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## India and the South China Sea Dispute

**Recent developments have operational implications for India.**

By Abhijit Singh  
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The South China Sea (SCS) is witnessing a dramatic rise in maritime tensions. Last week, China landed two fighter jets on Woody island – a subset of the Paracel group of islands – just days after the PLA placed surface-to-air missiles at the same location. With a range of about 200 kilometers, the new HQ-9 missiles can target aircraft approaching China's claimed spaces in the South China Sea. To add to regional worries, the latest satellite images of several of the Spratly Islands showed probable radar infrastructure, suggesting that the PLA may already have established full radar coverage over the SCS.

Needless to say, there has been much speculation over China's "strategic" intentions in the South China Sea. The act of placing missiles on disputed territory has been widely interpreted as a hardening of Beijing's maritime posture – not just on account of the direct threat the missiles pose to foreign air-operations in the South China Sea, but also because the new armament complements the PLA's existing air warfare capability on Woody Islands.

While India isn't party to the South China Sea dispute, four aspects of the recent developments might interest New Delhi. First, irrespective of the claims and counter-claims by the United States and China, it is clear that Beijing operates from a position of strength in the South China Sea, wherein it has physical control over critical islands in the region. China has shown the U.S.

and its allies that what matters in a maritime territorial dispute is the actual ‘possession’ of the islands, and as long as the PLA exercises military control over the features, it will exploit their location to support broader territorial claims. For New Delhi, which has been concerned about the security of its trade-flows and energy interests in the South China Sea, however, Beijing’s placement of missiles points to a sober reality. As the disputed islands are militarized, it could imperil freedom of navigation, making Beijing the main arbiter of the accepted range of ‘legitimate’ operations in the South China Sea.

Second, China’s exertion of authority over areas of maritime interest is mostly through indirect means. In the immediate aftermath of the new radar installations in the Spratly’s and deployment of missiles on Woody Island, it looks increasingly likely that Beijing would impose an air defense identification zone (ADIZ) in the South China Sea, ensuring the PLA’s dominance over the surrounding air-space and seas. At present, the likelihood of Chinese aggression occurring outside the disputed maritime spaces in Southeast Asia looks remote. Yet, there is no discounting Chinese maritime assertion in other areas where Beijing might have strategic interests – including critical spaces in the Indian Ocean. For Indian observers, it is useful to extrapolate known Chinese positions in the IOR, to assess Beijing’s likely strategic behavior after the PLA has established a foothold in critical Indian Ocean states. Could the PLA, for instance, play a role in assisting Sri Lanka, Pakistan or Maldives in securing vital sea and air pockets in the Indian Ocean? What could the implications of such a move be for India? As a key security provider in the Indian Ocean, New Delhi appreciates the need for greater stability in the region. Will India, however, accept an expanded Chinese role in securing important spaces in its primary area of interest?

### **Chinese Maritime Tactics**

Here, Indian analysts must take note of Chinese maritime tactics in the South China Sea. Notwithstanding its military deployments on disputed islands, China’s real “implements” of aggression are the maritime militias in the South China Sea. Earlier this month, Vice Admiral Joseph Aucoin, commander of the U.S. 7th Fleet, lamented China’s use of paramilitary agencies in territorial disputes, complicating U.S. attempts to avoid violence in disputed areas. According to U.S. naval sources, the presence of Chinese non-military vessels, including its coast guard and fisheries fleets, have jeopardized naval operations in the region, because such vessels are not governed by agreements like the Code for Unplanned Encounters at Sea (CUES).

While China depicts its non-military bodies as “law-enforcement agencies,” these centrally controlled militias often work together to achieve strategic goals. Their regular employment in dominating maritime spaces is an instructive pointer for Indian watchers. With the expansion of Chinese activities in the Indian Ocean, the presence of “non-grey” hulls in the Indian Ocean Region is likely to rise. Admittedly, this wouldn’t be to the same degree as witnessed in Southeast Asia. But even a relative increase in presence in the Indian Ocean could complicate the security situation in littoral South Asia. Already, China’s distant water fishing fleet is now the world’s largest and is heavily subsidized. Many, however, see China’s rise as a fishing power as indicative of its geopolitical aspirations. Indeed, just as the U.S. is now calling for a new Code for Unplanned Encounters at Sea (CUES) to include state-aligned maritime assets, India might

need a fresh set of rules of engagement to deal with increased Chinese non-military presence in the IOR.

Third, China's maritime behavior is independent of multilateral attempts to lower temperatures in the region and aimed at establishing the image of a dominant power player in the Pacific. The timing of the missile placement at Woody Island coincided with U.S. President Barack Obama's meeting with ASEAN leaders at California, where the participants sought to evolve a consensus for a peaceful solution to the disputes in the South China Sea, and the need for common norms and rules of behavior. Beijing's actions, U.S. analysts point out, are in reality driven by the need to normalize the idea of Chinese military presence in contested territories.

For New Delhi, recent events underscore the contested nature of maritime politics in the Pacific. China and the U.S. play the ritual of cooperation and conflict at sea with a practiced ease that is hard to overlook. Just days after the passage of the *Curtis Wilbur* for the second FONOPS, the U.S. Chief of Naval Operations consulted with his Chinese counterpart about unplanned encounters at sea. Both naval chiefs appeared satisfied with the implementation of the code. Yet, only a few days later, China had placed missiles on the Woody, and Admiral Harry Harris, the commander of U.S. Pacific Command, announced that the security situation had worsened to a point where the USN was contemplating intensifying the FONOPS.

Lastly, the recent developments emphasize the need for India to strike a balance between maritime security imperatives in the Indian Ocean, and its legal stance on freedoms enjoyed by user states in territorial waters. New Delhi's real dilemma is that while it opposes Chinese aggression in the South China Sea, it also disagrees with Washington's interpretation of maritime law and the freedoms enjoyed by foreign warships in littoral spaces. In particular, India does not concur with U.S. attempts at claiming a "right to uninterrupted passage" in coastal waters without the prior permission of the subject state – especially in areas that are deemed to be within a nation's territorial waters. New Delhi's view on the subject, in fact, broadly corresponds with Beijing's – particularly on the need for prior notification by foreign warships before entering a coastal state's territorial waters or EEZ claiming innocent passage.

Viewed through an Indian prism, unannounced forays through territorial waters and EEZs under the rubric of "innocent passage" or absolute "freedom of navigation" are a challenging proposition. Even though the UNCLOS permits continuous and expeditious passage – necessitated by the requirements of navigation – New Delhi does not concur with the practice of conducting maritime operations to score political points. New Delhi knows it cannot support a U.S. maneuver, whose logic could be used to justify greater Chinese maritime activism near the Andaman Islands. For this reason alone, it is unlikely that U.S. and India will conduct joint patrols any time in the near future, even though New Delhi broadly supports the U.S. position on the territorial disputes.