Less than two months after US President Barack Obama took office, China and the US found themselves embroiled in a dispute over a US spy ship in the waters off China’s southern coast.

The South China Morning Post’s Managing Editor, David Lague, argues the incident provides insight into a potential source of conflict between the two countries.

WHILE THE WORLD grappled with a paralyzing financial crisis, a naval confrontation this spring between China and the United States in the South China Sea was a reminder that big power rivalry in Asia remains a threat to global stability.

In early March, about 120 kilometers south of Hainan Island, where China is expanding a key naval base in the South China Sea, the US spy ship *Impeccable* was doing what spy ships do: listening in. The *Impeccable* was towing its acoustic array, a specialized sonar device designed to find and track submarines.

Perhaps the US ship had detected a Chinese submarine. Hans Kristensen, a security expert at the Federation of American Scientists, has suggested that it might have been searching for one of China’s new Shang-class nuclear attack boats thought to be based at Hainan. In any case, it was clearly too close for Beijing’s liking. Over a number of days from March 5, Chinese navy ships, trawlers, civilian patrol vessels and military aircraft buzzed, obstructed and harassed the *Impeccable*, at one point even attempting to seize its acoustic array with a grappling hook, according to media reports quoting Pentagon officials.

This vigorous, and potentially dangerous, challenge to US intelligence gathering marks the opening of a new campaign in Beijing’s attempt to dominate a maritime area that would be crucial in a military conflict over Taiwan. In what some experts dub “naval lawfare,” China is citing the 1982 United Nations Convention on the Law of the Sea (UNCLOS) to justify its actions against the *Impeccable* and the less-spirited harassment of another US surveillance vessel, the *Victorious*, in the Yellow Sea in early March and again in May.

China argues that under UNCLOS and related domestic law, foreign vessels operating in the exclusive economic zone that extends 200 nautical miles from its coast must have permission to conduct military operations, intelligence collection or...
hydrographic surveys. As a number of maritime security experts including Sam Batemen from Singapore’s Nanyang Technological University have pointed out in recent years, Beijing is expending considerable diplomatic energy to win wider international support for its restrictive views on maritime boundaries under UNCLOS.

“China has lodged a solemn representation to the United States as the USNS Impeccable conducted activities in China’s special economic zone in the South China Sea without China’s permission,” Chinese Foreign Ministry spokesman Ma Zhaoxu told a news briefing in Beijing on March 10. “We demand that the United States put an immediate stop to related activities and take effective measures to prevent similar acts from happening.”

After Beijing was called on to explain why two Chinese fishing vessels had obstructed the Victorious in the Yellow Sea on May 1, Ma again responded that the US had “violated” international law. “The fact is that the USNS Victorious conducted activities in China’s exclusive economic zone in the Yellow Sea without China’s permission,” he said in a statement.

The US, which has signed but not yet ratiﬁed the treaty due to conservative opposition in Congress, strongly rejects Beijing’s interpretation of UNCLOS and insists on its right to freedom of navigation in these coastal waters. US President Barack Obama’s director of national intelligence, retired Admiral Dennis Blair, told a Congressional committee on March 10 that Beijing was becoming “somewhat more aggressive” in asserting its claims over its exclusive economic zone. Blair added that the Impeccable incident was the most serious clash between the two sides since the 2001 mid-air collision between a US EP-3 surveillance aircraft and a Chinese fighter near Hainan. To demonstrate US resolve, on March 12 Obama approved the deployment of the guided missile destroyer, USS Chung-Hoon to the South China Sea to protect the Impeccable.

With such divergent views on international maritime law, it is highly likely that these confrontations will continue and possibly increase in frequency as the US seeks to monitor the People’s Liberation Army’s growing ﬁrepower and operational capabilities. And, in the absence of the kind of protocols that prevented accidental or unintended clashes while the US and Soviet militaries sparred during the Cold War, the potential for these incidents to ignite a wider conﬂict is a serious threat to regional peace.

For China, it would seem that restricting US intelligence gathering along the Chinese seaboard is important enough to take that risk. At stake is the viability of a military strategy that has grown out of China’s emergence as a major economic power and its long-standing desire to assert sovereignty over Taiwan, by force if the Beijing leadership deems it necessary. After double-digit annual increases in defense outlays over most of the last two decades, it is clear that the overriding design of this rapid build-up has been to fashion a military that can hold the US and its allies at bay while defeating Taiwan or compelling the island to negotiate a political union in the event of a military conﬂict.

While tensions between China and Taiwan have eased since the 2008 election of Ma Ying-jeou, Taiwan’s nominally pro-reunification president, the mainland’s military preparations continue apace. At the same time, military planners have begun to think beyond reclaiming Taiwan and envision a time when China is a fully-fledged maritime power with the means to protect its crucial seaborne trade and project power outside its coastal waters. This includes plans for a blue water navy boasting aircraft carriers, improved long-range missiles and effective airborne refueling for its strike aircraft. The Chinese military has also devoted considerable effort to ensuring that it can negate any attempted nuclear coercion.

Since the beginning of this decade, China has improved the survivability and quality of its land and submarine-based nuclear weapons to the point that these missiles could inﬂict signiﬁcant damage on most American cities, according to the Pentagon’s annual assessment of Chinese military power published in March. But, the immediate priority remains the so-called strategy of “area denial” aimed at keeping US forces, in particular aircraft carrier battle groups, out of an
area where they could most effectively support Taiwan in a conflict.

Discussion and analysis of this strategy has become a staple of official Chinese military newspapers and journals. Measures China could adopt to attack US carriers are also widely canvassed in the extensive range of popular military magazines on sale at newsstands in Chinese cities. For this to be workable, China would not need to match the overwhelming military and technological might of the US with its sprawling global reach. Instead, the Chinese military is seeking the means to dominate a relatively limited zone along its coastal waters and out into the western Pacific past Taiwan.

This dominance would only need to last long enough to overwhelm the island’s defenses or force a settlement before US forces could intervene. As its military spending swells, China has been acquiring or developing the hardware, technology and systems specifically tailored to meet this goal. This includes development of an increasingly sophisticated arsenal of missiles and strike aircraft that could target US bases, ports, communications centers and logistics hubs in the Asia-Pacific region.

The Pentagon has also been monitoring China’s efforts to fit ballistic missiles with advanced guidance systems that would allow these weapons to attack surface ships far from the Chinese coast. Most Chinese and foreign defense experts have suggested that this capability would pose a serious threat to US vessels. The PLA has also demonstrated that its missiles could threaten US surveillance and communications satellites with its well-publicized successful destruction of a defunct Chinese weather satellite in early 2007.

Some senior US military officials warn that the PLA’s air defense system has improved to the point that only advanced stealth aircraft such as the F-22 could penetrate Chinese airspace. But it is a rapidly expanding fleet of advanced, stealthy submarines that form the backbone of the PLA’s bid to block or delay the US and its allies from coming to the aid of Taiwan. For students of naval history, this is hardly a novel approach. Researchers William S. Murray and Lyle Goldstein at the US Naval War College have noted that in spending heavily on the capacity to wage war underwater, China is following the lead of other second-rank naval powers in the 20th Century, Germany and the Soviet Union.

The simple calculation is that submarines, particularly conventional, diesel-electric submarines, deliver more bang for the buck than surface warships. For a relatively modest outlay, a fleet of these submarines with advanced sensors, torpedoes and anti-ship missiles could pose a deadly challenge to a much bigger and more powerful surface navy. Although conventional submarines are limited in range and cannot operate as long underwater as their nuclear-powered counterparts, they can be considerably quieter and more difficult to detect.

In wartime, an adversary would be forced to expend a massively disproportionate effort to

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find and attack these underwater threats with no guarantee of success. Stealthy, conventional submarines are also ideally suited to stalking and attacking other submarines. Disconcertingly for the Pentagon, China’s build up comes at a time when the US Navy’s anti-submarine warfare capability has withered compared to levels reached at the height of the Cold War.

China now has more than 60 submarines including small numbers of two new nuclear-powered classes but the bulk of this rapidly expanding fleet is made up of conventional submarines. While continuing to develop its domestic submarine building technology, the PLA has taken delivery of 12 Kilo-class conventional submarines from Russia to kick-start this build-up. These submarines are among the stealthiest in service with any navy, according to Western security experts, and are armed with advanced torpedoes and supersonic, anti-ship cruise missiles.

China has also developed two domestically designed and built advanced conventional submarines, the Song and Yuan classes, in recent years. It was a Song class submarine that delivered a stunning demonstration of the rapid improvement in Chinese underwater technology in late 2006 when it surfaced about five miles from the now-decommissioned US aircraft carrier Kitty Hawk off the coast of Okinawa. None of the carrier’s screen of surface ships and submarines detected the Chinese submarine before it surfaced well within missile or torpedo range. The PLA navy had announced it could threaten the most powerful US warships in the vicinity of Taiwan.

The Pentagon estimates China now has 13 Song class submarines along with two of the newer Yuan class, a more advanced design that reportedly includes design elements of the Song and Kilo classes. Defense specialists have also speculated that the Yuan class may be fitted with so-called air independent propulsion, a self contained power system that would allow them to operate underwater for extended periods without coming close to the surface to recharge their batteries.

In its annual report on Chinese military power, the Pentagon suggested China might have plans to build up to 15 of this class of submarine. The
PLA navy has also taken delivery of two Shang class nuclear powered attack submarines, according to experts on the Chinese military. As these new Chinese classes enter service, older submarines based on obsolete Russian designs are being scrapped.

While China improves the size and capability of its underwater fleet, it also enjoys particularly favorable geography in the area it wants to dominate. Even China’s obsolete submarines would be particularly difficult to counter in the relatively shallow coastal waters of the South China Sea, East China Sea and Yellow Sea, according to naval experts. This area of uneven ocean floors, surging tides, shifting thermal layers and busy commercial shipping lanes is a complex acoustic environment where submarine detection technology, including passive sonar, is dramatically less effective.

This means a replay of this spring’s confrontations is highly likely if not inevitable. The Pentagon will continue to deploy the Impeccable, Victorious and other similar intelligence gathering vessels on missions inside China’s exclusive economic zone. The knowledge gained in detecting and tracking Chinese submarines and the marine data they collect will be vital to the US Navy’s capacity to wage anti-submarine warfare in these waters.

For its part, China will continue to challenge these vessels and seek wider support for its legal objections.

The challenge for both sides is to prevent “naval lawfare” from becoming open warfare.

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