

Appendix 162 -- US Congress Concurrent Resolution on Anti-Secession Law (2005)

Source: Library of Congress, available at: <https://www.congress.gov/bill/109th-congress/senate-concurrent-resolution/24/text>

Date: 2005 March 20

S.Con.Res.24 - A concurrent resolution expressing the grave concern of Congress regarding the recent passage of the anti-secession law by the National People's Congress of the People's Republic of China.

(Senate – Foreign Relations Committee March 20, 2005)

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Mr. GRAHAM (for himself, Mr. ALLEN, Mr. JOHNSON, Mr. CHAMBLISS, Mr. KYL, Mr. BOND, Mr. INHOFE, Mr. COBURN, Mr. DORGAN, and Mr. SCHUMER) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:
S. Con. Res. 24

Whereas, on December 9, 2003, President George W. Bush stated it is the policy of the United States to "oppose any unilateral decision, by either China or Taiwan, to change the status quo" in the region; Whereas, in the past few years, the United States Government has urged both Taiwan and the People's Republic of China to maintain restraint;

Whereas the National People's Congress of the People's Republic of China passed an anti-secession law on March 14, 2005, which constitutes a unilateral change to the status quo in the Taiwan Strait;

Whereas the passage of China's anti-secession law escalates tensions between Taiwan and the People's Republic of China and is an impediment to cross-strait dialogue;

Whereas the purpose of China's anti-secession law is to create a legal framework for possible use of force against Taiwan and mandates Chinese military action under certain circumstances, including when "possibilities for a peaceful reunification should be completely exhausted";

Whereas the Department of Defense's Report on the Military Power of the People's Republic of China for Fiscal Year 2004 documents that, as of 2003, the Government of the People's Republic of China had deployed approximately 500 short-range ballistic missiles against Taiwan;

Whereas the escalating arms buildup of missiles and other offensive weapons by the People's Republic of China in areas adjacent to the Taiwan Strait is a threat to the peace and security of the Western Pacific area;

Whereas, given the recent positive developments in cross-strait relations, including the Lunar New Year charter flights and new proposals for cross-strait exchanges, it is particularly

unfortunate that the National People's Congress adopted this legislation;

Whereas, since its enactment in 1979, the Taiwan Relations Act (22 U.S.C. 3301 et seq.), which codified in law the basis for continued commercial, cultural, and other relations between the people of the United States and the people of Taiwan, has been instrumental in maintaining peace, security, and stability in the Taiwan Strait;

Whereas section 2(b)(2) of the Taiwan Relations Act declares that "peace and stability in the area are in the political, security, and economic interests of the United States, and are matters of international concern";

Whereas, at the time the Taiwan Relations Act was enacted into law, section 2(b)(3) of such Act made clear that the United States decision to establish diplomatic relations with the People's Republic of China rested upon the expectation that the future of Taiwan would be determined by peaceful means;

Whereas section 2(b)(4) of the Taiwan Relations Act declares it the policy of the United States "to consider any effort to determine the future of Taiwan by other than peaceful means, including by boycotts or embargoes, a threat to the peace and security of the Western Pacific area and of grave concern to the United States";

Whereas section 2(b)(6) of the Taiwan Relations Act declares it the policy of the United States "to maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan"; and

Whereas any attempt to determine Taiwan's future by other than peaceful means and other than with the express consent of the people of Taiwan would be considered of grave concern to the United States: Now, therefore, be it resolved by the Senate (the House of Representatives concurring),

(1) the anti-secession law of the People's Republic of China provides a legal justification for the use of force against Taiwan, altering the status quo in the region, and thus is of grave concern to the United States;

(2) the President should direct all appropriate officials of the United States Government to convey to their counterpart officials in the Government of the People's Republic of China the grave concern with which the United States views the passage of China's anti-secession law in particular, and the growing Chinese military threats to Taiwan in general;

(3) the United States Government should reaffirm its policy that the future of Taiwan should be resolved by peaceful means and with the consent of the people of Taiwan; and

(4) the United States Government should continue to encourage dialogue between Taiwan and the People's Republic of China.