

TOWARD A NEW MARITIME STRATEGY IN THE SOUTH CHINA SEA

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China's buildup of armed forces and installations on disputed islands in the South China Sea highlights twin ambitions of solidifying expansive territorial claims and demonstrating Beijing's growing military reach out to the second island chain and beyond. Landing long-range H-6K bombers on China's largest outpost in the Paracel archipelago could presage similar moves on the Subi, Mischief, and Fiery Cross Reefs in the Spratly Islands. The fortification of South China Sea installations is both a byproduct of and a means to so-called gray-zone challenges to the existing order. China seeks to change the status quo through incremental actions, mobilizing both military and paramilitary forces, and threats of coercion – but stopping short of steps that might trigger conflict.

The United States is pursuing several lines of effort to counter Chinese aggression — naming and shaming China's unilateral assertions, bolstering allied and partner capacity, and conducting more routine freedom of navigation operations (FONOPs), including near the Paracel Islands. In response to China's continued militarization efforts, the US disinvited the People's Liberation Army Navy from the 2018 Rim of the Pacific (RIMPAC) exercise in late July, citing that China's actions undermine regional security, transparency, and freedom of the seas. Despite these increased lines of effort, there are still key areas lacking in the proposed US maritime strategy.

The current <u>US Indo-Pacific strategy</u> espouses the importance of a free-and-open region that bridges the two major ocean areas where power is likely to

predominate in the coming years. A US strategy that seeks to expand the geographic coverage at a time of relative decline should make it obvious that the US needs friends. The Indo-Pacific strategy envisages strengthening cooperation with allies and partners, with members of the 10-nation Association of Southeast Asian Nations (ASEAN) remaining at the fulcrum.

Xi Jinping's push to militarize the South China Sea serves to expand Beijing's control over the vital economic zones in the Indo-Pacific. The South China Sea is a critical trade route for China; nearly 30 percent of the world's maritime trade goes through the region. The semi-enclosed sea presents an anti-area/access-denial (A2/AD) challenge for China in both the first and second island chains due to the narrow chokepoints that are monitored continuously by the US and allied countries' maritime presence. Many of the disputed islands China lays claim to are in this critical region, and China's aggressive build-up has turned these previously vulnerable areas into zones of control to keep out US and allied powers.

As China continues to bolster their first island chain claims, it has steadily expanded toward the second island chain, seeking to tip the maritime balance of power in the South China Sea with a combination of boosted anti-ship and anti-air capabilities. In addition to landing H-6K bombers, China's artificial islands are now capable of hosting HQ-9B surface-to-air missiles and YJ-12B antiship cruise missiles, as well as radar These communications jamming equipment. deployments give China the combined capability to project power and deny adversaries for hundreds of miles in the Pacific, reaching as far as Guam, a critical US territory and strategic military outpost. The United States needs to urgently consider a serious maritime strategy to counter gray-zone conflict and foster inter-agency cooperation with allies in the region.

First, the US needs to expand its ability to impose costs on egregious violations of regional norms and the rule of law in and around the South China Sea. China's takeaway thus far is that there is no severe cost imposition against its salami slicing tactics, which eventually add up. Disinviting the Chinese Navy from RIMPAC is a reactive response to Chinese aggression. A complete toolkit of measures to impose costs on bad behavior could draw on a menu of options produced in previous studies.

Second, the US needs to redouble efforts, both nationally and in concert with like-minded countries, to improve an Indo-Pacific constellation for shared maritime domain awareness. The 2012 Scarborough Shoal crisis could have been averted had Manila enjoyed better information on the disposition of forces in the region. Vietnam, Malaysia, and Indonesia are potential partners in checking arbitrary power with both an information-rich and rules-based counterweight. Furthermore, the US should make a more concerted effort to organize its stakeholders for improving maritime domain awareness. Washington needs to better harness cooperation between its armed forces, the Coast Guard, law enforcement, as well as civilian and commercial entities involved in the free and open flow of maritime traffic.

Joint coast guard exercises in this region, backed by nations with established fleets like Japan and Australia, can also improve enforcement of international maritime norms. Moreover, it is also essential to include all claimants in the Indo-Pacific, including China, within these capacity-building exercises. There is potential in developing cooperation in maritime activities such as search and rescue operations and humanitarian assistance and disaster relief operations together.

Third, the US should support the creation of a multinational combined maritime flotilla to check against unilateral changes to the status quo in the region. One model for a maritime coalition of the willing is Combined Task Force 150 (CTF 150), an international grouping that seeks to disrupt terrorist operations in some of the world's busiest shipping lanes around the Gulf of Aden and the Red Sea. Command of the task force could rotate among several Southeast Asian nations, similar to the rotating ASEAN Chairmanship.

The primary purpose of a new maritime task force would not replicate the law enforcement and anti-piracy patrols already in existence. Instead, it would offer a bulwark against further militarization of the South China Sea and other potentially unlawful activities. Moreover, countries outside Southeast Asia that rely on the South China Sea – including the United States, Japan, Australia, India, France, and the United Kingdom among others – could also participate in task force operations. China would also be welcome upon acceptance of the rules set by the task force, which could incentivize better behavior and cooperation. Furthermore, the task force could help to enforce an eventual Code of Conduct for the South China Sea.

Finally, it is time to deny China the hollow claim that Beijing follows international maritime law, while Washington flouts it. The opposite is true. China has ratified the United Nations Convention on the Law of the Sea (UNCLOS), but adheres to it selectively by privileging domestic law and unilaterally asserting historical rights. In contrast, the US abides by UNCLOS as a matter of customary international law, even though it has never ratified the treaty.

The US should at long last <u>ratify UNCLOS</u> to advance US interests by reinforcing favorable rules for the governance of the world's oceans on which we depend. Ratifying UNCLOS would bolster US leadership at a time when many question its reliability and staying power in the Indo-Pacific region.

These four steps are not a substitute for a comprehensive Indo-Pacific strategy. But, collectively, these steps could be the beginning of a stronger network of partners and provide the means of preventing any single nation from unilaterally determining the rules for the world heading into the 21st century.

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