

Getting the U.S.-China Relationship Right

By Senator Cory Gardner

The summit between President Trump and President Xi presented a tremendous opportunity for President Trump to expressly state our hopes for the U.S.-China relationship, while also elucidating the fears we have about some of China's policies and its future direction. The U.S.-China relationship is the most consequential relationship in the world and we must get it right. However, China must also get it right, particularly in several important areas, such as North Korea, maritime security, and economic and human rights issues.

North Korea

The most urgent challenge between our two nations is the coming nuclear crisis on the Korean peninsula. Last year alone, North Korea conducted two nuclear tests and a staggering 24 ballistic missile launches.¹ Kim Jong Un is committed to developing his nuclear and missile program with one goal in mind: to have a reliable capability to deliver a nuclear warhead to Seoul, Tokyo, and most importantly, the continental United States.

President Trump has said the United States will not allow that to happen, and we should be encouraged by the President's resolve. However, the road to stopping Pyongyang undoubtedly lies through Beijing. Beijing is the reason the regime acts so boldly with relatively few consequences. China is the only country that holds the

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diplomatic and economic leverage necessary to put the real squeeze on the North Korean regime. While the U.S. argues over strategic patience and measured resolve, China must move beyond an articulation of concern and lay out a transparent path of focused pressure to denuclearize North Korea.

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For our part, President Trump must lay out a simple calculus for President Xi: the United States will deploy all economic, diplomatic, and, if necessary, military tools at our disposal to deter Pyongyang and protect our allies. China has a global responsibility to do the same. As part of our toolbox, the administration should tell China it will significantly ramp up the sanctions track. Last Congress, I led the North Korea Policy and Sanctions Enhancement Act, which passed the Senate by a vote of 96-0.² This legislation was the first standalone legislation in Congress regarding North Korea to impose mandatory sanctions on the regime's proliferation activities, human rights violations, and malicious cyber behavior. The Trump administration must fully enforce this legislation, including imposing secondary sanctions on any Chinese entities aiding Pyongyang.

In addition, China must faithfully implement all U.N. Security Council resolutions with regard to North Korea, particularly Resolutions 2270 and 2321 negotiated last year, which require China drastically reduce coal imports from North Korea. China's record in this regard has been lackluster thus far.³ China should stop being complicit in the labor abuses of Pyongyang, and shut off avenues of North Korean cyber attacks.

In February, China's Foreign Minister Wang Yi called on the United States and South Korea to

halt their annual joint military exercises in exchange for North Korea suspending its missile and nuclear activities—a deal that the Trump administration rightly rejected.⁴ We should let Beijing know that the United States will not negotiate with Pyongyang at the expense of our allies' security. Moreover, before any talks, we must demand Pyongyang first meet the denuclearization commitments it had already agreed to and subsequently chose to discard.

President Trump should also unequivocally condemn the economic pressure exerted by Beijing on Seoul over the deployment of the Terminal High Altitude Area Defense (THAAD) system on South Korean territory.⁵ THAAD is a defensive system that in no way threatens China—and Beijing knows it.

Most importantly, President Trump should indicate to President Xi that a denuclearized Korean Peninsula is in both nations' interests. But to achieve this goal, Beijing must be made to choose whether it wants to work with the United States as a responsible leader to stop the madman in Pyongyang or bear and acknowledge the consequences of keeping him in power.

Maritime Security

Another looming crisis in U.S.-China relations is the escalation of tensions in the East and South China Seas. China's recent destabilizing actions in the East China Sea and South China Sea are contrary to international law, pose an increased risk of future conflict, and necessitate a strong U.S. and regional response. Chinese actions seem at odds with their words. They have declared an illegitimate Air Defense Identification Zone (ADIZ) in the East China Sea, and have dramatically expanded land reclamation activities in the South China Sea, displaying clear militarization.⁶ According to the Department of Defense, China has reclaimed over 3,200 acres of artificial features in the South China Sea since 2013.⁷

On July 12, 2016, an international tribunal in The Hague ruled that China had violated the sovereignty of the Philippines with regard to

maritime disputes between the two nations.⁸ However, China has not reversed course. Since 2015, China has also built facilities with potential military use on the artificial islands, including three airstrips—two more than 10,000-foot-long and one nearly 9,000-foot-long—hangers that can shelter fighter jets, harbors, anti-aircraft batteries, radars, and structures that can house surface-to-air missiles.⁹ The Center for Strategic and International Studies Asia Maritime Transparency Initiative (AMTI) reported:

“Major construction of military and dual-use infrastructure on the “Big 3”—Subi, Mischief, and Fiery Cross Reefs—is wrapping up, with the naval, air, radar, and defensive facilities largely complete. Beijing can now deploy military assets, including combat aircraft and mobile missile launchers, to the Spratly Islands at any time.”¹⁰

The United States must have consistent and assertive diplomatic engagement with China to reinforce that these rogue activities fall outside accepted international norms. The U.S. defense posture in this region should remain exactly what Secretary of Defense Ashton Carter said at the Shangri-La Dialogue in Singapore on May 30, 2015:

“The United States will fly, sail, and operate wherever international law allows, as U.S. forces do all over the world. America, alongside its allies and partners in the regional architecture, will not be deterred from exercising these rights—the rights of all nations.”¹¹

A consistent, deliberate, and assertive policy to do just that, is imperative.

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Economic Challenges

During the recent summit, I hope President Trump had the opportunity to set an agenda for positive economic engagement with China—a two-way street. As the top two economies in the world, our nations are inextricably linked and we must continue to build a trade partnership that benefits U.S. companies and U.S. exporters. However, this engagement also means ensuring China plays fair.

First and foremost, China must stop its state-sponsored and state-endorsed theft of foreign intellectual property. According to a report by the Intellectual Property Commission, chaired by Admiral Dennis Blair, the former U.S. Commander of Pacific Command, and Jon Huntsman, the former Ambassador to China, theft of U.S. intellectual property is estimated at over \$300 billion annually; China accounts for about 50%-80% of that amount.¹² China must understand that this behavior, regarding the massive and well-documented theft of foreign intellectual property, is unacceptable and antithetical to international norms.

China also needs significant improvements to its legal system, and to further open its economy to foreign and private investment. State owned enterprises tip the playing field unfairly around the globe. China must understand that new regulations seeking to discriminate against American companies, anti-market policies favoring state-owned enterprises, lack of transparency, and other policies that create an uneven playing field for U.S. enterprises in China are not acceptable; these protectionist behaviors will only further isolate China as they seek to engage further in the world economy.

While many American firms still look to China as a top priority to grow and succeed in the global marketplace, without tangible economic and legal reforms within China, I fear these opportunities will be more limited in the future and will seriously jeopardize the bilateral commercial relations between our nations.

However, if Beijing changes course, the upside of these reforms for China and the United States could be enormous.

Human Rights

A pillar of any nation that seeks a prosperous future, particularly with a strong U.S. relationship, must be individual freedoms. As President Kennedy once stated: “The rights of every man are diminished when the rights of one man are threatened.”¹³ President Trump should heed President Kennedy’s wise words and raise China’s deplorable human rights record with President Xi.

Chinese authorities are intensifying human rights abuses and cracking down on civil society. According to the State Department’s 2015 human rights report on China:

“Repression and coercion markedly increased during the year against organizations and individuals involved in civil and political rights advocacy, and public interest and ethnic minority issues.”¹⁴

According to the State Department’s 2015 International Religious Freedom report on China:

“Over this past year, there have been reports that the government physically abused, detained, arrested, tortured, sentenced to prison, or harassed adherents of both registered and unregistered religious groups for activities related to their religious beliefs and practices.”¹⁵

We simply cannot and will not accept this type of behavior from a nation that wants to be thought of as a genuine global partner to the United States.

The Asia Reassurance Initiative Act

I believe China's rise can only be peaceful and balanced with a vigorous United States presence in the Asia-Pacific region that is can check Beijing's worst impulses. Last May, during the Shangri-La Dialogue, there was a tremendous amount of concern from the region's top leaders regarding U.S. presence in the Asia-Pacific region and our commitment to remaining engaged in this critical part of the world.

The Trump administration is inheriting a flawed "Asia rebalance" policy from the previous administration, which was right in rhetoric, but ultimately fell short on meaningful actions. The new administration and Congress usher a new era of opportunities regarding U.S. policy toward the Asia-Pacific. However, despite the political changes in Washington, U.S. policy imperatives will remain the same: the Asia-Pacific region has been and will continue to be critical to U.S. economic and national security interests for generations to come.

The Asia Reassurance Initiative Act (ARIA) pursues an approach that will put American interests first by reassuring our allies, deterring our adversaries, and securing U.S. leadership in the region for future generations.

By 2050, experts estimate that Asia will account for over half the global population and the world's Gross Domestic Product (GDP).¹⁶ We cannot ignore the fundamental fact that this region is critical for the U.S. economy to grow and create U.S. jobs via export opportunities.

Last month, I chaired a hearing in the Senate Foreign Relations subcommittee on East Asia and the Pacific, where Randy Forbes, former Congressman from Virginia and chair of the House Armed Services Subcommittee on Seapower and Projection Forces, said the following:

"In the coming decades, this is the region where the largest armies in the world

will camp. This is the region where the most powerful navies in the world will gather. This is the region where over one half of the world's commerce will take place and two thirds will travel.

This is the region where a maritime superhighway (transporting good or bad products) linking the Indian Subcontinent, Southeast Asia, Australia, Northeast Asia, and the United States begins. This is the region where two superpowers will compete to determine which world order will prevail. This is the region where the seeds of conflict that could most engulf the world will probably be planted."¹⁷

Given this, I am pursuing new legislation called the Asia Reassurance Initiative Act (ARIA), an approach that will put American interests first by reassuring our allies, deterring our adversaries, and securing U.S. leadership in the region for future generations.

The ARIA will pursue three broad goals. First, it will strengthen U.S. security commitments to our allies and build partner capacity in the Asia-Pacific to deter aggression, project power, and combat terrorism. To do so, the ARIA will authorize funds to bolster the United States' military presence in the region, grow partner nations' maritime capabilities to deter aggression in their territorial waters, and build new counterterrorism partnership programs in Southeast Asia to combat the growing presence of ISIS and other terrorist organizations.

ARIA will also enshrine a policy of regularly enforcing U.S. freedom of navigation and overflight rights in the East and South China Seas. It will reaffirm our longstanding treaty alliances with Australia, South Korea, Japan, and call for building new regional security partnerships. It will unequivocally back Taiwan as our important security partner, including authorizing new arms sales and providing for enhanced diplomatic contacts with Taipei.

Second, ARIA will promote economic engagement and secure U.S. market access in the Asia-Pacific region as essential elements for the future growth of the U.S. economy and success of American businesses. To do so, ARIA will also require the Trump administration to find new and innovative ways to economically engage the region. It will mandate the United States government enhance our trade facilitation efforts and increase opportunities for U.S. businesses to find new export markets in the Asia-Pacific. U.S.-made exports to Asia will lead to more decent-paying American jobs at home—a win-win proposition.

Third, it will enshrine promotion of democracy, human rights, and transparency as key U.S. policy objectives in the Asia-Pacific region, particularly in Southeast Asia. From Manila to Rangoon, we should advocate for principled policies that emphasize accountability and transparency as indispensable elements of building any security or economic partnerships with the United States.

To inform this initiative, I have met with numerous key stakeholders in Congress and the Administration. In addition, I am holding a series of hearings in the Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy, the first of which took place in March.¹⁸

Conclusion

There is no doubt the rise of China over the last 30 plus years has been remarkable. China has lifted 500 million people from poverty since

Premier Deng Xiaoping began his economic reforms in 1979, and is now the second largest economy in the world.¹⁹ In that time, our relationship with China has emerged as perhaps the world's most important bilateral relationship, both from an economic and security perspective.

A mature, productive, and peaceful relationship with Beijing is in the national security and economic interest of both nations. While the United States can and should seek to engage China, we must do so with a clear vision of what we want from Beijing, not just over the next four years, but also over the next forty years. As such, it is necessary that President Trump leads with this sense of strategy and purpose when dealing with China in the future.

Endnotes

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