

differences in approaches to dealing with the piracy problem among navies, it continues to foster more meaningful engagement vis-à-vis China and Western naval forces.

Beyond SHADE, China has cooperated with other navies in the fight against piracy in various ways. In 2009 China proposed apportioning the Gulf of Aden into zones that each navy would independently protect, though the notion never came to fruition.⁷⁷ The PLAN has regularly visited and hosted other naval taskforces, including chronic shipboard exchanges with the commanders of CTF-151, NATO and EU NAVFOR. PLAN anti-piracy forces have conducted joint exercises with a diverse cohort of international partners, including Pakistan, Russia, South Korea and the U.S. A 2010 article in *Modern Navy* recapitulated the PLAN's underlying approach to international anti-piracy cooperation: "While insisting on 'focusing on self' [以我为主] [when] conducting escorts, China's navy [also] is actively expanding international maritime military exchanges and cooperation, [and] gradually establishing and exploring escort methods and mechanisms with relevant countries".⁷⁸ Other than the instances of cooperation outlined in the above paragraphs, the PLAN has also previously assigned a PLAN surface vessel to help monitor the IRTC jointly with CTF-151 forces, and have escorted UN World Food Programme (WFP) vessels on multiple occasions.⁷⁹

2 Accounting for China's Decision for Naval Deployment in Gulf of Aden

China's decision to deploy PLAN combat units to the Gulf of Aden in the fight against Somali piracy was a response to challenges on Chinese sovereignty, security, and commerce.⁸⁰ As Foreign Ministry spokesman Liu Jianchao explained at the time, "Piracy has become a serious threat to shipping, trade and safety on the seas ... That's why we decided to send naval ships to crack down".⁸¹ Ministry of National Defense Information Office (MNDIO) office director and chief

77 吴末方 [Wu Mofang], "分区护航将是有效反制海盗的新举措" [Zoned Escorts Will Be an Effective Piracy Countermeasure], 本刊特稿 [Special Story], 当代海军 [Modern Navy] (January 2010), pp. 21–23.

78 Li and Liang, "Great Results of Chinese Navy's Warship Task Force Escorts".

79 Lauren Ploch et al., *Piracy off the Horn of Africa*, Report for Congress (Washington, D.C.: Congressional Research Service, September 28, 2009), pp. 16–20, available at www.history.navy.mil/.

80 Beijing has acknowledged that its increasingly global interests will require a greater official Chinese presence overseas, at least in the commercial and humanitarian dimensions. This has, since China's economic reforms, taken the forms of diplomacy, development efforts, and trade, followed by U.N. Peacekeeping missions, and now counter-piracy efforts.

81 Wu Jiao and Peng Kuang, "Sailing to Strengthen Global Security", *China Daily*, December 26, 2008, http://www.chinadaily.com.cn/china/2008-12/26/content_7342612.htm.

spokesman Senior Col. Hu Changming first revealed that China would probably deploy warships to the Gulf of Aden on December 17, 2008. Just two days later he remarked that the first escort taskforce would likely depart China within a week. The following week, Senior Colonel Huang Xueping, MND Secondary Spokesman and MNDIO Deputy Director, convened a news conference in which he clarified that (1) the primary objective of the mission is to protect Chinese shipping interests and (2) the deployment did not represent a change in Chinese foreign policy nor a desire to project greater blue water naval capabilities.⁸² Clearly, China's deployment was not the result of eleventh-hour discussions: the below analysis discusses some of the drivers that played into China's decision to deploy the PLAN the way they did.

SLOC Security as Major Leadership Concern

To a degree higher than that of most other large states, China's overseas maritime trade is increasingly dependent on some of the world's most important yet most vulnerable sea lanes of communication (SLOC) such as the Bab el Mandeb, Strait of Hormuz, Indian Ocean, Strait of Malacca, Strait of Singapore, and the South China Sea. China relies on a mere five SLOC for almost 90% of its overseas trade, and approximately 60% of all vessels transiting the Strait of Malacca are Chinese.⁸³ While states would prefer that the roots of Somali piracy be severed onshore, China and other states have deployed anti-piracy naval assets for multiple years given time and resource constraints as well as the urgency needed to secure some of the world's most vital SLOC.⁸⁴

China's leadership has consistently emphasized the security of Chinese waterborne imports and exports as a vital and growing mission for the PLAN. In the coming years energy resources transported via international SLOCs will constitute a larger percentage of China's aggregate energy consumption: Indeed, after it became a net oil importer twenty years ago, China now relies on seaborne oil imports for 40% of its total oil, which makes up nearly 20% of the country's aggregate energy supply.⁸⁵ All available indicators presently suggest that China's

82 China Ministry of National Defense News Conference, December 23, 2008, <http://military.people.com.cn/GB/1076/52984/8565326.html>; http://www.gov.cn/xwfb/2008-12/23/content_1185458.htm.

83 吴超 [Wu Chao] 李大光 [Li Daguang] "海上运输线事关中国发展" [Maritime Shipping Lanes Related to China's Development], 当代海军 [Modern Navy], p. 51.

84 "China Envoy Says Prosecuting, Detaining Pirates Constitute Important Link of Fighting Somali Piracy", *Xinhua*, June 21, 2011, http://news.xinhuanet.com/english2010/world/2011-06/22/c_13942379.htm.

85 This is based on official reports that China's dependence of imports as a percentage of total oil consumption had risen above 55 per cent during 2011. See "Experts Warn of China's Rising Imported Oil Dependence", *Xinhua*, August 14, 2011, news.xinhuanet.com/english2010/indepth/2011-08/14/c_131048726.htm.

oil import dependency will rise substantially between now and 2030.⁸⁶ Oil is of course just one of many Chinese commodities that relies on SLOC stability and effective containment of pirate criminals. MoT's Ju Chengzhi asserted in 2009 that China has over 260 companies engaged in international maritime shipping across countless industries.⁸⁷ As Han Xudong of China's National Defense University (NDU) put it, "From the current situation, ocean lifelines have already become a soft rib in China's strategic security".⁸⁸ The Gulf of Aden in particular has been of grave concern to Chinese strategists: it was reported in 2010 that each year 2000 Chinese commercial vessels transit the treacherous waterway.⁸⁹

Given the potentially harmful effects of disruptions on China's maritime economy, it is not difficult to understand the enormous emphasis placed on SLOC stability by China's leaders, who have staked political legitimacy, in part, on maintaining roughly 8% growth of an economy that remains export-driven and faces questions about its long-term growth model.⁹⁰ By some metrics, China has more seafarers, deep sea fleets, and ocean fishing vessels than any other nation, and Ju called China a "Maritime Shipping Power" (海运大国) in 2009 with over 3,300 vessels and 40,000 crewmen.⁹¹ As of 2006, maritime industries accounted for \$270 billion in economic output (nearly 10 per cent of GDP).⁹² *People's Daily* reported in 2011 that China has surpassed South Korea as the world's largest shipbuilder in terms of shipbuilding capacity and new orders.⁹³ As China's self-proclaimed "blue economy" with over 3 million square km of offshore waters and 32,000 km of coastline burgeons, Beijing's reliance on international SLOC will become more pronounced.⁹⁴

86 For example, see "到2030年中国进口石油依存度将达到80%" [China's Oil Import Dependence Will Increase to 80 Per cent by 2030], 中国资本证券网 [China Capital Securities Net], September 24, 2011, money.163.com/11/0924/05/7EMP62KT00252G50.html.

87 Xu, "COSCO Vessels Only Encounter Pirate Attacks 63 Times".

88 韩旭东 [Han Xudong], "制定国家海洋运输安全战略" [Formulate National Maritime Transportation Security Strategy], 瞭望新闻周刊 [Outlook Weekly] 14, April 4, 2011, pp. 2, www.zaobao.com.sg/wencui/2011/04/liaowang110407a06.shtml. Original text: "从目前形势看, 海洋生命线已成为我国战略安全中的软肋. 这主要是因为: 一是过度依赖外轮进行海外运输".

89 Yang Jingjie, "Captains Courageous", *Global Times*, 24 December 2012, www.globaltimes.cn/.

90 For example, see Brad Plumer, "A Very Clear Explanation of China's Economic Woes", *Washington Post*, July 16, 2013, <http://www.washingtonpost.com/blogs/wonkblog/wp/2013/07/16/a-simple-clear-explanation-of-chinas-economic-woes/>.

91 Xu, "COSCO Vessels Only Encounter Pirate Attacks 63 Times".

92 "10% of GDP Now Comes from Sea, Says Report", *China Daily*, April 10, 2007, www.chinadaily.com.cn.

93 "China Overtakes S Korea as World's Largest Shipbuilder", *People's Daily Online*, January 20, 2011, <http://english.people.com.cn/90001/90778/90860/7267330.html>.

94 "Blue Economy Becomes New Growth Engine for E China", *Xinhua*, July 22, 2013, <http://www.chinausfocus.com/china-news/blue-economy-becomes-new-growth-engine-for-e-china/>.

Politics: Domestic Popular Pressure and International Responsibility

Piracy does not typically produce the devastating effects that natural disasters, interstate conflict or larger-scale contingencies can, but several isolated pirate attacks prior to the PLAN's anti-piracy deployment evinced China's vulnerability to modern piracy. *Tianyu 8*, a fishing boat with twenty-four crewmen, was hijacked in November 2008, followed a month later by an attack on Chinese tanker *Zhenhua 4. Dajian*, which at the time sailed "under the flag of Chinese-foreign cargo shipping" (中外运行旗下货轮), as well as two Hong Kong-registered ships, *Stlot Valor* and *Delight*, were also pirated prior to the PLAN's deployment.⁹⁵ Between January and November 2008 over 1,200 Chinese merchant vessels transited the Gulf of Aden, 83 of which were attacked. While the majority of these attacks wrought serious economic consequences in the form of disrupted commercial operations and hefty ransom payments, China's leaders are also keenly aware of the political costs of failing to protect overseas Chinese citizens. Roughly around the time of the inaugural taskforce deployment, two Chinese media outlets reported separate public surveys in which 86% and 91% of polled Chinese citizens supported the PLAN's anti-piracy deployment.⁹⁶ At the time many Chinese netizens criticized the Chinese government for its inability to ensure the safety of Chinese sailors.⁹⁷

Internationally, China's deployment allowed China to resemble a "responsible stakeholder" in international society particularly in domain of maritime non-traditional security.⁹⁸ By escorting WFP vessels through international waters China was also able to cease being the only permanent UN Security Council (UNSC) member who had not done so. Similarly, China's willingness to escort thousands of foreign commercial vessels, coupled with the PLAN's frequent exchanges and coordination with other navies in the region, pays important dividends for the PLAN's image as a capable and peaceful contributor to security in the maritime commons. Finally, just as China faces domestic pressure to effectively protect its citizens overseas, the PLAN's deployment also sends a signal to the rest of the world that China is readily capable of protecting its perpetually expanding assets throughout the world.

95 "4艘香港货船申请解放军护航3艘被劫商船2艘已获释" [4 Hong Kong Cargo Ships Apply for People's Liberation Army Escorts, 3 Vessels Have Already Been Hijacked, 2 Vessels Have Already Been Released], 人民网--港澳频道 [People's Net - Hong Kong & Macau Channel], January 1, 2009, <http://hm.people.com.cn/GB/85423/8644039.html>.

96 "网友: 支持中国海军护航树起大国形象" [Netizens: Support Chinese Naval Escorts Establishing the Image of a Great Power], 人民网 [People's Daily], December 24, 2008, <http://military.people.com.cn/GB/42970/8570300.html>.

97 Huang Li, p. 169.

98 顾国良 [Gu Guoliang], "中美关系的积极发展" [The Positive Development of Sino-U.S. Relations], 学习时报 [Study Times], www.china.com.cn/chinese/zhuanti/xxsb/1187267.htm.

Military Development and Far Seas Aspirations

Beijing's calculus on deploying PLAN anti-piracy forces is also intimately connected to China's naval and military development. As the *Global Times* articulates, over four years of deployments to the Gulf of Aden have transformed PLAN anti-piracy forces from "maritime rookies to confident sea dogs".⁹⁹ In 2011 a Senior Captain effectively summarized the gains accrued to the PLAN: "The experience definitely would be unprecedented not only for officers and sailors, but also for the durability and function of the ships. . . . And also it's a great challenge to the officers and sailors, not only physically, but also psychologically".¹⁰⁰ Not to mention, anti-piracy operations have effectively made the PLAN the most diplomatically active branch of the PLA, and its platforms and personnel continue to garner international prestige through major exposure. By proving its effectiveness in harnessing threats against Chinese overseas interests, the PLAN ensures that it will continue to procure the military's newest and best technology.¹⁰¹ More broadly, the persistent threat of piracy in international waters has enabled China to expand its Far Seas security operations under the umbrella of benign international cooperation.

3 Lessons Learned and Room for Improvement

Clearly China's navy has learned tremendous lessons while operating in the Far Seas for extended durations of time. Operationally, the PLAN has learned how to get the most out of its escort missions amid logistical constraints and likely implicit resource ceilings. With no overseas basing, the PLAN has improved the quality of its contributions through intense training, improved communications practices and technology, escort methods, and logistical underpinnings such as ship replenishment and sailor health. As a result of the operations planning and coordination mechanisms have improved throughout the PLAN and Chinese government agencies involved with anti-piracy, as well as civil-military coordination. China has also learned that genuine contributions to international security are appreciated, as the PLAN has garnered praise from the international community for its part in the fight against piracy. Perhaps most importantly, the PLAN is diligently studying the art of improvisation, reflected by countless "unscripted" training sessions. While training simulations can be carried out anywhere, frequent unexpected exposure to hostile pirates as well as regular exchanges with foreign navies has forced PLAN anti-piracy units

99 Yang, "Captains Courageous".

100 "PLA Navy to Send 11th Batch of Escort Fleets to Somali Waters", *CCTV News Content* (English and Mandarin), February 24, 2012, newscontent.cctv.com/.

101 "中国海军赴索马里军舰雷达系统世界领先" [Satellite System of Chinese Navy Warship Going to Somalia a World Leader], March 3, 2009, mil.news.sina.com.cn/2009-03-03/1427544201.html.

to operate professionally and effectively at all times. Invaluable though these experiences are, however, the operations have also revealed substantial areas for further improvement.

Room for Improvement

A breakthrough for the PLAN nonetheless, logistics and supply realities continue to limit the amount of time each of the escort fleets can spend in the region. Some Chinese observers thus question the PLAN's ability to continue safeguarding China's maritime interests in the absence of more resources such as overseas bases. For instance, PLA Air Force (PLAAF) Colonel Dai Xu states, "The Chinese expeditionary force in Somalia has been attracting a lot of attention from around the world, but with only a single replenishment oiler, exactly how much long-term escort time can two warships provide for commercial vessels from various countries?"¹⁰² As such missions become more common, China will need to conduct them in wider areas, at lower costs, and over longer periods of time. According to Dai, "moves toward establishing an overseas base are a logical extension of this line of thinking". Similarly, Senior Captain Li Jie, a strategist at the PLAN's Naval Research Institute, has recommended establishing a supply and support center in East Africa to facilitate PLAN operations in the region. Li argues that the setting up a support center in the area is a real possibility given that the PLAN has already set the precedent of conducting resupply and maintenance activities in African ports and China has very good relationships with some countries in the region.¹⁰³ A number of other Chinese analysts call for overseas arrangements to varying degrees, from military bases, to "Far Oceans footholds" (远洋立足点), to quasi-regular access points along the Indian Ocean Region (IOR) and "support points" (支撑点).¹⁰⁴ Still others, such as Ni Lexiong and Shen Dingli, have been more forthcoming in their desire for China to establish

102 Dai uses the PLA's one-week limit on offensives during the Korean War as an analogy to current logistical limitations. "Colonel: China Must Establish Overseas Bases, Assume the Responsibility of a Great Power", *Global Times*, February 5, 2009, www.chinareviewnews.com/doc/7_0_100877861_1.html. It should be noted that most participating countries only have a ship or two operating in the area and few have sent an AOR along with their destroyers and frigates.

103 Li Jie is cited in "军事专家: 中国应考虑在非洲设陆上支援中心" [Military Expert: China Should Consider Establishing a Land-based Support Center in East Africa], 中评社 [Zhongping News Agency], May 21, 2009, http://gb.chinareviewnews.com/doc/4_16_100975224_1.html.

104 For a few of many examples, see "Conversation with Yin Zhuo", p. 22; Yao *et al.*, "Dreams and Reality of Chinese Overseas Bases," Jing Aiming, "China's Overseas Military Basing Proceeding Gradually", p. 25; "利比亚战争的思考: 中国海军如何维护我国海外的利益?" [Thoughts on the Libyan War: How Does China Protect Its Overseas Interests?], 现代舰船 [Modern Ships] (April 2011), pp. 14–17.

overseas military bases.¹⁰⁵ While Seychelles formally invited China to establish a fixed basing arrangement in late 2011, China has since been adamant on refusing to publicly accept the invitation and vehemently rejects the idea that such an arrangement would constitute a military base in the traditional sense.

Other than the issue of basing, some analysts also suggest that employing expensive, most advanced surface combatants to fight pirates is not cost-effective, and PLAN should develop low-cost escort ships of 3,000–4,000 tons armed with fewer missiles but heavy guns and machine-guns, but most importantly with helicopters.¹⁰⁶ Meanwhile, others have considered the prospects for deploying more formidable surface platforms to fight piracy. A *Yuzhao*-class (Type 071) amphibious transport dock (LPD), *Kunlunshan*, participated in the sixth escort taskforce less than two years after being commissioned.¹⁰⁷ LPDs potentially allow the PLAN more flexibility in fighting piracy, since they support more airborne technology, can provide better logistical support, can deploy smaller, versatile platforms such as hovercraft, and help China “show the flag” in the Far Seas. Similarly, there has been speculation by some Chinese analysts such as Ye Qi that the under-development Type 081 landing helicopter dock (LHD)¹⁰⁸ Like *Yuzhao*-class vessels, Type 081 LHDs will have significant deck space and may be particularly suitable for non-traditional security missions.¹⁰⁹

The recent commissioning and successful sea trials of China's first aircraft carrier *Liaoning* provides another option for PLAN planners who might consider deploying it for non-traditional security missions such as anti-piracy operations. An article interviewing various Chinese naval experts stated, “As a responsible major power and one of the five permanent members of the United Nations Security Council, China will shoulder more international responsibility in various fields such as disaster relief and combat against terrorism and piracy. Therefore, the country's naval force, particularly large warships, will become more and more useful”.¹¹⁰ Similarly, Chinese Academy of Social Sciences (CASS) researcher Wang Hanlin wrote previously that “the rotation of warships sent to the region has also revealed the necessity of an aircraft carrier for China. . . . It will be much

105 Ng Tze-wei, “China News Watch”; Harsh V. Pant, “Commentary: China Goes to Seychelles”, *Indian Express*, December 16, 2011, www.indianexpress.com/news/china-goes-to-seychelles/888457.

106 “政协委员尹卓：较低配置军舰足以胜任海军护航” [CPPCC Member Yin Zhuo: Low-Cost Naval Ships Sufficient for Naval Escort], 中国新闻网 [China News Net], March 4, 2010.

107 Huang Li, pp. 214–16.

108 叶颀 [Ye Qi], “遥望小平顶：浅谈中国大型两栖作战舰艇的未来” [Gazing into Small Flat Platforms: Discussing the Future of China's Large Amphibious Warships], 当代海军 [Modern Navy] 11 (November 2011), pp. 42–44.

109 Ronald O'Rourke, *China Naval Modernization: Implications for U.S. Navy Capabilities – Background and Issues for Congress* (Washington, DC: Congressional Research Service, July 5, 2013), 33–35, <http://www.fas.org/sgp/crs/row/RL33153.pdf>.

110 Ibid.

easier for an aircraft carrier combat unit to safeguard merchant vessels in such a remote area".¹¹¹ Tasking *Liaoning* with anti-piracy duties would also further the trend of allowing the PLAN's newest and best platforms to accumulate much-needed operational experience. It is worth noting that the anti-piracy utility of *Liaoning* would get a major boost if the PLAN is soon able to support carrier-deployed aircraft.

A dramatic incident has called into question the extent to which China can, and will, use naval means to safeguard civilian ships. *Dexinhai*, a Chinese-flagged bulk carrier that had failed to register according to Chinese procedures, was pirated 700 NM east of Somalia on October 19, 2009. As of November *Dexinhai* and its 25 crewmembers were trapped in the pirate stronghold of Hobyo on the central Somali coast. Liang Wei, South Sea Fleet deputy chief of operations reportedly explained that *Zhoushan* and *Xuzhou* had been too far away (over 1,000 nm, according to another source) to reach the pirates during the three days they piloted *Dexinhai* to shore.¹¹² Apparently the PLAN did convene an emergency meeting on October 21.¹¹³ Fudan University professor Zhang Jiadong predicted that because the priority is to save lives, not fight pirates, China will establish communications with Somali government and warlords; approach the site with naval ships for deterrence and control; and pay the pirates to release the hostages.¹¹⁴

One Chinese analyst sees the incident as revealing deficiencies in Chinese ISR, force scale, and quick response and calls for more robust "far seas presence".¹¹⁵

In the absence of bases or support points as well as new anti-piracy platforms, the PLAN has enhanced the role of its Special Forces in fighting piracy. Dozens of these soldiers participate in each task force and regularly conduct live-fire, climbing, and helicopter training, often in inclement weather conditions with low

111 "Chinese Flotilla Sails to Relieve Ships in Somalia Escort Mission", *Xinhua*, April 2, 2009, english.chinamil.com.cn/site2/special-reports/2009-04/03/content_1713588.htm.

112 郭刚 [Guo Gang], "(军舰护航)中国海军护航编队召集被护商船代表交流座谈护航安全" [(Escort by Military Vessels) Chinese Naval Escort Formation Gathered Representatives of Escorted Merchant Ships Together to Exchange Views on and Discuss Escort Safety], 新华社 [Xinhua News Agency], October 26, 2009, <http://www.chinesetoday.com/zh/article/315949>.

113 "China Mute on Hijacking Dilemma", *People's Daily*, October 22, 2009, www.english.people.com.cn/90001/90776/90883/6790222.html.

114 "张家栋: 目前首要目标是救人--最快两周内有消息" [Zhang Jiadong: At Present, the Most Important Goal is to Save Lives – There Will be News within Two Weeks at the Earliest], 中国网 [China Net], October 19, 2009, <http://mil.huanqiu.com/china/2009-10/609253.html>.

115 "'德新海'号敲警钟--中国需要'远洋存在'" ["Dexinhai" Sounds the Alarm Bell – China Requires "Far Seas Presence"], 国际先驱导报 [International Herald Leader], October 28, 2009, http://cn.chinareviewnews.com/doc/7_0_101117202_1.html.

visibility.¹¹⁶ Finally, "equipment support" (装备保障), "maritime intelligence" (海上情报), and "telecommunications support" (通信保障) remain key areas for improvement given the PLAN current anti-piracy arrangements.¹¹⁷

4 Implications for Counter-Piracy Operations in the South China Sea

Given its volatility as in industry, it is useful to briefly review the state of global piracy as this chapter goes to press. For much of the 21st century, contemporary piracy has been emblemized by piracy in the greater Gulf of Aden maritime region. However, piracy remains a perpetually-evolving global threat. Largely a result of coordinated naval efforts, pirate attacks off Somalia plummeted during 2012 and 2013 from their peak levels in 2010, while pirate attacks have subtly risen in other, less-governed maritime regions. From a larger perspective, pirate attacks worldwide totaled 177 in 2012 according to the International Maritime Bureau (IMB), less than 40% of 2010 levels. More recently, the Gulf of Aden experienced just eight pirate attacks during the first six months of 2013, only two of which were successful. Meanwhile, during the same period, the Gulf of Guinea witnessed thirty-one attacks and four successful piratings, indicating a subtle reorientation Africa's piracy problem from east to west.¹¹⁸ While piracy is currently less rampant in some regions of the world, China continues to rely on stable SLOC not only throughout the world in regions near Africa and the Middle East, but also in maritime areas closer to China's periphery such as the South China Sea.

The Gulf of Aden has dominated most recent discussions on PLAN anti-piracy operations, but the South China Sea represents an even more vital maritime commercial conduit closer to China where piracy has historically run rampant. In fact, some Chinese analysts questioned China's initial Gulf of Aden deployment at the time, citing potentially greater needs closer to home. For instance, Ma Xiaojun, a professor in the Central Party School's International Strategic Studies Institute, stated in reference to the Gulf of Aden mission, "Another kind of objective is to do things in a sound and practical way, doing whatever we can according to our capability. If you truly have the capability to do long-term escort duty off the east coast of Africa, why do you not first subdue the South China Sea pirates?"

116 "Special Operations Troops of the 11th Chinese Naval Escort Task Force Conduct Drill", *Liberation Army Daily*, February 29, 2012, www.chnarmy.com/html/2012-02/23862.html.

117 "海军护航意义重大接收养兵千日用兵千日新观念" [Naval Escorts Have Important Meaning for Accepting the New Concept of Training an Army for a Thousand Days and Using an Army for a Thousand Days], *中国青年报* [China Youth Daily], January 13, 2012, www.chinanews.com/gn/2012/01-13/3601793.shtml.

118 "IMB Piracy Report Highlights Violence in West Africa", *ICC Commercial Crime Services*, July 15, 2013, <http://www.icc-ccs.org/news/865-imb-piracy-report-highlights-violence-in-west-africa>.

The international community, especially ASEAN, hopes more that China will make more effort to crack down on pirates in the South China Sea region. This possibility is more realistic".¹¹⁹

How does China's anti-piracy experience in the Gulf of Aden over the last five years influence its potential contributions to fighting piracy in the South China Sea? This logical question is best answered by comparing the Gulf of Aden deployment with possible counter-piracy operations in the South China Sea, accounting for differences and similarities regarding the two regions, including disparate piracy threat levels; regional naval capacity; and prospects for and barriers to regional multilateral cooperation involving China.

Levels of Piracy Threat to Shipping

A major difference between the Gulf of Aden and South China Sea is that in recent years pirate attacks in the former region, located approximately 10,000 km from China, have constituted a much more serious threat to China's interests than have attacks in the more proximate South China Sea, piracy was a serious threat to shipping in the South China Sea and Singapore and Malacca Straits. According to John Brandon of Asia foundation:

Between 2000 and 2006, there were 2,463 attacks of piracy throughout the world. Of these attacks, 1,125 took place in the waters of Southeast Asia with Indonesia accounting for as much as two-thirds of all reported pirate attacks in the region. In fact, things were considered to be so risky and dangerous that Lloyd's Market Association's Joint War Committee (JWC) declared the Strait of Malacca in 2005 an area "highly prone to piracy, war strikes, terrorism and related perils for ocean shipping". The JWC's declaration resulted in the imposition of higher insurance premiums (as much as 30 per cent) for ships transiting through the straits. This is significant as 40 per cent of the world's cargo and more than half of the world's oil and liquefied natural gas passes through the Strait of Malacca.¹²⁰

Since then, however, the piracy threat in the South China Sea has dramatically declined.

According to a January 2009 story from Singapore's Straits times, for instance:

According to the International Maritime Bureau's (IMB) annual report released last week, 65 pirate attacks took place in regional waters last year compared with

119 刘炎迅 [Liu Yanxun], 陈晓舒 [Chen Xiaoshu], 王婧 [Wang Jing], 何婧 [He Jing], 李郝然 [Li Haoran], and 姚忆江 [Yao Yijiang], "远征索马里背后: 中国海军挺进'深蓝'" [Background of Expedition to Somalia - China's Navy Pushes Forward to Dark Blue], 中国新闻周刊 [China Newsweek] January 5, 2009.

120 See John Brandon, "Reducing Piracy in Southeast Asia", *In Asia: Weekly Insight and Features from Asia* (Asia Foundation), August 5, 2009.

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a high of 187 in 2003. In the Strait of Malacca, the vital strategic waterway that links north-east Asia and the Western Pacific with the Indian Ocean and used by more than 100,000 local and international vessels each year, the number of reported incidents fell to just two, down from 34 in 2004. Particularly striking has been the improved security situation in Indonesian waters, the locus of the piracy and sea robbery problem in South-East Asia. Only 28 attacks took place in Indonesian ports and territorial waters in last year, compared to 121 in 2003.¹²¹

Because of such a decrease in piracy attacks in the Malacca Strait, the JWC removed the water area from its list in 2006.

In contrast, in 2008 alone "the IMB recorded 189 attacks on the (African) continent, 111 committed by well-organised pirate gangs operating in the Gulf of Aden and off the coast of Somalia, including 42 hijackings and the kidnapping for ransom of 815 sailors".¹²² In 2010, reported pirate attacks worldwide peaked at 445, 275 of which occurred off Somalia or in the Gulf of Guinea.¹²³ Global pirate attacks have subsequently plummeted beginning in 2012, due in no small part to the collective efforts of international navies including China.¹²⁴ Yet all navies and civilian crews with a stake in SLOC security remain vigilant due to pirates' increasing desperation and unpredictability.

Such a difference in the levels of piracy threat to shipping between the South China Sea and the Gulf of Aden underlies the response of the PLA spokesmen to the question that China could do more to further collective security close to home. They state, for instance, that China is not similarly involved in Southeast Asia because the situation in Malacca is different from that in the Gulf of Aden. Piracy in the Malacca Strait is already controlled through the joint efforts of the coastal states Indonesia, Malaysia, Singapore, and Thailand. In Somalia, by contrast, the problem is more rampant – with 10 times as many attacks in recent years until 2012 – and sea conditions around the Gulf of Aden are more complex.¹²⁵ Moreover, pirates near the Gulf of Aden continuously extend their range, and have been willing to venture further from shore into various maritime sections of the IOR in pursuit of economic opportunities. Moreover, there have been no mainstream reports in recent years of Chinese sailors being held hostage or killed in the South China Sea at the hands of pirates. Without a *Dexinhai*-like case that rattles the public and official political consciousness, it may be difficult to convince China's

121 See "How Piracy can be, and Is Being, Defeated", *Straits Times*, January 19, 2009.

122 Ibid.

123 "2011 Piracy Attacks Totaled 439; 275 off Somalia: ICC/IMB Report", *Insurance Journal*, January 19, 2012, www.insurancejournal.com/.

124 "It's Four Years Since the Chinese Navy Began Escorting Ships off the Coast of Somalia and Through the Gulf of Aden to Protect Them from Pirates", *China National Television (CNTV)* (English), December 26, 2012, english.cntv.cn/.

125 "Dispatching Forces to Escort in the Somalia Sea Area – The Ministry of National Defense Presents the Situation".

leaders that Chinese merchants in the region are facing dangers similar to those off Somalia. China's swift response to the killing of thirteen Chinese merchants on the Mekong River Delta bolsters the notion China is certainly willing to intervene waterborne security contingencies closer to home, but has to have explicit reasons for doing so.

Recently, however, there are indications that optimism about declining piracy in the South China Sea may be premature. In March 2010, for instance, the Singaporean Navy issued a warning on possible attack by a terrorist group on oil tankers and large ships carrying dangerous materials passing through the Malacca Strait. The group may employ "small vessels like dinghies, speedboats, or even small fishing vessels like sampans". New areas of vulnerability also emerge. "Attacks (shift) from the northern part of the Malacca Strait to the Singapore Strait and the southern part of the South China Sea. The number of attacks in the South China Sea in 2009 increased five-fold over 2005 levels, with the attacks mainly occurring ... in the vicinity of Indonesia's Natuna Islands".¹²⁶ Another account states that "pirate attacks doubled from 10 to 21 in Southeast Asia from April through June 2009".¹²⁷ More recently, in early 2013 nine of twenty-one global pirate attacks occurred in Southeast Asia, some of which were related to pirating oil resources.¹²⁸

Also, the Sulu and Celebes seas, also known as the triborder sea area, "have long been neglected by the governments of Indonesia and the Philippines, becoming a haven for illegal maritime activities such as piracy and trafficking in narcotics, guns and people. More worryingly, the tri-border area has also been utilised by terrorists belonging to the Abu Sayyaf Group and Jemaah Islamiyah as a means of moving among the southern Philippines, Sabah and Indonesia".¹²⁹ While efforts have been made to establish law and order in this area, more may need to be done.

Finally, a major reason for the declining piracy in South East Asia is that the coastal states like Indonesia, Malaysia and Singapore have spent more maritime and naval resources on counter-piracy patrols. But there is concern that the coastal states may suffer from "patrol fatigue" because these patrols "consume a high proportion of the navy's limited resources, especially ships, fuel and manpower". The complacency as a result may cause a resurgence of piracy in the region. Indeed, due to the global financial crisis, Indonesia had reduced its already modest defence budget by 15 per cent for 2009. Furthermore, "incidents of piracy in

126 "Joshua Ho, "The Malacca Strait: Will It Continue to Be Safe?" *RSIS Commentaries*, March 10, 2010.

127 Brandon, "Reducing Piracy in Southeast Asia".

128 Peter Shadbolt, "Asia's Sea Pirates Target Treasure of Marine Fuel", *CNN*, February 8, 2013, <http://www.cnn.com/2013/02/08/world/asia/asia-piracy>.

129 "How Piracy can be, and Is Being, Defeated". See also Catherine Raymond, "Piracy and Armed Robbery in the Malacca Strait, A Problem Solved?" in Bruce Elleman, Andrew Forbes and David Rosenberg, *Piracy and Maritime Crime: Historical and Modern Case Studies* (Newport, RI: Naval War College Press, 2010, pp. 118–119.

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South-East Asia may experience an upsurge this year due to deteriorating socio-economic conditions – one of the primary causes of piracy – associated with the global financial downturn”.¹³⁰

Regardless, China's external energy dependence is increasing the degree to which it must monitor piracy developments in the region, as 80 per cent of China's oil imports and 30 per cent of its iron ore imports must pass through sea lanes in the South China Sea and the Malacca Strait. While a considerable portion of oil and gas shipment en route to China can now bypass these waterways by passing through pipelines in Burma, on the whole options for imports to avoid the Malacca Strait are unrealistic because they impose long delays and increase the costs of transportation and shipped materials. Therefore, to act as a responsible stakeholder as well as to safeguard China newly emerging “development interests”, China should make positive contribution to enhancing the security of sealanes in the South China Sea by participating actively in counter-piracy efforts there. The bottom line is that Southeast Asian SLOC are vital to China's economic prosperity, and as such Beijing must maintain its vigilance in this region even during times of relative stability.

Difficulties in Translating Gulf of Aden Anti-Piracy Approaches to the South China Sea

Piracy in the Gulf of Aden and South China Sea differs considerably; in fact, many “pirate” activities in the latter region are not actually considered piracy by UNCLOS standards, which state that “piracy” must occur on the “high seas”.¹³¹ However the majority of attacks on ships in areas around the South China Sea, such as the Strait of Malacca or Indonesian archipelago, occur in port or in the sovereign territorial waters of littoral states.¹³² As a result, such crimes cannot be considered piracy by prevailing international law and are primarily the internal responsibility of the relevant coastal state(s).¹³³ This makes it difficult to directly compare naval operation in the Gulf of Aden, such as those by PLAN anti-piracy taskforces that include escorts, patrols and deterrents, with potential operations in areas of the South China Sea outside of a given navy's legal operation range.

While a failed state such as Somalia with almost no coastguard or naval capacity may welcome foreign anti-piracy forces near or within its waters, the South China Sea and adjacent waterways are home to strongly nationalistic states. Territorial sovereignty disputes abound between states like China, the Philippines,

¹³⁰ “How Piracy can be, and Is Being, Defeated”.

¹³¹ Article 101 UNCLOS (n 1).

¹³² Robert Beckman, “Cooperation to Combat ‘Piracy’ in Southeast Asia”, International Seminar on the Law of the Sea, Universitas Padjadjaran, Bandung, Indonesia, April 4–6 2012, pp. 2–3, <http://cil.nus.edu.sg/wp/wp-content/uploads/2012/04/Beckman-Bandung-5-April-2012-final.pdf>.

¹³³ Ibid.

Vietnam and Malaysia, creating formidable barriers to operational anti-piracy cooperation resembling the situation in the Gulf of Aden where multilateral and unilateral naval forces operate in relative harmony.

Moreover, as Robert Beckman of the National University of Singapore (NUS) articulates, there are important differences between the nature of piracy in the Gulf of Aden and armed robberies on merchant vessels in the vicinity of the South China Sea.¹³⁴ Southeast Asian crime syndicates responsible for armed robberies lack the organizational sophistication, neighborhood support and legal vacuum that Somali pirate crews have enjoyed for much of the 21st century. Moreover, a large percentage of attacks in the South China Sea occur at its southern tip: the Strait of Malacca. Yet many commercial ships have been victimized while in crowded ports rather than SLOC, which makes it difficult to connect these attacks with SLOC stability. Archipelagic states in the South China Sea region such as Indonesia further complicate cooperation. With numerous islands, states like Indonesia may be unable or unwilling to effectively govern piracy within their waters, but would also likely be uncomfortable allowing foreign navies or coast guards into their territory to fight maritime crime, especially if the outcome might involve trying Indonesia suspects.

Capacity

The above issues effectively preclude the application of much of China's anti-piracy fighting capacity in the South China Sea. Major differences aside, however, perhaps what is most significant is that states throughout the international system rely on stable SLOCs in both regions to varying degrees, perhaps no major trading state more so than China. As such it is worth noting China's relative capacity in the region, as well as the comprehensive ability of all East Asian states to combat armed maritime crime relative to their Somali counterparts.

The Gulf of Aden naval deployment shows that China has more than sufficient naval capacity to fight against piracy in the South China Sea. This is because the South China Sea is much closer to China if compared with the Gulf of Aden; the levels of piracy threat are lower; and as a result less advanced but more numerous naval ships can be employed. Logistical costs associated with Far Seas deployments are much less pronounced in the South China Sea, much of which China claims as its own sovereign waters. Moreover, a major difference between the two instances that may lead to different types of capacity utilization, however, is the levels of effectiveness of the littoral states in controlling piracy. A major reason for China to deploy a naval force to the Gulf of Aden is that the

134 Unless otherwise clarified, all insights from this paragraph are taken from Robert Beckman, "Cooperation to Combat 'Piracy' in Southeast Asia", International Seminar on the Law of the Sea, Universitas Padjadjaran, Bandung, Indonesia, April 4-6 2012, pp. 7-9, <http://cil.nus.edu.sg/wp/wp-content/uploads/2012/04/Beckman-Bandung-5-April-2012-final.pdf>.

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coastal states have been ineffective in controlling and reducing piracy there. In comparison, the littoral states of the South China Sea and the Malacca Strait have been much more proactive in fighting against piracy in the region.

While many direct operations for unified anti-piracy are unrealistic due to legal, sovereignty and political constraints, as well as a relatively low piracy threat perception in much of the South China Sea, regional states have found ways to cooperate. In 2004, for instance, Indonesia, Malaysia and Singapore began coordinated naval patrols known as the Malacca Strait Patrols (MSP). In 2005, air patrols were added to the MSP, and to integrate patrol efforts, Malaysia established the Malaysian Maritime Enforcement Agency, the equivalent of a coast guard. Similarly, beginning in 2005, the Indonesian Navy has increased patrols in the country's waters adjacent to the Malacca Strait and stepped up "intelligence gathering operations in fishing communities along the Sumatran coast and around the Riau Islands in an effort to round up maritime criminals". In 2009 Thailand agreed to participate in MSP.¹³⁵ These initiatives have not only resulted in capture of pirates, but also acted as a deterrent to would-be pirates.

At the regional level, littoral states around the South China Sea have already put institutions in place for leveraging multilateral capabilities against piracy in the region. For example, the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) was finalized approximately ten years ago and has been active since 2006. ReCAAP has eighteen states that are considered Contracted Parties (CP) including China, and each CP designates a government agency as a "Focal Point" responsible for managing and coordinating piracy incidents with the CP's sovereign territory.¹³⁶ ReCAAP's Information Sharing Centre (ISC) was launched in late 2006 in Singapore. Among several functions, ReCAAP ISC enables information exchanges between CPs through a 24/7 operating information system.

Because of robust counter-piracy efforts by the littoral states, as a major power that has a strong interest in enhancing security of sea lanes in the South China Sea, the preliminary contribution that China can make to the counter-piracy initiative is to help strengthen the local capacity against piracy. The U.S. may have set an example in this regard. As an outside power and concerned about its image in a region largely populated by Muslims, rather than deploying naval ships to patrol the local waters, the U.S. has initiated the Global Train and Equip Program in 2006 that greatly benefited counter-piracy programs of Indonesia, Malaysia and the Philippines:

In 2007–2008, the US provided Indonesia with US\$47.1 million worth of equipment to improve its maritime situational awareness capabilities, including

135 Ibid. For these measures, see also Brandon, "Reducing Piracy in Southeast Asia".

136 See ReCAAP's website for details. Specifically, see "About ReCAAP", on www.recaap.org.

five coastal surveillance radars installed along the Indonesian side of the Malacca Strait and seven more along the Makassar Strait and in the Celebes Sea.

During the same period, Malaysia received US\$16.3 million in Section 1206 funding, including US\$13.6 million for nine coastal radar stations along the Sabah coast and US\$2.2 million to improve aerial surveillance along the Malacca Strait.

Since 2006, the Philippines has received US\$15.5 million to upgrade its maritime surveillance interdiction capabilities.

For 2008–2009, the Pentagon is seeking an additional US\$9.5 million under Section 1206 funding for coastal radars to be sited in the Sulu archipelago and US\$3.5 million for additional radar facilities for Indonesia.

... In order to avoid domestic sensitivities, US assistance to the three countries has been low-key. All of the equipment that has been provided is manned and operated by the host nation.¹³⁷

Indeed, China can learn from the U.S. by helping the littoral states build up counter-piracy capacity, mainly in terms of equipment transfer, information exchange, and training and exercises.

Multilateral Cooperation

MSP only requires each littoral state to enhance naval patrol of its territorial waters against piracy and other illegal activities. To the extent that the sea areas not covered by territorial waters are less patrolled and that piracy has migrated from the narrower Malacca and Singapore Straits to the wider southern South China Sea, these new areas of vulnerability may provide a window of opportunity for regional multilateral cooperation against piracy. In this regard, China may play an important role, mainly in terms of information collection and sharing and joint patrols.

China has already made substantial progress in multilateral cooperation in terms of information collection and sharing against piracy. As noted above, it has become a member of the ReCAAP (Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia) together with ASEAN countries (except for Indonesia and Malaysia), Japan, South Korea, India, Bangladesh, and Sri Lanka since 2006. ReCAAP maintains an information sharing center in Singapore to facilitate communications and information sharing among member countries and to produce regular report on piracy attacks in the region:

¹³⁷ For U.S. assistance, see "How Piracy can be, and Is Being, Defeated," and Brandon, "Reducing Piracy in Southeast Asia".

Information is exchanged between designated points of contact, or "focal points" in the member countries via a secure Web-based information-network system, on a 24/7 basis. In addition to acting as a point of information exchange, these focal points manage piracy incidents within their territorial waters, facilitate their respective countries' law enforcement investigations, and coordinate surveillance and enforcement with neighboring focal points.¹³⁸

One information-related issue is ship tracking and monitoring in the South China Sea. Ships transiting Malacca and Singapore Straits currently report their positions to operations control centers in Peninsular Malaysia and Singapore, but they are no longer monitored when they transit the South China Sea.¹³⁹ This is an area where China may make a contribution by joining the regional countries in initiating an information fusion center. Such a center can offer real-time tracking of ships of longer ranges employing low orbiting satellites. It may also serve as a point of contact for warning and response with regard to piracy attacks. This is also an area where China can apply lessons it has learned from its Gulf of Aden mission in ship tracking to enhance maritime situational awareness and control.

Finally, if piracy and other forms of armed maritime crime are migrating from the narrower Malacca and Singapore Straits to the wider southern South China Sea, this expansive sea area and the limited number of ships available to the littoral states may require pooling of available ships from major user states of these sea lanes for joint patrol against piracy. Given the sensitivity of littoral states toward issues of national sovereignty and territorial disputes with China, rather than a unilateral approach under the U.N. mandate like the Gulf of Aden counter-piracy mission, China may join the regional countries in initiative a multilateral approach with regard to joint patrol. Because a multinational naval patrol force may require rotation of command and control among member countries' navies and it may provide protection of all ships but not just Chinese ships against piracy, this may pose a challenge for China, who is equally sensitive toward issues of national sovereignty and territorial disputes. On the other hand, meeting and overcoming this challenge may not only enhance the security of these sea lanes, which benefit all the regional user states including China, but may help to build confidence among regional countries in finding a constructive and peaceful solution to the territorial disputes in the South China Sea. Moreover, while they would probably look to engage to some degree, the "Three Forces" active in the Gulf of Aden would almost certainly not assume the central leadership and coordination role they do off of Somalia. China would be able to play a larger role in its own backyard, though for the time being piracy is not expected to be among the largest security challenges within the greater South China Sea region.

Vast differences between all aspects of the two maritime regions notwithstanding, China's experience in the Gulf of Aden still bears valuable lessons for future anti-

138 Raymond, "Piracy and Armed Robbery in the Malacca Strait".

139 Ho, "The Malacca Strait: Will It Continue to Be Safe?"

piracy efforts in the South China Sea. China and other regional stakeholders can draw important lessons to increase the efficacy of the fight against piracy and armed maritime crime in Southeast Asia:

- The South China Sea would benefit from a mechanism that resembles SHADE in the Gulf of Aden. While currently the threat of piracy is relatively low in the area, ReCAAP seems poised to facilitate necessary coordination between naval and coast guard forces if they are ever needed to operate in the same space.
- Just as SHADE helps streamline the efforts of multilateral and independent anti-piracy contributors, ReCAAP should continue to focus on achieving results while minimizing political sensitivities. ReCAAP CPs should deftly avoid overly sensitive issues such as territorial, sovereignty and nationalistic barriers and instead pursue initiatives such as information sharing that exploit transnational information commons.
- China and other maritime states invested in the South China Sea should realize the complementary value of anti-piracy cooperation. Diplomatic and military ties can be strengthened through joint operations, shipboard exchanges, friendly visits and other interstate engagements designed to identify common objectives.