The Global Commons & the Reconstruction of Sino-U.S. Military Relations

Li Yan

Institute for Security &
Development Policy

The Global Commons and the Reconstruction of Sino–U.S. Military Relations

Li Yan

Contents

Executive Summary

The "global commons," which refers mainly to the sea, the skies, outer space and cyberspace, has become more and more congested and contested in recent years. Stable and dependable access to the global commons is vital to the international economy and to international security. The global commons should be kept secure and open. However, as the major powers invest in upgrades of their armed forces and accelerate the development of new weapons systems for the purpose of competing for predominance, the global commons has become contested. Non-state actors such as pirates and "hacktivists" also threaten the security and openness of the global commons.

Developments in the global commons bring new variables into play in Sino–U.S. military-to-military relations, which are significantly underdeveloped. On the one hand, the U.S. armed forces and the People's Liberation Army (PLA) may compete with each other in the global commons (in fact, there have been signs of confrontation between the two). This development will damage the fragile mutual trust between the two sides and pose new threats to Sino–U.S. relations as a whole. On the other hand, the global commons can also become a domain for cooperation and trust. Both the U.S. armed forces and the PLA have a common interest in maintaining peace and ensuring reliable access to the global commons. Both have to deal with increasing threats from non-state actors. Cooperation in the global commons may constitute a new basis for military-to-military relations and a practical way to increase mutual trust.

Introduction

Sino–U.S. relations are one of the most important bilateral relationships in the world, and their development will have a critical impact on global peace and prosperity. With sustained development over more than thirty years, China's national interests have been broadening. The country is bound to play an increasingly important role in the international community. China and the United States encounter each other not only in the Asia-Pacific region, but also elsewhere across the world. It is impossible to solve many critical problems without participation from both countries. Therefore, China and the United States have interacted not only at the bilateral level but also in global affairs.

The increasingly broad interaction between the two countries is conducive to a stable and healthy relationship. On the other hand, China and the United States encounter one another in so many areas that frictions are inevitable because of their completely different interests and values. In this context, there must be more negative factors to impact the relationship.

The global commons, including the sea, air, outer space and cyberspace, is the domain related to the security and welfare of all human beings. The global commons has become an important theater for interaction. In recent years, there have been more and more encounters in the global commons for China and the United States. How to deal with issues related to the global commons also becomes a critical topic for their relationship. At present, interactions between China and the U.S. in the global commons show some signs of confrontation.

For example, in the maritime field, China and the United States have different perceptions and interests. The U.S. pursues freedom of navigation and interferes in maritime disputes in the name of safeguarding that freedom. As an emerging maritime power, China views the neighboring maritime areas as a lifeline for its national security and economic prosperity and opposes any damage to its interests. The friction in the South China Sea (related to the freedom of navigation in the Economic Exclusive Zone) shows that there is a sharp contradiction between the two powers. Furthermore, the accelerating development of China's naval power and its increasingly broad operational areas have been viewed by the U.S. as pure

competition and as a potential threat to its hegemony in the Asia-Pacific region. In cyberspace, the two powers have more acute friction. The U.S. is worried about the possibility that China may develop and deploy asymmetric cyber weapons to destroy networks on which the U.S. depends, while China watches the moves of the U.S. in cyber warfare warily.

A security dilemma involving pure competition in the global commons is emerging, which may impact the overall condition of Sino–U.S. relations. And this impact is reflected clearly in military-to-military and security relations.

Compared to other domains, military-to-military relations have been stagnant for a long time and slow the development of the overall relationship. Military relations have always been the victim of the other problems that exist in Sino–U.S. relations. The military relationship is caught in a cycle of "start-suspend-restart-suspend." More seriously, the two militaries have competed in the global commons in recent years. Many incidents show that issues related to the global commons have become flashpoints for their military relations.

Therefore, how to deal with interaction in the global commons between the two countries is a critical task. A potential positive interaction in the global commons will be helpful not only for crisis management but also for the accumulation of strategic mutual trust. A lack of mutual trust is at the heart of the current relationship. Positive interaction in the global commons between the two militaries will be bound to help build mutual trust.

Based on an analysis of the current situation in the global commons and a description of operations by the two powers, this report presents an analysis of the implications of the above situation for military relations and offers some policy suggestions for both sides.

Strategic Trends in the Global Commons

An Overview of the Global Commons

According to the *Oxford Dictionaries*, "the global commons" refers to the earth's natural resources, such as the oceans, the atmosphere and space, which are owned by nobody.[1] Furthermore, the global commons are domains or areas that no one state controls but on which all rely.[2] Generally speaking, they include the sea, air, outer space and cyberspace commons. Each common is fundamentally different from the others. The report *Contested Commons: The Future of American Power in a Multipolar World* published by the Center for New America Security (CNAS) gives a comprehensive explanation of the four broad characteristics that each commons shares:

1. They are not owned or controlled by any single entity.
2. Their utility as a whole is greater than if broken down into smaller parts.
3. States and non-state actors with the requisite technological capabilities are able to access and use them for economic, political, scientific and cultural purposes.
4. States and non-state actors with the requisite technological capabilities are able to use them as a medium for military movement and as a theater for military conflict.[3]

Because of these characteristics, the global commons should be kept secure, open and integral, which is the best condition for the security and welfare of human beings. At the same time, these characteristics dictate that the global commons is bound to be fragile.

---

[1]   Oxford Dictionaries, http://oxforddictionaries.com/definition/global+commons?region=us
[2]   U.S. Department of Defense, Quadrennial Defense Review Report (February 2010), 8, http://www.defense.gov/qdr/qdr%20as%20of%2029jan10%201600.pdf
[3]   Abraham M. Denmark and Dr. James Mulvenon, "Contested Commons: The Future of American Power in a Multipolar World," in *Contested Commons: The Future of American Power in a Multipolar World*, ed. Abraham M. Denmark and Dr. James Mulvenon (Washington, DC: Center for New American Security, 2010), 11.

Significance of the Global Commons

As the above explanation shows, the global commons are central to life for human beings. As the primary channels along which commerce, the military, people and ideas travel, they are the "connective tissue" of the global economy, political order and international system. The development of free trade, transportation and exchange of ideas depends on secure, open and stable access to the global commons.

The sea commons includes 360 million square kilometers of ocean, covering about 71 percent of the globe. The sea commons connects widely dispersed markets and manufacturers around the globe for imports and exports. The International Chamber of Shipping (ICS) and the International Shipping Federation (ISF) estimates that around 90 percent of world trade is carried by the international shipping industry.[4] Critical sea-lanes constitute a lifeline for many countries to ship energy and natural resources. Therefore, the sea commons has long been a major arena for military operations. Since the sixteenth century, the struggle for sea power has been an important topic of international relations. The rise and fall of great powers in history were always related to the competition for sea power.

The air commons is the most important and fastest medium for transportation. Since the first flight of the Wright brothers, airborne passengers and cargo have grown rapidly. In 2010, 2.4 billion passengers travelled by air. The share of air transportation of world trade in goods is only two percent measured by weight, but more than forty percent by value.[5] The air commons also has great military significance. Since the First World War, air forces have always acted as the main strategic strike power. Air forces played a decisive role in the Gulf War, the Kosovo War and the Iraq War.

Outer space has been the arena of human beings since 1957, when the Soviet Union launched the first man-made satellite. Since then, more and more countries have sent satellites into outer space, and human activities such as telecommunications, weather forecasts, imagery and global positioning services have increasingly relied on satellite systems.

Cyberspace has emerged as a new domain, and made the world more

---

[4]   "Shipping and World Trade: Overview," http://www.marisec.org/shippingfacts/worldtrade/index.php

[5]   Jean-Paul Rodrigue, Claude Comtois and Brian Slack, *The Geography Of Transport Systems* (London and New York: Routledge, 2009), 168.

connected. The Internet penetrates into our daily lives, ranging from shopping to playing games and finding useful information. It is used to contact people living far away and it makes the flow of ideas more speedy and convenient, allowing unprecedented connectivity for global social networks, commercial enterprises and militaries.[6]

To sum up, the global commons have great strategic implications for all countries.

A Shifting Situation in the Global Commons

Because it is of such great importance to human beings, the global commons should be kept secure, open and accessible. There should be basic rules for every country for the use of the global commons. It is the duty of all countries to abide by and safeguard these rules. However, the current situation in the global commons is far from favorable. Dangerous developments in the global commons might occur in the near future.

Over the last several years, it has become apparent that the global commons facilitating all international interaction is increasingly congested, contested and complex. As the connective tissue of an ever more interconnected international system, it should, therefore, come as no surprise that the level of activity and investment by both state and non-state actors is rapidly increasing, leading to assured access to the global commons becoming increasingly challenged.[7]

Contested investment from major powers

Almost all major powers or regional powers have paid attention to the global commons from the perspective of its strategic importance, and the weapon systems of navy and air forces have been upgraded. Modern and sophisticated systems like submarines and cruise missiles are proliferating to more countries. Major powers have invested substantially in outer space for both scientific and military uses. More and more countries have begun to master space technology and have assets in outer space. Because of the many assets in outer space, dangerous incidents have occurred. On February 10,

---

[6]   Figures are from Denmark and Mulvenon, "Contested Commons," 7.
[7]   Shawn Brimley, "Promoting Security in Common Domains," *Washington Quarterly*, 33:3 (July 2010), 119, http://twq.com/10july/docs/10jul_Brimley.pdf

2009, communication satellites from Russia and the United States collided and produced a great amount of space trash. Competition in cyberspace is increasingly serious. Some countries have developed powerful cyber weapons, which can have a disastrous influence on this highly connected domain.

Active operations by non-state actors

With lower barriers to acquiring some high-tech assets that were once solely the domain of states, "non-state actors, ranging from pirates off Somalia to cyber "hacktivists" to the growing number of commercial players that own and operate satellites, further complicate this landscape."[8] Non-state actors such as criminal organizations, traffickers and terrorist groups find a nexus of interests in exploiting the commons. For example, the Internet has been a major platform for terrorist organizations to recruit members and to launch attacks. Piracy, especially that originating from Somalia, has also become a serious problem for maritime security. The following figure shows the dramatic increase in attacks by Somali pirates in recent years (Fig. 1).

Figure 1
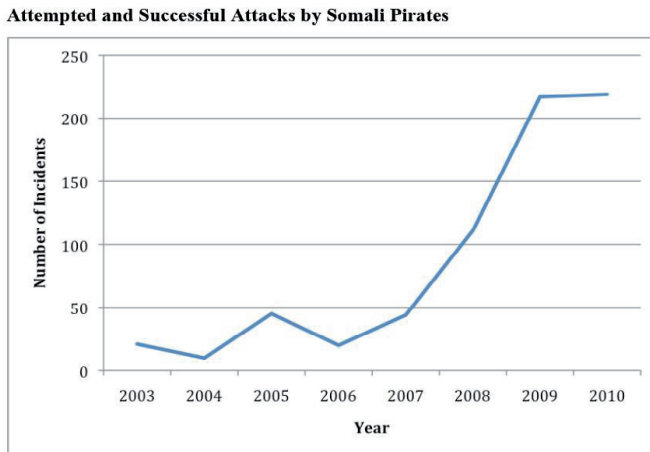
Source: The International Maritime Bureau

---

[8]   Ibid.

A potential arms race in the global commons

Originating from investments made by major powers, emerging militarization and a growing arms race have become dangerous new trends in the global commons. As traditionally competitive domains, it comes as no surprise that countries have been investing in the sea, the air and outer space for military purposes. There are more signs that cyberspace is becoming a new domain for competition and there is even preparation for possible cyber war. Several countries have established cyber commands and are speeding up the development of weapons systems that can be used in cyberspace offense and defense. A confrontation in cyberspace may not be far away. Just as the atomic bombs changed history, a potential cyber war will greatly influence global security and prosperity.

Generally speaking, the current situation in the global commons reflects the emergence of a multipolar world and the changing balance of power. The United States still acts as the only superpower, but its power and leadership have weakened in recent years because of its economic problems and strains from the wars in Iraq and Afghanistan. At the same time, the emerging powers are gaining in strength and influence in international affairs. Continuing economic development and expanding national interests lead to more investment and attention to the global commons. The shifting balance of power and dynamics in the global commons have led to a new era in which the longstanding U.S. dominance will not be sufficient to maintain secure, open and stable access to the global commons.

The U.S. Role in the Global Commons

As the only superpower, the United States has been the dominant power in the global commons for a long time. With its powerful military and technical advantages, the U.S. is the only country that has the capability of controlling or impeding access to the global commons. As the major supplier of public goods in the global commons, U.S. strategy and operations have dual implications for the security and stability of the global commons.

A Grand Strategy in the Global Commons

In recent years, U.S. dominance in the global commons has been threatened by the increasingly contested and congested situation. Its economic problems and austerity budget may restrict its operations in the global commons in future. The United States is well aware of the importance of the global commons to its overall hegemony in the world. To some extent, U.S. hegemony is based on its predominant status in the global commons. Its dominance is and will continue to be critical to its hegemony. Facing the shifting situation described above, although the U.S. has shrunk its global strategic posture in recent years, its investment in the global commons did not decrease and it paid more attention to safeguarding its dominant status. Many signs indicate that consolidating its superiority will be the top priority for the U.S. in the coming years.

The United States assesses the global commons from a strategic viewpoint. Almost all strategic reports issued by the U.S. in recent years take the global commons and related issues into account. As early as 2008, the National Defense Strategy said that safeguarding the global commons was one of the core interests and a major mission of the U.S. Armed Forces:

> U.S. interests include protecting the nation and our allies from attack or coercion, promoting international security to reduce conflict and foster economic growth, and securing the global commons and with them access to world markets and resources. […] The United States

requires freedom of action in the global commons and strategic access
to important regions of the world to meet our national security needs.[9]

In a recent issue of the *Quarterly Defense Review* (2010), maintaining secure
access to the global commons was taken as one of the six critical tasks of the
Armed Forces:

> …as other powers rise and as non-state actors become more power-
> ful, U.S. interests in, and assured access to, the global commons will
> take on added importance. […] We expect to be increasingly chal-
> lenged in securing and maintaining access to the global commons and
> must also be prepared for operations in unfamiliar conditions and
> environments.[10]

According to the Obama administration's first *National Security Strategy
Report*, issues related to the global commons should be major global chal-
lenges that need more attention:

> Across the globe, we must work in concert with allies and partners
> to optimize the use of shared sea, air, and space domains. […] The
> United States will continue to help safeguard access, promote security,
> and ensure the sustainable use of resources in these domains. These
> efforts require strong multilateral cooperation, enhanced domain
> awareness and monitoring, and the strengthening of international
> norms and standards.[11]

In the *National Military Strategy* (2011) issued by the U.S. Joint Chiefs of Staff,
it is claimed that the global commons issues will be the decisive factors in
determining the global strategic environment:

> Joint assured access to the global commons and cyberspace constitutes
> a core aspect of U.S. national security and remains an enduring mis-
> sion for the Joint Force.[12]

---

[9]   United States Department of Defense, "National Defense Strategy" (June 2008), 6,
16, http://www.defense.gov/news/2008%20National%20Defense%20Strategy.pdf
[10]   United States Department of Defense, "Quadrennial Defense Review Report" (Feb-
ruary 2010), 8, 103, http://www.defense.gov/qdr/images/QDR_as_of_12Feb10_1000.pdf
[11]   The President of the United States, "National Security Strategy" (May 2010), 49–50,
http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.
pdf
[12]   Joint Chiefs of Staff, "The National Military Strategy of the United States of

All these reports reflect how the United States views the global commons from the perspective of national security and defense strategy. Maintaining dominance in the global commons is strategically important for the U.S. At the same time, to carry out its strategies, it has worked out strategies for the outer space and cyberspace. It is no exaggeration to say that compared with the sea and air commons, issues related to space and cyberspace commons have emerged as the major concerns of recent years.

Regarding outer space, both the Bush and Obama administrations came up with a National Space Policy and stated clearly that it was the goal of the United States to ensure its leading and dominant role in space. The *National Space Policy* (2006) said that one of its first and foremost goals is to

> strengthen the nation's space leadership and ensure that space capabilities are available in time to further U.S. national security, homeland security and foreign policy objectives.[13]

The *National Space Policy* (2010) also states that U.S. departments and agencies, in coordination with the Secretary of State, shall demonstrate U.S. leadership in space-related fora and activities.[14]

The Obama administration has attached great importance to cyberspace issues and has worked out several strategic plans, such as the Cyberspace Policy Review, the International Strategy for Cyberspace and Department of Defense Strategy for Operating in Cyberspace. It can be concluded that the United States has a full-fledged policy design for its cyberspace strategy.

Maintaining Dominance

Judged from the above strategic reports and official statements, the fundamental objective of the United States with regards to the global commons is to maintain its dominance and make its global strategy serve this purpose. On the one hand, with dominance in the global commons, the U.S.

America 2011: Redefining America's Military Leadership," 9, http://www.jcs.mil/content/files/2011-02/020811084800_2011_NMS_-_08_FEB_2011.pdf

[13]   National Space Society, "National Space Policy" (unclassified) (August 31, 2006), http://www.nss.org/resources/library/spacepolicy/2006NationalSpacePolicy.htm

[14]   The President of the United States of America, "National Space Policy of the United States of America" (June 28, 2010), 6, http://www.whitehouse.gov/sites/default/files/national_space_policy_6-28-10.pdf

has unique and enduring abilities to project its military power freely. On the other hand, the freedom of military operations constitutes the foundation of U.S. dominance in the global commons and U.S. hegemony. Thus, pursuing and maintaining dominance is a top priority. The United States sets about shaping its hard power so that it may respond to challenges to its dominance in the global commons. Certainly, the most important weapon for the U.S. in fighting to maintain its dominance is its strong military power. After the Second World War, the U.S. has had an absolute advantage in navy and air force power. In recent years, its research and deployment of new generations of weapon systems have maintained this kind of advantage. On the whole, U.S. dominance in both air and sea commons is relatively stable, although there are challenges from emerging powers and non-state actors.

In the field of outer space, the United States is also leading. During the Cold War, it tried to prevail over the Soviet Union in space competition. Until now, the U.S. is the only country to master all critical technologies of the space shuttle. In the past ten years, its leading role in space was strengthened with the development of missile defense systems and space weapons. Although countries like China and India are catching up, U.S. dominance in space will continue in the coming years, considering the fact that the development of space technologies takes time.

As a new commons, cyberspace has been the most important domain for United States investments. The Internet originated in the U.S. and it possesses the absolute technological edge and discourse rights. The rapid development of the Internet industry in the 1990s constituted a ten-year golden decade for the U.S. economy. After coming into office, the Obama administration paid attention to cyberspace. Many new technologies have emerged, like the Smart Planet and the Internet of Things. Social networks like Twitter, Facebook and YouTube also originated in the United States and impact the whole world economically and politically. Companies like Google and Apple have become the face of U.S. power in cyberspace. The United States has also established its Cyber Command, which was the first such command in the world, and is developing cyber weapons. On June 1, 2011, the *Washington Post* reported that the Pentagon had developed "a list of cyber weapons and tools, including viruses that can sabotage an adversary's critical networks. […] The classified list of capabilities has been in use for several months and has been approved by other agencies, including

the CIA, said military officials who spoke on the condition of anonymity to describe a sensitive program."[15] Just recently, another report floated that the U.S. once considered using its arsenal of cyber weapons to disrupt Libya's air defenses before bombing.[16]

Regarding the traditional commons like sea and air, the U.S. main operations to maintain its dominance are by means of strengthening existing rules that are in its interest, leading some related global activities and strengthening its military power. For example, the United States persistently advocates absolute freedom of navigation just because of its interests in the maritime domain. No doubt the freedom of navigation should be respected. However, the exertion of freedom should also respect the regulations of the UNCLOS. Besides, the U.S. also brings up some initiatives about safeguarding maritime security and acts in a leading role, such as the Container Security Initiative (CSI) and the Thousand Ship Navy, also known as the Global Maritime Partnership. Encouraging other countries to participate in multilateral operations has been an effective way for the U.S. to maintain its leadership in the global commons. In a report, the CNAS gave a similar suggestion recommending that the United States should

> encourage states with unclear intentions toward the global commons to participate in multilateral operations to preserve the openness of the maritime commons while countering, dissuading and deterring efforts to develop anti-access capabilities or pursuing exclusionary policy practices.[17]

At the same time, the United States also wants to master the formulation of rules for cyberspace and advance related initiatives that are in accord with its own interests and values. In 2010 and 2011, Secretary of State Hillary Rodham Clinton gave two addresses dealing with Internet freedom, which presented the U.S. view of norms and rules in cyberspace. The U.S. has also

---

[15]   Ellen Nakashima, "List of cyber-weapons developed by Pentagon to streamline computer warfare," *The Washington Post*, June 1, 2011, http://www.washingtonpost.com/world/national-security/us-cyber-weapons-had-been-considered-to-disrupt-gaddafis-air-defenses/2011/10/17/gIQAETpssL_story.html

[16]   "U.S. cyber weapons had been considered to disrupt Gaddafi's air defenses," *The Washington Post*, October 18, 2011, http://www.washingtonpost.com/world/national-security/us-cyber-weapons-had-been-considered-to-disrupt-gaddafis-air-defenses/2011/10/17/gIQAETpssL_story.html

[17]   Denmark and Mulvenon, "Contested Commons," 42.

begun to negotiate with some countries to draft related rules. By all these actions, it tries to maintain its dominance in cyberspace.

Dual Implications

It should be admitted that, objectively speaking, U.S. dominance in the global commons has long resulted in a secure and open situation. Although it has pursued a unipolar dominance in the global commons, the United States can always reconcile its strategy for hegemony with the universal interest of secure, open and stable access to the global commons. The U.S. investment in the global commons, economically and militarily, also supplies the international community with the necessary public goods. The stable condition in the global commons in the past was based on U.S. power and leadership. Even now, the U.S. is playing a critical role in countering pirates and cyber crimes, disaster relief and humanitarian aid. The critical role of the U.S cannot be replaced in the near future.

However, it should also be recognized that another major goal for the United States is to maintain its dominance and safeguard its global hegemony. This may be its more important national interest. That is why the U.S. has taken action on issues relating to the global commons in recent years. Some of its actions have a modeling influence on other countries and stimulate them to invest in the global commons in a contested way, which leads to some negative trends in the global commons. For example, the U.S. operation in cyberspace has caused great concerns about the militarization of cyberspace; there are even signs of an emerging arms race. Stimulated by the U.S., some countries are developing cyber weapons.

China's Role in the Global Commons

China's Perceptions

Until now, the Chinese government has not used the concept of the global commons officially. There are no official statements or reports on it. However, for specific commons like outer space, cyberspace and the seas, China has made some statements or declarations, which reflect its perception of the global commons.

For outer space, China has long advocated its use in a peaceful way that benefits all human beings.

The Chinese delegate to a UN debate on outer space recently declared: "The Chinese Government always firmly opposes [to] the weaponization of outer space and an arms race in outer space, and dedicates itself to efforts for maintaining peace and security in outer space."[18] China has been the co-sponsor of the UN General Assembly resolution "Prevention of an Arms Race in Outer Space," and promotes the implementation of the resolution at the Conference on Disarmament.

China and Russia submitted jointly to the Conference on Disarmament the draft "Treaty on the Prevention of the Placement of Weapons in Outer Space, the Threat or Use of Force against Outer Space Objects" (PPWT) in 2008. In 2009, focusing on the comments and proposals made by many other members, China and Russia submitted a working paper to the Conference on Disarmament, clarifying and explaining the PPWT accordingly.

The Chinese delegate to the UN debate on outer space has also declared that "China attaches importance to outer space Transparency and Confidence Building Measures (TCBM), and is open towards relevant initiatives and discussions. We believe that appropriate and viable TCBMs are of positive significance, as they enhance mutual trust, reduce accidental errors, regulate outer space activities and maintain outer space security, and are the useful supplements to the international legally-binding instrument on the

---

[18]   Permanent Mission of the People's Republic of China to the UN, "Statement by H. E. Mr. Wang Qun, Ambassador for disarmament affairs of China, at the Thematic Debate on Outer Space at the First Committee of the UNGA," October 17, 2011, http://www. china-un.org/eng/hyyfy/t868417.htm

prevention of the weaponization of outer space and an arms race in outer space."[19] China has also promised many times on different occasions that it will not be involved in any form of arms race in outer space.

For cyberspace, what China advocates is to build a peaceful, secure and equitable cyberspace in a cooperative way.

In recent years, there have been many cyber attacks on China's commercial, financial and military sectors, which was detrimental to our national interest. Thus, how to deal with the cyber security issues is a major concern for China. Just because of the interconnectivity of the cyberspace, China realizes that it is the common duty of all countries to maintain cyber security.

China advocates that the use of cyber technology in hostile activities to the detriment of international peace and security should be fought with active preventive diplomacy. In particular, China opposes actions to develop or proliferate cyber weapons and related technologies and works to keep cyberspace from becoming a new battlefield, prevent an arms race in cyberspace, and settle disputes in this area peacefully through dialogue.

China calls for cooperation to safeguard cyberspace and has declared: "Since information and cyber networks both interlink with each other and belong to different sovereign jurisdictions, no country is able to manage only its own information and cyber business, still less to ensure its information and cyber security by itself. Such a task requires all countries to work together and further strengthen international exchanges and cooperation."[20]

Actually, China has coordinated and consulted with the United States on cyber security issues. In the first round of the Strategic Security Dialogue, both sides have discussed cyber security issues. Think tanks from both sides have also held many Track II discussions about that issue. Furthermore, Vice Chinese Foreign Minister Fu Ying expressed China's willingness to cooperate with the EU to deal with cyber security problems during the Second Round of China–EU High Level Strategic Dialogue on May 12, 2011.[21]

---

[19]   "Statement by H. E. Mr. Wang Qun, Ambassador for disarmament affairs of China, at the Thematic Debate on Outer Space at the First Committee of the UNGA," October 17, 2011.
[20]   Permanent Mission of the People's Republic of China to the UN, "Speech by H.E. Ambassador Wang Qun at the First Committee of the 66th Session of the GA on Information and Cyberspace Security, "Work to Build a Peaceful, Secure and Equitable Information and Cyber Space," October 10, 2011, http://www.china-un.org/eng/hyyfy/t869445.htm
[21]   Mission of the People's Republic of China to the European Union, "Q&A Session by

On September 12, 2011, China, Russia, Tajikistan and Uzbekistan submitted a draft code of conduct for cyber security for discussion in the United Nations General Assembly. According to a newspaper report: "The code is the first of its kind to put forward comprehensive and systematic proposals on international information security rules. [...] According to the code, its purpose is to identify states' rights and responsibilities in cyberspace, promote constructive and responsible behavior and enhance cooperation in addressing common threats and challenges in cyberspace."[22]

Judging from these expressions and statements, China's interest in the global commons is to maintain the current situation, that is, secure and open access. Based on this view and interests and basic goals in the global commons, China deals with these issues according to the principles of mutual trust, mutual benefit and cooperation.

Hedging Against the Unpredictable

Obviously, China does not want to pursue dominance in the global commons, in line with China's defensive policy. However, facing increasing challenges in this field from both major powers and non-state actors, China prepares to hedge against a deteriorating situation and has in recent years increased its military investment to safeguard its interests. China is aware that the challenges to the global commons are on the rise. According to the *White Paper for China's National Defense* (2010):

> Security threats posed by such global challenges as terrorism, economic insecurity, climate change and nuclear proliferation, insecurity of information, natural disasters, public health concerns, and transnational crime are on the rise. […] Some powers have worked out strategies for outer space, cyberspace and the Polar Regions, developed means for prompt global strikes and accelerated development of missile defense systems, enhanced cyber operations capabilities to occupy new strategic commanding heights.[23]

Vice Chinese Foreign Minister Fu Ying & David O'Sullivan, Chief Operating Officer of EEAS," May 20, 2011, http://www.chinamission.be/eng/jd/t824071.htm
[22]   Wu Jiao and Zhao Shengnan, "Nations call on UN to discuss cyber security," *China Daily*, September 14, 2011, http://www.chinadaily.com.cn/cndy/2011-09/14/content_13680896.htm
[23]   "Full text: China's National Defense in 2010," http://news.xinhuanet.com/english2010/china/2011-03/31/c_13806851_3.htm

The White Paper listed the goals and tasks of China's national defense in the new era:

> China's national defense is tasked to guard against and resist aggression, defend the security of China's lands, inland waters, territorial waters and airspace, safeguard its maritime rights and interests, and maintain its security interests in space, electromagnetic space and cyberspace.[24]

Navy power is undergoing rapid development. On August 10, 2011, the PLA's first aircraft carrier made its first test voyage, which marked that the PLA Navy is entering a new phase. China's navy also has been conducting escort operations in the Gulf of Aden and waters off Somalia since December 2008. These operations are mainly to safeguard the security of Chinese ships and personnel passing through the Gulf of Aden and Somali waters, and the security of ships delivering humanitarian supplies for the World Food Program and other international organizations, and to shelter foreign vessels passing by as much as possible.[25] China's participation in peacekeeping and counter-piracy operations is a positive sign of its constructive intentions vis-à-vis the global commons.

Regarding cyberspace, China strengthened its efforts to counter all kinds of cyber crimes, such as cyber terrorism and hacking activities. At the same time, the defense sector paid more attention to the defense ability in cyberspace. On May 25, 2011, the spokesman of the National Defense Department confirmed the existence of an Elite Cyber-Warfare Outfit, the "Blue Army." The spokesman also explained that the purpose was to promote the cyber security of the defense network. Compared to the U.S. perception and goals in the global commons, China's policy is obviously defensive. Both countries attach great importance to the global commons and both increase related investments. Both think that the global commons will be one of the decisive factors influencing international status in the future. That is why there are signs of confrontation and competition between China and the United States in this field.

---

24   Ibid.
25   China's National Defense in 2010, "Conducting Escort Operations in the Gulf of Aden and Waters off Somalia," http://news.xinhuanet.com/english2010/china/2011-03/31/c_13806851_20.htm

Issues regarding the global commons are always combined with geo-political and ideological factors, which leads to a complex situation. In recent years, three well-known collisions reflect the interaction between China and the United States in the global commons. These are the EP-3 Incident, the Impeccable Incident and the Google Incident.

Implications for Sino–U.S. Military Relations

With the United States the only superpower in the world, and China an emerging power, their interactions have inevitably expanded into the global commons. Interactions between the two powers have influenced their military-to-military relations, even their relations as a whole. This influence will continue in the future. Interactions between them will also greatly influence the security situation in the world.

The Dilemma of Military-to-Military Relations

For a long time, there was lack of strategic mutual trust between the two powers, which showed up prominently in their military-to-military relations. These relations have been constrained by the general conditions of Sino–U.S. relations and have always been hindered by three major obstacles. As official sources make clear, these are: U.S. arms sales to Taiwan; the frequent reconnaissance by U.S. naval ships and aircraft in the waters and airspace of China's exclusive economic zones, and the restrictions imposed by U.S. domestic laws on exchanges and technical cooperation between the Chinese and U.S. armed forces. In the near future, there is no great likelihood of these obstacles being eliminated.

Precisely because of the lack of mutual trust and the existing obstacles, military-to-military relations are always the victim of political or diplomatic issues between China and the United States and are lost in a condition of "start-suspend-restart-suspend." In the end, their military relations cannot be stable and healthy and have been stagnant compared to developments in other areas. Furthermore, the reverse trend demonstrated by the two militaries – China's rapid military buildup and the relatively declining of U.S. power seen in the cut of the defense budget – intensify U.S. suspicion and anxiety to PLA's modernization. The U.S. is worried by the fact the PLA is developing asymmetric weapons systems and pursuing an anti-access or area-denial strategy, which may threaten U.S. projection of military power and its freedom of operations. China is concerned over U.S. efforts to strengthen its control of the maritime domain, space and cyberspace,

which could disable the basic defense abilities of the PLA. This situation aggravates the security dilemma between both sides.

Competition and Friction in the Global Commons

The dilemma discussed above has been reflected in issues related to the global commons in recent years. There have been some indications that competition and friction in the global commons may become a major flashpoint for Sino–U.S. relations. Three important incidents have occurred:

The EP-3 Incident

On April 1, 2001, a U.S. Navy EP-3 intelligence aircraft took part in reconnaissance actions over an important PLA Navy base, the PRC island province of Hainan. Two Chinese J-8 fighters were sent to follow the EP-3. One of them collided with it and the Chinese pilot died. The EP-3 was forced to land on the PLA's Lingshui Airfield in Hainan Island and China detained the 24 U.S. crew members. Beijing and Washington were involved in a serious quarrel about this incident until the U.S. government delivered a statement in explanation and apologized.

The "Impeccable" Incident

On March 8, 2009, the U.S. ocean surveillance ship *Impeccable* was monitoring submarine activity in the South China Sea when it was shadowed by five Chinese ships. The Chinese ships waved Chinese flags, and ordered the U.S. ship to leave the area. The distance between ships was so small that the *Impeccable* attacked the Chinese ship with the high-pressure stream of water. It became a serious incident.

The Google Incident

On January 13, 2010, the Google Company announced that it would pull out of China because of so-called hacker attacks to its Gmail service. After this, some U.S. officials and media criticized China for attacking the networks of U.S. defense and other critical infrastructures. The two countries argued fiercely with each other about cyber security issues.

The above incidents had some negative influence on the stagnant military-to-military relations and even impacted Sino–U.S. relations as a whole.

The EP-3 Incident almost evolved into a crisis. The military contacts were totally suspended for a long time and Sino–U.S. relations slid to the lowest level since the end of the Cold War. The *Impeccable* Incident led to another setback of the military contacts. The United States and China argued heatedly about reconnaissance by U.S. ships and planes. The Google incident was seen as one of the blasting fuses leading to the reversal in the Sino–U.S. relations in 2010.

What is more risky is that some kind of overall confrontation between the two powers may occur if the current competition evolves. The worst-case scenario may be similar to a two-bloc / multi-bloc model in the global commons, as was the prevailing situation during the Cold War. As the potential result of the first scenario, two or more segmental commons may emerge in the end in which China and the United States act as the dominant power. For example, in the maritime domain, China controls the sea neighboring it, while the U.S. controls all others. This kind of scenario will be incompatible with the nature of the global commons, which is characterized by openness and connectedness. This scenario will also be harmful to the interests of humankind.

The above incidents reflect the frictions and even confrontation between the two powers in the global commons. There are several reasons for this situation. Firstly, with the rising of China, especially its rapid military buildup, China has more abilities and will in the military sector to safeguard its national security and other critical interests. Secondly, it is particularly important to consider how the growing complexity in the sea, air, outer space, and cyberspace might cause actors in the international system to make widely different judgments concerning both the intentions and capabilities of others. Lastly, the United States feels more anxious and suspicious over China's rising. Thus, the U.S. pays more attention to China's military modernization and tries to restrict the development and sphere of activities of the PLA. Under such a condition, the collision between the two powers is seen as hard to avoid.

Pursuing Mutual Interests in the Global Commons

It is not in Chinese or U.S. interests that such a situation continues. The potential confrontation between these powers would be bad news for inter-

national security and prosperity. Pursuing mutual interests and interacting in a cooperative and transparent way could be best for both countries.

Firstly, a fundamental interest that is shared by China and the United States is to maintain secure, open and stable access to the global commons. This is decisive for cooperation rather than confrontation to be preferred.

A collision of different interests in the global commons between the two powers is always aggravated by the fact that incidents may occur. In fact, China and the United States have many more common than conflicting interests. For the strategic significance of the global commons and Chinese and U.S dependence on them, the major common interest of both is to maintain a secure and open global commons that can be used equally by all countries.

For cyber security issues, both sides have to deal with problems like hackers, cyber terrorism and cyber crime. For the maritime commons, both sides face more and more threats from pirates and have a great interest in safeguarding critical maritime channels. In space, it is also in the interest of both countries to maintain non-militarization and deal with space trash. For the formulation of some international norms related to the global commons, China and the United States will undoubtedly play an important role. Because of their common interests, there is space for China and the U.S. to cooperate in the global commons. Therefore, based on their broad common interests, a scenario other than confrontation is possible. They can cooperate to maintain secure and open access to the global commons.

Secondly, with the expanding abilities of the Chinese military and potential deep cuts in U.S. defense expenditure, it is necessary for both countries to comprehensively cooperate to supply the whole world with public goods. China's emergence as a major power has made it reconsider its role. China now has greater ability and will to play a larger role in international affairs as a result of its expanding global interests. Due to the growth of Chinese military and strategic capabilities, its capacity to influence the global commons has become significant. Besides, more and more attacks on Chinese ships by pirates show the need to take more active action to safeguard China's expanding interests.

The United States has also several times expressed its hope that China can play a role corresponding to its greater power and status, as stated in the 2011 U.S.–China Joint Statement: "The United States reiterated that it

welcomes a strong, prosperous, and successful China that plays a greater
role in world affairs."[26] Speaking to students at Beijing's Renmin University,
former Chairman of the Joint Chiefs of Staff Adm. Mike Mullen urged China
to become a global security partner. He said that China could "help ensure
access and equitable use of the global commons for all nations, rather than
a select few."[27] It has been pointed out that "As missions and responsibilities
for the U.S. military multiply, and as its dominance within the global com-
mons becomes increasingly contested, the status quo—in which the United
States is the sole guarantor of the openness of the global commons while
other states free ride—is unsustainable."[28]

   Certainly, there are different perceptions in the United States about Chi-
na's role and implications in the global commons. While some in Washing-
ton call for accommodating China to help manage the global commons, oth-
ers view Beijing as the principal threat to U.S. primacy as well as the main
obstacle to reworking the international rules for managing the commons.
Considering the Sino–U.S. relationship, it is very significant for both to
cooperate in the global commons. Cooperation in a transparent way in the
global commons might be a new domain for military-to-military exchange.
Such cooperation has the potential to make a breakthrough on the three
obstacles and get rid of the circle of "start-suspend-restart-suspend." It will
be helpful for upgrading the current exchange from symbolic to substan-
tial cooperation, from low-end to high-end cooperation. Pursuing mutual
interests in the global commons should be the basis of the reconstruction of
military relations and could also be a breakthrough for the stagnant military
relations and increase of mutual trust. Nothing builds bilateral trust and
cooperation better than two countries working together on the management
of global problems.[29]

---

[26] The White House, "U.S.-China Joint Statement," January 19, 2011, http://www.white-
house.gov/the-press-office/2011/01/19/us-china-joint-statement
[27]   Donna Miles, "Mullen Urges China to Become Global Security Partner," U.S. Depart-
ment of Defense, July 10, 2011, http://www.defense.gov/news/newsarticle.aspx?id=64607
[28]   Abraham M. Denmark, "Managing the Global Commons," *The Washington Quar-
terly*, 33:3 (July 2010), 171.
[29] Thomas J. Christensen, "The Need to Pursue Mutual Interests in U.S.–China Rela-
tions," United States Institute of Peace, Special Report 269 (April 2011), 8, http://www.
usip.org/files/resources/SR269Christensen.pdf

Potential Fields for Cooperation

It is important to make use of the existing strategic dialogues. The Strategic Security Dialogue started in 2010 and should function as a major platform for the discussion of issues with strategic implications like cyber security and maritime security. In the future both sides should make full use of this platform to sound out each other's thinking or perceptions, to discuss how to cooperate in the global commons and to solve critical problems. There are many areas of potential cooperation in the global commons for the two countries.

First Steps: Maritime Cooperation

Protecting freedom of the seas and the free flow of energy resources could be a starting point for cooperation. More than 85 percent of the oil and oil products bound for China needs to traverse the Indian Ocean and pass through the Strait of Malacca. This sea-lane is also critical for the U.S. and its allies in East Asia. This need for secure sea lanes of communication, which China shares with the U.S., offers powerful incentives for cooperation in a wide range of areas, from antipiracy to naval exchanges and perhaps even multilateral exercises and partnerships.

In fact, there is already some practical but still preliminary cooperation between the two sides, such as the coordination of efforts to counter pirates in the Gulf of Aden. As the agreement between the chairman of the U.S. Joint Chiefs of Staff and the PLA's Chief of the General Staff clarifies, both sides conducted joint anti-piracy patrol drills in the Gulf of Aden in late 2011. Besides, there have been two rounds of discussions on the Law of the Sea and periodic exchange visits of maritime officials and maritime law enforcement vessels. The U.S. Coast Guard's Pacific Area Commander, Vice Admiral Manson Brown, visited China May 29–June 4, 2011 and met with representatives of several Chinese agencies supporting maritime governance.

The existing cooperation in the Gulf of Aden could be enhanced further and could become a precedent for more frequent tactical-level meetings between the two militaries.[30] Apart from the dialogue at the highest level, tactical-level meetings could be necessary for the management of some unpredicted incidents.

---

30 Ibid.

This kind of cooperation could be a starting point for positive interaction in the global commons. For the issue of fighting piracy and terrorist attacks on ships, there is no conflict of interests and it has low sensitivity, which is practical for the current military-to-military relations. By this cooperation, both sides could have better chances to get to understand each other and accumulate mutual trust.

The positive experience of Sino–U.S. cooperation in the maritime commons might lead naturally toward a partnership between the two countries in other commons such as outer space and cyberspace.

Space and Cyberspace: Coordination in formulation of international norms

The lack of international norms or rules on outer space and cyberspace worsens, to some extent, the congested and contested situation. Some incidents involving China and the United States originate from the lack of norms accepted by both sides, as the *Impeccable* Incident revealed.

Activities in the global commons are increasing. Both China and the United States are influential players in the field of the global commons and should play more active roles in the formulation of international norms. It is especially urgent to formulate rules for actions in cyberspace. As it is a new domain, there are no widespread accepted norms. The fact that a potential militarization may emerge in cyberspace and in cyber security issues shows the need for international norms. Regarding outer space, it is critical for both countries to pursue a no-first-use agreement on strikes against satellites and to advance the responsible use of orbits.

It is vital, but insufficient, to address the challenges to the global commons of investment in hard power. Building a robust system of international regimes that is accepted by the international community will be essential. Obviously, it is impossible to formulate any norms without the coordination of the United States and China, which has the largest number of Internet users in the world.

The South China Sea as a leading indicator

It is critical for both sides to deal with current hot issues. At present, it is crucial to manage differences and maintain a stable and peaceful environment in the South China Sea.

As the territorial disputes regarding the South China Sea have worsened and the regional situation has become more complex, the United States has attached greater importance to these problems and made them one of the priorities of U.S. diplomacy. At the same time, the U.S. reconnaissance in China's exclusive economic zone (EEZ), which is a problem that has long existed, has been interwoven with the territorial disputes. In this context, the South China Sea might become a dangerous flashpoint in the bilateral relations.

In fact, the conflict related to the freedom of navigation in the EEZ reflected a competition of sea power between China and the United States. This competition might also be an epitome of the interaction between the two powers in the global commons. Thus, how to interact in the South China Sea will be a touchstone for both sides' potential cooperation in the global commons. Considering the facts that the South China Sea issue has been the most dangerous flashpoint between the two countries and that some disputants are taking more aggressive actions, whether both sides reconcile the respective strategic considerations with the universal interests – a peaceful and stable situation – might probably be decisive for a relatively positive or negative atmosphere in military relations in the near term. Furthermore, whether China and the United States can develop a common understanding of the UN Convention on the Law of the Sea and issues related to the freedom of navigation will largely determine whether future interactions in the global commons between the two powers is to be characterized by cooperation or competition.

Concluding Remarks

For many years, military relations between China and the United States have stagnated and seemed impossible to improve. The rising of China has intensified the security dilemma of the two militaries. The shifting situation in the global commons makes it possible to promote military-to-military exchanges. Undoubtedly, competition and deterrence in the global commons will damage the broad common interests and cannot promote global security. Cooperation and coordination in the global commons should and could be new domains for exchanges between the two militaries. This kind of cooperation could be helpful to enhance mutual understanding and build trust. This cooperation, based on pursuing and broadening mutual interests, could also act as a new foundation for military-to-military relations. With bilateral issues like arms sale to Taiwan existing into the foreseeable future, greater emphasis on the management of global problems – like challenges in the global commons – will contribute to a stabilization and improvement of the military relations.

Within the Strategic Security Dialogue framework, both sides should make robust efforts to seek out opportunities for cooperation in the global commons. China's active participation and its contribution to global public goods will demonstrate the positive and responsible use of its military power. China's participation in global security issues will be encouraged if the U.S. has an amicable and objective attitude to the PLA's moderation and coordination aimed at confronting challenges in the global commons.

To sum up, both China and the United States should act as responsible participants and coordinate their policies and actions in order to contribute to a secure and stable global commons. Both should pursue a cooperative relationship embodying mutual trust and mutual benefit rather than pursue unilateral hegemony or form an exclusive bloc.

About the Author

Li Yan is a Research Associate Professor at the Institute of American Studies, China Institutes of Contemporary International Relations (CICIR), Beijing, China. He was a guest researcher at ISDP from September 15 to November 15, 2011.