## DEFENSE SECURITY BRIEF

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## CHINA AND TALIBAN-CONTROLLED AFGHANISTAN: A NEW GREAT GAME?

Bilveer Singh

## INTRODUCTION

What is often ignored is that China and Afghanistan share a land border albeit a short one. The 76-kilometer border brings together China, Afghanistan and Tajikistan in what is known as the Wakhan Corridor. The border is in northeast Afghanistan, and the nature reserve of Tajik Autonomous County and the Xinjiang Uygur Autonomous Region in China. The China-Afghan-Tajik border region was part of the historical Silk Road even though the China-Afghan border was established in 1895 following the Russo-Anglo agreement as part of the Great Game in the region. The final China-Afghan border delineation was made in 1963. Historically, Chinese dynasties had established control over different parts of Afghanistan in order to safeguard the Silk Road. This geographical contiguity alone, in part, accounts for China's immense interest in Afghanistan. This is not to mention that Afghanistan is one of the largest state bordering China in Central Asia.

Historically, the Chinese are very cognisant of the 'Great Game' that was played out between the British and Russian empires in the 19<sup>th</sup> and early 20<sup>th</sup> centuries for dominance in Afghanistan, with China itself being a victim of these great powers in the nineteenth century. While Russia feared that the British had plans to dominate Central Asia, the British, likewise believed that the Russians were thinking of invading British India. This resulted in a century of distrust and fear of war between the two European powers. This conflict and competition had immense impact on both the European powers as well as the adjoining territories of British India and Persia, just as

<sup>&</sup>lt;sup>1</sup> The Chinese description of a 'Century of Humiliation' followed the manifold political, economic and territorial concessions that were extracted by the Western great powers and later Japan, following the outbreak of the Opium War in 1839 to 1949 when the People's Republic of China was born.

the contemporary crisis in Afghanistan has direct implications for China, India, Pakistan, Iran and the Central Asian states.

While China has eschewed any desire to partake in the Great Game in Central Asia today, especially following the precipitous US military drawdown from Afghanistan, by publicly espousing that it respects the territorial sovereignty of Afghanistan, it has also signaled its abiding interests that demands an active role in the region. While China has repeatedly referred to Afghanistan as the 'Graveyard of Empires' and denied any intentions of sending military forces to Afghanistan to fill the vacuum left by the departure of the United States, how exactly a powerful China would adjust to a Taliban-controlled Afghanistan poses serious dilemmas that will be analysed below. Thus far, adopting a military option in China-Afghanistan relations has been ruled out with Chinese leaders reiterating, "China knows no foreign county can dominate Afghanistan". Still, China keystone interest in Afghanistan has always been security and this remains uppermost today with the country under the Taliban.

## CHINA AND TALIBAN FROM THE 1990S TO THE US'S DECISION TO WITHDRAW FROM AFGHANISTAN

The US invaded Afghanistan following the twin attacks by New York and Washington, D.C. by Al Qaida on 11 September 2001 (911 attacks). As the then Mullah Omar Talibanled Afghanistan, who was related to Al Qaeda's Osama bin Laden, the US accused Afghanistan of providing sanctuaries to terrorists such as Al Qaida and as part of George Bush's 'Global War on Terror', the US and its allies invaded Afghanistan and deposed the Taliban by force in November 2001. This led to the beginning of what was to be a 20-years military campaign with great cost of lives on both sides and without the US being able to achieve its strategic goal of destroying Al Qaida or the Taliban.

While China had minimal ties with the Taliban when it was in control of Afghanistan from 1996 to 2001, following the US invasion of Afghanistan, Beijing has maintained low-level relations with the Taliban, including hosting various visit by Taliban leaders to China.<sup>3</sup> China has also used its close ties with Pakistan to establish

<sup>&</sup>lt;sup>2</sup> Sean Mantesso, "As the US Withdraws, China pins Regional Stability Hopes on the Afghan Taliban," *ABC News*, August 9, 2021, https://www.abc.net.au/news/2021-08-09/china-afghanistan-war-united-states-withdrawal/100355708.

<sup>&</sup>lt;sup>3</sup> In November 2000, China's ambassador to Pakistan, Lu Shulin, met the then Taliban leader, Mullah Omar, becoming the first representative from the non-Muslim world to do so. Vinay Kaura, "What Does China's Growing Engagement in Afghanistan Mean for the US?" *Mei@75*, August 7 2020. https://www.mei.edu/publications/what-does-chinas-growing-engagement-afghanistan-mean-us.

contacts with the Taliban since 2001. In 2015, China hosted talks between the Taliban and the Afghan government in Urumqi, capital of Xinjiang. In 2016, the Taliban senior political chief in Qatar, Sher Mohammad Abbas Stanekzai, led a delegation to Beijing. In 2018 and 2019, Chinese officials had met Taliban envoys but not at a high level. In June 2019, Mullah Abdul Ghani Baradar, the Taliban's second-in-command and the political chief of the Taliban, visited Beijing. On 28 July 2021, China's foreign minister, Wang Yi hosted Mullah Abdul Ghani Baradar, in Tianjin. China. The leaders of the Taliban's Religious Council and Publicity Committee were also part of the Baradar's delegation. While Wang criticized the US for its 'hasty withdrawal' from Afghanistan, he also recognized Taliban as a 'pivotal military and political force' that was 'expected to play an important role in the country's peace, reconciliation, and reconstruction process'. Taliban's spokesperson, Suhail Shaheen have also stated that "we have been to China many times and we have good relations with them. China is a friendly country that we welcome for reconstruction and developing Afghanistan".

In many ways, it was Donald Trump who made the first move to end the US military presence in Afghanistan. This was following the Doha agreement in February 2020, signed by Zalmay Khalilzad, Trump's Special Representative on Afghanistan and Mullah Abdul Ghani Baradar, Taliban's co-founder. The Doha agreement committed the US and allied forces' withdrawal from Afghanistan by May 2021. In April 2021, President Joe Biden announced that the US would be totally withdrawing from Afghanistan by the 20<sup>th</sup> anniversary of the 911 attacks, leading to the quick takeover of the country by Taliban by mid-August 2021.

## HOW CHINA SEES THE TALIBAN RE-TAKEOVER OF AFGHANISTAN?

Now that the Taliban have seized power in Afghanistan, China is likely to recognize and legitimize the new leadership within the coming weeks or months. Prior to the fall of Kabul, Beijing's official position was to support reconciliation between the warring sides—even as it officially engaged with the Taliban since 2019 and unofficially for several years before that. On July 28, Chinese Foreign Minister Wang Yi welcomed Taliban representatives for consultations in Beijing, the most visible sign of warming Chinese-Taliban relations yet. Just before the Taliban took control, there were

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<sup>4</sup> Yogesh Gupta, "China's Taliban Outreach Worries Kabul," The Tribune (India), May 22, 2021.

<sup>&</sup>lt;sup>5</sup> Sarah Zheng and Kinling Lo, "Risks and Opportunities for China in Taliban's Return to Power in Afghanistan," *South China Morning Post*, August 16, 2021.

<sup>•</sup> Riyaz ul Khaliq, "Taliban Welcome Friendly China's Investments in Afghanistan," *Anadolu Agency*, July 12, 2021, https://www.aa.com.tr/en/asia-pacific/taliban-welcome-friendly-china-s-investments-in-afghanistan/2302492.

already reports Beijing was planning to recognize a Taliban regime.

China's recognition of the Taliban is almost inevitable as the former leader's retake following the American exit after 20 years of mismanaged occupation. While China was never a supporter of the US invasion and occupation of Afghanistan since 2001, the manner the US decided to leave in August 2021 created problems for China. As the US undertook a chaotic military withdrawal from Afghanistan, the twin key concerns for China have been to prevent the Afghan instability from spillover into China, especially in the Xinjiang region and to ensure that China's investments in the Belt and Road Initiative (BRI) are not hurt. In this regard, it also welcomed the Taliban as the most important political and military force that was in a position to bring some stability to the country even though this was driven more by political necessity than choice. As such, China's spokesperson, Hua Chunying stated, China's "respects the wishes and choices of the Afghan people" and hoped that the Taliban's declarations that it would establish "an open, inclusive Islamic government and ensure the safety of Afghan citizens and foreign mission" would be carried out.<sup>7</sup>

China's positive outlook towards the Taliban, as least to date, is due not just because of these past relations since 2001 but also the belief that the Taliban may be in a position to bring stability to the country, rein in the terrorist groups that have been operating in the country and where the ensuing stability could provide the basis for Afghanistan's reconstruction and development. This in turn could safeguard China's past investments in Afghanistan but also act as a boost to China's strategic political and economic plans that are enshrined in the BRI. Compared to the earlier Taliban that ruled Afghanistan, the new Taliban is seen as much more moderate and pragmatic in orientation and with whom China could do business politically and economically.

### WHAT CHINA HOPES TO ACHIEVE IN TALIBAN-CONTROLLED AFGHANISTAN TODAY?

## POWER VACUUM IN AFGHANISTAN AND TALIBAN'S ROLE

Beijing's key concern is to ensure that Afghanistan does not return to the instability and infighting among the warlords as happened in the early 1990s among the various Mujahidin groups, that eventually culminated in the Taliban's takeover of the country. China hopes to ensure that the mayhem experienced by Afghanistan following the Soviet withdrawal would not be repeated as the stability in the war-torn country is critical for China.

<sup>&</sup>lt;sup>7</sup> Zheng and Lo, "Risks and Opportunities."

### TALIBAN AND THE GREAT POWERS

The US's dramatic collapse in Afghanistan represented a devastating military, political, diplomatic and strategic defeat for the US, especially in Asia. While helicopters airlifted American diplomats from the Kabul embassy and American officials, including Secretary of State, Antony Blinken rejected comparisons to similar scenes during the 1975 fall of Saigon, clearly, the US has suffered a serious hit at its credibility in the region and marked another military defeat following its over-extended military commitment abroad.<sup>8</sup>

The US's defeat and withdrawal from Afghanistan has opened the strategic space for great powers such as Russia and China as well as regional states such as Iran and Pakistan to assert their influence. India, a strategic rival of China and Pakistan, and which rode on the coattails of American invasion and occupation of Afghanistan, has emerged as key loser in Afghanistan. The key question would now be how both Russia and China as well as Iran and Pakistan would work with the key great powers in ensuring stability in Afghanistan while safeguarding their respective enduring interests. Yet, what is unmistakable is that in the emerging Sino-US rivalry, the Chinese are doing well in Asia as a whole, including in Central and Southeast Asia, and with the US's defeat in Afghanistan, China's influence is expected to rise in the region.

## HOPE FOR A TALIBAN'S QUICK CONTROL OF AFGHANISTAN

Following the lighting Taliban takeover of the country except for some pockets, especially in the Panjshir Valley in north-central Afghanistan, about 150 kilometers from Kabul, China hopes that a modicum of stability would return to the country under the Taliban.

## TALIBAN'S ABILITY TO DENY SANCTUARIES TO TERRORIST GROUPS

What China fears is the return of the old Taliban that ruled Afghanistan from 1996 to 2001 and where one of its hallmarks was its policy to give sanctuaries to terrorist groups such as the Al Qaida. Today, the repeated demand that Chinese officials have exhorted from the 'new' Taliban is that Afghanistan does not give sanctuaries to terrorist groups as this would undermine and destabilize the region, including Central Asia and China. For its part, the Taliban has promised that it "will not allow any forces

<sup>&</sup>lt;sup>8</sup> "U.S. Embassy Staff in Afghanistan Are Evacuated to Kabul's Airport," *NPR*, August 16, 2021, https://www.npr.org/2021/08/16/1028027315/u-s-embassy-staff-in-afghanistan-are-evacuated-to-kabuls-airport.

to use Afghanistan's soil to harm China", which Chinese leaders have welcomed. Yet, Chinese analysts have remained cautious as the Taliban had deep-rooted and complex relations with various extremist groups in the past and that it was too early to ignore this despite the Taliban's disavowal of wanting to maintain ties with extremist groups that could harm other countries, especially its neighbors. In particular, China have concerns with the long Taliban's ties with Al Qaeda, ISIS-Khorasan, Pakistan's Taliban branch known as *Tehrik-i-Taliban* Pakistan, the Islamic Movement of Uzbekistan and the East Turkestan Islamic Movement (ETIM).

China's concerns with terrorism in Afghanistan and Pakistan is understandable as Chinese targets have been attacked in the past, especially those associated with CPEC. For instance, in 2021 alone, there have been three attacks on Chinese targets in Pakistan; a car bombing of a hotel where the Chinese ambassador was due to stay, a bus explosion that killed nine Chinese nationals and a non-fatal shooting that injured two Chinese engineers. <sup>11</sup> Following the ISIS-Khorasan suicide bombing in Kabul Airport on 26 August 2021 that killed 13 American soldiers and more than 150 Afghans, the opportunity to collaborate between Taliban and China and probably other powers such as the US, Russia and Iran have increased, in turn, that would strengthened the Taliban's goal of ending the presence of terrorist groups in the country in line with China's interests.

## TALIBAN'S ABILITY TO STALL ETIM AND PRO-UIGHURS SEPARATIST MOVEMENT

Of particular concern is China's worry with the East Turkestan Islamic Movement, that had been classified as a terrorist organisation by the West, including the US and the United Nations. However, in November 2020, the US delisted ETIM as a terrorist, which China objected vehemently, viewing it as part of Washington's move to hurt China's position in Xinjiang. The US has accused China of human rights abuses included forced labour and large-scale detentions that amounts to genocide against the Uighurs. China has accused ETIM of fomenting unrest and insurgency in Xinjiang with the aim of promoting independence in the strategically important territory of China. Hence,

<sup>&</sup>lt;sup>9</sup> Zheng and Lo, "Risks and Opportunities."

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<sup>11</sup> Lucas Niewenhuis, "Not the Outcome China Wanted; Why a Taliban-controlled Afghanistan makes Beijing anxious," *Supchina*, August 16, 2021, https://supchina.com/2021/08/16/not-the-outcome-china-wanted-why-a-taliban-controlled-afghanistan-makes-beijing-anxious/.

Nitin Pai, "Make China Accountable for the Taliban's Actions," *Mint*, August 16, 2021, https://www.livemint.com/opinion/columns/make-china-accountable-for-the-taliban-s-actions-11629097812929.html.

China would like to ensure that the Taliban does not support or provide sanctuaries to ETIM as it could create serious security problems for China in Xinjiang. While China has desisted deploying troops in Afghanistan, it has two military bases in Tajikistan, including one near the Wakhan Corridor. The base is supposedly for the purpose of counter-terrorism efforts in the region.

Thus far, Taliban leaders have been receptive and sensitive to China's interests and concerns. During his July 2021 visit to China, Mullah Abdul Ghani Baradar stated that his country would "never allow any force to engage in acts detriment to China". Similarly, the Taliban spokesperson, Suhail Shaheen promised that the Taliban would refrain from interference in China's internal affairs, a clear reference to Xinjiang. 14

## TALIBAN'S RECEPTIVITY TO CHINA'S ECONOMIC ACTIVITIES IN AFGHANISTAN

China has clear economic goals in Afghanistan, both direct and indirect. Afghanistan is a resource-rich landlocked state with resources worth trillions of dollars. It is reputed to be rich in rare earth metals including lanthanum, cerium, neodymium, aluminium, gold, silver, zinc, mercury, lithium, copper, and petroleum. Hence, some have argued that China has clear commercial motivations in cozying up with the Taliban as it gains control of the country following the US withdrawal.

China is also keen to integrate Afghanistan into its globally oriented economic plans under the auspices of the BRI. The Chinese have responded positively as the Taliban has also openly expressed its desire to attract Chinese economic investments. According to a Chinese spokesperson Hua Chunying, the Taliban has "on multiple occasions" expressed the desire that "it looks forward to China's participation in Afghanistan's reconstruction and development". <sup>17</sup> As such, Hua argued that "we are ready to continue to develop good-neighbourliness and friendly cooperation with Afghanistan and play a constructive role in Afghanistan's peace and reconstruction". <sup>18</sup>

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https://www.cnbc.com/2021/08/17/taliban-in-afghanistan-china-may-exploit-rare-earth-metals-analyst-says.html.

<sup>13</sup> Henry Storey, "China's Afghan Conundrum," The Interpreter (Australia), July 30, 2021.

<sup>14</sup> Ibid.

<sup>15</sup> According to Ahmad Shah Katawazai, a former diplomat in Afghan embassy in Washington, Afghanistan has resources to the value of US\$3 trillion. See Tan Weizhen, "China May Align Itself with Taliban and Try to Exploit Afghanistan's Rare Earth Metals, Analyst Warns," CNBC, August 17, 2021,

<sup>16</sup> Globally, China dominates the rare earths market with about 35 percent of the world's reserves being in China. China is believed to have some 44 million metric tons of reserves, compared say to the US which has about 1.4 million tons. As rare earths are used extensively in electronics, satellites and aircraft, China has immense influence in world trade in this area and its access to these metals in Afghanistan will only enhance its power, both economic, military and political. See Weizhen, "China May Align Itself with Taliban."

<sup>17</sup> Weizhen, "China May Align Itself with Taliban."

<sup>18</sup> Ibid.

Against the backdrop of the US sudden military drawdown and China's growing ties with the Taliban and where some analysts talked of China filling the military vacuum in Afghanistan, Chinese analysts have dismissed this as 'totally groundless' but emphasized that China was willing to "contribute to post-war reconstruction and development, pushing forward projects under the China-proposed Belt and Road Initiative". An important part of China's BRI is to establish networks with the China-Pakistan Economic Corridor, in the hope of developing the region as a whole.

Yet, China's past economic activities in Afghanistan have not borne fruits. In 2008, the Chinese Metallurgical Group Corporation and the Jiangxi Copper Company Limited consortium won a 30-year lease to extract the second largest copper deposit in the world, valued at US\$50 billion in the Aynak copper mine. In 2011, the China National Petroleum Corporation won a US\$ 400 million bid to drill three oil fields for 25 years in the Amu Darya basin, believed to contain about 90 million barrels of oil. However, due to the security situation in Afghanistan since the US's invasion of the country, very will progress has been made in these projects, something the Chinese could be reversed following the Taliban's recapture of the country.<sup>20</sup>

## TALIBAN'S INTERNATIONAL IMAGE

China also hopes that the Taliban's responsible takeover of the country and its eschewing of its past policies, including discrimination and persecution of women, would assist in its being accepted and recognized internationally.

## **CONCLUSION**

Just as in the past, China has always been concerned with developments in Afghanistan. While China opposed the US invasion of Afghanistan, the manner it has withdrawn has raised new dilemmas for China's interests, especially security ones. While as a strategic rival, the US's actions would signal continuing American weaknesses and decline, yet the big question as to who would fill the security and strategic void and whether the Taliban would be able to hold the country remains unanswered. The apparent US defeat in Afghanistan would in a zero-sum game enhance China's status, and yet, there are clear security threats that can emerge from Afghanistan, especially to China's position in Xinjiang and with regard to its policies towards the Uighurs. Hence, despite

<sup>19</sup> Ibid.

Yun Sun, "A Reluctant Embrace: China's New Relationship with the Taliban," *War on Rocks*, August 10, 2021, https://warontherocks.com/2021/08/a-reluctant-embrace-chinas-new-relationship-with-the-taliban/.

the American military defeat and withdrawal, China would continue to walk a tightrope in Afghanistan due mainly to the fast evolving and uncertain security situation in the country. For those expecting a *Pax Sinica* in Afghanistan and elsewhere would be disappointed as this is something not in China's interest nor play of its playbook as Beijing understands the Afghan psychology better than any other great powers.

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The views expressed are strictly personal and not of any institution, the author may be affiliated with.

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# LESSONS LEARNED FROM THE OPENING OF THE TAIWAN REPRESENTATIVE OFFICE IN LITHUANIA

Jung-Ming Chang

## INTRODUCTION

Small states are often underestimated, if not ignored, in world politics. However, this is not always the case such that the strong do what they can and the weak suffer what they must. A recent case demonstrates this well. Lithuania just opened the Taiwan Representative Office in Vilnius in July 2021. This is the first-ever outpost using the name of "Taiwan" in Europe and deemed by China as a serious challenge to its self-proclaimed 'one China' principle. China soon recalled its ambassador to Lithuania, demanded Lithuania reciprocate the move, and put a hold on the rail freight link in August. However, Lithuania's move was welcomed by the United States. As U.S. Department of State spokesman Ned Price put it, "we do stand in solidarity with our NATO Ally Lithuania." The Lithuanian case is perhaps just the beginning. As more small states join this campaign and with the help of big countries, they could probably turn the tide in the current world.

## A CHINA-OBSESSED PRINCIPLE

China usually forces other countries to accept its 'one China' principle as the foundation for establishing bilateral diplomatic relations. The principle predefined by the Chinese communist government goes like this: there is only one China in the world, Taiwan is

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<sup>1</sup> Lawrence Chung, "US Backs Taiwan's Move to Open De Facto Embassy in Lithuania," *South China Morning Post*, July 20, 2021, https://www.scmp.com/news/china/diplomacy/article/3141815/us-backs-taiwans-move-open-defacto-embassy-lithuania.

Ned Price, "Department Press Briefing – August 10, 2021," U.S. Department of State, August 10, 2021, https://www.state.gov/briefings/department-press-briefing-august-10-2021/#post-269346-LITHUANIA.

an inalienable part of China, and the government of the People's Republic of China (PRC) is the sole legal government of China.<sup>3</sup> This predetermined principle is a favorable policy for China, but maybe not for other countries in the world. So far, the principle applies to any issue associated with Tibet, Xinjiang, Taiwan, and, recently, Hong Kong.

The result of not adhering to the 'one China' principle is punishment. After the Dalai Lama's trip to Ulaanbaatar on November 19, 2016, China blocked the Gants Mod crossing in southeastern Mongolia by levying new border fees. Additionally, bilateral talks on China's provision of US\$4.2 billion loans to Mongolia and economic cooperation were postponed. Consequently, Mongolian Foreign Minister Tsend Munkh-Orgil expressed regret that the Dalai Lama's visit hurt ties with Beijing, and added that Mongolia will no longer allow the Dalai Lama to visit the country. On January 24, 2017, Chinese Foreign Minister Wang Yi told Mongolia's Foreign Minister Tsend Munkh-Orgil over the phone that he hoped Mongolia had taken this lesson to heart and that Mongolia would "scrupulously abide by its promise" not to invite the Dalai Lama again. Afterwards, Chinese economic assistance to Mongolia resumed.

Moreover, China placed sanctions on individuals and entities of the United States, Canada, United Kingdom, and the European Union to counteract their sanctions on Chinese officials related to the human rights violcations in Xinjiang. In addition, following the U.S. sanctions in support of Hong Kong protests against the Anti-Extradition Law Amendment, China imposed sanctions on individuals or organizations of the United States in return. 10

<sup>&</sup>lt;sup>3</sup> "The One-China Principle and the Taiwan Issue," *China.org.cn,* http://www.china.org.cn/english/7956.htm.

<sup>&</sup>lt;sup>4</sup> "China Imposes New Fees on the Mongolian Border Crossing," *Gogo Mongolia*, December 2, 2016, https://mongolia.gogo.mn/r/156197.

<sup>&</sup>lt;sup>5</sup> "China 'Blocks' Mongolia Border after Dalai Lama Visit," *Aljazeera*, December 10, 2016, https://www.aljazeera.com/economy/2016/12/10/china-blocks-mongolia-border-after-dalai-lama-visit.

**<sup>6</sup>** Ganbat Namjilsangarav, "Mongolia Says Dalai Lama Will Not Be Allowed Future Visits," *Associated Press,* December 21, 2016, https://apnews.com/article/8c026337a97640309f4bdb530bf6cd07.

<sup>&</sup>lt;sup>7</sup> "China Says Hopes Mongolia Learned Lesson After Dalai Lama Visit," *Reuters*, January 24, 2017, https://www.reuters.com/article/us-china-mongolia-dalailama-idUSKBN158197.

<sup>&</sup>lt;sup>8</sup> Yunbi Zhang, "Mongolia to Get Help from China," *China's State Council*, February 21, 2017, http://english.www.gov.cn/news/international\_exchanges/2017/02/21/content\_281475573918406.htm.

<sup>&</sup>lt;sup>9</sup> "Canadian PM Trudeau Calls Chinese Sanctions over Xinjiang 'Unacceptable'," *Straits Times*, March 28, 2021, https://www.straitstimes.com/asia/east-asia/china-announces-sanctions-on-individuals-entities-in-us-canada; "China Imposes Sanctions on UK MPs, Lawyers and Academic in Xinjiang Row," *Guardian*, March 26, 2021, https://www.theguardian.com/world/2021/mar/26/china-sanctions-uk-businesses-mps-and-lawyers-in-xinjiang-row

**<sup>10</sup>** "China imposes sanctions on US officials," BBC, July 23, 2021, https://www.bbc.com/news/world-asia-china-57950720.

Taiwan, at the core of the "one-China" principle, suffers from this assertive principle the most. The Taiwan issue is the most sensitive one for China. Compared with other pro-secessionist entities, such as Xinjiang and Tibet, not only does Taiwan have strong economic, trade, and technology ties with the rest of the world, Taiwan is also a country having armed forces, backed by the United States. Therefore, Taiwan's any move towards independence gets on China's nerve and might encourage other pro-secessionist entities to do so.

Aggravatingly, any country or international organization that wants to develop relations with Taiwan often faces political and/or economic coercions from China. In September 2020, Czech Senate President Miloš Vystrčil led a delegation comprising 36 high-tech enterprises to visit Taiwan. Not only were members of the delegation under China's sanctions soon after they left Taiwan, but China's Ministry of Culture and Tourism suggested that Chinese citizens not to travel to the Czech Republic. <sup>11</sup> This was an implicit boycott against the Czech Republic. A similar action happened when Beijing indefinitely postponed the Prague Philharmonic Orchestra's tour to China and the postponement was believed to be connected with Prague mayor's support for Tibet and Taiwan. <sup>12</sup>

These incidents show that the "wolf warrior diplomacy," adopted during Chinese President Xi Jinping's term of office, not only interferes with foreign countries seeking to build political and/or economic ties with Tibet, Xinjiang, Hong Kong, or Taiwan, but affects cultural and religious exchanges as well. The 'one China' principle creates asymmetric pressure for countries, especially the small ones, in the world as China grows stronger. The principle serves only PRC's political interests, but not for those of small countries.

## WHAT CAN WE LEARN FROM THE LITHUANIAN INCIDENT?

Formal ties between any pair of countries shall be based on mutual benefits, rather than unilaterally preset conditions. For example, the U.S. policy towards China and Taiwan, the 'one China' policy, contains documents such as the Three Communiqués, Taiwan Relations Act, and Six Assurances. The U.S. 'one China' policy, compared with China's 'one China' principle, is more flexible and provides a better variant for the U.S. national interests when dealing with cross-Strait issues. It is obvious that recent

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**<sup>11</sup>** "China Threatens Retaliation after Czech Delegation Visit to Taiwan," *Euronews*, August 31, 2020, https://www.euronews.com/2020/08/31/china-threatens-retaliation-after-czech-delegation-visit-to-taiwan.

<sup>&</sup>lt;sup>12</sup> "Czech Republic and China Clash over Prague Philharmonic Tour," *Kafkadesk* (Prague Office), June 21, 2019, https://kafkadesk.org/2019/06/21/czech-republic-and-china-clash-over-prague-philharmonic-tour/.

episodes of coercion in the aforementioned cases demonstrate that big countries can stand firm in face of Chinese political/economic pressure, whilst small countries must thrive to not follow China's demands. As China becomes more powerful and adopts its 'one China' principle coercively, collective actions from countries in different sizes to stop China's aggressive diplomatic actions is necessary.

The Lithuanian case has at least two implications: 1) small states are no less important than major states; 2) the United States could garner support from small states in its competition with China. For the first implication, one would argue that small states are not highly dependent on China in terms of trade and this is why they dare to challenge the 'one China' principle. To some extent, this is true. However, no country in the world can really get rid of China's political/economic pressure since the country has become a 'world factory'. Therefore, it is biased to say and too early to determine that Lithuania does not have much to lose by defying the 'one China' principle. As the incident develops over time, Lithuania is likely to lose new contracts and licenses for exports to China. <sup>13</sup> In this situation, small countries are to be applauded for making greater achievements than big countries by not accepting the 'one China' principle.

For the second implication, it makes sense for the United States to unite with not only major states but small states as well in its competition with China. U.S. President Joe Biden has adopted a policy that is quite contrary to his predecessor President Donald Trump. Instead of following the course of competing with China unilaterally, Biden has attempted to garner support from the U.S. traditional allies in Europe. In that vein, Biden embarked on June 9, 2021, his first foreign visit after taking office and the first stop was in Europe. After a meeting with United Kingdom Prime Minister Boris Johnson, Biden also attended a G-7 summit. Subsequently, Biden participated in a NATO summit and an EU summit. Some even suggest to search the potential wrinkles in the Moscow-Beijing friendship after Biden and Putin Summit in Geneva. 14

Reactions from the European allies were satisfying. The United Kingdom announced that a carrier strike group, led by Elizabeth aircraft carrier, will depart in September to visit Yokosuka, Japan. Additionally, a U.K. littoral response group, comprised of two patrol ships, will be deployed in Japan permanently.<sup>15</sup> France also

<sup>13</sup> Stuart Lau, "How little Lithuania Dragged the EU into Its Showdown with China," *Politico*, October 6, 2021, https://www.politico.eu/article/lithuania-china-showdown-eu-impact/.

**<sup>14</sup>** "Biden and Putin: A Quest for Engagement in Geneva," *Institut Montaigne*, June 22, 2021, https://www.institutmontaigne.org/en/blog/biden-and-putin-quest-engagement-geneva.

Tim Kelly and Irene Wang, "Britain to Permanently Deploy Two Warships in Asian Waters," *Reuters*, July 21, 2021, https://www.reuters.com/world/uk/britain-permanently-deploy-two-warships-asian-waters-2021-07-20/.

played her part in demonstrating the will to protect its overseas territory, the French Polynesia, in the Indo-Pacific through the Heifara Exercise in late June this year. <sup>16</sup> In the exercise, a contingent of three Rafale fighter jets along with two A330 tankers and two A400M cargo planes flew from three bases in France to the South Pacific with only one stop in Travis, California. After the exercise, French President Emmanuel Macron urged countries in the South Pacific to establish a coast guard network to crack down on 'predatory' fishing in the region. <sup>17</sup>

However, more could be done by the U.S. side to assist small states when they choose not to follow the 'one China' principle. The Mongolian case in 2016 and Lithuanian incident in 2021 comprise two cases for comparison. Mongolia failed to carry out non-adherence to the 'one China' principle due to the lack of support by major powers, namely the United States. Conversely, Lithuanian persisted in letting Taiwan open the Taiwan Representative Office in Vilnius after receiving support from the United States. And it is encouraging to see that U.S. backing of Lithuania does not only happen once but has been conducted in a continuous fashion. When asked by Lithuanian President Gitanas Nauseda for consistent U.S. support for the policy vis-à-vis China, U.S. President Joe Biden responded that the United States is closely following Lithuania's steps and that the United States supports Lithuania on this path during an informal conversation at the United Nations Climate Change Conference (COP26) November 1, 2021, in Glasgow. <sup>18</sup> In order to win the competition with China, the United States should give a hand to small countries when needed.

## **AN INCLUSIVE STRATEGY**

The 'one China' principle is gradually not applicable to the current international structure. Not only does the principle prevent countries from pursuing their best interests due to China's economic coercion, the principle also does not contribute to China's long-term development which depends on a freer economy and society. The United States and like-minded countries in the world should let China understand that

<sup>&</sup>lt;sup>16</sup> "Did French Rafale Fighters Really Fly 17,000km Nonstop in 12 Hours?" *Week,* June 29, 2021, https://www.theweek.in/news/world/2021/06/29/did-french-rafale-fighters-really-fly-17k-km-nonstop-in-12-hours.html.

Michel Rose, "France, South Pacific Nations to Combat 'Predatory' Fishing as China Extends Reach," *Reuters*, July 19, 2021, https://www.reuters.com/world/asia-pacific/france-south-pacific-nations-combat-predatory-fishing-china-extends-reach-2021-07-19/.

**<sup>18</sup>** Mindaugas Laukagalis, "US backs Lithuania's Taiwan policy, Nausėda says after meeting Biden," *Lithuanian National Radio and Television,* November 3, 2021, https://www.lrt.lt/en/news-in-english/19/1533421/us-backs-lithuania-s-taiwan-policy-nauseda-says-after-meeting-biden.

a less restrictive 'one China' principle will be a better option. Currently, the United States still approaches only the major powers in the West. This has been a hard habit to break in international relations. However, it is simply not enough if the ultimate goal is to compete with China. More allies and partners are needed in the international arena as well. Lastly, maybe China could also consider revising its 'one China' principle and allowing countries in the world to recognize China and Taiwan at the same time.

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# THE INTERNATIONAL LEGAL FRAMEWORK GOVERNING TRANSNATIONAL ARMED CONFLICT

Letsiwe Portia Rodah Magongo & Ruei-Lin Yu

## I. INTRODUCTION

In modern historical events, more practices challenged the adequacy of contemporary international legal system in armed conflicts. Among those, three stands out for their significance of representing in categories in their times: the 9/11 case in 2001, Israel 2006 the Israeli military operation against the Shia Islamist political party Hezbollah in Lebanon and, Kenya's "Operation Linda Nchi" (Protect the Country) to Somalia in 2011. To well elaborate, this article aims to discuss the international legal framework governing transnational armed conflicts, and further explore how the contemporary law deal with cross border invasions by non-state groups from another state.

## II. THE REQUISITE ELEMENTS TRIGGERING IHL MECHANISM

International Humanitarian Law (IHL) distinguishes between international armed conflicts (IAC) and non-international armed conflicts (NIAC). In terms of Common Article 2,<sup>1</sup> the scope of application of IHL is extended to all cases of declared war or of any armed conflict which may arise between two or more of the high contracting parties. According to *Article 2*, IHL is therefore applicable to inter-state armed conflicts. The *Third Geneva Conventions* makes IHL applicable to all cases of partial or total occupation of the territory of a high contracting party. Moreover, *Protocol I* introduced an international armed conflict in which people are fighting against colonial domination and alien

<sup>&</sup>lt;sup>1</sup> Geneva Conventions 1949, Common Article 2.

occupation.<sup>2</sup> The *Common Article 3* to the *Geneva Conventions* codifies rules of human treatment in non-international armed conflicts. In terms of the International Court of Justice (ICJ) in *Nicaragua v United States*, the principles enshrined in Article 3 constitute elementary considerations of humanity and are applicable to all situations of armed conflict.<sup>3</sup>

The scope of NIAC in terms of *Additional Protocol II (AP II)* of 1977, requires that non-state groups engaged in armed violence against a state satisfy certain strict requirements of organization. That is, non-state groups need to be organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this protocol. According to *AP II*, such NIAC do not include internal disturbances and tensions, like riots, isolated and sporadic acts of violence and other acts of a similar nature. *Article 1.1* emphasize that *AP II* does not affect the scope of *Common Article 3*. Instead, it develops and supplements *Common Article 3* without modifying its existing conditions of applications.

IHL does not define the concept of armed conflict. The Appeals Chamber of the International Criminal Tribunal of the former Yugoslavia (ICTY) emphasised that "an armed conflict exists whenever there is a resort to armed force between states or protracted armed violence between governmental authorities and organised armed groups or between such groups within a state." The International Committee of the Red Cross (ICRC) endorsed the ICTY test in the ICRC Opinion Paper. The Rome Statute of the International Criminal Court (ICC) also endorsed the ICTY test with the definition of "war crimes" in its Article 8.2.6 Though the ICTY makes it clear that non-state groups may be parties to the conflict, however, it does not specify the characteristics of such armed groups.

It is important to state that there are certain possible combinations of actors involving a transborder conflict. Firstly, a conflict may be categorized as an international conflict between two states. Secondly, a non-international conflict between a state and a non-state group on more than one state territory, and thirdly, conflicts between non-state actors.

Unfortunately, Common Article 3 does not provide details for the transnational

<sup>&</sup>lt;sup>2</sup> Additional Protocol I 1977, Article 1 (4).

<sup>&</sup>lt;sup>3</sup> Nicaragua v United States, Merits, Judgment, International Court of Justice, (1986) ICJ Rep 14, para. 218.

**<sup>4</sup>** *Prosecutor v Dusko Tadic*, Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction, *ICTY*, Case No IT-94-1-AR72, para 70.

<sup>&</sup>lt;sup>5</sup> International Committee of the Red Cross (ICRC), Opinion Paper, "How Is the Term "Armed Conflict" Defined in International Humanitarian Law," March 2008, http://www.icrc.org/web/eng/siteeng0.nsf/htmlall/armed-conflict-article-170308/\$file/Opinion-paper-armed-conflict.pdf.

<sup>&</sup>lt;sup>6</sup> Rome Statute of the International Criminal Court 17 July 1998, Article 8 (2).

conflicts between state and non-state groups. Instead, its territorial scope is limited to conflicts taking place on the territory which ought to be a state party. According to scholar Mindia Vashakmadze who is well-known for his International Peace and the Rule of Law, the omission of the transnational conflict may be due to the obscurity of such conflicts in 1949. It wasn't until the tragedy of September 11, 2001 that such armed conflicts had started to attract more international debates. For instance, after the September 11, 2001, terrorist attacks, the Bush Administration declared that the United States was engaged in a global "war on terror".

The initial made by the Bush Administration was that the United States was engaged in an international armed conflict, against a nonstate actor, namely Al Qaeda and its associates. The Bush Administration seemed to imply that transnational armed conflicts could amount to armed conflicts, but that IHL was not applicable to them. The Obama Administration abandoned the terms "war on terror" and "unlawful combatants". In its June 2011 National Strategy for Counterterrorism, the Obama Administration argued that an armed conflict exists and that the laws of armed conflict apply between the United States and the Al Qaeda, as well as the Taliban and associated forces. In October 2018, President Trump issued the National Strategy for Counterterrorism of the United States of America, which adopted a strategy that pursues most of the policies of the Obama Administration to prevent and counter the terrorist threat. In

However, the European Court of Human Rights deny that transnational conflicts are armed conflicts and conclude that international human rights law applies to the use of force against suspected terrorists. Human rights norms cannot provide adequate protection during hostilities, because those norms follow a different goal of protecting the individual primarily in peacetime. In contrast, the essence of IHL is to provide protection to civilians and persons *hors de combat*, and to minimize unnecessary harm

<sup>&</sup>lt;sup>7</sup> Mindia Vashakmadze, "The Applicability of International Humanitarian Law to Transnational Armed Conflicts," EUI Working Papers MWP 2009/34 European University Institute Badia Fiesole Italy, p.8.

<sup>&</sup>lt;sup>8</sup> Marco Sassoli, "The International Legal Framework for Fighting Terrorists According to the Bush and the Obama Administrations: Same or Different, Correct or Incorrect?" *Proceedings of the Annual Meeting (American Society of International Law)*, 104 2010, p. 277-80.

**<sup>9</sup>** George W. Bush, 'Humane Treatment of Taliban and Al Qaeda Detainees', February 7, 2002, http://www.pegc.us/archives/White\_House/bush\_memo\_20020207\_ed.pdf.

**<sup>10</sup>** "National Strategy for counterterrorism," *US White House*, June 29, 2011, http://www.obamawhitehouse.archives.gov.

**<sup>11</sup>** "National Strategy for Counterterrorism of the United States," *US White House* October 2018, http://www.whitehouse.gov/wp-content/uploads/2018/10/NSCT.pdf.

<sup>&</sup>lt;sup>12</sup> McCann and Others v United Kingdom, Judgment, European Court of Human Rights, 27 September 1995, Series A No.324, para. 148.

during armed conflict. The main disadvantage of applying human rights norms during armed conflicts, is that they lack precision with regard to the conduct of hostilities, and their reliance on the indeterminate standard of proportionality. There is, however, a criteria under *Principle 9 of the United Nations Basic Principles on the Use of Force and Firearms*, determining proportionality in human rights law that are applicable to armed forces while carrying out law enforcement duties.

## III. INTERNATIONAL ARMED CONFLICTS AND NON-STATE GROUPS

In response to the 9/11 attacks that killed approximately 3,000 people, then-President Bush ordered an invasion of Afghanistan.<sup>13</sup> During the summer of 2006, the Israel military operation against the Shia Islamist political party Hezbollah in Lebanon was launched and it involved the state and non-state actors.<sup>14</sup> Furthermore, on the 16<sup>th</sup> October 2011, Kenyan troops entered Somalia to launch a military offensive against al-Shabaab under the name "Operation Linda Nchi" (Protect the Country).<sup>15</sup> To justify the invasion, Kenya stated varying reasons, like insecurity caused by al-Shabaab in the Horn of Africa, as well as concerns over border security.

Common article 2 to the Geneva Conventions extends the action of IAC to the High Contracting Parties, that is, states only. The Law of Armed Conflict (LOAC) is not directly applicable to non-state actors. However, if the military actions undertaken by armed groups are attributable to a state, this therefore, results in the applicability of the LOAC. The legal situation gets more complicated when there is no indication that the action of a non-state armed group can be attributable to the respective state.

With regards to the Israel conflict, against Hezbollah in Lebanon, the Commission of Inquiry set up by the United Nations Human Rights Council, considered that an international armed conflict had taken place, although in its view, the Lebanese armed forces had never taken part in the fighting. In its November 2006 report, the Commission held that the Hezbollah should be considered a militia belonging to a Party to the conflict, within the meaning of *Article 4 (A) (2) of the Third Geneva Convention*. The Commission supported its position by stating that Hezbollah, as a legally established political party, was represented in parliament and in the Lebanese government.

<sup>13</sup> Bush, "Humane treatment."

**<sup>14</sup>** "Commission of Inquiry on Lebanon Report Pursuant to Human Rights Council Resolution S-2/1," A/HRC/3/2 23 November 2006, paras 50 – 62.

<sup>&</sup>lt;sup>15</sup> Luckystar Miyandazi, "The African Centre for the Constructive Resolution of Disputes (ACCORD) Kenya's Military intervention in Somalia: An intricate process," *Policy & Practice Brief Knowledge for durable peace,* Issue No. 019, November 2012, p.2.

The Commission indicated that, the conflict in 2006 assumed an international character by virtue of the existing link between Hezbollah and the state of Lebanon at that time. According to the legal advisor in the Legal Division of the International Committee of the Red Cross, Sylvain Vite, the Commission's arguments were not enough to show a sufficient narrow link between Hezbollah combatants and the Lebanese government. For that link to exist, the ICTY, in the *Tadic case*, held that in order for irregularities to qualify as lawful combatants, international rules and state practice requires control over them by a Party to an international armed conflict and, by the same token, a relationship of dependence and allegiance of those irregulars vis-à-vis that Party to the conflict. The ICTY's emphasises on *paragraph 4*, is that, this is how the expression 'belonging to a Party to the conflict' must be understood in *Article 4 A (2) of the Third Geneva Convention*.

## IV. THE CHALLENGE FROM THE OCCUPATION

Legal challenges arise in cases of occupation, that is, when the occupying state conducts military operations against non-state actors as part of the existing armed conflict. This is the issue in the Horn of Africa. For instance, in October 2011, Kenyan troops occupied Somalia by launching a military offensive against al-Shabaab, in an on-going armed conflict in Somalia between Somalia and al-Shabaab. According to the ICTY in the Tadic case, this is a case of an armed conflict. 16

Article 5 of the Fourth Geneva Convention allows some limitations on the rights of individuals in an occupied territory who are definitely suspected or engaged in activities hostile to the Security of the state. However, this provision, is intended for a limited number of persons. Thus it may not be used in hot conflicts between the occupier and organized armed groups of the occupied state. For example, in the case of Israel, Israel claimed to be in a hot conflict with armed groups in the occupied territories like Fatah or Hamas. The Israel Supreme Court based its judgment on the premise that a situation of continuous armed conflict existed between Israel and the various terrorist organizations active in Judea, Samaria and the Gaza strip. 18

Among the various possible qualifications of the armed conflict with terrorist groups, the court decided to characterize this situation as international. It further held

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<sup>16</sup> Tadic, Judgment, ICTY, Case No. IT-94-1-A, 15 July 1999, paras. 84, 86 et seq.

<sup>&</sup>lt;sup>17</sup> Jean S Pictet, ed., *The Geneva Conventions of 12 August 1949 Commentary*, International Committee of the Red Cross, 1952-58, p.55.

<sup>18</sup> Public Committee Against Torture v Israel, Judgment HCJ 769/02,13 December 2006, SCI, para. 16.

that, even those who are of the opinion that the armed conflict between Israel and the terrorist organizations is not of international character, think that IHL or international human rights law applies to it. The court moreover referred to the ICTY case law, and the U.S. Supreme Court in the case of Hamdam v Rumsfeld, <sup>19</sup> to the effect that minimum rules apply to both categories of conflict. Hence, when the occupier itself is involved, the law of international armed conflict should apply. Furthermore, *Common Article 3* is applicable to any armed conflict. Thus, there will be a situation where the rules on international armed conflict and *Common Article 3* apply concurrently. This would be the position in the 2006 Lebanese case, in as far as the Hezbollah military actions are not attributable to Lebanon, as well as Israel and Lebanon.

## V. ANALYSIS

With regards to the issue of jurisdiction, the application of the Tadic criteria to transnational armed conflicts seems to be defensible. Furthermore, the minimum rules of *Common Article 3, Article 75 of AP I* and customary law may be considered under any circumstances including transnational armed conflicts. <sup>20</sup> Moreover, the ICJ in the Democratic Republic of Congo case, held that the provisions of Article 3 constitute an emanation of general principles of law, namely, elementary considerations of humanity.

On the strict criteria, *Article 1 of the AP II* requires non-state actors to be objectively identifiable and sufficiently organised to carry out sustained and concerted military operations in the territory of a High Contracting Party. Moreover, the cross-border violence must reach a certain level of intensity.<sup>21</sup> This is known as the quantitative threshold. Thus, *AP II* does not apply to situations of internal disturbances and tensions, like riots, isolated and sporadic acts of violence and other acts of similar nature, as not being armed conflicts. The threshold requirement reflects the fact that self-defence action on the territory of another State which has not launched an attack, is of an extraordinary nature and it ensures that the consequences for public order that flow from such military response are not promptly triggered. However, *Article 1* cannot cover certain terrorist armed groups who are loosely organized and internationally dispersed. Thus *Article 1* is not effective in counter terrorist combat. Furthermore, *Article 1 paragraph 2* specifies that *AP II* shall not apply to situations of internal disturbances and tensions, like riots, isolated and sporadic acts of violence and other acts of similar

<sup>19</sup> Hamdan v Rumsfeld, 548 US 557, 629; 126 S. Ct 2749, 2795 (2006).

**<sup>20</sup>** *Tadic*, paras 67 and 70.

<sup>&</sup>lt;sup>21</sup> Additional Protocol II, Article 1 (2).

nature, as not being armed conflicts. Therefore, in line with the ICTY case law, parties to the armed conflict should possess a minimum degree of organization to ensure the application of basic humanitarian protections guaranteed by *Common Article 3.*<sup>22</sup>

Thus, the *Tadic* criteria should apply to transnational conflicts between states and non-states actors rather than the strict requirement of *Article 1*. To ensure the applicability of IHL to each case of an armed force, the degree of organization required to engage in protracted violence should be lower than the degree of organization required to carry out sustained and concerted military operation.

## VI. CONCLUSION

In conclusion, a finding is drawn that the international legal framework, namely LOAC, does not embrace the prevalent issue of cross-border armed conflicts. IHL distinguishes between two types of armed conflicts, namely IACs and NIACs. Moreover, IHL further establishes a distinction between NIACs in the meaning of *Common Article 3* and NIACs falling within the definition provided in *Article 1 of AP II*. Therefore, legally there is no other type of armed conflict that exist beyond the scope of the Geneva Conventions. Furthermore, *Common Article 3* refers to conflicts occurring in the territory of one of the High Contracting Parties. *Article 1 of AP II* refers to conflicts which take place in the territory of a High Contracting Party. According to the aim and purpose of IHL, the wording in the above articles must be understood to mean that treaties apply only to their state parties. This imply that conflicts that oppose states and organised armed groups and spreading over the territory of other states are non-international armed conflicts, thus opening a gap in protection. This gap could not be explained by states' concerns about their sovereignty. Thus, these concerns make the contemporary law more rudimentary.

With regard to human rights rules, they are not precise as compared to IHL norms which are objective on armed conflicts. The most favourable legal approach on the prevalent issues of cross-border armed conflicts and jurisdiction is the application of the Tadic criteria to transnational armed conflicts because it is defensible.

It is evident from the above analysis that IHL has as its aim the limitation of the effects of armed conflicts, thus not being an effective instrument to solve transnational conflicts. It unfortunately does not include a full definition of situations that fall within its material field of application, thus creating confusion to readers as it might not be

<sup>&</sup>lt;sup>22</sup> Prosecutor v Ljube Boskoski, Johan Tarculovski, Judgment, ICTY, Case No. IT-04-82-T, 10 July 2008, para. 197.

able to solve transnational conflicts. IHL also refer to various types of armed conflicts and further afford a glimpse of the legal outlines of the multifaceted concept. Therefore, further research is needed to express the multifaceted concepts in concrete terms.

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## STRATEGIC IMPLICATIONS OF AUKUS FOR TAIWAN'S NATIONAL SECURITY

William Chih-Tung Chung

## INTRODUCTION

Australia, the United Kingdom, and the United States announced the establishment of a newly enhanced Australia-UK-US trilateral security partnership (AUKUS) on September 15, 2021. The leaders of the three countries, in a virtual meeting, stated in the joint statement that "guided by our enduring ideals and shared commitment to the international rules-based order, we resolve to deepen diplomatic, security, and defense cooperation in the Indo-Pacific region." <sup>1</sup> A key component of the new security partnership is to increase cooperation on defense-related capabilities, which are highlighted by its first initiative to support Australia in the acquisition of nuclear-powered submarines (SSNs), at least to build 8 ones, based on "common tradition as maritime democracy".

Although no reference to China in the joint statement, it is well-acknowledged that a security subtext of the AUKUS agreement is to counter China. Beijing condemned AUKUS as "extremely irresponsible" that "seriously undermines regional peace and stability and intensifies the arms race". However, Taipei welcomed the new trilateral security pact that will improve peace and stability in the Indo-Pacific region. To explore strategic implications of AUKUS for Taiwan's national security, this article seeks to identify new factors affecting Taiwan's strategic environment, to analyze the Biden administration's diplomatic ways of military deterrence by enhanced military cooperation, and then examine to what extent AUKUS is relevant to Taiwan's security strategy.

<sup>&</sup>lt;sup>1</sup> "Joint Leaders Statement on AUKUS," *US White House*, September 15, 2021, https://www.whitehouse.gov/briefingroom/statements-releases/2021/09/15/joint-leaders-statement-on-aukus/.

<sup>&</sup>lt;sup>2</sup> "AUKUS: UK, US and Australia Launch Pact to Counter China," *BBC*, September 16, 2021, https://www.bbc.com/news/world-58564837.

<sup>&</sup>lt;sup>3</sup> "Taiwan Welcomes AUKUS Pact, Calls For Stronger Ties With Democracies," *Radio Free Asia*, September 17, 2021, https://www.rfa.org/english/news/china/taiwan-aukus-09172021085720.html.

## I. AFFECTING TAIWAN'S STRATEGIC ENVIRONMENT

The AUKUS establishment is a new ingredient of a US-centred security network but also a fresh deal to counter China in the Indo-Pacific. Both changes have imposed new variabilities to the regional strategic context, affecting Taiwan national security accordingly. AUKUS is an enhancement of the three states' defense arrangements, longstanding and ongoing for decades, although there is no military commitment involved in AUKUS. Nevertheless, it is unlikely any of them, if under attack, will just sit by while there are defense treaties between each other. AUKUS ensures a more coordinated posture to synchronize and consolidate among the three states' bilateral defense ties. The enhanced security pact also shows both Australia and UK are aligning themselves with the US, and signals both countries' commitment to play a more active role in the Indo-Pacific region. As a result, AUKUS, along with the Quadrilateral Security Dialogue (QUAD) and the Fives Eyes (FVEY), has been a new component of American constructed security network in the region that will complicate Beijing's military expansionism if Washington decides to intervene in the end.

The phenomenon of China's rise has become one of the most important factors defining security order in the Indo-Pacific. In the pursuit of Chinese national rejuvenation, Beijing's increasing confidence and assertion of territorial claims to Taiwan and the South China Sea by military coercion has generated an acute threat to the regional peace and stability. Australian security expert Guy Boekenstein describes AUKUS as "a big deal" to show that all three nations, publicly with combined stance, are drawing a line in the sand to start and counter China's aggressive moves in the Indo-Pacific. To Other than American commitment to the region, Britain shows more involvement in the Indo-Pacific after Brexit and Australia is increasingly concerned about China's influence after deteriorated relations with Beijing. The Integrated Review, the UK's blueprint of "Global Britain" published in March 2021, makes it clear that Britain plans to have the "broadest and most integrated presence" of any European nation in the Indo-Pacific region. Australia Prime Minister Morrison justified the striking deal of nuclear-powered submarines as "accelerating changes to regional security make

<sup>&</sup>lt;sup>4</sup> The US-UK Mutual Defense Agreement (1958), the Australia, New Zealand, and US Treaty (ANZUS) (1951), and the Five Powers Defense Arrangement (FPDA) (1971) respectively.

<sup>&</sup>lt;sup>5</sup> Suranjana Tewari, "AUKUS: UK, US and Australia Pact Signals Asia-Pacific Power Shift," *BBC*, October 16, 2021, https://www.bbc.com/news/world-asia-58540808.

<sup>&</sup>lt;sup>6</sup> "Global Britain in a Competitive Age: the Integrated Review of Security, Defence, Development and Foreign Policy," *UK Cabinet Office*, 16 March, 2021, https://www.gov.uk/government/publications/global-britain-in-a-competitive-age-the-integrated-review-of-security-defence-development-and-foreign-policy.

conventional submarines unsuited to our operational needs in the decades ahead".<sup>7</sup> Although the AUKUS statement and remarks of the three leaders did not mention China, Beijing seriously criticized AUKUS as a "closed and exclusive clique" with "the outdated Cold War zero-sum mentality and narrow-minded geopolitical perception".<sup>8</sup> Chinese hostility toward AUKUS reflects this new security pact that presents a further step toward a shift of balance of power to check China in the region.

## II. MILITARY DETERRENCE WITH A DIPLOMATIC MEANS

The AUKUS establishment, a US-centred with military-technology-initiated trilateral security partnership, is a diplomatic arrangement to deter competitors by enhanced military ties under President Biden doctrine "diplomacy first". Following the U.S. withdraw from Afghanistan, Biden made it clear that Washington intently prevents the aggressive use of military force and instead concentrates on building and strengthening alliance to maintain America's global status against threats. This reflects Biden's call of "America is back, diplomacy is back." The creation of AUKUS, therefore, can be regarded as a diplomatic preemptive arrangement to update the three countries shared ability to in a cooperative and collective ways to prevent conflicts and ensure stability in the Indo-Pacific over the long term.

In the AUKUS joint statement, "diplomacy, security and defense" are listed as three major domains where they will strengthen cooperation. Based on the existing and trustworthy relationships, the new ways to amplify the alliance, as AUKUS emphasized, are to deepen the cooperation of the three sides in security and defense-related capabilities with further information and technology sharing. The collaborative partnership will focus on "deeper integration of security and defense-related science, technology, industrial bases, and supply chains." The Australia's nuclear-powered submarine project initiates the three parties to enhance the newly coordinated relationships. The goal of this enhanced partnership is to increase "interoperability, commonality, and mutual benefit". These initial efforts will concentrate on four areas: "cyber capabilities, artificial intelligence, quantum technologies, and additional

<sup>&</sup>lt;sup>7</sup> "Australia to Pursue Nuclear-powered Submarines through New Trilateral Enhanced Security Partnership," *Prime Minister of Australia*, September 16, 2021, https://www.pm.gov.au/media/australia-pursue-nuclear-powered-submarines-through-new-trilateral-enhanced-security.

<sup>&</sup>lt;sup>8</sup> "Foreign Ministry Spokesperson Zhao Lijian's Regular Press Conference," *PRC's Ministry of Foreign Affairs,* September 16, 2021,

https://www.fmprc.gov.cn/mfa\_eng/xwfw\_665399/s2510\_665401/2511\_665403/t1907498.shtml.

<sup>&</sup>lt;sup>9</sup> "Joint Leaders Statement on AUKUS".

**<sup>10</sup>** Ibid.

undersea capabilities".<sup>11</sup> The initiative of referred defense-related cooperation shows AUKUS's intention to counter the security challenges by establishing collective military preparedness.

The AUKUS security pact could be understood as a deterrence mechanism, with enhanced diplomacy, security, and defense ties, to prevent war by posturing more ready and credible military strengths. It is an idea of win without fight. The deterrence mechanism aims to compel competitors with sufficient cost to ensure they will advance their aims through internationally recognized rules, instead military force. While alliances and partnerships are at the heart of this competitive effort, AUKUS articulates its vision to compete and deter in this environment. Achieving this vision requires a credible military capability, as the cornerstones of this mechanism, with a more robust cooperation of like-minded allies to ensure favorable balance of power in the Indo-Pacific. AUKUS vows to work together, along with other important allies and partners, to meet the challenges of the twenty-first century. This reflects Washington's intention to apply alliance-diplomacy in forging the deterrence mechanism as President Biden formerly said, "America's alliances are our greatest asset, and leading with diplomacy means standing shoulder-to-shoulder with our allies and key partners once again". 12

## III. MAKING TAIWAN RELEVANT TO AUKUS - COUNTER CHINA'S EXPANSIONISM

Taiwan is a frontline state in resisting China's expansionism while Beijing claims Taiwan as its own territory under the so-called "One-China principle". AUKUS did not explicitly express its aim to counter China expansionism, and even deliberately emphasized that the security pact was not against any single state. Nevertheless, as the three leaders of AUKUS referred repeatedly that regional security concerns have "grown significantly", it is believed that AUKUS is a move to check and balance China's increasing influence, especially in security and defense terms. In fact, President Biden defines China as "our most serious competitor", while he intends to apply a diplomatic means of reinforcing alliances to maintain America's global leader status. 13 The Interim National Security Strategic Guidance (NSSG) issued by the Biden Administration, on the one hand, criticizes China for seeking unfair advantages, adopting aggressive and coercive actions, and undermining the core rules and values of the open and stable international system. On

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**<sup>11</sup>** Ibid.

**<sup>12</sup>** "Remarks by President Biden on America's Place in the World," *US White House*, February 4, 2021, https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/02/04/remarks-by-president-biden-on-americas-place-in-the-world/.

**<sup>13</sup>** Ibid.

the other hand, NSSG makes it clear that Washington supports Taiwan as a major democracy and a key economic and security partner because this is in line with the United States' long-term commitment. 

14 The 2021 G7 Summit Communique, for the first time, raised the Taiwan issue that "we underscore the importance of peace and stability across the Taiwan Strait, and encourage the peaceful resolution of cross-Strait issues."

Obviously, Beijing's ambition to annex Taiwan has ratified China's expansionism as the major threat to the region security.

In the context of against China's military expansionism, AUKUS's "commitment to the international rules-based order" is an opportunity for Taiwan to make itself relevant to the new security pact. Taiwan's Foreign ministry spokesperson said Taiwan has "taken note" of the AUKUS pact's commitment to maintain the regional order and has shared common interests and values with the three countries. <sup>16</sup> One day after AUKUS announcement, the Joint Statement on Australia-U.S. Ministerial Consultations stated mutual intent to "strengthen ties with Taiwan", which was described as a "leading democracy and a critical partner for both countries". <sup>17</sup> Taiwan indeed has very reason to appreciate a strengthened cooperation between AUKUS members, as the security partnership to deliver an Australian nuclear-submarine program could provide "invaluable deterrence against China". <sup>18</sup> Accordingly, the cross-Strait issue has been further internationalized in a much larger scale by the enhanced American-centred security network.

## IV. MAKING TAIWAN RELEVANT TO AUKUS - MAINTAIN THE STATUS QUO ACROSS TAIWAN STRAIT

Taipei's strategy of maintaining the cross-Strait status quo makes Taiwan's position relevant to AUKUS's aim to "sustain peace and stability in the Indo-Pacific region". To demonstrate its opposition against Taiwan president Tsai Ing-wen's consistent declination of the "One-China principle" and US-Japan leading multilateral military exercise around southwestern of Okinawa, Chinese military aircraft have broken

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**<sup>14</sup>** "Interim National Security Strategic Guidance," *US White House*, March 2021, https://www.whitehouse.gov/wp-content/uploads/2021/03/NSC-1v2.pdf.

<sup>15</sup> Carbis Bay G7 Summit Communiqué," *US White House*, June 13, 2021, https://www.whitehouse.gov/briefingroom/statements-releases/2021/06/13/carbis-bay-g7-summit-communique/.

<sup>16 &</sup>quot;Taiwan Welcomes AUKUS Pact, Calls For Stronger Ties With Democracies."

<sup>&</sup>lt;sup>17</sup> "Joint Statement on Australia-U.S. Ministerial Consultations (AUSMIN) 2021," *US Department of State*, September 16, 2021, https://www.state.gov/joint-statement-on-australia-u-s-ministerial-consultations-ausmin-2021/.

<sup>&</sup>lt;sup>18</sup> Brent Sadler, "AUKUS: U.S. Navy Nuclear-Powered Forward Presence Key to Australian Nuclear Submarine and China Deterrence," *The Heritage Foundation*, October 12, 2021, https://www.heritage.org/defense/report/aukus-us-navy-nuclear-powered-forward-presence-key-australian-nuclear-submarine-and.

consecutive records, with 150 dispatched warplanes from October 1 to 5, 2021, entering Taiwan's Air Defense Identification Zone (ADIZ). The United States condemned China's actions as "provocative" while Australia urged China against the use of force. <sup>19</sup> In response to the Chinese military intimidation, President Tsai said she hopes for an easing of tensions across the Strait but vowed no one will force Taipei to take the path laid out by Beijing. President Tsai emphasized Taiwan would not "act rashly" but "there should be absolutely no illusions that the Taiwanese people will bow to pressure". <sup>20</sup> Then she proposed "four commitments" as "the bottom line and common denominator" of the people in Taiwan to engage China: "a free and democratic constitutional system, the Republic of China and the People's Republic of China should not be subordinate to each other, to resist annexation or encroachment upon our sovereignty, and the future of the Republic of China (Taiwan) must be decided in accordance with the will of the Taiwanese people". <sup>21</sup>

President Tsai's new "four commitments" not only constructs narratives of Taipei's principles to engage China, but also makes ways to strengthen ties AUKUS's commitment with like-minded partners to protect shared values and promote security and prosperity in the Indo-Pacific. In her article entitled "Taiwan and the Fight for Democracy - A Force for Good in the Changing International Order" of *Foreign Affairs*, President Tsai warns Taiwan falling to China would trigger "catastrophic" consequences for peace in Asia as "it would signal that in today's global contest of values, authoritarianism has the upper hand over democracy."<sup>22</sup> In the speech of 2021 Taiwan national day, President Tsai reiterated "Taiwan is willing to do its part to contribute to the peaceful development of the region," as well as called for "maintaining the status quo, and we will do our utmost to prevent the status quo from being unilaterally altered".<sup>23</sup>

In fact, since President Tsai took office in 2016, Taipei's cross-Strait policy of "maintaining the status quo" has been consistent and becomes her doctrine of Taiwan's national security strategy. As international society has grown concerns on the crucial role of the Taiwan Strait, President Tsai believes, "from a global strategic standpoint,

**<sup>19</sup>** "What Do Taiwanese Think of China's Record-Setting Incursions Into Taiwan's ADIZ?" *Diplomat*, October 6, 2021, https://thediplomat.com/2021/10/what-do-taiwanese-think-of-chinas-record-setting-incursions-into-taiwans-adiz/.

<sup>&</sup>lt;sup>20</sup> "President Tsai Delivers 2021 National Day Address," *Office of the President Republic of China (Taiwan)*, October 10, 2021, https://thediplomat.com/2021/10/what-do-taiwanese-think-of-chinas-record-setting-incursions-into-taiwans-adiz/.

**<sup>21</sup>** Ibid.

Tsai Ing-wen, "Taiwan and the Fight for Democracy," *Foreign Affairs*, November/December 2021, https://www.foreignaffairs.com/articles/taiwan/2021-10-05/taiwan-and-fight-democracy.

<sup>&</sup>lt;sup>23</sup> "President Tsai Delivers 2021 National Day Address".

Taiwan is more important than ever. Stabilizing relations across the Taiwan Strait is no longer just an issue for the two sides. It is a concern for the whole Indo-Pacific region and has already become a focus of international attention."<sup>24</sup> While President Biden reiterated America's commitment to defend Taiwan if China attacks,<sup>25</sup> AUKUS, with its enhanced military ties in particular the joint nuclear submarine program, will increase Beijing's difficulties of military invasion against Taipei in case of Washington's intervention.

## **CONCLUSION**

AUKUS is an enhanced construction of American security network in the Indo-Pacific. The establishment of AUKUS has cast new and important variables on the regional security. From Taiwan's perspective, under the threat of China's invasion, Taipei is keen to see the new security pact to balance China, especially with its enhanced military coordinative posture and capabilities. Although initiated by Australia's pursuit of nuclear-powered submarines, AUKUS reflects President Biden's global strategy to "bring diplomacy back" by a means of utilizing and enhancing its relationships with allies to construct an America-centred multilateral security network for upholding stability and order in the Indo-Pacific. Amid Beijing's intimidation and coercion, President Tsai Ing-wen's strategy of "maintain the status quo" with patience and resilience has significantly internationalized the cross-Strait issues and made Taiwan relevant to AUKUS. Moreover, regarding the maintenance of regional security as "a significant part of Taiwan's overall government policy", Taipei has played a low-profile strategy of not "turn adventurist" even when it accumulates support from the international community. This further demonstrates Beijing's expansionism as a troublemaker in the region that AUKUS intends to deal with. Accordingly, Taiwan seems to be a beneficiary of the new trilateral security pact. Taiwan may not be a game changer in the Sino-American great power competition, but Taiwan does have an indispensable role of American security network to play for countering China's expansionism in the Asia-Pacific region.

<sup>24</sup> Ibid

<sup>&</sup>lt;sup>25</sup> "Biden Says US Will Defend Taiwan if China Attacks," *BBC*, October 22, 2021, https://www.bbc.com/news/world-asia-59005300; "Biden Vows to Stand with Asia on Freedom, Hits at China on Taiwan," *Reuters*, October 28, 2021, https://www.reuters.com/world/asia-pacific/summit-with-se-asia-japan-champions-open-seas-australia-defends-aukus-pact-2021-10-27/.

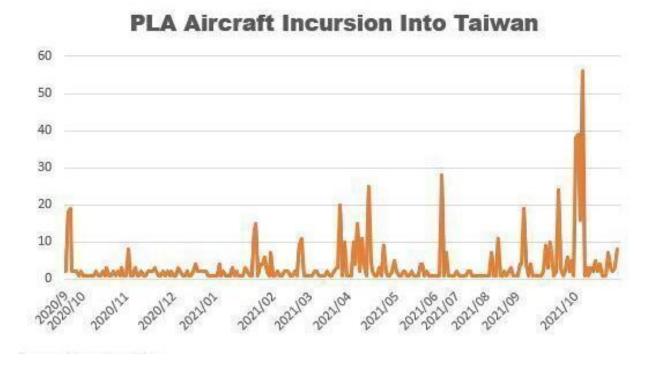
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## UNCOVERING PLA'S SHARP INCURSION INTO TAIWAN AIRSPACE

Tsung-Han Wu & Hsiao-Huang Shu

An unprecedented number of 150 sorties of PLA's military aircraft breaching Taiwan's Air Defense Identification Zone (ADIZ) between October 1 and October 5 drew a great attention of international society. Even though the PLA began their frequent presence and harassment of the island since 2016 when President Tsai won the election, released data from the Ministry of Defense of Taiwan starting from September 2020 demonstrates a significant rise in the trend. (See Figure 1)

FIGURE 1: A Run Chart of PLA Aircraft Incursion into Taiwan since September 2020



Source: MoD, Taiwan

From January to October this year, 2021, moreover, the total sorties have been more than 600, in which one fourth sorties took place in the first five days of October. In the meantime, six national navies, including the US, the UK, Japan, Canada, New Zealand, and Netherlands were involved in a joint exercise in the Western Pacific, and followed by the US, the UK, Japan, Canada, New Zealand, and Australia navies reportedly convergence in the Southeast China for another two-week exercise. Putting these military exercise activities near Taiwan together, tensions erupted and escalated by the warplanes and warships shadowed the Indo-Pacific region. (See Table 1)

**TABLE 1:** PLA Incursion into TW Airspace and Big Event (Oct.1-5)

Date	PLA Military Aircraft Number		Incidents
10/1	J-16 (fighter)	*28	PRC National Day
	SU-30 (fighter)	*4	
	H-6 (bomber)	*4	
	Y-8 ASW (transport aircraft)	*1	
	KJ-500 (early warning aircraft)	*1	
	Total:	*38	
10/2	J-16 (fighter)	*26	US, UK, Japan, Canada, New Zealand,
	SU-30 (fighter)	*10	and Netherlands joint exercise in the
	Y-8 ASW (transport aircraft)	*2	Western Pacific
	KJ-500 (early warning aircraft)	*1	
	Total:	*39	
10/3	J-16 (fighter)	*38	
	SU-30 (fighter)	*2	
	Y-8 ASW (transport aircraft)	*2	
	H-6 (bomber)	*12	
	KJ-500 (early warning aircraft)	*2	
	Total:	*16	
10/4	J-16 (fighter)	*38	Joint exercise held by US, UK, Japan,
	SU-30 (fighter)	*2	Canada, New Zealand, and Australia in
	Y-8 ASW (transport aircraft)	*2	the South China Sea
	H-6 (bomber)	*12	
	KJ-500 (early warning aircraft)	*2	
	Total:	*56	
10/5	Y-8 ASW (transport aircraft)	*1	
	Total:	*1	

Source: MoD, Taiwan

Analysts have warned that the risk of war breakout is indeed growing, if not unlikely. Kuo-cheng Chiu, the Defense Minister of Taiwan, acknowledges at a meeting of Legislative Yuan that the current situation over the Taiwan Strait is the most difficult occasion since his service in the military. Against this background, any misstep of action by one side might trigger irreconcilable and uncontrollable consequences.

This essay aligns with an argument that the intention of the recent Chinese aggressive moves might not to launch war, but to pose blare political and military menaces and then achieving certain goals. To consider proper ways of response, Taiwan needs to accurately interpret the situation.

## **POLITICAL DETERRENCE**

Since President Tsai won the election in 2016, Beijing has adapted to a unilateralist stance in its Taiwan policy. The authority closed the previously established official communicating platforms with Taipei and squashed Taiwan's international space over the past years. It also suspended the issuing of travel visas to the Chinese mainlanders who planned to visit the island. Then came into the public notice is the Chinese military activities with various tactics such as gray-zone warfare in operation. Swarms of sand dredgers and fishing boats from China kept crossing the middle line and stayed near Taiwan's Matsu and Kinmen islands. There were also reported incidents caused by the PLA military airplanes. The tension has been straightforward. The PLA tried to exhaust Taiwan's force strength and they are posing a clear but intimidating signal.<sup>2</sup>

Applying the observation insight to the Chinese recent behaviors, we are sure that China is replicating its means of deterrence against Taiwan and many international defenders, particularly the U.S. Blatantly to say, China is presenting its red line with armed forces that China's sovereignty over Taiwan cannot be compromised. China will be willing to pay a price to counter those international behaviors that are defined as crossing such a red line. We have seen similar scenarios when the PLA sent more sorties into the ADIZ in the past one year when the US senior officials visited Taiwan, and when Taiwan was mentioned by global leadership at the G7 Summit.

While Taiwan is rapidly expanding its global network with the support from the US

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<sup>1 &</sup>quot;China-Taiwan Military Tensions 'Worst in 40 Years'," BBC, October 6, 2021, https://www.bbc.com/news/world-asia-58812100.

<sup>&</sup>lt;sup>2</sup> Yimou Lee, David Lague, and Ben Blanchard, "China Launches 'Gray-zone' Warfare to Subdue Taiwan," *Reuters*, December 10, 2020, https://www.reuters.com/investigates/special-report/hongkong-taiwan-military/.

and from the like-minded alliance and benefit from China's failed wolf warrior diplomacy, China seems to continue its courses of action based upon the above logic.

It has been heard that China's activities in the early October this year were to target the joint exercises near the South China Sea, where Taiwan only played a limited role. Accordingly, the exercise dates were prescheduled and revealed in advance, and that was the first time for the US, the UK and Australia to perform joint action after their creation of AUKUS. Whatever Beijing's perception will be, however, it could take advantage of sending military aircrafts to express its protests under the cloak of a training program. This ambiguity offered China a cover of its real intention.<sup>3</sup>

## **NATIONAL PROPAGANDA**

In addition to posing a signal of intimidation, the PLA's proactive incursions into Taiwan airspace served as another purpose for the Chinese domestic propaganda. October is a sensitive month for both China and Taiwan as their individual National Day are in the same month. More sensitivities added to this year is due to the 100<sup>th</sup> anniversary of the Chinese Communist Party. On 1 July, Xi Jingping in his speech asserted the CCP's historical mission which was to resolve the Taiwan question and to realize China's complete reunification; he said that was also an unshakable commitment of the CCP. Such a tone appeared again on the occasion of the 110th anniversary of Xinhai Revolution, dated on October 9 when Xi reaffirmed the necessity and inevitability of the Chinese national reunification. Many observers believe that Xi's talk target and satisfy the nationalist audience, which is rising in China.

It is argued that the Chinese authority planned to show its "hard power" in the early October to mobilize the domestic sentiment, which was expected to transform into a public opinion to support the CCP. Furthermore, the sentiment was expected to help the ruling party to tackle the domestic problems.

³ Wen Dong, "wu tian nei 150 jia zhan ji rao tai jie fang jun ling lei shi yi yue bing yan gei shei kan [五天內 150 架戰 機擾台 解放軍"另類十一閱兵"演給誰看?, Incursion into Taiwan by 150 sorties within 5 days, for whom does PLA special military parade target to show]," VOA, October 8, 2021, https://www.voacantonese.com/a/China-sends-150-warplanes-into-taiwan-defense-zone-in-five-days-20211008/6262612.html.

**<sup>4</sup>** "Full Text: Speech by Xi Jinping at a Ceremony Marking the Centenary of the CPC," *Xinhua*, July 1, 2021, http://www.xinhuanet.com/english/special/2021-07/01/c\_1310038244.htm.

<sup>&</sup>lt;sup>5</sup> William Zheng, "Chinese President Xi Jinping Says Peaceful Reunification with Taiwan Is in Country's Best Interests," *South China Morning Post*, October 9, 2021, https://www.scmp.com/news/china/politics/article/3151755/chinese-president-xi-jinping-says-peaceful-reunification-taiwan.

<sup>&</sup>lt;sup>6</sup> Ralph Jennings, "Why China Sends Warplanes into Taiwan's Airspace But Doesn't Attack," *VOA*, October 8, 2021, https://www.voanews.com/a/china-taiwan-airspace/6263246.html.

The CCP is right now facing tough challenges in and outside China, those including the endless waves of COVID-19 pandemic outbreak, and emerging issues such as the electronic power shortage, economic recession as well as the strategic competition with the US on bilateral and multilateral occasions. To deal with them, the authority adopted various way, including tightening social space and deepening control on Big Tech which have been witnessed in recent months. Having taken these measures, many analysts do not rule out that the Beijing would resort to military manner to Taiwan to distract the domestic attention. As Xi is paving the way of maintaining his power at the 20th Party Congress in 2022, domestic stability must be listed as the main priority.<sup>7</sup>

## **DEMONSTRATING OFFENCE CAPABILITIES**

The third implication from the PLA's aggression focused on the military aspect. Arguably, China wanted to demonstrate its resentment and military capability against the US-led series of joint exercises in the Indo-Pacific region, if we examine the frequency and timing. As has been noted, China might believe that it can wear down the Taiwanese society as well. For Taiwan, on the other side, we also capture some significant aspects from these Chinese military activities.

First of all, the surged number and intensity within a short time demonstrates that the PLA has forged a mature chain of logistics. Benefited from that progress which would provide important support to the troops, the warplanes can then conduct sophisticated and long-distance tasks more effectively and efficiently. In line with this point, the PLA must have upgraded their command-and-control capability to manage a larger scale of air force than before.

The second point, raised by many military and strategic analysts, is the possibility

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<sup>7</sup> Junhua Zhang, "ke zuo ping lun: Xi jin ping er shi da qian hou de ji jian tou teng shi [客座評論:習近平二十大前後的幾件頭疼事, Comments: Affairs disturb Xi Jinping before and after the 20th National Congress]," *DW*, October 25, 2021, https://reurl.cc/pxqxq4; Christian Shepherd, "China's Xi Jinping, Preparing for a Third Term, Shuts the Door on the Past," *Washington Post*, November 5, 2021, https://www.washingtonpost.com/world/asia\_pacific/china-xi-jinping-history/2021/11/05/387835c8-388f-11ec-9662-399cfa75efee\_story.html.

<sup>\* &</sup>quot;25 jia gong ji shi yi guo qing rao tai xue zhe: xiang guo ji yan xi biao tai [25 架共機十一國慶擾台 學者:向國際演習表態, 25 sorties of PLA aircrafts incursion into Taiwan on October 1 National Day, expert claims: China showing its standpoint to international society]," UDN, October 1, 2021, https://udn.com/news/story/10930/5786759; Keoni Everington, "Chinese media warns US troops defending Taiwan would suffer 'death blow'," Taiwan News, October 15, 2021, https://www.taiwannews.com.tw/en/news/4315793.

<sup>&</sup>lt;sup>9</sup> Zhong Jie, "10 yue gong jun da gui mo kong zhong cao bing tou lu de jing xun [揭仲專欄:10 月共軍大規模空中操兵透露的警訊, Zhong Jie: The alarmed signal revealed by the PLA operations with large scale in October]," *Storm Media*, October 18, 2021, https://new7.storm.mg/article/3994688.

whether the J-16D electronic warfare airplanes have been deployed in these operations. <sup>10</sup> If confirmed, not only will the Taiwanese force but also the military troops of neighboring states need to build their countermeasure. The J-16D airplane is reportedly outstanding in its capability to disrupt radar and electronic systems. The airplane can effectively support and combine with other sorts of fighter jet to undermine air defense on lands, guaranteeing the PLA's advantage in contrast to its adversary. On the first day of October, we observed a complete task force with sufficient types of bombers, fighters, and warning and control aircrafts, and we must keep our eyes on. <sup>11</sup> That is why the scale as well as the types of planes caught international attention.

In addition, we can foresee future constitution of PLA aircraft deployed in the region. Taiwanese media have reported that during one of the six navies exercises, a group of attacking forces appeared, and it was constituted as tens of J-16 jets coming first along with H-6 bombers, and then KJ-500. Such a formation (number and order) was in place to perform the Anti-Access/Area Denial (A2/AD) tactics. Due to the lack of first-hand information we are not going to dig further such content here, but given the knowledge about the specific features of the shown warplanes, picturing the PLA's operation in advance might be workable.

## SEEKING BREAKTHROUGH AGAINST US ENCIRCLEMENT

Overall, the Chinese sudden and rising military presence intends to achieve multiple goals. One of which, China looks for having a "substantial and meaningful" dialogue with the US. Since President Joe Biden took office in January, China was not yet able to reverse the US's current China policy set up by the Trump Administration. As a result, taking Taiwan as a potential breakthrough might be risky, but worth trying, as it is also in line with Beijing's intention of deterrence on President Tsai.

On October 5, President Biden himself expressed his concerns over Taiwan. Biden said that he had a phone call with Xi Jinping and they both agreed to follow the "Taiwan

<sup>10</sup> Kaixiang You, "gong ji ri ye rao tai jia ci lian liang tian chuang gao xue zhe: xiu chuji neng li shi ya tai mei [共機日夜 擾台架交連兩天創高 學者:秀出擊能力施壓台美, Numbers of PLA Military Aircrafts Invading Taiwan Reach New Record in Two Days. Experts: China is Showing its Offence Capability and Putting Pressures on Taiwan and the US]," CNA, October 3, 2021, https://www.cna.com.tw/news/firstnews/202110030079.aspx.

<sup>11</sup> Shuhua Shi and Shuren Gu, "zui wei xian de hai xia: gong ji wei he zhuan xiang Taiwan xi nan jiao [最危險的海峽:共機為何轉向台灣西南角?, The Most Dangerous Strait: Why does the PLA Aircrafts Fly to the Southwest Corner of Taiwan], *CommonWealth Magazine*, October 27, 2021, https://web.cw.com.tw/taiwan-strait-2021/index.html.

<sup>12</sup> Shumei Yang, "gong ji rao tai zhen xing tu bian cai ying wen qiu guo zheng jing jue bing xiong zhan wei [共機擾台 陣型突變蔡英文邱國正警覺兵凶戰危, PLA Warplanes Suddenly Change its Constitution President Tsai and Minister Chiu Sense the Alarm]," *Storm Media*, October 8, 2021, https://www.storm.mg/article/3980306.

Agreement," which subsequently was clarified by the White House staff what Biden referred to was Taiwan Relations Act. On October 6, the US national security adviser Jake Sullivan held a close-door meeting with China's Central Foreign Affairs Commission Director Yang Jiechi in Zurich. Both sides, 8 hours later, agreed to hold a US-China Leadership Summit, presumably to be in the form of online. <sup>13</sup> Although their interaction was rarely interpreted as warm, there is an indicator that the two sides are ready to improve their current strategic rivalry. However, neither show a willingness to prevent Taiwan from turning into sparks of fire, despite the communication.

To look forward, tension should remain, and pressure turn to be heavier over the area of Taiwan Strait, if no one is willing to concede, though war arguably is not imminent. The strategic competition between the US and China would no doubt fuel the fire. Still, the thing that the distance between competition and conflict is just one way step. Having said so, all engaged actors explicitly express their interests and concerns respectively and yet practically they would balance tactics to prevent from accidental violent conflicts. To conclude, no one side should be going to faceoff with military means in the short term, <sup>14</sup> but the spiral of uncertainty and pressure of conflict are rising for all.

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<sup>&</sup>lt;sup>13</sup> Alexandra Alper, David Brunnstrom, and Ben Blanchard, "Biden Says He and China's Xi Agree to Abide by Taiwan Agreement," *Reuters*, October 6, 2021, https://www.reuters.com/world/asia-pacific/biden-says-he-chinas-xi-have-agreed-abide-by-taiwan-agreement-2021-10-05/; Shannon Tiezzi, "China-US Meeting in Zurich Paves the Way for a Biden-Xi Virtual Summit," *Diplomat*, October 7, 2021, https://thediplomat.com/2021/10/china-us-meeting-in-zurich-paves-the-way-for-a-biden-xi-virtual-summit/.

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