

NIDS China Security Report 2012

National Institute for Defense Studies, Japan



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Preface

Distributed widely in Japan and overseas, the *NIDS China Security Report* analyzes China's security policy and military trends from the mid to long-term perspective. Its inaugural issue of the report was released in April 2011 and the second issue in February 2012. Both reports attracted keen interest from Japanese and overseas research institutions and the media, which has provided increasing opportunities for dialogue with experts and research institutions. We hope to continue to contribute to the deepening of policy discussions concerning China in Japan and in other countries, and to broadening opportunities for dialogue, exchange, and cooperation in the field of security and defense between Japan and China.

This third issue focuses on Chinese decision making and policy coordination involving the People's Liberation Army (PLA), which drawing international attention. Important topics on policy coordination in China are covered in this issue, including: an overview of the Chinese political structure around the Party-army relations; policy coordination between the PLA and civilian government amidst its diverse role of the armed forces; and collaboration between the military and government departments in foreign and security policy. The analysis of the developments to institutionalize the activities of the PLA, the report also discusses the challenges facing the effort. In preparing this report, analysis was carried out with reference to publicly available texts, media reports and research materials. The authors thank a number of scholars from many countries and regions including China for sharing their views and valuable insights. Descriptions and analyses in this report are essentially based on the situation prior to the 18th National Congress of the Communist Party of China (CPC) held in November 2012.

The views expressed herein are those of the authors and do not necessarily represent those of the Ministry of Defense or the Government of Japan. This report was authored by Masayuki Masuda, Masafumi Iida, Yasuyuki Sugiura and Shinji Yamaguchi. Editorial work was conducted by Yoshiaki Sakaguchi (editor-in-chief), Akihiro Ohama, Hiromu Arakaki, Katsuya Tsukamoto, and Nobu Iwatani.

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Acronyms and Abbreviations

AMS	Academy of Military Science
ASAT	anti-satellite
BRICs	Brazil, Russia, India and China
CAPUMIT	China Association of Peaceful Use of Military Industrial Technology
CMC	Central Military Commission
CMS	China Marine Surveillance
CPC	Communist Party of China
CPPCC	Chinese People's Political Consultative Conference
EEZ	Exclusive Economic Zone
FALG	Foreign Affairs Leading Small Group
FLEC	Fishery Law Enforcement Command
GAC	General Administration of Customs
GPD	General Political Department
GSD	General Staff Department
MFA	Ministry of Foreign Affairs
MOOTW	military operations other than war
NATO	North Atlantic Treaty Organization
NCO	Non-commissioned Officer
NPC	National People's Congress
NSLG	National Security Leading Small Group
PAP	People's Armed Police
PLA	People's Liberation Army
PLAAF	PLA Air Force
PLAN	PLA Navy
PRC	People's Republic of China
RMA	revolution in military affairs
SARS	Serious Acute Respiratory Syndrome
SOA	State Oceanic Administration
USNS	United States Naval Ship
U.S.	United States

Introduction

Growing Interest in “Civilian Control” of the Chinese Military
Party- Military-Government Relations

Growing Interest in “Civilian Control” of the Chinese Military

Is the People’s Liberation Army (PLA) under civilian control? Debate over this question has become more and more heated recently as the PLA has rapidly increased its military strength. For example, the test flight of J-20 stealth fighter during the visit of the (then) U.S. Secretary of Defense Robert Gates in January 2011 raised questions about the degree of control the leaders of the Communist Party of China (CPC) have over its military branch—the PLA. When Defense Secretary Gates asked President Hu Jintao for an explanation of the J-20 test flight, the president replied that the test flight “had been planned” and assured the secretary that it had “absolutely nothing to do” with his visit.

But according to Gates, Hu and the civilian leadership seemed surprised by the test, and it was only later in the meeting that Hu offered an explanation. This led Defense Secretary Gates to express his concern about the degree of “civilian control” in China. During his visit to Japan after China, he referred not only to the J-20 test flight but also to the anti-satellite (ASAT) missile test conducted by the PLA in January 2007, and to the March 2009 *Impeccable* incident, in which Chinese ships including PLA Navy vessels obstructed the navigation and safety of the USNS *Impeccable*, an oceanographic ship. It was conjectured that there are incidents where there is “disconnect” between the Chinese military and the civilian leadership.

This same concern arises from the fact that the

PLA has recently been more open in expressing opinions. Many of the comments made in recent years by the PLA and its personnel are becoming assertive. For example, with regard to the U.S.-South Korean joint military exercise conducted on the Yellow Sea in July 2010, General Ma Xiaotian, Deputy Chief of the General Staff of the PLA, said that China “strongly opposed” the drill. On the other hand, the Foreign Ministry spokesperson initially expressed only “serious concerns” regarding the drill, but subsequently echoed Ma’s tougher expression. This does create the impression that the Foreign Ministry changed its tone to the one made by the PLA, which provides a source of significant concern over whether the Party’s leadership has total control over the military and the government.

Partly because of these incidents, there are increasing views that the PLA is strengthening its influence over Chinese foreign policy decision-making. *New Foreign Policy Actors in China*, the 2010 Policy Paper of the Stockholm International Peace Research Institute (SIPRI), states that Chinese foreign policy formulation and the way in which China interacts with the outside world are “changing” and points out that a factor behind it is that the PLA has become a “new actor” in China’s foreign policy. A similar view is also expressed even in China. A commentary in the *Oriental Outlook Weekly* (*Liaowang Dongfang Zhoukan*)(No. 25, 2010), a subsidiary of Xinhua News Agency, touches on the external behavior of the PLA in recent years and argues that the military has “decided to change the rule of the game” of Chinese diplomacy.

But the strengthening of such an argument does not necessarily presuppose instability in the Party-army relations. SIPRI’s report treads the water carefully and introduces the comment made by PLA officials, who emphasize the Party’s control over the military. News coverage in China concerning the issue would certainly not deny the Party’s control over the military.



China's fifth-generation J-20 stealth fighter
(IHS Jane's [online news module])

Party-Military-Government Relations

It is noteworthy that no evidence can be found that the Party-army relations is becoming instable, despite the increasing debate over the state of civilian control in China. In the final analysis, the PLA is the military branch of the Party. The Party's leadership constantly emphasizes the principle of "the Party's absolute leadership over the military," and the PLA is aware of the Party's hierarchical superiority over the military. The PLA is under the command of the Central Military Commission (CMC) whose members are selected by the CPC Central Committee. Ultimately in the hands of the General Secretary of the Party who is also the Chairman of the CMC, the supreme command of the military is controlled by the Central Committee.

In order to maintain the Party's absolute leadership, the PLA conducts ideological and political work, and to ensure complete implementation, there are various party organizations and political work institutions at every level in the military. All this indicates that the PLA is under the absolute leadership of the Party, and it is one with the Party. Consequently, it is nearly inconceivable that the PLA, as the "Party's army," should take arbitrary action against, or not in line with, the will of the Party.

In fact, the events in 2007 and 2011 which triggered the concern over the Party-army relations have more to do with PLA's coordination and collaboration relationship with government departments, than with the Party-army relations. While the PLA is the military arm of the Party, the State Council is a government department of the Party. In other words, the PLA does not fall under the authority of the State Council. Although the Ministry of National Defense is under the State Council, the main responsibility of the Ministry is to function as the liaison for the military and it is hardly involved in policy making or in conducting military operations in the PLA. Needless to say, both the PLA and the State Council are organizations that carry out the Party's policies, but there are hardly any examples of the two organizations working closely together to implement a policy. After the 1990s, the PLA has been required to concentrate on national defense and has become less involved

in domestic politics than it used to be. Defense policy, which is obviously under the purview of the PLA, is made and implemented in the following line of command: the Central Committee, CMC, and Four PLA General Headquarters (General Staff Department, General Political Department, General Armaments Department, and General Logistics Department). This was essentially independent of the State Council and other government departments which operate under the organizational structure of the Central Committee, State Council, and ministries and commissions.

However, the roles and missions required of the PLA now are not only those related to traditional national defense. Since President Hu put forth "the New Historic Missions of the Armed Forces in the New Period of the New Century" at an enlarged meeting of the CMC held in December 2004, the PLA is required to conduct multiple missions such as protecting the maritime rights and interests, protecting space, electromagnetic space and cyberspace as well as disaster relief operations and international security cooperation, in addition to traditional national defense.

In carrying out these new, multiple missions, the question is how to coordinate and collaborate with the government departments which fall under a separate policy making and implementation structure from the military. This challenge arises because many of the new, expanded missions of the military are not purely military operations, but are activities in which many government departments under the State Council are involved. Further complicating the situation is the possibility that coordination between the PLA and governmental departments could verge on the fundamental question of command authority in military operations.

Consequently, the *NIDS China Security Report 2012* first identifies the basic characteristics of the PLA as the "Party's army" and the role of the military in policy decision-making in China, and then reviews the Chinese governance structure. Based on the findings, the report then studies the coordination between the PLA and government departments in the new security field, by focusing on the so-called "military operations other than war"

(MOOTW), such as maritime “rights protection” (*weiquan*) activities, disaster relief operations, counter-piracy operations and evacuation missions. It will also analyze coordination and collaboration aspects in Chinese foreign and security policy, focusing on maritime security, in which a large number of departments are involved. Finally, the report will analyze how far coordination between the military and government departments has been institutionalized by reviewing legislative activities of the PLA.

Such issues as decision-making and policy coordination in China deserve attention from the perspective of Japanese foreign and security policy. Whether or not China carries out an adequate internal coordination in interacting with the outside world is an extremely important issue from the crisis management perspective. If the PLA and various departments of the State Council are operating individually without coordinating between themselves, it means that such operations are not high on the list of policy priorities for the

Party leadership, but may cause international crisis more frequently. If, however, there is adequate coordination for a certain operation, it means the Party is attaching clear political objectives to it, and Japan should respond accordingly.

Maritime security, which is one of the security issues between Japan and China, is an area that not only the PLA but also in which several maritime departments and agencies, such as the State Oceanic Administration (SOA) and the Fisheries Management Bureau under the Ministry of Agriculture, as well as the Ministry of Foreign Affairs are involved. The degree of policy coordination between the PLA and government departments, and the policy direction in this area should be observed carefully in view of Japan’s maritime security and security cooperation with China. With an awareness of these issues, the *NIDS China Security Report 2012* attempts to analyze the relationships among the Party, military and government departments as well as the emerging trends of China’s security policy.

People's Liberation Army as the “Party's Army”

Importance of Party-army Relations

Limited Role of the PLA in Foreign Policy Decision-Making

Changing Role and Missions of the PLA

Importance of Party-army Relations

Ever since its predecessor, the Red Army, was founded in 1927, the People's Liberation Army (PLA) has resolutely maintained its character as the "Party's army" of the Communist Party of China (CPC). The key to understanding this Party-army relationship is the principle of "the Party's absolute leadership over the PLA," based on the words of Mao Zedong: "Our principle is that the party commands the gun, and the gun must never be allowed to command the Party."

This principle is confirmed in the Party's Constitution (amended in October 2007): "The Communist Party of China persists in its leadership over the People's Liberation Army and other armed forces of the people" (Outline); "Party organizations in the Chinese People's Liberation Army carry on their work in accordance with the instructions of the Central Committee," (Article 23). The National Defense Law of 1997 stipulates that "The armed forces of the People's Republic of China are subject to the leadership of the Communist Party," (Article 19). In addition, the PLA Political Work Regulation (amended in August 2010) states that "The PLA is always placed under the absolute leadership of the CPC and the supreme leadership and commanding authorities are the prerogatives of the Central Committee and the Central Military Commission (CMC) of the CPC," (Article 4). As seen in these provisions, there is no change in the principle of the Party's absolute superiority over the military.

At the same time, the CPC constantly demands the military uphold its loyalty to the Party in order to sustain the one party rule. For example, at the Enlarged Meeting of the CMC held in December 2004, President Hu Jintao, the Chairman of the CMC, proposed "three provides, and one role" as "the historic missions of the armed forces in the new period of the new century." As its first "provide," the military is to "provide an important guarantee of strength for the party to consolidate its ruling position." *The PLA Daily*, the official organ of the PLA, and the military's leadership have made it clear that "de-partification and de-politicization" and "nationalization" of the army are misguided political concepts, and emphasize their staunch opposition to them. This indicates that the military

accepts the Party's requirements.

Judging from such evidence, the Party's superiority over the military has not changed in any significant manner and is still maintained as the basis of the relationship between the Party and the PLA. However, the fact that the PLA points out that "domestic and foreign enemy forces" are "foolishly trying to create a wedge between the Party and the army," and sounds alarm bells against such forces, suggests that there are challenges against the current fundamental principle and basic structure of the Party-army relationship.

Political work is carried out within the military in order to infuse the will of the Party into the military. The PLA Regulation on Political Work defines as follows: "political work is the ideological and organizational work of the Party in the PLA. It is an important factor that forms the PLA's combat strength, a fundamental guarantee of realizing the Party's absolute leadership over the PLA, and that the forces will play their respective roles and complete missions. It is also the lifeline of the PLA." A textbook of the PLA National Defense University states that "political work is the basic method to infuse the Party's political views and arguments, and through propaganda and organizational work, the Party's direction, course and objectives would be reflected in the conscious conduct of the officers," and goes as far as to say that "devoid of political work, there is a danger that our military might diverge from the leadership of the Party."

Political work includes: ideological education; organization building; human resources development; discipline inspection; military court; propaganda; and intelligence activities. Political work organs are required to boost the morale of the troops during military training and so-called "military operations other than war" (MOOTW). During military operations, they are expected to employ the "Three Warfares" — public opinion warfare, psychological warfare and legal warfare—in addition to boosting morale. However, even the PLA itself admits that the viability of traditional political work is being questioned even within the military as Chinese society is becoming more socially diverse, and that the military is required

to acquire highly advanced military technologies in order to fight intelligence wars. Accordingly, the PLA is making efforts to adjust to the new environment such as by networking political work by launching the "Political Work Online."

Party organs (party committees, party committees at grassroots level and party branches), the Political Commissar System and political work organs are created within the PLA. According to the PLA Political Work Regulation (Article 8), "[the Party's] committees shall be created at levels comparable to a regiment or larger, grassroots committees unit in organizations comparable to a battalion, and party branches in organizations comparable to a company." It also states that "Party's committees (branches) at various levels are the core of unified leadership and solidarity." In this way, party committees are invariably placed in the top military unit and in every level of its affiliated organs (Headquarters, Political Department, Logistics Department, and Armament Department), and they play the role of instilling the Party's will into the military. Military districts (Beijing Garrison and Garrison Command), military subdistricts (Garrison Command) and provinces (cities and districts), the People's Armed Forces Department and Reserved Corps are placed under the dual leadership of the military's command structure and the Party's local committees.

Regarding the Political Commissar System in the PLA, the Political Work Regulation (Article 9) stipulates that "Political Commissars shall be placed in regimental corps and above, political instructors in battalions, and political directors in companies." Political Commissars in the forces of the former Soviet Union after World War II and in the Republic of China Armed Forces after escaping to Taiwan were formally subordinate to the commander of the corps, but the Political Commissars in the PLA hold the equivalent rank to a military commander. Symbolic evidence of this relationship can be seen at a military parade. A Political Commissar and a military commander always march together at the head of formation. The role of these Political Commissars is to conduct political work extensively within the military and permeate the will of the Party into the military.

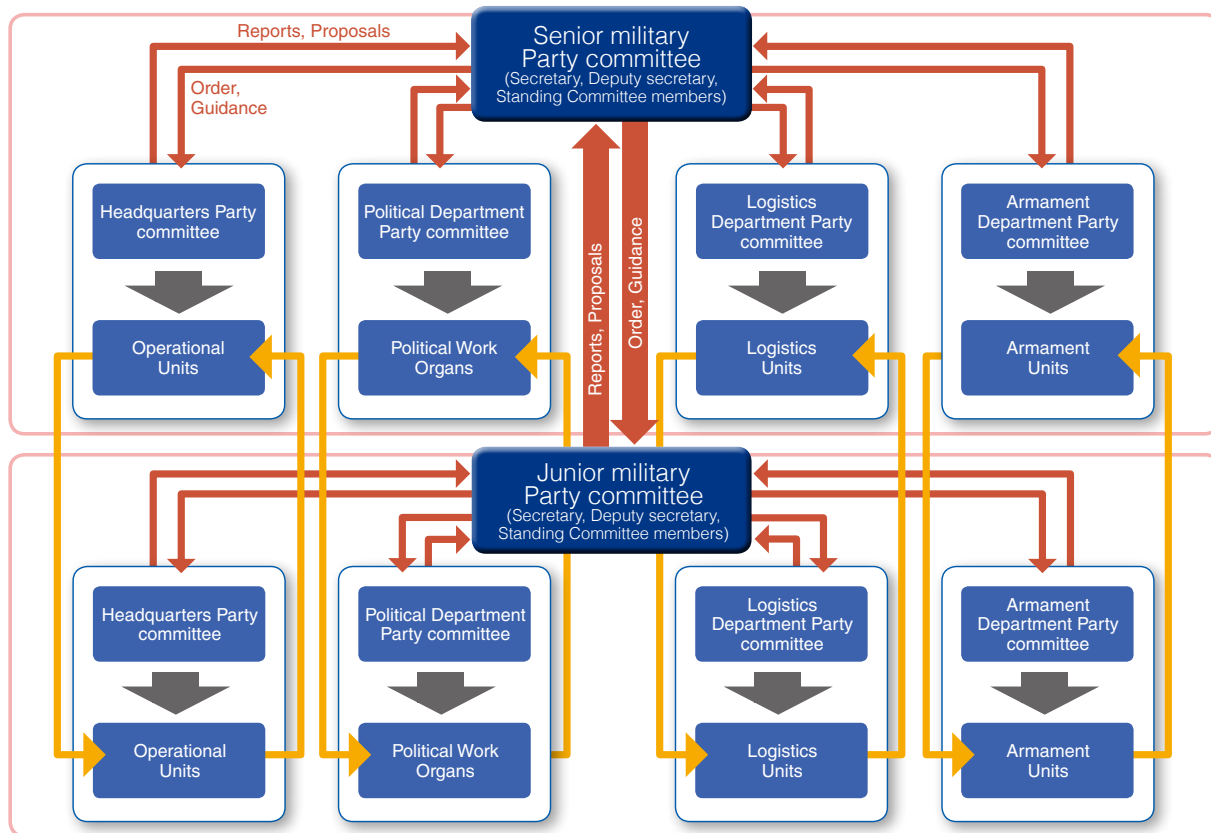
However, some point out that Political Commissars' influence has become limited and

their role is now focused on service instructions and discipline management. This is because the relative importance of political work has declined as the PLA modernized and highly sophisticated military knowledge has become crucial as well as swift decision making in the age of information warfare. Political Commissars are now expected to acquire the most up-to-date military knowledge in order not to inhibit military operations in information warfare. Such changes indicate that the role of Political Commissars is now more limited than it used to be.

With regard to political work organs, the PLA Political Work Regulation stipulates that "political departments shall be placed in brigades and larger corps, and political divisions in regiments." The General Political Department is placed at the top of these political work organs. The main responsibilities of political organs are to support Party committees and Political Commissars, to direct the political work of the forces and to ensure that they are carried out thoroughly. The duty of political work organs at various levels is not limited to following the leadership of the Party committees at the same level. It also includes following the leadership and carrying out the instructions of senior political work organs, as well as reporting and making suggestions to them. Political work organs, which specialize in political work, seem to play the practical function of permeating the will of the Party into the military while the Party committees are expected to play a more comprehensive role.

Viewing these organizational frameworks and their operations, it is difficult to say that a major change is occurring to the principle or the structure of the PLA as the "Party's army." Even

Figure 1: Party Organs in the PLA



Note: This figure represents the command structure of the Party committees, and yellow arrows indicate the command structure of organs.
 Sources: Yue Zhongqiang ed., *Science of PLA Political Work* (Beijing: National Defense University Press, 2006); Qi Chunyuan et al., eds., *Army Party Work Norms* (Beijing: Lantian Chubanshe, 2008).

though there are some doubts about the value of the political work, since it might compromise the PLA's rapid reaction readiness that is necessary for military operation, the significance of its role has not been changed. Within the PLA operational methods and duties of Party organs conducting the political work are changing in order to reflect the PLA's modernization and its adjustment to the informatization trends. And so are those of the Political Commissar system and of political organs. But these changes can be interpreted as a means

to strengthen the principle of "the Party's absolute leadership over the military." This overview of the basic principle, structures, methods and organizations of the Party-army relationship shows that it is incredibly difficult for the military to take actions that are not in line with the will of the Party. Consequently, there is little change in the basic characteristic of the PLA as the "Party's army," and the conduct of the PLA reflects the will of the CPC, especially its Central Committee.

Limited Role of the PLA in Foreign Policy Decision-Making

Final decisions on any important policy issues including national and international strategies are made at the CPC Central Committee. The preamble of the Constitution of the People's Republic of China (PRC) stipulates that nation building must

be conducted "under the leadership of the CPC," and the Party's Constitution states that "only the Central Committee of the Party has the power to make decisions on major policies of a nationwide character." These important policy decisions are

made by the National Congress which is basically held only once every five years. The Constitution of the CPC stipulates that when the National Congress is not in session, the Central Committee carries out its resolutions and directs the entire work of the Party. However, the Central Committee holds a plenary session once a year or so. Hence, the Constitution also states that when the Central Committee is not in session, the Politburo and its Standing Committee exercise the functions and powers of the Central Committee. This is why the 25-member Politburo, and ultimately its 9-member Standing Committee held the power to make decisions on "the important policy issues" during the term of the 17th Central Committee of the CPC (2007-2012).

Any direct influence by the PLA in the decision making at the Central Committee seems to be limited. Since the 1980s, the role of the PLA at the Politburo and the Central Committee has declined. It has been more so since Liu Huaqing, (then) Vice Chairman of the CMC, resigned as a Member of the Standing Committee of the Politburo at the 15th CPC National Congress in 1997. Since then, the PLA has not had a member on the Standing Committee and has been unable to have a direct influence on policy decisions at the highest level in the Party. However, since the 14th Central Committee of the CPC (1992-1997), the PLA has been represented on the Politburo by the two uniformed CMC members

and PLA officials constantly represent about 20% of the members of the Central Committee. So it remains an important player in the policy-making process at the Party. But the higher up the hierarchy of the Party, the less opportunity the PLA has for expressing its policy preferences.

Currently, the General Secretary of the Party also holds the post of the Chairman of the CMC, so it is possible for the PLA to express its opinion to the Standing Committee of the Politburo through the CMC Chairman. However, military issues are hardly discussed at the Politburo. For example, during the 16th Central Committee (2002-2007), out of the 44 group studies of the Politburo, military issues were taken up only twice; at the fifth group study in May 2003 where revolution in military affairs (RMA) was discussed and at the 15th group study in July 2004 where coordinated development of national defense and economy was discussed. Military issues were taken up only once at the group studies during the 17th Central Committee when military and civilian integration to coordinate development of national defense and the economy was discussed in July 2009. True to the notion of the "collective leadership system," the nature of the political process in the post-Deng Xiaoping era has been to build consensus within the Party, and the General Secretary of the Party Central Committee does not hold the absolute political power in policy decision making.

Table 1: Ratio of PLA Members on the Politburo and the Central Committee

Session	9th	10th	11th	12th	13th	14th	15th	16th	17th
Year National Congress was held	1969	1973	1977	1982	1987	1992	1997	2002	2007
Politburo	12/25 52%	6/21 28.6%	12/23 52.2%	11/28 39.3%	2/17 11.8%	2/20 10%	2/22 9%	2/24 8%	2/25 8%
Central Committee	85/170 50%	62/195 26.7%	61/201 30%	50/210 23.8%	23/175 13.2%	44/189 23.2%	41/193 21.2%	44/193 22.8%	41/204 20.1%

Notes: Upper row indicates the number of members from the military over overall members. Lower row indicates the ratio of the members from the military.

Sources: Mings-shih Shen, "China's Leadership Succession at the 16th Party's Congress," *Prospect & Exploration* [Taiwan], Vol. 1 No. 2 (February 2003), p. 45; *Wen Wei Po* [Hong Kong], October 22, 2007.

In foreign affairs and security areas, important policy issues are dealt with in the same organizational structure as described above, and the Party's Foreign Affairs Leading Small Group (FALG) is a body to assist policy making at the Central Committee and Politburo. Before the 18th Party Congress, the FALG was headed by President Hu, with Vice President Xi Jinping as his deputy. Members of the FALG consist of State Councilor Dai Bingguo; ministers of foreign affairs, national defense, public security, state security and commerce; leading officials in charge of Taiwan affairs, Hong Kong and Macao affairs; head of the CPC Publicity Department and International Department; and the Deputy Chief of the General Staff of the PLA in charge of foreign affairs.

Since the second half of the 1990s, institutionalization of the FALG has been in progress. In August 1998, the State Council Foreign Affairs Office was abolished and the Central Foreign Affairs Office was established as an organization belonging to the CPC Central Committee. The Central Foreign Affairs Office was given the administrative function of the FALG and is to assist policy planning and decision making by the Party's leadership by conducting research and study on international affairs and foreign policy implementation. Subsequently, crisis management became part of its function. After the bombing of the Chinese embassy in Yugoslavia by the North Atlantic Treaty Organization (NATO) forces in May 1999, the CPC established the National Security Leading Small Group (NSLG) in September 2000. However, in reality, the NSLG operates in one with the FALG. At the same time, the Central Foreign Affairs Office also became the permanent administrative organ of the NSLG. The Central Foreign Affairs Office is now responsible for adjusting policy proposals and inter-departmental coordination not only in the foreign affairs and security arena but also in international crisis management.

Even within this context, the role of the PLA is not significant. The members of the PLA that participate in the FALG/NSLG are the Minister of National Defense and the Deputy Chief of the General Staff, but their participation does not weigh any heavier than those from other departments. On the contrary, the representatives from the State

Council related departments form the majority. The directors of the Central Foreign Affairs Office have been Liu Huaqiu (1998-2005) and Dai Bingguo (2005-), both of whom are foreign affairs specialists, and their deputies have been one from the Foreign Ministry and the other from the Party. Furthermore, Dai Bingguo is not only responsible for "strategic dialogue" with major powers but also represents the Chinese government at the meeting of the senior representatives on security issues of the four emerging countries of Brazil, Russia, India and China (BRICs). Judging from such arrangements, the State Council and other government departments are the most influential in inter-departmental coordination on overall Chinese foreign and security policy, and the PLA's influence is limited here as well.

On the other hand, decision making on national defense policy is formed under a separate line of command, which is the "Central Committee, CMC, and Four PLA General Headquarters," and the role of the PLA is obviously significant. The National Defense Law stipulates that the CMC is to "lead all armed forces of the state." It is the supreme leading organ of the military, and plays a major role in decision making on national defense policy. However, how the CMC actually works is somewhat murky. To begin with, there are two CMCs: the CMC of the CPC and the CMC of the PRC. But except for exceptional situations during the change of leadership, the membership of the two CMCs is exactly the same. So in reality, one organization is holding two door signs. In China, only the CMC part of the name is used so it is not clear if the reference is to the CMC of the Party or of the state. According to the Constitution of the CPC (Article 22), "the members of the Military Commission are decided on by the Central Committee," so the CMC should be regarded as a decision making organ of the Party on defense and military affairs. Six times a year on average, the plenary session of the CMC is held for a few days. This serves as the most valuable place of contact between the Chinese political leadership and the military.

Ever since the creation of the PRC in 1949, six men have been named the CMC Chairman: Mao Zedong, Hua Guofeng, Deng Xiaoping, Jiang Zemin, Hu Jintao and Xi Jinping. None of them became the Chairman of the CMC while being an

active military officer with a rank. On the other hand, besides the CMC Chairman, there have been only three civilian members in the CMC: Zhao Ziyang (November 1987 – June 1989), Hu Jintao (September 1999 – September 2004) and Xi Jinping (October 2010– November 2012). None

of them held a government position such as the Premier of the State Council while being a member of the CMC. All the other members are uniformed personnel. This membership structure indicates that there is almost no direct influence of the government departments on the military.

Changing Role and Missions of the PLA

There is no fundamental change in the character of the PLA as the "Party's army." The role of the military in the policy-decision process at the Central Committee and in inter-departmental coordination of foreign and security policies is limited. So the various questions that are currently being raised about the civilian control of the military in China were not derived from the wavering of the relationship between the Party and the military. They have more likely originated from three changes that are mutually related: 1) professionalization of the PLA; 2) broadening of the mission areas that the military should be involved in; and 3) the increased number of instances that require the military and the government departments to coordinate as a result of diversified missions.

Professionalization of the PLA was the first change and it, has basically continued since the 1990s even though the military was jolted when it was mobilized for domestic political reasons in the Tiananmen Incident in 1989. In the Party-army relationship, the Party has the absolute leadership over the military but this relationship is also described as "symbiotic." As can be seen in the Cultural Revolution during Mao Zedong's era, the PLA had intervened in domestic politics, but at the same time, the influence of the political situation on the military had been significant. This was not a commendable situation and the military's involvement in politics was diminished during the Deng Xiaoping era. However, under the policy of prioritizing economic development over military modernization, self-reliance was imposed on the military and it was allowed to conduct business activities. The PLA began to be involved in production and business, and by the beginning of the 1990s when such involvement was seen as problematic, 800,000 officers in uniform

were involved in business activities. The PLA thus had become a military force that was involved in various activities beside defense and military which were its initial responsibilities.

But the first Gulf War in 1991 and before that, and the Taiwan Strait crisis of 1995-96 changed the trend. General Secretary Jiang Zemin, who was also the Chairman of the CMC, talked about the Gulf War and related international developments at a meeting in the PLA and ordered the PLA to propose new military strategic guidelines. After discussions among the uniform CMC members, the directors of the General Staff Department, the General Political Department, the General Logistics Department, and the CMC determined the "Military Strategic Guidelines for the New Period" of preparing and winning "local war under high-tech conditions" in January 1993. Jiang Zemin also called for the modernization of armaments and human resources development through improving the level of education and training. In addition, the Taiwan Strait crisis prompted modernization of equipment of the Navy, Air Force and the Second Artillery Corps as well as the army. As part of this change, the military was banned from business activities in 1998 and the role of the PLA was clarified as focusing on national defense. Starting in the same year, 500,000 troops were cut, mainly from the army, to carry out the "Two Transformations" from quantity to quality and from personnel intensive to science and technology intensive.

It is now critical for the PLA to secure high-tech and educated personnel and to carry out more sophisticated training in joint operations. This is because of the progress in hardware modernization and the necessity for the PLA to carry out operations that demand high skills and are more complex as a result of such modernization. China designed a

new system to meet such demands. The Military Service Law was revised in December 1998 for the first time in 14 years and it became possible to recruit civilians with specialized skills from the non-military departments to meet the demands of the military. The PLA conducted a major reform of the Non-commissioned Officer (NCO) corps in December 1999 and the number of NCOs with more than one qualification increased. Also in the same year, military educational institutions such as the PLA National University of Defense Technology and the PLA Shijiazhuang Army Command College were restructured to develop talent in high-tech areas with an aim to train not only technicians but also commanders. The “Outline of Military Talent Development Plan Before 2020” was issued in April 2011, indicating the policy to further develop talents who can adapt to joint operations and informatization.

By developing specialized talents, the PLA has strived for professionalization, by developing specialized talents. In comparison, the current political leadership has hardly any military service experience and is unlikely to have a detailed understanding of the PLA, which has acquired highly developed military skills. As a result, although the Party maintains the supreme command, the military’s autonomy is likely to be increasing in the daily operations. However, in reviewing the professionalization of the PLA, the fundamental characteristic of the PLA as the “Party’s army” has

not been changed. Therefore its de-politicization is limited. Even though the PLA has professionalized in three areas—expertise, corporateness and responsibility—as Samuel Huntington argues, the PLA has increased its autonomy within the framework of the “Party’s army.”

In parallel, the Party’s policy of evolution from *renzhi* to *fazhi*, is from the rule of man to the rule of law, has been carried out since the Deng Xiaoping era. Under this policy, priority is assigned to regularizing the military under the rule of law so that the activities and operations of the highly sophisticated military can be better predicted. In order to effectively manage the specializing military, the Central Committee has been establishing a legal system to regulate the PLA. At the 17th National Congress of the CPC in November 2007, President Hu emphasized the importance of intensifying efforts in all respects “to make the armed forces more revolutionary, modernized and regularized.” Becoming “more revolutionary” means to make the absolute leadership of the Party over the military unquestionable, and “more modernized” means the modernization of armaments and the personnel training of those using those armaments. “Regularization” is to regulate the role of the PLA and to systemize its activities by laws and regulations so as to achieve the state of being more “revolutionary” and “modernized.” With regard to “regularization,” President Hu emphasized the need to promulgate and strictly manage the laws ruling

Table 2 : Total Number of Regulations Related to Military Affairs

	National laws (related to military affairs)	Military regulations	Military administrative regulations	Military rules
As of July 1998	12	Approx. 70	Approx. 40	Approx. 1,000
As of December 2002	13	160		Approx. 2,500
As of December 2006	15	171	47	Approx. 3,400
As of December 2008	15	215	94	Approx. 3,000
As of December 2010	17	224	97	Approx. 3,000
As of April 2012	18	228	98	Approx. 3,000

Note: The defense and military related laws in China consist of basic laws legislated in the National People’s Congress, military regulations promulgated by the Bureau of Legal Affairs of the CMC, military administrative regulations promulgated jointly by Bureau of Legal Affairs of the CMC and the Legal Affairs Office of the State Council and military rules, which are the inner-departmental regulations.

Sources: Information Office of the State Council of the PRC, *China’s National Defense* (July 1998); *China’s National Defense in 2010* (March 2011); *Procuratorial Daily (Jiancha Ribao)*, December 23, 2002; *China Legal Science (Faxue Zazhi)*, No. 4 (2007), p. 104; *PLA Daily*, March 4, 2012.

the military under the policy to "use law to govern the army (*yifa zhijun*)."

Institutionalization of the military under the "*yifa zhijun*" banner had already begun in the late 1980s and legislating military affairs progressed rapidly. This was especially so since the 1990s with regard to military regulations (*junshi fagui*) and military administrative regulations (*junshi xingzheng fagui*) which the CMC Bureau of Legal Affairs has the authority. The PLA did not even have a rank structure after its abolishment in the 1960s and was hardly bound by any regulation until the 1980s. It began to be regulated by the enactment or revision of military regulations and department rules since the 1990s. The number of regulations has increased because it is necessary to conduct more highly skilled training and to master most advanced armaments, and they need to be legislated in detail. Such trend confirms progress in professionalization.

The second change is that the PLA had previously been required to focus on national defense, but must now diversify its missions to reflect the broadening of the defense and security areas. Missions of the PLA in the definition put forth by President Hu Jintao in December 2004 are "the New Historic Missions of the Armed Forces in the New Period of the New Century" and are not confined to strictly military areas. Hu required the military to "provide a powerful strategic support for safeguarding national interests." The "national interests" specified in *China's National Defense in 2010*, China's White Paper on its defense policy, include the security of lands, inland waters, territorial waters and airspace as well as security in space, electromagnetic space and cyberspace. Non-traditional security areas, such as disaster relief activities, have become important responsibilities of the military. As part of its "historic mission," the military is required to "play an important role in defending world peace and promoting shared development." So the new roles and missions of the PLA have broadened to include non-traditional security areas and MOOTW, such as maritime security, disaster relief, and UN peacekeeping operations.

The third change is the need for the PLA to coordinate with the State Council and other government departments because of the

diversification of its missions, which had previously not been a priority of the PLA. For example, with regard to maritime security, there are more than ten government departments that are dealing with maritime issues. Both the central and local governments are involved in domestic disaster relief and public health policies. These are areas where it is difficult for the military to independently decide the content and the extent of its activities only by referring to military regulations.

In this new environment, the Central Committee is in the position to initially coordinate policy and activities between the military and government departments as both operate in line with the direction set forth by the committee. However, it does not always provide clear and detailed policy directions. It usually communicates its policy through important speeches and documents. The problem is that although the Central Committee listens to the opinions within the Party and in various government and military departments while compiling the documents, the documents and speeches communicated to the executive organs do not necessarily include specific instructions. This gives those organs room for interpretation of the policies of the Central Committee.

For example, there were various interpretations of "the New Historic Missions of the Armed Forces in the New Period of the New Century" put forth by President Hu. Some navy officers and strategists argued that naval strategy should be shifted from "near-sea defense" to "far-sea defense," but others argued that the near-sea defense strategy should be unchanged. Both depend on the interpretation of "historic missions," and the difference shows that the policy direction communicated by the Central Committee leaves room for diverging interpretations.

Such a difference is not unique to the PLA, and the same tendency is seen in government departments. It is possible for different interpretations of the policies of the Central Committee to surface between the executive organs of the military and government departments. Chinese leaders constantly ask the executive organs to keep their policies firmly consistent with those of the Central Committee, but this request itself indicates that executive organs have a wide room for interpretation.

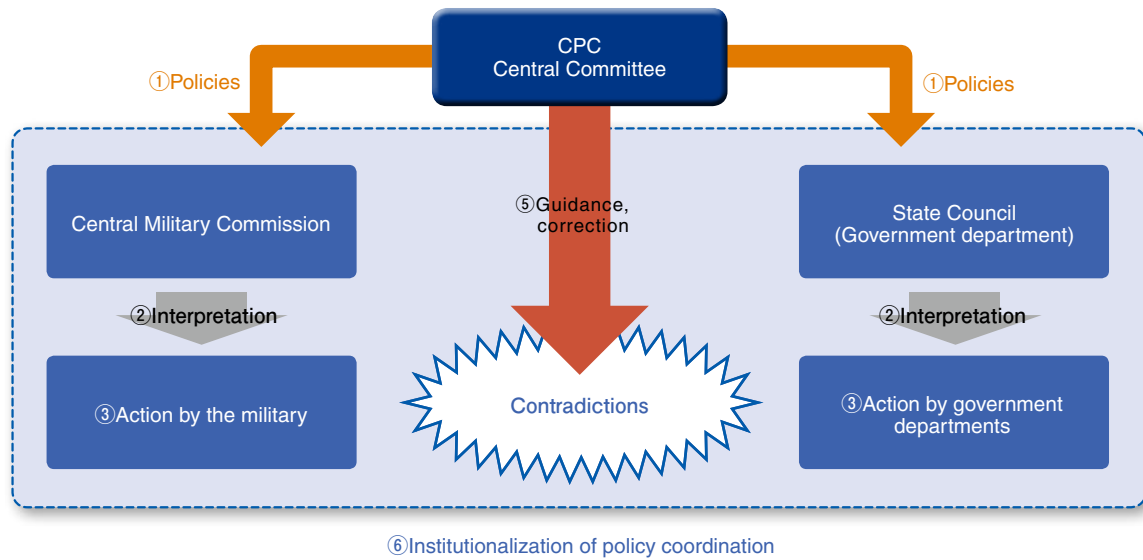
Regarding the Party's policy guidelines, the difference of the interpretation—the room for interpretation—appears between the PLA and diplomatic authority's discourses in terms of the policy to “uphold keeping a low profile, actively do something (*jianchi taoguang yanghui, jiji yousuo zuowei*).” President Hu is said to have expressed such a course of policy at the 11th meeting of Chinese diplomatic envoys in July 2009. State Councilor Dai Bingguo asserted that to “uphold keeping a low profile, actively do something” meant that “China should not serve as others’ leader or a standard bearer and not seek expansion or hegemony. This is consistent with the idea of the path of peaceful development.” On the other hand, General Ma Xiaotian, Deputy Chief of the General Staff of the PLA, quoted the phrase “not serve as others’ leader,” first coined by Deng Xiaoping, but emphasized that “being modest is not the same as doing nothing” and strongly supported to “actively do something.” Both are interpretations of the policy directive put forth at the 5th Plenum session of the 17th Central Committee held in October 2010 in the context of foreign policy, but different interpretations have surfaced between the diplomatic authority which put more importance to “uphold keeping a low profile” and the PLA which

emphasizes to “actively do something.”

Finally, with mountains of issues piling up domestically, the Central Committee is not always exercising leadership over the PLA meticulously. The 18th Central Committee is represented by nine members of the Standing Committee and 25 members of the Politburo. But the leaders that have the command authority over the military are limited to three people in the 18th Central Committee; Xi Jinping, who is members of the Standing Committee, and General Fan Changlong and General Xu Qiliang, who are members of the Politburo. As already pointed out, national defense and military affairs are hardly been discussed at the Politburo meetings. Therefore, the Central Committee implements strict leadership over the military only when the Committee recognizes that there is an emergency that must be solved under its leadership.

For the Party leaders, in order to ensure the swift implementation of policies, it is critical to establish the mechanism for policy coordination between the PLA and government departments, and to institutionalize it under the law. According to the *PLA Daily*, “it is beneficial for the unity and coordination among various departments to regulate the legal system,” which highlights the need to coordinate the military and government departments under the rule of law. There are indications that China is aware of the need to institutionalize the means to coordinate the military and government departments and that the sticking point is the distribution of authority between the two. But authority allocation between the military and government departments is a complex task. Accordingly, a parallel leadership system where both the military and the government depend on and presuppose the leadership of the Central Committee is still maintained, and the coordination between the two will develop and be institutionalized within this framework.

Figure 2: Party-Military-Government Relations in China



Improving Policy Coordination between the Military and the Government

South China Sea
Disaster Relief Operations
Military Operations Other Than War

South China Sea

The role of the People's Liberation Army (PLA) is expanding to areas of "military operations other than war" (MOOTW) and non-traditional security fields, such as the protection of maritime rights and interests, disaster relief and evacuation missions in addition to the traditional missions to defend territorial lands, airspace and waters. This increases the need for cooperation between the PLA and the government. Under the leadership of the Central Committee of the Communist Party of China (CPC) and the command of the Central Military Commission (CMC), traditionally the PLA did not have a direct link with the State Council's line of command. But now it has a new task of coordinating with government departments, and the mechanism for this coordination is being created under the leadership of the Party.

In April 2012, surveillance ships from the People's Republic of China (PRC) and the Philippines came to a standoff over the Scarborough Shoal (Huangyan Island), which both countries lay claim to, and the situation continued for the next two months. The Chinese Foreign Ministry, the China Marine Surveillance (CMS) of State Oceanic Administration (SOA), the Fishery Law Enforcement Command (FLEC) of the Ministry of Agriculture and the PLA were all involved in the incident. At the beginning of the standoff, there were differences in the way each organization dealt with the issue, but as the confrontation stretched into weeks and months, attracting more international attention, those departments began to coordinate, worked out a united front and pressured the Philippines into withdrawing its surveillance ships from the waters.

On April 8, 2012, a Philippine Navy plane spotted eight Chinese fishing boats anchored in the atolls of the Scarborough Shoal. The Philippine Navy sent BRP Gregorio del Pilar, a frigate, to the Shoal. A search of the Chinese fishing boats on April 10 found coral, giant clams and live sharks, which are illegal to collect under Philippine law. When the Philippine soldiers tried to apprehend the Chinese fishermen, two CMS ships appeared and stopped the arrest by stationing themselves between BRP Gregorio del Pilar and the Chinese fishing

boats. This led to a two-month long confrontation between the countries.

Strongly protesting against the actions taken by the Philippines, the Chinese Foreign Ministry emphasized Chinese sovereignty over the Scarborough Shoal, but also expressed readiness to solve the problem through diplomatic efforts. At a regular press briefing on April 11, Liu Weimin, the Foreign Ministry spokesperson, stressed that "Huangyan Island is an integral part of Chinese territory and China has indisputable sovereignty over the island." He also urged "the Philippine side to proceed based on our bilateral friendship as well as the peace and stability of the South China Sea." He called on the Philippine side to "stop making new troubles, and work with China to create good conditions for the healthy and stable development of bilateral ties." Then on April 16, spokesperson Liu commented that "the situation at the Huangyan Island had been alleviated through joint efforts by both sides" and that "the two sides will continue to maintain communication on the issue via diplomatic channels."

The Chinese Foreign Ministry seemed to have had an optimistic expectation to solving the problem. Vice Foreign Minister Fu Ying, who summoned the Chargé d'Affaires of the Philippine Embassy in China on April 18, said that "the tension has been eased through bilateral negotiations." On April 23, Zhang Hua, spokesperson of the Chinese Embassy in the Philippines, said that the two Chinese surveillance ships have left the Huangyan Island area the day before and that "this proves once again China is de-escalating the situation."

While the Foreign Ministry was calling for a diplomatic solution to the confrontation over the Scarborough Shoal, the fishery and maritime supervision agencies were improving their coordination. According to media reports in the Philippines, two days after two CMS surveillance vessels were dispatched to the Scarborough Shoal on April 10, a FLEC surveillance ship, which has the responsibility of protecting Chinese fishermen, also arrived at the Shoal, and the CMS and FLEC continued to jointly confront the Philippine coastguard surveillance ship. When China withdrew

two surveillance ships on April 22, CMS and FLEC ships moved simultaneously, indicating that it was a jointly commanded operation.

On April 26, the PLA, which had kept silent over the standoff between China and the Philippines over the Scarborough Shoal, showed its willingness to cooperate with the CMS and FLEC to protect Chinese fishery and maritime rights. At the monthly Defense Ministry press briefing, spokesperson Geng Yansheng commented that “the Chinese armed forces have persisted in implementing their mission under the unified deployment of the nation,” and that “the army will, according to its tasks and responsibilities, make joint efforts with fishery and maritime supervision departments to safeguard national marine rights and interests.” According to an article (September 6, 2012) in the *PLA Daily*, PLA Navy (PLAN) and CMS, FLEC and the Coastguard have created a collaboration and burden sharing mechanism in the East China and South China Sea, and are efficiently protecting China’s fishery and marine rights and interests.

International apprehension over the confrontation increased as it showed no signs of being solved in the short-term and seemed to become a long-term problem. On April 30, when the first 2+2 meeting was held between the foreign and defense secretaries of the United States and the Philippines, the U.S. showed great interest in the developments in the South China Sea including the tensions surrounding the Scarborough Shoal. The US side made it clear that they have a “strong national interest in freedom of navigation” and that they strongly opposed “the threat or use of force by any party to advance its claims.” The US emphasized its policy to strengthen the Mutual Defense Treaty with the Philippines and promised to transfer a second high endurance cutter to support the Philippine intelligence gathering capabilities and expand joint exercises.

As the Scarborough Shoal confrontation lingered on and developments worked against China, including the increasing involvement of the United States, China seemed to have worked out a unified position among the organizations involved to increase pressure on the Philippines backed by the threat of force to compel them to compromise in order to solve the problem. On May 5, Chinese Foreign Ministry spokesperson, Liu, confirmed

that there is no change in China’s willingness to solve the problem through diplomatic means. But on May 8, China changed their attitude completely. Vice Foreign Minister Fu summoned the Chargé d’Affaires of the Philippine Embassy and criticized that the Philippines was seeking to increase the tension by refusing to withdraw the surveillance ships from the Scarborough Shoal, and said that “it is hard for us to be optimistic about the situation.” The Vice Minister urged “the Philippine side to withdraw its vessels in the sea area around Huangyan Island, and to never again impede the operations of Chinese fishing boats or Chinese government vessels performing their duties in accordance with Chinese law.” She made it clear that “the Chinese side has also made all preparations to respond to any escalation of the situation by the Philippine side.”

As if to coordinate with these comments, the Xinhua News Agency, the *People’s Daily* and the *PLA Daily* all published commentaries which strongly condemned the Philippines. The comment in the Xinhua said that the “territorial sovereignty is a core interest for China and there is no room for bargaining” and warned the Philippines not to be put into a position where they will have to pay the price of not taking the situation seriously and worsening it. The *People’s Daily* wrote that China has shown great restraint but “actually, China is completely capable of choosing a different way for the issue” and stated that it was not possible for the Philippines “to make China sacrifice its core interests and compromise its principles.” The *PLA Daily* said that China is enduring the Huangyan Island issue not because China is weak, but because China is exercising self restraint and warned that the Chinese government and people will not tolerate any attempt to rob China’s sovereignty over the Island, and that the PLA will be even less tolerant.

Confrontation over the Scarborough Shoal lingered on between the surveillance ships of the two countries. Then on May 29, Liang Guanglie, State Councilor and Minister of National Defense of the PRC, and Voltaire Gazmin, Secretary of the Philippine Department of National Defense, met in Phnom Penh and discussed the issue. On June 5, Liu Weimin, the Foreign Ministry spokesperson, acknowledged that the remaining Philippine

surveillance ship had withdrawn from Huangyan Island and that “the Chinese surveillance vessels are continuing their management and service for the Chinese fishing boats and fishermen in waters off the island.” Scarborough Shoal is, in effect, under the control of China with its surveillance vessels refusing to budge and fishing boats operating freely. China now effectively controls the Scarborough Shoal, but it will be interesting to see whether or not China will station surveillance ships permanently or build barracks for surveillance purpose. If China should do so, it would be the first takeover of an island by China in 17 years. The last was the occupation of the Mischief Reef in 1995. This would be against the letter of the Declaration of Conduct of Parties in the South China Sea, which calls for self restraint from occupying uninhabited islands.

On June 21, the Ministry of Civil Affairs announced the policy of establishing Sansha city to administer the Spratly and Paracel Islands as well as the Macclesfield Bank, which includes the Scarborough Shoal. People’s representatives of the city were elected on July 22 and the mayor the next day. On July 24, the city’s first government was officially installed. This was preceded by the approval of the CMC to create the “Sansha Military

Garrison Command” as the point of contact for the PLA to the Sansha municipal government on July 19.

At the outset of the standoff with the Philippines over the Scarborough Shoal, the Chinese departments in charge were operating separately. However, as the problem brewed and China’s international standing begun to suffer, those departments joined forces under a unified policy to pressure the Philippines. To judge from the Chinese policy making mechanism, the policy coordination between various executive offices and the PLA must have been led by the leadership of the Party.

Meanwhile, the cooperation between the PLA and each government ministry and agency is also being reinforced in their activities in the East China Sea. Commenting on the situations over the Senkaku Islands in September 2012, Chinese Defense Ministry spokesperson Yang Yujun asserted that the PLA is ensuring security for the state’s law enforcement, commercial fishing and oil and gas development in the surrounding waters through close cooperation with the CMS and the FLEC. In the following month, the PLAN East Sea Fleet, the East China Sea branch of SOA and the East China Sea component of FLEC held joint naval exercises in the East China Sea off the coast of Zhoushan City, Zhejiang Province. In one of the joint exercises, the PLAN’s war vessels had a training of cooperating with the CMS and FLEC patrol ships in facing with a hypothetical foreign vessel. Another exercise required its participants to transport to the PLAN’s medical ship by helicopter those officers who were supposedly injured in a hypothetical collision between the FLEC’s patrol ship and a foreign vessel. These moves suggest that the cooperation for protecting China’s maritime interests between the PLA and maritime law enforcement agencies is likely to strengthen not only in the South China Sea but also in the East China Sea.

Disaster Relief Operations

There are two examples where the PLA was mobilized in large-scale disaster relief operations: in the aftermath of the earthquake in the Sichuan

province in May 2008 and the Yushu earthquake in Qinghai province in April 2010. The 2008 Sichuan earthquake, with the epicenter in the

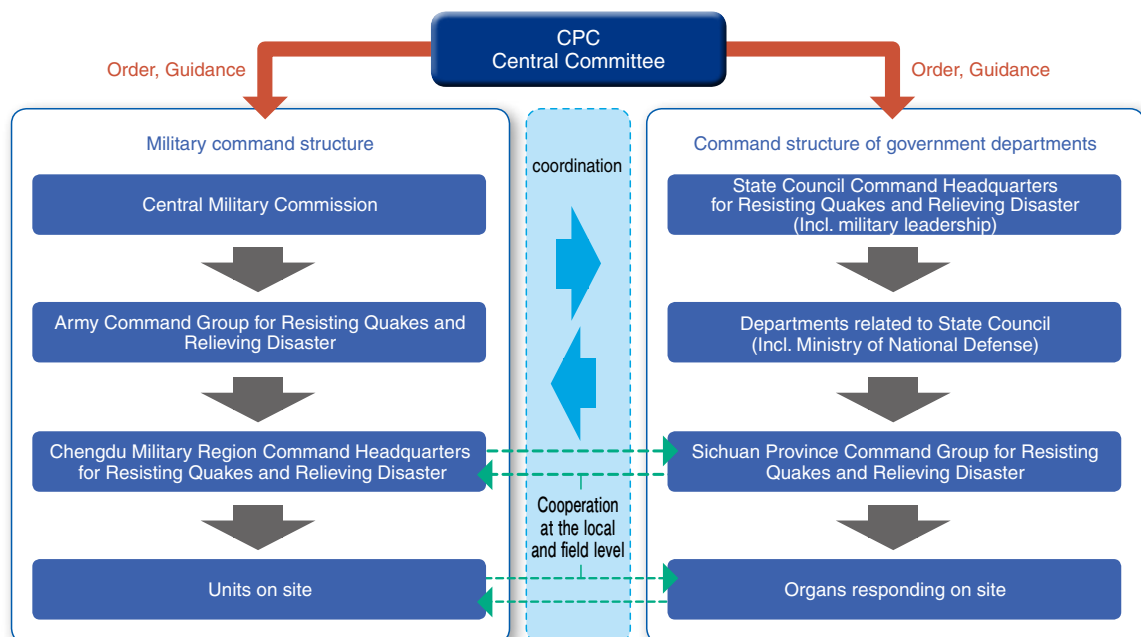
Wenchuan County, recorded a magnitude of 8.0 with 87,000 people listed as dead or missing. Seeing the seriousness of the situation, the CPC Central Committee dispatched around 130,000 servicepersons from the PLA and the People's Armed Police (PAP) for disaster relief operations alongside government departments led by Wen Jiabao, Premier of the State Council. The PLA's rescue and relief activities included life saving, emergency transport of the victims and the providing of relief supplies.

However, at the initial stage of the operation, the PLA refused to send helicopters requested by Premier Wen, and only agreed to do so when the

order was given by Hu Jintao, Chairman of the CMC. The memoirs of the chief of general staff, Chen Bingde, who was the commander of the Army Command Group for Resisting Quakes and Relieving Disaster, the supreme command organized the day after the earthquake, depicts how the PLA continued to send necessary forces under the orders of Hu Jintao.

However, the mechanism to coordinate the PLA and the relevant government organizations was not completely dysfunctional. For example, Guo Boxiong, Vice Chairman of the CMC and other uniformed leaders of the PLA were part of the members of the State Council Command Headquarters for Resisting Quakes and Relieving Disaster, which was led by Wen Jiabao. Also, the Army Command Group for Resisting Quakes and Relieving Disaster organized and led the army's disaster relief operation in line with the overall arrangements made by the State Council Command Headquarters for Resisting Quakes and Relieving Disaster. Chen Bingde writes that Wen Jiabao dispatched Gen Zhenfeng, Deputy Chief of General Staff, who was the deputy commander of the Army Command Group for Resisting Quakes and Relieving Disaster, to a levee that had the danger of collapsing.

Figure 3: Command Structure in the 2008 Sichuan Earthquake



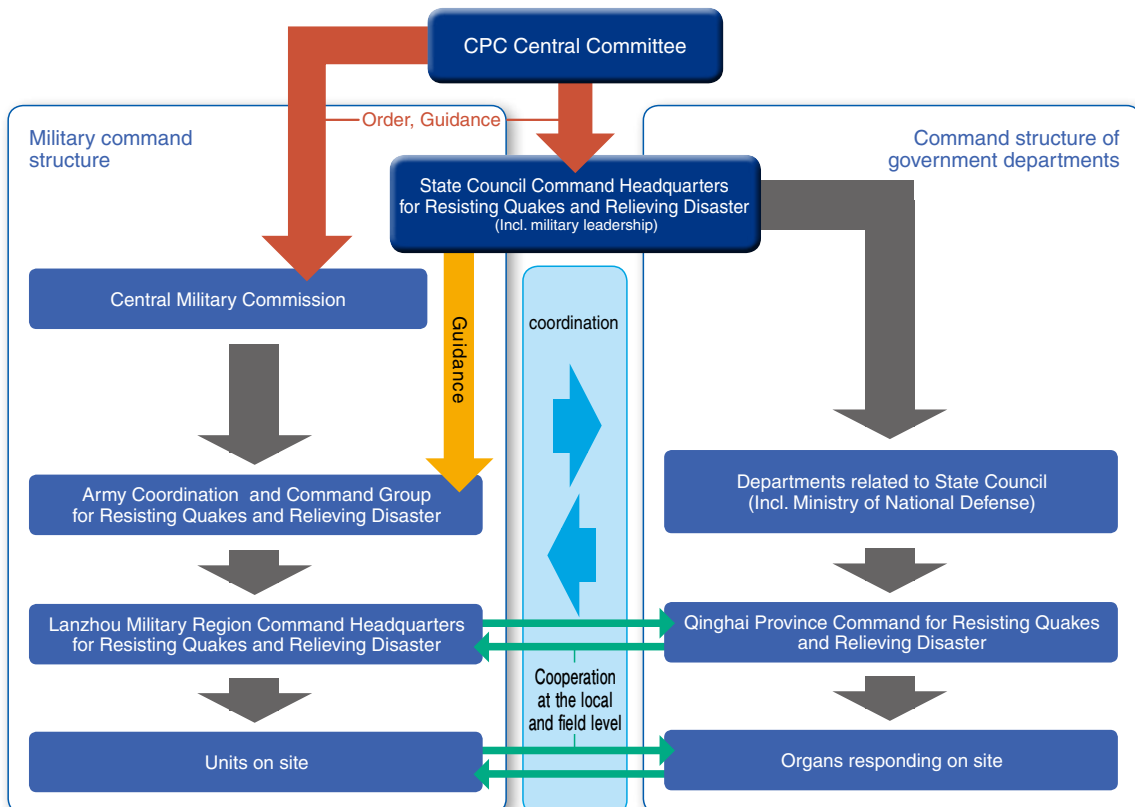
Sources: Compiled from *PLA Daily* and other media reports.

At a meeting chaired by Li Keqiang, first Vice Premier and Deputy Chief Commander of State Council Command Headquarters for Resisting Quakes and Relieving Disaster, a decision was made that the National Development and Reform Commission would be responsible for organizing necessary supplies for relief activities. The Commission responded to the requirements of the PLA General Staff Department without delay. Such evidence shows that, except for the initial stage, coordination between the army and government departments seemed to have functioned well under the leadership of the Central Committee and Hu Jintao.

One of the reasons that coordination in the initial stage did not function well was a lack of definite relevant regulations about the relationship between the PLA and government departments. For example, the Law of the PRC on Protecting Against and Mitigating Earthquake Disasters (promulgated in December 1997), which is the basic law concerning earthquake related operations, states only that “The

Chinese People’s Liberation Army, the Chinese People’s Armed Police Forces and the People’s Militia shall carry out the tasks of protecting against and mitigating earthquake disasters assigned to them by the State,” (Article 8) and does not refer to the relationship between the PLA and the State Council. The Emergency Response Law (promulgated in August 2007), which is the basic law concerning crisis management, states that the PLA, the PAP and the militia shall participate in emergency rescue, relief and handling in accordance with the provisions of this Law and of the relevant laws, administrative regulations and military regulations, as well as the orders issued by the State Council and the CMC (Article 14). But it lacks further clarification on the command structure between the military and the State Council. The same goes with the PLA Regulation on Participation in Emergency Rescue and Disaster Relief (promulgated in June 2005). It limits the authority of the State Council to requesting the dispatch of the forces but does not touch on the command structure between the PLA and the State

Figure 4: Command Structure in the 2010 Yushu Earthquake



Sources: Compiled from *PLA Daily* and other media reports.

Council.

In December 2008, the Law on Protecting Against and Mitigating Earthquake Disasters was revised. The revision reflects the experience of the 2008 Sichuan Earthquake. The revised law states that “the State Council Command Headquarters for Resisting Quakes and Relieving Disaster has the responsibility of leading, commanding and coordinating the resistance of earthquakes and relieving of disasters throughout the country. (Article 6)” Under this provision, commanding and coordinating various departments will be carried out by the State Council whenever a large-scale disaster relief operation becomes necessary. Article 9 states that “the PLA, PAP and the militia shall carry out their resisting quakes and relief duties in accordance with the provisions of this law, other related laws, administrative and military regulations as well as the orders of the State Council and the CMC.” This makes it clear that the PLA must follow the orders not only of the CMC but also of the State Council. By placing the State Council above the PLA, progress has been made in structuring the coordination between the State Council and the PLA. However, a concrete command structure between the PLA and the State Council was not clarified. PLA researchers point out that the revised law is not clear on the command authority in a joint emergency command mechanism and that the existing laws are limited to providing for general rules and lack practical regulations.

Such structural changes were tested by the Yushu earthquake on April 16, 2010. The earthquake had the magnitude of 7.1 and its epicenter was in the Yulshul Tibetan Autonomous Prefecture, commonly known as Yushu, in Qinghai province. More than 2,700 people were listed as dead or missing. As in the case of the 2008 Sichuan earthquake, the CPC Central Committee recognized the seriousness of the situation and dispatched a total of about 13,000 servicepersons from the PLA and the PAP for life saving, rescue and transport, and relief supply distribution. Although Hu Jintao was away in Brazil at the time, civil-military command and coordination mechanism under the State Council Command Headquarters for Resisting Quakes and Relieving Disaster worked more smoothly than during the 2008 Sichuan Earthquake. Such enhanced coordination and the army’s improved

capability in disaster rescue and relief operations are said to have contributed to minimizing the extent of damage and the number of victims.

Marked progress in coordinating functions between the PLA and government departments was seen in the improvement of information sharing structure. Immediately after the earthquake struck, the Office of the PLA Leading Group for Handling Emergencies not only dispatched troops to the earthquake hit area but put in place a communication mechanism with the State Council Emergency Management Office and other government organizations. The Ministry of National Defense made efforts to share information promptly. It held joint meetings with more than 20 departments under the umbrella of the State Council every day and strived to grasp the situation on the ground by strengthening the mechanism to share information between the military and the local government.

However, because there was no legal provision to clarify the command structure involving the PLA and government departments, the State Council Command Headquarters for Resisting Quakes and Relieving Disaster did not give orders on the concrete actions that the PLA should take. The PLA followed the orders of the CPC Central Committee, the CMC and President Hu Jintao and operated under the command of the Army Coordination and Command Group for Resisting Quakes and Relieving Disaster to carry out the decision made by the State Council Command Headquarters for Resisting Quakes and Relieving Disaster. The *PLA Daily* pointed out that the command structure regulated by the Regulations on Emergency Command in Handling Emergencies by the Armed Forces, which was just about to be promulgated, worked effectively in conducting the operation. This article indicates that the PLA appreciates the coordination mechanism where the army can share information with government organizations and take the leadership in the operations. The 2008 Sichuan Earthquake served as a catalyst to structure a military-government coordinating function with the PLA placed under the State Council, and the positive outcome can be seen in the improvement in information sharing in the aftermath of the 2010 Yushu earthquake. However, the details of the command structure involving the PLA and

government departments are still unclear, and the civil influence over the military is still limited. So the military-government coordinating function

during disaster relief operations must be built on the assumption that they would be carried out under the leadership of the Central Committee, the CMC and its chairman.

Military Operations Other Than War

Counter-piracy operations in the Gulf of Aden and evacuation mission in Libya were the first efforts and examples of overseas MOOTW. On December 20, 2008, the Chinese Ministry of Foreign Affairs announced the dispatch of PLAN vessels to the United Nations counter-piracy operations in the Gulf of Aden and off the coast of Somalia. This was the first major military operation for the PLAN in the seas far away from the homeland. Since then, PLAN has been continuously participating in the counter-piracy activity.

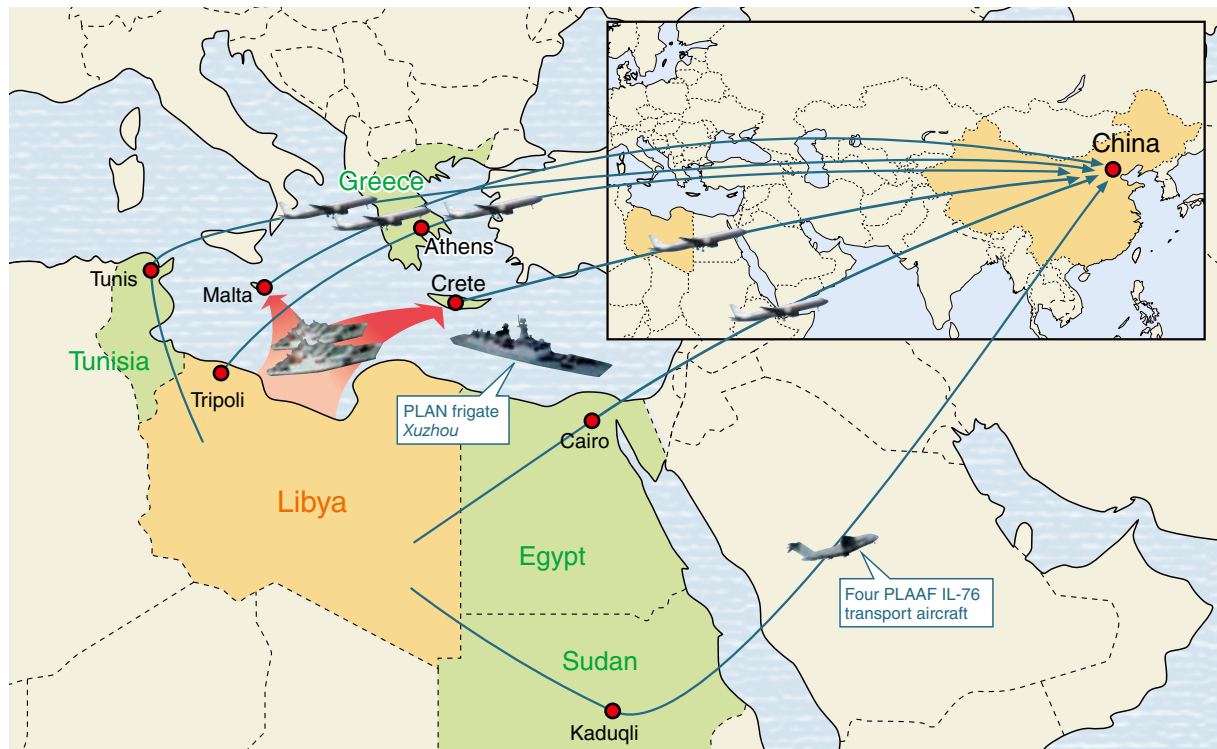
Made by the Chinese shipping industry, the request for the dispatch of the PLAN vessels was studied in detail by the Ministry of Transportation, the Ministry of Foreign Affairs, the PLA and the specialists on the issue. In the end, the decision was made by the CPC Central Committee, the State Council, CMC and Hu Jintao. For the government departments, this decision was not only responding to the domestic shipping industry. There was also a diplomatic consideration that this could serve as a way of enhancing China's national prestige in the international community as a major responsible power. From the PLA's point of view, counter-piracy operations would mean fulfilling its role to protect maritime rights and interests set forth in the "Historic Missions of the Armed Forces in the New Period of the New Century" and would provide invaluable experience in operating in far seas. Also, the diplomatic consideration of the government departments was shared by the PLA. Thus, there was a shared interest between the PLA and government departments in dispatching the PLAN vessels.

In carrying out counter-piracy operations, the PLA secured the initiative while keeping a good relationship with government departments. At first, in order to improve its command and control function at the strategic level in far seas, the PLA established an emergency command mechanism with government departments such as the Ministry of Foreign Affairs and the Ministry of

Transportation. The PLA then used this mechanism to facilitate smooth inter-agency interactions such as inquiries reporting, and coordination, which enable timely decisions while exercising leadership in its operations. It was acknowledged by the Ministry of Transportation that the PLAN should take the initiative in escorting operations and that the role of the Ministry was to cooperate with the PLAN. By obliging the escorted ships to register in advance and sending the collected information to the PLAN the Ministry of Transportation contributed to the smooth running of the operations. Relevant organizations such as the Ministry of Foreign Affairs, the Ministry of Transportation, local governments and Chinese corporations cooperated with the military by sending personnel and ships to the area to assist in supply and recovery activities.

The evacuation mission in Libya was the first time the PLA Air Force (PLAAF) sent its military planes abroad for a MOOTW operation. On February 15, 2011, an anti-government demonstration erupted in Libya and the country, in effect, fell into a civil war. At the time there were about 36,000 Chinese nationals in Libya, including engineers and laborers working in areas such as railways, communication and oil fields.

On February 21, Hu Jintao and Wen Jiabao ordered relevant departments to safely evacuate all Chinese from Libya using every means possible. Under this instruction, the State Council set up an Emergency Command Headquarters the next day. Zhang Dejiang, Vice Premier, was named the general commander (State Councilor Dai Bingguo was his assistant) and You Quan, Deputy Secretary-General of the State Council and Foreign Minister Yang Jiechi were named deputy commanders. The State Council Emergency Command Headquarters comprised of representatives from relevant departments such as the Ministry of Foreign Affairs, Ministry of Commerce, State-owned Assets Supervision and Administration Commission,

Figure 5: Chinese Evacuation Mission in Libya

Note: Arrows on the map do not necessarily indicate accurate routes.

Sources: Data from *Wuhan Morning Post* (*Wuhan Chenbao*), February 25, 2011; *China Newsweek* (*Zhongguo Xinwen Zhoukan*), No. 9 (2011), p. 22.

Ministry of Public Security and Ministry of National Defense, and the Office of the State Council Emergency Command Headquarters was placed under the Ministry of Foreign Affairs. Under the command of the State Council Emergency Command Headquarters, diplomatic missions were named the second layer emergency command and the Chinese companies operating in Libya, the third layer emergency command. They were given the responsibility of carrying out the evacuation. For the evacuation operation, the Chinese government chartered Chinese private planes and ships as well as foreign airplanes, ships and buses.

At the same time, the leaders of the Party decided to employ the PLA for the evacuation mission. After acquiring the permission of the CMC, the PLA sent a frigate, which was in the Gulf of Aden for counter-piracy operations, to protect the ships chartered by the government to evacuate Chinese nationals. To assist in medical activities and evacuee transport the military further dispatched four PLAAF IL-76 transport aircraft and medical corps.

Although the circumstances were difficult, the Chinese government, the PLA, diplomatic missions



PLAAF IL-76 transport aircraft
(IHS Jane's [online news module])

and Chinese companies worked together to successfully evacuate 35,980 Chinese from Libya in a short period of time. There are many Chinese companies penetrating overseas markets and a large number of Chinese are living abroad. Under these circumstances, the PLA sees the evacuation operation in Libya as a model for national defense mobilization that the government fills the core role. The evacuation mission in Libya can be seen as a case where the collaboration mechanism between the PLA and government departments functioned

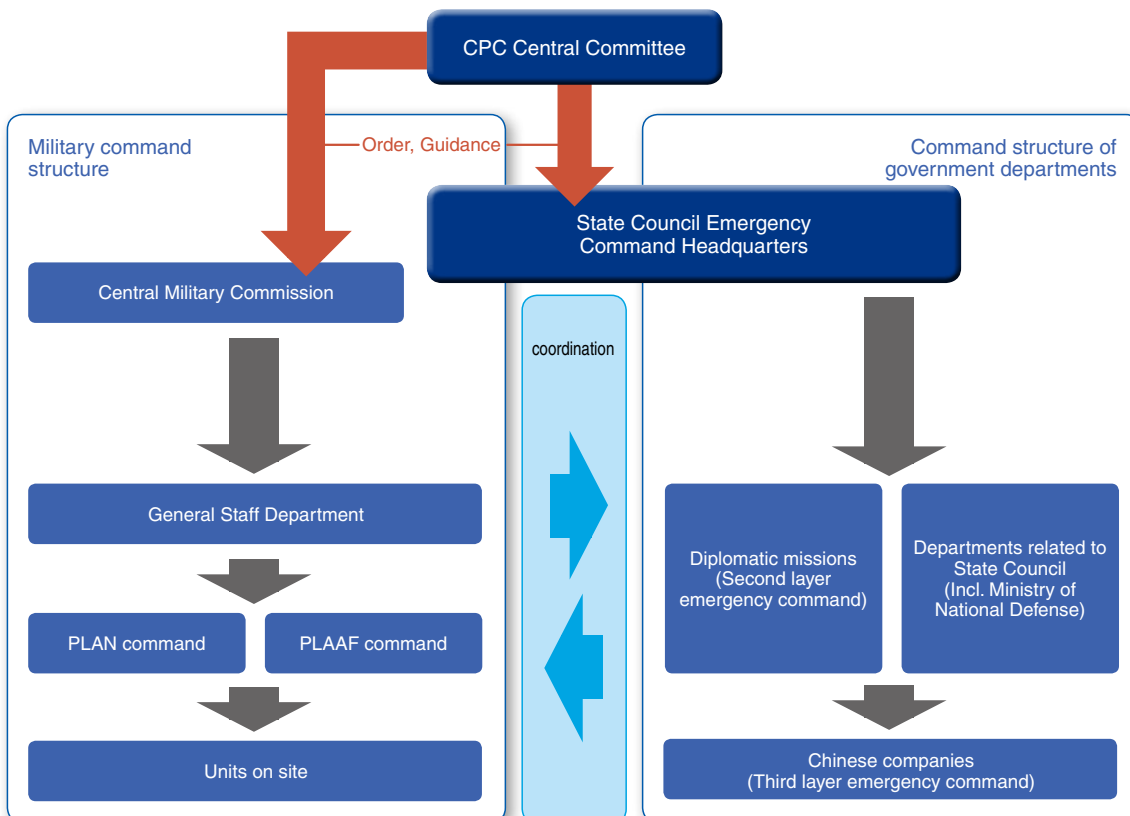
successfully because the decisions were made by the CPC leadership, Hu Jintao and Wen Jiabao.

However, the influence and authority of the government departments on the activities of the military was limited. For example, among the orders given to the relevant organizations which were decided at the State Council Emergency Command Headquarters meeting on February 22, there was no order concerning the armed forces' operations. Military operations were discussed at the PLA General Staff Department meeting the following day, and decisions were made at the CMC and were conveyed to the PLAN and PLA AF command.

The building of the coordination mechanism

involving the PLA, the State Council and the departments under its command is steadily making progress in MOOTW operations as well disaster relief operations. However, the influence of government departments is limited when the military carries out its operations on the ground. The military follows the orders of the Central Committee, CMC and its chairman, who have the supreme command authority. Just as in disaster relief operations, in MOOTW, coordination between the PLA and government departments is built on the assumption that leadership will be exercised by the Central Committee, CMC and its chairman.

Figure 6: Command Structure of the Evacuation Mission in Libya



Sources: Compiled from *Study Monthly (Xuexi Yuekan)*, No. 7 (2011), pp. 29-30; *PLA Daily* and other media reports.

Military-Government Collaboration in Chinese Security Policy

Insufficient Foreign Policy Coordination
PLA's Potential Leading Role in Coastal Defense
Maritime "Rights Protection" Activities

Insufficient Foreign Policy Coordination

As China's international behavior has become increasingly assertive in recent years, some analysts point to the growing role and influence of the People's Liberation Army (PLA) in China's overall foreign-policy process. However, it is hard to assume that the PLA implements a foreign policy different from the policies and guidelines of the Party's Central Committee. General Chen Bingde, Chief of the General Staff of the PLA, stressed that military diplomacy is being implemented "under precise guidance of the Central Committee and the Central Military Commission (CMC)." The PLA's involvement in domestic politics has been on the decline while the PLA was making progress in its professionalization, and the PLA's direct influence on decision-making at the highest level of the Central Committee is not systematically guaranteed.

Nevertheless, because there appears to be a contradiction between the announced policy intentions and the PLA's behavior, the PLA's growing role and influence is still noted. In this regard, it is also noteworthy to mention the degree and direction of policy coordination between the PLA and respective government departments that implement foreign policy. The coordination between the PLA and government departments for the foreign and security policy can be divided into three patterns. The first pattern is that the PLA does not fully recognize the need for policy coordination with the government departments, and the second is that both parties are fully coordinated. The third pattern and part of the second pattern in a broader sense, is that the PLA virtually leads the government departments in policy coordination.

The first pattern can be found in the relationship between the PLA and the Ministry of Foreign Affairs (MFA). Of course, it does not mean that they totally lack in foreign policy coordination. At the Party Central Committee level, the Foreign Affairs Leading Small Group (FALG) having a policy-coordination function, includes the Minister of National Defense as well as a Deputy Chief of the General Staff of the PLA, who is in charge of foreign policy from the military side and a State Councilor in charge of foreign affairs as well as the Foreign Minister. After the Taiwan Strait crisis from 1995

to 1996, China began to place more emphasis on strengthening communication between its military and the MFA. However, policy coordination implemented at the FALG and the Central Foreign Affairs Office serving as the administrative body of the FALG, mainly involves the relationship between the leadership of the Party and entities implementing foreign policy. Therefore, the FALG as a mechanism does not necessarily enable constant policy coordination between the PLA and the MFA; institutionalization of policy coordination is yet to be achieved.

Experts in China have questioned the lack of coordination among departments, including the PLA, in the process of implementing foreign policy. For example, Professor Wang Yizhou, Vice Dean of School of International Studies, Peking University, stressed in an interview by *Leadership Magazine* (*Lingdao Wencui*) in 2010 that there is still not enough policy coordination between the PLA, the commerce department, and the MFA that are primary implementing bodies of China's foreign policy. As for the coordination between the PLA and the MFA, Wang referred to the military exercises conducted by the military in the South China Sea, the East China Sea, and the Yellow Sea and stated that "the PLA's recognition of its right to hold independent events" led "the MFA to lose time to have enough discussions," indicating a possibility that the PLA and the MFA did not have enough discussions and policy coordination in advance.

Prior to U.S.-South Korea joint exercises conducted in July 2010 as part of a response to the Cheonan incident in late March, the participation of the aircraft carrier USS *George Washington* in the exercises in the Yellow Sea was announced. The PLA made an outraged response to the announcement; on July 1, General Ma Xiaotian, Deputy Chief of the General Staff of the PLA, stated to the Hong Kong media that: "the location of the upcoming drill is very close to the Chinese sea area, and China will strongly oppose it." Besides making verbal statements of its opposition, the Chinese military conducted a series of drills and exercises, including an anti-ship missile drill by the PLA Navy (PLAN) and a long-range rocket drill by the Nanjing Military

Region artillery forces in the waters near the Yellow Sea and the East China Sea in June and later. These drills and exercises are probably the ones that Wang noted. The PLA claimed that the series of exercises were all “regular military exercises” based on its annual training plan.

There is a possibility that the PLA did not coordinate with the MFA in advance regarding General Ma’s statement. The MFA initially avoided commenting on the statement. On July 6, the MFA spokesperson expressed “serious concerns” about media reports on Ma’s statement and said that China would “watch closely the development of the situation and further express its pending position on the situation.” On July 8, the spokesperson expressed the view that: “We firmly oppose foreign military vessels or planes entering the Yellow Sea and other waters adjacent to China to engage in activities that would impact on its security and interests.” This view was repeatedly expressed on July 13 and 15. In other words, the PLA and the MFA coordinated their policy statements after the fact, preceded by PLA’s words and actions.

As for the anti-satellite (ASAT) weapons test to destroy a satellite conducted by the PLA in January 2007, it is also highly likely that the PLA and the MFA did not have prior policy coordination. The January 17 issue of *Aviation Week & Space Technology* (online version), an American aerospace magazine, initially reported China’s ASAT test conducted in the early morning of January 12. On the next day, the United States government basically confirmed reports on the ASAT test. On the other hand, the Foreign Ministry spokesperson initially took a vague stance that the Chinese government was

taking into account related reports. The MFA officially confirmed the ASAT test on January 23, eleven days after the test, and it appears that the PLA and governmental departments including the MFA did not consult with each other in advance regarding the test. According to Professor Sun Zhe, Director of the Center for Sino-U.S. Relations at Tsinghua University who was serving as an advisor to the China Association of Peaceful Use of Military Industrial Technology (CAPUMIT) at the time, the PLA did not notify governmental departments, including the MFA about the ASAT test while at the same time giving notice to many military-related departments treating the test as one of the “regular tests.”

Of course, as part of the international strategy of the Party and the state, the PLA actively conducts military diplomacy such as strategic consultations with national defense authorities in other countries as well as joint drills and exercises with foreign militaries. In this context, there is a view in the PLA that it should contribute to realizing China’s overall international strategy by more actively coordinating with the MFA. For example, the study project of all forces jointly conducted by the PLA National Defense University, the Foreign Affairs Office of the Ministry of National Defense, and the PLA College of International Relations for drawing up the 11th Five-Year Plan (2006-2010) indicated that: “Armed forces are a significant part of the state’s diplomatic strength, and cooperation with the government must be strengthened” because of the need for “handling contradictions that arise between military diplomacy and other diplomatic activities,” and the study also touched upon the necessity of cooperation with government departments such as the MFA.

However, the PLA does not view its potential contradictions with the MFA as fundamental ones. This is because the PLA’s military diplomacy needs to serve its military strategy while being implemented within national foreign policies, and as a result, the PLA’s military diplomacy cannot be perfectly matched with foreign policy practiced by diplomatic authorities. This logic highlights the need for communicating the PLA’s “strong determination” to protect China’s security interests, as well as the PLA’s objective of military

diplomacy to take a cooperative diplomatic stance. The above-mentioned study project also points out, based on the same logic, that military diplomacy “has its own characteristics and rules” different from the diplomacy that other government departments practice and that they “must hold different characteristics.” Thus, military diplomacy is implemented in China’s overall international strategy, while being part of military strategy, and is not necessarily expected to correspond to diplomacy implemented by other government departments.

In 2010, the PLA announced the series of

military exercises as “regular military exercises” and notified only military-related departments of the ASAT test in 2007 as a “regular test.” These situations suggest the possibility that the PLA considered these two cases as traditional defense agenda and did not recognize the need for prior coordination with departments such as the MFA. If a policy issue is determined by the PLA to be an agenda exclusive to the military, its external effects may not be taken into consideration. As a result, poor PLA-MFA policy coordination could lead to China’s unintended consequences.

Column

Increasing Voice of Retired Major Generals

High-ranking and retired officers of the People’s Liberation Army (PLA) who are/were attached to the PLA National Defense University, PLA Academy of Military Science (AMS) and other institutions are frequently featured in domestic and international media offering spirited opinions and debate. While China’s defense and military strategies have still not been fully explained, many sections of the press both within and outside China take their statements as being indicative of an official policy of the PLA or the Communist Party of China (CPC).

Major General Luo Yuan, Deputy Secretary General of China Association of Military Science, is a typical example of this trend. Luo Yuan joined the PLA in 1968, and has spent most of his career as a military researcher at the AMS since 1978. More recently, he is anything but evasive about certain issues such as joint military exercises engaged in by the United States in China’s surrounding waters, the Scarborough Shoal standoff, and the issues surrounding the Senkaku Islands. He often suggests a more belligerent response by the PLA to these issues.

Many roundtable discussions were held within China as a result of the nationalization of the Senkaku Islands by the Japanese

government on September 11, 2012. Along with Luo Yuan, Rear Admiral Yang Yi, Major General Xu Guangyu, Major General Wang Haiyun and Major General Peng Guangqian took part in a discussion meeting at which they expressed the PLA’s determination to safeguarding China’s sovereignty. This declaration by the “PLA Major Generals” was widely reported by both domestic and international media.

Most of these “PLA Major Generals” are, however, retired officers who are not currently active within the military. Ranks within the PLA are traditionally “honorary.” Current regulations of the PLA on military service of officers (Article 48) states that once an officer retires, his or her rank should be preceded by the term “retired.” However, the abovementioned officers, usually maintain the title of “Major General” or “Rear Admiral” in most situations, despite having retired. Accordingly, comments made by retired Major Generals and Rear Admirals are often distributed by the media as those of so-called “PLA (Major) Generals.” For this reason opinions of retired officers, however, should not necessarily be taken as officially representative of the military.

Particular attention is paid to the Chinese People’s Political Consultative Conference

(CPPCC), which is held in March each year, as a source of statements made by PLA strategists. It is attended by various political parties and groups, people's organizations and ethnic peoples. Considered to be a consultative conference for national policy, CPPCC members include retired Rear Admiral Yin Zhuo, as well as Major General Jin Yinan, Deputy Director of the Research Department at the PLA National Defense University, and Luo Yuan, among others. Comments made by these "PLA Major Generals" or "PLA Rear Admirals" are quoted frequently, regardless of whether they are currently active or retired. There is no official quota within the CPPCC for "PLA delegation." Rather, Yin Zhuo participates in the CPPCC as member of the "science and technology" group, and Jin Yinan and Luo Yuan are members of the "social sciences" specialists group. Compared to the military delegates' role in the National People's Congress (NPC) that has spots designated for the PLA delegation, CPPCC members' role as PLA representatives is basically small.

Regardless of whether they are retired Major Generals or currently active Major Generals, however, the declarations of these men seem

to reflect, to a certain extent, the will of the PLA or the Party's leadership. General Liu Yuan, political commissar of the PLA General Logistics Department, has been pressing ahead with proactive discourse, citing the statements of General Secretary Hu Jintao, while indicating that one of the Party's leadership theories is "verbal coercion and military preparation." Liu then said: China should simultaneously implement military menace and practical action, and prepare for military struggle using a combination of politics, economics, cultural and diplomatic methods. Luo Yuan, interviewed in the *Global People (Huanqiu Renwu)*, a subsidiary magazine of the *People's Daily (Renmin Ribao)*, described himself as a "rational hawk," while referring to the fact that Liu Yuan believes the military must hold to the principle of "verbal coercion and military preparation," and must not fall into "verbal defensiveness and lack of military preparation," emphasizing the need for his discursive activity. An outline of this interview was also published in the overseas edition of the *People's Daily*.

Furthermore, the statements of PLA strategists, whether active or retired, come

Table 7: Affiliation of the "PLA Major Generals"

	Service	Original Position	Current Position
Luo Yuan	Army	Deputy Head, Department of World Military Research, PLA Academy of Military Science (AMS)	Deputy Secretary-General, China Association of Military Science; Executive vice president, China Council for the Promotion of Strategic Culture; CPPCC member
Yang Yi	Navy	Head, Strategic Research Institute, National Defense University	Executive Vice President, Northeast Asia Development Institute
Xu Guangyu	Army	Vice President, PLA Defense Institute	Board Member, China Arms Control and Disarmament Association
Wang Haiyun	Army	Military Attaché to Russia	Senior Advisor, China Institution for International Strategic Studies; Senior researcher, China Foundation for International Studies
Peng Guangqian	Army	Director, Academic Board of Department of World Military Research, PLA AMS	Deputy Secretary-General, National Security Policy Committee, China Association of Policy and Science; Advisor, Strategic Research Center, Northeast Asia Development Institute
Yin Zhuo	Navy	Senior researcher, PLAN Equipment Research Center	Director, Navy Information Technology Commission; CPPCC member
Zheng Ming	Navy	Head, PLAN Armament Department	Vice President, China International Exchange Association

Sources: Compiled from Chinese sources.

under the leadership of the Party organ attached to the organization. They are obliged to report on their research activities to the Party organ, and accordingly their discourse basically never goes beyond the Party's policy guidelines. Furthermore, some PLA strategists have given lectures at "group study" within the CPC Politburo, while some of them have acted, post-retirement, as advisers to government or military-related research institutions, placing them in close proximity to policy authorities.

During the period in which the CPPCC sessions were held in March 2012, Major General Luo Yuan commented on the territorial disputes in the South China Sea. In order to demonstrate China's sovereignty, Luo pointed out that the country will "use military measures as a strong backup," but that at the same time it must demonstrate "five presences." These comprise firstly, an "administration presence," typified by local government and the People's Congress, and secondly, a "legal presence." Thirdly, he says, they require a "military presence," which includes the positioning

of the military and patrol activities. Fourthly is an "economic presence," including fishing activities and development activities of natural resources, and finally, Luo says, they require a "presence in public opinion," in order to ensure that international society recognizes China's sovereignty. This argument coincided with the China's decision to establish Sansha City in June of the same year, and the subsequent policy developments regarding the establishment of the Sansha military garrison in July. In September, the Chinese government announced the baseline for the territorial sea of the so-called "Diaoyu" Islands, which is considered an example of said "legal presence."

Little is known of the extent to which the words of these "PLA Major Generals" actually impact the policy decision-making process in China. Their arguments, however, give some indications in regard to China's future policy options. Therefore, more attention should be paid to the future discourse of the "PLA Major Generals" and "PLA Rear Admirals."

PLA's Potential Leading Role in Coastal Defense

A clear pattern of collaboration between the PLA and government departments can be found in the field of maritime security. A typical example is the obstruction of the USNS *Impeccable*, a U.S. oceanographic ship, by Chinese ships in March 2009. On March 8, an intelligence collection ship of the PLAN, a patrol vessel of the China Marine Surveillance (CMS) under the State Oceanic Administration (SOA), a patrol vessel of the China Fisheries Law Enforcement Command (FLEC) of the Ministry of Agriculture, and two trawlers surrounded and disturbed the USNS *Impeccable* which was conducting operations in the waters approximately 120 km south of the Hainan Island. The United States expressed concern to Chinese authorities in Washington and Beijing regarding the obstructive behavior of the Chinese ships. On

March 11, a spokesperson of the Chinese Foreign Ministry and the Ministry of National Defense claimed that China conducted "normal activities of law enforcement" against illegal activities by the USNS *Impeccable* in China's Exclusive Economic Zone (EEZ) without permission from the Chinese government.

China's decision to claim the USNS *Impeccable*'s operations as "illegal activities in the EEZ" and to obstruct it was the result of the prior coordination among the PLAN and the government organizations, as a close examination of the events would indicate. In a series of these actions, the PLAN initially detected the operations of the USNS *Impeccable*. On March 7, two days later, the PLAN intelligence collection ship demanded that the USNS *Impeccable* leave the waters and warned that

it “would be responsible for all the consequences” if it refused to leave. On the same day, the South China Sea Branch of the SOA dispatched *Haijian 83* to conduct surveillance on the USNS *Impeccable*, and the South China Sea Fishery Bureau dispatched *Yuzheng 302*, which was on a mission in Mischief Reef (*Meijijiao*), to the waters to execute a mission to track, monitor, and drive out the ship. Moreover, the South China Sea Fishery Bureau sent two trawlers to the waters as well.

These developments indicate that information regarding the activities of the USNS *Impeccable* was shared between the PLA and maritime law enforcement agencies and those respective roles in the waters were coordinated to some extent. The USNS *Impeccable* incident is an example where the recognition of the significance in safeguarding the security of the waters around China is strengthened across departments, thereby facilitating cooperation between the PLA, maritime law enforcement agencies such as the CMS and the FLEC, and the MFA.

China’s emphasis on maritime security has been clearly expressed since the mid-2000s. In August 2004, the national work meeting on construction of border and coastal defense infrastructure was held in Beijing. At the meeting, the success of the construction of a border control infrastructure since the 1990s was confirmed, and at the same time, it was confirmed that China would place policy emphasis on the construction of coastal defense infrastructure of the “sea frontier” which has been stagnant over a long period of time. As a result of the meeting, the infrastructure construction projects, the largest of their kind since the founding of the People’s Republic of China (PRC), began, with the aim to achieve informatization and integration, to establish maritime surveillance control centers and facilitate networking by building the Internet. Some 100 maritime surveillance control centers were built during the five years through the end of 2009, leading to initial construction of surveillance control networks in the Yellow Sea, Bo Hai, and southeast coastal areas.

In parallel, China is improving the capability of the maritime law enforcement agencies, especially the CMS. After large patrol vessels, capable of highly mobile operations in the EEZ, were built in

the period of the 10th Five-Year Plan (2001-2005), the CMS began to expand the area of operations through joint training with ships and aircraft, and initiated regular patrols of the South China Sea and the East China Sea in the period of the 11th Five-Year Plan (2006-2010). As of July 2012, the CMS owned 27 patrol vessels in the 1,000 ton-class or above and nine aircraft. According to SOA director Liu Cigui, the CMS is building 22 large-scale (1,000tons+) patrol vessels which will be operational by 2014. As few large-scale patrol vessels are deployed to other maritime law enforcement agencies such as the FLEC, agencies are introducing symbolic large-scale patrol vessels and 300 to 500 ton-class patrol vessels with enhanced mobility.

China is concerned that this improving capability is not leading to an overall effect. Article 27 of the 1997 National Defense Law stipulates that the CMC “leads uniformly the work of frontier defense, coast defense, and air defense” and states, with the implementation of integral frontier, coast, and air defense policies in mind, that local governments at various levels, relevant departments under the Chinese State Council, and relative military organs shall “divide the responsibility among themselves to take charge of the supervision of frontier defense, coast defense and air defense, and make a joint effort to maintain national security and interests.” However, Jiang Shuming, head of the navy section under the Jinan Military Area Command, says that the vertical structure due to the existence of several maritime law enforcement agencies is quite problematic, causing adverse effects on the establishment of a legal framework, building units, and construction of equipment and facilities.

In China, it is not so easy to build a uniform system for coastal defense because there are over ten maritime agencies and departments at the central government level, including the National Development and Reform Commission, the SOA, the Ministry of Agriculture, the Ministry of Public Security, and the MFA. In addition, the Ministry of Public Security, the SOA, the Ministry of Transportation, the Ministry of Agriculture, and the General Administration of Customs (GAC) have their own respective maritime law enforcement agencies. As a result, there have been problems of inconsistency in operation, decentralization of the management system, and overlapping responsibilities among the maritime law enforcement agencies. Admittedly, the National Committee on Border Defense, established in 1991, assumed handling of policy coordination between departments relevant to the work of border defense, under the directive of the CMC and the State Council. According to Zhou Yongkang who served as chairperson of the committee from 2004 to 2008, it is a “basic trend” to “build a unified paramilitary organization in charge of two missions of defense and management.” However, the decentralized situation, where five maritime law enforcement agencies (the CMS, the FLEC, the Maritime Safety Administration, the Maritime Police, and the GAC) can individually decide their own action, has not basically changed.

China began to seek ways for enhancing the function of coast defense policy coordination to improve such a circumstance. In the process of the search, the afore-mentioned third pattern in which the PLA virtually leads the government departments in policy coordination, has been almost established. At the end of 2005, a circular was jointly issued by the General Office of the State Council and the General Office of the CMC to rename the National Committee on Border Defense to the National Committee on Border and Coastal Defense. At the local level, the names of the committees on border defense were changed to committees on coastal defense or committees on border and coastal defense, depending on their duties. The change in the name of the committee made it clear that coastal defense is subject to policy coordination carried out by the committee at a respective level; thereby

coordination between functional departments relevant to coastal defense is strengthened not only at the central level but also at the local level. The National Committee on Border and Coastal Defense is considered as the center of a leading mechanism for uniformly managing the pluralistic coastal defense system and provides guidance on coordination among departments and agencies through notifications and visitations. In addition, committees on border and coastal defense at respective levels coordinate currently overlapping duties and authorities in respective departments and agencies.

In the framework of the National Committee on Border and Coastal Defense, the PLA holds an important position. In 2008, Chinese Defense Minister Liang Guanglie succeeded Zhou Yongkang as the chairperson of the Committee. This position is vital because when a change occurs in the activity of government and military departments which are members of the Committee requiring coordination with other departments, the committee chairperson must approve it following a screening by an administrative body. In addition, the Office of the National Committee on Border and Coastal Defense is established in the Operations Department of the PLA General Staff Department (GSD) where the director of Operations Department serves as the chief of the Office, and the deputy director of Operations Department or the director of the Bureau of Border Defense under the Operations Department serves as the deputy chief of the Office. The GSD conducts policy coordination among departments and activities by the National Committee on Border and Coastal Defense such as a field survey. These organizational arrangements suggest that the role of the PLA in policy coordination has grown in the system.

At this time, the function of committees on border and coastal defense at various levels has been limited to policy coordination on the basis of the pluralistic coastal defense system. Therefore it is hard to expect the establishment of an unified coastal defense system in China in the near future. Many of the policies related to coastal defense management implemented by agencies are stipulated by ministerial ordinances; thereby it is essential to pass legislation stipulating roles of each agency and the distribution of duties so as to avoid overlapping

policies. Policy authorities and implementing agencies also advocate speedy legislation. However, maritime law enforcement agencies in particular have a tendency to stress the need for legislature based on their own organizational interests, making it more difficult to coordinate interests between departments and agencies.

Despite the institutional challenge, the partnership between the PLAN and maritime law enforcement agencies in terms of unit operation has been making progress. For example, the Xiamen Maritime Garrison of the PLAN led a joint exercise “Luhai-2008” in May 2008 for maritime search and rescue as well as transportation of the injured, in cooperation with such agencies as the Xiamen Maritime Affairs Bureau, the Xiamen Customs, and the Xiamen Search and Rescue Center. In May 2009, the Xiamen Maritime Garrison also led the full-scale joint air and maritime search and rescue exercise “Luhai-2009” with the navy units, the Xiamen Maritime Affairs Bureau, the Xiamen Customs, the Xiamen Search and Rescue Center, and the fire department. In this exercise, rescue helicopters, anti-submarine boats, frigates, transportation boats, and tugboats were deployed, and mission categories, information sharing, and chains of command in maritime rescue operations were checked.

More recently, the PLAN Shanghai maritime garrison, a garrison newly established in March 2012 based at the Shanghai Logistic Base, led a joint exercise in June. The PLAN, the Border Control Department of Shanghai Municipal City, the East China Sea Branch of the SOA, the Shanghai Maritime Affairs Bureau, the East China Sea Fishery Bureau, and the East China Sea Search and Rescue Center took part in the joint exercise aimed at improving coordination of the navy and administrative patrol vessels under the scenarios of early warning operations, maritime defense operations, attacks on enemy vessels, island defense, and anti-torpedo operations. In a series of drills, based on a scenario that an “enemy” ship was conducting maritime surveillance in China’s EEZ in the East China Sea, a frigate, two tug-boats, a CMS patrol vessel, and a CMS aircraft were deployed to conduct a drill for patrolling and obstructing the “enemy” ship. The contents of the drills indicate that China expects the PLAN and maritime law enforcement agencies to jointly carry out maritime “right protection” operations in peacetime as well as combat operations in the waters around China.

It is true that the details of activities by the National Committee on Border and Coastal Defense are not fully made public, and the PLA’s actual influence on policy coordination is unclear even though the role of the PLA is growing in terms of the system. If progress is made in the cooperative relationship between the PLAN and maritime law enforcement agencies in the coastal defense after they go through policy coordination in the National Committee on Border and Coastal Defense in which many government departments participate, then China will have achieved it through its collective will. In this regard, future developments with the Committee, supposedly having a policy-coordination function would be a matter of concern, along with any developments of policies in the PLA and the PLAN.

Maritime “Rights Protection” Activities

Emerging functional cooperation between the PLAN and maritime law enforcement agencies signifies that China’s leadership is increasingly

conscious of a danger in maritime security. In January 2010, the National Committee on Border and Coastal Defense hosted the fourth national work

meeting on border and coastal defense. It was held 16 years after the third national work meeting in 1994 and attended by a total of 320 delegates from military and government departments. Leaders of the Party's Central Committee, including General Secretary Hu Jintao and Premier Wen Jiabao, met with the delegates. Chinese major media pointed to changes taking place in the surrounding security situations as the reason behind holding the meeting for the first time in 16 years. One of the changes was that China had increased experience in resolving some land boundary disputes, thus creating a need for summarizing overall outcomes. It was also underlined that "a new issue" was arising between China and a neighboring country over coastal defense.

PLA strategists have more clearly expressed awareness of danger in the maritime security environment. For example, Major General Fu Yi, commander of the Zhejiang Province Military District, stated that Chinese Defense Minister Liang Guanglie referred to the goal of "building a unified, largely effective, solid, and informatized border and coastal defense" at the fourth national work meeting on border and coastal defense, and Fu argued that China should focus on international security situations to advance coastal defense work. The first point to be stressed was the awareness that the situation in safeguarding maritime sovereignty has been increasingly challenging. In other words, Fu said, countries such as the United States have deployed forces to China's "sea frontier" so as to restrain its assertive behavior, which has become, in turn, "a serious military threat to China," and China has disputes over the sovereignty of islands as well as territorial issues in the waters of neighboring countries, thereby "imposing immediate danger to China's maritime security." Moreover, Fu referred to resource development by some coastal countries and interference with Chinese fishing activities in the South China Sea, insisting that "demands for safeguarding maritime interests have become clear."

Defense Minister Liang Guanglie said at the national work meeting on border and coastal defense that: "defending China's sovereignty, territorial security and maritime interests should be a holy mission of the country's border and

coastal defense work" and called for strengthened cooperation between relevant departments. Based on the awareness of such circumstances, maritime defense policies and guidelines are confirmed between relevant departments and implementing agencies and functional cooperation such as the joint exercises is strengthened between the PLAN and maritime law enforcement agencies.

In coastal defense policies, China's interests to be achieved includes more than just safeguarding its sovereignty, rights, and interests. On one hand, Defense Minister Liang considered the safeguarding as "a holy mission." He also stated at the fourth national work meeting on border and coastal defense that: "The important task of border and coastal defense should also contribute to improved relations with neighboring countries" on the other. According to *China Fishery News (Zhongguo Yuye Bao)* (February 8, 2010) the meeting highlighted the importance of the 2002 Declaration on the Conduct of Parties in the South China Sea and the 2008 China-Japan principled consensus on the East China Sea issue. The meeting also urged relevant departments and agencies to "faithfully implement the policy of 'do good to our neighbors, treat our neighbors as partners' (*yulin weishan, yilin weiban*) to develop exchange and cooperation in border and coastal defense" as well as to "protect the national sovereignty and maritime interests."

In China's coastal defense policy, it is not easy to achieve safeguarding sovereignty, rights, and interests, as well as amicable relationships with neighboring countries. A senior MFA official considered China's "sea frontier" as "defense lines" and also the "ties" for developing good neighborly and friendly relations. He said, China advocates friendly consultation regarding disputed territory and rights; China will not tolerate the slightest infringement of its own territorial sovereignty and maritime rights; and China will resolutely hit back at willful nibbling of its sovereignty and maritime rights. Questions would be how the nature of an issue to be dealt with is recognized and to what extent China recognizes it is in dispute with surrounding countries over sovereignty and interests in the maritime domain. However, China's responses to South China Sea issues in recent years indicate that the existence of a dispute is basically denied.

It certainly does not mean China denies the role of diplomatic talks over maritime issues in its surrounding waters. For example, Luo Zhaohui, Director-General of MFA's department of Asian affairs, argued that China has economically been "shelving the disputes and working for joint development" (*gezhi zhengyi, gongtong kaifa*) and has been actively politically engaged in "maritime diplomacy" to "deepen trust and resolve doubts," under the premises that China has the sovereignty in the disputed waters. However, PLA strategists and maritime law enforcement agency officials insist on the priority of law enforcement activities. For example, Senior Colonel Xie Dan of the PLA Military Court pointed out that: "China cannot remain in such a passive situation that it holds back its development and its counterparts competitively develop." He further emphasized the need for strengthening management and control over Chinese waters and building up maritime law enforcement agencies. In China, maritime disputes with surrounding countries in recent years have been increasingly viewed as infringement on China's sovereignty and interests, making it more difficult to implement cooperative diplomatic policy in a process of implementing a coastal defense work.

As Defense Minister Liang Guanglie puts an

emphasis on "a holy mission," policy priority is assigned to safeguarding maritime rights and interests, while maritime law enforcement agencies intensify operations to protect them. China's stance to focus on the role of maritime law enforcement agencies instead of military power in safeguarding maritime rights and interests may be viewed as the will of the Chinese leadership aspiring to avoid escalating disputes. However, the PLAN has already begun exercises for "rights protection" operations on the sea jointly with maritime law enforcement agencies. In addition, a helicopter squad of the Guangzhou Military Region conducted a maritime defense patrol mission in the waters surrounding the Wanshan Islands in March 2012. According to the *PLA Daily*, it was the first time that an aviation unit of the Army conducted a maritime patrol mission.

Judging from these circumstances, the Chinese military is likely to be deployed to the "rights protection" operation missions on the sea in support of the maritime law enforcement agencies if neighboring countries send their military forces for protection of their rights and interests to an area disputed by China. Thus, the neighboring countries will need to respond with an assumption that the PLA and/or PLAN may be brought in.

PLA's Desire to Institutionalize Policy Coordination

Legislative Activity

Maritime Domain

Non-traditional Security

Public Order Maintenance Activity

Legislative Activity

As the legal systems relating to the People's Liberation Army (PLA) have been developing, the National People's Congress (NPC) is becoming more important to the PLA. This is due to the fact that the PLA is unable to singlehandedly enact the basic laws defining its own organization and conduct among many laws relating to military issues, which must be passed by the NPC.

Each delegate to the NPC may propose new laws using a format known as *yi'an*, or legislative proposal. Proposals that are acknowledged as legally necessary by the various specialist committees making up the Standing Committee of the NPC are absorbed into legislative planning, subject to the approval of the Central Committee of the Communist Party of China (CPC), and consideration is given to enshrining them in law. Delegates of the NPC Standing Committee are able to express their opinions using a format known as *jianyi*, or suggestion. *Jianyi* differs from *yi'an* (legislative proposal) in that it represents no more than a simple expression of opinion, which has no immediate impact on legislation or policy decision-making. However, *jianyi* often plays a significant role by setting the policy agendas through the expressions and/or debates which it initiates in the NPC.

Because it provides virtually the only public arena where the army can express their opinions externally, the NPC is important for the PLA. The

exact process of how the PLA is involved in foreign and security policy making processes remains unclear and incomprehensible. However, since the Congress is the only public arena for the PLA, analysis of the military's activities within the NPC provides clues to understand how they recognize their interest and what their preferences are.

Separate to the delegations from various provinces and autonomous regions, the PLA participates via its own independent delegation within the NPC and the scale of this delegation peaked during the Cultural Revolution, when the involvement of the military in politics was at its height, at 16.8% of the entire Congress. Subsequently this ratio has fallen consistently, but during the 11th NPC (2008-2013) the delegation still maintained a significantly larger presence at approximately 9% (265 delegates out of a total of about 3,000) than the size of those from other provinces and autonomous regions.

Opinions of military delegates expressed in the NPC, in principle, represent the views of the PLA. Military delegates to the NPC are selected based on the guidance of the Party organization within the PLA, and when revisions were made to the legal regulations relating to the selection method for PLA delegates to the NPC, they were explained by General Li Jinai, Director of the PLA General Political Department (GPD). Considering this along with the fact that the delegates' investigations

Table 3: Number of Proposals at the NPC

	1998	1999	2000	2001	2002	2003	2004
Proposals by military delegates	10	11	18	29	26	23	39
Total	830	759	890	1,040	1,194	1,050	1,374
Ratio (%)	1.20	1.44	2.02	2.78	2.18	2.19	2.84

2005	2006	2007	2008	2009	2010	2011	2012
14	21	18	—	9	8	11	13
991	1,006	796	462	518	506	566	489
1.41	2.09	2.26	—	1.73	1.58	1.94	2.65

Sources: "Why the Numbers of Proposals to the NPC is Decreasing?," *South China Weekend (Nanfang Zhoumo)*, March 11, 2010; "Report on Proposals and Opinions Presented to the Third Session of the 11th NPC," *People's Daily*, March 14, 2010; "Report on Proposals and Opinions Presented to the Fourth Session of the 11th NPC," *People's Daily*, March 14, 2011; "Report on Proposals and Opinions Presented to the Fifth Session of the 11th NPC," *People's Daily*, March 14, 2012.

and research are carried out on an institutional basis by the GPD, the activities of the NPC's military delegates are very likely to be implemented under the instructions of the GPD. For this reason, it appears that the military delegates to the NPC are making *yi'an* proposals and *jianyi* suggestions based not only on their own perspectives but also on consideration of the PLA's views.

In terms of the state of *yi'an* proposals, military delegates made around 10 per year during the 11th NPC (2008-2013), less than during the five-year period of the 10th NPC (2003-2007). The total number of proposals during the 11th NPC has fallen, however, and not merely those made by military delegates. Furthermore, during the period prior to 2007, military delegates presented multiple proposals unrelated to security issues, and so in fact there has been almost no change in the number of proposals made that relate to military and security issues.

There are no clear indications of the total number of *jianyi* suggestions, but according to the *PLA Daily*, 132 *jianyi* suggestions were made by military delegates during the fourth session of the 11th NPC in 2011, and 128 in the fifth session in 2012. The total number of proposals and *jianyi* suggestions submitted by military delegates was lower than those made by other regional delegates. During the fifth session, a total of 489 *yi'an* proposals were made by all delegates, of which military delegates' proposals comprised only 2.65%. During the same period, the total number of *jianyi* suggestions was 8,189, with only 1.6% of this total originating from military delegates. Given the fact that military delegates make up approximately 9% of all

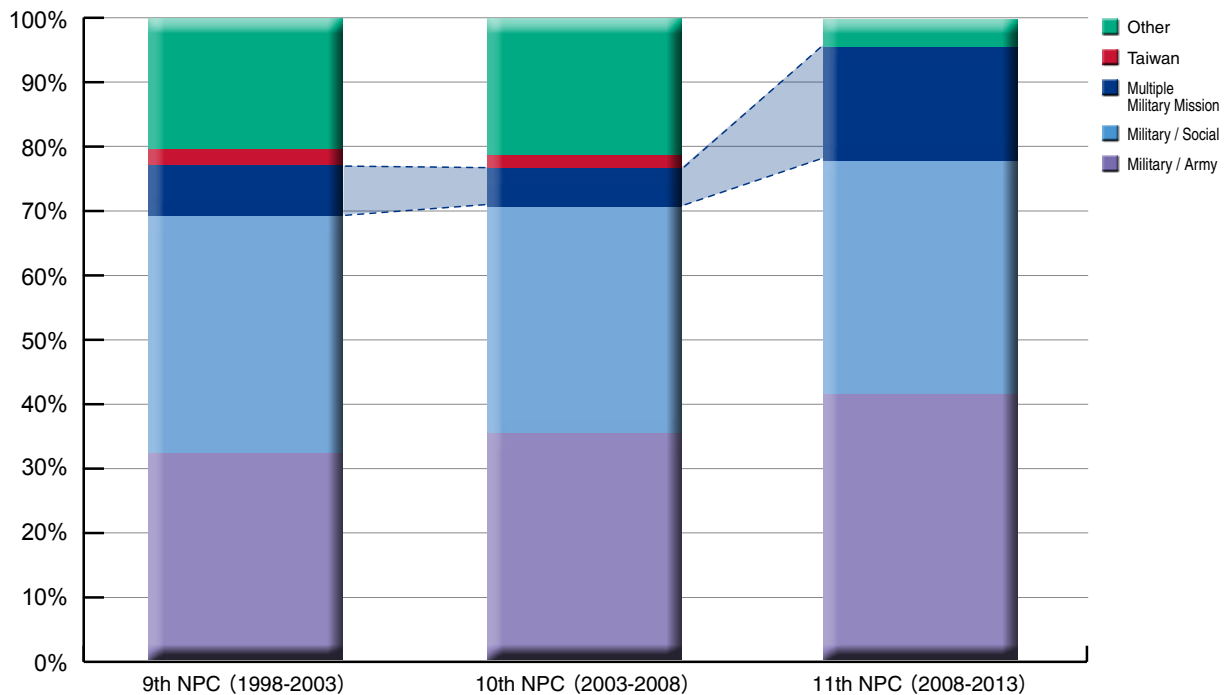
delegates to the NPC, they submit relatively few proposals and *jianyi* suggestions. The low volume of submissions is due to the fact that the military focuses on relatively narrow policy areas compared to local governments.

Categorizing the proposals, suggestions and opinions submitted by PLA delegates and listed in public media such as the *PLA Daily* by their content, and analysis of the results, indicates the following features (see Figure 7). Firstly, debate over areas unrelated to security policy and the military organization has fallen significantly. The section marked "Other" in the figure indicates areas unrelated to security and the military, which have decreased significantly in terms of both the number of submissions and the proportion they represent. In the past, the PLA delegates used to issue proposals and *jianyi* suggestions regarding social and economic policy, but it now appears to focus all its attention on the issues of security and problems within the PLA. This is a further indication of the tendency towards professionalization of the military.

Secondly, there has ceased to be any mention of the Taiwan issue. Until 2007, delegates submitted proposals and *jianyi* suggestions relating to the Taiwan issue, but they all disappeared since 2008. It is likely that the disappearance was a result of the enactment of the Anti-Secession Law in 2005 and the emergence of the Ma Ying-jeou administration in Taiwan in 2008, leading to better China-Taiwan relations. Strong instructions have been issued by the Central Committee of the CPC in relation to the Taiwan issue, and military delegates might have fallen in line with this policy.

Thirdly, there is an increasing amount of debate surrounding the mission of the PLA. With the military under pressure to diversify in terms of its roles and missions, there is an increasing need for relevant military legislation. Given this need, the Legal Affairs Bureau of the Central Military Commission (CMC) has been in discussion with specialists from the PLA Xi'an Political Academy over the multiple military missions of the PLA, and related legislation. According to Professor Wang Haiping of the Xi'an Political Academy, the defense of China's land, sea and air territory is mandated by the Constitution and the National Defense Law as

Figure 7: Categorization of Proposals, Suggestions and Opinions Submitted by PLA Delegates to the NPC



Notes: "Military/Army" refers to issues relating to military issues, including training, equipment, organization, political work, military education, etc. "Military/Social" refers to issues relevant to the relationship between the military and society, such as conscription, social security and national defense mobilization. "Multiple Military Missions" include missions and tasks in regard to non-traditional security issues other than traditional national defense. "Taiwan" refers to the Taiwan issue. "Other" includes social and economic issues not directly related to either defense or security.

Source: Analyzed and compiled from 871 *PLA Daily* articles.

being the duty of the whole military. At the same time, however, Wang argued that since no specific legislation, such as an "ocean basic law" and an "airspace basic law," has been enacted, it remains

unclear what duties and authorities of related departments, including the PLA, hold with regard to the protection of China's rights and interests in the ocean and airspace.

Maritime Domain

Maritime issues have been increasingly important for China. Maritime issues for China are firstly territorial and sovereignty issues. Secondly, maritime issues for China are closely related to its economic development. Also, the maritime domain has been increasing in military and security significance for China. Accordingly, China is endeavoring to achieve an integrated response to all three. However the Chinese government has more than 10 maritime-related departments and agencies. It is not easy for Beijing to adjust and coordinate policies and interests among the related departments. Against this backdrop, it is increasingly important for China to design a legal system and formulate a national maritime strategy so as to promote policy

coordination.

Since around 2000, the PLA delegates have been calling for assigning policy priority to maritime issues by submitting both *yi'an* proposals and *jianyi* suggestions to the NPC. For three years from 2000, for example, Zhang Xusan, former deputy commander of the PLA Navy (PLAN), submitted proposals regarding the introduction of maritime strategies for China to become a "maritime power." Furthermore in 2004, Wu Shengli, then Deputy Commander of the Guangzhou Military Region and the commander of the PLAN South Sea Fleet, submitted *jianyi* suggestions to protect China's maritime rights and interests through the enactment of maritime regulations.

There is, however, little indication that recent *yi'an* proposals and *jianyi* suggestions have been effective in leading to the enactment of legislation. Since the 17th National Congress of CPC in 2007, when the Central Committee clarified its increasing interest in maritime issues, brisk debate has surrounded the enactment of maritime legislation, and the PLA has become an active participant in discussions aimed at the preparation of both a comprehensive national maritime strategy and an “ocean basic law.”

More recently, the Islands Protection Law, enacted in 2010, is an example of important legislation relating to maritime issues. With the objective of the Islands Protection Law to strengthen control over island areas, the legislation includes regulations relating to: (1) the state ownership of uninhabited islands (Article 4); (2) the responsibility of the State Council's maritime-related department in regard to managing the protection, development and utilization of uninhabited islands nationwide (Article 5); and (3) the joint establishment and publication of the names of islands, based on the State Council's regulations, by the organization of place name management and the State Council's maritime-related department (Article 6). This Law was proposed in 2003 by an NPC delegate from Hainan Province, among others. This proposal was ratified by the CCP Central Committee before being drafted and sent for deliberation by the 9th session of the Standing Committee of the 11th NPC in June 2009. Before being passed at the 12th session of the Standing Committee on December 26, 2009, and coming into force on March 1, 2010, the Law was deliberated and revised three times.

As a result of deliberation and revisions the nature of the Islands Protection Law changed. In draft form, the objectives of the Islands Protection Law were primarily related to the protection of environmental and economic interests. Islands have become more significant to China as a result of increasing economic development and lack of natural resources, but the progressive development and utilization of islands has been accompanied by a range of problems. These include, in particular: (1) the destruction of ecosystems due to overexploitation; (2) the erosion of islands due to lack of sufficient protective measures; and (3) the

illegal occupation of uninhabited islands by local governments and other agencies. In response to this situation, the draft of Islands Protection Law was aimed at protecting the ecology and resources of islands by stepping up State control.

As a result, however, of the three sessions of deliberation that the Islands Protection Law underwent from 2009 onwards, it evolved into legislation that included aspects of sovereignty and security. Initially, its objective was changed from merely ecosystem and resource conservation to include the protection of maritime rights and interests. Article 1, which defines the legislation's purpose, was altered to state that the “Law is formulated in order to protect the ecosystems of islands and their *surrounding waters*, rationally develop and *exploit* the natural resources of islands, *protect the oceanic rights and interests of the state*, and promote sustainable economic and social development” (emphasis added to the draft). In addition to this revision, during deliberation, some delegates argued that “clear regulations should be established relating to islands” in terms of national defense, and regulations were added to the section entitled “Protection of Special Purpose Islands,” specifying the special provision of State protection to islands in terms of national defense.

There was a certain amount of debate over the change in the nature of the Law. During the deliberation process, some members of the Standing Committee expressed that the name of the Law should be the “ocean and islands ecosystem protection law,” since its main function was to conserve the ecosystems of islands and their surrounding waters. However, the NPC Legislative Affairs Committee, however, concluded that the Law was not merely intended to conserve the ecosystems of islands and their surrounding waters, but at the same time to guarantee special protection to islands that form the territorial sea baselines, and islands that relate to national defense.

From the perspectives of protecting territorial sovereignty as well as national defense and security, the resulting Islands Protection Law was considered highly significant. For example, the *PLA Daily*, for example, found significance in the following four points relating to the enactment of the law. Firstly, it prevents the disappearance of

islands for protecting the territorial sea baselines. Li Pengcheng, director of the PLAN Navigation Guarantee Department, stated in regard to this that “in an age where other countries are concentrating on attempts to artificially create islands, our island territories, which amount to a significant area, are being eroded by development and utilization,” and proposed that the Islands Protection Law would provide a countermeasure to this situation. In order to indicate state sovereignty, the second area of significance is the attributing of names to formerly unnamed islands. Strengthening of coastal control and measures to protect maritime interests is third. Considered to have strengthened sovereignty protection of island territories, the definition of this Law guarantees the activities of maritime surveillance ships and fisheries administration patrol ships. In addition, Yu Chengshu, Director of the PLAN Legal Affairs Bureau, stated that “Our country has many uninhabited islands, which in reality are defended and managed by the military. For this reason, the management responsibilities of the military in regard to these territories should be further clarified.”

Finally, the Law is also significant for championing national defense and maritime rights and interests. According to Xing Guangmei, Director of Law Research at the PLAN Military Academic Research Institute, “The use of legislative formats to ensure the participation of military agencies in planning the protection of our islands nationwide, and the clarification of the protection and management of islands utilized for national defense, establishes the islands at the frontline of national defense and ensures their importance to national security. These moves are highly significant in the realization of such important benefits.”

Furthermore, since the Law stipulates that government maritime-related departments are

responsible for the control of islands, there is an increased need for coordination between government departments and the PLA. CMC Legal Affairs Bureau deputy director Wang Lihong has recognized the need to press ahead quickly with the formation of laws and regulatory systems that complement the Islands Protection Law, and to create departments and regulations related to this within the military.

Questions remain over whether the changes to the nature of the Islands Protection Law have come about as a result of pressure from the PLA. It is considered that while the PLA played a role in changing the nature of the Law, the eventual changes were all within the framework of Party Central Committee policies. First, it is necessary to remember that the military is not the only party that discusses the issues of maritime economic interests, sovereignty and security all together. Chen Zhili, Deputy Chair of the Standing Committee of the NPC (and delegate for Fujian Province), states that the “islands are an important platform for the conservation of the marine environment and balanced ecosystems, as well as the strategic frontline in the protection of our national maritime rights and interests, and our national defense and security.” This opinion is completely in line with the official view of the Party Central Committee, and is not limited to statements put out by the military. Second, not all the opinions of military delegates were adopted in the law. During the 11th session of the Standing Committee of 11th NPC, Zhang Deshun, former PLAN Deputy Chief of Staff, proposed the addition of a regulation that the “protection of islands utilized for national defense shall be the responsibility of the relevant military agency.” This proposal was not adopted, however, and the completed Islands Protection Law includes no such regulation.

Table 4: Number of Proposals, Suggestions and Opinions Submitted by the PLA Delegates to the NPC: Maritime Issues

9th NPC (1998-2003)	10th NPC (2003-2008)	11th NPC (2008-2013)
14	6	22

Sources: Compiled from articles in the *PLA Daily*, *China Ocean News* and China National Radio Online.

In addition to Islands Protection Law, it is worth taking note of an “ocean basic law,” given the potential for further legislative movement in the future. Beginning in the late 1990s, the need for the enactment of a basic, comprehensive law relating to maritime issues was highlighted by specialists, and *yi'an* proposals were submitted to the NPC at that time. Recently, proposals and suggestions have been increasing, which call for enactment of an “ocean basic law,” the creation of an organization to provide integrated guidance to various agencies, and building an integrated maritime strategy. Relating to this topic, the PLA has also submitted increasing numbers of *yi'an* proposals and *jianyi* suggestions.

In 2009, Vice Admiral Xu Hongmeng, who was both Commander of the PLAN East Sea Fleet and Deputy Commander of the Nanjing Military Region proposed: (1) the formation of a maritime security leadership organization by the military, regional governments and related maritime departments, in order to implement unified guidance for activities promoting rights and interests at sea; (2) the coordination of maritime regulations and legislation and further research in regard to the enactment of an “ocean basic law;” and (3) increased ability within regional government to protect rights, and increased law enforcement powers in regard to home waters.

Furthermore, PLA delegates submitted *yi'an* proposals requesting the enactment of an “ocean basic law” in both 2010 and 2011. In 2011, at the 4th session of the 11th NPC, the 6th group of the PLA delegation held discussions regarding maritime issues and an “ocean basic law.” Zhang Deshun, one of the delegates submitting a proposal, said in an interview that the Navy’s mission is to protect the maritime rights and interests of the state, as well as to protect the security and interests of the Chinese people involved in economic activities at sea. He furthermore expressed a view that the enactment of an “ocean basic law” would be closely related to the definition of maritime strategy and the establishment of a unified leadership organization.

Slowly but surely, the process of establishing an “ocean basic law” is being developed. At the August 2011 meeting of the Foreign Affairs Committee, a

special committee of the NPC Standing Committee included a discussion of the surveys and research being carried out towards the establishment of an “ocean basic law.” Proposals regarding the legislative process for the basic law were submitted not only by the PLA, but also by delegates from three provinces, and the aforementioned discussion involved not only the four delegates submitting *yi'an* proposals, but also representatives of 11 related organizations including the NPC Foreign Affairs Committee, the Legal Affairs Office of the State Council, the Office of the National Committee on Border and Coastal Defense, the CMC Legal Affairs Bureau, the Ministry of Foreign Affairs, the Ministry of Public Security, the Ministry of Land and Resources, the Ministry of Agriculture, the Ministry of Transportation and the State Oceanic Administration, as well as experts from academic institutions. Following the discussion, the NPC Foreign Affairs Committee carried out research and surveys in coastal provinces to collect views on issues such as the current maritime law enforcement system. At the 35th session of the NPC Foreign Affairs Committee, members agreed on the significance of enacting an “ocean basic law,” and submitted a proposal to this end to the NPC Standing Committee, recommending action be taken to facilitate the legislative process of establishing such a law, with the proviso that such actions be implemented “once the conditions are met.”

The PLA has become especially proactive in regard to defining legislation relating to the oceans, particular since the Party senior leaders began to express a clear interest in maritime issues. Up to this point, while there has been much diverse debate relating to an “ocean basic law,” conflicting interests between government departments related to maritime issues had prevented progress. Indeed, coordinating all the interests involved in the establishment of an “ocean basic law” could take some time. However, under the leadership of the Party, the PLA and other maritime-related departments have now taken proactive measures toward drafting an integrated maritime strategy and legislation, which provides momentum to the eventual enactment of an “ocean basic law.”

Non-traditional Security

As the role of the PLA continues to diversify, a greater emphasis is being placed on the importance of coordinating policy between the military and government departments. The military is increasingly required to play a role during natural disasters and public health incidents, but a lack of related legislation and regulations means that policy coordination can be difficult in many cases, and the need for such legislation and regulations is increasing. Given this need, progress has been recently made towards legislative coordination relating to non-traditional security.

At present, two systems exist within the framework of responses to non-traditional security issues. First an “emergency response control” system deals mainly with government response, and second, a “defense mobilization” system deals mainly with the PLA’s response. Related laws were passed in 2007 (the Emergency Response Law) and 2010 (the Defense Mobilization Law).

The Emergency Response Law was enacted with the major emphasis on the response of government departments. In response to the epidemic of Serious Acute Respiratory Syndrome (SARS) that occurred in 2003, the Emergency Response Law was brought into legislation in response to, and in order to prevent a repeat occurrence. It defines four types of “emergencies” —natural disasters, calamitous accidents, public health accidents, and public security incidents. It was defined with the objective of allowing various government departments to coordinate emergency control systems under the unified instruction of the state in response to such disasters, accidents or incidents.

However, there are few regulations within the Emergency Response Law that deal with military involvement in such situations. PLA delegates to

the NPC are conscious of this problem, and have spoken out about the need for clearer regulations. Delegate Zhang Xuefeng, for example, stated at the third session of the 11th NPC in 2010 that “while mention is made in Chapter 7 from Article 70 onwards, there are only four clauses that refer to the military, and this does not provide sufficient clarity.” Zhang subsequently submitted *yi’an* proposals to the effect that: (1) additional clauses should be added that deal with the participation of the military in dealing with emergency situations; (2) additional clauses should be added that guarantee the participation of the military in dealing with emergency situations; and (3) additional clauses should be added relating to coordination mechanisms that allow the military to participate in dealing with emergency situations. These proposals have been widely noted, and it is reported that the Law is under consideration for revision.

On the other hand, the Defense Mobilization Law was enacted mainly to define the response of the PLA and with the purpose of the Defense

Table 5: Number of Proposals, Suggestions, and Opinions Submitted by PLA Delegates to the NPC: Emergency Response Control and Defense Mobilization

9th NPC (1998-2003)	10th NPC (2003-2008)	11th NPC (2008-2013)
8	6	20

Sources: Compiled from articles in *PLA Daily*.

Mobilization Law is to facilitate the swift and smooth mobilization of the military, economy, society or transportation in times of conflict or emergency. Such mobilization requires close coordination between the military and the government. Among other things, the Law focuses on the regulation of mechanisms to coordinate between and supervise the two sectors. Li Weihai, Director of the Institute of Military Law, China University of Political Science and Law, and formerly a member of staff at the CMC Legal Affairs Bureau, where he participated in the definition of the Defense Mobilization Law, has stated this Law is unique in the fact that it establishes joint leadership by the State Council and the CMC.

In terms of the issuing of orders and coordination Defense Mobilization Law regulates as follows. First, the State Council and the CMC are to provide “joint” leadership in issues of national defense mobilization (Article 9). Responsible for coordination of the actual mobilization processes at each level is the Defense Mobilization Commission, but the National Defense Mobilization Commission is to organize, lead and coordinate national defense mobilization under the guidance of the State Council and the CMC (Article 12). In 1994, the National Defense Mobilization Commission was formed by combining the National Civil Air Defense Committee, the CMC People’s Armed Force Committee, and the State Council/CMC Transportation War Readiness Leading Small Group. At the head of the National Defense Mobilization Commission is the Premier of the State Council, the deputy head is the Leader of the CMC, and the members of the Commission include the leaders of various State Council departments, as well as the PLA’s General Staff and its subordinate departments.

During the process of formulating the Defense Mobilization Law, it came to include a response to non-traditional security issues. For this reason its relationship to the emergency response systems led by public officials came under consideration. Delegate Mian Fucheng, at the time Commander

of the Hebei Province Military District emphasized the importance of dealing with the response to non-traditional security issues during deliberation of the law. Although, major disasters such as the 2010 Sichuan earthquake posed a significant threat to national security, without clear legislation and regulations governing policy coordination between the military and public officials in such situations, it becomes difficult to respond to non-traditional security issues. In particular, it can take time to coordinate between different departments, which he believes may in some cases lead to a delay in responding. Regulations dealing with the interaction with response systems in cases of emergency, which were not included in drafts of the Defense Mobilization Law, were added as a result of these discussions (Articles 3 and 16).

This issue is not, however, without its problems. The CMC Legal Affairs Bureau and other officials involved in the formation of legislation may agree on the need to link emergency response systems to defense mobilization systems, but they disagree on whether or not they should be working towards their integration. While the aforementioned Mian Fucheng believes that the two systems should be unified, Li Weihai has expressed the thought that their integration is impossible. According to Li, defense mobilization assumes an emergency situation such as military conflict and is directed under the decision of the top Party brass. In contrast, since emergency response management would not be based on assumptions of military conflict, while at various levels public sector organizations might be able to request assistance from the military, they could not issue direct orders. As such, he says, the two systems must be maintained as separate entities.

These examples demonstrate that some progress has been made in institutionalizing coordination between government departments and the PLA in response to natural disasters and public health issues. There is still, however, room for further debate.

Public Order Maintenance Activity

Military participation in the maintenance of public order is a further area which has proven extremely difficult to regulate the PLA involvement. In relation to this issue, the trend towards the professionalization of the PLA and the principle of its existence as the “Party’s army” are in conflict, and as such it has proven almost impossible to establish clear regulations. Since the crackdown on protesters at Tiananmen Square in 1989, China has, as far as possible, handed over responsibility for domestic security issues to the People’s Armed Police (PAP), and has endeavored not to utilize the PLA at such times. Since the Tiananmen incident, there have been no examples of the PLA becoming involved in the maintenance of public order. Alongside the PLA, the PAP is a part of China’s “Armed Forces” and under dual leadership of both the CMC and the State Council.

In 2009, the Law on the People’s Armed Police Force was enacted. Leadership and command structures, as well as the organization’s relationship to other agencies, have not yet been sufficiently institutionalized for the PAP, which is professionally

charged with the maintenance of internal security. Article 7 of the draft Law on the People’s Armed Police stated that “governments and their public security organizations above county-level may, in execution of their responsibilities to maintain public security, mobilize and/or use the PAP in cases where it is unquestionably necessary, in line with the authority and procedure permitted by State Council and Central Military Commission regulations”, indicating that in certain cases, governments at county-level and above may have mobilized the PAP. Significant opposition was raised to this clause and it was eventually completely abandoned. It seems that in the face of frequent incidents of social unrest, the PLA showed strong resistance to the idea of giving local government the power to mobilize and use the PAP. Therefore, power to command the PAP, remains, as it was before, regulated by “the dual leadership of the State Council and the Central Military Commission, which provide unified guidance, management and integrated supervision at each level.”

In regard to the PLA, the 1996 Martial Law, for example, states that “when necessary, the State Council may make a suggestion to the Central Military Commission that it decide to dispatch troops of the PLA to help perform the martial law tasks” (Article 8). This regulation clarifies that the role of the PLA is to “help perform [...] tasks”, but does not make at all clear what this means. However, the PLA is the military arm of the CPC, and since one of its main responsibilities is to “provide an important guarantee of strength for the Party to consolidate its ruling position,” it is nearly impossible to entirely eradicate the involvement of the PLA in issues of internal security.

Relatively few regulations are included in the

Table 6: Number of Proposals, Suggestions and Opinions Submitted by PLA Delegates to the NPC (Maintenance of Public Security)

9th NPC (1998-2003)	10th NPC (2003-2008)	11th NPC (2008-2013)
1	2	6

Sources: Compiled from articles in *PLA Daily*.

Emergency Response Law that are applicable to problems of public security. Of the four categories of “emergencies” covered, that of public security incidents has different regulations relating to leadership and control structures to the other three. The other three categories have detailed regulations defined according to the scale of the incident, but the only regulation in regard to public security is in Article 46, which states that “in respect to public security, local county-level government may organize a response, or where necessary, a higher level government may directly organize a response.”

Criticism has been leveled at the Emergency Response Law since it was first enacted as a result of this point. For example, Guo Shuyan, member of the NPC Standing Committee, has submitted a critical opinion, saying that there are too few clauses relating to the maintenance of public security, while delegate Dai Songling has indicated that regulations should be included that allow enforcement measures to be implemented in incidences of significant public security interest, expressing the opinion that regulations should be clarified that allow the PLA and the PAPF, who participate in emergency situations, to take enforcement measures including strict punishment and physical beatings in cases of public disorder. No real movement has been observed, however, towards the clarification of regulations of this sort.

According to these provisions, the role of the PLA in the maintenance of public security is not subject to clear regulations. This seems to be related to the reduction in the involvement of the PLA in issues other than those that are clearly military or related to security. Both the Party and the PLA wish to avoid further incidents like the Tiananmen incident, where the military becomes involved in the use of force against the people of its own country, wherever possible. Furthermore, as the professionalization of the PLA continues, it is probable that the responsibilities of the military will be more focused on external defense, and that it will be utilized in the maintenance of domestic security less and less.

At the same time, while the PLA is charged with maintaining the “ruling position of the Party,” it is clear that it is faced with a paradox. There is rising discontent in the face of corruption among local government officials and a rising disparity between rich and poor. Popular demonstrations and riots are occurring in various regions. In the future, if these riots escalate in scale and become more frequent, the PLA may be required to play a role in the maintenance of public security as the “Party’s army.” This exposes the paradox intrinsic to the role of the PLA, the negative impact of which might endanger political stability in China.

Party's Concern over the "Nationalization" of the Military

The Communist Party of China (CPC) has repeatedly criticized concepts such as the separation of the military from the Party, or its de-politicization, as well as that of the nationalization of the military. This tendency has strengthened in the past few years, and was particularly noticeable in spring 2012, when editorials criticizing the nationalization of the military appeared on an almost daily basis in the *PLA Daily*. Despite a stable Party-army relationship, the CPC is increasingly uncomfortable with the arguments that lead to the nationalization of the military. The Party leadership has fully recognized the need to strengthen its control over the PLA in the progress of modernization process. Furthermore, Beijing has learned lessons from the democratization of other non-democratic regimes in the past decades.

This debate assumes the basic fact that the PLA is not a national army, but the "Party's army" that does not fall under the authority of the central government (State Council). Therefore, the PLA is to be "an important guarantor for the Party to consolidate its ruling position." If, however, the PLA was a national army, its major roles and missions would be to safeguard national security, and the obligation to protect the ruling position of the CPC would no longer exist. This is the situation which the Party must avoid at all costs. Against this backdrop, the Party has expressed its concerns over the nationalization of the military by alleging that "opposing groups both domestically and overseas" are pressing for the argument in order to "disturb the Party's ruling position."

Fears of the Party regarding the nationalization of the military have been strengthened as they learned the lessons of mismanagement of the armed forces from the democratization of other non-democratic regimes. According to China's analysis, the

Communist Party of the Soviet Union lost its power because it finally relinquished leadership and control over its armed forces, which led to the breakup of the state. Additionally, the major factor behind a series of regime changes in the Middle East and North Africa in 2011 is also recognized as the failure of keeping full control over the military, which enables the army to maintain a neutral position.

At the same time, however, the professionalization and institutionalization of the military has progressed, and as the social environment has rapidly changed, there is the possibility that the military's nationalization may become an acceptable concept in the PLA. Armed forces' continued involvement in domestic politics is likely to adversely affect their professionalization which makes possible the use of sophisticated weapons and the execution of complex operations. Debate on this issue featured in the *PLA Daily* notes that as the values of military personnel diversify, and modernization of military organizations progresses, the "ideological struggle" surrounding the politicization of the armed forces is becoming more acute and complicated, indicating fears that the political awareness of military personnel may be waning. Another article in the *PLA Daily* argues that this situation means there is a lack of political alertness among some young officers and soldiers, and that as a result "a certain market" has been created for ideas relating to the nationalization of the military. It is difficult to imagine that the nationalization is being openly discussed within the PLA, but both the Party and military leadership appear to have found trends towards the nationalization of the military.

That nationalization has come under such increased criticism in 2012 has resulted not only from the long-term trends, but also from the impact of the power struggles taking place

within the Party in advance of the 18th CPC National Congress in November. The ousting of Bo Xilai, former Secretary of the CPC Chongqing Municipal Committee, in March, brought these power struggles to the surface, and the effect of this continued to be felt up until the 18th Party Congress.

As the struggle for power within the Party continues, it has become increasingly necessary to ensure the loyalty of the PLA to the Party's senior leaders and particularly Hu Jintao, in order to maintain political stability and unity within the Party. Increasing criticism of nationalization of the military by the Party was employed for this purpose. In February 2012, the PLA rolled out a campaign in which it emphasized "stressing politics, complying with the overall interests and observing discipline." This campaign is considered to be aimed at firmly maintaining the Party's absolute leadership over the armed forces. Accordingly, the concept of nationalization of the military has been strongly criticized as a threat to unity.

Criticism of nationalization in 2012

indicates that political instability within the Party's top brass is one of the biggest factors threatening stability in the Party-army relationship. Unity in the Party's leadership is a prerequisite to absolute leadership of the Party over the PLA. When power struggles within the Party make it difficult for the top leaders to build consensus, the army will face a difficult situation where they are compelled to take sides in the Party.

Therefore, the Party-army relationship in China becomes unstable particularly when schisms occur within the Party's leadership. In addition, the relationship between the PLA and the government in China presumes the leadership of the Party. When the Party's senior leaders, which coordinates the relationship between the military and the government, is dysfunctional, then policy coordination would fail to function properly. At present the CPC leadership is in a state of transition, and any future relationship between the Party and the PLA is going to be determined by whether or not the Party can realize a stable transition of power.

Conclusions

Conclusions

It is nearly inconceivable that the People's Liberation Army (PLA), as the "Party's army," should take arbitrary action against, or not in line with the will of the senior leaders of the Communist Party of China (CPC). So far, the Chinese military has accepted the principle of "the Party's absolute leadership over the PLA," meaning that there has been no significant change in the structure of the Party's superiority over the military. Political Work that has been implemented to maintain this principle and structure, furthermore, has been resolutely adhered to, along with systems and organizations such as the party organizations, the Political Commissar system and Political Work organs. Furthermore, the PLA has clearly maintained its basic character as the "Party's army" and its role in both domestic and foreign policy decision-making processes within the CPC is structurally limited. In other words, the formation and implementation of policy relating to the PLA is under the leadership of the Party.

Events, which raised international concerns about the civilian control of the Chinese military and the PLA's role in foreign policy decision-making, took place due to the poor policy coordination between the PLA and government departments. This in addition to the fact that China's the Party-army relationship is a particularly unique system operated under one-party rule. As the military arm of the Party, the PLA has no clearly defined relationship with the State Council which is the government department of the Party. As a result, stability in the Party-army relations does not necessarily assure stable relationship between the PLA and government departments.

So far, the PLA has had tenuous links with any government department. The Chinese military has come to enjoy autonomy from the government sector as a result of its professionalization. However, the diversification of the roles and missions of the PLA have increased the necessity of policy coordination between the military and government departments. In particular, there is the ongoing intrinsic possibility of a discrepancy in policy between them regarding the implementation processes for day-to-day policies.

Given this situation, central authority of the CPC

can only effectively coordinate policy between the PLA and government departments. Only when the Party leaders develop an awareness of the urgency of the situation and prioritize it as a strategically vital policy issue, providing appropriate guidance to both the military and government departments, the policy coordination between the two groups actually function. Since China itself is aware of this problem, it is pressing ahead with building institutionalized coordination mechanisms, which showed some results. Areas in which progress has been made in coordinating between the PLA and government departments include the response to non-traditional security issues, in particular the response to natural disasters and incidents relating to public health, as well as measures towards maritime security. Domestic response to non-traditional security issues have involved legislation that organizes the authority and roles of the PLA and the State Council. As for maritime security, the PLA Navy (PLAN) and maritime law enforcement agencies are strengthening functional cooperation such as joint training and exercises.

These policy trends also demonstrate that Party leaders recognize these subjects as important policy issues. Certainly, the Chinese government has more than ten maritime-related departments, which makes it difficult to institutionalize coordination and partnerships between them. But taking the opportunity of the preparation for the 12th Five Year Plan (2011-2015), the Chinese government has begun to formulate a national maritime strategy. While the legislation process for an "ocean basic law" remains at an incipient stage, it has actually begun.

In contrast, there are many difficulties in regulating the role of the PLA when it comes to maintaining public order. There are also issues outstanding in terms of policy coordination with diplomatic authorities. When dealing with defense and military issues, in particular, the PLA tends to consider these areas to be under the jurisdiction of the military. The Chinese military takes action in some cases without having awareness of the need to coordinate in advance with government departments, including the Ministry of Foreign

Affairs, regarding the external impact of its actions, causing serious concerns in the international community.

Policy coordination between the PLA and government departments suggests the following in regard to China's international behavior. Neighboring countries including Japan and the international community as a whole must take note of trends in policy coordination in China before preparing and implementing strategies and policies toward China.

Firstly, interagency coordination within China in relation to maritime issues is expected to grow stronger in the future. Accordingly, the leadership structure surrounding maritime security will be strengthened, and it is likely that China's maritime activities will come to be implemented with a higher level of priority given to policy than has previously been the case. In other words, the PLA and/or PLAN and government departments will have a closer relationship and more clearly defined roles in response to the situations that arise, under the leadership of the Party's senior leaders, and will be implementing more unified policies that are designed to further protect China's maritime rights and interests. At the same time, it is anticipated that more assertive measures will be seen to safeguard China's rights and interests in disputed waters. Not insignificant is the impact of China's maritime strategies and policies on the security environment in East Asia and its strategic trends are a matter of international concern. In order to deal with these concerns, China must be more accountable for the future direction of its maritime strategy based on international rules.

Secondly, the trajectory of the PLA's professionalization indicates that the Chinese military puts more emphasis on its practical and functional activities than used to be the case.

For neighboring countries and the international community, this offers increasing opportunities of cooperation with the PLA. Judging from China's policy trends, the main arenas for such practical and functional cooperation will be in non-traditional security fields and "military operations other than war" (MOOTW) such as disaster relief operations. In these areas, the international community should be strengthening its engagement approach to the Chinese military with the intention of expanding areas of cooperation with the PLA. In addition, promotion of practical cooperation with the PLA may in the long-term lead to the sharing of security standards across military units, and these measures will be critical from the perspective of crisis management.

Thirdly, in order to firmly establish habit of cooperation as part of China's external behavior, it will be imperative for neighboring countries and the international community to improve their communication with the Party's senior leadership. Final decisions on any important policy issues including maritime security and the PLA's external behavior are made at the top of the Party. A precondition to China's sustainable engagement in international cooperation would be the fact that the Party's central leadership recognizes the importance of cooperation. Furthermore, a communications channel with the Party's senior leadership is vital from the perspective of crisis management as well. In some areas, the coordination mechanisms between the military and government departments are not yet sufficiently developed, and some discrepancies still remain between the policies of related departments and their external behavior. Accordingly, communication with the Party's senior leaders should be improved in order to prevent contingencies from developing into crises.

The 18th National Congress of the Communist Party of China (CPC) was held in November 2012 and Hu Jintao stood down as General Secretary of the CPC. At the First Plenary Session of the 18th CPC Central Committee, held directly after the Congress, Xi Jinping was elected General Secretary, and a new leadership structure was unveiled. At the same time, a new Central Military Commission (CMC) was inaugurated (see Table 8).

Xi Jinping was also appointed as the Chairman of the CMC. In contrast to his predecessor, Jiang Zemin, Hu Jintao did not remain in the position of CMC Chairman. If the power transition goes smoothly, Xi Jinping will further assume the President of the People's Republic of China (PRC) at the National People's Congress (NPC) in March 2013. Compared to Hu Jintao, who took up the position of General Secretary in November 2002 but remained as Vice Chairman of the CMC, only being appointed as Chairman in September 2004, Xi Jinping has consolidated his hold over the Party more smoothly. Thus, this power transition will not have a significant impact on the existing Party-army relations and Xi will take control of the PLA from now on.

Fan Changlong and Xu Qiliang were appointed as the two new Vice Chairmen of the CMC in advance of the 18th Party Congress, at the 7th Plenary Session of the 17th CPC Central Committee. Both men were also appointed as Politburo members at the 1st Plenary Session of the 18th CPC Central Committee. Fan Changlong who had served as the Commander of the Jinan Military Region for eight years from 2004 and has never served within the Commission and at the top of the Four General Headquarters, is now promoted to the Vice Chairman of the CMC. Media reports suggest that his promotion is an extremely rare case. Furthermore, Xu Qiliang is the first Vice Chairman to have come from

the PLA Air Force (PLAAF). This has not only given the Air Force status within the Politburo, as it now has two seats (the other is PLAAF Commander) within the CMC, which will give the PLAAF a greater political influence both within the Party and the PLA.

The PLA Navy (PLAN), whose activities are gathering international attention, continues to be represented by Wu Shengli, Commander of the PLAN and it has continuously held one seat within the CMC. Additionally, Chang Wanquan, who had long been expected to become Vice Chairman, has remained as a member of the Commission. It is highly likely that Chang will become Minister of National Defense at the NPC in March 2013 succeeding Liang Guanglie.

The newly appointed chiefs of the Four General Headquarters — the General Staff Department (GSD), the General Political Department (GPD), the General Logistics Department (GLD) and the General Armaments Department (GAD) — are respectively Fang Fenghui, Zhang Yang, Zhao Keshi and Zhang Youxia. Fang Fenghui was promoted from Commander of the Beijing Military Region, where he directed the military parade at the National Day of the PRC in October 2009. Zhang Yang was promoted from the Political Commissar of the Guangzhou Military Region. Yang's promotion is the first appointment of a Political Commissar of a Military Region to Director of the General Political Department since that of Yang Baibing (formerly Political Commissar of the Beijing Military Region) in 1987. Zhao Keshi was formerly Commander of the Nanjing Military Region, and Zhang Youxia's previous position was Commander of the Shenyang Military Region. These assignments indicate that all of the new heads of the Four General Headquarters have been promoted from the Commander of Military Regions including Fan Changlong, who was

appointed as Vice Chairman of the CMC.

Ma Xiaotian and Wei Fenghe have been appointed as Commander of the PLAAF and Commander of the Second Artillery Corps respectively. They were promoted from the position of Deputy Chief of the GSD, which suggests that the joint operations of the PLA will be strengthened under the control of the GSD. At the same time, since the majority membership of the CMC belongs to the Army, and the Director of the GSD (Chief of the General Staff) has also been appointed from the Army, China's joint operations will

be promoted and conducted under the strong influence of the Army.

As of November 2012, most newly appointed members of the CMC were officers aged 65 or under. This is in line with the emphasis that has been placed by the PLA in recent years on a transfer of leadership to the next generation. Even if retirement from the Central Military Commission was mandated at around 68, more than half of the members selected this year could still be in their positions ten years from now.

Table 8: Changes in Membership of the CPC Central Military Commission

5th Plenary Session of the 17th CPC Central Committee (October 2010)				1st Plenary Session of the 18th CPC Central Committee (November 2012)			
Position		Name	Former Position	Position		Name	Former Position
Chairman		Hu Jintao	Vice Chairman	Chairman		Xi Jinping	Vice Chairman
Vice Chairmen		Xi Jinping	Appointed in October 2010	Vice Chairmen		Fan Changlong	Commander, Jinan Military Region
		Guo Boxiong	Executive Deputy Chief of the General Staff			Xu Qiliang	Air Force Commander
		Xu Caihou	Director of the General Political Dept.				
Members	Minister of National Defense	Liang Guanglie	Chief of the General Staff	Members	Minister of National Defense*	Chang Wanquan	Director of the General Armaments Dept.
	Chief of the General Staff	Chen Bingde	Director of the General Armaments Dept.		Chief of the General Staff	Fang Fenghui	Commander, Beijing Military Region
	Director of the General Political Dept.	Li Jinai	Director of the General Armaments Dept.		Director of the General Political Dept.	Zhang Yang	Political Commissar, Guangzhou Military Region
	Director of the General Logistics Dept.	Liao Xilong	Commander, Chengdu Military Region		Director of the General Logistics Dept.	Zhao Keshi	Commander, Nanjing Military Region
	Director of the General Armaments Dept.	Chang Wanquan	Commander, Shenyang Military Region		Director of the General Armaments Dept.	Zhang Youxia	Commander, Shenyang Military Region
	Navy Commander	Wu Shengli	Deputy Chief of the General Staff		Navy Commander	Wu Shengli	Continued in office
	Air Force Commander	Xu Qiliang	Deputy Chief of the General Staff		Air Force Commander	Ma Xiaotian	Deputy Chief of the General Staff
	Commander, Second Artillery Corps	Jing Zhiyuan	Head of the general staff of the Second Artillery Corps		Commander, Second Artillery Corps	Wei Fenghe	Deputy Chief of the General Staff

Note: Chang Wanquan is expected to be appointed as Minister of National Defense at the National People's Congress in March 2013.
Sources: Compiled from the website of the Ministry of National Defense of the People's Republic of China, *PLA Daily*, etc.