

“CROSS-BORDER ATTACKS” OF SOMALI PIRATES AND THE TRANSFORMATION OF CHINA’S DIPLOMACY¹

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Military operations named “cross-border attacks” have become prevalent in international society. They are different from traditional war, which is fought among states. Generally speaking, cross-border attacks may be internationally concerted legal ones with authorization or unilateral and unauthorized illegal ones. From this perspective, the escort activities of Chinese navy escort fleets combating pirates in Somali seas are legal cross-border attacks aimed at safeguarding China’s overseas interests. They are a reflection of China’s new diplomatic thinking on sovereignty, internal affairs, participation in international institutions, and international cooperation. They also mark the transformation, and are a specific form, of China’s diplomacy. Cross-border attacks will be of positive significance to the maintenance of lasting peace and world prosperity.

In October 2007, after the Turkish Kurdistan Workers’ Party (Partiya Karkerên Kurdistanê, PKK) fled and hid in the Iraqi Kurdistan region, sneaked back into Turkey to attack the Turkish military, government agencies, as well as civilians with Iraq as their base, the Turkish parliament authorized the Turkish army to launch cross-border attacks against the PKK. Despite lacking approval from Iraq, the Turkish army sent troops across the border to the Iraqi Kurdish region to combat the PKK. For some time, this type of military action has attracted widespread attention. On the one hand, it reflects the concern of the international community in the modern era on transnational conflicts between state and non-state actors. Although this is different from traditional inter-state wars,

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Under the pretext of combating terrorism, every country can blatantly disregard the principle of state sovereignty and sanctity of the territorial, and implement an armed invasion toward another country, which is bound to seriously affect the international community in the era of globalization and the maintenance of the principles on inviolability of national territory and sovereignty.²

Conversely, it may also reflect the international community's increasing concerns on the situation in the Middle East since 9/11. Referring to the cross-border attacks, China's political scientist Zhu Weilie commented that "the current whole situation in the Middle East is very subtle; the Middle East is facing a new crisis."³ Although the Turkish army has stepped into Iraqi territory several times since 1995 to crush the PKK, the international community has paid less attention to these actions than it did to the cross-border attacks in 2007. The international community has increasingly observed and analyzed actions similar to cross-border attacks. In recent years, there have been many other examples of cross-border attacks. In 2006, Israel launched a cross-border attack to combat Hezbollah in Lebanon. In March 2008, Colombia launched a cross-border attack to combat FARC forces in Ecuador. From the end of 2008 to early 2009, Israel launched cross-border attacks to combat Hamas in the Gaza Strip. In 2008, the Afghan government threatened to conduct cross-border attacks, and the coalition forces in Afghanistan crossed the border of Pakistan to fight against Taliban remnants. In June 2010, Iran conducted two cross-border attacks on Kurdish militants in Iraq. Cross-border attacks in international relations, especially in Middle Eastern international relations, have become significant issues that affect regional and global security. For this reason, it is important to summarize and analyze cross-border attacks.

A cross-border attack is a long-standing military action, which has been carried out frequently in the international community, especially in the Middle East, since the 9/11 attacks. However, there is a dearth of research concerning cross-border attacks, and as yet there is not a commonly held definition of them.⁴ In spite of this, by summarizing and analyzing different

2 Bo Wang, "Turkey and Iraq Crisis: International Influence of 'Cross-border Attacks'," *Liberation Daily*, November 7, 2007.

3 Weilie Zhu, "Turkey's Cabinet Decided to Send Troops to Iraq to Combat Kurdish Militants," *International Weekly* 3 (October 2007).

4 The phrase used most often in early foreign monographs is "attacks cross-border," such as in John Laffin, *Fedayee: the Arab-Israeli Dilemma* (London: Cassell, 1973). The use of this phrase only recognizes that there are cross-border military operations, but fails to reach the level of

cases of cross-border attacks, it is not difficult to find that this term has the following characteristics.

First, the subjects of cross-border attacks are state actors, and the objects are non-state political and military actors. An attack can only be carried out by state actors against non-state organizations or groups. Military actions carried out by a non-state organization toward a state actor are not categorized as cross-border attacks. Likewise, state-to-state military operations are not labelled as cross-border attacks, but instead as wars of aggression.

Second, in terms of the motivations behind cross-border attacks, it is always the non-state actors that initiate multiple attacks towards a specific country. For example, Hezbollah and Hamas used rockets, mortar shells, and even suicide bombs against Israel; the PKK launched such attacks against the Turkish military for years; the Taliban attacked Afghan civil and military targets; Somali pirates have been robbing merchant ships from all over the world for more than a decade; and the Iranian Kurds in Iraq conducted armed attacks against Iran. The cross-border attacks initiated by countries suffering from terrorism or extremism are counterattacks aimed at those perpetrators.

Third, with regard to the target countries' political situation, they are often facing separatism or political turmoil, where central government authority is unable to control all of its territory. For example, in Israel's cross-border attacks on Hezbollah and Hamas, Lebanon was facing the threat of separatism, especially in southern Lebanon which was dominated by Hezbollah, as well as in the Gaza Strip controlled by Hamas. In Turkey's and Iran's cross-border attacks, Iraq was facing fragmentation, especially the long-term autonomy of the Iraqi Kurdish region. In Afghanistan's coalition forces' cross-border attacks, the Pakistani government failed to implement effective control over many tribes within it. All major countries' cross-border attacks against Somali pirates are related to the existence of Somali warlords, sectarians, and tribal separatists.

Fourth, some targets are domestic anti-government political-military forces that eventually fled abroad. Therefore, this type of cross-border attack is a continuation of civil war, such as the battles between Turkey and the PKK, the Afghan government and the Taliban, as well as Iran and Iranian Kurdish militants. Some targets are the non-central government forces or foreign forces who are hostile to a country and intend to hurt soldiers and

civilians, such as Hezbollah and Hamas that are hostile to Israel, or the Somali pirates who attack merchant ships. As a result, the major powers have identified them as terrorist or criminal organizations.

Fifth, with respect to relations between the target of cross-border attacks and the country where they were located, there are contradictions and conflicts. For most countries, there is a contradiction between the responsibility to safeguard sovereignty and the potential benefits cross-border attacks will bring to the country. Examples include the conflict between the Lebanese government and Hezbollah; the military conflicts between the Palestinian government and Hamas; the conflict between Iraq and the PKK, as well as Iraq and the Iranian Kurdish militants; the conflict between the Pakistani government and the "Pakistani Taliban Movement;" and the conflict between the Somalia pirates and the Somalia transitional government.

The term cross-border attack includes two parts: cross-boundary and attack. To be more comprehensive, the term cross-border attack is mainly used in the following forms. Firstly, with the development of technology and improvement in transportation, the concept and connotation of "border" has expanded gradually from territory to territorial waters and airspace. Thus, a cross-border approach includes three kinds of approaches: trans-boundary via the land, cross-border via the sea, and cross-border from the air. All three kinds of cross-border approaches are likely to be implemented between neighboring countries, while sea or air cross-border attacks often occur between non-bordering countries. Secondly, military attacks are implemented by ground forces across land borders, warships across the territorial sea or exclusive economic zone border, and fighters in air space. Third, there are both defensive attacks,⁵ such as the fight against Somali pirates, and offensives attacks, such as the Israeli attack on Hamas, among the most violent raids and ground war since 1967.

After investigation of the characteristics and forms of cross-border attacks, it is necessary to evaluate their effectiveness. Cross-border attacks are a single type of approach, and only achieving the implementers' goals will eventually lead to actual effects. Successful cross border attacks do

5 The term "defensive attack" has been mentioned in some academic journals, such as Alison Johnson and Ruth Clifford, "Polite Incivility in Defensive Attack: Strategic Politeness and Impoliteness in Cross-examination in the *David Irving vs. Penguin Books Ltd and Deborah Lipstadt Trial*," *Journal of Politeness Research* 1 (2011): 43-71; P. F. Ferrari and P. Palanza, "Does Fear Modulate Defensive and Offensive Types of Maternal Attack in Mice?" *Aggressive Behavior* 2 (2000): 193-203.

have formidable effects, as seen in with Israel's effective battle with Hamas and Turkey's sabotage against the PKK camps. These actions have resulted in a greatly improved security environment for both countries. However, unsuccessful cross-border attacks often lead to new security dilemmas, such as Hezbollah's war clamor, and the Taliban resurgence in Afghanistan as well as its "Pakistanization."⁶ However, this is only one aspect of the problem. Purely military action can barely achieve desired and lasting objectives. Nowadays, despite the overlap of "political military states" and "trading states," trading and military actions are interacting with each other.⁷ Military action goes hand in hand with economic development. Presently, the world has become increasingly interconnected. Isolated countries have often been adversely affected by globalization, such as Somalia since 1993. Successful cross-border attacks will have the effect of temporarily eliminating traditional security threats but cannot eradicate the threat altogether. Only by supporting political and economic reconstruction, or the development of free trade with each other, can we consolidate success and ultimately eliminate cross-border attacks, which have the characteristics of old military means in a new era.

In the modern era, cross-border attacks refer to the retaliatory military action taken by state actors towards non-state actors (especially its military forces) in a foreign country's territory, causing actual threat to its military forces or civilians. The attacking state would penetrate another country's territory and carry out military strikes, its goal being the elimination of the long-term threat brought by the targeted non-state actors rather than confrontation with the government of the country where these non-state actors hide. Due to domestic divisions or military weakness, it is impossible for these countries to prohibit a cross-border attack. Therefore, these countries are usually acquiescent to, or even encourage, such cross-border military action due to their own conflicts with these non-state actors. Nonetheless, only a handful of cross-border attacks are authorized by the United Nations or the countries where targeted non-state actors hide.

6 "Pakistanization" refers to the Taliban's retreat to the border regions of Afghanistan and Pakistan, and the Taliban in Pakistan eventually becoming a Pakistani native political-military force that actually cut off its relations with the Taliban originating in Afghanistan.

7 See Richard Rosecrance, *The Rise of the Trading State: Commerce and Conquest in the Modern World* (New York: Basic Books, 1986).

The Current Situation Regarding Somali Pirates and China's Cross-border Attacks

Piracy is a long-existing international problem which, despite a decline in popularity during the twentieth century, has been on the rise since the 1990s due to Somali pirates. Since December 2008, the Chinese navy has dispatched five rounds of escort warship fleets to Somali waters. These fleets have had repeated confrontations with Somali pirates and have fought to protect commercial and civilian vessels. According to the above definition of cross-border attacks, the escort activities by navies of various countries in the waters of Somalia are actually defensive actions of cross-border attacks. The Chinese navy's cross-border attacks in the Gulf of Aden and the Somali waters⁸ against Somali pirates has generated widespread attention in the international community. *The Guardian* described it as a "deployment to join international force in biggest naval operation by China in more than 600 years," and said, "the move marks a major shift in naval policy and would be China's first active deployment outside the Pacific region," because China's "growing wealth and economic interests around the world have led to argument inside and outside China that it should play a greater role on the world stage."⁹

The United Nations and the Somali transitional government have authorized China and other naval fleets to combat Somali pirates. The UN Security Council in 2008 adopted resolutions calling on the international community to fight against Somali pirates.¹⁰ Upon the request of the Somali

8 Defining "Somali waters" is a complex issue. Somali pirates conduct their activities within a range of 200 nautical miles. The 200-nautical-mile area is universally recognized by the international community as a measure of an exclusive economic zone. It is a vague area between the territorial waters and the high seas, but the Somali government in 1978 unilaterally determined its territorial waters of 200 nautical miles. The Chinese Foreign Ministry acknowledged Chinese naval escort activities in Somali waters are mainly in its exclusive economic zone, which is actually within the territorial waters of Somali, according to Somalia's perception of the range.

9 Tania Branigan, "China Sends Naval Fleet to Somalia to Battle Pirates," *The Guardian*, December 18, 2008.

10 1) UN Resolution 1816 states that foreign troops that have obtained the consent of the Somali transitional government may "enter the territorial waters of Somalia for the purpose of repressing acts of piracy and armed robbery at sea, in a manner consistent with such action permitted on the high seas with respect to piracy under relevant international law;" 2) UN Resolution 1838 "calls upon States interested in the security of maritime activities to take part actively in the fight against piracy on the high seas off the coast of Somalia, in particular by deploying naval vessels and military aircraft, in accordance with international law, as reflected in the Convention," "calls upon States whose naval vessels and military aircraft operate on the high seas and airspace off the coast of Somalia to use on the high seas and airspace off the coast of Somalia the necessary

government, the United Nations expanded the scope for foreign “across border attacks” against Somali pirates from the high seas, airspace, and territorial waters. This reflects the United Nations’ and the Somali transitional government’s great determination to combat piracy. It also reflects the worsening of the problem of Somali pirates and the internationalization of its harm.

Somali pirate attacks on ships from China and other countries have posed security threats on personal safety and property as well as economic losses. These threats spur the most direct motivation behind the Chinese cross-border attacks against Somali pirates. The waterway suffering from piracy is the main route for Chinese exports to Europe, as well as to the Middle East, and thus of important significance to China’s overseas and strategic interests. After the former Somali president Siad Barre stepped down in 1991, Somalia experienced a long period of anarchy and wars among warlords. In 1993, the United States carried out peacekeeping operations in Somalia, which ended with the “Black Hawk Down” disaster. Since then, Somalia has become a failed state without an effective central government and has long been neglected by the international community. Moreover, due to its location, bordering Sudan and, across the sea, Yemen, it is difficult to maintain a balance of power against Somali pirates given the chaotic political situation in both Sudan and Yemen. As a result, Somali pirates have been unimpeded in these waters. Shaul Shay described Somalia, Sudan, and Yemen as the “Red Terror Triangle,” “particularly the links that each of them maintains with Islamic terror and the reciprocal ties between them, based on the assumption that in the future all or some of them may constitute a basis for Islamic terror organizations;”¹¹ these factors provide a breeding ground, as well as domestic, regional, and international space for the development of Somali pirates. Somalia is located along the Red Sea, Gulf of Aden, and the Arabian Sea, and is the maritime transport hub and

means, in conformity with international law, as reflected in the Convention, for the repression of acts of piracy;” 3) UN Resolution 1851 further noted, “In response to the letter from the TFG of December 9, 2008, encourages Member States to continue to cooperate with the TFG, notes the primary role of the TFG in rooting out piracy and armed robbery at sea, and decides that for a period of twelve months from the date of adoption of resolution 1846, States and regional organizations for which advance notification has been provided by the TFG to the Secretary-General may undertake all necessary measures that are appropriate in Somalia, for the purpose of suppressing acts of piracy and armed robbery at sea, pursuant to the request of the TFG, consistent with applicable international humanitarian and human rights law.”

11. Shaul Shay, *The Red Sea Terror Triangle: Sudan, Somalia, Yemen, and Islamic Terror* (Piscataway, NJ: Transaction Publishers, 2006), x.

a critical point along the path for Europeans to enter Asia through the Suez Canal. This geopolitical advantage offers Somalis favorable conditions for maritime activities.

The formation of Somali pirates as a distinct criminal group is the result of a historical process. Faced with the illegal operation of foreign fishing vessels and their wrongful acts, such as dumping industrial waste in Somali waters, the Somali people formed various groups to meet those challenges. These groups would become the prototypes of later pirate groups. With increasing militarization of these groups, looting innocent foreign merchant ships for ransom became a primary task. Supported by armed warlords and tribal elders, this interest community formed in order to compete against the weak Somali central government. As a result, piracy has become an increasing problem in the twenty-first century. The first case of Somali piracy activities appeared in 1989. The German cruise ship "Poseidon" was attacked on the high seas at a distance of about 70 nautical miles from the Somali coast.¹² Somali pirates rampantly looted passing ships in order to charge a high ransom. This caused widespread concern in the international community. From January to November 2008, about 65 merchant ships and about 200 crew members were hijacked with ransoms as high as US \$25-30 million.¹³ On December 18, 2008, Chinese Foreign Ministry spokesman Liu Jianchao revealed that,

This year, from January to November, a total of 1,265 Chinese merchant ships passed through this route, averaging 3-4 ships per day. 20 percent of these Chinese ships were subjected to pirate attacks. This year, there were seven hijacking cases involving China, including two cases involving two Chinese ships and 42 crew members, the other five cases were foreign ships but had Chinese crews, carrying Chinese cargo or hanging the regional flag of Hong Kong. So far China still has a fishing boat and 18 crew members hijacked by pirates.¹⁴

12 Augus Konstam, *Piracy: The Complete History* (Oxford: Osprey Publishing, 2008), 306.

13 "Status Quo of Somali Pirates," United Nations, accessed March 1, 2016, <http://www.un.org/chinese/focus/somalia/somaliapirates.shtml>.

14 "Foreign Ministry Spokesman Liu Jianchao Q&A on Issues of the Fight against Somali Pirates," Central People's Government of PRC, accessed March 1, 2016, http://www.gov.cn/xwfb/2008-12/18/content_1181865.htm.

Political fragmentation in Somalia and conflict between Somali pirates and its central government create the conditions for a cross-border attack. For now, two major problems lie ahead in the political reconstruction of Somalia, one of which is the issue of local power. Within the territory of Somalia, there are de facto states, such as the Republic of Somaliland. This state, which has not been recognized by the international community, is the most stable area within Somalia, and one of the most democratic governments in Africa, so it is known as “democratic but abandoned.”¹⁵ Therefore, hopes of Somali national unity are waning. Another problem is that the Somali “Transitional Federal Government” (TFG) and the “Islamic Courts Union”¹⁶ (ICU) are competing for state power. The TFG, which is widely recognized by the international community, is relatively weak. It mainly relies on Ethiopian troops to compete with the ICU. In contrast, the ICU has a similar growth path and thinking pattern as the Taliban in Afghanistan. It has benefited from the vacuum of power and ideology after the collapse of the Somali government in 1991. Four forces have allowed for the rise of Islamic extremism in Somalia: “1) Iran—Directly and indirectly through its ally Sudan; 2) Sudan—Directly and through Somali power brokers which it supported; 3) Bin Laden and Al-Qaida—Independently, but in coordination with Sudan; 4) Radical Islamic entities from Saudi Arabia and the Emirates in the Persian Gulf.”¹⁷ In terms ideological similarities, the ICU has great similarity with the Taliban. Rethinking the international community’s attitude of isolating the Taliban regime will be beneficial toward a future reconciliation between TFG and the ICU. However, the involvement of foreign troops indeed often leads to counterproductive outcomes. The Islamic Courts Union steadfastly refused the Ethiopian army to influence the process of political rebuilding in Somalia. Sheikh Hassan Dahir Aweys, the leader of the ICU, stated that “as long as Ethiopians are in our country, we cannot continue to negotiate with the government.”¹⁸

Under the premise of authorization from United Nations and the Somali TFG, China sent troops to Somalia waters and carried out legitimate

15 Edna Adan Ismail, “Somaliland: Democratic but Abandoned by the World,” accessed March 1, 2016, <http://www.somalilandpress.com/somalilanddemocratic-abandoned-world-2/>.

16 It is also known as the Union of Islamic Courts, Supreme Council of Islamic Courts. After the collapse of the Somali government in 1991, some Sharia courts played the role of government and gradually became a union. In 2006, ICU even controlled the Somali capital, Mogadishu, and most of the central and southern region of Somalia. Obviously, ICU’s goal is the state regime.

17 Shaul Shay, *Somalia between Jihad and Restoration* (Piscataway, NJ: Transaction Publishers, 2008), 60.

18 “Somalia: Islamist Refuse Talks, Acknowledge Eritrea,” *Mail and Guardian*, July 25, 2006.

cross-border attacks. China's escort fleets performed defensive attacks strikes only, with the main purpose of peaceful convoy and the expulsion of pirates. Chinese escort fleets are composed of guided missile destroyer and helicopters, so its cross-border attacks will be based on air and maritime attacks. So far, there is no indication that China will engage in ground attacks against Somali pirates. In terms of achievements, current attacks have lessened Somali pirates' threat to Chinese and other countries' foreign vessels. However, the escort fleets dispatched by different countries lack collaboration. For example, the Indian navy is skeptical of Chinese escort fleets, a fact that has largely limited the effectiveness of the cross-border attacks on Somali pirates. Due to the disputes within Somali clans and political factions, a land attack against Somali pirates may be necessary in the internal conflict of Somalia, which is not in line with China's original intention in combating pirates. The main problem of piracy is rooted in internal conflicts in Somalia. Therefore, to solve this problem, foreign cross-border attacks are not sufficient, and military action alone can hardly solve the problem from its root. Efforts to combat piracy must include improving people's livelihood, political reconciliation and reconstruction of Somalia, restoring the authority of the central government, strengthening democracy, and re-integrating Somalia into the international community.

In the 1960s, China performed two military actions that could be counted as cross-border attacks. In the late 1940s, the Chinese Nationalist Party (Kuomintang, KMT) army was defeated in the civil war. Some remnants of this routed army fled to Myanmar. They used Myanmar as a military base to attack Mainland China's military and civilian targets, and formed military groups against the Myanmar central government in some regions. In this case, China and Myanmar reached a secret agreement in 1960. Myanmar allowed China to conduct cross-border attacks in its territory to combat the KMT remnants. China implemented cross-border attacks against the KMT remnants, respectively, in November 1960 and February 1961, causing devastating damage to the main remnants of the KMT army.¹⁹ As a result, they were no longer able to launch large-scale attacks on Mainland China. China and Myanmar basically achieved their expected goals. China's cross-border attacks were licensed by the Myanmar government and were an extension of the Chinese civil war. Along with the decline in strength of remnants of the KMT, the war between Taipei and Beijing mainly remained in Taiwan

19 See Hui Chen, "Disclosure of the Sino-Myanmar Joint Fight on Demarcation and Safekeeping," *General Review of the Communist Party of China* 11 (2011).

and the Fujian waters. Such cross-border attacks primarily resulted from the considerations on the maintenance of political legitimacy of the new regime and security of China, as well as of Myanmar. This is very similar to the threat of cross-border attacks by the new regime of Afghanistan on the former Taliban regime and armed forces in Pakistan. But, such cross-border attacks executed in the early years of the founding of the People's Republic of China did not turn into a normal type of behavior for the Chinese military in the next few decades. Today, cross-border attacks are not part of the core set of ideas that constitute Chinese diplomacy. China's major mode of conducting overseas wars is by sending armed volunteers abroad (such as in the Korean War and the Vietnam War), or by engaging in bilateral wars (such as the Sino-Indian border war), but these do not meet the definition of cross-border attacks. All in all, in the twenty-first century, especially under the new international situation after the 9/11 attacks, China's cross-border attacks against Somali pirates are a major breakthrough in China's military strategy and a major transformation of China's diplomacy. In the future, the practice will be further improved in terms of the specific ways and approaches to carry it out, in order to best safeguard China's national interests.

The Cross-Border Attacks against Somali Pirates and Transformation of Chinese Foreign Policy

A country's diplomacy is a continuation of its internal affairs. The implementation of cross-border attacks of China against Somali pirates is a milestone in China's new diplomacy in the new era. To make such a decision, China considered both domestic and external interests. Before its reform and opening-up policy, China, and other socialist countries, developing countries and even Western countries, had achieved a certain degree of economic and trade exchanges. However, such exchanges had not extended beyond the official level. Moreover, at this stage, political interests often had higher priority than economic ones. After the "Reform and Opening" policy, China opened its doors and attracted foreign investment. At the same time, more and more Chinese citizens and capital flowed out, including the officials and staff members of state-owned enterprises dispatched by the Chinese government, as well as private entrepreneurs and private companies. This strategy was a great success. In addition to government workers, private enterprise, and capital, a large number of Chinese students and tourists

studied and traveled abroad. In a variety of cases in which Chinese citizens' and enterprises' interests were undermined abroad, China negotiated with the countries concerned mainly through the Chinese government or embassies to better fulfill the function of safeguarding its people's interests. However, the international situation is ever changing. The political process and situations in countries vary. In many countries, there are various de facto states, which are not recognized by the international community. There are also tribal areas with a high degree of autonomous status. Some armed groups even contend with the central government locally. These areas are isolated from the political process of the country, as well as the larger process of globalization. The interests of Chinese enterprises and citizens in these special areas are often infringed upon, and the Chinese people there have even suffered life-threatening dangers, hardly protected by the host government effectively. In such cases, the Chinese government does not have adequate relations with the negotiation party. For example, Chinese workers in Pakistan suffered terrorist attacks by Islamic extremists; al-Qaida in North Africa threatened to undermine Chinese overseas interests after the 7/5 event of Xinjiang. As Chinese international strategic scholar Men Honghua said in *Study Times*, "China's overseas interests and safety risk are expanding synchronically. China's overseas interests are becoming increasingly sensitive and vulnerable. Maintenance and expansion of overseas interests are facing enormous challenges," and "the size of China's overseas assets is in the expansion, and the weight and importance of the overseas resources are also rapidly rising. However, our means and capabilities to protect these interests are insufficient."²⁰

Cross-border attacks on Somali pirates are not an isolated phenomenon; in fact, they are one step in the transformation of Chinese foreign policy. Chinese diplomacy is about to achieve a breakthrough with regard to its original diplomatic tactics, and China has a tentative plan in safeguarding its national interests in turbulent regions. The implementation of this is comprised of two steps. The first step is dispatching the United Nations peacekeeping force to the relevant regions. China deployed and stationed peacekeepers in Sudan's Darfur region, as well as in Haiti. Through this action, China was fulfilling its international responsibilities. These actions also safeguarded China's economic interests in these regions.

20 Honghua Men, "To Strengthen the Study of China's Overseas Interests," *Study Times*, June 15, 2009.

The second step is conducting cross-border attacks against the Somali pirates, which are limited to air and sea areas. Two main features characterize this action: 1) Chinese military escort activities are only in the Somali exclusive economic zone and its airspace (in the Somali Constitution, this area is considered its territorial waters and airspace), which is far away from China; 2) China does not take the initiative to attack but undertakes defensive attacks against Somali pirates with the use of light weaponry.

In spite of the authorization of the United Nations and the Somali TFG, this is a breakthrough in both Chinese military operations and diplomatic tactics under the new historical context. China has not considered a land attack on the pirates due to its consideration of geopolitics and national strength. China is located far away from Somalia and the capabilities of its landing operations and logistics support are not good enough to accommodate the distance. Furthermore, the possibility that China might become involved in Somali internal political disputes is not in line with China's principle of "non-interference in internal affairs," since the coordination of Somali governmental troops is difficult.

Chinese Rear Admiral Yin Zhuo stated on December 31, 2009, that "by the end of 2010, it is necessary to find some logistics supply stations in nearby places to provide logistics support, such as drinking water, diet, and even the maintenance of warships, for Chinese naval escorts. The neighboring countries have clearly welcomed it, because it will bring opportunities for local consumption and promote the exchange of peace."²¹ He further stated on March 4, 2010 that, in terms of the logistics supply station's location, "Aden in Yemen and Djibouti are the main consideration; Pakistan is too far away."²² Chinese scholars also put forward proposals. Professor Liu Zhongmin, an expert on the Middle East and marine studies, said on May 18, 2010, in *Global Times*, "Planning overseas bases has become China's current problems that cannot be avoided. China should clearly articulate its plans on overseas bases, and actively carry out public diplomacy in order to address the concerns of the world and neighboring countries... China should make the international community understand that the establishment of overseas bases is based on China's own interests and needs of the international commitment."²³ In short, both Chinese military scholars and

21 Feng Jiang, "Chinese Naval Supply Overseas Was Hyped," *Global Times*, January 1, 2010.

22 Shaofeng Guo, "Yin Zhuo: I Hope the Navy to Set Bases in the Gulf of Aden for Materials Supply," *Beijing News*, March 5, 2010.

23 Zhongmin Liu, "Professor Says China Has No Need to Cover or Avoid Building Military Bases Overseas," *Global Times*, May 18, 2010.

civil scholars expect the Chinese military to improve its capacity in conveying and combating maritime piracy and to apply the experience of anti-terrorism military exercises abroad to a real cross-border attack, combating terrorist activities as soon as possible in order to maximize protection of China's national interests.

Sudan, Somalia, and Haiti are distant from China, and China's interests there are mainly economic ones. However, Central Asia and South Asia are different for China. The presence of Islamic extremists in Central Asia and South Asia, which share borders with China, means that China has not only economic but also political and security interests. In addition, this direct threat can take place even within the scope of Chinese territory. For example, on July 23, 2009, the PLA Chief of General Staff Chen Bingde mentioned in an interview with Phoenix TV that "China's military has had sufficient capacity to fight terrorism. If authorized by the United Nations, the Chinese military will seriously consider sending troops to the Central Asian countries within the framework of the Shanghai Cooperation Organization, and cooperate with other countries in the fight against 'East Turkistan terrorist forces.'"²⁴ Due to China's military practices in "cross-border attacks" against Somali pirates, China will implement "cross-border attacks" against the so-called "East Turkistan" forces in Central Asia. This is likely to become the third step for China to protect its national interests.

The threat Chinese enterprises and individuals encounter in Sudan, Somalia, Pakistan, and other places is not a problem only for China. These are general problems of terrorism and violence, and terrorism is a global hazard that harms innocent civilians through violence. In international relations, a global public issue has the following characteristics: "it refers to a common problem faced by many countries and the global community;" "it is not only a common problem between country and country, but also a common problem faced by individuals, nations and the whole world;" "the resolution is not unilateral but multilateral, and joint action is not individual decision but global public policy and planning based more on cooperation."²⁵ It is not difficult to see how the degree of international cooperation is closely related to the United Nations' peacekeeping operations and the effectiveness of legal cross-border attacks.

24 According to a news report by Hong Kong Phoenix TV on July 23, 2009.

25 Changhe Su, *Global Public Issues and International Cooperation: An Analysis of Institution* (Shanghai: Shanghai People's Publishing House, 2009), 5.

If cross-border attacks in Somalia and Central Asia are China's specific tactical adjustments, then the emergence of the Shanghai Cooperation Organization (SCO) is a strategic adjustment, as well. SCO was originally composed of Russia, China, four Central Asian countries (Kazakhstan, Tajikistan, Kyrgyzstan and Uzbekistan), and four observer countries (India, Iran, Mongolia, and Pakistan). Based on a list that emerged from the Shanghai Five-Countries Summit. The strategic adjustment began in the early 1990s, prior to the tactical adjustments of cross-border attacks at the end of 2008. China has carried out a number of joint military exercises with member states within the framework of the SCO, including PLA military exercises abroad. China's joint military exercises with other SCO member states are aimed at combating three forces, which in fact provided experience for the Chinese army to combat the "East Turkistan" forces in Central Asia. On June 16, 2009, the SCO regular meeting of the Council of Heads in Yekaterinburg released a communiqué stating,

"The SCO member states should improve coordination abilities in jointly dealing with terrorism and other security threats. Anti-terrorism organizations in this region should play a central role... the joint anti-terrorist military exercises held by SCO member states in Tajikistan from April 17 to 19, 2009, which were entitled 'Nolak counterterrorism-2009,' have yielded positive results, and the joint anti-terrorism exercises should be held regularly."²⁶

The degree of international cooperation of the SCO member states in combating Islamic extremist and ethnic separatist groups, such as the East Turkistan Islamic Movement,²⁷ is much higher than the level of collaboration of various naval forces in Somali waters, and they are more common interests. Moreover, China borders Central Asia, a geographical benefit for China's military operations and logistics in the coming cross-border attacks. These Central Asian countries also have the operational military capabilities necessary to join in on the combat. Moreover, the Chinese government has also strengthened anti-terrorism cooperation with specific countries, such as with Pakistan to counter the East Turkistan army. In July 2010, China and

26 "Joint Communiqué of Shanghai Cooperation Organization (SCO) Council Meeting," Shanghai Cooperation Organization, accessed March 1, 2016, <http://www.sectSCO.org/CN/show.asp?id=232>.

27 This is an organization of Islamic extremism and ethnic separatism.

Pakistan held a joint anti-terror military exercise in the Ningxia Autonomous Region of China.

The second step of China's foreign policy is to safeguard the country's overseas interests. This has been achieved through the experience gained from cross-border attacks in the waters and airspace of non-bordering countries. The third step has already been achieved through the experience of conducting joint military exercises in neighboring countries directly bordering China. It is an apparent trend that China and other relevant countries will have joint military actions to combat the "Three Evils."²⁸

Conclusion

Today's Chinese foreign policy pattern is a continuation of diplomacy in the "Reform and Opening" period started from 1979. However, China's diplomatic practice is always seeking flexibility while preserving its basic principles. In the past twenty years, China's participation in multilateral, international institutions represents the main part of the change—this is China's new diplomacy. Cross-border attacks on Somali pirates and the claim of implementation of cross-border attacks on "East Turkistan" forces further deepen China's new repertoire of diplomatic measures, reflecting a significant transformation of China's diplomacy. China's legal cross-border attacks firstly reflect the specific changes in China's understanding of national sovereignty, as well as its "non-interference in internal affairs" policy. With globalization, only the assignment of limited sovereignty can make international cooperation possible in the face of transnational organized crime and terrorist activities. Piracy and terrorism are global menaces, and fighting them is not a country's unique "internal affairs" issue. This is why China no longer limits its military action within China's territory, and no longer rejects military exercises abroad. Secondly, it reflects the gradual internalization of international norms in China. China has actively taken more international responsibility. Chinese diplomacy is also actively accommodating itself into the framework of various systems, such as the Shanghai Cooperation Organization, a major innovation in China. It explicitly targets the "Three Evils," all of which are non-state actors. Therefore, China conducted counterattacks on Somali pirates based on the principle of

28 The "Three Evils" refer to: 1) violent terrorist forces; 2) ethnic separatist forces; 3) religious extremist forces.

“keeping peace if I was not offended; fighting back when I was attacked,” and the connotation extends from hostile countries to non-state actors.

In short, China’s cross-border attacks are military actions legally authorized by the United Nations and the target country. This still reflects the inviolability of territorial sovereignty and the diplomatic bottom line of non-interference in internal affairs. The changes being made to deepen specific tactics are aimed at reducing and eliminating risks in order to maintain lasting peace in the world, as well as the common prosperity of both China and cross-border attack target countries. This is in line with China’s new diplomatic concept of a “harmonious world.” The transformation of China’s diplomacy focuses on both strategic and tactical aspects. Its strategy has remained relatively stable, while its tactics have demonstrated more flexibility. The combination of both has represented the concept of “flexibility based on stability” in Chinese diplomacy. The Chinese-style cross-border attacks are just a microcosm of the transformation of China’s diplomacy. The potential internationalization resulting from the cross-border attacks will play a positive role in strengthening international cooperation and reducing, perhaps even eliminating, non-legitimate cross-border attacks. **Y**