

China's "undeterred" strategy on the South China Sea: a "challenge" for the US by Preeti Nalwa

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Recent events related to the South China Sea (SCS) reveal Chinese thinking about its maritime strategy in that important area. First, China believes that establishing sub-regional hegemony is achievable. Second, it has a coherent maritime strategy with a two-pronged approach: modernizing and restructuring its military to allow for naval power projection, along with consolidating diplomatic and economic relations with ASEAN. Restructuring the military is in sync with China's "One Belt, One Road" initiatives as they require a strong blue-water navy to protect China's expanding overseas maritime interests. Simultaneously, a strong navy with asymmetrical capabilities can mitigate US military technological advantages, keeping it at a distance from China's territorial expansion in the SCS.

China is conducting reclamation work on seven of the reefs it occupies: Fiery Cross, Cuarteron, Gaven, Johnson South, McKennan, Mischief and Subi Reef. Under the UN Convention on Law of the Sea (UNCLOS), these are "low-tide elevations" that don't warrant a 12-mile territorial zone. China is building military facilities, in particular air strips, on three of these islands and can install radars and air defense missiles. The potential militarization of these artificial islands has created anticipation in the region of the creation of an Air Defense Identification Zone (ADIZ) in the SCS similar to the one declared by China in the East China Sea in November 2013. Many fear an ADIZ would provide the basis for China's air control over the Spratly Islands and could constrain US operations in that area.

China has pursued maritime assertiveness at the expense of its weak neighbors. The expansive Chinese claims enclosed by the U-shaped arc impinge upon the rights of Vietnam, the Philippines, Taiwan, Malaysia, and Brunei to exploit waters within 200 nautical miles of their respective EEZs as granted under UNCLOS. If left unchallenged, Philippines and Malaysia will lose about 80 percent of their EEZ, Vietnam about 50 percent, Brunei about 90 percent, and Indonesia about 30 percent.

The second prong of China's strategy is to offset any collective negative response by ASEAN, a potential threat since four of its members – Brunei, Malaysia, Philippines, and Vietnam – have disputes with China over the SCS. China's strategy is based on embedding the ASEAN interest in an extensive weave of economic and defense relations and insisting that dispute settlement should be done on a bilateral basis.

To strengthen relations with ASEAN, on Oct. 16, 2015, China held the inaugural ASEAN-China Defense Ministers' Informal Meeting (ACDMIM) in Beijing where it proposed to hold joint training on the Code for Unalerted Encounters at Sea (CUES) and to set up an "Asian" dispute settlement mechanism without the interference of outside powers.

Malaysia, despite its dispute with China, has been its largest ASEAN trading partner since 2008, and is also China's third biggest Asian trading partner after Japan and South Korea. In 2013, the first joint Malay-Sino industrial park was launched and will be completed by 2020 and both have pledged to increase bilateral trade to \$160 billion by 2017. The Philippines, similarly, has no qualms about expanding relations with China, and joined China's "Maritime Silk Road" program announced by President Xi in 2013. It also decided to join the China-led Asian Infrastructure Investment Bank (AIIB) and signed AIIB's Articles of Agreement before the end of 2015.

These efforts appear to have paid off. ASEAN has twice refrained from issuing a declaration that mentions Beijing's assertiveness in the SCS: first at the July 2012 ASEAN Summit in Cambodia and then at the 3rd biannual ASEAN Defense Ministers Plus (ADMM-Plus) meeting in Kuala Lumpur on Nov. 4, 2015. China has been able to counter the increasing US influence in ASEAN.

China remains "undeterred" despite the much publicized dispatch of the guided-missile destroyer *USS Lassen* in October 2015 to the SCS, on a Freedom of Navigation Operation (FONOP) as a "challenge" to China's expansion of territorial claims. The sailing of the US destroyer within 12 nautical miles of Subi Reef, an artificial island, was neither a "deterrent" nor a "challenge" but an "innocent passage" under Article 17 of UNCLOS, a right granted to all ships, enabling transit in another state's territorial waters without permission. Two Chinese surface warships (the destroyer *Lanzhou* and the frigate *Taizhou*) kept a close tail on the destroyer, checking for activities that might be prejudicial to China or prohibitive under Article 19 of UNCLOS. However, the *Lassen* conducted a continual smooth passage throughout the contested waters.

Some have asserted that by conforming to rules of the "innocent passage," the US might have inadvertently recognized China's territorial sovereignty. Indeed, there are assertions that this proves the US is being deterred, as does the flight of two US B-52 nuclear bombers in the area of the Spratly Islands, within two nautical miles of Cuarteron Reef on Dec. 10. Initially, media reports claimed that it was a routine mission in international air space but Pentagon spokesman Commander Bill Urban later clarified that there was no intention of flying within 12 nautical miles and that it was not a FONOP. He explained that the bomber had accidentally strayed as a result of bad weather into the airspace

of the artificial island built by China. There is evidently a mismatch between heightened rhetoric calling for undeterred US FONOPs and expected payoffs, unless the objective was to measure China's resolve, preparedness, and competence in handling a breach in waters and air-space claimed by it.

Meanwhile, China continues to develop its maritime capabilities. On May 13, 2015, Justice Antonio T. Carpio, senior associate justice of the Supreme Court of the Philippines, assessed China's naval buildup in a presentation at the International Institute of Social Studies in The Hague. He noted that China is building supply ships like Type 904A with a helipad and storage for one Z-8 heavy transport helicopter to service outposts in the Paracels and the Spratlys. China's Coast Guard is the largest blue-water coast guard fleet in the world, larger than that of Japan, Vietnam, Indonesia, Malaysia, and the Philippines combined. And Beijing plans to deploy a 10,000-ton coast guard and a 40 Type 056 Corvette fleet. In 2014, China had 15 Type 054 frigates and plans to produce 40 of the newer Type 056 frigates.

On Nov. 25, 2015, President Xi Jinping announced a restructuring of the PLA that would aim to achieve integrated joint operations and overcome serious weaknesses in its capabilities to bring them at par with the US. The strategic force of the PLA Navy and China's projection of its naval power as a coercive instrument of statecraft are designed to exercise control over the SCS. China is assembling a preponderant naval power backed by diplomatic clout with ASEAN to deter US intervention. China's two-pronged approach will become increasingly difficult for the US to dent or "deter."

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