

NON-NAVAL DIMENSIONS OF CHINESE SEA POWER: AN ANALYSIS

Captain Jilet Koshy

'Supreme excellence lies in breaking the enemy's resistance without fighting.'

-Sun Tzu

Introduction

The meteoric rise of China as a major power in the Asia Pacific region and a global superpower in waiting is perhaps the most talked about phenomenon in present day geo-political circles. This rise is equally manifest in the maritime arena wherein, with a coastline of more than 18,000 km and over 6,500 offshore islands,¹ China is positioning itself as a key maritime nation in addition to its obvious continental status.

The importance given to the maritime frontier is visible in China's Defence White Paper 2013, which pronounces 'protecting the seas and oceans, and building China into a maritime power'² as essential national development strategy. However, achieving these aims in the East/ South China Sea is arduous and complicated. The competing claims of littoral nations of the region on grounds of historical waters and UNCLOS provisions are a recipe for maritime confrontation. The overarching security umbrella provided by the United States to some of the states in the region could give the dispute an escalatory trajectory, if handled carelessly.

It is in this scenario that China has gone about augmenting its non-naval sea power and tactfully applying it to pursue its maritime ambitions in the home littorals. The term 'non-naval sea power' of China refers to the extensive network of maritime surveillance and law-enforcement services operated by China. This article aims to analyse China's strategy of using 'Non-Naval Sea Power' and implications of the ongoing restructuring of these agencies to regional security.

¹Information Office of the State Council, PRC, Beijing, 'Defense White Paper 2013'.
http://news.xinhuanet.com/english/china/2013-04/16/c_132312681.htm, (accessed on 24 Dec 13).
²Ibid.

Constituents of Non-Naval Sea Power

There are up to 17 ministries and government agencies which either have a direct or indirect stake in the maritime administration and security of the People's Republic of China³. These include local governments of coastal states, PLA(N), the Ministry of External Affairs, state-owned energy companies, National Tourism Administration, Environment Ministry and various law enforcement agencies. Of these, five agencies, which are often referred to as the 'Five Dragons,'⁴ have been identified as pivotal organizations capable of directly influencing security issues in the territorial waters and EEZ claims of China. Each of these five organizations is discussed below.

Maritime Police. China's Maritime Police, also known as the 'old' China Coast Guard, is administered by the Ministry of Public Security. Its role includes anti-smuggling, anti-piracy, maritime policing, coastal security as well as 'search and rescue' missions. The agency has over 500 vessels, including 20-25 medium and large patrol vessels.

Maritime Safety Administration (MSA). The Maritime Safety Administration operates under the Transport Ministry of China and is responsible for supervision of marine traffic, inspection and registration of Chinese and foreign vessels, prevention of marine pollution, navigational safety and administration of port operations. It has a fairly large inventory of ships and aircraft. Commencing 2004, the organization has been investing in larger oceangoing vessels in order to fulfill its mandate of patrolling the EEZ.⁵

Fisheries Law Enforcement Command (FLEC). With a total haul of 17 million tons in 2011, China has the largest fishing community in the world with over 12 million fishermen.⁶ The administration of fishing in China is controlled by the Fisheries Law Enforcement Command (FLEC), which operates under the Agriculture Ministry. The FLEC is one of the largest maritime law enforcement forces and also plays a key role in administration of the claimed (disputed)

³Zou Wentao, 'Restructuring China's Maritime Security: Lofty Ambition, Little Progress', <http://www.rsis.edu.sg>, (assessed on 28 Jan 14).

⁴James R. Holmes and Toshi Yoshihara, 'Small-Stick Diplomacy in the South China Sea', <http://nationalinterest.org/commentary/small-stick-diplomacy-the-south-china-sea-6831>, (accessed on 28 Dec 13).

⁵Opcit, *International Crisis Group Asia Report*, p 13

⁶UN FAO Fisheries Statistics, <http://www.fao.org/fishery/statistics/en:ftp://ftp.fao.org/FI/STAT/summary/a2.pdf>, (assessed on 28 Dec 13).

maritime territory of China. The duties of FLEC include enforcing laws concerning fishing and maritime resources in all waters claimed by China, protecting Chinese fishing vessels and personnel, preventing illegal fishing and protecting Chinese maritime sovereignty.⁷ FLEC has historically been called upon by the Chinese government to occupy and safeguard disputed areas. The FLEC has over 1,000 patrol crafts, including 12-15 larger vessels, and is progressively enhancing its blue water fleet. It is expected to add up to six large (over 3,000 T) helo carrying cutters to its inventory by 2016.⁸

General Administration of Customs (GAC). The China Customs and Anti-Smuggling Bureau operates under the General Administration of Customs and is perhaps the smallest of the five dragons. Its role includes customs control, anti-smuggling, revenue collection and compiling foreign trade statistics.⁹ GAC is the smallest maritime agency and its maritime patrol capabilities are limited to small patrol craft operating within territorial waters.

China Maritime Surveillance (CMS). The last of the dragons is the China Maritime Surveillance, which operates under the State Oceanographic Administration. Its role includes environmental protection, scientific research and enforcement of EEZ rights. The CMS has a relatively extensive fleet of over 250 vessels and an aviation arm. Like the other enforcement agencies, the CMS is also on an expansion drive and is acquiring numerous blue water patrol vessels as well as retired Chinese navy vessels.¹⁰

Employment of Non-Naval Sea Power – The Chinese Strategy

Since the Communist regime came to power in the 1950s, China has displayed a high degree of sensitivity towards maritime threats to its territorial integrity and sovereignty. Repeated invasions by the Japanese from the sea in the 18th and 19th century which resulted in unspeakable atrocities such as the infamous ‘Rape of Nanking,’¹¹ have left lasting scars on the country and are perceived as a national humiliation by its present-day polity and society alike. As China’s national power grew from the late 20th century, it has sought to resurrect its fallen

⁷*Opcit, International Crisis Group Asia Report, p 8*

⁸*Ibid, p 20*

⁹*Opcit, Lyle J Goldstein, p 18*

¹⁰*Ibid, p 18*

¹¹*David Bennett, ‘An Analysis of China’s Offshore Active Defense and the People’s Liberation Army Navy’, Global Security Studies, Spring 2010, p 127*

glory and avenge the 'century of humiliation' by developing its own maritime prowess. A shift from the erstwhile continental to a maritime mindset is thus underway in China. The earliest signs of this maritime flexing were visible when China defined the extent of its territorial waters in a law passed by the Chinese People's Congress on 25 Feb 1992, which stated "*The PRC's territorial waters refer to the island waters contiguous to its territorial land. The PRC's territorial land includes the mainland and its offshore islands, Taiwan, and the various affiliated islands, including Diaoyu Dao (Senkaku Islands), the Penghu Islands (Pescadores), the Dongsha Islands (Pratas Islands), the Xisha Islands (Paracel Islands), the Nansha Islands (Spratly archipelago), and other islands that belong to the PRC.*"¹² In essence, China claims maritime sovereignty over the majority of the East and the South China Seas, defined by the infamous 'Nine Dashed Line.'

These claims, however, contradict the provisions of UNCLOS, which has been ratified by China.¹³ China is powerless to fully comply with the provisions of the UNCLOS as such a move would go against the indoctrination which has built up nationalist fervour and mass support for the claims and would therefore undermine the Communist Party. The alternate option is an overt and aggressive approach to its claims but this would be detrimental to China's stated policy of peaceful development and defensive, non-hegemonistic growth,¹⁴ thus undermining its efforts to be accepted as a responsible nation. An aggressive approach would also lead to unwarranted military wrangling with other contending nations and their powerful allies.

This paradox limits China's options in pursuing its territorial ambitions in the South and East China Sea. To overcome this conundrum, China has employed a rather innovative strategy of using its maritime enforcement agency assets to advance its maritime claims. Many of the disputed claims on the islands and rocks in the Chinese littoral are based on de facto administration and presence of contending nations including Philippines, Vietnam and Japan.¹⁵ China is using its non-naval maritime vessels to disrupt the administrative activities of other

¹²Sujit Dutta, 'Securing the Sea Frontier: China's Pursuit of Sovereignty Claims in the South China Sea', *Strategic Analysis*, 2005, p 275

¹³UNCLOS 'Declaration upon Ratification', http://www.un.org/depts/los/convention_agreements/convention_declarations.htm#China Upon ratification, (assessed on 18 Feb 14).

¹⁴Opcit, *China Defense White Paper 2013*

¹⁵Thomas Kane, 'Chinese Grand Strategy and Maritime Power', Frank Cass Publishers, London, 2002, p 121

regional claimants of the islands. These disruptions range from harassment of commercial and military vessels operating in the islands to occupying waters around disputed land features and making provocative incursions into territorial waters of islands claimed by the neighbouring states. This orchestration of aggressions by the maritime enforcement agencies, aptly dubbed “small stick diplomacy”,¹⁶ is usually backed by PLA(N) support over the horizon, thus presenting an intimidating combination of forces, capable of moving up the escalation ladder if the situation so warrants.

Such manoeuvring by its maritime enforcement agencies enabled China to dislodge Philippines from the Mischief Reef in 1994.¹⁷ The pace of these infringements and standoffs has increased since 2012 and are especially concentrated in the waters near the Senkaku and the Spratly islands. CMS and Japanese counterparts have regular standoffs in waters around the Senkakus, following Japan’s decision to nationalize the disputed islands in September 2012.¹⁸

A similar standoff was orchestrated by the CMS and FLEC ships in the Scarborough Shoals in 2012,¹⁹ resulting in eviction of Philippines government and fishing vessels from the area and permanent presence of Chinese vessels since. Chinese ships continue to harass Philippine assets in the Spratly islands aiming to dislodge them from the remaining claimed islands. The number of incidents in these waters ranges from three to five every month, with continuous presence by the maritime agencies.²⁰ These ships are also active in the disputed waters of the Beibu Bay, against Vietnamese fishing incursion and alleged illegal oil exploration in Chinese waters.²¹ The resulting standoff has derailed Vietnam’s oil exploration programme in these waters.

¹⁶James R. Holmes and Toshi Yoshihara, “Small-Stick Diplomacy in the South China Sea,” <http://nationalinterest.org/commentary/small-stickdiplomacy-the-south-china-sea-6831>, (accessed on 02 Jan 14).

¹⁷James R Holmes and Toshi Yoshihara, ‘Chinese Naval Strategy in the 21st Century’, Routledge, Oxen 2008, p 53

¹⁸Sheila A Smith, ‘Japan and the East China Dispute’, *Orbis*, Vol 56 Number 3, Summer 2012, p 379

¹⁹Jacques deLisle, ‘Troubled Waters: China’s Claims and the South China Sea’, *Orbis*, Vol 56 Number 4, Fall 2012, p 612

²⁰‘Maritime Law Enforcement Agencies in China’, http://en.wikipedia.org/wiki/Maritime_law_enforcement_agencies_in_China, (accessed on 24 Dec 13).

²¹‘Vietnam urged to halt oil exploration in South China Sea’, http://www.chinadaily.com.cn/china/2012-12/06/content_16095936, (accessed on 17 Dec 13).

The strategy has provided the following intangible gains to China:-

- (a) The employment of ‘white ships’ instead of the PLA(N) helps China to assert its stance that the islands are its sovereign property and the disputes are an infringement in the internal waters of China by the contesting nations.²²
- (b) Sustained acts of coercion and intimidation have the effect of inducing strategic fatigue on the adversary, eventually eroding confidence and political will to resist.²³ The eviction of Philippines from the Scarborough Shoals is a classic example of this strategy.
- (c) Non-naval ships present a buffer between navies preventing the escalation that warships would otherwise provoke and ensuring that the disputes remain localized,²⁴ denying the United States and other extra regional powers of reason to step in on behalf of embattled nations.

Factors Undermining ‘White Ship’ Strategy

Sound as the strategy may seem, it is not without pitfalls. Many of these stem from the implementation obstacles posed by the archaic organisational structure of the Chinese maritime enforcement agencies. Prominent among these issues are:-

- (a) **Overlapping Responsibilities.** The maritime enforcement agencies have overlapping roles in keeping with the communist ideology of peer monitoring. Thus, protection of maritime sovereignty is a role shared by the Maritime Police, CMS and FLEC without any laid down demarcation of responsibilities. Similarly, protecting maritime and fishery resources comes under the ambit of the Maritime Police, CMS, FLEC, and the MSA. China realises that this duplication of roles is leading to wasteful and uncoordinated utilisation of precious assets of the agencies and is nurturing unaccountability.
- (b) **Competing Agencies.** There is also intense competition among the enforcement agencies to get embroiled in international maritime

²²Opcit, James R. Holmes and Toshi Yoshihara, ‘Small-Stick Diplomacy in the South China Sea’

²³Toshi Yoshihara, ‘War By Other Means: China’s Political Uses of Seapower’,

<http://thediplomat.com/topic/security>, (accessed on 17 Dec 13).

²⁴Opcit, James R. Holmes and Toshi Yoshihara, ‘Small-Stick Diplomacy in the South China Sea’

disputes. Such international incidents are showcased as important political achievements and catalyse political growth of the agency office bearers. However, on the field, such ‘one upmanship’ has amplified the incoherence among the organisations and raises the possibility of uncontrolled escalation of disputes.²⁵

(c) **Playing Foreign Policy Role.** The enforcement agencies, in their race for political mileage, are also seen to be abusing foreign policy agendas. Operational autonomy enables them to orchestrate the management of disputes with minimal political interference and at times in a manner incongruent with national foreign policy. The Ministry of Foreign Affairs has a low standing in the Chinese ministerial hierarchy and is therefore toothless to drive the country’s foreign policy.²⁶

(d) **The Capability-Jurisdiction Conundrum.** Inconsistencies exist in the roles, capabilities and jurisdictional authority of the maritime enforcement agencies. For example, FLEC has the function of regulating fishing in Chinese waters, but its personnel are unarmed and lack enforcement deterrence.²⁷ The capability to operate helicopters and aviation assets is available only with the CMS, MSA and the FLEC, but could greatly assist in the functioning of GAC and Maritime Police as well. The compartmentalised working of individual agencies means that each finds it difficult to satisfactorily execute its assigned roles with the limited assets that are currently available.

(e) **Maritime Domain Management.** There is no sharing of data between the enforcement agencies. The varied hardware configurations preclude putting all the agencies into a single MDA grid²⁸ creating inconsistencies detrimental to the efficient functioning of a cohesive maritime law enforcement infrastructure.

Synergising the Maritime Enforcement Agencies

The inadequacies illustrated above have been recognised by the Chinese government and an elaborate restructuring of the agencies is underway,

²⁵ *Opcit, International Crisis Group Asia Report, p 19*

²⁶ *Ibid*

²⁷ *Opcit, Lyle J Goldstein, p 16*

²⁸ *Opcit, Lyle J Goldstein, p 10*

consequent to a sweeping institutional reform package approved by the State Council during the 18th Party Congress in March 2013.

The State Oceanic Administration (SOA) has been restructured by merging four of the major maritime law enforcement forces, namely the CMS, CCG, FLEC and the GAC. The combined entity has been christened as the new China Coast Guard (CCG). While administratively under the SOA, the operations of the new CCG are being overseen by the Ministry of Public Security. Additionally, a National Oceanic Commission (NOC) has been established and placed under the SOA. The NOC is expected to formulate China's oceanic development strategies and coordinate the different agencies involved in important maritime affairs. The Maritime Safety Administration (MSA), which is responsible for navigational safety and port administration, is not being merged into the newly formed entity due to its limited security roles. The process of merger has been completed at the Centre in Jul 13²⁹ while integration at the regional level is in progress.

Implications of Restructuring

The integration is expected to resolve most of the bugbears indicated earlier and will also considerably increase the potency of the force.

Optimised Asset Management. The combined entity would control assets of up to 2000 vessels, including 50 to 60 blue water patrol vessels, thus making it a formidable force in the region. It would be able to continue its coercive strategy in the South China Sea with better coordination and calibrated application of pressure.

Harness Soft Power. The continued augmentation of the Chinese Coast Guard with larger patrol vessels also indicates a shift towards employing these 'white ships' in oceans beyond the West Pacific, probably to augment the 'soft power' projection role being presently donned by the 'Peace Ark' hospital ship.³⁰ China could use these units in the IOR and elsewhere for anti-piracy, HADR, diplomacy and other missions to avoid the hegemony 'tag' associated with its naval ships.

²⁹Bonnie Glaser and Brittany Billingsley, 'The Promise and Peril of China's New Coast Guard', <http://thediplomat.com/2013/08/>, (accessed on 08 Feb 14).

³⁰Toshi Yoshihara, discussions at NWC, Goa on 21 Mar 14

Acceptability. The new China Coast Guard would also be a powerful, yet benign, instrument of maritime diplomacy as compared to the PLA Navy and hence more ‘acceptable’ to the South China Sea littoral nations, most of which have a small Navy similar in stature to the CCG.³¹

Cohesion with PLA(N). Perhaps the greatest gain would be enhanced coordination between the PLA(N) and the new CCG for maritime security management. Joint exercises such as the ‘East Sea Collaboration-2012,’ with significant participation by the MSA and FLEC, are a pointer in this direction.³² PLA Navy has also integrated the CMS into its annual ‘Exercise Blue Whale’ in the East China Sea. These coordinated exercises are aimed at integrating the China Coast Guard into the Local Naval Defence (LND) framework. This would free potent PLA Navy assets for operations beyond and into the West Pacific and IOR. The PLA Navy will also gain from greater access to over 16 discrete research centres and a series of maritime observation satellites operated by the State Oceanic Administration.³³ It would also gain from the enhanced MDA capabilities in the East and South China Sea achieved through integration and pooling the resources of these agencies.

Opportunities and Lessons for India

Constructive Engagement. For continued economic progress and harmonious growth, it would be prudent for India to pursue a policy of constructive engagement with China. Interaction between the Coast Guard of the two countries provides an opportunity to enhance mutual trust in the maritime environment. Greater interaction in benign roles such as search and rescue, pollution control, fisheries protection, HADR, integrated training, reciprocal visits by ICG and China Coast Guard ships as well as personnel exchange programmes could be some of the initiatives to progress this constructive engagement.

Coastal Security Framework. The restructuring of the Chinese enforcement forces presents a viable option for structuring Indian coastal Security architecture, which is still in its infancy. The present maritime enforcement structure in the Indian context suffers from many of the same problems that

³¹Toshi Yoshihara, *Address to NHCC on 21 Mar 14*

³²Opcit, Masakuyi Masuda, ‘Beyond the Hub and Spoke’, p 78†

³³Opcit, Lyle J Goldstein, p 21

plagued the Chinese enforcement agencies: large number of players; no clearly defined command and control structure; poor asset management; inadequate cooperation; and poor data sharing between the various agencies. These compelled China to go in for the merger. Faced with a similar predicament, there is merit in India incorporating the lessons from China's experience. Having the Indian coastal security construct under a single ministry, similar to the State Oceanographic Administration, and having a single implementing agency, on the lines of the China Coast Guard, could go a long way in resolving our own coastal security dilemma.

Conclusion

China has over the last two decades very effectively used the latent capabilities of its non-naval maritime forces to coerce, intimidate and frustrate competing nations in the Chinese littorals, while always keeping the conflict below the escalatory threshold. This strategy has yielded considerable territorial gains in the Spratly and Scarborough disputes and is an ongoing exercise against Japan in the Senkaku stalemate.

The amalgamation of the enforcement agencies into the China Coast Guard and new accretions to the force are a pointer to China's commitment towards resolving their erstwhile deficiencies and improving efficiency of the force. Recent progress by China in harnessing the 'soft power' of non-naval forces for diplomatic and benign roles is likely to accrue incremental gains through the 'non-hegemonistic' tag. India could thus pursue a strategy of greater interaction between the Coast Guards of the two countries to dispel mistrust and pave the way for peaceful and harmonious coexistence in the maritime domain.



About the Author



Captain Jilet Koshy is an alumnus of Naval Academy Goa and was commissioned into the India Navy on 01 Jan 94. A Master of Nautical Sciences from CUSAT, Kochi, he is a post graduate in Defence Studies from DSSC, Wellington. A Navigation and Direction(ND) specialist, he has navigated IN Ships Sagardhwani, Kuthar, Ranjit and Delhi, and was also the Executive Officer of INS Kirpan. He has also been the Training Commander at Indian Naval Academy, Ezhimala, Staff Officer (ND) at the Indian Naval Workup Team and Commander Workup at Local Workup Team(East). He was also the commissioning Executive Officer of INS Shakti. The officer was a participant of NHCC – 26 at Naval War College, Goa and is presently the Joint Director at INTEG, Mumbai.