

United States Senate

WASHINGTON, DC 20510

July 29, 2019

The Honorable Mike Pompeo
Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington, D.C. 20520

Dear Secretary Pompeo,

We write to urge you to ensure that China's aggressive and expansionist behavior in the South China Sea is a top priority in your discussions at the Association of Southeast Asian Nations (ASEAN) Regional Forum on August 2, 2019, in Bangkok. China's assertive behavior in the Exclusive Economic Zones of other claimant states, its use of reclaimed and militarized artificial features as platforms for coercion, its decision to ignore the Permanent Court of Arbitration ruling against its territorial claims, and its efforts to pressure ASEAN to negotiate a restrictive Code of Conduct all deserve greater U.S. attention, leadership, and cooperation with our allies and partners.

A South China Sea where international law is respected, freedom of navigation is ensured, commerce flows freely, multilateral regional organizations are central, and regional countries are not subject to coercion is crucial to American interests in the Indo-Pacific. China's intimidation, coercion, rejection of peaceful diplomatic arbitration, and threats of the use of force over the past several years represent a serious challenge to those interests. According to the Director of National Intelligence's Worldwide Threat Assessment of 2019, "China seeks to achieve effective control over its claimed waters with a whole-of-government strategy, compel Southeast Asian claimants to acquiesce in China's claims – at least tacitly – and bolster Beijing's narrative in the region that the United States is in decline and China's preeminence is inevitable."

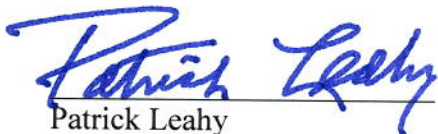
While the Administration has rightly highlighted China's militarization of the South China Sea – and we welcome the regular and routine conduct of Freedom of Navigation assertions – we are concerned that much more is needed to counter China's aggressive activities and impede its drive to operate with impunity in the South China Sea. This challenge requires a fully articulated and comprehensive strategy and a regional consensus with allies and partners, with ASEAN at the center of those efforts.

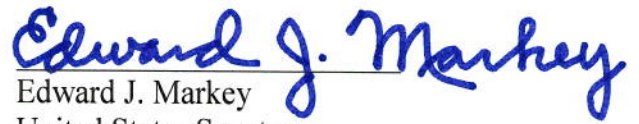
We therefore urge you to use the upcoming meeting in Bangkok as an opportunity to begin to forge such a consensus to protect the rights of U.S. allies and partners under the United Nations Convention on the Law of the Sea, end Chinese infringement of the legitimate rights of other coastal states, build respect for international law and institutions, and counter China's efforts to undermine a free and open Indo-Pacific.

It is not too late to hold China to account for its behavior, and to deter further Chinese aggression in the maritime domain. The Senate stands ready to support an enhanced effort to address this challenge. We look forward to hearing about your discussions on this topic upon your return from Bangkok.

Sincerely,


Robert Menendez
United States Senator


Patrick Leahy
United States Senator


Edward J. Markey
United States Senator


Brian Schatz
United States Senator