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(Original Signature of Member)

109TH CONGRESS
1ST SESSION

H. RES. _____

Urging the European Union to maintain its arms embargo on the People's Republic of China.

IN THE HOUSE OF REPRESENTATIVES

Mr. HYDE (for himself, Mr. LANTOS, Ms. ROS-LEHTINEN, and Mr. McCOTTER) submitted the following resolution; which was referred to the Committee on _____

RESOLUTION

Urging the European Union to maintain its arms embargo on the People's Republic of China.

Whereas the United States and the European Union (EU) have maintained arms embargoes on the People's Republic of China since 1989, following the decision of the Chinese Government on June 4, 1989, to order an unprovoked, brutal, and indiscriminate assault on thousands of peaceful and unarmed demonstrators and onlookers in and around Tiananmen Square by units of the People's Liberation Army, which resulted in an untold number of deaths and several thousand injuries;



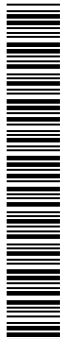
Whereas the People's Republic of China has yet to acknowledge and make amends for the 1989 massacre at Tiananmen Square and an estimated 2,000 Chinese citizens remain in prison as a result of their participation in those peaceful demonstrations according to the Department of State's Country Reports on Human Rights Practices for 2004;

Whereas the National Security Strategy of the United States approved by President George W. Bush on September 17, 2002, concludes that the People's Republic of China remains strongly committed to national one-party rule by the Communist Party and is not truly accountable to the needs and aspirations of its citizens, while preventing the Chinese people to think, assemble, and worship freely;

Whereas for several years the People's Republic of China has also been engaged in an extensive military buildup in its air, naval, land, and outer space systems, including the deployment of approximately 500 short range ballistic missiles near the Taiwan Strait according to the Department of Defense's Report on the Military Power of the People's Republic of China for Fiscal Year 2004;

Whereas the military buildup by the People's Republic of China and the strategic doctrines and policies that underpin such a buildup remain shrouded in secrecy and imply challenges for strategic deterrence between the United States and China, United States Armed Forces deployed in the Asia and Pacific region, United States commitments and interests related to the defense of numerous friends and allies in the region, particularly Taiwan and Japan, and regional stability more broadly;

Whereas the European Union and the People's Republic of China released a joint statement on December 8, 2004,



following their seventh summit meeting at The Hague in which the two sides recognized each other as “major strategic partners in the area of disarmament and non-proliferation” and the EU confirmed its “political will to continue to work towards lifting the EU arms embargo against China”;

Whereas the European Union and the People’s Republic of China also released a joint declaration on non-proliferation and arms control on December 8, 2004, at The Hague in which the EU stated its support for China’s entry into the Missile Technology Control Regime (MTCR);

Whereas on December 20, 2004, the Government of the United States determined that seven entities of the People’s Republic of China, including several entities that play major roles in China’s military-industrial complex, should be subject to sanctions under section 3 of the Iran Nonproliferation Act of 2000, which provides for penalties on entities for the transfer to Iran of certain controlled equipment and technology, reflecting a time span of more than a decade in which the United States Government has made repeated determinations regarding Chinese firms engaged in illicit transactions involving strategic technology;

Whereas on December 17, 2004, the Council of the European Union “reaffirmed the political will to continue to work towards lifting the arms embargo” on the People’s Republic of China and invited the next Presidency of the EU “to finalize the well-advanced work in order to allow for a decision”;

Whereas the largest member states of the European Union—France, Germany, Italy, and the United Kingdom—have



steadily increased their arms sales to the People's Republic of China, such that from 2002 to 2003 the value of reported arms sales to China doubled to approximately \$540,000,000, according to the most recent annual report, dated November 11, 2004, of the EU on its Code of Conduct on Arms Exports;

Whereas in order to assist member states of the European Union to close the gap in defense capabilities with the United States and to enhance the interoperability of the armed forces of such member states and United States Armed Forces, the United States has provided a framework in its laws, particularly under the Arms Export Control Act and chapters 138 and 139 of title 10, United States Code, in which the United States has pursued a policy of expanded transatlantic armament and defense industry cooperation involving increasingly sophisticated levels of sensitive United States military technology, which becomes subject to increased risks of diversion to the People's Republic of China due to armaments cooperation between the EU and China;

Whereas despite the chronically low defense spending of member states of the European Union, EU member states have decided to develop, with the participation of the People's Republic of China, a new global radio navigational satellite system, known as Galileo, at a cost of more than \$3,000,000,000, which will have military applications, even though such system purports to serve civil applications already served by the United States Global Positioning Satellite (GPS) System; and

Whereas the United States has numerous national interests in the Asia and Pacific region, including the security of Japan, Taiwan, South Korea and other key areas, and



United States Armed Forces which are deployed throughout the region could be jeopardized by the People's Republic of China because it is increasingly well-armed and may seek to settle long-standing territorial and political disputes in the region by the threat or use of military force: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) reaffirms the United States arms embargo
3 on the People's Republic of China and related find-
4 ings and statements of policy set forth in title IX of
5 the Foreign Relations Authorization Act, Fiscal
6 Years 1990 and 1991 (Public Law 101-246);

7 (2) finds that policies by the United States and
8 other countries which promote the development of
9 democracy in the People's Republic of China, and
10 not the development of Chinese military capabilities,
11 will help assure a stable, peaceful, and prosperous
12 Asia and Pacific region;

13 (3) deplores the recent increase in arms sales
14 by member states of the European Union (EU) to
15 the People's Republic of China and the European
16 Council's decision to finalize work toward lifting its
17 arms embargo on China, actions that place Euro-
18 pean security policy in direct conflict with United
19 States security interests and with the security inter-
20 ests of United States friends and allies in the Asia
21 and Pacific region;



1 (4) declares that such a development in Euro-
2 pean security policy is inherently inconsistent with
3 the concept of mutual security interests that lies at
4 the heart of United States laws for transatlantic de-
5 fense cooperation at both the governmental and in-
6 dustrial levels and would necessitate limitations and
7 constraints in these relationships that would be un-
8 welcome on both sides of the Atlantic;

9 (5) requests the President in his forthcoming
10 meetings with European leaders to urge that they
11 reconsider this unwise course of action and, instead,
12 work expeditiously to close any gaps in the Euro-
13 pean Union's arms embargo on the People's Repub-
14 lic of China, in the national export control systems
15 of EU member states, and in the EU's Code of Con-
16 duct on Arms Exports in order to prevent any future
17 sale of arms or related technology to China; and

18 (6) requests the President to inform Congress
19 of the outcome of his discussions with European
20 leaders on this subject and to keep Congress fully
21 and currently informed of all developments in this
22 regard.

