department also protests the audio challenge issued by the Chinese Navy to Philippine aircraft C-130 on 19 June 2015 near Panganiban and Kagitingan Reefs.

The Department further strongly objects to the statements contained in the Embassy's Note Verbale No. (15) PG-214, particularly the statement "*If the Philippine side once again invades the waters and airspace of the Nansha Islands stationed by the Chinese side, the Chinese side will take all necessary defensive measures. The Philippine side must bear all the consequences arising therefrom.*"

The Department regards these challenges and statements as threats to use force to prevent the Philippines from undertaking its customary and usual maritime patrols. They violate Article 2 of the UN Charter as well as Article 301 of UNCLOS, which provides: "States Parties shall refrain from any threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the principles of international law embodied in the UN Charter."

Accordingly, the Department strongly urges China to refrain from using threat or use of force in response to the lawful actions of the Philippine Government.

Finally, the Philippines reminds China that both States are obligated by the UN Charter and UNCLOS to settle all disputes peacefully, and that, to this end, the Philippines has initiated arbitration proceedings under Annex VII of UNCLOS, to obtain a peaceful, lawful and durable determination of the maritime entitlements in the West Philippine Sea/South China Sea. The Philippines calls upon China once again to actively participate in these peaceful dispute settlement proceedings. The Philippines notes in this connection that, as a corollary to its obligation to peacefully settle disputes by peaceful means under Article 297 of UNCLOS, China is obligated to refrain from acts that aggravate or extend the dispute. China's threats have the effect of aggravating or extending this dispute currently under consideration by the Annex VII arbitral tribunal.

The Department of Foreign Affairs of the Republic of the Philippines avails itself of this opportunity to renew to the Embassy of the People's Republic of China the assurances of its highest consideration.

Pasay City, 25 August 2015

The Embassy of the People's Republic of China
Manila, Philippines



CONFIDENTIAL

NOTE VERBALES ISSUED BY THE DFA SINCE THE BAJO DE MASINLOC ISSUE SINCE 2012
(As of 30 September 2015)

	Note No.	Info	Chinese Response
1.	DFA Note No. 12-0894 dated 11 April 2012	Protest on intrusions by Chinese vessels into PH territorial waters (Scarborough Shoal) – 9 April 2012 incident	
2.	DFA Note No. 12-1030 dated 16 April 2012	Protest on incident involving the M/Y Sarangani, which is conducting a marine archeological study and a Chinese vessel – 14 April 2012 incident	Chinese Embassy Note No. (12) PG-191 dated 16 April 2012 Excerpts: "...has the honor to express its grave concern over the illegal entrance of a Philippine archeological vessel into China's Huangyan Island, which is a clear violation of China's sovereignty and maritime jurisdiction."
3.	DFA Note No. 12-1124 dated 23 April 2012	Chronology of record of negotiations between SFA and Chinese Ambassador Ma Keqing Details of negotiations during the ff dates: - 11 April 2012, 11:30 am - 11 April 2012, 9:30 pm (first 1-on-1) - 13 April 2012, 8:00 am - 13 April 2012, 10:00 pm	
4.	DFA Note No. 12-1137 dated 26 April 2012	Proposal to bring the matter before an appropriate third-party adjudication body under international law, specifically ITLOS	Chinese Embassy Note No. (12) PG-206 dated 29 April 2012 Excerpts: "Huangyan Islands is China's inherent territory. The proposal from DFA of the Philippines to bring the so-called Huangyan Island issue" to a third-party arbitration body has none ground. The Chinese side urges the Philippine side to pay due respect to and refrain from any infringement on China's territorial sovereignty."
5.	DFA Note No. 12-1222 dated 30 April	Incidents involving the Chinese Fisheries Law Enforcement (FLEC)-310 on two	Chinese Embassy Note No. (12) PG-239 dated 25 May

CONFIDENTIAL

	Note No.	Info	Chinese Response
	2012	Philippine Search and Rescue Vessels SARV-002 and SARV-003 in the Bajo de Masinloc on 26 and 28 April 2012	2012 Excerpts: "... With respect to <u>Notes No. 12-1222 dated 30 April 2012, No. 12-1304 dated 14 May 2012 and No. 12-1371 dated 21 May 2012</u> from the DFA ... The Chinese side does not accept the contents of the aforementioned notes from the Philippine side. It has never been disputed that Huangyan Island is China's inherent territory. The various jurisdiction measures adopted by the Chinese government over Huangyan Island and its waters, and activities by Chinese ships... are completely within China's sovereignty. Therefore the Philippine side has no right to make accusations and representations. The territorial claim that the Philippine side has raised over Huangyan Island is null and void, and the Chinese side firmly opposes it..."
6.	DFA Note No. 12-1304 dated 14 May 2012	Protest on the "Announcement of the Enforcement of a Fishing Ban in the South China Sea 2012" declared by the People's Republic of China in the WPS	Chinese Embassy Note No. (12) PG-239 dated 25 May 2012 [same as above]
7.	DFA Note No. 12-1371 dated 21 May 2012	Protest on China's continuing actions that escalate tension in the area. PCG reported significant increase of Chinese vessels in Bajo de Masinloc. In particular, there are now 5 Chinese Government vessels (CMS-71, CMS-84, FLEC-301, FLEC-303, and FLEC-310) and 16 Chinese fishing boats, 10 of which are inside the shoal while 6 are outside. The above actions of China are clear violations of Philippine sovereignty and jurisdiction over the Shoal and sovereign	Chinese Embassy Note No. (12) PG-239 dated 25 May 2012 [same as above]

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	Note No.	Info	Chinese Response
		rights of the Philippine Exclusive Economic Zone (EEZ)	
8.	DFA Note No. 12-1453 dated 31 May 2012	<p>Protest on the recent announcement by the State Oceanic Administration (SOA) regarding the implementation of the Regulations on Marine Observation and Forecast.</p> <p>Said regulation encroaches and impinges on Philippine sovereignty over the KIG and Bajo de Masinloc, as well as the Philippines' sovereign rights of the Philippine Exclusive Economic Zone (EEZ) and Continental Shelf.</p>	<p>Chinese Embassy Note No. (12) PG-251 dated 12 June 2012</p> <p>Excerpts" "China has indisputable sovereignty over the islands in the South China... It is completely within China's sovereignty for the Chinese side to take any legislative, executive and public-service actions, including maritime observation and forecast, on the islands in the South China Sea and the adjacent waters. The Philippine side has no right to make any accusation or interference on the issue...."</p>
9.	DFA Note No. 12-1559 dated 11 June 2012	<p>Protest on China's continuing actions that escalate tension in the area.</p> <p>PCG reported that twenty-six (26) Chinese fishing boats and two (2) utility boats are currently inside the lagoon of Bajo de Masinloc. It was also reported that the Chinese side has not removed the fortified rope line across the mouth of Bajo de Masinloc</p>	<p>Chinese Embassy Note (12) PG-256 dated 15 June 2012</p> <p>Excerpts: "The Philippine side withdrew its government vessels out of the lagoon on June 3, on which the Chinese side gave its positive comments. However, two Philippine government vessels are still staying at Huanyan Island waters and they are sending dinghies to carry out activities at the mouth of the lagoon. No. 3008 vessel from the Philippine Bureau of Fisheries and Aquatic Resources has even been trying to re-enter the lagoon.</p>
10.	DFA Note No. 12-1847 dated 28 June 2012	Protest on China's establishment of the Sansha City as the extent of the jurisdiction violates PH territorial sovereignty over the KIG and BDM.	<p>Chinese Embassy Note No. (12) PG-288 dated 12 July 2012:</p> <p>Excerpts" "China has indisputable sovereignty over the islands in the South China Sea including Zhongsha and</p>

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	Note No.	Info	Chinese Response
			Nansha Islands as well as their adjacent waters. The establishment of Sansha City is completely within China's sovereignty."
11.	DFA Note No. 12-2001 dated 23 July 2012	<p>Protest on Chinese fishing fleet</p> <p>Protest on the following incidents involving Chinese vessels which violated Philippine sovereignty and jurisdiction over PH national territory:</p> <ul style="list-style-type: none"> • 29 Chinese fishing vessels, one cargo/ merchant vessel and two maritime ships were sighted at Kagitingan Reef; • One PLAN ship observed at Zamora Reef 	<p>Chinese Embassy Note No. (12) PG-307 dated 28 July 2012</p> <p>Excerpts: "...with reference to the latter's NV No. 12-2001 and 12-2002 dated 23 July 2012... China has indisputable sovereignty over the islands in the South China Sea including Zhongsha and Nansha Islands as well as their adjacent waters. The establishment of Sansha City is totally within China's sovereignty. It is completely justified for Chinese fishermen and fishermen to fish in the waters around Nansha Island and for the Chinese law-enforcement vessels to perform their official duties in waters under China's jurisdiction in accordance with China's laws, on which the Philippine side has no right to put the blame..."</p>
12.	DFA Note No. 12-2002 dated 23 July 2012	Protest on China's establishment of a military garrison in Woody Island since the extent of the jurisdiction violates PH territorial integrity and sovereignty over the KIG and the BdM	<p>Chinese Embassy Note No. (12) PG-307 dated 28 July 2012</p> <p>[same as above]</p>
13.	DFA Note No. 12-3331 dated 21 November 2012	Protest on the inclusion of the nine-dash lines in the e-passport as such image covers an area that is clearly part of the Philippine territory and maritime domain. The Philippines does not accept the validity of the nine-dash lines that amount to an excessive declaration of maritime space in violation of international law	

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	Note No.	Info	Chinese Response
14.	DFA Note No. 12-33391 dated 30 November 2012	On news reports on the approval of the Coastal and Border Public Security Regulation of Hainan Province The Philippines seeks clarification on the reported law and that foreign vessels illegally entering the waters under the jurisdiction of Hainan province can be boarded, inspected, detained, confiscated, immobilized and expelled, among other punitive actions.	
15.	DFA Note No. 13-0011 dated 02 January 2013	Clarification on the scope of Hainan's rules that there is no change from regulations passed in 1999.	
16.	DFA Note No. 13-0211 dated 22 January 2013	Submission of a copy of Notification under Article 287 and Annex VII of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) and the Statement of Claim on which the Notification is based, in order to initiate arbitral proceedings to clearly establish the sovereign rights and jurisdiction of the Philippines over its maritime entitlements in the West Philippine Sea	Chinese Embassy Note No. (13) PG-039 dated 14 February 2013 Excerpts from Unofficial translation: "...The Position of China on the South China Sea issues has been consistent and clear: China has indisputable sovereignty over the Nansha Islands and their adjacent waters. At the core of the Nansha Islands..."
17.	DFA Note No. 13-0557 dated 22 February 2013	The Notification and Statement of Claim of the Republic of the Philippines appointed Judge Rüdiger Wolfrum as a member of the arbitral tribunal	Chinese Embassy Note No. (13) PG-055 dated 01 March 2013 Excerpts from the translation: "...reiterate China's position which the Chinese side elaborated in its Note Verbale No. (13) PG-039 dated 13 February 2013, and has further honour to state that China will not accept or make any more responses towards any request made by the Philippines for the arbitral proceedings..."
18.	DFA Note No. 13-1585 dated 09 May 2013	Protested China's provocative and illegal presence around Ayungin Shoal	Chinese Embassy Note No. (13) PG-140 dated 27 May 2013
19.	DFA Note No. 13-1878 dated 07 June 2013	Protest on the dash lines in the new map of the People's Republic of China	

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	Note No.	Info	Chinese Response
20.	DFA Note No. No.13-1882 dated 10 June 2013	Stated PH position on the delivery of essential supplies to PH naval personnel aboard the BRP Sierra Madre located in Ayungin Shoal	
			Chinese Ministry of Foreign Affairs Bubianzi No. 28 dated 21 August 2013 protesting the latest version of PH maps published in 2013 which marked part of "China's Nansha Islands" as PH territory.
21.	DFA Note No. 14-0246 dated 23 January 2014	(DFA Response) Stated that PH Government does not accept China's protest and informed the Embassy that no such incident occurred.	Chinese Embassy Note No. (14) PG-20 dated 22 January protesting the "illegal harassment" by a PH Navy vessel of Chinese fishermen on 02 January 2014.
22.	DFA Note No. 14-0535 dated 25 February 2014	Protested efforts of China to prohibit Filipino fishermen from undertaking fishing activities in BDM. (27 January 2014 water cannon incident in BDM)	Chinese Embassy Note. No. (14)PG-50 dated 27 February 2014 reiterated that Huangyan Island (BDM) is an integral part of China's territory.
23.	DFA Note No. 14-0711 dated 11 March 2014	Protested China's actions in the vicinity of Second Thomas Shoal (Ayungin Shoal). Two (2) China Coast Guard vessels prevented the rotation of personnel and resupply of operations at Ayungin Shoal on 09 March 2014.	Chinese Embassy Note. No. (14)PG-68 dated 14 March 2014 stated that China does not accept the protest by the PH side.
24.	DFA Note No. 14-1180 dated 04 April 2014	Protested China's land reclamation activities in Mabini (Johnson) Reef.	Chinese Embassy Note. No. (14)PG-112 dated 18 April 2014 stated that China has indisputable sovereignty over Nansha Islands and their adjacent waters including Ren'ai Reef (Second Thomas Shoal) and Chigua Reef (Johnson Reef).
25.	DFA Note No. 14 - 2065 dated 04 June 2014	Protested China's imposition of a fishing ban in some parts of the South China Sea and as well as its issuance of "Nansha Special Fishing Permits" to its vessels.	Chinese Embassy Note No. (14)PG-177 dated 16 June 2014 stated that China has been implementing fishing ban over the years in the South China Sea as an administrative measure in waters under China's jurisdiction.

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	Note No.	Info	Chinese Response
26.	DFA Note No. 14-2093 dated 06 June 2014	Protested China's land reclamation activities in Chigua (McKenna/Hughes) Reef.	
27.	DFA Note No. 14-2276 dated 23 June 2014	Protested China's land reclamation activities in Calderon (Cuarteron) Reef.	Chinese Embassy Note No. (14)PG-197 dated 04 July 2014 stated that China does not accept the groundless protest and accusation by the PH side.
28.	DFA Note No. 14-2307 dated 24 June 2014	Protested China's land reclamation activities in Gaven Reef.	Chinese Embassy Note No. (14)PG-195 dated 30 June 2014 stated that China does not accept the groundless protest and accusation by the PH side.
29.	DFA Note No. 14-2889 dated 18 August 2014	Reiterated strong protest against China's land reclamation activities at Mabini (Johnson), Chigua (McKenna/Hughes), Calderon (Cuarteron), and Gaven Reefs.	Chinese Embassy Note No. (14)PG-264 dated 02 September 2014 stating that China does not accept the protests in the Note Verbales by the Philippine side.
30.	DFA Note No. 14-2890 dated 18 August 2014	Protested the conduct of sovereignty patrols by Chinese vessels in Recto (Reed) Bank.	
31.	DFA Note No. 14-3179 dated 15 September 2014	Protested China's recent actions at and around Ayungin Shoal, particularly, the harassment of a Filipino fishing vessel by a China Coast Guard vessel	Chinese Embassy Note No. (14)PG-306 dated 04 October 2014 stating that China does not accept the protest in DFA Note No. 14-3179 and that patrol and law enforcement operations are within China's sovereignty.
32.	DFA Note No. 14-3504 dated 10 October 2014	Protested China's reclamation activities in Kagitingan (Fiery Cross) Reef	Chinese Embassy Note No. (14)PG-336 dated 28 October 2014 stating that China does not accept the protest in DFA Note No. 14-3504 and that actions including construction and utilization of the relevant islands and reefs are totally within China's sovereignty, sovereign rights and jurisdiction.
			Chinese Ministry of Foreign Affairs (2015) Bu Bian Zi No. 5 dated 20 January 2015 Excerpts from the Unofficial

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	Note No.	Info	Chinese Response
			<p>translation:</p> <p>"..with reference to the Notes No. 14-1180 dated 4 April, No. 14-2093 dated 6 June, No. 14-2276 dated 23 June, No. 14-2307 dated 24 June, No.14-2289 dated 18 August, and No. 14-3504 dated 10 October in 2014 from the DFA and Notes No. 0323-2014 dated 13 June, No. 0350-2014 dated 30 June, No. 0358-2014 dated 1 July and No. 0683-2014 dated 28 October in 2014 from the Embassy of the Philippines in China, has the honor to reiterate the position that the Chinese side has expounded in Notes No. 112 dated 18 April, No. 195 dated 30 June, No. 197 dated 04 July, No. 264 dated 2 September, and 336 dated 28 October in 2014 from the Chinese Embassy in Manila and Note (2014) Bu Bian Zi No. 47 dated 30 September 2014 from the MFA."</p> <p>"..the Chinese side requests the PH side to move out all personnel and facilities from the Chinese islands and reefs, fulfill its commitments as soon as possible, tow away the vessel illegally run aground on Ren'ai Jiao, and immediately release the illegally detained Chinese fishermen and return their belongings."</p>
33.	DFA Note No. 15-0359 dated 03 February 2015	Protested China's land reclamation activities at Panganiban (Mischief) Reef	Chinese Embassy Note No. (15)PG-053 dated 12 February 2014 stating that the Chinese side does not accept and firmly opposes the so-called protests and unfounded accusation by the PH side in response to DFA Note No. 15-0359 dated 03 February 2015.

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	Note No.	Info	Chinese Response
	Beijing PE Note No. 0105-2015 dated 13 February 2015	Protested China's land reclamation activities at Panganiban (Mischief) Reef	Chinese MFA Note (2015) Bu Bian Zi No. 22 dated 30 March 2015 stating that the direct cause of disputes is PH illegal occupation of some islands.
34.	DFA Note No. 15-0369 dated 04 February 2015 Beijing PE Note No. 0103-2015 dated 13 February 2015	Protested China's continuing actions of China that endanger the lives and safety of Filipino fishermen undertaking their livelihood activities in Bajo de Masinloc, particularly the intentional ramming of three (3) Philippine-flag fishing vessels by the Chinese Coast Guard vessel (CCGV) No. 3412 on 29 January 2015. Protested the continuing actions of China that endanger the lives and safety of Filipino fishermen undertaking their livelihood activities in Bajo de Masinloc, particularly the intentional ramming of three (3) Philippine-flag fishing vessels by the Chinese Coast Guard vessel (CCGV) No. 3412 on 29 January 2015.	Chinese Embassy Note No. (15)PG-050 dated 12 February 2015 stating that the Chinese side does not accept the so-called protests from the PH side as stated in the DFA Note No. 15-0369 dated 04 February 2015. Chinese MFA Note (2015) Bu Bian Zi No. 20 dated 30 March 2015 stating China does not accept the PH protest and Chinese government vessels carry out their duties in Huangyan Island in accordance with the law
35.	DFA Note No. 15-0370 dated 04 February 2015 Beijing PE Note No. 0104-2015 dated 13 February 2015	Protested the destructive and illegal activity by Chinese fishing vessels, particularly the harvesting of giant clams in the lagoon of Bajo de Masinloc by 24 Chinese Utility Boats on 22 January 2015. Protested the destructive and illegal activity by Chinese fishing vessels, particularly the harvesting of giant clams in the lagoon of Bajo de Masinloc by 24 Chinese Utility Boats on 22 January 2015.	Chinese Embassy Note No. (15)PG-051 dated 12 February 2015 stating that the Chinese side does not accept and firmly opposes the unfounded accusation of the PH side as stated in the DFA Note No. 15-0370 dated 04 February 2015. Chinese MFA Note (2015) Bu Bian Zi No. 21 dated 30 March 2015 stating that China protects the regular and legitimate work of Chinese fishermen in waters under China's jurisdiction and the PH accusation is groundless.
36.	DFA Note No. 15-0586 dated 16 February 2015	Protested China's land reclamation activities at Zamora (Subi) Reef	Chinese Embassy Note No. (15)PG-068 dated 04 March 2015 stating that the Chinese side does not accept and firmly opposes the so-called protests and unfounded

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	Note No.	Info	Chinese Response
	Beijing PE Note No. 0136-2015 dated 02 March 2015	Protested China's land reclamation activities at Zamora (Subi) Reef	accusation by the Philippine side. Chinese MFA Note (2015) Bu Bian Zi No. 23 stating that the direct cause of disputes is PH illegal occupation of some islands.
37.	DFA Note No. 15-1226 dated 30 March 2015 Beijing PE Note No. 0257-2015 dated 13 April 2015	Protested China's efforts prohibiting Filipino fishermen from undertaking fishing activities in PH's BDM, and the acts of harassment of the CN side when Chinese Coast Guard vessels (CCGVs) Nos. 3308, 3062 and 3411 doused the Filipino fishing boats with water cannon on 01 March 2015. Protested China's efforts to prohibit Filipino fishermen from undertaking fishing activities in the PH's Bajo de Masinloc, and the acts of harassment and manner by which these were committed by China to forcefully drive away PH fishing vessels from BDM.	Chinese Embassy Note No. (15)PG-123 dated 20 April 2015 stating that the Chinese side does not accept the so-called protests from the PH side as stated in DFA Note No. 1226 dated 30 March 2015. Chinese MFA Note (2015) Bu Bian Zi No. 29 dated 04 May 2015 stating that the Chinese side does not accept the protest from the PH side, and that the Chinese government vessels carry out their duties in the waters of Huangyan Island in accordance with law.
38.	DFA Note No. 15-1227 dated 30 March 2015 Beijing PE Note No. 0258-2015 dated 13 April 2015	Protested the destructive and illegal activity by Chinese fishing vessels, particularly, the harvesting of giant clams in Bajo de Masinloc on 26 February 2015. Protested Chinese fishing vessels' destructive and illegal activity, particularly the harvesting of giant clams in Bajo de Masinloc.	Chinese Embassy Note No. (15)PG-124 dated 20 April 2015 stating that the Chinese side does not accept and firmly opposes the unfounded accusation of the PH side as stated in DFA Note No. 15-1227 dated 30 March 2015. Chinese MFA Note (2015) Bu Bian Zi No. 30 dated 04 May 2015, stating that the Chinese side does not accept and firmly opposes the PH's protest and groundless accusations as stated in Beijing PE's Note 0258-2015 dated 13 April 2015.
			Chinese MFA Note (2015) Bu Bian Zi No. 19 expounded on China's position on the illegal entry and lingering of PH fishing boats in the waters of Huangyan island stating that PH boats have stayed more

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	Note No.	Info	Chinese Response
			than 40 times in China's Huangyan Island without permission. Chinese side said PH should put an end to the repeated entry of PH boats in the waters of Huangyan Island.
39.	DFA Note No. 15-1506 dated 22 April 2015 Beijing PE Note No. 0307-2015 dated 28 April 2015	Protested China's harassment of Filipino fishing boats in Bajo de Masinloc on 13 April 2015 Protested the harassment of Filipino fishing boats by Chinese Coast Guard in Bajo de Masinloc on 13 April 2015	Chinese MFA Note (2015) Bu Bian Zi No. 34 dated 09 May 2015, stating that the Chinese side does not accept the groundless protest of the PH side as stated in Beijing PE's Note No. 0307-2015.
40.	DFA Note No. 15-1759 dated 07 May 2015 Beijing PE Note No. 0346-2015 dated 14 May 2015	Protested the harassment by the Chinese Coast Guard Vessel (CCGV) personnel of Filipino fishermen on various dates in Bajo de Masinloc Protested the harassment by the Chinese Coast Guard vessel (CCGV) personnel of Filipino fishermen on various dates in BDM	Chinese Embassy Note No. (15)PG-171 dated 01 June 2015 stated that the Chinese side does not accept the groundless protests from the PH side. Chinese MFA Note No. (2015) Bu Bian Zi No. 35 dated 30 May 2015, stating that the Chinese side does not accept the groundless protest of the PH side. It also stated that, since March 2015, more than 100 PH fishing boats have illegally conducted fishing activities within the waters of Huangyan Island.
			Chinese Embassy Note No. (15)PG-170 dated 01 June 2015 protested on the visit of and the holding of flag-raising by Gen. Gregorio Pio Punzalan Catapang, AFP Chief of Staff, in Zhongye Dao (Pag-Asa Island) on 11 May 2015. Chinese MFA Note (2015) Bian Zi No. 42 dated 30 May 2015, protesting on the visit, the delivering of speech and the flag-raising by AFP's Gen. Gregorio Catapang in Zhongye Island on 11 May 2015.

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	Note No.	Info	Chinese Response
41.	DFA Note No. 15-2111 dated 01 June 2015 Beijing PE Note No. 0413-2015 dated 10 June 2015	Protested the destructive and illegal activities by Chinese Fishing Vessels (CFVs) in Bajo de Masinloc and Kalayaan Island Group (KIG) on various dates in April 2015, particularly the harvesting of giant clams. Protested the destructive and unlawful fishing activities in Bajo de Masinloc (Scarborough Shoal) and Kalayaan Island Group (KIG) on various dates in April 2015.	Chinese Embassy Note No. (15)PG-208 dated 18 June 2015 stated that the Chinese side does not accept and firmly opposes the unfounded accusation of the PH side. Chinese MFA Note (2015) Bian Zi No. 44 dated 24 June 2015, stating that China does not accept and resolutely opposes the groundless protest of the PH side.
			Chinese Embassy Note No. (15)PG-185 dated 03 June 2015, protesting on the Sports Meeting held between the PH Navy and the Vietnamese Navy on 27 May 2015 at Beizi Dao of Nansha Islands
42.	DFA Note No. 15-2341 dated 16 June 2015 Beijing PE Note No. 0448-2015 dated 24 June 2015	Protested China's imposition of a fishing ban from 16 May to 01 August 2015 in some parts of the SCS as well as its issuance of Nansha Certification of Fishing Permit to its fishing vessels. Protested China's imposition of a fishing ban in some parts of the SCS as well as its issuance of Nansha Certification of Fishing Permit to its fishing vessels	Chinese Embassy Note No. (15)PG-229 dated 06 July 2015, stating that the Chinese side does not accept PH's protests on China's fishing ban and the issuance of Nansha Certification of Fishing Permit. Chinese MFA Note (2015) Bian Zi No. 47 dated 30 June 2015, stating that the Chinese side does not accept and resolutely opposes the groundless protest and accusation of the PH side.
			Chinese Embassy Note No. (15)PG-209 dated 18 June 2015, strongly protesting PH's construction of new houses, road, and other facilities in Nanyue Dao of China's Nansha Islands. Chinese MFA Note (2015) Bian Zi No. 45 dated 25 June 2015, strongly protesting on PH's construction of building, road, and other facilities on Nanyue Island of China's

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	Note No.	Info	Chinese Response
			Nansha Islands. It also stated that China does not recognize the so-called "status quo" of the islands and reefs of the Nansha Islands illegally occupied by the PH.
			Chinese Embassy Note No. (15)PG-214 dated 28 June 2015, protesting against the over flight of PH Air Force aircraft C-130 near Mischief Reef and Fiery Cross Reef on 19 June 2015. Chinese MFA Note (2015) Bu Bian Zi No. 46 dated 24 June 2015, protesting against the over flight of PH Air Force C-130 airplane near Mischief Reef and Fiery Cross Reef on 19 June 2015.
44.	DFA Note No. 15-2837 dated 13 July 2015 Beijing PE Note No. 0561-2015 dated 10 August 2015	In response to Chinese Embassy Notes Nos. (15)PG-208 and (15)PG-229, reiterated the PH's position as conveyed through Notes Nos. 15-2111 and 15-2341; reiterated PH's invitation for China to participate in the arbitral proceedings Reiterated the PH Government's position on previous notes to the Chinese MFA and reiterated the Philippines' invitation for China to participate in the arbitral proceedings.	Chinese Embassy note No. (2015)PG-280 dated 19 August 2015, reiterating China's position stated in NV Nos. (15)PG-124, -208, -229 that China has indisputable sovereignty over the Nansha Islands and their adjacent waters which has ample historical and legal basis; and that China neither accepts nor participates in the arbitration unilaterally initiated by the PH. Chinese MFA Note (2015) Bu Bian Zi No. 57 dated 27 August 2015, reiterating China's position as expounded in its previous Notes that China has indisputable sovereignty over Nansha Islands and their adjacent waters; and that China does not accept and will not participate in the arbitration case on the SCS issue unilaterally brought by the PH side.

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	Note No.	Info	Chinese Response
43.	DFA Note No. 15-3529 dated 25 August 2015	Responded to China's protest against the overflight of PH aircraft near Panganiban (Mischief) and Kagitingan (Fiery Cross) Reefs on 19 June 2015; protested the audio challenges of the Chinese Navy to PH aircraft overflying features of West PH Sea between 19 April and 19 June 2015; and strongly objected on the Chinese statement contained in the Embassy's Note No. (15)PG-214.	Chinese Embassy Note No. (2015) 329 dated 29 September 2015, China said it does accept the unfounded accusations of "protests" by PH.

Annex 614

People's Republic of China, *Marine Environment Protection Law of The People's Republic of China* (25 Dec. 1999)

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Marine Environment Protection Law of The People's Republic of China (1999)

From: Date: 2007-10-12

Order of the President of the People's Republic of China No.26

The Marine Environment Protection Law of the People's Republic of China has been revised at the 13th Meeting of the Standing Committee of the Ninth National People's Congress on December 25, 1999, and hereby promulgated its revised edition for implementation as of April 1, 2000.

President of the People's Republic of China: Jiang Zemin
December 25, 1999
Marine Environment Protection Law of the People's Republic of China (1999)

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- Chapter VIII Prevention and Control of Pollution Damage to the Marine Environment by Vessels and Their Related Operations
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Chapter I General Provisions

Article 1 This law is enacted to protect and improve the marine environment, conserve marine resources, prevent pollution damages, maintain ecological balance, safeguard human health and promote sustainable economic and social development.

Article 2 This law shall apply to the internal waters, territorial seas and the contiguous zones, exclusive economic zones and continental shelves of the People's Republic of China and all other sea areas under the jurisdiction of the People's Republic of China.

All units and individuals engaged in navigation, exploration, exploitation, production, tourism, scientific research and other operations in the sea areas under the jurisdiction of the People's Republic of China, or engaged in operations in the coastal areas which have impact on the marine environment shall comply with this law.

This law shall also apply to areas beyond the sea areas under the jurisdiction of the People's Republic of China that cause pollution to the sea areas under the jurisdiction of the People's Republic of China.

Article 3 The State shall establish and put into practice the system to control the total pollution load for sea disposal in key sea areas, determine the standards to control the total load of key pollutants for sea disposal and control the pollution load for sea disposal assigned for key pollution sources. Specific measures for the implementation shall be formulated by the State Council.

Article 4 All units and individuals shall have the obligation to protect the marine environment and have the right to watch for and report on actions causing pollution damages to the marine environment by any unit and individual, as well as on the act of transgression of the law and neglect of duty by marine environment supervision and administration personnel.

Article 5 The competent administrative department in charge of environment protection under the State Council, as a department to exercise unified supervision and administration over nation-wide marine environment protection work, shall render guidance, co-ordination and supervision and be responsible for nation-wide environment protection work to prevent and control marine pollution damages caused by land-based pollutants and coastal construction projects.

The competent State Oceanic administrative department in charge of marine affairs shall be responsible for the supervision and administration of the marine environment, organize survey, surveillance, supervision, assessment and scientific research of the marine environment and be responsible for nation-wide environment protection work to prevent and control marine pollution damages caused by marine construction projects and dumping of wastes in the sea.

The competent State administrative department in charge of maritime affairs shall be responsible for the supervision and administration of marine environment pollution caused by non-military vessels inside the port waters and non-fishery vessels and

non-military vessels outside the port waters under their jurisdiction, and be responsible for the investigation and handling of the pollution accidents. In the event of a pollution caused by a foreign vessel navigating, berthing and anchoring and operating in the sea area under the jurisdiction of the People's Republic of China, officers in charge shall board the vessel in question to examine and handle the case. Should a pollution accident caused by vessels result in fishery damages, the competent administrative department in charge of fisheries shall be invited to take part in the investigation and handling of the accident.

The competent State administrative department in charge of fisheries shall be responsible for the supervision and administration of marine environment pollution used by non-military vessels inside the fishing port waters and the fishing vessels outside the fishing port waters, and be responsible for the protection of ecological environment in the fishing zones and examine and handle fishery pollution cases beyond the pollution accidents mentioned in the previous clause.

The environmental protection department of the Armed Forces shall be responsible for the supervision and administration of marine pollution caused by military vessels and for the investigation and handling of the pollution cases.

The functions and responsibilities of the departments invested by the law with power to conduct marine environment supervision and administration of the coastal local People's Governments above the county level shall be determined by the People's Governments of the Provinces, Autonomous Regions and Municipalities directly under the Central Government in accordance with this law and relevant regulations of the State Council.

Chapter II Supervision and Administration of the Marine Environment

Article 6 The competent State administrative department in charge of marine affairs, in conjunction with relevant departments of the State Council and the People's Governments of the provinces, Autonomous Regions and Municipalities directly under the Central Government in the coastal areas, shall work out national marine functional zonation scheme and submit to the State Council for approval.

The coastal local People's Governments shall, in accordance with the national and local marine functional zonation scheme, make good use of the sea areas in a scientific and rational way.

Article 7 The State shall draw up, in accordance with the marine functional zonation scheme, national marine environment protection plan and regional marine environment protection plans in key sea areas. Relevant People's Governments of the Provinces, Autonomous Regions and Municipalities directly under the Central Government in the coastal areas adjacent to key sea areas and the departments invested by the law with power to conduct marine environment supervision and administration may set up regional co-operation organization in marine environment protection, responsible for the implementation of regional marine environment protection plans in key sea areas, prevention and control of marine environment pollution and marine ecological conservation work.

Article 8 Trans-regional marine environment protection work shall be implemented through consultation by relevant coastal local People's Governments or to be implemented through consultation by the People's governments at the upper level.

Major trans-department marine environment protection work shall be co-ordinated by the competent administrative department in charge of environment protection under the State Council. Those unable to be settled through co-ordination shall be subject to the State Council for decision.

Article 9 The State shall work out national marine environment quality standards in accordance with the state of affairs of the marine environment quality and the conditions of economic and technological levels.

The People's Governments of coastal Provinces, Autonomous Regions and Municipalities directly under the Central Government may work out local marine environment quality standards for items not specified in the national marine environment quality standards.

The coastal local People's Governments at various levels shall, in accordance with the stipulations laid down in the national and local marine environment quality standards and state of coastal sea area environment quality of their respective administrative areas, work out targets and tasks in the field of marine environment protection, channel? into the work plan of the People's Governments and exercise administration in accordance with corresponding marine environment quality standards.

Article 10 National and local marine environment quality standards shall be one of the important foundations in working out national and local water pollutant discharge standards. In the key sea areas where the State has established and put into practice the system to control the total pollution load for sea disposal, the determination of water pollutant discharge standards shall also take the control standards of the standards to control the total load of key pollutants for sea disposal as an important basis.

Article 11 All units and individuals practicing direct discharge of pollutants into the sea shall, in accordance with the State regulations, pay pollutant discharge fees. Those dumping wastes in the sea shall, in accordance with the State regulations, pay dumping fees. Pollutant discharge fees and dumping fees levied in accordance with the provisions of this law must be used for the prevention and control of marine environment pollution and shall not be appropriated for any other purposes. Specific measures shall be formulated by the State Council.

Article 12 For those in excess of pollutant discharge standards, or failing to accomplish pollutant discharge reducing tasks within a specified period of time, or resulting in serious marine environment pollution damages, a deadline shall be set for the elimination or control of the pollution within a certain period of time. The setting of a deadline shall be determined in accordance with the jurisdiction prescribed by the State Council.

Article 13 The State shall strengthen the research and development of science and technology in the field of prevention and control of marine environment pollution damages and shall put into practice the elimination system of those out-of-date production techniques and out-of-date equipment which cause serious marine environment pollution damages. Enterprises shall give priority in introducing clean energies and adopting clean production technology with higher resources utilization ratio and less pollutant discharges, so as to prevent pollution to the marine environment.

Article 14 The competent State administrative department in charge of marine affairs shall, in accordance with State environmental monitoring and supervisory norms and standards, administer the investigation, monitoring and supervision of nation-wide marine environment, work out specific measures of implementation, organize nation-wide marine environment monitoring and supervision network in conjunction with relevant departments, handle assessment of marine environment quality at regular intervals and release sea cruise supervision dispatches. Departments invested by this law with power to conduct marine environment supervision and administration shall be responsible for the monitoring and supervision of the water areas under their respective jurisdiction. Other

relevant departments shall, in accordance with the division of work of nation-wide marine environment monitoring network, be respectively responsible for the mouths of rivers that empty into the sea and main pollutant discharge outlets.

Article 15 Relevant departments of the State Council shall provide the competent administrative department in charge of environment protection under the State Council with necessary marine environment monitoring data for the compilation of national environment quality bulletins. The competent administrative department in charge of environment protection shall provide relevant departments with data relating to marine environment supervision and administration.

Article 16 The competent State administrative department in charge of marine affairs shall, in accordance with environment monitoring and supervision information management system formulated by the State, be responsible for the management of comprehensive marine information system and render services to the supervision and administration of marine environment protection.

Article 17 Any unit and individual causing or potentially resulting in marine environment pollution because of accidents or other contingency must immediately adopt effective measures, timely inform those potentially endangered, report to the department invested by this law with power to conduct marine environment supervision and administration and be subject to investigation and handling. Coastal local People's Governments above the County level must, at a time when the offshore environment within their administration endangered by serious pollution, adopt effective measures to eliminate or decrease pollution damage.

Article 18 The State shall, in accordance with the necessity to prevent marine environment pollution, draw up State contingency plans to deal with major Marine pollution accidents.

The competent State administrative department in charge of marine affairs shall be responsible for drawing up State contingency plans to deal with major oil spill accidents on the sea caused by offshore oil exploration and exploitation and submit the plans to the competent administrative department in charge of environment protection in the State Council for the record.

The competent State administrative department in charge of maritime affairs shall be responsible for drawing up the contingency plans to deal with nation-wide major vessel oil spill accidents on the sea and report to the competent administrative department in charge of environment protection under the State Council for the record.

All units in the coastal areas where potential marine environment pollution accident may happen shall, in accordance with the State regulations, draw up contingency plans to deal with pollution accidents and submit the plans to the local administrative department in charge of environment protection and marine affairs for the record. The coastal people's governments above county level and their departments shall eliminate or reduce hazards in accordance with the contingency plans in case of major marine pollution incidents.

Article 19 Departments invested by this law with power to conduct marine environment supervision and administration in accordance may conduct joint law enforcement operations on the sea. In the cruise course of monitoring, whenever marine pollution accidents or act of violation of the provisions of this law are discovered, they should strive to stop it, conduct on-the-spot investigation and collect evidence, and have the right to adopt effective measures if necessary to prevent the spread of pollution, in the meantime report to relevant competent department to handle the case.

Departments invested by this law with power to conduct marine environment supervision and administration have the right to conduct on-the-spot inspections of the units and individuals discharging pollutants within the sphere of their jurisdiction. Those inspected shall report the situation accurately and provide necessary data. Inspection departments should keep confidential the technical secrets and business secrets of those inspected.

Chapter III Marine Ecological Conservation

Article 20 The State Council and local People's Governments at the Provincial level shall adopt effective measures to protect such typical and representative marine ecosystems as mangroves, coral reefs, coastal wetlands, islands, bays, estuaries important fishery waters, etc, sea areas where rare and endangered marine organisms are naturally and densely distributed: marine organisms existence habitats with important economic value and marine natural historic relics and natural landscapes with great scientific and cultural significance. For marine ecosystems with important economic and social values that have been damaged, efforts shall be made to renovate and restore them.

Article 21 Relevant departments of the State Council and coastal People's Governments of Provincial level shall, in accordance with the need for marine ecosystem conservation, delimit and establish marine nature reserves. The establishment of national marine nature reserves shall be subject to the State Council for approval.

Article 22 In an area that possesses one of the following characteristics, a marine nature reserve may be established:

- (1) Typical marine physiographic areas, representative natural ecosystem areas, as well as areas within which natural ecosystems have been damaged to some extent, but may be recovered through efforts of protection;
- (2) The areas with higher marine bio-diversity, or the areas where rare and endangered marine species are naturally and densely distributed;
- (3) Sea areas, seashores, islands, coastal wetlands, estuaries, bays and the like with special protection values;
- (4) Areas where marine natural remains of great scientific and cultural values are located, and
- (5) Other areas which call for special protection.

Article 23 Areas with special geographic conditions, ecosystems, living or non-living resources and areas which call for special need in marine development may establish marine special reserves, and special management shall be implemented by adopting effective protection measures and scientific development methods.

Article 24 Exploration and exploitation of marine resources shall be rationally distributed in accordance with marine functional zonation scheme and shall not bring about damages to marine ecological environment.

Article 25 The introduction of marine biological species shall subject to scientific assessment to avoid damages to marine ecosystems.

Article 26 The exploitation of resources of islands and surrounding sea areas shall adopt strict ecological protection measures and shall not bring about damages to island topography, shore and beach, vegetation and ecological environment of the surrounding sea areas of the islands.

Article 27 Coastal local People's Governments at various levels shall, in accordance with the characteristics of respective local natural environments, construct shore protection installations, coastal shelter belts, gardens and green land in the coastal cities and towns, and undertake comprehensive treatment over the area with coastal erosion and saline water intrusion. Destruction of shore protection installations, coastal shelter belts and gardens and green land in the coastal cities and towns are forbidden.

Article 28 The State shall encourage the development of ecological fisheries, popularize multiform ecological fisheries production methods and improve marine ecological conditions. Environmental impact assessment shall be conducted in the new construction, reconstruction and extension of mariculture. Mariculture shall determine breeding density in a scientific way, rationally feeding and apply manure and accurately use medicines, so as to prevent pollution to the marine environment.

Chapter IV Prevention and Control of pollution Damage to the Marine Environment by Land-Based Pollutants

Article 29 The discharge of land-based pollutants into the sea shall strictly be conducted in compliance with the standards and relevant stipulations laid down by the State and Localities.

Article 30 The sewage sea disposal project shall be determined in accordance with marine functional zonation scheme, marine dynamic conditions and relevant regulations, and shall, after scientific assessment, report to the competent administrative departments in charge of environment protection under the People's Governments above the level of the City where the siting is made for examination and approval.

The competent administrative departments in charge of environment protection must, in approving the setting up of pollutant discharging outlets into the sea, seek the opinions of the competent administrative departments in charge of maritime affairs and fisheries as well as environment protection department of the Armed Forces. No additional pollutant discharging outlets shall be allowed within marine nature reserves, important fishery waters, coastal historic sites and scenic spots, and areas which call for special protection.

In areas with conditions, pollution discharging outlets shall be built in the deep sea to practise offshore discharging. In the areas where natural conditions permit, the sea disposal outlet should be sited in deep waters offshore. The installation of land-based pollutant disposal outlets in deep waters offshore shall be determined in accordance with marine functional zonation scheme, marine dynamic conditions and seabed conditions for engineering facilities. Specific measures shall be formulated by the State Council.

Article 31 The competent administrative departments in charge of environment protection and the competent administrative departments in charge of water under the People's Governments of the Provinces, Autonomous Regions and Municipalities directly under the Central Government shall, in accordance with relevant laws on the prevention and control of water pollution, strengthen their control over rivers that empty into the sea to prevent them from being polluted and ensure good water quality in the estuaries.

Article 32 Units discharging land-based pollutants shall report to the competent administrative department in charge of environment protection land-based pollutant discharging facilities and treatment facilities under their possession, the kinds, quantities and density of the discharged land-based pollutants under normal operation conditions, and shall provide relevant techniques and data related to the prevention and control of marine environment pollution. In case of any major changes in the kinds, quantities and density of the discharged land-based pollutants, timely report shall be made. Prior agreement of the competent administrative department in charge of environment protection must be obtained in dismantling or laying idle land-based pollutant treatment installations.

Article 33 It is prohibited to discharge oils, acid liquids, alkaline liquids, hypertoxic waste liquids and waste water containing with high and medium radioactivity into the sea. The discharge of waste water containing with low radioactivity into the sea shall be strictly controlled; in case of a necessity to discharge, it shall be conducted in strict compliance with the State regulations concerning radiation prevention. The discharge of waste water containing persistent organic matters and waste water containing heavy metals shall be strictly controlled.

Article 34 No medical sewage carrying pathogens, domestic sewage and industrial waste water may be discharged into sea areas before properly treated in keeping with relevant discharge standards of the State.

Article 35 The discharge of industrial waste water and domestic sewage containing organic and nutrient matters into bays, semi-closed seas and other sea areas with low capacities of self-purification shall be strictly controlled.

Article 36 In discharging thermal waste water into sea areas, effective measures shall be taken to ensure that the water temperature in the adjacent fishing areas is kept within marine environment standards of the State in order to avoid damage to fishery resources by thermal pollution.

Article 37 The use of chemical pesticides in coastal farmlands and forest farms shall conform to the State provisions and standards governing the use of pesticides. Coastal farmlands and forest farms shall use chemical fertilizer and plant growth regulators in a rational way.

Article 38 The abandoning, piling up and disposal of mining tailing, waste ores, cinders, garbage and other solid wastes along shore and beach shall be conducted in accordance with relevant provisions of the "Law of the People's Republic of China on the Prevention and Control of Environment Pollution Caused by Solid Wastes."

Article 39 It is prohibited to transport dangerous wastes through the passage of internal waters and territorial seas of the People's Republic of China. Prior written agreement shall be obtained from the competent administrative department in charge of environment protection under the State Council for the transportation of dangerous wastes through the passage of other sea areas under the jurisdiction of the People's Republic of China.

Article 40 People's Governments of coastal Cities shall construct and build urban sewage treatment plants or other facilities for concentrated sewage treatment in a planned way city sewage treatment plants or other sewage concentrated treatment facilities in a planned way and strengthen comprehensive control and management of urban sewage. Construction of marine sewage treatment engineering facilities shall be conducted in compliance with relevant regulations of the State.

Article 41 The State shall adopt necessary measures to prevent, reduce and control marine environment pollution damage from or through the atmosphere.

Chapter V Prevention and Control of Pollution Damage to the Marine Environment by Coastal Construction Projects

Article 42 New coastal construction projects, extensions or reconstruction projects must be conducted in compliance with relevant

State regulations governing environment protection in construction projects and shall channel the capital needed for the prevention and control of pollution into construction project investment plan.

Within marine nature reserves, coastal historic sites and scenic spots, important fishery waters and other areas which call for special protection that are delimited according to relevant laws, undertaking of coastal construction projects or any other operations that may cause pollution to environment and damage to landscape shall be forbidden.

Article 43 Units in charge of coastal construction projects must, at the project feasibility study period, conduct scientific surveys of the marine environment, select suitable sites in the light of natural and social conditions and formulate and submit environmental impact assessment. The environmental impact assessment shall, after deliberation by the competent administrative department in charge of marine affairs, be subject to the examination and approval by the competent administrative department in charge of environment protection. The competent administrative department in charge of environment protection must, before approval of the environmental impact assessment, seek the opinions of the competent administrative departments in charge of maritime affairs and fisheries as well as the environment protection department of the Armed Forces.

Article 44 Environment protection installations of the coastal construction projects shall be designed, built and commissioned together with the principle part of the construction project. No permission shall be given to the construction projects to be put into test (trial) operation until the environment protection installations are examined and approved by the competent administrative department in charge of environment protection; and no permission shall be given to the construction projects to be commissioned or used until the environment protection installations are checked and accepted by the competent administrative department in charge of environment protection or considered to be up to standards after having been checked and accepted.

Article 45 It is prohibited to construct new industrial projects that do not possess effective pollution treatment measures in the coastal land areas, such as chemical pulp and paper mill, chemical plant, printing and dyeing mill, tannery, electroplating mill, brewery, oil refinery, beach ship-dismembering as well as other projects which cause serious marine environment pollution.

Article 46 In building coastal construction projects, effective measures must be taken to protect wild animals and plants and their living environment as well as marine fishery, resources under State and local particular protection. It is strictly prohibited to mine sand and gravel along the shore. In conducting open air the mining of placer and well drilling on the coast to exploit seabed mineral resources, effective measures must be taken to prevent pollution to the marine environment.

Chapter VI Prevention and Control of Pollution Damage to the Marine Environment by Marine Construction Projects

Article 47 Marine construction projects must conform with marine functional zonation scheme, marine environment protection plan and relevant State environment protection standards. At the project feasibility study period, marine environmental impact assessment statements shall be formulated and submitted to the competent administrative department in charge of marine affairs for examination and approval; in the meantime, report to the competent administrative department in charge of environment protection for the record and accept the supervision of the competent administrative department in charge of environment protection.

The competent administrative department in charge of marine affairs must, before the examination and approval of the marine environmental impact assessment statements, seek the opinions of the competent administrative departments in charge of maritime affairs and fisheries as well as the environment protection department of the Armed Forces.

Article 48 Environment protection installations of marine construction projects shall be designed, built and commissioned together with the principle part of the construction projects. No permission shall be given to the construction projects to be put into trial operation until the environment protection installations are examined and approved by the competent administrative department in charge of environment protection; and no permission shall be given to the construction projects to be commissioned and used until the environment protection installations are checked and accepted by the competent administrative department in charge of environment protection or considered to be up to standards after having been checked and accepted. Prior agreement must be obtained from the competent administrative department in charge of environment protection to dismantle or lay idle the environment protection installations.

Article 49 The building of marine construction projects must not use materials containing radioactivity in excess of standards or materials containing toxic and harmful substance easy to dissolve in the water.

Article 50 In case construction of marine construction projects involves explosive operations, effective measures must be taken to protect marine resources. In the course of offshore oil exploration and exploitation as well as transportation of oil, effective measures must be taken to avoid occurrence of oil spill.

Article 51 Oily waste water and oil mixtures from offshore oil drilling vessels and platforms for oil drilling and extraction may be discharged into the sea only after proper treatment and up to discharge standards. Residual and waste oil shall be recovered and must not be discharged into the sea. When they are discharged after treatment, the oil content of the discharged may not exceed the standards laid down by the State. Oil-based mud and toxic compound mud used in drilling must not be disposed in the sea. The disposal in the sea of water-based mud, other non-toxic compound mud and drilling breaks must conform with relevant provisions of the State.

Article 52 Offshore oil rigs, drilling platforms, oil extraction platforms and other relevant installations on the sea shall not dispose oil-containing industrial garbage in the sea. The disposal of other industrial garbage must not cause pollution to the marine environment.

Article 53 In the event of offshore well testing, the oil and gas shall be thoroughly burned. Oil and oil mixtures must not be discharged into the sea.

Article 54 Those engaged in the exploration and exploitation of offshore oil must formulate contingency plans to control oil spill and submit them to the competent State administrative department in charge of marine affairs for examination and approval.

Chapter VII Prevention and Control of Pollution Damage to the Marine Environment by Dumping of Wastes

Article 55 No unit is permitted, without approval of the competent State administrative department in charge of marine affairs, to dump any wastes into the sea areas under the jurisdiction of the People's Republic of China.

Units that need to dump wastes in the sea must submit a written application to the competent State administrative department in charge of marine affairs for its examination and approval and shall not proceed the dumping before a permit is granted by the said

department.

Wastes from outside the boundaries of the People's Republic of China are prohibited to dump into the sea areas under the jurisdiction of the People's Republic of China.

Article 56 The competent State administrative department in charge of marine affairs shall, in accordance with the toxicity of the wastes, the content of poisonous substances and the degree of impact to marine environment, work out assessing procedures and standards regarding dumping of wastes into the sea.

Dumping of wastes into the sea shall practise classified management in accordance with the categories and quantities of the wastes. The competent State administrative department in charge of marine affairs shall work out the list of wastes allowed to be dumped into the sea and the competent administrative department in charge of environment protection under the State Council shall put forward opinions of deliberation, then submit to the State Council for approval.

Article 57 The competent State administrative department in charge of marine affairs shall, in accordance with scientific, rational, economic and safety principles, select and dumping sites in the sea and the competent administrative department in charge of environment protection under the State Council shall put forward opinions of deliberation, then submit to the State Council for approval.

Temporary dumping sites in the sea should be approved by the competent State administrative department in charge of marine affairs and should be reported to the competent administrative department in charge of environment protection under the State Council for the record.

The competent State administrative department in charge of marine affairs must, in selection of dumping sites in the sea and before approving temporary dumping sites in the sea, seek the opinions of the competent State administrative departments in charge of maritime affairs and fisheries.

Article 58 The competent State administrative department in charge of marine affairs shall exercise supervision and management over the use of dumping sites and organize environmental monitoring of the dumping sites. When a dumping sites is no longer suitable to be used, the competent state administrative department in charge of marine affairs shall close it down upon confirmation, stop all dumping activities in the dumping sites and report to the State Council for the record.

Article 59 Units permitted by grant to dump wastes must act in accordance with the time limit and conditions set down in the permit and carry out dumping in the designated area. After the wastes have been loaded for shipment, the approval department shall check for verification.

Article 60 Units permitted by grant to dump wastes shall record down the details of dumping and submit a written report to the approval department after dumping. The vessels loading wastes for the dumping must report to the competent administrative department in charge of maritime affairs of the departure port.

Article 61 Sea incineration of waste is forbidden. Disposal of wastes with radioactivity and other radioactive substances on the sea is forbidden. Exempt level of radioactive substances at the wastes shall be determined by the State Council.

Chapter VIII Prevention and Control of Pollution Damage to the Marine Environment by Vessels and Their Related Operations

Article 62 No vessels and their related operations shall, in the sea areas under the jurisdiction of the People's Republic of China, discharge pollutants, wastes, ballast water, vessel garbage and other harmful substances into the sea in violation of the provisions of this law. Those engaged in the business of collection of the pollutants. Wastes and garbage from vessels and the operation of vessel cabin cleaning and washing must possess corresponding capabilities of pollutant collection and treatment.

Article 63 Vessels must, in accordance with relevant regulations, possess certificates and documents for the prevention of pollution to marine environment and make factual records in conducting pollutant discharging and other operations.

Article 64 Vessels must be equipped with corresponding pollution prevention facilities and equipment. For vessels loaded with cargoes containing pollution damages, the structures and equipment of which shall be able to prevent or reduce pollution to the marine environment by the loaded cargoes.

Article 65 Vessels shall comply with the stipulations of the marine traffic laws and regulations and prevent marine environment pollution from incidents resulting from collision, running on rocks, stranding, fire or explosion and the like.

Article 66 The State shall make perfect and put into practice responsibility system of civil liability compensation for vessel-induced oil pollution, and shall establish vessel-induced oil pollution insurance, oil pollution compensation fund system in accordance with the principles of owners of the vessel and the cargoes jointly undertaking liabilities for vessel-induced oil pollution compensations. Specific measures for the implementation of vessel-induced oil pollution insurance and oil pollution compensation fund system shall be formulated by the State Council.

Article 67 For vessels loaded with pollution damage cargoes sailing in and out of the port, the carrier, owner of the cargo or his agent must declare to the competent administrative department in charge of maritime affairs. The vessels may, upon approval, sail in and out of the port for transit berthing or conduct loading and unloading handling.

Article 68 Vouchers, packages, marks and quantities, etc. of the pollution damage cargoes delivered to the vessels for shipping must be in conformity with relevant regulations governing the cargoes being shipped. In case it is necessary for shipping cargoes, assessment should be made beforehand in accordance with relevant regulations. In undertaking loading and unloading operations of oil, toxic and harmful cargoes, the two parties of the vessel and the port should both comply with relevant operation rules and regulations to ensure safety and pollution prevention.

Article 69 Ports, docks, loading and unloading spots and shipyards must, in accordance with relevant regulations, be equipped with proper facilities to accommodate and deal with vessel-induced pollutants and wastes, and shall keep these facilities in good conditions. Ports, docks, loading and unloading spots and shipyards must draw up contingency plans to deal with oil spill pollution and shall be equipped with corresponding contingency equipment and devices to deal with oil spill.

Article 70 To undertake following operations shall, in accordance with relevant regulations, report to relevant department for approval or permission beforehand:

- (1) Vessels using incinerators in the port waters;
- (2) Vessels conducting such operations as cabin washing, cabin cleaning, gas discharging, ballast water and residual oil

discharging, oily water collecting, gunwale rust-eradicating and paint coating, etc. in the port waters.

- (3) Use of oil detergent chemicals in the vessels, docks and facilities.
- (4) Vessels cleaning decks contaminated by pollutants, toxic and harmful substances;
- (5) Vessels undertaking operations of ship-to-ship transfer of bulk liquid cargoes with pollution damages;
- (6) Engaged in ship dismembering in the sea, ship salvaging, ship repairing and other surface and under-water operations.

Article 71 For vessels involved in maritime incidents causing or possibly resulting in major pollution damages to the marine environment, the competent State administrative department in charge of maritime affairs shall have the right to adopt forcible measures to avoid or reduce pollution damage. For maritime incidents on the high seas resulting in consequences of causing major pollution damage to the sea areas under the jurisdiction of the People's Republic of China or vessels and facilities on the sea possessing pollution threat, the competent State administrative department in charge of maritime affairs shall have the right to adopt necessary measures corresponding with pollution which have actually happened or may possibly happen.

Article 72 All vessels shall have the obligation to supervise pollution on the sea and, upon discovering pollution accidents on the sea or uncovering act of violation of the provisions of this law, must immediately report to the department invested by this law with power to conduct marine environment supervision and administration in the vicinity. Civil aviation vehicles, upon discovering discharge of pollutants or pollution accidents on the sea, must timely report to the civil aviation air traffic control unit in the vicinity. The unit shall, upon receiving such report, immediately notify the department invested by this law with power to conduct marine environment supervision and administration.

Chapter IX Legal Liabilities

Article 73 Whoever, in violation of the provisions of this law, commits any of the following acts, shall be ordered to remedy the damage within a certain period of time and be fined by the competent department invested by law with power to conduct marine environment supervision and administration in accordance with the provisions of this law:

- (1) discharging pollutants or other substances into the sea prohibited by this law to discharge;
- (2) discharging pollutants into the sea not in conformity with the provisions of this law, or discharging pollutants in excess of standards;
- (3) dumping wastes in the sea without obtaining certificate of permit for dumping;
- (4) in the event of an accident or any other contingent event causing pollution to the marine environment, no proper treatment measures having been taken immediately;

Whoever commits any of the following acts mentioned in previous clause (1) and (3), shall be fined not less than 30,000 yuan but no more than 200,000 yuan; whoever commits any of the following acts mentioned in previous clause (2) and (4), shall be fined not less than 20,000 yuan but no more than 100,000 yuan;

Article 74 Whoever, in violation of the provisions of this law, commits any of the following acts, shall be warned or fined by the competent department invested with power to conduct marine environment supervision and administration in accordance with the provisions of this law:

- (1) failing to report in accordance with relevant provisions, or even refusing to report on matters related to the discharge of pollutants or resorting to trickery and fraud in filing a report;
 - (2) failing to report in accordance with relevant provisions in the event of an accident or contingency;
 - (3) failing to make records of dumping in accordance with relevant provisions or failing to submit a report of dumping in accordance with relevant provisions;
 - (4) refusing to report or filing a false report on matters related to the transportation of cargoes with pollution damages by vessels.
- Whoever commits any of the following acts mentioned in previous clause (1) and (3), shall be fined no more than 20,000 yuan; whoever commits any of the following acts mentioned in previous clause (2) and (4), shall be fined no more than 50,000 yuan.

Article 75 Whoever, in violation of the provisions of second clause of Article 19 of this law, refuses an on-site inspection or resorts to trickery and fraud while undergoing inspection, shall be warned by the department invested with power to conduct marine environment supervision and administration in accordance with the provisions of this law and be fined no more than 20,000 yuan.

Article 76 Whoever, in violation of the provisions of this law, causes damage to marine ecosystems such as coral reefs, mangroves, etc., marine fishery resources and marine protected areas, shall be ordered by the department invested with power to conduct marine environment supervision and administration in accordance with the provisions of this law to remedy the damage within a certain period of time and adopt remedial measures, and be fined not less than 10,000 yuan and no more than 100,000 yuan; in case of having any illegal income, the illegal income shall be confiscated.

Article 77 Whoever, in violation of the provisions of first clause and third clause of Article 30 of this law, installs pollutant discharge outlet into the sea, shall be ordered to have it shut down by the competent department in charge of environment protection under the local People's Government above the County level and be fined not less than 20,000 yuan and no more than 100,000 yuan.

Article 78 Whoever, in violation of the provisions of third clause of Article 32 of this law, dismantles or lays idle without authorization environment protection installations, shall be ordered to have it rebuilt and put into use by the competent department in charge of environment protection under the local People's Government above the County level, and be fined not less than 10,000 yuan and no more than 100,000 yuan.

Article 79 Whoever, in violation of the provisions of second clause of Article 39 of this law, transfers dangerous wastes through the passage of sea areas under the jurisdiction of the People's Republic of China, shall be ordered by the State administrative department in charge of maritime affairs to have the vessel illegally transporting dangerous wastes withdrawn from the sea areas under the jurisdiction of the People's Republic of China, and be fined not less than 50,000 yuan and no more than 500,000 yuan.

Article 80 Whoever, in violation of the provisions of first clause of Article 43 of this law, builds coastal construction project without possessing environmental impact assessment properly examined and approved, shall be ordered to stop the construction in violation of the law and adopt remedial measures by the competent department in charge of environment protection under the local People's Government above the County level, and be fined not less than 50,000 yuan and no more than 200,000 yuan; or be ordered to have it removed within a certain period of time by the local People's Government above the County level in accordance with the limits of

authority of administration.

Article 81 Whoever, in violation of the provisions of Article 44 of this law, puts into commission or use of coastal construction project without completing the construction of environment protection installations or environment protection installations not up to the demanded requirements, shall be ordered to stop the production and use of the project by the competent administrative department in charge of environment protection and be fined not less than 20,000 yuan and no more than 100,000 yuan.

Article 82 Whoever, in violation of the provisions of Article 45 of this law, builds new industrial construction project that causes serious pollution to the marine environment, shall be ordered to have it shut down by the People's Government above the County level in accordance with the limits of authority of administration.

Article 83 Whoever, in violation of the provisions of first clause of Article 47 and Article 48 of this law, undertakes to build marine construction project, or marine construction project put into commission and use without completing the construction of environment protection installations or environment protection installations not up to the demanded requirements, shall be ordered to stop construction or stop the production and use of the project, and be fined not less than 50,000 yuan and no more than 200,000 yuan.

Article 84 Whoever, in violation of the provisions of Article 49 of this law, uses materials containing radioactive substance in excess of standards or toxic and harmful substances easy to dissolve in the water, shall be fined no more than 50,000 yuan by the competent administrative department in charge of marine affairs and be ordered to stop the operation of the construction project until pollution damage is eliminated.

Article 85 Whoever, in violation of the provisions of this law, undertakes to conduct offshore oil exploration and exploitation causing pollution damage to the marine environment, shall be warned by the competent State administrative department in charge of marine affairs and be fined not less than 20,000 yuan and no more than 200,000 yuan.

Article 86 Whoever, in violation of the provisions of this law, undertakes to conduct dumping of wastes in disregard of the stipulations of certificate of permit, or conduct dumping of wastes in the dumping zone already closed down, shall be warned by the competent administrative department in charge of marine affairs and be fined not less than 30,000 yuan and no more than 200,000 yuan; in the event of a serious case, the certificate of permit may be detained or revoked.

Article 87 Whoever, in violation of the provisions of third clause of Article 55 of this law, undertakes to transport wastes from outside the boundaries of the People's Republic of China to be dumped in the sea areas under the jurisdiction of the People's Republic of China, shall be warned by the competent State administrative department in charge of marine affairs and be fined, in accordance with the consequences of pollution damage caused or possibly caused, not less than 100,000 yuan and no more than 1,000,000 yuan.

Article 88 Whoever, in violation of the provisions of this law, commits any of the following acts, shall be warned or fined by the department invested with power to conduct marine environment supervision and administration in accordance with the provisions of this law:

- (1) ports, docks, loading and unloading spots and vessels which are not equipped with pollution prevention facilities and devices;
- (2) vessels not in possession of pollution prevention certificate and pollution prevention document, or do not take records of pollutant discharge in accordance with relevant provisions;
- (3) engaged in surface and port water area ship dismantling, old vessel refitting, salvaging and other surface and underwater operations which cause pollution damage to the marine environment;
- (4) cargoes carried by vessels do not meet pollution prevention and transportation requirements.

Whoever commits any of the following acts mentioned in previous clause (1) and (4), shall be fined not less than 20,000 yuan and no more than 100,000 yuan; act mentioned in previous clause (2) shall be fined no more than 20,000 yuan; and act mentioned in previous clause (3) shall be fined not less than 50,000 yuan and no more than 100,000 yuan.

Article 89 Vessels, oil platforms as well as ports, docks, loading and unloading spots which conduct loading and unloading operations of oils, failing to formulate contingency plans to deal with oil spill in violation of the provisions of this law, shall be warned by the department invested with power to conduct marine environment supervision and administration in accordance with the provisions of this law, or be ordered to remedy the fault within a certain period of time.

Article 90 Whoever causes pollution damage to the marine environment shall remove the pollution and compensate the losses; in case of pollution damage to the marine environment resulting entirely from the intentional act or fault of a third party, that third party shall remove the pollution and be liable for the compensation. For damages to marine ecosystems, marine fishery resources and marine protected areas which cause heavy losses to the State, the department invested with power by the provisions of this law to conduct marine environment supervision and administration shall, on behalf of the State, put forward compensation demand to those held responsible for the damages.

Article 91 Any unit, in violation of the provisions of this law, causes pollution accident to the marine environment, shall be fined in accordance with the damage and losses incurred by the department invested with power by the provisions of this law to conduct marine environment supervision and administration; the competent personnel directly responsible for the accident and other directly responsible personnel who are State functionaries shall be given administrative sanctions pursuant to the provisions of the law.

The amount of fine mentioned in previous clause shall be calculated according to 30 per cent of the direct losses, but no more than 300,000 yuan.

Whoever causes major marine environment pollution accident resulting in grave consequences of heavy losses of public and private property human injuries and deaths of persons, shall be investigated for criminal responsibility according to law.

Article 92 Liability of those who cause pollution damage may be exempted if pollution damage to the marine environment can not be avoided, despite prompt and reasonable measures taken, when the pollution damage is caused by any of the following circumstances:

- (1) war;
- (2) irresistible natural calamities; or
- (3) negligence or other wrongful acts in the exercise of functions of competent departments responsible for the maintenance of beacons or other navigation aids.

Article 93 Administrative penalties related to the payment of pollutant discharge fees, dumping fees and pollution removal within a certain period of time in violation of the provisions of Article 21 and Article 22 of this law shall be formulated by the State Council.

Article 94 Any person in charge of marine environment supervision and administration who abuses his power, neglects his duty or engaged in malpractice for personal gains resulting in pollution damage to the marine environment, shall be given administrative sanctions pursuant to the law; if his conduct constitutes a crime, he shall be persecuted for criminal responsibility according to law.

Chapter X Supplementary Provisions

Article 95 For the purpose of this law, the definitions of the following terms are:

- (1) "pollution damage to the marine environment" means any direct or indirect introduction of substances or energy into the marine environment which results in deleterious effects such as harm to marine living resources, hazards to human health, hindrance to fishing and other legitimate operations at sea, impairment of the useful quality of sea water and degradation of environment quality.
- (2) "internal waters" means all sea areas on the land-ward side of the baseline of the territorial sea of our country.
- (3) "coastal wetland" means water areas where the depth of water is less than 6 meters at low tides and its coastal flooded and wet areas, including the permanent water areas, the intertidal zone and other coastal low land less than 6 meters.
- (4) "marine functional zonation scheme " means delimitation of dominant functions and scope in marine utilization in the light of marine natural attributes and social attributes as well as natural resources and specified environment conditions.
- (5) "fishing areas" means spawning grounds, feeding grounds, wintering grounds and migration channels of fishes and shrimps, and the mariculture waters of fishes, shrimps shellfishes and algae.
- (6) "Oils " means any kind of oil and its refined products.
- (7) "Oily mixtures " means any mixtures containing oil.
- (8) "Discharge " means acts to drain pollutants into the sea including pumping, spilling, releasing, gushing and pouring.
- (9) "Land based pollution sources" refer to the sites or facilities that discharge from land into the sea pollutants which causes or potentially cause marine environment pollution.
- (10) "Land-based pollutant " means pollutant discharged from land-based sources.
- (11) "Dumping " means to dispose of wastes or other harmful substances into the sea from vessels, airborne vehicles, platforms or other means of transport, including the abandonment of vessels, airborne vehicles, platforms and other floating apparatus.
- (12) "coastal land areas " means areas connected with coast line or areas directly or indirectly discharging pollutants into the sea through pipelines, channels, installations or conducting related operations.
- (13) "Incineration at the sea" means intentional act of burning pollutants or other substances on the burning devices at the sea with aim of destruction by heat, however, related happenings in the operation of vessels, platforms or other artificial structures shall be excluded.

Article 96 Specific division of functions and powers of relevant departments involved in marine environment supervision and administration which are not defined in this law shall be determined by the State Council.

Article 97 If an international treaty regarding environment protection concluded or acceded to by the People's Republic of China contains provisions differing from those contained in this law, the provisions of the international treaty shall apply, unless the provisions are ones which the People's Republic of China has announced reservations.

Article 98 This law shall come into force as of April 1, 2000.

Annex 615

People's Republic of China, *Law of the People's Republic of China on Evaluation of Environmental Effects*
(28 Oct. 2002)

ENVIRONMENTAL IMPACT ASSESSMENT LAW OF THE PEOPLE'S REPUBLIC OF CHINA

(Adopted at the 30th Meeting of the Standing Committee of the Ninth National People's Congress on October 28, 2002, promulgated by Order No. 77 of the President of the People's Republic of China on October 28, 2002, and effective on September 1, 2003.)

CONTENT

- Chapter I General Provisions
- Chapter II Environmental Impact Assessment for Plans
- Chapter III Environmental Impact Assessment for Construction Projects
- Chapter IV Legal Liability
- Chapter V Supplementary Provisions

Chapter I General Provisions

Article 1

This Law is formulated for the purpose of realizing sustainable development strategy, preventing adverse impacts on the environment from implementation of plans and construction projects, and promoting coordinative development of the economy, society and environment.

Article 2

"Environmental Impact Assessment" (hereafter termed EIA) as used in this Law refers to the methodology and system of performing analysis, projection and evaluation on potential environmental impacts resulted from implementation of a plan or a construction project, proposing countermeasures and measures to prevent or alleviate adverse impacts, and carrying out tracing monitoring.

Article 3

This Law shall apply to plans within the scopes stipulated in Article 9 of this Law and to the construction of projects with potential environmental impacts in the territory of the People's Republic of China and other sea areas under the jurisdiction of the People's Republic of China.

Article 4

EIA must be objective, open and impartial, comprehensively consider impacts on various environmental factors and the ecosystem they form after the implementation of the plan or construction project, and thus provide scientific basis for the decision-making.

Article 5

The state shall encourage all relevant units, experts and the public to participate in the EIA in proper ways.

Article 6

The state shall strengthen establishment of basic databases and assessment indicators system for EIA, encourage and support scientific researches on methodologies and technical specifications for EIA, set up necessary EIA information sharing system, so as to improve the scientific character of EIAs.

The competent department of environmental protection administration under the State Council shall, in conjunction with relevant departments under the State Council, organize establishment and improve the basic databases and assessment indicators system for EIA.

Chapter II Environmental Impact Assessment for Plans

Article 7

The relevant departments under the State Council, local people's governments at or above the level of municipality with districts and relevant departments under them shall, for the land-use plans and construction and exploitation plans of regions, river basins and sea areas they organize to prepare, organize EIA and prepare chapters or descriptions on environmental impacts of the plans.

The chapter or description on environmental impact of a plan shall perform analysis, projection and evaluation on the potential environmental impacts resulted from implementation of the plan, propose countermeasures and measures to prevent or alleviate adverse environmental impacts, and submit them, as component of the draft plan, to relevant review and approval departments of the plan.

For the draft plans without chapters or descriptions on environmental impacts, the review and approval departments shall not approve the plan.

Article 8

The relevant departments under the State Council, local people's governments at or above the level of municipality with districts and relevant departments under them shall, for the industrial, agricultural, livestock breeding, forestry, energy, water conservancy, transportation, urban construction, tourism, natural resources and other specific plans (hereafter termed specific plans) they organize to prepare, organize EIAs before the submission of the draft specific plans for approval, and submit the environmental impact statements (hereafter termed EISs).

For the guiding plans in the specific plans listed in the provisions of the preceding paragraph, the EIA shall be performed according to the stipulation in Article 7.

Article 9

The detailed scope of plans for which EIA shall be performed under stipulations of Articles 7 and 8 shall be stipulated by the competent department of environmental protection administration under the State Council shall, in conjunction with relevant departments under the State Council, and submitted to the State Council for approval.

Article 10

The contents of an EIS shall include:

- (1) Analysis, projection and evaluation on the potential environmental impacts resulted from implementation of the plan;
- (2) Countermeasures and measures to prevent or alleviate adverse environmental impacts; and
- (3) Conclusions of the EIA.

Article 11

The institutions responsible for preparing the specific plan shall hold expert meetings and public hearings or in other forms to solicit comments and suggestions on the draft EIS of relevant units, experts and the public, except for those that are confidential as the state stipulates.

The plan preparing institutions shall seriously consider the comments and suggestions on the draft EIS of relevant units, experts and the public, and specify a description on having adopted or not adopted the comments and suggestions in the EIS that is submitted for review.

Article 12

The institutions responsible for preparing the specific plan shall submit the EIS together with the draft plan to the approval institutions for review and approval. The approval institutions shall not approve the plan until the EIS is submitted.

Article 13

The people's government at or above the level of municipality with districts shall designate the competent department of environmental protection administration or other departments to organize a review group participated by representatives of relevant departments and experts to examine the EIS of a plan, before making any decisions on whether to approve the draft specific plan.

The experts to participate in the review group as prescribed in the provisions of the preceding paragraph shall be selected in random from the expert lists of relevant specialties in the expert database set up in accordance with requirements of the competent department of environmental protection administration under the State Council.

The review methods of EISs for specific plans that shall be reviewed and approved by relevant departments of people's governments at or above the provincial level shall be formulated by the competent department of environmental protection administration under the State Council, in conjunction with relevant departments under the State Council.

Article 14

The relevant departments of the people's governments at or above the level of municipality with districts or the people's governments at or above the provincial level shall take the EIS conclusions and the review opinions as important decision-making basis, when reviewing the specific plans.

During review procedure, explanations shall be made and documented in case of any deny or ignorance of the EIS conclusions and the review opinions.

Article 15

After the implementation of plans with significant environmental impacts, the plan-preparation institutions shall timely organize tracing assessment and report the assessment results to the approval institutions, and timely propose improvement measures if obvious adverse environmental impacts are found.

Chapter III Environmental Impact Assessment for Construction Projects

Article 16

The state shall execute classified administration on EIAs for construction projects according to different degrees of environmental impacts of the construction projects.

The construction unit shall prepare EIS, environmental impact form (hereafter termed EIFs) or fill in environmental impact registration table (hereafter generally called EIA document) in accordance with the following stipulations:

- (1) Preparing EIS for construction projects possibly with significant environmental impacts, to perform a comprehensive assessment for the environmental impacts;
- (2) Preparing EIF for construction projects possibly with slight environmental impacts, to perform analysis or specific assessment for the environmental impacts; and
- (3) Filling in environmental impact registration table for construction projects possibly with very small environmental impacts and not needing an EIA.

The list of classified administration for EIA of construction projects shall be formulated and promulgated by the competent department of environmental protection administration under the State Council.

Article 17

The EIS of a construction project shall include the following contents:

- (1) Outline of the construction project;
- (2) Current status of surrounding environment of the construction project;
- (3) Analysis, projection and evaluation on the potential environmental impacts of the construction project;
- (4) Environmental protection measures and the technical and economic justifications for the construction project;
- (5) Cost-benefit analysis of the environmental impacts of the construction project;
- (6) Suggestions on implementation of environmental monitoring for the construction project; and
- (7) Conclusions of the EIA.

For the construction projects involving water and soil conservation, the water and soil conservation schemes reviewed and approved by the competent department of water administration shall be required.

The contents and formats of EIFs and environmental impact registration table shall be formulated by the competent department of environmental protection administration under the State Council.

Article 18

Any duplication shall be avoided between the EIA of a construction project and that of a plan.

For the plan of an integrated construction project, an EIA for a construction project, not an EIA for a plan, shall be performed.

For individual construction projects contained in a plan for which an EIA has been performed, the EIAs by the construction units may be simplified.

Article 19

The institutions that are entrusted to provide technical services on EIA for construction projects shall engage in EIA services according to qualification levels and assessment scopes specified by the certificates granted by the competent department of environmental protection administration under the State Council after examining their qualifications. The institutions shall be responsible for the assessment conclusions that made. The qualification conditions and management methods for the institutions to provide technical services on EIA for construction projects shall be formulated by the competent department of environmental protection administration under the State Council.

The competent department of environmental protection administration under the State Council shall publicize the list of certified institutions to provide technical services on EIA for construction projects.

The institutions to provide technical services on EIA for construction projects must not have any interest with the competent department of environmental protection administration or other relevant approval departments for approving the EIA documents of construction projects.

Article 20

The EISs or EIFs in the EIA documents shall be prepared by qualified institutions for EIA.

None of units or individuals can designate institutions to perform EIA for the construction projects of theirs.

Article 21

Except for those that are confidential as the state stipulates, for the construction projects that have potential significant environmental impacts and shall prepare EISs, the construction units shall hold expert meetings and public hearings or in other forms to solicit comments and suggestions of relevant units, experts and the public, before submitting the EISs for approval.

The EISs submitted by construction units for approval shall specify a description on having adopted or not adopted the comments and suggestions of relevant units, experts and the public.

Article 22

The EIA documents of construction projects shall be submitted to the competent departments of environmental protection administration by construction units, as the State Council's stipulates. In case that the construction units have the competent departments of sectoral administration, the EISs or EIFs shall be pre-reviewed by the competent departments of sectoral administration before submitting them to the competent departments of environmental protection administration for approval.

The marine EISs for marine engineering construction projects shall be approved in accordance with the *Marine Environmental Protection Law of the People's Republic of China*.

The approval departments shall make approval decisions and notify the construction units in written forms within 60 days after receiving the EISs, within 30 days after receiving the EIFs, and within 15 days after receiving the environmental impact registration tables, respectively.

There shall be no charge on pre-reviewing, examining or approving the EIA documents for the construction projects.

Article 23

The competent department of environmental protection administration under the State Council shall be responsible for reviewing and approving the EIA documents of the construction projects as follows.

- (1) The nuclear facilities, strictly confidential works and other construction projects with special characters;
- (2) The construction projects spanning different provinces, autonomous regions or municipalities directly under the Central Government; and
- (3) The construction projects that are to be reviewed and approved by the State Council or relevant departments under the authority of the State Council.

The authority of approval for the EIA documents of the construction projects other than those stipulated in the provisions of the preceding paragraph shall be stipulated by the people's governments of provinces, autonomous regions or municipalities directly under the Central Government.

In case that the construction projects may cause adverse environmental impacts spanning different administrative regions, and that there are disputes on the EIA conclusions among the competent departments of environmental protection administration, the EIA documents shall be reviewed and approved by the competent department of environmental protection administration at the higher level.

Article 24

After the approval of the EIA documents of the construction projects, if there are any major variations of the construction projects in the project nature, scale, site, adopted production process or measures to prevent and control pollution and prevent ecological disruption, the construction units shall re-submit the EIA documents of the construction projects for re-approval.

If the construction unit decides to start construction of a project over 5 years after the approval of the EIA documents of the project, the EIA documents shall be submitted to

the original approval department for re-examination. The original approval department shall notify the construction units about the examination results in written forms within 10 days after receiving the EIA documents of the construction project.

Article 25

The project approval department must not approve the construction, and the construction unit must not start to construct before the EIA documents of the construction project are reviewed and approved by legally stipulated approval department.

Article 26

During the construction of the project, the construction unit shall simultaneously implement the environmental protection countermeasures proposed in the EIS, EIF and the remarks of approval for the EIA documents.

Article 27

In case of any inconsistency with EIA documents during project construction and operation, the construction unit shall organize a post-assessment of the environmental impacts, adopt improvement measures, and report to the original EIA document approval department and original project approval department for documentation. The original EIA document approval department may also request the construction unit to perform a post-assessment of the environmental impacts and adopt improvement measures.

Article 28

The competent departments of environmental protection administration shall perform tracing inspection on the environmental impacts after the construction projects are put into production or service, and find out reasons and identify responsibilities for present the serious environmental pollution or ecological disruption. The institutions that have provided technical services to the EIA of the construction project and prepared untrue EIA documents shall be investigated for criminal responsibility according to Article 33 of this Law. The approval department persons with dereliction or neglect of his duty who have approved the EIA documents that should not have been approved shall be investigated for criminal responsibility according to Article 35 of this Law.

Chapter IV Legal Liability

Article 29

For any plan-preparation institution which violates this Law and resort to trickery and fraud while organizing EIA, thereby causing seriously untrue EIA, the person in charge who is directly responsible and any other persons who are directly responsible shall be subject to administrative sanction by the competent higher authorities or by the supervision administration.

Article 30

For any plan approval institution which violates this Law to approve the draft plan that shall prepare chapters or descriptions on environmental impacts but have not prepared or approve the draft specific plan that shall submit EIS but have not, the person in charge who is directly responsible and any other persons who are directly responsible

shall be subject to administrative sanction by the competent higher authorities or by the supervision administration.

Article 31

Any construction unit which has not submitted EIA documents of the construction projects for approval in accordance with the Law or has not re-submitted the EIA documents for re-approval or applied for re-examination in accordance with Article 24 of this Law, and arbitrarily start to construct shall be ordered to stop construction and supplement formality within prescribed time by the competent departments of environmental protection administration which have the authority to approve the EIA documents of the construction project. If the supplementary formality is not accomplished within the deadline, it may be imposed a fine of between RMB 50000 and RMB 200000. The person in charge who is directly responsible for the construction unit and any other persons who are directly responsible shall be subject to administrative sanction.

Any construction unit which arbitrarily starts to construct before the EIA documents of the construction projects are approved or re-examined and approved shall be ordered to stop construction and may be imposed a fine of between RMB 50000 and RMB 200000. The person in charge who is directly responsible for the construction unit and any other persons who are directly responsible shall be subject to administrative sanction.

Any construction unit of marine engineering construction project which violates the provisions in the preceding two paragraphs shall be punished in accordance with stipulations of the *Marine Environmental Protection Law of the People's Republic of China*.

Article 32

If EIA has not been performed for the construction project as stipulated by the Law, or the EIA documents have not been approved according to the Law, the project approval department arbitrarily approve the construction of the project, the person in charge who is directly responsible and any other persons who are directly responsible shall be subject to administrative sanction by the competent higher authorities or by the supervision administration; if his act constitutes a crime, he shall be investigated for criminal responsibility according to law.

Article 33

For any institution which has been entrusted to provide technical service for EIA of any construction project but has not worked properly and resort to trickery and fraud while performing EIA, thereby resulting in untrue EIA documents, the qualification level shall be lowered by the competent departments of environmental protection administration or the certificate be revoked, and a fine of between one and three times of the EIA fee shall be imposed on the institution; if its act constitutes a crime, it shall be investigated for criminal responsibility according to law.

Article 34

Any department which imposes charge on pre-reviewing, examining or approving the EIA documents for the construction projects shall be ordered to return the charge by the competent higher authorities or by the supervision administration; if the case is serious

enough, the person in charge who is directly responsible and any other persons who are directly responsible shall be subject to administrative sanction.

Article 35

Any person in the competent departments of environmental protection administration or other departments who abuses his power, neglects his duty, engages in malpractices for personal gains, or violate the Law to approve the EIA documents for construction projects shall be given administrative sanction; if his act constitutes a crime, he shall be investigated for criminal responsibility according to law.

Chapter V Supplementary Provisions

Article 36

The people's governments of provinces, autonomous regions and municipalities directly under the Central Government may, based on the actual situations of their territory regions, request EIAs for the plans prepared by the people's governments at the county level. The detailed methods shall be formulated by the people's governments of provinces, autonomous regions and municipalities directly under the Central Government, referring to Chapter II of this Law.

Article 37

The methods for EIAs for military facilities construction projects shall be formulated by the Central Military Commission, referring to the principles in the Law.

Article 38

This Law shall enter into force on September 1, 2003.

Annex 616

Permanent Mission of the People's Republic of China to the United Nations, *Statement by H.E. Ambassador LIU Zhenmin, Head of the Chinese Delegation, on agenda item 4 "Adoption of agenda", at the 19th Meeting of State Parties to the UNCLOS (22 June 2009)*


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Statement by H.E. Ambassador LIU Zhenmin, Head of the Chinese Delegation, on agenda item 4 "Adoption of agenda", at the 19th Meeting of States Parties to the UNCLOS

2009/06/22

22 June 2009

Mr. President,

The Chinese Delegation would like to congratulate you on your election as President of the 19th Meeting of State Parties. We are confident that, under your able guidance, this meeting will be of great success.

Mr. President, I have the honor to introduce the proposal by China, Côte d'Ivoire and Pakistan to include a supplementary item in the agenda of the present meeting. The proposal for a supplementary item and the explanatory note can be found in document SPLOS/196 and SPLOS/L.60.

Mr. President, delimiting outer limits of continental shelf is, in the mean time, defining the scope of the International Seabed Area. The relationship between continental shelf and the International Seabed Area is a general issue involving the overall interests of mankind, which is of great importance to the international community. Relevant organizations and all the State Parties should take care of it seriously.

Article 121(3) of the LTNCLOS stipulates clearly that, rocks which cannot sustain human habitation or economic life of their own shall have no exclusive economic zone or continental shelf. Whether this stipulation can be implemented strictly will have great influence on the scope of the International Seabed Area. At the 15th session of the International Seabed Authority took place last month, a number of States expressed their deep concern on the possible encroachment on the common heritage of mankind by claims of extended continental shelf using rocks as base point.

Last May is the deadline for the submission of applications concerning outer limits of continental shelf. The Commission on the Limits of Continental Shelf will continue its examination of submissions by the state parties. We believe that, as a preventive measure, it will greatly facilitate the work of the Commission if the Meeting of States Parties could send a clear message to the international community regarding the possible impacts of implementation of Article 121 of UNCLOS.

The provision of Article 121 is clear and definitive. The islands regime established under Article 121 should be fully respected and complied with as a whole. This Meeting of States Parties provides a good opportunity to have a thorough discussion of the relationship between outer limits of continental shelf and International Seabed Area, in the spirit of ensuring comprehensive implementation of the Convention and safeguarding the legitimate interests of both coastal States and the international community, so as to facilitate the Commission to duly fulfill its responsibilities under the Convention.

It is for these reasons that China, Côte d'Ivoire and Pakistan have proposed to include a supplementary item, namely "International Seabed Area as the common heritage of mankind and Article 121 of the United Nations Convention on the Law of the Sea" in the agenda. The purpose is to echo the needs of the Commission, to exchange views among States Parties and to explore possible solutions to this general issue. This proposal is not targeted at any specific submission to the Commission, nor is it aiming at interpreting or amending the Convention. It is not our intention to keep this item permanent in the agenda. What we are concerned is the implementation of Article 121 of the Convention. We would highly appreciate it if all States Parties support this proposal.

Thank you, Mr. President.

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Annex 617

Permanent Mission of the People's Republic of China to the United Nations, *Statement by H.E. Ambassador Wang Min, Head of the Chinese Delegation at the 25th Meeting of States Parties to the UN Convention on the Law of the Sea* (12 June 2014)


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Statement by H.E. Ambassador Wang Min, Head of the Chinese Delegation at the 25th Meeting of States Parties to the UN Convention on the Law of the Sea

2015/06/12

Mr. President,

The Chinese delegation thanks the Secretary-General for the report submitted pursuant to article 319 of the United Nations Convention on the Law of the Sea and welcomes Palestine's accession to the big family of UNCLOS as a new member.

Mr. President,

Peace, development and cooperation constitute the theme of the world today. The global economy is encountering difficulty in its recovery, making the issue of development even more pressing. This coming September, the General Assembly will hold a development summit and adopt a post-2015 development agenda, which is of great importance. The oceans and seas are our common home and a valuable space for achieving sustainable development. As a significant part of the post-2015 development agenda, sustainable maritime development is having an ever more important status and role in global politics, economy and the social development of humankind. On ways to achieve sustainable maritime development, China wants to share the following views and proposals:

1. Fully amalgamate the political will and establish an awareness that the oceans represent a community of common destiny. The Preamble of the Convention points out that the problems of ocean space are closely interrelated and need to be considered as a whole. Now, countries have carried out exchanges and cooperation that are closer than ever before, using oceans and seas as a bond. Meanwhile, the oceans of our globe are also facing such challenges as a worsening environment of resources and ecology as well as frequent occurrence of disasters. An individual country, however powerful it may be, simply cannot stay immune by itself. We should, therefore, be aware that we share the same destiny in ocean affairs and should join hands in responding to the challenges and engage in more pragmatic cooperation for common development.

2. Enhance collaboration and coordination to achieve win-win in economic growth, social development and environmental protection. These three dimensions are inseparable for the effective operation of each depends on that of the other two. For this reason, integrated marine management measures should be taken to ensure the balanced and comprehensive development of all three dimensions. At the same time, the important role of scientific research in decision-making deserves great attention. The international community should further combine science and policies, mainstream marine scientific research in decision-making, and encourage cross-disciplinary and cross-sectoral marine scientific research and the sharing of its results. China has lent great importance to and taken an active part in the Regular Process for the Global Reporting and Assessment of the State of the Marine Environment, which is an important practice by the United Nations in its sustainable maritime development endeavor. We believe that the assessment will provide a scientific basis for countries in their formulation of maritime policies and implementation of integrated marine management.

3. Strengthen the capacity building of developing countries and guarantee the rights of all countries to equal participation in setting international agenda and rule-making. Both the protection and use of oceans need to be buttressed by capacity building. Significant gap exists among countries in capacity building. In particular, developing countries have inadequate capacity in marine use and protection. The international community should accord priority consideration to addressing the capacity building needs of these countries, coupled with ensuring the equal rights of all countries in the sustainable development process in relation to the oceans, taking into full account the needs and concerns of the developing countries and effectively resolving their problems in finance, technology and capacity-building.

The Chinese government takes sustainable maritime development very seriously. In over 30 years of reform and opening up, it has actively advocated the concepts of integrated maritime management and the building of a marine conservation culture, promoted the strategy of maritime development through science and technology, and advanced maritime economic development. China looks forward to furthering its cooperation with other countries and drawing upon their valuable experience so as to make more contributions to the sustainable development of oceans and seas.

Mr. President,

The Meeting of States Parties to UNCLOS is not the venue to discuss the South China Sea issue. Nonetheless, one country just now made unwarranted accusations against China in its statement. I can not but respond.

1. China's construction activities on her islands and reefs are conducted in the Chinese territory, falling entirely within the scope of China's sovereignty. It is legal, justified and reasonable. The primary purpose of these activities is to improve the working and living conditions of personnel stationed there, better fulfill her international obligations concerning maritime search and rescue, disaster prevention and mitigation and etc., and enable China to provide better services to vessels from China, her neighbors and other countries sailing in the South China Sea. China cares much about the environmental protection of her own islands, reefs and maritime areas. The construction activities followed a high standard of environmental protection and will not damage the marine environment and ecosystem of the South China Sea. These activities will not undermine countries' lawful right to freedom of navigation in the South China Sea. On the contrary, they will facilitate countries' joint response to challenges on the sea and provide more guarantee for navigation safety.

2. The root cause of the issue that country just raised is the illegal occupation by that country of some of China's islands and reefs. That country talked at length about the South China Sea issue at this meeting. The very purpose of so-doing is to deceive the international community and pressure China into making compromises and concessions on issues concerning its sovereignty and territorial integrity. Let me make this very clear to that country here, its calculations are totally wrong. China's will to safeguard her sovereignty and territorial integrity is rock firm. No matter what and how much they say at this meeting or any UN venues, they will never get their way. It is China's consistent position that countries' lawful rights

to freely choose the means of peaceful disputes settlement should be fully respected, and the most effective way to peacefully settle maritime disputes is for the parties directly concerned to carry out negotiation and consultation on the basis of respecting historical facts and international law. China will neither accept nor participate in the arbitration unilaterally initiated by that country. China urges that country to correct its erroneous actions and return to the right track of resolving the disputes through bilateral negotiations as soon as possible.

3. Sustainable maritime development could not be achieved without peace and stability across the globe and in the region. It is manifested both by history and the reality that nothing could be achieved without a peaceful and stable environment. China is a staunch defender of peace and stability in the South China Sea. China and ASEAN countries are making joint efforts to deepen friendship and cooperation in all areas and build a community of common destiny. We advocate a "dual track" approach on the South China Sea issue, namely, relevant disputes should be resolved through dialogue and consultations between parties directly concerned, and China and ASEAN countries should work together to maintain peace and stability in the South China Sea. China is willing to work together with ASEAN countries to implement the Declaration on the Conduct of Parties in the South China Sea in an all-round and effective way, and finalize the Code of Conduct in the South China Sea based on consensus at an early date.

Thank you, Mr. President.

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Annex 618

Permanent Mission of the People's Republic of China to the United Nations, *Statement by Ambassador Wang Min at the 24th Meeting of the UNCLOS States Parties Under the Agenda Item "Report of the Secretary-General under Article 319 of UNCLOS"* (13 June 2014)


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Statement by Ambassador Wang Min at the 24th Meeting of the UNCLOS States Parties Under the Agenda Item "Report of the Secretary-General under Article 319 of UNCLOS"

2014/06/13

Mr. President,

The Chinese delegation thanks the Secretary-General for the rich and informative report he submitted under Article 319 of UNCLOS. The report reflects the progress in the work of the International Seabed Authority, the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea and provides us with an update of the latest developments and challenges in the area of international maritime affairs and the law of the sea since the entry into force of UNCLOS.

Mr. President,

Today, 20 years after the entry into force of UNCLOS, three main features are evident in UNCLOS when seen from a historical perspective, namely, UNCLOS is an integral whole, it is balanced and it is evolving.

UNCLOS is an integral whole. The various parts of the Convention are closely related and therefore the Convention should be considered in its entirety. The State Parties are required to comprehensively fulfill their obligations under UNCLOS while exercising their rights provided for by it.

UNCLOS is balanced. It is a package agreement reached after nearly-a-decade-long negotiations. There is a balance of various interests. Hence, various interests should be considered in a balanced way when interpreting and applying the Convention.

UNCLOS is evolving. The Convention is a result of the development of the law of the sea, yet it in itself is constantly evolving. We should be guided by the basic principles of the Convention and respond to various existential problems and challenges to gradually promote the development of the law of the sea.

A correct understanding of and commitment to the above-mentioned features can help us correctly view and faithfully implement the Convention.

Mr. President,

The Meeting of States Parties is not a venue to discuss bilateral issues. However, Vietnam and the Philippines just now made unwarranted accusations against China, leaving us with no choice but to respond to them to ensure a correct understanding of what happened.

First of all, on 2 May 2014, a Chinese company's HYSY 981 drilling rig started its drilling operation inside the contiguous zone of China's Xisha Islands for oil and gas exploration. Vietnam sent a large number of vessels, including armed ones, to the site, illegally and forcefully disrupting the Chinese operation for over 1400 times. What Vietnam did seriously infringed upon China's sovereignty, sovereign rights and jurisdiction, grossly violated the relevant international laws, including the UNCLOS, undermined the freedom and safety of navigation in the related waters, and damaged regional peace and stability. In mid-May, with the connivance of the Vietnamese government, thousands of Vietnamese outlaws committed sabotage against foreign companies, including Chinese ones, in Vietnam, leaving four Chinese nationals brutally killed and over 300 others injured, and causing heavy property losses. Till now, Vietnam still has not responded to our legitimate demand. Lies can never eclipse truth, nor can publicity stunt provide a legal cloak for illegal actions. What Vietnam needs to do now is to respect China's sovereignty, sovereign rights and jurisdiction, immediately stop all forms of disruptions of the Chinese operation and withdraw all vessels and personnel from the site, so as to ease the tension and restore tranquility on the sea as early as possible.

Second, Xisha Islands are an inherent part of China's territory, and are under effective jurisdiction of the Chinese government. There's no dispute about it. All the successive Vietnamese governments prior to 1974 had formally acknowledged Xisha islands as part of China's territory since ancient times. Now the Vietnamese government is going back on its word and making territorial claims over China's Xisha Islands. Our ancestors told us, "trustworthiness is of paramount importance in state-to-state relations". And in the international law, there's a basic principle called estoppel. Vietnam is reneging on its own promises, saying one thing today and denying it tomorrow. We would like to ask, how could Vietnam be trusted by the international community and how could Vietnam's international commitments be taken seriously in the future?

With regard to all the false accusations of the Philippines against China, we must point out that the root cause of the disputes between China and the Philippines in the South China Sea is the Philippines' illegal occupation of some islands and reefs of China's Nansha islands. The Philippines attempts to legalize its infringements and provocations by dragging China into arbitral proceedings. The Philippines is also trying to win international sympathy and support through deception. This is what the problem is in essence. Pursuant to the provisions of UNCLOS, the Chinese government made a declaration in 2006, excluding disputes over maritime delimitation and territorial sovereignty from compulsory dispute settlement procedures. As a sovereign state and a state party to UNCLOS, China has the right under international law to do this. China does not accept the arbitration initiated by the Philippines. This is fully based on the provisions of the international law. And China's position will not change.

As to Ren'ai Reef, what the Philippines should do is to honor its commitment and immediately tow away its illegally grounded vessel to obtain the trust of international community.

The Huangyan Island is an inherent part of China's territory. There's no dispute about this. China has undisputable sovereignty over the Chigua Reef, Huayang Reef and other islands and reefs. China's construction on the related islands and reefs and measures to preserve biological resources, including a moratorium on fishing, in the waters under China's jurisdiction fall well within China's sovereignty.

China appreciates the efforts made by the majority of ASEAN countries to preserve regional peace and stability. We will continue working with ASEAN countries to strictly act on the DOC, promote practical cooperation, enhance mutual trust and jointly uphold peace and stability in the South China Sea.

Thank you, Mr. President.

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Annex 619

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference on September 9, 2014* (9 Sept. 2014)



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Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference on September 9, 2014

2014/09/09

Q: Turkish president Recep Tayyip Erdoğan said there are disagreements about the negotiation of long-range missile defense system purchase between China and Turkey. And Turkey is now talking with other parties about the deal. What is China's comment on this?

A: The cooperation you mentioned between Chinese enterprises and Turkey is normal trade cooperation in the military field. China believes that the Turkish side will make decisions in line with its own interests.

Q: Iraqi national assembly approved the new cabinet proposed by Haidar Abadi on September 8 and appointed him as the prime minister. What is China's comment on this?

A: Forming of the new government of Iraq is an important step forward in the political reconciliation process in Iraq, which China welcomes. We hope that all parties of Iraq will enhance solidarity, jointly respond to challenges, push for the process of political reconciliation and economic reconstruction, restore safety and normal order in the country as early as possible and realize national stability and development.

China and Iraq enjoy friendly relations. The Chinese government is willing to step up interaction with the new Iraqi government, deepen bilateral practical cooperation in various areas on the basis of equality, mutual benefits and win-win results, and promote further development of bilateral relations. China also stands ready to continue with assistance to Iraq as needed to the fullest extent of our capability.

Q: BBC reporters today covered China's large-scale land reclamation work in the South China Sea. Why is China doing this?

A: We have answered this question many times before, and I suppose you must be fully aware of China's position. China asserts indisputable sovereignty over the Nansha Islands and the adjacent waters, and China's activities on relevant islands and reefs of the Nansha Islands fall entirely within China's sovereignty and are totally justifiable.

Is China's large-scale reclamation work for commercial or military use?

As far as I know, the construction work China is undertaking on relevant islands is mainly for the purpose of improving the working and living conditions of people stationed on these islands.

Given the fact that China is building new islands, there is no way that construction on them is for improving the living conditions of inhabitants on them. What are the true purpose and intention of China for doing this?

I have already answered your question.



Q: Can you brief us on the visit of the US President's National Security Advisor Susan Rice to China? Which Chinese leaders have met with her and what messages has China conveyed to her? Are questions like President Obama's upcoming visit to China covered in the talks?

A: US President's National Security Advisor Susan Rice is now visiting China. State Councilor Yang Jiechi met with her yesterday and Foreign Minister Wang Yi met with her this noon.

State Councilor Yang Jiechi said that President Xi Jinping and President Obama held telephone talks last July, agreeing to press ahead with the building of a new type of major-country relationship between China and the US. There have been fruitful results achieved from the sixth round of China-US strategic and economic dialogue and fifth round of China-US high-level people-to-people consultations. In the next step, both sides should earnestly implement the important consensus reached by the two heads of states, increase strategic mutual trust, enhance practical cooperation in various fields, properly manage disputes and sensitive issues and ensure that China-US relations move stably along the path of non-confrontation, non-conflicts, mutual respect and win-win cooperation. President Obama is welcome to attend the APEC Economic Leaders' Meeting to be held in November and pay visit to China, and stands ready to step up communication and coordination with the American side to ensure the success of the visit. The two countries will have a series of important interactions and consultation recently, and we hope that both sides can make joint efforts to push for positive outcome.

Foreign Minister Wang Yi said that China hopes to see positive results from President Obama's visit to China and send a clear and positive signal to the world that China and the US can absolutely carry out sincere cooperation and China-US cooperation will make the world more peaceful and stable. Both sides should enhance practical cooperation, communication and coordination on bilateral, international and regional affairs, and translate the positive will of building the new type of major-country relationship between China and the US into substantive policies, actions and cooperation fruits.

Miss Rice said that US-China relation is of great importance to America and is given first priority by the US side. She hopes that US and China will maintain high-level dialogue, carry out comprehensive and in-depth discussion on a variety of topics concerning bilateral, regional and global issues, and make joint efforts to build the new type of major-country relationship between the US and China. This is in the interests of America and China, as well as the international community. President Obama looks forward to attending the APEC Economic Leaders' Meeting and visiting China this November, and believes that this visit will serve as an important milestone in the process of growing US-China ties. Miss Rice also said that her visit to China is to conduct in-depth dialogue with the Chinese side on a wide range of topics concerning bilateral and global issues, enhance coordination and make full preparation for the forthcoming visit of President Obama to China. America reiterated that it welcomes a rising China that enjoys long-term stability, peace and prosperity, supports China in playing a responsible role in international affairs, and stands ready to jointly push for the building of a new model of major-country relationship with China.

Later this afternoon, President Xi Jinping will meet with Miss Rice. Relevant information will be released in due course.



Q: Did Miss Rice talk about the encounter of Chinese and American military planes as well as the American military planes' surveillance near China's coastal waters with officials from China's military? What position did China express during the talks?

A: This morning, General Fan Changlong, vice chairman of the Central Military Commission met with Miss Rice. I believe the Ministry of National Defense will release details of this talk soon for your reference. As for our principle, I can tell you that good and stable military-to-military relations are in the interests of both countries. The Asia-Pacific is a region where China and America have their interests interwoven in the most intensive way and carry out the most frequent interactions, therefore the building of the new type of major-country relationship between China and the US must start from the Asia-Pacific region. To realize good interactions and enhance cooperation between China and the US in the Asia-Pacific is of important and positive significance to maintain peace and stability of this region. As far as I know, militaries of the two countries have consensus on stepping up dialogue and communication covering various fields and levels, enhancing mutual understanding and trust and avoiding misinterpretation and miscalculation, and we maintain close communication to this end.

Q: China's Vice Premier Ma Kai is visiting Britain this week. He will meet British Chancellor of Exchequer George Osborne this Friday. Can you give us more details?

A: Vice Premier Ma Kai of the State Council will travel to the UK to co-host the 6th China-UK Economic and Financial Dialogue with UK Chancellor of Exchequer George Osborne and to France to co-host the 2nd China-France High-Level Economic and Financial Dialogue with French Minister of Finance and Public Accounts Michel Sapin from September 10 to 16.

During his stay in Britain, Vice Premier Ma Kai will co-host the 6th China-UK Economic and Financial Dialogue with UK Chancellor of Exchequer George Osborne, hold a meeting with British Prime Minister David Cameron, and attend the China-UK Financial Roundtable and China-UK Joint Investment Forum, among other activities. The theme of this Dialogue is to promote common growth and inclusive development of the Chinese and British economies. Both sides will exchange views on the current macro-economic performance, reform of the global economic governance, trade and infrastructure construction,

investment, cooperation on urbanization, reform of financial regulation, development of financial market and other issues.

China hopes that through the China-UK Economic and Financial Dialogue, the economic achievements of Premier Li Keqiang's visit to the UK this year can be fully implemented, practical cooperation in investment, finance and other areas be deepened, and the economic dimension of China-UK relations be enriched, so as to maintain the sound momentum of China-UK relations.

Q: It is reported that UN Special Envoy of the Secretary-General for Syria crisis Staffan de Mistura will visit Syria and other regional countries. How does China comment on this?

A: Political settlement is the only realistic way out to resolve the Syria crisis. China welcomes the mediation efforts made by the UN Special Envoy of the Secretary-General, and hopes that his work can bring new impetus to the political settlement process of the Syria issue. China calls on all parties and groups in Syria to coordinate with and support the mediation by the Special Envoy, show political will, restart dialogue and negotiation and blaze a middle way that fits the national conditions of Syria and accommodates interests of all parties.



Q: Scotland will hold an independence referendum, and how does China comment on this? If an independent Scotland applies to join the United Nations, will China veto its application?

A: Scotland's independence referendum is an internal matter of the UK. China has no comment on that.

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Annex 620

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on December 9, 2014* (9 Dec. 2014)



Ministry of Foreign Affairs of
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Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on December 9, 2014

2014/12/09

Q: The US State Department released on its website a report entitled "Limits in the Sea-China's Maritime Claims in the South China Sea". What is China's comment on this report?

A: China's sovereignty over the South China Sea and claims to the relevant rights were formed over the long course of history, and have been consistently upheld by successive Chinese governments. It is China's long-standing commitment to resolving the territorial disputes over several maritime features of the Nansha Islands and the overlapping claims to maritime rights and interests in parts of the South China Sea through direct negotiations and friendly consultations with countries directly concerned on the basis of respecting historical facts and international law. The US report turns a blind eye to basic facts and international jurisprudence. It is a violation of the US commitment of not taking position or taking sides on the South China Sea issue, and will by no means help resolve the South China Sea disputes or contribute to peace and stability in the South China Sea. China urges the US side to strictly honor its commitment, be prudent in words and deeds, and approach and handle the relevant issues in an objective and impartial manner.



After the press conference, the following questions were raised:

Q: South African President Zuma said on December 7 that China will help the African Union to set up rapid response forces to reinforce Africa's capabilities to deal with crisis. Please confirm that.

A: China has been a constructive participant in Africa's peace and security affairs. In recent years, China has been supporting and assisting the African Union in its peace-keeping operations in Somalia, Mali and other countries. To set up crisis rapid response forces and standing army is another productive attempt by the African people to resolve African issues in the African way, to which China gives its firm backing. Last October, China and the African Union held the 1st round of Grouping Dialogue on Peace and Security under the framework of strategic dialogue, and discussed peace and security cooperation, including helping Africa build rapid response forces. China will, as always, stand by the African Union, African sub-regional organizations and African countries as they strive to safeguard peace and security.

Q: On December 8, the UN Climate Conference in Lima announced a report jointly drawn up by Climate Analytics and other organizations. The report said that the commitments undertaken by China, the US and the EU on curbing greenhouse gas emissions will help slow down the pace of global warming of this century, but further efforts are still needed. What is China's comment on that?

A: To address the challenge of climate change calls for the international community to pool their efforts and cooperate over the long haul. Under the UN Framework Convention on Climate Change, and in accordance with the principles of common but differentiated responsibilities, equality and respective capabilities, all countries should do their best and make their due contributions. What is pressing now is to implement the medium-term goal which is to fully achieve the pre-2020 target, further enhance pre-2020 emission reduction efforts, and lay the groundwork for reaching a new deal by 2015 as scheduled.

As a major developing country that takes its responsibility seriously, China has done a lot in adaption and mitigation. China's carbon dioxide emission per unit of GDP in 2013 dropped by 28.5% from the level of 2005, amounting to a reduction of about 2.5 billion tons of carbon dioxide. According to a research report issued by the World Bank, from 1990 to 2010, the amount of energy saved by China in aggregate takes up 58% of the global total. These achievements are recognized by the international community. By 2020, China will strive to reduce its carbon dioxide emission per unit of GDP by 40% to 45% compared to the

2005 level. China will also work to realize its recently announced post-2020 targets, and contribute further to countering climate change.

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Annex 621

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hong Lei's Remarks on Vietnam's Statement on the Chinese Government's Position Paper on Rejecting the Jurisdiction of the Arbitral Tribunal Established at the Request of the Philippines for the South China Sea Arbitration*
(12 Dec. 2014)



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Foreign Ministry Spokesperson Hong Lei's Remarks on Vietnam's Statement on the Chinese Government's Position Paper on Rejecting the Jurisdiction of the Arbitral Tribunal Established at the Request of the Philippines for the South China Sea Arbitration

2014/12/12

Q: In response to the position paper on the South China Sea arbitration that China released on 7 December, the spokesperson of the Foreign Ministry of Vietnam said on 11 December that Vietnam has sovereignty over Nansha Islands and Xisha Islands, and opposes China's claims in the South China Sea based on "the dotted line". He stated that the Vietnamese side had already made clear its position on the arbitration case to the Arbitral Tribunal. What is China's comment on that?

A: China has indisputable sovereignty over the Nansha Islands and their adjacent waters. And it is an indisputable fact that the Xisha Islands are an integral part of China's territory. As early as 1948, the Chinese government published an official map which displayed "the dotted line" in the South China Sea. China's sovereignty over the South China Sea and its claims to the relevant rights have been formed over a long course of history. They are solidly grounded in international law and have been consistently upheld by successive Chinese governments. China will by no means accept Vietnam's illegal and invalid sovereignty claims over Nansha and Xisha Islands.

The Chinese side urges the Vietnamese side to earnestly respect China's territorial sovereignty and maritime rights and interests, work with China to resolve relevant disputes over the Nansha Islands through consultation and negotiation on the basis of respecting historical facts and international law so as to jointly safeguard peace and stability in the South China Sea.

China will stick to its principled position of neither accepting nor participating in the South China Sea arbitration unilaterally initiated by the Philippines. The position paper that the Foreign Ministry of China was authorized to publish on 7 December has systematically elaborated on the legal basis for China's position that the Arbitral Tribunal has no jurisdiction in this case. China's position will not change.

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Annex 622

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Minister Wang Yi Meets the Press* (8 Mar. 2015)

Foreign Minister Wang Yi Meets the Press

2015/03/08



On 8 March 2015, the Third Session of the Twelfth National People's Congress held a press conference at the Press Center of the Two Sessions. Foreign Minister Wang Yi was invited to answer questions from Chinese and foreign media about China's foreign policy and external relations.



Wang Yi: Friends from the press, good morning. Today is the International Women's Day. At the outset, I would like to extend sincere greetings to the female journalists and all Chinese women who show understanding of and support for China's diplomacy.

On this day a year ago, the MH370 flight went missing. A year has passed, and the plane has not been located, but the search effort will continue. Today must be a tough day for the next of kin of those on board MH370. Our hearts are with you. Malaysia Airlines has started its compensation work. We will provide all needed service to every next of kin and help you uphold your legitimate and lawful rights and interests. With these words, I would like to open the floor to questions.

People's Daily: Mr. Minister, you once said that 2014 was a year of harvest and all-round progress in China's diplomacy. Could you elaborate on that? And what can we expect from China's diplomacy in 2015? What are the keywords we need to watch?

Wang Yi: Indeed, 2014 was a year of harvest for China's diplomacy. It was also a year of forging ahead and breaking new ground.

Under the leadership of the CPC Central Committee headed by General Secretary Xi Jinping, we successfully hosted the CICA Summit in Shanghai and the APEC meeting in Beijing, and left a deep imprint of our own. We took an active part in the resolution of global hot-spot issues, and played China's role in international and regional affairs. We made energetic efforts to expand external cooperation, and our initiative to establish a Silk Road Economic Belt and a 21st Century Maritime Silk Road won support from a lot of countries.

It is particularly worth mentioning that focusing on building a new type of international relations featuring win-win cooperation, we are taking a new path of external relations characterized by partnership rather than alliance. By the end of last year, we had established different forms of partnerships with over 70 countries and a number of regional organizations, and basically established a global network of partnerships. One can say that China's circle of friends and partners has widened and will continue to expand.

In 2015, we will continue to forge ahead and expand all-round diplomacy. While steadfastly safeguarding our national interests, we will work to expand the common interests we have with other countries in the world.

The keywords for China's diplomacy in 2015 will be "one focus" and "two main themes".

Our key focus in 2015 will be making all-round progress in the "Belt and Road" initiative. We will further enhance policy communication with other countries, expand the convergence of our shared interests, and explore effective avenues of win-win cooperation. The emphasis will be on promoting infrastructural connectivity, and building overland economic corridors and pillars of maritime cooperation. We will also promote people-to-people and cultural exchanges and cooperation, and speed up relevant FTA negotiations. We are confident that the "Belt and Road" initiative will win even more support and deliver even more "early harvests", so as to catalyze the revitalization of the Eurasian continent as a whole.

In 2015, we will do a lot under the two themes of peace and development. We will work with the international community to commemorate the 70th anniversary of the end of the world's anti-Fascist war, draw lessons from history, look to the future, and make China a staunch force for peace. The 70th anniversary of the founding of the United Nations will be a good opportunity for us to take an active part in the UN's development summit and international cooperation on climate change. We will play a constructive role in helping to secure a post-2015 development agenda and a new international regime for addressing climate change that are in the interests of developing countries.



Beijing News: In recent years, more and more Chinese citizens have made outbound visits, and we see a good example of that during the just passed Chinese New Year. What will the Chinese Foreign Ministry do to facilitate the outbound visits of Chinese citizens and protect their legitimate rights and interests overseas?

Wang Yi: Last year, for the first time, Chinese citizens made over 100 million visits abroad, making them the largest floating population in the world. There are also more than 20,000 Chinese enterprises which have established a presence abroad, and millions of our compatriots are living and working in different parts of the world. The task and responsibility of protecting their rights is heavier than ever. We are always concerned with the safety and wellbeing of every one of our compatriots, and we will do everything in our power to protect and assist them.

Last year, the Chinese Foreign Ministry's Global Emergency Call Center for Consular Protection set up the 12308 hotline. The hotline is a 24/7, all-time-zone channel of communication between overseas Chinese nationals and their loved ones back in China. Now no matter which part of the world you are in, if you run into trouble, you can dial this number and get prompt assistance from the Foreign Ministry and our diplomatic and consular missions abroad. In the half year since the launch of the hotline, we have received over 30,000 phone calls. Many of our compatriots say that this hotline is very reassuring for them, because they can feel that the motherland is always by their side. We hope more of our compatriots can know about this hotline and make good use of it. When in trouble, please call 12308.

In 2014, we also made important progress in visa facilitation. We signed visa exemption or simplification agreements with 24 countries, equal to the total of the previous four years. And nowadays, Chinese citizens can visit more than 50 countries and territories without a visa or by obtaining a visa upon arrival. You may remember the reciprocal visa arrangement which China and the United States announced last year. It means that if a Chinese or American person has a visa, then for up to five or even 10 years, he or she can travel easily between the two shores of the Pacific Ocean with just a passport and an air ticket. And let me tell you that China and Canada have just reached agreement on issuing visas to each other's citizens with a validity period of up to 10 years. This agreement will go into effect tomorrow.

The effort to protect and assist Chinese nationals overseas is always a work in progress; it is never a mission accomplished. Wherever there is Chinese footprint, consular service must step up and cover that place. We will continue to work hard to improve the value of Chinese passports, so that our compatriots can more directly feel the dignity of being a Chinese and find it easier to travel abroad. We hope more and more of our compatriots can go abroad any time they wish and they can have smooth, safe and worry-free travels.

Lianhe Zaobao: Some people have compared China's "Belt and Road" initiative to the Marshall Plan and say that China is tightening its economic bond with neighboring countries to pursue geopolitical, military and security interests. What is your comment?

Wang Yi: China's "Belt and Road" initiative is both much older and much younger than the Marshall Plan. Comparing one to the other would be like comparing apples and oranges.

The "Belt and Road" initiative is older because it embodies the spirit of the ancient Silk Road, which has a history of over 2,000 years and was used by the peoples of many countries for friendly exchange and commerce. We must renew that spirit and bring it up to date.

The "Belt and Road" initiative is younger because it is born in the era of globalization. It is a product of inclusive cooperation, not a tool of geopolitics, and must not be viewed with the outdated Cold War mentality.

In pursuing this initiative, we will act according to the principle of wide consultation, joint contribution and shared benefits. We will carry out equal-footed consultation and respect the independent choice of other countries. We will be sensitive to the comfort level of other parties, ensure transparency and openness, align the initiative with the development strategies of other participants, and create synergy with the existing regional cooperation mechanisms. The vision of this initiative is common development and the goal is win-win progress through cooperation. If I may use a musical metaphor, it is not China's solo, but a symphony performed by all relevant countries.



Russia Today News Agency: Against the background of Western sanctions on Russia and the sharp depreciation of the ruble, how will China carry out cooperation with Russia, especially in the energy and financial sectors? And what will China and Russia do to further strengthen their coordination and cooperation in international affairs?

Wang Yi: The China-Russia relationship is not dictated by international vicissitudes and does not target any third party. Thanks to the strong strategic trust the two sides have established, our relationship has become more mature and stable. As comprehensive strategic partners of coordination, China and Russia have a good tradition of supporting each other. And the friendship between our two peoples provides a strong foundation for strengthening strategic cooperation between the two sides.

Practical cooperation between China and Russia is based on mutual need, seeks win-win results, and has enormous internal impetus and room for expansion. This year, our practical cooperation is expected to deliver a series of new results. For example, we will work hard to lift two-way trade to US\$100 billion. We will sign an agreement to work on the Silk Road Economic Belt and begin relevant cooperation. We will start full construction of the eastern route of the natural gas pipeline and sign an agreement on the western route of the pipeline. We will accelerate the joint development and research of long-distance, wide-body passenger jets. We will start strategic cooperation on the development of Russia's Far Eastern region. And we will strengthen our cooperation on high-speed railways. At the same time, we will continue to intensify our cooperation in the financial, oil and gas, and nuclear-power sectors.

China and Russia are both permanent members of the UN Security Council. We will continue to carry out strategic coordination and cooperation to maintain international peace and security. This year, both countries will hold a series of activities to commemorate the 70th anniversary of the end of the world's anti-Fascist war. We will support each other and jointly uphold international peace and the outcome of the Second World War.

Xinhua News Agency: This year marks the 70th anniversary of the founding of the United Nations. It is an important historical moment for the international community to reflect on the past and look to the future. Some people say that China wants to challenge and even overturn the current international order, and replace it with a new one dominated by China itself. What is your comment?

Wang Yi: I want to make it very clear that China has always been a constructive force in building the international order. If we can compare the international order and system built around the United Nations to a big boat, then 70 years ago China was intimately involved in designing and building that boat, and China was the first country to put its signature on the Charter of the United Nations. Today we are in this boat together with more than 190 other countries. So of course, we don't want to upset that boat. Rather, we want to work with the other passengers to ensure that this boat will sail forward steadily and in the right direction.



Seventy years have passed. The international situation and landscape has changed dramatically. Naturally, the international order needs to be updated. China supports the reform of the international order and system. Such reform is not about overturning the current system or starting all over again; rather, it is about seeking new ideas to improve it. The general direction is to promote democracy in international relations and the rule of law in global governance. In particular, it is very important to safeguard the legitimate rights and interests of developing countries, which are in the majority, so that we can make the world a more equal, harmonious and safe place.



NBC: Last month, State Councilor Yang Jiechi and National Security Advisor Susan Rice declared that both sides have agreed to strengthen coordination on regional and global challenges. With President Xi Jinping visiting the United States later this year, in your view, how can this strengthened coordination for the new type of great-power relationship help resolve the US-China disputes over, for example, cyber-security or the maritime conflicts in the Asia-Pacific region?

Wang Yi: President Xi Jinping will pay a state visit to the United States this fall at the invitation of his US counterpart. We expect that following their Yingtai meeting last year, the two presidents will have another productive discussion and inject new momentum into our efforts to build a new model of major-country relations between China and the United States.

The undertaking to build a new model of relations is a pioneering effort. It will not be smooth sailing.

But it is a logical development, because it accords with the common interests of both sides and the trend of our times. There is a Chinese saying, "Sincerity can work wonders." As long as the two sides show sincerity, buttress the bottom line of "no conflict and no confrontation", cement the foundation of "mutual respect", then we can explore the immense possibility of "win-win cooperation" between China and the United States.

China and the United States are two large countries. It's impossible for there not to be any disagreements between us, and these disagreements will not disappear the moment we commit to build a new model of major-country relations. But we shouldn't magnify the problems through a microscope. Rather, we should use the telescope to look ahead to the future and make sure we will move forward in the right direction.

At the Beijing APEC meeting, President Xi Jinping called for shaping the future through Asia-Pacific partnership. Many countries responded enthusiastically to his initiative. China and the United States interact most frequently in the Asia-Pacific and our interests intersect the most in this region. In our view, the building of a new model of major-country relations should begin with the Asia-Pacific region. If both sides can work to establish and deepen strategic trust and have positive interactions, then we can surely jointly contribute to peace, stability and prosperity in the region.

As for the issue of cyber-security, since both China and the United States are major users of the Internet, we have common interests in upholding it. We hope cyberspace will become a new frontier of our cooperation rather than a new source of friction.



China Daily: In recent months, major terrorist attacks have frequently hit many parts of the world, from Sydney to Paris, from western Asia to western Africa. What is China's position on fighting terrorism and carrying out international counter-terrorism cooperation?

Wang Yi: Terrorism is a common scourge to mankind, and fighting it is a common responsibility of every country. China has always been an active participant in international counter-terrorism cooperation. At the same time, we believe that to uproot terrorism, we must remove its breeding ground. To deny any haven to the specter of terrorism, we have to promote economic and social development, appropriately handle regional conflicts, and advocate equal-footed dialogue between different civilizations, religions and ethnic groups.

China has also suffered at the hands of terrorism. The "Eastern Turkestan Islamic Movement" is a clear and present threat to our security. We would like to work with other countries in the spirit of mutual respect and equal-footed cooperation to jointly address the new threats and new challenges brought by terrorism.



Yonhap News Agency: The top leader of the DPRK has decided to attend the activities to be held in Russia in May to mark the victory of the Great Patriotic War, but he has not yet made a visit to China. Will the leaders of the DPRK and China have a meeting this year? And is it possible that the Six-Party Talks can still be resumed?

Wang Yi: China and the DPRK are friendly neighbors. Chinese people emphasize good faith and value friendship. We cherish our traditional friendship with the DPRK and we seek the normal development of our relations. The China-DPRK relationship has a strong foundation. It should not and will not be affected by temporary events. As to when our leaders will meet, it will have to suit the schedule of both sides.

The situation on the Korean Peninsula is basically stable, and China has played a constructive role in bringing that about. It is in the common interests of all relevant parties to maintain peace and stability on the Peninsula and achieve the denuclearization of the Peninsula. At the moment, the situation there has entered a delicate period. We call on the relevant countries to exercise calm and restraint, and say and do things that will have a positive effect, so as to continue to foster the atmosphere and conditions for resuming the Six-Party Talks.

China Radio International: The negotiation of a comprehensive agreement on the Iranian nuclear issue has been twice extended and the June deadline is not far away. Can you talk about the prospect of the negotiation? What kind of role has China played in the negotiation? And what steps is China going to take to push forward the negotiation?

Wang Yi: The comprehensive settlement of the Iranian nuclear issue can help to strengthen the international system against nuclear proliferation, promote peace and tranquility in the Middle East, and provide useful experience for resolving major difficult issues through negotiation. We believe the parties should keep at it and finish the negotiation. The possible ramifications of the Iranian nuclear negotiation will go far beyond the negotiation itself. It's not surprising that there might be some ups and downs on the way. At the moment, although there is still some uncertainty about the prospect of the negotiation, we can already see light at the end of the tunnel. In our view, the negotiation has reached a critical point. The relevant parties, especially the main protagonists, should make a political decision as soon as possible.



China is an important party to the negotiation, and we have made a positive contribution to resolving the difficult issues and sticking points in the negotiation. We are prepared to work with other relevant parties to finish the marathon negotiation on the Iranian nuclear issue at an early date.



NHK: China has announced that it will hold a military parade to mark the 70th anniversary of the end of the Second World War. Does China have a plan to invite the Japanese Prime Minister to come to China so that the leaders of the two countries can jointly discuss the future of the bilateral relationship? Many people in Japan believe that maybe China is using the history issue as a tool to denigrate Japan's contribution to international peace over many years and tarnish Japan's international reputation. If China really has the broad mind of a large country, then shouldn't it readjust its policy towards Japan?

Wang Yi: This year marks the 70th anniversary of the victory of the Chinese people's war of resistance against Japanese aggression. As the main Eastern theater in the world's anti-Fascist war, China will hold a series of commemorative activities, including a military parade. This is consistent with the practice of other countries, and is perfectly normal and natural. Our goal is to remember

history, commemorate the martyrs, cherish peace and look to the future. We will extend invitations to the leaders of all relevant countries and international organizations. We welcome the participation of anyone who is sincere about coming.

You mentioned the history issue. This issue has been haunting the China-Japan relationship, and we cannot but ask why this has been the case. I remember the words of an elder Chinese diplomat. He said that the more the victimizer is conscious of his guilt, the easier the victimized can recover from the suffering. Actually this is common sense in interpersonal relations and the correct attitude towards history. Those in power in Japan should first ask themselves what they have done on this score. Of course, the people of the world will reach their own conclusion. Seventy years ago, Japan lost the war; seventy years afterwards, Japan must not lose its conscience. Will it continue to carry the baggage of history, or will it make a clean break with past aggression? Ultimately, the choice is Japan's.

Phoenix Satellite TV: I want to ask about China's active involvement in settling international hot-spot issues in 2014. Last year, China called for a special consultation in support of the IGAD-led peace process in South Sudan, and hosted the Ministerial Conference of the Istanbul Process on Afghanistan. And Mr. Minister, you have travelled personally to Iran to mediate the nuclear issue. Does all of these mean that China will take a more active part in helping to resolve international hot-spot issues?

Wang Yi: Last year, we took an active part in the mediation of a series of hot-spot issues and shouldered our share of international responsibility. In the meantime, we have been searching for a uniquely Chinese approach to settling hot-spot issues, and we pay a lot of attention to drawing wisdom and inspiration from China's traditional culture.

Maybe there is a thing or two that we can learn from the profound traditional Chinese medicine.

When approaching a hot-spot issue, first, we need to take the pulse. We need to adopt an objective and impartial attitude, understand where the issue has come from, and establish the basic facts. We shouldn't just listen to one side of the story and we shouldn't write out the wrong prescription.

Second, we need to adopt a multi-pronged approach. Rather than willfully resorting to the use of force or sanctions, we should seek a political settlement and try to put forward a comprehensive and balanced package solution that addresses the concerns of all involved.

Third, we need to address both the symptom and the root cause. It is important to know what the heart of the problem is and then suit the remedy to the problem. And we should remove the breeding ground so that there will not be a relapse ever again.

In short, we will continue to follow a non-interventionist approach and respect the sovereign equality of countries. In that context, we will continue to put forward Chinese solution and play China's role in helping to appropriately resolve all kinds of hot-spot and protracted issues.

Nigerian Television: China has a culture of planning ahead and implementing these plans, and this has contributed greatly to how the country has become what it is today. Now that China has presented the 2015 year plan for work in the country, I would like to believe that China also has concrete plans for Africa. I see the deployment of an envoy to the Africa Union in Addis Ababa as a good sign. What concrete plans does China





have for Africa, particularly in promoting win-win partnership between those countries?

Wang Yi: It's true that China likes to make plans before we do things, but we are also good at responding to emergencies. For example, when western Africa was suddenly hit by the Ebola epidemic last year, the Chinese government and people felt for them. We were the first to deliver aid, and altogether we provided four tranches of emergency aid with a total value of 750 million RMB yuan. We also deployed nearly 1,000 medical workers to the affected areas. The Chinese medical workers know the risk of infection, yet for the sake of the health of the African people, they are still battling in the affected countries. We want to pay tribute to them and give them the thumbs-up.

Just two days ago, the last Ebola patient in Liberia was released from a Chinese-run medical treatment center. What wonderful news and what a relief!

Speaking of China-Africa cooperation, during his visit to Africa last year, Premier Li Keqiang put forward the idea of working together to build six projects and three key networks. His call received strong support from many African countries. Recently we set up our permanent mission to the African Union, and the first head of the mission has already hit the ground running. This fully shows China's support for China-Africa cooperation and Africa's integration process. Later this year, the Forum on China-Africa Cooperation will hold its sixth ministerial conference. While consolidating all areas of traditional cooperation, we will focus on the urgent needs of Africa and do more in the following three areas: first, industrial cooperation to boost Africa's industrialization process; second, health cooperation to build up Africa's capacity for dealing with infectious diseases; and third, security cooperation to help Africa maintain peace and stability.

China and Africa have always been a community of shared destiny. We are prepared to work with our African brothers and sisters to turn our traditional friendship into results of win-win cooperation and turn Africa's development potential into comprehensive national strength.

Global Times: The situation in northern Myanmar has been tense in recent weeks. Many residents have crossed the border into China. Does this put pressure on the security of China's southwestern border? There are some Chinese citizens caught up in the conflict. What will China do to ensure their safety?

Wang Yi: China and Myanmar have a common border of over 2,000 kilometers. Our two countries are friendly neighbors sharing not just common mountains and rivers, but also weal and woe. In recent weeks, there has been some instability in northern Myanmar. When problems arise in our neighbor's house, of course we follow the situation very closely. China's position is very clear: what happens there is Myanmar's internal affair, and we hope it can be resolved peacefully. At the same time, stability must be maintained in the China-Myanmar border region as well as in northern Myanmar, because this serves the common interests of our two countries and two peoples.



China will continue to have communication and cooperation with the Myanmar side to jointly ensure tranquility in the border area and the safety of people from both countries.



Press Trust of India: The Indian Prime Minister Narendra Modi is expected to visit China in the course of a few months. How does China view his visit, and what kind of significance does it attach to this? And also, the two countries are scheduled to have the next round of border talks. Is there a breakthrough expected for us to resolve the boundary issue?

Wang Yi: Last September, President Xi Jinping paid a historic visit to India. The picture of the two leaders working the spinning wheel in Gujarat, the home state of the Prime Minister, has spread far and wide in China. The Chinese people believe in reciprocating the courtesy of others. So I'm sure when Prime Minister Modi visits China later this year, he will be warmly welcomed by the Chinese government and people.

Mr. Deng Xiaoping once said that unless China and India are developed, there will be no Asian century. China is prepared to work with India to implement the important agreement reached by our leaders. The Chinese "dragon" and the Indian "elephant" should join each other in a duet to work for the early revitalization of two oriental civilizations, the common prosperity of two emerging markets and the amicable coexistence of two large neighbors.

As for the China-India boundary question, it is a legacy of history. We have worked on it for many years and made some progress in the boundary negotiation. The dispute has been contained. At the moment, the boundary negotiation is in the process of building up small positive developments. It is like climbing a mountain. The going is tough and that is only because we are on the way up. This is all the more reason that we should do more to strengthen China-India cooperation, so that we can enable and facilitate the settlement of the boundary question.

China News Service: According to media reports, China is reclaiming land around its islands and reefs in the South China Sea. Does this signal a change in China's policy towards the South China Sea and even the neighborhood?

Wang Yi: China is carrying out necessary construction on its own islands and reefs. The construction does not target or affect anyone. We are not like some countries, who engage in illegal construction in another person's house. And we do not accept criticism from others when we are merely building facilities in our own yard. We have every right to do things that are lawful and justified.

This said, China will continue to uphold freedom of navigation in the South China Sea. We will continue to peacefully resolve the disputes through direct

dialogue and consultation. And we will continue to play a constructive role in maintaining regional peace and stability. China's policy towards the neighborhood is guided by the principle of sincerity, amity, mutual benefit and inclusiveness. It aims to bring harmony, stability and prosperity to the neighborhood. This policy has not and will not change.



KAZ NTV: Last year, China carried out an overseas operation to go after corruption suspects and bring back their criminal assets. In 2015, will China continue to pursue international cooperation to counter corruption?

Wang Yi: In 2014, we carried out a campaign code-named "Operation Fox Hunt" to bring back fugitives and uphold the sanctity of laws and social justice. Also last year, we wrapped up 11 extradition treaties and treaties on judicial mutual assistance in criminal matters, bringing the total number of such treaties we have concluded to 91. This means that we now have such treaties with countries on every continent. Of course, we would like to conclude more such treaties and agreements with more countries. You may remember that at last year's Beijing APEC meeting, we secured the adoption of a Declaration on Fighting Corruption and the establishment of the APEC Network of Anti-Corruption Authorities and Law-Enforcement Agencies. This will make our law-enforcement cooperation with relevant countries more smooth and effective. I would like to take this opportunity to appreciate the support given to us by many countries.



Anti-corruption is a never-ending struggle, and we will never relent in our effort to bring back fugitives and recover their criminal assets. The Chinese Foreign Ministry will strengthen communication and coordination with other countries and cast a wider and tighter net of international anti-corruption cooperation, so that even the most cunning fox will have nowhere to escape or hide.

CCTV: At last year's Central Foreign Affairs Work Conference, General Secretary Xi Jinping stated that China will pursue major-country diplomacy with Chinese characteristics. Mr. Minister, can you spell that out for us, and talk about its most salient feature?

Wang Yi: The concept of major-country diplomacy with Chinese characteristics is a very rich one. It includes many things, for example adhering to the leadership of the Communist Party of China and the socialist system, following the independent foreign policy of peace, sticking to the path of peaceful development, insisting on the equality of all countries large and small, and striking a right balance between upholding principles and pursuing shared benefits. These ideas originate from the fine tradition of the Chinese nation and reflect the essential property of the socialist system. For our current purposes, let me say that the hallmark of major-country diplomacy with Chinese characteristics is win-win cooperation.



Last year, President Xi Jinping called for building a new type of international relations featuring win-win cooperation. His call echoes the trend of the times and represents an important innovation in the theory of international relations. In a globalized world, the interests of countries are increasingly intertwined. Countries may have different cultures, faiths or systems, but at the very least, we can all accept the idea of win-win cooperation. By building a new type of international relations featuring win-win cooperation, we want to replace the old practice of "going it alone" and reject the old mentality of "the winner takes all".

In short, in contrast to other major countries in history, China has already found a new path of peaceful development for itself. Now we would like to work with other countries to find a new path of win-win cooperation for the world. Under the leadership of the CPC Central Committee, Chinese diplomats will forge ahead and perform our duty to the country and our responsibility to the world.



The press conference lasted 95 minutes and was attended by over 500 Chinese and foreign journalists.



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- Wang Yi: China Stands Ready to Actively Discuss China-Sri Lanka-India Trilateral Cooperation
- Wang Yi Holds Telephone Talks with Foreign Minister Frank-Walter Steinmeier of Germany
- Carry Forward the Purposes and Principles of the UN Charter And Build a New Type of International Relations Featuring Win-win Cooperation
- Wang Yi Meets with Foreign Minister Murray McCully of New Zealand



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Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on March 11, 2015* (11 Mar. 2015)



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Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on March 11, 2015

2015/03/11



Q: Secretary-General Le Luong Minh of the Association of Southeast Asian Nations (ASEAN) said in an interview that China's claim over the South China Sea based on "the nine-dash line" is illegal, and what is happening over the South China Sea further complicates the situation and impedes the building of the ASEAN community. What is China's comment?

A: China's sovereignty and its claims to the relevant rights over the South China Sea are backed with abundant historical and jurisprudential evidence. Our position on the South China Sea issue is clear and consistent. We support the building of the ASEAN community, but ASEAN is not a party concerned to relevant disputes over the South China Sea.

Mr. Le Luong Minh's official capacity is the Secretary-General of ASEAN. However, he has made tendentious remarks on several occasions that are not only contradictory to the facts, but also highly inappropriate for someone of his position. This seriously deviates from the neutral stance that ASEAN and its Secretariat should uphold on relevant issues and damages ASEAN's image as an international organization in the region. ASEAN is not owned by one particular country. It belongs to the whole ASEAN family. One piece of advice for Mr. Le Luong Minh is that he should do his job as the Secretary-General and strictly abide by the neutral stance that ASEAN takes on the South China Sea issue. Instead of using public office for personal interests, he should play a more positive role in the sound development of China-ASEAN relations.

Q: On March 9, US President Obama declared a national emergency to deal with the threat posed by Venezuela to the national security and foreign policy of the US. Venezuelan President Maduro strongly opposed external interference, urged the National Assembly to declare national emergency on the US, and recalled Venezuela's charge d'affaires from Washington DC. What is China's comment?

A: We have noted relevant report. It is our consistent position that all countries should develop their relations on the basis of equality, mutual respect and non-interference in domestic affairs. This world-recognized norm guiding international relations is applicable to any pair of bilateral ties, including Venezuela-US ties, and should be observed faithfully.

Venezuela is an important country in Latin America. Venezuela's domestic affairs should be handled by the Venezuelan people. China believes that the government and the people of Venezuela have the capacity to deal with their domestic affairs properly. We hope Venezuela and the US can handle their relations on the basis of equality, mutual respect and non-interference in domestic affairs, which not only serves the common interests of the two countries and their people, but also contributes to peace and stability of the Latin American region.



After the press conference, the following question was raised: **the latest documents released by Edward Snowden show that New Zealand's Government Communications Security Bureau (GCSB) collects data on communications from about 20 nations, including China, Japan, the DPRK, and the South Pacific island countries, and passes it on to the US, the UK, Canada, Australia and others. What is China's comment on this?**

Hong Lei said that China is concerned about relevant report. We attach great importance to the cyber security issue. We will firmly safeguard our security interests and continue to guarantee our cyber and information security with concrete measures.

At present, the cyber space is riddled with chaos and uncertainty. China proposes to settle disputes through dialogue and formulate codes to regulate cyber space behaviors that are acceptable to all sides.



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Annex 624

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference on April 9, 2015* (9 Apr. 2015)



Ministry of Foreign Affairs of
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Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference on April 9, 2015

2015/04/09



Q: Newly published satellite images show that China is reclaiming land around the Meiji Reef within an area the Philippines regards as its Exclusive Economic Zone. What is China's comment on the negative remarks made by some countries on China's maintenance and construction work on islands and reefs in the South China Sea?

A: China has indisputable sovereignty over the Nansha Islands and their adjacent waters. The Chinese government has been carrying out maintenance and construction work on some of the garrisoned Nansha islands and reefs with the main purposes of optimizing their functions, improving the living and working conditions of personnel stationed there, better safeguarding territorial sovereignty and maritime rights and interests, as well as better performing China's international responsibility and obligation in maritime search and rescue, disaster prevention and mitigation, marine science and research, meteorological observation, environmental protection, navigation safety, fishery production service and other areas. The relevant construction, which is reasonable, justified and lawful, is well within China's sovereignty. It does not impact or target any country, and is thus beyond reproach.

After the construction, the islands and reefs will be able to provide all-round and comprehensive services to meet various civilian demands besides satisfying the need of necessary military defense. The maritime areas in the South China Sea, where shipping lanes criss-cross and fishing grounds scatter around, are far away from the landmass. These areas are prone to marine accidents due to the influence of typhoon and monsoon. Civilian functions and facilities will be included in the construction for ships to take shelter, and for navigation aid, search and rescue, marine meteorological observation and forecast, fishery service and administration, so as to provide services to ships of China, neighboring countries and other countries that sail across the South China Sea.

China's construction projects on the islands and reefs have gone through scientific assessments and rigorous tests. We put equal emphasis on construction and protection by following a high standard of environmental protection and taking into full consideration the protection of ecological environment and fishing resources. The ecological environment of the South China Sea will not be damaged. We will take further steps in the future to monitor and protect the ecological environment of relevant waters, islands and reefs.

I would also like to make two points about the negative and erroneous remarks made by some countries.

First, China sticks to the path of peaceful development and upholds a defense policy that is defensive in nature. Peace and stability of the South China Sea serves China's interests of development and security. The Chinese side stays committed to resolving disputes with countries directly concerned through negotiation and consultation and safeguarding peace and stability of the South China Sea together with ASEAN countries.

Second, we have noted that some countries, while keeping silent about the construction work by certain country for a long time on the illegally occupied islands and reefs of China's Nansha Islands, point the finger at China's normal activities on its own territory. It is an out-and-out double standard, which is unfair and not constructive. It is hoped that relevant parties will honor the commitment of not taking sides on relevant disputes and do more to promote regional peace and stability.



Q: US Defense Secretary Ashton Carter recently said in Japan that the Security Treaty Between the United States and Japan applies to all areas under Japan's administration, and that the American side is opposed to any unilateral coercive action that seeks to undermine Japan's administrative control of Diaoyu Dao or change the status quo of the South China Sea. What is China's comment on that?

A: Diaoyu Dao and its affiliated islands are China's inherent territory. No matter what others say or do, the fact that Diaoyu Dao belongs to China will not be changed, and the determination and will of the Chinese government and people to safeguard national sovereignty and territorial integrity will not be shaken. The US-Japan alliance is a Cold War arrangement. We are firmly opposed to making use of this alliance against the interests of a third party. We urge the US side to be discreet with what it says and does, honor its commitment of not taking sides on issues concerning territorial sovereignty, and do more to promote regional peace and stability, instead of the other way around.

The Chinese side has elaborated on its position on the issue of the South China Sea. It is hoped that the US side would respect the efforts made by China and countries directly concerned to peacefully resolve the issue through dialogue and negotiation, stop its words or deeds that may complicate the issue or undermine regional stability, and work constructively for regional peace and stability.

Q: Indian Prime Minister Narendra Modi said in a recent interview that peace and tranquility of the border areas is of great significance to the final conclusion of a mutually acceptable solution on the boundary question. He expects to reach such a solution in the near term. What is China's response to that?

A: We have noted the remarks made by Prime Minister Modi. The Chinese side is always positive about resolving the boundary question between China and India. During his visit to India last September, President Xi Jinping said in public that the Chinese side is determined to resolve the boundary question at an early date through friendly consultation with the Indian side and is sincere about making joint efforts with the Indian side to maintain peace and tranquility of the border areas pending the final settlement.

It is the shared responsibility of the Chinese and Indian governments and the common aspiration of the two peoples to resolve the boundary question at an early date. Both sides have made tremendous efforts over the years. Special representatives on the boundary question from China and India have met 18 times to fully discuss the boundary question, and have witnessed positive progress of the negotiation. The Chinese side is ready to work in concert with the Indian side to push forward the process of negotiation and strive to reach a fair, reasonable and mutually acceptable solution at an early date.

Q: It is reported that the Indian government has authorized its army to implement the Armed Forces Special Powers Act (AFSPA) in the northeastern part of India, including the "Arunachal Pradesh". What is China's comment on that?

A: It is a fact that China and India have disputes over the eastern section of the China-India boundary. The Chinese side holds a consistent and clear stance on the China-India boundary question. Joint efforts shall be made to maintain peace and tranquility of the border areas and create conditions for the constant progress of the boundary negotiation.



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Annex 625

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on April 28, 2015* (28 Apr. 2015)



Ministry of Foreign Affairs of the People's Republic of China

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Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on April 28, 2015



At the invitation of Foreign Minister Wang Yi, Foreign Minister Murray McCully of New Zealand will pay an official visit to China from May 3 to 5.

China has been intensifying its disaster-relief support to Nepal and carrying out consular protection of Chinese citizens since yesterday.

China's International Rescue Team rescued another survivor of the earthquake in Kathmandu in the early morning today. A majority of the 170-strong rescue team and medical team sent by China's military arrived in Kathmandu on three military planes last night, and the remaining 45 members will set off for Nepal by military plane on April 28. The first military plane carrying the first batch of 186 tons of emergency supplies from the Chinese government arrived in Kathmandu at 11 a.m. on April 28 local time. The Foundation for Poverty Alleviation of the State Council sent a Blue Sky rescue team to Nepal, and its members have arrived in Kathmandu for the rescue work.

Due to the limit of capacity of the Kathmandu airport, the tarmac is overloaded and planes carrying relief staff and supplies from many countries are still waiting for their landing under Nepal's coordination. The Chinese side will stay in close communication with the Nepali side, trying to get follow-up Chinese relief staff and materials to Nepal as soon as possible.

Under the guidance and coordination of the Foreign Ministry, the Civil Aviation Administration of China and the Chinese Embassy in Nepal, Air China, China Eastern Airlines, China Southern Airlines and Sichuan Airlines have surmounted difficulties and operated at full capacity to take back Chinese citizens stranded in Nepal since yesterday. Over 2,000 Chinese citizens have returned to China safely on commercial flights. Domestic airlines will send more flights to Nepal today to pick up Chinese citizens there.

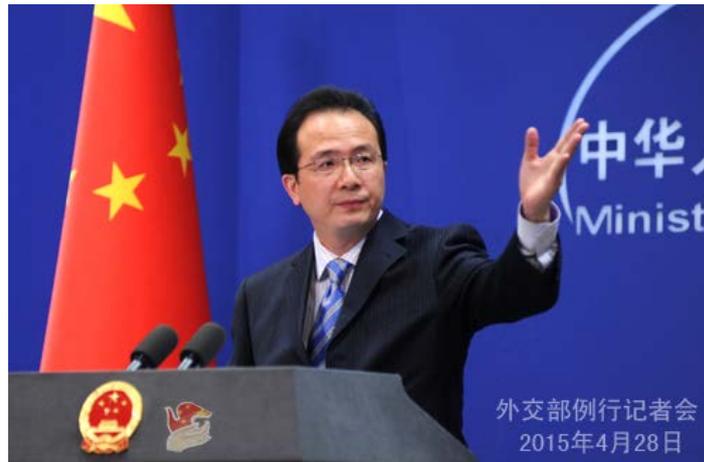
The Foreign Ministry and the Chinese Embassy in Nepal will continue to provide all necessary assistance to Chinese citizens in Nepal, and coordinate with departments concerned on the follow-up work.

253 Chinese employees of the China Three Gorges Corporation which is building a hydro power station in Nepal were once stuck in their camp along the China-Nepal border because of the earthquake. We are highly concerned about their security. Thanks to the joint efforts of all parties, those injured in the camp have been safely transferred to China for treatment. The Foreign Ministry will continue to carry out disaster-relief work together with parties concerned and ensure the safe transfer of the remaining Chinese personnel.

We will make joint efforts with the international community, step up assistance to Nepal, and help it tide over the current difficulties and rebuild the homeland.

Q: On April 27, the national election commission of Sudan announced the official result of its presidential election, and incumbent President Omar al-Bashir won the election. What is China's comment on this?

A: The Chinese side respects the choice made by the Sudanese people, and congratulates President al-Bashir on his re-election. As a good friend of Sudan, the Chinese side will continue to support Sudan's efforts to maintain stability, develop the economy and improve people's livelihood, and hopes for bigger achievements in Sudan's national development. China stands ready to work hand in hand with Sudan to move forward the friendly relationship of cooperation between China and Sudan.



Q: On April 27, the US-Japan Foreign and Defense Ministers' Meeting was held in New York. The two sides released the newly revised Guidelines for US-Japan Defense Cooperation, which claims to remove the "geographical limits" from bilateral defense cooperation. Foreign Ministers of the US and Japan reiterated at the press conference that the US-Japan security treaty applies to all areas under Japan's administration, including Diaoyu Dao. What is China's comment on this?

A: The US-Japan alliance is a bilateral arrangement forged during the Cold War period. In today's world where the Cold War is long-gone, the development of this alliance deserves the attention of all parties. It is our constant stance that the US and Japan are responsible to ensure that their bilateral alliance does not jeopardize a third party's interests including China's, nor undermine peace and stability in the Asia-Pacific.

We hold a clear and long-standing position on the Diaoyu Dao issue. Diaoyu Dao and its affiliated islands are China's inherent territory. No matter what others say or do, the fact that Diaoyu Dao belongs to China can not be changed. The Chinese government and people will firmly uphold their national sovereignty and territorial integrity.

Q: Has the US side notified China before releasing the new Guidelines for US-Japan Defense Cooperation?

A: The US side has informed China before publishing the Guidelines. China has reiterated its solemn position on issues including Diaoyu Dao to the US side.

Q: The Chairman's Statement of the 26th ASEAN Summit was released on April 28, expressing serious concerns on the land reclamation being undertaken in the South China Sea, reaffirming the importance of maintaining peace, stability, security and freedom of navigation and over-flight, asking all parties to ensure the full and effective implementation of the Declaration on the Conduct of Parties in the South China Sea (DOC), and urging that the consultations be intensified on the Code of Conduct in the South China Sea (COC) to ensure the expeditious establishment of an effective COC. What is your comment on this?

A: The Chinese side is gravely concerned about the statement of the 26th ASEAN Summit on the South China Sea issue.

China holds a clear and long-standing stance on the South China Sea issue, which is not an issue between China and ASEAN. China firmly upholds territorial sovereignty and maritime rights and interests. At the same time, bearing in mind the overall picture of regional peace and stability, China stays committed to resolving the relevant disputes with countries directly concerned through negotiation and consultation on the basis of respecting the historical facts and the international law, and devotes itself to jointly safeguarding peace and stability of the South China Sea with ASEAN countries. China has exercised great restraint on the relevant issue.

China and ASEAN countries are implementing the DOC in an all-round and effective way, and are pressing ahead with the consultation on the COC in a bid to finalize the COC based on consent at an early date. There has never been any problem concerning the freedom of navigation and over-flight in the South China Sea that all countries are entitled to under the international law. Nor will there be any in the future.

China's construction on the islands and reefs of Nansha is completely within China's sovereignty, and does not target or affect anyone. The Chinese side has repeatedly clarified its position. Relevant construction is lawful, justified and reasonable and thus beyond reproach. The Chinese side opposes a few countries' taking hostage the entire ASEAN and China-ASEAN relations for their own selfish gains, and undermining the friendly cooperation between China and ASEAN. We urge countries concerned to meet China halfway, and safeguard peace and stability of the South China Sea and the general interests of China-ASEAN relationship.

The Chinese side values its relationship with ASEAN. The two sides should continue to follow the spirit of mutual respect and mutual trust, take a strategic

and far-sighted view on bilateral relations, step up strategic communication and deliver win-win results to all.

Q: The Nepali Foreign Minister said that Nepal has divided areas for China and India to carry out disaster-relief work. What is your comment? Is China willing to coordinate the relief work with India?

A: The international community including China and India extended a helping hand to Nepal and provided it with all kinds of assistance after it was hit hard by a massive earthquake. We will intensify our efforts in helping Nepal. Both China and India are neighbors of Nepal. We stand ready to coordinate with India on the disaster-relief operation in Nepal, take care of relevant work and help Nepal overcome difficulties and rebuild its homeland at the earliest date possible.



Q: Head of the Bureau of Fisheries and Aquatic Resources of the Philippines reportedly said that China's construction on the islands and reefs of Nansha caused damage to the local coral reef and affected the livelihood of the Philippine fishermen. Does China have any response?

A: China exercises indisputable sovereignty over the Nansha Islands and the adjacent waters. China carries out construction on its own islands and reefs, and attaches greater importance to protecting the ecological environment there than anyone else. One thing worth pointing out is that China's construction projects have gone through years of scientific assessments and rigorous tests, and are subject to strict standards and requirements of environmental protection. Such projects will not damage the ecological environment of the South China Sea. Philippines' argument that China's construction on the islands and reefs would cause damage to the Philippines is utterly unjustifiable.

Q: Japanese Prime Minister Shinzo Abe made some remarks concerning the comfort women in the US on April 27, saying that his heart aches when thinking about those people who were victimized by human trafficking, but did not mention "apology" in his speech. Does China have any comment on this?

A: The forced recruitment of the "comfort women" is a gross crime against humanity committed by the Japanese militarism during the Second World War against people of the victimized countries in Asia. There is iron-clad evidence proving this, and the victims are still suffering from untold miseries. It is hoped that the Japanese side would face up to the history, properly handle the history issues including the comfort women issue in a responsible manner, and win the trust of its Asian neighbors and the world with tangible actions.

Q: A Japanese who is among a filming crew making a documentary of China's female mountaineering team died in the Nepali earthquake. Does China have any response to this?

A: We mourn for his death.

Q: President Xi Jinping met with a senior leader of Myanmar yesterday. Please give us more details. Did they touch upon border stability in their talks?

A: Yesterday President Xi Jinping met with the delegation of Myanmar's Union Solidarity and Development Party (USDP) led by U Shwe Mann, Chairman of USDP and Speaker of the Lower House of the Parliament of the Union of the Republic of Myanmar. He said that the traditional friendship between China and Myanmar was forged by leaders of previous generations. The bilateral relationship still bursts with new vitality after 65 years of development, and the main reason is that we always respect the core interests and major concerns of each other and show full understanding and support to each other on major issues. The two sides should take a strategic and long-term view on China-Myanmar relations, safeguard peace and tranquility of the border area and do things that contribute to national development and people's livelihood of China and Myanmar.

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Annex 626

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hua Chunying's Remarks on US Defense Secretary Carter's Speech Relating to the Issue of the South China Sea at the Shangri-La Dialogue* (30 May 2015)



Ministry of Foreign Affairs of
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Foreign Ministry Spokesperson Hua Chunying's Remarks on US Defense Secretary Carter's Speech Relating to the Issue of the South China Sea at the Shangri-La Dialogue

2015/05/30

Q: US Defense Secretary Ashton Carter told the Shangri-La Dialogue on May 30 that China has gone much further and faster in land reclamation, more than all other claimants combined and more than in the entire history of the region. He criticized China's actions in the South China Sea as out of step with international norms and rules, saying that the US is deeply concerned about the prospect of further militarization of islands and reefs in the South China Sea as well as the potential for these activities to increase the risk of miscalculation or conflict. He said that turning an underwater rock into an airfield does not afford the rights of sovereignty, calling for an immediate stop of land reclamation and further militarization of islands and reefs by all claimants. He also vowed to continue to exercise and ensure the freedom of navigation and overflight and encouraged China to reach an agreement with ASEAN on the code of conduct in the South China Sea (COC) within this year. What is China's comment on that?

A: The Chinese side has noted the relevant remarks by US Defense Secretary Carter. In disregard of the history, jurisprudence and facts, the US side made inappropriate remarks on China's long-standing sovereignty as well as rights and interests in the South China Sea to foment dissension and criticized China's normal and justified construction activities on islands and reefs. The Chinese side is firmly opposed to that.

I would like to make the following six points on the issue of the South China Sea.

First, China's sovereignty and relevant claims of rights in the South China Sea have been formed in the long course of history and upheld by successive Chinese governments. This position has adequate historical and legal basis. There is no need to have it reinforced through construction activities on relevant islands and reefs.

Second, China's construction work on some garrisoned islands and reefs of the Nansha Islands is totally within China's sovereignty. It is lawful, reasonable and justified, not affecting or targeting any other countries. Once finished, the construction work will equip the islands and reefs with diversified and integrated functions which are mainly for civilian uses, apart from satisfying necessary military defense needs. China is committed to a path of peaceful development, a defense policy that is defensive in nature and a foreign policy of building friendship and partnership with her neighbors. China is a staunch force for peace and stability in the region.

Third, as a major country, China shoulders more international responsibilities and obligations. China is conducting construction activities at a pace and with a scale befitting her international responsibilities and obligations in the fields such as maritime search and rescue, disaster prevention and mitigation, meteorological observation, ecological conservation, navigation safety and fishery services in the South China Sea. These activities are designed to serve practical needs and provide better services to the ships of China, her neighbors and other countries passing through the South China Sea.

Fourth, for a long period of time, there has never been any problem concerning the freedom of navigation and overflight in the South China Sea that all countries are entitled to under the international law. Nor will there be any in the future. However, countries must not abuse the freedom of navigation and overflight, still less shall they take the freedom as an excuse to infringe upon the sovereignty, rights and security of coastal countries that are protected by the international law. China's construction activities will not undermine countries' freedom of navigation and overflight in the South China Sea. On the contrary, it will facilitate joint response to challenges on the sea and provide more guarantees for the safety of navigation.

Fifth, China and ASEAN countries have made it clear that the issue of the South China Sea shall be addressed through the "dual-track approach", which means that relevant disputes shall be resolved by countries directly concerned through negotiation and consultation, and peace and stability of the South China Sea shall be jointly upheld by China and ASEAN countries. Under the framework of fully and effectively implementing the Declaration on the Conduct of Parties in the South China Sea (DOC), China and ASEAN countries are pressing ahead with the COC consultation, striving to reach an agreement based on consensus at an early date. We have seen important progress. The COC, in essence, is a matter between China and ASEAN countries, and thus should be jointly made by China and ASEAN countries through consultation on an equal footing. It is hoped that the US and other countries outside the region will fully respect efforts by China and ASEAN countries in this regard instead of adding complicated elements to the consultation process.

Sixth, the US is not a party to the South China Sea issue. It is not and shall not become an issue between China and the US. We strongly urge the US to keep the big picture of China-US relationship and regional peace and stability in mind, honor its commitment of not taking sides on issues concerning territorial sovereignty, show earnest respect to regional countries' efforts to safeguard peace and stability in the South China Sea, be discreet with words and deeds and refrain from any of them that are detrimental to peace and stability in the South China Sea and China-US relations.

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Annex 627

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on June 9, 2015* (9 June 2015)



Ministry of Foreign Affairs of
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Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on June 9, 2015

2015/06/09



The 3rd China-South Asia Expo, in conjunction with the 23rd China Kunming Import and Export Fair will be held in Kunming from June 12 to 16. Vice President Li Yuanchao will attend the opening ceremony of the Expo. The Expo will carry forward an objective of “promoting all-round cooperation and development between China and South Asia and Southeast Asia”, under the theme of “pursuing amity, sincerity, mutual benefits, inclusiveness, and win-win cooperation”. President Abdulla Yameen Abdul Gayoom of Maldives, Prime Minister Thongsing Thammavong of Laos, Parliamentary Speaker Shirin Sharmin Chowdhury of Bangladesh, and Deputy Prime Minister Hoang Trung Hai of Vietnam will be present upon invitation. India will be the country of honor of this year's Expo, and Thailand guest of honor of this year's Fair.

Q: The G7 Summit issued a Leaders' Declaration on June 8, expressing concerns about tensions in the East and South China Seas. It calls on all parties to ensure the peaceful dispute settlement as well as free and unimpeded lawful use of the world's oceans, opposes the use of intimidation, coercion or force, as well as any unilateral actions that seek to change the status quo, such as large scale land reclamation. What is China's comment on this?

A: The Chinese government has given a full and explicit elaboration on its principled position on issues concerning the East and South China Seas. With regard to your question, I'd like to make the following points:

China has indisputable sovereignty over the Diaoyu Dao and its affiliated islands, as well as the Nansha Islands and the adjacent waters. China's construction on relevant Nansha islands and reefs falls entirely within China's sovereignty, and other countries have no right to interfere. Once completed, the relevant construction will mainly provide considerable civilian functions apart from a few defense services, in a bid to better fulfill China's international obligations in maritime navigation and search and rescue.

The Chinese side remains committed to safeguarding navigation and overflight freedom in the East and South China Seas. For a long time, navigation and overflight in relevant waters by all countries in accordance with the international law have never been affected. If someone deliberately stirs up troubles that pose a threat to the freedom of navigation and overflight in relevant waters, China will be the first to stand up against it.

The Chinese government has never recognized the “status quo” of the Diaoyu Dao and its affiliated islands as well as some maritime features of the Nansha Islands that were illegally snatched and occupied by other countries. Bearing in mind the overall picture of maintaining regional peace and stability, China, however, has been exercising maximum restraint. While firmly upholding territorial sovereignty and maritime rights and interests, China is devoted to peacefully resolving relevant disputes through negotiation and consultation with countries directly concerned on the basis of respecting historical facts and the international law, and jointly maintaining peace and stability in relevant waters with countries concerned. As a sovereign state, China will make necessary response to any attempt to undermine China's sovereignty and territorial integrity.

The international community has formed a just opinion with regard to the merits behind issues concerning the East and South China Seas. What the G7 does and says are way out of step with the facts and the internationally recognized principles. China strongly urges the G7 to respect the facts, shed prejudices, stop making irresponsible remarks, and do more to help properly handle and settle the disputes and promote regional peace and stability.



Q: Today the Hong Kong and Macao SAR governments issued travel alerts concerning the Middle East Respiratory Syndrome (MERS) epidemic in the ROK. Will the mainland consider issuing a similar alert?

A: We have noted relevant decisions made by the Hong Kong and Macao SAR governments. The Department of Consular Affairs of the Foreign Ministry and the Chinese Embassy in the ROK have issued consular warnings, reminding Chinese citizens who plan to visit the ROK and those who are already in the ROK to follow relevant information concerning the epidemic and take precautions. China has strengthened prevention and control of MERS at border crossings. Rigorous checks and screening are conducted so as to promptly and properly cope with the epidemic.

Q: Opposition leader of Myanmar Aung San Suu Kyi will kick off a visit to China tomorrow. Can you give us more details? What does China expect from this visit given the instability in the China-Myanmar border area caused by the conflicts between Myanmar government forces and Kokang armed forces?

A: Last week I have briefed you on this visit. At the invitation of the CPC, Madame Aung San Suu Kyi will lead a National League for Democracy (NLD) delegation to China. This is an important visit in the party-to-party engagement between China and Myanmar. The CPC has maintained friendly exchanges with all parties of Myanmar. It is believed that this visit will further enhance mutual understanding between the two parties, and move forward the China-Myanmar friendly and cooperative relations. Party and state leaders of China will meet with the delegation.

As for the situation in northern Myanmar, our position is pretty clear. Peace and stability in northern Myanmar bears on tranquility in the China-Myanmar border area. We hope that the Myanmar side would answer to relevant requests put in by China, stop the warfare, ease the tension, and restore peace, stability and normal order to the China-Myanmar border area at an early date.

Q: Six Hong Kong tourists were involved in a car accident in Thailand the other day. Please tell us more updates and the work China has done.

A: The Chinese Embassy in Thailand is highly concerned about the accident. It immediately initiated the emergency response mechanism, kept in close touch with the Hong Kong SAR government and sent staff to the scene of the accident. The Embassy asks the Thai side to spare no efforts to conduct medical treatment and properly deal with the follow-up matters concerning the deceased. The injured have been taken to Bangkok for further treatment. Representatives from the Immigration Department of the Hong Kong SAR government have arrived in Thailand to assist with relevant work.

The Foreign Ministry will follow the accident closely and direct the Chinese Embassy in Thailand to deal with the follow-up matters.



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Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hua Chunying's Remarks on the Philippines' Playing up and Airing of a Documentary on the South China Sea Issue* (29 June 2015)



Foreign Ministry Spokesperson Hua Chunying's Remarks on the Philippines' Playing up and Airing of a Documentary on the South China Sea Issue

2015/06/29

Q: According to media reports, the Philippine Department of Foreign Affairs, the Presidential Communications and Operations Office and the Philippine Information Agency jointly made a three-episode documentary in Tagalog dubbed as "Freedom", which claims that China "is nibbling at the territory of the Philippines and stealing resources that belong to the Philippines." Spokespersons of the Philippine Department of Foreign Affairs, Department of National Defense and armed forces all said that this documentary meant to raise the awareness of the Philippine people on the South China Sea territory and to rally support of the whole country behind the government's peaceful resolution of the South China Sea disputes through diplomatic means. Different voices are heard in the Philippines, with some people believing that the Philippine government is instigating hostility among ethnic groups inside the country and inflaming hatred against China outside the country. What is China's comment on this?

A: The Chinese side has taken note of the Philippine documentary and the relevant reports. The Chinese side is strongly dissatisfied with the groundless criticism by the Philippine documentary which ignores the facts and confuses right and wrong, and is deeply concerned about the sitting Philippine government's hyping up of the South China Sea issue and fueling of confrontation between the Chinese and Philippine peoples. By misleading and deceiving the public, the Philippines plots to gain sympathies and play the "victim". Nevertheless, history brooks no denial and facts no fabrication. It is the Philippines that caused the relevant disputes with China in the South China Sea due to its adoption of an expansionist policy in the South China Sea in blatant violation of China's sovereignty and rights and interests.

First, the South China Sea islands belong to China. Ample historical and legal evidence shows that China is the first country that discovers, names and develops the islands in the South China Sea, and also the first that exercises continuous sovereign jurisdiction over those islands. Yet they were seized by Japan during its war of aggression against China. The Cairo Declaration, the Potsdam Proclamation and other instruments that defined the international order after the Second World War all required Japan to give back the Chinese territory it had snatched. After the War, the Chinese government recovered the South China Sea islands. The root cause of the South China Sea disputes between China and the Philippines lies in the fact that the Philippines made illegal territorial claims over and occupied some maritime features of the Nansha Islands.

The Treaty of Paris (1898), the Treaty of Washington (1900) and the Treaty between the US and the UK (1930), which defined the scope of the Philippine territory, all explicitly excluded China's Nansha Islands and the Huangyan Dao from the Philippine territory. For a long span of time afterwards, the domestic laws of the Philippines including its constitution also confirmed those descriptions on different occasions.

Since the conclusion of the Second World War and the start of the Cold War in particular, the Philippines has begun coveting China's Nansha Islands. Starting from the 1970s, the Philippines has seized by force the Mahuan Dao, Feixin Dao, Zhongye Dao, Beizi Dao, Nanyao Dao, Xiyue Dao, Shuanghuang Shazhou and Siling Jiao of China's Nansha Islands. The Philippines has long been conducting massive construction, deploying armed facilities and renovating and upgrading airport, piers, barracks, stilted houses and schools on the maritime features of China's Nansha Islands that it has illegally occupied. China is consistently against the illegal occupation by the Philippines, and has repeatedly urged the Philippines to withdraw all personnel and facilities from the Chinese islands and reefs.

Furthermore, the Philippines also attempted to snatch China's Ren'ai Jiao and Huangyan Dao. In May 1999, the No. 57 tank landing ship of the Philippines was illegally grounded on the Ren'ai Jiao under the excuse of "mechanic dysfunction". China then lodged representations and protest. The Philippines replied that it would tow away the ship, and promised not to be the first country to violate the Declaration on the Conduct of Parties in the South China Sea (DOC). But now the Philippines goes back on its own words and refuses to tow away the "grounded" ship. Moreover, it plans to seize the reef by building fixed facilities on it. In March 2014, the Philippine Department of Foreign Affairs issued a statement publicly, declaring its occupation of the Ren'ai Jiao with its "grounded" ship in 1999. What the Philippines has done is a typical breach of its own promise, stripping itself of all the credibility in front of China and the whole world. In April 2012, the Philippines dispatched military vessels to harass Chinese fishing vessels and fishermen operating in waters off the Huangyan Dao and gave inhuman treatment to the Chinese fishermen, later known as the "Huangyan Dao incident". The Chinese government has to take necessary and proper measures in response to the Philippines' further actions of seizing Chinese territory.

Second, the Philippines launched baseless accusations against China's dotted line in the South China Sea in order to negate China's sovereignty and relevant rights in the South China Sea and cover up the fact concerning its illegal occupation of some islands and reefs of China's Nansha Islands. The Chinese people have started using and developing the South China Sea back to the Han Dynasty under the reign of Emperor Wu in the 2nd century B.C.. China's sovereignty and relevant rights in the South China Sea are gradually formed in the long course of history, and consistently upheld by successive Chinese governments. In 1948, the Chinese government officially published the dotted line in the South China Sea in a bid to reaffirm China's sovereignty and

relevant rights, which have existed long before the drawing of this line.

Third, in January 2013, the Philippines unilaterally initiated an arbitration case with regard to its disputes with China in the South China Sea in defiance of China's lawful rights as a signatory to the United Nations Convention on the Law of the Sea and in violation of the consensus it has affirmed with China on many occasions as well as its solemn commitment made in the DOC. The action taken by the Philippines aims to deny China's territorial sovereignty and maritime rights and interests in the South China Sea through political provocation under the cloak of law, in a bid to further advance its illegally gained interests. In response, China has repeatedly expounded on its position of "non acceptance and non participation".

Fourth, China and the Philippines are neighbors for good. This year marks the 40th anniversary of the establishment of diplomatic relations between China and the Philippines. The two countries have long lived in harmony and conducted exchanges in history, and fought against Japan's aggression against the Philippines shoulder to shoulder. Since the 1990s, the two countries have issued many joint declarations and other documents, confirming that the two countries would resolve relevant disputes through negotiation and consultation. In 2004, the two countries also reached consensus on oil and gas cooperation in disputed waters, and made practical progress on that. Facts told us that as long-lasting good friends and neighbors, China and the Philippines could have properly solved the South China Sea issue through amicable negotiation.

China stays committed to pursuing the path of peaceful development and fostering friendship and partnership with neighboring countries, and remains a staunch force in safeguarding regional peace and stability. While firmly upholding territorial sovereignty and maritime rights and interests and bearing in mind the general interests of regional peace and stability, China is devoted to resolving relevant disputes with countries directly concerned including the Philippines through negotiation and consultation on the basis of respecting the historical facts and following the international law. China is also devoted to pressing ahead with the consultation on the code of conduct in the South China Sea (COC) under the framework of fully and effectively implementing the DOC with ASEAN countries including the Philippines.

The Chinese side urges the sitting Philippine government to put first the bilateral relations and regional peace and stability, follow the trend of the times featuring peace, development and cooperation as well as the common aspiration and expectation of the two peoples, stop provoking confrontations between the two peoples, cease all irresponsible words and deeds, come back to the right track of resolving disputes through negotiation and consultation, and work with China to safeguard the traditional friendship between the two peoples and regional peace and stability.

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Annex 629

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference on July 8, 2015* (8 July 2015)

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Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference on July 8, 2015



Q: It is reported that the Liberal Democratic Party of Japan did not pass the annual defense white paper on July 7 in a meeting. Some said that China's efforts to advance natural gas development in the East China Sea and photos of China's construction activities in the South China Sea should be included in the white paper. What is China's comment on this?

A: I made clear China's position on the Japanese government's 2015 defense white paper last week.

China's position and proposition on the East China Sea and the South China Sea is consistent and clear. We oppose Japan's groundless accusations against China. Recent days have witnessed a series of negative developments in Japan's military and security fields, which are a cause for concern. We have every reason to be uneasy about and suspicious of Japan's policies and development trajectory. We hope Japan will make a correct assessment of the situation, draw lessons from history, stay committed to the path of peaceful development and play a constructive role in maintaining regional peace and stability.

Q: According to reports, while attending a seminar on the 70th anniversary of the victory of the Chinese People's War of Resistance Against Japanese Aggression, Taiwan leader Ma Ying-jeou stated that China resumed its sovereignty over islands in the South China Sea according to relevant international legal documents including the Cairo Declaration, the Potsdam Proclamation and the Japanese Instrument of Surrender. The Taiping Island complies with the definition of an island provided for in Article 121 of the United Nations Convention on the Law of the Sea. The attempt by any country to deny the truth of Taiping as an island cannot impair its status as an island or the maritime rights and interests under the Convention. On the same day, relevant Taiwan authorities echoed this statement and reiterated that the rights enjoyed by China over the four archipelagos in the South China Sea and their surrounding waters are in accordance with international law. It also stated that in 1947, the then Chinese government publicized the new geographical names and the location map of the South China Sea islands, delimiting China's land and sea territory. What is China's comment?

A: China's sovereignty and relevant claims of rights in the South China Sea are formed in the long course of history based on international legal grounds. After the Second World War, the then Chinese government made great efforts in taking back the South China Sea islands and safeguarding China's territorial sovereignty and maritime rights and interests in the South China Sea. Since the founding of the PRC, the Chinese government has been committed to safeguarding China's territorial sovereignty and maritime rights and interests in the South China Sea, and made active contribution to upholding peace, stability and freedom of navigation in the South China Sea.

In the current context, Chinese people on both sides of the Taiwan Straits have the responsibility and obligation to jointly safeguard our territorial sovereignty and maritime rights and interests.



Q: It is reported that representatives of the Afghan government and the Taliban held peace talks in Pakistan on July 7. The Chinese government sent representatives to the talks. Can you give us more information? What is China's role in the talks?

A: In order to advance the "Afghan-led and Afghan-owned" peace and reconciliation process in Afghanistan, a meeting between the Afghan government and the Afghan Taliban movement was held near Islamabad on July 7. The meeting was hosted by Pakistan and attended by Chinese and US representatives. It was agreed that in order to achieve lasting peace in the region, all parties should be sincerely committed to the peace process in Afghanistan. The parties exchanged views on the ways and means to realize peace and reconciliation in Afghanistan, recognized the need to take confidence building measures to strengthen trust among stakeholders, and agreed to carry out further dialogues.

China consistently supports the "Afghan-led and Afghan-owned" reconciliation process, encourages and supports the peace talks between the Afghan government and the Taliban, and keeps close contact with all relevant parties for this purpose. China thinks positively of this meeting. We believe it is conducive to the peace and reconciliation process in Afghanistan. We commend the flexibility shown by relevant parties in facilitating this meeting and the common will of advancing the peace and reconciliation process in Afghanistan. China stands ready to work continuously and closely with all relevant parties and play a constructive role in realizing broad-based and inclusive peace and reconciliation in Afghanistan.

Q: My first question is about President Xi Jinping's upcoming meeting with Indian Prime Minister Narendra Modi on the sidelines of the Ufa summit. What will they discuss? And what is China's expectation of the meeting? Second, what does China think of India and Pakistan's accession to the Shanghai Cooperation Organization (SCO) as full members, and what effect will this bear on the situation in Afghanistan?

A: On your first question, President Xi Jinping has set out for Ufa to attend the 7th BRICS Summit and 15th Meeting of the Council of the Heads of State of the SCO Member States this morning. President Xi will hold a bilateral meeting with Prime Minister Modi in Ufa later today, another important meeting after Prime Minister Modi paid a successful visit to China in May this year. It will be of great significance to enhancing strategic consensus between the two sides, enriching the China-India strategic cooperative partnership, and building a closer partnership for development. We will release information on the meeting in due course.

China and India are the world's two largest developing countries and emerging economies. Thanks to concerted efforts by the two sides in recent years, China-India relations have maintained a sound and steady momentum of growth. President Xi paid a successful and historic state visit to India last year, and Prime Minister Modi paid a successful visit to China in May this year. The two leaders laid out a strategic plan to advance bilateral relations in the next five to ten years. We will take the meeting between President Xi and Prime Minister Modi in Ufa as an opportunity to further implement the consensus reached by the two leaders, deepen strategic mutual trust between our two countries, expand practical cooperation and continue to step up coordination and cooperation on regional and international affairs so as to achieve greater development of the China-India strategic cooperative partnership.

On your second question, as the SCO becomes more influential and attractive in the world with enhanced cooperation in various fields, more and more countries and regional organizations have expressed their willingness to deepen cooperation with the SCO. Based on the legal document on admitting new members adopted by the SCO Dushanbe Summit, the organization will further advance the expansion process. The Ufa Summit will approve the resolution on initiating the process of accepting India and Pakistan as full members of the SCO, which signifies the official start of the accession process by India and Pakistan. This is surely an important step forward for the SCO to include more members. We believe the accession of India and Pakistan will play an important role in the future development of the organization, and contribute constructively to the development and improvement of relations between the two countries.

Afghanistan is an important country in the region and an observer state of the SCO. The situation in Afghanistan bears on the security and stability of central Asia. With both experience and capability in anti-terrorism, counter-narcotics, combating transnational crimes and economic development, the SCO stands ready to strengthen cooperation with Afghanistan. Since 2009, the SCO has stepped up its cooperation with Afghanistan in security as well as economic and social sectors. It is ready to play a bigger role in the peaceful reconstruction of Afghanistan. We are willing to enhance coordination and cooperation with India and Pakistan in this regard.



Q: Philippine officials reportedly said that they found buoys and other markers with Chinese inscriptions in waters near the Reed Bank. A Philippine vessel tried to clear the objects and then left in a hurry after a Chinese marine patrol ship suddenly showed up. What is your comment on that?

A: I have no specifics at hand about this. I would like to point out that China has indisputable sovereignty over the Nansha Islands and the adjacent waters. China's position is clear and consistent.

Q: Speaking of China's relevant commemorative activities marking the 78th anniversary of the outbreak of the Chinese People's War of Resistance Against Japanese Aggression, Japanese Chief Cabinet Secretary Yoshihide Suga said at a press conference that placing too much emphasis on this war as "against Japanese aggression" and internationalizing history issues is not conducive to regional peace and stability. It is imperative that China and Japan join hands to tackle common challenges facing the international community with a future-oriented attitude. What is China's comment?

A: Relevant remarks from Japan are unintelligible. Is it conducive to regional peace and stability when Japan constantly evades and shuns history issues and even downplays and whitewashes its aggression history? China, together with the rest of the international community, holds commemorative activities marking the 70th anniversary of the end of the World Anti-Fascist War and the victory of the Chinese People's War of Resistance Against Japanese Aggression in a bid to remember history, honor the martyrs, cherish peace, create a better future and firmly uphold world peace. Nobody with an honest attitude towards history and a genuine commitment to peaceful development would object this. As President Xi Jinping said, history is the best textbook and the best dose of sobriety. I remember a former German leader said that, those who do not review history will be blind to reality, and those who are not willing to reflect on atrocities are likely to repeat them in the future. At this important historical point when the international community is commemorating the 70th anniversary of the World Anti-Fascist War in all forms, what Japan should do is to seize the opportunity, face up to and reflect upon history with an honest and responsible attitude, and win trust from its Asian neighbours and the international community with concrete actions. This is what "future-oriented" really means.

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- Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference on July 1, 2015
- Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference on June 30, 2015



Annex 630

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hua Chunying's Remarks on the Philippines' Reinforcing a Military Vessel Illegally "Grounded" on China's Ren'ai Jiao* (15 July 2015)



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Foreign Ministry Spokesperson Hua Chunying's Remarks on the Philippines' Reinforcing a Military Vessel Illegally "Grounded" on China's Ren'ai Jiao

2015/07/15

Q: Philippine naval officials reportedly said on July 13 that since early this year, the Philippine navy had been reinforcing the hull and deck of a military vessel that "ran aground" on the Ren'ai Jiao, and would finish the project by the end of this year. The spokesperson of the Philippine Foreign Ministry said that repairs and maintenance of existing facilities were allowed for the safety of their personnel and safety of navigation. How does China comment on this?

A: China has indisputable sovereignty over the Nansha Islands, which include the Ren'ai Jiao, and the adjacent waters. China hereby strongly protests and firmly opposes to the Philippines' reinforcement of a military vessel illegally "grounded" on the Ren'ai Jiao.

In 1999, a Philippine military vessel, under the excuse that it got "stranded", illegally ran "grounded" on China's Ren'ai Jiao of the Nansha Islands. The Chinese side has since then lodged multiple protests and representations with the Philippine side, asking it to tow away the vessel with no further delay. The Philippine side has repeatedly replied that as a signatory to the Declaration on the Conduct of Parties in the South China Sea (DOC), it will not be the first to violate the DOC; it has not yet towed away the vessel because of "lack of components and parts"; and it has no plan to build any facility on the Ren'ai Jiao. Today, however, the Philippines not only refuses to fulfill its commitment of towing away the vessel, but also aggravates the situation by carrying out illegal activities in an attempt to permanently occupy the Ren'ai Jiao.

It must be pointed out that on one hand, the Philippines promised to tow away the illegally "grounded" vessel on many occasions, yet on the other hand, it schemes to permanently occupy the Ren'ai Jiao by reinforcing the vessel. The Philippines' breach of its own promise to the international community discloses its hypocrisy and duplicity, and stands as another example that the Philippines is the real trouble-maker and rule-breaker in the region.

The Chinese side is resolute in safeguarding territorial sovereignty and maritime rights and interests. China once again urges the Philippines to immediately stop all illegal activities that infringe upon China's sovereignty and maritime rights, and honor its commitment of towing away the vessel. China reserves the right to take further actions.

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- Foreign Ministry Spokesperson Hua Chunying's Remarks on the US State Department's Statement on Thailand's Deportation of Illegal Immigrants to China



Annex 631

People's Republic of China, Ministry of Defense, *Defense Ministry Spokesperson Yang Yujun's Regular Press Conference on July 30, 2015* (30 July 2015)



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Defense Ministry Spokesperson Yang Yujun's regular press conference on July 30, 2015

(Source: MOD) 2015-July-30 23:25



Senior Colonel Yang Yujun, spokesman for the Ministry of National Defense (MND) of the People's Republic of China (PRC), answers reporters' questions at a regular press conference on July 30, 2015. (mod.gov.cn/Wu Linghao)

(The following English text of the press conference is for reference. In case of any divergence of interpretations, the Chinese text shall prevail.)

Senior Colonel Yang Yujun:

Friends from the media, good afternoon! Welcome to the press conference of the Ministry of National Defense (MND) of this month.

Q: Recently, analysts say that this year's recruitment work for the new conscripts of the PLA is different from that in the previous years, placing more emphasis on the educational background. Do you have any comments? Foreign media reported recently that the PLA navy has completed the construction of the second aircraft carrier base in the Hainan Island. Could you please confirm that?

A: On your first question, we have always attached great importance to attracting those young men and women who have good educational background, professional skills and all-around qualities to join the military. This year, when enrolling the university graduates to join the military, there are several favorable policies. Besides the common favorable treatment for the new conscripts, the university graduates also enjoy other favorable policies in application, medical checkup, political evaluation, approval as well as distribution.

When distributing the newly-enrolled university students to the military units, priority will be given to

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them, and they would be distributed to the navy, air force, second artillery force, or army units with higher technical requirements. During their service in the military, they will enjoy priority to become non-commissioned officers. And those qualified graduates could be directly promoted to officers. And after completing their military service, they will also enjoy some other favorable policies in terms of employment, resettlement, further education, etc. To love the military, undergo military training, and serve the country is a tradition of the Chinese nation. We welcome and encourage more promising young men and women to join the military and make contributions to the national defense of China.

When it comes to your second question, as to the supporting facilities of the aircraft carrier on the land, they mainly include the port facilities for the aircraft carrier, the airport for carrier-borne planes and also the training facilities. These facilities will provide main support for the daily activities of the aircraft carrier. The construction of such facilities is determined by the task entrusted to the troops.

Q: It is reported that during his visit to the Philippines, the U.S. Pacific Fleet Commander Admiral Scott Swift joined a 7-hour surveillance flight over the South China Sea and emphasized that the U.S. will continue to exercise its due rights. What is your comment?

A:We have expressed our concerns in this regard. It needs to be emphasized that activities of the U.S. military ships and planes should not undermine other countries' sovereignty and security interest, and should not undermine regional peace and stability.

At the same time, security distance should be maintained to avoid unexpected incident. Of course, if some people from the U.S. side would like to take civilian aircraft to enjoy the beautiful scenery of the South China Sea, we could welcome them.

Q: Last week, a Lao Airlines flight from South Korea to Laos tried to fly over the East China Sea, but was forbidden entry by the Chinese air traffic controllers. Is this because it did not seek proper permission? And is this the first time China has banned or has stopped foreign airlines from flying across its Air Defense Identification Zone in the East China Sea? Thank you!

A:We got to know from China's civil aviation authorities that the flight route of the commercial flight No.916 of the Laos Airlines will be crossing the airspace over the Chinese territory.

But the temporary flight plan application of the Lao Airlines was not expressed clearly, and the Chinese civil aviation authorities repeatedly tried to contact the Lao Airlines, but there was no response from the Lao Airlines.

On the morning of July 25, without getting authorization on the flight plan and route from the Chinese authorities, the flight took off and intended to fly over the Chinese territorial airspace. The Chinese air traffic control authorities rejected the flight from entering China's territorial airspace according to relevant rules and working procedures. This event has no connection with the Air Defense Identification Zone (ADIZ) in the East China Sea. If you want to know further information, I suggest you refer to the Civil Aviation Administration of China.

Q: On July 21, the Japanese government approved the white paper Defense of Japan 2015, which demanded China to stop its construction of the platform for oil and gas exploitation in the East China Sea, saying that such activities would cause unpredictable result of danger in the East China Sea and the South China Sea. What's your comment on that?

A:On this question, the Ministry of Foreign Affairs of China has already issued the position paper on July 24, giving the whole story of this issue. You can look for the details on the MFA website.

It needs to be emphasized that the oil and gas exploitation activities of China are conducted in waters of the East China Sea under indisputable Chinese jurisdiction, and these activities are totally just, reasonable and legitimate. The Japanese side has no right to make groundless accusations.

We noticed that recently the Japanese side has repeatedly mentioned China's oil and gas exploitation activities in the East China Sea and even publicly accused them of having military purposes. The purpose of the Japanese accusation against China is to create and play up the "China Threat Theory". It is to provide an excuse for Japan to pass the new security bill in Japan.

We urge Japan to immediately stop this wrongdoing and avoid purposely creating confrontation and tension.

Q: We noticed that when the Japanese Prime Minister Shinzo Abe had inquiries in the Japanese Upper House, he changed his previous position by stating that Japan would exercise the right of collective self-defense when necessary, i.e. the Japanese Self-Defense Force could participate in the demining activities in the South China Sea. What is your comment on that?

Secondly, the debris of a plane was discovered today on a small island in the Indian Ocean, which was thought very likely to be the debris of flight MH370 of the Malaysian Airlines. The

Photo Gallery



Ministry of Foreign Affairs has expressed that it would pay close attention to similar debris. What measures or preparation will the military make? If this debris is confirmed to be the part of flight MH370, will the military vessels be sent to relevant areas for further action?

A:On your first question, we have noticed that recently several politicians of Japan have been playing up the "China Threat Theory". The purpose of that is to provide an excuse to pass the new security bill of Japan, which is under deliberation. And such actions are purely to disturb the audience's opinion and to create a distorted image for the public.

This year marks the 70th anniversary of the victory of the World Anti-Fascist War. And in this special year, what changes will Japan have in its military and security policies? And how far it would go on the road of becoming a major military power? Will it embark on the old path of militarism? All these questions need the vigilance of the neighboring countries of Japan and the international community.

On your second question, we have also taken notice of the report today and we will pay constant and close attention to the follow-up of the issue.

Q: Just days ahead of the PLA Day, Xi Jinping, Chairman of the Central Military Commission, inspected the 16th Combined Corps and asked the military to thoroughly banish the influence of the case of Xu Caihou. There have been reports from the foreign media that Xi Jinping was putting forward requirements for the entire PLA and that the core task of the PLA this year is still to rectify the incorrect work style existing in the military. What is your comment on that?

The second question is which countries have confirmed that they would send their state leaders or militaries to participate in the military parade on September 3?

A:I think your first question is related to the anti-corruption campaign in the military. We have stated our position on that for many times. To have the anti-corruption campaign in the military is to purify the environment in the military and improve the combat effectiveness.

At present, in the entire PLA, we have been emphasizing the building of the fine working style and fighting against corruption. We have focused our efforts on the capability of winning wars and battles. All the officers and men of the PLA have high morale and the combat effectiveness of the troops has been further improved.

With regards to the invitation to foreign heads of state or government to participate in the military parade on September 3, it is communicated by the Chinese Ministry of Foreign Affairs, so I suggest you may ask the ministry for the information.

As to the participation of foreign military personnel in the parade, so far, Russia and several other countries have confirmed their participation. We are also keeping in close contact with the defense ministries and armed forces of relevant countries.

Q: I have two questions. The first is on the military exercises in the South China Sea that were announced, can you give us some details on what's going on there? There have been reports of more than one hundred ships. Can you tell us what kinds of ships are taking part? Are they all military ships or some fishing craft or civilian ships?

My second question is again about the military parade. Can you tell us for sure whether militaries from the U.S., Japan and other Western countries have formally been invited to participate in the military parade?

A:On your first question, recently, the PLA has conducted several military exercises and trainings which are regular arrangements in the annual training plan.

We have noted that recently there have been a lot of comments and interpretations about the military exercises and trainings of the PLA. Some of these comments and interpretations are objective while some are not consistent with the fact.

What needs to be explained is that the military exercises and trainings are effective measures to evaluate and improve the combat effectiveness of the troops. Thank you for paying attention to the routine activities of the PLA. At the same time, we would also like to call our friends to have a normal and objective attitude towards such routine and regular activities of the PLA.

About inviting the foreign militaries to participate in China's military parade, at present, we are still in communication with the foreign defense ministries and armed forces.

It needs to be emphasized that the military parade in September is part of the activities in commemoration of the 70th anniversary of the victory of the Chinese People's War of Resistance against Japanese Aggression and the victory of the world's Anti-Fascist War. The purpose of the military parade is to remember the history, honor the martyrs, cherish peace and create a better future, and to

demonstrate the resolution and capabilities of the Chinese people together with the people in the world to safeguard peace.

Q: There have been reports that three orange-colored buoys were found about 9.6 km away from the Huangyan Islands, with marks showing the name of the Chinese manufacturer. The spokesperson from the Philippine Department of Defense said that it was a matter of concern to find these buoys in the Exclusive Economic Zone of the Philippines. What is the response of the Chinese military on that?

A: I'm not clear about the report by the media. However, if such a report is true, when some people breaks into other people's home and take away the belongings of the owner, that's what a matter of concern is really about.

Q: According to information on the official website of the U. S. Department of Defense, Admiral Harris, commander of the U.S. Pacific Command, said that China is unilaterally changing the status quo of the South China Sea through its land reclamation activities. The construction, in essence, is to serve military purposes and has done great harm to the maritime environment. And the Chinese side denied diplomatic efforts and international arbitration. What is your comment?

And secondly, it is reported that on August 1 which marks the anniversary of the founding of the PLA, the Chinese military will conduct military exercise in the South China Sea. What is the purpose and what will be the subjects of the exercise?

A: We have noticed that recently some high-ranking military and political officials in the U.S. have been making irresponsible remarks on the South China Sea issue. And the Chinese side has made clear its positions and policies in this regard on different occasions.

Here I want to again emphasize the following points: first, the Chinese side has introduced the purpose and function of the construction on the islands and reefs of the South China Sea for several times and the construction work will help the Chinese side better perform its international responsibilities and duties and will help to promote the safety of navigation in this area. And such work also meets very strict environment protection standards and requirements.

The U.S. side disregards and distorts the fact, and plays up "China's military threat" to sow discords between China and China's maritime neighbors in the South China Sea. We firmly oppose such actions.

Secondly, the U.S. side has remained silent on the massive construction activities conducted by some countries such as the Philippines on the illegally occupied Chinese islands and reefs. However, the U.S. made irresponsible accusations against China on the legal activities of China on its own territory. This is typical double standards. We ask the U.S. side to stop such seemingly just but actually hypocritical remarks.

Thirdly, for a long time, the U.S. side has been sending ships and planes to conduct frequent close-in reconnaissance activities against China in the South China Sea region. And recently the U.S. has been further strengthening its military alliance in the region to increase its military presence and conducting frequent joint military exercises. The commander of the U.S. Pacific Fleet even cruised over the South China Sea on a plane, creating tensions in the region and increasing the risk of unexpected incidents in the air space and maritime area of the region. The Chinese side expresses its serious concern on the U.S. activities to militarize the South China Sea region. And such actions taken by the U.S. side would inevitably arouse the question from others -- does the U.S. want nothing but chaos in the region?

Fourthly, the Chinese side has always attached great importance to developing the relations between China and the U.S. and between the two militaries. The relevant people in the U.S. should be prudent and cautious in their remarks and actions, keep their promise of not choosing sides on the sovereignty issue of the South China Sea, and do more things that would help instead of harming the development of the state-to-state and mil-to-mil relations and also the peace and stability of the region.

On your second question, the military exercise which is to be held in the South China Sea is a regular arrangement within the annual training program. It is not directed against any particular country or target.

Q: There have been concerns in Japan that China's oil and gas exploitation facilities in the East China Sea would be used for military purposes. Could you please confirm that whether China has the plan to use such facilities for military purposes in the future?

A: I have answered this question just now. The oil and gas exploitation activities of China in the East China Sea are conducted waters under indisputable Chinese jurisdiction. It is totally a matter within China's sovereignty and jurisdiction. Some people in Japan have been playing up this matter just to find an excuse for them to pass the new security bill. We hope those people in Japan could reflect on their

behaviors in a sober-minded way.

Q: The Chinese military once said that it would further open the defense industry to the private capitals. what is the consideration behind this defense strategy? And what is the progress of the integration of the defense industry with civilian sectors?

A:The civil-military integration has been upgraded to the level of national strategy. It is an important part of the overall in-depth reform which is now going on in China and is a reflection of our efforts to establish fair and open market rules. Its purpose is to promote structural transformation of the economy, to stimulate domestic demand to benefit the society, and to speed up the construction of the national defense and the military.

The relevant work regarding the civil-military integration has been making progress. In April this year, the State Administration of Science, Technology and Industry for National Defense issued the 2015 Specific Action Plan on Civil-Military Integration and clarified 27 key tasks of the civil-military integration.

And also, not long ago, we issued the new defense white paper entitled China's Military Strategy, in which this point was also specially introduced. I suggest you refer to such documents for further information.

Q: During the last press conference, you mentioned that China and Russia were coordinating the second maritime joint military exercise, so can you tell us more information regarding that, such as the place, the subjects and the scale of the military exercise?

Secondly, the Chinese ships from the maritime surveillance authorities, while having their navigations in the waters near the Diaoyu Islands, were intercepted by the Japanese vessels yesterday. At the same time, according to the official information, the Chinese navy recently conducted a series of military exercises in the East China Sea. So does that mean that the East China Sea region has or is becoming the powder keg?

And thirdly, along with the rise of salaries of the public servants in China, will there also be a rise of salaries for the military personnel accordingly?

A:On your first question, according to the consensus between China and Russia, the two militaries will conduct joint military exercise from August 20 to 28 in the Peter the Great Gulf and the areas off the coast of the Clerk Cape, as well as in the airspace and waters of the Sea of Japan.

This exercise is code-named "Joint-Sea 2015-II", and the purpose of the exercise is to consolidate and develop the China-Russia all-round strategic coordination partnership, to deepen the pragmatic and friendly cooperation between the Chinese and Russian militaries, and to enhance the organization and command capabilities and the levels of the two militaries in jointly conducting the joint traffic defense activities and joint landing activities, so as to further enhance their capabilities of jointly coping with maritime security threats.

The subjects of the exercise include the joint air-defense, joint anti-submarine warfare, joint anti-surface warfare and joint defense, etc. During the exercise, the joint landing training and exercise will also be conducted.

The force of the Chinese side participating in the exercise consists of seven naval ships including destroyers, frigates, landing ships and comprehensive replenish vessels, and 5 aircraft including the early-warning plane and fighter jets. The surface vessels, submarines and fixed-wing aircraft from the Russian side will also participate in the exercise. Both sides will also send ship-borne helicopters and marines, etc. to participate in the exercise.

On your second question, China's positions on China-Japan relations and the issue of Diaoyu Islands are very clear to all parties. Either the navigation activities of Chinese maritime surveillance ships which you mentioned, or the exercises conducted by the PLA navy are regular arrangements, and are just and legitimate.

On your third question, the amount of salaries of the military personnel in China is decided according to the unified policy of the government and the development of the economy and society as well as the professional features of the military.

To maintain the salaries of the military personnel at an appropriate level will help reduce the personal concerns and worries of the military personnel and encourage them to better perform their duties and obligations.

In two days time will be the PLA Day which marks the anniversary of the founding of the PLA, and here I would like to take this opportunity to express our congratulations to all our fellow officers and men in the PLA and also to express our gratitude to the friends from all sectors of the society who care and support China's national defense and military development.

Annex 631

This year marks the 70th anniversary of the victory of world Anti-fascist War and the Chinese People's War of Resistance against Japanese Aggression. In this special year, it is even more necessary for us to remember the history, to stay alert while living in peace, and to devote ourselves to building a strong army and safeguard peace.

We will, as always, keep in close communication, exchanges and cooperation with our friends from the press. And we will continue to introduce the Chinese military to the public in an objective manner. Thank you. See you next month.

Editor : Zhang Tao

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Annex 632

Ministry of Foreign Affairs of the People's Republic of China, *Wang Yi Talks about So-Called Freezing Construction of Islands and Reefs in South China Sea* (3 Aug. 2015)



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Wang Yi Talks about So-Called Freezing Construction of Islands and Reefs in South China Sea

2015/08/03

On August 3 local time, Foreign Minister Wang Yi said at request at the press conference held in Singapore that people in the international community often put forward initiatives of one kind or another. However, what is important is that the consensus on these initiatives need to be reached by the directly related parties through equal consultation, and only in this way will these initiatives be feasible. As for the initiative to freeze the construction of islands and reefs of the South China Sea, it was proposed not today, but last year or even earlier, but there has not been any consensus reached up to now. The reason is that all nations have different opinions on what is to be frozen, what is the standard, and who will make the judgment. While this kind of initiative seems to be fair and just, they are not practical and feasible. China has proposed that the precautions of marine risk management and control should be discussed under the framework of the joint working group of the negotiations between China and the Association of Southeast Asian Nations (ASEAN) on the Code of Conduct in the South China Sea (COC). All the related initiatives of all parties can be discussed openly on this platform to see whether they are feasible or can be recognized by everyone.

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- Wang Yi Talks about China's African Policy with Chinese Characteristics
- Wang Yi: Ensure the Success of UN Summits, Maintain World Peace and Promote Global Development



Annex 633

Ministry of Foreign Affairs of the People's Republic of China, *Wang Yi: The Chinese side adheres to five commitments on the South China Sea Issue* (4 Aug. 2015)



Wang Yi: The Chinese side adheres to five commitments on the South China Sea issue

2015/08/04



Foreign Minister Wang Yi said when meeting the press in Singapore on August 3 that the South China Sea issue is not an issue between China and ASEAN, and thus shall not impact the bigger picture of cooperation between China and ASEAN. The South China Sea issue should be put at a proper place in China-ASEAN relations. China and ASEAN have worked out a dual-track approach for the settlement of the South China Sea issue, which requires that countries directly concerned should properly resolve disputes through negotiation and consultation, and that China and ASEAN should jointly uphold peace and stability of the South China Sea. The two sides have also set up mechanisms for the discussion on the South China Sea issue, including the Senior Officials' Meeting on the Implementation of the Declaration on the Conduct of Parties in the South China Sea (DOC) and the Joint Working Group on the consultation over the code of conduct in the South China Sea. These mechanisms are working well, making constant and important progress. The Chinese side will adhere to five commitments on the South China Sea issue, namely peace and stability of the South China Sea, a peaceful solution based on negotiation and consultation, proper management of disputes by rules and mechanisms, freedom of navigation and over-flight in the South China Sea and win-win outcomes through cooperation. Wang Yi stressed that the Chinese side would make unswerving efforts to safeguard the generally stable situation in the South China Sea that does not come easily and would not allow any country to cause chaos in the South China Sea.

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- Wang Yi: Those who sensationalize shall bear the responsibility on the South China Sea issue
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- Wang Yi Expounds Tazara Spirit: Mutual Respect, Tenacity and Perseverance and Selfless Internationalism
- Wang Yi Holds Telephone Talks with Secretary-General Ban Ki-moon of UN



Annex 634

Ministry of Foreign Affairs of the People's Republic of China, *Wang Yi on the South China Sea Issue At the ASEAN Regional Forum* (6 Aug. 2015)



Wang Yi on the South China Sea Issue At the ASEAN Regional Forum

2015/08/06



On 6 August local time, during the Foreign Ministers' Meetings of the East Asia Summit (EAS) and ASEAN Regional Forum (ARF), the Philippine Foreign Minister attacked China on its South China Sea policy and trumpeted the arbitration case against China. The Japanese Foreign Minister supported the Philippines and claimed that artificial land features do not generate legal rights and interests. Foreign Minister Wang Yi made an impromptu response by comprehensively elaborating China's position and refuting the groundless accusations from the Philippines and Japan.

The following are Wang Yi's remarks: At both the EAS Foreign Ministers' Meeting in the morning and the ARF Foreign Ministers' Meeting, the South China Sea issue has been raised by some countries. Therefore, it is necessary for China to get the facts out and set the record straight so as to win the understanding and support from various parties.

First, the situation in the South China Sea is stable on the whole, and there is no possibility of major conflicts. China therefore objects to any non-constructive words or deeds that attempt to exaggerate the disagreements, hype up confrontation and heat up tensions, which do not conform to reality.

China also has a stake in the freedom of navigation in the South China Sea. The majority of Chinese cargo are shipped through the South China Sea, so freedom of navigation in the South China Sea is equally important to China. China always maintains that countries enjoy freedom of navigation and overflight in the South China Sea in accordance with the international law. Up to now, there has not been a single case in which freedom of navigation in the South China Sea is impeded. China stands ready to work with other parties to continue to ensure freedom of navigation and overflight in the South China Sea.

As for the disputes on Nansha islands and reefs, this is a long-standing issue. The South China Sea Islands are China's territory. There is a history of two thousand years since China discovered and named the islands in the South China Sea. This year marks the 70th anniversary of the victory of the Second World War. Seventy years ago, pursuant to the Cairo Declaration and the Potsdam Proclamation, China lawfully recovered the Nansha and Xisha Islands which were illegally occupied by Japan and resumed exercise of sovereignty. As a matter of fact, the military vessels China used in recovering the islands were provided by the United States, an Allied Nation. This historical fact must have been recorded in the archives of the countries you represent. It was not until the 1970s when there were reports about oil under the South China Sea that some countries began to invade and occupy Nansha islands and reefs, undermining China's lawful rights and interests. According to international law, China has the right to defend its sovereignty, rights and interests, and China has the right to prevent the repeat of such illegal moves as encroaching upon China's lawful rights and interests.

The delegate of the Philippines mentioned the South China Sea issue, but he fell short of speaking out the truth. For instance, the Philippines claimed that the Huangyan Island and the relevant islands and reefs of Nansha belong to it. But that is not true. The fact is, according to the Treaty of Paris in 1898, the Treaty of Washington in 1900 and the Convention Between the United States and Great Britain of 1930 which defined the territory of the Philippines, the western boundary of the Philippines is delimited by 118 degrees east longitude. The Huangyan Island and Nansha Islands are completely to the west of 118 degrees east longitude. They are not the Philippines' territory. After the Philippines gained independence, the domestic law of the Philippines, and the relevant treaties concluded by the Philippines all accepted the legal force of the three treaties mentioned above, and confirmed the scope of its territory to be limited by 118 degrees east longitude. Nevertheless, after the 1970s, the Philippines staged four military operations and illegally invaded and occupied eight islands and reefs of China's Nansha Islands. This is what is at the bottom of the territorial dispute between China and the Philippines.

Another example is that in 1999, the Philippines illegally "stranded" an old warship on the Ren'ai Reef, which is part of China's Nansha Islands. When China made representations, the Philippines claimed that it could not tow the warship away due to "the lack of spare parts". Later, the Philippine side indicated to the

Chinese side that it would not be the first country to violate the Declaration on the Conduct of Parties in the South China Sea (DOC). Now 15 years have passed and the old warship has already become extremely rusty. The Philippines, instead of keeping its promise of removing the warship, has publicly stated that it had stealthily transported cement and other building materials to the warship in order to reinforce the installation. On 14 March, the Department of Foreign Affairs of the Philippines admitted that the very purpose of grounding the warship on the Ren'ai Reef was to occupy it. The Philippines has exposed its own lie of 15 years and failed to fulfill its own commitment. What international credibility is there in the conduct of the Philippines?

Just now, the delegate of Japan also mentioned the South China Sea issue and claimed that all artificial land features cannot generate any legal rights. But let's first have a look at what Japan has done. Over the past years, Japan spent 10 billion yen building the Rock of Okinotori, turning this tiny rock on the sea into a man-made island with steel bars and cement. And on that basis, Japan submitted its claim to the United Nations over the continental shelf beyond the 200-nautical-mile exclusive economic zone. The majority members of the international community found Japan's claim inconceivable and did not accept it. So before making comments on others, Japan had better first reflect on what itself has said or done. China is different from Japan. Our claim over rights in the South China Sea has long been in existence. We don't need to strengthen our position through land reclamation.

In fact, China is a victim on the South China Sea issue. Yet, with a view to upholding peace and stability in the South China Sea, we have exercised utmost restraint. Here is China's basic proposition: we seek to peacefully resolve disputes through negotiation and consultation on the basis of respecting historical facts and in accordance with international law, including the United Nations Convention on the Law of the Sea (UNCLOS). This position will not change. Through friendly consultations, China and ASEAN countries have developed a full set of mechanisms to properly handle the South China Sea issue. First, the issue shall be resolved through a dual-track approach, which means specific disputes should be addressed peacefully by parties directly concerned through consultation and negotiation. This is stipulated in Article 4 of the DOC, and it is also a joint commitment by China and the 10 ASEAN countries. The dual-track approach also means that peace and stability in the South China Sea shall be jointly upheld by China and ASEAN countries. I would like everyone to know that China and ASEAN are fully capable of maintaining peace in this body of water. Second, the parties shall implement the DOC in good faith and work toward a Code of Conduct (COC) through consultation. Now, smooth progress has been made in implementing the DOC, and COC consultation is also moving forward. In less than two years since the beginning of the consultation, we have already adopted two lists of commonalities, started consultation on "crucial and complex issues", and agreed to establish two hotline platforms which will be up and running soon. Third, China has taken the initiative to propose the formulation of "preventive measures on managing perils at sea". On this new platform, various parties may put forward proposals and ideas for discussion. If consensus is reached, action may follow.

Speaking of proposals, the US side recently proposed "three stops". But in our view, the US proposal is not feasible. For instance, what is to be stopped? As parties have different positions, what are the criteria for stopping? Who will set the specific criteria? There is no answer to these questions. That said, China still welcomes constructive suggestions from all countries on maintaining peace and stability in the South China Sea. But such suggestions must be feasible and, more importantly, should not impose double standards.

As for the land reclamation in the South China Sea which is of interest to some countries, it is nothing new and does not start with China. In other words, people have been bringing changes to the "status quo" all these years. It was only recently that China, for the first time, carried out certain construction on some stationed islands and reefs in the Nansha Islands in order to improve the working and living conditions of personnel there. In the process, we have enforced strict environmental standards. At the end of June, China announced the completion of land reclamation. Next, we will build facilities mainly for public good purposes, including multi-functional lighthouse, search and rescue facilities for maritime emergencies, meteorological observatory station, maritime scientific and research center, as well as medical and first aid facilities. China stands ready to open these facilities to other countries upon completion. As the largest littoral state in the South China Sea, China has the capability and obligation to provide regional countries with these much needed public goods at sea.

At the EAS Foreign Ministers' Meeting and the ARF Foreign Ministers' Meeting, the Philippines twice mentioned the South China Sea arbitration case in an attempt to smear China. I wish to make a rebuttal by facts. First, to settle disputes through direct negotiation and consultation by countries directly concerned is what the UN Charter encourages and a common international practice. More importantly, it is also the explicit provision of the DOC. That is why China always proposes bilateral dialogue with the Philippines, which is still valid today. However, up till the present moment, the Philippines has stubbornly rejected our proposal. The Philippine response is very unusual. Normally, before international arbitration proceedings are initiated, consensus would have been reached among countries concerned. However, in this case, the Philippines neither informed China beforehand nor sought China's consent. Instead, it chose to unilaterally go ahead with the arbitration. China finds such an action hard to understand except that the Philippines is pursuing a hidden agenda. The Philippines should have known that as early as in 2006, China made a declaration in accordance with Article 298 of the UNCLOS to exclude such disputes from arbitration, which is a lawful and legitimate right of China. The Philippines knew only too well that China would never accept arbitration on this matter, yet it insisted on pursuing the so-called arbitration with no regard to Article 4 of the DOC and its earlier agreement with China to settle dispute through bilateral channels. So why did it do this? There can be only one explanation, that is, it wants to provoke confrontation with China. But, will such practice by the Philippines solve the problem once and for all? Does it serve the fundamental interests of the Philippines and its people? I think the answer is "No". People of the Philippines deserve the truth, and the future of the Philippines should not be held hostage by a tiny number of individuals. China advises the Philippines not to go further down the dead alley. China's door is still open for the Philippines to have dialogue with us. After all, our two countries are inseparable neighbors. We advise you to return to the right track. I believe that as long as both sides get down to serious talk, we will eventually find a solution.

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Annex 635

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hua Chunying's Remarks on the Release of the Transcript of the Oral Hearing on Jurisdiction by the South China Sea Arbitral Tribunal Established at the Request of the Philippines* (24 Aug. 2015)



Foreign Ministry Spokesperson Hua Chunying's Remarks on the Release of the Transcript of the Oral Hearing on Jurisdiction by the South China Sea Arbitral Tribunal Established at the Request of the Philippines

2015/08/24

Q: The South China Sea Arbitral Tribunal established at the request of the Philippines recently released the Transcript of the Oral Hearing on Jurisdiction. What is China's comment on that?

A: The Chinese side has consistently expounded its position of neither accepting nor participating in the South China Sea arbitration unilaterally initiated by the Philippines. This position is solidly grounded in international law and will not change. On 7 December 2014, the Chinese Ministry of Foreign Affairs was authorized to release the Position Paper of the Government of the People's Republic of China on the Matter of Jurisdiction in the South China Sea Arbitration Initiated by the Republic of the Philippines. This Paper pointed out that the Arbitral Tribunal established at the request of the Philippines has no jurisdiction over the case and elaborated on the legal grounds for China's non-acceptance and non-participation in the arbitration.

It should be emphasized that there has been a long-standing agreement between China and the Philippines on resolving their disputes in the South China Sea through negotiations and consultations. Under the Joint Statement between the People's Republic of China and the Republic of the Philippines concerning Consultations on the South China Sea and on Other Areas of Cooperation, issued on 10 August 1995, both sides "agreed to abide by" the principles that "[d]isputes shall be settled in a peaceful and friendly manner through consultations on the basis of equality and mutual respect"; that "a gradual and progressive process of cooperation shall be adopted with a view to eventually negotiating a settlement of the bilateral disputes"; and that "[d]isputes shall be settled by the countries directly concerned without prejudice to the freedom of navigation in the South China Sea".

Furthermore, the commitment of China and the Philippines to resolve relevant disputes through negotiations and consultations has also been reaffirmed in such a series of bilateral documents as the Joint Statement of the China-Philippines Experts Group Meeting on Confidence-Building Measures of 1999, the Joint Statement between the Government of the People's Republic of China and the Government of the Republic of the Philippines on the Framework of Bilateral Cooperation in the Twenty-First Century of 2000, the Joint Press Statement of the Third China-Philippines Experts' Group Meeting on Confidence-Building Measures of 2001, the Joint Press Statement between the Government of the People's Republic of China and the Government of the Republic of the Philippines of 2004, and the Joint Statement between the People's Republic of China and the Republic of the Philippines of 2011 etc..

On 4 November 2002, China, together with the ASEAN Member States, including the Philippines, jointly signed the Declaration on the Conduct of Parties in the South China Sea (DOC). Paragraph 4 of the DOC explicitly states that, "The Parties concerned undertake to resolve their territorial and jurisdictional disputes by peaceful means ... through friendly consultations and negotiations by sovereign states directly concerned, in accordance with universally recognized principles of international law, including the 1982 UN Convention on the Law of the Sea (UNCLOS)."

Besides, China in 2006 made, in accordance with Article 298 of the UNCLOS, a declaration, which excludes disputes concerning maritime delimitation, historic bay or titles, military activity and law enforcement activities in regard to the exercise of sovereign rights or jurisdiction, from compulsory arbitration and other compulsory dispute settlement procedures.

The Philippines' unilateral submission of the relevant disputes to compulsory arbitration, in breach of the consensus repeatedly reaffirmed with China as well as its undertaking in the DOC and in disregard of the fact that the core of the disputes between China and Philippines lies in the disputes over territorial sovereignty and the overlapping of maritime rights and interests, constitutes a violation of international law, an abuse of international legal procedure, and a severe infringement upon the legitimate rights that China enjoys as a sovereign state and a State Party to the UNCLOS. The Philippines' unilateral initiation and obstinate pushing forward the arbitral proceeding, in an attempt to negate China's territorial sovereignty and maritime rights and interests in the South China Sea and to pressure China into making compromises regarding the relevant matters, is not only a pipe dream and will lead to nothing, but also will jeopardize the integrity of the UNCLOS and seriously undermine the order of international maritime law.

China urges the Philippines to respect China's right, which is endowed by international law, of choosing means of dispute settlement, and return to the right track of resolving relevant disputes in the South China Sea through negotiations and consultations.

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Annex 636

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Minister Wang Yi's Remarks at the Lanting Forum: For China-US Friendly Cooperation, For Global Peace and Development* (16 Sept. 2015)

For China-US Friendly Cooperation, For Global Peace and Development

2015/09/16



By Foreign Minister Wang Yi
At the Lanting Forum

Members of the Diplomatic Corps,
Dear Friends,

Good Afternoon, and welcome to the Lanting Forum.

In a week's time, President Xi Jinping will visit the United States upon invitation and attend a series of summits commemorating the 70th anniversary of the founding of the United Nations. This will be President Xi's first state visit to the United States and his first visit to the UN headquarters. The visit will attract great attention from people in China, the United States and the wider international community. Taking place at this special year of the 70th anniversary of the victory of the World Anti-Fascist War and the founding of the United Nations, it thus takes on greater historical significance. President Xi's visit is aimed to enhance friendly cooperation between China and the United States and contribute to global peace and development. It will surely be a major milestone for China-US relations and world peace and development.

Distinguished Guests,
Dear Friends,

China and the United States face each other across the Pacific Ocean. The history of exchanges between the two countries may not be long, but it has many important moments and memorable events.

About 150 years ago, tens of thousands of Chinese crossed the vast ocean and arrived in the United States. They became builders of the railway across North America, and many of them even gave their lives. What they did helped build America in the early years, and their contribution will be long lasting.

Over 70 years ago, facing the scourge of fascism, China and the United States joined each other in the just cause for peace and, standing alongside other peace loving countries in the world, won the victory in the war that determined the future of mankind.

More than 40 years ago, leaders of China and the United States, with extraordinary courage and vision, made the handshake across the vast Pacific Ocean. It put an end to years of no contact between the two countries and opened the door to normalization of relations and establishment of diplomatic ties between the two countries.

Two years ago, President Xi Jinping and President Obama had their historic meeting in Sunnylands, California. They agreed to build a new model of major country relations. A new chapter was opened in the history of China-US relations.

History sheds light on the future, and the future depends on what direction we shall take. President Xi's state visit will be a historic opportunity for China and the United States to review the past, examine the present and chart the course for the future.

As we endeavor to grow China-US relations, we may draw inspiration from the countless stories of Chinese and Americans working together hand-in-hand, from the journey that China-US relations have traveled and more generally, from the overall trend of history. Our goal is to ensure sound and steady growth of China-US relations and deliver more tangible results in the building of a new model of major country relations.

Since President Obama extended the invitation to President Xi for a state visit, the two sides have been making careful preparations for this historic visit. I wish to use today's opportunity to brief you on the priorities and highlights of the visit. I have the following four thoughts to share with you.

First, President Xi's visit will help enhance trust and reduce misgivings between China and the United States. China is the biggest developing country and the United States the biggest developed one. Relations between the two countries go far beyond the bilateral context and take on a global strategic implication. China and the US working together benefits both countries and the world at large. Frictions in relations undermine both countries' interests and affect the wider world.

China and the US are both aware of the important responsibilities on their shoulders. The two countries have in recent years maintained high-level exchanges, and opened more channels of communication. Over 90 intergovernmental dialogue and cooperation mechanisms have been set up. President Xi's visit this year will be the third visit exchanged between the two presidents in the past three years. It shows just how much both sides value this relationship and how much willing both sides are to deepen mutually beneficial cooperation. At the same time, we must recognize that the different history, culture, social system and development stage make it just natural for China and the United States to have differences and disagreements. As the relations continue to grow, there may be more questions and challenges for the two countries to handle. What is important is for both sides to maintain strategic communication, increase strategic trust, dispel strategic misgiving and avoid strategic miscalculation. That is why I believe that to build trust and reduce misgiving will be one focus of President Xi's visit to the United States.

While in the United States, President Xi will hold talks with President Obama and meet with people both in and outside the government. These will be occasions for President Xi to explain China's concept of peaceful development and win-win cooperation, and to relate to the American people the importance of having China-US cooperation, not confrontation. They will also be opportunities to address US concerns about possible conflict with China regarding the current international system and order in the Asia-Pacific. We hope that the two sides will use such opportunities to reaffirm their respective development direction and strategic intentions, their growing common interests and their common responsibility for peace, stability and development.

I wish to reaffirm here that China is a staunch supporter of the current international order.

Seventy years ago, fighting against fascism alongside people of other countries and suffering a casualty of 35 million people, China achieved victory in the war for peace and became a founding member of the United Nations and a permanent member of its Security Council. Later, with 22 years of persistence and thanks to the support of other developing countries, China's lawful seat at the United Nations was restored. And by surmounting obstacles through 15 years of negotiations, China joined the WTO. China is now party to almost all intergovernmental organizations and has acceded to over 400 international multilateral treaties. A growing number of Chinese nationals are working on important posts in international agencies. China is now a major player and supporter of the current international order and system. There is no reason why China should challenge the international order that is based on the victory against fascism. And there is no incentive for China to overturn the international system, in which it is a full member.

Of course, the international order and system also need to keep abreast of the times. It should go through reforms and be adaptive to development and progress in international relations. It should better reflect the legitimate call of developing countries and better enable countries to address emerging global challenges. China will work with other countries and play its due part in making the international order and system more just and equitable.

China is also a staunch supporter of peace and development in the Asia-Pacific region.

Asia is key to China's development and prosperity. The United States is a global power as well as an important member of the Asia-Pacific. China and the United States both have major responsibility for peace and prosperity in the region, where they share growing common interests. Positive interaction and mutually beneficial cooperation between China and the US in the Asia-Pacific are absolutely possible and necessary. It serves the need of both countries and meets the expectation of other countries in the region.

China is committed to good neighborliness and a neighborhood diplomacy of amity, sincerity, mutual benefit and inclusiveness. China's development is not about moving the cheese of others. It is about making the pie bigger for win-win cooperation so that more countries could stand to benefit. China's goal is not to create spheres of influence but to build communities of common interests and shared future. By putting forward initiatives such as building the Silk Road Economic Belt and the 21st Century Maritime Silk Road, China does not intend to seek dominance over regional affairs but to offer more development opportunities to other countries. And China's proposal on the Asian Infrastructure Investment Bank is not meant to start something new, but to improve the existing financial system and remove bottlenecks for financing in the region. The necessary construction activities by China on its own islands and reefs in the South China Sea are not directed against anyone. Rather, they are designed to improve logistic conditions on the islands and reefs and enable China to fulfill its international obligation as the largest littoral state of the South China Sea.

I wish to reiterate that the Nansha Islands are China's territory. This is backed by historical and legal facts. It is simply understandable for a sovereign country to uphold its own territorial sovereignty and prevent its legitimate rights and interests from being undermined. At the same time, China is committed to finding peaceful solution to disputes through dialogue and consultation on the basis of international law. China is committed to advancing COC consultations toward early agreement and to rule-based and proper management of differences. China is committed to peace and stability in the South China Sea and to freedom of navigation and overflight by all countries in accordance with law. These are China's positions that will stay unchanged.

Efforts to enhance trust and reduce misgivings between China and the US are aimed to promote sound growth of bilateral relations and deepen win-win cooperation between the two sides at the regional and global levels.

We believe that as long as China and the United States could work to enhance mutual respect and hold firm to the bottom line of no conflict and no

confrontation, it will lay the ground work for even greater progress in win-win cooperation.

We hope China and the US could work together to uphold the UN-centered international order and international system. Both countries could act as strong supporters of the norms governing international relations that are based on the purposes and principles of the UN Charter.

Secondly, President Xi's visit will focus on cooperation between China and the United States. Over 200 years ago, a US merchant ship loaded with specialties arrived in China. That marked the beginning of trade between the two countries. Within the past decades following the establishment of diplomatic ties, bilateral trade had grown from nothing to 555.1 billion US dollars. Two-way investment increased from almost zero to more than 120 billion US dollars. Chinese companies made direct investments in 45 US states in growing amounts. China-US interaction and cooperation in international and regional affairs continued to expand. Such cooperation included hotspot issues like the Iranian nuclear issue, the Korean nuclear issue, the question of Afghanistan, as well as global challenges ranging from climate change and counter-terrorism to peace-keeping and poverty reduction and development. It is fair to say that the all-dimensional and strategic cooperation between China and the US has provided new drivers to boost not just bilateral relations, but also the cause of global peace and development.

President Xi's visit will take China-US cooperation to a new level. The two sides are expected to reach important agreement in economy and trade, energy, people-to-people exchange, climate change, environmental protection, finance, science and technology, agriculture, law enforcement, defense, aviation and infrastructure development. A large number of cooperation agreements that will have far-reaching impacts will be signed. The two sides will have in-depth exchange of views and step up coordination and cooperation on regional and international hotspot issues. This visit will expand the scope of common interests and add more substance to the new model of major country relations between the two countries.

The two sides will endeavor to bridge differences and strive for new and important progress in BIT negotiations, which will open up new prospects and create new sources of growth for China-US cooperation.

The two sides will work together to deepen economic cooperation and trade, and set higher and more ambitious targets for two-way trade and investment.

The two sides will expand cooperation on climate change and, while adhering to their respective basic positions, push forward multilateral negotiations to fulfill their due responsibilities as major countries in the world.

The two sides will have a deep-going discussion on the current global economic and financial situation, and step up communication and coordination on domestic economic policies. We expect a positive signal to be sent by the two sides that they will work together in real earnest to uphold stability and growth of the global economy.

The two sides will actively advance development cooperation that is based on the consent and participation of third countries. They may tap their respective strengths to contribute to balanced global development and attainment of the UN post-2015 development goals.

The two sides will step up dialogue on cyber issues, work together to combat all forms of cyber-crimes according to law, uphold cyber security and carry out cooperation in cyberspace. They could both play a constructive role and jointly make global cyberspace peaceful, secure, open and cooperation-oriented.

The two sides will step up cooperation on a broad range of regional and international issues, such as cooperation in the Asia-Pacific, implementation of the Iranian nuclear agreement, counter-terrorism, law enforcement, denuclearization of the Korean Peninsula, global governance, international peacekeeping, wildlife protection, and humanitarian assistance and disaster relief. This will underline the two sides' commitment to world peace, stability and development.

Thirdly, President Xi's visit will be a people-first visit. China-US friendly relations are powered by the people, and rooted in the people. Forty-four years ago, the visit of the US table tennis team to China opened a new chapter in China-US friendly relations and contacts. Reform and opening up in China led to a new wave of thriving exchanges among the people and regions of the two countries.

Today, the two countries have established 43 sister province/state relations and 200 sister city relations. Last year, about 4.3 million mutual visits were made across the Pacific, and there is a flight between the two countries every 17 minutes. The number of students studying in each other's country has exceeded 500,000. China and the US are now each other's No.1 and No. 2 sources of international students. More than 100,000 American students have studied in China and more than 10,000 American scholars and academics have made exchange visits to China. The US is now home to 100 plus Confucius Institutes and hundreds of thousands of American school graders are studying Chinese. Last year, during the meeting of the two presidents in Beijing, the two sides announced reciprocal visa arrangements for business, tourism and study purposes. This went a long way to promoting people-to-people exchanges and was warmly welcomed by the people of both countries.

A major highlight of President Xi's visit to the US will be his extensive outreach to the American people.

President Xi's visit will start from Seattle on the west coast where he will meet people from all walks of life. Throughout the visit, President Xi will devote a lot of time to reaching out to people in American cities and states, the business community, friendly groups, and a broad cross-section of American society. The President will deliver speeches to the general public, hold meetings with representatives of business leaders and have cordial exchanges with school faculties and students. The two sides will also announce a series of major measures, which will bring some further good news to students, tourists and other people traveling between the two countries. President Xi's visit will generate a new wave of interest in China and take people-to-people exchange to new heights.

Let me add that China's sustained development and growing cooperation between the two countries in economic, trade and other fields will continue to benefit the two peoples and make a tangible difference for them. For instance, in trade and investment, it is estimated that by 2022, China will become the world's biggest importer and China and the US are on track to becoming each other's biggest trading partner. US export to China is expected to surpass 530 billion US dollars and generate more than 3.34 million new jobs. According to the China-United States Exchange Foundation, by 2020, China's investment in the US will reach 200 billion US dollars and create 4 million new jobs for US workers.

Fourthly, President Xi's visit will be future-oriented. During the visit, the two sides will not only take stock of the past and enhance mutual trust, but more

importantly, they will work together to articulate a vision for the future.

China and the US are two permanent members of the UN Security Council and the world's biggest and second biggest economies. The direction of China-US relations not only concerns the vital interests of the two peoples, but also bears on the future of the Asia-Pacific and the whole world. Therefore, many countries will follow the visit closely, hoping to understand more about China's development orientation in the future and get clues for reasonable expectation for China-US relations. They will be looking for signals on whether the two countries are competing or cooperating, and whether they will live together in peace or get stuck in friction or even confrontation.

President Xi will bring a clear message to the government and people of the United States and to people of the world. That is, China, a big country in the East with a 5000-year-old civilization, will continue to follow the path of socialism with Chinese characteristics, its independent foreign policy of peace and the win-win strategy of opening-up. What China stands for is peaceful development, not hegemony; greater democracy in international relations, not power politics; win-win cooperation, not zero-sum game; and a right approach to interests and principles, not a pursuit for selfish interests. Following its comprehensive four-pronged strategic agenda, China is committed to continuing reform and opening-up, improving rule of law and fostering a more mature market. This will certainly open up broader prospects for cooperation with the United States and the rest of the world.

American leaders have emphasized many times that they welcome a strong, prosperous and stable China which plays a bigger role in international and regional affairs. We hope the US will match this important statement with concrete actions and follow it earnestly in its interactions with China. We hope people could hold such expectations that whatever changes at home, both sides will stay on the track of building a new model of major country relationship; whatever problems that may crop up in the relationship, both sides will respect each other, enhance trust and reduce misgivings and seek common ground while removing differences to maintain healthy and steady growth of the bilateral relationship; and whatever issues and challenges the international community might confront, the two sides will strengthen cooperation to safeguard world peace and promote development of mankind.

Diplomatic Envoys, Dear Friends,

This year is the 70th anniversary of the victory of the world anti-fascist war and the founding of the United Nations, and will also witness the adoption of the post-2015 development agenda. Seventy years ago, the founding of the UN opened a new page in the history of international relations. Peace and development of mankind has since made profound progress, though daunting challenges still exist. During this visit, President Xi will join leaders of other countries at the UN Headquarters to renew the spirit of the UN Charter and galvanize the synergy of the "united nations" into action to further promote peace and development of mankind.

China was directly involved in the historical process of the founding of the UN and was the first country to sign on the UN Charter. China has worked actively for the settlement of major hot-spot issues in the world. It has sent a total of over 30,000 military personnel, police and civilian personnel to UN peacekeeping missions, which makes it the largest contributor of peacekeepers among the permanent members of the Security Council. Some young Chinese laid down their lives for peacekeeping. Having lifted 500 million people out of poverty, it is among the first countries to attain the development goals set by the UN. China is also the top performer in attaining the Millennium Development Goals.

President Xi's visit to the UN will focus on peace and development and the building of a new type of international relations featuring win-win cooperation. At the high-level UN events, he will, on behalf of China, put forward initiatives to contribute to the advancement of the welfare of the "peoples of the United Nations".

China will join other countries in exploring new visions for international relations. The world has changed so much since the UN was founded 70 years ago. Today, it is necessary to think about what kind of international relations can better reflect the spirit of the UN Charter and adapt to the needs of the current international community.

At the end of last year, President Xi put forward the vision of building a new type of international relations featuring win-win cooperation. This vision means, first and foremost, to carry forward the purposes and principles of the UN Charter, and is also an innovation beyond traditional international relations and a source of inspiration to the international community. During this visit, President Xi will give a comprehensive elaboration about this new vision for the first time at the UN Headquarters. He will also outline, in a systemic way, the path towards a community of shared future for mankind, thus offering new ideas and visions for the development of international relations.

China will work with other countries to lend new impetus to world peace. Peace is the foundation for human survival, while justice is what world peace is built upon. The common understanding and conclusions about the tragic history of the world anti-fascist war represent a red line that cannot be crossed. There must be no confusion on this matter of principle in the international community.

Not long ago, China commemorated the 70th anniversary of the victory of the Chinese People's War of Resistance Against Japanese Aggression and the World Anti-Fascist War. The purpose was to learn from history and embrace a future where justice and peace prevail. At the high-level events marking the 70th anniversary of the founding of the UN, President Xi will review, together with other state leaders, mankind's arduous journey in pursuit of peace, outline China's principled positions on major and immediate international issues and announce important measures China will take to support the UN which will demonstrate China's commitment to shoulder its responsibilities and uphold world peace. President Xi will also expound on the principles that guide China's active support to and participation in UN peacekeeping missions and express China's willingness to contribute to the UN efforts in fulfilling its mandate of peace and security.

China will work together with other countries to draw a new blueprint for global development. The UN Sustainable Development Summit will put international development on a new journey. The international community looks forward to a Summit that will set ambitious development goals, boost global confidence for development, promote global development partnership and allow more developing countries to benefit from global development.

At the Summit, President Xi will take part in the discussions on how to promote global development, expound on the vision of equitable, open, all-round and innovation-driven development, and put forward new initiatives for greater international development cooperation for ensuring a good start for the post-2015 development agenda. President Xi will chair the High-level Roundtable on South-South Cooperation to be co-hosted by China and the UN. He and leaders of other developing countries will review past experience, plan for the future, and formulate an action plan for deepening South-South cooperation in the world of today, aiming to bring South-South cooperation to a new height. This year marks the 20th anniversary of the World Conference on Women in Beijing. China and the UN have put forward a joint initiative of convening a Global Leaders' Meeting on Gender Equality and Women's Empowerment, which has received warm responses from many member states. This will be the first time that commitment is made at the leaders' level on issues concerning women worldwide, which will open a new historical chapter for the empowerment of women. President Xi will also attend an event on climate change where he will have in-depth discussions with leaders from other countries on ways to address climate change and realize sustainable development.

Diplomatic Envoys,

Dear Friends,

As a Chinese saying goes, the fire burns high when everybody brings wood to it. We believe that President Xi's visit to the United States and the United Nations will surely strengthen the bonds of friendship and cooperation between China and the US, advance world peace and development and open up a better future for China-US relations and mankind!

Thank you.

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Annex 637

Greg Torode, “China’s island airstrips to heighten South China Sea underwater rivalry”, *Reuters* (17 Sept. 2015)

China's island airstrips to heighten South China Sea underwater rivalry

HONG KONG | BY GREG TORODE



China's apparent construction of a third airstrip on its man-made islands in the disputed South China Sea could fill a gap in Beijing's anti-submarine defenses, complicating operations for the U.S. Navy and its allies, Chinese and Western experts said.

While most attention has been on the power projection China would get from its new islands in the Spratly archipelago, China could also use them to hunt rival submarines in and beyond the strategic waterway, they said.

Possessing three airstrips more than 1,400 km (870 miles) from the Chinese mainland would enable Beijing to extend the reach of Y-9 surveillance planes and Ka-28 helicopters that are being re-equipped to track submarines, the experts added.

A Pentagon report in May noted China lacked a robust anti-submarine warfare capability off its coastline and in deep water.

Strengthened anti-submarine capabilities could also help China protect the movements of its Jin-class submarines, capable of carrying nuclear-armed ballistic missiles and which are at the core of China's nuclear deterrence strategy, said Zhang Baohui, a mainland security specialist at Hong Kong's Lingnan University.

"That would provide greater security for China's nuclear submarines to survive ... and if necessary to execute their orders in wartime," Zhang told Reuters.

"They would be safer than in open oceans where China cannot provide adequate support."

The artificial islands, built on seven reefs over the last two years, will be high on the agenda when Chinese President Xi Jinping has talks with President Barack Obama in Washington next week.

Washington has criticized the reclamation and construction.

China, increasingly confident about its military firepower, has repeatedly stressed it has "indisputable sovereignty" over the entire Spratlys, saying the islands would be used for civilian and undefined military purposes.

Foreign Minister Wang Yi on Wednesday said "necessary" construction work would improve conditions on the islands.

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TRIANGLE OF AIRSTRIPS

Satellite photographs show construction is almost finished on a 3,000-metre-long (10,000-foot) airstrip on Fiery Cross Reef.

Recent images showed Subi Reef would also have a 3,000-metre airstrip, Greg Poling, director of the Asia Maritime Transparency Initiative at the Center for Strategic and International Studies think tank in Washington, said on Monday.

Poling, citing images taken last week, said China also appeared to be doing preparatory work for an airstrip on Mischief Reef.

Together, the three islands form a rough triangle in the heart of the Spratlys, where the Philippines, Vietnam, Malaysia, Brunei and Taiwan all have competing claims.

While a noisy and relatively shallow operating environment for submarines, the South China Sea has several deep water channels giving access to the Indian and Pacific oceans.

Asked if Washington was concerned the airstrips would enhance China's anti-submarine capabilities, a Pentagon spokesman, Commander Bill Urban, said the United States was monitoring events in the South China Sea.

In a speech on Wednesday, U.S. Defense Secretary Ash Carter said the United States would "fly, sail, and operate wherever international law allows".

"Turning an underwater rock into an airfield simply does not afford the rights of sovereignty or permit restrictions on international air or maritime transit," Carter told a U.S. Air Force conference.

One mainland-based naval analyst said China was trying to improve sonar and other detection equipment carried aboard its Y-9 patrol planes and Ka-28 helicopters.

China was also expected to put detection devices on the seabed around the new islands, creating "an electronic gateway", he added.

NUCLEAR DETERRENCE

Zhang has previously said ballistic missile submarines are more important for China's nuclear deterrent than other powers given Beijing's policy, dating back to the 1960s, of only using nuclear weapons if attacked with them first.

This means China's land-based weapons would be vulnerable to a first strike if Beijing stuck to its "no first use" policy in a conflict.

Chinese media and international military blogs this year have shown photographs of Jin-class submarines operating from a naval base on Hainan Island off southern China.

It's unclear if they have been armed with long-range JL-2 nuclear ballistic missiles.

The Pentagon report said four Jin-class submarines were operational, with a fifth expected to be added.

"China will likely conduct its first (submarine) nuclear deterrence patrol sometime in 2015,"

the report said.

The importance of that deterrence means China is likely to eventually impose an Air Defence Identification Zone (ADIZ) over part of the South China Sea, security experts say, mirroring its declaration of such a zone over the East China Sea in late 2013.

In a return to Cold War-style cat-and-mouse operations undersea, rival submarines were already trying to track each other, said Western and Asian naval officers with experience of anti-submarine warfare.

They said the United States would be trying to identify and track individual Chinese submarines, just as it stalked then-Soviet Union missile submarines across the Pacific and Atlantic oceans during the Cold War.

Japan's ultra-quiet diesel-electric submarines were also increasingly active while, over time, Vietnam's emerging fleet of advanced Russian-built Kilo-class submarines would be another headache for China.

"We're looking at them, and now increasingly they are looking at us," one retired Asian-based naval officer said of China's growing undersea operations.

(Reporting by Greg Torode in HONG KONG; Additional reporting by David Brunstrom and Andrea Shalal in WASHINGTON; Editing by Dean Yates)



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Annex 638

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on September 18, 2015* (18 Sept. 2015)



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Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on September 18, 2015

2015/09/18



Q: According to media reports, the US has for the first time repatriated Yang Jinjun, who is on a “red notice” list of 100 most-wanted Chinese fugitives abroad, back to China. How do you comment on the China-US cooperation on combating cross-border corruption crimes?

A: Under the coordination of the Fugitive Repatriation and Asset Recovery Office of the Central Anti-Corruption Coordination Group as well as the close cooperation of judicial, law enforcement and foreign affairs departments of China and the US, Yang Jinjun, a suspect of corruption and bribery who fled to the US 14 years ago, was repatriated to China on September 18. This is another important progress of the special task force on combating job-related crimes, pursuing fugitives and recovering illicit assets since the “sky net” campaign was carried out, and also the first time that the US repatriated to China personnel on the released list of 100 wanted fugitives.

The repatriation of Yang Jinjun signals that China is getting more international support and assistance on our efforts to combat corruption, pursue fugitives and recover illicit assets overseas. We will hold all the corrupted accountable no matter how far and how long they flee.

Over the years, judicial and law enforcement departments of China and the US have taken positive steps to implement the political consensus reached by the two leaders, and worked in unison to fight against transnational corruption crimes. The repatriation of Yang Jinjun is a notable outcome of China-US law enforcement cooperation on anti-corruption, and lays solid foundation for further bilateral cooperation in this area. We commend the cooperation of the US side. Looking forward, we will proceed the cooperation with relevant countries and jointly combat transnational corruption crimes.

Q: Japan’s special committee on security legislation rammed through the new security bill on September 17, and it is planned that the bill will be voted at today’s plenary session of the Senate. What is China’s comment?

A: Due to historical reasons, Japan's policies and moves in the military and security fields have been closely followed by its Asian neighbors and the international community. We have noted that inside Japan there is an increasing wave of opposing the new security bill. It is hoped that the Japanese government can earnestly heed the calls for justice from inside Japan and from the international community, truly learn from historical lessons, stick to the path of peaceful development, act with caution in the military and security field, and do more things that are conducive to peace and stability of the region.



Q: The commander of US forces in the Pacific said yesterday that the US should challenge China's claims in the South China Sea by sending military patrolling vessels close to the artificial islands that China is building in the South China Sea. Does China view this as a provocative action?

A: We are seriously concerned about the relevant remarks. China has sovereignty over the Nansha Islands and the adjacent waters, and this claim is fully backed by historical and jurisprudential evidence. China, like the US, champions navigation freedom in the South China Sea, but opposes any country's attempt to challenge China's territorial sovereignty and security under the pretext of safeguarding navigation freedom. China urges relevant party to exercise caution in its words and deeds, respect China's territorial sovereignty and security interests, and refrain from taking any provocative and risky action.

Q: A military coup was staged in Burkina Faso. What is China's comment on this? It is one of the three countries in Africa that have "diplomatic relations" with Taiwan. With the formation of the new military government, is there now a opportunity for China to establish diplomatic ties with Burkina Faso?

A: The Chinese side has been following the situation in Burkina Faso, and hopes that all parties can proceed from the fundamental interests of the state and the people, resolve political disputes through dialogue and consultation, restore normal order as soon as possible, and ensure national stability and development.



After the press conference, the follow question was raised: **It is reported that the Israeli police clashed with Palestinian protesters in Al-Aqsa mosque of Jerusalem. How does China comment on this? What is your position on the current situation between Palestine and Israel?**

Hong Lei said that China pays great attention to this, and urges Israel and Palestine, Israel in particular, to exercise maximum restraint and avoid escalation of the tension. It is disconcerting to see the continuous clashes between Israel and Palestine in recent days. It is a proven fact that containing violence through violence can only lead to the cycle of violence and additional confrontation and hatred between the two parties. China once again urges the Israeli and Palestinian sides to take effective measures to rebuild trust and strive for the early resumption of peace talks.

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Annex 639

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on September 29, 2015* (29 Sept. 2015)

Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on September 29, 2015

2015/09/29



Q: While attending the UN summits for its 70th anniversary, President Xi Jinping announced a series of major measures in support of UN peacekeeping operations. What is the consideration behind these measures? Can you give us more details on China's participation in UN peacekeeping missions?

A: On September 28, at the UN summits for its 70th anniversary, President Xi Jinping announced a range of major initiatives aimed at improving and strengthening UN peacekeeping operations. As President Xi said, China will join the new UN Peacekeeping Capability Readiness System, and has decided to take the lead in setting up a permanent peacekeeping police squad and build a peacekeeping standby force of 8,000 troops. China will give favorable consideration to future UN requests for more Chinese engineering, transport and medical staff. In the next five years, China will train 2,000 peacekeepers from other countries and carry out 10 de-mining assistance programs that will include training and equipment provisions. China will also provide US\$100 million worth of free military assistance to the African Union in the next five years to support the establishment of an African Standby Force and the African Capability for Immediate Response to Crisis. China will send the first peacekeeping helicopter squad to UN peacekeeping operations in Africa, and part of its pledge in the China-UN peace and development fund will be used to support UN peacekeeping operations.

All these measures demonstrate that China is taking on greater international responsibility to safeguard international peace and security. They showcase China's determination to maintain world peace and staunch support for UN peacekeeping operations.

Since its first-ever sending of military observers to UN peacekeeping operations in 1990, China has dispatched a total of over 30,000 peacekeepers and joined 29 peacekeeping missions. As we speak, over 3,100 Chinese soldiers and police are performing their duty in 10 peacekeeping mission areas, making China the top contributor of troops among the five permanent members of the Security Council. They have done an outstanding job of resuming peace and stability to their stationed areas and protecting local people's life and property, and won acclamation from the UN and relevant countries. Going forward, China will continue to practice multilateralism, support and expand its participation in UN peacekeeping operations, and make more positive and greater contributions to international peace and security.

Q: First, yesterday at the UN, Presidents of the US and France urged Syrian President to step down, saying that Syria would not be stable if he stayed on. How does China respond? Second, Russian President Vladimir Putin called for the creation of a broad coalition against terrorism where Muslim countries shall play a leading role. What is China's comment on that? Does China believe that such kind of coalition is possible? Does China support Russia's proposal?

A: On your first question, it is our long-standing belief that the Syrian issue should be politically resolved, the future of Syria should lie in the hands of the Syrian people, an inclusive political process should be moved forward, nation-wide reconciliation and unity should be achieved in Syria, and humanitarian assistance should be provided to Syria and its neighboring countries. The Chinese side will make continuous efforts together with the international community to that end.

On your second question, the Chinese side firmly opposes all forms of terrorism, and believes that the international community should work as one, adopt a holistic approach to address both the symptoms and root causes, deliver on relevant resolutions of the UN Security Council and take actions in accordance with the purposes of the UN Charter and basics norms governing international relations. China is ready to enhance communication and coordination with the international community including Russia on that.



Q: How do you comment on the outcomes of President Xi Jinping's visit to the US and its possible impact on China-US relations?

A: President Xi Jinping paid a historic state visit to the US at the crucial juncture when China and the US are building the new model of major-country relationship. The two sides' shared commitment to this new model of major-country relationship has led to a productive visit and major new progress on investment, people-to-people exchanges, climate change and coordination and cooperation on multilateral affairs. It shows once again that China and the US are ready to rise up to challenges through enhanced cooperation. We will work alongside the US to open a new chapter in the bilateral relationship and deliver more benefits to people from the two countries and other parts of the world.

Q: The Indonesian government delegation in Japan said they welcome China's high-speed railway program. What is China's comment on that?

A: The Chinese side has a wealth of experience in building and operating high-speed railways and enjoys an edge in terms of cooperation model, financing conditions, technology transfer and construction period. The Chinese government encourages companies with strength to carry out active and fruitful cooperation with the Indonesian side.

Both China and Indonesia are developing countries boasting broad space for cooperation. The Chinese side looks forward to expanding and deepening practical cooperation with Indonesia on infrastructure facilities and production capacity, creating more tangible benefits to the two countries and two peoples.

Q: Vietnam's President told the media yesterday that China's island-building in the South China Sea violated international law and endangered maritime security. How does China respond?

A: The Nansha Islands have been part of China's since ancient times, and we have enough historical and jurisprudential evidence to back that up. China's construction and maintenance work on some stationed islands and reefs in the Nansha Islands is legitimate, justified and reasonable. It affects and targets no one. China's construction is mainly for the purpose of providing international public goods and services, fulfilling China's obligations as a major country and further safeguarding freedom and safety of navigation in the South China Sea. We hope that relevant parties will have a right understanding on that.



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Annex 640

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hua Chunying's Remarks on Start of Operation of Hyayang and Chigua Lighthouses* (10 Oct. 2015)



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Foreign Ministry Spokesperson Hua Chunying's Remarks on Start of Operation of Huayang and Chigua Lighthouses

2015/10/10

Q: Yesterday, China held a ceremony marking the start of operation of two lighthouses on Huayang Reef and Chigua Reef of the Nansha Islands. Can you give more details?

A: We have learned from the relevant department that the construction of lighthouses on Huayang Reef and Chigua Reef of the Nansha Islands has completed as scheduled and a lighting ceremony was held yesterday marking the start of operation. In accordance with China's Maritime Traffic Safety Law and international practices, the relevant department in China has issued a navigation notice and a navigation warning concerning the start of functioning of Huayang and Chigua Lighthouses.

The South China Sea is an important maritime corridor, as well as one of the world's major fishing grounds, with high density of vessels and complex sea conditions. Marine traffic accidents occur from time to time. The two lighthouses will provide highly effective route guidance and navigation aid to vessels passing these waters, and greatly improve navigation safety in the South China Sea. In the future, China will continue to build other civil facilities for the public interest on the stationed islands and reefs of the Nansha Islands so as to provide littoral countries and all passing vessels with better services.

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- Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference on October 9, 2015
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Annex 641

Embassy of the People's Republic of China in the United States of America, *Ambassador Cui Tiankai's Interview with "Amanpour" of CNN on an U.S. Warship's Entry into Waters near Relevant Islands and Reefs of China's Nansha Islands (27 Oct. 2015)*

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Ambassador Cui Tiankai's Interview with "Amanpour" of CNN on an U.S. warship's Entry into Waters near Relevant Islands and Reefs of China's Nansha Islands

2015/10/27



On October 27, 2015, Ambassador Cui Tiankai had an interview with Ms. Christiane Amanpour, host of CNN'S AMANPOUR on an U.S. warship's entry into waters near relevant islands and reefs of China's Nansha Islands.

The following is the link to the interview:

<http://www.cnn.com/videos/world/2015/10/27/china-intv-amanpour-cui-tiankai.cnn>

The following is the full transcript of the interview:

AMANPOUR: Ambassador, welcome back to the program.

CUI TIANKAI, CHINESE AMBASSADOR TO U.S.: Thank you.

AMANPOUR: Can I ask you, the United States, the State Department has said that whatever is happening right now in the South China Sea should not jeopardize the healthy relationship between Beijing and the United States. Do you agree that this will not jeopardize the relationship?

CUI: Well, first of all, I think that what the U.S. is doing is a very serious provocation, politically and militarily. It is a clear attempt to escalate the situation and to militarize the region. So we are very concerned about that. I think that other people, all of the people who want to maintain stability there have good reason to be concerned. And I do hope that we will work together to maintain this relationship, to keep this relationship healthy and moving forward.

AMANPOUR: Ambassador, there's obviously been a -- I hate to say it but a war of words between both capitals in the last 24 hours. The U.S. Defense Secretary says that they will continue to fly and sail and do whatever they want in that region, because it is international waters and they are supported by all their allies; whereas, from Beijing, the foreign ministry has said, and I quote, that "if the U.S. continues to create tensions," then Beijing might conclude it has to increase and strengthen the building up of our relevant abilities. What does that mean?

CUI: Well, it is a very absurd and even hypocritical position to ask others not to militarize the region while oneself is sending military vessels there so frequently. So I think the people do have to think about it in a very serious way and we have to think about it. We have to make sure that we have sufficient means to safeguard our sovereignty there, to protect our lawful rights there and we have sufficient means to maintain peace and stability there. And nobody would have any more illusion that they could continue to provoke.

AMANPOUR: But what precisely do you think that means, sir, if the United States says that it is going to continue to do what it has, it claims the right under international law to do?

CUI: I think that this is done in total disregard of international law. If we look at the convention of the law of the sea -- and, by the way, the United States is not yet a party to that Convention. But if we are looking at the provisions of the Convention, there are very, very clear provisions about safety of navigation, freedom of navigation or innocent transit. What the U.S. is doing is totally against the provisions, the letter and spirit of the Convention.

AMANPOUR: Ambassador, the U.N. Convention on the Law of the Sea that you mention basically says that 12 nautical mile limits cannot be set around man-made islands which are built on previously submerged reefs, which is, in fact, what China has done, built up reefs and called them islands and claimed them as territory. You know, is there not a way that there can be some political resolution of this with the United States and with allies around that region?

CUI: We have longstanding sovereignty over the islands in the region and the waters surrounding them. It is not something based on any so-called man-made facilities there or feature there.

AMANPOUR: Except for that they are submerged reefs and certainly Admiral Blair, Dennis Blair told us that you can't really form policy today based on very old and outdated maps of many, many years ago. And he also said that China seems to be isolating itself, given that all the regional countries are also supporting the United States, because they, too, have territorial and maritime disputes with you and they want to see these waters kept open.

CUI: Well, you can not say that because people have a longstanding position on something, positions that originated many, many years ago can no longer be valid today. You cannot say things like that. Of course, if we go back many, many years ago, there was no United States.

AMANPOUR: Ambassador Cui, but there is a United States now and it is a superpower and the president of China just visited Washington and there seemed to be a fairly warm environment. The fact that this is happening so quickly after that visit, what does it say about the relationship? And what do you think is going to happen next? What, in your mind, in Beijing's mind, is the solution to what's happening?

CUI: I think that you have just asked a very good question and I hope the White House will give you the answer. We are also puzzled. We are very concerned about this latest development. But whatever is happening now, will not change our position on the sovereignty in the region, will not weaken our determination to safeguard our sovereignty, will not weaken our commitment to seek a peaceful solution to the disputes with the countries concerned, and certainly will not weaken our position and commitment to developing a healthy and strong relationship with the United States but we see it as two-way traffic. We have to have a reciprocal action from the United States.

AMANPOUR: Well, President Xi last month told President Obama that China is not militarizing the islands but the United States says that its surveillance shows that there is artillery there. So how can you prove that this is just peaceful?

CUI: Well, I think that the fact is so clear. Who is sending military vessels there?

Who is sending the military planes there? It's not us. It's the United States.

AMANPOUR: Ambassador Cui Tiankai, thank you very much indeed for joining us.

CUI: Thank you.

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Embassy of the People's Republic of China in the United States of America, *Ambassador Cui Tiankai's Remarks on U.S. Warship's Entry into Waters near Relevant Islands and Reefs of China's Nansha Islands* (27 Oct. 2015)

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Ambassador Cui Tiankai's Remarks on U.S. Warship's Entry into Waters near Relevant Islands and Reefs of China's Nansha Islands

2015/10/27



On October 27, 2015, Ambassador Cui Tiankai had an interview with Ms. Christiane Amanpour, host of CNN'S AMANPOUR, expressed China's solemn position on an U.S. warship's entry into waters near relevant islands and reefs of China's Nansha Islands.

Cui noted that the U.S. Side sending a warship to China's Nansha islands and their adjacent waters is a very serious provocation, politically and militarily. It is a clear attempt to escalate the situation and to militarize the region. China and all of the people who want to maintain stability there are seriously concerned about it.

Cui pointed out that the U.S. Side's position on the issue of South China Sea is very absurd and even hypocritical. On one side it asks others not to militarize the region while itself is sending military vessels there so frequently. The UN Convention on the Law of the Sea has clear provisions about safety of navigation, freedom of navigation or innocent transit. The U.S., not yet a party to that Convention, is doing totally against the provisions of the convention.

CUI stressed that China's sovereignty and relevant rights over the islands in the South China Sea and the waters surrounding them are formed over a longstanding historical process. It is not something based on any so-called man-made facilities there or feature there. We have to make sure we have sufficient means to safeguard our sovereignty and lawful rights there and we have sufficient means to maintain peace and stability there. Nobody would have any more illusion that they could continue to provoke. We are very concerned about this latest development. But whatever is happening now, will not change our position on the sovereignty in the region, will not weaken our determination to safeguard our sovereignty, will not weaken our commitment to seeking a peaceful solution to the disputes with the countries directly concerned, and certainly will not weaken our position and commitment to developing a healthy and strong relationship with the United States. But we see it as two-way traffic. We have to have a reciprocal action from the United States.

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Annex 643

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Lu Kang's Regular Press Conference on October 27, 2015 (27 Oct. 2015)*



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Foreign Ministry Spokesperson Lu Kang's Regular Press Conference on October 27, 2015



At the invitation of President Xi Jinping, President of the Republic of Liberia Ellen Johnson Sirleaf will pay a state visit to China from November 1 to 5.

Q: It is reported that the USS Lassen sailed within 12 nautical miles off Zhubi Reef of the Nansha Islands on October 27. What is China's comment on that? What have the relevant Chinese authorities done in response?

A: The Chinese Foreign Ministry has released a statement on that at noon.

The USS Lassen illegally entered waters near relevant islands and reefs of China's Nansha Islands without the permission of the Chinese government on October 27. Relevant authorities of the Chinese side monitored, followed and warned the US vessel. Relevant actions by the US naval vessel threatened China's sovereignty and security interests, put the personnel and facilities on the islands and reefs at risk and endangered regional peace and stability. The Chinese side hereby expresses strong opposition.

Foreign Minister Wang Yi also issued a solemn warning to the American side this morning when answering a journalist's question, urging the US not to stir up troubles.

The Chinese side has stressed on many occasions that China has indisputable sovereignty over the Nansha Islands and their adjacent waters. China's sovereignty and relevant rights over the South China Sea have been formed over the long course of history and upheld by successive Chinese governments.

Construction by the Chinese side on its own territory is in the realm of China's sovereignty. It does not target nor affect any country, and has not and will not have any impact on the freedom of navigation and over-flight in the South China Sea to which all countries are entitled under international law.

The Chinese side respects and safeguards the freedom of navigation and over-flight in the South China Sea to which all countries are entitled under international law. In fact, the Chinese side cares more about navigation safety and freedom in the South China Sea than any other countries including some country outside the region. Commercial shipping is different from military actions. We stand firmly against the harm caused by any country to China's sovereignty and security interests under the cloak of navigation and over-flight freedom. The Chinese side is steadfast in safeguarding its territorial sovereignty and security as well as lawful and justified maritime rights and interests. The Chinese side will firmly respond to any deliberate provocation by any country. We will keep a close eye on what is happening in the relevant waters and airspace and take all necessary measures as needed.

The Chinese side strongly urges the American side to take China's solemn representations seriously, put right mistakes, refrain from any dangerous or provocative actions detrimental to China's sovereignty and security interests, and honor its commitment of not taking sides on disputes over territorial sovereignty so as to avoid any further damage to China-US relations and regional peace and stability.

Q: Can you tell us which islands or reefs the USS Lassen sailed near? I understand it could be both Meiji Reef and Zhubi Reef. Was there one Chinese ship or were there more than one following the USS Lassen? Was that the Kunming vessel?

A: On your first question, I would suggest that you ask the US side.

On your second question, the Chinese side has taken measures in accordance with the law. We firmly oppose such kind of actions by the US.

Q: Will there be any further reaction from the Chinese side?

A: China has indisputable sovereignty over the Nansha Islands and their adjacent waters. It is completely lawful for us to conduct normal construction on our own territory. It is justified for us to carry out relevant construction for the purpose of providing public goods and services and facilitating navigation in the region.

If any countries attempt to disrupt or impede the aforementioned lawful, justified and reasonable actions by the Chinese side by playing tricks, I advise those countries to cast aside the illusion the sooner the better.

If the relevant party keeps creating tension and stirring up troubles in the region, the Chinese side may have to reach the conclusion that we do need to step up and speed up relevant capacity building. We advise the US not to take self-defeating actions.

Q: You said that the Chinese side will firmly react to any country's provocation. What does that mean? How far is China willing to go to protect its territory?

A: China cares about peace, security and stability of the region, including that of the South China Sea. However, the Chinese side will not swallow silently any damage or threat to its sovereign rights and legitimate security interests. I would like to point out that the Chinese side is willing to remove differences through peaceful means, but when it has to react, it will decide when and how to react according to its will and need.

Q: Does that mean the Chinese side will take military actions?

A: I have no comment on a hypothetical question.



Q: First, the incident took place after President Xi Jinping's visit to the US. Does that imply that the disagreement between China and the US on this issue is getting bigger, and that there is only a slim chance for the two countries to see eye to eye? Second, last month, Chinese naval vessels sailed within 12 nautical miles off the coastline of Alaska. There was no strong reaction from the US military as they took it as innocent passage. Some people compared China's reaction with that of the US. Do you think they are comparable?

A: On your first question, President Xi Jinping's visit to the US is a full success. Leaders of the two countries reached important consensus on a lot of issues after in-depth communication. It is imperative for the two sides to implement the consensus, ensure the steady advancement of the new type of major-country relationship between China and the US and deliver tangible benefits to the two peoples. Leaders of the two countries had a candid exchange of views on the issue of the South China Sea during their talks. President Xi Jinping highlighted the importance of no confrontation and no friction. We hope that the American side would cherish peace and stability of the Asia-Pacific, value the bilateral relationship, prioritize people's interests and reflect upon its behavior on this issue.

On your second question, the Spokesperson of the Defense Ministry of China has already made a statement. The Strait of Tanaga is for international sailing. In accordance with the UN Convention on the Law of the Sea and the geographic condition of the Strait, all ships passing the Strait have the right of transit passage. What Chinese naval vessels have done is in line with the international law and international practice.

The US naval vessel took the liberty to sail across waters off islands and reefs of China's Nansha Islands. It is completely different from transit passage and is nothing close to the so-called exercise of navigation freedom. Instead, it is a threat to China's sovereignty and security. The Chinese side is firmly opposed to that.

Q: Given that the US has sent ships to the area, will the Chinese side continue with its island construction?

A: As I just said, it is completely lawful, reasonable and justified for China to conduct construction activities on its own territory with the aim of producing public goods and services. If any countries attempt to disrupt or impede China's normal construction by playing tricks, I advise them to drop the illusion the sooner the better.

Q: A 7.8 magnitude earthquake struck northeastern Afghanistan's Hindu Kush region on the afternoon of October 26, causing grave damage to Afghanistan and northern Pakistan. At least 63 people were reported killed in Afghanistan. The death toll in Pakistan was over 228, and more than 1,200 people were injured. A large amount of houses in the disaster-hit area were shattered. What is China's response to that? Will China offer any assistance?

A: The Chinese side is following closely the damage caused by the earthquake in Afghanistan and has noted the heavy casualties and property losses

sustained by Afghanistan and part of Pakistan in the earthquake. The Chinese side expresses deep condolences to the lost lives and sincere sympathy to the bereaved families and the injured. The Chinese government will assist Afghanistan and Pakistan with disaster relief at their request. To my knowledge, the Red Cross Society of China will provide the two countries with emergency assistance in cash.

Our hearts also go out to India and other countries affected by the earthquake.

Q: The 23rd APEC Economic Leaders' Meeting will be held in Manila, the Philippines in mid November. The date is approaching. Will President Xi Jinping attend the meeting?

A: The Chinese side has received the letter from President Benigno Aquino III inviting President Xi Jinping to attend the 23rd APEC Economic Leaders' Meeting. APEC is the most influential forum for economic cooperation and trade in the Asia-Pacific region at the highest level. China was the host of the 22nd APEC Economic Leaders' Meeting which was held successfully in Beijing and achieved a series of historic outcomes, making prominent contributions to APEC cooperation. China sets great store by and supports APEC cooperation, including the preparatory work of this year's APEC. It is hoped that this year's APEC would stick to the principle of focusing on economic cooperation and trade and make new contributions to regional economic cooperation. It is believed that President Xi Jinping will give positive thought to President Aquino's invitation.

Q: Fan Changlong, Vice Chairman of the Central Military Commission of the CPC, said recently that China will not recklessly resort to force in dealing with the South China Sea sovereignty issue. Does this set the parameter for China's reaction to the recent action by the American side? Does this mean peaceful negotiations instead of military forces will be used by China and the US in dealing with this issue?

A: President Xi Jinping had a candid discussion with the US leader on this during his visit to the US. He has made it clear time and again that the Chinese side will properly deal with relevant disputes in the region with parties directly concerned through peaceful means with the maximum sincerity. Vice Chairman Fan Changlong also expressed such a will of the Chinese government when speaking at the Xiangshan Forum. The last thing we want to see is that in the end China has to realize that it cannot but speed and step up relevant capacity building.

Q: Iran's economic minister voiced Iran's willingness to join the new development bank of BRICS. What is China's comment on that? Has the Iranian side told the Chinese side about that?

A: The comprehensive agreement on the Iranian nuclear issue has made it convenient for Iran to carry out normal activities back in the international community. I will try to get more information about the specific question you raised.



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Annex 644

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Lu Kang's Remarks on USS Lassen's Entry into Waters near Relevant Islands and Reefs of China's Nansha Islands* (27 Oct. 2015)



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Foreign Ministry Spokesperson Lu Kang's Remarks on USS Lassen's Entry into Waters near Relevant Islands and Reefs of China's Nansha Islands

2015/10/27

Q: It is reported that the USS Lassen sailed within 12 nautical miles off Zhubi Reef of the Nansha Islands on October 27. What is China's comment on that?

A: The USS Lassen illegally entered waters near relevant islands and reefs of China's Nansha Islands without the permission of the Chinese government on October 27. Relevant authorities of the Chinese side monitored, followed and warned the US vessel. Relevant actions by the US naval vessel threatened China's sovereignty and security interests, put the personnel and facilities on the islands and reefs at risk and endangered regional peace and stability. The Chinese side hereby expresses strong dissatisfaction and opposition.

The Chinese side stresses on many occasions that China has indisputable sovereignty over the Nansha Islands and their adjacent waters. China's sovereignty and relevant rights over the South China Sea have been formed over the long course of history and upheld by successive Chinese governments. Construction by the Chinese side on its own territory is in the realm of China's sovereignty. It does not target nor affect any country, and will not have any impact on the freedom of navigation and over-flight in the South China Sea to which all countries are entitled under international law.

The Chinese side respects and safeguards the freedom of navigation and over-flight in the South China Sea to which all countries are entitled under international law, but stands firmly against the harm caused by any country to China's sovereignty and security interests under the cloak of navigation and over-flight freedom. The Chinese side is steadfast in safeguarding its territorial sovereignty and security as well as lawful and justified maritime rights and interests. The Chinese side will firmly respond to any deliberate provocation by any country. We will keep a close eye on what is happening in the relevant waters and airspace and take all necessary measures as needed.

The Chinese side strongly urges the American side to take China's solemn representations seriously, put right mistakes, refrain from any dangerous or provocative actions detrimental to China's sovereignty and security interests, and honor its commitment of not taking sides on disputes over territorial sovereignty so as to avoid any further damage to China-US relations and regional peace and stability.

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Annex 645

Ministry of Foreign Affairs of the People's Republic of China, *Vice Foreign Minister Zhang Yesui Makes Stern Representations to US over US Naval Vessel's Entry into Waters near Relevant Islands and Reefs of China's Nansha Islands* (27 Oct. 2015)



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Vice Foreign Minister Zhang Yesui Makes Stern Representations to US over US Naval Vessel's Entry into Waters near Relevant Islands and Reefs of China's Nansha Islands

2015/10/27

On October 27, 2015, Vice Foreign Minister Zhang Yesui summoned US Ambassador to China Max Baucus, making stern representations and lodging strong protest over US naval vessel's entry into waters near relevant islands and reefs of China's Nansha Islands.

Zhang Yesui stated that the USS Lassen sent by the US illegally entered waters near relevant islands and reefs of China's Nansha Islands regardless of China's repeated stern representations and exhortations in recent years. This action by the US naval vessel threatens China's sovereignty and security and puts the personnel and facilities on the islands and reefs at risk, which is a serious provocation to China. The Chinese side hereby expresses strong dissatisfaction and opposition.

Zhang Yesui noted that China has indisputable sovereignty over the Nansha Islands and their adjacent waters. China was the first to discover, name, develop and operate on the Nansha Islands. It is also the first country that exercised and has been exercising sovereign jurisdiction over the Nansha Islands. The Chinese side respects and safeguards the freedom of navigation and over-flight in the South China Sea to which all countries are entitled under international law, but stands firmly against the harm caused by any country to China's sovereignty and security under the cloak of navigation and over-flight freedom. There has been and will be no obstruction to navigation and over-flight freedom in the South China Sea. The US exercises a show of force in the name of safeguarding navigation and over-flight freedom, which is very likely to trigger a navigation and flight accident. This act, which not only threatens the rights of navigation and over-flight shared by all countries, but also harms peace and stability in the South China Sea, is extremely irresponsible.

Zhang Yesui expressed that the Chinese side is steadfast in safeguarding its territorial sovereignty and lawful and justified maritime rights and interests. The Chinese side will take all necessary measures as needed to firmly respond to any deliberate provocation by any country.

The Chinese side strongly urges the US to take China's solemn representations seriously, cherish the overall peace and stability in the South China Sea, treasure the hard-won momentum of positive development in China-US relations, refrain from any actions detrimental to China's sovereignty and security interests, and honor its commitment of not taking sides on disputes over territorial sovereignty so as to earnestly maintain China-US relations and regional peace and stability.

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Annex 646

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Lu Kang's Regular Press Conference on October 28, 2015* (28 Oct. 2015)



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Foreign Ministry Spokesperson Lu Kang's Regular Press Conference on October 28, 2015



At the invitation of Foreign Minister Wang Yi, Chairperson of the African Union Commission Nkosazana Dlamini Zuma will pay an official visit to China from October 30 to November 4.

Q: Afghanistan and Pakistan were hit by a strong earthquake on October 26. As their close neighbor, what will China do in response or in assistance?

A: The Chinese side sympathizes with what the Afghan and Pakistani people are going through. The Chinese leadership has sent messages of condolences to leaders of the two countries. The Chinese government is preparing for emergency assistance in kind to Afghanistan and Pakistan, and is willing to work on follow-up assistance at the request of Afghanistan and Pakistan in the light of the damage. The Red Cross Society of China will provide Red Crescent Societies of Afghanistan and Pakistan each with 100,000 US dollars in cash as emergency assistance.

Q: Will China stay committed to resolving its disagreement with the US through dialogues after the US naval vessel sailed within 12 nautical miles off Zhubi Reef of the Nansha Islands on October 27?

A: The Chinese side maintains that disagreements between China and other countries, including the US should be resolved through dialogues. Leaders of China and the US reached important consensus last month in Washington, that is, problems between the two countries should be properly settled through constructive dialogues and consultations. But let's make it clear, it calls for the efforts of not only China but also the US.

Q: The UN General Assembly passed a resolution on October 27 which once again urged the US to end its economic, business and financial embargo on Cuba. What is China's comment on that?

A: China's Permanent Representative to the UN, Ambassador Liu Jieyi has made clear China's position on the occasion of UN General Assembly's adoption of the resolution. The resolution has been repeatedly adopted by the UN General Assembly for over 20 consecutive years, each time with an overwhelming majority of vote.

The US and Cuba decided to restore diplomatic relations in July this year, taking an important step toward the normalization of their bilateral relations. It is hoped that the US and Cuba would maintain dialogue and consultation and build up the momentum of improving bilateral relations. The Chinese side has noted that the US has set about lifting some of its restrictions on Cuba in terms of tourism, business and telecommunications. It is hoped that the US side would put a full stop to its economic blockade and sanctions against Cuba at an early date, and develop normal state-to-state relations with Cuba based on the purposes of the UN Charter and basic norms governing international relations. It serves the common interests of the two countries and two peoples, contributes to stability and development of the entire America and meets the aspiration of the international community.



Q: China has been in discussion with Nepal on supplying fuel to Nepal since the start of this week. Has there been any progress? Has China started supplying fuel to Nepal?

A: China and Nepal have been in a friendly relationship. As a neighbor and friend to Nepal, we sincerely hope that Nepal can restore stability as soon as possible after the adoption of the new constitution, and usher in a bright prospect for its national development. Based on the request of the Nepali side, the Chinese side will extend assistance to Nepal within its capability. The two sides are in close communication on further steps to supply fuel to Nepal.

Q: You said yesterday that what the US has done is illegal. Is that the position of your own or the Chinese side?

A: We have said time and again that the Chinese side has indisputable sovereignty over the Nansha Islands and their adjacent waters. The US naval vessel's unauthorized entry into waters off relevant islands and reefs is a severe political provocation against China which seriously threatens China's sovereignty and security, and jeopardizes the safety of personnel and facilities on the islands and reefs. What the US has done violates the UN Convention on the Law of the Sea and other international law as well as relevant domestic law of China.

Q: It is reported that Queen Maxima of the Netherlands, who was accompanying the King for a visit in China, has to cut short her visit and fly home for medical treatment. Do you have more details?

A: China-Netherlands relations are developing smoothly. The visit by King Willem-Alexander and the Queen is very fruitful. Queen Maxima is a good friend of

the Chinese people and has made positive contributions to advancing bilateral ties and China's inclusive finance business. We are very concerned about Queen Maxiam's condition. Madame Peng Liyuan has sent her regards to the Queen, wishing her a speedy recovery. King Willem-Alexander plans to continue with his visit in China.

Q: It is reported that China and India are having talks on stabilizing Nepal's situation. Can you confirm that?

A: We hope that regional stability can be maintained, friendly relations between states developed, and common development in the region promoted. We hope that all relevant countries can work together and hold amicable consultations so that a consensus favorable to all parties can be reached.



Q: It is reported that the US naval vessel also passed within 12 nauticle miles off reefs claimed by Vietnam and the Philippines. Commentary said that it means that the US did not target China. What is your comment on that?

A: China has indisputable sovereignty over the Nansha Islands and their adjacent waters. As for how the US would like to explain what they have done, it is their choice to make.

Q: The Chinese leadership is going to visit the ROK, Malaysia, Vietnam, Singapore and other countries. What message will be given to those countries about the US action?

A: China and countries in the region have mature and established channels for close and effective communication on regional affairs, and have reached effective consensus on resolving differences over islands and reefs in the South China Sea, including the dual-track approach. We hope that countries outside the region would support, instead of disrupting efforts by China and ASEAN countries, creating obstacles and attempting to spoil what has been achieved. It will do good to no one.

Q: Zimbabwean President Robert Mugabe was awarded the Confucius Peace Prize by the China International Peace Research Center the other day. What is China's comment?

A: President Mugabe is a renowned leader of the African national liberation movement, a prime campaigner for African integration, and an old friend of China.

We have noted the relevant report. It is learnt afterwards that the Confucius Peace Prize is founded and conferred by a Chinese civil organization registered in Hong Kong.

Q: Can you tell us more about German Chancellor Angela Merkel's itinerary and agenda in China?

A: We have released the information about Chancellor Merkel's visit to China. During her visit, President Xi Jinping, Premier Li Keqiang and Chairman Zhang Dejiang will meet and hold talks with Chancellor Merkel. Her visit will bring her to Beijing and Anhui. This will be Chancellor Merkel's eighth visit to China during her tenure, showcasing the vigorous development of China-Germany relations. The two sides have a lot of common views and great potentials of cooperation in a variety of areas. We will release in due course the consensus and outcomes produced by the visit.

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Annex 647

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Lu Kang's Regular Press Conference on October 29, 2015* (29 Oct. 2015)



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Foreign Ministry Spokesperson Lu Kang's Regular Press Conference on October 29, 2015



At the invitation of General Secretary Nguyen Phu Trong of the Central Committee of the Communist Party of Vietnam and President Truong Tan Sang of the Socialist Republic of Vietnam, Xi Jinping, General Secretary of the CPC Central Committee and President of China, will pay a state visit to Vietnam from November 5 to 6.

At the invitation of President Tony Tan Keng Yam of the Republic of Singapore, President Xi Jinping will pay a state visit to Singapore from November 6 to 7.

Q: Vice-chair of the Communist Party of Nepal (Unified Marxist-Leninist) Bidhya Bhandari was elected as the new president of Nepal on October 28. What is China's comment on that?

A: The Chinese side sincerely congratulates Madame Bhandari on her election as Nepal's president. It is hoped that people of Nepal would work in unison under the leadership of Madame President and the Nepali government to make Nepal a peaceful, stable and prosperous nation.

China and Nepal are friendly neighbors. The Chinese side supports Nepal's efforts to safeguard national independence, sovereignty and territorial integrity and will continue to do all it can to help with Nepal's development.

Q: The Nepali media reported that China and Nepal signed an agreement on the provision of fuel on October 28. Can you give us more details on the agreement? Will the Chinese side continue with its fuel assistance to Nepal?

A: At the request of the Nepali side, the Chinese government has decided to provide a certain amount of fuel as emergency assistance to Nepal, so as to help the Nepali side alleviate problems caused by fuel shortage. A working group from Nepal was in China for discussions on trade in oil products with the relevant Chinese counterpart.



Q: Will China support India's accession to the Nuclear Suppliers Group (NSG)?

A: This issue has been repeatedly discussed by the NSG. The NSG is part and parcel of the international nuclear non-proliferation regime which is built upon the Treaty on the Non-Proliferation of Nuclear Weapons. We approve of extensive discussions within the NSG following the spirit of international nuclear non-proliferation.

Q: First, the US calls on its allies to carry out joint or solo patrols around the artificial islands of the Nansha Islands. What is China's comment on that? Second, Australia is considering taking part in the South China Sea patrol. What is China's comment on that?

A: First, there is a mistake in what you have just said. There is no such thing as artificial islands of the Nansha Islands. This is what we have been saying all the time.

Over the past several days, the Chinese side has stated time and again our solemn position on the issue of patrol. I would like to stress once again that countries in the region including China all cherish peace, stability and security of the region, as it is an important guarantee for common prosperity and development of regional countries. We hope that other countries, especially those outside the region would not create troubles.



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Annex 648

People's Republic of China, Ministry of National Defense, *Defense Ministry's regular press conference on Oct. 29 (29 Oct. 2015)*



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Defense Ministry's regular press conference on Oct.29

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Senior Colonel Yang Yujun, spokesman for the Ministry of National Defense (MND) of the People's Republic of China (PRC), answers reporters' questions at a regular press conference on October 29, 2015. (mod.gov.cn/Li Aiming)

(The following English text of the press conference is for reference. In case of any divergence of interpretations, the Chinese text shall prevail.)

Senior Colonel Yang Yujun:

Friends from the media, good afternoon! Welcome to the press conference of the Ministry of National Defense (MND) of this month.

Q: The United States and China have signed the agreements about unexpected encounters or accidental encounters in the air and at sea, specifically at sea. How does China understand these agreements. How do they apply? Do these agreements apply in international waters? Do they apply in territorial waters? Or do they apply in both?

A: You were asking a question about the two mutual trust mechanisms between the militaries of China and the US. I would recommend you to go to the websites of China's Ministry of National Defense and the US DOD because full texts are published on these websites.

Q: From 2nd to 5th of November, the ASEAN Defense Ministers' Meeting Plus will be held in Malaysia. Will Chinese Defense Minister Chang Wanquan attend the meeting? Will he meet the Japanese Defense Minister?

A: From 3rd to 8th of November, China's State Councilor and Defense Minister General Chang Wanquan will attend the 3rd ASEAN Defense Ministers' Meeting Plus in Malaysia and pay official visit to Malaysia and Cambodia upon invitation of Malaysian Defense Minister Hishammuddin Hussein and Cambodian Deputy Prime Minister and Minister of National Defense Tea Banh respectively.

During the ASEAN Defense Ministers' Meeting Plus (10+8), Gen. Chang Wanquan will deliver a speech in which he will put forward China's proposals and measures on maintaining regional peace and

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stability, and enhancing defense-security exchange and cooperation among countries in the region, and elaborate China's principal stance on international and regional security.

As for the arrangement of bilateral activities during the meeting, we are in contact with relevant countries.

During the official visit to Malaysia and Cambodia, Gen. Chang Wanquan will meet and have in-depth exchange of views with government and military leaders of the two countries on bilateral state and military relations as well as on regional security situation.

Q: Japan's Ministry of Defense published the data on October 19, showing that the number of emergency take-offs of aircraft of Japan's Air Self-Defense Force to cope with the Chinese aircraft approaching its territorial air space reached a record high from April to September in 2015. Japan's Mainichi Shimbun also reported that Japan plans to add a second F-15 fighter squadron to the Naha Air Base in Okinawa this year and the Naha Air Base is now working at its full capacity with emergency aircraft take-offs in response to the Chinese military aircraft. What's your comment on this?

A: The data published by the Japanese side reminds me of the Japanese long-time shadowing, monitoring and interfering on the Chinese aircraft and warships, which endangers the safety of the Chinese aircraft and ships, which can easily cause maritime and aerial security incidents between China and Japan. The Chinese military aircraft enjoy the freedom of over-flight according to law in relevant airspace, and we urge Japanese side to stop any activity hampering such freedom.

Q: According to foreign media, Commander of the Chinese People's Liberation Army Navy (PLAN) Admiral Wu Shengli will have a video conversation with the US Chief of Naval Operations and they will probably mention the USS Lassen's entering into the waters within 12 nautical miles of China's islands and reefs in the South China Sea. Can you verify this information?

Secondly, the Taiwanese military published a report several days ago, saying that the Mainland China will have completed military preparations to launch an attack at Taiwan by the year 2020. What's your comment?

A: For the first question, Admiral Wu Shengli, the PLA Navy commander, will have a video conversation with the US Chief of Naval Operations (CNO) Adm. John Richardson on Oct. 29, which is tonight, through the MND hotline, and express China's solemn stance to the US side on the USS Lassen's unilateral intrusion into offshore waters of relevant islands and reefs of the Nansha Islands in the South China Sea.

This will also be the first such conversation after the signing of new annexes to the two confidence-building mechanisms between China's MND and the US DOD in September this year.

On your second question, the spokesperson for the Taiwan Affairs Office of the State Council has stated China's position.

Q: In the remark released on October 27 on the sovereignty of the South China Sea, the spokesman for China's Ministry of National Defense mentioned that the Chinese military will take every measure to safeguard national security. Does this include military means?

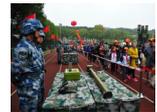
A: As I have reiterated on many occasions and also in the last press conference, the Chinese military is responsible for safeguarding national sovereignty as well as security. The Chinese armed forces have strong will, sufficient strength and many options, and we will take any necessary measures to tackle various security threats.

Q: An earthquake measuring 7.8 on the Richter scale struck northeastern Afghanistan on the afternoon of October 26, jolting neighboring countries such as Pakistan, India and Uzbekistan, and causing many casualties in Afghanistan and Pakistan. Will the PLA send such rescue forces as the Armed Police Force troops to the rescue site just as it had done after the Nepal earthquake? Will the PLA provide other kind of military aid?

A: We send our deep condolences to the victims of the earthquake and our sincere regards to the relatives of the diseased and the wounded. The Chinese PLA is willing to provide aid within its capability to Afghan and Pakistani militaries for their disaster relief operations after the earthquake. We will release follow-up information on this issue when it is available.

Q: According to US media, the USS Larsen's patrol near relevant features of China's Nansha Islands is in accordance with the principle of freedom of navigation in international law. How do you respond to the issue of freedom of navigation? How can China make solemn representations to the US side on this issue?

A: We have stated many times China's of on the issue of freedom of navigation. I'd like to reiterate



here that China always respects the freedom of navigation and over-flight that all countries enjoy according to international law, but we are strongly against some country's behavior: they endanger the sovereignty and security interests of littoral countries in the name of freedom of navigation.

As for your second question, I made a related statement the day before yesterday. On Oct. 27, in spite of multiple representations and strong opposition from the Chinese government, the US sent its missile destroyer USS Lassen to the offshore waters near the features of China's Nansha Islands. The action by the US side severely threatened the sovereignty and security interests of China, and endangered safety of personnel and facilities on the island as well as safety of Chinese routine fishery production there.

Responding to such actions of the US side, the PLA naval missile destroyer Lanzhou and patrol vessel Taizhou followed and monitored the USS Lassen closely and sent warnings. The PLA has lodged solemn representations with the U.S. side at different levels. Senior officers of the Foreign Affairs Office of China's MND and Chinese Defense Attaché in Washington DC met with the US officials respectively, during which they urged the US side to prevent similar incident from happening again.

As I have said just now, Admiral Wu Shengli, Commander of the PLA Navy, will have a video conversation with the U.S. Chief of Naval Operations tonight to state China's solemn stance again.

Q: According to the news report from the US media, Admiral Harry B. Harris, commander of the U.S. Pacific Command, will pay a three-day official visit to China starting from November 2nd, during which he will visit some of the Chinese military facilities. As we all know, he commanded the USS Lassen's patrol near relevant Nansha Islands in the South China Sea. Will his visit be influenced by this incident? And according to another news report, during his visit, he will seek to establish new mechanisms with the Chinese side to prevent any accidents in the future. Do you have any news to announce concerning this visit?

A: According to the military exchange plan between China and the US for this year, Admiral Harry B. Harris, commander of the U.S. Pacific Command, will pay an official visit to China within this year. Both sides are keeping in touch on relevant issues concerning the visit.

Q: The US Navy has expressed that it will send more vessels into the waters of the Nansha Islands to conduct similar patrols in the South China Sea. What measures will the Chinese side take in the future?

My second question is that, according to Japanese media report, the Chinese side is building two aircraft carriers simultaneously in Dalian and Shanghai, and there have been many pictures online about that. Do you have any information to offer concerning the progress of the building of China's domestic aircraft carriers?

A: We would urge the US side not to go too far on the wrong path. But if the US side continue to act willfully, we will take all necessary measures according to the need. As an old Chinese saying goes, "we will confront soldiers with military forces and stem flood with dikes". Our resolution to safeguard national sovereignty and security interests is always as solid as rock.

On your second question, I currently have no information to offer concerning the progress of aircraft carriers.

Q: In the Fifth Plenary Session of the 18th CPC Central Committee which is to close today, will the plan for military reform be announced? Will this reform plan involve the establishment of the five military theatres and the downsizing of military culture troupes?

A: I'm sorry that I am not the spokesperson of the Fifth Plenary Session of the 18th CPC Central Committee, so I have no right to make any announcement.

Q: The Indian and Chinese military officials held talks on the Working Mechanisms for Cooperation and Coordination, especially relating to the border issues early this month. Before that, in the last press conference, the PLA spokesman at that time had stated that the Indian military had actually violated the consensus reached as far as certain border stand-offs are concerned. Has this issue been discussed at that WMCC meeting and what are the decisions reached for future cooperation and coordination?

Secondly, the India-China armies held the 5th round of joint military exercises relating to anti-terrorism operations. Now that the 5 rounds have been held between the two countries, what are the prospects for any joint anti-terrorism operation in the neighborhood if and when it is required?

Thirdly, there are reports that say that General Fan Changlong, the Vice Chairmen of the Central Military Commission, is due to visit India. Can you please provide us any details?

A: On your first question, from 8th to 9th of October, China-India WMCC meeting was held in Beijing during which both sides gave a review of the border situation between China and India and the promotion of mutual trust in the past year. They also had an in-depth exchange of views on issues concerning the peace and stability along the border. I recommend you to refer to the Chinese Ministry of Foreign Affairs for detailed information about this meeting.

On your second question, terrorism is the common enemy of the international community and the Chinese side is against all forms of terrorism. We are committed to the international cooperation against terrorism. The PLA shoulders the responsibility of counter-terrorism and we will do our work according to the arrangement of the Chinese government.

On your third question, according to this year's plan for foreign military exchange, in the middle of November, General Fan Changlong, Vice Chairmen of the Central Military Commission, will pay an official visit to Pakistan and India. The purpose of this visit is to implement the consensus reached by the state leaders of both sides, enhance friendly exchanges between the Chinese military and its foreign counterparts, and to jointly maintain regional peace and stability .

Q: Can you give some details about in what way the USS Lassen endangered the safety of personnel and facilities on the islands and reefs? Did the USS ship take any actions that were dangerous or thought to be dangerous? Given that international laws allow ships to make innocent passage through territorial seas, in what way does China consider this particular mission tour being illegal?

A: On your first question, as I have answered just now, the US sent its missile destroyer USS Lassen to waters near the features of China's Nansha Islands. Such kind of action by the US side has threatened national sovereignty and security of China, endangered safety of personnel and facilities on the islands and reefs as well as safety of routine operation of Chinese fishery workers in the area, and also damaged regional peace and stability.

On your second question, my colleague from the Ministry of Foreign Affairs has already responded. The US action has threatened China's national sovereignty and security, endangered safety of personnel and facilities on the islands and reefs, and is a grave political provocation against China. The action by the US side is also against such international laws as the UN Convention on the Law of the Sea and the domestic laws of China.

Editor : [Zhang Tao](#)

Annex 649

Ministry of Foreign Affairs of the People's Republic of China, *Statement of the Ministry of Foreign Affairs of the People's Republic of China on the Award on Jurisdiction and Admissibility of the South China Sea Arbitration by the Arbitral Tribunal Established at the Request of the Republic of the Philippines* (30 Oct. 2015)



Statement of the Ministry of Foreign Affairs of the People's Republic of China on the Award on Jurisdiction and Admissibility of the South China Sea Arbitration by the Arbitral Tribunal Established at the Request of the Republic of the Philippines

2015/10/30

The award rendered on 29 October 2015 by the Arbitral Tribunal established at the request of the Republic of the Philippines (hereinafter referred to as the "Arbitral Tribunal") on jurisdiction and admissibility of the South China Sea arbitration is null and void, and has no binding effect on China.

I. China has indisputable sovereignty over the South China Sea Islands and the adjacent waters. China's sovereignty and relevant rights in the South China Sea, formed in the long historical course, are upheld by successive Chinese governments, reaffirmed by China's domestic laws on many occasions, and protected under international law including the United Nations Convention on the Law of the Sea (UNCLOS). With regard to the issues of territorial sovereignty and maritime rights and interests, China will not accept any solution imposed on it or any unilateral resort to a third-party dispute settlement.

II. The Philippines' unilateral initiation and obstinate pushing forward of the South China Sea arbitration by abusing the compulsory procedures for dispute settlement under the UNCLOS is a political provocation under the cloak of law. It is in essence not an effort to settle disputes but an attempt to negate China's territorial sovereignty and maritime rights and interests in the South China Sea. In the Position Paper of the Government of the People's Republic of China on the Matter of Jurisdiction in the South China Sea Arbitration Initiated by the Republic of the Philippines, which was released by the Chinese Ministry of Foreign Affairs on 7 December 2014 upon authorization, the Chinese government pointed out that the Arbitral Tribunal manifestly has no jurisdiction over the arbitration initiated by the Philippines, and elaborated on the legal grounds for China's non-acceptance of and non-participation in the arbitration. This position is clear and explicit, and will not change.

III. As a sovereign state and a State Party to the UNCLOS, China is entitled to choose the means and procedures of dispute settlement of its own will. China has all along been committed to resolving disputes with its neighbors over territory and maritime jurisdiction through negotiations and consultations. Since the 1990s, China and the Philippines have repeatedly reaffirmed in bilateral documents that they shall resolve relevant disputes through negotiations and consultations. The Declaration on the Conduct of Parties in the South China Sea (DOC) explicitly states that the sovereign states directly concerned undertake to resolve their territorial and jurisdictional disputes by peaceful means through friendly consultations and negotiations. All these documents demonstrate that China and the Philippines have chosen, long time ago, to settle their disputes in the South China Sea through negotiations and consultations. The breach of this consensus by the Philippines damages the basis of mutual trust between states.

IV. Disregarding that the essence of this arbitration case is territorial sovereignty and maritime delimitation and related matters, maliciously evading the declaration on optional exceptions made by China in 2006 under Article 298 of the UNCLOS, and negating the consensus between China and the Philippines on resolving relevant disputes through negotiations and consultations, the Philippines and the Arbitral Tribunal have abused relevant procedures and obstinately forced ahead with the arbitration, and as a result, have severely violated the legitimate rights that China enjoys as a State Party to the UNCLOS, completely deviated from the purposes and objectives of the UNCLOS, and eroded the integrity and authority of the UNCLOS. As a State Party to the UNCLOS, China firmly opposes the acts of abusing the compulsory procedures for dispute settlement under the UNCLOS, and calls upon all parties concerned to work together to safeguard the integrity and authority of the UNCLOS.

V. The Philippines' attempt to negate China's territorial sovereignty and maritime rights and interests in the South China Sea through arbitral proceeding will lead to nothing. China urges the Philippines to honor its own commitments, respect China's rights under international law, change its course and return to the right track of resolving relevant disputes in the South China Sea through negotiations and consultations.

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Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Lu Kang's Regular Press Conference on October 30, 2015* (30 Oct. 2015)



Ministry of Foreign Affairs of
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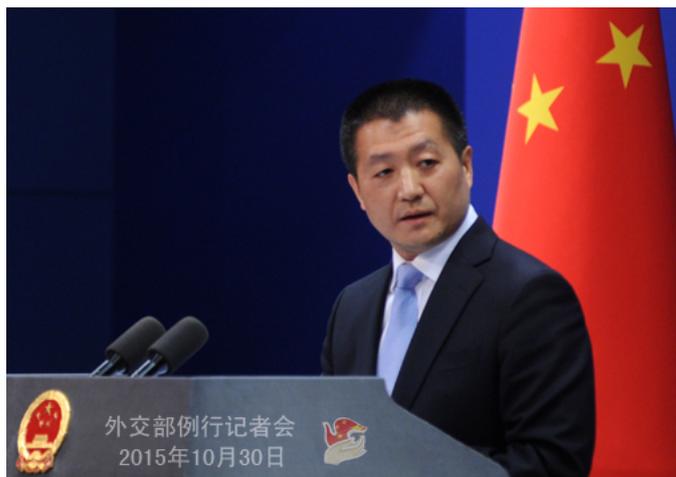
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Foreign Ministry Spokesperson Lu Kang's Regular Press Conference on October 30, 2015

2015/10/30



At the invitation of Mohammad Hamid Ansari, Vice President of the Republic of India and Chairman of the Rajya Sabha (Council of States), Vice President Li Yuanchao will pay an official visit to India from November 3 to 7.

Q: Can you tell us more about Vice President Li Yuanchao's itinerary in India? What is China's expectation for his visit? What is China's comment on the current China-India relations?

A: Vice President Li Yuanchao will visit India upon invitation, marking another major interaction between China and India this year. During the visit, Vice President Li Yuanchao will hold talks with Mohammad Hamid Ansari, Vice President of the Republic of India and Chairman of the Rajya Sabha. He will also meet with other Indian leaders. The two sides will work to further implement the consensus reached between President Xi Jinping, Premier Li Keqiang and Indian leaders, carry forward China-India friendship, deepen bilateral cooperation, and add new momentum to the development of China-India relations.

Thanks to the concerted efforts of the two sides, recent years have seen sound and stable development of the strategic cooperative partnership for peace and prosperity between China and India. The two sides have deeper exchanges and cooperation across the board, and maintain sound coordination and cooperation on international and regional affairs. Leaders of the two sides agreed to promote bilateral cooperation in an all-round way, and forge a closer partnership for development. The Chinese side views bilateral ties from a strategic and long-term perspective, and takes India's development as an opportunity. We stand ready to work with India to implement the consensus reached between leaders of the two countries, and elevate the strategic cooperative partnership for peace and prosperity between China and India to a new high.

Q: The India-Africa Summit recently held in India drew together over 40 African leaders. Reports say that China and India are competing with each other in Africa. What is your take on the Summit?

A: From time to time, we hear voices trying to play up China-India competition. China and India are friendly neighbors and major developing countries that enjoy sound cooperative relations. They have a lot of common interests and close coordination in international and regional affairs. We welcome the commitment of the international community including India to enhancing cooperation with Africa and supporting Africa in realizing enduring peace and independent and sustainable development.

The Summit of the Forum on China-Africa Cooperation will be held in Johannesburg, South Africa in December. Together with the international community, we will make new efforts for peace, stability, development and prosperity of Africa.

Q: German Chancellor Angela Merkel said that international arbitration could be an option for the settlement of South China Sea disputes. Have you noticed her statement? Does the Chinese side believe it is reasonable to submit the South China Sea issue for international arbitration?

A: The Chinese Foreign Ministry has released a statement this morning on the South China Sea arbitration. I want to stress that as a sovereign state and a State Party to the UN Convention on the Law of the Sea (UNCLOS), China is entitled to choose the means and procedures of dispute settlement of its own will. To solve disputes peacefully through dialogues, negotiations and consultations is a dispute settlement approach promoted by international law including

the UN Charter. In the practice of international law, disputes over territory and maritime rights and interests between a large majority of countries have been resolved in this way which is quite effective. Of course, we have noted that some countries, based on consensus through consultations, submit their disputes for international judiciary or arbitration. However, there is plenty of means to settle disputes, and international arbitration is just the one of them which is subject to the approval of parties concerned in strict accordance with the principle of nation's consent. We hope that relevant parties will develop an objective, impartial and sensible view on the South China Sea issue.



Q: The Arbitral Tribunal established at the request of the Republic of the Philippines rendered the award on jurisdiction and admissibility of the South China Sea arbitration. What is China's comment on that?

A: The Chinese government will not accept nor participate in the South China Sea arbitration unilaterally initiated by the Philippines. The Chinese Foreign Ministry has immediately released a statement to elaborate on China's solemn position. The award is null and void, and has no binding effect on China. I would like to highlight three points.

First, China has indisputable sovereignty over the South China Sea Islands and the adjacent waters. As a sovereign state and a State Party to the UNCLOS, China is entitled to choose the means and procedures of dispute settlement of its own will. China has all along been committed to resolving disputes with its neighbors over territory and maritime jurisdiction through negotiations and consultations. China and the Philippines have repeatedly reaffirmed in bilateral documents since the 1990s and the Declaration on the Conduct of Parties in the South China Sea (DOC) in 2002 that they shall resolve relevant disputes through negotiations and consultations.

Second, disregarding that the essence of this arbitration case is territorial sovereignty and maritime delimitation and related matters, maliciously evading the declaration on optional exceptions made by China in 2006 under Article 298 of the UNCLOS, and negating the consensus between China and the Philippines on resolving relevant disputes through negotiations and consultations, the Philippines and the Arbitral Tribunal have abused relevant procedures, misrepresented the law and obstinately forced ahead with the arbitration, and as a result, have severely violated the legitimate rights that China enjoys as a State Party to the UNCLOS, completely deviated from the purposes and objectives of the UNCLOS, and eroded the integrity and authority of the UNCLOS.

Third, as a State Party to the UNCLOS, China firmly opposes the acts of abusing the compulsory procedures for dispute settlement under the UNCLOS, and calls upon all parties concerned to work together to safeguard the integrity and authority of the UNCLOS. China urges the Philippines to honor its own commitments, respect China's rights under international law, change its course and return to the right track of resolving relevant disputes in the South China Sea through negotiations and consultations. That is the correct path with bright prospects.

Q: There will be a multilateral meeting on the Syrian issue attended by foreign ministers from all relevant parties in Vienna on October 30. Will China attend the meeting? What is your expectation for the meeting?

A: Vice Foreign Minister Li Baodong will represent China at the larger foreign ministers' meeting on the Syrian issue in Vienna, Austria on October 30.

The Chinese side is committed to resolving the Syrian issue through political means and is supportive of international mediation efforts to this end. There is a stronger momentum for political settlement at the moment. It is hoped that relevant parties can seize this opportunity to build up consensus, work for positive outcomes from the meeting, and create favorable conditions for political settlement of the Syrian issue.

Q: China and countries including the US have signed a Code for Unplanned Encounters at Sea (CUES). Does this code apply to the South China Sea, the disputed areas in particular?

A: Despite disputes caused by relevant countries' illegal occupation of China's islands and reefs in the South China Sea in the 1970s, the overall state of the South China Sea has been peaceful and stable over the past 40 plus years. Some countries' argument about the so-called problem of navigation freedom and safety is untenable. We have been asking these countries to specify when and where have any such kind of problems took place in the South China Sea, but are yet to get any explanation or example. The Chinese side has worked out, with maximum sincerity, a dual-track approach to the South China Sea issue with relevant countries in the region. The approach maintains that disputes should be resolved by countries directly concerned through negotiations and consultations, and that peace and stability in the South China Sea should be jointly upheld by China and ASEAN countries. And we have got the DOC. I believe that if all relevant parties could fully implement the DOC, peace and stability of the region can be preserved.



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Annex 651

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference on November 2, 2015* (2 Nov. 2015)



Ministry of Foreign Affairs of
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Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference on November 2, 2015

2015/11/02



As the Special Envoy of President Xi Jinping, China International Trade Representative and Vice Minister of Commerce Zhong Shan will attend the inauguration ceremony of President Alexander Lukashenko of the Republic of Belarus upon invitation on November 6.

Q: On October 31, a Russian-operated Airbus A321 flying from Sharm el-Sheikh, Egypt to St Petersburg, Russia crashed in the Sinai Peninsula 20 minutes after taking off, killing all aboard. What is China's comment on that?

A: The Chinese side is deeply saddened by the crash of the Russian airliner in Egypt which has caused the death of all on board. President Xi Jinping, Premier Li Keqiang and Foreign Minister Wang Yi have respectively sent messages of condolence to Russian President Vladimir Putin, Prime Minister Dmitry Medvedev and Foreign Minister Sergey Lavrov, lamenting the lost lives and expressing sincere sympathy to the bereaved families.

The Chinese people will stand firmly with the Russian people at this time of sorrow.

Q: The Taiwan authorities reportedly released a statement on October 31 concerning the award rendered on October 29 by the Arbitral Tribunal established at the request of the Philippines on jurisdiction and admissibility of the South China Sea arbitration, saying that it would neither recognize nor accept the award. What is your comment on that?

A: I have noted the relevant report. I want to stress that Chinese people from both sides of the Straits have the responsibility and obligation to jointly uphold territorial sovereignty and maritime rights and interests of the country.

Q: The Japanese side said today that the South China Sea issue is the cause of international concern. How does China respond to that?

A: Some people keep expressing concern about the South China Sea issue. As a Chinese saying goes, there won't be any trouble in the world, unless people look for trouble themselves. I wonder what on earth these people are concerned about. Is it about navigation freedom? However, as we have all seen, there are over 100,000 ships from countries around the world sailing safely and freely through the South China Sea every year with no problem at all. According to the US media, there are over 15 million barrels of oil being shipped to East Asia every day via the Strait of Malacca and the South China Sea with no problem at all. It is hoped that relevant countries would be objective, impartial and reasonable about the relevant issue and join China to play a constructive and responsible role in safeguarding peace and stability of the South China Sea.

Q: India and China will hold a counter-terrorism consultation in New Delhi on November 4. Over the past years, apart from holding five rounds of counter-terrorism exercises, the two countries have also taken other measures to promote the bilateral relationship. According to the Indian media, the Indian government may ask the Chinese side to raise issues concerning Pakistani-based terrorist groups with the Pakistani side. What is China's comment on that?

A: As agreed by foreign ministries of China and India, the seventh round of counter-terrorism consultation will be held in New Delhi on November 4, for the exchange of views on international and regional campaigns against terrorism and counter-terrorism cooperation between the two sides. In the previous six rounds of consultations, the two sides had candid and in-depth communication and coordination on counter-terrorism issues of common concern following the principle of mutual respect and cooperation on an equal-footing. It has given a boost to counter-terrorism exchanges and cooperation between the two countries. The Chinese side looks forward to carrying forward relevant communication and cooperation with the Indian side during this round of consultation.

Counter-terrorism cooperation is also part and parcel of the all-weather strategic partnership of cooperation between China and Pakistan. The two countries cooperate very well on the relevant issue. We believe that the collaborative fight against terrorism will be conducive to stability and security of all relevant countries and that of the region. The Chinese side will carry on with its close communication and cooperation with India, Pakistan and other countries on the issue of counter-terrorism.



Q: First, ROK and Chinese leaders agreed yesterday to step up cooperation on two-way trade and denuclearization of the Korean Peninsula. What is your comment on that? Second, leaders of the ROK, China and Japan agreed to reinforce the mechanism of trilateral cooperation. The Chinese side touched upon the issue of history at the meeting. What is your comment on that?

A: News releases about Premier Li Keqiang's attendance at the trilateral leaders' meeting of China, Japan and the ROK in Seoul and visit to the ROK have

been issued. China-ROK relations enjoy a sound momentum of development. Cooperation in politics, trade, culture and other areas are moving ahead in tandem, producing fruitful results. Premier Li Keqiang and President Park Geun-hye had thorough discussions on furthering China-ROK economic cooperation and trade, and other issues including aligning development strategies of the two countries. The Chinese side will work harder to strengthen friendly cooperation with the ROK, and on top of that, make still further progress in practical cooperation across the board by blazing new trails, exploring new areas and fostering new growth points.

The Chinese side stays committed to safeguarding peace and stability of the Korean Peninsula, realizing denuclearization on the Peninsula and solving problems through dialogues and consultations. The ROK side said that they value the important efforts made by the Chinese side for denuclearization, peace and stability of the Korean Peninsula and would like to have more communication and coordination with the Chinese side on the issue of the Korean Peninsula. We will work in concert with all relevant parties to ensure that there won't be a u-turn in the process of lowering tensions on the Peninsula, and press ahead with denuclearization. The Chinese side firmly supports efforts by the ROK and the DPRK to improve relations and forge ahead with reconciliation and cooperation.

With regard to the mechanism of trilateral cooperation, Premier Li Keqiang has given his point of view on that at the meeting. China, Japan and the ROK, as major economies in East Asia and locomotives driving forward regional economic growth, carry a lot of weight in world economic growth. Leaders of the three countries reiterated at the meeting that they attach great importance to trilateral cooperation, concurred that history and other sensitive issues should be properly handled and that all three countries should work for regional economic integration following the principle of facing squarely the history and advancing toward the future, and make greater contributions to the renewal of Asia as a whole as well as world peace and development.

Q: Reports say that Admiral Harry Harris, Commander of the US Pacific Command, will come to visit China today. Has he arrived yet? Can you give us more details about the visit? Which Chinese leaders will meet with him?

A: I have no information on that. I would refer you to the military.

Q: French President François Hollande starts his state visit to China today. What is China's expectation for the visit?

A: President Hollande is in China on November 2 and 3 for a state visit at the invitation of President Xi Jinping. The Chinese side attaches great importance to the visit. It has been President Hollande's second state visit to China since he took office. During the visit, President Xi Jinping will hold talks with President Hollande, and Premier Li Keqiang and Chairman Zhang Dejiang will meet with him on separate occasions. Apart from Beijing, President Hollande will also go to Chongqing.

China-France relations enjoy a sound momentum of development. The two sides have maintained frequent high-level visits and enhanced political mutual trust over recent years. Economic cooperation and trade between the two countries is making steady progress, yielding fruitful results that are groundbreaking and exemplary. There have also been splendid events for cultural and people-to-people exchanges. Celebrations marking the 50th anniversary of the China-France diplomatic ties achieved success, deepening the friendship between people of the two countries. China and France also have close communication and coordination on global issues as well as regional hot spots, making contributions to world peace, stability and development. We hope that the two sides will have in-depth exchange of views on issues of common interest during the visit, adding new impetus to the growth of bilateral ties.



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- Foreign Ministry Spokesperson Lu Kang's Regular Press Conference on October 30, 2015
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- Foreign Ministry Spokesperson Lu Kang's Regular Press Conference on October 27, 2015
- Foreign Ministry Spokesperson Lu Kang's Remarks on USS Lassen's Entry into Waters near Relevant Islands and Reefs of China's Nansha Islands
- Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference on October 26, 2015
- Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference on October 23, 2015



Annex 652

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference on November 3, 2015* (3 Nov. 2015)

Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference on November 3, 2015

2015/11/03



Q: The 12th Foreign Ministers' Meeting of the Asia-Europe Meeting (ASEM) will be held the day after tomorrow. Who will represent China to attend the meeting?

A: The 12th ASEM Foreign Ministers' Meeting will be held in Luxembourg from November 5 to 6 under the theme "Working Together for a Sustainable and Secure Future". Vice Foreign Minister Wang Chao will lead a delegation to attend the meeting.

ASEM is an important platform for countries in Asia and Europe to enhance understanding, expand consensus and promote cooperation. As all parties will celebrate the 20th anniversary of ASEM next year, the Chinese side hopes that the Foreign Ministers' Meeting will continue to uphold the basic principles of mutual respect, equal treatment, consensus through consultation, and non-interference in internal affairs, move forward political, economic and cultural undertakings in a balanced way, and chart the course for the 3rd decade of the ASEM development through practical cooperation so as to elevate the new-type of Asia-Europe comprehensive partnership to a new level.

Q: Admiral Harry Harris, the US Commander of the Pacific Command, made a speech today at the Stanford Center at Peking University, saying that the US military will continue to exercise freedom of navigation and overflight whenever and wherever they are allowed under international law, with no exception to the South China Sea. He also called for closer military-to-military ties with China despite recent tensions in the South China Sea. What is China's response to that?

A: I have noted the relevant report. What has been unfolding lately is just like watching a self-orchestrated, self-directed and self-performed show.

The so-called issue of freedom of navigation in the South China Sea is a pseudo-proposition. There are over 100,000 ships from countries around the world sailing safely and freely through the South China Sea every year. According to the US media, there are over 15 million barrels of oil being shipped to East Asia every day via the Strait of Malacca and the South China Sea. They run into no problem at all. The international waterway is wide enough for the US vessel. Why did it choose to take the detour to show its strength in waters off the relevant islands and reefs of the Nansha Islands and try to justify it in the name of safeguarding navigation freedom? It is blatant provocation. The US, on one hand, keeps enhancing its military presence in the Asia-Pacific region and holds frequent military drills with its allies, and on the other hand, plays up the so-called issue of the militarization of the South China Sea, asking China not to deploy necessary and limited defense facilities. The US is actually depriving China of its right to self-defense as a sovereign state. The relevant country has been studying the UN Convention on the Law of the Sea (UNCLOS) for decades without making up its mind to join it. However, it keeps criticizing others with UNCLOS as the pretext. When using international law, it adopts what can be used to serve its interests and ignores what works against its aim. The practice of manipulating international law for political and selfish gains is quintessential hypocrisy and hegemony. There are even people asserting that disputes over territory in the South China Sea are causing countries in the region to increase their demand for an American security presence. Is it really the case, or is it an excuse for some country to pursue its strategy of rebalance to the Asia Pacific? People need to think about that reasonably and calmly.

We suggest the US side earnestly respect other countries' sovereignty and security interests, and truly play a responsible and constructive role in maintaining regional peace and stability.



Q: US Deputy National Security Adviser Ben Rhodes said that there would be more demonstrations of the US' commitment to the freedom of navigation in the South China Sea as it serves their interests. A Pentagon official said that the US navy plans to conduct patrols about twice a quarter in the South China Sea and make it regular to remind China and other countries that the US is exercising its freedom of navigation in accordance with international law. What is China's response to that?

A: The Chinese side respects and safeguards the freedom of navigation and overflight in the South China Sea all countries enjoy under international law, but firmly opposes undermining China's sovereignty and security interests under the pretext of navigation and overflight freedom.

I would like to reiterate that the Chinese side is resolute in safeguarding its territorial sovereignty, security, lawful and legitimate maritime rights and interests. We will firmly respond to deliberate provocations from any country. The Chinese side will continue to monitor relevant waters and airspace.

The Chinese side strongly urges the US side to stop its erroneous words and actions and refrain from doing anything dangerous or provocative that threatens China's sovereignty and security interests.

Q: The First Committee of the UN General Assembly voted on a Japan-drafted resolution calling for nuclear disarmament. The resolution notes that this year marks the 70th anniversary of the atomic bombings in Hiroshima and Nagasaki and invites world leaders to visit these two cities. China voted against the resolution. What is China's position?

A: Japan has been introducing in the First Committee resolutions on nuclear disarmament every year for several years in a row. This year, however, it crammed into the resolution a lot of contents painting a devastating picture of the Hiroshima and Nagasaki atomic bombings while forgetting about its historical responsibility. The keynote of the resolution is wrong, and its viewpoints are even less worth refuting. The fact that none of the five nuclear powers and neighbors of Japan endorsed this year's resolution speaks volumes.

It needs to be stressed that what China opposes is not the international process of nuclear disarmament. On the contrary, China stays committed to complete prohibition and thorough destruction of nuclear weapons. This position remains unchanged. The Chinese side will continue to support the nuclear disarmament motions proposed by the Non-Aligned Movement this year.



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Annex 653

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference on November 5, 2015* (5 Nov. 2015)

Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference on November 5, 2015



At the invitation of Prime Minister Rami Hamdallah of the State of Palestine, Vice Prime Minister Zion Silvan Shalom of the State of Israel, Vice Premier Wang Yang of the State Council will pay official visits to Palestine and Israel from November 11 to 14.

Q: First, it is reported that US Defense Secretary Ashton Carter would cruise the South China Sea near Malaysia by USS Theodore Roosevelt as another symbol of United States' commitment to safeguarding navigation freedom. What is China's comment? Second, the US Defense Ministry said that on October 24, a Chinese submarine followed USS Ronald Reagan in waters near Japan. Can you confirm and comment on that?

A: On your first question, the Chinese side has made its principled position clear on many occasions. The Chinese side respects and safeguards all countries' freedom of navigation and overflight guaranteed by international law. As long as it is the genuine practice of navigation freedom through real international shipping lanes, we will in no way oppose it. What we are against is the attempt to militarize the South China Sea and even challenge and threaten other countries' sovereignty and security interests under the name of navigation freedom. It is hoped that the US side can be more candid and honest about its actions and intentions.

Your second question involves submarine operations. I am not aware of them and have no comment.

Q: It is reported that China is negotiating a currency swap agreement with Venezuela. Can you give us more details? How long has this negotiation lasted? What is at the center of this negotiation? Will a deal be reached very soon?

A: China attaches great importance to its friendly and cooperative relationship with Venezuela. We have been carrying out cooperation with Venezuela in financial, economic and other fields following the principle of equality, mutual benefit and win-win cooperation. I am not aware of the specifics of your question. I need to check with relevant authorities.

Q: Yesterday at the ASEAN Plus Defense Ministers' meeting, Indian Defense Minister Manohar Parrikar expressed concerns about the South China Sea. He called for an early conclusion of a code of conduct in the South China Sea (COC) to peacefully resolve disputes. He also spoke about navigation freedom as well as the application of international law including the UN Convention on the Law of the Sea in the South China Sea. What is China's comment?

A: The South China Sea is China's major corridor for cargo and energy transportation. As the largest littoral state of the South China Sea, we attach great importance to navigation freedom there. China and other littoral states have been jointly upholding peace and stability of the South China Sea. As all of you can see, the general situation there is stable. Navigation and overflight freedom has never been affected at all. China and ASEAN states are making efforts to fully and effectively implement the Declaration on the Conduct of Parties in the South China Sea (DOC), and promote maritime practical cooperation and steadily move forward consultations on the COC under the framework of the DOC. Relevant consultations are making important progress.

Defense ministers from China and ASEAN states had an informal meeting in Beijing the other day. State Councilor and Defense Minister Chang Wanquan raised a five-point proposal on enhancing defense and security cooperation between China and ASEAN states, which was warmly received by the ASEAN states. We stand ready to uphold peace and stability of the South China Sea together with ASEAN countries.



Q: At the press briefing on the trilateral summit of China, Japan and the ROK held in late October, a journalist asked why China agreed to hold this summit. The Chinese side said that it noticed some statements and gestures by the Japanese government signaling its hope for the improvement of bilateral ties. What do these statements and gestures mean?

A: This question should be directed to the Japanese side. The Chinese side pays attention to the statements, but what we value more are actions, which means whether the Japanese side can take concrete actions to demonstrate to the international community especially its Asian neighbors that it will truly reflect upon and draw lessons from history, properly deal with relevant issues, uphold the spirit of taking history as a mirror and looking forward to the future, and develop long-term sound and stable relationship with its Asian neighbors.

China, Japan and the ROK are three major economies in East Asia. Enhanced cooperation serves the interests of the three sides and benefits regional peace and stability. The concerted efforts of the three sides led to the trilateral summit in Seoul. The three countries agreed to properly deal with history and other sensitive issues, face squarely the history, look forward to the future, and jointly work for regional economic integration. We are willing to work with the ROK and Japan to take history as a mirror and look forward to the future, meet each other halfway with the larger picture in mind, and keep trilateral cooperation on the track of sound, stable and sustainable development.

Q: According to a news release on the website of the US Department of Defense, US Defense Secretary Carter told the press yesterday that he looks forward to his visit to China next spring. Can you confirm that?

A: Arrangements for military-to-military exchanges will be decided by the two sides through consultation.



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Annex 654

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on November 10, 2015* (10 Nov. 2015)



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Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on November 10, 2015

2015/11/10



Q: In his speech on November 7 in California, US Defense Secretary Ashton Carter talked about freedom of navigation in the South China Sea, saying that China's recent behavior has presented challenges for the international order. What is China's response to that?

A: The current international order is jointly established by the international community with the UN at its core, and purposes and principles of the UN Charter as its basis. Its basic principle is that all countries should respect each other's sovereignty and territorial integrity, treat each other as equals and refrain from interfering in each other's internal affairs. The international order can by no means be defined arbitrarily by any specific person from the US. China upholds, builds and contributes to the current international system and international order. It also is a staunch defender for peace and stability of the Asia-Pacific and the world as a whole as well as international equity and justice. The international community is able to come to a fair conclusion.

Our position concerning the issue of navigation freedom in the South China Sea is consistent, clear and unchanged. The Nansha Islands have been part of China's territory since ancient times. China has the right to carry out construction on its own territory which harms no country, and has no impact on freedom of navigation and over-flight in the region. The Chinese side stays committed to peacefully resolving relevant disputes with countries directly concerned through negotiations and consultations on the basis of respecting historical facts and international law, and jointly safeguarding peace and stability of the South China Sea with ASEAN countries. China's position as mentioned is reasonable, justified and lawful. The US side has no right to point an accusing finger at us.

In disregard of China's opposition, the US side insisted on sending military vessels to nearby waters of relevant islands and reefs of the Nansha Islands. It constitutes a grave damage to China's sovereignty and security, and heightens regional tension. Facts have given us a clear idea of who is breaching the international order and creating troubles.



Q: Do recent moves taken by China, such as President Xi Jinping's visits to Singapore and Vietnam and the trilateral leaders' meeting of China,

Japan and the ROK, indicate that China is adopting new policies and becoming even open to the neighborhood?

A: China is conducting active and dynamic neighborhood diplomacy. President Xi Jinping just wrapped up his visits to Vietnam and Singapore. Premier Li Keqiang attended the sixth trilateral leaders' meeting of China, Japan and the ROK during his visit to the ROK. China's neighborhood diplomacy thrives. We prioritize the neighborhood in our overall diplomacy and take it as our duty to promote peace, stability and development in the neighborhood. By developing relations with neighbors, we are aiming at building a community of common destiny and shared interests with them. The Chinese side would like to see that China's neighbors seize the opportunity brought by China's development, work with China to enhance good-neighborliness and friendliness, boost economic growth in the region and create benefits for people from the region.

While developing relations with relevant countries, we also stress that we should stick to the right course of bilateral relations. For example, we maintain that we should regard history as the mirror and look forward into the future when developing China-Japan relations, and that we should properly deal with and manage well maritime disputes when developing China-Vietnam relations to keep the larger picture intact.

Q: The Governor of the People's Bank of China wrote an article about the internationalization of RMB for the CAIJING MAGAZINE the other day. Does that mean any progress in IMF's inclusion of RMB in the SDR basket of currencies?

A: With the growth of China's economic strength and foreign trade, RMB is playing a more and more important role in international trade, investment and other areas. Given such a trend, the inclusion of RMB in the SDR will make the SDR more representative and appealing, improve the international monetary system, and maintain global financial stability. We look forward to progress on the issue of including RMB in the SDR basket of currencies.



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 - Foreign Ministry Spokesperson Lu Kang's Regular Press Conference on October 30, 2015



Annex 655

Ministry of Foreign Affairs of the Republic of China (Taiwan), *Our Island: The Atlas of Taiping Island of the Republic of China (Taiwan)*, Vol. 1 (7 July 2015)

Our Island: The Atlas of Taiping Island of the Republic of China (Taiwan), Vol. 1

I. Environment and natural resources of Taiping Island

1. Aerial photograph of Taiping Island



2. Tropical forest



3. Round-island ecological trail



4. Old pier



5. Skimming well



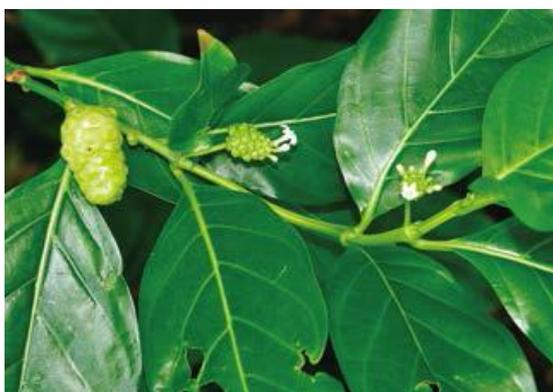
6. Underwater sea cliffs



7. Rich marine ecosystem



8. Noni, a fruit commonly used as medicine by Pacific Islanders



9. Terrestrial invertebrates on Taiping Island

Class Insecta: 35 families, 38 species; including orders Diptera, Hymenoptera, Lepidoptera, Coleoptera, Hemiptera, and Orthoptera.

Class Arachnida: Five families, five species; including families Linyphiidae, Lycosidae, Salticidae, and Sparassidae.

Class Gastropoda: Six families, eight species; including families Subulinidae, Gastrocoptidae, Helicarionidae, Streptaxidae, Achatinidae, and Succineidae.

Class Malacostraca: Six families, six species; including Gecarcinidae, Paguridae, Porcellionidae, Armadillidae, and Philosciidae.

Class Diplopoda: one family, one species; including families Pachybolidae.

Class Chilopoda: One family, one species.

Annelida: One family, one species.

10. Gram blue (*Euchrysops cnejus*)



11. Terrestrial crab (Gecarcoidea)



12. Greater crested tern (Thalasseus bergii)



13. Cattle egret (Bubulcus ibis)



14. Female green turtle digging a nest and laying eggs



15. Migratory routes of six satellite-tagged female green turtles which nested on Taiping Island between 2001 and 2003



II. Life on Taiping Island)

1. Patrolling the island



2. Religious ritual



3. Senior guards, and most adorable pets: the patrol dogs



4. Barbecue dinner



5. Rescuing a stranded green turtle



6. Delivering and sorting mail



7. Videoconference between doctors stationed on the island and doctors at Kaohsiung Armed Forces General Hospital



8. Recreation Center



9. Grocery supply station



III. Peaceful developments on Taiping Island

1. Power generators



2. Rainwater and sewage recycling system



3. Photovoltaic system



4. Post office



5. Nansha Hospital, one of the most advanced hospitals in the Nansha Islands, providing humanitarian assistance to crew members from ships of all nations



6. Scenes from the island farm, producing papayas, pumpkins and luffa squash





7. Satellite dishes



8. 2G mobile communications equipment



9. Runway



Annex 656

Ministry of Foreign Affairs of the Republic of China (Taiwan), *Statement on the South China Sea* (7 July 2015)



MINISTRY OF FOREIGN AFFAIRS
REPUBLIC OF CHINA (TAIWAN)

Statement on the South China Sea

Date: 2015/07/07 Data Source: Public Diplomacy Coordination Council

2015/07/07

No.001

With regard to the South China Sea, which has been in the international spotlight of late, the Ministry of Foreign Affairs of the Republic of China Taiwan reiterates its position as follows:

1. Whether from the perspectives of history, geography, or international law, the Nansha Spratly Islands, Shisha Paracel Islands, Chungsha Islands Macclesfield Bank, and Tungsha Pratas Islands, as well as their surrounding waters, are an inherent part of ROC territory and waters. As the ROC enjoys all rights to these island groups and their surrounding waters in accordance with international law, the ROC government does not recognize any claim to sovereignty over, or occupation of, these areas by other countries, irrespective of the reasons put forward or methods used for such claim or occupation.

2. The South China Sea islands were first discovered, named, and used, as well as incorporated into national territory by the Chinese. In 1938 and 1939, Japan illegally occupied the Tungsha Pratas, Shisha Paracel, and Nansha Spratly Islands. On March 30, 1939, Japan integrated what it called "Shinnan Gunto" comprising some of the Nansha Spratly Islands into Takao Prefecture today known as Kaohsiung City through Announcement No. 122 of the Taiwan Governor-General's Office. In 1946, following World War II, the ROC government reclaimed the Tungsha Pratas, Shisha Paracel, and Nansha Spratly Islands, erecting stone markers on major islands and garrisoning some. In December 1947 it issued the revised names of the South China Sea islands and the Location Map of the South China Sea Islands, which delineate the scope of ROC territory and waters in the region. Furthermore, the San Francisco Peace Treaty, which entered into effect on April 28, 1952, as well as the Treaty of Peace between the ROC and Japan which was signed that same day, together with other international legal instruments, reconfirmed that the islands and reefs in the South China Sea occupied by Japan should be returned to the ROC. In the several decades since, the fact that the ROC owns and exercises effective control over these islands has been recognized by foreign governments and international organizations

3. Taiping Island Itu Aba, the largest 0.5 square km of the naturally formed Nansha Spratly Islands, has been garrisoned by ROC troops since 1956. In the same year, the ROC government established the Defense Zone of the Nansha Spratly Islands on Taiping Island Itu Aba. In February 1990, by executive decree, the Executive Yuan Cabinet of the ROC put Taiping Island Itu Aba under the administrative jurisdiction of Qijin District of Kaohsiung City. For the past six decades, ROC military and civilian personnel have dwelled on Taiping Island Itu Aba, conducting their respective missions while making use of and developing its natural resources. Taiping Island Itu Aba has groundwater wells, natural vegetation, and phosphate ore and fishery resources. Moreover, personnel stationed on the island cultivate vegetables and fruit and rear livestock. In 1959, personnel built the Guan Yin Temple, dedicated to the Bodhisattva of Compassion. From legal, economic, and geographic perspectives, Taiping Island Itu Aba indisputably qualifies as an "island" according to the specifications of Article 121 of the United Nations Convention on the Law of the Sea UNCLOS, and can sustain human habitation and economic life of its own; it is thus categorically not a "rock". The ROC government will firmly defend this fact. Any claims by other countries which aim to deny this fact will not impair the legal status of Taiping Island Itu Aba and its maritime rights based on UNCLOS.

4. Since 2008, the ROC government has actively promoted peaceful utilization of the South China Sea, garnering significant results. Major ROC contributions to regional peace and stability include the following:

In July 2010, the Ministry of the Interior (MOI) formally established the Tungsha Pratas Atoll National Park Management Station, which will implement the Tungsha Pratas Atoll International Marine Research Station Project, promoting Tungsha Pratas as a hub for international marine research.

In 2011, the Ministry of Economic Affairs MOEA mapped mining areas around the Tungsha Pratas Islands and Taiping Island Itu Aba, and completed preliminary geological and oceanic surveys.

Since 2011, the Ministry of National Defense MND and the Coast Guard Administration CGA have held study camps regarding the Nansha Spratly and Tungsha Pratas Islands to enhance awareness among young people of the importance of peacefully resolving regional disputes.

Since November 2013, the Ministry of Transportation and Communications MOTC, MND, and CGA have jointly carried out transportation infrastructure work on Taiping Island Itu Aba.

In December 2013, the MOTC completed a communications network on Taiping Island Itu Aba, facilitating normal and emergency communications for international humanitarian rescue operations.

In December 2014, the second phase of a photovoltaic system on Taiping Island Itu Aba came on line. Combined with the first phase completed in 2011, the system provides 16% of electricity supply and reduces carbon emissions by 128 metric tons annually, transforming Taiping Island Itu Aba into a low-carbon island.

5. The ROC was a founding member of the United Nations. Although the ROC lost its representation in 1971, its full name remains in Articles 23 and 110 of the Charter of the United Nations UN Charter. The ROC has consistently adhered to the principles of peaceful settlement of international disputes and freedom of navigation and overflight as stipulated in the UN Charter and other relevant international law and regulations. In fact, the ROC has defended Taiping Island Itu Aba and other islands without ever getting into military conflict with other nations. Nor has the ROC interfered with other nations' freedom of navigation or overflight in the South China Sea.

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6. The ROC government calls on countries bordering the South China Sea to respect the spirit and principles of the UN Charter and UNCLOS, and to exercise restraint, safeguard peace and stability in the South China Sea, and refrain from taking any unilateral action that might escalate tensions.

7. The ROC government will work to safeguard sovereignty, shelve disputes, pursue peace and reciprocity, and promote joint development. Based on consultations conducted on an equal footing, the ROC is willing to work with other parties concerned to jointly ensure peace and stability in the South China Sea, as well as conserve and develop resources in the region.

8. Any arrangement or agreement regarding Taiping Island (Itu Aba) or other islands in the South China Sea and their surrounding waters that is reached without ROC participation and consent shall have no legal effect on the ROC and shall not be recognized by the ROC government. (E)

Annex 657

Ministry of Foreign Affairs of the Republic of China (Taiwan), *ROC government reiterates its position on South China Sea issues* (31 Oct. 2015)



MINISTRY OF FOREIGN AFFAIRS
REPUBLIC OF CHINA (TAIWAN)

ROC government reiterates its position on South China Sea issues

Date: 2015/10/31 Data Source: Public Diplomacy Coordination Council

October 31,
2015No. 240

The government of the Republic of China (Taiwan) takes note of the awards pertaining to jurisdiction in the Philippines-mainland China arbitration issued by the arbitral tribunal on October 29, 2015, and solemnly reiterates its position on the South China Sea as follows:

1. Whether from the perspective of history, geography, or international law, the Nansha (Spratly) Islands, Shisha (Paracel) Islands, Chungsha Islands (Macclesfield Bank), and Tungsha (Pratas) Islands (together known as the South China Sea Islands) , as well as their surrounding waters, are an inherent part of ROC territory and waters. As the ROC enjoys all rights to these islands and their surrounding waters in accordance with international law, the ROC government does not recognize any claim to sovereignty over, or occupation of, these areas by other countries, irrespective of the reasons put forward or methods used for such claim or occupation.
2. The South China Sea islands were first discovered, named, and used, as well as incorporated into national territory, by the Chinese. Furthermore, the San Francisco Peace Treaty, which entered into effect on April 28, 1952, as well as the Treaty of Peace between the ROC and Japan , which was signed that same day, together with other international legal instruments, reconfirmed that the islands and reefs in the South China Sea occupied by Japan should be returned to the ROC.
3. Taiping Island (Itu Aba), the largest (0.5 square km) of the naturally formed Nansha (Spratly) Islands , has been garrisoned by ROC troops since 1956. From legal, economic, and geographic perspectives, Taiping Island (Itu Aba) indisputably qualifies as an "island" according to the specifications of Article 121 of the United Nations Convention on the Law of the Sea (UNCLOS), and can sustain human habitation and economic life of its own; it is thus categorically not a "rock" under the same article. Any claims by other countries which aim to deny this fact will not impair the legal status of Taiping Island (Itu Aba) and its maritime rights based on UNCLOS.
4. The ROC has consistently adhered to the principles of peaceful settlement of international disputes and freedom of navigation and overflight as stipulated in the UN Charter and other relevant international law and regulations. In fact, the ROC has defended Taiping Island (Itu Aba) and other islands without ever getting into military conflict with other nations. Nor has the ROC interfered with other nations' freedom of navigation or overflight in the South China Sea .
5. The ROC government calls on the coastal states of the South China Sea to respect the provisions and spirit of the UN Charter and UNCLOS, and to exercise restraint, safeguard peace and stability in the South China Sea, uphold the freedom of navigation and overflight through the South China Sea, refrain from taking any action that might escalate tensions, and resolve disputes peacefully.
6. On May 26, 2015, the ROC government proposed the South China Sea Peace Initiative, which is based on the principles of safeguarding sovereignty, shelving disputes, pursuing peace and reciprocity, and promoting joint development. Based on consultations conducted on a basis of equality and reciprocity, the ROC is willing to work with other parties concerned to jointly ensure peace and stability in the South China Sea , as well as conserve and develop resources in the region.
7. The Philippines has not invited the ROC to participate in its arbitration with mainland China , and the arbitral tribunal has not solicited the ROC's views. Therefore, the arbitration does not affect the ROC in any way, and the ROC neither recognizes nor accepts related awards. (E)

Annex 658

Executive Yuan of the Republic of China (Taiwan), Department of Information Services, *Government determined to defend sovereignty over Taiping Island* (2 Nov. 2015)



Press Releases

Government determined to defend sovereignty over Taiping Island

Date: 2015-11-02 Data Source: Department of Information Services, Executive Yuan

The Executive Yuan stated unequivocally today that the ROC government is determined to safeguard its sovereignty and marine rights over the four archipelagos in the South China Sea—namely the Nansha (Spratly), Dongsha (Pratas), Shisha (Parcel) and Zhongsha (Macclesfield Bank) Islands.

This statement was made in response to public concerns about the Philippines seeking The Hague's international tribunal arbitration on the South China Sea islands and whether this move would affect the ROC's status on Taiping Island (also known as Itu Aba) or the ROC government's determination to safeguard national sovereignty. The government will closely monitor the case's development and adopt necessary response measures to highlight the nation's sovereignty.

The Executive Yuan stated that according to Article 121, Paragraph 1 of the United Nations Convention on the Law of the Sea (UNCLOS), "An island is a naturally formed area of land, surrounded by water, which is above water at high tide." Such rocks that can sustain human habitation or economic life of their own shall have their exclusive economic zone or continental shelf, the law states. The ROC's Taiping Island is the largest naturally formed island in the Spratly Islands that can sustain human habitation and economic life, meets UNCLOS' Article 121 definition of an island, and therefore can have an exclusive economic zone and continental shelf.

The Executive Yuan further pointed out that in this case the Philippines and mainland China are the plaintiff and defendant, respectively. The Philippines submitted the case for international tribunal arbitration based on the Institution of Procedures in the UNCLOS' Annex VII. Since mainland China is the defendant and the ROC is not a party in the case, the ROC has no obligation to participate in the arbitration. Moreover, as the Philippines has never invited the ROC to participate in the arbitration, nor has the international tribunal sought the views of the ROC, therefore the ROC is not involved in any way. Thus, the ROC government does not accept nor recognize any of the arbitration rulings.

The Executive Yuan stated that the pier on Taiping Island is expected to be completed by the end of December this year for verification along with a completed lighthouse. These efforts will help realize President Ma's South China Sea Peace Initiative, which advocates ROC sovereignty and setting aside disputes in favor of joint development of marine resources based on peace and reciprocity.

The Executive Yuan stated that in order to highlight the government's humanitarian and peaceful means for the island, the government has been setting up a solar-energy system, improving airport navigation facilities to enhance disaster-relief capabilities, and making Taiping a peaceful, ecological and low-carbon island.

The government has organized national workshops on the Nansha Islands for numerous years, totaling 12 batches with 215 students and teachers from 21 universities, including National Taiwan Ocean University. The government plans to organize more workshops and is cautiously contriving to allow citizens to visit the island for tourism.

Annex 659

Association of Southeast Asian Nations, *Chairman's Statement: 26th ASEAN Summit, "Our People, Our Community, Our Vision"* (27 Apr. 2015)



**CHAIRMAN'S STATEMENT OF THE 26TH ASEAN SUMMIT
KUALA LUMPUR & LANGKAWI, 27 APRIL 2015
"OUR PEOPLE, OUR COMMUNITY, OUR VISION"**

We, the Heads of State/Government of ASEAN Member States, gathered in Kuala Lumpur and Langkawi, Malaysia for the 26th ASEAN Summit on 26-27 April 2015, had productive discussions under the theme 'Our People, Our Community, Our Vision' which reflects the overarching spirit of Malaysia's Chairmanship, namely to create a truly people-oriented, people-centred ASEAN comprising all areas of political and security cooperation, economic growth and socio-cultural development.

2. We expressed deep and heartfelt condolences to the Government and people of Singapore on the demise of former Prime Minister Lee Kuan Yew, a true Statesman who had made significant contributions to his country, to ASEAN and to regional community-building.

3. We fully supported the eight priorities for ASEAN outlined by Malaysia during her Chairmanship in 2015, namely to formally establish the ASEAN Community; to develop the ASEAN Community's post-2015 vision; to steer ASEAN closer to its peoples; to strengthen the development of SMEs in the region; to expand intra-ASEAN trade and investments; to strengthen ASEAN's institutions; to promote regional peace and security through moderation; and to enhance ASEAN's role as a global player.

4. We adopted the following documents as outcomes of the Summit:

- Kuala Lumpur Declaration on a People-Oriented, People-Centred ASEAN
- Langkawi Declaration on the Global Movement of Moderates
- Declaration on Institutionalising the Resilience of ASEAN and its Communities and Peoples to Disasters and Climate Change

ASEAN COMMUNITY BUILDING

5. We are pleased with the positive progress made since 2009 in implementing the Roadmap for an ASEAN Community comprising the ASEAN Political Security Community (APSC), ASEAN Economic Community (AEC) and the ASEAN Socio-Cultural Community (ASCC) Blueprints, the Initiative for ASEAN Integration (IAI) Strategic Framework and IAI Work Plan II (2009-2015) as well as the Master Plan on ASEAN Connectivity, which have all contributed towards establishing an ASEAN Community by the end of 2015.

6. We agreed to further intensify our work to realise an ASEAN Community that is politically cohesive, economically integrated and socially responsible in order to take advantage of current and future opportunities, and effectively respond to regional and international challenges.

7. We expressed satisfaction at the implementation of the provisions of the ASEAN Charter in providing the legal status and institutional framework for ASEAN since its adoption in 2007. We urged ASEAN Member States to ratify all outstanding legal instruments under the ASEAN Charter in a timely manner.

8. We continued to encourage the ASEAN Coordinating Council (ACC) and the ASEAN Community Councils, with the support of the relevant Senior Officials and the Committee of Permanent Representatives to ASEAN (CPR) to implement the recommendations of the High Level Task Force on Strengthening the ASEAN Secretariat and Reviewing the ASEAN Organs within the stipulated timeframes.

9. We are pleased to welcome the progress made thus far in developing the ASEAN Community's Vision and the attendant documents for the three community pillars for the period of 2016-2025. We looked forward to the submission of the documents by the ASEAN Coordinating Council (ACC) at the 27th ASEAN Summit.

ASEAN POLITICAL-SECURITY COMMUNITY

10. We reaffirmed the Treaty of Amity and Co-operation in Southeast Asia (TAC) as the key code of conduct governing inter-State relations in the region and a foundation for the maintenance of regional peace and stability. We agreed to deliberate on requests made by countries to accede to the TAC, in accordance with its revised guidelines for accession.

11. We reiterated our commitment to implementing the Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ Treaty) and its Plan of Action and called on the Nuclear Weapon States to consider signing the Protocol to the SEANWFZ Treaty to further promote Southeast Asia as a region free of nuclear weapons and all other weapons of mass destruction.

ASEAN Inter-Parliamentary Assembly

12. We welcomed the significant contribution by AIPA to the ASEAN Community-building process and appreciated the interface with Representatives of AIPA. We are convinced that AIPA Representatives are significant intermediaries in the realisation of a "People-Centred ASEAN" as it is well placed to reach out directly to the people of ASEAN and promote the importance of an ASEAN Community and its benefits. We looked forward to the convening of the 36th AIPA on 6 - 12 September 2015 in Kuala Lumpur.

Global Movement of Moderates

13. We welcomed the adoption of the 2015 Langkawi Declaration on the Global Movement of Moderates, which comprehensively outlines the philosophy of

moderation, which is an established ASEAN value, in all its dimensions. We recognised that moderation is an all-encompassing approach not only in resolving differences and conflicts peacefully but also for ensuring sustainable and inclusive development and equitable growth as well as promoting social harmony and mutual understanding within countries and regions.

ASEAN Defence Ministers' Meeting (ADMM)

14. We recognised the important role of the ASEAN Defence Ministers towards the realisation of the ASEAN Political-Security Community and welcomed the commitment of the 9th ASEAN Defence Ministers' Meeting (ADMM) which met in Langkawi, Malaysia, on 16 March 2015 in addressing common security challenges and its pledge to respond collectively to the threat of extremist organisation in the region.

15. We further noted the proposals made at the 9th ADMM to improve the region's response to non-traditional security challenges on the basis of flexible, voluntary and non-binding participation by ASEAN member states, including the adoption of the Concept Paper on ASEAN Militaries Ready Group on Humanitarian Assistance and Disaster Relief (HADR) and the Concept Paper on the Establishment of an ASEAN Centre of Military Medicine (ACMM).

Response to the Rise of Radicalisation and Violent Extremism

16. We welcomed the convening of the East Asia Summit Symposium on Religious Rehabilitation and Social Reintegration, held in Singapore on 16 – 17 April 2015 and looked forward to the convening of the Special ASEAN Ministerial Meeting on the Rise of Radicalisation and Violent Extremism (SAMMRRVE) in Kuala Lumpur, Malaysia as contributing to addressing the growing threat of radicalisation and violent extremism, and the real and present danger it poses to the ASEAN region.

Establishment of the ASEAN Ministerial Meeting on Drug Matters

17. We welcomed the decision of the ASEAN Ministers responsible for drug matters to institutionalise the ASEAN Ministerial Meeting on Drug Matters which will provide political impetus to ASEAN cooperation on drug matters and strategic guidance to the Senior Officials on Drug Matters on a Drug-Free ASEAN.

ASEAN Inter-Governmental Commission on Human Rights

18. We commended the work of AICHR in the promotion and protection of all human rights and fundamental freedoms of the peoples of ASEAN. We acknowledged on-going efforts by AICHR to streamline its programmes and activities throughout 2015. We looked forward to the finalisation of AICHR's second Five-Year Work Plan 2016-2020, to be adopted at the forthcoming ASEAN Foreign Ministers' Meeting in Kuala Lumpur, Malaysia in August 2015.

ASEAN Regional Forum Disaster Relief Exercises

19. We looked forward to the convening of the ARF Disaster Relief Exercises (ARF DiREx), to be held in Kedah and Perlis, Malaysia on 24-28 May 2015 which will contribute towards strengthening civilian-military coordination and support the effective implementation of the ASEAN Agreement on Disaster Management and Emergency Response (AADMER) at the strategic and operational levels through a Table Top Exercise (TTX) and at the tactical level through the Field Training Exercise (FTX).

ASEAN ECONOMIC COMMUNITY

20. We were satisfied that the ASEAN economy grew by 4.4 per cent in 2014 amid challenges in the global economy. Domestic demand in our economies has remained resilient, supported mainly by private consumption. There were robust inflows of investments to the region, which in 2014 stood at USD136.2 billion, reflecting a 15.7 per cent year-on-year growth. ASEAN's total trade was stable in 2014, amounting to USD2.53 trillion, a marginal increase of 0.8 per cent from the previous year.

21. The ASEAN economic growth is projected to improve in 2015 to 4.9 per cent, well above the latest global growth projections of 3.5 per cent. Investment is expected to further increase, as the ASEAN region remains an attractive investment destination with the establishment of the AEC and with continued focus on infrastructure development to improve connectivity.

22. We noted the continuing progress made in the implementation of the AEC Blueprint, and welcomed the full implementation to date of 458 measures of the AEC Scorecard targeted for ASEAN-wide implementation over the period 2008-2015. We commended the ASEAN Economic Ministers' (AEM) identification of pending prioritised key deliverables with the highest trade impact and that can be implemented within the year. In the context of the fully implemented measures to date and the high-priority measures identified by the AEM for implementation within 2015, we noted that the current rate of implementation of the AEC Scorecard stands at 90.5 per cent out of 506 measures.

23. We are generally satisfied with the progress in the implementation of the AEC measures, which through the adoption of the frameworks of rules and various liberalisation and facilitation measures, is sending a strong signal that the region is moving forward as an economic community by 1 January 2016. Since the adoption of the AEC Blueprint in 2007, the implementation of AEC measures have delivered many benefits to ASEAN businesses and consumers, from significant tariff liberalisation, efforts to improve trade facilitation measures through self-certification, harmonisation of technical regulations and standards, simplification of customs procedures, and the Mutual Recognition Arrangements on the movement of skilled professionals in the region. In fostering a business-enabling environment, ASEAN has also put in place legal structures on competition, consumer protection and intellectual property.

24. We welcomed the further elimination of tariffs by Cambodia, Lao PDR, Myanmar and Viet Nam on 1 January 2015. We welcomed progress in this area, with the elimination of duties on the remaining 7 per cent tariff lines by 2018, which will further contribute to the development of a more integrated regional market.

25. We further welcomed efforts taken towards developing a comprehensive action plan on trade facilitation and endorsed the reactivation of the ASEAN Trade Facilitation Joint Consultative Committee (ATF-JCC), comprising the public and private sectors, with the latter's inclusion to promote a more proactive role in identifying specific issues as well as facilitate in ways to reduce or eliminate non-tariff barriers in the region.

26. We also welcomed the decision to improve on the ASEAN Consultation to Resolve Trade and Investment Issues (ACT), an internet-based mechanism intended as a network of government focal points between ASEAN Member States to address operational issues encountered in the implementation of economic agreements, and which will be re-launched by year's end.

27. We were encouraged by the signing of the Protocol on the Legal Framework to Implement the ASEAN Single Window (PLF-ASW), which would expedite the implementation of the ASW measures. We encouraged all Member States to participate in the implementation of ASW in December 2015. We were pleased with the entry into force of the ASEAN Agreement on Customs in November 2014, and welcomed the completion of the signing of Protocol 7 on Customs under the ASEAN Framework Agreement on the Facilitation of Goods in Transit (AFAFGIT). These developments would support the free flow of goods across the region and enhance intra-ASEAN trade.

28. We noted with satisfaction that despite the challenges faced by Member States, good progress has been made in the liberalisation of services under the ASEAN Framework Agreement on Services (AFAS). We looked forward to the completion of the final AFAS package by end of 2015, as this would lead to substantial integration of the services sector, and to sustain and attract foreign direct investments into the region.

29. We welcomed the commencement of negotiations on the Ninth Package of Commitments on Air Transport Services under AFAS, which would further liberalise the air transport ancillary services in ASEAN and looked forward to its timely conclusion by end of 2015.

30. Investment regimes in ASEAN Member States continue to be enhanced through improvements and removal of restrictions under the ASEAN Comprehensive Investment Agreement (ACIA), as well as through various other initiatives such as the on-going Investment Policy Reviews of several AMS conducted by the OECD. We looked forward to its full implementation in order to increase intra-ASEAN investments and to enhance ASEAN's competitiveness in attracting investments into the region.

ASEAN Finance Ministers Meeting

31. We welcomed the convening of the First Joint Meeting of the ASEAN Finance Ministers and Central Bank Governors, held in Kuala Lumpur, Malaysia on 21 March 2015. We further welcomed the commitment to develop an implementation plan for a post-2015 ASEAN financial integration under the Roadmap for Monetary and Financial Integration of ASEAN (RIA-fin).

32. We are pleased that the Protocol to Implement the Sixth Package of Financial Services Liberalisation under the ASEAN Framework Agreement on Services has been signed by all ASEAN Finance Ministers. The Protocol contains the enabling provision for the implementation of the ASEAN Banking Integration Framework (ABIF) towards achieving greater financial and economic integration.

33. We noted the good progress made in the area of capital market integration through a number of initiatives such as the adoption of the Principles for Product Transparency and Disclosure on Cross-Border Trade Settlement.

Entrepreneurship

34. Recognising the contribution of Small and Medium Enterprises (SMEs) to the economic growth of the region, we looked forward to the announcement of the ASEAN Strategic Action Plan for SME Development (2016-2025), which will focus on access to finance, technology, enhancing management and marketing capability. Access to market information and strengthening microenterprises are important in enhancing SMEs' competitiveness and resilience.

35. We recognised the economic contribution of young entrepreneurs in the region and the need to establish a platform to foster networking and share best practices amongst them. In this regard, we commended Malaysia's efforts in organising the 1ASEAN Entrepreneurship Gathering, which was a prelude to the 1ASEAN Entrepreneurship Summit (1AES) to be held at the sidelines of the 27th ASEAN Summit and Related Summits, to be held in Kuala Lumpur, Malaysia in November 2015, aimed at facilitating people-to-people linkages and promoting economic development and growth within ASEAN.

36. We further welcomed the establishment of national chapters of the ASEAN Young Entrepreneurs Association (YEA), designed to promote the inclusion of youth in entrepreneurial activities in the region. We looked forward to the establishment of similar networks involving women entrepreneurs.

Tourism

37. We welcomed the launching of GOASEAN, an ASEAN-focused travel channel to promote ASEAN as a single tourism destination as well as to promote intra-ASEAN travel and appreciation of ASEAN culture and heritage.

Regional Growth Areas

38. We reiterated the importance of sub-regional growth areas, such as the Indonesia-Malaysia-Thailand Growth Triangle (IMT-GT), the Brunei Darussalam-Indonesia-Malaysia-Philippines East ASEAN Growth Area (BIMP-EAGA), the Greater Mekong Sub-Region Economic Co-operation (GMS), the Ayeyawady-Chao Phraya-Mekong Economic Co-operation Strategy (ACMES), and the Cambodia-Lao-Viet Nam (CLV) Development Triangle, the Cambodia-Lao-Myanmar-Viet Nam (CLMV) cooperation, and other Mekong-subregional cooperation mechanisms, as important building blocks of the ASEAN Community 2015, and are committed to further strengthening strategic and institutional linkages as well as mobilising resources to improve coordination and bridge the development gap among these areas.

ASEAN SOCIO-CULTURAL COMMUNITY

39. We were pleased to adopt the Kuala Lumpur Declaration on a People-Oriented, People-Centred ASEAN, through which we outlined our desire to make ASEAN an even more effective vehicle in the realisation of our peoples' aspirations for good governance, transparency, higher standards of living, sustainable development focusing on climate change and 'the environment, the further empowerment of women as well as greater opportunities for all in ASEAN in a post-2015 era.

40. We took note of the views and proposals made by ASEAN Civil Society Representatives and also of the convening of the ASEAN Civil Society Conference/ASEAN Peoples' Forum and commended their contribution to the ASEAN Community-building process. We encouraged their continued constructive engagement in the process towards achieving a people-oriented, people-centred ASEAN Community.

41. We welcomed the ASEAN Leaders' Interface with Youth Representatives and took note of their desire for a peaceful and stable, economically resilient, socially and culturally responsible ASEAN Community. In a region where youth constitute 65 per cent of the population, ASEAN's development strategy must include both men and women, and by extension its youth, if it is to succeed. We urged our youth to embrace innovation, critical thinking and problem solving skills in order to succeed in a rapidly changing world.

42. We welcomed the convening of the Forum for Spouses of ASEAN Heads of State/Government, held on 27 April 2015 in conjunction with the 26th ASEAN Summit. The Forum "Empowerment through Social Business" focused on increasing awareness on social business and its development in the alleviation of poverty. We urge the ASEAN Ministerial Meeting on Social Welfare and Development (AMMSWD) and the ASEAN Economic Ministers Meeting (AEM) to consider the recommendations of the Forum and further develop the concept of social business in achieving a caring and sharing society within ASEAN.

43. We reaffirmed our commitment to enhance cooperation to address the needs and interests as well as provide equal access to opportunities and raise the quality of

life and standard of living for women, children, the elderly and persons with disabilities. We noted with satisfaction the successful convening of the Regional Conference on Social Impact of Climate Change on Women and Children in Cambodia on 25-26 March 2015 as part of the ASEAN Committee on Women (ACW) Work Plan (2011-2015), and took note of the ASEAN Regional Workshop on Gender Issues in Climate Change and Its Adaptation, to be organised in Malaysia in June 2015.

44. We expressed our commitment to promote a healthy, active and productive environment for elderly persons in the ASEAN region, so that the elderly may continue to play a vital role in their families and in society. To this end, we welcomed on-going efforts to finalise the Kuala Lumpur Declaration on Ageing: Empowering Older Persons in ASEAN at the 11th SOMSWD, to be held in Malaysia in 2015.

45. We are resolved to move ASEAN forward, equipped with a higher level of knowledge and skills, to be inculcated through capacity building and knowledge management. ASEAN institutions of higher education should further enhance their role in developing graduates with the necessary attributes and competencies, able to contribute to the development and well-being of the ASEAN Community in the post-2015 era.

46. We recognise the contribution of migrant workers to both the society and economy of ASEAN and reiterated the importance of creating a secure and prosperous ASEAN Community. We stressed the need to improve the quality of life of the people of ASEAN and to safeguard their human rights and fundamental freedoms including the rights of migrant workers. We tasked the ASEAN Labour Ministers to continue working on the finalization of an ASEAN Instrument on the Protection and Promotion of the Rights of Migrant Workers.

47. We underlined the importance of enhancing cooperation in disaster management and emergency response to be better prepared to deal with natural disasters in our region. We welcomed the ASEAN Declaration on Institutionalising the Resilience of ASEAN and Its Communities and People to Disasters and Climate Change, which underscores the importance of building an ASEAN Community that is resilient to disaster and climate change, viewing resilience as a unifying, multi-faceted process and outcome. We were encouraged by the efforts made by relevant ASEAN bodies through the ASEAN Joint Task Force on Humanitarian Assistance and Disaster Relief (HADR) to improve synergies between the different platforms involved in the management of HADR to provide for more efficient outcomes and avoid duplication of work.

48. We noted that transboundary haze pollution remained a concern in the region. With the ASEAN Agreement on Transboundary Haze Pollution (AATHP) now having been ratified by all parties, we look forward to greater regional cooperation towards resolving the issue in a concerted manner. We noted the initiatives by the Sub-Regional Ministerial Steering Committee on Transboundary Haze Pollution (MSC) countries to take the necessary actions in order to operationalise the ASEAN Sub-Regional Haze Monitoring System (HMS). In the meantime, we encouraged MSC

countries to share information on a Government-to-Government basis on hotspot areas that cause transboundary haze.

49. We noted with great concern that climate change is already having significant impact in the region, causing severe social and economic disruptions and damage throughout the region. We affirmed our commitment to address climate change at the national, regional and global levels. We called for a comprehensive 2015 agreement, based on science and the principles of equity, and common but differentiated responsibilities and respective capabilities, as well as the promotion of sustainable development for all in line with the UN Post-2015 Development Agenda.

INITIATIVE FOR ASEAN INTEGRATION

50. We recognised that regional integration and narrowing the development gap are priorities in the ASEAN community-building process and in this regard welcomed the drawing up of the IAI Work Plan III (2016-2020) and a post-2015 IAI Agenda. We welcomed closer collaboration between ASEAN and Mekong sub-regional cooperation arrangement to further strengthen IAI cooperation towards achieving equitable economic development in the region. In this aspect, we encouraged AMS to participate in Phase II of the technical assistance from the World Bank, which would focus on the assessment at the national level of development gaps within and between AMS that could be further narrowed. Noting that IAI is cross-cutting in nature, we also called for closer collaboration among the various ASEAN sectoral bodies in ensuring full participation and realisation of regional commitments and initiatives.

ASEAN CONNECTIVITY

51. We welcomed the progress made in the implementation of the Master Plan on ASEAN Connectivity (MPAC) in promoting economic growth, narrowing development gaps and contributing to ASEAN integration and community-building. We stressed the importance of addressing the various challenges in implementing MPAC initiatives, such as resource mobilisation as well as coordinating MPAC initiatives which are multi-sectoral in nature.

52. We emphasised the importance of ICT connectivity and tasked the Telecommunications and Information Technology (IT) Ministers to undertake initiatives to improve intra-ASEAN networks and security measures, while establishing platforms to deliver and distribute e-services and ASEAN-based content to our communities in order to ultimately drive e-entrepreneurship and innovation and encourage ASEAN citizens to participate in the Digital Economy, leading towards unlocking the digital potential in ASEAN, creating ASEAN Smart Communities and a safer ASEAN cyberspace.

53. We welcomed the on-going efforts by the ASEAN Connectivity Coordinating Committee (ACCC) to formulate a post-2015 Connectivity agenda, which should be bold, visionary and contain concrete and feasible measures which will contribute to a better-connected ASEAN region.

ASEAN EXTERNAL RELATIONS

54. We expressed satisfaction with the development of ASEAN's relations with its external partners and look forward to further cooperation for the mutual benefit of ASEAN and its partners. We also expressed our appreciation for their continued support for ASEAN's Community-building efforts and for initiatives which contribute to the peace and stability of the region.

55. We reiterated ASEAN's central role in shaping the evolving regional architecture and reaffirmed our commitment to further enhance and strengthen our partnerships through various ASEAN-led mechanisms, including the ASEAN Plus One and Plus Three Mechanisms, the East Asia Summit and the ASEAN Regional Forum.

56. We looked forward to the conclusion of the Upgrading of the ASEAN-China Free Trade Agreement (ACFTA) and the signing of the Protocol to incorporate the Trade in Services and Investment Chapters under the ASEAN Japan Comprehensive Economic Partnership (AJCEP) Agreement. We also noted the good progress of the ASEAN-Hong Kong Free Trade Agreement (AHKFTA) negotiations.

Timor-Leste

57. We welcomed the progress made by the ASEAN Coordinating Council Working Group (ACCWG) in deliberating the ASEAN Membership Application by Timor-Leste and exploring the ASEAN activities that Timor-Leste could participate in. We are committed to provide assistance for Timor-Leste's capacity building process and looked forward to the outcome of the three independent studies on ASEAN Membership Application by Timor Leste and its implications on the APSC, AEC and ASCC building process, as mandated to the ACCWG Sub-Working Group.

Strengthening of the East Asia Summit

58. We acknowledged the need to continue efforts to create robust mechanisms to address issues related to deepening regional integration and maintaining peace, stability and prosperity in the region. We recognised that these mechanisms must aim at promoting strategic trust through dialogue and transparent behaviour as well as adherence to rules and norms commonly agreed to. We further acknowledged the need to promote effectiveness, synergies and minimise duplication in ASEAN-led mechanisms. In this regard, we called for the strengthening of existing mechanisms, including the East Asia Summit.

REGIONAL AND INTERNATIONAL ISSUES

South China Sea

59. We share the serious concerns expressed by some Leaders on the land reclamation being undertaken in the South China Sea, which has eroded trust and confidence and may undermine peace, security and stability in the South China Sea.

60. In this regard, we instructed our Foreign Ministers to urgently address this matter constructively including under the various ASEAN frameworks such as ASEAN-China relations, as well as the principle of peaceful co-existence.

61. We reaffirmed the importance of maintaining peace, stability, security and freedom of navigation in and over-flight over the South China Sea. We emphasised the need for all parties to ensure the full and effective implementation of the Declaration on the Conduct of Parties in the South China Sea in its entirety: to build, maintain and enhance mutual trust and confidence; exercising self-restraint in the conduct of activities; to not to resort to threat or use of force; and for the parties concerned to resolve their differences and disputes through peaceful means, in accordance with international law including the 1982 United Nations Convention on the Law of the Sea.

62. While noting the progress made in the consultations on the Code of Conduct in the South China Sea (COC), we urged that consultations be intensified, to ensure the expeditious establishment of an effective COC.

Middle East

63. We reiterated ASEAN's support for the legitimate right of the Palestinian people for an independent state of Palestine and a two-state solution where Palestine and Israel live side-by-side in peace. We expressed concern at the seeming renunciation of the two-State solution as well as the expression of concern at Arab Israelis exercising their right of universal suffrage during the recent elections in Israel and called upon Israel and Palestine to constructively engage in peace negotiations. We reiterated our call for all parties to make every effort to remove obstacles related thereto, in particular the construction of illegal settlements in the occupied Palestinian Territories, in order to reach a final status agreement.

64. We expressed concern at the deteriorating situation in Yemen, resulting in deaths, destruction and large scale displacement of people, compelling us to evacuate hundreds of ASEAN Nationals from the country. We expressed support for the United Nations Security Council Resolution 2216 on the Situation in the Middle East (Yemen) and called on all parties to exercise restraint, resolve their differences through peaceful dialogue and return to the country's roadmap for an inclusive democratic transition. We urged all parties to facilitate the delivery of humanitarian assistance as well as the protection and evacuation of civilians.

International Economic Slowdown

65. We acknowledged the importance of deeper, faster and better integration to mitigate the effects of uncertainties in the global economy, through ASEAN becoming more competitive, promote further FDI inflows and ultimately benefit our peoples. We acknowledged that falling oil prices could affect export earnings and government revenue for net oil-exporting economies in ASEAN and the risk posed by currency volatility, including possible capital flow reversals.

66. We acknowledged the continued resilience of ASEAN economies amidst the challenges in the global economy. We note that, notwithstanding net oil exporting economies, the declining oil prices have an overall positive impact on the region's economic growth. We are however mindful of external factors that could adversely impact our economies. We are confident the continued adoption of appropriate policy mix, the realisation of AEC and together with the continued focus on infrastructure development to improve connectivity will help sustain economic growth, maintain regional financial stability and enhance ASEAN's competitiveness.

Regional Comprehensive Economic Partnership

67. We welcomed the progress made in negotiations for the Regional Comprehensive Economic Partnership (RCEP) and urged all parties to intensify efforts with the aim of concluding negotiations by end-2015. Given RCEP's potential to further integrate ASEAN into the global economy and uphold ASEAN centrality, we tasked our Economic Ministers to identify approaches which are pragmatic, credible, and acceptable to all parties, taking into consideration the different levels of development among ASEAN Member States, plus additional flexibility for the least developed ASEAN Member States.

G20

68. We expressed appreciation to Turkey for inviting ASEAN participation at the G20 Summit in Antalya, Turkey in November 2015 as well as related G20 meetings throughout the year. ASEAN's continued participation in the G20 is an acknowledgement of its role as a constructive and successful regional organisation. We will continue to provide constructive input and highlight ASEAN's views and perspectives concerning the international financial infrastructure.

UNSC

69. We welcomed Malaysia's non-permanent membership on the United Nations Security Council for the term 2015-2016 and expressed support for ASEAN's future candidatures to the United Nations Security Council. This is in line with our shared vision for ASEAN to coordinate action on various global issues of common interest and concern, leading to ASEAN becoming a global player.

Annex 660

Association of Southeast Asian Nations, *Joint Communiqué: 48th ASEAN Foreign Ministers Meeting, “Our People, Our Community, Our Vision”* (4 Aug. 2015)



**Joint Communiqué
48th ASEAN Foreign Ministers Meeting
Kuala Lumpur, Malaysia
4th August 2015**

“OUR PEOPLE, OUR COMMUNITY, OUR VISION”

1. We, the Foreign Ministers of the Association of Southeast Asian Nations (ASEAN), met on 4 August 2015 at the 48th ASEAN Foreign Ministers Meeting (48th AMM) in Kuala Lumpur. His Excellency Dato’ Sri Anifah Aman, Minister of Foreign Affairs of Malaysia chaired the meeting.

2. We had a productive deliberation under the theme “Our People, Our Community, Our Vision”, to create an ASEAN Community which is truly people-oriented, people-centred comprising all areas of cooperation. We also had fruitful discussions on regional and international issues as well as our ongoing efforts to maintain peace, stability and prosperity in the region.

ASEAN COMMUNITY BUILDING

3. We welcomed the successful convening of the 26th ASEAN Summit held in Kuala Lumpur and Langkawi on 27 April 2015 and the outcome documents. We will continue to work to realise our Leaders’ aspiration to create an ASEAN Community as envisaged in the Cha-Am Hua Hin Declaration on a Roadmap for an ASEAN Community (2009-2015), the Bandar Seri Begawan Declaration and the Nay Pyi Taw Declaration on the ASEAN Community’s Post-2015 Vision, and the Kuala Lumpur Declaration on a People-Oriented, People-Centred ASEAN.

4. We reaffirmed that the ASEAN Community should be built on the established foundation of the ASEAN Charter, the Treaty of Amity and Co-operation in Southeast Asia (TAC) and the Bali Concord III and its Plan of Action (2013-2017). We recognised the importance of moderation and tolerance in ASEAN Community building and remain committed to implementing the Langkawi Declaration on the Global Movement of Moderates 2015.

5. We are confident that the action lines under the Roadmap for an ASEAN Community 2009-2015, the Master Plan on ASEAN Connectivity, and the Initiative for ASEAN Integration (IAI) Strategic Framework and its Work Plan II (2009-2015)

will be completed with significant achievements across all three pillars. We took note of the gaps in the implementation of the current Roadmap (2009-2015) and are committed to addressing them under the ASEAN Community's Post-2015 Vision and its Attendant Documents as well as the Initiative for ASEAN Integration (IAI) Work Plan III and post-2015 Connectivity Agenda.

6. We are encouraged by the progress of the implementation of the recommendations of the High Level Task Force on Strengthening the ASEAN Secretariat and Reviewing the ASEAN Organs to strengthen the capacity of and coordination among ASEAN organs, including improving the work processes in the ASEAN Secretariat, and the coordination across and within the three community pillars in order to accelerate ASEAN Community building and integration efforts.

7. We are pleased with the progress achieved by the High Level Task Force on the ASEAN Community's Post-2015 Vision, and looked forward to the submission of the ASEAN Community's Post-2015 Vision and its Attendant Documents to the ASEAN Coordinating Council, for subsequent adoption by ASEAN Leaders at the 27th ASEAN Summit in Kuala Lumpur.

8. We are determined to strengthen ASEAN's centrality and all ASEAN-led mechanisms to ensure that the evolving regional architecture would be beneficial to ASEAN and to better meet the challenges and dynamics of global development.

9. We continue to deepen cooperation with Dialogue Partners, engage other external parties for mutually beneficial relations, and play a responsible and constructive role globally based on ASEAN common platform on international issues.

ASEAN POLITICAL SECURITY COMMUNITY

Implementation of the APSC Blueprint

10. We welcomed the progress in the implementation of the APSC Blueprint, which has brought APSC cooperation to a higher plane, contributing to peace and stability in the region. In line with the commitment to launch the ASEAN Community by end of this year, we encouraged expediting implementation of the remaining action lines in the Blueprint.

Treaty of Amity and Cooperation in Southeast Asia

11. We reaffirmed the Treaty of Amity and Cooperation in Southeast Asia (TAC) as the key code of conduct governing inter-State relations in the region and a foundation for the maintenance of regional peace and stability.

12. We recognised that the growing interest of other non-ASEAN Member States to accede to the TAC reflects a positive signal of their commitment to the purpose and principles contained in the TAC, to strengthen cooperation with ASEAN and contribute to peace and security in the region. We agreed to consider new applications in accordance with the Revised Guidelines for Accession to the TAC.

Southeast Asia Nuclear Weapon-Free Zone Treaty

13. We underscored the importance of preserving the Southeast Asian region as a Nuclear Weapon-Free Zone and free of all other weapons of mass destruction as enshrined in the Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ) and the ASEAN Charter.

14. In this regard, we underscored the importance of the full and effective implementation of the SEANWFZ Treaty, including through the Plan of Action to Strengthen the Implementation of the SEANWFZ Treaty (2013-2017). We tasked the Senior Officials to intensify the ongoing efforts of the State Parties to the SEANWFZ Treaty and the Nuclear Weapon States to resolve all outstanding issues in accordance with the objectives and principles of the SEANWFZ Treaty pertaining to the signing and ratifying of the Protocol to that Treaty. Bearing in mind the related decisions of the SEANWFZ Commission in 2011 for all Nuclear Weapon States to sign the Protocol together, we noted Indonesia's Concept Paper concerning China's readiness to be the first among Nuclear Weapon States to sign and ratify the Protocol to the SEANWFZ Treaty without reservations.

15. We encouraged the full support of the UN Member States, particularly the NWS for the ASEAN-sponsored United Nations General Assembly (UNGA) Resolution on the SEANWFZ Treaty in the upcoming 70th Session of the UNGA. We also looked forward to the submission and eventual adoption by consensus of the 70th UNGA draft resolution on the SEANWFZ Treaty.

16. We looked forward to the convening of the next meeting of the ASEANTOM on 20 August 2015 in Malaysia, following the decision of the 25th ASEAN Summit in Nay Pyi Taw, which welcomed the outcome of the 2nd Meeting of the ASEAN Network of Regulatory Bodies on Atomic Energy (ASEANTOM) held in Chiang Mai, Thailand, from 25 to 27 August 2014 and its decision on the ASEANTOM as an ASEAN body under the APSC Pillar in the Annex 1 of the ASEAN Charter.

Cooperation between ASEAN and the International Atomic Energy Agency

17. We recognised the central role of the International Atomic Energy Agency (IAEA) in nuclear non-proliferation and the promotion of peaceful uses of nuclear energy and agreed to explore ways to formalise relations between ASEAN and the IAEA.

ASEAN Intergovernmental Commission on Human Rights (AICHR)

18. We continued to reaffirm the role of the ASEAN Intergovernmental Commission on Human Rights (AICHR) as the overarching human rights institution in ASEAN for the promotion and protection of human rights and fundamental freedoms of the peoples in the region. We welcomed the progress of the work of the AICHR in the promotion and protection of human rights, and encouraged AICHR to engage more in current human rights challenges in the region, in accordance with the principles of the ASEAN Charter, the ASEAN Human Rights Declaration (AHRD)

and the Phnom Penh Statement on the Adoption of the AHRD, as well as the Terms of Reference (TOR) of the AICHR.

19. We appreciated the Government of Indonesia for organising a dialogue with the AICHR to share information on the promotion and protection of human rights in the country as well as the Government of Thailand for organising a dialogue with AICHR to share information on thematic issues of human rights. The dialogues were useful in supporting AICHR in conducting its work. We noted that AICHR and an ASEAN Member State, Indonesia, might consider having such a dialogue in the future.

20. We took note of the AICHR's Annual Report that reflects the progress of the work of the AICHR for the past one year as well as since its establishment in 2009. We noted the observations, challenges and recommendations that the AICHR has outlined in its Annual Report and encouraged the AICHR to continue its work done thus far. We further welcomed the AICHR's submission on the Assessment and Recommendations on the Review of the TOR and took note of the assessment and recommendations provided therein.

21. Entering its second term, we commended the AICHR's efforts in finalising its Five-year Work Plan (2016-2020) which is the continuation of the AICHR Work Plan (2010-2015). We welcomed the Philippines' offer to host the Special Meeting of the AICHR from 16-17 September 2015 in order to facilitate AICHR smooth transition into its new Work Plan. The new Work Plan will endeavor to build upon AICHR's achievements towards the promotion and protection of human rights in the region. In this regard, we approved the AICHR's Five-year Work Plan (2016-2020), the indicative budget for the cycle of five years, the Priority Programmes and Activities and indicative budget for 2016.

22. Noting the achievement made by AICHR in advancing its human rights promotion function, we encouraged AICHR, together with the ASEAN Secretariat, to integrate a more programme-based approach to its planning of activities and implementation. We also encouraged AICHR to acquire a long-term perspective to planning and implementation which will help it realise its human right protection mandate alongside its promotion mandate, as provided for in its TOR.

23. We are encouraged with the progress made by the AICHR in strengthening its cooperation with other ASEAN Sectoral Bodies and stakeholders on promotion and protection of human rights. We acknowledged that human rights is a cross-cutting issue and in this regard we noted progress of AICHR's efforts in working towards proper alignment with other sectoral bodies. We further noted with satisfaction the various initiatives being undertaken by AICHR to promote awareness of human rights in 2015, such as the AICHR Human Rights Training the Trainers Programme for Journalists in Thailand and the upcoming AICHR Youth Debates on Human Rights in Singapore, the Regional Workshop on the Role of Youth in Malaysia, the first ever AICHR Symposium on the Judiciary, also in Malaysia, the AICHR Workshop on the Implementation of Human Rights Obligations relating to the Environment and Climate Change to be held in Myanmar, and AICHR Workshop on the Development of ASEAN Legal Instruments on Human Rights in the Philippines.

Promotion of Moderation

24. We welcomed the adoption of the Langkawi Declaration on the Global Movement of Moderates by the Leaders at the 26th ASEAN Summit on 27 April 2015, which comprehensively outlines moderation and tolerance, which is an established value, in all its dimensions. We recognised that moderation is an all-encompassing approach not only in resolving differences and conflicts peacefully but also for ensuring sustainable and inclusive development and equitable growth as well promoting social harmony and mutual understanding within countries and regions.

ASEAN Security Outlook

25. We emphasised the importance of the ASEAN Security Outlook (ASO) to promote transparency in security-related policies and complement ASEAN's confidence building efforts in the region. In this regard, we looked forward to its next publication.

ASEAN Institute for Peace and Reconciliation

26. We are encouraged by the progress of work of the ASEAN Institute for Peace and Reconciliation (AIPR) and appreciated the efforts undertaken by its Governing Council and Advisory Board to fully operationalise the Institute. We welcomed the convening of the AIPR Workshop on Strengthening Women's Participation in Peace Processes held in Cebu, the Philippines on 17-18 March 2015 in promoting and enhancing women's participation in peace processes worldwide.

27. We also encouraged AIPR, in accordance with its TOR, to enhance its capacities, including through activities related to peace and reconciliation with relevant stakeholders, such as think tanks, CSOs, and ASEAN external parties.

ASEAN Regional Mine Action Centre

28. We noted with satisfaction the positive progress towards the operationalisation of the ASEAN Regional Mine Action Centre (ARMAC) which serves as a regional centre of excellence in addressing the humanitarian aspects of the explosive remnants of war (ERW) for interested ASEAN Member States.

29. We encouraged the nomination of representatives to the ARMAC Steering Committee by all ASEAN Member States so that the inaugural meeting of the ARMAC Steering Committee could be convened as soon as possible.

30. We looked forward to the convening of the Second Regional Seminar on the Establishment of an ASEAN Regional Mine Action Centre (ARMAC): Collaboration towards Operationalisation to be held in Siem Reap, on 14 -15 August 2015.

Maritime Cooperation

31. We recognised that maritime security includes both traditional and non-traditional security threats. We underscored the importance of strengthening regional cooperation and promoting mutual trust and understanding in maritime security and

maritime safety to ensure peace, stability, safety of sea lanes, freedom of navigation and unimpeded commerce as well as humanitarian assistance and disaster relief through, *inter alia*, capacity building, exchanging of experiences and sharing of best practices by utilising existing ASEAN-led frameworks, where appropriate, including the ASEAN Ministerial Meeting on Transnational Crime (AMMTC), ASEAN Regional Forum (ARF), ASEAN Defence Ministers' Meeting-Plus (ADMM-Plus) and the ASEAN Maritime Forum (AMF) / Expanded ASEAN Maritime Forum (EAMF).

32. We welcomed the work to enhance maritime cooperation in, among others, maritime surveillance, port security, illegal, unregulated and unreported (IUU) fishing, and sustainable management of maritime resources, through, *inter alia*, information sharing, capacity building and sharing of experiences and best practices.

33. We noted the proposal at the 5th ASEAN Maritime Forum for the establishment of the ASEAN Coast Guard Forum (ACGF). In this regard, we looked forward to the Experts' Group Meeting on the ACGF on 19-20 August 2015, in Manila, the Philippines, to discuss the possible establishment of the ASEAN Coast Guard Forum (ACGF) and its Terms of Reference.

34. We took note of the successful outcomes of the 5th AMF and 3rd EAMF held in Viet Nam in August 2014 and looked forward to the convening of 6th AMF and 4th EAMF in Manado, Indonesia in September 2015.

Non-Traditional Security Issues

35. We reaffirmed our commitment in addressing non-traditional security issues, particularly in combating transnational crimes and other trans-boundary challenges. In this regard, we looked forward to the convening and outcome of the 10th ASEAN Ministerial Meeting on Transnational Crime (AMMTC) to be held in Kuala Lumpur, Malaysia on 29 September – 1 October 2015. We also looked forward to the convening of the Special Ministerial Meeting on the Rise of Radicalisation and Violent Extremism in Kuala Lumpur, Malaysia on 2 October 2015 as part of ASEAN's efforts in addressing the growing threat of radicalisation and violent extremism to the ASEAN region.

36. We believe that the issue of irregular movement of persons, including its connection with people smuggling and trafficking in persons in our region requires the parties concerned to identify and address the root causes and other contributory factors, whether at origin, during transit or destination as well as the involvement of relevant stakeholders based on the principle of international burden sharing and shared responsibility as well as a balanced approach between law enforcement and humanitarian response to tackle the challenges. In this regard, we welcomed the outcomes of the Emergency ASEAN Ministerial Meeting on Transnational Crime (EAMMTC) Concerning Irregular Movement of Persons in the Southeast Asia Region on 2 July 2015 in Kuala Lumpur and the Special Meeting on Irregular Migration in the Indian Ocean held in Bangkok on 29 May 2015 to address this issue.

37. We also welcomed the outcome of the EAMMTC, among others, that supported the establishment of a trust fund to be administered by the ASEAN Secretariat for voluntary contributions from ASEAN Member States and members of

the international community to support the humanitarian and relief efforts to deal with the irregular movement of persons in Southeast Asia; the consideration to include people smuggling under the purview of SOMTC and AMMTC; and the recommendation for the ASEAN Leaders to task relevant ASEAN bodies to explore the possibility in setting up a task force to respond to crisis and emergency situations arising from irregular movement of persons in Southeast Asia. We noted the offer by the Philippines to provide support towards the skills training of persons affected by the irregular movement.

38. Recognising the threat of drugs to the region, we looked forward to the convening of the ASEAN Ministerial Meeting on Drug Matters to be held on 27-29 October 2015 in Langkawi, Malaysia. We also welcomed the institutionalisation of the ASEAN Ministerial Meeting on Drug Matters which will provide political impetus to ASEAN cooperation on drug matters and strategic guidance to the ASEAN Senior Officials Meeting on Drug Matters (ASOD). In this regard, we reiterated our commitment to double our efforts in achieving a drug free ASEAN, to address the drug problem in a comprehensive and holistic manner involving both demand and supply reduction measures, in line with ASEAN Leaders Declaration on Drug Free ASEAN 2015, which was adopted at the 20th ASEAN Summit in 2012, in Phnom Penh, Cambodia.

39. Recognising the need to strengthen ASEAN legal integration in addressing and combating transnational crimes, we encouraged the ASEAN Law Ministers to work towards elevating the Treaty on Mutual Legal Assistance in Criminal Matters 2004 to an ASEAN treaty and continue their work to enhance cooperation on the issue of extradition.

40. Recalling the ASEAN Leaders' Joint Statement in Enhancing Cooperation against Trafficking in Persons in Southeast Asia adopted at the 18th ASEAN Summit held on 8 May 2011 in Jakarta, Indonesia, we looked forward to the endorsement of the ASEAN Convention Against Trafficking in Persons, especially Women and Children (ACTIP) and the ASEAN Plan of Action Against Trafficking in Persons, especially Women and Children (APA) by the 10th AMMTC in September 2015 and its subsequent adoption by the ASEAN Leaders at the 27th ASEAN Summit in November 2015.

Defence and Security Cooperation

41. We commended the progress of defence cooperation among ASEAN Member States and between ASEAN and its external partners through the important mechanisms of the ASEAN Defence Ministers' Meeting (ADMM), the ADMM Plus and the ASEAN Regional Forum (ARF). We noted the positive outcomes of the 9th ADMM held on 17 March 2015 in Langkawi, Malaysia and its role in promoting regional peace and security through dialogue and cooperation in defence and security matters. In this regard, we welcomed the adoption of the concept papers on ASEAN Militaries Ready Group on Humanitarian Assistance and Disaster Relief (HADR) and on the Establishment of the ASEAN Centre of Military Medicine (ACMM), as well as, the Guidelines to Respond to the Request for Informal Engagements or Meetings by the ADMM-Plus Countries.

42. We also welcomed the endorsement by the 9th ADMM of the Standard Operating Procedure (SOP) for the Utilisation of Military Assets for Humanitarian Assistance and Disaster Relief (HADR) under the framework of the ASEAN Agreement on Disaster Management and Emergency Response (AADMER) as the ASEAN defence and militaries' contribution to the existing ASEAN SOP for Regional Standby Arrangements and Coordination of Joint Disaster Relief and Emergency Response Operations (SASOP).

43. We noted with appreciation the achievements of the ADMM-Plus process in forging practical defence and military cooperation among ASEAN and the eight Plus Countries, in particular, through the six ADMM-Plus Experts' Working Group. We looked forward to the convening of the 3rd ADMM-Plus in November 2015 in Malaysia.

ASEAN ECONOMIC COMMUNITY

44. We are encouraged by the favourable regional economic outlook for 2015. Whilst the projected outlook for ASEAN growth rate is expected to accelerate to 4.9 per cent this year from 4.6 per cent in 2014, some downside risks remain relevant to the growth prospect in the region. The continued moderation in China would have an impact on the ASEAN's forecast growth rate, given ASEAN's strong economic linkages to China. The region is also faced with financial challenges as the persistent strengthening of the U.S dollar against domestic currencies, as well as the ongoing Greece debt crisis, which may cause volatility in the global financial markets. Going forward, the realisation of the ASEAN Economic Community (AEC) coupled with continued adoption of appropriate policy mix and the continued focus on productivity growth and infrastructure development to improve connectivity, will help sustain economic growth, maintain regional financial stability and enhance ASEAN's competitiveness.

Implementation of the ASEAN Economic Community Blueprint

45. We welcomed the commitment by ASEAN Member States to complete the implementation of the fourth and final phase at the ASEAN Economic Community Blueprint by the end of 2015 and noted that 458 measures targeted for ASEAN-wide implementation have been implemented from 2008 to end-March 2015.

46. We are encouraged by the progress towards the elimination of tariffs which now stands at 95.99 per cent across all ten (10) ASEAN Member States. There has also been progress on trade facilitation with the reactivation of the ASEAN Trade Facilitation Joint Consultative Committee and the revamping of the ASEAN Trade Consultation to Solve Trade and Investment Issues (ACT). Further progress has been made in the development of National Trade Repositories (NTRs) which is a precursor to the ASEAN Trade Repository (ATR), targeted to be operationalised this year.

47. We are pleased with the ongoing progress in the implementation of both the 1st and 2nd Self-Certification Pilot Projects of the Rules of Origin that will allow certified exporters to self-declare goods of ASEAN origin and gain preferential access into ASEAN markets. We encouraged the convergence and possible

reconciliation of the two pilot projects towards achieving ASEAN-wide Self Certification.

48. Recognising the importance of accelerating Customs integration, we noted the completion of the ratification process of the new ASEAN Agreement on Customs which effectively operationalise the Customs Chapter of the ASEAN Trade in Goods Agreement (ATIGA), and welcomed the endorsement of the new Strategic Plan of Customs Development (SPCDs) for 2016-2020.

49. We took note that the Terms of Reference (TOR) for the “full-fledged” ASEAN Single Window (ASW) Pilot Project Component 2 have been endorsed, and its implementation is expected to commence in 2015. The Protocol on the Legal Framework to implement the ASW (PLF), which will govern the legal aspects of the eventual implementation of the ASW across Member States, has almost been finalised.

Transport

50. We welcomed the progress towards promoting the harmonisation of shipping-related regulations and policies within the region and endorsed the implementation Framework of the ASEAN Single Shipping Market (ASSM), which will provide strategic guidance to coordinate policy and harmonise rules and regulations to further liberalise shipping services in the region.

51. We noted with pleasure the good progress made on the development of the ASEAN Single Aviation Market in support of the ASEAN Economic Community and looked forward to both the full ratification of the ASEAN Air Services Agreements and the conclusion of the Ninth Package of Commitments on Air Transport Services under the ASEAN Framework Agreement on Services by 2015. In particular, we welcomed the completion of several key regional initiatives such as the Capacity Building Framework on Air Traffic Management and the ASEAN Regional Contingency Plan, and the development of initiatives, such as the ASEAN Aviation Regulatory Monitoring Systems; ASEAN Foreign Operator Safety Assessment; and Mutual Recognition Arrangement on Certificates, Approvals and Licences of Civil Aviation.

52. We welcomed the significant progress towards the finalisation of the ASEAN Framework Agreement on Cross-Border Transport of Passengers by Road Vehicles (ASEAN CBTP) and looked forward for the Agreement to be signed at the 21st ASEAN Transport Ministers Meeting in November 2015.

Minerals

53. We welcomed the development of the ASEAN Minerals Cooperation Action Plan (AMCAP) 2016-2025 and recognised the ongoing effort in four strategic areas, namely in facilitating and enhancing trade and investment in minerals; promoting environmentally and socially sustainable mineral development; strengthening institutional and human capacities in the ASEAN minerals sector; and maintaining an efficient and up-to-date ASEAN minerals database.

Energy

54. We are encouraged that energy cooperation is on track to meet most of the key targets set out in the ASEAN Plan of Action on Energy Cooperation (APAEC) 2010-2015. We welcomed the steady progress in the ASEAN Power Grid (APG) and the Trans-ASEAN Gas Pipeline (TAGP) physical interconnection projects with the completion of APG's 7th power interconnection (i.e. the Sarawak–West Kalimantan power interconnection project in June 2015) and TAGP's 13th pipeline interconnection (i.e. Block B17 in Malaysia-Thailand Joint Development Area to Kerteh, Terengganu in April 2015).

Information and Communication Technology

55. We noted the progress on the final review of the implementation of ASEAN ICT Masterplan 2015 (AIM2015) and are pleased to note that the Masterplan's action points are on-track for completion in 2015. The report thus far showed that 86 per cent of the initiatives have been completed, while the remaining 14 per cent are expected to be completed before December 2015. The outcome of the AIM2015 Final Report would be taken into account in the development of the next ASEAN ICT Masterplan for 2016-2020. We further noted that an ASEAN Framework on ICT Skill Upgrading is currently being formulated to serve as a voluntary guide for organisations in ASEAN Member States to develop their respective ICT work force. Additionally, we are encouraged by the efforts of the ASEAN Telecommunication Regulators Council (ATRC) which, *inter alia*, published a report on Transparency of Broadband Internet Access Speeds in ASEAN. This report provided ASEAN Member States with information and recommendations to further promote transparency in broadband; hence enabling greater consumer awareness and protection.

Finance

56. We are committed to implementing appropriate monetary and fiscal policies aimed at sustaining economic growth and maintain financial stability as outlined during the 1st ASEAN Finance Ministers and Central Bank Governors Meeting in Kuala Lumpur in March 2015.

57. We noted the progress on the Protocol to implement the 6th Package of Commitments on Financial Services under AFAS for the implementation of the ASEAN Banking Integration Framework.

58. We took note of the progress of ASEAN Regulators working towards liberalising and integrating the insurance sector commencing with the Marine, Aviation and Goods International Transit (MAT) insurance as non-sensitive sub-sector and look forward to the expected commencement in 2015 of the initial project on Disaster Risk Financing and Insurance (DRFI).

Food Agriculture and Forestry

59. We appreciated the preparation of the Vision and Strategic Plan for ASEAN Cooperation in Food, Agriculture and Forestry 2016-2025 and recognised its ongoing efforts in covering seven priority areas of cooperation, namely: (i) enhancing quantity

and quality of production with sustainable, 'green' technologies, resource management systems and minimise pre and post-harvest losses and waste; (ii) enhancing trade facilitation and economic integration; (iii) ensuring food security, food safety, better nutrition and equitable distribution; (iv) increasing resilience to climate change, natural disasters and other shocks; (v) assisting resource constrained small producers and SMEs to improve productivity, technology and product quality to meet global market standards and increase competitiveness in line with the ASEAN Policy Blueprint on SME Development; (vi) strengthening ASEAN joint approaches on international and regional issues affecting the Food, Agriculture and Forestry sector and (vii) promoting sustainable forest management.

60. We noted that a study on Mutual Recognition Models for the ASEAN Agricultural Best Practices would be carried out to identify an efficient mechanism for regional accreditation and certification of good agricultural practices.

Tourism

61. We appreciated the growth of the tourism industry with more than 105 million international tourists visiting ASEAN Member States in 2014, posting a growth of 2.7 per cent compared to 2013. We are pleased to note that an agreement to establish a Regional Secretariat for the Implementation of the MRA on Tourism Professionals was finalised in January 2015, and is being signed ad-referendum by ASEAN Member States.

62. We further noted that the Regional Secretariat would support the implementation of the ASEAN Tourism Professional Registration System to enhance ASEAN's competitiveness as a single tourist destination. We welcomed the adoption to enhance tourism standards and certification process for green hotels, homestay, spa services, public toilets, clean tourist city and community-based tourism standards.

Small and Medium Enterprises

63. We are encouraged by the progress in promoting SMEs under the current ASEAN Strategic Action Plan for SME Development (2010-2015).

64. We welcomed the plans initiated by ASEAN SME Agencies Working Group to complete several flagship deliverables in 2015 which are the establishment of the ASEAN SME Service Center Web Portal, the launch of ASEAN SME Online Academy, the holding of the ASEAN SME Showcase and Conference in May 2015 and other conferences and business events to promote SME opportunities including the coming ASEAN Youth Creative Industry Fair.

65. We noted the formulation of the ASEAN Strategic Action Plan for SME Development (2016-2025) with the vision of 'Globally Competitive and Innovative SMEs'. We encouraged the inclusion of micro enterprises in the promotion of SMEs to widen the coverage of ASEAN sectoral and developmental efforts into the larger group comprising micro, small, and medium enterprises (MSMEs).

Statistical Cooperation

66. We noted the progress made by the ASEAN Community Statistical System (ACSS) in harmonising statistical domains relevant to integration monitoring; the enhancement of the dissemination system including the development of a consolidated ASEAN statistical database; and the use of info-graphics in statistical communication and advocacy. These efforts contributed towards delivering relevant, timely and comparable ASEAN statistics to support ongoing efforts for enhanced integration monitoring and evidence-based policy making.

INITIATIVE FOR ASEAN INTEGRATION

67. Recognising the importance of narrowing the development gaps (NDGs) as one of the priorities in the ASEAN community building process, we called for efforts to be intensified to implement the remaining action lines of the Initiative for ASEAN Integration (IAI) Work Plan II (2009-2015). We looked forward to developing a successor document which would align IAI activities with ASEAN's integration efforts through equitable and inclusive development. Noting that IAI is cross-cutting in nature, we called upon ASEAN sectoral bodies to ensure full participation of all ASEAN Member States in realising regional commitments as well as closer cooperation between ASEAN and the Mekong sub-regional arrangements in achieving IAI's goals. We also welcomed the continuous assistance rendered by our Dialogue Partners and other external parties in supporting our regional integration efforts.

ASEAN SOCIO-CULTURAL COMMUNITY

Social Welfare and Development

68. We continued to support the establishment of an ASEAN Community that is people-oriented, people-centred and socially responsible with a view to achieving enduring solidarity and unity among the nations and peoples of ASEAN by forging a common identity and building a caring and sharing society which is inclusive and harmonious, and where the well-being, livelihood, healthy lifestyle, access to healthcare and welfare of the peoples are enhanced. We are pleased with the progress in the development of the Regional Framework and Action Plan to Implement the ASEAN Declaration on Strengthening Social Protection, Regional Plan of Action on Elimination of Violence Against Women and Regional Plan of Action on Elimination of Violence Against Children. We are also encouraged by the development of the draft Putrajaya Joint Declaration on ASEAN Post-2015 Priorities towards an ASEAN Citizen-Centric Civil Service and the draft Kuala Lumpur Declaration on Ageing: Empowering Older Persons in ASEAN.

Migrant Workers

69. Recognising the contribution of migrant workers to both society and economy of ASEAN, we reiterated the importance of safeguarding the human rights and fundamental freedoms of individuals, including the protection and promotion of the

rights of migrant workers, in accordance with national laws, regulations, and policies. We also noted the progress made so far by the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW) in drafting the ASEAN instrument on the protection and promotion of migrant workers' rights. In this regard, we urged ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW) to take necessary actions to facilitate the timely conclusion of such an instrument to ensure the rights of the migrant workers are well protected within the region. We noted Indonesia's proposal for a statement on the protection and promotion of the rights of migrant workers.

Climate Change and Environment

70. We noted with great concern that climate change is already having significant impact in the region, posing challenges to our environment, causing severe social and economic disruption and damage throughout the region. We supported the timely finalisation of an ASEAN Joint Statement on Climate Change to be adopted at the 27th ASEAN Summit in November 2015 and encouraged ASEAN Member States to highlight ASEAN's joint efforts, concerns and response to climate change, and where appropriate, ASEAN position at the 21st Conference of Parties to the UN Framework Convention on Climate Change (COP21 UNFCCC).

71. We recognised the urgency in promoting environmental sustainability in Southeast Asia by ensuring a stable climate, preventing land degradation, promoting water resources management, including integrated river basin management and ensuring sustainable management of natural resources, restoring watershed forests, conserving coastal and marine environment, including terrestrial and marine biodiversity. In this context, we welcomed Viet Nam's efforts in organising the 13th ASEAN Ministerial Meeting on the Environment (AMME) and related Meetings to be held on 26-31 October 2015 in Ha Noi, and expected positive outcomes of the Meetings, including the adoption of the ASEAN Joint Statement and Action Plan to Protect Threatened Species from Extinction.

72. We also recognised that education and capacity building for sustainable development is essential in ensuring effective implementation of the ASEAN Action Plan on Joint Response to Climate Change for environmental sustainability in the region.

73. We highlighted the 10th anniversary of the establishment of the ASEAN Centre for Biodiversity (ACB) and emphasised the important role of the ACB as a regional centre of excellence dedicated to the promotion of regional collaboration on biodiversity conservation. We encouraged the ratification of the Agreement on the Establishment of the ASEAN Centre of Biodiversity by all ASEAN Member States.

74. We noted that transboundary haze pollution remained a concern in the region, as also noted by the ASEAN Leaders at the 26th ASEAN Summit. We commit to greater regional cooperation to address this concern, including through the ASEAN Agreement on Transboundary Haze Pollution (AATHP) and the ASEAN Sub-Regional Haze Monitoring System (HMS). We hoped with the ratification of the AATHP by all ASEAN Member States, it would be timely for us to work closely and

effectively in fulfilling our roles and obligations to the Agreement. We should increase our efforts in mitigating and preventing the annual occurrence of transboundary haze in this region. We looked forward to the establishment and operationalisation of the ASEAN Coordinating Centre for Transboundary Haze Pollution Control under the AATHP. We acknowledged that the ASEAN Sub-regional Haze Monitoring System (HMS) is a useful tool to assist in monitoring and internal enforcement actions against irresponsible parties contributing to fires. We urged the Sub-Regional Ministerial Steering Committee (MSC) on Transboundary Haze Pollution countries to take the necessary actions to operationalise the HMS as soon as possible.

Youth

75. We recognised that over sixty percent of the ASEAN population today comprises those under 35 years old, and they are the driving force in shaping ASEAN's future direction.

76. We noted the outcome of the Ninth ASEAN Ministerial Meeting on Youth in Siem Reap, Cambodia, 4 June 2015 which reiterated the importance of youth development in the region towards the ASEAN Community building through among others the establishment of ASEAN Youth Development Index (AYDI).

77. We welcomed Malaysia's effort in organising the ASEAN Young Leaders Summit from 18-20 November 2015 in Kuala Lumpur in conjunction with the 27th ASEAN Summit to promote meaningful youth involvement in building an ASEAN Community, the outcomes of which would be reported to ASEAN.

Disaster Management and Emergency Response

78. We underscored the importance of enhanced cooperation to prevent and reduce disaster risk as well as to enhance community resilience. We reiterated our commitment to strengthen the ASEAN Disaster Management and Emergency Response mechanism to better respond to disaster and to substantially reduce loss of life and damage to economic, social, physical and environmental assets of ASEAN Member States caused by natural and human-induced disasters. We also encouraged cooperation with other ASEAN-led mechanisms, as well as with relevant regional and international agencies to promote effective Humanitarian Assistance and Disaster Relief (HADR).

79. We welcomed the Joint Statement of ASEAN for the 3rd UN World Conference on Disaster Risk Reduction on 14-18 March 2015, Sendai, Japan, and the Declaration on Institutionalising the Resilience of ASEAN and its Communities and People to Disaster and Climate Change adopted at the 26th ASEAN Summit in Kuala Lumpur. In this regard, we looked forward to the convening of the 27th ASEAN Committee on Disaster Management Meeting and the 3rd ASEAN Ministerial Meeting on Disaster Management, to be held on 14 – 18 December 2015 in Siem Reap, Cambodia.

80. Towards enhancing the region's preparedness and resilience in facing disasters, we welcomed the successful convening of the ARF Disaster Relief Exercises (ARF DiREx) in Kedah and Perlis on 24-28 May 2015, co-chaired by

Malaysia and China. The ARF DiREx tested the civil-military coordination efforts, created synergy, and synchronised efforts towards supporting the effective implementation of the ASEAN Agreement on Disaster Management and Emergency Response (AADMER) as the common platform for disaster management in the region.

81. We also welcomed and expressed support to the ongoing efforts to draft the ASEAN Declaration on One ASEAN, One Response: ASEAN Responding to Disasters as One in the Region and Outside the Region. We underscored the importance of ASEAN centrality in the AADMER and that the draft Declaration would strengthen the response of ASEAN in disaster management. In this regard, we affirmed AHA Centre's key role as ASEAN's coordinating body for disaster management in the region, that will, where appropriate, work in partnership with other relevant regional and international agencies and centres, to strengthen HADR efforts and effectively implement the work programme under AADMER.

ASEAN CONNECTIVITY

82. We are encouraged by the progress in implementing the Master Plan on ASEAN Connectivity (MPAC), which contributes to ASEAN integration and Community-building. We acknowledged that a better-connected ASEAN is imperative in promoting economic growth, narrowing the development gap and promoting greater people-to-people contacts, realising the Millennium Development Goals, and implementing the Post-2015 Development Agenda. In this regard, we welcomed contributions by our Dialogue Partners and External Parties and their initiatives such as Asian Infrastructure Investment Bank (AIIB) and Partnership for Quality Infrastructure which support the implementation of the MPAC. We also welcomed continuous efforts to strengthen public private partnership (PPP) in ASEAN through a pipeline of potential ASEAN PPP projects, such as the Economic Research Institute for ASEAN and East Asia's (ERIA) ASEAN PPP Guideline and a database on risk mitigation instruments.

83. We encouraged ongoing efforts by the ASEAN Connectivity Coordinating Committee (ACCC) to formulate a post-2015 Agenda on Connectivity which would be bold, visionary and contain practical and implementable measures contributing to a well-integrated ASEAN region. We looked forward to the convening of the 6th ASEAN Connectivity Symposium with the theme 'The Connectivity Agenda for an Integrated ASEAN Community' which will be held in Penang, Malaysia on 15-16 October 2015.

EXTERNAL RELATIONS

84. We reaffirmed our commitment to continue enhancing ASEAN's relations with Dialogue Partners and external parties for mutual benefit. We emphasised the importance of ASEAN Centrality in the evolving regional architecture, and agreed to continue to work closely with all our partners in the various ASEAN-led mechanisms, including the ASEAN Plus One, ASEAN Plus Three, ARF, ADMM-Plus, and EAS, in promoting peace, stability, security and prosperity in the region. We acknowledged

the increased interest from external parties in engaging ASEAN, which should be governed by the Guidelines for ASEAN's External Relations, and based on the principles of equality and parity of treatment for all ASEAN Member States. We recognised the importance of strengthening ASEAN's effectiveness in managing its external relations, including through the streamlining of ASEAN meetings and exploring other appropriate modalities.

85. We expressed our satisfaction with the progress made in our relations with Dialogue Partners, and stressed the significance of further promoting dialogue and enhancing existing cooperation. We noted the important developments in ASEAN's external relations and expressed our appreciation to our Dialogue Partners for their commitment to strengthen relations with ASEAN and their continued support and assistance for ASEAN community building efforts over the past year.

86. With the ASEAN Community in the horizon, we underscored the importance of cooperation with Dialogue Partners in ASEAN's post-2015 priority areas, namely, ASEAN Community building, connectivity, narrowing development gaps, disaster management and maritime security and safety, as laid out in the Bandar Seri Begawan Declaration on the ASEAN Community's Post-2015 Vision and the Nay Pyi Taw Declaration of Realisation of the ASEAN Community in 2015. We looked forward to the adoption of the Plans of Action between ASEAN - Canada, ASEAN - India and ASEAN - Republic of Korea (ROK). We noted the progress of negotiations on the successor documents of the Plans of Action with China, New Zealand, Russia and the US.

ASEAN-Australia

87. We agreed that the elevation of ASEAN-Australia Dialogue Relations from a Comprehensive Partnership to a Strategic Partnership during the ASEAN-Australia Commemorative Summit to celebrate the 40th Anniversary of ASEAN-Australia Dialogue Relations on 12 November 2014 in Nay Pyi Taw will contribute to more enhanced and focused ASEAN-Australia political-security, economic and socio-cultural cooperation for mutual benefit which will promote regional peace, stability, prosperity and appreciated Australia's contribution to this.

88. We noted the benefits of deeper regional economic integration and appreciated Australia's support for the realisation of the ASEAN Community 2015 and the ASEAN Community Post-2015 Vision.

89. We noted with satisfaction progress in the implementation of the Plan of Action to Implement the ASEAN-Australia Strategic Partnership 2015-2019. We welcomed the extension of the ASEAN – Australia Development Cooperation Program Phase II (AADCP II) with additional funding for 2015 – 2019.

90. We acknowledged Australia's consistent support for the implementation of the ASEAN Agreement on Disaster Management and Emergency Relief (AADMER) and collaboration with the ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management (AHA Centre) to strengthen cooperation in disaster management.

91. We supported the strengthening of people-to-people connectivity between ASEAN and Australia, including the New Colombo Plan and the various Australian scholarship programmes.

ASEAN-Canada

92. We welcomed progress in the implementation of the Plan of Action to implement the Joint Declaration on ASEAN-Canada Partnership (2011-2015) and looked forward to the adoption of the new Plan of Action to Implement the Joint Declaration on ASEAN-Canada Enhanced Partnership (2016-2020) at the PMC+1 with Canada, which reflects the goals and priorities of both sides in the next five years.

93. We are committed to working with Canada on concrete activities to address regional security challenges, including international terrorism and violent extremism, as well as agricultural development, technology and innovation, small and medium enterprises (SMEs) development, connectivity, climate change and disaster management, pandemic disease and the promotion and protection of human rights, including the rights of women and children. We looked forward to the endorsement of the new Work Plan to implement the ASEAN-Canada Joint Declaration on Trade and Investment for 2016-2020 at the 4th AEM-Canada Consultations.

94. We emphasised the need to enhance ASEAN-Canada connectivity, specifically through forging an Air Services Agreement, with a view to increase tourism flow between both sides and promoting people-to-people exchanges.

95. We welcomed Canada's commitment to appoint the first dedicated Canadian Ambassador to ASEAN, as well as the establishment of the Canadian Mission to ASEAN in Jakarta to further enhance the engagement and cooperation of ASEAN-Canada Dialogue Relations. We believed that this will lead to more substantive cooperation between both sides.

ASEAN-China

96. We noted with satisfaction the commitment of ASEAN and China to further strengthening the strategic partnership and welcomed the progress of activities undertaken by both sides to enhance cooperation in a wide range of political-security, trade, investment, and socio-cultural areas to promote peace and stability, prosperity and mutual understanding in the region. We welcomed the commemoration of the 25th Anniversary of ASEAN- China Dialogue Relations in the year 2016.

97. We appreciated China's commitment and constructive initiatives in support of ASEAN Connectivity goals, through diverse cooperation programmes, including enhancing practical cooperation and intensifying people-to-people contacts. We also noted China's One Belt One Road initiative that includes the 21st Century Maritime Silk Road project, which aims at creating greater regional prosperity.

98. We noted with satisfaction the progress made in the implementation of the ASEAN-China Air Transport Agreement and looked forward to continued

engagement between ASEAN and China on aviation cooperation. We also noted the Joint Ministerial Statement of the 13th ASEAN-China Transport Ministers Meeting that looked forward to enhancing cooperation between ASEAN and China including eventually putting in place a liberal and substantial air services framework in support of the upgrading of the ASEAN-China Free Trade Agreement.

99. We also expressed a common desire to expedite the negotiation on upgrading the ASEAN-China Free Trade Area with an aim to achieve our target of USD 1 trillion on trade by 2020.

100. We noted with satisfaction the progress in the implementation of the 2011-2015 Plan of Action to implement the Joint Declaration on the ASEAN-China Strategic Partnership for Peace and Prosperity. We noted the progress made in the negotiation of the Plan of Action (2016-2020) and looked forward to its endorsement by the Foreign Ministers and adoption by the Leaders at the 18th ASEAN – China Summit in Kuala Lumpur in November 2015.

ASEAN-EU

101. We noted with satisfaction the progress of the implementation of the Bandar Seri Begawan Plan of Action to Strengthen the ASEAN-EU Enhanced Partnership (2013-2017) that serves as a catalyst which contributes to further strengthening the ASEAN-EU Partnership as well as the fruitful outcomes of the Informal ASEAN-EU Leaders' Meeting held in Milan in 2014 for the first time since 2007, the meeting between H.E. Herman Van Rompuy, former President of the European Council and the Committee of Permanent Representatives to ASEAN (CPR) in November 2014, and the 23rd ASEAN-EU SOM in July 2015 in Brussels. We also welcomed the EU's continuous support for the ASEAN regional integration and Community building process, including enhancing ASEAN Connectivity.

102. We noted with satisfaction the progress achieved in ASEAN-EU Relations and the shared willingness to work towards a Strategic Partnership. We welcomed the interest of the EU in furthering engagement through all ASEAN-led processes.

103. We noted with appreciation the EU's commitments and efforts to further strengthen the ASEAN-EU Partnership and its continued support for the ASEAN regional integration and Community building process. In this regard, we encouraged the EU to increase engagement with and support ASEAN sub-regional cooperative mechanisms and initiatives, including sharing experience regarding sustainable water management between countries in Danube and Mekong regions.

104. We noted the convening of the 4th ASEAN Plus European Union Senior Officials Meeting on Transnational Crime (SOMTC + EU) Consultation on 11 June 2015 in Siem Reap, Cambodia. Both sides reaffirmed the commitments to intensify ASEAN-EU cooperation in the fight against terrorism and transnational organised crime.

105. We noted with satisfaction the progress made at the 2nd ASEAN-EU Aviation Working Group Meeting in Yangon in May 2015 and the large degree of compatibility between the principles and objectives of the aviation policies of ASEAN and the EU.

We looked forward to a mandate from the EU for the European Commission to start negotiations with ASEAN on an ASEAN-EU Comprehensive Air Transport Agreement to strengthen air connectivity in support of tourism, trade and investment flows.

106. We looked forward to the 4th ASEAN-EU Business Summit that will be held on 23 August 2015 in Kuala Lumpur which is aimed at further strengthening and building opportunities for ASEAN and EU's business communities especially after the launching of the ASEAN Community 2015.

107. We noted the success of the 2nd ASEAN-EU High Level Dialogue on Maritime Security co-hosted by Malaysia and the EU, and welcomed the Philippines' offer to co-host the 3rd ASEAN-EU High Level Dialogue on Maritime Security in 2017.

108. We welcomed EU's commitment to appoint the first dedicated EU Ambassador to ASEAN, as well as the establishment of the EU Mission to ASEAN in Jakarta.

ASEAN-India

109. We noted with satisfaction the progress of the implementation of the ASEAN-India Plan of Action to implement the ASEAN-India Partnership for Peace, Progress and Shared Prosperity (2010-2015). We looked forward to the adoption of the Plan of Action to Implement the ASEAN-India Partnership for Peace, Progress and Shared Prosperity (2016-2020) at the ASEAN PMC + 1 Session with India to further enhance the ASEAN-India cooperation in the identified areas of mutual interests.

110. We appreciated the efforts made by India in deepening ASEAN-India cooperation and strengthening coordination through the appointment of its first dedicated Ambassador of India to ASEAN and the establishment of the Mission of India to ASEAN in Jakarta in April 2015.

111. We looked forward to the signing of Memorandum of Understanding on the Establishment of the ASEAN-India Centre. We believed the ASEAN-India Centre would serve as a good platform to promote cooperation in various areas and contribute to strengthening ASEAN-India Dialogue Relations. Therefore, we looked forward to the early operationalisation of the Centre. We looked forward towards the establishment of the ASEAN-India Trade and Investment Centre (AITIC) as a platform for ASEAN and India to strengthen the cooperation in trade and investment.

112. We looked forward to the convening of the 1st Meeting of the ASEAN-India Working Group on Regional Air Services Arrangements and the expeditious conclusion of an ASEAN-India Air Transport Agreement, which will enhance air connectivity between and beyond both sides to strengthen trade, investment, business and tourism flows.

113. We acknowledged India's commitment in sharing knowledge and experiences on information and technology, particularly in light of the establishment of Information and Technology Centres in CLMV countries. We encouraged India to gradually establish other Information and Technology Centres in all ASEAN Member States.

ASEAN-Japan

114. We noted with satisfaction the progress made in ASEAN-Japan relations in the past year, We looked forward to further strengthening the partnership across all areas through the effective implementation of the Vision Statement on ASEAN-Japan Friendship and Cooperation: Shared Vision, Shared Identity, Shared Future and its Implementation Plan.

115. We value Japan's support for ASEAN Community building efforts, especially through its contribution to the implementation of the Master Plan on ASEAN Connectivity, narrowing the development gap in ASEAN and enhancing ASEAN's capacity in disaster management, as well as its contributions through the Japan-ASEAN Integration Fund (JAIF).

116. We noted with satisfaction the progress made at the 2nd Meeting of the ASEAN-Japan Working Group on Regional Air Services Arrangement in Tagaytay, the Philippines in April 2015. We looked forward to the early conclusion of a more liberal and mutually beneficial ASEAN-Japan Air Services Agreement based on the principle of meaningful exchange of traffic rights over and above what has been exchanged bilaterally between Japan and each ASEAN Member State, to increase market access substantially.

117. We welcomed the adoption of The New Tokyo Strategy 2015 for Mekong-Japan Cooperation and Japan's efforts in narrowing development gap and promoting peace, prosperity in the Mekong region. We also welcome Japan's initiatives to promote cultural and art cooperation with ASEAN, especially people-to-people exchanges.

118. We acknowledged Japan's ongoing support for the implementation of the ASEAN Agreement on Disaster Management and Emergency Relief (AADMER) and collaboration with the ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management (AHA Centre) to strengthen the cooperation in disaster management.

ASEAN-Republic of Korea

119. We noted with satisfaction the progress in ASEAN-Republic of Korea (ROK) relations following the momentum set by the ASEAN-ROK Commemorative Summit, on the occasion of the 25th Anniversary of ASEAN-ROK Dialogue Relations in December 2014. We are committed to implementing the decisions of the Leaders to further strengthen the partnership across the areas of political-security, economic and socio-cultural cooperation.

120. We noted with satisfaction the progress of implementation of the 2011-2015 Plan of Action to implement the Joint Declaration on the ASEAN-ROK Strategic Partnership for Peace and Prosperity (2010-2015). We looked forward to the adoption of the Plan of Action for the next five years (2016-2020) at the ASEAN PMC + 1 with ROK on 5 August 2015.

121. We noted the adoption of the Terms of Reference of the ASEAN-ROK Cooperation Fund (AKCF) by the ASEAN-ROK Joint Cooperation Committee which will enhance cooperative activities between ASEAN and the ROK in a more impactful and sustainable manner. We welcomed the ROK's commitment to support ASEAN Community building, especially in narrowing development gap and enhancing development cooperation through the ASEAN-ROK Cooperation Fund.

122. We welcomed the convening of the 2nd Meeting of the ASEAN-ROK Working Group on Regional Air Services Arrangements to be held later in 2015/2016 to discuss the conclusion of an ASEAN-ROK Air Services Agreement. We reiterated the heightened expectations of the ASEAN Transport Ministers for the early conclusion of a more liberal and mutually beneficial air services agreement with the ROK to strengthen air connectivity in support of tourism, trade and investment flows.

123. We looked forward to the establishment of an ASEAN Culture House in Busan, as announced by the ROK last year, as well as to the observance of the ASEAN-ROK Cultural Exchange Year in 2017.

124. We took note the convening of the 19th ASEAN-ROK Dialogue on 28-29 May 2015 in Bali, Indonesia, which both sides agreed to further enhance the engagement and cooperation. We also supported the continued discussion on security related matters in a dedicated agenda within the framework of the ASEAN-ROK Dialogue.

125. We welcomed the progress of the ASEAN-ROK Business Council established during the ASEAN-ROK Commemorative Summit in 2014. We agreed to promote the development of Small and Medium Enterprises (SMEs) by fully utilising the ASEAN-ROK Business Council.

126. We are pleased with the ASEAN-Korea Centre's contribution in promoting ASEAN-ROK relations, particularly in trade and investment, culture and tourism, as well as people-to-people contacts.

ASEAN – New Zealand

127. We noted with satisfaction the progress of implementation of the Plan of Action to Implement the Joint Declaration for ASEAN-New Zealand Comprehensive Partnership (2010-2015) and the progress made in the negotiation of the new Plan of Action. We looked forward to adopting the Plan of Action (2016-2020) by the Commemorative Summit in Kuala Lumpur in November 2015.

128. We noted with appreciation the commemorative activities undertaken by New Zealand and ASEAN in conjunction with the convening of the Commemorative Summit to celebrate the 40th Anniversary of ASEAN-New Zealand Dialogue Relations. We looked forward to the adoption of the Joint Statement by the Leaders to chart the direction for a more substantive cooperation in the future.

129. We reaffirmed our commitment to enhance dialogue relations and recommended to elevate the ASEAN-New Zealand Comprehensive Partnership to Strategic Partnership. We looked forward to working closely with New Zealand to

deepen our two-way cooperation and expand existing programmes, including the Flagship Initiatives to support the ASEAN Community Post-2015 Vision.

130. We welcomed the establishment of the New Zealand Mission to ASEAN in Jakarta as well as the appointment of a dedicated New Zealand Ambassador to ASEAN as an effort to further enhance the cooperation and in deepening the political, economic and socio-cultural relationship between ASEAN-New Zealand.

ASEAN-Russia

131. We welcomed the proposal to convene the ASEAN-Russia Commemorative Summit in 2016 in Russia, to mark the 20th Anniversary of the ASEAN-Russia Dialogue Relations. We agreed that the successful convening of the ASEAN-Russia Commemorative Summit would enhance the substantive cooperation between ASEAN and Russia in the years to come. We also welcomed the proposal to organise activities throughout 2016 to commemorate the 20th Anniversary of the ASEAN-Russia Dialogue Relations.

132. Recognising the significance of the ASEAN-Russia Dialogue Relations, we agreed to establish the ASEAN-Russia Eminent Persons Group (AREPG), which would look into ways of broadening and deepening of the ASEAN-Russia cooperation. We also looked forward to the adoption of the terms of reference of the AREPG and the nomination of candidates from both ASEAN and Russia to the Eminent Persons Group.

133. We also noted the progress of the implementation of the Comprehensive Programme of Action (CPA) to Promote Cooperation between ASEAN and the Russian Federation (2005-2015) and took note of the progress made in the negotiation of the Successor Document to the CPA (2005-2015). We look forward to adopting the Successor Document by the Commemorative Summit in 2016.

ASEAN – United States of America

134. We noted with satisfaction the progress of implementation of the Plan of Action to Implement the Joint Declaration for ASEAN-US Enhanced Partnership (2011-2015) and the progress made in the negotiation of the new Plan of Action. We look forward to adopting the Plan of Action (2016-2020) in time for the 27th ASEAN Summit and related Summits in Kuala Lumpur in November 2015.

135. We acknowledged the US' continued support for the ASEAN Community building efforts through various development cooperation programmes, including the ASEAN Connectivity through Trade and Investment project (ACTI) and the ASEAN-US Partnership for Good Governance, Equitable and Sustainable Development and Security (ASEAN-US PROGRESS).

136. We appreciated the US' continued support for ASEAN integration and ASEAN community building, especially in enhancing cooperation and capacity building to address regional security challenges, including maritime security, cyber security, climate change and disaster management, and transnational crime including international terrorism, trafficking in person, wildlife trafficking, as well as

collaboration to support ASEAN in enhancing its economic competitiveness through development, education and training, women empowerment, entrepreneurship and Small and Medium Enterprises (SMEs) and youth. We welcomed the US' initiative to enhance aviation relations with ASEAN and looked forward to the development of an ASEAN-US Aviation Cooperation Framework covering comprehensive economic and technical components.

137. We reaffirmed our commitment to enhance dialogue relations and to elevate the ASEAN-US dialogue partnership to a strategic level in recognition of the role of the US in the region and the partnership's importance in sustaining Southeast Asia's rapid economic growth and maintaining peace and stability.

ASEAN Plus Three Cooperation

138. We reaffirmed our commitment to further strengthen ASEAN Plus Three cooperation framework to promote peace, security and prosperity in East Asia noting that this will contribute to the realisation of the ASEAN Community by the end of 2015 and deepen regional integration thereafter.

139. We acknowledged good progress made in the implementation of the ASEAN Plus Three Cooperation Work Plan (2013-2017) especially in the areas of finance, tourism and health cooperation.

140. We noted the ongoing work to follow-up on the recommendations of the East Asia Vision Group (EAVG) II and looked forward to the final report on the assessment and action plans for the selected recommendations to be submitted to the ASEAN Plus Three Summit in November this year.

141. We welcomed the convening of ASEAN Plus Three-related meetings this year and looked forward to their positive outcomes.

East Asia Summit

142. We recognised the important contribution of the East Asia Summit to the maintenance and promotion of peace, security, stability and prosperity in the region. In this regard, we reaffirmed our commitment to further strengthen the EAS as a Leaders-led forum for dialogue and cooperation on broad strategic, political, security and economic issues of common interest and concern with ASEAN playing a central role and driving force based on the principles, objectives and modalities of the EAS as reflected in the 2005 Kuala Lumpur Declaration on the East Asia Summit, the 2010 Ha Noi Declaration on the Commemoration of the 5th Anniversary of the East Asia Summit, and the 2011 Declaration of the East Asia Summit on the Principles for Mutually Beneficial Relations (Bali Principles).

143. Noting that 2015 marks the 10th Anniversary of the establishment of the East Asia Summit, we had an extensive discussion on its work processes and areas of cooperation with the aim of strengthening and consolidating the EAS based on the objectives, principles and modalities established by ASEAN, which is an important manifestation of ASEAN's Centrality in the evolving regional architecture. We

encouraged greater engagement between the Committee of Permanent Representatives to ASEAN (CPR) and the EAS Missions in Jakarta.

144. We underscored the importance of maritime cooperation in order to effectively manage maritime-related issues in the region, including maritime security, maritime connectivity, freedom of navigation, search and rescue, marine environmental protection, fisheries, energy and food security. We welcomed Indonesia's proposal to deliberate on a standalone EAS Statement on Enhancing Regional Maritime Cooperation in the Asia-Pacific for consideration by the EAS Leaders at the 10th EAS in November 2015 in Malaysia.

Applications for Formal Partnership with ASEAN

145. We are pleased to note the growing interest of external parties in pursuing formal partnerships with ASEAN. We agreed to consider the new and official applications in accordance with the guidelines for ASEAN's external relations and undertake the necessary ASEAN processes. In this regard, we reviewed and agreed to Norway's application and granted it Sectoral Dialogue Partner status.

ASEAN Regional Forum

146. We reaffirmed the importance of the ARF as the primary forum for cooperation in political and security issues of common interest and concern in the Asia-Pacific region through dialogue and consultations. We reiterated the need to ensure that the ARF process continues to be relevant in light of the ongoing discussion on regional architecture, with ASEAN at its core. We underlined the need to make this forum more efficient and effective in providing meaningful contribution to address the increasingly complex regional non-traditional security challenges among others through increased synergy between the ARF and various ASEAN-led mechanisms. We welcomed the continued support of all ARF participating countries to ensure successful implementation of the Hanoi Plan of Action to Implement the ARF Vision Statement, as well as all other current work plans under the main priority areas to support ARF's confidence building efforts. We agreed to advance the ARF process towards the Preventive Diplomacy phase in parallel with the strengthening of confidence building measures through the implementation of concrete and practical activities, in line with the ARF Work Plan on Preventive Diplomacy.

147. We looked forward to the adoption of the draft ARF Work Plans on Counter Terrorism and Transnational Crime, Maritime Security, Disaster Relief, and Security of and in the use of communications and technologies. We also looked forward to deepening the synergy and effective coordination within and among the ARF and other ASEAN-led mechanisms including the ADMM Plus to successfully implement the activities contains in the respective documents. We noted the convening of the 8th ARF Intersessional Meeting on Maritime Security in the Philippines in 2016.

REGIONAL SECURITY ARCHITECTURE

148. We reiterated the importance of preserving ASEAN Centrality in the evolving regional architecture. In this context, we welcomed the convening of the 4th EAS

Workshop and Dialogue on Regional Security Architecture in the Asia-Pacific Region which was held in Phnom Penh, Cambodia on 20-21 July 2015 as a follow-up to the three Workshops held in Brunei Darussalam, Russia and Indonesia. We looked forward to the continued deliberation on a common vision for regional security architecture in the Asia-Pacific that is ASEAN-led and ensures ASEAN Centrality based on ASEAN principles, norms, values and interests. To this end, we requested Indonesia to consolidate the various initiatives by China, India, Russia and Indonesia for further consideration, taking into account Cambodia's discussion paper, by the EAS SOM.

TIMOR-LESTE'S OFFICIAL APPLICATION FOR ASEAN MEMBERSHIP

149. We were encouraged by the progress by the ASEAN Coordinating Council Working Group (ACCWG) in the consideration of all relevant aspects related to the application by Timor-Leste, as well as its possible implications on ASEAN, and agreed to explore the possibility of Timor-Leste's participation in ASEAN activities within the context of its need for capacity building.

REGIONAL AND INTERNATIONAL ISSUES

South China Sea

150. We discussed extensively the matters relating to the South China Sea and remained seriously concerned over recent and ongoing developments in the area. We took note of the serious concerns expressed by some Ministers on the land reclamations in the South China Sea, which have eroded trust and confidence, increased tensions and may undermine peace, security and stability in the South China Sea.

151. We reaffirmed the importance of maintaining peace, security, stability, and freedom of navigation in and over-flight above the South China Sea. We emphasised the need for all parties to ensure the full and effective implementation of the Declaration on the Conduct of Parties in the South China Sea (DOC) in its entirety: to build, maintain and enhance mutual trust and confidence; to exercise self-restraint in the conduct of activities that would complicate or escalate disputes; to not to resort to threat or use of force; and for the parties concerned to resolve their differences and disputes through peaceful means, in accordance with universally recognised principles of international law, including the 1982 United Nations Convention on the Law of the Sea.

152. We looked forward to the effective implementation of the agreed Early Harvest Measures to enhance mutual trust and confidence as well as to build a conducive environment for the maintenance of peace, security and stability in the region. We tasked our Senior Officials to continue working on this matter, and to further explore other initiatives, in pursuit of these objectives.

153. While noting the progress made in the consultations on the Code of Conduct in the South China Sea (COC), we reiterated the importance of expeditious

establishment of an effective COC. To this end, we welcomed the recent outcome of the 9th ASEAN-China SOM on the Implementation of the DOC whereby they agreed to proceed to the next stage of consultations and negotiate the framework, structure, elements as well as to address crucial, difficult and complicated issues relating to the proposed COC. We, therefore, tasked our Senior Officials to follow up and work closely with China on this matter.

154. Pursuant to the full and effective implementation of the DOC in its entirety, and while the work towards the expeditious establishment of the COC are undertaken, we agreed that preventive measures should be undertaken to address developments in the South China Sea, with the objective, among others, to enhance trust and confidence amongst parties.

155. We took note of Indonesia's proposal to establish a hotline of communications at the high level in the government between ASEAN and China to address emergency situations on the ground that need immediate intervention, which aim to immediately reduce tensions on the ground.

156. We discussed extensively the matters related to the progress of the COC. The Philippines briefed the Meeting on further developments including matters particularly relating to the 1982 United Nations Convention on the Law of the Sea (UNCLOS).

Situation in the Middle East

157. We reiterated ASEAN's support for the legitimate right of the Palestinian people for an independent state of Palestine and a two-State solution where Palestine and Israel live side-by-side in peace. We called upon Israel and Palestine to constructively engage in peace negotiations. We reiterated our call for all parties to make every effort to remove obstacles related thereto, in particular the construction of illegal settlements in the Occupied Palestinian Territories, in order to reach a final status agreement.

Countering extremism and radicalisation

158. We continued to condemn and deplore the violence and brutality committed by extremist organisations and radical groups in Iraq and Syria, whose impact increasingly poses a threat to all regions of the world. In this regard, we denounced all unlawful acts of destruction, violence and terror in all its forms and manifestations and reiterated our commitment of combating terrorism, including our support for UNSC Resolutions 2170 (2014), and 2178 (2014) which called on the international community to suppress the flow of foreign terrorist fighters.

159. We also reaffirmed our commitment to the full implementation of the ASEAN Convention on Counter Terrorism, the ASEAN Comprehensive Plan of Action on Counter Terrorism, and the relevant provisions of international law and the UN Charter. We will work with the international community in its fight against terrorism, extremism and radicalism and to address its root causes, including through the promotion of the Global Movement of Moderates.

160. We called for the promotion of religious tolerance and mutual understanding as well as fostering of interfaith dialogue so that adherents of various faiths can build harmonious and mutually beneficial cooperative relationships to address the negative repercussion directed towards moderates as a result of violent extremism.

Developments on the Korean Peninsula

161. We expressed concern over recent developments in the Korean Peninsula including the recent ballistic missile launches and underlined the importance of maintaining peace, stability and security in the region. We highlighted the importance of trust-building activities on the Peninsula and we encouraged the Democratic People's Republic of Korea to fully comply with all relevant United Nations Security Council Resolutions and commitments under the 19 September 2005 Joint Statement of the Six-Party Talks. We called for the creation of necessary conditions for the early resumption of Six-Party Talks and the continuous inter-Korean dialogue, which would pave the way for the complete and verifiable de-nuclearisation of the Korean Peninsula in a peaceful manner and Korean reunification.

Iran Nuclear Issue

162. We welcomed the efforts by the parties concerned in reaching a comprehensive nuclear agreement between the Islamic Republic of Iran and E3/EU+3 (China, France, Germany, the Russian Federation, the United Kingdom and the United States and the High Representative of the European Union for Foreign Affairs and Security Policy) on 14 July 2015 and the UN Resolution 2231 endorsing the Joint Comprehensive Plan of Action (JCPOA) regarding Iran's nuclear programme on 20 July 2015. In this regard, we called for full compliance of the agreement and resolution in order to contribute to peace, security and stability in the region and the world as whole.

The US-Cuba Relations

163. We welcomed the normalisation of the diplomatic relations between the US and Cuba and the re-opening of diplomatic missions in their respective countries on 20 July 2015. We believe that this positive move would be mutually beneficial to the people of both countries as well as contribute to peace, security and stability and enhance cooperation in the region. We called for the timely lifting of all sanctions and embargoes imposed on Cuba.

Group of Twenty (G20)

164. We welcomed the continuous engagement between G20 and ASEAN through the participation of the ASEAN Chair in the G20 processes including the G20 Leaders' Summit. We were pleased that this engagement provides us with the opportunity to work with the G20 in addressing pertinent global and regional issues. In this regard, we looked forward to the G20 Leaders' Summit hosted by Turkey in Antalya in November 2015.

49TH ASEAN FOREIGN MINISTERS MEETING

165. We looked forward to the convening of the 49th ASEAN Foreign Ministers Meeting, Post Ministerial Conference, 17th ASEAN Plus Three Foreign Ministers Meeting, 6th East Asia Summit Foreign Ministers Meeting and 23rd ASEAN Regional Forum to be held in Lao PDR in 2016.

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Annex 661

U.S. Department of State, Bureau of Oceans and International Environmental and Scientific Affairs, “China: Maritime Claims in the South China Sea”, *Limits in the Seas*, No. 143 (5 Dec. 2014)

United States Department of State
*Bureau of Oceans and International
Environmental and Scientific Affairs*

Limits in the Seas

No. 143

China:

Maritime Claims in the South China Sea



LIMITS IN THE SEAS

No. 143

CHINA

MARITIME CLAIMS IN THE SOUTH CHINA SEA

December 5, 2014

**Office of Ocean and Polar Affairs
Bureau of Oceans and International Environmental and Scientific Affairs
U.S. Department of State**

This study is one of a series issued by the Office of Ocean and Polar Affairs, Bureau of Oceans and International Environmental and Scientific Affairs in the Department of State. The purpose of the series is to examine a coastal State's maritime claims and/or boundaries and assess their consistency with international law. This study represents the views of the United States Government only on the specific matters discussed therein and does not necessarily reflect an acceptance of the limits claimed.

This study, and earlier studies in this series, may be downloaded from <http://www.state.gov/e/oes/ocns/opa/c16065.htm>. Comments and questions should be emailed to LimitsInTheSeas@state.gov. Principal analysts for this study are Kevin Baumert and Brian Melchior.

Introduction

This study analyzes the maritime claims of the People's Republic of China in the South China Sea, specifically its "dashed-line" claim encircling islands and waters of the South China Sea.¹

In May 2009, the Chinese Government communicated two Notes Verbales to the UN Secretary General requesting that they be circulated to all UN Member States.² The 2009 Notes, which contained China's objections to the submissions by Vietnam and Malaysia (jointly) and Vietnam (individually) to the Commission on the Limits of the Continental Shelf, stated the following:

China has indisputable sovereignty over the islands in the South China Sea and the adjacent waters, and enjoys sovereign rights and jurisdiction over the relevant waters as well as the seabed and subsoil thereof (see attached map). The above position is consistently held by the Chinese government, and is widely known by the international community.

The map referred to in China's Notes, which is reproduced as Map 1 to this study, depicted nine line segments (dashes) encircling waters, islands, and other features of the South China Sea. Vietnam, Indonesia, and the Philippines subsequently objected to the contents of China's 2009 Notes, including by asserting that China's claims reflected in the dashed-line map are without basis under the international law of the sea.³ In 2011, China requested that another Note Verbale be communicated to UN Member States, which reiterated the first sentence excerpted above, and added that "China's sovereignty and related rights and jurisdiction in the South China Sea are supported by abundant historical and legal evidence."⁴

China has not clarified through legislation, proclamation, or other official statements the legal basis or nature of its claim associated with the dashed-line map. Accordingly, this *Limits in the Seas* study examines several possible interpretations of the dashed-line claim and the extent to which those interpretations are consistent with the international law of the sea.

¹ This claim is referred to by commentators by various names, including the "Nine-Dash Line," "Dotted Line," "Cow's Tongue," and "U-Shaped Line."

² Permanent Mission of the People's Republic of China, Notes Verbales CML/17/2009 and CML/18/2009, May 7, 2009, available from the UN Division for Ocean Affairs and the Law of the Sea (DOALOS) at:

http://www.un.org/Depts/los/clcs_new/submissions_files/mysvnm33_09/chn_2009re_mys_vnm_e.pdf and

http://www.un.org/Depts/los/clcs_new/submissions_files/vnm37_09/chn_2009re_vnm.pdf.

³ Notes available from DOALOS at:

http://www.un.org/Depts/los/clcs_new/submissions_files/submission_mysvnm_33_2009.htm.

⁴ Permanent Mission of the People's Republic of China, Note Verbale CML/8/2011, April 14, 2011, available from DOALOS at: http://www.un.org/Depts/los/clcs_new/submissions_files/mysvnm33_09/chn_2011_re_phl_e.pdf.

This Note did not contain a dashed-line map.

Map 1: China's Dashed-Line Map from Notes Verbales of 2009

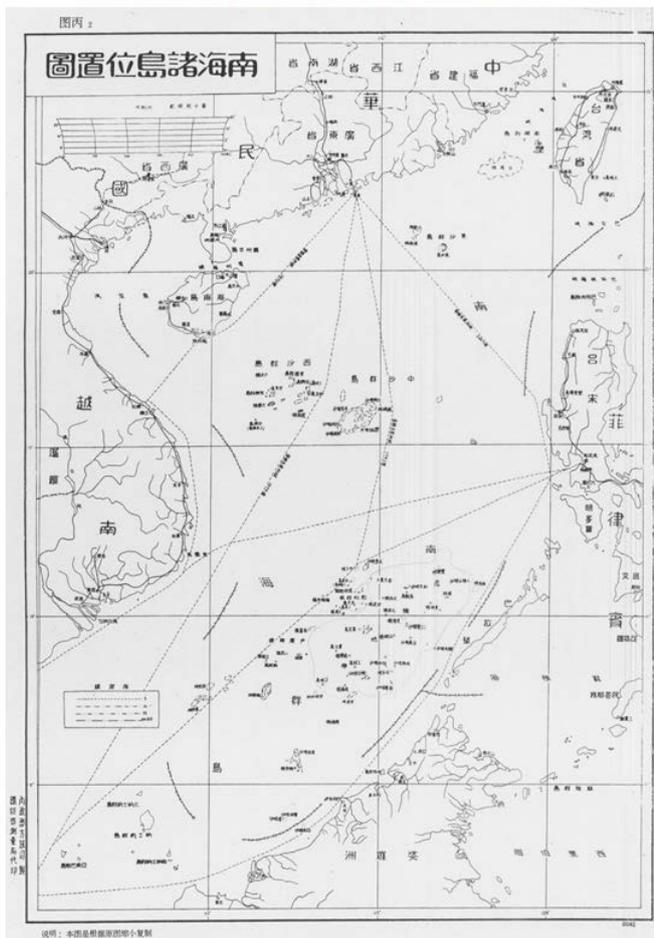


The Dashed-Line Maps

Origins and Evolution

Although China has not provided an official account, the first dashed-line map is widely reported by scholars and commentators to pre-date the existence of the People's Republic of China, having been published in 1947 by the Nationalist government of the Republic of China.⁵ That map, which shows 11 dashes, is reproduced as Map 2 to this study. Scholarly accounts indicate that the 1947 map, titled “Map of South China Sea Islands,” originated from an earlier one titled “Map of Chinese Islands in the South China Sea” (*Zhongguo nanhai daoyu tu*) published by the Republic of China's Land and Water Maps Inspection Committee in 1935, and that Chinese maps produced after the establishment of the People's Republic of China in 1949 “appear to follow the old maps.”⁶ The maps published by the People's Republic of China, however, removed the two dashes originally depicted inside the Gulf of Tonkin.⁷ Although not visible on the 2009 map (Map 1), modern Chinese maps since at least 1984, including the vertically oriented maps published by China in 2013 and 2014,⁸ also include a tenth dash located to the east of Taiwan.

Map 2: China's (Kuomintang) 11-Dash Line Map of 1947 entitled “Map of South China Sea Islands”



⁵ Scholarly accounts place the publication date from 1946 to 1948. For simplicity, this study refers to the “1947 map.” See, e.g., M. Sheng-Ti Gau, “The U-Shaped Line and a Categorization of the Ocean Disputes in the South China Sea,” *Ocean Dev’t & Int’l L.*, 43:1, 57-69 at 58 (2012) (stating the map was “first published” by the Republic of China in December 1946); K-H. Wang, “The ROC’s Maritime Claims and Practices with Special Reference to the South China Sea,” *Ocean Dev’t & Int’l L.*, 41:237-252 at 243 (2010) (stating the map was “released” in 1947); L. Jinming and L. Dexia, “The Dotted Line on the Chinese Map of the South China Sea: A Note,” *Ocean Dev’t & Int’l L.*, 34:287-95 at 290 (2003) (stating the map was “printed” in 1947 and “published” in February 1948).

⁶ Jinming and Dexia, *supra* note 5 at 289-90 (2003). See also, N. Alfred Hu, “South China Sea: Troubled Waters or a Sea of Opportunity?” *Ocean Dev’t & Int’l L.*, 41:203-213 (2010).

⁷ This area was eventually partly delimited by China and Vietnam. Agreement on the Delimitation of the Territorial Seas, Exclusive Economic Zones and Continental Shelves in the Beibu Gulf [Gulf of Tonkin] between the People’s Republic of China and the Socialist Republic of Vietnam, Beijing, Dec. 25, 2000, entered into force June 30, 2004, *Law of the Sea Bulletin* No. 56, at 137 (2004); V *International Maritime Boundaries* 3745-3758 (2005).

⁸ See, e.g., “China’s New Weapon in the Battle for the South China Sea is ... a Vertical Map,” *Wall Street Journal*, ChinaRealTime blog, Jun. 25, 2014. This “vertical map” was first published by Sinomaps in 2013 and later reproduced by Hunan Map Publishing House in 2014.

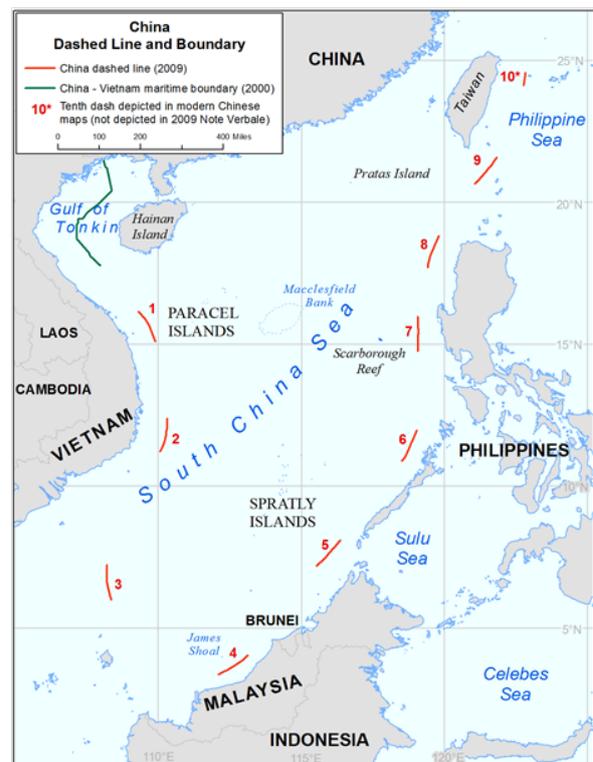
Geographic Description⁹

The map included in China's 2009 Notes Verbales contains nine dashes that encircle islands, waters, and other features of the South China Sea. China has not published geographic coordinates specifying the location of the dashes. Therefore, all calculations in this study relating to the dashed line are approximate.¹⁰

The dashed line encompasses approximately 2,000,000 square kilometers of maritime space, an area equal to about 22 percent of China's land area. This constitutes a significant percentage of the maritime space in the South China Sea.¹¹ Excluding Taiwan and Pratas Island (referred to by China as *Dongsha Qundao*), the dashed line encompasses approximately 13 square kilometers of land area.¹² This land area includes the three groups of land features within the South China Sea: (1) the Paracel Islands (referred to by China as *Xisha Qundao*), (2) the Spratly Islands (*Nansha Qundao*), and (3) Scarborough Reef (*Huangyan Dao*). The largest of these islands is Woody Island in the Paracel Islands, with an area of 2.4 square kilometers. The dashes likewise encompass numerous submerged features such as Macclesfield Bank (*Zhongsha Qundao*) and James Shoal (*Zengmu Ansha*).¹³

Map 3 to this study depicts the dashed line with a number assigned next to each dash for descriptive purposes only. It should be noted that China does not assign numbers to the dashes. The dashes are not uniformly distributed and are separated from one another by between 106 (dashes 7 and 8) and 274 (dashes 3 and 4) nautical miles (nm). The

Map 3: Illustrative Map of China's Dashed Line



⁹ Calculations for this study were conducted in ESRI ArcMap 10. The dashes used in geographic depictions and calculations for this study were digitized from 1:10,600,000 scale (2009) and 1:12,000,000 (approx.) scale (1947) maps and assumed a Mercator projection.

¹⁰ This same caveat applies to the calculations referring to the dashed line on the 1947 map, coordinates for which have also not been published by either the People's Republic of China or the Republic of China.

¹¹ Media reports frequently refer to estimates of 80 percent or higher. The exact percentage depends upon the assumed geographic extent of the South China Sea. The dashed line encompasses 62 percent of the waters in the South China Sea when using the limits that are described in the International Hydrographic Organization's (IHO) *S-23 Limits of the Oceans and Seas* (1953), available from IHO at:

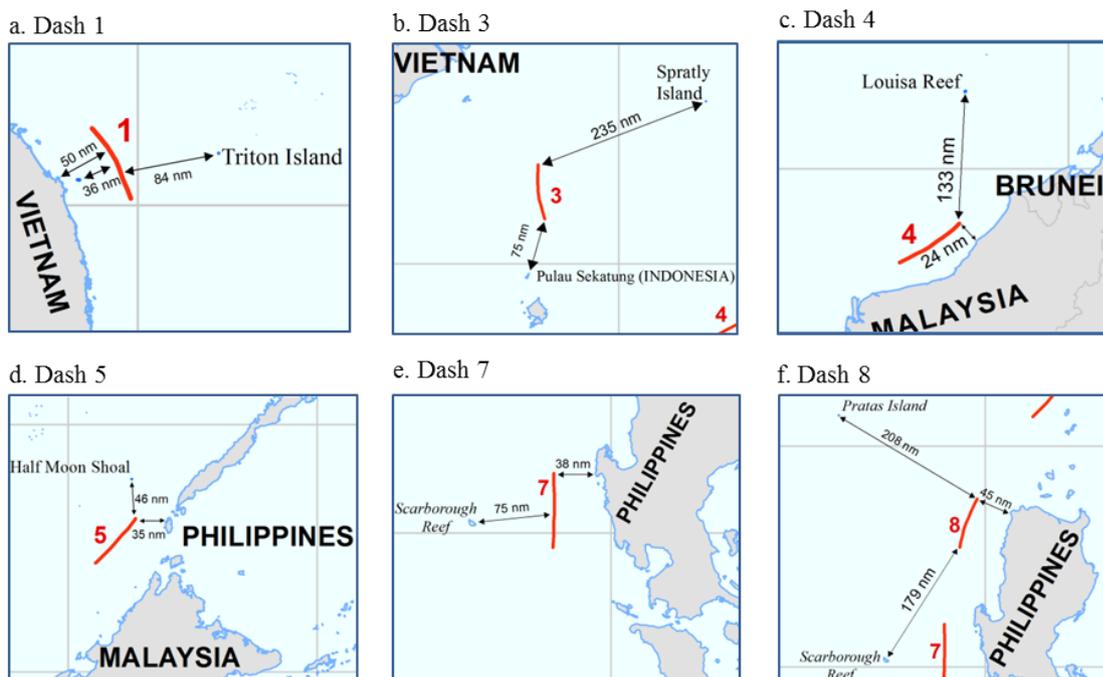
http://www.iho.int/iho_pubs/IHO_Download.htm#S-23. The S-23 describes the limits for the South China Sea as including the Taiwan Strait, the Gulf of Tonkin, and what is sometimes referred to as the Natuna Sea.

¹² CIA *World Factbook* entries for Spratly and Paracel Islands, at: <https://www.cia.gov/library/publications/the-world-factbook/>.

¹³ Nothing in this study is intended to take a definitive position regarding which features in the South China Sea are "islands" under Article 121 of the LOS Convention or whether any such islands are "rocks" under Article 121(3).

dashes are located in relatively close proximity to the mainland coasts and coastal islands of the littoral States surrounding the South China Sea. Dash 1 is 50 nm from the mainland coast of Vietnam and 36 nm from Vietnam's coastal island of Ly Son. Dash 3 is 75 nm from the closest Indonesian island, Pulau Sekatung. Dash 4 is 24 nm from the coast of Malaysia on the island of Borneo. Dash 5 is 35 nm from the closest point on the Philippines' southeastern island of Balabac. Dash 9 is 26 nm from Y'Ami Island, Philippines' northernmost island in the Luzon Strait.

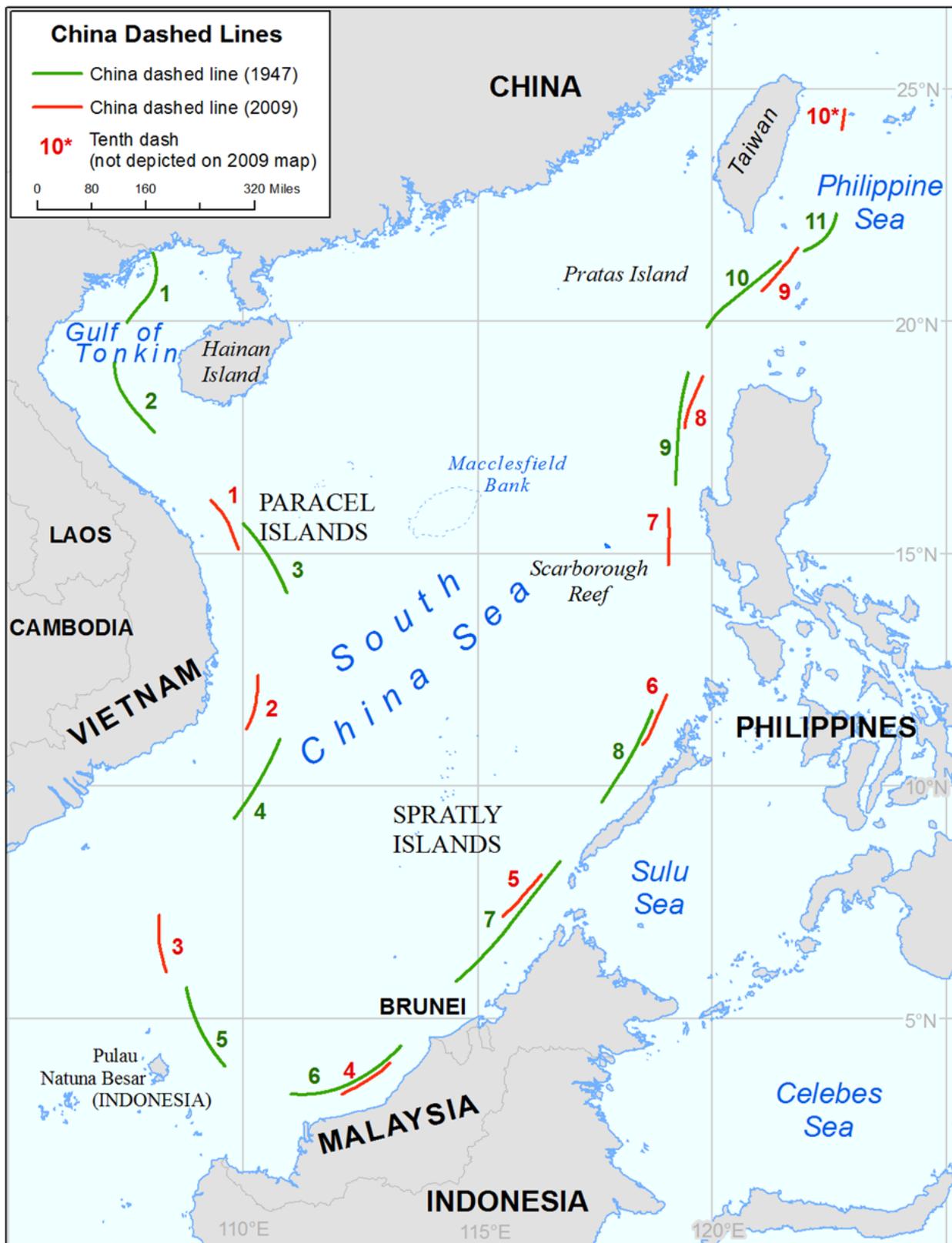
Map 4: Distances between Dashes and Land Features



As shown on Map 4 to this study, the dashes are generally closer to the surrounding coasts of neighboring States than they are to the closest islands within the South China Sea. In other words, the distances between the dashes and the islands are generally farther than the aforementioned distances to the surrounding coasts. At their closest points, the dashes are 84 nm from the nearest island within the Paracel Islands (dash 1 to Triton Island), more than 46 nm from the nearest island within the Spratly Islands (dash 5 to Half Moon Shoal), and nearly 75 nm from Scarborough Reef (dash 7). Some of the dashes are far from the nearest islands within the South China Sea. For instance, dash 3 is 235 nm from the nearest such island, which is Spratly Island. Dash 4 is 133 nm from Louisa Reef. Dash 8 is 179 nm from the closest island on Scarborough Reef.

A geographic description of China's dashed line is complicated by inconsistencies between China's 2009 map and other Chinese maps, such as the 1947 map. The geographic description above is applicable to the 2009 map, but not to the 1947 map or even contemporary Chinese maps because those maps appear to depict the dashes in varying sizes and locations. Map 5 to this study depicts the dashed line from both the 2009 and 1947 maps, indicating that the sizes and locations of the dashes from the 2009 map are generally shorter and closer to the coasts of

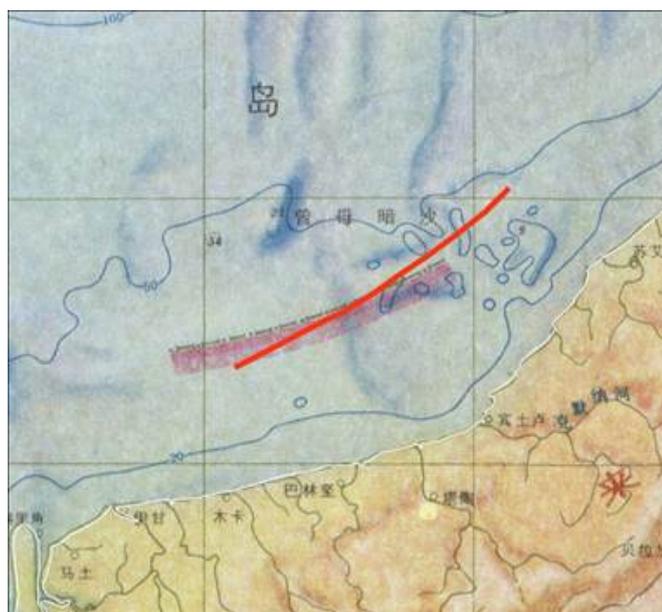
Map 5: Comparison of Dashed Line in 2009 and 1947 Maps



neighboring States than the dashes in the 1947 map. Near the Vietnam coast, dash 2 from the 2009 map is 45 nm closer to Vietnam's coast than the nearest dash on the 1947 map, and dash 1 is 15 nm closer. Dash 4 is closer (about 8 nm) to the Malaysian coast and dash 8 is likewise closer (about 19 nm) to the northern part of the Philippine island of Luzon. Additionally, dash 5 from the 1947 map is 15 nm closer to Indonesia's Pulau Sekatung than dash 3 from the 2009 map. Despite having a similar curvature to dash 5 of the 2009 map, dash 7 of the 1947 map is longer and slightly closer to the Philippine island of Palawan, as well as to Malaysia's and Brunei's coasts on the island of Borneo. The dashes used in the 1947 map are also spaced such that they are generally closer to one another than those of the 2009 map, with the exception of the distance between dashes 8 and 9, which is about 290 nm. Otherwise, the 1947 dashes are separated from one another by between 31 (dashes 10 and 11) and 225 (dashes 4 and 5) nm of sea.

The dashed-line map distributed by China to the international community in 2009 is also cartographically inconsistent with other published Chinese maps. The dashes from the 2009 map do not appear to be in the identical geographic locations as the dashes from the 2013-2014 maps published by Sinomaps and those of its predecessor, Cartographic Publishing House (Ditu Chubanshe), dating back to at least 1984. Map 6 to this study depicts the difference with respect to dash 4.

Map 6: Dash 4 location in 2009 (solid red) & 1984 maps



Basis of Analysis

Under international law, the applicable legal framework for assessing maritime claims is the international law of the sea, as reflected in the United Nations Convention on the Law of the Sea (LOS Convention).¹⁴

Maritime Zones

International law, as reflected in the LOS Convention, contains rules governing a coastal State's entitlement to maritime zones.

Part II of the Convention sets forth rules governing coastal baselines, from which the seaward limits of maritime zones are measured. The normal baseline is the low-water line along the coast, as described in Article 5 of the Convention. The Convention also permits the method of straight baselines to be used “[i]n localities where the coastline is deeply indented and cut into, or if there is a fringe of islands along the coast in its immediate vicinity” (Article 7). Waters on the landward side of the baseline are internal waters (Article 8). Part IV of the Convention contains the rules regarding baselines enclosing archipelagic waters of archipelagic States such as Indonesia and the Philippines.¹⁵

Part II of the Convention also sets forth the rules governing the territorial sea, which may extend up to 12 nm from the baselines, and in which the coastal State exercises sovereignty subject to the right of innocent passage and other rules of international law. In addition, Part II describes a contiguous zone, extending beyond the territorial sea to a maximum of 24 nm from the baselines, within which a coastal State may exercise the control necessary to prevent and punish infringement of its customs, fiscal, immigration, or sanitary laws and regulations within its territory or territorial sea.

Part V of the Convention sets forth provisions related to the exclusive economic zone (EEZ), which may extend to a maximum of 200 nm from the baselines. Within the EEZ, the coastal State has enumerated rights, notably, “sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources” and “jurisdiction as provided for” in the Convention with regard to “the establishment and use of artificial islands, installations and structures” as well as “marine scientific research” and “the protection and preservation of the marine environment” (Article 56). At the same time, the freedoms of navigation, overflight, laying and maintenance of submarine cables, and other uses related to these freedoms are preserved in the EEZ (Article 58).

¹⁴ United Nations Convention on the Law of the Sea, Montego Bay, opened for signature Dec. 10, 1982, entered into force Nov. 16, 1994, 1833 UNTS 397, available from DOALOS at:

http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm. China ratified the Convention on June 7, 1996. The United States considers the substantive provisions of the LOS Convention cited in this study to reflect customary international law, as do international courts and tribunals. *See, e.g.*, J.A. Roach, “Today’s Customary International Law of the Sea,” *Ocean Dev’t & Int’l L.*, 45: 239-252 (2014).

¹⁵ An “archipelagic State” means a State constituted wholly by one or more archipelagos and may include other islands.” LOS Convention, *supra* note 14, Art. 46(a). Archipelagic States therefore do not include continental States such as China or the United States.

Part VI of the Convention sets forth provisions relating to the continental shelf, which extends to the outer edge of the continental margin or to a distance of 200 nm from the baselines, as described in Article 76. The coastal State exercises sovereign rights for the purpose of exploring the continental shelf and exploiting its natural resources; these rights are “exclusive” and “do not depend on occupation, effective or notional, or on any express proclamation” (Article 77).

Part VIII of the Convention defines an island as “a naturally formed area of land, surrounded by water, which is above water at high tide” (Article 121(1)). It provides that islands have the same entitlements to the foregoing maritime zones as other land territory, except that “[r]ocks which cannot sustain human habitation or economic life of their own shall have no exclusive economic zone or continental shelf” (Article 121(3)).

Submerged features that do not emerge above water at high tide are not “islands” and are not entitled to maritime zones.¹⁶ They form part of the seabed and subsoil, and are subject to the regime of the maritime zone in which they are found. The Convention also makes clear that “[a]rtificial islands, installations, and structures do not possess the status of islands. They have no territorial sea of their own, and their presence does not affect the delimitation of the territorial sea, the [EEZ] or the continental shelf” (Article 60(8)). They too are subject to the regime of the maritime zone in which they are located.

Maritime Boundaries

Maritime boundary delimitation issues arise when the maritime zones of neighboring States overlap. Articles 15, 74, and 83 of the Convention set forth provisions regarding the delimitation of maritime boundaries between opposite and adjacent States. Article 15, concerning delimitation of the territorial sea, provides that “failing agreement . . . to the contrary,” one State is not entitled “to extend its territorial sea beyond the median line every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial seas of each of the two States is measured.” However, this provision “does not apply . . . where it is necessary by reason of historic title or other special circumstances to delimit the territorial seas of the two States in a way which is at variance therewith.”

With respect to the delimitation of the EEZ and continental shelf, Articles 74 and 83 provide, respectively, that the delimitation “shall be effected by agreement on the basis of international law, as referred to in Article 38 of the Statute of the International Court of Justice, in order to achieve an equitable solution.” In recent years, international courts and tribunals have generally delimited the EEZ and continental shelf by drawing a provisional equidistance line and then adjusting that line if necessary in light of the coastal configuration and features, including rocks and other small islands.¹⁷

¹⁶ However, the LOS Convention, *supra* note 14, Art. 13, provides: “Where a low-tide elevation is situated wholly or partly at a distance not exceeding the breadth of the territorial sea from the mainland or an island, the low-water line on that elevation may be used as the baseline for measuring the breadth of the territorial sea.” A “low-tide elevation” is defined as “a naturally formed area of land which is surrounded by and above water at low tide but submerged at high tide.” *Id.*

¹⁷ See, e.g., *Territorial and Maritime Dispute (Nicaragua v. Colombia)*, I.C.J., Judgment of Nov. 19, 2012.

“Historic” Bays and Title

The substantive provisions of the LOS Convention refer to “historic” bays or title in two instances. First, Article 10 (“Bays”) provides that the provisions of that article concerning juridical bays “do not apply to so-called ‘historic’ bays.” Second, Article 15, as mentioned above, provides that the general rule governing delimitation of overlapping territorial seas does not apply in instances of “historic title or other special circumstances.” These provisions are substantially identical to those contained in Articles 7 and 12 of the 1958 Convention on the Territorial Sea and the Contiguous Zone.¹⁸

The burden of establishing the existence of a historic bay or historic title is on the claimant. The United States has taken the view that, in order to establish the existence of a historic bay or historic title, a State must demonstrate (1) open, notorious, and effective exercise of authority over the body of water in question; (2) continuous exercise of that authority; and (3) acquiescence by foreign States in the exercise of that authority.¹⁹ These limitations are consonant with the views of influential international legal authorities, including the International Court of Justice and the 1962 study on the “Juridical Régime of Historic Waters, Including Historic Bays,” commissioned by the Conference that adopted the 1958 Geneva Conventions on the law of the sea.²⁰ International jurisprudence addressing historic claims has been limited to (1) disputes concerning maritime boundaries and sovereignty over land territory²¹ and (2) other disputes over near-shore waters which, under the current law of the sea, could be enclosed using the method of straight baselines.²²

Articles 10 and 15 are strictly limited geographically and substantively. They apply only with respect to bays and similar near-shore coastal configurations, not in areas of EEZ, continental shelf, or high seas. In the past, prior to the emergence of today’s maritime zones, the high seas regime applied very close to the low-water line along the coast, animating desires for broader protection of coastal State interests—desires which previously informed the “historic waters”²³ and other claims of coastal States in derogation of that classic high seas regime. The LOS Convention regimes and their geographic limits accommodated those desires, and set forth the framework governing all parts of the sea from which no reservations are permitted (Article 309).

¹⁸ Convention on the Territorial Sea and the Contiguous Zone, Geneva, Apr. 29, 1958, entered into force Sept. 10, 1964, 516 UNTS 205, available at: <https://treaties.un.org/doc/Publication/UNTS/Volume%20516/v516.pdf>.

¹⁹ See, e.g., *Limits in the Seas* No: 112: “United States Responses to Excessive National Maritime Claims,” U.S. Dep’t. of State, Mar. 9, 1992; Memorandum from Bernard H. Oxman, Dep’t of State Ass’t Legal Adviser for Ocean Affairs (Sept. 17, 1973), excerpted in *Digest of U.S. Practice in International Law* 1973, at 244 (A.W. Rovine ed.).

²⁰ *Fisheries Case (U.K. v. Norway)*, 1951 I.C.J. 116 (Dec. 18), p. 130, 133, 138, 142; *Land, Island and Maritime Frontier Dispute (El Salvador/Honduras)*, 1992 I.C.J. 350 (Sept. 11), paras. 384, 394; Int’l Law Comm’n, *Juridical Régime of Historic Waters, Including Historic Bays*, [1962] 2 Y.B. Int’l L. Comm’n 1, U.N. Doc. A/CN.4/143 [hereinafter UN Study]. See also jurisprudence of the U.S. Supreme Court, e.g., *United States v. Louisiana*, 394 U.S. 11, 23 (1969), and *United States v. California*, 381 U.S. 139, 172 (1965).

²¹ See, e.g., *El Salvador/Honduras*, *supra* note 20; *Continental Shelf (Tunisia/Libya)*, 1982 I.C.J. 18 (Feb. 24); *Eritrea/Yemen*, Award in the First Stage of the Proceedings, (Perm. Ct. Arb. Oct. 9, 1998) and Award in the Second Stage of the Proceedings, paras. 103, 107 (Perm. Ct. Arb. Dec. 17, 1999), http://www.pca-cpa.org/showpage.asp?pag_id=1160.

²² *Fisheries Case*, *supra* note 20.

²³ “By ‘historic waters’ are usually meant waters which are treated as internal waters but which would not have that character were it not for the existence of an historic title.” *Fisheries Case*, *supra* note 20, p.130.

Analysis

China's possible claims related to the dashed-line maps can be divided into two categories: claims to land and claims to water. With respect to *land* claims, China's position is clear; it is claiming sovereignty over the islands within the dashed line. China's 2009 Notes Verbales state that "China has indisputable sovereignty over the islands in the South China Sea." This assertion, while disputed by neighboring States with competing sovereignty claims over these islands, is consistent with previous official pronouncements of the People's Republic of China, dating back to at least its 1992 territorial sea law.²⁴ Thus, it is apparent that China intends its dashed-line maps to indicate the islands in the South China Sea over which it claims sovereignty.²⁵

With respect to *maritime* claims, China's position is unclear. Therefore, this study examines below three possible interpretations of the dashed-line claim and the extent to which those interpretations are consistent with the international law of the sea.²⁶ These alternative interpretations are identified with reference to primary sources, notably the official statements and acts of the People's Republic of China.²⁷

1. Dashed Line as a Claim to Islands

Discussion

Under this possible interpretation, the dashed line indicates only the islands over which China claims sovereignty. It is not unusual to draw lines at sea on a map as an efficient and practical means to identify a group of islands. If the map depicts only China's *land* claims, then China's *maritime* claims, under this interpretation, are those provided for in the LOS Convention. China's statement accompanying the map in its 2009 Notes Verbales could be read to support this meaning:

China has indisputable sovereignty over the islands in the South China Sea and the adjacent waters, and enjoys sovereign rights and jurisdiction over the relevant waters as well as the seabed and subsoil thereof (see attached map).

²⁴ Law on the Territorial Sea and the Contiguous Zone of 25 February 1992, available from DOALOS at: http://www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/CHN_1992_Law.pdf. See Article 2.

²⁵ This study makes no attempt to examine the merits of claims by China or other States to land features in the South China Sea. The United States has repeatedly reaffirmed that it takes no position as to which country has sovereignty over the land features of the South China Sea. *See, e.g.*, Statement by the Acting U.S. Dept. of State Spokesperson, May 10, 1995 ("The United States takes no position on the legal merits of the competing claims to sovereignty over the various islands, reefs, atolls and cays in the South China Sea"). This continues to be the position of the United States, and nothing in this study should be construed as a U.S. Government position regarding the merits of competing claims of sovereignty over any island in the South China Sea, which is not a matter governed by the law of the sea.

²⁶ *See id.*

²⁷ In assessing the position of the Government of China with respect to the scope of its maritime claims in the South China Sea, this study has, by necessity, focused on the views asserted by that Government and has not attempted to attribute to China the views or analysis of non-governmental sources, such as legal or other Chinese academics.

The “sovereignty” over the waters “adjacent” to the islands could refer to the 12-nm territorial sea, which is indeed a zone of “sovereignty” under international law.²⁸ Likewise, the “sovereign rights and jurisdiction” could be understood to refer to the legal regimes of the EEZ and continental shelf under the LOS Convention, which uses the same terminology to describe coastal State authority within those zones.²⁹ The “relevant waters” and the “seabed and subsoil thereof” likewise could be understood to refer to the EEZ and continental shelf.

Support for this interpretation can be found in China’s laws and statements. Article 2 of China’s 1992 territorial sea law claims a 12-nm territorial sea around the “Dongsha [Pratas] Islands, Xisha [Paracel] Islands, Nansha (Spratly) Islands and other islands that belong to the People’s Republic of China.”³⁰ China’s 1958 Territorial Sea Declaration makes similar claims.³¹ With respect to the “relevant” areas seaward of the territorial sea, China’s 1998 EEZ and continental shelf law establishes a 200-nm EEZ and describes China’s continental shelf rights and jurisdiction.³² Indeed, China’s 2011 Note Verbale clarified its view that “China’s Nansha Islands is fully entitled to Territorial Sea, Exclusive Economic Zone (EEZ), and Continental Shelf,” and no mention was made of any other maritime claims.³³

Cartographic evidence and official statements also provide support for an interpretation that China’s dashed line describes island claims and not distinct maritime claims. As noted above, the original 1930s dashed-line map, on which subsequent dashed-line maps were based, was titled “Map of the *Chinese Islands* in the South China Sea.” That map was apparently brought into use domestically by the Republic of China in the late 1940s during a time when the international law governing maritime claims by most accounts recognized only a narrow belt of territorial sea. Indeed, China’s own Declaration on its territorial sea of 1958 states:

This provision [a 12-nm territorial sea] applies to all territories of the People’s Republic of China, including the Chinese mainland and its coastal islands, as well as Taiwan and its surrounding islands, the Penghu Islands and all other islands belonging to China which are separated from the mainland and its coastal islands *by the high seas* [emphasis added].³⁴

The reference to “high seas”—maritime space under no country’s jurisdiction—separating China’s mainland and coastal islands from “all other islands belonging to China” indicates that in 1958 China made no claim to the entirety of the ocean space within the dashed line.

Assessment

Setting aside issues related to competing sovereignty claims over land features and unresolved maritime boundaries in the South China Sea, if the above interpretation of China’s dashed-line

²⁸ LOS Convention, *supra* note 14, Art. 2.

²⁹ LOS Convention, *supra* note 14, Arts. 56, 77, 79, 80, and 81.

³⁰ Territorial Sea law, *supra* note 24.

³¹ Declaration on China’s Territorial Sea, reprinted in *Limits in the Seas* No. 43: “Straight Baselines: People’s Republic of China,” U.S. Dep’t of State, July 1, 1972.

³² Exclusive Economic Zone and Continental Shelf Act, adopted, June 26, 1998, available at:

http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/chn_1998_eez_act.pdf. See Article 2.

³³ Note Verbale, *supra* note 4.

³⁴ Declaration, *supra*, note 31, para. 1, at 2.

claim is accurate, then the maritime claims provided for in China's domestic laws could generally be interpreted to be consistent with the international law of the sea, as follows:

1. *China's mainland coast and Hainan Island* are entitled to a territorial sea, contiguous zone, EEZ, and continental shelf, including in areas that project into the South China Sea.³⁵
2. *Other islands*, as defined by Article 121(1) of the LOS Convention, claimed by China in the South China Sea would likewise be entitled to the above-mentioned maritime zones. Under Article 121(3) islands that constitute "rocks which cannot sustain human habitation or economic life of their own" would not be entitled to an EEZ and a continental shelf.³⁶
3. *Submerged features*, namely those that are not above water at high tide, are not subject to sovereignty claims and generate no maritime zones of their own.³⁷ They are subject to the regime of the maritime zone in which they are found.
4. *Artificial islands, installations, and structures* likewise do not generate any territorial sea or other maritime zones.³⁸

This assessment is subject to several important caveats.

First, China's sovereignty claims over islands in the South China Sea are disputed.³⁹ The Paracel Islands are also claimed by Vietnam and Taiwan; Scarborough Reef is also claimed by the Philippines and Taiwan; and some or all of the Spratly Islands are also claimed by Vietnam, the Philippines, Malaysia, Brunei, and Taiwan. Because China's land claims are disputed, its maritime claims described above that are based on those land claims are likewise disputed.

Second, China has not yet clarified its maritime claims related to certain geographic features in the South China Sea. For instance, China has not clarified which features in the South China Sea it considers to be "islands" (or, alternatively, submerged features) and also which, if any, "islands" it considers to be "rocks" that are not entitled to an EEZ or a continental shelf under paragraph 3 of Article 121 of the LOS Convention. With respect to Scarborough Reef and certain features in the Spratly Islands, these issues are the subject of arbitration proceedings between the Philippines and China under Annex VII of the LOS Convention.⁴⁰

Third, Vietnam, the Philippines, Malaysia, Indonesia, and Brunei have maritime zones that extend from their mainland shores into the South China Sea. Assuming for the sake of argument

³⁵ These maritime zones must be drawn from baselines that are consistent with those set forth in the LOS Convention. The United States has protested China's use of straight baselines (including on its mainland, Hainan Island, and the Paracel Islands) as excessive and not consistent with the Convention. J.A. Roach and R.W. Smith, *Excessive Maritime Claims*, 3rd ed. (Nijhoff, 2012), at 98 and note 103. See also, *Limits in the Seas* No. 117: "Straight Baselines Claim: China," U.S. Dep't. of State, July 9, 1996.

³⁶ LOS Convention, *supra* note 14, Art. 121. With respect to United States views, see *supra* note 13.

³⁷ See *supra* note 16, referring to the measurement of maritime zones from low-tide elevations.

³⁸ LOS Convention, *supra* note 14, Art. 60.

³⁹ The United States takes no position regarding these sovereignty disputes. See *supra*, note 25.

⁴⁰ See, e.g., "Notification and Statement of Claim," Jan. 22, 2013, available from the Philippines Department of Foreign Affairs at: http://www.dfa.gov.ph/index.php/component/docman/doc_download/56-notification-and-statement-of-claim-on-west-philippine-sea?Itemid=546. Materials related to this case are available from the Permanent Court of Arbitration at: http://www.pca-cpa.org/showproj.asp?pag_id=1529.

that China has sovereignty over all the disputed islands in the South China Sea, maritime zones generated by South China Sea islands would overlap with those generated by the opposing coastlines of the aforementioned States.

2. Dashed Line as a National Boundary

Discussion

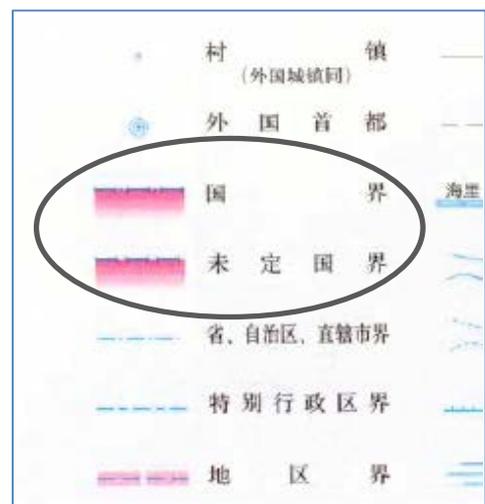
Under this possible interpretation, the dashed line that appears on Chinese maps is intended to indicate a national boundary between China and neighboring States.

As shown on Map 7 to this study, modern Chinese maps and atlases use a boundary symbol to depict the dashed line in the South China Sea. Indeed, the symbology on Chinese maps for land boundaries is the same as the symbology used for the dashes, and the text in the legend of such maps translates the boundary symbol as either “national boundary” or “international boundary” (国界, romanized as *guojie*). These maps also use another boundary symbol, which is translated as “undefined” national or international boundary (未定国界, *weiding guojie*), but this symbology is not used for the dashed line. The placement of the dashes within open ocean space would suggest a *maritime* boundary or limit.

Assessment

Articles 74 and 83 of the LOS Convention provide with respect to the EEZ and continental shelf that boundary delimitation “shall be effected *by agreement* on the basis of international law . . . in order to achieve an equitable solution.”⁴¹ Because maritime boundaries under international law are created by agreement (or judicial decision) between neighboring States, one country may not unilaterally establish a maritime boundary with another country. Assuming for the sake of argument that China has sovereignty over all the disputed islands, the maritime boundaries delimiting overlapping zones would need to be negotiated with the States with opposing coastlines—Vietnam, the Philippines, Malaysia, Indonesia, and Brunei. The dashes also lack other important hallmarks of a maritime boundary, such as a published list of geographic coordinates and a continuous, unbroken line that separates the maritime space of two countries.

Map 7: Symbology on Modern Chinese Map Depicting Dashed Line



⁴¹ Emphasis added. See discussion under Basis of Analysis, *supra*.

To the extent the dashed line indicates China's unilateral position on the proper location of a maritime boundary with its neighbors, such a position would run counter to State practice and international jurisprudence on maritime boundary delimitation. In determining the position of maritime boundaries, States and international courts and tribunals typically accord very small islands far from a mainland coast like those in the South China Sea equal or less weight than opposing coastlines that are long and continuous.⁴² (Map 4 above shows selected locations where the dashes are considerably closer to the coasts of other States than to the South China Sea islands claimed by China.)

If the dashed line is intended to depict a unilateral maritime boundary claim, this interpretation also does not address the related question of what kind of rights or jurisdiction China is asserting for itself within the line. The dashed line, to be consistent with international law, cannot represent a limit on China's territorial sea (and, therefore, its sovereignty), as the dashes are located beyond the 12-nm maximum limit of the territorial sea of Chinese-claimed land features. Moreover, dashes 2, 3, and 8 are not only relatively close to the mainland shores of other States, all or part of those dashes are also beyond 200 nm from any Chinese-claimed land feature. The dashed line therefore cannot represent the seaward limit of China's EEZ consistent with Article 57 of the LOS Convention, which states that the breadth of the EEZ "shall not extend beyond 200 nautical miles" from coastal baselines.⁴³

3. Dashed Line as a Historic Claim

Discussion

Under this possible interpretation, the dashed line that appears on Chinese maps is intended to indicate a so-called "historic" claim. A historic claim might be one of sovereignty over the maritime space ("historic waters" or "historic title") or, alternatively, some lesser set of rights ("historic rights") to the maritime space.

Some Chinese government statements and acts could be read to support a version of this historic claim interpretation.⁴⁴ Most notable is China's 1998 EEZ and continental shelf law, which states

⁴² See, e.g., *Continental Shelf (Libya /Malta)*, 1985 I.C.J. 13, para. 73 (June 3) (considering both the "general geographical context in which the islands of Malta appear as a relatively small feature" and "the great disparity in the lengths of the relevant coasts of the two Parties."). See also *Nicaragua v. Colombia*, *supra* note 17. For a discussion of State practice and jurisprudence, see, e.g., V. Prescott and G. Triggs, "Islands and Rocks and their Role in Maritime Delimitation," *International Maritime Boundaries*, 3245-3280 (ASIL, 2005).

⁴³ LOS Convention, *supra* note 14, Art. 76, paragraph 1, provides that continental shelf limits may extend beyond 200 nm. Considering the geomorphology of the seabed of the South China Sea and the absence of an assertion by China of entitlement to continental shelf beyond 200 nm in the South China Sea, this study assumes that China does not consider that continental shelf generated by Chinese-claimed islands within the SCS extends beyond 200 nm.

⁴⁴ Considering that the dashed-line maps pre-date the People's Republic of China, the views of Taiwan are also of interest. In 1993, Taiwan officially approved "Policy Guidelines for the South China Sea," which state the view that the waters within the dashed line are its "historic water limit" within which Taiwan "possesses all rights and interests." Cited in K-H. Wang, "The ROC's Maritime Claims and Practices with Special Reference to the South China Sea," *Ocean Dev't & Int'l L.*, 41:237-252 (2010). Subsequent maritime legislation enacted by Taiwan and subsequent public statements, however, suggests that this view may no longer be officially held by Taiwan. See *id.* and *Limits in the Seas* No. 127: "Taiwan's Maritime Claims," U.S. Dep't. of State, Nov. 15, 2005.

without further elaboration that “[t]he provisions of this Act shall not affect the *historical rights* of the People’s Republic of China.”⁴⁵ China’s 2011 Note Verbale states that China’s position regarding its claims of “sovereignty and related rights and jurisdiction” in the South China Sea is “supported by abundant *historical* and legal evidence” (emphasis added). Although not attributable to the government of China, some Chinese institutions and commentators have considered that the dashed-line maps depict China’s historic title or historic rights in the South China Sea.⁴⁶

Furthermore, some of the Chinese government’s statements and actions relating to the South China Sea are inconsistent with the LOS Convention. While such statements and actions do not amount to express assertions of a historic claim, they may indicate that China considers that it has an alternative basis—such as historic title or historic rights—for its maritime claims in the South China Sea.

For instance, the Chinese government has stated that China exercises “sovereignty” in certain areas, or even the entirety, of the South China Sea. China’s Ministry of Foreign Affairs (MFA) spokesperson has referred to Second Thomas Shoal as under China’s “sovereignty,”⁴⁷ despite its location beyond the limits of any territorial sea. More expansively, an MFA spokesperson has stated: “I would like to reaffirm that China enjoys *indisputable sovereignty over the South China Sea* and the island[s].”⁴⁸ Similarly, Chinese naval vessels reportedly conduct periodic oath-taking ceremonies at James Shoal to affirm “sovereignty” over this bank. Although James Shoal is a submerged feature far from any Chinese-claimed island, China apparently regards this feature as its “southernmost territory.”⁴⁹ It is not clear that such references to Chinese “sovereignty” should be taken literally, but if so, their legal basis could not be the LOS Convention because a coastal State’s “sovereignty” under the Convention cannot extend beyond the 12-nm limit of the territorial sea. Accordingly, it is possible that China considers the legal basis for its claimed maritime sovereignty in the South China Sea to be one of historic waters.

In 2012 the China National Offshore Oil Corporation (CNOOC) introduced lease blocks opposite the central coast of Vietnam that purport to be in “waters under [the] jurisdiction of the People’s Republic of China.”⁵⁰ However, as illustrated in Map 8 to this study, quite apart from questions

⁴⁵ Act, *supra* note 32. Article 14 (emphasis added).

⁴⁶ See, e.g., Xiamen University South China Sea Institute, “New map boosts China’s claim in sea,” *South China Sea Bulletin*, Vol. 2, No. 8, Aug. 1, 2014, at 1-2; Z. Gao and B.B. Jia, “The Nine-Dash Line in the South China Sea: History, Status, and Implications,” *Am. J. Int’l L.* 107:98-124, 124 (2013); and Keyuan, *infra* notes 58 and 65.

⁴⁷ MFA Spokesperson Qin Gang’s Regular Press Conference, Mar. 10, 2014, available at: http://www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/2511_665403/t1136288.shtml. “It is known to all that China has *sovereignty* over the Nansha Islands and their surrounding waters, including the *Ren’ai Reef*” (emphases added). Ren’ai is the Chinese name for Second Thomas Shoal.

⁴⁸ “China warns on South China Sea oil,” *Economic Times*, Sept. 15, 2011 (emphasis added).

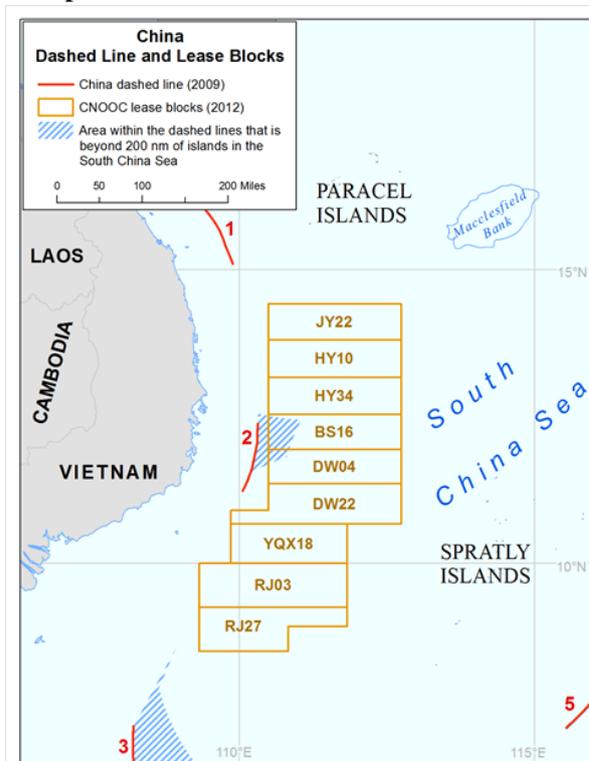
⁴⁹ “Chinese ships patrol southernmost territory,” *Xinhua*, Jan. 26, 2014. See also, B. Hayton, “How a non-existent island became China’s southernmost territory,” *South China Morning Post*, Feb. 9, 2013 and “Loss of James Shoal could wipe out state’s EEZ,” *Borneo Post*, Feb. 5, 2014. These ceremonies reportedly involve dropping steel markers or engraved stones over the side of the ship and onto the submerged bank. *Id.*

⁵⁰ CNOOC, “Notification of Part of Open Blocks in Waters under Jurisdiction of the People’s Republic of China Available for Foreign Cooperation in the Year of 2012,” available at: <http://en.cnooc.com.cn/data/html/news/2012-06-22/english/322127.html>. CNOOC is “a state-owned company operating directly under the State-owned Assets Supervision and Administration Commission of the State Council of the People’s Republic of China.” *Id.*

under Article 121 and questions of maritime boundary delimitation, portions of two of these blocks (BS16, DW04) extend without explanation to waters that are beyond 200 nm from any Chinese-claimed island (blue hatch). This is an assertion of maritime jurisdiction that exceeds what is provided for under the LOS Convention.

The domestic laws of China also suggest that China asserts a legal basis for its maritime claims that is separate from, and additional to, the LOS Convention. For instance, China's 1999 Law on Marine Environmental Protection describes its scope of application as covering "internal waters, territorial sea, contiguous zone, exclusive economic zone, continental shelf of the People's Republic of China *and other sea areas under the jurisdiction of the People's Republic of China.*"⁵¹ Since coastal State jurisdiction under the LOS Convention is limited to the aforementioned maritime zones, it is unclear what "other sea areas" are contemplated, and perhaps this phrase refers to areas where China considers that it has historic claims.

Map 8



The assessment below examines whether there is a basis under international law for a Chinese claim to historic waters or historic rights to the waters within the dashed line.

Assessment Part 1 – Has China Made a Historic Claim?

As a threshold matter, as the preceding discussion suggests, China has not actually made a cognizable claim to either "historic waters" or "historic rights" to the waters of the South China Sea within the dashed line.

A State making a historic claim must give international notoriety to such a claim.⁵² As stated in a recent comprehensive study on historic waters, "*formal notification* of such [a historic] claim would seem normally to be necessary for it to attain sufficient notoriety; so that, at the very least, other States may have the opportunity to deny any acquiescence with the claim by protest etc."⁵³

⁵¹ Law on Marine Environmental Protection, 1999. Articles 2 and 39. Similar references to "other sea areas under the jurisdiction of China" can be found in the Surveying and Mapping Law of the People's Republic of China, 2002 (Articles 2, 7, 32, 41, and 51) and the Regulations of the People's Republic of China on the Management of Foreign-Related Marine Scientific Research, 1996 (Articles 2, 4, 9 and 10).

⁵² See e.g., UN Study, *supra* note 20, at paras. 125-130 (concluding that there are "strong reasons for holding that notoriety of the exercise of sovereignty . . . is required . . .") and para. 96.

⁵³ C.R. Symmons, *Historic Waters in the Law of the Sea: A Modern Re-Appraisal* (Nijhoff, 2008), at 145. Emphasis in original.

With respect to the South China Sea, there appears to be no Chinese law, declaration, proclamation, or other official statement describing and putting the international community on notice of a historic claim to the waters within the dashed line. The reference to “historic rights” in China’s 1998 EEZ and continental shelf law is, as a legal matter, a “savings clause”; the statement makes no claim in itself, and the law contains no reference to the dashed-line map.⁵⁴ Although certain Chinese laws and regulations refer to “other sea areas under the jurisdiction of the People’s Republic of China,” there is no indication of the nature, basis, or geographic location of such jurisdiction, nor do those laws refer to “historic” claims of any kind. While China’s 2011 Note Verbale states that “historical and legal evidence” support China’s “sovereignty and related rights and jurisdiction,” that Note, like the 1998 EEZ and continental shelf law, is not a statement of a claim itself. Furthermore, the “historical ... evidence” could refer to China’s sovereignty claim to the islands, and not the waters.⁵⁵

The mere publication by China of the dashed-line map in 1947 could not have constituted official notification of a maritime claim. China’s “Map of South China Sea *Islands*” made no suggestion of a maritime claim, and its domestic publication in the Chinese language was not an act of sufficient international notoriety to have properly alerted the international community to such a claim, even if it had asserted one.⁵⁶ The various maps published by China also lack the precision, clarity, and consistency that could convey the nature and scope of a maritime claim. The International Court of Justice’s (ICJ) “statement of a principle” in the *Frontier Dispute* between Burkina Faso and Mali describes the legal force of maps as follows:

Whether in frontier delimitations or international territorial conflicts, maps merely constitute information which varies in accuracy from case to case; of themselves, and by virtue solely of their existence, they cannot constitute a territorial title, that is, a document endowed by international law with intrinsic legal force for the purpose of establishing territorial rights. Of course, in some cases maps may acquire such legal force, but where this is so the legal force does not arise solely from their intrinsic merits: it is because such maps fall into the category of physical expressions of the will of the State or States concerned. This is the case, for example, when maps are annexed to an official text of which they form an integral part. Except in this clearly defined case, maps are only extrinsic evidence of varying reliability or unreliability which may be used, along with other evidence of a circumstantial kind, to establish or reconstitute the real facts.⁵⁷

China’s 1958 Territorial Sea Declaration also contradicts the view that China has made a claim of either “historic waters” or “historic rights” within the dashed line. That declaration refers to the “high seas” separating China’s mainland and coastal islands from “all other islands belonging to China.” The notion of “high seas” as juridically distinct from any kind of national waters and not subject to national appropriation or exclusive use was an established rule of international law

⁵⁴ Act, *supra* note 32, Art. 14 (“The provisions of this Act *shall not affect* the historical rights....” (emphasis added)).

⁵⁵ Indeed, historical evidence is relevant under the international law applicable to sovereignty disputes over land, and this body of law is separate and distinct from the law of the sea. *See, e.g., Nicaragua v. Colombia, supra* note 17, paras. 66-84 (applying concepts of “critical date” and “*effectivités*” to the sovereignty dispute over islands).

⁵⁶ Emphasis added. *See also*, E. Franckx and M. Benatar, “Dots and Lines in the South China Sea: Insights from the Law of Map Evidence,” *Asian J. of Int’l L.*, 2 (2012), 89-118 (commenting on the dashed line that “the map is of doubtful probative value in the light of various factors fleshed out in international jurisprudence regarding map evidence”).

⁵⁷ *Frontier Dispute (Burkina Faso/Republic of Mali)*, 1986 I.C.J. 554 (Dec. 22), para. 54. The Court’s most recent assessment of the evidentiary value of maps is *Nicaragua v. Colombia, supra* note 17, paras. 96-102.

for centuries before China's 1958 Declaration. Further, to the extent the 1958 Declaration makes a historic claim, it is to a different body of water—Bo Hai (Pohai), a gulf in northeastern China.⁵⁸ Had China considered in 1958 that the waters within the dashed line published on its maps constituted China's historic waters, it would presumably have referenced this in its 1958 Declaration along with its claim regarding Bo Hai. Instead, the contents of that Declaration, particularly the reference to “high seas,” indicate that China did not consider the waters within the dashed line to have a historic character.

The international community has largely regarded China's dashed-line map in a manner consistent with this view. Indeed, a comprehensive study on historic waters published in 2008 did not even discuss China's dashed line,⁵⁹ nor has the dashed line been identified in U.S. Government compendiums of historic waters claims in the public domain.⁶⁰ Formal international protest of the dashed line began only after China's issuance in 2009 of its Notes Verbales described earlier in this study.⁶¹

Assessment Part 2 – Would a Historic Claim have Validity?

China has not advanced a cognizable historic claim of either sovereignty over the maritime space within the dashed line (“historic waters” or “historic title”) or a lesser set of rights (“historic rights”) in that maritime space. If China nevertheless does consider that the dashed line appearing on its maps indicates a historic claim, such a claim would be contrary to international law.

Arguments in favor of China's historic claims often note that the LOS Convention recognizes such claims.⁶² A Chinese claim of historic waters or historic rights within the dashed-line would not be recognized by the Convention, however. The text and drafting history of the Convention make clear that, apart from a narrow category of near-shore “‘historic’ bays” (Article 10) and “‘historic title’” in the context of territorial sea boundary delimitation (Article 15), the modern international law of the sea does not recognize history as the basis for maritime jurisdiction. A Chinese historic claim in the South China Sea would encompass areas distant from Chinese-claimed land features, and would therefore implicate the Convention's provisions relating to the EEZ, continental shelf, and possibly high seas. Unlike Articles 10 and 15, the Convention's

⁵⁸ Fu Chu, *Concerning the Question of Our Country's Territorial Sea* (in Chinese), Peking, 1959, translation provided in J.A. Cohen and H. Chiu, *People's China and International Law: A Documentary Study*, Princeton Univ. Press (1974), 470-79, 483-84 (stating “if bays or gulfs have important interest with respect to the national defense and economy of the coastal states and for a long time the coastal states have repeatedly exercised jurisdiction over the bays or gulf, they may be regarded as historic bays or gulf. . . . The Gulf of Pohai is . . . a historic bay of our country.”) Keyuan refers to the Fu Chu document as “an official explanatory pamphlet published in China in order to justify China's Declaration on the Territorial Sea.” Z. Keyuan, “Historic Rights in International Law and in China's Practice,” *Ocean Dev't & Int'l L.*, 32:149-168, at 156 (2001).

⁵⁹ Symmons, *supra* note 53.

⁶⁰ See, e.g., *Limits in the Seas* No. 112, *supra* note 19, at 8-21. The Special Master in *U.S. v. Alaska* (545 U.S. 75) considered “the absence of publication [on lists] has significance in international disagreements about historic waters claims.” No. 128 Original: *Report of the Special Master on Six Motions for Partial Summary Judgment and One Motion for Confirmation of a Disclaimer of Title*, Mar. 2004, at 111.

⁶¹ Protests, *supra* note 3 and accompanying text.

⁶² See, e.g., Xiamen University South China Sea Institute, *supra* note 46 (describing China's maps as “high-lighting [China's] historic title. After all, reference to historic titles is part of the UNCLOS.”);

provisions relating to these maritime zones do not contain any exceptions for historic claims in derogation of the sovereign rights and jurisdiction of a coastal State or the freedoms of all States.⁶³

Because the Convention's provisions relating to the EEZ, continental shelf, and high seas do not contain exceptions for historic claims, the Convention's provisions prevail over any assertion of historic claims made in those areas. The 1962 study on historic waters commissioned by the Conference that adopted the 1958 Geneva Conventions reached this same conclusion with respect to interpretation of the 1958 Convention on the Territorial Sea and Contiguous Zone.⁶⁴ The 1982 LOS Convention continued this approach by retaining provisions related to historic bays and titles that are substantively identical to those contained in the 1958 Convention. Had the drafters of the LOS Convention intended to permit historic claims of one State to override the expressly stated rights of other States, the Convention would have reflected this intention in its text. Instead, as with the 1958 Convention, the LOS Convention limits the relevance of historic claims to bays and territorial sea delimitation.

Accordingly, with regard to possible Chinese "historic rights" in the South China Sea,⁶⁵ any such rights would therefore need to conform to the Convention's provisions that deal with the relevant activities. Rules of navigation are set out in the Convention, and these rules reflect traditional navigational uses of the sea. Rules related to oil and gas development are also set forth in the Convention, without exception for historic rights in any context. Also, rules for fishing are set out in the Convention, including limited rules pertaining to historic uses that do not provide a basis for sovereignty, sovereign rights, or jurisdiction.⁶⁶ As the *Gulf of Maine* Chamber of the International Court of Justice noted in its 1984 judgment, the advent of exclusive jurisdiction of a coastal State over fisheries within 200 nm of its coast overrides the prior usage and rights of other States in that area.⁶⁷

⁶³ In the parts of the Convention covering maritime zones, the Convention contains some provisions relating to historic or traditional uses of the sea. Article 62(3) requires coastal States to take into account "the need to minimize economic dislocation in States whose nationals have *habitually* fished" (emphasis added) in the EEZ. Article 51 also requires archipelagic States, within their archipelagic waters, to recognize "*traditional* fishing rights and other legitimate activities" (emphasis added) of immediately adjacent neighboring States. Such provisions might provide a basis for one coastal State to seek access to the fisheries of another coastal State based on prior usage. They do not, however, provide a basis for sovereignty, sovereign rights, or jurisdiction.

⁶⁴ UN Study, *supra* note 20, paras 72-76, discussing "'historic waters' as an exception to the rules laid down in the general [1958] convention," including how to interpret the 1958 Convention "in cases where the historic title has *not* been expressly reserved in the Convention." The Study states that, "if the provisions of an article should be found to conflict with an historic title to a maritime area, and no clause is included in the article safeguarding the historic title, *the provisions of the article must prevail* as between the parties to the Convention. This seems to follow *a contrario* from the fact that articles 7 and 12 [of the 1958 Convention] have express clauses reserving historic rights; *articles without such a clause must be considered not to admit an exception in favour of such rights*" (emphases added). *Id.*, para. 75.

⁶⁵ See, e.g., references to historic rights by Z.Gao and B.B. Jia, *supra* note 46, at 124 (stating that the dashed line "preserves Chinese historic rights in fishing, navigation, and such other marine activities as oil and gas development in the waters and on the continental shelf....") and Keyuan, *supra* note 58, at 162 (stating that the "most convincing [historic] rights that China could enjoy are fishing rights.").

⁶⁶ See *supra*, notes 63 and 64 and accompanying text.

⁶⁷ *Delimitation of the Maritime Boundary in the Gulf of Maine Area (Canada/United States of America)*, 1984 I.C.J. 246 (Oct. 12), paras. 233, 235. With respect to the "invocation of historic rights, though that expression has not been used [by the United States]..." the Chamber stated that "to the extent that [areas of U.S. historical fishing

It has also been argued that “historic title” and “historic rights” are “matters not regulated by this Convention [and thus] continue to be governed by the rules and principles of general international law” outside of the LOS Convention.⁶⁸ This position is not supported by international law and misunderstands the comprehensive scope of the LOS Convention. The Convention sets forth the legal regimes for all parts of the ocean. As discussed above, matters such as navigation, hydrocarbon development, and fishing are in fact “regulated by th[e] Convention.” Therefore, a State may not derogate from the Convention’s provisions on such matters by claiming historic waters or historic rights under “general international law.” Although one may need to refer to “general international law” to identify the meaning of particular terms in the Convention—such as references to historic bays and historic title in Articles 10 and 15, respectively—the Convention does not permit a State to resort to “general international law” as an alternative basis for maritime jurisdiction that conflicts with the Convention’s express provisions related to maritime zones.

Even assuming that a Chinese historic claim in the South China Sea were governed by “general international law” rather than the Convention, the claim would still need to be justified under such law. In this regard, a Chinese historic waters claim in the South China Sea would not pass any element of the three-part legal test described above under the Basis of Analysis:

- (1) *No open, notorious, and effective exercise of authority over the South China Sea.* China did not communicate the nature of its claim within the dashed line during the period when China might purport to have established a historic claim; indeed, the nature of Chinese authority claimed within the dashed line still has not been clarified. Likewise, China has not established its claims with geographical consistency and precision. As such, it cannot satisfy the “open” or “notorious” requirements for a valid claim to historic waters.
- (2) *No continuous exercise of authority in the South China Sea.* There has long been widespread usage of the South China Sea by other claimants in a manner that would not be consistent with Chinese sovereignty or exclusive jurisdiction. Many islands and other features in the South China Sea are occupied not just by China, but by Malaysia, the Philippines, Vietnam, and Taiwan, and the mainland maritime claims of Malaysia, the Philippines, Brunei, Indonesia, and Vietnam also project into the South China Sea. These countries have all undertaken activities, such as fishing and hydrocarbon exploration, in

predominance] had become part of the exclusive fishery zone of the neighbouring State, no reliance could any longer be placed on that predominance. Clearly, *whatever preferential situation the United States may previously have enjoyed, this cannot constitute in itself a valid ground for its now claiming the incorporation into its own exclusive fishery zone of any area which, in law, has become part of Canada’s*” (emphasis added). *Id.*

⁶⁸ LOS Convention, *supra* note 14, preamble (“*Affirming that matters not regulated by this Convention continue to be governed by the rules and principles of general international law*”). *See, e.g.*, Gao and Jia, *supra* note 46, at 123 (stating that the LOS Convention “... was never intended, even at the time of its adoption, to exhaust international law. On the contrary, it has provided ample room for customary law to develop and to fill in the gaps that the Convention itself was unable to fill in 1982 [which is confirmed] in the UNCLOS preamble, which states that “matters not regulated by this Convention continue to be governed by the rules and principles of general international law.”)

their claimed maritime space that are not consistent with “effective” or “continuous exercise” of Chinese sovereignty or exclusive rights over that space.

- (3) *No acquiescence by foreign States in China’s exercise of authority in the South China Sea.* No State has recognized the validity of a historic claim by China to the area within the dashed line. Any alleged tacit acquiescence by States can be refuted by the lack of meaningful notoriety of any historic claim by China, discussed above. A claimant State therefore cannot rely on nonpublic or materially ambiguous claims as the foundation for acquiescence, but must instead establish its claims openly and publicly, and with sufficient clarity, so that other States may have actual knowledge of the nature and scope of those claims.⁶⁹ In the case of the dashed line, upon the first official communication of a dashed-line map to the international community in 2009, several immediately affected countries formally and publicly protested.⁷⁰ The practice of the United States is also notable with respect to the lack of acquiescence. Although the U.S. Government is active in protesting historic claims around the world that it deems excessive, the United States has not protested the dashed line on these grounds because it does not believe that such a claim has been made by China. Rather, the United States has requested that the Government of China clarify its claims.⁷¹

The fact that China’s claims predate the LOS Convention does not provide a basis under the Convention or international law for derogating from the LOS Convention.⁷² The Convention’s preamble states that it is intended to “settle . . . all issues relating to the law of the sea” and establish a legal order that promotes stability and peaceful uses of the seas.⁷³ Its object and purpose is to set forth a comprehensive, predictable, and clear legal regime describing the rights and obligations of States with respect to the sea. Permitting States to derogate from the provisions of the Convention because their claims pre-date its adoption is contrary to and would undermine this object and purpose. Just as a State that claimed sovereignty over a 200 nm territorial sea in the 1950s cannot lawfully maintain such a claim today, neither China nor any other State could sustain a claim to historic waters or historic rights in areas distant from its shores. The Convention does not permit such claims, and unless the Convention textually recognizes historic claims—such as Article 10 concerning “bays”—the Convention’s provisions prevail over any such historic claims. The advent of the LOS Convention, both as treaty law and as reflecting customary international law, requires States to conform their maritime claims to its provisions.

⁶⁹ Symmons, *supra* note 53, at 245 (“In order to receive the required acceptance by other nations, the coastal State’s acts of sovereignty must be known to foreign nations.”). See also, UN Study, *supra* notes 20 and 52.

⁷⁰ Protests, *supra* note 3 and accompanying text.

⁷¹ See, e.g., Testimony of Scot Marciel, Dep. Asst. Sec’y of State, Subcomm. on East Asian and Pacific Affairs of the Senate Comm. on Foreign Relations, July 15, 2009, *Digest of U.S. Practice in International Law 2009*, at 460-63 (“It might be helpful to all parties if China provided greater clarity on the substance of its claims”) and Testimony of Daniel Russel, Asst. Sec’y of State, Asia and the Pacific Subcomm. of the House Foreign Affairs Comm., Feb. 5, 2014 (“China could highlight its respect for international law by clarifying or adjusting its claim . . .”).

⁷² Such a notion is reflected in, e.g., Gao and Jia, *supra* note 46, at 123 (stating that “In the case of the South China Sea as enclosed by the nine-dash line, China’s historic title and rights, which preceded the advent of UNCLOS by many years, have a continuing role to play.”).

⁷³ LOS Convention, *supra* note 14, preamble.

Conclusion

China has not clarified its maritime claims associated with the dashed-line maps in a manner consistent with international law. China's laws, declarations, official acts, and official statements present conflicting evidence regarding the nature and scope of China's claims. The available evidence suggests at least three different interpretations that China might intend, including that the dashes are (1) lines within which China claims sovereignty over the islands, along with the maritime zones those islands would generate under the LOS Convention; (2) national boundary lines; or (3) the limits of so-called historic maritime claims of varying types.

As to the first interpretation, if the dashes on Chinese maps are intended to indicate only the islands over which China claims sovereignty then, to be consistent with the law of the sea, China's maritime claims within the dashed line would be those set forth in the LOS Convention, namely a territorial sea, contiguous zone, EEZ, and continental shelf, drawn in accordance with the LOS Convention from China's mainland coast and land features that meet the definition of an "island" under Article 121 of the Convention.⁷⁴ Because sovereignty over South China Sea islands is disputed, the maritime zones associated with these islands would also be disputed. In addition, even if China possessed sovereignty of the islands, any maritime zones generated by those islands in accordance with Article 121 would be subject to maritime boundary delimitation with neighboring States.

As to the second interpretation, if the dashes on Chinese maps are intended to indicate national boundary lines, then those lines would not have a proper legal basis under the law of the sea. Under international law, maritime boundaries are created by agreement between neighboring States; one country may not unilaterally establish a maritime boundary with another country. Further, such a boundary would not be consistent with State practice and international jurisprudence, which have not accorded very small isolated islands like those in the South China Sea more weight in determining the position of a maritime boundary than opposing coastlines that are long and continuous.⁷⁵ Moreover, dashes 2, 3, and 8 that appear on China's 2009 map are not only relatively close to the mainland shores of other States, but all or part of them are also beyond 200 nm from any Chinese-claimed land feature.

Finally, if the dashes on Chinese maps are intended to indicate the area in which China claims so-called "historic waters" or "historic rights" to waters that are exclusive to China, such claims are not within the narrow category of historic claims recognized in Articles 10 and 15 of the LOS Convention. The South China Sea is a large semi-enclosed sea in which numerous coastal States have entitlements to EEZ and continental shelf, consistent with the LOS Convention; the law of the sea does not permit those entitlements to be overridden by another State's maritime claims that are based on "history." To the contrary, a major purpose and accomplishment of the Convention is to bring clarity and uniformity to the maritime zones to which coastal States are entitled. In addition, even if the legal test for historic waters were applicable, the dashed-line claim would fail each element of that test.

⁷⁴ LOS Convention, *supra* note 14, Article 121. Any limitations imposed by paragraph 3 of Article 121 regarding "rocks" would also apply.

⁷⁵ See *Libya/Malta*, *supra* note 42, *Nicaragua v. Colombia*, *supra* note 17, and Prescott and Triggs, *supra* note 42.

For these reasons, unless China clarifies that the dashed-line claim reflects only a claim to islands within that line and any maritime zones that are generated from those land features in accordance with the international law of the sea, as reflected in the LOS Convention, its dashed-line claim does not accord with the international law of the sea.

Annex 662

United States, Department of Defense, *The Asia-Pacific Maritime Security Strategy: Achieving U.S. National Security Objectives in a Changing Environment* (27 July 2015)



ASIA-PACIFIC

MARITIME SECURITY STRATEGY

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THE ASIA-PACIFIC MARITIME SECURITY STRATEGY:
ACHIEVING U.S. NATIONAL SECURITY OBJECTIVES IN A CHANGING ENVIRONMENT

In accordance with Section 1259 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015, Public Law 113-291, this report outlines the Department of Defense’s strategy with regard to maritime security in the Asia-Pacific region. Recognizing the importance of the Asia-Pacific region and its maritime domain for the security of the United States, the Department is focused on safeguarding freedom of the seas, deterring conflict and coercion, and promoting adherence to international law and standards. As it does around the world, the Department will continue to fly, sail, and operate wherever international law allows, in support of these goals and in order to preserve the peace and security the Asia-Pacific region has enjoyed for the past 70 years.

Recognizing the growing complexity of the Asia-Pacific maritime domain, this report outlines four lines of effort the Department is employing in order to preserve security in this vital region. First, we are strengthening our military capacity to ensure the United States can successfully deter conflict and coercion and respond decisively when needed. Second, we are working together with our allies and partners from Northeast Asia to the Indian Ocean to build their capacity to address potential challenges in their waters and across the region. Third, we are leveraging military diplomacy to build greater transparency, reduce the risk of miscalculation or conflict, and promote shared maritime rules of the road. Finally, we are working to strengthen regional security institutions and encourage the development of an open and effective regional security architecture. Together with our inter-agency colleagues and regional allies and partners, the Department is focused on ensuring that maritime Asia remains open, free, and secure in the decades ahead.

The estimated cost of this report or study for the Department of Defense is approximately \$84,000 for the 2015 Fiscal Year. This includes \$5,000 in expenses and \$79,000 in DoD labor.
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INTRODUCTION



INTRODUCTION

The United States has enduring economic and security interests in the Asia-Pacific region. And because the region – stretching from the Indian Ocean, through the South and East China Seas, and out to the Pacific Ocean – is primarily water, we place a premium on maintaining maritime peace and security.

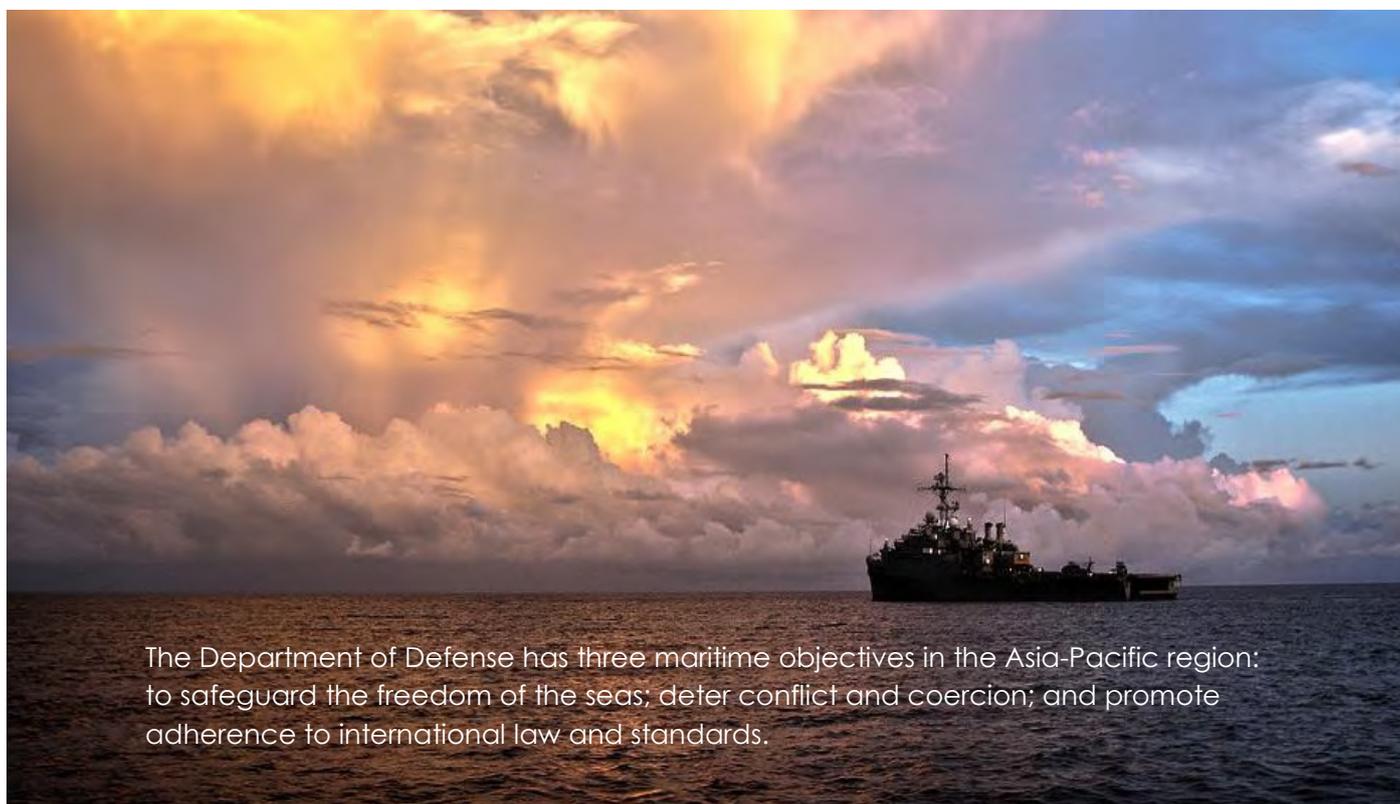
To that end, the Department of Defense has three maritime objectives in the Asia-Pacific region: to safeguard the freedom of the seas; deter conflict and coercion; and promote adherence to international law and standards.

Why We Safeguard the Freedom of the Seas

The United States has, throughout its history, advocated for the freedom of the seas for economic and security reasons.

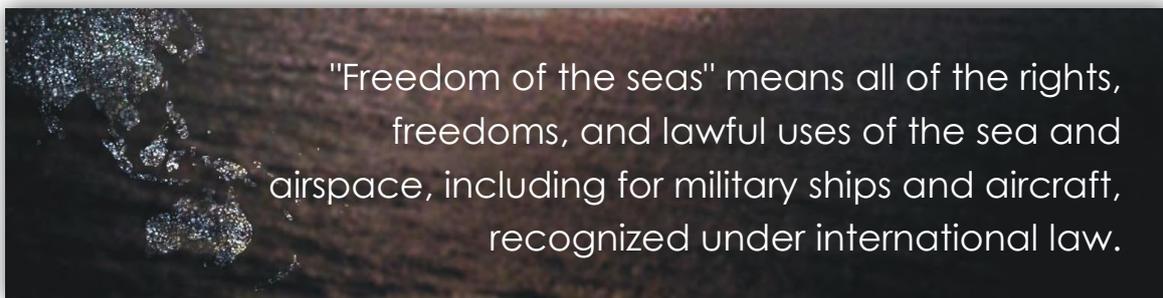
Maritime Asia is a vital thruway for global commerce, and it will be a critical part of the region's expected economic growth. The United States wants to ensure the Asia-Pacific region's continued economic progress. The importance of Asia-Pacific sea lanes for global trade cannot be overstated. Eight of the world's 10 busiest container ports are in the Asia-Pacific region, and almost 30 percent of the world's maritime trade transits the South China Sea annually, including approximately \$1.2 trillion in ship-borne trade bound for the United States.¹ Approximately two-thirds of the world's oil shipments transit through the Indian Ocean to the Pacific, and in 2014, more than 15 million barrels of oil passed through the Malacca Strait per day.

¹ U.S. Energy Information Administration.



The Department of Defense has three maritime objectives in the Asia-Pacific region: to safeguard the freedom of the seas; deter conflict and coercion; and promote adherence to international law and standards.

Freedom of the seas, however, includes more than the mere freedom of commercial vessels to transit through international waterways. While not a defined term under international law, the Department uses “freedom of the seas” to mean all of the rights, freedoms, and lawful uses of the sea and airspace, including for military ships and aircraft, recognized under international law. Freedom of the seas is thus also essential to ensure access in the event of a crisis. Conflicts and disasters can threaten U.S. interests and those of our regional allies and partners. The Department of Defense is therefore committed to ensuring free and open maritime access to protect the stable economic order that has served all Asia-Pacific nations so well for so long, and to maintain the ability of U.S. forces to respond as needed.



Why We Deter Conflict and Coercion

For 70 years, U.S. military presence in the Asia-Pacific region has played a vital role in undergirding regional peace, stability, and security. This presence has enabled tremendous prosperity and economic growth across the region and facilitated the unimpeded flow of resources and trade across vital Asian waterways. It is in the interests of all nations, not only those in the Asia-Pacific region, that the United States continues to deter and prevent conflict in this critical region.

As the maritime security environment continues to evolve, this task is becoming more challenging. But there should be no doubt that the United States will maintain the necessary military presence and capabilities to protect our interests and those of our allies and partners against potential threats in the maritime domain.

Why We Promote Adherence to International Law and Standards

Adherence to a rules-based system has been critical to furthering peace, stability, and prosperity in the Asia-Pacific region. This system provides the basis for shared use of maritime waterways and resources, and ensures safe operations within the maritime domain. This is why the United States operates consistent with – even though the U.S. Senate has yet to provide its advice and consent – the United Nations Convention on the Law of the Sea (Law of the Sea Convention), which reflects customary international law with respect to traditional uses of the ocean.

The Department of Defense, in conjunction with interagency partners, regional institutions, and regional allies and partners, is working to ensure that the rule of law – not coercion and force – dictate maritime Asia's future.



For decades, the Asia-Pacific region has remained free from major conflicts, allowing nations to continue enjoying the benefits of the maritime domain.



STRATEGIC CONTEXT



STRATEGIC CONTEXT

For decades, the Asia-Pacific region has remained free from major conflicts, allowing nations to continue enjoying the benefits of the maritime domain. However, the security environment is changing, potentially challenging the continued stability of the region. Rapid economic and military modernization, combined with growing resource demands, has exacerbated the potential for conflict over long-standing territorial disputes. In addition, non-traditional threats such as weapons proliferation, human and other illicit trafficking, piracy, and natural disasters continue to pose significant security challenges. On the other hand, we have seen a number of positive trends in recent years as well, including the peaceful resolution of some maritime disputes in the region.

[1] Competing Territorial and Maritime Claims

There are numerous, complex maritime and territorial disputes in the Asia-Pacific region. The presence of valuable fish stocks and potential existence of large hydrocarbon resources under the East and South China Seas exacerbate these complicated claims. A United Nations report estimates that the South China Sea alone accounts for more than 10 percent of global fisheries production. Though figures vary substantially, the Energy Information Administration estimates that there are approximately 11 billion barrels and 190 trillion cubic feet of proved and probable oil and natural gas reserves in the South China Sea and anywhere from one to two trillion cubic feet of natural gas reserves, and 200 million barrels of oil in the East China Sea. Claimants regularly clash over fishing rights, and earlier attempts at joint development agreements have faltered in recent years.

U.S. allies and partners are seeking U.S. leadership and engagement in maritime Asia.



The United States has a strong interest in ensuring all claimants seek to address and resolve their competing sovereignty claims peacefully, without conflict or coercion.

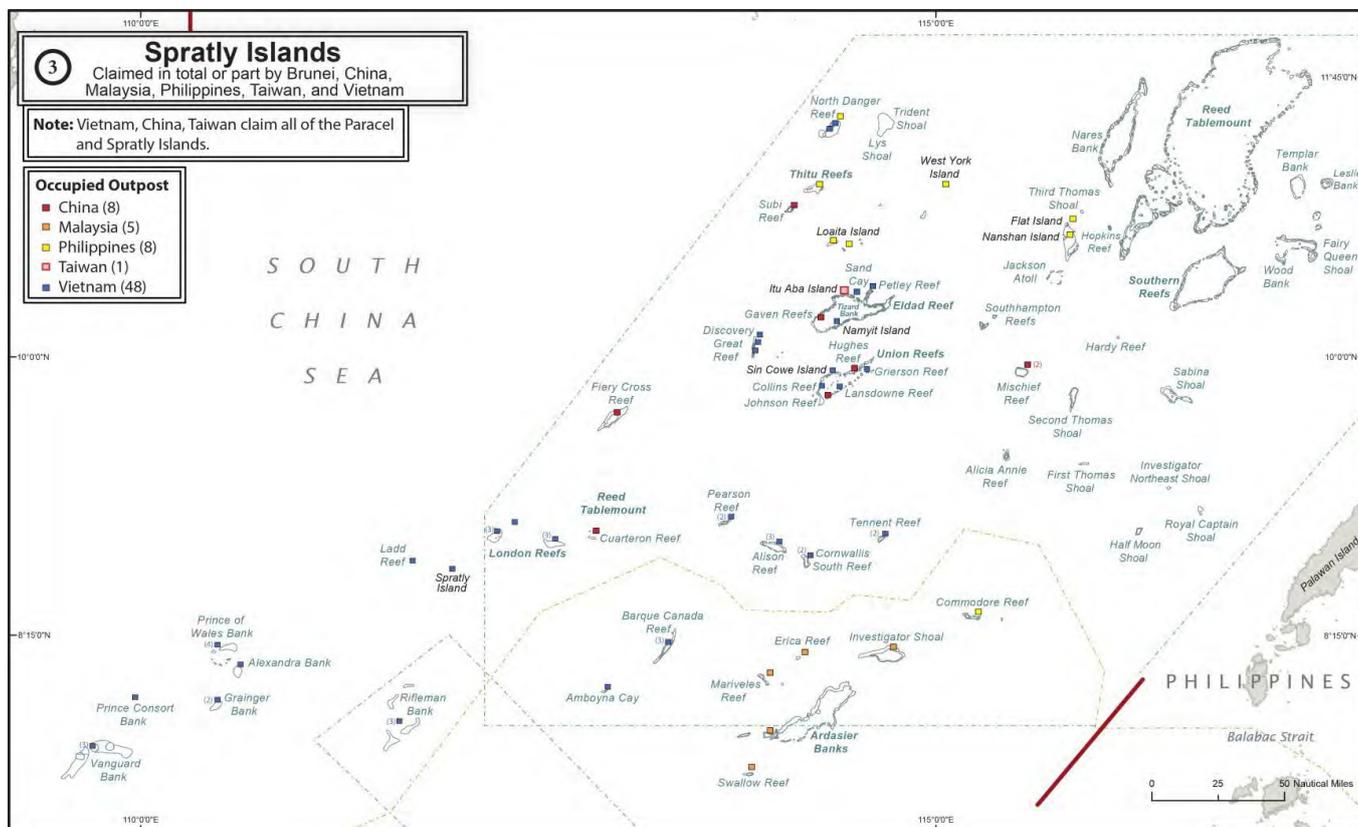
Although the United States takes no position on competing sovereignty claims to land features in the region, all such claims must be based upon land (which in the case of islands means naturally formed areas of land that are above water at high tide), and all maritime claims must derive from such land in accordance with international law, as reflected in the Law of the Sea Convention. The United States has a strong interest in ensuring all claimants seek to address and resolve their issues peacefully, without conflict or coercion. We also encourage and support the efforts of claimant States to pursue diplomatic and other peaceful efforts to resolve the issues of sovereignty.

In the East China Sea, we continue to acknowledge Japan's administration of the Senkaku Islands and oppose any unilateral action that seeks to undermine it. In the South China Sea, we urge all parties to pursue peaceful means of resolving their disputes, which includes diplomacy as well as third party dispute settlement, such as the Philippines' submission of its claims for arbitration in accordance with the dispute resolution procedures in the Law of the Sea Convention. We also urge all parties to take action to implement the Declaration on the Conduct of Parties in the South China Sea (DoC) and take steps towards early conclusion of a meaningful Code of Conduct (CoC), which would provide agreed upon rules of the road to reduce tension among claimant States.

South China Sea

South China Sea territorial and maritime disputes revolve around three primary issues: (1) competing territorial claims among claimants, (2) competing maritime claims among claimants, and (3) excessive maritime claims asserted by some of the claimants. Regarding competing territorial claims, there are six claimants to the land features in the South China Sea: Brunei, China, Malaysia, the Philippines, Taiwan, and Vietnam.

There are three primary disputes over territorial sovereignty. The first is a dispute among China, Taiwan, and Vietnam over the sovereignty of the Paracel Islands, which China has occupied since 1974. The second is a China-Taiwan-Philippines contest over Scarborough Reef. The third is a multi-claimant dispute over the Spratly Islands, which includes more than 200 geographic features. China, Taiwan, and Vietnam claim sovereignty over all of the Spratly land features, while Brunei, Malaysia, and the Philippines claim sovereignty of only certain land features in the island group. Vietnam and Malaysia have yet to delimit fully their maritime claims in the South China Sea.



Regarding competing maritime claims, claimants assert a combination of sovereignty, resource-related sovereign rights, and jurisdictional claims to the maritime areas located within the South China Sea. Some of these claimants have clarified the nature and breadth of their maritime claims, but others have not. For example, although Indonesia's claimed Exclusive Economic Zone extends into the South China Sea, the Indonesian government does not currently recognize China's so-called "Nine-Dash Line" (which overlaps with that EEZ) and so does not consider itself a claimant in any South China Sea-related maritime dispute.

Regarding excessive maritime claims, several claimants within the region have asserted maritime claims along their coastlines and around land features that are inconsistent with international law. For example, Malaysia attempts to restrict foreign military activities within its Exclusive Economic Zone (EEZ), and Vietnam attempts to require notification by foreign warships prior to exercising the right of innocent passage through its territorial sea. A number of countries have drawn coastal baselines (the lines from which the breadth of maritime entitlements are measured) that are inconsistent with international law, including Vietnam and China, and the United States also has raised concerns with respect to Taiwan's Law on

The United States encourages all claimants to conform their maritime claims to international law.

the Territorial Sea and the Contiguous Zone's provisions on baselines and innocent passage in the territorial sea. Although we applaud the Philippines' and Vietnam's efforts to bring its maritime claims in line with the Law of the Sea Convention, more work remains to be done. Consistent with the long-standing U.S. Freedom of Navigation Policy, the United States encourages all claimants to conform their maritime claims to international law and challenges excessive maritime claims through U.S. diplomatic protests and operational activities.

China has not clearly defined the scope of its maritime claims in the South China Sea. In May 2009, China communicated two Notes Verbales to the UN Secretary General stating objections to the submissions by Vietnam and Malaysia (jointly) and Vietnam (individually) to the Commission on the Limits of the Continental Shelf. The notes, among other things, included a map depicting nine line segments (dashes) encircling waters, islands and other features in the South China Sea and encompassing approximately two million square kilometers of maritime space. The 2009 Note Verbales also included China's assertion that it has "indisputable sovereignty over the islands in the South China Sea and the adjacent waters and enjoys sovereign rights and jurisdiction over the relevant waters as well as the seabed and subsoil thereof." China's actions and rhetoric have left unclear the precise nature of its maritime claim, including whether China claims all of the maritime area located within the line as well as all land features located therein.²

East China Sea

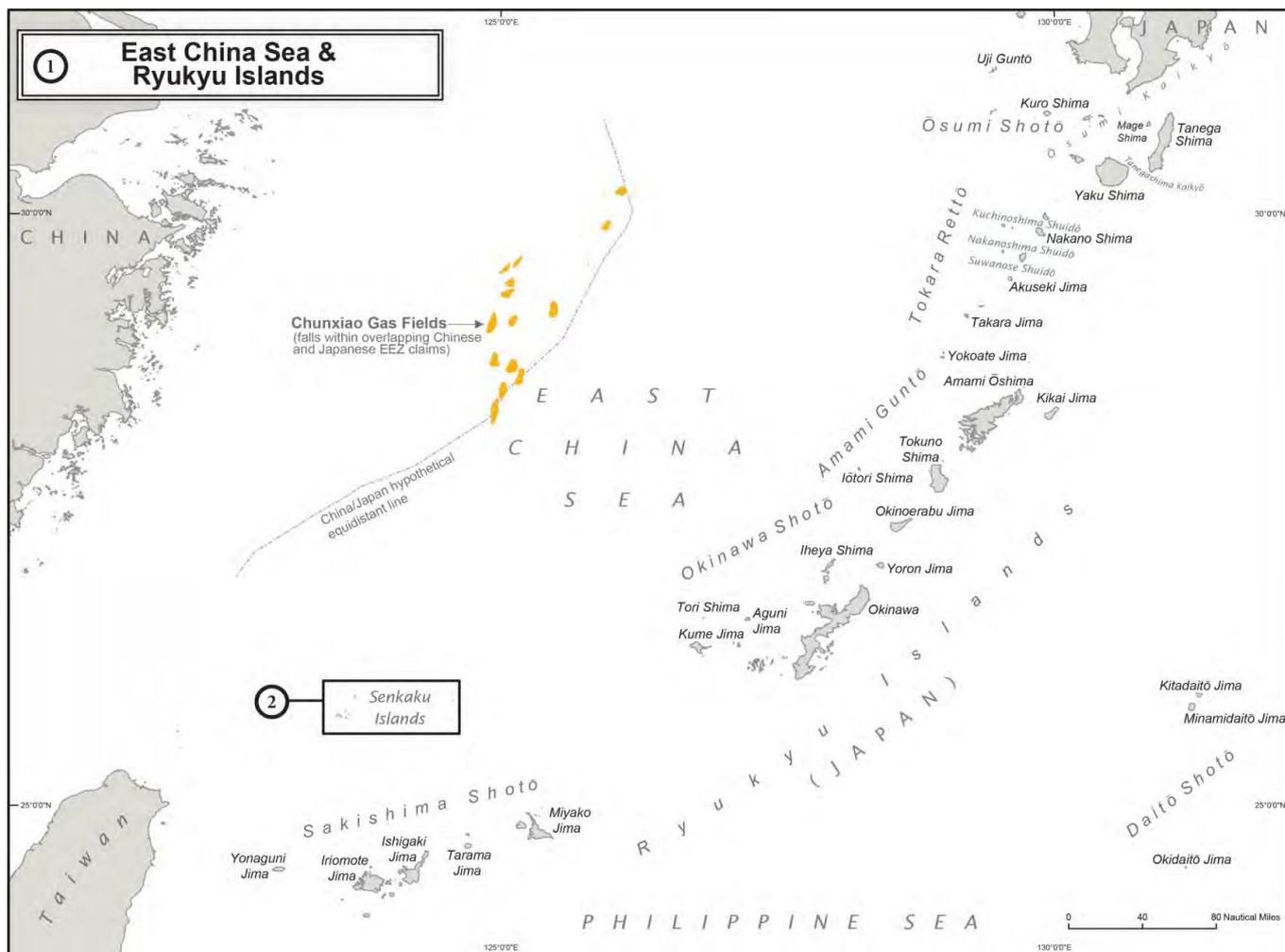
Since the 1972 reversion of Okinawa and other Ryukyu Islands from the United States, Japan has administered the Senkaku Islands. In April 2012, the Governor of Tokyo announced plans to purchase three of the five islets from private Japanese owners, prompting the Government of Japan to purchase the three islands in September 2012 in an attempt to prevent sparking a crisis. However, China interpreted the action as an attempt to change the status quo and protested the move, re-kindling tensions between the neighboring countries.

Regarding the delimitation of maritime boundaries in the East China Sea, China has voiced a claim to an extended continental shelf that extends beyond the midpoint between China and Japan (i.e., in an area more than 200 nautical miles from China but within 200 nautical miles of Japan). The unresolved maritime boundary continues to create tensions over access to fish and hydrocarbon resources in that area.

Through a persistent military and law enforcement presence and the announcement in November 2013 of a new Air Defense Identification Zone (ADIZ) over the East China Sea, which the United States does not recognize, China continues to engage in actions that appear designed to challenge Japan's administration of the Senkaku Islands. China has sent Maritime Law Enforcement (MLE) ships (and less often, aircraft) on a regular basis to patrol near the Senkaku Islands, including within 12 nautical miles from the islands. Japan has responded, sending increased patrols by the Japan Coast Guard to support its administration of the islands.

As President Obama noted in Tokyo last year and reiterated earlier this year during Prime Minister Abe's visit, "our treaty commitment to Japan's security is absolute, and Article 5 covers all territories under Japan's administration, including the Senkaku Islands" – a point that Secretaries Carter and Kerry also reaffirmed with their Japanese counterparts on Monday, April 27, 2015, during the "2+2" meeting in New York. We will continue to oppose any unilateral action that seeks to undermine Japan's administration.

² On December 5, 2014, the State Department issued a study examining China's Maritime Claims in the South China Sea in its Series, Limits in the Seas No. 143.



Indian Ocean

In sharp contrast to the South and East China Seas, the Indian Ocean region has remained relatively free of tensions caused by territorial and maritime disputes in recent years. Although there are a few maritime disputes in the region, they are relatively stable or have been resolved through international tribunals and arbitration.

India has been involved in two maritime disputes with neighboring countries: Pakistan and Bangladesh. India's primary remaining maritime boundary dispute is with Pakistan, deriving from a disagreement about where the land boundary hits the coastline as New Delhi and Islamabad maintain differing claims over Sir Creek. Pakistan claims the entire creek with the boundary drawn along the eastern bank, while India believes that the boundary should be drawn at the mid-channel point, as demarcated in a 1925 map. Although the dispute is ongoing, tensions between the two countries have been much lower over the Sir Creek boundary and the undelimited maritime boundary than those over their other disputed land boundaries.

India and Bangladesh also had competing claims over a portion of the Bay of Bengal. However, in 2009, both nations agreed to submit their conflicting claims to international arbitration. The July 2014 arbitral ruling largely favored Dhaka's position, awarding Bangladesh sovereign rights to approximately 7,500 square miles, or about three-quarters, of the sea area of the Bay of Bengal, thereby giving Bangladesh rights to explore extensive oil and gas reserves that were previously held by India. Both India and Bangladesh publicly supported the arbitration. In a joint statement with Dhaka, New Delhi pledged to abide by the ruling, expressing satisfaction that the settlement of the maritime boundary would enhance mutual understanding and goodwill, bring closure to the maritime boundary issue, and pave the way for cooperation in sustainable exploitation of the maritime resources of the Bay of Bengal.

[2] Military and Maritime Law Enforcement (MLE) Modernization

Rapid military modernization across the Asia-Pacific region has significantly increased the potential for dangerous miscalculations or conflict in the maritime domain. Many countries are also significantly enhancing their maritime law enforcement (MLE) capabilities. These assets have become increasingly relevant as countries, particularly China, are using them to assert sovereignty over disputed areas.

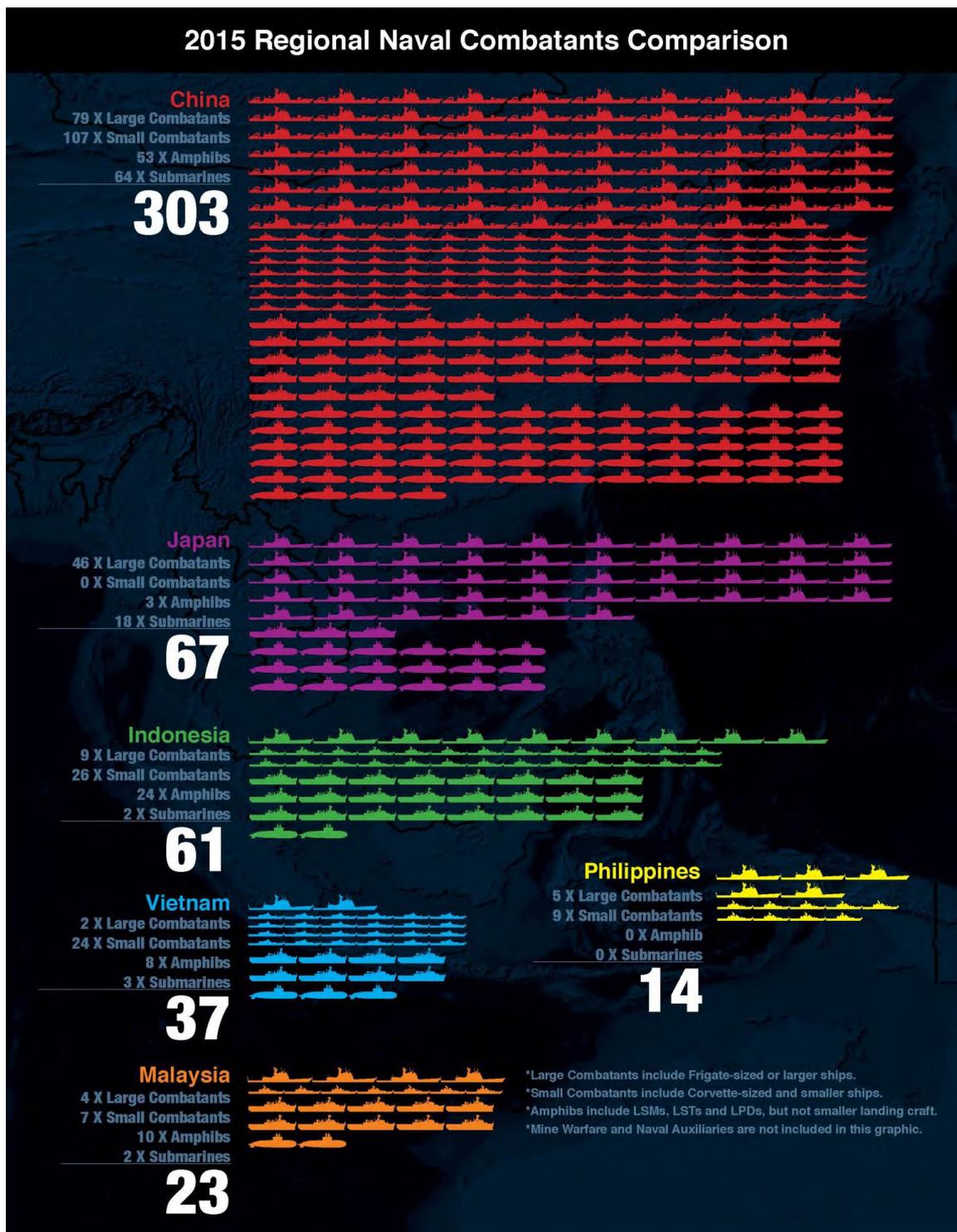


China is modernizing every aspect of its maritime-related military and law enforcement capabilities, including its naval surface fleet, submarines, aircraft, missiles, radar capabilities, and coast guard. It is developing high-end technologies intended to dissuade external intervention in a conflict and designed to counter U.S. military technology. Although preparation for a potential Taiwan conflict remains the primary driver of Chinese investment, China is also placing emphasis on preparing for contingencies in the East and South China Sea. China sees a need for the People's Liberation Army Navy (PLAN) to be able to support China's "new historic missions" and operational tasks outside the first island chain with multi-mission, long-range, sustainable naval platforms equipped with robust self-defense capabilities. Although quantity is only one component of overall capability, from 2013 to 2014, China launched more naval vessels than any other country. The PLAN now possesses the largest number of vessels in Asia, with more than 300 surface ships, submarines, amphibious ships, and patrol craft.

China also is executing the largest MLE modernization effort in Asia, quantitatively and qualitatively improving its fleet, which is designed to enforce its maritime claims in the East and South China Seas. China's MLE fleet, composed primarily of vessels from the newly formed China Coast Guard, is likely to increase in size by 25 percent and is larger than that of all of the other claimants combined.

Other Asia-Pacific nations are also enhancing their maritime capabilities. Japan is improving Japan Self-Defense Force (JSDF) deterrent capabilities and realigning military and MLE assets to areas near the Senkaku Islands, which are also claimed by China. Japan plans to acquire and realign Intelligence, Surveillance, and Reconnaissance (ISR) assets to the area; upgrade maritime patrol craft and ground force radar, and missile units; and develop an amphibious assault capability within a joint JSDF task force. The Japanese cabinet has approved a modest increase to the Japan Coast Guard's budget, in part to fund a permanent Senkakus patrol unit.

In Southeast Asia, Vietnam is pursuing an ambitious maritime modernization program, highlighted by its ongoing acquisition of six Russian-built Kilo-class submarines, frigates and corvettes, and its potential procurement of long-range coastal defense cruise missiles. In 2014, Japan announced it would provide Vietnam six used coast guard surveillance vessels, and Hanoi is expanding the Vietnam Coast Guard's power to enforce maritime law. The Philippines is also modernizing its maritime forces—some of its ships date to World War II—including through its acquisition in 2011 and 2013 of two excess defense article U.S. Coast Guard cutters.





[3] Maritime Challenges

Although many claimants are using their military and maritime law enforcement capabilities in a responsible manner, recent provocative actions have heightened tensions in the region and raised concerns. Actions such as the use of MLE vessels to coerce rival claimants, unsafe air and maritime behavior, and land reclamation to expand disputed features and create artificial islands hamper efforts to manage and resolve territorial and maritime disputes peacefully.

Expanded Use of Non-Military Assets to Coerce Rivals

Several nations have expanded their use of non-military assets to advance their territorial and maritime claims in the East China Sea and South China Sea. Most notably, China is using a steady progression of small, incremental steps to increase its effective control over disputed areas and avoid escalation to military conflict.

In particular, China is increasingly deploying the Chinese Coast Guard (CCG) to enforce its claims over features in the East and South China Seas. China prefers to use its government-controlled, maritime law enforcement ships in these disputes, and operates PLAN vessels over the horizon so they are ready to respond to escalation. China has

China is using a steady progression of small, incremental steps to increase its effective control over disputed areas and avoid escalation to military conflict.

demonstrated this model during disputes with rival claimants over Scarborough Reef, Second Thomas Shoal, the South Luconia Shoal, and CNOOC-981 drilling operations south of the Parcel Islands. Since 2012, the CCG has maintained a persistent presence in areas including around the Senkaku Islands in the East China Sea and Scarborough Reef in the South China Sea. Similarly, China has used MLE ships to restrict and put pressure on Philippine access to Second Thomas Shoal where the Philippines maintains presence via a

grounded naval vessel, the *Sierra Madre*. Although China is not the only claimant to use non-military assets to conduct worrying or dangerous actions against rival claimants – for example, in 2013, members of the Philippines Coast Guard killed a Taiwan fisherman in waters claimed by both the Philippines and Taiwan – it has been, by far, the most active.

Unsafe Air and Maritime Maneuvers

The growing efforts of claimant States to assert their claims has led to an increase in air and maritime incidents in recent years, including an unprecedented rise in unsafe activity by China's maritime agencies in the East and South China Seas. U.S. military aircraft and vessels often have been targets of this unsafe and unprofessional behavior, which threatens the U.S. objectives of safeguarding the freedom of the seas and promoting adherence to international law and standards. China's expansive interpretation of jurisdictional authority beyond territorial seas and airspace causes friction with U.S. forces and treaty allies operating in international waters and airspace in the region and raises the risk of inadvertent crisis.

There have been a number of troubling incidents in recent years. For example, in August 2014, a Chinese J-11 fighter crossed directly under a U.S. P-8A Poseidon operating in the South China Sea approximately 117 nautical miles east of Hainan Island. The fighter also performed a barrel roll over the aircraft and passed the nose of the P-8A to show its weapons load-out, further increasing the potential for a collision. However, since August 2014, U.S.-China military diplomacy has yielded positive results, including a reduction in unsafe intercepts. We also have seen the PLAN

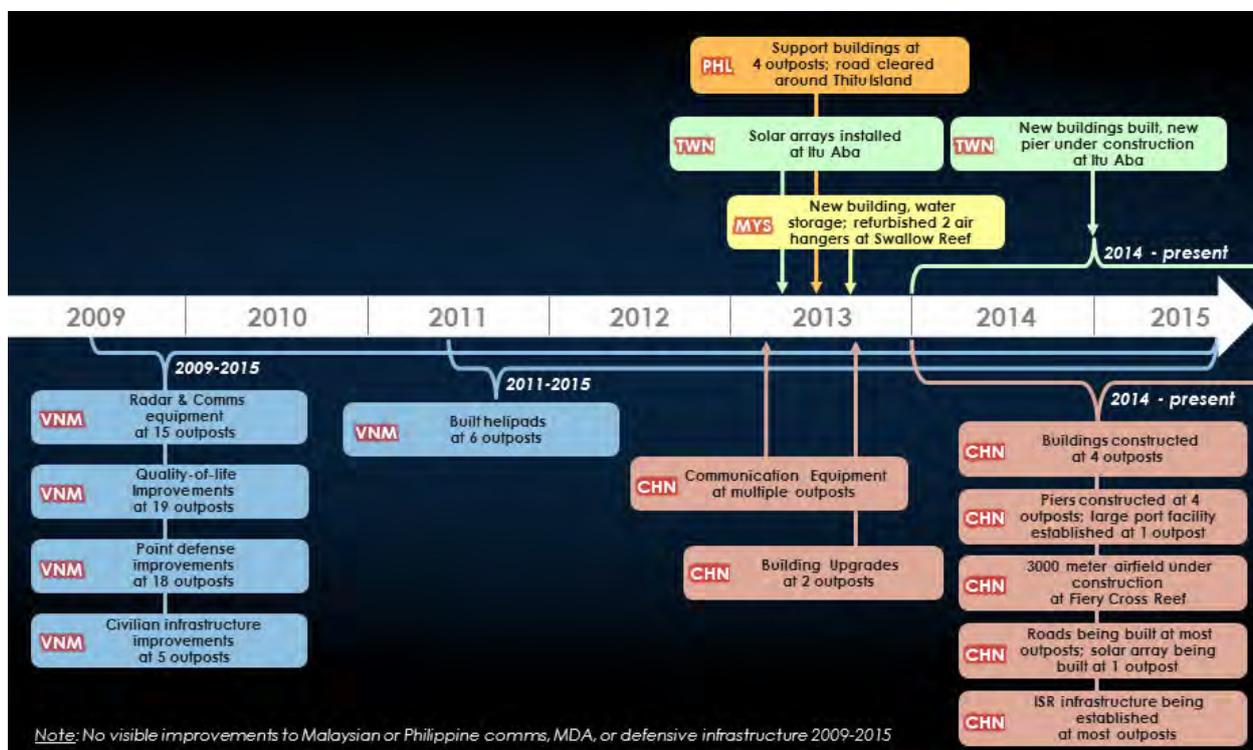
implement agreed-upon international standards for encounters at sea, such as the Code for Unplanned Encounters at Sea (CUES), which was signed in April 2014.

Land Reclamation on Disputed Features

One of the most notable recent developments in the South China Sea is China’s expansion of disputed features and artificial island construction in the Spratly Islands, using large-scale land reclamation. Although land reclamation – the dredging of seafloor material for use as landfill – is not a new development in the South China Sea, China’s recent land reclamation campaign significantly outweighs other efforts in size, pace, and nature.

In the 1970s and 1980s, the Philippines and Malaysia conducted limited land reclamation projects on disputed features, with Vietnam and later Taiwan initiating efforts. At the time, the Philippines constructed an airfield on Thitu Island, with approximately 14 acres of land reclamation to extend the runway. Malaysia built an airfield at Swallow Reef in the 1980s, also using relatively small amounts of reclaimed land. Between 2009 and 2014, Vietnam was the most active claimant in terms of both outpost upgrades and land reclamation. It reclaimed approximately 60 acres of land at 7 of its outposts and built at least 4 new structures as part of its expansion efforts. Since August 2013, Taiwan has reclaimed approximately 8 acres of land near the airstrip on Itu Aba Island, its sole outpost.

Timeline of Infrastructure and Capability Improvements on Spratly Outposts

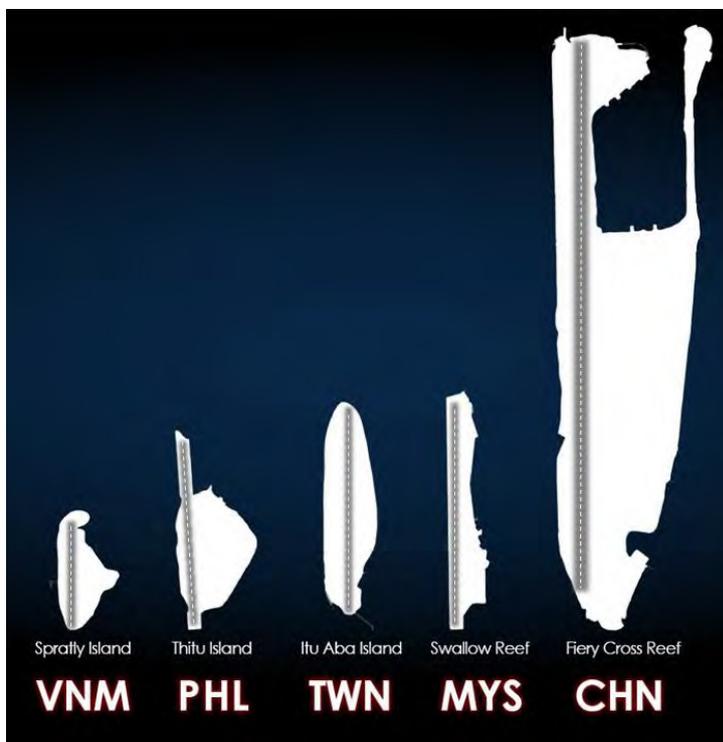


China’s recent efforts involve land reclamation on various types of features within the South China Sea. At least some of these features were not naturally formed areas of land that were above water at high tide and, thus, under international law as reflected in the Law of the Sea Convention, cannot generate any maritime zones (e.g., territorial seas or exclusive economic zones). Artificial islands built on such features could, at most, generate 500-meter safety zones, which must be established in conformity with requirements specified in the Law of the Sea Convention. Although China’s expedited land reclamation efforts in the Spratlys are occurring ahead of an anticipated ruling by the arbitral tribunal in the Philippines v. China arbitration under the Law of the Sea Convention, they would not be likely to bolster the maritime entitlements those features would enjoy under the Convention.

Since Chinese land reclamation efforts began in December 2013, China has reclaimed land at seven of its eight Spratly outposts and, as of June 2015, had reclaimed more than 2,900 acres of land. By comparison, Vietnam has reclaimed a total of approximately 80 acres; Malaysia, 70 acres; the Philippines, 14 acres; and Taiwan, 8 acres. China has now reclaimed 17 times more land in 20 months than the other claimants combined over the past 40 years, accounting for approximately 95 percent of all reclaimed land in the Spratly Islands.

All territorial claimants, except Brunei, maintain outposts in the South China Sea, which they use to establish presence in surrounding waters, assert their claims to sovereignty, and monitor the activities of rival claimants. All of these claimants have engaged in construction-related activities. Outpost upgrades vary widely but broadly are composed of land reclamation, building construction and extension, and defense emplacements.

Relative Size Comparison of Spratly Features With Airfields of Various Claimants



At all of its reclamation sites, China either has transitioned from land reclamation operations to infrastructure development, or has staged construction support for infrastructure development. As infrastructure development is still in its early stages, it remains unclear what China ultimately will build on these expanded outposts. However, China has stated publicly that the outposts will have a military component to them, and will also be used for maritime search and rescue, disaster prevention and mitigation, marine scientific research, meteorological observation, ecological environment conservation, navigation safety, and fishery production. At the reclamation sites currently in the infrastructure phase of development, China has excavated deep channels and built new berthing areas to allow access for larger ships to the outposts. China is also completing construction of an airstrip at Fiery Cross Reef, joining the other claimants with outposts – Malaysia, Philippines, Taiwan, and Vietnam – that have an airstrip on at least one of their occupied features, and may be building additional ones.

Though other claimants have reclaimed land on disputed features in the South China Sea, China's latest efforts are substantively different from previous efforts both in scope and effect. The infrastructure China appears to be building would enable it to establish a more robust power projection presence into the South China Sea. Its latest land reclamation and construction will also allow it to berth deeper draft ships at outposts; expand its law enforcement and naval presence farther south into the South China Sea; and potentially operate aircraft – possibly as a divert airstrip for carrier-based aircraft – that could enable China to conduct sustained operations with aircraft carriers in the area. Ongoing island reclamation activity will also support MLEs' ability to sustain longer deployments in the South China Sea. Potentially higher-end military upgrades on these features would be a further destabilizing step. By undertaking these actions, China is unilaterally altering the physical status quo in the region, thereby complicating diplomatic initiatives that could lower tensions.

[4] Dispute Resolution

Despite the recent destabilizing actions in maritime Asia, claimants have engaged in some positive steps. The Department of Defense believes that peaceful resolution of maritime disputes is essential, and many countries are using, and abiding by, the various available international legal mechanisms. India and Bangladesh reached agreement over their dispute in the Bay of Bengal, and some claimants in the South China Sea have used the International Court of Justice, ad hoc arbitral tribunals under the Law of the Sea Convention, and the International Tribunal for the Law of the Sea (ITLOS), to resolve their maritime and territorial disputes. For example, Malaysia and Singapore used the International Court of Justice (ICJ) in 2008 to resolve a land and maritime dispute over offshore islands and rocks. Claimants have concluded a number of bilateral maritime boundary delimitation agreements as well, including in 2014, when the Philippines and Indonesia reached bilateral agreement on overlapping EEZs in the Mindanao, Celebes, and Philippine Seas.

In January 2013, the Philippines requested that an arbitral tribunal set up under the Law of the Sea Convention address a number of legal issues arising with respect to the interpretation and application of the Convention. The arbitration, among other things, seeks to clarify maritime entitlements of certain South China Sea features under the Convention and to determine whether China's Nine-Dash Line claim is consistent with the Convention. China's Foreign Ministry publicly rejected the submission and has refused to participate. In June of 2015, the arbitral tribunal held a hearing on the question of jurisdiction. Should it rule that the case may proceed on grounds of jurisdiction and admissibility, the arbitral tribunal will proceed to determine the merits of the Philippines' claims. How China responds to a potential ruling from the arbitral tribunal will reflect China's attitude toward international maritime law.



MARITIME SECURITY STRATEGY TO ACHIEVE U.S. OBJECTIVES



MARITIME SECURITY STRATEGY TO ACHIEVE U.S. OBJECTIVES

Many of the aforementioned issues have the potential to place the hard-won stability of the Asia-Pacific region at risk. Continued territorial and maritime disputes, combined with rapid military modernization, have led to the development of a more contested and potentially risky maritime environment. Although many states are pursuing efforts to reduce risk and resolve their disputes peacefully, the potential for miscalculation and instability remains high. Accordingly, U.S. allies and partners are seeking U.S. leadership and engagement. The Department is not standing still in light of these challenges, and is enhancing our efforts to safeguard the freedom of the seas, deter conflict and coercion, and promote adherence to international law and standards.

The Department of Defense, in concert with our interagency partners, therefore is employing a comprehensive maritime security strategy focused on four lines of effort: strengthening U.S. military capabilities in the maritime domain; building the maritime capacity of our allies and partners; leveraging military diplomacy to reduce risk and build transparency; and, strengthening the development of an open and effective regional security architecture.

DoD LINES OF EFFORT

First, we are strengthening our military capacity to ensure the United States can successfully deter conflict and coercion and respond decisively when needed. The Department is investing in new cutting-edge capabilities, deploying our finest maritime capabilities forward, and distributing these capabilities more widely across the region. The effort also involves enhancing our force posture and persistent presence in the region, which will allow us to maintain a higher pace of training, transits, and operations. The United States will continue to fly, sail, and operate in accordance with international law, as U.S. forces do all around the world.



The Department will continue to fly, sail, and operate wherever international law allows.

Second, we are working together with our allies and partners from Northeast Asia to the Indian Ocean to build their maritime capacity. We are building greater interoperability, updating our combined exercises, developing more integrated operations, and cooperatively developing partner maritime domain awareness and maritime security capabilities, which will ensure a strong collective capacity to employ our maritime capabilities most effectively.

Third, we are leveraging military diplomacy to build greater transparency, reduce the risk of miscalculation or conflict, and promote shared maritime rules of the road. This includes our bilateral efforts with China as well as multilateral initiatives to develop stronger regional crisis management mechanisms. Beyond our engagements with regional counterparts, we also continue to encourage countries to develop confidence-building measures with each other and to pursue diplomatic efforts to resolve disputed claims.

Finally, we are working to strengthen regional security institutions and encourage the development of an open and effective regional security architecture. Many of the most prevalent maritime challenges we face require a coordinated multilateral response. As such, the Department is enhancing our engagement in ASEAN-based institutions such as the ASEAN Defense Ministers Meeting Plus (ADMM-Plus), ASEAN Regional Forum (ARF), and the Expanded ASEAN Maritime Forum (EAMF), as well as through wider forums like the Western Pacific Naval Symposium (WPNS) and Indian Ocean Naval Symposium (IONS), which provide platforms for candid and transparent discussion of maritime concerns.

[1] Enhancing U.S. Military Capacity in Maritime Asia

Investments and Capabilities

For decades, the United States has stood with its allies and partners to help maintain peace and stability in the Asia-Pacific region. During this period, the U.S. military has enjoyed and depended upon the ability to project power and maintain freedom of action in the maritime domain. Increasingly, we see countries developing new technologies that appear designed to counter these advantages. The Department is therefore working to maintain the necessary capabilities to deter conflict and reassure allies and partners, while protecting our ability to respond decisively if required. This includes investing in new capabilities and concepts that will allow U.S. forces to operate freely even in contested environments.



We are increasing the size, frequency, and sophistication of our regional exercises.

The Department is enhancing U.S. capabilities to project power from the sea, in the air, and under the water. As part of this effort, we are deploying some of our most advanced surface ships to the region, including replacing the aircraft carrier *USS George Washington* in 2015 with the newer *USS Ronald Reagan*; sending our newest air operations-oriented amphibious assault ship, the *USS America*, to the region by 2020; deploying two additional Aegis-capable destroyers to Japan; and home-porting all three of our newest class of stealth destroyers, the DDG-1000, with the Pacific fleet. We are complementing these surface capabilities with some of our most capable air assets, including F-22s, continuous deployments of B-2 and B-52 strategic bombers, additional tilt rotor aircraft for the Marine Corps and Special Forces, and, in 2017, the first forward-stationing of F-35s to Iwakuni, Japan. The Department will also procure 395 F-35 aircraft over the next several years, many of which will be deployed to the Asia-Pacific region. For the subsurface environment, the Department is basing an additional attack submarine in Guam and funding two additional Virginia

class submarines and the Virginia Payload Module, a compartment added to our new attack submarines that will increase dramatically their capacity to carry weapons and other payloads. These capabilities will help protect and add versatility to our advantages at sea, in the air, and under the water.

In support of these assets, the Department is investing in a comprehensive weapons modernization program, including plans for new or updated land-, sea-, and air-launched missiles relevant to the maritime domain. DoD is procuring advanced precision munitions that will allow our forces to strike adversaries from greater stand-off distances, like the new extended-range Joint Air to Surface Standoff Missile (JASSM-ER), and a new long-range anti-ship cruise missile that will improve the ability of U.S. aircraft to engage surface combatants in defended airspace. And we are finding new ways to use existing weapons systems, including by enhancing the capabilities resident in our current inventory of Tomahawk cruise missiles.

In addition to enhancing our power projection capabilities, the Department is investing in flexible capabilities that will allow us to respond more rapidly and effectively to a wider range of potential maritime challenges. The rotational deployment of Littoral Combat Ships (LCS) in Singapore provides the U.S. Navy with a flexible, nimble asset that can operate effectively in the region's challenging littoral waters. The Department is currently conducting the second proof-of-concept deployment of the LCS to the region, a deployment that will not only include port calls and engagements with seven different Southeast Asian States, but also participation in one of our largest and most complex war-fighting exercises in the Republic of Korea (ROK), Foa Eagle. Additionally, we will deploy the Mobile Landing Platform (MLP) to the region, which will more effectively enable a range of missions, from counter-piracy efforts to special forces operations and disaster relief missions.

Finally, the Department of Defense is investing in critical enabling capabilities, including persistent, deep-look ISR platforms that will provide us with greater situational awareness and early warning of potential crises in the maritime domain. The U.S. Navy is procuring 24 E-2D Hawkeye carrier-based airborne early warning and control aircraft, and as stated in the President's most recent budget submission, investing \$9.9 billion over the next four years to procure the final 47 P-8A Poseidon maritime surveillance aircraft, many of which will be deployed to the Asia-Pacific region. The Department is also making substantial investments to develop the MQ-4C Triton unmanned aerial system, which will provide broad area situational awareness to our operational commanders. The first deployment of MQ-4Cs will arrive in the U.S. Pacific Command (USPACOM) Area of Responsibility (AOR) in FY 2017.



Our forward presence not only serves to deter regional conflict and coercion, it also allows us to respond rapidly to maritime crises.

These enhanced capabilities are already making a difference in improving the Department's ability to respond to humanitarian crises in maritime Asia. In March 2011, when an earthquake and tsunami devastated parts of Japan and damaged the Fukushima Daiichi nuclear power station, the U.S. military was able to deploy state-of-the-art maritime capabilities, including the aircraft carrier *USS Ronald Reagan* and Global Hawk unmanned aerial vehicles (UAVs) to assess the damage. Similarly, when Malaysian Airlines flight MH370 disappeared in March 2014, the U.S. Navy dispatched a newly arrived P-8A Poseidon aircraft along with a P-3C Orion aircraft to search for the missing plane. The P-8A's transit speed to the search area was so much higher and its expected fuel burn so much lower, a second P-8A was added to the search in place of the P-3C, allowing for more time spent actively searching. And in December 2014, when AirAsia flight 8501 crashed into the Java Sea, the U.S. Navy was able to quickly dispatch the LCS *USS Fort Worth* quickly to help search for the wreckage.

Over the longer-term, the Department of Defense is also developing a suite of innovative ideas and capabilities – known as the third offset – to advance U.S. military dominance in the 21st century and ensure the United States can deter adversaries and prevail in conflict, including in maritime Asia. To offset advances in anti-access and area-denial (A2/AD) weapons that we see proliferating in maritime Asia and beyond, the Department will identify, develop, and field breakthroughs in cutting-edge technologies and systems – especially in the fields of robotics, autonomous systems, miniaturization, big data, and additive manufacturing, and will draw these together in innovative operational and organizational constructs to ensure freedom of access for United States' forces in a contested A2/AD environment.

Force Posture

One of the most important efforts the Department of Defense has underway is to enhance our forward presence by bringing our finest capabilities, assets, and people to the Asia-Pacific region. The U.S. military presence has underwritten security and stability in the Asia-Pacific region for more than 60 years. Our forward presence not only serves to deter regional conflict and coercion, it also allows us to respond rapidly to maritime crises. Working in concert with regional allies and partners enables us to respond more effectively to these crises.

The United States maintains 368,000 military personnel in the Asia-Pacific region, of which approximately 97,000 are west of the International Date Line. Over the next five years, the U.S. Navy will increase the number of ships assigned to Pacific Fleet outside of U.S. territory by approximately 30 percent, greatly improving our ability to maintain a more regular and persistent maritime presence in the Pacific. And by 2020, 60 percent of naval and overseas air assets will be home-ported in the Pacific region. The Department will also enhance Marine Corps presence by developing a more distributed and sustainable laydown model.

Enhancing our forward presence also involves using existing assets in new ways, across the entire region, with an emphasis on operational flexibility and maximizing the value of U.S. assets despite the tyranny of distance. This is why the Department is working to develop a more distributed, resilient, and sustainable posture. As part of this effort, the United States will maintain its presence in Northeast Asia, while enhancing defense posture across the Western Pacific, Southeast Asia, and the Indian Ocean.

The cornerstone of our forward presence will continue to be our presence in Japan, where the United States maintains approximately 50,000 military personnel, including the U.S. Navy Seventh Fleet and the only forward-stationed Carrier Strike Group in the world, as well as U.S. Marine Corps III Marine Expeditionary Force and significant Air Force assets. DoD is working more closely than ever with our Japanese allies, forward progress that will accelerate in future years under the new revised defense guidelines. In an effort to ensure that this presence is sustainable, we have worked with Japan to develop a new laydown for the U.S. Marine Corps in the Pacific. As a result, the Department of Defense will be able to shift its concentrated presence on Okinawa toward a more distributed model that includes



The Department of Defense is enhancing its defense posture across the Western Pacific, Southeast Asia, and the Indian Ocean.

Australia, Hawaii, Guam, and mainland Japan. As part of this program, the Department will develop new training ranges in the Commonwealth of the Northern Mariana Islands to enhance the readiness of our forward forces to respond to regional crises. The footprint associated with this laydown will support the arrival of next-generation capabilities and joint training and readiness in the USPACOM AOR.

Through the bilateral Force Posture Agreement (FPA) with Australia and the Enhanced Defense Cooperation Agreement (EDCA) with the Philippines, the Department will be able to increase our routine and persistent rotational presence in Southeast Asia for expanded training with regional partners. In Australia, the FPA will enable full implementation of the rotational presence for training and access for the U.S. Air Force and a Marine Air Ground Task Force (MAGTF) of up to 2,500 Marines. Additionally, the Department is on track to achieve its stated goal of simultaneous rotation of 4 Littoral Combat Ships (LCS) through Singapore by 2017, which will provide the first persistent U.S. naval presence in Southeast Asia in more than 20 years.

DoD is also modernizing our maritime presence in Guam, as part of our efforts to develop Guam into a strategic hub for our joint military presence in the region. This includes forward-stationing a fourth attack submarine to Guam this year and deploying the Joint High Speed Vessel by 2018, while making investments in the resilience of the infrastructure supporting these capabilities. Guam is the regional hub for Air Force's Global Hawk fleet and the Navy will operate the MQ-4C Triton unmanned aerial reconnaissance vehicle from Andersen Air Base by 2017. The Air Force continues a program to modernize hangars and other support structures to augment those and other U.S. military capabilities.

Operations, Exercises, and Training

These efforts to enhance our force posture and presence allow the Department to maintain a higher tempo of routine and persistent maritime presence activities. U.S. Pacific Command maintains a robust shaping presence in and around the South China Sea, with activities ranging from training and exercises with allies and partners to port calls to Freedom of Navigation Operations and other routine operations. They are central to our efforts to dissuade conflict or coercion, preserve the freedom of the seas and our access to the region, encourage peaceful resolution of maritime disputes and adherence to the rule of law, and to strengthen our relationships with partners and allies.

As part of the Department's routine presence activities, the U.S. Navy, U.S. Air Force, and U.S. Coast Guard conduct Freedom of Navigation operations. These operational activities serve to protect the rights, freedoms, and lawful uses of the sea and airspace guaranteed to all nations in international law by challenging the full range of excessive maritime claims asserted by some coastal States in the region. The importance of these operations cannot be overstated. Numerous countries across the Asia-Pacific region assert excessive maritime claims that, if left

unchallenged, could restrict the freedom of the seas. These excessive claims include, for example, improperly-drawn straight baselines, improper restrictions on the right of warships to conduct innocent passage through the territorial seas of other States, and the freedom to conduct military activities within the EEZs of other States. Added together, EEZs in the USPACOM region constitute 38 percent of the world's oceans. If these excessive maritime claims were left unchallenged, they could restrict the ability of the United States and other countries to conduct routine military operations or exercises in more than one-third of the world's oceans.

Over the past two years, the Department has undertaken an effort to reinvigorate our Freedom of Navigation program, in concert with the Department of State, to ensure that we regularly and consistently challenge excessive maritime claims. For example, in 2013, the Department challenged 19 excessive maritime claims around the world. In 2014, the Department challenged 35 excessive claims – an 84 percent increase. Among those 35 excessive maritime claims challenged in 2014, 19 are located in U.S. Pacific Command's geographic area of responsibility, and this robust Freedom of Navigation program will continue through 2015 and beyond.

The Department is also pursuing a robust slate of training exercises and engagements with our allies and partners that will allow us to explore new areas of practical bilateral and multilateral maritime security cooperation, build the necessary interoperability to execute multilateral operations, and promote regional trust and transparency. We are increasing the size, frequency, and sophistication of our regional exercise program, with a particular focus on developing new exercises with Southeast Asian partners and expanding our multilateral exercise program. We have also begun incorporating a maritime focus into many of these engagements in order to tailor our training to address regional partners' evolving requirements.

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In Northeast Asia, the Department conducts several regular maritime exercises with Japan and South Korea focusing on enhancing our combined capabilities to counter provocations and manage the changing Northeast Asian security environment. Though its original purpose was to counter special operations forces, the annual bilateral Key Resolve/Foal Eagle exercise with the ROK now includes amphibious operations and anti-submarine warfare in recognition of the importance of the maritime domain in defending South Korea. Similarly, the U.S.-Japan Shin Kame anti-submarine warfare exercise is designed to improve how U.S. and Japanese forces counter diesel submarines, a concern in the region.

In Southeast Asia, the Department is honing an already robust bilateral exercise program with our treaty ally, the Republic of the Philippines, to assist it with establishing a minimum credible defense more effectively. We are conducting more than 400 planned events with the Philippines in 2015, including our premier joint exercise, Balikatan, which this year was the largest and most sophisticated ever. During this year's Balikatan, more than 15,000 U.S., Philippine, and Australian military personnel exercised operations involving a territorial defense scenario in the Sulu Sea, with personnel from Japan observing.

We are also expanding our maritime engagements with partners like Indonesia, Malaysia, and Vietnam. In Indonesia, the April 2015 iteration of the Sea Surveillance Exercises (SEASURVEX) included a flight portion over the South China Sea for the first time, and this past spring, our navies concluded their first tabletop Simulated Submarine Casualty Exercise (SMASHEX). We also established a new joint exercise with Malaysia, which is scheduled to occur for the first time in 2015, and in 2014, the Marine Corps participated in an amphibious exercise with the Malaysian Armed Forces, during which our forces trained side-by-side in eastern Sabah. In Vietnam, we are rapidly growing our

maritime training, having recently concluded our sixth-annual Naval Engagement Activity (NEA) in March 2015, a historic five-day engagement that included a full day of at-sea operations. In just six years, our naval cooperation with Vietnam has grown from a simple port visit to multi-day engagements that allow our sailors to develop a better understanding of each other's operations and procedures.

The Rim of the Pacific (RIMPAC) exercise, hosted since 1971, is the largest international military exercise in the world. The 2014 iteration was the largest on record, with participation from 22 nations, including 49 surface ships, 6 submarines, more than 200 aircraft, and 25,000 personnel in and around the Hawaiian Islands and Southern California. The exercise's objectives are to enhance the interoperability of the combined RIMPAC forces as well as to integrate new participants in the employment of multinational command and control at the tactical and operational levels.

In 2014, China participated for the first time in RIMPAC, though at a limited level, and the Department has invited China to portions of the 2016 exercise, at a level similar to its 2014 participation. As the largest naval exercise in the world, RIMPAC provides an opportunity for the United States, China, and countries throughout the Asia-Pacific region to exercise key operational practices and procedures that are essential to ensuring that tactical misunderstandings do not escalate into crises.

[2] Building Ally and Partner Capacity

Given the growing array of challenges the United States and our allies face in the maritime domain, one of the Department's top priorities is to enhance the maritime security capacity of our allies and partners, both to respond to threats within their own territories as well as to provide maritime security more broadly across the region. The Department is not only focused on providing enhanced capabilities, but also on helping our partners develop the necessary infrastructure and logistical support, strengthen institutions, and enhance practical skills to develop sustainable and capable maritime forces. The Department is particularly focused on helping our partners enhance their maritime domain awareness and establish a common maritime operating picture that would facilitate more timely and effective regional responses to maritime challenges.



In Northeast Asia, the Department of Defense is working closely with Japan to augment its already extremely capable maritime forces. The United States and Japan recently announced new Guidelines for Japan-U.S. Defense Cooperation, which will enable the U.S. Armed Forces and the Self-Defense Forces to work more closely together to support peace and security, including in the maritime domain. Our expanded bilateral cooperation will now encompass a wide range of activities from peacetime cooperation on shared maritime domain awareness up to cooperation in a contingency.

We are also working together with Japan to improve the maritime-related capabilities of the JSDF, which is especially salient given the new Guidelines for U.S.-Japan Defense Cooperation. The United States is augmenting Japan's amphibious capabilities for island defense, including through sales of AAVs and V-22 Ospreys. Through the sale of E-2D Hawkeyes and Global Hawk Unmanned Aerial Vehicles, Japan is improving its ability to monitor the maritime domain and airspace around the country, an issue of particular importance given the large increase in Chinese and Russian air and naval activity in the area, including continuing Chinese incursions in the vicinity of the Senkaku Islands.

In Southeast Asia, the Department's first priority is working together with our allies and partners to develop the most effective mix of capabilities to provide credible maritime defenses and patrol capabilities. At the Shangri-La Dialogue on May 30, 2015, Secretary Carter announced the Southeast Asia Maritime Security Initiative, a new effort to work together with our allies and partners in Southeast Asia to build greater regional capacity to address a range of maritime

The Southeast Asia Maritime Security Initiative is a new effort to build greater regional capacity to address a range of maritime challenges.

challenges. As part of this initiative, DoD, in coordination with the Department of State, will consult with our allies and partners to ascertain their needs and requirements more effectively and to explore new opportunities for maritime collaboration. In particular, we are focused on several lines of effort: working with partners to expand regional maritime domain awareness capabilities, with an effort to work towards a regional common operating picture; providing the necessary infrastructure, logistics support, and operational procedures to enable more effective maritime response operations; further strengthening partner nation operational capabilities and resilience by deepening and

expanding bilateral and regional maritime exercises and engagements; helping partners strengthen their maritime institutions, governance, and personnel training; and identifying modernization or new system requirements for critical maritime security capabilities. To support this initiative, the Department is working to maximize and rebalance Title 10 security cooperation resources to prioritize the Southeast Asia region more effectively.

Even before this initiative, and in conjunction with the Department of State and the U.S. Coast Guard, we have dramatically expanded our maritime security assistance in recent years. In the Philippines, the Department is providing coastal radar systems and assisting the Department of State with naval maintenance capacity building as well as providing interdiction vessels, naval fleet upgrades, communications equipment, and aircraft procurement. We are helping Vietnam bolster its maritime ISR and command and control within their maritime agencies, and we are working with Malaysia to build maritime law enforcement training capacity and interagency coordination to help improve their maritime domain awareness. The Department also is working with Indonesia to increase its patrol capacity, ISR integration, and maintenance capability. In 2015, we established new bilateral working groups with both Indonesia and Vietnam to help clarify their maritime defense requirements.

Select DoD Maritime Capacity Building Efforts in Southeast Asia

	Initiative	Authority	Timeframe
Indonesia	Ministry of Defense Technical Expert.	Section 1081 Ministry of Defense Advisor Program (MoDA)	Arrived March 2015
	Integrated Maritime Surveillance System (IMSS): 18 coastal surveillance stations, 11 ship-based radars, 2 regional and 2 fleet command centers (\$51M) Note: FMF provided sustainment and integration in following years.	Section 1206 of the National Defense Authorization Act (NDAA) for FY 2006, as amended (Section 1206)	Funded FY2006-2008 Delivered 2011
	Reform of defense planning, defense strategy, and budget development and execution system and processes.	Defense Institution Reform Initiative (DIRI)	2013 to present
	Upgrade TNI Bell helicopters and Navy Special Forces Equipment, including 12 RHIBs (\$27M).	Section 1206	2010 funding, RHIBs delivered 2012
Malaysia	Integrated Maritime Surveillance System: 8 coastal surveillance radar stations, 28 small boats and associated maritime interdiction training, Joint Regional Command Center (\$42M).	Section 1206	Funded FY2007, 2008, 2011 Delivered 2010-2011
Philippines	National Coast Watch Center (\$19M).	Cooperative Threat Reduction Program	2013-2017
	Coast Watch Radar System.	Section 1206	
	Reform of defense planning system.	DIRI	2005-2012
Vietnam	Provision of WMD detection equipment; improved communications; construct coast guard training center; maritime security workshops (\$21M).	Cooperative Threat Reduction Program	FY2014-2015
	Law enforcement, advisory, and boat maintenance training (\$405K).	Counternarcotics and Global Threats Authority	FY2014-2015

An additional priority for the Department is helping our partners develop the institutional structures and procedures necessary to manage their growing maritime forces effectively. This includes establishing unified maritime agencies, such as the Malaysian Maritime Enforcement Agency (MMEA), as well as developing standard training protocols and procedures for maritime personnel. For example, the Defense Threat Reduction Agency (DTRA) is helping to construct a Philippine National Coast Watch Center in Manila that will assist the Philippine Coast Guard (PCG) in assuming increased responsibility for enhancing information sharing and interagency coordination in maritime security operations. Brunei, Indonesia, Malaysia, and Vietnam are similarly improving their maritime capabilities.

One of the Department's top priorities is to promote greater maritime domain awareness, which is an essential capability for all coastal States. Given the size of the Asian maritime domain, no coastal State can provide effective maritime domain awareness on its own. This is why DoD is working closely with partners in the Asia-Pacific region to encourage greater information sharing and the establishment of a regional maritime domain awareness network that could provide a common operating picture and real-time dissemination of data. Singapore has been a leading partner in this effort. Together, we have established the Singapore Maritime Information-Sharing Working Group, an ideal platform to share best practices and lessons learned from recent regional maritime activities and explore options for increased information sharing across partnerships in the Asia-Pacific region. The near-term iterations of the working group will be bilateral and then expand to include other regional partners to participate in this community of interest. The United States and Singapore also are working together to support Singapore's development of the Information Fusion Center (IFC) into an interagency information-sharing hub for the region.

A key element of DoD's approach to maritime security in Southeast Asia is to work alongside capable regional partners. There is broad regional agreement on the importance of maritime security and maritime domain awareness, and we're working closely with our friends in Australia, Japan, South Korea, and elsewhere to coordinate and amplify our efforts toward promoting peace, stability, and prosperity in Asia. In part, we are partnering trilaterally to achieve these goals. In November 2014, President Obama, Prime Minister Abe, and Prime Minister Abbott hosted their first trilateral meeting and agreed to expand maritime cooperation, trilateral exercises, and defense development. The Department is working with these two allies in a coordinated fashion to maximize the efficiency and effectiveness of our maritime security capacity building efforts in Southeast Asia, beginning with the Philippines.

The Department sees a strategic convergence between India's "Act East" policy and the U.S. rebalance to the Asia-Pacific region.

In South Asia, the Department sees a strategic convergence between India's "Act East" policy and the U.S. rebalance to the Asia-Pacific region, and we are seeking to reinforce India's maritime capabilities as a net provider of security in the Indian Ocean region and beyond. Given our broad shared interests in maritime security, the Department has developed a three-pronged approach to maritime cooperation with India: maintaining a shared vision on maritime security issues; upgrading the bilateral maritime security partnership; and collaborating to both build regional partner capacity and improve regional maritime domain awareness.

First, the United States and India's shared vision for maritime security in the region is reflected in the January 2015 U.S.-India Joint Strategic Vision for the Asia-Pacific and Indian Ocean Region. India and the United States affirmed the importance of safeguarding maritime security and ensuring freedom of navigation and overflight throughout the region, especially in the South China Sea. This Joint Strategic Vision and the September 2014 U.S.-India Joint Statement also called on all parties to abide by international law, including the Law of the Sea Convention, to resolve maritime disputes and to avoid the use, or threat of use, of force.

Second, the Department of Defense and the Indian Ministry of Defence are upgrading their bilateral maritime security partnership, through growing bilateral exchanges between military personnel and by engaging in military exercises. Recent visits to India by then-Commander of the U.S. Pacific Fleet Admiral Harry Harris and Secretary of the Navy Ray Mabus have highlighted the importance of naval engagement to the overall defense relationship. To bolster operational maritime cooperation, India has participated in the RIMPAC multilateral exercise, and the two sides conduct the annual flagship naval exercise MALABAR. Since 2007, the JMSDF also have participated when the

exercise has taken place off of the Japanese coast and near Guam. The exercise has grown in complexity and improved participating countries' abilities to operate together in a collaborative environment, and the Department is supportive of including other partners on a regular basis, hoping to see the return of previous partners in future iterations of the exercise. The Department is also actively working to support the Indian Navy through the Defense Technology and Trade Initiative (DTTI). The two sides agreed to enhance maritime technology cooperation, in part, by forming a working group to explore aircraft carrier technology sharing and design.

Finally, both the United States and India are active in building regional partner capacity and maritime domain awareness (MDA) in the region. Both countries are contributing to these goals individually with other partners, and are mutually contributing to counter-piracy efforts in the Indian Ocean. The Department will continue to seek opportunities to consult with Indian counterparts about these efforts where possible. By doing so, the two countries will bolster the shared vision laid out by their respective governments and contribute to overall peace and security in the region.

[3] Reducing Risk

In addition to building maritime capabilities of allies and partners to deter and address regional threats, the Department is actively seeking to mitigate risk in maritime Asia. The Department is pursuing a two-pronged approach to achieve this objective, one focusing on our bilateral relationship with China, and the other addressing region-wide risk reduction measures. The combination of these two approaches will reduce the likelihood of miscalculation and conflict, which would have a detrimental effect on the United States and the region.

China

China's rise as a political, economic, and military actor is a defining characteristic of the 21st century; and we have a broad, complex relationship that has both elements of cooperation and competition. As a result, our defense engagement strategy considers both elements. The Department pursues an objectives-based military-to-military relationship with China that seeks to deepen cooperation in areas of mutual interest and to manage security competition and friction in a way that supports overall stability. To reach these objectives, DoD pursues a defense relationship with China based on three pillars and related efforts.

First, DoD pursues sustained and substantive dialogue through policy and senior leader engagement to develop common views on the international security environment and related challenges. Second, we are attempting to build concrete, practical areas to develop the capacity to cooperate in areas of shared interest. Lastly, DoD is enhancing risk reduction measures through focused activities that seek to improve operational safety and to develop and institutionalize modalities



The Department is actively seeking to mitigate risk in maritime Asia.

(such as the Defense Telephone Link) that can reduce the potential for accidents or miscalculations that could derail the overall bilateral relationship.

In our bilateral discussions, we continue to express to China our concerns about its behavior in the East and South China Seas, including restricting access to fishing grounds in disputed waters, engaging in provocative energy exploration in other nations' claimed exclusive economic zones, undertaking dramatic land reclamation activities on disputed features, and unilaterally announcing an ADIZ in the East China Sea. China's actions are having the effect of increasing uncertainty about its intentions, and this is shrinking space for diplomatic solutions to emerge. We therefore continue to urge China to take active steps to build trust with its neighbors, including clarifying the scope and nature of its maritime claims in accordance with the international law of the sea and committing reciprocally to halt land reclamation, construction of new facilities, and further militarization of outposts it occupies if other claimants similarly commit themselves to do so.

Activities in the U.S.-China military-to-military relationship, conducted in accordance with National Defense Authorization Act (NDAA) for FY 2000, section 1201 and other relevant laws, contribute to maritime stability through the promotion of broad-based acceptance and application of international law and standards. Since 2012, the military-to-military relationship has experienced positive momentum marked by a strengthening of the capacity to cooperate and assist in areas of international shared interest, and an increased, shared attention to risk management and risk reduction, particularly in the maritime domain. In this time, there has been a reinvigoration of existing risk reduction mechanisms, such as the Military Maritime Consultative Agreement (MMCA), and the establishment of new mechanisms such as the Rules of Behavior for Safety of Air and Maritime Encounters initiative and the Notification of Major Military Activities initiative.

The MMCA, signed in 1998, is an agreement between the Department of Defense and the PRC Ministry of National Defense that establishes a consultation mechanism on maritime safety issues. Though it experienced difficulties in its early years, it now has been bolstered by a mutual commitment to invest in the mechanism, resulting in productive and constructive talks on a range of operational safety issues to include those associated with search and rescue, counter piracy, and humanitarian assistance and disaster response.

In 2014, then-Secretary Hagel and his Chinese counterpart signed a historic Memorandum of Understanding (MOU) on Rules of Behavior for Safety of Air and Maritime Encounters. The MOU established a common understanding of operational procedures for when air and maritime vessels meet at sea, drawing from and reinforcing existing international law and standards and managing risk by reducing the possibility of misunderstanding and misperception between the militaries of the United States and China. To date, this MOU includes an annex for ship-to-ship encounters. To augment this MOU, the Department of Defense has prioritized developing an annex on air-to-air encounters by the end of 2015. Upon the conclusion of this final annex, bilateral consultations under the Rules of Behavior MOU will be facilitated under the existing MMCA forum.

Other outcomes of military-to-military engagement as they pertain to maritime stability include: regularized bridge-to-bridge communications between naval vessels; standardized use of the Western Pacific Naval Symposium's CUES by PLAN vessels; and greater cooperation and coordination in Gulf of Aden counter piracy operations, including attendance at Shared Awareness and Deconfliction (SHADE) meetings.

Region-Wide Measures

Reaching agreement on bilateral risk reduction measures with China is necessary, but not sufficient. The Department is also focused in the near term on encouraging the development of practical risk reduction and confidence-building mechanisms across the entire Asia-Pacific maritime domain.

The Department marked a significant milestone in this effort in April 2014 when member navies at the WPNS adopted the CUES in Qingdao, China. The CUES provides standardized navigation and communication protocols for use when ships and aircraft meet at sea, including a standardized set of language-independent communication protocols to allow for communication between navies absent a common language.

The Department continues to seek regular opportunities for practical application of these protocols. In July 2014, a U.S. Navy vessel was able to use CUES for the first time during an unplanned encounter with the PLAN. It has since been used many times. Going forward, the Department is also exploring options to expand the use of CUES to include regional law enforcement vessels and Coast Guards. Given the growing use of maritime law enforcement vessels to enforce disputed maritime claims, expansion of CUES to MLE vessels would be an important step in reducing the risk of unintentional conflict.

We are also exploring a range of other risk reduction measures at both the bilateral and multilateral level, and actively supporting similar efforts by our allies and partners. For example, the Department is working to help ASEAN and other regional partners establish operational-level hotlines to establish more reliable and routine crisis communication mechanisms that help lower the risk of potential miscalculation or conflict.

The peaceful resolution of maritime disputes is essential, and many countries are using, and abiding by, the various available international legal mechanisms.

In the East China Sea, China and Japan are exploring hotlines between the PLAN and the Japan Maritime Self-Defense Force (JMSDF). The Department supports Japan's call for better diplomacy and crisis management procedures in the East China Sea, and we encourage both Japan and China to implement their bilateral maritime liaison mechanism. Japan and Taiwan have also taken positive steps towards reducing tensions by signing a fisheries agreement in 2013 that formally outlines the rights for each claimant's fishing fleets around the Senkaku Islands, and the Philippines and Taiwan similarly have pursued a fisheries agreement.

In the South China Sea, Indonesia and Malaysia recently announced their intention to exchange maritime envoys in an effort to increase mutual transparency. Similarly, a number of the Association of Southeast Asian Nations (ASEAN) claimants are actively considering the establishment of bilateral hotlines in the South China Sea to help provide clear channels of communication in the event of inadvertent crises.

The U.S. Government urges States to not implement unilateral actions that undermine regional stability and trust. In November 2013, China announced the creation of an ADIZ in the East China Sea with coverage that overlapped the Senkaku Islands and Japanese, South Korean, and Taiwan ADIZ, and that China professed to apply even to aircraft not intending to enter Chinese national airspace. The uncoordinated way in which China announced an ADIZ over the East China Sea, including over territory administered by other countries, was not conducive to fostering positive and peaceful relations in maritime Asia. The United States has been clear that this type of action is destabilizing. The United States does not recognize China's declared ADIZ, and it will not change how the United States conducts military operations in the region. The United States has consistently conveyed to Chinese authorities that any new ADIZ over other disputed areas such as the South China Sea would be destabilizing and would be of deep concern to the United States and to its regional neighbors.

Taken together, these efforts to encourage the development of practical confidence-building and risk reduction measures will help prevent maritime incidents and better manage them when they do occur.

[4] Building Regional Architecture and Supporting Rule of Law

As tensions in Asia rise and the security situation becomes more complex, there is a growing need for credible, capable regional institutions that provide forums for frank discussion on difficult issues, facilitate practical multilateral security cooperation, and build trust.

Engagement with regional institutions such as the East Asia Summit, ARF, and particularly the ASEAN Defense Ministers Meeting Plus (ADMM-Plus) provide the Department an opportunity to take active steps to highlight the importance of peaceful resolution of disputes and emphasize the need for adherence to international rules and standards. Within these venues, the Department is candid with regional counterparts in raising our concerns about excessive maritime claims and the means through which they pursue them and their territorial claims. We also consistently raise the importance of exercising restraint, building trust and transparency, and behaving responsibly at sea and in the air.

ASEAN is an increasingly important DoD partner, and the Department is working to bolster its engagement with and support of ASEAN's efforts to promote peace, stability, and prosperity in the region. DoD actively supports the ADMM-Plus Experts Working Group (EWG) on Maritime Security, which seeks to facilitate information sharing, establish best practices, and build standard maritime operating procedures among participating nations in order to reinforce norms of behavior and reduce the risk of conflict. For example, at the May 2015 Shangri-La Dialogue in Singapore, the Secretary of Defense announced DoD's commitment to deploy a technical advisor in support of ASEAN's maritime security efforts. In addition, the ADMM-Plus EWG on Maritime Security held a field training



exercise in 2013, and it is planning to conduct a combined maritime security-counterterrorism field training exercise next year. We also provide support to a range of complementary organizations such as the Expanded ASEAN Maritime Forum, the Indian Ocean Naval Symposium, and the Western Pacific Naval Symposium. For example, the USPACOM Amphibious Leaders Symposium (PALS), held for the first time in May 2015, brought together 23 Pacific Partner Nations to collaborate on regional amphibious capability development and the cooperative use of amphibious forces in disaster operations.

We are also leveraging informal opportunities to strengthen regional cooperation, such as the first U.S.-ASEAN Defense Forum then-Secretary of Defense Chuck Hagel hosted in Hawaii in April 2014. This dialogue provided an informal opportunity for candid discussion with our ASEAN counterparts about shared challenges in the maritime

domain and the need for greater information sharing among ASEAN States. Following these discussions, U.S. Pacific Command hosted a follow-on workshop in May 2015 to discuss possible models of information sharing and opportunities for greater maritime collaboration among the United States and ASEAN countries. Participants from all ASEAN member countries recognized the significant threats that are now present in maritime Southeast Asia and identified the need not only to pursue a framework that enhances maritime domain awareness – which would greatly bolster their ability to tackle those threats – but also to share information between and among countries in the region.

Finally, the Department fully supports countries pursuing multilateral agreements and arrangements to enhance security in maritime Asia. In 2002, ASEAN and China signed the DoC in an attempt to lower tensions in the region. Although the DoC is not legally binding, the Department of Defense continues to support ongoing efforts to implement the DoC, and for ASEAN and China to reach agreement on a meaningful CoC as part of a multifaceted approach to lower tensions and prolong peace and stability in the region.

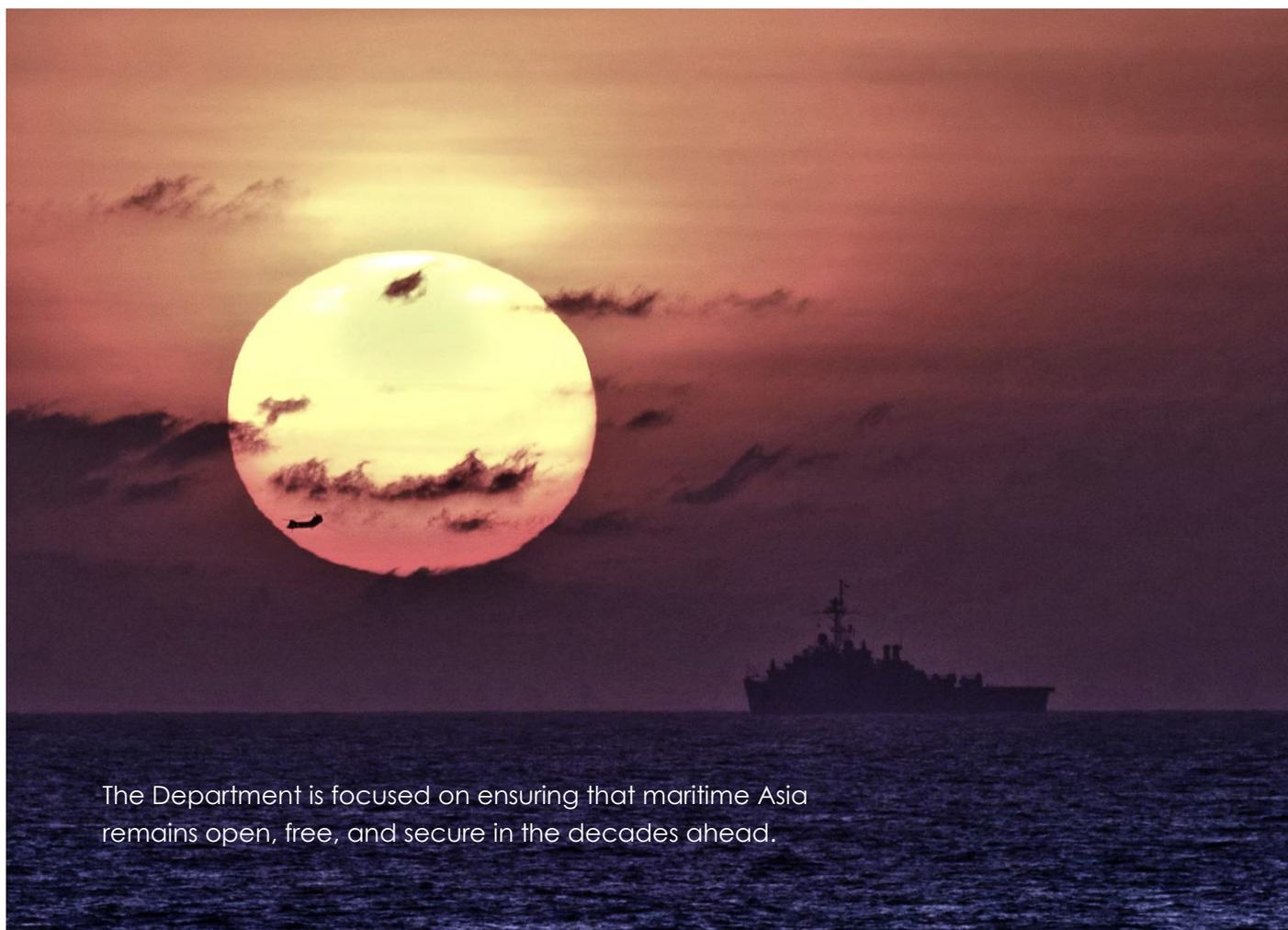


MARITIME SECURITY STRATEGY TO ACHIEVE U.S. OBJECTIVES



CONCLUSION

The Department is working to stay ahead of the evolving maritime security environment in the Asia-Pacific region in order to ensure continued freedom of the seas, deter conflict and coercion, and promote adherence to international law and standards. From the Indian Ocean to Northeast Asia, we are strengthening our military capability to promote stability and respond decisively to threats; enabling our network of allies and partners to address challenges in the maritime areas of the region; leveraging military diplomacy to promote trust, stability, and standards of behavior; and bolstering the ability of regional organizations to address shared maritime security concerns.



The Department is focused on ensuring that maritime Asia remains open, free, and secure in the decades ahead.



Annex 663

Japanese Ministry of Defense, *China's Activities in the South China Sea* (28 July 2015)

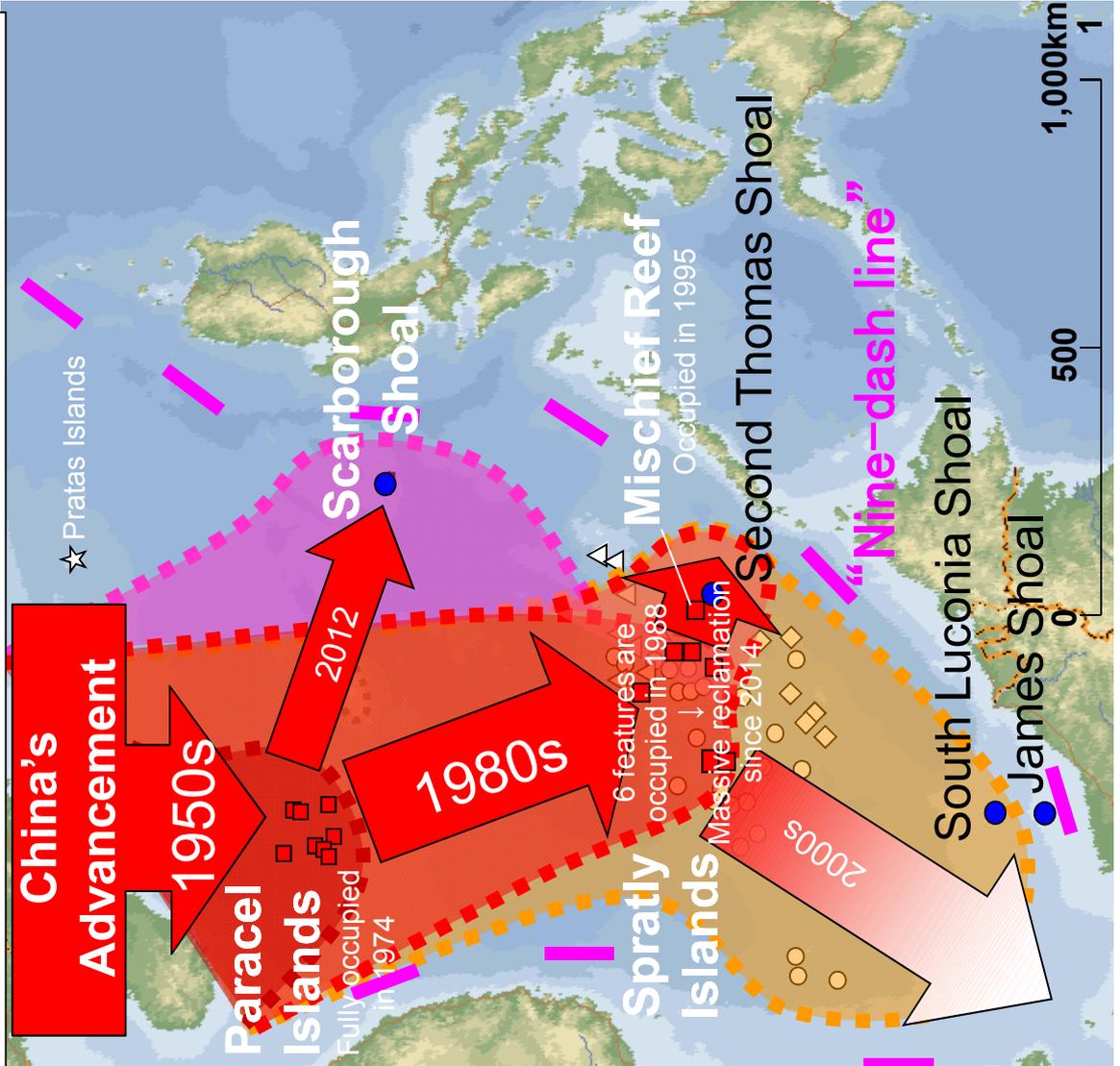
China's Activities in the South China Sea

July 28, 2015
Ministry of Defense

1-1 China Makes Advances into South China Sea (SCS)

China has made advances into the SCS exploiting power vacuums (1950s-70s: Paracel Islands; 80s-: Spratly Islands)

Timeline	
1950s:	France withdraws from French Indochina
1950s:	China occupies half of Paracel Islands (South Vietnam also advances to Paracel Islands)
1973:	U.S. withdraws from South Vietnam
1974:	China occupies entire Paracel Islands (dislodging South Vietnam)
(1975: Collapse of South Vietnam (after Vietnam War))	
Mid-1980s:	Soviet presence in Vietnam decreased
1980s:	China advances to Spratly Islands
1988:	China occupies six features in Spratly Islands
1992:	US withdraws from the Philippines
1995:	China occupies Mischief Reef
2000s:	China advances to southern SCS
2012:	China gains de facto control over Scarborough Shoal
2014-:	China conducts large-scale reclamation in SCS



1-2 China's Maritime Push and Armed Clashes

As China sought to gain control over new maritime features, it came into two armed clashes with Vietnam in 1974 and 1988.

In January 1974, China sent a naval fleet (six ships incl. patrol boats) with militia onboard to **western portion of the Paracels**, which China had not occupied. Armed clashes with South Vietnamese frigates and other ships ensued.

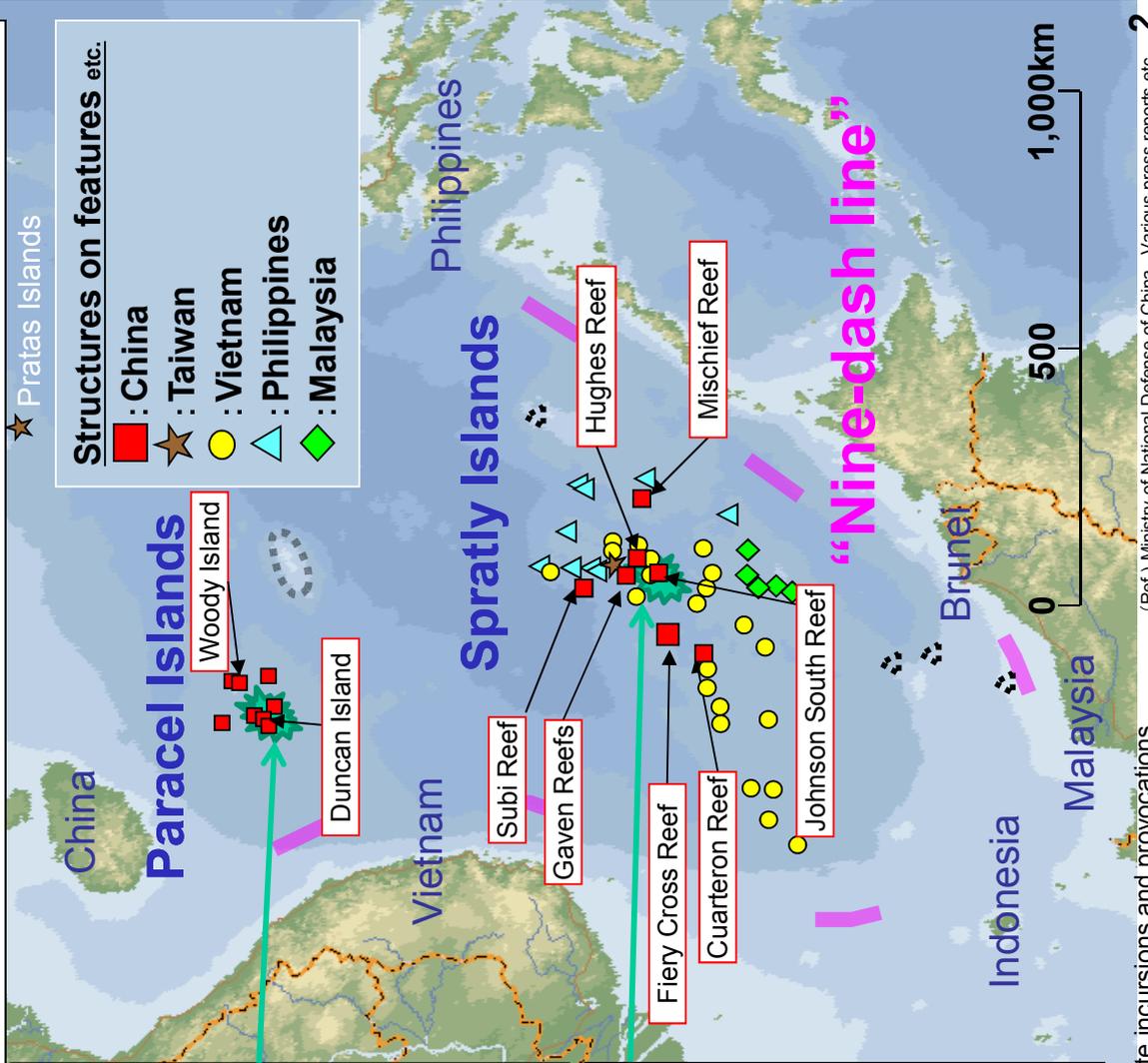
<p>Losses/Casualties (China) Four vessels damaged 85 killed or injured</p>	<p>Patrol boat (China)</p> 
<p>Losses/Casualties (South Vietnam) One vessel sunk, three damaged 100+ killed or injured</p>	<p>Frigate (South Vietnam)</p> 

South Vietnam withdrew, **China occupied the entire Paracel Islands**.

In January 1988, China, which had possessed no foothold in the Spratlys, sent a naval fleet to Fieri Cross Reef and built a structure on the Reef. **In March same year**, three Chinese frigates clashed with three Vietnamese ships including a landing ship at **Johnson South Reef**.

<p>Losses/Casualties (China) One killed</p>	<p>Frigate (China)</p> 
<p>Losses/Casualties (Vietnam) Two vessels sunk, one damaged 400+ killed or injured</p>	<p>Attacked vessel (Vietnam)</p> 

Vietnam withdrew, **China occupied Johnson South Reef**.

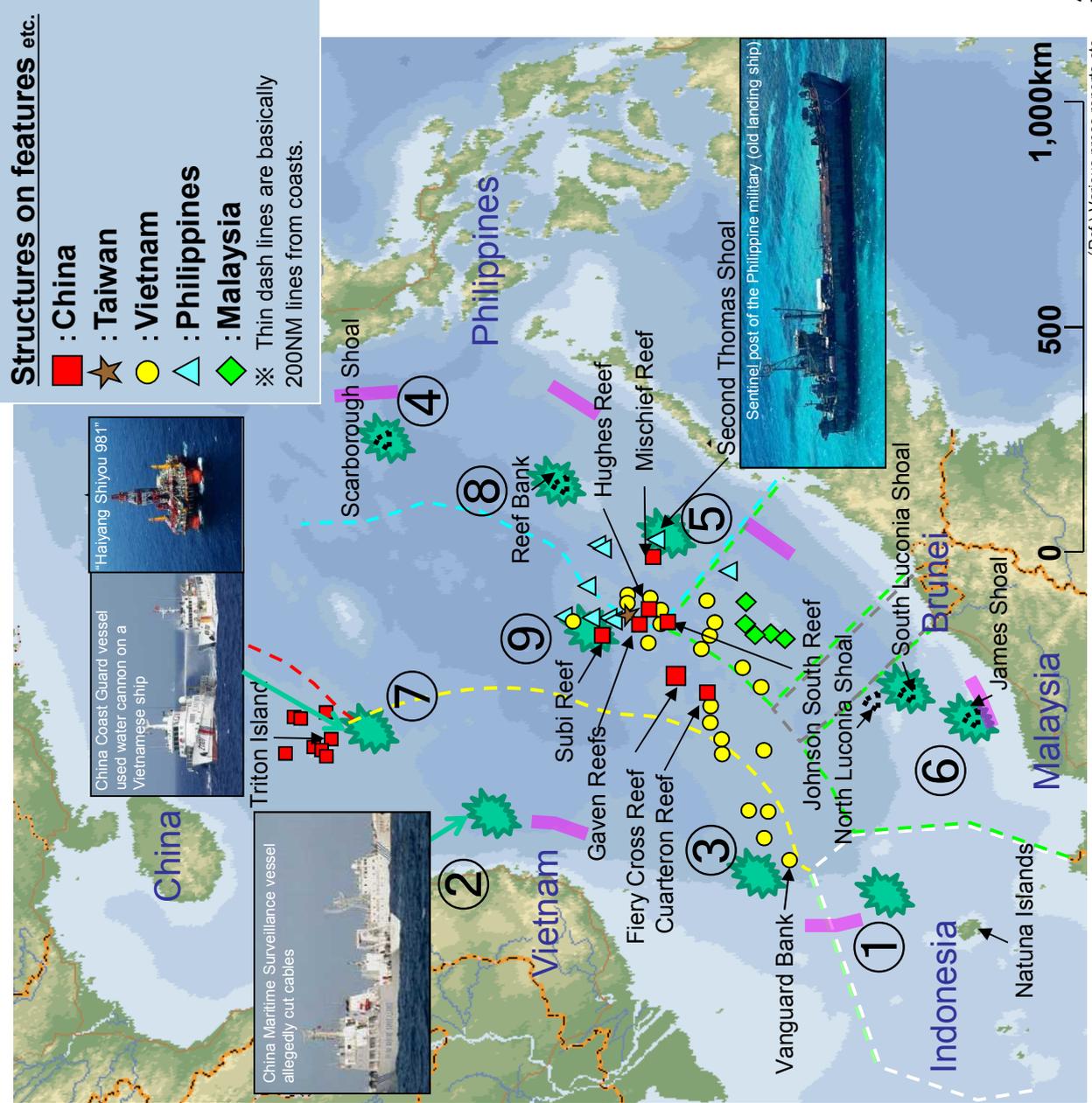


※ On the causes of these two clashes, China cited South Vietnam's illegitimate incursions and provocations. (Ref.) Ministry of National Defense of China, Various press reports etc.

1-3 Activities by PLA, Maritime Law Enforcement Forces (MLEF) etc.



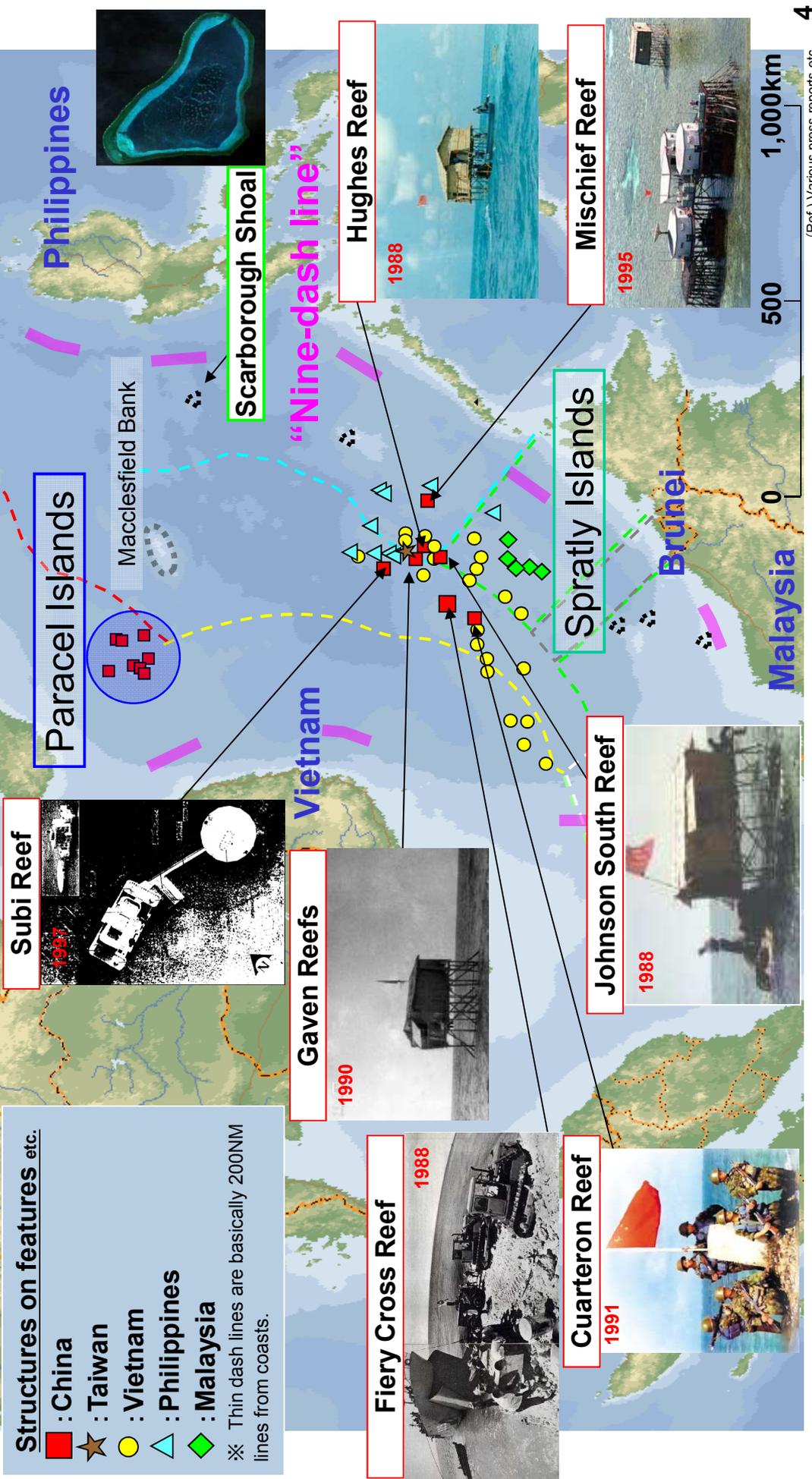
- ① In June 2010, near **Natuna Islands**, China's MLEF vessel allegedly aimed a cannon at an Indonesian patrol vessel that seized a Chinese fishing boat.
- ② In May 2011, off the coast of Vietnam, China's MLEF (China Maritime Surveillance) vessel allegedly obstructed the operation of Vietnamese resource exploration ship, and cut the cables that it was laying.
- ③ In June 2011, around **Vanguard Bank**, Chinese vessel allegedly obstructed the navigation of operating Vietnamese resource exploration ship.
- ④ After the confrontation against Vietnamese vessels in 2012, China's MLEF (China Coast Guard) vessels have maintained their presence around **Scarborough Shoal**.
- ⑤ In May 2013, PLAN and China's MLEF vessels allegedly blocked the Philippine military's supply mission to its sentinel post (old landing ship) at **Second Thomas Shoal**.
- ⑥ In October 2013, China allegedly sent MLEF vessels near **South Luconia Shoal**. Moreover, in January 2014, PLAN vessels allegedly conducted activities near **James Shoal**.
- ⑦ From May to July 2014, to the south of **Triton Island**, China placed oil rigs with escort of PLAN and MLEF (China Coast Guard) vessels, and faced off against Vietnamese vessels.
- ⑧ In August 2014, China's MLEF (China Coast Guard) vessels allegedly put markers around **Reed Bank**. Also in 2011, Chinese vessels obstructed the navigation of Philippine ship in the same area.
- ⑨ In April 2015, the Philippines expressed concern about a series of China's actions near **Subi Reef**, such as aiming powerful light to Philippine Air Force plane and warning to leave the area.



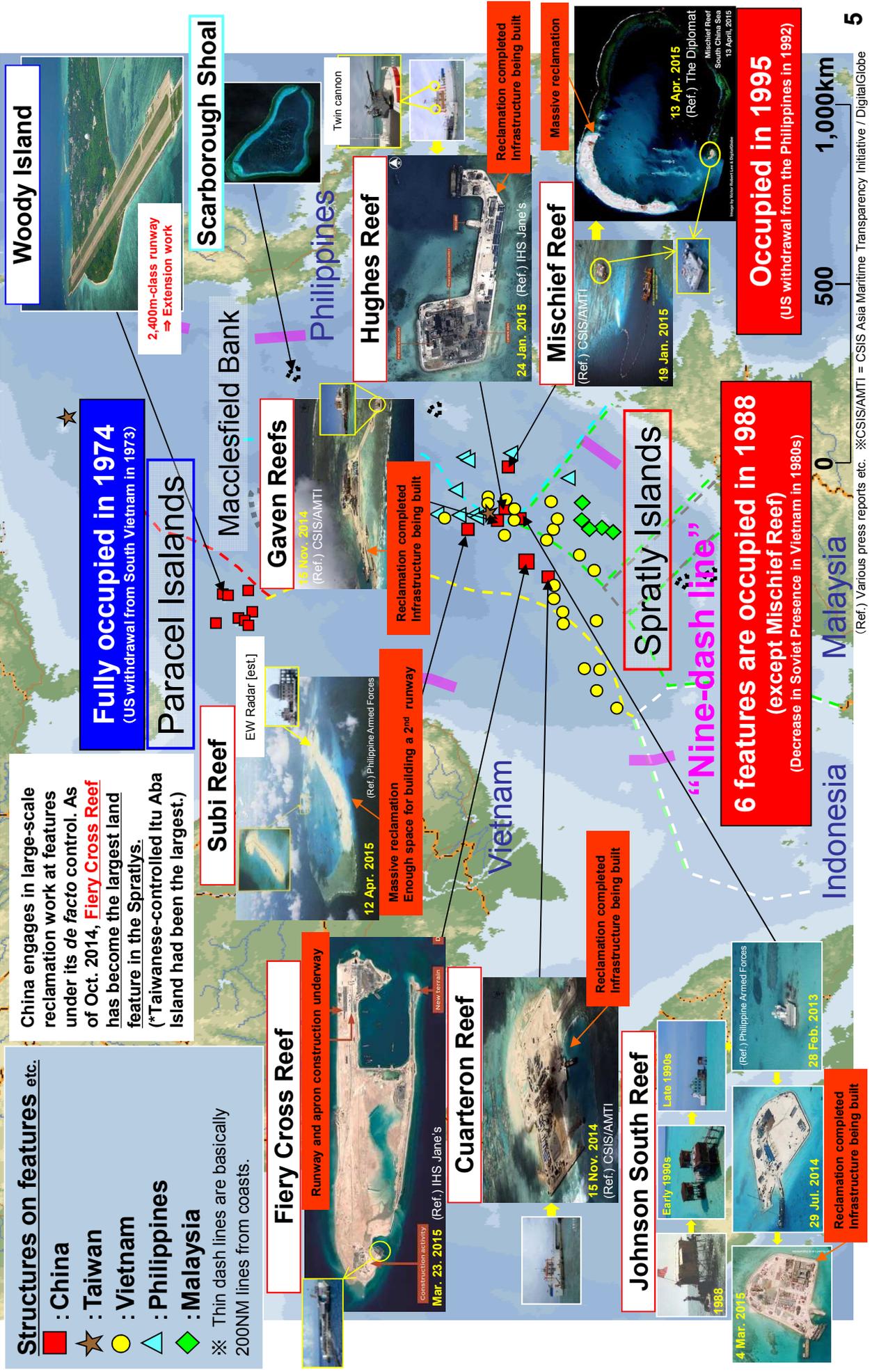
2-1 China's Occupation in SCS (before reclamation)



- China gained **de facto** control over **seven maritime features** in the Spratlys and **built structures at all of the seven features**.
- Based on its sovereignty claim, China has taken legislative and administrative actions such as the enactment of the **Law on Territorial Sea (1992)** and establishment of **Sansha City and the Sansha Security District (2012)**.



2-2 China's Occupation in SCS (after reclamation)



(Ref.) Various press reports etc. ※CSIS/AMTI = CSIS Asia Maritime Transparency Initiative / DigitalGlobe



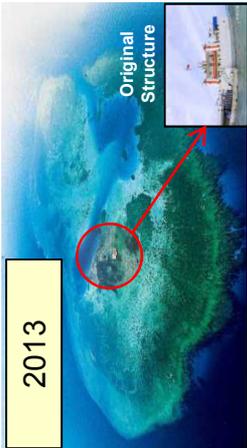
3-1 China's Reclamation Activities in SCS

(Ref.) CSIS Asia Maritime Transparency Initiative / DigitalGlobe (✳), IHS Jane's, Various press reports etc.

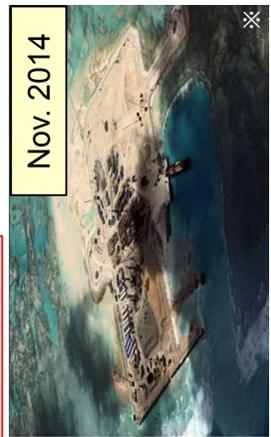
Johnson South Reef



Hughes Reef



Quarteron Reef



Gaven Reefs



Fiery Cross Reef



Subi Reef



Mischief Reef



US DoD "Annual Report to Congress – Military and Security Developments Involving the PRC 2015" (May 8, 2015)
 "As of late December 2014, China had reclaimed about 500 acres (≈ 2km²) of land as part of this effort. ... Although it is unclear what will ultimately be built on these expanded outposts, they could include harbors, communications and surveillance systems, logistics systems, and at least one airfield." ("A DoD official said that China had reclaimed approx. 2,000 acres (≈ 8km²) of land in the SCS on the day of publication.)
 On March 31, 2015, then U.S. Pacific Fleet Commander expressed concern describing China's reclamation in the SCS as "**Great Wall of Sand**".
 On April 9, 2015, the China's Foreign Ministry Spokesperson said: "After the construction, the islands and reefs will be able to provide ... services to meet various civilian demands **satisfying the need of necessary military defense**".
 On April 21, 2015, the Philippines Chief of Staff said that the reclamation "will **cause tensions** ... due to its **possible military purposes**".
 ⇒ Various press reports pointed out the **possibility of militarization of these reclaimed features** based on satellite images and/or quoting statements above.



3-2 China's Reclamation Activities in SCS (for each feature)

Johnson South Reef

February 2013



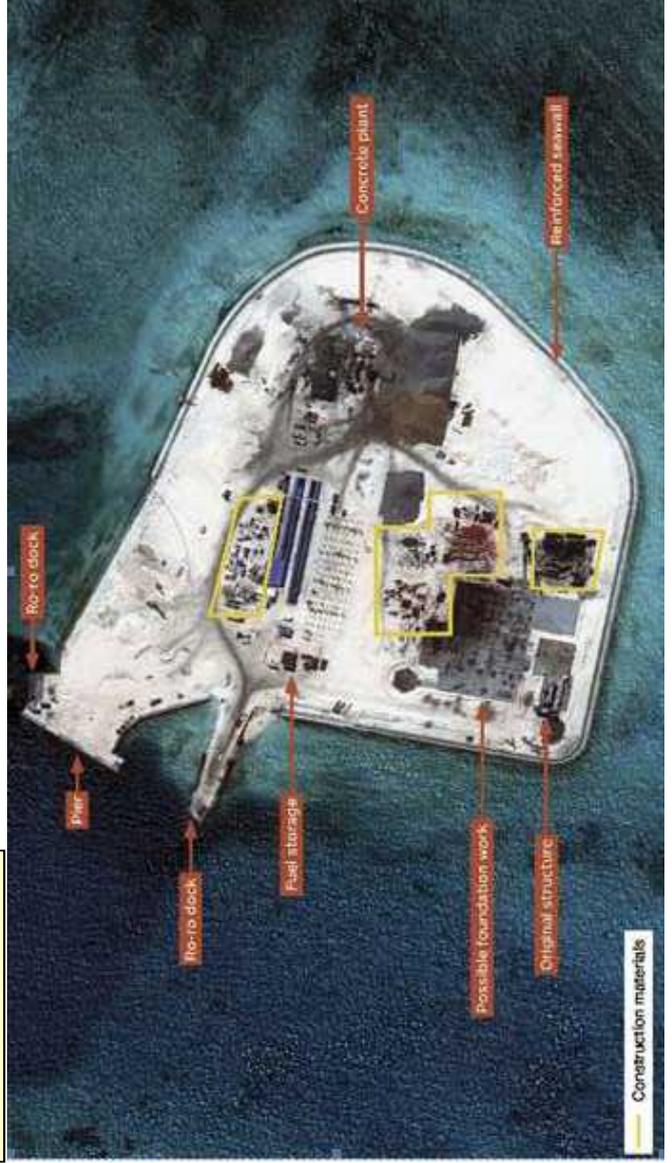
(Ref.) Philippine Armed Forces

February 2014



(Ref.) Philippine Armed Forces

August 2014



(Ref.) IHS Jane's

3-3 China's Reclamation Activities in SCS (for each feature)



Hughes Reef

2013



(Ref.) Various Info.

January 2015



(Ref.) IHS Jane's

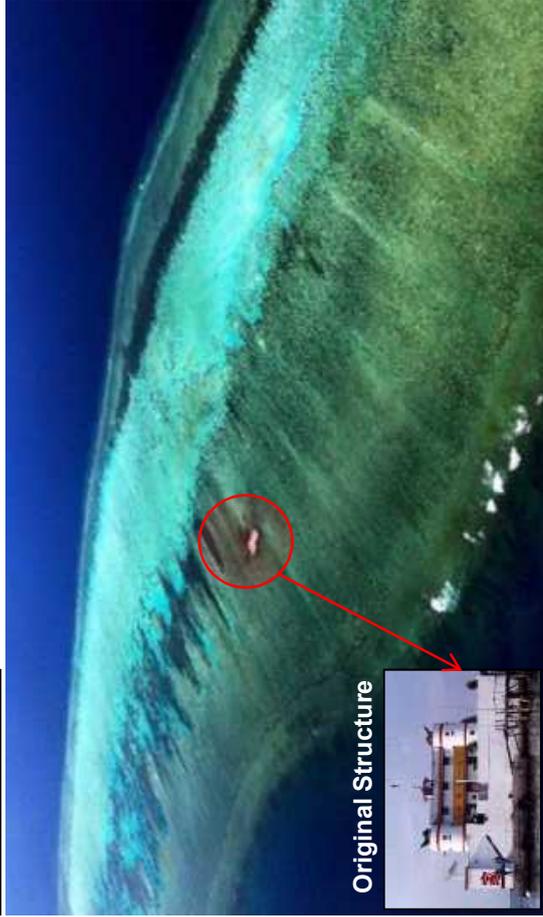




3-4 China's Reclamation Activities in SCS (for each feature)

Cuarteron Reef

March 2013



(Ref.) Various Info.

November 2014



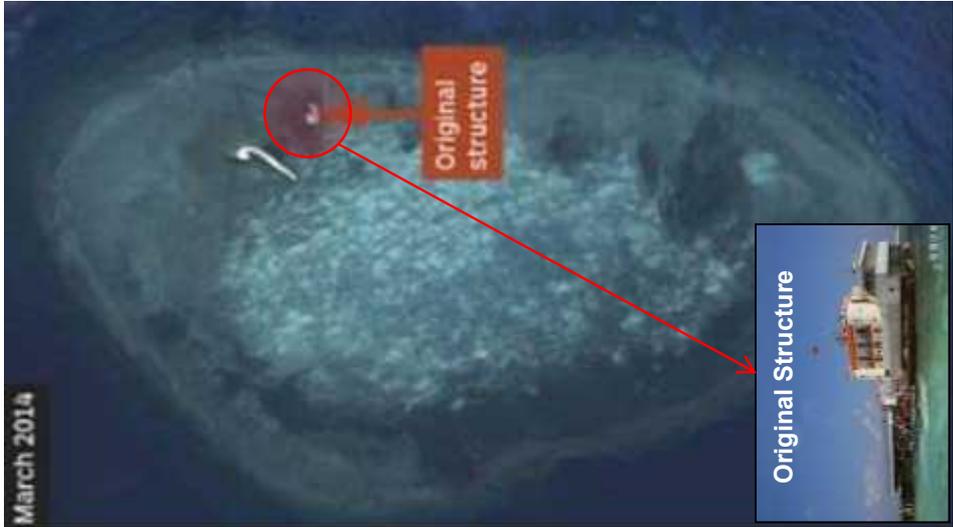
(Ref.) CSIS Asia Maritime Transparency Initiative / DigitalGlobe

3-5 China's Reclamation Activities in SCS (for each feature)



Gaven Reefs

March 2014



(Ref.) IHS Jane's

August 2014



(Ref.) IHS Jane's

January 2015

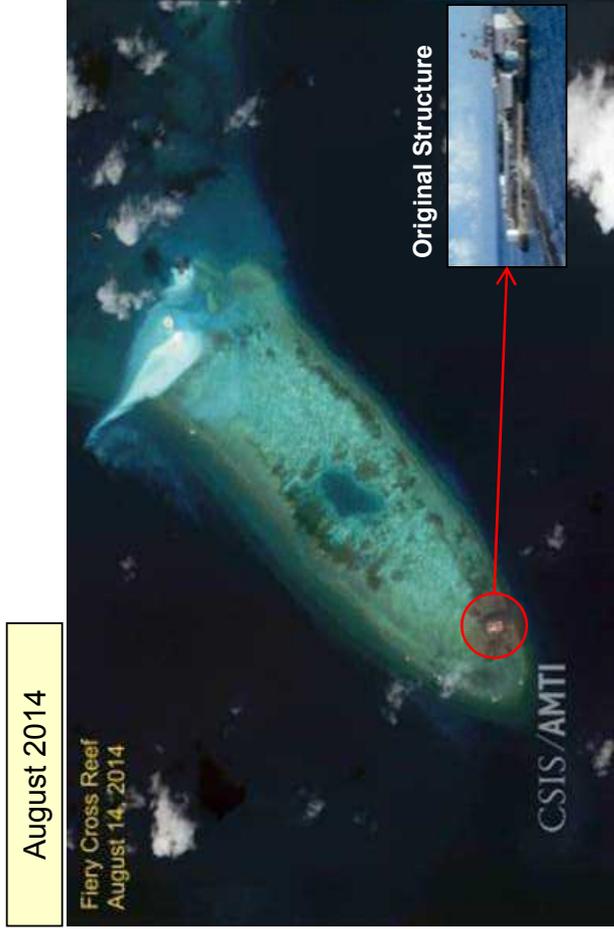


(Ref.) IHS Jane's



3-6 China's Reclamation Activities in SCS (for each feature)

Fiery Cross Reef



(Ref.) CSIS Asia Maritime Transparency Initiative / DigitalGlobe



(Ref.) CSIS Asia Maritime Transparency Initiative / DigitalGlobe



3-8 China's Reclamation Activities in SCS (for each feature)



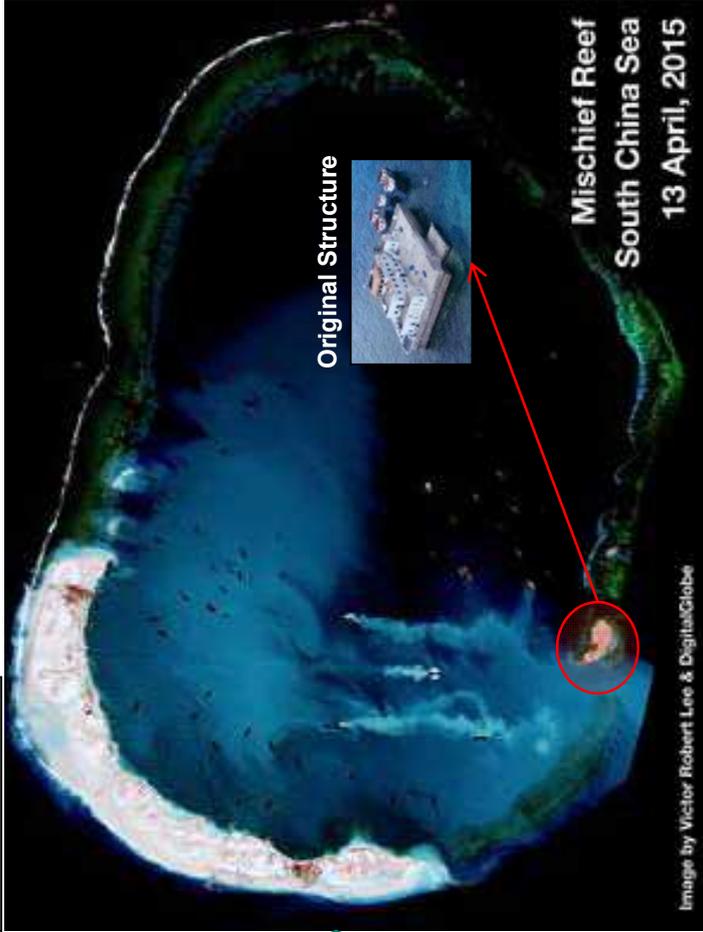
Mischief Reef

January 2012



(Ref.) CSIS Asia Maritime Transparency Initiative / DigitalGlobe

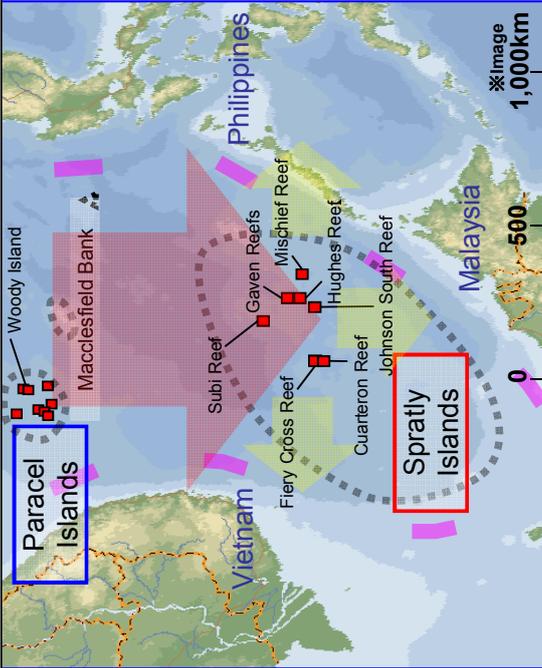
April 2015



(Ref.) The Diplomat

4 China's Increasing Presence after Spratly's Militarization

In general terms, China's possible construction of military facilities in the Spratly Islands would have the following ramifications.

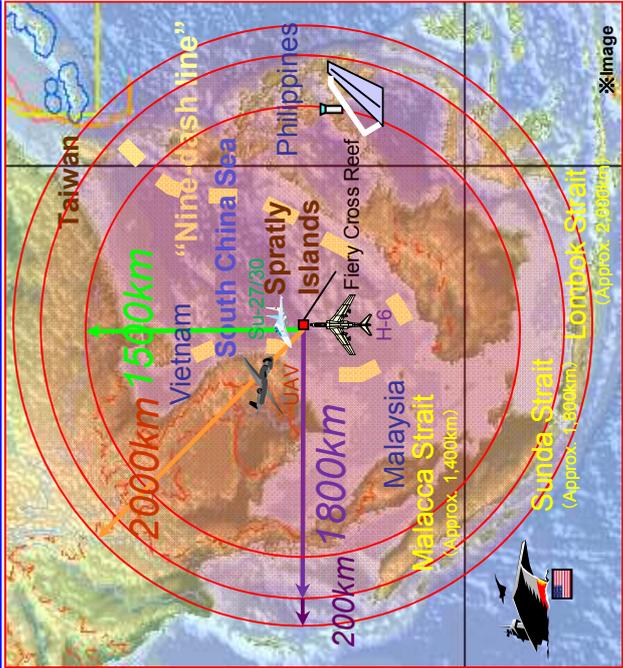


Effects of Port Construction

- **Building port facilities** of certain size capable of berthing, resupply and maintenance would enable China to maintain more robust naval and maritime law enforcement presence in the entire SCS.
- ⇒ Some observers suggest considerable impact on coastal states of the SCS.

Effects of Runway Construction

- Fiery Cross Reef with an airstrip and support facilities would enable China to forward-deploy various aerial platforms (incl. fighters, bombers and UAVs). Its ramifications may include:
 - ① China's improved air power-projection capability over the entire SCS;
 - ② enhanced air superiority over the SCS;
 - ③ improved A2/AD capabilities against U.S. intervention; and,
 - ④ possible declaration of an "SCS Air Defense Identification Zone".
- Reclamation is also being done at large-scale features such as Subi Reef, leading some observers to suggest possible construction of multiple airstrips in the Spratly Islands and attendant increase in China's air force presence.



Effects of Increasing Air/Maritime Presence

- Sustained deployment of various platforms including naval and law enforcement ships as well as aircraft enabled by military base construction would dramatically improve China's ISR and other mission capabilities in the central and southern portions of the SCS.
- Some observers express concern over China's achieving further *fait accompli* in the maritime domain, if China showcases the viability of these "islands" to sustain economic life by, for example, promoting civilian settlement (e.g. fishermen).

5 Comparison of Navy/Air Force Capabilities (China & Philippines/Vietnam/Malaysia)

There is a vast gap both in the quality and quantity of navy/air force capabilities between main coastal states in SCS (i.e. the Philippines, Vietnam, and Malaysia) and China.

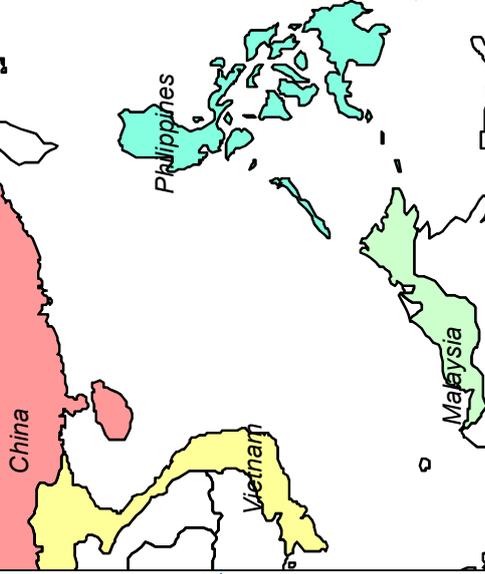
China **Warship x 892 (1,423kt)**

Submarine: Shang-class (6,100t) x 2
 Yuan-class (2,900t) x 12
 Kilo-class (3,100t) x 12 etc.
 Destroyer: Sovremenny-class (6,500t) x 4
 Luyang II (5,700t) x 3 etc.

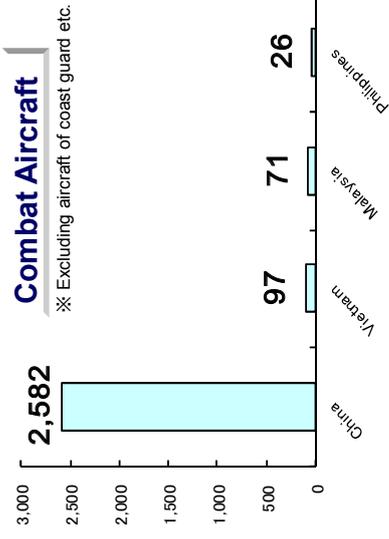
Combat aircraft x 2,582
 (incl. 4th-generation fighter x 689)
 Fighter: J-10 x 264
 Su-27/J-11 x 328
 Su-30 x 97 etc.
 Patrol aircraft (fixed-wing): Y-8 x 3 etc.

MLEF vessel x 370+
 Coastal patrol vessel (>1,500t) x 18
 Coastal patrol vessel (<1,500t) x 48 etc.
 ※ According to Global Times, China possesses 52 MLEF vessels (>1,000t-class).

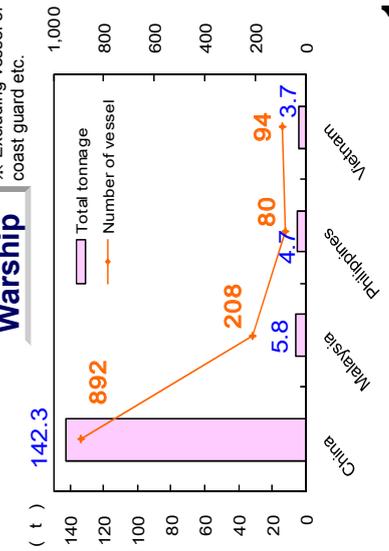
Vietnam
Warship x 94 (37kt)
 Submarine: Kilo-class(3,100t) x 2; Yugo-class(100t) x 2
 Frigate: Gepard-class (1,600t) x 2; Petya-class (1,000t) x 5
 Corvette: BPS500 (400t) x 1
Combat aircraft x 97 (incl. 4th-generation fighter x 34)
 Fighter: Su-30MK2 x 23; Su-27 x 11; MiG-21 x 33 etc.
 Patrol aircraft (fixed-wing): null



Philippines
Warship x 80 (47kt)
 Submarine: null
 Frigate: Hamilton-class (2,700t) x 2
 Cannon-class (1,400t) x 1
 Corvette: Auk-class (1,100t) x 2 etc.
Combat aircraft x 26 ※ The Philippines purchased 12 Korean fighters FA-50 in 2014, and they will be in service by 2017.
 Fighter: null※
 Attacker: OV-10 Bronco x 10
 Patrol aircraft (fixed-wing): F-27 x 1; N-22SL x 1 etc.
Marines: approx. 8,300
Philippine Coast Guard: vessel x 58
 Coastal patrol vessel (<1,500t) x 5
 Air-sea rescue helicopter x 3 etc.

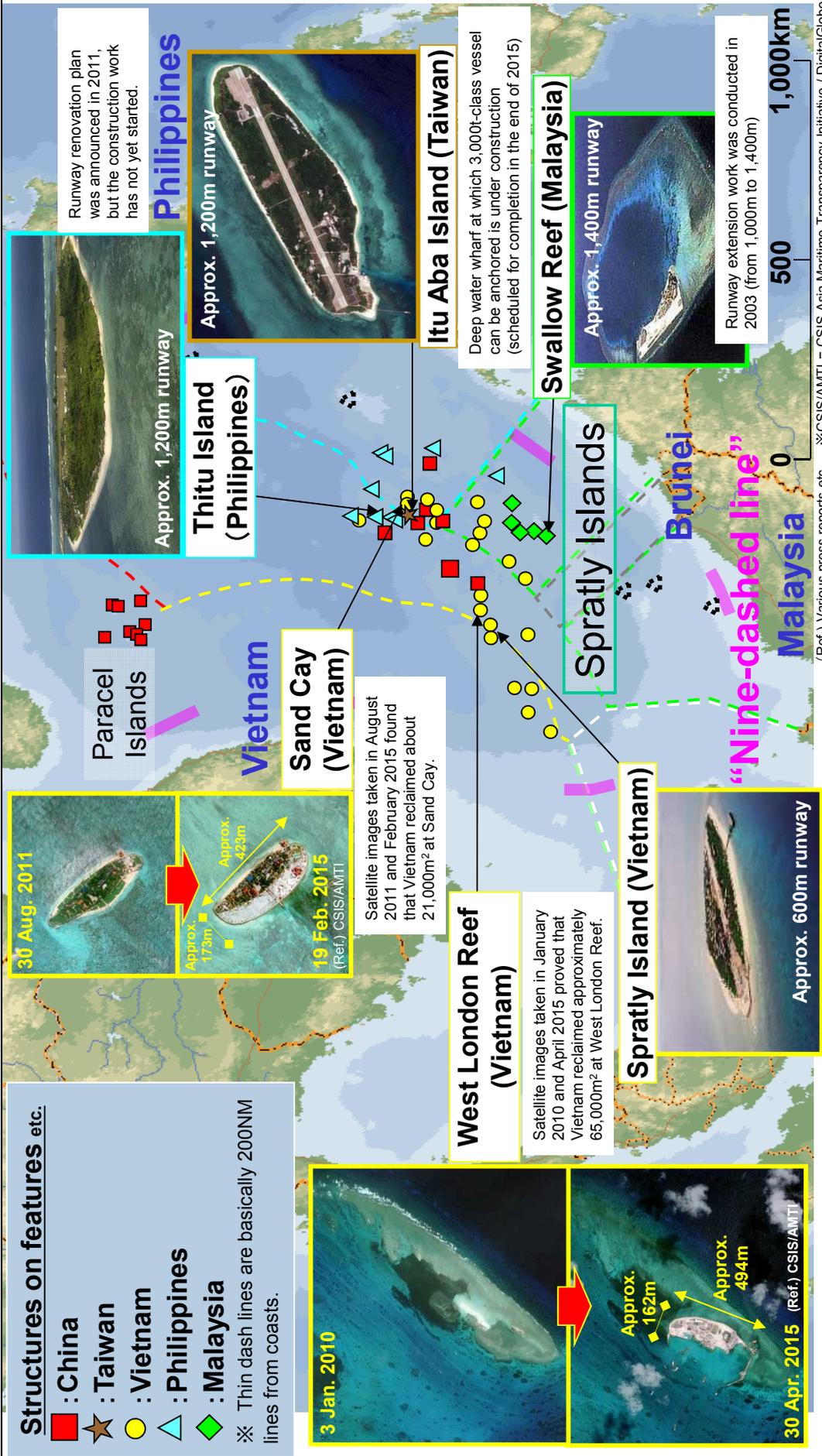


Malaysia
Warship x 208 (58kt)
 Submarine: Scorpène-class (1,800t) x 2
 Frigate: Lekiu-class (1,900t) x 2; Corvette: Kasturi-class (1,500t) x 2 etc.
Combat aircraft x 71 (incl. 4th-generation fighter x 36)
 Fighter: Mig-29 x 10; Su-30MKM x 18; F/A-18 x 8 etc.
 Patrol aircraft (fixed-wing): null
Malaysia Maritime Enforcement Agency: 4,500 Vessel x 189; Marine Police: 2,100
 Coastal patrol vessel (>1,500t) x 2; Patrol aircraft x 2
 Air-sea rescue helicopter x 3 etc.



6 Development Trends of Other Countries/Region in SCS

- Vietnam, the Philippines, Malaysia and Taiwan in the 1980s/90s built runways (600-1,200m) on the land features over which they have *de facto* control.
- All these countries/region have done facility maintenance and development. Reports suggest that Vietnam has recently conducted reclamation work.



Annex 664

United States, The White House, Office of the Press Secretary, *Press Release: Remarks by President Obama and President Xi of the People's Republic of China in Joint Press Conference (25 Sept. 2015)*

**The White House**

Office of the Press Secretary

For Immediate Release

Remarks by President Obama and President Xi of the People's Republic of China in Joint Press Conference

Rose Garden

12:22 P.M. EDT

PRESIDENT OBAMA: Good afternoon, everybody. Please have a seat.

I want to once again welcome President Xi back to the White House. We first hosted him here three years ago when he was Vice President. So this is our sixth meeting. As a result of our efforts, our two nations are working together more closely across a broader range of critical issues -- and our cooperation is delivering results, for both our nations and the world.

Since I took office, American exports to China have nearly doubled and now support nearly one million American jobs. Chinese investment in the United States helps support jobs across our country. We partner to address global challenges, whether it's promoting nuclear security, combating piracy off the Horn of Africa, encouraging development and reconciliation in Afghanistan, and helping to end the Ebola epidemic in West Africa.

The historic climate change announcements that we made last year in Beijing have encouraged other countries to step up, as well, increasing the prospects for a stronger global agreement this year. And as a member of the P5+1, China was critical to both the sanctions regime that brought Iran to the negotiating table and to the talks that produced the comprehensive deal to prevent Iran from obtaining a nuclear weapon.

So, greater prosperity and greater security -- that's what American and Chinese cooperation can deliver. That's why I want to say again, the United States welcomes the rise of a China that is peaceful, stable, prosperous, and a responsible player in global affairs. And I'm committed to expanding our cooperation, even as we address disagreements candidly and constructively. That's what President Xi and I have done on this visit -- during our working dinner last night and our meetings

today.

Let me mention some specifics. First, with respect to our economic relationship, we agreed to step up our work toward a high-standard bilateral investment treaty that would help level the playing field for American companies. We've committed ourselves to a set of principles for trade in information technologies, including protection of innovation and intellectual property. President Xi discussed his commitment to accelerate market reforms, avoid devaluing China's currency, and have China play a greater role in upholding the rules-based system that underpins the global economy -- all of which are steps we very much support.

I raised once again our very serious concerns about growing cyber-threats to American companies and American citizens. I indicated that it has to stop. The United States government does not engage in cyber economic espionage for commercial gain. And today, I can announce that our two countries have reached a common understanding on the way forward. We've agreed that neither the U.S. or the Chinese government will conduct or knowingly support cyber-enabled theft of intellectual property, including trade secrets or other confidential business information for commercial advantage. In addition, we'll work together, and with other nations, to promote international rules of the road for appropriate conduct in cyberspace.

So this is progress. But I have to insist that our work is not yet done. I believe we can expand our cooperation in this area, even as the United States will continue to use all of the tools at our disposal to protect American companies, citizens and interests.

Second, I'm pleased that we're building on last year's climate commitments. Last month, I issued our Clean Power Plan to help reduce America's carbon emissions. Today, I want to commend China for announcing that it will begin a national market-based cap-and-trade system to limit emissions from some of its largest sectors. Last year, I announced our pledge of \$3 billion to the Green Climate Fund to help developing nations deal with climate change. Today, I welcome China's major commitment of climate finance for the most vulnerable countries as well.

Our two countries are also putting forward our common vision for the ambitious climate change agreements that we seek in Paris. When the world's two largest economies, energy consumers and carbon emitters come together like this, then there's no reason for other countries -- whether developed or developing -- to not do so as well. And so this is another major step towards the global agreement the world needs to reach in two months' time.

Third, with respect to security in the Asia Pacific, we agreed to new channels of communication to reduce the risks of miscalculations between our militaries. The United States and China have reaffirmed our commitment to the complete and verifiable denuclearization of the Korean Peninsula in a peaceful manner. We demand the full implementation of all relevant U.N. Security Council resolutions and we will not accept North Korea as a nuclear weapon state.

We did have candid discussions on the East and South China Seas, and I reiterated the right of all

countries to freedom of navigation and overflight and to unimpeded commerce. As such, I indicated that the United States will continue to sail, fly and operate anywhere that international law allows. I conveyed to President Xi our significant concerns over land reclamation, construction and the militarization of disputed areas, which makes it harder for countries in the region to resolve disagreements peacefully. And I encouraged a resolution between claimants in these areas. We are not a claimant; we just want to make sure that the rules of the road are upheld.

I reiterated my strong commitment, as well, to our One-China policy based on the Three Joint Communiqués and the Taiwan Relations Act.

Fourth, we've agreed to do more to promote international security. At the United Nations in the coming days, the U.S. and China will bring countries together to promote development in Afghanistan, and we'll work with our many partners to strengthen international peacekeeping. We agree that all parties, including Iran, need to fully implement the nuclear deal, and that U.N. Security Council resolutions need to be fully enforced.

For the first time, the U.S. and China will also formally partner to promote global development.

Building on our efforts against Ebola, we'll work to strengthen global health security. We'll expand our joint efforts on humanitarian assistance, disaster response, agricultural development and food security. And given China's success in lifting hundreds of millions of people out of poverty -- which is one of the most remarkable achievements in human history -- we will help rally the world this weekend around new development goals, including our goal to end extreme poverty.

Fifth, we had a frank discussion about human rights, as we have in the past. And I again affirmed America's unwavering support for the human rights and fundamental freedoms of all people, including freedom of assembly and expression, freedom of the press and freedom of religion. And I expressed in candid terms our strong view that preventing journalists, lawyers, NGOs and civil society groups from operating freely, or closing churches and denying ethnic minorities equal treatment are all problematic, in our view, and actually prevent China and its people from realizing its full potential.

Obviously, we recognize that there are real differences there. And President Xi shared his views in terms of how he can move forward in a step-by-step way that preserves Chinese unity. So we expect that we're going to continue to consult in these areas.

Even as we recognize Tibet as part of the People's Republic of China, we continue to encourage Chinese authorities to preserve the religious and cultural identity of the Tibetan people, and to engage the Dalai Lama or his representatives.

Finally, we're taking more steps to expand the connections between our two peoples. We launch a new initiative to boost tourism between our countries in the coming months. And just as children across China learn English, we're starting a new initiative called "1 Million Strong" to encourage 1 million American students to learn Mandarin Chinese over the next five years.

Vice President Biden pointed out that two of his children are already on track -- two of his grandchildren, actually. After all, if our countries are going to do more together around the world, then speaking each other's language, truly understanding each other, is a good place to start.

So, overall, we've had an extremely productive meeting. The particular work that has been done by our teams shows the extraordinary progress that we can make when we're working together. The candid conversations between President Xi and myself about areas of disagreement help us to understand each other better, to avoid misunderstandings or miscalculations, and pave the way potentially for further progress in those areas.

And, President Xi, I want to thank you again for expanding your commitment to cooperation between our nations. I believe that it's another reminder that as we work to narrow our differences, we can continue to advance our mutual interests for the benefit not only of our two peoples, but for the benefit of the world.

Thank you very much.

PRESIDENT XI: (As interpreted.) President Obama, dear friends from the press, ladies and gentlemen, dear friends -- good morning. It's a great pleasure for me to meet with all of you together with President Obama. Let me begin by thanking again President Obama and the U.S. government for the gracious hospitality and thoughtful arrangements and warm reception accorded to me and the Chinese delegation. I also want to thank the American people for a warm welcome.

Yesterday and today, President Obama and I have had in-depth discussions on our respective domestic and foreign policies, important topics in bilateral relations, international and regional situation. Our meetings are constructive and productive, and we have reached extensive and important consensus.

During the discussions, President Obama shared with me the domestic agenda and foreign policy priorities that he has been working on. And I congratulated him on the progress that he has made in those areas. I appreciate President Obama's reaffirmation to me that the United States welcomes the rise of a peaceful, stable and prosperous China. It supports China to play a bigger role in the international arena. And the United States supports China's reform at opening up.

I indicated to President Obama that China is making all-around efforts to deepen comprehensive reform, to build law-based governance, to enforce strict party discipline, so as to achieve the grand goal of building a society of initial prosperity in all respects. The reform at opening up China will not stop.

China is firmly committed to the path of peaceful development. It is committed to growing friendship and cooperative relations with all countries in the world. To work with the United States to build the new model of major-country relationship without conflict, without confrontation, with mutual respect and win-win cooperation is a priority in China's foreign policy.

We have spoken highly of the important progress made in China-U.S. relations since the Sunnylands summit in 2013. And we have agreed to follow the consensus, expand the practical cooperation in various areas at the bilateral, regional, and global level, and manage differences and sensitive issues in constructive manner, and to advance the new model of major-country relationship between China and the United States.

We have agreed to deepen the practical cooperation in various areas at the bilateral scope. We have agreed to vigorously push forward the bilateral investment treaty negotiation, speed up the pace of the work so as to achieve a high standard and balanced agreement.

We will expand mutually beneficial cooperation in energy, environmental protection, science and technology, aviation, infrastructure, agriculture, health and other areas. The two governments and relevant agencies have signed many cooperation agreements, and our businesses have signed a series of commercial contact.

China and the United States are highly complementary economically and there is huge potential for further cooperation. For the United States to recognize China's market economy status and ease export control on civilian high-tech items, it will help expand the mutually beneficial cooperation between the two countries.

We have also had in-depth discussion on the current international, economic, and financial situation. We have agreed to step up macroeconomic policy coordination and jointly promote global economic growth and financial stability. To this end, we have established the mechanism on regular phone conversation on economic affairs between China and the United States which will be led by Vice Premier Wong Yang of China and Secretary of Treasury Jacob Lew. They will stay in close communication on respective and global major economic issues.

We will also step up cooperation within G20, the World Bank, IMF, and other multilateral mechanisms. I appreciate the U.S. supporting including the RMB into the IMF Special Drawing Rights when certain standards of the IMF are met. And I also appreciate the U.S. commitment to implement the IMF quota and governance structure reform plan adopted at the G20 Summit in 2010 at an early date.

We have truly affirmed the new progress made in the confidence-building mechanisms between the two militaries. We have agreed to step up exchanges in policy dialogues between the two militaries at all levels, hold more joint exercises and training. We believe that terrorism is the common enemy of mankind, and we have agreed to step up multilateral and bilateral counterterrorism cooperation. We have decided to increase communication and cooperation on counter-piracy, humanitarian assistance, and disaster reduction, and international peacekeeping operation, and also anti-corruption -- law enforcement cooperation to jointly fight against all kinds of transnational corruption crimes.

We have in-depth discussion on the situation of the Asia Pacific. And we believe that China and the United States have extensive common interests in this region, and we should continue to deepen

dialogue and cooperation on regional affairs and work together to promote active interactions and inclusive cooperation in the Asia Pacific, and work with countries in the Asia Pacific to promote peace, stability, and prosperity in this region.

China is committed to the path of peaceful development and a neighboring foreign policy characterized by good neighborliness and partnership with our neighbors. Islands in the South China Sea since ancient times are China's territory. We have the right to uphold our own territorial sovereignty and lawful and legitimate maritime rights and interests. We are committed to maintaining peace and stability in the South China Sea, managing differences and disputes through dialogue, and addressing disputes through negotiation, consultation, and peaceful manner, and exploring ways to achieve mutual benefit through cooperation.

We're committed to respecting and upholding the freedom of navigation and overflight that countries enjoy according to international law. Relevant construction activities that China are undertaking in the island of South -- Nansha Islands do not target or impact any country, and China does not intend to pursue militarization.

China and the United States have a lot of common interests on the issue of South China Sea. We both support peace and stability of the South China Sea. The countries directly involved should address their dispute through negotiation, consultation and in peaceful means. And we support freedom of navigation and overflight of countries according to international law and the management of differences through dialogue, and full and effective implementation of DOC and an early conclusion of the consultation of COC based on consensus-building. We have agreed to maintain constructive communication on relevant issues.

China and the United States are two major cyber countries and we should strengthen dialogue and cooperation. Confrontation and friction are not made by choice for both sides. During my visit, competent authorities of both countries have reached important consensus on joint fight against cyber-crimes. Both sides agree to step up crime cases, investigation assistance and information-sharing. And both government will not be engaged in or knowingly support online theft of intellectual properties. And we will explore the formulation of appropriate state, behavior and norms of the cyberspace. And we will establish a high-level joint dialogue mechanism on the fight against cyber-crimes and related issues, and to establish hotline links.

Democracy and human rights are the common pursuit of mankind. At the same time, we must recognize that countries have different historical processes and realities, and we need to respect people of all countries in the right to choose their own development path independently.

The Chinese people are seeking to realize the great renewal of the Chinese nation, which is the Chinese history. This process in essence is a process to achieve social equity and justice and advancing human rights. China stands ready to, in the spirit of equality and mutual respect, conduct human rights dialogue with the United States, expand consensus, reduce differences, learn from each other, and progress together.

We have decided to continue to work together to tackle global challenges and provide more public good for the international community. We, again, issued a joint announcement on climate change. We have agreed to expand bilateral practical cooperation, strengthen coordination in multilateral negotiation, and work together to push the Paris climate change conference to produce important progress.

We have signed China-U.S. development cooperation MOU, and we have agreed to expand trilateral cooperation in Asia, Africa and other regions in terms of food security, public health system establishment, emergency response, and disaster reduction. And we will maintain communication and coordination in implementing the post-2015 development agenda, promote a more equitable and balanced global development partnership, and help developing countries to achieve common development.

We have agreed to firmly uphold the international nuclear non-proliferation regime. President Obama and I welcome the comprehensive Joint Plan of Action reached by relevant parties regarding the Iranian nuclear issue. We reaffirmed that all relevant parties should undertake to implement the agreement fully, and work together to implement all relevant United Nations Security Council resolutions.

We reaffirm our commitment to realize the complete and verifiable denuclearization of the Korean Peninsula in peaceful way. And we oppose any action that might cause tension in the Korean Peninsula or violate U.N. Security Council resolution. We believe that the September the 19th joint statement of the Six-Party talks and relevant U.N. Security Council resolutions should be implemented in full, and all relevant parties should work together to firmly advance the denuclearization process of the Korean Peninsula, and maintain peace and stability so as to achieve enduring peace and stability in Northeast Asia.

The friendship between the two peoples is the most reliable foundation for long-term and stable development of China-U.S. relations and we should endeavor to solidify this important foundation.

We have decided to make 2016 a year of tourism for China and the United States. In the next three years, we will fund a total of 50,000 students to study in each other's countries. We also welcome the United States' decision to extend the 100,000 Strong initiative from universities to elementary and secondary schools, and by 2020, 1 million American students will learn Mandarin.

The door of friendship of China will continue to be open to the American people. I also hope that the Chinese people could come to the United States for holidays or visits more easily and conveniently.

Mr. President, with 36 years of development, the interests of China and the United States are deeply interconnected, and we have greater responsibilities for world peace and human progress. There are broad areas that the two sides should and can work together. The Chinese side stands ready to work with the United States to uphold a spirit of perseverance, and advance bilateral relations to seek

further progress to the better benefits of the Chinese and American people and the people in the world.

Thank you. (Applause.)

PRESIDENT OBAMA: Okay, we're going to take a few questions. We're going to start with Margaret Talev of Bloomberg.

Q Thank you, Mr. President. President Obama and President Xi, I'd like to talk to you about cyber. If I am an American business and I'm being hacked by Chinese pirates who are trying to steal my intellectual property, what firm assurances can you give us today that things are going to get better, and when?

President Obama, are you satisfied enough about the steps that China is taking to hold off on imposing any new sanctions to this end? Or what do you still need to see?

And, President Xi, could we expect prosecutions of Chinese people and organizations who have hacked American businesses? And if the U.S. did sanction anyone in China, would you respond with sanctions?

Also, everyone will kill me if I don't ask -- what is your reaction to House Speaker John Boehner's decision to resign? (Laughter.) Will this make life better or worse for you? Are you concerned it will make it more difficult to avoid a government shutdown or raise the debt limit? And do you think Boehner could just waive the rules and get immigration reform through before he leaves? Thank you.

PRESIDENT OBAMA: I'll take them in order. With respect to cyber, this has been a serious discussion between myself and President Xi since we first met in Sunnylands. And the good news, from my perspective, is, is that in the lead-up to and then finalized during our meetings here today, we have, I think, made significant progress in agreeing to how our law enforcement and investigators are going to work together, how we're going to exchange information, how we are going to go after individuals or entities who are engaging in cyber-crimes or cyber-attacks. And we have jointly affirmed the principle that governments don't engage in cyber-espionage for commercial gain against companies. That all I consider to be progress.

What I've said to President Xi and what I say to the American people is the question now is, are words followed by actions. And we will be watching carefully to make an assessment as to whether progress has been made in this area.

With respect to the various tools that we have to go after those who are attacking our companies or trying to extract trade secrets or data, we have traditional law enforcement tools, but -- as I indicated a while back -- through executive action, I've also instituted the ability to impose sanctions on individuals or entities where we have proof that they've gone after U.S. companies or U.S. persons.

And we did not, at our level, have specific discussions of specific cases. But I did indicate to President Xi that we will apply those and whatever other tools we have in our toolkit to go after cyber criminals, either retrospectively or prospectively. Those are tools generally that are not directed at governments; they are directed at entities or individuals that we can identify. And they're not unique to China. Those are tools that we're going to be using for cyber criminals around the world.

And President Xi, during these discussions, indicated to me that, with 1.3 billion people, he can't guarantee the behavior of every single person on Chinese soil -- which I completely understand. I can't guarantee the actions of every single American. What I can guarantee, though, and what I'm hoping President Xi will show me, is that we are not sponsoring these activities, and that when it comes to our attention that non-governmental entities or individuals are engaging in this stuff, that we take it seriously and we're cooperating to enforce the law.

The last point I'll make on the cyber issue -- because this is a global problem, and because, unlike some of the other areas of international cooperation, the rules in this area are not well developed, I think it's going to be very important for the United States and China, working with other nations and the United Nations and other -- and the private sector, to start developing an architecture to govern behavior in cyberspace that is enforceable and clear.

It doesn't mean that we're going to prevent every cyber-crime, but it does start to serve as a template whereby countries know what the rules are, they're held accountable, and we're able to jointly go after non-state actors in this area.

On John Boehner, I just heard the news as I was coming out of the meeting here, so it took me by surprise. And I took the time prior to this press conference to call John directly and talk to him.

John Boehner is a good man. He is a patriot. He cares deeply about the House, an institution in which he served for a long time. He cares about his constituents, and he cares about America. We have obviously had a lot of disagreements, and politically we're at different ends of the spectrum. But I will tell you, he has always conducted himself with courtesy and civility with me. He has kept his word when he made a commitment. He is somebody who has been gracious.

And I think maybe most importantly, he's somebody who understands that in government, in governance, you don't get 100 percent of what you want, but you have to work with people who you disagree with -- sometimes strongly -- in order to do the people's business.

I'm not going to prejudge who the next Speaker will be. That's something that will have to be worked through in the House. And I will certainly reach out immediately to whoever is the new Speaker to see what his or her ideas are, and how we can make progress in the important issues that America faces.

The one thing I will say is that my hope is there's a recognition on the part of the next Speaker -- something I think John understood, even though at times it was challenging to bring his caucus along -

- that we can have significant differences on issues, but that doesn't mean you shut down the government. That doesn't mean you risk the full faith and credit of the United States. You don't invite potential financial crises. You build roads and pass transportation bills. And you do the basic work of governance that ensures that our military is operating and that our national parks are open and that our kids are learning.

And there's no weakness in that. That's what government is in our democracy. You don't get what you want 100 percent of the time. And so sometimes you take half a loaf; sometimes you take a quarter loaf. And that's certainly something that I've learned here in this office.

So I'm looking forward to working with the next Speaker. In the meantime, John is not going to leave for another 30 days, so hopefully he feels like getting as much stuff done as he possibly can. And I'll certainly be looking forward to working with him on that.

PRESIDENT XI: (As interpreted.) Madam reporter has raised the cybersecurity issue. Indeed, at current, for the international community and for China and the United States, this is an issue all attach great importance to. With President Obama and I have on many occasions -- and this is a long history -- have exchange of views on this. I think it's fair to say we've reached a lot of consensus on cybersecurity, including some new consensus.

Overall, the United States is the strongest country in terms of cyber strength. China is the world's biggest cyber country in terms of the number of Web users. We have more than 600 million of netizens. Our two sides should cooperate because cooperation will benefit both, and confrontation will lead to losses on both sides. We are entirely able to carry out government department and expert levels of dialogue and exchanges to strengthen our cooperation in many respects and turn the cybersecurity between the two countries into a new growth source, rather than a point of confrontation between the two sides.

China strongly opposes and combats the theft of commercial secrets and other kinds of hacking attacks. The U.S. side, if has concerns in this respect, we can, through the exiting channels, express those concerns. The Chinese side will take seriously the U.S. provision of any information. Now, we have already, and in the future, we will still, through the law enforcement authorities, maintain communication and coordination on this matter, and appropriately address them.

So, all in all, we have broad, common interest in the field of the cyber. But we need to strengthen cooperation and avoid leading to confrontation. And nor should we politicize this issue. During my current visit, I think it's fair to say that the two sides, concerning combatting cyber-crimes, have reached a lot of consensus. Going forward, we need to, at an early date, reach further agreement on them and further put them on the ground.

Thank you.

Now I would like to propose for China's Central Television reporter to raise a question.

Q Thank you, Mr. President Xi. I have a question for President Obama. I have noticed that last night, during a meeting with President Xi Jinping, as well as at the welcoming ceremony this morning and the just-recently-made remarks, you've indicated that the U.S. welcomes the rise of a peaceful, stable and prosperous China, and supports China to play a bigger role on the international stage. Would you please elaborate? That for your office so far, what have you done to enable reaching this target? And we are more interested for the remainder of the office, what will you do still further to reach that goal? Thank you.

PRESIDENT OBAMA: Well, first of all, I think that the United States has provided a platform in the post-World War II era in which the Asia region has been able to stabilize, and the conditions in which China was able to grow so rapidly were maintained. And we're very proud of the work that we did after World War II to help rebuild both Asia and Europe; to help establish the international norms and rules that facilitated growing global trade and connections and travel and interactions; and to help maintain the peace.

Since I've been President, my goal has been to consistently engage with China in a way that is constructive, to manage our differences and to maximize opportunities for cooperation. And I've repeatedly said that I believe it is in the interests of the United States to see China grow, to pull people out of poverty, to expand its markets, because a successful and stable and peaceful China can then serve as an effective partner with us on a range of international challenges.

Last night, during our discussions, I mentioned to President Xi that as powerful as the United States is, the nature of the biggest challenges we face -- things like climate change, or terrorism, or pandemic, or refugees -- those are not issues that any one nation alone can solve. And we recognize, because of our strength and the size of our economy and the excellence of our military, that we can play a special role and carry a larger burden, but we can't do it alone. China, despite its size, still has development challenges of its own, so it can't solve these problems alone. We've got to work together. We've got to cooperate.

And I think that can happen as long as we continue to recognize that there's a difference between friendly competition -- which we have with some of our closest friends and allies like Great Britain or Germany -- and competition that tilts the playing field unfairly in one direction or another. That's typically where tensions between our countries arise, is our desire to uphold international norms and rules -- even as we recognize that we need to update some of these international institutions to reflect China's growth and strength and power.

So President Xi mentioned IMF reform, quota reform. That's an area where we fully support and want to implement a greater voice and vote for China in that institution, reflective of its strength. The same will be true when we go up to the United Nations on peacekeeping initiatives. China is able to project its capabilities in a way that can be extremely helpful in reducing conflict.

And in all of those issues, as well as education, science, technology, we think that the opportunities for

cooperation are there as long as there's reciprocity, transparency, and fairness in the relationship.

And what I have said in the past to President Xi is, is that given China's size, we recognize there's still a lot of development to be done and a lot of poverty inside of China, but we can't treat China as if it's still a very poor, developing country, as it might have been 50 years ago. It is now a powerhouse. And that means it's got responsibilities and expectations in terms of helping to uphold international rules that might not have existed before.

And that is something China should welcome. That's part of the deal of being on the world stage when you're a big country, is you've got more to do. My gray hair testifies to that. (Laughter.)

Julie Davis.

Q Thank you, Mr. President. I know you said you didn't want to prejudge the next Speaker. But I wonder if you could tell us what Speaker Boehner's resignation today tells you about the Republican Party and your ability to work with Congress in the remainder of your term, particularly since it's coming at a time when you're trying to negotiate to avert a government shutdown. Does this make that easier or harder? And do you think that you'll be able to move forward with the Congress on priorities like the budget, Planned Parenthood, immigration that you weren't able to address with Speaker Boehner in his position?

And for President Xi, you've experienced an economic downturn in your country with the stock market crisis. And investors, globally, have been concerned about some of the actions you've taken to intervene in the stock market and with the currency exchange rate. I wonder if you could stay what you told President Obama, or what you can say today, to restore confidence that these interventions will not have spillover effects into the global economy in the future. Thank you.

PRESIDENT OBAMA: Well, Julie, I meant what I said. I'm not going to prejudge how I'll be able to work with the next Speaker because I don't know who the next Speaker is. And I suspect that there's going to be a lot of debate inside the Republican caucus about who they want to lead them and in what direction.

It's not as if there's been a multitude of areas where the House Republican caucus has sought cooperation previously, so I don't necessarily think that there's going to be a big shift. I do think that Speaker Boehner sometimes had a tough position because there were members in his caucus who saw compromise of any sort as weakness or betrayal. And when you have divided government, when you have a democracy, compromise is necessary. And I think Speaker Boehner sometimes had difficulty persuading members of his caucus of that.

Hopefully they've learned some lessons from 2011, the last time that they sought to introduce a non-budget item into the budget discussions. At that it was Obamacare, and they were going to shut down the government for that purpose. It ended up really hurting the economy, slowing it down, and caused a lot of hardship and a lot of problems for a lot of people.

Because it turns out, actually, government provides a lot of vital services. Our military provides us protection. Our agencies keep our air clean and our water clean. And our people every single day are helping to respond to emergencies, and helping families get Social Security checks, and helping them deal with an ailing parent. And when you insist that unless I get my way on this one particular issue I'm going to shut down all those services -- and, by the way, leave a whole lot of really hardworking people without paychecks -- that doesn't just hurt the economy; that hurts -- in the abstract, it hurts particular families.

And as I recall, it wasn't particularly good for the reputation of the Republican Party either.

So, hopefully, some lessons will be drawn there. I expect we'll continue to have significant fights around issues like Planned Parenthood, and significant fights around issues like immigration. But perhaps the visit by the Holy Father to Congress may have changed hearts and minds. I know that Speaker Boehner was deeply moved by his encounter with Pope Francis. I want to congratulate him, by the way, on facilitating that historic visit. I know it meant a lot to John and his family.

And I would just ask members to really reflect on what His Holiness said -- not in the particulars, but in the general proposition that we should be open to each other, we should not demonize each other, we should not assume that we have a monopoly on the truth or on what's right, that we listen to each other and show each other respect, and that we show regard for the most vulnerable in our society.

It's not a particularly political message, but I think it's a good one -- at a moment when, in our politics, so often the only way you get on the news is if you're really rude or you say really obnoxious things about people, or you insist that other people's points of views are demonic and evil, and leave no room at all for the possibilities of compromise.

I'd like to think that that spirit will continue to permeate Washington for some time to come. And I know that, in his heart, that's who John Boehner was. It was sometimes hard to execute. But as I said, he is a good man and a reasonable man. And he's going to be around for a while, and I hope that we can get some things done before he steps down.

PRESIDENT XI: (As interpreted.) Thank you, madam reporter, for your interest in China's economy. China is now committed to improving the marketized renminbi exchange rate formation regime. Since 2005, we adopted the exchange rate reform. By June this year, the renminbi has risen in value by more than 35 percent with the U.S. dollar. Last month -- in fact, we are continuing to make reforms to the renminbi exchange rate central parity quotation regime. That increased the intensity for the markets to determine the exchange rate of renminbi.

Due to the influence of factors, such as the previous strengthening of the U.S. dollar and somewhat turbulence on the financial market, the renminbi exchange rate after reform has experienced a certain degree of fluctuation. However, there is no basis for the renminbi to have a devaluation in the long run. At present, the exchange rate between renminbi and U.S. dollars is moving toward stability.

Going forward, China will further improve the marketization and formation regime of renminbi exchange rate, maintain the normal fluctuation of the exchange rate, and maintain the basic stability of renminbi at an adaptive and equilibrium level.

At present, China is also under increasing pressure of economic downturn and some fluctuations on the stock market. Challenges and difficulties have obviously increased. But what we are taking is proactive fiscal policy and prudent monetary policy. And we describe them as measures to stabilize growth, promote reform, restructuring, promote people's livelihood, and fend off risks.

By comprehensively taking measures, we managed to maintain a 7 percent of growth rate in the first half of this year. Last year, we achieved a 7.3 percent of growth rate. And compared with the aggregate economic strength, the increase -- the absolute increase of the economy is equivalent to the size of a middle-sized economy.

So for the first half of this year, our growth order is 7 percent, and for the whole year, I think it is expected at the same level. The Chinese economy maintaining a mid-to-high growth of rate. This is a fundamental that has not changed, because we are equipped with several conditions.

First of all, our people's income are still at a middle income period. When countries are developing, this is a period where there will be further development. At present, our per capita GDP only stands at \$700-\$800 U.S. dollars, and that is very much behind the United States. There is big room for ascendancy and for increase. And we are now doing what we call as the full reforms or the full processes, which is in formatization -- a new type of industrialization, urbanization, and the agricultural modernization.

Take the urbanization as an example. Every year, it will increase by 2 percent. Now our urbanization ratio is 53 percent, and it is expected to grow by 2 percent. And that is equivalent to something like 10 million people moving from rural areas to the urban areas. At the same time, we're also should not let the rural areas be backward. We need to develop the rural areas. Through the Internet Plus and other policies our industrialization and our urbanization will have a frog-leap development.

Now, the Chinese economy -- turning to a slower growth rate and turning it from a speed-based growth to quality-based growth, and we are moving from an export-driven and investment-driven economy into an economy driven by expanded consumption and domestic demand. We call this as a new normal of the Chinese economy. And I'm confident that going forward, China will surely, for all of us, for everybody, provide a healthy growth that strengthens confidence.

Thank you. And now I would like to remind reporter from the People's Daily of China to raise questions.

Q Thank you, President Xi. I have a question -- to seek guidance. Now, some people in America believe that China's growth might challenge the U.S. leading position in the world. My question for President Xi is, what is your view on the current United States and what is China's U.S. policy? Thank

you.

PRESIDENT XI: (As interpreted.) Thank you. In my view, the U.S. in economic, in military, has remarkable strength. And other countries in the world are also developing. Still, the U.S. has un-compared advantages and strengths.

The Cold War has long ended. Today's world has entered into an era of economic globalization where countries are interdependent upon each other. People should move ahead with the times, and give up on the old concepts of "you lose, I win" or "zero-sum game," and establish a new concept of peaceful development and willing cooperation.

If China develops well, it will benefit the whole world and benefit the United States. If the U.S. develops well, it will also benefit the world and China.

China's policy towards the U.S. is consistent and transparent. As the world's biggest developing country and biggest developed countries, and as the world's two biggest economies, our two sides have broad and common interests on world peace and human progress, and shoulder important and common responsibilities, although our two sides also have certain differences. But the common interests of the two countries far outweigh those differences.

It is also my sincere hope that the two sides of China and the U.S. will proceed from the fundamental interests of the two peoples and world people, make joint efforts to build a new model of major-country relations between two countries, and realize non-conflict, non-confrontation, mutual respect and cooperation.

That should serve as a direction where both sides should strive unswervingly. China is the current international system's builder, contributor, and developer, and participant, and also beneficiary. We are willing to work with all other countries to firmly defend the fruits of victory of the Second World War, and the existing international system, centered on the -- and at the same time, promote them to developing a more just and equitable direction.

China has raised the One Belt One Road initiative and proposed to establish the AIIB, et cetera. And all of their aims are to expand mutual and beneficial cooperation with other countries and realize common development. These initiatives are open, transparent, inclusive. They are consistent in serving the interests of the U.S. and other countries' interest. And we will come -- the U.S. and other parties -- to actively participate in them.

Thank you.

END

1:20 P.M. EDT

Annex 665

United States, The White House, Office of the Press Secretary, *Remarks by President Obama and President Xi of the People's Republic of China in Joint Press Conference*, Video (25 Sept. 2015), available at <https://www.whitehouse.gov/photos-and-video/video/2015/09/25/president-obama-and-president-people-s-republic-china-hold-joint-p> (accessed 5 Nov. 2015)

Annex 665 is an unabridged recording of the Remarks by President Obama of the United States and President Xi of the People's Republic of China in a Joint Press Conference. The video was accessed and downloaded from the White House's website at the following address on 5 Nov. 2015: <https://www.whitehouse.gov/photos-and-video/video/2015/09/25/president-obama-and-president-people-s-republic-china-hold-joint-p>.

The file is available as Annex 665 in the electronic submission. A transcript and translation thereof are produced as Annex 664.

Annex 666

Ministry of Foreign Affairs of the Republic of Korea, “Dokdo: Facilities”, *available at* <http://dokdo.mofa.go.kr/eng/introduce/facility.jsp> (accessed 11 Nov. 2015)



Facilities



Home > Facts about Dokdo > Life on Dokdo > Facilities

Dokdo consists of forest land, land lots, and land for other use. Currently a coast guard residence, residents' living quarters, docking facilities, and a staffed lighthouse are in use.



Seodo



Residents' Living Quarters

- Extension constructed in August 2011 (2 Residents and 2 Ulleung-gun Office staff members reside here)
- Area: 373m²
- 2 Water generators (4 tons/day)
- 2 Diesel generators (50kw)

More +



Drinking Facilities

- Water well stores up to 1 ton/day
Able to store up to 3 tons

More +



Hiking Trail

- 550m (breadth: 0.6~0.8m)

More +



Dongdo



Docking Facilities

- Construction completed in November 1997
- Accommodates vessels weighing up to 500 tons
- Length: 80m, Area: 1,945m²

More +



Dokdo Lighthouse

- First built in August 1954
- Extension constructed in December 1998
- Transitioned into a staffed lighthouse in December 1998 (3 watchmen)
- Area: 161m², Height: 15m
- Distance of light source: 25 miles
- 2 Diesel generators (75kw)
- 1 Solar Power generator (15kw)

More +



Satellite Antenna

- Installed in June 2000
- 2 Satellite Internet Stations

More +



Coast Guard Station

- Extension constructed in August 1997 (30 employees)
- 1 Residence building: 658m²
- Drinking well (27 tons/day)
- 1 Heliport: 400m²

More +

- 1 Cable car: 300m² (1.5 ton)
(From docking facility to coast guard residence)
- Sea water purification facilities



📍 **Hiking Trail**

- 796m (breadth: 0.8~1m)

More +

Annex 667

Ministry of Foreign Affairs of the Republic of Korea, “Dokdo: Residents & Visitors”, *available at* <http://dokdo.mofa.go.kr/eng/introduce/residence.jsp> (accessed 11 Nov. 2015)



Residents & Visitors



Home > Facts about Dokdo > Life on Dokdo > Residents & Visitors

Residents

Home to approximately 50 residents

Since the late Jongduck Choi, the first resident of Dokdo, began to live on the island in March 1965, Dokdo has become home to Mr. Sungdo Kim and his wife, 40 coast guards, 5 lighthouse managers, and 2 staff members of Ulleung-gun's Dokdo Management Office (as of September 2013).



Residents of Dokdo



Entrance to Dokdo's Residential Quarters



Coast Guards on Dokdo

Visiting Dokdo

The number of visitors to Dongdo (East Islet) since 2005 has reached 1.2 million.

- A daily average of 805 tourists visit Dongdo (as of September 2013).
- Prior permission from Ulleung-gun is necessary to visit Seodo.

Number of Visitors by Year

Year	Number
2005	41,134
2006	78,152
2007	101,428
2008	129,910
2009	135,376
2010	115,074
2011	179,621
2012	205,778
2013	255,838



Tourists on Dokdo



Tourists entering Dokdo

2014	139,892
Total	1,382,203



Procedures for Visiting Dokdo

Entrance Procedures



Cruise Line Information

Company	Contact No.	Name of Ship	Duration	No. of Passengers	Landing
Dolphin Shipping	+82-54-791-8111~2	Dolphin	1 hr 40 min.	328	Sadong Harbor
Daea Express Shipping	+82-1544-5117 +82-54-791-0801~2 +82-33-531-5891	Sea Flower 1	1 hr 50 min.	423	Sadong Harbor
		Sea Flower 2	2 hours	376	
Seaspoiville	+82-54-791-9330~1 +82-33-653-8670~1	Sea Star 1	1 hr 20 min.	443	Jeodong Harbor
		Sea Star 3	1 hr 30 min.	587	
Ulleung Transport	+82-54-791-9901	Dokdo Sarang	1 hr 50 min.	419	Jeodong Harbor

(As of Oct. 2013)

Note



- Dokdo can only be entered through Ulleungdo.
- Operation times, fares, and ports of arrival are subject to change. Please confirm with the respective cruise line companies before making reservations.
- Entry to Dokdo may be restricted depending on weather conditions, and sightseeing is restricted to Dongdo (East Islet).
- Permission from Ulleung-gun is necessary to enter Dokdo for purposes other than tourism.
- For further details, please refer to the "General Guidelines for Visiting Dokdo".

