

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE UNITED STATES OF AMERICA DEPARTMENT OF DEFENSE
AND THE PEOPLE’S REPUBLIC OF CHINA
MINISTRY OF NATIONAL DEFENSE
ON NOTIFICATION OF MAJOR MILITARY ACTIVITIES
CONFIDENCE-BUILDING MEASURES MECHANISM**

PREAMBLE

The United States Department of Defense and the People’s Republic of China Ministry of National Defense (hereinafter referred to as the “sides”):

Reaffirm the commitment to the development of a new model of U.S.-China military-to-military relations, which is an integral part of the bilateral relationship:

Affirm that both sides are committed to improve relations, deepen mutual understanding, reduce risk, and reduce the potential for misunderstanding and miscalculation;

Recognize that both sides seek to advance the bilateral relationship through military confidence-building measures, undertaken in a spirit of equality and openness;

Realize the consensus between President Barack Obama and President Xi Jinping, and to establish a notification of major military activities confidence-building measures initiative;

Determine that this mechanism for notification of major military activities forms the basis from which both sides exchange notifications of military activities and strengthen confidence and mutual trust through reciprocal notifications and information sharing;

Affirm that notifications should aim to reduce misunderstanding, prevent miscalculation, and manage risk and crisis effectively; and

Establish a mechanism to inform when both sides would exchange notifications of major military activities on the basis of the principles of

constructive cooperation, mutual interest, mutual trust, mutual benefit, and reciprocity, consistent with accepted international norms of behavior.

SECTION I

This MOU describes the purpose, principles, and processes for bilateral exchanges, with annexes covering the details for specific notification activities.

Both sides affirm their aspiration to establish a voluntary foundation for notifications of major military activities, and endeavor to improve the scale and frequency of notifications gradually through consultations in a reciprocal, incremental manner through the addition of annexes. New annexes should not conflict with previously developed ones.

SECTION II

The United States Department of Defense, Office of the Secretary of Defense, and the People's Republic of China, Ministry of National Defense Foreign Affairs Office, are the authorized agencies for executing this mechanism and accomplishing notifications, which are to be effected through diplomatic and military channels.

SECTION III

Both authorized agencies should hold an annual assessment working group meeting, led by senior-colonel/colonel-level officers or civilian equivalents, to review the prior year's progress and consult on improvements for future implementation of the mechanism.

The annual assessment working group meetings should be hosted on a rotating basis by the U.S. and Chinese sides, taking place under the framework of the Defense Policy Coordination Talks. The annual assessment working group meeting should take place immediately prior to the Defense Policy Coordination Talks.

No less than two weeks prior to the annual assessment working group meeting, both authorized agencies should propose and set a meeting agenda and exchange papers listing notifications that took place after the previous annual assessment working group meeting.

At the annual assessment working group meeting, both sides should review activities that took place during the period after the previous annual meeting and produce a joint assessment report for submission to the Defense Policy Coordination Talks.

A joint statement may be released to the public once concurred in by both sides.

In addition to the annual assessment working group meeting, both authorized agencies intend to hold periodic and *ad hoc* consultations as mutually determined for the purpose of exchanging information and notifications, and to consider questions related to activities within this mechanism or to discuss the inclusion of future annexes.

SECTION IV

Both sides voluntarily support this MOU, which is of unlimited duration and may be discontinued by either side upon written notice to the other side.

This MOU should not affect the obligations of either side under relevant agreements. Likewise, activities under this MOU should not occur at the expense of the interests of third parties.

Although this MOU is in the public domain, neither side should disclose to third parties the content of notifications received under this mechanism without the written approval of the other side.

Any disagreement concerning the interpretation of or activities under this MOU should be resolved by consultation between both sides.

This MOU contains:

Annex I: Notification of Major Security Policy and Strategy Developments

Annex II: Observation of Military Exercises and Activities

Additional annexes may be added upon the consent of both sides.

This MOU is signed at _____, on _____ in both Chinese and English.

The Department of Defense of
The United States of America

The Ministry of National Defense of
The People's Republic of China

ANNEX I

NOTIFICATION OF MAJOR SECURITY POLICY AND STRATEGY DEVELOPMENTS

SECTION I

Recognizing the importance of speeches, pronouncements, and official publications in increasing transparency and improving mutual understanding, both sides seek to foster greater comprehension of each other's security policy, strategy, and intent through regular exchanges of information related to major official publications and statements.

SECTION II

Both sides intend to exchange information voluntarily about their respective country's security policy, strategy, and legal information, including the adjustment of respective national defense policies and strategy, by providing briefings and information about speeches, major government publications such as White Papers, strategy publications, and other official announcements related to policy and strategy.

Either side may request additional information about announcements, including requests to meet with subject matter experts and principal authors of publications at a suitable and mutually acceptable time and location to inform and deepen discussion on topics of particular interest.

SECTION III

The authorized agencies in Beijing and Washington are the recognized channels for notifications and the exchange of substantive information under this mechanism.

When appropriate, notification briefings could be provided prior to or simultaneous with the public release of major announcements.

Neither side should disclose to third parties the content of notifications that it receives without the written consent of the other side.

SECTION IV

This annex is an integral part of the MOU, managed by the authorized agencies.

ANNEX II

OBSERVATION OF MILITARY EXERCISES AND ACTIVITIES

SECTION I

As an important form of notification, observation of military exercises and activities aims to foster mutual trust and transparency in military affairs.

The U.S. – China observation of military exercises and activities mechanism (observation mechanism) is intended to promote reciprocal observation of military exercises and activities. The intent of military observers at both sides' exercises is to increase mutual understanding of the intent, organization, and implementation of military exercises, and to reduce the potential for misunderstanding or miscalculation.

The observation of military exercises and activities should be voluntary and occur within the existing framework of bilateral U.S. – China military relations.

SECTION II

The observation mechanism should comprise invitations from either country to observe unilateral, bilateral, or multilateral military exercises or activities in which the side extending the invitation is either the host or co-host.

The observation mechanism is not intended to supplant any other bilateral or multinational U.S. – China defense arrangements or interactions.

SECTION III

The observation mechanism should strive for reciprocal access to military exercises and increased openness between the two sides' armed forces. Specific goals are:

- i. Gradually expand and increase over time the quality and quantity of reciprocal observation of military exercises.
- ii. Deepen mutual understanding and increase comprehension of each side's intent.
- iii. Demonstrate in a concrete and measurable manner, steadily increasing openness, mutual trust, and reciprocal confidence.

- iv. Build greater understanding and mutual respect between observers and hosts.

SECTION IV

This annex is an integral part of the MOU, managed by the authorized agencies.

The host or co-host country is the side extending the invitation to observe an exercise that it hosts in its own country, or in a third country, or on whose platform the observation activities will take place. The invited country is the side sending military or civilian observers. The composition of the observation team should be determined through friendly consultations between the two sides.

The host should determine the program for invited observers, conveying a written invitation via the authorized agencies no later than eight weeks prior to the event, which should be accepted or declined in a written response, returned through the same channels.

If either side is invited to observe a multilateral or bilateral exercise, the consent of the third-party co-hosts should be sought by the inviting host. Other countries participating in the observed exercise should be notified.

Neither side should disclose to third parties the content of military exercise observations without the written consent of the other side.