

(Published as ‘La “Guerra Fredda” nell Indo-Pacifico’, *Opinio Juris*, vol. 6, April 2024, p. 54-62)

1. With Indo-Pacific we refer to a new interpretation of space that has gradually spread starting from Tokyo's objective of involving India in the dynamics of containment of China to the point of creating a new space that has gradually been occupied by all main global players, including historically external ones (such as the EU). How does Beijing look at this geographical quadrant?

DS: Beijing, in other words the People's Republic of China, presents a paradox. On the one hand, (a) Beijing systematically refuses to use the term Indo-Pacific in its own foreign policy formulations whilst preferring to use the term “Asia-Pacific”, (b) its Foreign Minister dismissing talk of the “Indo-Pacific” as “foam” that would soon dissipate; (c) whilst systematically denouncing specific Indo-Pacific strategies pursued by the US and Japan (including their “Free and Open Indo-Pacific” formulation), Australia (“Indo-Pacific Strategic arc”), France (“Indo-Pacific axis”), the UK (“Tilt to the Indo-Pacific”) and Canada (Indo-Pacific Strategy), and more recently the Indo-Pacific Economic Framework (IPEF) propounded by the Biden administration.

On the other hand, this reflects the politics of the term, as Beijing pursues its own Indo-Pacific strategies, without using the term Indo-Pacific. On the military front its “Two-oceans Navy” doctrine specifically pulls together the Pacific and Indian Oceans as the focus for China; while on the geo-economic front its Maritime Silk Road (MSR) initiative stretches from the Western Pacific across the South China Sea and Indian Oceans – serviced by various “String of Pearls” bases and facilities.

Ironically then, the specific Indo-Pacific strategies that China continues to denounce are in many ways a response to China's growing presence across the Indo-Pacific as reflected and underpinned by China's Two Navy Doctrine and Maritime Silk Road initiative. China is of particularly concerned about such counter-balancing, in particular seeking to draw India away from such strategic cooperation in such Indo-Pacific strategies. This has been unsuccessful as a deteriorating India-China relationship has instead pulled/pushed India into closer security cooperation with other China-concerned countries.

2. In the most recent National Security Strategy published by the White House, China is presented as a rival within a context that “is no longer that of the post-Cold War” and

as “the only challenger with the intention and resources economic, diplomatic, military and technological to reform the international order”. How do you think the conflict between the United States and China will evolve, especially in the Indo-Pacific?

DS: Relative balance of power has shifted when comparing the US-Soviet and US-China challenge; the US as undoubted no 1 was able to eventually economically defeat a Soviet Union that collapsed and disintegrated; whereas China’s continuing economic rise has made it the only serious competitor for the 21st century. China’s challenge to the US is something that structurally Putin’s Russia does not and cannot match.

US-China conflict is both global and regionally in the Pacific. The US does not have the unilateral strength to comfortably contain China, so has to balance more actively with others. This explains the more active balancing with Australia, Japan, South Korea and crucially India – the other great rising Power. The US has also involved NATO in a shift towards a “China Threat” stance, and involvement in the Indo-Pacific.

This leaves a paradox that China’s economic rise, and resultant military programmes expansion, has not been matched by skillful diplomacy; which in recent years has led to a growing concern (the “China Threat” scenario) in other countries who are able in varying degrees to help the US constrain China.

Moreover, structural problems in the Chinese statist-model economy, hampered by demography (older and declining), may indicate that China’s expanding military programme is not sustainable and may indeed generate fundamental political problems of regime stability/survival — the so called “China Collapse” scenario.

The US position is opposite. Despite some short-term trade imbalances, the US economy may structurally be more vibrant and entrepreneurial though its avoiding the heavy statist approach of China, sustaining a more expansive military programme in the longer-term?

American politics of course impinge. US diplomacy under Biden has been quite successful in soothing ruffled feathers (from the previous Trump administration) with its traditional Indo-Pacific, and indeed European, allies on taking a coordinated approach towards China. India has been one continuing particularly US success story, Indonesia and Vietnam as other newer emerging partners. Washington has also successfully overlaid South-Korea-Japan bilateral sensitivities and some frictions, with greater Indo-Pacific security convergence vis-a-vis China.

In such vein the newly established US-Japan-South Korea mechanism, titled the “Indo-Pacific Dialogue” which took place on January 6 2024, specifically and significantly denounced the “dangerous and escalatory behaviour supporting unlawful maritime claims by the PRC in the South China Sea”. Their Joint Statement also “applauded” the

Indo-Pacific Economic Framework advanced by Washington, at a time when Beijing continued to both denounce and dismiss the IPEF.

However, this quite successful US diplomatic co-opting, flexibly, of other states across the Indo-Pacific vis-a-vis China is hampered by some growing concerns over Biden's age, his infirmity in other words; and the prospects of a Trump victory in the 2024 Presidential Elections due next November.

A Trump victory in the November 2024 Presidential Election could very well result in renewed fractious relations with allies, given his previous record in his first Presidency. Then his relations seemed easier with autocrats like Kim Jong Ung and Vladimir Putin (and to some extent Xi Jinping) than with democratic allies like Australia and in NATO.

3. The idea of the Quadrilateral Security Dialogue (QSD) seems to have stalled a bit. Can it really be considered the NATO of the Pacific?

DS: The second part of the question is easiest. No, NATO is a tightly integrated military machine with extensive institutional machinery that is military but also political in nature. It has some supranational features. In contrast, the QUAD as the name suggests is not an organisation but is Dialogue, a periodic framework whereby government officials, ministers and leaders meet, but without ongoing institutional machinery. One of the reasons for this is that one of the members is India, which historically has distrusted the West, which has previously specifically adopted non-alignment (between the West and the Soviet Union) and which continues to emphasise its "strategic autonomy".

The first part of the question, that the QUAD has stalled a bit, is not so easy. The QUAD knits together traditional partners (the US, Japan and Australia) across the Pacific, with the most significant actor from the Indian Ocean part of the Indo-Pacific – namely India. This immediately makes the QUAD a particularly potential powerful grouping for constraining China.

The QUAD has witnessed solid progress. Firstly, it has deepened its meetings – from ongoing Senior Officials level in 2017 to Naval chiefs in 2018, to Ministerial meetings in 2019 to Summit meetings in 2021. Secondly, the QUAD has also widened its remit. Originally geared around general statements of political values, it has moved into economic issues of supply chain security and infrastructure programmes, both of which are designed to compete with China. Thirdly, it has moved into quadrilateral military cooperation, again in the wake of growing shared concerns about China.

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Previously held up by Indian sensitivities, quadrilateral naval cooperation (annual MALABAR exercisings) was initiated in 2020, including the Bay of Bengal and the Western Pacific.

In such a vein of concerns about China's maritime challenge, the last QUAD Summit, in May 2023, also launched an "Indo-Pacific Partnership for Maritime Domain Awareness (IPMDA)", pledged that "we are committed to deepening engagement with regional partners to support maritime safety and security and uphold international law" and in a pointed warning to China noted "challenges to the maritime rules-based order, including those in the East and South China Seas".

While the QUAD has shown continuing solidification up the end of 2023; Biden's "scheduling problems" forced a mooted QUAD Summit on 27 January till later on the the year. However, while this was unfortunate for Biden's domestic and international image of frailty and old age; this rescheduling does not in my opinion actually undercut the ongoing deepening and widening of the QUAD cooperation, which in strategic imperatives continues to generate a QUAD strategic logic of tacitly working to constrain China.

Furthermore, speculation remains on further Quad expansion, not signs of it stalling. South Korea, Canada and the UK have already expressed direct interest in such a development during 2023. QUAD-Plus vaccine co-operation during 2022 with New Zealand, Vietnam, Singapore and Indonesia indicate further possible developments.

4. The RCEP, which came into force in 2022, is considered the largest trade agreement in the world because its members - China, Japan, South Korea, Australia, New Zealand and the ten members of ASEAN - together represent a third of the world's GDP. The agreement aims to improve the economic integration of the region with a gradual reduction of tariffs by 2030. The area is already highly integrated therefore the main value of this agreement is represented by the simultaneous presence for the first time of China, Japan and South Korea. What did you think?

DS: RCEP is indeed significant in one way, it indeed pulls together those three East Asia countries of China, Japan, South Korea. It has further significance as it joins those three East Asia countries with South East Asia (the 10 ASEAN states) and Australasia (New Zealand and Australia). In effect, this pulls together Pacific Asia. RCEP absences are just as significant. The absence of the United States makes RCEP primarily "Asian", while the absence of India makes its less regional, Pacific Asia rather than Indo-Pacific and of course leaves China with greater prominence, Japan notwithstanding.

The question of comparisons arise. RCEP with its lower standards of integration does not involve the United States nor India, whereas the higher standard CPTPP (Comprehensive Progressive Trans-Pacific Partnership) includes neither the US nor China. One irony is that its precursor the Trans-Pacific Partnership was signed by the US under Obama but was immediately pulled out of by the US under Trump.

Neither the US under Biden, let alone a second Trump administration, have shown any inclination to join the CPTPP. A second irony is that China has applied to join the CPTPP; a forum more attractive for Beijing without the involvement of Washington and New Delhi. This Chinese application to join the CPTPP has been further clouded by the simultaneous application to join by Taiwan, and reservations about China by members like Japan and Australia, and indeed new members like the UK which joined in 2023.

The final comparison is the Indo-Pacific Economic Framework (IPEF), very much an initiative by the Biden administration. IPEF is designed to overcome some of the negativity surrounding Trump's US withdrawal from the Trans-Pacific Partnership, and provide some economic alternative to a China-led RCEP and Maritime Silk Road.

Certain things make IPEF significant. In terms of membership it is Indo-Pacific in nature and geographically wider than RCEP —stretching as it does from the Americas (US), Pacific Basin (Fiji), Australasia (Australia, New Zealand) East Asia (Japan, South Korea), South East Asia (Vietnam, Philippines, Malaysia, Brunei, Singapore, Thailand) and South Asia (India). Four Pillars were identified for negotiation during 2023; namely (1) Trade, (2) Supply Chains; (3) Clean Energy, Decarbonization, and Infrastructure, and (4) Tax AND Anti-Corruption. The absence of China, deliberately uninvited from the whole IPEF, is one important feature. Conversely the presence of India, deliberately invited, is another important feature.

The IPEF does have its limitations. Their summit Leader's Statement in November 2023 announced a "first of its kind" Supply Chain Agreement, and substantially concluded negotiations on a "groundbreaking" Clean Economy Agreement, and an "innovative" Fair Economy Agreement. However, no agreement on trade was signed. Ironically, internal opposition from his own Democratic Party caused Biden to pull back from any Trade Agreement announcement, otherwise actually agreed by the other 13 members, and his own negotiators. India also has joined the three pillars but has chosen not to join the first pillar, on trade, keeping an Observer rather than Participant role there.

5. The Vietnamese government banned the release of the film Barbie for geopolitical reasons, as it contains a scene showing a controversial map in the eyes of the

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Vietnamese government, with Chinese claims to the entire South China Sea, of which Hanoi claims part. The Nine Dash Line, or line of nine dashes, is still an open question...(your consideration).

DS: The Nine Dash Line enclosing almost all of the South China Sea remains very much an open question, given China's refusal to explain what it actually means (territorial waters, exclusive economic zone, etc.), given the continuing absence of any sovereignty talks (with China refusing to conduct multiparty talks with ASEAN, instead insisting on bilateral frameworks, which have not taken place), nor indeed of any movement on an agreed Code of Conduct for the South China Sea, inconclusive glacial talks ongoing between China and ASEAN since 2002. Rival claims remain as they were, diametrically opposite, but with China having militarised its holdings.

In terms of law, China bluntly refused to involve itself in the proceedings brought by the Philippines over the South China Sea, and immediately rejected the findings by the Permanent Court of Arbitration (PCA) in July 2016, which went against China; including the PCA's conclusion that China's self-professed "historical claims" have no particular legal validity for questions of sovereignty.

Instead, China has expanded its "law fare" strategy by adopting a new Chinese Coast Guard (CCG) law in 2020 that self-awards major maritime law enforcement power in the SCS. It allows the CCG to use weapons under certain circumstances within China's "jurisdictional waters", and to demolish outside structures on islands claimed by China (i.e. held by Malaysia, Vietnam and the Philippines). "Jurisdictional waters" is a vague term, not defined in the law but is likely to be interpreted expansively by China as applying to the large parts of the SCS that it claims within the Nine Dash Line.

Some pushback is apparent from the Philippines, amidst rising military confrontation and "grey warfare" operations by China. Under Marcos, the Philippines has picked up the PCA ruling for renewed application, mooted separate Code of Conduct for the SCS with Malaysia and Vietnam, and pursued closer bilateral and trilateral security links with Japan and the United States (as well as with France and India).

6. Taiwan is obviously the hottest case in the Pacific. If Beijing were to decide to invade the island, would the United States be ready to support Taipei militarily?

DS: This needs to be divided into two parts, political and military. On the political front, the US under Biden has taken a firm signals on being prepared to militarily stand by Taiwan. However, the closer we get to Presidential Elections, and the closer to a possible Trump Presidency, the more the US political will may weaken.

Within calculations over US support, does the readiness of the Republican House of Representatives to block military aid to the Ukraine for 2024, indicate a similar likeliness to block US military support for Taiwan? So far though, there has been steady Democrat-Republican consensus over strong military support (weapons) to Taiwan embedded in the Indo-Pacific Defence Initiative passed last year.

On the military front the US is ready in one sense to military stand by Taiwan, by moving aircraft carrier groups closer and extending air support against incoming Chinese forces. Admittedly, China has developed some quite significant anti-carrier missile capabilities (“carrier killers”) that make the unimpeded US intervention seen in the 1995 Straits Crisis less easy. Nevertheless, the US still has the military advantage over China in any all out conflict, so it depends how far Beijing is willing to risk such a conflict with the US, that it would probably eventually lose.

The Ukrainian War complicates Taiwan calculations for both China and the United States. Certainly, some significant amount of US military supplies and production capabilities have taken up with support to the Ukraine. On the other hand, the failure of Russia to quickly knock out Ukraine may hold back China to trying attempting any similar quick occupation of Taiwan. Moreover, with Russia entangled in the Ukraine, Moscow is in little position to offer meaningful military support to China.

However, if though Chinese forces are moving against Taiwan, it remains a big question mark over whether the US would send forces against China, given the wider risks of war and threat to the US. The US should win in a direct one-to-one conflict with China, but at some cost. The risks of domestic discontent and unwillingness affect a democracy like the US more than they do an autocracy like China.

Cooperation with Japan against China over Taiwan would reduce that military risk for the US; an avenue given that Japan has expressed “some” willingness to intervene in the event of a direct Chinese military threat to Taiwan.

Xi Jinping’s call for Chinese military forces to be ready by 2027 to military take Taiwan would suggest that China is not likely to try to take such action in the preceding 2024-2026 period, but will instead seek to strengthen its own military capabilities.

The outcome of the Taiwan Presidential Elections on January 13 2024 affects the situation. With the victory of William Lai, the incumbent Vice-President, a continuing pro-independence Democratic Progressive Party (DPP) administration will attract heightened pressure from an outraged China.

7. China and India, historic rivals in the area, are competing for regional hegemony. At what stage are their relationships?

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DS: This is relatively simple. There is increasing friction. This can be divided into two levels, border and regional.

Firstly, along their disputed Himalayan border, the confrontations at Doklam (2018), Galwan (2020, with casualties) and Tawang (2022), and continuing troop buildup have left their relations at their most tense there since the 1962 War.

Secondly, there is a Great Game in operation between China and India as they both seek regional pre-eminence, regional hegemonies in effect, with both cutting into each other's strategic backyards. China's increasing presence in the Indian Ocean, is a particular issue for India, leading to fears in India of strategic encirclement by China. This has been heightened as the Maldives switched from a pro-Indian to a pro-Chinese administration in November 2023.

Faced with this strategic encirclement by China in the Indian Ocean, India has moved into China's own strategic backyard of the South China Sea through its own naval deployments, complemented by growing defence links with Indonesia, the Philippines and Vietnam. India's growing security cooperation with Mongolia and South Korea, like Vietnam on China's borders, have an element of delicate but perceivable counterbalancing, counter encirclement, in them. Last, but certainly not least, is India's ever strengthening security relations with Australia, Japan and above all the United States – wrapped up in bilateral, triateral and quadrilateral (the QUAD) mechanisms. Reciprocal Access Agreements and military exercising is established between India and these three QUAD partners, as also with Singapore and France. China is particularly worried about India's tilt towards these similar China-concerned states, especially towards Indian participation in the QUAD.

Historically India has been more worried about China than China has been worried about India. Putting it another way, China is India's biggest threat but the US is China's biggest threat. There is a Great Game between India and China in the Indian Ocean and between China and the US in the Pacific – these respective settings have drawn India and the US closer together.

India retains a strong sense of retaining “strategic autonomy”, but their perception of a “China Threat” and of “strategic encirclement” by China generates a strategic imperative for New Delhi of tacit balancing. This is two-fold. India is employing “internal balancing” through building up its own military forces. This is seen most clearly in the infrastructure, army and airforce build up along the Himalayas, and an aircraft carrier race on the seas. Given that China is still on a one-to-one basis stronger than India, and has partnership with India's other enemy Pakistan – India is also pursuing “external balancing” with these other China-concerned states.



The question asked about regional hegemonies, which is one of rivalry. Within a multi-level analysis there is sharpening border confrontation and increasing regional competition, but also a mixed global situation. At this global level, they have some shared notions of multipolarity, and environmental responsibilities vis-a-vis the West. However, increasingly noticeable is their global competition over models for the Global South and energy, as indeed their relative status in the United Nations and global hierarchy. Finally something of a space race competition is evident between India and China, both towards the moon and Mars, but also with regard to anti-satellite technology

8. North Korea continues to threaten Seoul. How well can Beijing "manage" Pyongyang?

DS: I am not sure how far Beijing can “manage” North Korea. China has not impeded North Korea’s drive for nuclear weapons. Neither, has China shaped North Korea’s erratic policies towards the US; from confrontation under Obama to thaw under Trump to reconfrontation towards Biden. Kim has established tight and continuing domestic control, with China seemingly unable to penetrate.

Traditionally China has been the only country with any sort of leverage over North Korea, but ironically the Ukraine conflict has given North Korea closer links with Russia, summit meetings between Putin and Kim in 2023 leading to North Korean ballistic missiles being sent from North Korea to Russia

9. What should we expect for the Indo-Pacific area in 2024?

DS: Probably or possibly .....

(a) Ongoing structural competition between the US and China and India and China, with flexible degrees of counter-balancing by a range of China-concerned states

(b) Closer cooperation between China and Russia in the Indo-Pacific. Their naval cooperation already seen in 2023 will particularly disturb Japan, as well of course as the US.

(c) European actors will be more noticeable in the Indo-Pacific.

- France (in part a resident Indo-Pacific power) will push its collaboration with India.

- Germany will extend its involvement, including naval deployment.

- The UK will try to face down pressure over ceding sovereignty over the Chagos archipelago (British Indian Ocean Territory) and its Diego Garcia base.

- Italy will extend itself more into the Indo-Pacific, expect formal strategy publications from Italy, greater involvement in the Indian Ocean, targeted links with India, and naval projection.

(d) Uncertainties and concerns over Chinese actions and intentions over Taiwan will probably mount.

(e) There will be greater incidents of patrolling through the Taiwan Straits by a wider range of countries.

(f) There is likely to be more close counter coercive encounters between Chinese and US vessels in the South China Sea, and indeed Chinese and Phillipine vessels.

(g) An “easy picking” target could be for China not to attempt a full scale invasion of Taiwan, difficult across the wide Taiwan Straits, but instead go for taking Taiwan’s holding in the South China Sea. Here Beijing could occupy Itu Aba/Taiping Island. Taking this Taiwanese holding would be unlikely to attract military assistance from the US, would be a fairly straightforward operation, and as the largest island in the Spratleys with indigenous water supplies, fertile soil, and some growing capabilities it would strengthen China’s military and legal situation in the South China Sea?

(h) The death of the Dalai Lama in 2024, currently aged 88, with the likely competition between New Delhi and Beijing over his succession, would re-ignite Tibet as an issue in India-China relations.

(i) Iranian activities, funnelled through Houthi missile attacks in the Red Sea, make maritime security in the Western Indian Ocean a growing issue.

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