7th Fleet Destroyer Conducts Freedom of Navigation Operation in South China Sea

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YOKOSUKA, Japan — On Jan. 20, USS Benfold (DDG 65) asserted navigational rights and freedoms in the vicinity of the Paracel Islands, consistent with international law. At the conclusion of the operation, USS Benfold exited the excessive claim and continued operations in the South China Sea, the U.S. 7th Fleet said in a release.

This freedom of navigation operation, or FONOP, upheld the rights, freedoms and lawful uses of the sea recognized in international law by challenging restrictions on innocent

passage imposed by the People's Republic of China, Taiwan and Vietnam and also by challenging the PRC's claim to straight baselines enclosing the Paracel Islands.

The PRC's statement about this mission is false, the 7th Fleet said, adding that USS Benfold conducted this FONOP in accordance with international law and then continued on to conduct normal operations in international waters. The operation reflects its commitment to uphold freedom of navigation and lawful uses of the sea as a principle. The United States is defending every nation's right to fly, sail, and operate wherever international law allows, as USS Benfold did this week.

The People's Liberation Army Navy Southern Theater's statement is the latest in a long string of PRC actions to misrepresent lawful U.S. maritime operations and assert its excessive and illegitimate maritime claims at the expense of its Southeast Asian neighbors in the South China Sea, 7th Fleet said. The PRC's behavior stands in contrast to the United States' adherence to international law and our vision for a free and open Indo-Pacific region. All nations, large and small, should be secure in their sovereignty, free from coercion, and able to pursue economic growth consistent with accepted international rules and norms. To this end, the United States works with a broad range of allies and partners across the region to promote and enable cooperative approaches to regional security challenges.

Unlawful and sweeping maritime claims in the South China Sea pose a serious threat to the freedom of the seas, including the freedoms of navigation and overflight, free trade and unimpeded commerce, and freedom of economic opportunity for South China Sea littoral nations.

Paracel Islands

The PRC, Taiwan and Vietnam each claim sovereignty over the

Paracel Islands. All three claimants require either permission or advance notification before a military vessel engages in "innocent passage" through the territorial sea. Under international law as reflected in the Law of the Sea Convention, the ships of all states, including their warships, enjoy the right of innocent passage through the territorial sea. The unilateral imposition of any authorization or advance-notification requirement for innocent passage is unlawful. By engaging in innocent passage without giving prior notification to or asking permission from any of the claimants, the United States challenged the unlawful restrictions imposed by the PRC, Taiwan, and Vietnam, 7th Fleet said. The United States demonstrated that innocent passage is not subject to such restrictions.

The United States also challenged the People's Republic of China's 1996 declaration of straight baselines encompassing the Paracel Islands. Regardless of which claimant has sovereignty over these features, it is unlawful to draw straight baselines around the Paracel Islands in their entirety, 7th Fleet said. With these baselines, the PRC has attempted to claim more internal waters, territorial sea, exclusive economic zone, and continental shelf than it is entitled to under international law. By conducting this operation, the United States demonstrated these waters are beyond what the PRC can lawfully claim as its territorial sea, and the PRC claimed straight baselines around the Paracel Islands are inconsistent with international law.