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Redesigning the United States–Philippines Security Partnership
A Nodal Defense Approach to the Indo-Pacific

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Abstract

In the pursuit of a free Indo-Pacific, collaborative efforts between the US and the Philippines are indispensable. Strengthening their enduring security pact holds paramount importance. This article delves into their innovative approach through nodal defense, enhancing strategic posture, fostering resilience, and fortifying regional bonds. The hybrid strategy aligns adeptly with the evolving dynamics of East Asian security, emphasizing strengths amid inevitable challenges.

Implementing the nodal defense concept presents inherent political and military obstacles, with potential implications for the Philippines in terms of US aid reliance and sovereignty considerations. Overcoming these hurdles necessitates resolute actions on the parts of both Washington and Manila. Amid the backdrop of the ‘China threat’ and shifting regional paradigms, the nodal defense approach garners momentum, nurturing shared interests and ensuring consistent foreign policy amid transitions in leadership. The significance of both allies in safeguarding a stable Indo-Pacific cannot be overstated.

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President Ferdinand Marcos Jr.’s swift action upon taking office in 2022 surpassed the expectations of the Biden administration, propelling the Philippines’ longstanding alliance with the United States into a historic modernization phase.¹ In February of this year, both nations announced the expansion of the long-delayed Enhanced Defense Cooperation Agreement (EDCA), signaling the return of limited American troop presence on Philippine soil. This rapid transformation shines as a beacon of hope amid the challenges that the alliance still confronts.²

For more than 70 years, the US–Philippines alliance has been pivotal to both countries’ foreign policies and the Indo-Pacific dynamics. Initiated in 1951 by Presidents Harry Truman and Elpidio Quirino, the alliance aimed for Pacific peace and brotherhood. Although the 1951 Mutual Defense Treaty (MDT) endured, its initial purpose evolved over time. Closure of American bases in 1992 and the Duterte presidency in 2016 further shaped the alliance’s trajectory.

Significantly, the alliance faced a substantial setback during the Duterte administration as it gravitated toward Beijing. This diversionary stance hindered the opportunity to bolster US–Philippines security ties in the face of China’s escalating coercion, imperiling the alliance’s core foundations for a five-year span. While the US strengthened defense bonds with Japan and Australia, augmenting capabilities and fostering interoperability for a networked security architecture, it distanced itself from Southeast Asian allies, particularly the Philippines. This shift in US commitment and doubts about the Philippines’ role as an ally cast shadows over the decades-old alliance.

China’s forceful stance and influence in the West Philippine Sea surged, amplifying the alliance’s struggles to adequately counter gray-zone situations. The Scarborough Shoal incident in 2012 and the harassment at Pag–asa Island (Thitu Island) since 2014 underscored these challenges. This escalating conflict raises pertinent queries about the alliance’s efficacy in addressing the persistent demands of great-power rivalry in the Indo-Pacific.

Regional challenges demand a fresh approach to the alliance between the United States and the Philippines, particularly due to China’s assertive behavior in challenging neighboring countries’ waters and flouting international laws and sea norms. Within the context of shared national interests and great-power competition across peacetime and defense planning spectrums, the US–Philippines alliance must transform into a mutually advantageous partnership. As the United States strives for a free and open Indo-Pacific, the Philippines assumes a critical role in upholding the rules-based order in the face of the People’s Republic of China’s (PRC) escalating challenges. Considering the evolving regional security

5 Poling, Hudes and Natalegawa, Alliances in Need of Upkeep.
landscape, the US–Philippines alliance should adopt a nodal defense approach to maximize its effectiveness over the long term.

By offering an alternate structure rooted in the individual strengths of each ally, the nodal defense approach can contribute to bolstering domestic resilience and facilitating a networked regional alliance. While the US–Philippines alliance boasts a history of collaboration, it has yet to establish a distinct framework highlighting respective strengths and roles—a core component of nodal defense. Policy makers and defense communities in both nations should pursue a transition to nodal defense to address security gaps in the Philippines’ surrounding region.

This article contends that adopting a new US–Philippine approach through nodal defense holds substantial potential for elevating the alliance’s strategic posture to confront present and future challenges. The discussion will encompass the introduction of nodal defense and its merits, redefining alliance roles based on their relative advantages, enhancing domestic resilience through a more focused implementation of the 1947 Military Assistance Agreement, as well as the Philippines’ defense and military capability development initiatives like the Armed Forces of the Philippines (AFP) Modernization Program and Self-Reliant Defense Posture Program. Additionally, the article will explore the hurdles of transitioning to a nodal alliance, including the risk of fostering dependency on US military aid, sovereignty concerns, and the potential economic burdens of nodal alliance requirements for both allies.

**Introducing Nodal Defense**

Nodal defense delineates a more robust strategic paradigm for the US–Philippines alliance, establishing a structured framework for roles and activities grounded in each ally’s relative strengths. This novel approach embodies “a hybrid alliance system in which allies are connected through variable geometries of defense cooperation organized around specific functional roles to tackle different threats.”

This model introduces a third structural design to the US-led alliance systems in Europe and Asia, combining attributes of the widely recognized multilateralism and ‘hub-and-spokes’ structures.

In Europe, the North Atlantic Treaty Organization (NATO) epitomizes the archetype of multilateralism (refer to fig. 1), while in East Asia, alliances are emblematic of the hub-and-spokes pattern. This entails deep bilateral strategic affili-
lations with Washington (the hub) yet lacks substantial interconnections with other US allies (the spokes) in the region (see fig. 2).

Amid the distinctions between these alliance systems, a shared factor that facilitates the nodal defense approach is a certain degree of fragmentation among allies in terms of their threat assessments and tasks. This divergence, evident in both Europe and East Asia, is not purely a drawback. Whether driven by concerns over the United States’ dependability as the primary NATO ally or due to the structural nature of hub-and-spokes configurations in East Asia, this fragmentation has spurred allies to collaborate more closely with like-minded partners. This collaborative approach addresses the issues and tasks of mutual significance.

In practice, the evolving nodal nature of alliance systems offers the US an opportunity to capitalize on its allies’ strategic positions and capabilities to collectively address common security challenges. These allies can strategically position themselves to contribute significantly to shared security interests. By specializing in particular roles, these partners not only avoid redundant efforts but also prevent the proliferation of under-equipped military forces. A case in point is the conversion of a former Soviet air base in Romania by the US into a vital hub in the Black Sea Region. Romania’s transformation into a “launching pad,” marked by improvements at Mihail Kogălniceanu Air Base and ongoing upgrades at Câmpia Turzii, exemplifies the potential of this approach.

Figure 1. Multilateral alliance systems—i.e., NAT. (Source: Simón, Lanoszka, and Meijer, “Nodal Defense,” 7.)

Figure 2. Hub-and-spokes—i.e., East Asia alliances. (Source: Simón, Lanoszka, and Meijer, “Nodal Defense,” 9.)
Understanding Hub-and-Spoke Nodal Defense Roles

Within the current East Asia hub-and-spoke alliance framework, a notable absence of coordination and planning is observed among the various spokes during regional contingencies. Unlike the multilateral structure of NATO, traditional functional roles in East Asia are less emphasized. In the context of the US–Philippines alliance, while the US is designated as the security guarantor, the Philippines’ functional role remains unclear, along with its relations with the US and other regional allies. However, in the context of a nodal defense structure, leveraging the Philippines’ geostrategic importance and comparative advantages could position it as a niche specialist. This role would be particularly relevant as a linchpin in the US efforts to enhance maritime domain awareness in the South China Sea concerning PRC activities.

Figure 3. Nodal Defense Alliance System. (Source: Simón, Lanoszka, and Meijer, “Nodal Defense,” 10.)

As certain US policy makers lament security “free-riders” in various regions, the Philippines has the potential to establish itself as a pivotal nodal element in the United States’ strategic vision for a free and open Indo-Pacific. In alliance contexts, niche specialists are modestly armed smaller states that undertake specific tasks to effectively support their allies’ endeavors to counter particular threats. Identifying the Philippines as a niche specialist, or in a suitable role, within the

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Redesigning the United States–Philippines Security Partnership

... alliance system is both pragmatic and strategic. The former acknowledges constraints while seeking out the specialist’s strengths that align with the system’s objectives. The latter underscores its strategic utility by offering flexibility, allowing major powers to assign specific responsibilities or tasks to local hubs or niche specialists, thereby lightening the load on the hub.

For instance, the United States could delegate missions to regional hubs like Japan or Australia, while relying on the Philippines, as a niche specialist, to perform specific tasks. In this context, nodal defense contributes to a more resilient and adaptable strategic stance for the East Asian alliance system. Figure 3 illustrates well-defined linkages and diversified interactions among allies and partners.

By delineating explicit roles and specific missions, the alliance gains enhanced preparedness to confront gray-zone crises in the West Philippine Sea, as opposed to its previous ambiguous responses. This characteristic of nodal defense tackles the previously unresolved vulnerability of the security pact, enabling allies to precisely define "what they want, why they want it, and how they plan to achieve it" from the outset. Consequently, this fosters clearer commitments, well-defined expectations, and optimal resource allocation. Well-defined roles facilitate seamless operational integration within the alliance system, fostering shared operating protocols, interoperable equipment and systems, and coherent command and control arrangements.

Presently, joint exercises between US and Philippine military forces lack consideration of their specific alliance operational roles. Additionally, formulated tactics, techniques, and procedures (TTP) have yet to align with these roles. The critical capability to access a shared operational overview during naval exercises, a pivotal element ensuring smooth interoperability vital in gray-zone situations or any contingency response, remains unaddressed. In this context, US planners should evaluate the ARP’s military capabilities with a focus on identifying areas where the AFP excels compared to the US military. This approach should be complemented by bolstering more potent military capabilities, including airpower and logistics.

Implementing Nodal Defense in the Indo-Pacific

In addressing the "China threat," a nodal approach in the Indo-Pacific takes form through the strategic nodes and pivotal players, along with their interrelations within the region, as depicted in figure 4. This approach becomes evident.

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when assessing potential campaigns against the PRC’s encroachments in the South China Sea and potential escalation of airspace and maritime access denials.

Characteristic of the nodal approach, strategists would analyze the multinational landscape by honing in on core functions. This approach aims to harness the competitive strengths of all participants and optimize the United States’ dominant advantage in power projection. The evaluation would reveal that while the Philippines possesses the capability for localized sea control, security, and territorial defense, as well as supporting a US expeditionary force, the AFP still lack proficiency in projecting air superiority, executing suppression of enemy air defenses (SEAD), and conducting sophisticated intelligence, surveillance, and reconnaissance in the South China Sea. Thus, nodal defense principles would guide the formulation of a campaign centered around US air and naval assets “operating from within the Philippines to contest and compete against the PRC while supplying critical functions such as SEAD and air superiority.”


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17 Glass, “Implementing Nodal Defense.”
In contrast to relying solely on US forces, which would result in a larger footprint, nodal defense entrusts the primary function of protection and certain sustenance aspects to the AFP and even to regional hub forces like those of Japan or Australia. This approach leverages the collective capacity of the United States, Philippines, Japan, and other regional powers to execute a nodal campaign, conveying to the PRC that such behavior within the South China Sea is met with mutual opposition. This display of solidarity could potentially deter similar actions in the future or in other geographical domains.

Nodal defense campaigns necessitate substantial yet indispensable investments in bolstering the capabilities of hubs and niche players like the Philippines. Such efforts encompass infrastructure development for airports and seaports, along with targeted engagements to substantiate deterrent capabilities and overall domestic resilience of the military.

**Promoting Domestic Resilience through Nodal Defense**

Nodal defense can play a pivotal role in bolstering domestic resilience by directing focused attention toward the development of the Philippines’ military and self-reliant defense capacities. This approach concurrently facilitates alignment with the roles and capabilities of the United States, other allies, and partners within a cohesive security framework. Historically, the United States has been a significant contributor to the Philippines’ military capability enhancement initiatives, notably through the 1947 Military Assistance Agreement (MAA) and its mechanisms such as Foreign Military Financing (FMF), International Military Education and Training (IMET), Foreign Military Sales (FMS), and Excess Defense Articles (EDA) as part of the AFP’s modernization program.18

However, since 1991, when the bases treaty renewal faltered, the MAA’s functionality ceased, even in the absence of formal abrogation.19 Although the agreement’s effectiveness has been perpetually extended since 1953, it has undergone limited adjustments despite its outdated provisions.20 Concurrently, the downgrade of the Joint US Military Assistance Group–Philippines (JUSMAG–P) established under the same decision to supervise US military aid to the Philippines, coupled with the United States’ minimal attention to the MAA, dilutes the essence of the agreement and hampers its practical implementation.

19 Cited in Franco, “Military Assistance.”
The optimization of EDA transfers, for instance, remains unattained. While instrumental in modernizing the AFP, this program has been critiqued for being a unilateral US effort that offers equipment of limited quality and technology transfer, coupled with hidden costs. Moreover, these mechanisms, including the MAA, are susceptible to fluctuations in US–Philippines relations, beyond the AFP’s control despite implementing the Philippines’ military modernization law.21

In the realm of the Philippines’ modernization endeavors, challenges in procurement and politics have predominantly steered efforts toward internal security operations (ISO) aimed at counterterrorism and insurgency. The imperative to overhaul the AFP’s external defense capabilities only became evident during the 2012 Scarborough Shoal standoff with China.22 Arguably, the steady yet problematic execution of the MAA may have led military and civilian policy makers to mistakenly believe that the AFP was either modernizing or sustaining an equipment status quo at minimal cost through this program.23

Enhancing Defense Capabilities through Nodal Defense

As the alliance experiences a positive shift under President Marcos, prioritizing the review and enhancement of the MAA becomes imperative, particularly given the expanding EDCA meant to complement the AFP’s modernization initiative. Nodal defense introduces an elevated strategic foundation for the MAA by accentuating comparative strengths and a nuanced, expansive alliance network. Within a nodal defense framework, leveraging its geostrategic advantage, the Philippines emerges as a pivotal participant in US endeavors to amplify maritime domain awareness in the South China Sea amid Chinese activities. This aligns with a broader US vision aimed at upholding a free and open Indo-Pacific.24

The Philippines’ exclusive economic zone (EEZ) serves as a vital surveillance area, teeming with natural resources and ensnared in ongoing territorial disputes. China’s persistent exploitation (and violation) of EEZs across the region, coupled with US inaction, undermines the rules-based order, rendering the idea of a free and open Indo-Pacific a mere slogan in the eyes of regional capitals. In this context, given the Philippines’ specialized role, the United States could concentrate

its military assistance on augmenting the AFP’s maritime domain awareness capabilities, which currently remain deficient in addressing gray-zone challenges.25

For example, collaborative advancement of space technology would significantly benefit the alliance. This endeavor would facilitate monitoring Chinese and other entities’ activities in the West Philippine Sea, while aiding in devising and executing varying response levels. This could involve establishing ground-based receiving stations within EDCA provisions or pursuing the development of small satellites and big data (SSBD) under the AFP’s modernization initiative. Intelligence sharing, technology transfer, and training related to space reconnaissance, surveillance, and remote sensing can be seamlessly facilitated through regular joint military exercises between US and Philippine forces.

These measures are of paramount importance, given that Chinese vessels in the region frequently disable their Automatic Identification System (AIS) trackers, engage in questionable activities, and intimidate both civilian and military ships. In a comprehensive view, meeting these demands fulfills the objectives of both allies: enhancing the Philippines’ capacity to safeguard its territorial integrity and sovereignty, while enabling the United States to project maritime power and ensure stability and unhindered navigation within the region.

**Building Effective Self-Reliance through Nodal Defense and Comparative Advantages**

The establishment of a self-reliant defense posture represents a critical albeit less conspicuous facet of the AFP’s modernization endeavor. Achieving this objective hinges on the Philippines institutionalizing a local defense industry. However, while self-reliance should parallel acquisition activities, the MAA has largely overlooked avenues that could establish a “local capability for the production, servicing, assembly, and development of defense equipment, weapons, materials, and systems.” This oversight persists despite the fact that the Philippines’ pursuit of self-reliance holds substantial implications for national security and economic interests, particularly in realizing alliance objectives.26

Recent years have witnessed several government initiatives aimed at revitalizing the Philippines’ self-reliant defense posture (SRDP) program that was initiated in 1974 but subsequently languished into ineffectiveness. These initiatives encompass legislative endeavors to pass the Philippine Defense Industry Devel-

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opment Act of 2019, the establishment of defense industrial zones in collaboration with the Philippine Economic Zone Authority, and the military’s limited partnerships with entities such as the Department of Trade and Industries (DTI), Philippine Space Agency, and other governmental and technological institutions. A nodal defense approach would complement these endeavors by delineating the AFP’s defense priorities, thereby addressing areas such as the lack of integration within the current national industrial planning efforts of the DTI.27

Furthermore, the nodal defense concept facilitates the pursuit of “selective sufficiency,” a more fitting objective for the Philippines in shaping its SRDP. Instead of aspiring to achieve complete autonomy or full self-reliance, selective sufficiency, aligned with a niche specialist’s role, supports the expansion of the industrial and technological foundation. This is achieved by identifying and producing specific defense systems or equipment that cater to the military’s requisites and hold potential for future “backward and forward linkages to other industries.”28 Adopting a nodal approach also enables the AFP to signal its intent to the broader defense industrial ecosystem through the alliance, a crucial step in nurturing the local industry.

Noteworthy opportunities for selective sufficiency collaboration between the United States and the Philippines alliance arise from the Philippines’ strengths in electronics and shipbuilding. The International Monetary Fund (IMF) underscores the Philippines’ comparative advantage in exporting from high-technology sectors encompassing electronic integrated circuits, semiconductor devices, storage units, and digital automatic data processing.29 In defense industry terms, these align with electronic components or segments of weaponry systems and subsystems. In view of a niche specialist role, the Philippines could prioritize defense electronics, serving as a launching pad for wider industry growth. The United States could channel investments in a similar vein, be it through military-to-military engagements, public-private partnerships, escalated research and development, or other initiatives aimed at transitioning from low-value-added components to high-value-added products while fostering local firms.30 These

28 Javier, “Opportunities and Challenges.”
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investments would not solely bolster military modernization but would also enhance the competitive edge of the overarching Philippine electronics sector, potentially yielding economic benefits for both nations.

Shipbuilding stands as another significant advantage. In recent years, the Philippines has made substantial progress in the shipbuilding industry, positioning itself as one of the world’s top-four shipbuilding nations. Consequently, an exceptional opportunity arises through the exploration of rehabilitating the Hanjin shipyard in Subic Bay, aligning with the current alliance endeavors under the EDCA within a nodal defense framework. Currently managed by US private equity group Cerberus Capital Management and serving as a Philippine Navy base, Hanjin presents a unique prospect. The envisioned project could materialize as one of the largest public–private partnerships within the alliance, encompassing shipbuilding and repair operations for US Navy vessels, commercial crafts, and Philippine ships. Beyond invigorating the local economy, the initiative could generate between 5,000 to 10,000 jobs, a number reminiscent of the workforce displaced when Hanjin ceased operations in 2019.

The aforementioned positive outcomes hold the potential to address the adverse perceptions linked to the employment of Subic as an initially envisaged key node under the EDCA. Despite its strategic importance and its capacity to serve as a logistics anchor akin to Singapore’s role within a nodal approach, Subic Bay was omitted from the roster of EDCA sites due to political sensitivities in the Philippines. Moreover, avenues for enhanced investments akin to the Israel–Philippines acquisition activity under the AFP modernization program can be pursued. The recent collaboration with Israel Shipyards Inc. underscores this trajectory, aligning with both acquisition and self-reliance aspirations. Beyond platform delivery, the initiative encompasses the revitalization of the Philippine Navy’s shipbuilding center and the transfer of technology enabling the Philippines to independently construct missile-capable fast attack intermediate craft.

Supporting a Stronger Regional Alliance through Nodal Defense

Nodal defense provides essential backing for the development of a more interconnected regional alliance. Following the Cold War and up until recent times, China's ascent has gradually evolved into a looming threat across the entire region, prompting considerable unease among East Asian nations.35 The conventional hub-and-spokes system characterizing East Asian alliances is showing signs of insufficiency, as regional stakeholders increasingly opt for a spoke-to-spoke approach, favoring overlapping bilateral, minilateral, and multilateral initiatives over exclusive reliance on a central hub.36

An illustrative example is Japan's heightened role as a regional hub, underscored by its deepening ties with the Philippines. In a pivotal move, leaders from both nations inked an agreement in February, granting the Japanese Self-Defense Forces the mandate to engage in operations within the Philippines for humanitarian assistance and natural disaster contingencies, while also envisaging collaborative military training down the line.37 Japan, with its defense export ban lifted, exhibited keen interest in addressing the Philippines’ concerns within the West Philippine Sea. In active support of the Philippines’ modernization agenda, Japan promptly transferred two TC90 aircraft, in 2017, and an additional three in 2018, employing a lease arrangement pending a formal EDA agreement.38 Observing a tangible presence, Japan has partaken as an observer in US–Philippines military exercises and training undertakings in recent years. Additionally, Japan's technological institutions have actively contributed to the Philippines' space program, furnishing training and resources for the local development of nano cube satellites, as demonstrated by the successful launch of the Diwata-1 satellite into space in 2016.

Moreover, the alliance system is undergoing a natural evolution along nodal lines. Notably, the Philippines and Japan are actively engaged in discussions concerning a joint defense agreement with the United States. Likewise, Japan and South Korea are actively exploring avenues for collaboration, marking a departure from their historical avoidance of each other. Concurrently, Filipinos are displaying a preference for engagements with other regional actors, including fellow members of the Quadrilateral Security Dialogue (Quad) and participants in the

35 Cited in Simón, Lanoszka, and Meijer, “Nodal Defence.”
Australia–United Kingdom–United States (AUKUS) security pact (refer to table 1). 39 Australia, India, and South Korea have lately been participating in the AFP’s modernization program through various acquisition and cooperation activities. These developments and perceptions suggest the plausibility and necessity of nodal defense in the region.

**Challenges of Transitioning to a Nodal Defense Approach**

The development and implementation of nodal defense in the Indo-Pacific might face political and military challenges. Given its novelty, nodal defense could carry implications for the alliance in terms of potential risk escalation, regional tensions, fragmentation, and the broader scope of operational execution. While certain apprehensions necessitate further examination, they do not appear insurmountable, provided there is political determination in both Washington and Manila. With respect to contemporary relations, crucial concerns within this discourse encompass potential overreliance of a niche specialist on the security guarantor (or even local or regional hubs), sovereignty issues like those faced by the Philippines, and the economic implications for both allies.

**Table 1. Preferred security-partner countries.** (Source: Amador, “Mind the Gaps, Fill the Needs.”)

<table>
<thead>
<tr>
<th>Country</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>US</td>
<td>85.20%</td>
</tr>
<tr>
<td>China</td>
<td>27.60%</td>
</tr>
<tr>
<td>Russia</td>
<td>37.10%</td>
</tr>
<tr>
<td>Australia</td>
<td>80.20%</td>
</tr>
<tr>
<td>Japan</td>
<td>91.10%</td>
</tr>
<tr>
<td>India</td>
<td>52.20%</td>
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<tr>
<td>Malaysia</td>
<td>42.40%</td>
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<tr>
<td>Vietnam</td>
<td>48.70%</td>
</tr>
<tr>
<td>Indonesia</td>
<td>53.80%</td>
</tr>
</tbody>
</table>

*Source: National Security Priorities and Agenda of the Philippines: Perceptions from the Filipino Strategic Community survey.*

**Dependence on US Military Assistance**

Consistent support, in any form, from a central hub can lead a niche specialist with limited capabilities to become complacent in their development efforts. This inclination is particularly evident in the Philippines, given its historical reliance on the United States. This tendency is further exacerbated if the United States offers improved MAA arrangements this time around. Consequently, policymakers in both the military and civilian sectors might once again fall into the trap of assuming that the AFP’s capability development is adequately progressing

39 Amador, “Mind the Gaps, Fill the Needs.”
through US assistance, which could potentially hinder the pace of the modernization program.

Nevertheless, while certain enhancements are required, the Philippines’ defense institutions and infrastructure have made substantial progress in professionalizing its military ranks and enhancing its capabilities. Recent public approval and trust ratings of the Department of Defense have remained consistently high, indicating the positive effects of significant past reforms and the commitment to avoid major missteps. In early 2022, the AFP, in particular, garnered the highest approval and trust ratings among government agencies, with ratings of 67.4 percent and 53.4 percent, respectively.40 The modest modernization program has achieved noteworthy advancements over the past decade, following a well-defined strategy and systematic implementation approach. It has successfully navigated political shifts under divergent presidencies, including the current one led by President Marcos. The program has received consistent backing and funding across different administrations throughout its three five-year phases, commencing in 2013, with an estimated cost exceeding 40 billion dollars.41 Furthermore, the SRDP program has also been realizing an upward push with the ongoing legislative and collaborative efforts of Philippine government agencies and relevant institutions together with the AFP.

Furthermore, the recognition of the past overreliance on US military assistance and support played a pivotal role in driving the AFP’s push to modernize and rejuvenate self-reliant defense in the 1990s. Consequently, nodal defense can be regarded merely as a supplementary element to the Philippine military’s development endeavors. Given that it assigns a specific role for the Philippines within the alliance structure, the planning and implementation of modern military and defense capabilities through the MAA mechanisms would receive prioritized attention, thus conveying a more distinct direction and enhanced efficiency. This novel framework champions domestic reliance, underscoring the importance of cultivating an ally’s self-reliant capabilities. Embracing a nodal approach not only offers the Philippines a strategic orientation as a valued ally but also nurtures a sense of self-assuredness, particularly a form of national prestige known as techno nationalism. This perspective highlights the country’s comparative advantages and its substantial contribution to the alliance and the broader international community.42 By doing so, it can dispel the notion of historical asymmetry and counter the

41 Gallaga, “AFP Modernization.”
42 Javier, “Opportunities and Challenges.”
perception that the Philippines solely benefits passively from the security pact, offering limited utility as an ally.

**Sovereignty Concerns**

Critics might contend that pursuing the alliance with the United States in a broader sense inherently erodes the Philippines’ sovereignty due to the potential increase in American influence within the country. This concern could be exacerbated if the alliance is configured using a strategic framework that rigidly defines the roles and contributions of each ally. Conversely, advocating for a more refined strategy to execute the alliance portrays the Philippines as asserting its sovereignty. When the Philippines willingly chooses to assume a specific role within the alliance structure, enhancing its strategic approach toward its standing alliance with the United States signifies that, as a sovereign state, it actively shapes how it wishes to exercise its defense and military capabilities, especially in addressing China’s assertiveness in the West Philippine Sea. Regarding the extent of US influence over the Philippines, the new structure promotes limited influence on the Philippines, as this approach considers the country’s relationships with other regional powers, including Japan (as a regional hub). Furthermore, given that both nations are currently experiencing a positive recovery from strains in their relations, it becomes more likely that both the United States and the Philippines will exercise caution to avoid missteps that might compromise an ally’s autonomy in decision-making.

**Economic Costs**

Embracing a nodal defense approach could entail substantial costs for each partner, as establishing a new structure would demand significant investments in infrastructure, specialized defense equipment, technology, and personnel. These costs may carry a heavier burden, especially for smaller nations or niche specialists like the Philippines, which possess limited resources. Nonetheless, implementing the nodal defense structure presents a more cost-effective strategy for both nations in the long term. Through well-defined roles assigned to each partner, military assistance and capability development will be tailored to their specific missions within the alliance. Consequently, partners can allocate additional resources toward other national priorities. Existing alliance mechanisms, coordinating bodies like JUSMAG–P, established activities such as the Balikatan exercises, and relevant capabilities have already been operational for some time, requiring only minor adjustments and resources.
Although larger initial investments in self-reliant defense and military capability might be necessary, the Philippines would gradually expand its research and development (R&D) capacity and local industry capabilities. The United States, in turn, could eventually rely on its niche specialist’s capabilities, either directly or through other regional or local hubs. This approach can lead to a more cost-effective investment trajectory in the long run. Investments in defense industries such as electronics and shipbuilding, or those directly linked to specific missions, could yield economic gains and job opportunities for both nations. Consequently, this collaboration would demonstrate positive engagement to both domestic and international audiences. This approach fosters clear commitments and signals, diversifies capabilities, and effectively distributes the burden across partners.

**Tough but Necessary: A US–Philippine Nodal Defense Partnership**

The United States alone cannot achieve a free and open Indo-Pacific. The US–Philippines alliance must modernize and leverage both nations’ individual strengths and capabilities. A novel approach to the alliance, based on nodal defense, presents significant potential for enhancing the alliance’s strategic posture, domestic resilience, and regional network. Nodal defense offers a more comprehensive strategic focus for the MAA and the AFP’s modernization and SRDP programs. This approach underscores comparative advantages and selective sufficiency while aligning with alliance roles and the evolving relationships within the East Asian system. Therefore, nodal defense could positively influence broader US and Philippine foreign policy objectives in the Indo-Pacific region by expanding defense capabilities, bolstering regional deterrence, and adapting to evolving threats.

It could be argued that a fundamentally US-led alliance system adopting a nodal defense structure might lead to the Philippines becoming dependent on US military assistance and support, raise sovereignty concerns, and incur economic costs for both nations. However, given the growing threat from China in the region, significant developments within the East Asian alliance system advocate for a nodal defense approach. The Philippines, in step with the evolving alliance, is steadily modernizing. The United States has demonstrated a willingness to invest more in its East Asian alliances, especially the Philippines, as evident in the recent enhancement of US–Philippine relations. Notable trends include spoke-to-spoke interactions and collaborations among non-allied actors in the region. Countries like Japan and South Korea now favor cooperation against the China threat instead of their historical avoidance of each other, expanding their partnerships beyond the US hub. Both East Asian powers and Southeast Asian partners are
strengthening defense and security relations with the Philippines, signaling a preference for closer partnerships.

With the revitalized US–Philippines alliance, nodal defense could serve as a bridge to achieving mutually beneficial national interests and solidifying an enduring foreign policy framework that transcends changes in leadership. Nevertheless, the responsibility lies with the two allies to foster continuous trust and confidence, uphold commitments, and further enhance their capabilities to accomplish shared objectives. The alliance stands as a critical structure in the regional dynamics, contributing to security and stability. As long as the pursuit of mutual interests and the improvement of the well-being of their peoples remain successful, the value of the US–Philippines alliance will endure and yield substantial dividends in the foreseeable future. In the face of an ascendant China, genuine safety and security of the region depend on the collaboration between the United States and the Philippines, making a free and open Indo-Pacific a tangible reality.

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Laws on LAWS
Regulating the Lethal Autonomous Weapon Systems

SITARA NOOR

Abstract

The development of lethal autonomous weapon systems (LAWS) has sparked a wide-ranging debate on their use and regulation. This article delves into the contrasting perspectives of optimism, pessimism, and realism surrounding LAWS. Optimists view LAWS as a revolution in military affairs, while pessimists raise concerns about their destabilizing effects and ethical implications. Realists advocate for regulated development and better understanding. This article examines the ongoing debate, the need for a common understanding of LAWS, and proposes options for regulation. It explores the technical and legal definitions of LAWS, analyzes arguments for and against regulation, and discusses potential pathways for addressing the challenges posed by LAWS. The article emphasizes the importance of international cooperation and highlights the risks of unregulated adoption of LAWS. By finding common ground and strengthening norms against unrestrained use, it aims to contribute to the development of laws and regulations that promote global peace and security.

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There is nothing more difficult to take in hand, more perilous to conduct, or more uncertain in its success, than to take the lead in the conduct of a new order of things.

—Niccolò Machiavelli

The Prince

For more than a decade, there has been growing concern over the development of lethal autonomous weapons systems (LAWS), weapons capable of selecting and engaging targets without human intervention, also known as killer robots. The invention of LAWS is seen as the “third revolution in warfare,” with their development being deemed as significant in terms of impact as gunpowder and nuclear weapons. Various states, international nongovernmental organizations (NGO), civil society, including artificial intelligence (AI) experts, have independently and jointly worked at different levels to halt and regulate the use of these lethal machines.

However, the debate surrounding this new development is fragmented and marked by divergent viewpoints, resulting in a lack of significant regulatory progress. The failure to reach a consensus can be attributed, in part, to the inherently secretive and opaque nature of the weapon system, which hinders transparency among states involved in their development.

This article aims to analyze the ongoing debate regarding LAWS and the pressing need to regulate these swiftly advancing weapon systems. To achieve this goal, the article will first address the issue of defining LAWS and examine the primary arguments both in favor of and against controlling and regulating these systems. Finally, an attempt will be made to identify a viable way forward and explore potential pathways that developing and possessing states may pursue.

### What Are Lethal Autonomous Weapon Systems?

Various weapon systems, such as land and naval mines, have incorporated a degree of autonomy in their operation, a concept that is not entirely new. Naval mines, for instance, have been utilized in warfare since the 16th century, with the earliest known use of floating explosive torpedoes dating back to 1777 during the American Revolutionary War.² Presently, several countries employ weapon systems with varying levels of autonomy, including the US Phalanx Close In Weapon System (CIWS), the Israeli HARPY loitering munition (LM) and Iron Dome, Russian Arena, and the German AMAP Active Defence System (ADS).³

While autonomy in weapon systems is a prevalent concept, confusion persists regarding the technical and legal definition of Lethal Autonomous Weapons Systems (LAWS). This is primarily due to the absence of a universally accepted definition, with only a few explanations provided by different organizations to elucidate their stance on LAWS. The International Committee of the Red Cross (ICRC) defines LAWS as “[a]ny weapon system with autonomy in its critical functions—that is, a weapon system that can select (i.e. search for or detect, identify, track, select) and attack (i.e. use force against, neutralize, damage or destroy) targets without human intervention.”⁴ The 2022 US defense policy on LAWS defines it as “a special class of weapon systems that use sensor suites and computer algorithms to independently identify a target and employ an onboard weapon

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system to engage and destroy the target without manual human control of the system.” An earlier definition outlined in the US Department of Defense Directive (DODD) 3000.09 describes autonomous weapons as “weapon system[s] that, once activated, can select and engage targets without further intervention by a human operator.” DODD 3000.09 further classifies LAWS into full autonomous, autonomous, and semi-autonomous weapons. Full autonomous weapons operate without human involvement, autonomous weapons require human oversight, allowing the operator to monitor and halt the system, while semi-autonomous weapons involve human control but possess “fire-and-forget” capability, enabling them to select targets and require human command for the attack.

These definitions provide insight into the modern manifestations of LAWS, which have transitioned from the realm of science fiction to the tangible reality of today. The Aegis Combat System, the first instance of a semi-autonomous weapon system, infamously shot down Iran Air Flight 655 in March 1988, mistaking it for an Iranian F-15 fighter plane. While initially attributed to human error in misinterpreting signals from the machine, this incident remains relevant today, underscoring the potential consequences of machine-driven decision-making processes rather than human involvement.

Similarly, military drones have long been employed for remote surveillance and strike operations. Contemporary drones, armed with explosives and equipped with target identification technology, possess the ability to detect and engage targets without relying on human controllers. Recent reports indicate the first documented use of autonomous drones occurred in Libya in March 2020. According to a UN report documenting the incident, the Turkish-made Kargu-2 drone autonomously hunted down members of the Libyan National Army. These weapons were programmed with a “fire, forget, and find” capability, functioning independently without requiring continuous data connectivity between the operator and the munition. While the specifics of the Turkish drones’ fully autonomous utilization in this operation remain unclear, the fact remains that the Kargu-2

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drone demonstrates the potential for complete autonomous operation through machine learning. They have proven to be a force multiplier and a game changer, positioning themselves as potential weapons of choice in future operations.

During the 2022 Russian invasion of Ukraine, a notable LAWS incident came to light. Open-source analysts reported the presence of the Russian KUB-BLA loitering munition system, a collaborative production of Kalashnikov and ZALA Aero group, in the Podil neighborhood of Kyiv in March 2022. Although there is yet to be confirmed evidence of the drone being deployed in its fully autonomous mode, capable of selecting and killing targets, it is evident that this technology has made its way onto the battlefield and is here to stay.

**Three Approaches on the Lethal Autonomous Weapon Systems**

The debate surrounding the usability and legality of these weapons has garnered significant attention from the public, industry, defense community, and governments alike. Several formal forums are devoted to studying this subject in depth. The International Committee for the Red Cross (ICRC) has hosted two expert meetings, while the United Nations, under the Convention on Certain Conventional Weapons (CCW), has organized three informal expert meetings to assess and evaluate the technological, military, ethical, and legal aspects of LAWS. These informal meetings resulted in the establishment of a formal Group of Governmental Experts (GGE) in 2017. The GGE’s primary objective is to explore ways and means of regulating LAWS in response to growing concerns surrounding their proliferation. Since its inception, the GGE has convened numerous meetings to address the issues and enhance clarity on the topic.

The key challenge in discussing the regulation of LAWS lies in the absence of a shared understanding of concepts and definitions. There exists a notable disparity in comprehending their military applications, technical functionalities, and subsequent legal implications. As a result, current positions on LAWS can be categorized into three approaches: the pessimistic, the optimistic, and the realist viewpoints.

**The Pessimists**

Pessimists categorize LAWS as weapons of mass destruction (WMD) and perceive their development and potential use in warfare as highly destabilizing,

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contradicting legal, ethical, and moral values. In 2019, the UN Secretary-General conveyed a message to the GGE in Geneva, stating that “machines with the power and discretion to take lives without human involvement are politically unacceptable, morally repugnant and should be prohibited by international law.”\textsuperscript{10} The \textit{UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions} recommended in a 2013 report that states “establish national moratoria on aspects of Lethal Autonomous Robotics (LARs) , and calls for the establishment of a high level panel on LARs to articulate a policy for the international community on the issue.”\textsuperscript{11}

Furthermore, approximately 30 countries, including Pakistan, Argentina, Austria, Brazil, Morocco, New Zealand, and around 165 global organizations, are spearheading the debate and demanding a preemptive ban on LAWS due to operational risks, legal non-compliance, and accountability issues.\textsuperscript{12} Opponents, including a significant number of AI scientists, assert that the deployment of LAWS will severely diminish international, national, and personal security. They draw parallels to civil society’s momentum that led to the establishment of a global norm through the Biological Weapons Convention, envisioning a similar impact on LAWS.\textsuperscript{13}

Pessimists argue that if a state only needs to risk machines without human involvement, it would significantly lower the threshold for engaging in war, thereby violating the principle of \textit{Jus ad Bellum}. They highlight legal concerns, emphasizing the inadequacy of existing laws regarding accountability in the use of fully autonomous weapons. They contend that there are legal gaps as current accountability systems fail to adequately address the use of LAWS. Fully autonomous weapons would be unable to adhere to crucial norms such as distinction, proportionality, and military necessity, which safeguard civilians during armed conflict. A killer robot does not fit the role of a “natural person” under international law, and a completely autonomous weapon system cannot be held legally responsible for any crimes committed due to the absence of intent. The argument of holding


\textsuperscript{13} Ian Sample, “Ban on Killer Robots Urgently Needed, Say Scientists,” \textit{The Guardian}, 12 November 2017, \url{https://www.theguardian.com/}.
the commander in charge of LAWS responsible for potential miscalculations is deemed insufficient by pessimists, as it would only lead to civil liability under indirect responsibility rather than direct criminal responsibility.\textsuperscript{14}

Based on these concerns, the pessimistic approach sees the necessity and feasibility of a treaty banning LAWS, following the successful examples set by the prohibition of antipersonnel landmines in 1997 and cluster munitions in 2008.\textsuperscript{15}

\textit{The Optimists}

The optimists lend their support to the development of autonomous weapons systems, viewing it as a revolution in military affairs. This debate primarily unfolds in the United States, which became the first country to issue an official policy on LAWS.\textsuperscript{16} Several other nations, including Australia, France, Germany, India, Israel, Russia, South Korea, Spain, Turkey, and the United Kingdom, also oppose a preemptive ban on LAWS.\textsuperscript{17}

According to the optimists, robots may prove more effective than human soldiers in certain situations.\textsuperscript{18} They argue that autonomous systems may even exhibit more humane behavior on the battlefield, as they are likely to act conservatively and without the psychological pressures that can lead to emotionally driven decisions. Consequently, they believe that autonomous weapons have the potential to reduce the number of noncombatant casualties and minimize collateral damage during warfare.\textsuperscript{19}

In response to the criticisms put forth by pessimists, scholars advocating for the development of LAWS contend that, like any other weapons system, their ethical implications depend on how and under what circumstances they are used.\textsuperscript{20} They argue that autonomous weapon systems can be governed by an inbuilt ethical code, thereby falling within the purview of existing Law of Armed Conflicts (LOAC). In fact, they suggest that autonomous systems may even refuse or report


\textsuperscript{15} Stauffer, “Stopping Killer Robots.”


\textsuperscript{17} Stauffer, “Stopping Killer Robots.”


unethical orders issued by military personnel. Supporters maintain that autonomous systems possess a more objective viewpoint and can potentially prevent human errors in judgment.\textsuperscript{21} Regarding the ability to discriminate between civilian and military personnel and targets, proponents assert that LAWS can employ mechanisms such as sophistication, restriction, updates, and human involvement to make such distinctions, thus ensuring compliance with international humanitarian law (IHL).\textsuperscript{22}

 Regarding accountability and attribution, especially concerning Article 7 of the Responsibility of States for Internationally Wrongful Acts (2001), which addresses “Excess of authority or contravention of instructions,” proponents argue that even if an autonomous system behaves unexpectedly and beyond the scope of its initial deployment, the actions will still be attributed to the state.\textsuperscript{23}

\textit{The Realists}

The realists position themselves between the optimists and pessimists, considering arguments from both sides. They acknowledge that the ship has sailed regarding LAWS, as numerous states have already invested in research and development. A complete policy reversal and ban on LAWS are deemed unlikely. Instead, the realists advocate for a better understanding of the evolving situation and the implementation of checks on the process.

This approach finds support in China’s stance, which advocates for the prohibition of the use but not the development of LAWS. China characterizes these systems as indiscriminate, lethal, and unaccountable, and argues that they would inherently violate international humanitarian law (IHL).\textsuperscript{24} Speaking at the United Nations GGE China expressed its “desire to negotiate and conclude” a new protocol for the Convention on Certain Conventional Weapons “to ban the use of fully autonomous lethal weapons systems.”\textsuperscript{25} However, China’s position has faced


\textsuperscript{22} Christopher Ford, “Autonomous Weapons and International Law.”


criticism for its perceived ambiguity, as it continues to advance its work on artificial intelligence in military domains and maintains its cyber sovereignty.

France and Germany, who primarily align with the optimist category, also support a practical approach. They have proposed “issuing a non-binding political declaration that would state that LAWS are subject to international humanitarian law and that states parties “share the conviction that humans should continue to be able to make the final decisions regarding the use of lethal force and should continue to exert sufficient control over lethal weapon systems they use.”

This reflects a realist perspective. The CCW Convention’s Group of Governmental Experts has adopted 11 guiding principles emphasizing the necessity of human control and the applicability of international humanitarian law to “all weapons systems, including the potential development and use of lethal autonomous weapons systems.”

The realists adopt a nuanced view, recognizing that determined individuals may still develop autonomous weapons despite attempts to stop them, drawing parallels to chemical weapons. However, they emphasize the need to control and regulate the research and development of this new weapon category. They share the concerns of the pessimists, acknowledging the vulnerability of this technology and the possibility of it falling into the hands of nonstate actors. Thus, they call for better regulation to govern the development and proliferation of LAWS. Their valid solution lies in the argument that legal requirements for the use of force must be considered from the outset of developing autonomous weapon systems, rather than as an afterthought.

**Squaring the Circle: The Way Forward**

The rapid progression of autonomous weapons from science fiction to reality raises overarching concerns. Similarly, the current trends of alleged LAWS usage are expected to transition into announced and more organized usage in future conflicts. However, the biggest challenge lies in the regulation process, as the development and use of LAWS are outpacing discussions of a complete ban or the

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26 Stauffer, “Stopping Killer Robots.”


implementation of effective regulations, despite ongoing efforts for over a decade.  

During the Sixth Review Conference of CCW, the Group of Government Experts discussed various proposals, including introducing legally binding instruments, non-legally binding instruments, clarifying states’ commitment to implementing existing obligations under international law, particularly IHL, developing regulations based on IHL, or considering the option of no further legal measures.  

The array of options on the table reflects the complexity of the issue and the challenge of achieving consensus. While divergent views exist regarding whether LAWS are regulated by IHL treaties, there is a common understanding that their use must comply with IHL. However, doubts remain, as the optimists, including possessing and developing states, insist that their LAWS will operate within IHL parameters, raising concerns about the potential for a different and more problematic reality.

Another challenge arises from the divisive nature of global politics, which hinders positive outcomes in addressing this evolving challenge. Major powers are engaged in a competition of arms buildup, particularly the strategic competitions between the US–China and US–Russia. The nonproliferation regime is also in disarray, with various previously agreed treaties collapsing. Creating an environment conducive to constructive dialogue among states to discuss banning, controlling, or regulating the development of LAWS is therefore challenging.

Despite these challenges, it is crucial to maintain engagement and momentum towards clear end goals to uphold the majority perspective of the pessimists driving the debate on banning LAWS. It should be noted that some states currently favoring the pessimists’ demand may be assessing other options while observing the evolving situation. In the absence of a global norm against LAWS, a security dilemma is likely to emerge. Consequently, indecisive states may feel compelled to develop LAWS to ensure their security. For instance, countries like Pakistan, currently advocating for a ban on LAWS, may reconsider their position and embark on LAWS programs if their rival, India, continues to develop LAWS without consequences.


The following is a list of proposed options that can guide future actions in regulating LAWS:

Developing a Common Understanding. The lack of a common understanding on the definition of LAWS and the specific risks associated with their use in warfare poses a significant obstacle. The optimist states must provide greater transparency on their LAWS development programs and operational strategies to foster a shared understanding. They should address specific technical questions, such as the human-machine interface and ensuring strong human control, particularly in nuclear environments.

Adopting a Bottom-up Approach. In the absence of significant progress at multilateral forums, sustained social activism at the grassroots level can be employed as a bottom-up approach to garner support and exert pressure at the political level. Various studies support the notion that transnational advocacy movements have effectively influenced citizens to pressurize their governments for causes. The ongoing discussions among the Group of Government Experts at the CCW highlight the immense challenge of developing consensus among state parties. States adopting the optimist approach are resisting calls for a complete ban on LAWS, indicating that the current negotiation format is unlikely to result in substantive regulations, let alone a complete ban.

Numerous NGOs, including Human Rights Watch, actively lead campaigns against killer robots, albeit with limited scope. Drawing inspiration from the International Campaign to Abolish Nuclear Weapons (ICAN) and the subsequent Treaty on the Prohibition of Nuclear Weapons (TPNW), campaigners against killer robots should also engage in grassroots-level debates among the general population. This approach will help generate bottom-up pressure, similar to the ICAN campaign, leading to a more comprehensive movement against killer robots.

Strengthening the Norm Against the LAWS. Despite criticism of the nuclear ban movement for its limited achievement in nuclear disarmament, the normative value of such movements cannot be disregarded. Emulating this approach, campaigns against LAWS can strengthen existing efforts by NGOs and civil society, making it politically difficult for leaders to employ LAWS without effective human control.

Finding Common Ground. LAWS pessimists, particularly civil society activists, call for preemptive bans on autonomous weapons through “upstream regulation.” Optimists argue for “downstream” regulations, anticipating that morality
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will evolve alongside technology.\textsuperscript{31} Both sides should move beyond strong opposition and seek common ground to build mutual trust. Optimist states may not completely abandon their LAWS programs, especially without a verification mechanism to ensure their adversaries are not secretly developing LAWS. However, optimists must acknowledge the concerns raised by pessimists, as these weapons, beyond a certain level, may unintentionally escalate conflicts and pose a threat to peace.

\textbf{Conclusion}

As new technologies become more widely available and affordable, the capacity to establish rules and control their adoption diminishes. Regarding LAWS, UN Secretary-General António Guterres acknowledges the rapid development of this technology, stating that it is progressing at “warp speed.”\textsuperscript{32}

Amid the definitional ambiguity and subjective assessments of pessimists and optimists on the role of LAWS in future warfare, realists are gaining ground and advancing the debate. The pressure to regulate these emerging technologies for global peace and security is steadily increasing. However, progress thus far has been unsatisfactory, with no clear pathway or unanimity among leading possessor states on the way forward. Operational aspects and the compatibility of IHL with LAWS raise numerous unanswered questions. While LAWS optimists assert that future employment will adhere to IHL limits, there is no clarity on attribution and responsibility in case of violations. Additionally, the potential unpredictability arising from the use of LAWS in war-like situations and how such situations would be handled within IHL parameters remain unaddressed.

The employment of LAWS and other AI/machine learning systems will transform the nature of war. Increased reliance on machine learning and AI-based systems may lead to policymakers’ “AI overconfidence” if they assume that these systems generate accurate data and superior analysis compared to human sources.\textsuperscript{33} In such scenarios, even when employing semi-autonomous weapons systems


\textsuperscript{33} David Minchin Allison, “The Risk of Destabilizing Technologies: Artificial Intelligence and the Threat to Nuclear Deterrence” (working paper, Yale University, Department of Political Science, 25 September 2020).
with human involvement in decision-making, the ability or willingness to challenge information provided by AI-based systems or verify it through other means may be significantly diminished. This can result in dangerous situations and a higher risk of unintended escalation, particularly in a nuclear environment.

Furthermore, the lack of meaningful international control over the acquisition and adoption of these technologies incentivizes nonstate actors to utilize LAWS for terrorist purposes. Non-state organizations such as Hezbollah and ISIS have already demonstrated their ability to operate drones in various attacks. Without regulations in place for dual-use technology necessary for LAWS, more nonstate actors will venture into this field.

Given the gravity of the situation, urgent action is necessary before these technologies become ubiquitous. While existing export control systems are not fail-safe, the addition of LAWS-specific export controls would complement the current system and introduce hurdles to impede easy access to technologies that may pose harm to human beings.

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FEATURE

The Rise and Fall of the Joint Comprehensive Plan of Action

AMBASSADOR SEYED HOSSEIN MOUSAVIAN, RETIRED

Abstract

Diplomatic efforts to revive the Joint Comprehensive Plan of Action (JCPOA) have stalled since fall 2022. Iran expressed willingness to cooperate, contrasting with uncertainty from the West. Recent talks on a “trigger or snap back mechanism” risk prompting Iran to suspend Treaty on the Non-Proliferation of Nuclear Weapons (NPT) safeguards, potentially sparking regional conflict. Two key factors contribute to the uncertainty: conflicting White House statements on diplomacy and the absence of direct talks due to the US special envoy’s leave. Iran’s advancing nuclear capabilities intensify the need for diplomatic solutions.

This article advocates for a temporary JCPOA revival agreement, acknowledging challenges. Drawing from historical lessons of failed “piecemeal deals,” it underscores the necessity of a grand bargain. This comprehensive approach requires resuming direct US–Iran negotiations, addressing Persian Gulf regional issues, involving Iran, the EU, and Ukraine to ensure non-interference in Ukraine, and international mediation for Iran–Israel tensions. These elements provide a holistic path to regional stability.

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Nuclear negotiations between Iran and the world powers began in 2003. After 12 years of intensive negotiations, the world powers and Iran reached a landmark agreement known as the Joint Comprehensive Plan of Action (JCPOA) in 2015. This landmark agreement signified an important development in the history of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and broader international relations. From the perspective of the Western world powers, Israel, and some regional countries, Iran’s nuclear program presented the most pressing threat to their national and collective security. Failure of diplomacy risked military confrontation, which could have devastated the entire Middle East region with long-run catastrophic consequences at both regional and international levels.

Twelve years of negotiations between Iran and the world’s powers—their most prominent diplomats and nuclear scientists—produced the tedious 170-page

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document called the JCPOA. It includes the strongest inspection and transparency regimes as well as non-diversion guarantees to prevent Iran from building a nuclear bomb. Such intrusive inspection regimes enshrined in the JCPOA were unprecedented in the history of nonproliferation. The JCPOA presented the most rational and reasonable way to verify the peaceful nature of Iran’s nuclear program without military confrontation.²

While it is true that the JCPOA resulted from negotiations between Iran and six world powers, it is crucial to remember that this agreement became a reality due to direct ministerial-level talks between Iran and the United States. Following the Islamic Revolution of 1979, this marked the first instance of high-level direct negotiations between Iran and the United States on one of the most critical disputed issues, involving foreign ministers and heads of atomic energy organizations from both countries. Notably, this period saw then-presidents Barack Obama and Hassan Rouhani engage in a phone conversation, an unprecedented event since the 1979 Islamic Revolution.

Therefore, substantial evidence indicates that the JCPOA’s success hinged on direct discussions between Iran and the United States. While Iran and Europe had engaged in lengthy talks over the years, they yielded no significant results concerning the nuclear issue. The JCPOA stands out as a remarkable achievement in the realm of nonproliferation treaties, notably for its comprehensive 170-page framework—the most extensive of its kind in the field of Iran’s nuclear agreement.³

The significance of the JCPOA for the non-proliferation world notwithstanding, President Donald Trump ill-advisedly withdrew the United States from the world’s most comprehensive nuclear agreement in May 2018. According to the IAEA’s quarterly reports, Iran fully complied with its JCPOA obligations from July 2015 to May 2018. On 30 August 2018, the IAEA report stated: “Timely and proactive cooperation by Iran in providing such access facilitates implementation of the Additional Protocol and enhances confidence.”⁴

Meanwhile, despite Iran’s full JCPOA compliance, the Trump administration enforced the world’s most stringent economic sanctions on Iran.\(^5\) After President Joe Biden entered office in January 2021, negotiations between the Rouhani and Biden administrations resumed. The two administrations neared finalizing an agreement, but Iran’s June 2021 presidential election changed dynamics. Iran’s newly elected President, Ebrahim Raisi, altered the nuclear negotiating team. From November 2021, negotiations between the world powers and Iran continued for a year until December 2022, when the United States and Europe informally announced JCPOA abandonment. Writing in the *Israel Hayom* newspaper, defense analyst Yoav Limor stated that the “US Secretary of State noted to his Israeli counterpart that Joe Biden’s assessment is that JCPOA cannot be revived.” This echoed Biden’s leaked comment that “the deal is dead.” Limor continued: “The main conclusion we can draw from this week’s meeting of governors of the IAEA in Vienna is that the Iran nuclear deal is dead, at least for now. The funeral has yet to be scheduled, and it can still be artificially revived, but for that to happen, at least two conditions would need to be in place that at the moment appear highly unlikely.”\(^6\)

It is crucial to note that in 2016, the Obama administration touted the JCPOA as a model for future diplomacy. The deal could have been an extraordinary model demonstrating how diplomacy can resolve one of the world’s most complicated issues, had President Trump not destroyed it. My belief is that the JCPOA is not 100-percent dead. While failure to revive it before the November 2024 US presidential election seems undeniable, the deal is not completely dead yet. This article investigates the root causes of JCPOA revival failure. It concludes with a policy recommendation for reviving the deal at this complicated stage.

**Major Obstacles**

*The US Primary Sanctions*

The JCPOA depends on mutual commitments. Iran committed to permanently accepting the latest and most extensive international verification mechanisms for its nuclear program. It also accepted maximum nuclear program restrictions for

\(^5\) Movahed, “The Sanctions Game.”

\(^6\) Yoav Limor, “The deal is dead, the war lives on,” *Israel Hayom*, 10 June 2022, https://www.israelhayom.com/.  

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10 to 30 years. Iran accepted an inspection regime unmatched by any other NPT member state.\(^7\)

In return, the world powers had two major obligations: acknowledge Iran's NPT nuclear rights and lift nuclear sanctions hindering Iran's trade relations. During Obama's presidency, although the administration seriously implemented the JCPOA and encouraged European trade with Iran, US primary sanctions posed a major barrier. Therefore, even with Obama administration support for JCPOA implementation, US primary sanctions prevented Iran from fully benefiting economically from the deal. Due to US primary sanctions, European countries could not normalize trade with Iran.\(^8\) This negatively impacted the Iranian economy, which could not reap JCPOA fruits. Although US primary sanctions prevented Iran from fully benefiting economically from the JCPOA, Iran fully complied, demonstrating an understanding of the trade barriers posed. Iran cooperated.

The problematic US primary sanctions and the “Iranian Transactions and Sanctions Regulations” (ITSR) prohibit: “the export, reexport, sale, or supply, directly or indirectly, from the US or by a US person, wherever located, of any goods, technology, or services to Iran; and the facilitation by a US person of transactions by a foreign person that they would otherwise be prohibited from engaging in under the ITSR. The prohibitions in the ITSR also apply to foreign entities owned or controlled by a US person.”\(^9\)

On 8 May 2018, after withdrawing from the JCPOA, the Trump administration reimposed sanctions on Iran.\(^10\) The general embargo prohibiting US exports to Iran remained in effect after JCPOA implementation and still applies today. Specifically, entities controlled by US persons (foreign subsidiaries of US companies) again face the general embargo. This embargo application to entities controlled by US persons continues to hinder non-US trade with Iran. The US primary sanctions constitute a major barrier to normal Iran trade.


\(^10\) “Iran Sanctions.”
The Collusion of Israel and the Arab Allies of the United States

Shortly after the September 2013 meeting between the then Foreign Minister Javad Zarif and Secretary of State John Kerry, Israel vigorously tried to prevent a diplomatic Iran-West nuclear agreement. While JCPOA talks continued, Israeli Prime Minister Benjamin Netanyahu traveled to Washington to address Congress. “This is a bad deal—a very bad deal,” Netanyahu thundered. “We’re better off without it,” he added.11 Many Democrats perceived Netanyahu’s congressional speech as insulting both America and Obama. It was unprecedented for a foreign leader to so brazenly challenge a US president at home.12

John Kerry, the then Secretary of State, later revealed that at every meeting, Saudi, Egyptian, Emirati, and Israeli leaders only requested stopping negotiations and militarily striking Iran. However, Obama did not succumb to their pressure and brought negotiations to a meaningful conclusion. Thus, Israel and its allies could only advance their anti-Iran agenda during the Trump administration.13

Trump’s withdrawal from the nuclear deal greatly pleased Saudi Arabia and other US Arab allies, as well as Israel. The Saudi Embassy in Washington stated it “supports and welcomes the steps announced by President Donald Trump regarding the United States’ withdrawal from the Iran nuclear deal. The Kingdom also supports reinstating economic sanctions on Iran, which have been suspended under the nuclear deal.”14 More importantly, Netanyahu officially announced convincing Trump to withdraw from the JCPOA. Israel’s policy, promoted in Washington by the American Israel Public Affairs Committee (AIPAC), the Foundation for the Defense of Democracy (FDD), and the United Against Nuclear Iran (UANI) advocacy organization, aimed to exploit the Trump era to make JCPOA revival impossible for the next president. They succeeded in convincing the Trump administration to designate Iran’s Revolutionary Guard Corps as a terrorist organization. In a tweet to President Trump, Netanyahu said: “Thank you, my dear friend, the president of the United States, Donald Trump, for having decided to designate Iran’s Revolutionary Guards as a terrorist organization.”

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“Thank you for responding to another of my important requests, which serves the interests of our countries and countries of the region,” Netanyahu added in Hebrew.\textsuperscript{15}

Israel also pushed for reviving and fully reapplying economic sanctions lifted under the JCPOA, under the guise of terrorism and human rights. Thus, if the JCPOA were revived, these new nonnuclear sanctions would remain. During the Trump administration, 1,500 new sanctions pertaining to human rights, terrorism, and nuclear issues targeted Iran, an unprecedented scale against any country.\textsuperscript{16}

In sum, an unprecedented alliance was officially formed between the United States, Saudi Arabia, the United Arab Emirates, and Israel. Important reports disseminated details of joint meetings to discuss and coordinate anti-Iran actions. Saudi Arabia and the UAE’s public cooperation with Israel against Iran was unprecedented in Iran’s relations with neighboring Persian Gulf Arab countries. Their efforts to prevent President Biden from reviving the JCPOA continue. Netanyahu and Yair Lapid, at the end of their terms as Israeli prime ministers, proudly announced preventing Biden from reviving the JCPOA.\textsuperscript{17}

\textbf{Four Major Delays}

In 2021, both Iran and the United States had new administrations. Both held certain actions in abeyance, which I believe were strategic mistakes. President Biden officially entered office on 20 January 2021 but did not start JCPOA revival negotiations until four months later in April 2021, leaving little time before Iran’s June 2021 presidential election.\textsuperscript{18} Robert Malley was appointed the new US nuclear negotiator, while Abbas Araghchi remained Iran’s negotiator under Rouhani. Iran and the world powers agreed on over 80 percent of issues during three months of talks. However, after Mr. Raisi’s election, nuclear negotiations paused until after his August 2021 swearing-in, causing delay despite the 1+5 countries wanting to finalize negotiations with Araghchi. Had Tehran allowed Araghchi to con-

\begin{itemize}
\item[\textsuperscript{15}] John Haltiwanger, “Israeli Prime Minister Benjamin Netanyahu said he asked Trump to label Iran’s elite military force a terrorist group,” Business Insider, 9 April 2019, https://www.businessinsider.com/.
\item[\textsuperscript{17}] Bruce Riedel, “How to understand Israel and Saudi Arabia’s secretive relationship,” Order from Chaos (blog), 11 July 2022, https://www.brookings.edu/.
\end{itemize}
continue, the likelihood of reviving the JCPOA by August 2021 would have been much greater.

There are reasons for these delays. Iran’s nuclear dossier has been highly controversial domestically in both Iran and the United States. Iranian Principlists (conservatives) viewed it as the Rouhani administration’s submission to the United States. Meanwhile, Trump and Republicans castigated Obama as “too nice” to Iran. Iranian conservatives assumed stronger negotiation stances could elicit more US concessions. They did not want to give JCPOA credit to reformists/moderates for initiating and finalizing it. Moreover, the JCPOA revival before the presidential election could have buoyed economic conditions and influenced the outcome favoring reformists/moderates.

President Raisi entered office on 19 June 2021 and was officially sworn in August 2021. He replaced Abbas Araghchi with Ali Bagheri-Kani as chief negotiator. Crucially, Bagheri-Kani himself staunchly opposed the JCPOA under Rouhani, even calling it “a joke” on national TV. Now the same person who called the JCPOA “a joke” was tasked with reviving it. Conservatives could not take JCPOA revival responsibility after deriding it as a disgraceful agreement. Hence, they rebranded it as “sanctions removal negotiations.” However, Iran did not start negotiations to revive the JCPOA until November 2021, six months after Biden’s election. Talks continued until August 2022. The parties were very close. European Union High Representative Josep Borrell tweeted: “What can be negotiated has been negotiated, and it’s now in a final text. However, behind every technical issue and every paragraph lies a political decision that needs to be taken in the capitals. If these answers are positive, then we can sign this deal.”

In the final stages, however, Iran made a strategic mistake. In February 2022, Russia launched a full-scale war on Ukraine. Ensuing extensive Russian attacks drastically increased energy and food prices. Gasoline prices rose 10 percent from February to August 2022. Europe panicked about a winter energy crisis and vigorously worked to replace Russian energy.

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22 “Keihan: The JJJ is pure damages, wait two months, the situation will change!,” Keyhan Newspaper, 27 August 2022, https://fararu.com/.
23 Josep Borrell Fontelles, tweet, Twitter, 10:50 AM, 8 August 2022, https://twitter.com/.
The European energy crisis seemed a “golden opportunity” for Iran. However, Iranian factions differed on this golden opportunity. Some argued Europe’s unprecedented energy dependence on Iran could be a historic turning point in improving Iran–Europe relations if the near-complete negotiations quickly finalize the JCPOA. This view aligned with moderates and reformists. Moscow staunchly opposed such Iran–Europe rapprochement because it wanted to keep Europe energy-dependent and gain leverage on Ukraine.

Others in Iran saw the golden opportunity differently. Conservatives argued delaying negotiations several months would force European JCPOA concessions to lift sanctions and address the energy crisis. Take comments by analyst Mohammad Marandi, who posited the energy crisis and Russia supply cuts would leave Europeans freezing and give Tehran nuclear negotiation leverage.24

Kayhan newspaper, representing this view, published a 27 August 2022 headline reading: “Reviving the JCPOA now is a Serious Loss, Just Wait for Two months!” Kayhan wrote: “Now we have entered the seventh month of war in Ukraine. Over the past seven months, certain events took place that no one could have imagined. The richest, most industrialized, and most powerful Western countries have received blows from the very point where they are dependent, which, according to their own futurists, will take years to recover from. What is that point? Energy. Westerners are highly dependent on energy sources in Russia.”25

Iran’s calculations were inaccurate. Europe secured energy needs from the Arab world despite Russian boycotts. As Figure 1 shows, gas prices increased starting August 2021 but declined by October 2022.

25 “Keihan: The JJJ is pure damages.”
In addition to Israel, the US–Arab alliance, and neoconservatives in both countries, the nuclear negotiations faced stubborn domestic opponents in Iran. During Rouhani’s administration, JCPOA opponents did whatever they could to prevent finalizing the deal. After the agreement, they relentlessly worked to destroy it, calling Foreign Minister Javad Zarif and Atomic Energy Organization head Ali-Akbar Salehi traitors and threatening to kill them.26 Multiple incidents occurred where conservatives directly threatened Zarif and Salehi. In fact, conservative Iranian parliament members themselves threatened to execute Zarif and Salehi over the West deal, telling Salehi: “We will kill you and bury you under cement at the Arak reactor.”27

When Zarif shook hands with Obama at the UN General Assembly, he faced remarks like “You are shaking hands with the Great Satan” and “A Great Satan that prides itself on remaining our enemy” upon returning home.²⁸

Former nuclear negotiator and JCPOA critic Saeed Jalili said the nuclear agreement abandoned “A hundred inalienable rights” of Iran. Suffice it to say, that the JCPOA has faced and continues to face serious domestic challenges in Iran.²⁹ Of course, they have reasons to oppose the JCPOA, including believing the United States will not uphold its end of the bargain. But they also oppose any Iran–US dialogue.

On 16 September 2022, while Iran awaited worsening Europe’s energy crisis, morality police arrested 22-year-old Mahsa Amini. The tragic news sparked enormous public resentment and anger. Social media influencers, celebrities, athletes, and others vocally opposed mandatory veiling. Widespread protests swept Iran, creating its most severe internal crisis since 1979. Demonstrations and riots led to hundreds killed, thousands arrested, and some executions.³⁰ The West seized the opportunity, imposing new sanctions on Iran and pushing the 24 November 2022 UN Human Rights Council resolution against Iran, its harshest since the 1979 revolution.³¹

The resolution established an investigative committee on human rights violations during the protests, mandated to collect related evidence and report to the Human Rights Council. The resolution text states: “An alarming number of protesters have already been detained and killed, many of whom are children, women and older persons. The Government must instruct police to immediately cease any use of excessive and lethal force and exercise restraint.” Its harsh tone regarding violence against women and children suggests an attempt to delegitimize Iran’s political order internationally, likely to exploit the report regarding potential international court referrals.³² Ultimately, Mahsa Amini’s death and the ensuing

²⁹ “Saeed Jalili: In the JCPOA, Iran must give up 100 of its rights, 23 of which are related to research and development,” Magiran, n.d., https://www.magiran.com/.
³¹ “Iran: Crackdown on peaceful protests since death of Jina Mahsa Amini needs independent international investigation, say UN experts” (press release, United Nations, 26 October 2022), https://www.ohchr.org/.
³² “Iran: Crackdown on peaceful protests.”
internal crisis encouraged the West to prioritize human rights with the nuclear issue, complicating the JCPOA revival.\textsuperscript{33}

I am aware that after sealing the 2015 nuclear deal, Obama administration negotiators emphasized to Iran expanding cooperation to other regional areas, arguing the deal would otherwise be unstable under the next president. They considered resolving one of the Yemen or Syria crises via cooperation because it could: 1) demonstrate to JCPOA opponents that engaging Iran aids regional peace and stability, and 2) improve Iran-Saudi relations and reduce regional tensions. Obama prioritized easing Iran-Saudi hostility and resolving the Palestinian crisis via a two-state solution. \textsuperscript{[38]}

In a 2016 Atlantic interview, Obama said Iran and Saudi Arabia should be regional partners. 	extit{The Atlantic} reported:

Obama delivers often brutally candid commentary on the intractable tribalism of the Middle East, saying that Saudi Arabia needs to ‘share’ the neighborhood with Iran; on the shortcomings of America’s allies who act more like, in Obama’s words, ‘free riders’; and about Ukraine, which Obama believes is not a core U.S. interest and will always be vulnerable to Russian domination. And he suggests that he is preserving and enhancing U.S. power, not diminishing it, by refusing to wage unnecessary and unwinnable wars in the ‘fraying’ states of the Middle East. \textsuperscript{34}

This JCPOA cooperation model proposal beyond the nuclear issue faced opposition from Ayatollah Khamenei and Iranian conservatives. After the 2015 deal, Rouhani positively regarded US-Iran talks on Syria, but Khamenei immediately announced Iran would not dialogue with the US beyond nuclear issues, arguing it would allow US dominance over Iran.

\textbf{Foreign Intelligence Infiltration of the IAEA}

Since the initiation of Iran’s negotiations with the West in 2003, a process in which I played a role as a negotiator, confidential information regarding Iran’s nuclear program has persistently leaked to the press. This issue has remained a persistent concern. In many instances, when Iran submitted confidential reports to the IAEA concerning its nuclear activities, the press gained access to their


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details within an exceptionally brief period—sometimes within just a couple of days. This eroded Iran’s confidence in the IAEA, as it repeatedly failed to uphold the confidentiality of the information, despite clear regulations mandating the IAEA to do so. This reinforced Iran’s belief that intelligence agencies from various countries were actively operating within the IAEA, having deeply infiltrated the organization.

Furthermore, Iran held substantial concerns and suspicions regarding the agents of the IAEA. Iran firmly believed that these inspectors served as undercover agents for major hostile intelligence services, operating in Iran under the guise of IAEA inspectors and sharing information about Iran’s nuclear program with the United States and Israel. This belief was substantiated by several instances of sabotage, including the assassinations of nuclear scientists, cyberattacks, and explosions within Iran’s nuclear facilities.\(^\text{35}\) Since the inception of Obama’s presidency to the present day, numerous cyberattacks, initially exemplified by Stuxnet, targeted Iran’s nuclear facilities. Additionally, a significant number of Iranian nuclear scientists fell victim to assassinations, and numerous acts of sabotage within Iran were attributed to Israel.\(^\text{36}\)

**Pressures on the Biden Administration**

Iran and the United States neared an agreement on a prisoner exchange.\(^\text{37}\) However, the Biden administration remains undecided regarding the prisoner swap with Iran, primarily due to domestic political considerations and concerns about Republican reactions. There are several reasons behind the administration’s hesitation.

First, the prisoner exchange deal would involve releasing approximately USD 6 billion of Iran’s funds that were frozen in South Korea. Second, in accordance with the JCPOA and UN Security Council Resolution 2231, key “sunsets” after October 2023 are expected to lift limitations on Iran’s nuclear program. These include:

- “Restrictions on Iran’s research, development, and production of ballistic missiles designed to be capable of delivering nuclear weapons.

\(^{35}\) Trita Parsi, “Was the assassination in Iran another Israeli effort to sabotage JCPOA?,” *Responsible Statecraft*, 23 May 2022, https://responsiblestatecraft.org/.


Mousavian

- Ban on Iran’s import and export of missile-related technology. The U.S. is required to seek congressional legislation that ends sanctions on key economic sectors that Washington “suspended” as part of the nuclear deal.
- The U.S. is required to remove certain individuals and entities linked to Iran’s nuclear program from its sanctioned list.
- The E.U. is required to lift its remaining sanctions on Iran’s nuclear program.”

Furthermore, in July 2024, the JCPOA is anticipated to relax some limits on Iran’s testing and production of advanced IR-6 and IR-8 centrifuges for uranium enrichment. Consequently, President Biden is concerned that these actions could provoke staunch Republican political attacks on his election campaign. This primary concern has led to his indecision on completing the negotiations.

However, after a year of negotiations, Iran and the United States reached an informal broader agreement encompassing: (1) curbing Iran’s accumulation of highly enriched uranium, (2) allowing increased international inspections of Iran’s nuclear facilities, (3) halting Iran proxy attacks on US forces in the Middle East.

In return, Iran will release five US prisoners in exchange for the US releasing several Iranians and USD 6 billion in frozen Iranian funds for purchases of food, medicine, and other humanitarian goods for Iran’s population. Tehran will also export more oil and gradually access frozen Iranian funds in Iraq.

Russia’s Invasion of Ukraine

The war in Ukraine has implications for the relationship between Iran and Russia. The Russian–Iranian alliance has strengthened considerably. Europe perceives Russian-Iranian strategic cooperation, particularly following the war in Ukraine, as a threat to Western hegemony in the region. “They are the number-one military supplier of a country waging an unprovoked war of conquest and aggression in Europe. Our hope, of course, is that they quickly shift course.” said the senior US official.


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In May 2023, during a seminar in Europe, a European official emphasized that Iran must recognize that military cooperation with Russia in the Ukraine conflict is Europe’s red line. The official added that Russia’s invasion of Ukraine poses an existential threat to Europe. Consequently, reviving the JCPOA and lifting sanctions may not be possible while Iran is aligned with Moscow in the Ukraine conflict.

The Way Forward

Since Fall 2022, efforts to revive the JCPOA have stalled. Iran has expressed its readiness to resolve the issue with the West, but the Western nations have not reciprocated. It is vital to note that major JCPOA parties, including France, the UK, and Germany, recently held a meeting with ten non-permanent members of the UN Security Council to discuss the “trigger or snapback mechanism.” This scenario may push Iran to suspend its basic safeguards commitment under the NPT, which allows the IAEA to monitor its nuclear materials. This action could be seen as a decision to exit the NPT and pursue nuclear weapons, potentially leading to a Middle East war with consequences even more catastrophic than the wars in Iraq and Afghanistan. However, due to the recent informal US–Iran agreement, a European official told me anonymously that the United States and Europe will not try extending UN Security Council restrictions on Iran’s arms imports under Resolution 2231, set to expire this October, nor will they employ the snapback mechanism to restore UN sanctions. Nonetheless, Europeans intend retaining the ballistic missile sanctions.

Nevertheless, this situation is further complicated by the ongoing proxy war between the United States and Europe against Russia in Ukraine. The two key elements diminishing the prospects of JCPOA revival are as follows:

1. The Biden administration appears to lack a clear political stance on JCPOA-related negotiations. Statements from the White House have been notably contradictory. While it emphasizes diplomacy as the best option, it contends that reviving the JCPOA is not on the agenda. President Biden is concerned that reviving the JCPOA could lead to significant domestic backlash and undermine his chances in the 2024 presidential election. Hence, my

article at *Responsible Statecraft* suggests that Biden’s policy until the next US presidential election will be based on “No Deal, No Crisis.”

2. The limited direct talks between Iranian Ambassador Amir Saeed Iravani and Robert Malley were suspended when the US special envoy for Iran was placed on administrative leave.

Iran’s nuclear program has already reached a point where it could produce enough weapon-grade uranium for a nuclear bomb within *just* two weeks. Rosemary DiCarlo, the Under-Secretary-General for Political and Peacebuilding Affairs, stated in a Security Council briefing that “diplomacy is the only way to effectively address the Iranian nuclear issue.” She regretted that negotiations to restore the Plan remain stalled despite all participants, including the United States, reaffirming that “a return to the full and effective implementation of the Plan” is the only viable option.

In conclusion, the recent informal agreement’s positive momentum between Tehran and Washington has laid the groundwork for reviving the JCPOA, and potentially a broader deal. As I have emphasized before, numerous failed “piecemeal deals” occurred between Iran and the United States since the 1979 Revolution. The JCPOA’s failure partly stemmed from its nature as another piecemeal deal.

Given current circumstances, a grand bargain involving Iran, the United States, world powers, and the eight Persian Gulf countries is imperative, encompassing six key elements.

3. Resume US–Iran direct negotiations, followed by P5+1 talks with Iran to revive the JCPOA based on the August 2022 text.

4. Past failures of piecemeal regional approaches provide ample evidence that regional issues must also be addressed. An Iran dialogue with other Persian Gulf countries is necessary. The recent China-mediated Iran–Saudi détente seems promising, providing a workable model. Per UN Resolution


598, the UN Secretary-General should convene a regional dialogue on regional issues among the eight Persian Gulf countries under UN Security Council supervision. Establishing a New Security and Cooperation System among them is essential for sustainable regional peace and security.48

5. As I recently mentioned at the US Strategic Symposium, advancing a Persian Gulf Cooperation and Security System would greatly impact regional peace, stability, and security, which is vital for Indo-Pacific powers like the United States, China, and India. Creating a regional security and cooperation system would ensure energy security and facilitate regionalizing JCPOA principles within a Persian Gulf cooperative security framework. This could (a) address JCPOA sunset clause concerns allowing Iran to resume nuclear activities after 10–15 years, (b) enable a Persian Gulf subregional Nuclear Free Zone, (c) facilitate realizing UN Middle East WMD Free Zone resolutions, and (d) enable the eight states to agree on a “Conventional Arms Arrangement” addressing missile and drone concerns.

6. Within the Persian Gulf Security and Cooperation System framework, the eight members could establish a Multilateral Enrichment Arrangement consortium similar to Urenco, providing uranium enrichment services and fuel cycle products.49

7. Negotiations between Iran, the EU, and Ukraine are essential to reach a compromise ensuring Iranian non-interference in the Ukraine war. Given the Iran-Israel quasi-war, an international initiative must mediate a ceasefire between them. Despite major differences, the United States and China both worry about the conflict. China has close Iran relations and Israel is a US strategic partner, making them qualified mediators serving as communication channels.  

Ambassador Seyed Hossein Mousavian, retired


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Women, Peace, and Security in the Indo-Pacific
US Personnel Views from the Ground

Dr. Hyunsoo Hur

Abstract

The 2022 National Security Strategy underscores the United States’ challenges amid the era of great-power competition, characterized by shifting geopolitical dynamics and a complex rules-based order. Meeting these challenges necessitates forging partnerships and alliances, particularly in the Indo-Pacific, a region of paramount importance to US security and prosperity. This study focuses on the implementation of the Women, Peace, and Security (WPS) initiative in the Indo-Pacific, capturing insights from US personnel on the ground. It delves into the progress and hurdles of the WPS initiative, exploring its potential contributions to bolstering partnerships. Moreover, the study examines partner nations’ perceptions and responses to this agenda. The findings not only shed light on the current landscape but also offer recommendations for future strategic endeavors. In a dynamic global context, this research informs strategies to enhance US engagement and security.

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The 2022 National Security Strategy illuminates the considerable challenges confronting the United States within the current dynamics of international relations during the era of the great-power competition. Strategic competition plays a pivotal role in shaping the future of the international order. In contrast to the post–Cold War era, heightened geopolitical rivalries, nationalism, and populism are prevalent, presenting formidable obstacles to the maintenance of a rules-based order that underpins global peace and prosperity. The trajectory of these challenges and opportunities navigated by the United States will profoundly influence the nation’s future security and prosperity.

A cornerstone strategy emphasized in the National Security Strategy involves cultivating a network of alliances and partnerships that uphold and solidify US principles and institutions. A robust and cohesive NATO, alliances in the Indo-Pacific, and security partnerships spanning various geographical regions offer platforms that foster collaboration among nations, thereby fortifying the international order. Within the Indo-Pacific region, the People’s Republic of China
Women, Peace, and Security in the Indo-Pacific

(PRCh) emerges as “America’s most consequential geopolitical challenge.”¹ The PRC has propelled its diplomatic, military, economic, and technological influence and seeks to reshape the international order in a manner divergent from the US-led rules-based system.

The 2022 Indo-Pacific Strategy underscores the significance of the Indo-Pacific region in terms of US security and prosperity. This region possesses a “strategic value that would only grow in the 21st century.”² With more than half the global population residing in the Indo-Pacific and the region propelling nearly two-thirds of the world’s economy, its centrality to the United States intensifies politically, financially, economically, and socially. Consequently, the import of partnerships and alliances between the United States and Indo-Pacific partner nations remains paramount.

Joseph Nye accentuated the primacy of soft power—the capacity to acquire influence through attraction rather than coercion or financial inducements—and the potency derived from embracing specific cultural components, values, and practices of a nation. In the post–Cold War era, a seismic shift in global politics has transpired, marked by a reconfiguration of great-power dynamics. Economic interdependence across nations, transnational actors, nationalism, technological diffusion, evolving political agendas, and accelerated access to information all contribute to the dispersal of centralized or polarized power. While hard power, notably military might, once predominant, is growing more arduous to wield, soft power is gaining parity in significance. The measure of power resides in “the ability to change the behavior of states.”³ When a nation’s assets, encompassing cultural and ideological allure, alongside the regulations and structures of international regimes, attain legitimacy in the eyes of other nations, the likelihood of resistance diminishes. Such circumstances foster alignment of interests among nations for the common good.

In an era characterized by great-power competition, wherein the significance of partnering with allied nations continues to escalate, the United States’ soft power must not be underestimated. The Women, Peace, and Security (WPS) initiative, a manifestation of soft power, holds the potential to profoundly influence the United States’ efforts in establishing partnerships and alliances. This article concentrates on the implementation of the WPS initiative by the United States

within the Indo-Pacific region. The study scrutinizes the execution of WPS and its prevailing status across Indo-Pacific countries. This scrutiny is conducted by assessing the perspectives and responses of partner nations, as observed by US personnel actively engaged in program execution and direct interaction with these partner nations on the ground, all in the service of US national interests.

**Women, Peace, and Security**

The United Nations Security Council introduced Resolution (UNSCR) 1325 on WPS in 2000, affirming the significance of women’s roles in conflict resolution, negotiations, peace processes and agreements, and humanitarian responses. Women play an active and constructive role in generating meaningful outcomes pertaining to peace making and peace building. This dynamic contribution facilitates the prevention, alleviation, or resolution of violent conflicts, thereby advancing stability and peace within the realm of international security challenges. A resounding call persists for greater engagement of women as leaders and pivotal participants in the realm of global peace and security, involving them intimately in consequential decision making.

In 2017, the US government launched the Women, Peace, and Security Act, enshrining the core tenets of WPS. The legislation aims to elevate women’s human rights and foster heightened female involvement across economic, social, and political spheres. It seeks to empower women to exert substantial influence in both domestic and international arenas. Both governmental and nongovernmental sectors have embraced the principles of WPS.

In an interconnected era where nations are increasingly interdependent, an exploration of the implementation status of WPS within the US government, particularly the Department of Defense (DoD), and its interactions with partner nations, stands to provide invaluable insights. Such an inquiry could shed light on how the WPS initiative effectively contributes to the construction of partnerships and alliances, reveal prevalent issues or challenges, and chart a path forward for the United States.

**Methodology**

To investigate the current state of WPS implementation within Indo-Pacific countries and to gain insight into the perspectives and responses of partner nations, a phenomenological study was undertaken. Phenomenological studies delve
into uncovering “the essence or underlying structure of a phenomenon.” Accordingly, data collection aimed to capture emic viewpoints, or those of insiders intimately familiar with the subject matter. The study engaged in in-depth, semi-structured interviews lasting 60 to 90 minutes each with US personnel actively involved in executing WPS initiatives within partner nations across the Indo-Pacific region. A total of nine interviews were conducted.

Interview participants encompassed a range of US personnel, both civilian and military, hailing from Malaysia, Taiwan, Mongolia, and the Philippines. Additionally, three civilians affiliated with the US Indo-Pacific Command were interviewed, providing insights into broader regional policy endeavors. In total, the interviewees numbered eleven—comprising five males and six females. Owing to assignments that took some interviewees from one Indo-Pacific country to another, certain individuals possessed insights extending beyond their immediate country of residence, thus enriching the information pool.

During the interviews, two interviewers were present, with Zoom.gov serving as the platform for conducting and recording these sessions. Detailed notes were taken throughout the interviews. Subsequently, each interview underwent transcription using NVivo transcription software and was subsequently reviewed for accuracy by project team members. The process of data analysis entailed identifying recurrent patterns and grouping them into overarching emerging themes.

**Table 1. Interview participants**

<table>
<thead>
<tr>
<th>Number Assigned to Interviewees</th>
<th>Partner Nation</th>
<th>Gender</th>
<th>Civilian/Military</th>
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<tr>
<td>1</td>
<td>Malaysia</td>
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<td>Military</td>
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<tr>
<td>2</td>
<td>Malaysia</td>
<td>Female</td>
<td>Civilian</td>
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<td>3</td>
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<td>8</td>
<td>Taiwan</td>
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<tr>
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Findings

The WPS initiative advocates for equity, equality, diversity, inclusivity, and meritocracy. These foundational principles hold the potential to establish positive dynamics in collaborative relationships with partner nations. Nevertheless, owing to its recent integration into the DoD and the security cooperation realm, few US personnel possess a profound comprehension of the initiative or a well-defined strategy for its seamless incorporation into the system. Consequently, the WPS initiative encounters challenges within both the US DoD and among partner nations.

WPS as a Competitive Strategy

The WPS initiative represents a nascent and evolving endeavor that necessitates broader awareness and integration within the DoD enterprise. It is currently in the process of solidifying its identity as a comprehensive agenda. This initiative introduces fresh viewpoints and narratives, diverging from conventional perspectives. With its primary goal of fostering gender equity and equality, the WPS initiative aims to infuse gender perspectives into DoD planning, operational activities, and investments.

At its core, WPS champions diversity, inclusivity, and meritocracy. Diversity augments opportunities and encourages diverse voices to contribute significantly. The US military benefits from a varied pool of individuals who leverage their distinct backgrounds and skill sets. Inclusivity extends beyond gender composition, encompassing collaboration with both government and nongovernment sectors, as well as multinational partners. As one interviewee succinctly states, “We’d like to work with multiple partners, multinationals when possible across government sectors and with the NGOs, all kind of comers.”5 Meritocracy advocates for the inclusion of capable and competent women in leadership and decision-making roles. Empowering women through training, skill building, and enhanced opportunities underscores the thrust of meritocracy. This trajectory positions the United States as an inclusive nation and the DoD as a force of inclusiveness, fostering productive ties with partner nations.

Advocates of WPS assert that its essence transcends a mere increase in women within peacekeeping forces. Instead, gender equity and equality can catalyze institutional improvements and enhance group cohesion, bolstering collaborative military endeavors. Infusing women’s perspectives into the collaborative planning

5 Civilian, Female2, Indo-Pacific Command, interview with the author.
process, fortifying strategic communication, increasing female participation in educational initiatives, and featuring female leaders as speakers in government-sponsored events collectively contribute to national security and stability.

While the US government lends its support to WPS and endeavors to advance the program, the initiative grapples with challenges within the DoD and partner nations. Challenges within the DoD revolve around institutionalization and operationalization. Conversely, challenges with partner nations often arise from cultural disparities and differing operational methodologies, potentially leading to miscommunications and complications in program execution. Some of the issues and challenges that manifest within the DoD might also manifest within partner nations across the Indo-Pacific region.

**WPS in the US Department of Defense**

The WPS initiative demonstrates greater progress within the civilian sector compared to the military domain, where additional time is required for its implementation. The civilian realm, notably corporate sectors, has witnessed an upswing in female participation and an increase in women occupying higher leadership positions. In this context, both the government and military currently lean on civilian leadership and practices to facilitate more effective program execution.

Several factors contribute to the challenges faced by the WPS initiative. Its nomenclature, limited familiarity with WPS among US personnel on the ground, inadequate communication between the Department of State (DoS) and DoD, intragender competition, and concerns among female personnel about potential isolation within male-dominated environments collectively present hurdles during implementation.

Nomenclature of “Women,” “Peace,” and “Security.” The WPS initiative faces the challenge of frequent misunderstanding, both within the military and the private sector, primarily due to its nomenclature: “Women,” “Peace,” and “Security.” Specifically, the initial two terms, women and peace, can potentially mislead audiences into perceiving the initiative as exclusively directed toward women. Thus, careful consideration is exercised regarding the speaker, purpose, and intended audience. As one respondent emphasized, “Words matter. We are very deliberate on the kind of terminology that we use.”

WPS Still Alien to US Personnel. Familiarity with WPS is not uniform among US personnel on the ground. Statements like “I don’t have the knowledge to be

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6 Civilian, Female2, Indo-Pacific Command, interview with the author.
able to comment,”7 “The program seems fairly new right now. I don’t have anything specific in mind,”8 and “It’s probably at just the beginning level, nascent level type of thing”9 underscore that many US personnel remain unacquainted with the initiative. These personnel are in the process of becoming acquainted with the concept. Consequently, as they become informed about the best WPS practices in neighboring partner nations, they may incorporate the WPS agenda into their program development or adapt existing practices. Nonetheless, it is important to note that the WPS initiative continues to undergo development and requires broader dissemination and establishment both within and outside the DoD.

While US personnel stationed within partner nations hold the potential to significantly bolster the initiative, they also encounter challenges. Numerous practitioners find themselves burdened by their daily missions, occasionally struggling to generate innovative ideas and to stay attuned to forthcoming changes. As one individual expressed, “We’re so busy here that it’s hard to generate, to think creatively on ways to make this integrated into our programs.”10

Different Attributes within the US Government. In his report titled “Defense Is from Mars, State Is from Venus,” Rickey L. Rife examined distinct institutional values, operational characteristics, and personality preferences existing between the DoS and DoD.11 These variations within the US government persist in the execution of WPS and hold the potential to give rise to confusion or tension, particularly during collaborations with partner nations. As one participant noted, “State and DoD don’t speak the same language . . . there is the technical aspect in getting to know all of the acronyms . . . There’s also just learning how to communicate between two very important parts of the same government that do not speak to each other.”12

Competition among Women and Fear of Singled Out. While competition among women might not be directly tied to challenges within the DoD, this factor can serve as an underlying influence that potentially hampers the ascent of women into higher leadership roles or positions of authority. Within the military, a competitive attitude may emerge, leading some women to create distance from

7 Civilian, Female2, Indo-Pacific Command, interview with the author.
8 Civilian, Female2, Indo-Pacific Command, interview with the author.
9 Military, Male, Taiwan, interview with the author.
10 Military, Female1, Philippines, interview with the author.
12 Civilian, Female, Malaysia, interview with the author.
their female counterparts. As one individual reflected, “Although we should be supporting each other and pulling together, we find ourselves sometimes being competitive or trying to distance ourselves from other women.” Additionally, a prevailing trend involves refraining from forming alliances with other women due to concerns about being singled out as a separate group within the workplace.

**WPS in the Indo-Pacific**

While challenges within the DoD are evident, interactions with partner nations reveal even more formidable obstacles due to disparities in history, culture, operational approaches, and the diverse interests of each partner nation in relation to the United States. The United States maintains steadfast treaty alliances with countries such as Australia, Japan, the Republic of Korea, the Philippines, and Thailand, and has cultivated partnerships with numerous other Indo-Pacific nations. Within the Indo-Pacific region, each country possesses a unique historical trajectory, cultural identity, and network of relationships with neighboring states. These nations also exhibit varying expectations concerning gender roles.

For instance, Mongolia’s historical alignment with the former Soviet Union (1921–1990) contrasts sharply with its current partnership with the United States. While Japan shares a robust political and military alliance with the United States, underlying tensions persist between China and Japan due to past events such as the Japanese attack and war crimes committed against China during the twentieth century (e.g., the Second Sino-Japanese War, 1937–1945). As a result, intricate dynamics characterize interactions not only among Asian nations but also between Indo-Pacific countries and the United States. To ensure the success of partnerships and alliances, one must meticulously consider multiple factors.

Although issues and challenges, both shared and distinct, might arise within the DoD and across partner nations, the magnitude of challenges is likely to be more pronounced when dealing with partner nations, even when addressing the same agenda.

Partner Nations’ Varied Reactions to the United States and Its Policy. Reactions to the United States and its government policy and programs tend to vary depending on partner nations. Indo-Pacific countries’ distinct histories, cultures, economies, and political interests exert influence on partnerships and alliances with the United States. While many partner nations respond favorably, differences arise in their levels of receptiveness to US initiatives. The Philippines, for instance, displays eagerness for training opportunities and subject-matter ex-

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13 Military, Female2, Philippines, interview with the author.
changes, whereas Malaysia exercises caution, evaluating new proposals based on its own standpoint before committing. Mongolia, in the wake of its prolonged association with the Soviet Union, is increasingly accepting the United States as a partner. Taiwan, due to its complex political situation with the PRC, leans heavily on the United States for military exercises, strategies, and initiatives. Indonesia may not fully embrace US programs, but new initiatives find acceptance when associated benefits are evident. The Papua New Guinea Defense Force has recently established a gender equity and equality committee, with women holding majority influence.

The Philippines, an enduring US partner in Asia and a non-NATO ally, shares a strong bond with the United States dating back to the late nineteenth century. The two nations maintain a robust military-to-military relationship, with US soft power significantly present. American restaurants, stores, music, and films pervade the islands. A significant number of Filipino-Americans serve in the US military, and personal connections between Filipinos and the US military are common. The United States is hailed as the “a partner of choice when it comes to security cooperation.” The country’s sociable and open communication style complements its warm and engaging island culture, emphasizing relationship building and connections, bolstered by strong family ties.

In Malaysia, a predominantly Muslim-Malay majority coexists with Christian or Buddhist Chinese and Hindu Indians, with Muslim Malaysians holding the dominant position. Given the strong alignment of Muslim Malaysians with Islam, they tend to favor nations sharing their religion, including those in the Middle East such as Iraq and Palestine. Consequently, figures like former Iraqi leader Saddam Hussein garnered favor, while conflicts like the Iraq War or the Israel–Palestine issue were unpopular. The PRC exploits these sentiments, projecting negative perceptions of the United States to Malaysian Muslims. Malaysians perceive themselves as regional leaders, aspiring to synchronize with major powers. Their response is positive when an initiative seems favorable but tends to be guarded when challenges arise, often prioritizing preservation over negotiation. As one respondent put it, “Malaysia is difficult. . . . They are very set in their ways. . . . They have a certain business process within their defense structure, and they’re unwilling to change it and adapt.”

Mongolia, while secular, embodies an amalgamation of influences, including former Soviet-style communism, Buddhism, traditional culture, and contempo-

14 Military, Male, Philippines, interview with the author.
15 Military, Male, Malaysia, interview with the author.
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For Taiwan, nurturing a long-term positive relationship with the United States is of paramount importance, as evident through its friendly stance. Due to Taiwan’s delicate political relations with the PRC, US support contributes to interoperability, deterrence against the PRC, and self-defense. New US initiatives are generally welcomed by Taiwan, provided they align with the country’s interests and logic.

Women’s Social Status in Partner Nations. The extent of women’s social participation and their visibility in society varies depending on the country. Cultural norms, gender roles, and societal expectations exert significant influence on women’s equity and equality within each nation. The implementation of the WPS initiative is impacted by distinct standards and gender-related stereotypes.

For instance, active female participation characterizes both the military and broader society in the Philippines. Female officers take prominent roles within certain battalions and contribute significantly to military operations. The participation of female officers and noncommissioned officers in US exchange programs demonstrates a notably high ratio. Nonetheless, the progression of many female officers often stalls at the mid-career level, with only rare advancement to the rank of general officer. However, upon ascending to higher leadership positions, women wield influence in decision making, actively assuming leadership roles rather than serving as mere figureheads. Notably, the Philippines has had female presidents in its history, and a woman currently holds the position of vice president. While their numbers may not be extensive, women in positions of authority are treated equitably. One respondent noted, “If I can draw a parallel to Japan, there are a lot of women in positions of power in the Philippines government.”

Within familial contexts, Filipino women often wield considerable influence. Many take on the role of primary breadwinners, working overseas to earn incomes that they send back home. Filipino women foster mutual support and unity by engaging with each other and forming cohesive groups.

16 Military, Female2, Philippines, interview with the author.
Women in Malaysia hold positions of empowerment and representation across civil society. They serve as business owners, ranging from small- to large-size enterprises, as well as doctors and lawyers. Additionally, they take on roles as social ambassadors and spearhead initiatives in democratic reforms, human rights advocacy, and legislative changes. In the Malay military, female soldiers work alongside their male counterparts, even in challenging jungle assignments. Guided by the principles of meritocracy and equality, Malaysia has advanced women into positions of general officers and officers.

In Mongolia, a higher proportion of women tend to graduate from college compared to men. Women contribute across various sectors of the economy and demonstrate a heightened inclination to champion democracy, peace, and national security. Over the past two decades, Mongolian women have played a significant role in peacekeeping operations. Many women also serve as breadwinners for their families. Despite the substantial female presence in lower and mid-level positions, men continue to occupy higher ranks in the social hierarchy.

Japan and Korea uphold patriarchal values that endorse male breadwinning roles. Traditional Korean families, for instance, might struggle to accept the idea of a female as the primary provider assuming a leading role. Both Japan and Korea tend to promote women in a way that adheres to expected standards, often with a performative approach.

Taiwanese women actively engage in various sectors of society, encompassing the realms of economy, trade, government, and law. The civilian population holds women in high regard, demonstrating positive attitudes toward them. Moreover, societal encouragement fosters increased participation of girls. An impressive 42 percent of legislators are women. Notably, women who serve in the Taiwanese armed forces are all volunteers, motivated by patriotism. Their promotions to general officer and officer positions are determined by their capabilities and merits. Leadership positions are occupied by numerous women, particularly within the civilian domain. In contrast to other Northeast Asian nations, Taiwanese women exhibit a tendency toward greater Americanization. A respondent noted, “Even with my recent two years in Japan, Taiwan has more gender equality than Japan does.”

Despite the presence of active female participation across Indo-Pacific nations and the elevation of certain women to senior leadership roles, a glass ceiling appears to persist for women in these countries. Interestingly, the private sector offers more leadership opportunities for women than either the government or the

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17 Military, Male, Taiwan, interview with the author.
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military. Many women actively engage socially during their 20s and 30s. Nevertheless, they often depart from such involvement around the age of 40, either redirecting their focus toward their families or yielding to societal pressures. As one respondent put it, “A lot of young women who are very active politically and leading the charge, mostly from the twenties through their thirties, then they are just not there anymore.” Consequently, despite their significant contributions during their formative years, relatively few women ascend to high-ranking leadership positions. This situation could potentially impede the progress of the WPS initiative.

Different System, Different Interpretation. Each partner nation maintains its distinct government structure, and government organizations may operate differently from the United States. While the US military remains apolitical, this is not always the case with partner nations. A respondent noted, “I took that for granted. I assumed that they know we [US military] are apolitical.” Variations in organizational structure across each nation can lead to misinterpretations and misunderstandings, potentially hindering the introduction of new initiatives proposed by the United States. For instance, when a Malaysian general officer observed a certain female congressional member on US television advocating women’s rights and expressing LGBT values, this could lead to confusion about the true intent of the WPS proposal when introduced by the DoD. The same respondent shared, “Is this from the Democratic Party? We don’t want a rainbow flag here. I’ve had a Malaysian officer tell me that.”

Cultural Barriers: Locals vs. Americans. Introducing new security cooperation initiatives necessitates effective communication with partner nation authorities and a comprehensive understanding of the local population, especially their perceptions of WPS practices and their acceptance of the program. The local population must embrace the ideology and benefits of WPS as a soft power to align with the United States. However, different standards often apply between US personnel and the local population, particularly concerning females. As one respondent with experience in Japan noted, “I spent a lot of time in Japan. . . . I’ve noticed that there are expectations for Japanese people and those expectations are not necessarily carried over to foreigners. It’s like, it’s okay, they are Americans.”

Consequently, many US personnel find themselves detached from locals, which poses challenges in capturing the subtleties of social dynamics during negotia-

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18 Civilian, Female, Malaysia, interview with the author.
19 Military, Male, Malaysia, interview with the author.
20 Military, Male, Malaysia, interview with the author.
21 Military, Female2, Philippines, interview with the author.
tions and discussions. Another respondent shared, “Me being a woman, me being a foreigner, they don’t speak English, they just don’t wanna interact with you because they are afraid, but I have gotten pretty used to that.”\textsuperscript{22} This isolation and limited engagement may result in an inadequate grasp of partner nations’ needs and desires. As one respondent expressed, “It’s hard to understand the nuances of what makes it different as a woman.”\textsuperscript{23}

Social and Institutional Barriers. Women in partner nations encounter both social and institutional barriers, despite their aspirations to elevate their social positions and enhance their lives. Their potential for participation and influence is not inherently lacking; rather, they require guidance, support, and education for self-development. For instance, Afghan women faced challenges in accessing English and related education classes due to existing divisions of labor (such as household chores) and childcare responsibilities. Without essential infrastructure, like simultaneous childcare options or targeted events, women cannot fully embrace opportunities.

US Government Expecting Faster Return. Like many security cooperation efforts, the US government seeks a return on investment (ROI). The government aims to witness positive changes in partner nations through investment and WPS implementation. With an entity such as the military, which is more action-oriented, the US government might move faster than partner nations, despite challenges, and could anticipate quicker returns when partner nations are not yet prepared. As one respondent stated, “Our government moves very fast. Sometimes it doesn’t seem like it does but sometimes we move faster than the institutions of the partner nations that we’re trying to build capacity in.”\textsuperscript{24}

This expectation for a swifter return could sometimes backfire, failing to provide the anticipated ROI. For example, two females were trained as pilots in Afghanistan. However, neither could return to their home country, as their institution did not accept them. Their promotion occurred too soon for Afghans to embrace the new female role. As one respondent observed, “We were pushing for female pilots in Afghanistan. . . . Both of those young females did not return to Afghanistan because they were not embraced by the rest of the institution. It was too soon, too fast.”\textsuperscript{25}

Economic Reliance on the People’s Republic of China. Many Indo-Pacific nations engage in trade with the PRC and hold economic interests with them. The

\textsuperscript{22} Civilian, Female, Mongolia, interview with the author.
\textsuperscript{23} Civilian, Female, Malaysia, interview with the author.
\textsuperscript{24} Military, Male, Malaysia, interview with the author.
\textsuperscript{25} Military, Male, Malaysia, interview with the author.
PRC exercises a certain degree of control over these countries. Consequently, they hesitate to provoke the PRC in their interactions within the realm of international relations. One interviewee posited, “Everybody else is afraid . . . because then China will sanction them economically, and that’s too much.”

Given the PRC’s One China policy, Indo-Pacific countries often exclude Taiwan from their regional and international events, regardless of their initial intentions. Instead of offering complete support to US initiatives, these countries tend to oscillate between the PRC and the United States, adjusting their stance to navigate the complex dynamics.

Discuss and Recommendations for Strategic Approaches

The findings indicate that the WPS agenda still has a considerable journey ahead to become firmly established within both the US government and partner nations. As a relatively recent initiative, the mainstreaming, institutionalization, and operationalization of WPS should primarily occur within the DoD. Despite the adoption of UNSCR 1325 in 2000 and the WPS Act in 2017, the full integration of gender perspectives into the modus operandi of the DoD is a gradual process. This entails identifying institutional mechanisms, studying and applying WPS as an intellectual concept across various domains, and incorporating gender concepts into doctrine, policies, theater campaign plans, guidance for human security, objectives writing, country engagement plans, and exercises. The DoD, in collaboration with the DoS, assumes a pivotal role in forging security cooperation partnerships and alliances. The absence of a robust establishment of WPS within the US government could lead to more challenges.

For instance, if US personnel on the ground lack familiarity with the WPS mission and practices, their ability to effectively advocate for partner nations’ compliance with the United States could be compromised. Moreover, if the terms women and peace inadvertently generate bias among DoD personnel and pigeonhole WPS as exclusively addressing women, it could hinder the acceptance of the initiative among Indo-Pacific partner nations with more traditional gender perspectives. Additional challenges emerge concerning WPS implementation in partner nations due to cultural barriers, distinct governmental organizational systems and functions, and unique geopolitical dynamics of each country. Consequently, the WPS initiative must prioritize building a solid foundation within the US government while concurrently advancing security cooperation endeavors related to the initiative in partner nations. As noted by Jennifer Thomson, the

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26 Military, Male, Taiwan, interview with the author.
design and implementation of political institutions play a vital role in the WPS initiative, and capacity-building programs must encompass the inclusion of gender perspectives and implementation strategies.

The following are recommendations to assist the WPS initiative in building a stronghold both in and out of DoD. While certain strategic approaches may be tailored to the US context, others could be more relevant to partner nations. Certain approaches could be applicable in both domestic and international settings.

**Presentation and Framing of WPS**

Careful considerations should guide the presentation of WPS within DoD, civil society, and partner nations. Language must be chosen deliberately when introducing WPS. As one respondent noted, “A lot of it is framing how you are messaging it.” Given that WPS encompasses gender perspectives, exclusive emphasis on women conversing with women could reinforce the misconception that WPS is solely a women’s concern, rather than an initiative relevant to all genders and for the collective benefit. Caution is essential to prevent the audience from disengaging before they have the chance to encounter new knowledge, ideas, and applications associated with WPS.

Civil society sectors tend to feature more female leaders and catalysts for change compared to the defense sector. Collaborating with women and garnering support from female leaders within civilian organizations, such as US and multinational corporations, the DoS, or the United States Agency for International Development (USAID), facilitates the expansion beyond the traditional DoD sphere and inclusivity in the evolving initiative.

**Customer Tailored Approach**

A tailored approach appears necessary to effectively promote WPS to various entities within the United States and partner nations. Within the United States, customization should occur between governmental and nongovernmental sectors. Partner nations exhibit overlapping but distinct perspectives on gender equity and

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29 Civilian, Female1, Indo-Pacific Command, interview with the author.
equality. Consequently, tailored approaches are essential across various sectors within partner nations, whether governmental or nongovernmental. Each partner nation possesses distinct interests in relation to the United States. Despite differences in military capabilities, Malaysia seeks to align itself with great powers, fostering stronger collaborations and partnerships when Malaysians feel a sense of unity with the United States and perceive themselves as equals to the great power. Due to the PRC’s One China policy, Taiwan often experiences isolation and exclusion from official government events and related international forums. Facilitating regional or international events and offering opportunities for nations like Taiwan to participate could cultivate increased collaboration, allow Taiwan to engage more with other states, and deepen their understanding and awareness of the WPS initiative.

Given that partner nations may not consistently perceive or comprehend agendas in the same manner as the United States, misinterpretations and resistance might arise. As one interviewee put it, “Pushing something based on your values which contradict our values . . . we’re not okay with that.”\(^{30}\) Shared understanding is not guaranteed among partner nations within the same region. While commonalities and intersecting interests may exist regionally, an approach tailored to each country’s distinct context is essential, influencing country-specific objectives. The same respondent noted that “Malaysia and Indonesia are very similar, but Malaysia and Bangladesh very different. Malaysia and Papua New Guinea, a little bit different.”\(^{31}\) Framing WPS appropriately for Indo-Pacific countries, addressing their specific needs and incorporating their perspectives, is crucial. Another interviewee expressed that “Reaching people where they are is important. I think one thing that helps us promote the United States is, we as a democratic society, we promote people thinking freely.”\(^{32}\)

**In-depth Language and Cultural Studies**

Each nation, including the United States, holds its own biases, viewpoints, and assessments. One respondent stated, “Mongolians are opinionated like I am.”\(^{33}\) Conducting a thorough examination of the target language and culture of a partner nation and mastering the art of discerning subtleties in cross-cultural interactions before engaging in official discussions, can prove beneficial. Tailoring the

\(^{30}\) Military, Male, Malaysia, interview with the author.

\(^{31}\) Military, Male, Malaysia, interview with the author.

\(^{32}\) Civilian, Female, Mongolia, interview with the author.

\(^{33}\) Civilian, Female, Mongolia, interview with the author.
presentation of WPS to suit the cultural context of partner nations has the potential to garner greater local support. As another interviewee suggested, “Get a bit of cultural nuance and texture before approaching the partner nation at an official dialogue. That should be something built into the folks in policy.”

**Communications with Partner Nations**

Engaging in communication with partner nations regarding their capacity-building goals and WPS initiatives holds the potential to facilitate strategic planning. An INDOPACOM respondent noted, “There is an absolute need to have those types of discussions and the more we integrate that across the structure, the mil to mil and civ to mil engagement structure, the better.” Maintaining continuous dialogue could enhance the perceptions of the civilian population toward the United States. Reemphasizing the significance of WPS, underscoring the role of diversity in strengthening security, educating the population on the pivotal role of women in conflict prevention, ensuring coherence, advocating for increased engagements, and persistently advocating the agenda with partner nations could form a strategic approach. As another respondent advocated, “If you make it formal and if you make it clear and transparent, it’s going to have the best results in the long run.”

However, employing a forceful manner and communication style may elicit resistance. Employing direct and transparent communication while also considering cultural sensitivities can be beneficial. As the previous respondent continued, “I have seen WPS briefed to them in a forceful manner. I had a direct conversation with the gentleman from Indo-Pacific Command. I said, don’t patronize them. That actually does not work out well for us.”

**Use of Educational Platforms with Embedded WPS Theme**

Utilizing educational platforms to reach various communities in partner nations could be a strategic approach. Symposia, forums, speaking series like TED talks, and university circuits could be used as educational venues where women leaders can share insights about leadership and innovation. Expanding the scope of these events to include a broader audience, comprising both males and females, and featuring strong female leaders showcasing merit-based US val-

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34 Military, Male, Malaysia, interview with the author.
35 Civilian, Male, Indo-Pacific Command, interview with the author.
36 Military, Male, Malaysia, interview with the author.
37 Military, Male, Malaysia, interview with the author.
values underscores the robustness of an inclusive society rooted in equality. This also underscores how individual potentials flourish when all genders are equally promoted. As one interviewee put it, “When you see a powerful women leader speaking eloquently about how they rose and their respective industry, they can tell. Wow, that’s a product of America, that’s what American values produce.”

Rather than explicitly foregrounding the WPS agenda in public, integrating the WPS theme alongside other academic topics could mitigate bias among partner nations, as certain audiences might still be hesitant toward the concept and may be disinclined to participate. As another respondent cautioned, “Subtle nuanced approach . . . if you want to cast a lot of nets, I think this approach would be better.”

**Showcase through Presence**

Demonstrating to partner nations through actual showcases can wield a powerful impact. One respondent put it this way: “Seeing representation is the most important.” Inviting female leaders as guest speakers to government-sponsored events, either from the military or civil sectors such as corporate America, to discuss leadership values or organizational changes they’ve spearheaded in their respective domains, or having the presence of female leaders who have risen through merit within the military—be it the first fighter pilots, the first female rangers, or female commanders of specific units—whether they are retired or currently serving, could vividly illustrate the inclusivity of the US DoD across its programs. As another interviewee stated, “Women are not inherently weak and men are not inherently strong. Just simply being present and doing your job and being competent at your job I think gives a good model.”

Moreover, creating avenues for women leaders in the United States to engage with their counterparts in partner nations, exchanging insights about female perspectives within society at large, could potentially pave the way for future collaborations and foster spheres of influence.

**Use IMET to Provide Opportunities for Women**

The DoS’s International Military Education and Training (IMET) program includes allocated funding for female candidates. IMET offers avenues for women

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38 Military, Male, Malaysia, interview with the author.
39 Military, Male, Philippines, interview with the author.
40 Military, Male, Malaysia, interview with the author.
41 Military, Female2, Philippines, interview with the author.
to engage in intensive study within the United States. Enhancing recruitment efforts to be more inclusive of female candidates, integrating WPS elements into IMET courses, providing supplementary resources, and encouraging female candidates to pursue leadership roles could significantly assist partner nations. As one interviewee stated, “Giving more women the opportunity to do an intensive study in the United States would be a huge win.”

Bringing key individuals with growth potential from partner nations to the United States to experience the country, its values, operational methods, governmental system, education, and training could positively influence future US policy direction. As another respondent put it, “I have never really met anyone who has gone to the United States and had just an absolutely horrible time. They usually come back excited, wanting to go back.”

Collecting Gender Data and Removing Social Barriers

To tailor approaches specifically for partner nations and address their distinct needs, it would be advantageous to gather gender-specific data from these nations for WPS strategies. Women encounter varying obstacles within their respective countries, with their ability to exert influence often limited by local cultural norms. Adopting a US-centric WPS approach could potentially expose women to vulnerabilities, inviting backlash or reprisals from their home states. While collaborating with influential women could prove beneficial, taking a broader perspective by identifying and dismantling institutional barriers that hinder women’s progress toward higher roles could be an alternative strategy.

Drawing from the example of Afghan women, their responsibilities for childcare and household chores impede their attendance in English classes—a skill crucial for their survival as refugees in the United States. Creating a supportive framework and eliminating societal obstacles for Afghan women, such as providing childcare services, has liberated them from traditional roles, ultimately enabling further advancement. An exhaustive examination of institutional mechanisms that perpetuate social barriers before crafting plans appears to be essential. As one respondent stated, “What can we do to undo those or what impacts can we have on those barriers?”

42 Civilian, Female, Malaysia, interview with the author.
43 Civilian, Female, Mongolia, interview with the author.
44 Civilian, Female2, Indo-Pacific Command, interview with the author.
Selective Approach with US Agendas

Consideration should be given to adopting a discerning approach in determining which agendas to share with partner nations and which programs to execute. Partner nations value having their perspectives acknowledged and often prefer a range of options to choose from. Imposing exclusively US-centric viewpoints when promoting agendas is not consistently received positively. As one respondent observed, “When we force our values on our partners, that never ever works for us. . . . We have two failed wars to demonstrate what happens when we push our agendas, our values on indigenous populations.”

When engaging with partner nations, exercising caution is crucial as new programs are introduced. The same respondent stated, “If I see something that comes across that is going to offend or not get traction, I don’t do it. I go back to the implementer and say this won’t work for the following reasons. You need to have a tough conversation.”

Utilization of US Personnel on the Ground

Incorporating US personnel within partner nations can contribute to the development of targeted programs or events for WPS implementation. Personnel from the US stationed on the ground possess greater exposure to local cultures and are more attuned to the potential preferences and aversions of the local population. They can offer insights and suggestions on how to further refine program designs. For instance, in the organization of a summit, symposium, or conference, on-site US personnel can assist in selecting an appropriate hosting venue and identifying locally prominent and respected individuals to invite as guest speakers. They can also determine suitable participants and allocate roles for these individuals within the events. Additionally, when necessary, they can provide recommendations for program enhancements. As one interviewee suggested, “Keep the idea in Foreign Area Officers’ minds, when they are working on engagements, they like keeping an eye out for the topic women, peace, and security and looking for opportunities.”

45 Military, Male, Malaysia, interview with the author.
46 Military, Male, Malaysia, interview with the author.
47 Military, Female1, Philippines, interview with the author.
**Use of Soft Power**

Employing soft power, the capacity to amass influence through attraction and persuasion, offers an additional strategy for the United States to consider.\(^{48}\) US soft power, emanating from sources such as Hollywood, Microsoft, Harvard, music, sports, and the tenets of liberal democratic ideology, contributes to the dissemination of US values and norms. The WPS initiative can leverage US cultural outputs, media, and diverse social and educational initiatives to spotlight US strengths and to influence the thoughts and actions of individuals in partner nations. For instance, Hollywood films surpass local movies in popularity within Malaysia, where many Malaysians possess Netflix subscriptions and form a substantial consumer base in the entertainment industry. By appealing to partner nations through nonimposing and noncoercive products, the United States may foster a greater willingness among these nations to embrace US programs.

**Include Women in Planning**

LtCol Natalie Trogus, USMC, highlighted that education and training, even for predeployment missions, often lack gender perspectives.\(^{49}\) Capacity-building programs might not achieve their full potential without the inclusion of gender perspectives. When devising new programs, involving women in the planning phase and integrating female perspectives could enhance collaborations and cooperation among genders. WPS initiatives encompass shifting narratives, diversifying perspectives, and addressing challenges in novel ways. To catalyze these changes, it is crucial to incorporate women’s voices in the discourse and to integrate their insights into the planning and development processes.

**Make a Contrast with China and/or Russia**

An additional strategy for promoting the United States involves drawing contrasts with China and/or Russia. China, for instance, operates as an authoritarian nation where adherence to the government’s prescribed path is expected, leaving little room for deviating from authority. Such an environment is not conducive to frequent innovations. Therefore, a program showcasing innovative women leaders who have achieved through merit could serve as an avenue to demonstrate a strength that the United States possesses, in contrast to what China or Russia

\(^{48}\) Nye, *Soft Power and Great-Power Competition.*
may lack. As one interviewee stated, “That’s where we shine because the Chinese can’t touch us in that space because they don’t do that.”

**Seek Balance between US and Partner Nations’ Expectations**

Partner nations do not all progress at the same pace as the DoD. Each partner nation holds distinct priorities and occupies varying stages in pursuing their political agendas. While advancing US initiatives, striving to comprehend the partner nation’s position and finding equilibrium between US interests and those of the partner nation could prove beneficial. As one respondent pointed out, “We have to be very careful because we want to be in lockstep with them. We don’t want to be seen as this force that is pushing an agenda on a partner nation.”

**Introduce WPS beyond Capital Cities**

The WPS initiative could extend its introduction beyond the capital cities of partner nations. Establishing local institutions where women can gather and offer mutual support might enhance women’s confidence. These local entities could also facilitate internal mentoring programs. The United Nations Women office has emphasized the necessity for greater gender parity within local governance structures. Consequently, WPS programs should encompass areas beyond major cities to reach a broader spectrum of populations.

**Have a Partner Nation Influence Another Partner Nation**

A partner nation could use amicable means to encourage another partner nation to adopt US policies and cultivate favorable perceptions of the United States. For instance, Malaysia, being a Muslim country, values the humanitarian aid extended by the United States to Afghanistan. If the WPS agenda were interwoven with humanitarian assistance in countries sharing religious or camaraderie bonds, the initiative could wield greater influence. One respondent advocated, “If we added perhaps an aspect of WPS and talking about our humanitarian assistance to, particularly the Muslim world, that could potentially have an influence.”

50 Military, Male, Malaysia, interview with the author.
51 Military, Male, Malaysia, interview with the author.
52 Civilian, Female, Malaysia, interview with the author.
Focus on the Same Goal

Despite disparities between the United States and partner nations, if both countries concentrate on a shared objective and sustain collaborative efforts, partner nations could eventually adopt women’s empowerment and their involvement in security and peacebuilding. Research indicates that groups operate with greater intelligence than individuals.53 When more women engage in the group, collective intelligence grows. Additionally, cohesion is not tied to race, ethnicity, sexual orientation, or gender, but rather to shared goals and objectives.54 Consequently, “as long as we just continue to work together and realize that we have the same goal . . . women’s empowerment and their participation in security and peacebuilding will come.”55

Conclusion

The US Indo-Pacific Strategy asserts, “American interests can only be advanced if we firmly anchor the United States in the Indo-Pacific and strengthen the region itself, alongside our closest allies and partners.”56 In the era of great-power competition, strategic circumstances undergo constant change, and historical challenges persist. Therefore, the significance of the partnership and alliance between the United States and Indo-Pacific partner nations cannot be underestimated.

Addressing institutional bias and establishing institutional mechanisms for women to access pathways to success and assume decision-making roles necessitate collaboration from both men and women. As one INDOPACOM respondent put it, “It can’t just be women’s issue because it really takes men and women to be engaged in this and to see again the concept of gender, and how that really changes your worldview.”57 As evidenced by Thomas Szayna and colleagues’ study on women’s integration into US special operations forces, opposition and resis-

55 Civilian, Female, Mongolia, interview with the author.
57 Civilian, Female2, Indo-Pacific Command, interview with the author.
tance to including excluded group personnel diminished when the mainstream recognized that inclusion did not diminish unit readiness or cohesion.  

Functioning as a form of soft power, the WPS initiative possesses the potential to reinforce the US presence in the Indo-Pacific region. Women’s involvement in peace negotiations has demonstrated their ability to enhance the quality and sustainability of peace processes. However, the WPS initiative must still overcome existing barriers set by many partner nations and within the DoD. Stereotypes regarding gender roles are products of respective national cultures. Altering perceptions of gender roles that have been deeply ingrained in people’s minds takes time. Nevertheless, with a long-term objective, persistence, and determination, the possibility of progress lies ahead.  

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58 Thomas S. Szayna et al., Considerations for Integrating Women into Closed Occupations in the U.S. Special Operations Forces (Santa Monica, CA: RAND Corporation, 2016), https://www.rand.org/.
Understanding the Failure of the US Security Transfer during the Vietnam War

JASON COOLEY

Abstract

This article analyzes the unsuccessful transfer of control from US troops to the South Vietnamese Army during the Vietnam War between 1969 and 1975. It argues that a more thorough analysis of some factors is necessary to understand the transfer’s failure. Through this approach, the article shows that these determinants had the most impact on the outcome of the operation below the seventeenth parallel. By properly examining all relevant factors, the article aims to shed light on the conditions that often result in ineffective transfers in conventional conflicts.

The Vietnam War sparked intense scrutiny and extensive research, as scholars seek to understand its intricate dynamics and far-reaching implications. A focal point of investigation is the transfer of responsibility from US troops to the Army of the Republic of Vietnam (ARVN) during Richard Nixon’s presidency, as he aimed to bolster the ARVN’s capacity to counter North Vietnam’s aggression and maintain control over the southern region. Regrettably, the ultimate defeat of the South Vietnamese government has cast a shadow over this transfer, often deeming it as a failure.

Scholarly literature on the Vietnam War tends to attribute this unfavorable outcome to factors such as a scarcity of qualified commanders within the top echelons of the ARVN. While these determinants undeniably influenced events

1 Throughout most of Lyndon Johnson’s presidency, US soldiers fought battles against the members of the Vietcong. After the ranks of this guerrilla organization were depleted in the 1968 Tet Offensive, though, Hanoi became more reliant on troops from the North Vietnamese Army. Consequently, as ARVN personnel started to assume American duties in 1969, they mainly participated in conventional engagements. For more information on the changing nature of the conflict, see Gregory Daddis’ Withdrawal: Reassessing America’s Final Years in Vietnam.

2 For more information on the lack of improvement in the South Vietnamese Officer Corps, see Caitlin Talmadge’s The Dictator’s Army and Jeffrey Clarke’s Advice and Support. The inadequate training program for South Vietnamese troops kept success from emerging during the transfer
in Southeast Asia, it is crucial to acknowledge that the existing explanations are incomplete since they do not devote sufficient attention to other significant determinants highlighted in key primary and secondary sources. To rectify this oversight, this article will thoroughly examine the role of a short-term residual force and other factors closely linked to the US political climate, arguing that they exerted a more profound impact on the unfavorable outcome.

To gain a comprehensive understanding of the delegation of responsibility in security transfers, this article draws on the principal-agent theory from the field of economics. Unlike the commonly employed international relations theory of realism, the principal-agent theory offers a framework for analyzing how actors actively delegate responsibilities to others. Consequently, this article asserts that this theoretical perspective is better suited for comprehending the dynamics of security transfers and can provide valuable insights into the factors that contributed to the failure of the US security transfer in Vietnam.

### Determinants That Contributed to the Unsuccessful Outcome in Vietnam

This section of the article strives to offer a comprehensive analysis of the determinants that played a role in the failure of the US security transfer in Vietnam. Each subsection will commence with a discussion on the approach employed to examine the specific determinant. While most subsections will focus on individual factors, one will devote attention to two determinants. Prior to presenting the analytical methods for these factors, it will be essential to provide an explanation for their collective examination.

#### Lack of Improvement in the South Vietnamese Officer Corps and Unconditional US Aid

After the initiation of the security transfer in Vietnam, the progress within the ARVN officer corps was notably lacking. The primary factor contributing to this
undesirable outcome was the unconditional assistance provided by the United States. The connection between the shortage of competent South Vietnamese commanders and US aid necessitates their collective examination. By tracking the performances of key generals over time, readers can observe the lack of progress within the officer corps. Furthermore, analyzing the aid received by Saigon in 1972 will highlight the ineffectiveness of US assistance.

In the early 1970s, civilian officials in Saigon enlisted General Hoàng Xuân Lãm to lead a military operation in Laos. Since the North Vietnamese government had been using Laotian territory to supply military aid to personnel in South Vietnam, Lãm aimed to eliminate Hanoi’s main supply route during the mission. Initially, South Vietnamese soldiers managed to seize areas inside Laos, but the North Vietnamese forces eventually gained momentum and the South Vietnamese began to withdraw. Despite President Nguyễn Văn Thiệu’s attempt to present the initiative as a success, there were indications that such a label was unwarranted, including the continued movement of personnel and supplies down the northern portion of the Ho Chi Minh Trail. Sidney Berry, a brigadier general from the 101st Airborne Division, criticized Lãm’s planning as “of unacceptably low quality.”

The poor performance of Lãm in the Laotian operation was not surprising since South Korean officers took similar imprudent steps during the early portion of the Korean War security transfer. However, when the South Korean officers participated in later engagements, they displayed the capacity for effective decision making on the battlefield. Lãm, on the other hand, did not improve over the course of time. Instead, as his conduct just before and during the 1972 Easter Offensive shows, he kept making choices that hindered his subordinates from defeating the enemy.

General Nguyễn Văn Toàn’s performance was also disappointing. During the conflict, Toàn held key positions within the ARVN hierarchy. At the time of the Easter Offensive, he was the commander of Military Region Two. The North Vietnamese attempted to gain control of various locations in this sector, including Kontum. However, the tactical maneuvers of the ARVN prevented the North Vietnamese from seizing Kontum. While high-ranking US officials wanted South Vietnamese commanders to play an integral part in the development of battle plans, Toàn did not devise the maneuvers for the campaign against the North

3 H.R. Haldeman, Diary Entry, 22 December 1970.
5 Colonel Harold Hawkins, Message to General Thomas Bowen, 3 February 1972.
Vietnamese. Instead, John Paul Vann, an assertive American advisor known for securing the responsibility of making decisions in pivotal situations, served as the lead tactician on the Kontum front in the Spring of 1972.⁶

After the successful defense of Kontum, Toân became the head of South Vietnamese forces in Military Region Three. As fighting escalated in this sector in the first half of 1975, Toân followed the action from his headquarters in Bien Hoa. During April, North Vietnamese territorial gains rose substantially within Toân’s assigned region. This unfavorable turn of events did not prompt the South Vietnamese general to develop a new tactical plan to halt the North Vietnamese advance. Instead, he devoted most of his attention to arranging for passage from Bien Hoa to a more secure location.⁷

The shortage of competent commanders during the transfer raises questions about the methods used to alter the selection of South Vietnamese officers. The US officials overseeing the mission in South Vietnam had the option of threatening to withhold assistance until Thiệu agreed to appoint more capable leaders. The amount of leverage in a partnership strongly influences whether a principal’s officials decide to use this pressure tactic. While the United States gave considerable aid to South Vietnam, it did not have operational control of ARVN personnel in the field.⁸ As a result, it was possible that the withholding of aid would lead to the alienation of the partner rather than the appointment of more proficient figures.

In addition to possessing a limited amount of leverage, the United States did not benefit from working with a formidable partner. While US leaders aimed to thwart acts of aggression by the North Vietnamese Army, Thiệu wanted to prevent rogue elements within the military from removing him from power. To decrease the likelihood of a coup, he consistently appointed political loyalists who sought to use their prominent positions for personal gain.⁹ One can notice this corruption by examining the way that Toàn selected his subordinates. Within a military region, the leader needed to protect several provinces from communist attacks. Just below the leader in the chain of command, there were provincial chiefs who assisted with the defensive efforts. A former CIA analyst notes that

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⁶ Dale Andrade, America’s Last Vietnam Battle (Lawrence: University of Kansas Press, 2001), 313.
⁹ Talmadge, The Dictator’s Army, 9.
Toàn filled the provincial posts in Military Region Three “on the basis of various personal gratuities.”

The South Vietnamese regime also had to contend with a strong resistance movement. The National Liberation Front lost numerous fighters in the Tet Offensive toward the end of the 1960s. Although the Viet Cong could not consistently conduct attacks against ARVN personnel during the transfer years, it continued to attract support from citizens due to prevalent issues such as unfair elections south of the seventeenth parallel. The introduction of multiple reforms by the government could have reduced the appeal of the National Liberation Front in South Vietnamese society. However, Thiệu and his advisors failed to take this step in the 1970s.

The United States maintained an organization in South Vietnam to assist with the political struggle against the National Liberation Front. The members of Civil Operations and Revolutionary Development Support frequently assassinated and captured Viet Cong operatives in the Mekong Delta and other locations. They also allocated food and other vital supplies to citizens living in poor conditions. If Washington withheld this humanitarian assistance until more proficient leaders appeared in the ARVN, there was a chance that the beneficiaries of it would halt their support for the Thiệu regime. The content in certain primary documents suggests that the fear of further weakening Thiệu’s government played more of a role in the decision to refrain from using conditional aid to alter the leadership selection process in the ARVN than the issue of leverage. For instance, within one publication, a general notes how his superiors “believed that the South Vietnamese government fabric was fragile” and too much pressure “would be unduly risky.”

The United States settled for trying to impact the filling of leadership posts with unconditional aid. When aid arrived in Saigon, Thiệu had to consider a potential development on the domestic front. If he altered his selection method, it would become quite difficult for corrupt commanders to keep receiving the personal benefits associated with their respective positions. Consequently, Thiệu could not rule out the possibility that aligning his behavior with US interests would prompt these officers to abandon him as others had deserted previous

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South Vietnamese leaders. To see how the internal principal possessed more leverage than the external one in this situation, it is necessary to focus on the aid that South Vietnam received in 1972. Although South Vietnam received more than a billion dollars in unconditional assistance from the United States during that year, Thieu’s behavior frequently benefited the contingent of unscrupulous and inept generals. Prior to the outbreak of the Easter Offensive, he could have instructed a capable individual to lead South Vietnamese forces in Military Region One. However, he decided to place Lam, the commander who performed so poorly in the Laotian operation, in this key position. To the south, the North Vietnamese conducted attacks in Military Region Two as well. Therefore, it also would have been advantageous for Thieu to order a competent leader to oversee the defensive efforts in this sector rather than the unqualified Toan.

The conditional aid promoted by prominent principal-agent theorists probably would have prompted the South Vietnamese regime to offer capable officers more opportunities to lead ARVN personnel in combat, as it yielded a positive outcome the only time that Washington utilized it during the war. Following Nixon’s inauguration, Henry Kissinger, the National Security Advisor, initiated peace talks with North Vietnamese officials in Paris. Despite Kissinger’s efforts, the North Vietnamese rejected various proposals for most of Nixon’s first term. However, toward the end of the term, Hanoi agreed to sign an agreement with the United States. Although the North Vietnamese accepted the deal, the South Vietnamese objected to many of its provisions, particularly the one that allowed North Vietnamese Army (NVA) personnel to remain south of the seventeenth parallel after the cease-fire. To persuade Thieu and his advisors to change their stance, the Nixon administration made it clear that US assistance would only continue if Saigon supported the agreement. After receiving this ultimatum from their principal, the South Vietnamese reluctantly agreed to back the deal.

Once the initiative began, a few capable commanders emerged in key positions at the top of the ARVN. However, most South Vietnamese officers lacked the

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capacity to effectively execute their duties. The main factor that prevented the emergence of more competent leaders was the unconditional aid provided to Sai- gon by the United States. If US policy makers had attempted to influence the filling of vacancies with conditional aid, it is likely that qualified individuals would have led most of the South Vietnamese units.

**Poor Training of South Vietnamese Soldiers**

At the outset of the security transfer, South Vietnam lacked an effective training program for soldiers. US officials eventually introduced reforms designed to significantly improve the system. To see how this outcome did not surface, it will be necessary to closely examine the state of the program before and after the modifications.

During the initial year of the security transfer, the ARVN saw a significant rise in recruits. With the increase in the number of South Vietnamese soldiers, there was a need for more US advisors at training centers to provide instruction on crucial topics. However, US leaders did not send additional trainers to Southeast Asia. Even if more US advisors had been present, it is doubtful that most South Vietnamese personnel would have learned valuable lessons at training centers since evidence suggests the US Army primarily deployed unqualified personnel to the war zone in 1969. To succeed in a target country, an advisor must build a solid rapport with his advisees. Formidable relationships between training advisors and advisees were difficult to find below the seventeenth parallel for multiple reasons.

Before their deployments, advisors completed a course at Fort Bragg, North Carolina, that provided them with information about the Vietnamese language. Since the course lasted only six weeks, the advisors arrived below the seventeenth parallel without fluency in the Vietnamese language. Over time, most advisors made no attempts to improve their understanding of the language. Consequently, many figures in the South Vietnamese Army perceived the Americans as arrogant. Conflicting perspectives on the appropriate timeframe for building an effective army further contributed to the divide between the advisors and advisees. The Americans often asserted that the effort to develop the ARVN should proceed rapidly, but this suggestion did not sit well with the South Vietnamese, who believed the campaign required ample time and patience.

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19 Sheehan, A Bright Shining Lie, 732.
20 Wiest, Vietnam’s Forgotten Army, 86.
21 Ramsey, Advising Indigenous Forces, 44.
22 Wiest, Vietnam’s Forgotten Army, 87.
Upon leaving the training facilities, ARVN personnel received additional guidance from American field advisors. However, during the first year of the transfer, establishing strong relationships between American advisors and South Vietnamese soldiers proved challenging. The behavior of the Americans can be seen as a contributing factor to this issue. After all, many advisors in the field mirrored the actions of their counterparts at the training sites during their tours of duty. Nevertheless, an advisor in the field can compensate for showing insufficient respect for his advisees’ language and timetable for improvement by taking specific measures during engagements. For instance, arranging for wounded soldiers to receive proper medical attention and calling in airstrikes at appropriate times can earn the respect of the advisees. Advisors may learn the importance of executing these maneuvers during clashes while completing multiple tours in such a role. However, it is essential for an advisor, as one analyst has noted, to possess a significant amount of combat experience as well. Many American field advisors in 1969, though, lacked any prior instructional experience and, as a result, did not fulfill this additional criterion for being an effective trainer due to their limited or nonexistent combat experience before arriving below the seventeenth parallel.

The shortage of qualified American advisors was not the only problem associated with the instructional program. In 1969, US and South Vietnamese officials agreed to conduct joint operations in all military regions. While the missions in Military Region One were successful in helping ARVN personnel learn new techniques, the initiatives in other sectors failed to produce useful outcomes. Military Region Two provides a clear example of this. Effective coordination in joint operations requires participating armies to have headquarters in close proximity. However, the US and South Vietnamese headquarters in Military Region Two were not near each other, resulting in difficulties for US and ARVN commanders to work together on the battlefield. The coordination problem, along with other issues, led to the termination of joint missions before the South Vietnamese troops in Military Region Two could gain as much knowledge as their counterparts in Military Region One.

Due to concerning reports about the state of the training program in 1969, US policy makers decided to send Brig Gen General Donnelly Bolton, US Army, and a team of experts to Southeast Asia on a fact-finding mission. During the 1970 trip, the team of monitors uncovered valuable information by touring various training facilities and conducting interviews with relevant parties. For example,

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23 Wiest, *Vietnam's Forgotten Army*, 84.
they discovered that the Military Assistance Command Vietnam (MACV) Training Directorate, responsible for supplying advisors to the ARVN’s training centers, was operating at 70 percent of its assigned strength.\(^{26}\) After Bolton reported these findings to civilian officials at the Pentagon, plans for implementing reforms began to take shape.

US military leaders in Vietnam had limited experience working with developing armies.\(^{27}\) They actively sought to improve training for ARVN personnel, though. One notable example is Gen Creighton Abrams, US Army, who, as the head of MACV, recognized the need for changes and took steps to influence his superiors. He sent recommendations to the Joint Chiefs of Staff, including the suggestion to dispatch additional advisors to Vietnam.\(^{28}\) As a result, by the end of 1971, more than 3,500 US instructors were working at training facilities south of the seventeenth parallel.\(^{29}\) However, their work ended when the peace agreement was signed at the start of 1973.

The US reform effort had another significant component aimed at improving the quality of instruction for ARVN personnel. To address the shortage of skilled trainers in South Vietnam, US officials made a concerted effort to send only proficient instructors to work with the ARVN, particularly those with combat experience. By June 1971, “over 90 percent of the training advisers were combat experienced.”\(^ {30}\)

Competent instructors serving in foreign countries cannot choose their assignments and must accept placements given to them by their superiors. When there is a shortage of administrators in the unit responsible for making assignments, though, it becomes challenging for trainers to receive suitable placements. Since the MACV Training Directorate faced this problem in the early 1970s, it would have been advantageous to dispatch capable administrators to South Vietnam to transform this entity, but individuals like Cornelius Ryan, the US Army General who transformed the Korean Military Advisory Group (KMAG) into a productive organization during the successful security transfer in the Korean War, were never sent to Southeast Asia. If the head of the mission in Vietnam possessed a different background, this turn of events probably would have taken place. James Van Fleet, one of the leaders of the US military mission on the Korean Peninsula,

\(^{27}\) Kissinger, *White House Years*, 272–73.
oversaw effective training initiatives in the past and recognized Ryan’s ability to alter the functioning of KMAG. However, lacking training experience to draw upon, Abrams did not know individuals with the capacity to change the way the MACV Training Directorate operated in South Vietnam.\(^{31}\)

During the implementation of an initiative, one should anticipate success to emerge only half or the majority of the time.\(^{32}\) From 1972 to 1975, ARVN personnel failed to achieve objectives in half or the majority of their engagements. Consequently, it is necessary to conclude that the reforms in the South Vietnamese training program did not yield significant improvement. Given that US advisors departed before the end of the conflict, some may contend that it is unfair to apply such standards to the South Vietnamese effort. However, the success of a similar initiative to transform the South Korean training system from Spring 1951 suggests that progress is not contingent on the length of an advisory team’s mission. Within a little over a year of more-qualified advisors assisting South Korean soldiers, a robust program was already evident, culminating in an impressive Republic of Korea Army victory at White Horse Mountain.\(^{33}\)

It is not appropriate to solely blame the United States for the failure to construct an effective soldier training system. After all, once a principal embarks on a reform campaign, it cannot implement changes without some cooperation from the leaders of the agent’s security forces. The primary goal of many commanders in the ARVN, as seen in the previous subsection, was not to improve the combat performance of their subordinates.\(^{34}\) As a result, when more US advisors arrived in the theater of operations during the early 1970s, there were few opportunities for them to work closely with officers to address the shortcomings of various units.

This subsection addressed the initiative to alter the training system for South Vietnamese troops. This campaign shared several connections with the effort intended to change the program for South Korean soldiers. However, it failed to generate as much improvement as its predecessor from the 1950s. This disappointing outcome can be attributed to the presence of a US commander who lacked experience in building forces in allied countries, the absence of effective leaders in the organization responsible for overseeing the activities of US advisors, and insufficient cooperation from South Vietnamese officers.

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33 United States Eighth Army, Command Report, 1952, Section One, Narrative.
34 Snepp, *Decent Interval*, 193.
Troop Withdrawals

Certain decisions by both the United States and enemy nations ultimately determine the success or failure of most transfers. One crucial factor is how the United States withdraws combat troops from the target country. To avoid overwhelming the members of a fledgling force with new responsibilities, US policy makers must refrain from withdrawing personnel until there are signs of improvement. During his presidency, Nixon instructed his closest advisors to inform military officials in South Vietnam that a drawdown would only occur if ARVN personnel developed the capacity to perform the duties of US soldiers in an acceptable manner. In this subsection, the primary objective is to demonstrate how South Vietnamese improvement did not precede the drawdowns. By examining the main engagement that took place before a drawdown in 1969, it will be possible to observe the manner in which precipitous withdrawals unfolded. There will also be an opportunity to identify the key factor that prevented responsible withdrawals from occurring during Nixon’s presidency.

US leaders wanted to remove enemy personnel from a specific location in the forthcoming engagement. The initial phase of the analysis will establish that North Vietnamese soldiers fled from the area during the skirmish. The second part will then show how ARVN members did not play an integral part in the clearing operation. To demonstrate their failure to make a substantial contribution, it will be necessary to concentrate on tactical maneuvers and the extent of US involvement in the clash.

In the Summer of 1969, 25,000 troops were withdrawn from the theater of operations. During the spring, an offensive was launched to remove North Vietnamese troops from Ap Bia Mountain. After the initial assaults failed to dislodge the North Vietnamese from the top of Ap Bia, reinforcements arrived to participate in further attacks. The attacking forces encountered fierce resistance from the North Vietnamese during subsequent assaults. However, they eventually managed to reach the summit of Ap Bia on 20 May when the North Vietnamese retreated into Laos.

A discussion about tactical maneuvers can illustrate how the South Vietnamese participants in the clash were not skillful. As Ap Bia contained routes that the enemy could use for a retreat, the ARVN needed to perform blocking maneuvers.

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during the clash. However, the main account of the battle does not mention effective blocking maneuvers by the South Vietnamese. Instead, US monitors frequently refer to costly mistakes that prevented the First Division from achieving success in the early portion of the skirmish.\(^{38}\)

It is now appropriate to discuss the extent of US involvement during the Battle of Ap Bia. When the ARVN’s First Division struggled in the initial part of the engagement, US officials went as far as to send the US 101st Airborne to Ap Bia. The members of this unit led the assault that prompted the North Vietnamese to abandon their defensive positions on 20 May. While this attack was impactful, it would be wrong to give the soldiers in the 101st Airborne all the credit for the North Vietnamese retreat. After all, as these soldiers fought on the ground, US pilots dropped a substantial number of bombs on NVA positions. The accounts of observers outside the US government show just how much damage this bombing campaign caused.\(^{39}\) Jay Sharbutt, a reporter for the Associated Press, noted that heavy jungles could be seen around Ap Bia at the beginning of the US aerial effort. By the time it ended, however, the mountain was almost bare.\(^{40}\)

The preceding information demonstrates that the South Vietnamese Army did not make sufficient progress before drawdowns such as the one in the Summer of 1969. To identify the true cause of these withdrawals, it is necessary to concentrate on the US home front. While earlier works by Andrew Mack and others acknowledged how the political climate in the United States affected the handling of the conflict in Southeast Asia, they did not give enough attention to the specific ways in which the antiwar movement influenced events within the corridors of power in Washington, including discussions regarding the drawdowns.\(^{41}\) Toward the end of 1969, activists organized demonstrations in Washington and other major cities across the United States. The unrest continued in the Spring of 1970 after US and South Vietnamese personnel invaded Cambodia. This event prompted concerned students to lead protests at Kent State University in Ohio, Jackson State College in Mississippi, and other institutions of higher learning. Under mounting pressure from activists, Nixon had to withdraw US soldiers be-


fore ARVN personnel were fully prepared to take over their responsibilities. Former Chairman of the Joint Chiefs of Staff, Thomas Moorer, even states, “The reaction of the noisy radical groups was considered all the time. And it served to inhibit and restrict the decision makers.”

This subsection, like the preceding one, presents evidence challenging the argument against direct monitoring. In the Spring of 1969, Department of Defense (DOD) officials chose to depend on US officers who observed the engagement to provide an accurate report on the behavior of South Vietnamese personnel. Although these Pentagon officials later reported to the White House that soldiers performed poorly against the NVA, Nixon still decided to withdraw US troops from the theater of operations in July and August. If it were not for the numerous demonstrations organized by the antiwar movement, Nixon might not have ordered this precipitous drawdown and subsequent ones during the transfer.

*Short-Term US Residual Force*

In addition to determining the appropriate timing for troop withdrawals, it is crucial for the principal to assess the agent’s capability to secure the entire country. If the principal concludes that the partner lacks the ability to act autonomously, it will either leave personnel behind to provide assistance or regain control of the security effort. When faced with a dilemma of control in South Vietnam, Nixon chose to support his ally in conducting the assigned task. This subsection will focus on the role of the residual force in the assistance campaign, examining developments before and after US personnel left to demonstrate how their rapid departure adversely affected the situation on the ground. While the primary goal is to highlight the significant impact of the residual force, time will also be taken to explain why Nixon elected to remove the unit from Southeast Asia so quickly.

At various junctures in the Vietnam withdrawal, US observers informed Nixon about South Vietnam’s inability to independently halt North Vietnam in combat. They further asserted the necessity of maintaining a residual force becomes discernible by considering a 1969 meeting between John Paul Vann and Richard Nixon at the White House. During the meeting, Vann apprised the president that the ARVN could effectively confront the NVA if it continued to receive air sup-


43 Biddle, MacDonald, and Baker, “Small Footprint, Small Payoff,” 98.
port from the United States.\(^44\) In light of this, the Nixon administration eventually decided to retain a contingent of US pilots in Southeast Asia.\(^45\)

For years, US troops supplied data on the location of communist forces south of the seventeenth parallel to American aviators. However, by the early portion of 1973, ground troops were no longer present in South Vietnam. As a result, aviators had to rely on reports from ARVN personnel stationed on the frontlines.\(^46\) This collaboration between South Vietnamese soldiers and US pilots yielded positive results. Just days before the January cease-fire, the NVA launched attacks on over 400 villages and hamlets across South Vietnam, but the significant number of airstrikes conducted by US Air Force and US Navy pilots prevented the NVA from seizing control of these areas.\(^47\) Even after the cease-fire violation, US aviators continued to assist the South Vietnamese. In March, North Vietnamese forces captured Hong Ngu, a port on the Mekong River. However, US aviators conducted airstrikes near Hong Ngu, enabling the ARVN’s Ninth Division to retake the port.\(^48\)

After the United States ended aerial support for the ARVN in the Summer of 1973, the North Vietnamese continued to launch attacks throughout South Vietnam. Between January and June, an additional 65,000 NVA soldiers arrived south of the seventeenth parallel, enabling the North Vietnamese to seize control of many targeted areas during the latter half of the year, including Le Minh, a ranger border camp located 25 miles west of Pleiku.\(^49\) Despite these territorial losses, the ARVN mounted counterattacks as 1974 began, retaking many of the areas lost in the second part of the previous year. Consequently, the US Defense Attaché Office reported to Washington that the South Vietnamese agent could effectively resist communist aggression without external assistance.\(^50\)

The setbacks in early 1974 did not deter the NVA from launching further assaults later in the year, resulting in the capture of key outposts, villages, and other locations from the South Vietnamese. This loss of territory, coupled with the absence of robust counteroffensives, raised concerns among some US officials re-

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\(^{44}\) Sheehan, *A Bright Shining Lie*, 735.


Regarding the capabilities of the ARVN. However, there were still others who believed that the South Vietnamese could defeat the North Vietnamese without a residual force. Assistant Secretary of State Robert Ingersoll, for example, asserted before a Congressional committee that “South Vietnam is stronger militarily and politically than ever before.”\footnote{Robert Ingersoll, quoted in Arnold Isaacs, \textit{Without Honor: Defeat in Vietnam and Cambodia} (Baltimore: John Hopkins University Press, 1983).} It is reasonable to say that the skeptics within the US government had a better understanding of the ARVN’s abilities since the ARVN continued to lose territory during the NVA’s final offensive in the Spring of 1975.

To comprehend why the residual force ended its operations in Southeast Asia, despite the South Vietnamese being ill-prepared to face the North Vietnamese alone, it is necessary to focus solely on developments in the United States. Given how the input of Nixon’s subordinates played a crucial role in establishing the residual force, it is prudent to consider this factor in the current discussion. Various documents provide no evidence that the president’s advisors encouraged him to terminate the airstrikes in Southeast Asia. Instead, memorandums, memoirs, and other sources indicate that they hoped the bombing campaign would continue for an extended period. For instance, within his memoirs, Henry Kissinger states that he wanted the outcome of the conflict to “depend on whether the South Vietnamese, aided only by American airpower” could withstand North Vietnamese attacks.\footnote{Kissinger, \textit{White House Years}, 986.}

After ruling out the input of Nixon’s deputies as the cause of the decision to end the aerial campaign, attention must shift to the antiwar movement. Although antiwar critics were not as active in the mid-1970s, there is evidence that protests and other forms of collective political action still influenced the conduct of lawmakers in Washington. For example, in June of 1973, members of Congress approved a measure that prohibited US aerial operations across Indochina.\footnote{Walter Isaacs, \textit{Kissinger} (New York: Simon and Schuster, 2005), 487.} With such Congressional restrictions, Nixon could not allow a residual force to contribute to the campaign against North Vietnam for an extended period.

While some theorists recommend that a principal take direct action upon discovering an underperforming agent, the United States addressed its dilemma of control in Southeast Asia by aiding its partner.\footnote{Eli Berman et al., “Principals, Agents, and Indirect Foreign Policies,” in \textit{Proxy Wars: Suppressing Violence Through Local Agents}, ed. Eli Berman and David A. Lake (Ithaca, NY: Cornell University Press, 2019), 1–27.} The residual force present in the
region helped the ARVN repel numerous NVA attacks. However, due to the continued influence of the antiwar movement on the home front, the president ordered the residual force to cease its activities after a brief period. When the ARVN fought without this support, it struggled to prevent NVA forces from taking control of crucial areas south of the seventeenth parallel.

**Soviet Aid to North Vietnam**

To understand the significant impact of enemy conduct on the outcome of a transfer, it is crucial to focus on the issue of supplies. In addition to providing a residual force, a principal must ensure that an underperforming agent leading the effort to prevent enemy aggression continues to receive an adequate amount of weapons and equipment. During the 1970s, there was a significant increase in military assistance from the Soviet Union to North Vietnam. As a result, policymakers in Washington needed to supply the ARVN with more weapons and equipment to counter NVA attacks. By examining the major offensive operations from 1972 and 1975, it will be possible to see that Washington failed to respond appropriately to the Soviet increase, leading to significant territorial gains by the NVA in South Vietnam. The following paragraphs will also provide an explanation for the US reaction.

Like Hanoi, Moscow aimed to spread communism throughout Indochina, with South Vietnam being their primary focus. In the Spring of 1972, North Vietnam faced a shortage of weapons and equipment due to limited domestic production capabilities. Without an increase in military supplies from the Soviet Union, the NVA would not have been able to mount assaults in Military Regions One, Two, and Three, where it faced sizable ARVN forces.\(^{55}\) To assist its ally, the Soviet Union sent a significant number of T-54 main battle tanks to North Vietnam, along with Soviet advisors providing training on their operation. NVA personnel later utilized these tanks against the ARVN, helping them take control of Quang Tri City and other key locations during the Easter Offensive.\(^{56}\)

Following the Easter Offensive, Soviet aid to North Vietnam continued to escalate, surpassing the USD 1 billion mark in 1974.\(^{57}\) Without this substantial level of support, Hanoi would not have been able to launch the 1975 offensive

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\(^{56}\) Snepp *Decent Interval*, 290.

that completed the takeover of South Vietnam. During this campaign, NVA forces frequently deployed the Soviet-made SA-2 high-altitude air defense system at the front lines. The use of these surface-to-air missiles forced South Vietnamese pilots to fly their planes at higher altitudes, making it challenging to target NVA strongholds during bombing campaigns.\(^{58}\)

The increase in Soviet aid undoubtedly played a significant role in helping the NVA achieve numerous victories on the battlefield in 1975. However, it is important to note that a decrease in US aid also contributed to the NVA’s success.\(^{59}\) In 1974, when US assistance to South Vietnam fell to USD 813 million, many officials in the DOD predicted a decline in the performance of the ARVN.\(^{60}\) For instance, the head of the US Defense Attaché Office in Saigon warned that without sufficient aid “the South Vietnamese would lose, perhaps not right away but soon.”\(^{61}\) With fewer essential supplies arriving from the United States, South Vietnamese officials again faced the double principal dilemma. They could either try to appease the members of the ARVN by urging Washington to reverse its policy regarding supplies, or they could seek to please the United States by accepting the new policy and limiting the amount of weapons and equipment sent to the front. Initially, Saigon protested the reduction in aid, but South Vietnamese leaders eventually took steps to align with their external principal, including decreasing a soldier’s monthly bullet supply to 85 during the latter part of 1974.\(^{62}\) The inadequate supplies, combined with the aforementioned issues with officers and poor training, prevented the ARVN from effectively fighting in 1975.\(^{63}\)

It is now appropriate to explain why the US government left their agent’s troops in such a vulnerable position. During the time of the aid cuts, Gerald Ford assumed control of the executive branch. It appears that he wanted to continue providing the South Vietnamese with enough assistance to prevent the NVA from seizing all the territory south of the seventeenth parallel. In March 1975, Frederick Weyand, the US Army Chief of Staff, conducted a comprehensive assessment of the situation in Southeast Asia during his visit to the theater of op-

\(^{58}\) Snepp *Decent Interval*, 358.


\(^{63}\) Dung, *Our Great Spring Victory*, 17.
erations. Upon his return to Washington, he informed President Ford that the South Vietnamese could survive with USD 722 million in emergency aid from the United States.\textsuperscript{64} Ford then urged legislators to pass a bill that would provide Saigon with such emergency assistance.\textsuperscript{65}

Regrettably, the South Vietnamese did not receive the necessary support, as there were no Congressional leaders in either party who shared Ford’s commitment to maintaining an adequate level of aid.\textsuperscript{66} To understand this reluctance to continue providing aid to Saigon, it is essential to consider the same factor that led to the precipitous withdrawal of troops and the brief presence of the residual force in the war zone. During the Spring of 1975, US Senators and Representatives vividly remembered the protests, sit-ins, and other demonstrations that occurred throughout the country earlier in the decade. Legislators like Congressman Don Bonker (D–WA) actively avoided working with the Ford administration, particularly in its efforts in Vietnam, to prevent reigniting such unrest. At one point, Bonker even stated, “People are drained. They want to bury the memory of Indochina. They regard it as a tragic chapter in American life, but they want no further part of it.”\textsuperscript{67}

When faced with a dilemma of control in a security transfer, a principal cannot limit its response to leaving behind a residual force. Instead, it must also provide the underperforming agent with an adequate amount of supplies to carry out the majority of security responsibilities in the target country. In the case of South Vietnam, US officials failed to allocate sufficient weapons and equipment to the ARVN after the NVA received increased assistance from the Soviet Union, making it exceedingly difficult for the ARVN to defend significant areas south of the seventeenth parallel. If US policy makers did not have to contend with the possibility of reigniting the antiwar movement at home, they would likely have sent the necessary supplies to Southeast Asia.

**Conclusion**

This article examined the various factors that contributed to the unsuccessful security transfer in South Vietnam. The first part of the article focused on factors that have been highlighted in previous works. When a vacancy emerged at the top of the ARVN during the 1970s, the president of South Vietnam usually did not

\textsuperscript{64} General Frederick Weyand, Memorandum for President Gerald Ford, April 1975.
\textsuperscript{65} Snepp *Decent Interval*, 337.
\textsuperscript{66} Willbanks, *Abandoning Vietnam*, 261.
\textsuperscript{67} Congressman Don Bonker, quoted in James Willbanks, *Abandoning Vietnam*. 
fill it with a qualified candidate since US policy makers attempted to influence his decision making with unconditional aid. Washington also aimed to upgrade the training system for ARVN personnel, but a comprehensive instructional program for troops did not materialize during the security transfer.

While the factors mentioned above certainly contributed to the failure in Southeast Asia, they were not as influential as the determinants that received inadequate attention in earlier studies. During a security transfer, it is crucial for US policy makers to prevent a nascent army from being overwhelmed by the responsibilities of US soldiers. This can be achieved by keeping troops in the target country until signs of improvement begin to emerge. In the early days of the mission in Vietnam, officials from the executive branch indicated that drawdowns would only occur after ARVN personnel had demonstrated proficiency in engagements against the enemy. However, hasty withdrawals were made to appease activists associated with the antiwar movement. If inexperienced service members are required to assume responsibilities too quickly, the United States can still salvage a security transfer by taking certain steps, including leaving a residual force in the war zone. Toward the end of the conflict in Vietnam, the White House kept a residual force in Southeast Asia to support the ARVN in fulfilling its responsibilities, but the unit could not remain in the region for a sufficient amount of time because lawmakers imposed restrictions on military operations overseas. It is also crucial to respond appropriately to supply changes in the enemy camp. As Soviet shipments to Hanoi significantly increased during the 1970s, South Vietnam required more weapons and equipment from the United States. When the US president attempted to gain support for such an increase, though, legislators refused to cooperate with him.

Besides identifying the factors that contributed to the unsuccessful outcome, the preceding material sheds light on the principal-agent partnerships that influence security transfers. After the commencement of the transfer, the United States initiated a direct monitoring campaign in Vietnam. In 1969, US monitors provided Washington with honest feedback regarding the behavior of ARVN personnel. Then, a year later, US observers provided accurate information about the conditions at South Vietnamese training facilities. Although some scholars suggest that a direct campaign is unlikely to keep a principal from encountering the problem of information asymmetry during a transfer, these situations indicate that this approach is effective.\textsuperscript{68}

\textsuperscript{68} Biddle, MacDonald, and Baker, “Small Footprint, Small Payoff,” 98.
Following the establishment of a partnership, the behavior of the agent may not align with the interests of the principal. In such cases, the principal can offer conditional or unconditional incentives to influence the agent’s conduct. When Washington attempted to impact Saigon’s behavior with unconditional incentives, this approach failed to produce the desired outcome. Consequently, it is appropriate to conclude that this case further strengthens the popular contention that conditional incentives are more effective.69

When faced with an underperforming agent, a principal must decide whether to mount an assistance campaign or retake control of the security effort. In Vietnam, the United States decided to assist the agent in conducting the assigned task. As members of the US residual force briefly worked with ARVN personnel, NVA troops did not experience much success in combat. Therefore, if the residual force had remained active in the theater of operations for more than a year, and Washington continued to provide an adequate number of weapons and equipment to its agent, Hanoi probably would not have been able to conquer South Vietnam. The experience in South Vietnam suggests that, rather than resorting to direct action as recommended by Berman, Lake, Miquel, and Yared, a principal should consider assisting an underperforming agent when facing a dilemma of control in a security transfer.

An agent may encounter issues after the establishment of a partnership, including the prevalence of double principals. In 1972, when Saigon faced pressure on the foreign and domestic fronts, it made a decision that aligned with the interests of an internal principal. However, later in the decade, its actions aligned with the interests of an external principal. These reactions show that the leverage of an external principal strongly influences an agent’s behavior. Since aid was unlikely to be withheld in 1972, the government did not need to align its behavior with the objectives of the United States. As conditions deteriorated rapidly south of the seventeenth parallel and there were no other allies to ask for weapons and equipment in the mid-1970s, though, Saigon recognized the necessity of cooperating with Washington.  

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69 Biddle, MacDonald, and Baker, “Small Footprint, Small Payoff,” 131; and Byman, “Friends Like These,” 113.
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The Import of Hybrid Activities in the South China Sea

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Dr. Kim Wonhee

Abstract

Amid the intricate expanse of the South China Sea (SCS), enduring disputes intricately involve multiple nations. China deftly employs a strategic hybrid warfare approach, adroitly harnessing nonmilitary forces such as coast guards to execute coercive actions, thereby propelling its territorial and economic objectives. The intricacies of this approach intersect with the complexities of applying the UN Convention on the Law of the Sea. These intricacies are compounded by maritime security disagreements, prevailing power imbalances, and the persistent rivalry between the United States and China. This rivalry introduces an added layer of intricacy to an already intricate situation. Ensuring stability necessitates a united front among other actors to counter China’s multifaceted strategies. Nevertheless, the potential lingers for China to ultimately succeed in its efforts to expel the United States from the South China Sea, resulting in its metamorphosis into an internally controlled body of water.¹

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Multiple countries claim maritime zones in the South China Sea (SCS) based on various legal and historical rights. These states and some third parties engage in ongoing activities to pursue their disputes, which can be termed as hybrid maritime warfare. Hybrid warfare employs nonlethal means of coercion to influence opponents to adopt specific behaviors they would not otherwise choose.

Hybrid warfare distinguishes itself from traditional naval combat patterns, where parties’ military forces resort to organized violence, aiming to compel a choice between incompatible aims. Instead, hybrid warfare involves gray-zone actions that fall between clear peace and definitive warfare. The SCS hosts intrac-

¹ Acknowledgement: The authors would like to thank Commander Liam Connell, US Navy and military professor of DKI Asia-Pacific Center for Strategic Studies, Hawai‘i, USA. His valuable insightful comments on this article tightened and strengthened the arguments herein. And the article was sponsored by the Law of the Sea Research Support Program of the Korea Institute of Ocean Science and Technology (KIOST) for the year 2023.
table disputes over maritime rights, encompassing fisheries, and natural resources. Contentions arise over boundaries of exclusive maritime zones, independent determinations for seabed resource surveys, sea buoy anchoring, naval force deployment, and law enforcement. Hybrid warfare is frequently employed in the SCS to pursue these activities and dissuade competitors from similar actions.

In addition to hybrid warfare, the SCS hosts military maritime maneuvers, including freedom of navigation operations (FONOPs) and constabulary operations for law enforcement. FONOPs, in essence, constitute a type of naval diplomacy aimed at influencing other governments, and they can carry both symbolic and coercive implications.\(^2\)

For the stabilization of the contentious situation in the SCS, a balance between military and legal approaches is imperative. Both methods have roles to play in crafting a diplomatic solution.

**The Role of UNCLOS**

The United Nations Convention on the Law of the Sea (UNCLOS), entered into force 1994, serves as the world’s oceans' constitution. It establishes maritime zones with distinct rights and maritime jurisdictions.\(^3\) Nonetheless, fundamental differences of opinion regarding the rights and obligations of claimants in the SCS exist, particularly concerning historical rights. Several key UNCLOS concepts possess inherent ambiguities in practice. These encompass Exclusive Economic Zones (EEZs, where states hold exclusive resource exploitation rights), due regard principle, innocent passage (articles 17 and 18), marine protected areas (article 194), marine scientific research (article 56), and military activities in EEZs (articles 58 and 87).\(^4\)

Despite these complexities, UNCLOS stands as the sole legal framework capable of providing a solution for SCS peace and stability. By defining entitlement to various maritime zones based on coastlines, UNCLOS restrains more potent states from overpowering weaker ones solely through military might. It grants exclusive independent maritime jurisdiction rights to coastal states and

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affords all states rights of innocent passage, freedom of navigation, and freedom of overflight.

However, differing interpretations of UNCLOS by various states yield serious geopolitical and geo-economic ramifications. These encompass potential control over communication sea routes, global shipping paths, energy trade streams, and fisheries management. Other issues involve the conversion of marginal features into fortified artificial islands. Such manipulation of UNCLOS rules exacerbates SCS maritime disputes. Understanding UNCLOS, let’s delve into the intricate realm of maritime security in the SCS.

**Maritime Security**

Maritime security in the SCS defies singular analysis. Broadly, it upholds peace and order within a legal framework. The SCS presents unique challenges due to its semi-enclosed geography, resulting in overlapping UNCLOS-defined maritime zone claims. Construction of artificial islands further complicates matters.

Prejudiced interpretations of UNCLOS have sparked disputes over SCS maritime resources and hindered cooperative coastal state arrangements. Such discord undermines maritime security, unsettling the SCS’s tranquility.

UNCLOS relies on specific land features to designate maritime resource rights. These features encompass reefs, rocks, shoals, and islands based on factors like tide elevation, submergence, and viability.

Contentious land features include Paracel Islands, Spratly Islands, Scarborough Shoal, and Macclesfield Bank. Coastal and archipelagic states—the Philippines, China, Vietnam, Malaysia, Brunei, Taiwan—claim jurisdiction and sovereignty based on these.

Presently, China’s coercive actions compromise SCS maritime security. Its gray-zone tactics, such as near-collisions, intimidate weaker states. Defending

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national sovereignty, these states deserve support from interested parties to safeguard SCS maritime security.⁸

**Capacity Discrepancies**

In the twenty-first century, the traditional notion of sea power no longer reliably guides maritime capabilities. A broader perspective on capacity-building measures and maritime systems requires consideration.⁹

Among parties entangled in SCS maritime disputes, evident capacity disparities exist. States diverge in their commitment to UNCLOS principles, military might, economic influence, and alliances—most notably with the United States, a non-party of UNCLOS.

China wields the mightiest naval forces and substantial economic sway, a contrast to the comparatively weaker Taiwan and Association of Southeast Asian Nations (ASEAN) members. China’s historical claims rest on the nine (or eleven)-dash-line maps from the 1940s. This U-shaped line defines China’s sovereignty and claims, gradually established over history. China disregards the United States, a significant ally of several SCS states, as a valid party in SCS conflicts.

UNCLOS, a potential rectifier of capacity imbalances, furnishes redress avenues to assert maritime rights of weaker states. UNCLOS compulsory dispute mechanisms bind all members, offering four means of dispute settlement: International Tribunal for the Law of the Sea, International Court of Justice, UNCLOS Arbitral Tribunal, and UNCLOS Special Arbitral Tribunal. The Arbitral Tribunal is in default if resolution means are unresolved.

In 2016, a case brought by the Philippines against China showcased this mechanism. A tribunal appointed by the Permanent Court of Arbitration (PCA) ruled China interfered with Philippines’ lawful rights, breaching maritime safety obligations. Notably, the tribunal deemed China’s nine-dash-line devoid of legal weight, conferring no SCS entitlements beyond UNCLOS specifics.

However, China declined participation, dismissed the ruling as “null,” and persists in asserting claims and controlling disputed features. This underscores UN- ⁸ Collin Koh, “David vs. Goliath: Southeast Asia Can Resist China’s Grey Zone Aggression in the South China Sea...with Help,” *Proceedings* 149 (May 2023): 78–83, https://www.usni.org/.
CLOS’s struggle to establish international credibility, proving inadequately reliable for SCS dispute resolution.\(^\text{10}\)

**Why Hybrid Warfare?**

Conflicting claims in the SCS have ignited confrontations, marked by China’s adoption of tactics often deemed hybrid warfare by observers.\(^\text{11}\) China’s ultimate objective seems to be gaining control over the entire SCS, transforming it into an *internal sea*, as part of a larger bid to reestablish regional Middle Kingdom hegemony. Unlike straightforward naval expansion, China employs a salami-slicing strategy, incrementally solidifying its SCS dominance through an array of gray-zone tactics, aiming to manifest its control as a fait accompli.

Since 2013, China has employed noncombatant maritime law enforcement vessels—coast guards, maritime police, militia—instead of its naval forces in confrontations. Consolidating five agencies into the China Coast Guard (CCG), China has rapidly built the world’s largest coast guard fleet in a decade, distinguishing its capabilities.\(^\text{12}\)

Simultaneously, China collaborates to craft a de-escalation mechanism, averting military clashes in the SCS. The Declaration on the Conduct of Parties in the SCS (DOC), established in 2002 by China and ASEAN, outlines a diplomatic framework for self-restraint in SCS activities. Although a confidence-building measure, the DOC remains advisory. Consequently, China and ASEAN have worked on a supposedly binding quasilegal Code of Conduct (COC) since August 2019, aiming to establish a rules-based SCS order.

While investing heavily in its naval forces, China’s capabilities remain inferior to the US Navy’s at present. Hence, China opts to avoid direct conflicts with SCS parties, many of whom are US allies. In contrast, the United States asserts its capabilities through FONOPs to challenge excessive maritime claims.\(^\text{13}\)

To advance SCS goals, China leverages noncombatant vessels like the CCG instead of naval forces, claiming law enforcement activities. Yet, the scale and in-

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timidating conduct of these forces effectively coerce neighbors and propel China toward its ultimate goal of altering the SCS status quo.  

A recent illustration of this intimidation transpired on 28 April 2023: as stated by the Philippines government, two CCG vessels intercepted Philippine patrol vessels close to Second Thomas Shoal, referred to locally as Ayungin Shoal. The Chinese vessels adopted a near-collision trajectory, employing these assertive tactics that imposed a notable hazard to the safety and well-being of the Philippine vessels and their crews.  

Amid its endeavor for SCS dominance, China seeks global community acceptance. China’s engagement with DOC and COC aims to offer plausible deniability regarding its ambition to internalize the SCS. Historically, China’s leaders have flouted rules-based international orders, undermining such agreements.

The Effects of US-China Competition in the SCS

Strategic rivalry between the United States and China possesses a global scope, with heightened focus in the Asia Pacific region and culminating acutely in the SCS. The preservation of maritime peace and stability within the SCS faces threats not only from military confrontations but also from intricate hybrid activities.

China’s military expansion, prominently observed in the SCS militarization, raises alarm in the United States. The rapid growth of the People’s Liberation Army Navy (PLAN) prompts a US response primarily through its FONOPs. The SCS has consistently stood as a prominent stage for US-China rivalry and a rigorous trial of the US’s capability to uphold the rules-based international order. The recent deterioration in US-China relations has, however, reshuffled the SCS dynamics. Previously marked by intermittent confrontations between US military expeditionary forces and the PLAN, China’s behavior has now shifted in scope and pattern. It has transitioned from direct aggressive actions to a diverse array of hybrid and indirect tactics. These hybrid confrontational patterns have effectively heightened the US-China rivalry within the SCS.

A pivotal recent change is geographical. China has engineered artificial islands since 2013 by dredging and reclaiming land on shoals and reefs. This move carries

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dual significance. Firstly, China has militarized these islands, contradicting earlier claims of nonmilitarization, effectively crafting stationary aircraft carriers. This militarization empowers China to exert threatening influence, particularly concerning Taiwan. Secondly, under UNCLOS, the original augmented features were not considered in defining territorial seas. Nonetheless, China bases an insubstantial claim to expanded territorial seas on these islands. Both aspects bolster China’s aspiration to counter US naval forces and eventually expel them from the SCS.

For China, embroiling PLAN forces in major confrontations within the SCS holds no appeal, echoing other states with naval forces in disputed territories. Such risks magnify with modern heavily armed naval platforms. This led to the 2014 Western Pacific region agreement on the Code for Unplanned Encounters at Sea, regulating approach distances. China, however, shifted tactics, expanding the CCG, which now undertakes similar intimidating missions as PLAN but with lower chances of uncontrollable escalation.17

China converted naval vessels, including Type 054 frigates and Type 056 corvettes, into coast guard forces, augmenting hybrid warfare and power projection capabilities. Methods employed to deter intruders into claimed maritime jurisdiction zones often involve nonlethal techniques. These include loudspeaker warnings and water cannon usage, yet recent instances incorporate more lethal measures like projecting laser beams at operators of US Navy and Australian military platforms, posing grave consequences with minimal evidence of Chinese actions.

China capitalizes on US engagement in the SCS by portraying the US as an interfering third party. It holds true that the United States lacks direct stakes in SCS maritime disputes, and the US omission from joining UNCLOS is regrettable. The United States asserts its primary motive is safeguarding navigation freedom for all nations. Nevertheless, substantial naval exercises near the SCS, involving aircraft carriers and amphibious assault ships, provide China an opportunity to assume the victim role. Despite this, instead of directly challenging the United States, such displays of US might generally embolden China to amplify coercive actions against ASEAN members, aiming to create a rift between the United States and its regional allies.

**Recommendations and Suggestions**

Amid these disruptive factors, various experts have proposed recommendations to effectively counter Chinese hybrid warfare in the SCS.

First, the zero-sum strategic power struggle between China, the primary claimant, and the most influential external stakeholder, the United States, poses a significant hindrance to resolving long-standing SCS disputes through UNCLOS. While China persists in its quest for SCS dominance, all other parties must unify their stance by emphasizing adherence to maritime law as the central objective. Consequently, the focus should be on the legal framework, making US FONOPs counterproductive.

Second, an early warning system should be established for hybrid warfare, surveilling claimants in SCS disputes as well as external actors. This mechanism would curtail all parties’ actions, reducing the risk of perilous skirmishes and gradually lowering tensions in the SCS.

Third, the current state of bilateral maritime relations between China and other claimants remains strained, primarily due to divergent interpretations of UNCLOS as applied to the SCS. China frequently justifies SCS hybrid warfare based on its self-serving UNCLOS interpretation, though Beijing’s underlying objective is evidently to make the SCS an internal Chinese sea. Other claimants must unite to expose this hypocrisy and thwart Chinese hegemony.

Fourth, stakeholders should collaborate to reconcile conflicting legal claims and achieve mutual UNCLOS interpretations. This approach stands as the sole viable path to satisfactorily resolving the future status of the SCS. Regrettably, populist and nationalist movements have often exploited territorial claims, undermining rules-based resolutions and paving the way for quasi-military actions such as hybrid warfare. An extensive legal approach will render such measures unnecessary.

While the SCS issues deeply involve major powers, persuading China to change its behavior seems improbable, and the United States’ constructive role remains limited. In response to Chinese coercion, all other stakeholders share a compelling interest in collaborating and voicing a unified stance. Without such coordination, hybrid warfare will persist as a blight on the SCS, accompanied by escalated military tensions.

**Conclusion**

China employs hybrid warfare in the SCS to assert its maritime jurisdictional rights and sovereignty, simultaneously showcasing its ambition to establish itself as a significant maritime power. This involves demonstrating control over disputed SCS maritime zones. Nonetheless, Beijing harbors broader aspirations.

Heightened strategic rivalry between the United States and China within the SCS introduces a substantial destabilizing element. This sparks proxy confronta-
tions among coastal states and intensifies aggressive behaviors, leading to near-lethal conflicts propelled by increasingly advanced and intricate weaponry.

Presently, China’s capacity to execute various hybrid warfare techniques on a large scale empowers its dominion over the SCS, though Indonesia and Malaysia have pushed back against Chinese hegemony in the southern portion of the SCS. The intricacy of maritime disputes, involving seven nations with conflicting claims works to China's advantage. Thus far, efforts to modify China’s conduct through legal avenues, particularly the 2016 PCA ruling favoring the Philippines, have yielded no success. China will persist in its pursuit to make the SCS an international sea, likely attaining this goal in the medium to long term, despite US endeavors to thwart it.

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Modernization and the Military-Civil Fusion Strategy

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Abstract

This article employs economic and political theory to elucidate a novel approach by which China seeks to gain military advantages through a technological surge. It specifically posits that Beijing intends to expedite economic efficiency by investing in advanced technologies. Simultaneously, the military-civil fusion strategy enables Beijing to rapidly and efficiently convert this technological investment into military applications, thus modernizing its armed forces. In response, the United States should counter this strategy by impeding China’s modernization endeavors. To be more precise, it can target China’s military-civil fusion strategy by disrupting technology development through limitations on supply chains and imposing sanctions on companies. This paper contributes to the existing body of research on this subject by suggesting that the United States should enhance its own military-civil fusion strategy by strengthening the pathways for translating technology into military applications. Additionally, this paper prescribes ways for the operational force to tackle this challenge by expediting research, development, and the application of key dual-use technologies.

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Every nation amasses national power as a countermeasure against external influence or potential threats from other countries.¹ Thus, it comes as no surprise that China would inevitably pursue regional and global influence. What is truly remarkable is the rapidity of China’s economic ascent. Numerous factors have contributed to this ascent, including the United States’ policy of granting China “most favored nation” status and China’s accession to the World Trade Organization.² However, this article scrutinizes China through the specific lens of its state’s internal economic mechanisms, particularly after entering the global marketplace. From this nuanced perspective, the subsequent analysis sheds light on China’s strategy of harnessing economic prowess to fuel military modernization, chiefly through its military-civil fusion strategy.

China’s state priorities and resource allocation have steered the nation’s economic trajectory for several decades. Examples of such endeavors encompass the establishment of special economic zones, agricultural reforms, and the promotion of private enterprises. As private-sector economic activity gained momentum in the 1990s, the state progressively reduced its involvement, facilitating companies’ seamless integration into global markets and their subsequent financial prosperity. In essence, through a deliberate shift toward state capitalism, the state oversaw the opening of the economy by progressively permitting limited privatization.

However, the global financial crisis in 2008 ignited concerns within the state about China’s excessive reliance on global trade and exports. Consequently, the state initiated an economic stimulus, infusing capital excessively and engendering surging local government and corporate debts. By 2015, these circumstances contributed to a financial crisis. Consequently, the pendulum swung in the opposite direction, as officials within the Chinese Communist Party began to exert greater influence and control over firms, aiming for a more active economic management approach. By 2017, more than 73 percent of firms had established party cells, and the state leveraged financial tools such as equity stakes to exert its influence. Moreover, the state began penalizing organizations for failing to align with its political agenda, even expelling prominent international news agencies such as the *New York Times*, *Wall Street Journal*, and *Washington Post* for not retracting unfavorable stories. Essentially, economics underwent a transformation into a more closely monitored political pursuit, giving rise to China’s new party-state capitalism economic model.

Further evidence of this evolving economic model lies in China’s dramatic shift in its debt-to-GDP ratio, serving as a proxy for evaluating the impact of investments on economic output. From the 1970s to around 2008, restrained state capitalism engendered productive economic activity. Notably, China’s debt burden increased at a similar rate to GDP during those years, signifying productive investment. However, after 2008, debt accumulation began to outpace GDP gains, indicating that not all public investments yielded substantial GDP gains. In essence, investments began contributing to objectives beyond economic activity, suggest-

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5 The term is introduced by Pearson, Rithmire, Tsai, “Party-State Capitalism.”
ing that China’s conventional long-term growth model was no longer sustainable.⁶

These economic maneuvers have had a substantial impact on China’s overall output, a metric encompassing labor, capital, and efficiency variables that determine sustainable long-term growth.⁷ Specifically, China, conceivably reaching its zenith of engagement with global markets in the 2000s, might have encountered diminishing marginal returns on both labor and capital, limiting the extent of labor hours and capital investment. Furthermore, this zenith may have diminished further due to the political constraints imposed by the party-state capitalism model on free-market dynamics. Consequently, the productivity of China’s privatized labor and capital components was curtailed by both global market saturation and government-induced inefficiencies.

In a scenario where labor and capital no longer exerted a significant influence on output, Beijing found itself compelled to explore avenues for enhancing output through increased efficiency. This could be achieved by actively guiding markets toward efficiency-enhancing factors, such as advanced technology. Indeed, there is compelling evidence that Chinese Communist Party (CCP) leaders sought to boost output by enhancing efficiency, with a particular focus on investing in advanced technology (refer to fig. 1). In Xi Jinping’s 2022 address to the Party Congress, he underscored one of his key visions: “modernizing the industrial system.”⁸ Additionally, Xi has championed China’s recent prioritization of technology, highlighting a surge in R&D expenditures from 1 trillion yuan to 2.8 trillion yuan, resulting in China hosting the “largest cohort of R&D personnel in the world.”⁹ Over the long term, China intends to continue expanding its industrial foundation by integrating advanced technologies into production processes, thereby leveraging tools like advanced manufacturing and digital innovation. This strategic approach aims to amplify the productivity of each worker and each dollar within the economy, sustaining favorable growth rates over an extended period.
Figure 1. Advanced technology driving total force productivity

China currently possesses a significant demographic advantage over the United States. If it persists in maximizing the output of each worker through technological advancements, its sheer population size will ensure substantial economic expansion. Should each Chinese worker achieve the same level of productivity as an American worker, China is poised to surpass the United States in economic size, fostering sustainable economic growth.

Transfer to Military Power

*A wealthy China would surely build a formidable military, as populous and rich countries invariably convert their economic power into military power.*

—John Mearsheimer

From a realist perspective, it’s virtually inevitable that China will translate its economic strength into military power. After all, a robust military capability enables a nation to counter and deter potential adversaries. In the case of China, a formidable military serves as a deterrent against Western powers in its regional sphere of influence, particularly in the Indo-Pacific region. For instance, China could leverage its military might in the South China Sea to assert regional dominance and secure access to crucial sea trade routes. Additionally, a strong military is vital for any potential action related to the Taiwan issue. If China were to con-

template annexation by force, it must be confident in its military’s capabilities. This becomes even more significant, considering recent events where Russia over-estimated its military strength prior to the invasion of Ukraine in 2022. In any case, China aims to ensure it maintains control over the outcome of a Taiwan conflict, aligning with its national interests given the region’s impact on China’s economy.  

Naturally, a prosperous nation can enhance its military strength through increased procurement, allowing for the support of larger troops and more military equipment. However, the quantity of resources alone does not reflect the quality of talent or equipment that may be procured. What purpose does it serve to have an arsenal of antiquated systems when the U.S. possesses some of the most advanced weaponry globally? CCP leadership acknowledges this limitation and places emphasis on the goal of pursuing high-quality military upgrades. For example, Xi highlighted the Party’s objective of building a modern military through “mechanization, informatization, and application of smart technologies.” Consequently, these modernization efforts are aimed at developing a world-class military. As a result, the CCP seeks to integrate advanced technologies into the People’s Liberation Army (PLA), ultimately aspiring to possess a highly modernized military force.

This article asserts that the means by which Beijing seeks to facilitate military modernization is through the strategy of military-civil fusion. Essentially, this strategy aims to break down barriers between China’s civilian and military sectors. The objective, according to the US Department of State, is to accelerate the development of technologies such as quantum computing, big data, 5G, and advanced nuclear technologies, among others, to position the PLA for “intelligent warfare.” Beijing employs a range of both legal and illegal methods to bridge this connection, including theft and the development of dual-use technologies.

To provide a more organized framework for understanding the military-civil fusion process, consider the proposed pathway for how the state might acquire advanced military capabilities through this strategy (see fig. 2). In essence, the

12 “Transcript: Xi Jinping’s Report to China’s 2022 Party Congress”
13 This strategy is mentioned 倪桂桦 (Ni Guihua) and 朱锋 (Zhu Feng) “The State and Dilemmas of the Biden Administration’s Strategic Competition with China [拜登政府对华战略竞争的态势与困境],” *Interpret: China*, 2023, original work published 26 January 2022, https://interpret.csis.org/.
state prioritizes key technologies through its vision, funding, and regulatory efforts. Subsequently, universities, research centers, and laboratories translate these state priorities into research initiatives. Coupled with resources and manufacturing capabilities, research efforts materialize as developments. Finally, the military integrates these dual-use advancements into its weaponry. Conceptually, this model bears similarities to the state-capitalism model for economic prioritization, as it implies that the state guides military modernization through technological prioritization. This framework could assist policy makers in articulating the nuances of how this process operates and enable US defense analysts to identify specific phases to target when devising strategies to disrupt and counter China’s military-civil fusion strategy.

![Figure 2. Military-civil fusion pathway for military application](image)

### Considerations

Notably, several points of friction exist that impede the seamless integration of advanced technology into the military apparatus, with two significant obstacles being intellectual property rights and coordination issues.

In a nation with robust intellectual property (IP) laws, legal safeguards can restrict the utilization of dual-use technology, constraining the military’s ability to expand upon a company’s proprietary products. Moreover, entities retaining IP rights may impose limitations on knowledge sharing, hindering other organizations from building upon their research. Essentially, robust IP laws create market inefficiencies that primarily benefit the IP holders, potentially to the detriment of the military’s interests.

In contrast, China has historically grappled with weak IP protection. Instances of appropriating brands for counterfeit luxury goods, replicating a faux Disneyland in Shijingshan, or cloning Google China’s website are indicative of a culture where copycat companies have often disregarded all forms of IP ownership in their pursuit of market dominance. Consequently, entrepreneurial innovators in China have been able to swiftly develop minimum viable products and gauge
demand without protracted lead times. Within this context, knowledge can circulate more freely, and both companies and the government can leverage market-tested expropriated technologies, whether foreign or domestic, without significant concerns of reprisal. This enables the military to apply advanced technology to dynamic problem sets with heightened agility, drawing from a broad pool of potential technologies irrespective of IP barriers.

Another point of friction centers around coordination issues, particularly in countries where there exists a separation between the private sector (comprising companies, universities, think tanks, and so forth) and the military. In such circumstances, the flow of novel research into effective military applications may encounter obstacles, potentially resulting in a military-industrial complex that lags in innovation.

In contrast, China experiences fewer coordination issues due to the substantial influence and control exercised by government officials over the private sector, exemplifying the party-state capitalism model. For instance, the Chinese Communist Party and local governments embed officials directly into the corporate governance structures of non-state entities, both domestic and international. These officials report directly to their respective governmental chains of command and wield state-sanctioned influence over the operations of these companies. Moreover, the state frequently solidifies its control by investing in equity stakes in various non-state entities, thereby asserting ownership rights. Consequently, evidence suggests that the government utilizes its corporate leverage to compel changes in business behavior, at times resorting to political persecution of business executives. This close alignment between the government and the private sector fosters innovation and operational coherence, mitigating the friction associated with coordination issues.

Given the combination of weak IP protections and fluid coordination, the military-civil fusion strategy proves particularly efficient for Beijing. Operating under the pretext of acquiring advanced technology to enhance economic efficiency, China can swiftly transition these acquisitions into military applications, thereby modernizing its armed forces. As a theoretical illustration, the commercial sector may possess a strong incentive to drive AI integration to bolster everyday business decision-making, such as resource management. This technological advancement may simultaneously hold a dual-use military application by enhancing operational decision-making efficiency and accuracy. Indeed, there is ongoing

strategic discourse about how China’s military can harness AI to automate decisions and enhance smart weaponry, such as cruise missiles and drone swarms. In essence, this military-civil fusion strategy empowers Beijing to expedite the modernization of its military, mirroring the pace and level of overall national investment.

**Responding to China’s Modernization Model**

The United States should harbor concerns over China’s potential pursuit of military modernization through the military-civil fusion strategy. As Beijing enhances its military capabilities, it concurrently amplifies its global influence. This expanded influence is poised to disrupt international norms, trade patterns, and regulations, encompassing digital and privacy regulations. Such developments pose a challenge to the existing hegemonic structure, which is geared toward preserving US advantage.

Additionally, American senior leadership actively voices apprehension regarding this threat, as highlighted in the National Security Strategy, which underscores China’s ambition to “reshape the international order” by harnessing its “technological capacity” and a “rapidly modernizing military.” In response, the United States has formulated a strategy to counter this threat, termed integrated deterrence. This approach involves building a counterbalancing network spanning various domains, regions, intergovernmental agencies, and international coalitions.

The following innovative recommendations propose a more proactive counterstrategy, envisioning a comprehensive approach that explores ways to influence the entire pathway to military modernization. These recommendations serve as the foundation for an operationalized strategy that could enhance the existing integrated deterrence model, broadening the strategic toolkit. Specifically, this strategy concentrates on two key aspects: (1) disrupting China’s military-civil fusion pathway and (2) invigorating the US military-civil fusion pathway.

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Disrupting China’s Strategy

Using the proposed pathway as a framework for devising prescriptive solutions (refer to fig. 2), the United States can disrupt China’s military-civil fusion strategy by targeting various phases. Coercing State Priorities presents challenges, as it implies a strategy of altering the goals of the Chinese Communist Party (CCP), effectively suggesting a degree of regime change. However, not only is internal change unnecessary, but it also carries the risk of provoking retaliation from the Party, which primarily prioritizes its self-preservation.20

Additionally, distorting the Military Application phase is fraught with danger, as it suggests overt confrontation with the PLA, potentially escalating tensions. Escalation is perilous, given the uncertainty regarding whether American leaders and the public would support such open confrontation. If support were tepid, targeting the PLA’s military application of advanced technology could backfire.

Another approach for the United States is to curtail China’s military-civil fusion strategy by focusing on the Research phase. This could involve limiting or even prohibiting collaboration between US universities and Chinese institutions. Furthermore, US policy makers might consider mitigating the risk of expropriation of cutting-edge research by restricting the freedom of university students to matriculate from, or return to, China—essentially altering the current student visa program to incorporate selective criteria. Moreover, policy makers could curtail joint research initiatives on areas of mutual importance, such as space or environmental research, thereby reducing the exchange of cutting-edge technological knowledge between the two nations. Lastly, US regulators could explore options for restricting open-access digital libraries and repositories.

Although these actions would impede China’s research capabilities, they come with substantial costs. Limiting university collaboration risks domestic backlash from higher education institutions due to potential infringements on intellectual freedom. Restricting Chinese student visas could be viewed as discriminatory immigration regulation, undermining America’s professed liberal values and potentially fostering anti-US sentiment among Chinese youth. Decoupling from China in joint research efforts could limit breakthroughs in technologically vital areas, with global repercussions, particularly in the case of environmental cooperation. Decoupling is also challenging due to significant overlapping interests between the two nations. Lastly, restricting access to digital online repositories and libraries not only hampers domestic research but also contradicts American values of freedom of speech and information. Therefore, while US leadership can

20 Colby, “After Hegemony.”
target China’s Research phase, it must carefully weigh the costs and potential compromises of its values.

Instead, the most effective means of disrupting China’s strategy is to focus on the Development phase. US leadership can achieve this by limiting China’s access to crucial resources and imposing costs on manufacturers of dual-use technology. Primarily, the United States can target the resources fueling China’s conversion of research into development, exemplified by semiconductors, a vital component of the technology supply chain. By imposing sanctions that restrict China’s access to advanced semiconductors, the U.S. can slow technological development and, consequently, military modernization. Furthermore, US policy makers can target manufacturers by sanctioning companies perceived as contributing to military-civil fusion.

However, targeting China’s Development phase carries its own set of costs and challenges. Limiting access to resources like semiconductors can strain global markets and incentivize China to bolster its supply chains and domestic production capacity, potentially rendering it immune to resource sanctions in the long run. Sanctioning manufacturers is complex and requires the cooperation of allies. For example, if Huawei were a sanctioned target, allied countries reliant on the company for telecommunications infrastructure might not support limiting its reach. Without allied support, the effectiveness of such restrictions on the company’s global growth is questionable. Lastly, targeting developers raises ethical questions, as it forces the United States to consider whether hampering China’s technological progress, with likely implications for the civilian sector, is morally justifiable given the potential cost of limiting Chinese citizens’ access to life-improving technology.

**Enhancing US Military-Civil Fusion**

Furthermore, the United States can enhance its own pathway for military application, focusing on State Priorities, Research, Development, and Military Application. US leaders should also explore opportunities to leverage the collective technology research and development (R&D) of allied nations.

In terms of State Priorities, the United States can continue to prioritize technological development, aligning with the vision outlined in the 2022 National Security Strategy. Moreover, leadership should ensure substantial funding and regul-

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latory support to fortify the defense industrial base. Thoughtful policy measures can facilitate the transfer of innovative technologies into both the commercial and military sectors. For instance, policy makers might consider the restructuring of regulations pertaining to government-business IP-sharing, technology transfer between the private and public sectors, and coordination challenges stemming from parallel efforts. Naturally, these avenues carry legal and business complexities, necessitating further exploration in future policy research.

The United States can also stimulate research by subsidizing dual-use technologies through funding for universities, national laboratories, and research centers. These institutions can work on problem sets with potential applications in the military domain. Additionally, war fighters should actively engage with universities, think tanks, nonprofits, and commercial enterprises to foster relationships and advocate for military applications. The imperative lies in breaking down barriers that have traditionally limited resource and knowledge sharing between the military and the private sector.

An effective means of addressing this gap involves enhancing technical proficiency throughout the operational force. For instance, embedding service members alongside civilian counterparts at research universities can facilitate the translation of dual-use technologies into military applications. However, in the US Air Force, opportunities for active duty servicemembers to engage with university faculty are limited. For officers, the Air Force Fellows program offers various avenues for servicemembers to interact with civilian institutions.23 Notably, the prestigious Chief of Staff of the Air Force Masters Program sponsors a Mid-Career Masters in Public Administration, while the Advanced Academic Degree Program administers a diverse portfolio of initiatives, including the US Air Force Academy Faculty Pipeline, which supports the education of future faculty members through select educational programs.24

While the aforementioned programs indeed facilitate the connection between war fighters and academia, they are relatively scarce, possess limited scope, and remain somewhat detached from the frontline. Moreover, these initiatives are characterized by formalization and centralization. An innovative approach that operational commanders could explore is to integrate academia into operational units involves utilizing wing innovation funds to sponsor warfighters as temporary university research assistants. This approach not only benefits operational


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commanders but also holds appeal for university faculty, as they would not need to utilize their own resources to support these research assistants. Future research should concentrate on devising novel pathways, like this one, for frontline warfighters to establish connections with research-generating institutions in a more decentralized, unit-level manner.

Turning to the realm of Development, the United States can fortify critical resources within technology supply chains, particularly focusing on securing access to essential components like semiconductors. Reducing dependence on imports, such as semiconductors from Taiwan, ensures that the United States maintains ownership and control over its technological inputs. Furthermore, the government can contemplate subsidizing domestic companies that play pivotal roles in vital research areas. For example, if automation is a key technology domain, US policymakers might allocate funds to companies involved in the manufacture of robotics equipment.

To support development efforts, the operational force can prioritize funding defense contractors when they engage in the application of commercial technology within the defense context. Programs such as the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) already possess the infrastructure necessary to expedite military-civil fusion. Future research should concentrate on refining the structure of these programs to ensure that operational commanders lead the efforts to procure dual-use technology at an accelerated pace.

Lastly, these endeavors should not be undertaken in isolation. Instead, the United States should forge partnerships with allied nations to collaboratively engage in advanced technology R&D, thereby creating a counterbalancing force against China’s technological growth. To achieve this, an allied coalition should fine-tune information sharing mechanisms and cooperative agreements, enabling the transformation of economic strength into technological development and, subsequently, military modernization. The advantages of such collaboration include tapping into innovation from a diverse array of perspectives and sharing the costs and resources associated with modernization efforts. However, it’s important to acknowledge potential limitations related to security, funding, and implementation risks.

A noteworthy example of coordinated international efforts is the recently launched NATO Innovation Fund, a pioneering venture capital fund involving 22

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This fund’s primary objective is to invest 1 billion euros in key emerging technologies, including artificial intelligence and autonomy, all of which possess dual-use capabilities, energizing both the private and public sectors. It’s worth highlighting that the United States is not presently a contributor to this fund, but its participation would significantly bolster the US military-civil fusion strategy.

Conclusion

China’s traditional growth model lacks sustainability. Instead, Beijing intends to boost productivity through investments focused on enhancing efficiency, particularly in advanced technology sectors. The military-civil fusion strategy aims to leverage these investments by transforming advanced technology into military assets. This is crucial as it forms the foundation for the modernization endeavors of the PLA.

In response, the United States can strategically target specific components within the military-civil fusion process, specifically focusing on R&D. While curtailing China’s research efforts carries the potential for imposing global costs and challenging liberal values, an alternative approach involves directing attention towards China’s development phase. This can be achieved through sanctions on critical resources and manufacturers, which is likely to impede overall technological progress. However, this counterstrategy is not without risks. US leaders must carefully consider the potential impact on allies, Chinese citizens, and global markets.

Furthermore, the operational force can actively engage in this intricate strategic landscape. Unit-level commanders can take the lead by interfacing with various elements of the US military-civil fusion pathway. Specifically, units can drive the research and development of key technologies, underscoring their direct and influential role in the competition for economic and military modernization.

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COMMENTARY

Deterring China in the South Pacific
Send in the Seabees

CDR TODD MOULTON, US NAVY

Abstract

This article contends that the US Navy should increase investment in “soft” capabilities such as civil affairs and the Seabees to effectively deter China in the Pacific. It asserts that the expanding influence of China in the South Pacific poses a threat to US military logistics and access. The author proposes the revival of Navy civil affairs units to establish connections with Pacific island nations through infrastructure projects and partnerships, thereby countering China’s growing regional influence. Furthermore, the article advocates for the expansion of the Seabees, emphasizing the construction of civilian infrastructure to enhance island economies while simultaneously establishing austere bases to support US forces in potential conflicts. The article underscores that allocating resources to these softer capabilities offers a cost-effective strategy to mitigate China’s ambitions and reinforce US deterrence. The combined approach of outreach and infrastructure readiness is depicted as crucial for effective strategic competition.

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The US Navy ought to increase investments in “soft” naval capabilities to deter China in the Pacific. China’s growing ties to governments in the South Pacific could weaken the Navy’s ability to project “hard power” by allowing China to disrupt logistical support to US forces.1 The Navy’s dependence on long-distance logistics for engaging with China in conflict would necessitate relying on regional nations. The refusal of the Solomon Islands to permit a US Coast Guard vessel entry into its port indicates a potential future where China’s influence restricts US “hard” power.2 Alongside building and deploying naval platforms, the US Navy should revitalize its civil affairs capabilities and expand the Seabees. These groups’ presence in the Indo-Pacific area would serve dual purposes: constructing infrastructure, cultivating rapport with local populations, and countering Chinese influence. Civil affairs and the Seabees would build edu-

Moulton

cational, economic, and military related-infrastructure, and interact and grow goodwill with indigenous groups, demonstrating the United States’ commitment to the region. Concomitantly, the two groups could scout and construct austere bases to enable the joint force to rapidly move throughout the region during conflict and frustrate Chinese attempts to target the force with antiship and ballistic missiles.

Over the past 16 years, Beijing’s trade, aid, diplomatic, economic, and military outreach to the South Pacific steadily grew, expanding China’s regional influence. China’s bilateral trade with the South Pacific now surpasses Australia’s economic exchanges. Moreover, Beijing channeled close to USD 1.5 billion aid dollars into the Pacific islands via grants and loans, which accounted for 8 percent of all foreign aid these island nations. While this percentage does not elevate China to the status of a prominent foreign donor for the region, Beijing’s approach to aid focuses on investing in substantial infrastructure projects through concessional loans. This approach stands out among Pacific Island foreign donors and could potentially put host countries and other regional players at a disadvantage. This strategy aligns with China’s global employment of “debt trap diplomacy,” a practice where China entices countries with substantial loans for various projects. Often, these loans are difficult for countries to repay, enabling China to gain control over crucial national assets, such as power grids or ports. Notably, three Pacific nations—Tonga, Samoa, and Vanuatu—rank among the most indebted countries to Beijing. China’s gradual expansion in the region raises concerns for the economic ties of the United States and its allies with the South Pacific.

Though China’s recent overtures through the country’s “Chin-Pacific Island Countries Common Development Vision” yielded little success, the country continues a steady encroachment into the region. Washington noted Beijing’s decade-long overt influence campaign and announced the United States’ commitment to open Kiribati and Tonga diplomatic missions along with reopening the US Embassy in Solomon Islands. Additionally, the United States signaled its intent to triple the nation’s aid to the region, send an inaugural envoy to the region’s Pacific Islands Forum, and reestablished the US Agency for International

3 Pryke, “The Risks of China’s Ambitions in the South Pacific.”
4 Pryke, “The Risks of China’s Ambitions in the South Pacific.”
6 Rajah, Dayant, and Pryke, “Ocean of Debt?”
Development mission in Fiji. The Navy should align with the US diplomatic push through reinvigorating the service’s civil affairs capabilities to counter Chinese influence and cultivate relations with the indigenous peoples.

Military civil affairs’ missions have evolved over time, yet their core competencies remain concentrated on integrating between military and nonmilitary spheres. Civil affairs significantly contribute to civil-military operations, encompassing tasks such as population and resource control, foreign humanitarian assistance, nation assistance, support to civil administration, and civil information management. Historically, civil affairs entered areas after conflicts to reestablish order and enable host countries to rebuild institutions and economic livelihoods. However, in the strategic competition paradigm, especially in the South Pacific, civil affairs should collaborate with US diplomatic efforts to establish relations with friendly or neutral countries well before any conflict, thereby regaining US influence. Due to the maritime elements in the region, naval civil affairs is the ideal candidate to deploy en masse, initiating interactions with local officials to maintain and develop what RAND’s Derek Grossman termed as the region’s “benefit of the doubt” toward US intentions.

In 2014, the Navy disbanded the Maritime Civil Affairs and Security Training (MCAST) command, transferring its responsibilities to other Department of Defense agencies. The command had a 300-person force, evenly divided between active and reserve duty, and had most recently operated in Afghanistan to aid local officials in rebuilding civil institutions and fostering relations with leaders. The Navy provided minimal public justification for disbanding MCAST and shifted the generation of maritime civil affairs forces to a request for forces (RFF) model. Under this paradigm, commanders needing civil affairs support could request a tailored package for their missions. They could also rely on the Army or Marine Corps for civil affairs assistance. Neither scenario is advantageous for the maritime-centric South Pacific as the United States seeks to rapidly counter China’s advances in the region.

Zakem, “Charting the Course for Civil Affairs,” 2.
Zakem, “Charting the Course for Civil Affairs,” 6.
Developing maritime expertise in civil affairs takes time, and relying on an RFF model to maintain a continuous presence would strain the naval reserve. Additionally, this RFF approach could likely constrain the ability of reserve individuals to redeploy, hindering the establishment of enduring rapport with local populations as they try to transition back to civilian life. The Navy needs a substantial level of institutional knowledge to ensure preparedness for competition against China in operations beneath the threshold of war. The reestablishment of naval civil affairs provides the Navy with an excellent capability to gain influence and access strategically important ports and facilities, all at a fraction of the cost of constructing a new aircraft carrier. Moreover, civil affairs would probably enhance the favorability and receptiveness of South Pacific host countries toward the United States due to the units’ softer military demeanor and inclination to contribute positively to local lives. These strengthening and warming ties could serve as a core element of Washington’s deterrence strategy against Chinese expansion in the Pacific Ocean.

Furthermore, while dependence on the Army and/or Marine Corps remains feasible, their expertise lies outside the maritime environment. Naval civil affairs would be well-suited to aid South Pacific governments, which heavily rely on the sea for economic and societal sustenance. Maritime civil affairs would tackle a distinct set of challenges compared to their land-based counterparts, focusing on the development and maintenance of fisheries and aquaculture. Additionally, naval civil affairs would concentrate on maritime economic growth, including assisting countries in establishing and refining their shipping and extractive industries. The units could also support the implementation of host nation search-and-rescue capabilities and the creation of tsunami warning systems. Another domain where naval civil affairs could aid South Pacific nations is environmental management and the safeguarding of sensitive maritime ecosystems from military activities and unregulated economic practices. Although the Army and/or Marine Corps possess capabilities for these activities, they would likely struggle to provide native populations with the same level of maritime expertise as Navy personnel trained for nautical environments. While Navy civil affairs could engage directly with South Pacific nations, embedding civil affairs with the Navy Seabees could amplify goodwill toward the United States to an unprecedented level.

The Navy Seabees played a pivotal role in the South Pacific during the US campaign to defeat the Japanese throughout World War II. Amid the conflict, the Seabees repaired airfields following enemy attacks, converted inhospitable marshlands into deep-water harbors, and constructed supply roads to facilitate the transportation of men and material to frontline units fighting the Japanese. By the war’s conclusion, the Seabees, numbering 325,000 members who served from
1941–1945, had built 111 major airstrips, 441 piers, and more than 400 advanced bases in Europe and the Pacific, at a cost equivalent to 180 billion in today’s dollars.\(^\text{15}\) In comparison, the Seabees now consist of 8,546 individuals and represent only a small fraction of the Navy’s budget.\(^\text{16}\) Returning to the Seabees’ World War II levels is unnecessary to support a soft deterrence strategy against China in the South Pacific. However, by canceling one future *Arleigh Burke*-class destroyer and subsequently reinvesting the funds into additional Seabee construction battalions and associated resources for aiding South Pacific nations, the Navy could expand US regional influence and significantly hinder or reverse Beijing’s advances, surpassing the impact of a single ship. The United States could channel the Seabees and embedded civil affairs’ efforts toward constructing civilian and economic infrastructure. Civil affairs could assess local governments’ needs to enhance the livelihoods of native populations and then employ the Seabees to conduct these requested projects. Such US initiatives would likely foster goodwill within the communities, alleviating the trust deficit resulting from years of US neglect toward the region. Furthermore, these enhancements to civilian institutions and infrastructure would facilitate the integration of these nations into the global economy and enable more comprehensive engagement with global institutions and trade.

Concurrently, the Seabees and civil affairs could build or renovate maritime- or air-related lines of communication to serve US military requirements in the event of a conflict with Beijing. The Chinese are probably aware of the primary military bases the United States would operate from during hostilities between Beijing and Washington. However, the Seabees and civil affairs could enhance the US Marine Corps’ (USMC) Expeditionary Advanced Base Operations (EABO) or US Air Forces’ (USAF) Agile Combat Employment (ACE) concepts by constructing austere bases and ensuring the integrity of supply lines for USMC or USAF use during a war.\(^\text{17}\) The EABO and ACE designs center on the requirement to quickly set up and breakdown Spartan bases to enable operations and avoid detection before Chinese sensors identify these forces. The Seabees would

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also need to concentrate on logistical nodes to ensure the Navy could resupply its frontline ship with fuel, stores, and ammunition. The Seabees and civil affairs efforts to create hundreds to thousands of bare-bone outposts ready for EABO and/or ACE use throughout the South Pacific would also complicate Beijing’s ability to monitor, track, and target US forces prior to and during hostilities. The dual-track employment of maritime civil affairs and the Seabees, with their emphases on maturing relations with native people, while preparing to facilitate rotational basing for wartime, would make them a vital cornerstone to employ US soft power to deter China’s diplomatic or military maneuvers.

The US Navy can align with Washington’s South Pacific diplomatic reengagement and construct military infrastructure for a potential regional conflict through the resurrection of Navy civil affairs and the augmentation of the Seabees. These organizations possess the capacity to cultivate positive and symbiotic relationships with various South Pacific countries by constructing governmental and economic infrastructure and institutions. The goodwill established by building new schools, roads, ports, and other vital governmental and economic projects would likely aid the United States in curbing China’s advances in the region. Moreover, these island nations offer the potential for the United States to establish hundreds, if not thousands, of small forward operating bases to execute the military’s various war-fighting strategies in a conflict with China. Civil affairs and the Seabees represent a softer and more cost-effective approach to enhancing the US image in the South Pacific and deterring Chinese ambitions.

The military’s preoccupation with hard power to counter Beijing’s Pacific aspirations is precarious due to the challenges posed by distance and the United States’ dependence on well-established supply and repair hubs, as well as extended logistical lines. The Navy must transcend its fixation on constructing ships and aircraft and incorporate alternative approaches to dissuade the Chinese, approaches that would likely yield greater impact at a lower cost.
COMMENTARY

Sri Lanka’s Strategic Dilemma
Navigating Great-Power Rivalry in the Indo-Pacific

DR. HASITH KANDAUDAHEWA

Abstract

This article examines the evolving strategic significance of Sri Lanka in the context of the power rivalry between the United States, China, and India in the Indo-Pacific region. Sri Lanka’s location and its role as a potential hub in the Sea Lines of Communication have attracted the attention of global powers. The economic crisis and decline in Sri Lanka’s strategic maneuvers have left the country politically, economically, and strategically vulnerable. This vulnerability has intensified the competition between the US, China, and India for control over Sri Lanka’s geopolitical resources. The article analyzes how Sri Lanka’s interim administration, led by Ranil Wickremesinghe, strategically maneuvered between the three powers to secure economic assistance and political stability. However, while this hedging policy brings short-term benefits, it raises questions about the long-term costs for Sri Lanka’s sovereignty and independence. The article discusses two possible scenarios for the future, one where Sri Lanka becomes a strategic battleground in the New Cold War, and another where it leverages the power rivalry for economic gains while compromising its autonomy.

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Since ancient times, Sri Lanka, a small island in the Indian Ocean region (IOR), has captivated global powers with its strategic location and wealth. Currently, the shift from a US-centered to an Asian-centered world order has intensified the great-power rivalry between the United States and China for global hegemony. As an island state situated close to strategic sea lines of communication (SLOC), Sri Lanka’s role as a facility and service hub in the IOR has significantly enhanced its geopolitical significance in recent years. In addition to China and the United States, other regional and international powers such as Pakistan, Japan, and India also recognize the strategic importance of Sri Lanka in ensuring stability in the IOR. However, the COVID-19 pandemic, coupled with the recent economic crisis and the decline in Sri Lanka’s strategic maneuverability, has made it challenging for Colombo to establish a consistent foreign policy. Consequently, Sri Lanka finds itself in an economically, politically, and strategically vulnerable state. This rapid decline has triggered a power struggle among the trio of the United States, China, and India to gain greater control over Sri Lanka’s
geopolitical resources, including ports and economic corridors, while positioning themselves as the primary saviors of the nation.

Starting in September 2021, the Sri Lankan economy displayed early signs of collapse, yet the government disregarded warnings and continued to pursue an import-oriented consumer economy. As a result of the economic hardship, the popularity of President Gotabaya Rajapaksa among the public began to decline, leading to the emergence of the #GoHomeGota campaign and widespread nationwide protests known as Aragalaya, or the people’s revolution.\(^1\) While the Rajapaksa regime sought assistance from Beijing, New Delhi, and Washington, apart from India, the other two countries did not take a proactive stance in supporting his government’s lifeline. In response to the request, India extended a credit line of USD 1 billion on humanitarian grounds to facilitate the purchase of essential commodities. This assistance eventually amounted to USD 4 billion by December 2022. Conversely, China ignored Rajapaksa’s plea for financial aid due to ideological conflicts, particularly concerning his somewhat pro-India foreign policy strategy and the issues surrounding a botched fertilizer supply contract.\(^2\) The United States, as expected, imposed additional conditions related to human rights and accountability. Despite international assistance, Rajapaksa failed to regain popularity among the public, becoming the first Sri Lankan president to resign from office. Consequently, his successor, Ranil Wickremesinghe, a six-time prime minister and a longtime political adversary of the Rajapaksa family, assumed the interim presidency through Parliamentary votes, forming a collaboration with Rajapaksa’s political party to secure the presidency.

The new interim administration faced five dilemmas in its foreign policy and strategic decision making. These challenges included maintaining the long-standing nonaligned policy, restructuring debt, seeking global assistance to address the economic crisis, restoring democracy and the rule of law, and pursuing a balanced foreign policy. The political and economic instability in Sri Lanka created opportunities for the United States, China, and India to establish a stronger strategic presence in the country than ever before.

Unlike the Rajapaksa regime, Wickremesinghe recognized the interests of the trio in Sri Lanka’s strategic location as a favorable factor for his administration. The first major strategic deadlock emerged during a China–India confrontation

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when the PLA Navy surveillance vessel Yuan Wang 5 requested refueling at a facility in Sri Lanka.³ The arrival of what was perceived to be a Chinese spy vessel posed a threat to India's Eastern and Western naval commands and its natural rights to dominate the IOR without the fear of external interference. This situation was also symbolically significant for China, showcasing its access to the Port of Hambantota, which is managed by China Merchants Port Holdings Company Limited (CM Port), and its growing ability to project power in the IOR.⁴

Wickremesinghe, a political strategist akin to Machiavelli in Sri Lanka, managed both parties through a hedging strategy, granting exclusive strategic privileges to both China and India. For instance, Sri Lanka emphasized that the arrival of the research vessel depended on mutual understanding, reassuring India that it had nothing to worry about. Ultimately, China was able to dock its ship without facing strong confrontation from either Sri Lanka or India. As a result, Wickremesinghe’s regime achieved its first diplomatic victory by resolving the crisis and securing win-win outcomes.

During a period of economic uncertainty, India swiftly gained the trust of the Sri Lankan public and government. Taking advantage of this, Wickremesinghe’s administration extended strategic favors to India. To address India’s strategic concerns, Sri Lanka granted one of India’s long-standing desires by providing access to the Port of Trincomalee through the Trincomalee oil tank redevelopment agreement. Furthermore, the Indian business mogul and close political ally of Prime Minister Modi, the Adani Group, secured several critical projects in Sri Lanka, particularly in the energy and construction sectors. This allowed India to safeguard its interests in Sri Lanka through involvement in the energy and power sector, setting it apart from other parties.⁵

The US, a significant ally of previous administrations under Wickremesinghe, played a silent yet crucial role in facilitating a smooth power transition in Sri Lanka during the period of public unrest. While urging the Sri Lankan administration to prioritize human rights and democracy, the US focused on supporting economic recovery by providing substantial economic and humanitarian aid.

amounting to nearly USD 240 million within a short period. Additionally, the US backed Sri Lanka’s appeal to obtain an IMF bailout package, demonstrating its ability to support countries like Sri Lanka and fill the power vacuum resulting from China’s strategic drift away from the country. It can be argued that in exchange for the US’s financial support, Wickremesinghe’s regime agreed to create a favorable strategic environment for the US in the future.

The Wickremesinghe administration did not limit itself to engaging only with the trio. Instead, it extended an invitation to Japan for progressive involvement in Sri Lanka’s strategic infrastructure projects, with a particular emphasis on the Trincomalee Port and Colombo West Terminal. This invitation was timely for Tokyo, as it provided an opportunity for Japan to re-establish its presence in Sri Lanka’s strategic sphere following the diplomatic confrontations during the Rajapaksa regime. Through this engagement, Japan sought to form a deterrent posture against China in collaboration with its Indo-Pacific partners, India and the United States.

Overall, the Wickremesinghe regime swiftly demonstrated its willingness to offer strategic benefits to all Indo-Pacific powers by promoting Sri Lanka’s hedging foreign policy. In other words, any power capable of providing relief to overcome economic difficulties could gain uninterrupted access to strategic resources, ports, land, and other resources, thereby influencing or balancing the power dynamics among Indo-Pacific actors. For example, China could create strategic concerns for India and the United States by utilizing its strategic resources in Sri Lanka, particularly those from the Port of Hambantota or Colombo Port City. Similarly, India or the United States, or both, could pursue similar strategies against China by leveraging their access to Sri Lanka’s western and eastern ports, namely the Colombo West Terminal and the Port of Trincomalee.

From the Sri Lankan perspective, this approach may bring certain benefits as it continues to appease Indo-Pacific powers through the country’s geographical location, in exchange for economic advantages. By adopting a hedging strategy, Sri Lanka can attract competitive investments and obtain assistance from Indo-Pacific powers to overcome its financial difficulties. While there may be strategic pressures, Sri Lanka can diplomatically manage them by leveraging its resources among these powers. However, the question remains: at what cost?

The author foresees two potential scenarios in the future. The first scenario involves the intensification of the existing strategic rivalry between the US-centered

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camp and China, reaching a new dimension where parties are heavily armed and prepared for various forms of warfare, both conventional and unconventional, in the Indo-Pacific region. In this scenario, Sri Lanka could become a vital strategic battleground for the future New Cold War. In other words, Sri Lanka could serve as a litmus test for the competing powers to assess their military and strategic capabilities against each other in future conflicts. Nevertheless, Sri Lanka could also act as a balancer between the Indo-Pacific powers, preventing them from directly or indirectly engaging in warfare against each other in the future. For example, Sri Lanka could establish a strategic investment forum that facilitates equal sharing of strategic assets between the US-centered camp and China. This would enable both parties to cooperate and achieve mutually beneficial strategic advancements.

The second scenario suggests that Sri Lanka could leverage the strategic rivalry between the US-led camp and China to its advantage. In other words, Sri Lanka could secure competitive benefits wherein the involved powers provide crucial support to the country’s crumbling economy, including investments, debt relief, restructuring, and international backing. An example of this is the recent USD 2.9 billion International Monetary Fund bailout package granted to Sri Lanka in late March 2023, which can be attributed to Colombo’s adherence to a hedging policy. However, this same policy may jeopardize Sri Lanka’s sovereignty and independence, as hedging comes at a high cost for smaller powers like Sri Lanka, which possess limited bargaining power in international politics. Considering that China already enjoys operational freedom at the Port of Hambantota, one may wonder what will happen if the US-led camp demands further operational freedom at the remaining three existing naval ports, namely Colombo, Trincomalee, and Kankesanthurai, where they are already investing and developing infrastructure. Consequently, Sri Lanka could potentially become the first island state to voluntarily relinquish its natural access to naval ports across the country, which would be a tragic outcome.

**Conclusion**

In conclusion, Sri Lanka finds itself at a critical juncture where its strategic significance and economic vulnerability have attracted the attention of major Indo-Pacific powers. By adopting a hedging foreign policy, the country has managed to secure investments, economic assistance, and relief from various players in the region. However, this approach comes with risks and costs. Sri Lanka must navigate the delicate balance between appeasing competing powers and safeguarding its sovereignty and independence.
Looking ahead, two potential scenarios emerge. Sri Lanka could either become a strategic battleground in the escalating rivalry between the US-centered camp and China, or it could leverage this rivalry to its advantage, gaining support for its economic recovery. Whichever path unfolds, Sri Lanka’s ability to act as a balancer and prevent direct conflicts between major powers will be crucial.

It is essential for Sri Lanka to carefully consider the long-term implications of its hedging strategy. As negotiations continue and investments pour in, the country must safeguard its national interests and ensure that it does not compromise its sovereignty. Balancing economic benefits with strategic autonomy will be paramount.

Ultimately, the choices made by Sri Lanka in the coming years will shape its future trajectory. The island nation must carefully navigate the complexities of the Indo-Pacific power dynamics, leveraging its strategic position while safeguarding its national sovereignty. By doing so, Sri Lanka can secure its economic recovery, maintain stability, and emerge as a resilient player in the ever-evolving geopolitical landscape of the IOR.

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What Would Victory against China Look Like?

MAJ DAVID GEANEY, USAF

Abstract

The Chinese Communist Party’s (CCP) framing of its purpose and the propaganda employed within China has stirred an ultranationalist—perhaps even jingoistic—public, who insist on nothing short of restoring China’s mythical “Middle Kingdom” status from the past. The fervent nationalism exhibited by Chinese citizens wields a dual-edged blade that holds the capacity to erode the political legitimacy of the CCP and incite internal turmoil. By acknowledging the motivations and constraints faced by the CCP and the Chinese populace in a conflict with the United States, military leaders and decision makers can make more informed choices and pursue objectives that are more likely to hasten the conclusion of the war.

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For years, China has escalated actions in the South China Sea, portraying itself as a counter to US dominance in the world. This approach has enticed much of the Global South while seeking to undermine European support for the current global order.1 Books such as Graham Allison’s Destined for War have exhaustively debated whether war between the United States and China is avoidable.2 Similarly, works like 2034 depict potential scenarios of a conflict with China.3 However, what has received scant attention is the prospect of a triumphant outcome over China.

Understanding the plausible end state in a US–China war will reshape the decision-making process leading up to and during hostilities. By acknowledging the motivations and constraints faced by the Chinese Communist Party (CCP)

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and the Chinese populace in a conflict with the United States, military leaders and decision makers can make more enlightened choices and pursue objectives that are more likely to expedite the war’s resolution.

**Examining the Potential End State of a Conflict between the US and China**

In a war between two nuclear-armed powers, achieving victory is not as straightforward as merely capturing a key industrial city or the capital of a state. Should the United States be on the brink of a decisive triumph over China, what factors would deter the CCP from deploying its nuclear arsenal? What constitutes the threshold at which a nation concludes that it has endured sufficient conventional warfare and opts to employ nuclear weapons? Does the downfall of the central government equate to ending the war? Or does it potentially lead to greater complications if general officers or Politburo members with nuclear access take independent action? When contending with a democracy, the answer might involve inflicting enough damage to prompt the public to demand governmental change. However, this approach would be notably less effective against an authoritarian regime, particularly one that has tightly linked its legitimacy to the resurgence of the Chinese nation.4

The CCP has anchored its legitimacy in China’s rejuvenation and the eradication of the ‘century of humiliation,’ spanning from the first Opium War (1840–1842) to the CCP’s 1949 victory over the Kuomintang. The CCP’s assertion posits that this era was an aberration resulting from the weakness of the Qing dynasty, rather than a recurring theme in Chinese empires. This reinterpretation of history overlooks the reality that inner China has experienced internal strife and foreign invasions for millennia, tracing back to at least the fall of the Zhou Dynasty in 256 BCE. However, it is the CCP’s narrative that prevails among the Chinese populace.

At various junctures in its history, China has designated itself as the Middle Kingdom (中国, Zhōngguó), governing “all under heaven” (天下, tianxia). This appellation, chosen by the CCP, hearkens back to ancient eras (some predating even the Zhou) in a less interconnected world, when China wielded influence over neighboring nation-states and perceived itself as the world’s center. The nomenclature the Party adopts for its nation could itself be construed as an effort to

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evoke successful Chinese dynasties from the past and establish parallels with its own.

Xi Jinping’s 2021 speech commemorating the CCP’s centenary revolved around the notion that “without the Communist Party of China, there would be no New China and no national rejuvenation,” alongside a commitment that “we will never allow any foreign force to bully, oppress, or subjugate us.” In effect, Xi has firmly entrusted the responsibility for the future prosperity of the Chinese nation to the CCP. By making the CCP’s raison d’être the continuous rise of China and its redemption from the “century of humiliation,” which provides some insight into CCP’s priorities and the incentives it would possess in a conflict.

The CCP’s framing of its mission and the propaganda disseminated within China have nurtured an ultra-nationalistic (some may argue jingoistic) populace who demand nothing short of reclaiming China’s legendary Middle Kingdom status from antiquity. The fervent nationalism exhibited by Chinese citizens is a double-edged blade that possesses “the potential to damage the political legitimacy of the CCP” and trigger internal unrest. A clear instance of this jingoism and acute sensitivity to perceived offenses by foreign powers emerged in the eruption of fury by Chinese netizens and the large-scale riots that unfolded in 2012 when Japan opted to acquire the Senkaku (Diaoyu in China) Islands from their private owner. Any sign of weakness or failure, especially in the face of Western powers like the United States or Japan, evokes memories of China’s “sick man of Asia” epithet, casting doubts on whether the CCP merits the mandate to govern. Xi’s vow that foreign bullies “will have their heads bashed bloody against a Great Wall of steel forged by over 1.4 billion Chinese people” further compels CCP leaders to heighten rhetoric and actions when they perceive China to be slighted or unjustly treated.

This inclination toward escalatory conduct is exemplified by the emergence of “wolf-warrior” diplomacy and the prioritization of projecting strength through

5 “Full text of Xi Jinping’s speech on the CCP’s 100th anniversary,” Nikkei Asia, 1 July 2021, https://asia.nikkei.com/.
bombast and aggression to resonate with China’s domestic audience, rather than cultivating relationships with countries seen as adversaries. By establishing their raison d’être as the redemption of China’s bygone glory, the CCP has erected formidable barriers against yielding or capitulating to foreign demands due to the domestic ramifications such actions would entail. The parallels such weakness would draw to the late Qing dynasty’s shortcomings undermine the entirety of the CCP’s narrative and invite challenges. While this elevates the probability of minor disputes or incidents escalating into conflict, it also renders the CCP’s grasp on power precarious and its legitimacy performance-dependent, particularly amid a war.

Xi’s pledges and the CCP’s propagated narratives have substantially heightened domestic expectations regarding China’s capacity to safeguard its claims and counter perceived hostilities. Recent fatalities of Chinese citizens in nations like the Democratic Republic of Congo, Central African Republic, and Zambia have already cast doubt on China’s ability to safeguard its citizens and interests abroad. This places the CCP in a precarious position. However, the suppression of their netizens’ voices and the inherent proclivity for groupthink in authoritarian regimes render it challenging to gauge the extent of these failures’ impact on perceptions of the CCP. The CCP’s adeptness in domestic propaganda, focusing on overcoming historical injustices, becomes evident in the public’s adulation of wolf-warrior diplomats and the vehement outrage expressed by netizens on social media over perceived affronts. However, this could also breed discontent if the CCP fails to meet expectations and translate rhetoric into action.

In the event of a war, a failure to achieve victories on the battlefield could result in both the populace and military leadership souring on CCP governance. If China suffered multiple defeats or substantial mainland damage, Chinese citizens might lean toward replacing CCP leaders with a supposedly “more capable” gov-

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ernment. This shift could only occur if the People’s Liberation Army (PLA) also attributed its losses to civilian oversight, or if a scapegoat was required to shoulder the blame for its failures.

Without the PLA’s choice to oust CCP leadership, the risk of escalation beyond conventional warfare looms as CCP leaders seek to regain favor through a ruthless display of strength. Regrettably, this framework of CCP replacement could materialize only if the United States and its allies managed to repel Chinese forces across numerous fronts, likely at the cost of numerous Soldiers, Sailors, Airmen, Guardians, and Marines. While this scenario might not align with long-term US objectives, it could offer an interlude in the conflict during which terms could be negotiated. If such a situation unfolded and the United States demonstrated restraint by creating exit opportunities, the new Chinese government could salvage its image by attributing concessions to the failings of past “feeble leaders.” This could potentially be the optimal, or even sole viable, resolution for the United States following a series of hard-fought Pacific victories.

The CCP’s revanchist agenda has been fueled by perceived grievances, the conquest of which now defines not only the Party but also the Chinese public in many aspects. Dismantling the CCP’s foundational arguments for governance might present an off-ramp in any prospective conflict, as it could incentivize the Chinese population and military to deflect blame for failure onto ineffective leadership, thereby granting a new regime the means to deescalate.

Ideally, the United States and China would never engage in war. However, should conflict become inevitable, we must contemplate the end state that victory would entail, as well as the strategies to attain it.

Maj David Geaney, USAF

Major Geaney has had multiple assignments and deployments to the Middle East and Pacific. He has been a featured guest on Air University Press’ Indo-Pacific Visions vodcast and his articles on China have been published in Foreign Policy, Defense News, Task & Purpose, and the Journal of Indo-Pacific Affairs. The opinions expressed are those of the author and do not reflect the view of the Department of Defense or United States Air Force.

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Fostering Hope
Three “Good Elements” for a Promising US–Vietnam Strategic Partnership

DR. HAI HONG NGUYEN

Abstract

President Joe Biden’s upcoming two-day state-level visit to Vietnam on 10–11 September 2023, presents a pivotal moment in US–Vietnam relations. This visit, at the invitation of Communist Party Vietnam’s General-Secretary Nguyễn Phú Trọng, underscores the commitment of both nations to deepen their cooperation.

Employing the Vietnamese concept of “three good elements”—good timing (thiên thọ), good conditions (địa lợi), and good synergy (nhân hòa)—as an analytical framework, this article assesses the prospects of upgrading bilateral ties to a strategic partnership or even a comprehensive strategic partnership.

This article examines how these three good elements align to create a hopeful outlook for the future of US–Vietnam relations and the potential announcement of a strategic partnership during President Biden’s visit.

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Washington and Hanoi have officially confirmed President Joe Biden’s state-level two-day visit to Vietnam on 10–11 September 2023, following an invitation from the General-Secretary of the Communist Party of Vietnam (CPV), Nguyễn Phú Trọng. According to the White House, President Biden will engage in discussions with Vietnamese leaders to further deepen cooperation between the two countries.1 In a March phone call, President Biden and General-Secretary Trọng concurred on the need to upgrade bilateral relations at an opportune moment.2 Consequently, sources closely connected to the White House have revealed that Biden and Trọng will formally announce the elevation of bilateral ties to the level of a “strategic partnership” (SP) or, as some reports suggest, possibly even a “comprehensive strategic partnership” (CSP). This is the highest diplomatic tier in Vietnam’s hierarchy, previ-

ously formed with only four countries, including Russia, China, India, and recently, South Korea.\(^3\) Such an occurrence would mark a historic breakthrough for both nations.

Vietnamese analytical thinking often revolves around three key elements for success: good timing (thiên thời), good conditions (địa lợi), and good synergy (nhan hòa). This approach is rooted in practicality rather than superstition and reflects the Vietnamese preference for meticulous planning to ensure maximum gain. This mind-set extends to the realm of foreign affairs, where Vietnamese leaders occasionally reference these elements to assess the prospects of improving diplomatic ties with other countries.\(^4\) Good timing signifies choosing the right moment for specific actions, good conditions involve creating enabling environments both internally and externally, and good synergy entails combining internal support and external cooperation to achieve shared goals.

In 1995, the Clinton administration decided to normalize diplomatic relations with Vietnam, emphasizing that “the time has come for America to move forward on Vietnam.” This decision came after Vietnam had demonstrated goodwill cooperation on POW/MIA issues with the United States, opened its economy to the world for nearly a decade, and was on the verge of gaining official admission to the Association of Southeast Asian Nations (ASEAN). In response, the Vietnamese government stated that this decision “complies with the current trend in international development.”\(^5\) Since then, bilateral cooperation has deepened, as described by the current US Ambassador, Marc Knapper, who characterizes it as having reached a substantive strategic level.\(^6\) In a bold statement, Knapper’s predecessor, Daniel Kritenbrink, who now serves as Assistant Secretary of State for East Asian and Pacific Affairs, remarked that “only the sky is the limit in bilateral relations between the two nations.”\(^7\)


\(^7\) “Trong cuộc phỏng vấn tại văn phòng Zing, Đại sứ Mỹ tại Việt Nam Daniel Kritenbrink cho rằng đại dịch Covid-19 đã tô đậm sự dầy liêng kết bèn chặt giữa hai nước,” Zing News
Over the past decade, both sides have sought to upgrade their relations, with the most advanced diplomatic level achieved being the comprehensive partnership (UVCP) established in 2013. This move was primarily driven by Vietnam’s security concerns following a series of disputes and clashes with China in the South China Sea. By applying the three-good-elements analytical framework, there is optimism for a positive outcome as President Biden visits Hanoi this month.

**Good Timing (Thiên Thời)**

In 2010, during a ceremony commemorating the fifteenth anniversary of Vietnam–US diplomatic relations, Secretary Hillary Clinton declared the United States’ readiness “to take the U.S-Vietnam relationship to the next level of engagement, cooperation, friendship, and partnership.” In the same vein, she then urged both sides to do “everything we can together to sustain and deepen this relationship,” proposing the elevation of the partnership to the level of an SP during her discussions with Vietnamese leaders.

Vietnam responded positively to this proposal through conversations between Deputy Prime Minister cum Foreign Minister Phạm Gia Khiêm and his successor, Phạm Bình Minh, during their meetings with Secretary Clinton in 2011. At a Lunar New Year celebration in Washington in early 2012, Vietnamese Ambassador to the United States, Lê Công Phượng, surprised the audience by announcing the imminent upgrade of ties to the level of an SP. Later that year, Vietnamese Foreign Minister Minh, speaking with scholars at the Council on Foreign Relations in Washington, emphasized that it was “the right time for us to bring our relationship into the next phase of cooperation,” implicitly suggesting

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an SP. However, unverified sources suggest that these efforts faced obstacles due to bilateral disagreements concerning the handling of human rights issues.

In 2013, following the establishment of the UVCP, Vietnamese Prime Minister Nguyễn Tấn Dũng, in a keynote address at the Shangri-La Security Dialogue in Singapore, conveyed Vietnam’s intention for an SP with the United States. Unfortunately, Washington opted not to act upon the message. To date, Vietnam has established SPs with four other countries and CSPs with China and Russia. However, such a partnership with the United States has not been realized.

Approaching the twenty-fifth anniversary of bilateral relations in 2020, General-Secretary Trong was set to visit Washington at the invitation of President Donald Trump. However, due to his recovery from a minor stroke, US presidential elections, preparations for the 13th Party Congress, and the impact of the COVID-19 pandemic, the visit never materialized under the Trump administration, resulting in a stagnation of bilateral ties.

Since 2021, the Biden administration has twice proposed upgrading the relationship to a strategic partnership, first by Secretary of Defense Lloyd Austin and then by Vice President Kamala Harris. Vietnam’s hesitancy regarding these suggestions stems from concerns over China’s reaction, US pressure on improving human rights records, and Vietnam’s trust in the United States.

On 29 March 2023, President Biden had a phone conversation with General-Secretary Trong, marking the first direct communication between the two nations’ leaders in eight years. They took the opportunity to extend mutual invitations for

13 Woodruff, “A Conversation with Pham Binh Minh.”
visits and agreed to “promote, develop and deepen ties” and “request relevant agencies to discuss specific contents for an upgrade of the bilateral ties.”

This year presents an opportune moment for the upgrade, signifying not only the maturation of bilateral ties after 28 years of diplomatic relations and a decade of the UVCP but also Vietnam’s strategic maneuvering, referred to as bamboo diplomacy to balance its relations with major powers amid China’s increased regional influence and continued assertive actions in the South China Sea.

**Good Conditions (Điều Lợi)**

Several domestic and international conditions favor the enhancement of Vietnam–US relations. Vietnam has emerged as a role model for development and swift recovery from the COVID-19 pandemic. During the 2011–2020 period, the country maintained an average economic growth rate of approximately 6 percent. In 2022, Vietnam achieved an impressive gross domestic product (GDP) growth rate of 8.2 percent, one of the highest levels since the launch of economic reforms in 1986. This remarkable economic performance not only strengthens the legitimacy of the CPV but also attracts foreign investors seeking alternatives to China amid growing US–China competition. In March, the largest-ever US business delegation, comprising representatives from 52 major corporations, visited Vietnam to explore investment opportunities. Vietnam anticipates the United States becoming its leading investor.

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Despite turbulence and uncertainty in Vietnam’s top-level politics earlier this year due to the anticorruption campaign, humorously dubbed “Đốt Lỏ” (or furnace firing), the CPV’s Politburo, under General-Secretary Trọng’s leadership, has reached a consensus on defining “targeted subjects” (đối tượng) and “partnerships” (đối tác). This framework sets guidelines for Vietnam to engage and cooperate with other countries.\(^{26}\) Notably, it views the United States both as a “targeted subject” in the realm of human rights and democracy and as a partner to advance cooperation in areas such as economics, trade, investment, education, defense, security, science, and technology.

Vietnam’s foreign policy is grounded in principles of “independence, self-reliance, peace, cooperation and development; the foreign policy of openness and diversification and multilateralization of international relations. Proactively and actively engage in international economic integration while expanding international cooperation in other fields. Vietnam is a friend and reliable partner of all countries in the international community.”\(^{27}\) Vietnam adheres to a “Four Nos” defense policy: no military alliances, no alignment against any country, no foreign military bases on its territory, and no threat or use of force in international relations. These policies enable Vietnam to foster open and dynamic cooperation with nations worldwide. Notably, Vietnam has established strategic partnerships with 17 countries and comprehensive partnerships with 13 others. The United States remains the sole permanent member of the United Nations Security Council that has not forged a strategic partnership with Vietnam.

The UVCP, serving as a framework for advancing bilateral cooperation in nine key areas, has transformed Vietnam and the United States into “strong and growing partners, sharing the goal of an open, connected, prosperous, resilient, and peaceful Indo-Pacific.”\(^{28}\) Given this context, the prospect of upgrading relations this year is not extraordinary. Such an upgrade, whether an SP or CSP, would build upon the UVCP and encompass emerging areas like innovation, technology, climate change response, semiconductor manufacturing, and infrastructure development.

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Undoubtedly, the China factor consistently looms over Vietnam–US relations, playing a dual role as a deterrent and an impetus. Whether it functions as a deterrent or motivator depends on China’s actions. Beginning this year, Chinese Coast Guard vessels, for instance, have targeted Vietnamese fishing boats in the Paracel Islands and encroached upon Vietnam’s exclusive economic zone and territorial waters. On 28 August 2023, China released its 2023 version of the controversial “standard map,” featuring a new 10-dash line defining its South China Sea boundaries, infringing on neighboring countries’ sovereignty, including Vietnam’s. Immediate rejections from neighboring nations followed. China’s ongoing aggressive actions in the South China Sea, which pose threats to Vietnam’s strategic interests, provide justifiable reasons for Vietnam to elevate its relations with the United States to the level of SP or CSP.

**Good Synergy (Nhân Hòa)**

The greatest impediment to Vietnam–US relations is trust, an element that can only be cultivated through goodwill from both sides. On the American front, there are demands for Vietnam to enhance its human rights record as a prerequisite for deepening the bilateral relationship. On the Vietnamese side, suspicion regarding America’s intentions lingers, stemming from the divergent values held by the two political regimes. However, since the establishment of the UVCP with guiding principles centered on “respect for each other’s political systems, independence, sovereignty, and territorial integrity,” and following the inaugural meeting between the CPV chief and the US president at the White House in 2015, mutual trust has grown while suspicion has waned.


Enthusiastic support from various quarters in the United States, as assessed by the Vietnamese Ambassador to Washington, presents a synergy propelling both countries toward elevating their relationship to new heights. Notably, both sides seem to have adopted a fresh approach, wherein the human rights issue is compartmentalized from discussions on strategic interests. This shift occurs because the US views Vietnam as “an important partner in global and regional shared efforts to promote peace, stability, and in the response to climate change,” recognizing it as a prominent regional player. Vietnam, in turn, acknowledges the significance of human rights promotion in US foreign policy. To date, the two nations have engaged in 26 dialogues on human rights issues, with the most recent held in Hanoi. Continuing these dialogues “in a constructive and candid manner” represents the most effective means of fostering engagement and building mutual trust to advance shared interests.

Crucially, top-level consensus and support within the CPV for further deepening Vietnam–US ties bear immense significance. General-Secretary Trọng, who acts as “the centrality of unity” and assumes “core leadership” within the CPV, has already signaled his endorsement of an upgraded relationship with the United States during his telephone conversation with President Biden in March. The elevation of Vietnam–US relations to the strategic level serves as a testament to what Trọng terms Vietnamese Bamboo Diplomacy, an approach aimed at crafting a strategic equilibrium between Vietnam and major powers.

**Conclusion**

On 17 August 2023, the spokesperson of the Vietnamese Ministry of Foreign Affairs, in response to inquiries regarding Vietnam–US relations, stated, “the two sides are discussing measures to further deepen and advance the bilateral relations to a new level when the conditions are right.”

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39 “Giá trị đặc sắc của ‘ngoại giao cây cỏ Việt Nam’,” VOV Electronic News.
Indeed, the “right conditions” have arrived. Diplomats on both sides have recognized that US–Vietnam relations have reached a critical juncture, presenting a ripe moment for an upgrade. There is mutual acknowledgment of the significance each holds for the other.\textsuperscript{41} Vietnam regards the United States as a pivotal partner in its foreign policy, while the United States views Vietnam as one of the region’s foremost partners, with bipartisan support for strengthening bilateral ties.\textsuperscript{42}

President Biden’s impending visit to Hanoi this weekend marks the third opportunity for both countries, and especially for the Biden administration, to translate the elevation initiative into reality. Vietnamese wisdom captures this moment with the saying “qua tam ba ban,” akin to “third time’s a charm,” anticipating good fortune or success in the third endeavor. The three previously outlined “good elements” engender optimism, even among the most cautious, that a declaration of an SP or CSP by Biden and Trong in Hanoi this weekend is within reach.

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\textsuperscript{41} Thanh, “Vietnam, US relations have ripened.”
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