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LEGISLATIVE TESTIMONY

Maritime Security in the Indo-Pacific and the UN Convention for the Law of the Sea

Testimony before the U.S. House of Representatives Subcommittees on Seapower
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South and East China Seas: Decisive Theaters for Great Power Competition

The world is at the cusp of a dangerous decade, and the difference of it becoming a violent peace or worse is a function of what we as a nation choose to do in maritime Asia. Moreover, events of the past year belie an intensifying competition among the United States, China and Russia. Consider events of the last few weeks; there has been a prolonged massing of Chinese maritime militia and fishing vessels in Philippine waters, the largest Chinese air incursions into Taiwan's southern airspace at the same time the Chinese Navy conducted drills with its aircraft carrier to the north and east of Taiwan.

With regards to China, the risks are greatest and urgent as recently acknowledged in hearings at the Capitol by the current Indo-Pacific commander, Admiral Philip Davidson, and future commander Admiral John Aquilino. For China, a host of pressures will come to a head this decade, challenging the Chinese Communist Party's (CCP) legitimacy and President Xi Jinping's continuation in power. Complicating hopes to mitigate today's tensions is that in the last two years, the "One-Country, Two-Systems" construct for a peaceful resolution of China's unresolved civil war with Taiwan has largely collapsed.

It all bodes for rough seas ahead.

Since the end of the Cold War, assumptions based on U.S. preeminent military and economic power have encouraged generally passive or reactive national security policies. If the U.S. is to continue to play a leadership role in the world with the requisite influence that ensures its prolonged prosperity, this will need to change faster to outpace the danger. Doing so will require overcoming institutional inertia and instilling a new mindset.

It has been 35 years since the Navy executed a proactive global naval strategy, and doing so today will not be easy. A good first step in recognizing this was the recently released 'Advantage at Sea'¹ – a Navy, Marine Corps and Coast guard maritime strategy. Actualizing this requires a novel approach—Naval Statecraft—that combines economic statecraft, diplomacy and forward naval presence. Appropriately resourced, such an approach offers a way to contest China across a spectrum of rivalry while fostering new partnerships that position the military for prolonged competition and if required success in war.

A Sense of Urgency-

Great-power competition with Russia and China is not new, and was recognized by the Obama-Biden administration in its final years and throughout the Trump administration. With CCP leadership less inclined to accommodation and backed by a rapidly expanding modern military, the contest is about to enter a more dangerous phase. This new reality makes the need for a strong Navy, increased forward military presence, and pragmatic diplomacy national imperatives.

At the same time, China's aging population, unresolved territorial disputes, and a slowing economy are conspiring to challenge the CCP's legitimacy. This legitimacy has been anchored in the CCP's delivery of prosperity as measured by increasing gross domestic product (GDP) which has been ebbing as China's population ages, and made worse in recent times by reduced industrial activity due to COVID. As this

¹ Kenneth J. Braithwaite, Advantage at Sea: Prevailing with Integrated All-Domain Naval Power, December 2020, <https://media.defense.gov/2020/Dec/16/2002553074/-1/-1/0/TRISERVICESTRATEGY.PDF> (accessed April 25, 2021).

South and East China Seas: Decisive Theaters for Great Power Competition

post-Tiananmen promise² falters, there will be sharpening nationalist calls to resolve the Taiwan dispute—a scenario that could plausibly draw the United States into war.

All said, the speed of development and operational learning by the Peoples Liberation Army (PLA) Navy has caused serious concerns, notably for the US Indo-Pacific Commander, Admiral Philip Davidson. He made his concern clear at a Senate hearing on March 9, 2021 that in an overall perspective, PLA actions point towards conflict in the next six years.³ If war should come to pass over Taiwan, it is likely the largest fleet actions would be fought in the South China Sea over control of approaches to the principal southern Taiwan port of Kaohsiung.

The absence of a new framework for peacefully resolving the dispute between the CCP and Taiwan, and these economic pressures will come to a head by 2029. This is when China begins an unavoidable population decline and the associated GDP growth rate likely shrinking from today's 6.9 to 3 percent by 2030. Coincidentally, the CCP is urgently seeking to field a fully modern military by 2027—a budget priority in the CCP's recent five year plan. To meet this challenge and avert crisis, our nation needs a maritime 'Battleforce 2025'⁴ plan to stress the defense industrial base and the Department of Defense to deliver urgently the maritime capacities needed to shape the strategic environment, deter adventurism and win in conflict. Timelines stretching out to 2045 to deliver needed fleet expansion alone will not pace the rapidly metathesizing threat from China.

All the while, Russia, also active in Asia, remains an unremitting strategic agitator seeking to weaken a geopolitical order it views as antithetical to its interests.

Like autocracies before, the CCP leadership is externally risk adverse since they must also contend with a life-or-death struggle with domestic challenges; CCP spends almost 20 percent more on internal defense than external national defense. Because of this, they attempt to change realities on the ground and at-sea without direct confrontation via so-called hybrid or gray-zone operations. Backed by active influence campaigns, economic largess, and military presence, their theory of victory is to alienate the United States from security allies and partners, elbow out market influence and access, and depict the rules-based order as hypocritical and serving perfunctory U.S. interests. Their goal—position themselves to dictate or accomplish via *fait accompli* strategic economic, political, and military goals.

For Chairman Xi Jinping, the pressure to deliver are tremendous. Every year after March 2023, beyond what till 2018 had been accepted behavior to serving only two terms as President, Xi will be under increasing pressure to live up to the material successes of Chairmen Deng and the political ruthlessness of Chairman Mao to stay in power. He will in fact have to best both of these iconic CCP leaders.

² Following the June 1989 violent suppression of a Chinese student movement seeking democratic reforms at the Tiananmen Square in Beijing, subsequent CCPs leaders have endeavored to prevent a repeat. The formula is to placate popular dissatisfactions through ever improving quality of life (i.e. economic growth) while deflecting any negative blame of current or past wrongs by espousing a virulent nationalism targeting supposed oppressors in Washington and Tokyo.

³ Transcript of Hearing To Receive Testimony On United States Indo-Pacific Command In Review Of The Defense Authorization Request For Fiscal Year 2022 And The Future Years Defense Program, March 9, 2021, p. 47-48, https://www.armed-services.senate.gov/imo/media/doc/21-10_03-09-2021.pdf (accessed April 18, 2021).

⁴ Battle Force 2025 is a reference to the Navy's December 2020 30-year shipbuilding plan submitted to Congress which was based on the Future Naval Force Study (FNFS) that detailed a fleet to be built by 2045 – Battle Force 2045.

South and East China Seas: Decisive Theaters for Great Power Competition

To effectively contest CCP theories of victory, the Department of Defense and Navy are having to compete below the threshold of conflict to confound Xi's strategic calculus. To deny victories without firing a shot, the Navy will need to build and employ a larger fleet with new competencies to keep the PLA unsure of the correlation of forces, explicitly challenge strategic narratives and influence campaigns, and neuter any attempted fait-accompli operations through a forward naval presence.

Great Power Multitasking Required-

While the risk in Asia is great, the U.S. Navy must still focus on the global, systematic threats. This means contesting Russian and Chinese revisionist maritime strategies, who have the wherewithal to effect changes antithetical to U.S. interests. Iran, North Korea, and violent extremists can cause much harm, but the implications of their capacities are not systemic nor existential. For this reason, prioritizing investments to compete with China and Russia will give the Navy the presence and capability it needs to support wider Department of Defense (DoD) efforts while meeting strategic imperatives. Nonetheless, the Navy will need to multitask and be postured to respond to "black swan"⁵ events while maintaining the capacity for great-power competition—which brings us to another complicating factor: the China–Russia nexus.

On June 5, 2019, Chinese President Xi Jinping and Russian President Vladimir Putin issued a joint statement in Moscow committing both countries to an upgraded "comprehensive strategic partnership for a new era."⁶ Days later, a Russian destroyer had an unsafe and unprofessional interaction with a U.S. guided missile cruiser, the USS *Chancellorsville*, in the Philippine Sea. Then, in July 2019, Russian and Chinese long-range bombers, operating together for the first time, circumnavigated Takeshima/Dokto Island in the Sea of Japan. Possession of this island is a subject of dispute between Japan and South Korea, and the ensuing recriminations between allies Japan and South Korea regarding their armed forces operating in disputed airspace were more troubling than was the reaction of these allies to China's and Russia's activities.⁷ This was repeated again in December 2020, when Russian and Chinese bombers conducted coordinated operations over the Sea of Japan and transited the East China Sea and into the Philippines Sea over Japan's Ryuku Islands.

With two great-power competitors, the Navy will have to balance and synchronize its activities while not becoming distracted by Chinese and Russian efforts to achieve opportunistic gains on opposite ends of the world. This will be difficult because these two revisionist powers appear to be increasingly intent on coordinating maritime operations. At the same time, as evidenced by Russia's military arms sales to Vietnam, Chinese and Russian interests do not always align either.⁸

⁵ A "black swan" event is one that defies normal expectations or, because of conventional bias, is considered to be impossible. Though the concept originated during Roman times, it was popularized in Nassim Nicholas Taleb, *The Black Swan: The Impact of the Highly Improbable* (New York: Random House, 2007).

⁶ Xinhua, "China, Russia Agree to Upgrade Relations for New Era," June 6, 2019, http://www.xinhuanet.com/english/2019-06/06/c_138119879.htm (accessed November 20, 2020).

⁷ Jeremy Page, "China Promises Further Military Cooperation with Russia," *The Wall Street Journal*, updated July 24, 2019, <https://www.wsj.com/articles/china-promises-further-military-cooperation-with-russia-11563973937> (accessed November 20, 2020).

⁸ Anton Tsvetov, "Russia's Tactics and Strategy in the South China Sea," Center for Strategic and International Studies, Asia Maritime Transparency Initiative, November 1, 2016, <https://amti.csis.org/russias-tactics-strategy-south-china-sea/> (accessed November 20, 2020).

South and East China Seas: Decisive Theaters for Great Power Competition

Smart Power in Decisive Theaters-

For a Navy that is undersized to meet all security requirements, it is imperative that the right mix of forces be placed in strategically significant regions and sustained for lasting effect. Peacetime U.S. naval action taken in decisive theaters, like pressure points in the martial art Aikido, can enable an economy of force to cause a competitor to change behavior. This requires more than deterrence, the Navy must rebalance forces and operate in a manner specifically targeting Chinese national leadership's strategic calculus.

The main "strategic direction" of the Chinese Communist Party (CCP)—unification with Taiwan—informs its military modernization and expansion measured against the U.S. military.⁹ It is an elusive goal requiring the Peoples' Liberation Army (PLA) to take on the U.S. and its network of allies. It also remains beyond the PLA's ability...for now. The CCP has therefore pursued an indirect and long-term approach to supplant the U.S. as a regional economic and military power, thereby setting the conditions for the successful return of Taiwan, preferably without firing a shot. Backed by impressive anti-access and area denial (A2/AD) capabilities, the cost of contesting China has gradually been raised so that the U.S. would not intervene on an Ally's behalf – otherwise known as China's "counter intervention" strategy.¹⁰ A key to this strategy will be dominion over the South China Sea and its critical sea lanes, the greater consequence being, as Robert Kaplan argues in *Asia's Cauldron*, that this would make China the hegemon of the Indo-Pacific.¹¹

If the U.S. continues its past reactive or relatively passive approach to this peacetime contest, it runs the risk of miscommunicating its interests, thereby increasing the risk of miscalculation on China's part resulting in a long and costly war. Events of the early post–Cold War era confirm this view. Ever since the departure of U.S. forces from bases in the Philippines in 1991, there has been a notable increase in China's encroachment and provocations in the South China Sea. This started with China's occupation and construction of facilities on the Philippines' Mischief Reef in 1994, further expanded in 1999, and culminated in 2015's massive island-building campaign.¹² Such activities in the South China Sea contribute to China's "counter intervention" strategy in two key ways: They bolster the isolation of Taiwan both diplomatically and militarily, and they enhance the PLA Navy's posture in the event of war over Taiwan.

⁹ U.S. Department of Defense, Office of the Secretary of Defense, Annual Report to Congress: Military and Security Developments Involving the People's Republic of China 2019, May 2019, pp. iii, 14, and 83-85, [https://media.defense.gov/2019/May/02/2002127082/-1/-1/1/2019%20CHINA%20MILITARY%20POWER%20REPORT%20\(1\).PDF](https://media.defense.gov/2019/May/02/2002127082/-1/-1/1/2019%20CHINA%20MILITARY%20POWER%20REPORT%20(1).PDF) (accessed September 9, 2020).

¹⁰ Timothy Heath and Andrew S. Erickson, "Is China Pursuing Counter-Intervention?" *The Washington Quarterly*, Vol. 38, No. 3 (fall 2015), pp. 143–156, <https://www.andrewerickson.com/2015/11/is-china-pursuing-counter-intervention/> (accessed September 9, 2020).

¹¹ Robert D. Kaplan, *Asia's Cauldron: The South China Sea and the End of a Stable Pacific* (New York: Random House, 2014), electronic book location 725 and 895.

¹² Center for Strategic and International Studies, Asia Maritime Transparency Initiative, "Mischief Reef," <https://amti.csis.org/mischief-reef/> (accessed September 9, 2020).

South and East China Seas: Decisive Theaters for Great Power Competition

China now has an archipelago of manmade islands with naval and air bases backing what Secretary of State Michael Pompeo has called China's illegal maritime claims.¹³ However, where China's growing military cannot yet reach, a future welcome is prepared through significant economic inroads spearheaded by the Maritime Silk Road and Silk Road Economic Belt. As part of China's Belt and Road Initiative (BRI); 24 percent (\$147 billion) of all BRI investment and construction contracts through 2018 have gone to Southeast Asia, led by Singapore, Malaysia, Indonesia, and Laos.¹⁴ At the same time, China has used U.S. ambivalence regarding maritime disputes with significant economic implications to claimant states to weaken U.S. credibility and undermine Association of Southeast Asian Nations (ASEAN) unity.¹⁵ Philippine President Rodrigo Duterte famously walked away from a win in maritime arbitration against China early in his tenure.¹⁶ Likewise, the CCP has jumped at the opportunity to pare ally Thailand away from the U.S., and has drifted deeper into China's orbit since the downgrading of U.S. military relationship following a 2014 coup.¹⁷

With ASEAN unity uncertain and security partners questioning U.S. commitments in the face of increasingly aggressive Chinese activities, as will be shown later, a sustained naval presence in the South China Sea can bolster the rules-based order and instill needed regional confidence in U.S. commitments. There is also an economic imperative given ASEAN's importance to the U.S. (fourth largest trading partner after Canada, Mexico, and China). Such a force would restore military balance to a region that has edged precipitously closer to China in the past 15 years, disadvantaging America's influence and making its allies and key partner nations more susceptible to Chinese pressure.

Taiwan as Today's Fulda Gap-

Taiwan, protected by ninety miles of ocean, is a vibrant democracy and successful capitalist market. To the CCP, Taiwan beyond being labeled a renegade province, is also to the CCP what West Berlin was to the Soviets. An unmistakable example of Chinese democracy and capitalism working successfully to improve their citizens lives. The most likely trigger for major war today would be a Chinese attempt at forced integration of Taiwan. To do so is a stated CCP core national interest and principal strategic direction of the PLA, and helped instigate in 2014 wide ranging PLA reforms as the military approach

¹³ Press statement by Michael A. Pompeo, Secretary of State, "U.S. Position on Maritime Claims in the South China Sea," U.S. Department of State, July 13, 2020, <https://www.state.gov/u-s-position-on-maritime-claims-in-the-south-china-sea/> (accessed September 9, 2020).

¹⁴ Veasna Kong, Steven G. Cochrane, Brendan Meighan, and Matthew Walsh, "The Belt and Road Initiative—Six Years On," Moody's Analytics, June 2019, p. 3, <https://www.moodyanalytics.com/-/media/article/2019/Belt-and-Road-Initiative.pdf> (accessed September 9, 2020).

¹⁵ Cal Wong, "After Summit, ASEAN Remains Divided on South China Sea," The Diplomat, May 3, 2017, <https://thediplomat.com/2017/05/after-summit-asean-remains-divided-on-south-china-sea/> (accessed September 9, 2020).

¹⁶ Catherine Wong, "Golden Period of China–Philippines Friendship Loses Its Shine," South China Morning Post, July 25, 2020, <https://www.scmp.com/news/china/diplomacy/article/3094393/golden-period-china-philippines-friendship-loses-its-shine> (accessed September 9, 2020).

¹⁷ Liu Zhen, "Thailand Puts Chinese Submarine Order on Hold to Fund Coronavirus Fight," South China Morning Post, April 23, 2020, <https://www.scmp.com/news/china/military/article/3081308/thailand-puts-chinese-submarine-order-hold-fund-coronavirus> (accessed September 9, 2020).

South and East China Seas: Decisive Theaters for Great Power Competition

gained prominence since the 2005 anti-secession law.¹⁸ The danger of conflict in recent years has taken on added urgency as the PLA rapidly outpaces the capacity of U.S. and allied combined conventional deterrence. However, success for the CCP in such a conflict is far from certain, and an apparent incremental strategy is being pursued at minimum risk to the survival of the CCP.¹⁹ Control of the South China Sea plays a key strategic role in this approach.

In a prolonged battle over Taiwan, PLA control of surrounding waters and airspace would be needed to secure the landings, and then sustain the subsequent land campaign. This makes controlling the East and South China Seas critical to Chinese military planners. Without logistical support for PLA forces fighting in Taiwan, they would eventually succumb. The shallow waters and close proximity of key US ally Japanese military forces, in the nearby Ryukyu Islands, mitigates the opportunity value of the East China Sea as a setting for incremental peacetime contests given the limited military and diplomatic avenues afforded the CCP. This relatively fixed tactical and strategic dynamic has resulted in a years long campaign of maritime and airspace incursions intending to exhaust Japanese Self Defense Forces and Coast Guard, notably but not limited to the Senkaku Islands. More interesting to the CCP, however, is the South China Sea with its wide open maritime and deep waters surrounded by nations of pliable allegiances. Such a key strategic theater provides the potential for incremental Chinese peacetime successes in undermining U.S. partnerships and credibility while also a favorable setting for major naval operations.

Like Germany's Fulda Gap in the Cold War era, peacetime and wartime operations conducted on the South China Sea will be a key factor in determining the fate of Taiwan. The PLA Navy (PLAN) and CCP in turn have invested tremendous resources to this key strategic maritime theater. The most advanced Chinese naval platforms are based here, leading edge joint operations are practiced here, and PLAN senior leaders have served here. In fact, the last two PLA Navy (PLAN) Commanders, stretching back 15 years, were both previously the Commander of the South Seas Fleet based in Zhanjiang on China mainland's southern coast. While the PLAN would be responsible for securing the waters around Taiwan in a conflict, the uncertain geostrategic landscape of the South China Sea also compels the CCP to assume a very active military and diplomatic role here. In what Major General Zhang Zhaozhong of the PLA once called a 'cabbage' strategy, the PLAN in concert with the Chinese Coast Guard (CCG) and the maritime militia have had great success of edging out regional claimants.²⁰ To further bolster this echelon maritime approach to "peacefully" seize various maritime features, the PLA has established an archipelago of manmade-island military garrisons that now sustains a persistent and growing maritime presence across the South China Sea.

Avoiding the uncertainty of war is clearly in the CCP's best interest. Consequently, Beijing has devoted substantial investments in debt diplomacy and influence peddling throughout Southeast Asia in order to buy acquiescence to Beijing. The most notable was attempts to use co-development and infrastructure

¹⁸ David M. Finkelstein, "Breaking the Paradigm: Drivers Behind the PLA's Current Period of Reform," Chairman Xi Remakes the PLA (Washington: National Defense University Press, 2019), p.45 and 77, <https://ndupress.ndu.edu/Portals/68/Documents/Books/Chairman-Xi/Chairman-Xi.pdf> (accessed April 18, 2021).

¹⁹ Robert P. Ashley Jr, "China Military Power: Modernizing a Force to Fight and Win," Defense Intelligence Agency, November 2018, p.28-29 and 33, https://www.dia.mil/Portals/27/Documents/News/Military%20Power%20Publications/China_Military_Power_FIN_AL_5MB_20190103.pdf (accessed April 18, 2021).

²⁰ Martinson, Ryan D., "Echelon Defense: The Role of Sea Power in Chinese Maritime Dispute Strategy" (2018). CMSI Red Books, Study No. 15, <https://digital-commons.usnwc.edu/cgi/viewcontent.cgi?article=1014&context=cmssi-red-books> (accessed April 18, 2021).

South and East China Seas: Decisive Theaters for Great Power Competition

investments to lure Manila into relinquishing its legal rights in its economic exclusive zones (EEZ).²¹ Failing this, the PLAN has backed more coercive approaches to expanding its military footprint in the region at the added expense of U.S. regional credibility. At the time of this writing, an all too familiar scenario was playing out at Whitsun Reef, where Chinese Coast Guard, maritime militia, and fishermen had massed within the Philippines' EEZ.

However, instead of typical 'cabbage' strategies leveraging the maritime militia and CCG a more forceful initial PLAN presence was on display. While maritime militia massed at Whitsun Reef to the south, in an unusual move two PLAN *Houbei*-class missile boats relieved CCG cutters, as they drove off a commercial vessel carrying reporters in waters off Palawan, Philippines.²² The use of PLAN vessels in this way could be unremarkable but if it represents a change in Chinese tactics would be more concerning. Such changes would likely be a response to the recently increased U.S. maritime presence in the region and emboldened claimant nations precipitated by the successful 2020 survey operations conducted by chartered ship *West Capella* in Malaysia's EEZ.²³ While perhaps too soon to represent a change in CCP approach, it is important to note that tactics evolve constantly. That said, a test may once again be coming as countries like Malaysia that rely on South China Sea oil resources to balance national budgets will be in disputed waters again soon.

Naval Statecraft-

The Navy obviously must retain the ability to fight and win wars, but this capability is insufficient without development of an approach that enables the Navy to win the peacetime contest. To win this contest, the Navy must be able to synchronize its operations, forward access and basing, military sales, and interoperability with partner navies while working more effectively across the wider U.S. government.

In recent times, our Navy has played a key strategic role in effecting peacetime change: Its response to 2008's cyclone Nargis, for example, began a chain of events that led to normalized relations and democratization in Myanmar, and 2004's tsunami relief efforts in Indonesia led to greatly improved bilateral relations and renewed military engagement.

In 2020, for example, a remarkable months-long display of U.S. maritime power occurred in the South China Sea. It started in late April with the USS *Gabrielle Giffords* patrolling in the vicinity of the Panamanian-flagged *West Capella* as it conducted deep-water surveys in Malaysia's exclusive economic zone (EEZ), an area in which the waters and rights are disputed by China. Operational tempo built to include Air Force bomber overflights in May and culminated in July with sustained dual aircraft carrier South China Sea operations, a first since 2012.²⁴

²¹ Derek Grossman, "China Refuses to Quit on the Philippines," RAND Corporation, July 22, 2020, <https://www.rand.org/blog/2020/07/china-refuses-to-quit-on-the-philippines.html> (accessed April 18, 2021).

²² Philip Heijmans, "Chinese Navy Chases Philippines' News Crew in Disputed Sea," Bloomberg, April 9, 2021, <https://www.bloomberg.com/news/articles/2021-04-09/filipino-reporters-chased-by-armed-chinese-ships-in-disputed-sea> (accessed April 18, 2021).

²³ Brent D. Sadler, "Rebuilding America's Military: The United States Navy," Heritage Foundation, p.19, <https://www.heritage.org/sites/default/files/2021-02/SR242.pdf> (accessed April 18, 2021).

²⁴ Diana Stancy Correll, "Nimitz, Reagan Carrier Strike Groups Pick up Dual-Carrier Exercises in South China Sea Again," Navy Times, July 17, 2020, <https://www.navytimes.com/news/your-navy/2020/07/17/nimitz-reagan-carrier-strike-groups-pick-up-dual-carrier-exercises-in-south-china-sea-again/>

South and East China Seas: Decisive Theaters for Great Power Competition

Amid all this, on July 13, Secretary of State Michael Pompeo issued the first clear statement of U.S. views on China's claims: "they are unlawful."²⁵ And instead of merely repeating long-standing talking points about "supporting freedom of navigation and overflight" as rationale for these operations, Commander, Seventh Fleet, Vice Admiral William Merz added, "The U.S. supports the efforts of our allies and partners in the lawful pursuit of their economic interests."²⁶ Given the economic nature of the *West Capella's* survey operations, such statements, adroitly matched with a naval presence, resonated with our partners in tangible ways. This is demonstrated by Indonesia's subsequent naval exercises in the South China Sea,²⁷ the Philippines' decision to now leverage its 2016 maritime arbitration win against China,²⁸ Malaysia's rare protest note to the United Nations regarding China's excessive claims,²⁹ and Vietnam's support while serving as ASEAN chair.³⁰

ASEAN nations do not want to choose between the security offered by the U.S. and the largesse on offer from trade with China or Beijing's Belt and Road Initiative. A better U.S. offer is needed to tip the scales. Supporting a free and open Indo-Pacific,³¹ naval statecraft provides a framework for the Navy's active role in providing such a new deal. By leveraging economic interests through such mechanisms as the Development Finance Corporation (DFC), rebranded by the BUILD Act,³² investments that enable naval presence and meets the Navy's access requirements can bolster a cost-effective forward presence while also expanding mutually beneficial trade. On this there is some historical precedent.

(accessed November 21, 2020).

²⁵ Press statement by Michael A. Pompeo, Secretary of State, "U.S. Position on Maritime Claims in the South China Seas."

²⁶ Blake Herzinger, "Learning in the South China Sea: The U.S. Response to the West Capella Standoff," War on the Rocks, May 18, 2020, <https://warontherocks.com/2020/05/learning-in-the-south-china-sea-the-u-s-response-to-the-west-capella-standoff/> (accessed November 21, 2020).

²⁷ Radio Free Asia, "Indonesian Navy Conducts Major Exercise amid South China Sea Tensions," July 22, 2020, <https://www.rfa.org/english/news/china/indonesia-southchinasea-07222020212724.html> (accessed November 21, 2020).

²⁸ Republic of the Philippines, Department of Foreign Affairs, "Statement of Secretary of Foreign Affairs Teodoro L. Locsin, Jr. on the 4th Anniversary of the Issuance of the Award in the South China Sea Arbitration," July 12, 2020, <https://dfa.gov.ph/dfa-news/statements-and-advisoriesupdate/27140-statement-of-secretary-of-foreign-affairs-teodoro-l-locsin-jr-on-the-4th-anniversary-of-the-issuance-of-the-award-in-the-south-china-seaarbitration> (accessed November 21, 2020).

²⁹ Permanent Mission of Malaysia to the United Nations, Note Verbale "with reference to the Note Verbale CML/14/2019 dated 12 December 2019 by the Permanent Mission of the People's Republic of China to the United Nations to the Secretary-General," July 29, 2020, https://www.un.org/Depts/los/clcs_new/submissions_files/mys_12_12_2019/2020_07_29_MYS_NV_UN_002_OL_A-2020-00373.pdf (accessed November 21, 2020).

³⁰ Jim Gomez, "ASEAN Takes Position vs China's Vast Historical Sea Claims," Associated Press, June 27, 2020, <https://apnews.com/094a46218f808f6943e326200e6452a7> (accessed November 21, 2020).

³¹ U.S. Department of State, A Free and Open Indo-Pacific: Advancing a Shared Vision, November 4, 2019, <https://www.state.gov/wp-content/uploads/2019/11/Free-and-Open-Indo-Pacific-4Nov2019.pdf> (accessed November 21, 2020).

³² Shayerah Ilias Akhtar and Marian L. Lawson, "BUILD Act: Frequently Asked Questions About the New U.S. International Development Finance Corporation," Congressional Research Service Report for Members and Committees of Congress No. R45461, January 15, 2019, <https://fas.org/sgp/crs/misc/R45461.pdf> (accessed August 25, 2020).

South and East China Seas: Decisive Theaters for Great Power Competition

The growth of Djibouti as a strategic base for U.S. military operations in Africa and the Middle East since the attacks of September 11, 2001, provides an excellent example of the security-economic nexus. As the U.S. military presence grew, so did trade from the U.S., marking a six fold increase compared to the average of nine years before September 11th. Eventually, Djibouti's success and stability attracted more investors, with the establishment of bases in country by Japan and China in 2011 and 2017, respectively, and the opening of the \$4.5 billion Chinese-built Addis Ababa–Djibouti rail line connecting landlocked Ethiopian markets to seaborne trade in 2018.³³ Such activity has been a boon for Djibouti, has provided a modest benefit to U.S. business, and has helped to sustain an important U.S. military base, Camp Lemonnier.

Finally, interoperability with allies and partner navies can also benefit from invigorated security cooperation through military sales, creative new leasing mechanisms, sped-up excess defense article (EDA) transfers, and enduring training missions. In addition, such efforts can set the conditions that facilitate co-production of critical munitions to mitigate domestic production capacity limits, help to ensure greater access to forward bases, and enable mutual support (e.g., maintenance and fueling) of common platforms and weapon systems.

Pursue Proactive Lawfare and Diplomacy-

On April 10, 2012, a series of events began that would overturn decades of internal U.S. government thinking about China's adoption of Western norms in dispute resolution. On that day, Philippine Navy ship BRP *Gregorio del Pilar* entered Scarborough Shoal in the South China Sea to evict a large number of Chinese fishermen. Those fishermen were poaching coral and giant clams in the large lagoon and immediately radioed to Chinese authorities for assistance. Two CCG cutters arrived just as Philippine authorities were arresting the fishermen. The CCG prevented the *Pilar* from exiting the lagoon, and a months-long standoff ensued that drew in U.S. diplomats and the U.S. National Security Council.

As negotiations dragged on, China brought pressure on Philippine authorities to relent. A banana embargo, for example, affected 14 percent of Philippine growers and cost the Philippines more than \$53 million in lost trade with China. By the end of May, after weeks of mediation, more than 100 Chinese trawlers had massed in and around the lagoon during China's annual fishing moratorium.

While never publicly acknowledged, the U.S. *engaged* the CCP to help broker a deal under which both sides would withdraw ahead of an approaching typhoon on June 15.³⁴ However, the Chinese vessels never left and retain effective control today. This was the final straw, and the Philippines after years of dilatory diplomacy with China, entered into formal arbitration over disputed maritime claims which China refused to participate and instead began a massive island-building campaign.

³³ Embassy of Ethiopia in Brussels, "Railway Development in Ethiopia," January 6, 2017, <https://ethiopianembassy.be/railway-development-in-ethiopia/> (accessed November 21, 2020). An editorial note reflects that "[t]his article was originally published in the 4th issue (October 2016) of The Ethiopian Messenger, the quarterly magazine of the Embassy of Ethiopia in Brussels."

³⁴ Michael Green, Kathleen Hicks, Zack Cooper, John Schaus, and Jake Douglas, "Counter-Coercion Series: Scarborough Shoal Standoff," Center for Strategic and International Studies, Asia Maritime Transparency Initiative, May 22, 2017, <https://amti.csis.org/counter-co-scarboroughstandoff/> (accessed December 6, 2020)

South and East China Seas: Decisive Theaters for Great Power Competition

On the heels of this chain of events and years of U.S. diplomatic advocacy, in January 2013 the Philippines formally submitted its case to a tribunal empowered per the United Nations Convention on the Law of the Sea (UNCLOS).³⁵ Rather than be *bound* to its obligations as a signatory to UNCLOS, the CCP instead having refused to participate nor honor the July 2016 findings; which were in the Philippines favor.

That China had reneged on an agreement involving senior U.S. diplomats and policymakers forced the U.S. to reassess its approach to China. The Department of State's Office of Ocean and Polar Affairs, had for nine years of not issued any legal findings on excessive maritime claims known as Limits in the Seas reports. Then on December 5, 2014 it finally released a finding on the legal merits of China's Nine Dash Line – a line first made public by the Nationalist government of China in 1947.³⁶ The report concluded that China's claims, which in-effect declare the South China Sea historic waters, was without merit and would six years later contribute to the Secretary of State in July 2020 declaring "Beijing's claims to offshore resources across most of the South China Sea are completely unlawful..."³⁷

Three years after the Scarborough Shoal crisis, in October 2015, the U.S. conducted its first public challenge to China's excessive maritime claims when the destroyer USS *Lassen* sailed unannounced within 12 miles from Chinese-occupied Subi Reef in the South China Sea. Since then, the U.S. has continued to conduct such operations to an extent that now they are routine. Japan, Australia, France, and the United Kingdom have all sent warships to the region and observing long standing customary laws of the sea in a blow to the CCP's attempts to normalize their expansive legal interpretations. And this summer, Germany joins these friendly navies in upholding the maritime rules based order when its frigate arrives in the South China Sea.³⁸ Despite this positive activity by Allied navies, the facts on the ground and at-sea remain unchanged.

China, *unbound* by assurances given at the White House Rose Garden on September 25, 2015³⁹ proceeded to construct facilities, emplace military hardware, and operate warships and warplanes from an archipelago of man-made garrisons in the South China Sea. Which undermined UNCLOS efficacy in resolving South China Sea maritime disputes. Strictly from a maritime security standpoint the reasons for ratifying UNCLOS are murky. For one, the track record is poor with regards to constraining Chinese maritime claims nor its behavior at-sea as detailed above. Secondly, it is less than clear the U.S. government would press any advantage of being a signatory based on the historically limited visible efforts given to support arbitration by likeminded countries, paucity of official legal reviews such as the

³⁵ Permanent Court of Arbitration, The South China Sea Arbitration (The Republic of Philippines v. The People's Republic of China), case number 2013-19, <https://pca-cpa.org/en/cases/7/> (accessed April 24, 2021).

³⁶ Office of Ocean and Polar Affairs, Limits in the Seas: Maritime Claims in the South China Sea, No. 143 China, December 5, 2014, <https://obamawhitehouse.archives.gov/the-press-office/2015/09/25/remarks-president-obama-and-president-xi-peoples-republic-china-joint> (accessed April 24, 2021).

³⁷ Michael R. Pompeo, "U.S. Position on Maritime Claims in the South China Sea," U.S. Department of State Press Statement, July 13, 2020, <https://2017-2021.state.gov/u-s-position-on-maritime-claims-in-the-south-china-sea/index.html> (accessed April 24, 2021).

³⁸ Caitlin Doornbos, "State Department applauds Germany's plan to patrol the South China Sea this year, report says," Stars and Stripes, March 5, 2021, <https://www.stripes.com/news/pacific/state-department-applauds-germany-s-plan-to-patrol-the-south-china-sea-this-year-report-says-1.664528> (accessed April 24, 2021).

³⁹ Office of the Press Secretary, Remarks by President Obama and President Xi of the People's Republic of China in Joint Press Conference, The White House, September 25, 2015, <https://obamawhitehouse.archives.gov/the-press-office/2015/09/25/remarks-president-obama-and-president-xi-peoples-republic-china-joint> (accessed April 24, 2021).

South and East China Seas: Decisive Theaters for Great Power Competition

Limits in the Sea, nor attempted amicus curiae regarding arbitration of interest. That said, should ratification of UNCLOS be pursued, prior to acceding past legal passivity on the part of the U.S. must be addressed. Specifically, additional personnel and resources be in place with a mandate from the highest authority to effectively press the nation's principled interests through UNCLOS legal mechanisms. Failing to do this it is hard to sanction ratification on maritime security grounds, not to mention other legal and economic concerns, if UNCLOS is to be anything other than a burdensome legal fiction. Finally, in either case of U.S. UNCLOS ratification, there will be no impact on how the U.S. Navy conducts operations in the foreseeable future and no indication it would impact the way other maritime forces abroad operate as well.

A Tactical Theory of Victory in Competition-

To compete more effectively in the gray zone between war and peace, warship commanding officers must have more options for the employment of non-lethal force. A tactic often used by the CCG is shouldering. It requires using one's ship to physically move another's. In such cases, the size of the ship and the power of its engines matter most, and the CCG has some of the largest cutters in the world. In fact, the CCG has a lead over any other coast guard or maritime police force in Southeast Asia.⁴⁰ To counter aggressive and unprofessional seamanship, U.S. ships with reinforced hulls can enable the shouldering of hostile ships without outright use of weapons. An added benefit that enjoys Congress's attention is that such ships could potentially operate longer in the Arctic, because the reinforced hulls could be designed to double as ice protection.

Aside from fire hoses and low-energy lasers intended to disable small watercraft and drones, the Navy has yet to invest in and repurpose promising riot-control technologies for use in maritime situations. Such capabilities could have had a positive impact during several past maritime incidents. In March 2009, for example, while in international waters in the South China Sea, five Chinese fishing vessels surrounded and harassed the USNS *Impeccable*, causing it to come to all-stop on several occasions and use its fire hoses at least once against the harassers. Similar incidents include (among others):

- The September 2010 collision between a Japanese coast guard vessel and Chinese trawler,
- The 2012 Scarborough Shoal standoff,
- The March 2014 second Thomas Shoal incident, and
- The May 2014 China–Vietnam Haiyang oil rig standoff.

A common lesson from these incidents is the importance of having methods to keep harassers at a distance from the ship's track and, failing this, the ability to shoulder other vessels safely. As the U.S. Coast Guard looks to expand its presence in these waters, it too will benefit from additional non-lethal options to compel harassing vessels to remain clear. While promising technologies are coming, today Navy's deployed ships best option for gray-zone confrontations remains a blast of water from a fire hose and, when available, speed to get away from harassers.

⁴⁰ Ryan D. Martinson, "East Asian Security In The Age Of The Chinese Mega-Cutter," Center for International Maritime Security, July 3, 2015, <https://cimsec.org/east-asian-security-age-chinese-mega-cutter/> (accessed April 18, 2021).

South and East China Seas: Decisive Theaters for Great Power Competition

As Naval War College's Hunter Stires points out, new tools are needed to contest the maritime insurgency that China is waging in the South China Sea.⁴¹ The Navy should leverage the Marine Corps' efforts in crowd control by field testing and deploying non-lethal Active Denial Systems based on microwave and acoustic technologies.⁴² Priority should be given to providing such new capabilities to commanding officers operating in waters where they will encounter the Chinese Maritime Militia.

To date, there has been little dedicated effort to exercise with partner navies or coast guards to practice effective measures to counter the tactics employed by the Chinese Coast Guard (e.g., shouldering) and Chinese Maritime Militia (e.g., swarming). Since some partner navies and coast guards (e.g., Japan's) undoubtedly have invaluable experience, the U.S. Navy has an opportunity to develop new tactics and capabilities in concert with our maritime partners to neuter the Chinese "cabbage" strategy.

Contest for Position-

Since withdrawing from bases in the Philippines in 1991, the center of gravity for U.S. forces in the Pacific has been in Northeast Asia. This posture is vulnerable to Chinese ballistic and cruise missile saturation attack. Additionally, it engenders long supply lines that will be stressed to ensure prompt response to crises and natural disasters across a massive area of responsibility.

The need to find new basing and posture options is palpable. However, despite recent offers by Papua New Guinea for a base on Manus Island and by the Republic of Palau for permanent basing of U.S. forces, the only significant growth in basing has been the Marine Rotational Force–Darwin (MRF–D) in Australia, which is as far away from the South China Sea as U.S. bases in Guam are. Indo-Pacific Command has attempted to address this posture challenge.

At the same time, Chinese and Russian naval activity moves farther into the Pacific, jeopardizing critical lines of communication, creating a need to recapitalize bases in the Central Pacific as well. To this end, USINDOPACOM has proposed a package of 'Regain the Advantage' initiatives to secure logistic routes, bolster allies in East Asia, and improve military effectiveness by enhancing integrated air defense capability in Guam, increasing the arsenal of long-range precision munitions, and developing infrastructure west of the dateline.⁴³

⁴¹ Hunter Stires, "Win Without Fighting," U.S. Naval Institute Proceedings, Vol. 146, No. 6, Issue 1,408 (June 2020), <https://www.usni.org/magazines/proceedings/2020/june/win-without-fighting> (accessed November 23, 2020).

⁴² Fact Sheet, "Active Denial Technology (ADT)," U.S. Department of Defense, Joint Intermediate Force Capabilities Office, Non-Lethal Weapons Program, updated August 2020, https://jnlwp.defense.gov/Portals/50/Documents/Press_Room/Fact_Sheets/FACT%20SHEET_AD_T_AUG20.pdf (accessed January 4, 2021). "The Department of Defense Non-Lethal Weapons Program stimulates and coordinates non-lethal weapons requirements of the U.S. Armed Services and allocates resources to help meet these requirements. The Commandant of the Marine Corps serves as the Department of Defense Non-Lethal Weapons Executive Agent. Located at Marine Corps Base Quantico, Va., the Joint Intermediate Force Capabilities Office serves as the Department of Defense Non-Lethal Weapons Program Executive Agent's day-to-day management office." U.S. Department of Defense, Joint Intermediate Force Capabilities Office, Non-Lethal Weapons Program, "Organization," <https://jnlwp.defense.gov/About/Organization/> (accessed January 4, 2021).

⁴³ U.S. Indo-Pacific Command, "National Defense Authorization Act (NDAA) 2020, Section 1253 Assessment, "Executive Summary: Regain the Advantage: U.S. Indo-Pacific Command's (USINDOPACOM) Investment Plan for Implementing the National Defense Strategy, Fiscal Years 2022–2026,"

South and East China Seas: Decisive Theaters for Great Power Competition

With ‘Regain the Advantage’ Commander, U.S. Indo-Pacific Command (USINDOPACOM) Admiral Philip Davidson has made clear that a new posture construct is required to meet the challenges from China and Russia in the Indo-Pacific.⁴⁴ He has stressed that what is needed is a more distributed posture of forces that is sustained by resilient logistics, is capable of interconnected shore and naval long-range fires, and is highly mobile for survivability.⁴⁵ Davidson’s five-year, \$20 billion proposal is modeled on the European Deterrence Initiative, which has invested \$22 billion in Europe since Russia’s 2014 annexation of Crimea.

Beyond basing, sustaining a fleet at-sea requires purchasing and delivery of needed fuel via contracted services and logistics vessels to warships that be refueled at-sea or call at ports where fuel is available. Moreover, critical repair parts are often shipped via commercial air to a port for pickup by the ship in need or transshipped to the ship by military aircraft. The fact “that China has access to 10 percent of the shipping rights into and out of Europe” has drawn attention to vulnerabilities in this type of global naval logistic network.⁴⁶ In a crisis—and certainly in war—deliveries that in peacetime often rely on commercial carriers could be interdicted or delayed with operational consequences. The challenge is especially stark in the Western Pacific and Indian Ocean regions far from U.S. suppliers and with limited choices for transshipment to cover the great distances involved. The bottom line is that the Navy will need multiple suppliers and ports of convenience to operate and sustain itself in peacetime competition, crisis and conflict with the CCP and Russia.

The Navy will also need to improve its ability to leverage resources across the government to support its overseas posture needs. For example, the Development Finance Corporation (DFC), was created by the BUILD Act in 2018 and is in effect a U.S. government development bank. The Navy has yet to embed staff experienced in security cooperation and naval operations at the DFC, whose expertise could better inform infrastructure investments beneficial to sustaining forward naval presence. To ensure that DFC efforts support great-power competition, its annual reports to Congress should include assessments on the efficiency of projects regarding military access and forward sustainment with an initial focus on Southeast Asia.

A Case for Naval Statecraft: The Philippines-

<https://int.nyt.com/data/documenthelper/6864-national-defense-strategy-summ/8851517f5e10106bc3b1/optimized/full.pdf> (accessed November 22, 2020).

⁴⁴ Admiral Philip S. Davidson, U.S. Navy, Commander, U.S. Indo-Pacific Command, statement “On U.S. Indo-Pacific Command Posture” before the Committee on Armed Services, U.S. Senate, February 12, 2019, pp. 3, 12, and 16–18, https://www.armed-services.senate.gov/imo/media/doc/Davidson_02-12-19.pdf (accessed November 22, 2020).

⁴⁵ Admiral Philip S. Davidson, “Transforming the Joint Force: A Warfighting Concept for Great Power Competition,” address delivered at West 2020, San Diego, California, March 3, 2020, <https://www.pacom.mil/Media/Speeches-Testimony/Article/2101115/transforming-the-joint-force-a-warfighting-concept-for-great-power-competition/> (accessed November 22, 2020).

⁴⁶ Testimony of General Tod D. Wolters, USAF, Commander, U.S. European Command, and North Atlantic Treaty Organization Supreme Allied Commander Europe, in transcript, “Senate Armed Services Committee Hearing on United States European Command and United States Transportation Command Defense Authorization Request for Fiscal Year 2021.”

South and East China Seas: Decisive Theaters for Great Power Competition

For an archipelagic nation, such as the Philippines, maritime security and economic development tied to the ocean are logical national interests. A comprehensive approach acknowledging this element of the U.S.–Philippines alliance is naval statecraft.⁴⁷ Making a compelling case to the Filipino people for a free and open Indo-Pacific requires a U.S. approach that marries economic development to visible benefits of mutual security obligations ensconced in the Mutual Defense Treaty (MDT).

While China is the Philippines' leading trade partner at approximately \$60 billion in 2019, Manila's trade with certain free market allies (United States, Japan, Singapore, and South Korea) is comparable at \$65 billion.⁴⁸ The sometimes assertion that the Philippines is lost to China is simply untrue, and should not dissuade future U.S. strategic investment and diplomatic capital to further this key alliance.

To counter Chinese influence and secure the alliance, both partners would be better served by remaining steadfast in their shared long-term interest and working through near-term differences, such as renegotiation of a Visiting Forces Agreement (VFA).⁴⁹ With this in mind, VFA renegotiations should not become a litmus test for sustaining the alliance—there is too much at stake.

What is needed is a compelling narrative backed by results. For example, when the South Korean company Hanjin went bankrupt in 2016, the strategically important Subic Bay shipyard was at risk of being taken over a CCP controlled entity. Thankfully, the government-affiliated Overseas Private Investment Corporation—now the Development Finance Corporation (DFC)—brokered a deal that forestalled a Chinese takeover of this port.⁵⁰ That said, the DFC could do more to develop infrastructure guided by the U.S. government's economic interests and military operational needs. Such a focus would aid in preventing being pushed out of friendly markets and security partnerships by the CCP. It was partly for this purpose that the DFC garnered bipartisan support when it was created in 2018, but arguably has strayed from this intent.⁵¹

In 1986, Filipino President Corazon Aquino peacefully ended the dictatorship of her predecessor Ferdinand Marcos. Her “people power revolution” released pent-up animosities toward the United States and, combined with the 1991 eruption of Mount Pinatubo, ended a near century of U.S. military presence in the Philippines in 1992. Once the United States departed its major bases in Subic Bay and Clarke airfield, it left a power vacuum in the South China Sea that was shortly filled by China.

In the intervening years, China has increasingly pressed its maritime claims into the Philippines' exclusive economic zone, sometimes unabashedly using economic leverage, such as a 2012 banana embargo during

⁴⁷ Brent Sadler, “Rebuilding America’s Military: The United States Navy,” The Heritage Foundation, February 18, 2021, p. 17-21, <https://www.heritage.org/defense/report/rebuilding-americas-military-the-united-states-navy> (accessed March 30, 2021)

⁴⁸ Observatory of Economic Complexity, <https://oec.world/en/profile/country/phl> (accessed March 25, 2021).

⁴⁹ Karen Lema, “Philippines' Duterte Tells U.S. ‘You Have to Pay’ If It Wants to Keep Troop Deal,” Reuters, February 12, 2021, <https://www.reuters.com/article/us-philippines-usa-defence/philippines-duterte-tells-u-s-you-have-to-pay-if-it-wants-to-keep-troop-deal-idUSKBN2AC1K2> (accessed April 1, 2021).

⁵⁰ Seth Robson, “Australian Shipbuilder Teams with US Firm in Bid to Take Over Subic Bay Shipyard,” Stars and Stripes, June 20, 2020, <https://www.stripes.com/news/pacific/australian-shipbuilder-teams-with-us-firm-in-bid-to-take-over-subic-bay-shipyard-1.633908> (accessed March 25, 2021).

⁵¹ James Roberts and Brett Schaefer, “The BUILD Act’s Proposed U.S. Development Finance Corporation Would Supersize OPIC, But Not Improve It,” Heritage Foundation Backgrounder No. 3312, May 2, 2018, <https://www.heritage.org/international-economies/report/the-build-acts-proposed-us-development-finance-corporation-would> (accessed April 1, 2021).

South and East China Seas: Decisive Theaters for Great Power Competition

a standoff over Scarborough Shoal.⁵² For the Philippines, disputes with China represent an economic, diplomatic, and military challenge. However, the United States has historically chosen to focus on the maritime security aspects of these disputes. “The United States will sail, fly, and operate wherever international law allows” is an axiom that has been repeated verbatim by every Secretary of Defense since 2015. Failure to embrace the larger Philippines context of maritime security would likely stymie progress and leave the military alliance at greater political risk.

Elections have significant strategic impacts on the bilateral U.S.–Philippines relationship, and that will undoubtedly be true of the next Philippines presidential election slated for May 2022, which will take place against the backdrop of increased regional tensions with China. The last presidential election in the Philippines in 2016 ushered in sharp reversals on several significant fronts. Just prior to it, the Enhanced Defense Cooperation Agreement (EDCA) to strengthen the bilateral military alliance with the United States was delivering results and historic arbitration against China’s South China Sea maritime claims was concluding.

A stronger comprehensive alliance with the Philippines can help avert a repetition of events like those of 2016 while checking China’s maritime encroachment in the South China Sea; leaders in Manila understand this as well. However, painful colonial memories and the multifaceted challenge from China requires a more comprehensive approach. To achieve this goal, the economic and military interests of both countries should complement each other while broadening and deepening the bonds between the two countries.

Resurrecting First Fleet-

Today the Navy struggles to maintain a persistent presence at the critical crossroads of the Pacific and Indian Oceans with little more than two warships on any given day. Events of this last summer’s West Cappella Crisis make the case that naval presence in the South China Sea can enable effective diplomacy and contest CCP maritime encroachment. Today ours and our allies’ commitment to the rules based order in the South China Sea is being challenged in the waters around Whitsun Reef, where Chinese Coast Guard and Maritime Militia vessels have massed while the Philippines Armed Forces monitor. Because the facts at sea bolster its merits, as recently as 15 March, the Commander Pacific Fleet acknowledged continuing interest and study of resurrecting First Fleet as a means to bolster naval presence and furthering our asymmetric advantage over the CCP – that being the U.S. network of allies and security partners.

In the interim, it’s worth considering how this could be achieved given limited personnel and ships. A first step towards resurrecting First Fleet would be creating a task force to set the foundations for an invigorated, persistent naval presence in the South China Sea. It would be tasked to monitor, anticipate Chinese challenges, and preempt them with a range of capabilities. During peak exercise and fishing season (February through October), the force would grow in numbers of surface combatants (guided missile frigates [FFG] and LCS today rotationally based in Singapore) to include an aircraft carrier strike group. During the lighter operational season, the aircraft carrier could be substituted by an amphibious

⁵² The embargo affected 14 percent of Philippine growers and cost the Philippines more than \$53 million in lost trade with China. Michael Green et al., “Counter-Coercion Series: Scarborough Shoal Standoff,” Center for Strategic and International Studies, May 22, 2017, <https://amti.csis.org/counter-co-scarborough-standoff/> (accessed March 25, 2021).

South and East China Seas: Decisive Theaters for Great Power Competition

ship optimized for air operations (e.g., landing helicopter assault ships [LHA]) drawing on forces operating out of Darwin, Australia (i.e. MRF-D). Such a construct would resemble the aircraft carrier strike group presence that had been maintained nearly consistently in the Persian Gulf until the mid-2010s. This presence would have to be additive to the carrier strike group maintained in Northeast Asia by Seventh Fleet, and eventually leverage a family of unmanned platforms to pace growth of China's Maritime Militia, CCG, and PLAN.

At a minimum, the task force should be able to monitor and make an adequate display at one of three disputed features (e.g., Scarborough Shoal, Second Thomas Shoal, and South Luconia Shoals). These features being the scene of repeated acts of coercion, would form a new first line of contestation in the South China Sea. This minimum force would likely include three FFG/LCS with a lead DDG or CG, maritime patrol aircraft, LPD, or like ship with embarked special forces to conduct vessel boarding and limited small island resupply, and two submarines.

In time, deployment routines will become established and shore facilities secured so that a new First Fleet can be formally based in the region. It would be led by a Vice Admiral, who would join with fifth Fleet in Bahrain and Seventh Fleet in Japan to form a regionally tailored Indo-Asia-Pacific naval line.

Conclusion-

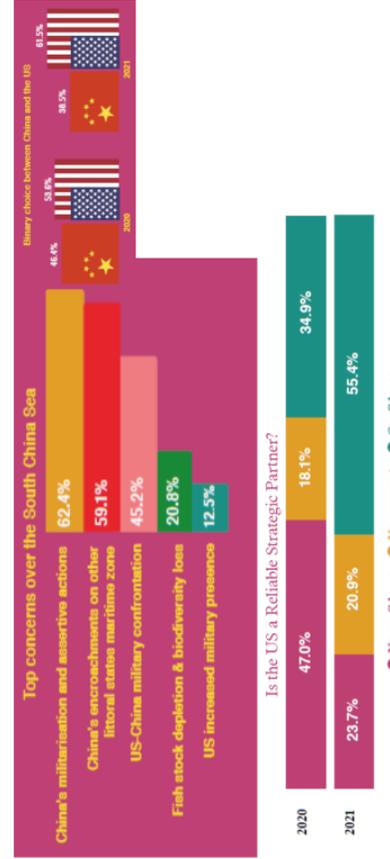
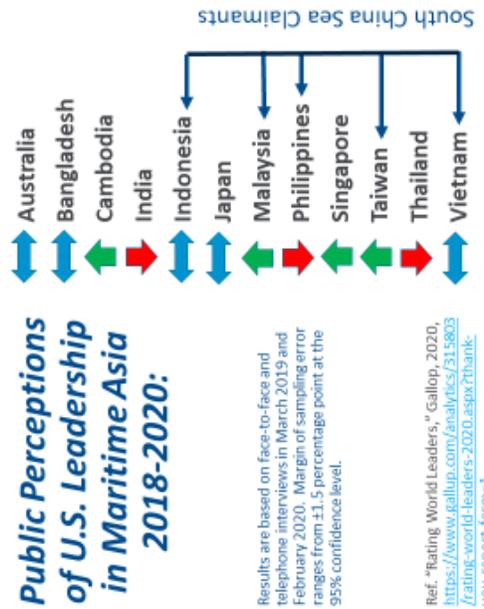
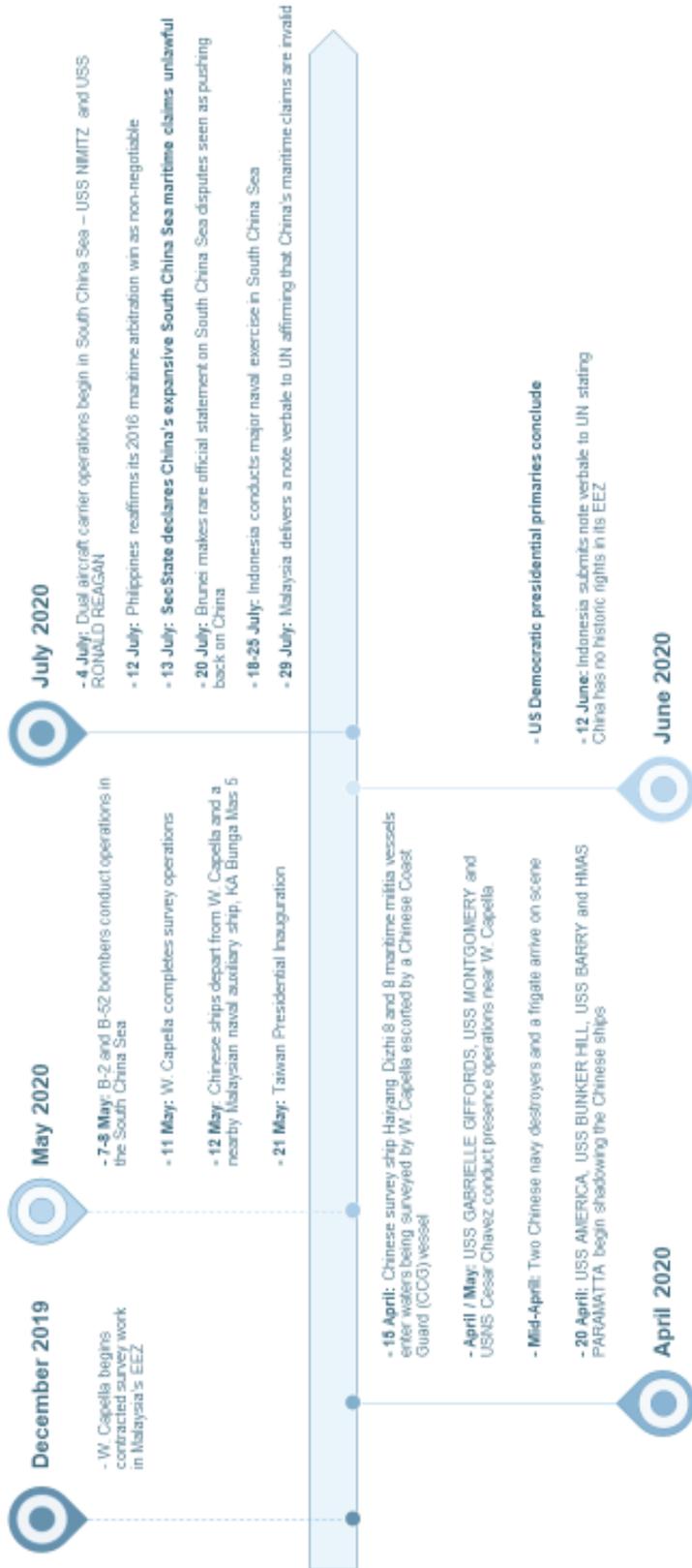
A theory of victory in this era's great-power competition requires that the Navy be able both to field a war-winning fleet and to compete aggressively in the peace. As Elbridge Colby, who led the team that built the 2018 National Defense Strategy, stressed at a 2019 congressional hearing, our theory of victory must target our adversary's theory of victory and especially prevent their ability to win tactical victories by fiat.⁵³ To achieve this requires new thinking, to include de-emphasis on cost efficiencies in favor of strategic effect and military resiliency.

As the U.S. makes needed adjustment to its maritime security strategy, it will require a whole of government approach to manage crisis amongst competing great powers. Doing this will be vital in order to avoid or constrain conflict that can imperil today's rules based order. A premium will be on the ability to effectively coordinate diplomacy, economic statecraft and naval forces that can preempt a would-be challenger's fait accompli offensive – in an approach called Naval Statecraft. Doing this requires renewed investment in alliances and especially naval presence and expeditionary capabilities.

In the final analysis, chance aside, should competition turn to war its outcome will be determined before the fighting actually starts; the better postured, resourced and trained - wins. Being appropriately positioned avails time and options for a Commander in Chief to take the most effective strategic action. Doing so also signals to an adversary that keeping competition within peaceful means is mutually beneficial. Ensuring such a future, requires the Navy remain ready, vigilant, and postured forward to secure our asymmetric advantage of likeminded allies to deter war and perpetuate the rules-based order that has safeguarded our prosperity and the prosperity of others for decades.

⁵³ Elbridge A. Colby, "Testimony Before the Senate Armed Services Committee, Hearing on Implementation of the National Defense Strategy," January 29, 2019, pp. 4-6 and 11, https://www.armed-services.senate.gov/imo/media/doc/Colby_01-29-19.pdf (accessed December 30, 2020).

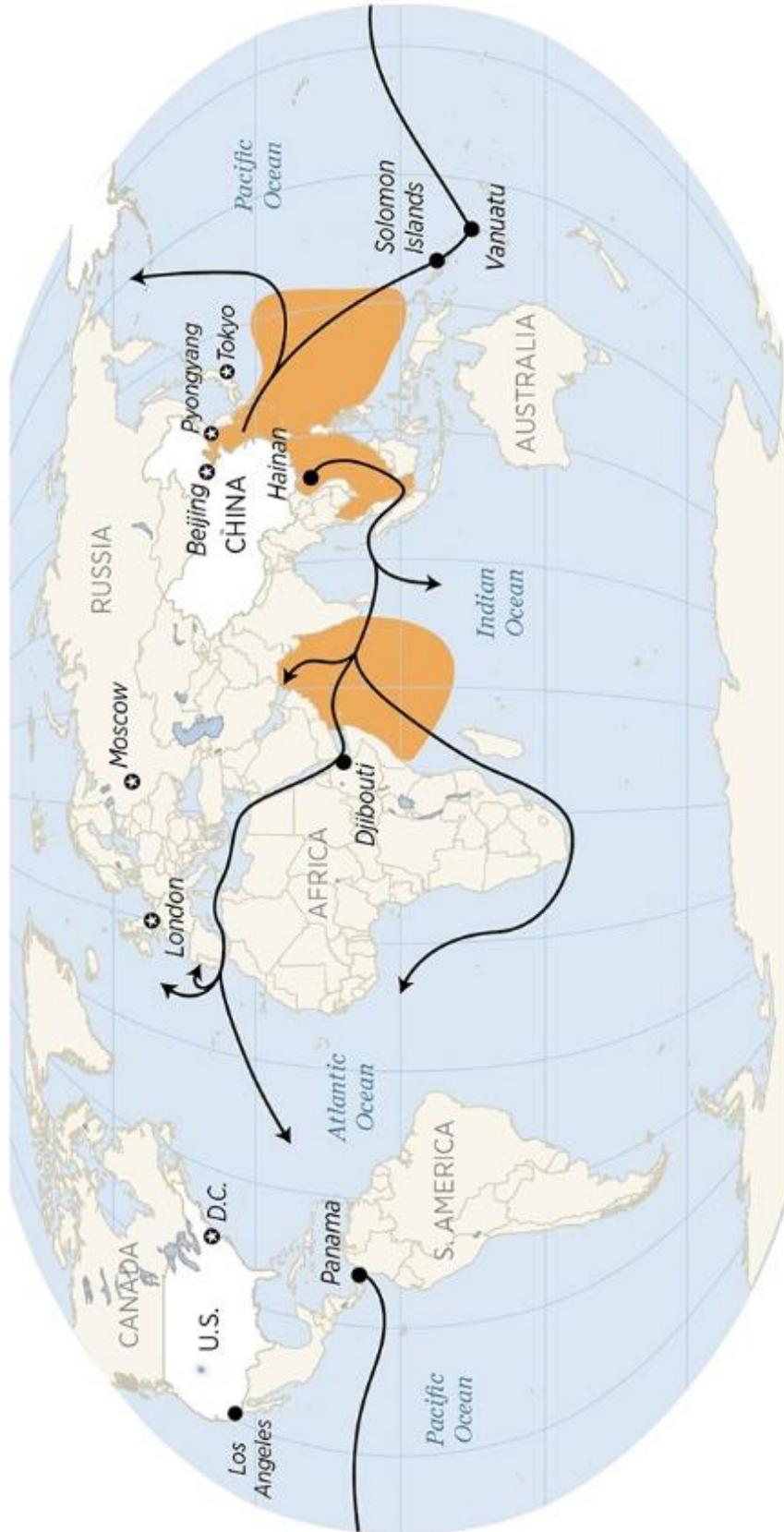
West Capella Incident





Chinese Naval Activity

■ Operating areas — Deployments outside normal operating areas

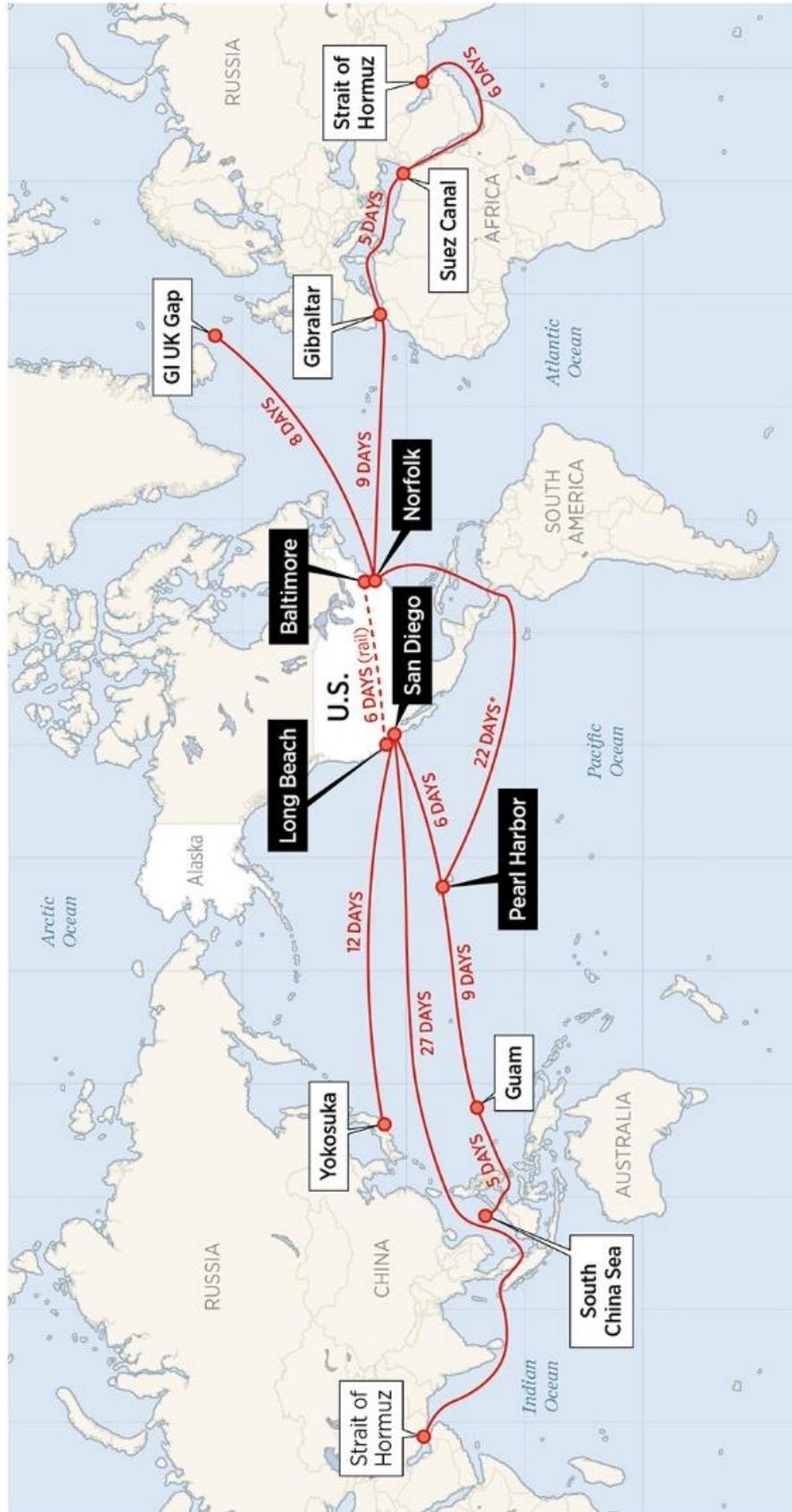


SOURCE: Heritage Foundation research.

heritage.org

Steaming Times to Areas of Vital U.S. National Interest

Steam times are approximates based on an average speed of 15 knots.



* Assumes no delay in passage through the Panama Canal.
SOURCE: Heritage Foundation research.