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China Primer: U.S.-China Military-to-Military Relations

Introduction

The United States and the People's Republic of China (PRC or China) established formal military-to-military (mil-mil) ties in 1979, a year after the two countries established diplomatic relations. Since then, mil-mil relations have waxed and waned, with one side or the other periodically limiting ties in response to perceived transgressions. In recent years, military ties have encompassed regularly scheduled dialogues and exchanges, a handful of military exercises, and ongoing confidence-building measures. Congress has shaped U.S.-China mil-mil relations significantly and could seek to maintain, repeal, create, or modify legislation on this issue going forward.

U.S. and PRC Approaches over Time

Washington and Beijing generally engaged in high levels of military cooperation up until the PRC's June 1989 Tiananmen Square crackdown. In response to the crackdown, the United States suspended mil-mil ties and Congress prohibited U.S. arms sales to China. Although some ties resumed in 1993, they never regained their earlier scope and depth. Even as strategic competition between the two countries has accelerated and the overall bilateral relationship has deteriorated in recent years, both sides continue to emphasize the importance of mil-mil relations as a stabilizing force, and appear committed to sustained dialogue amid tensions.

In the past, China frequently limited mil-mil ties to signal displeasure and attempt to pressure the United States to change certain policies (usually related to arms sales to Taiwan), but it has done this less frequently in recent years. China most recently limited mil-mil ties in 2018, following a U.S. arms sale to Taiwan and the U.S. Treasury Department's sanctioning of the PLA's Equipment Development Department for arms purchases from Russia under the Countering America's Adversaries through Sanctions Act (P.L. 115-44).

China's People's Liberation Army (PLA) is eager to learn from and about the relatively more transparent U.S. military (and, some observers argue, exploit this transparency), but it is reluctant to reciprocate. PRC officials argue that the PLA is an inferior force, and that greater transparency could provide the United States with insights that could undermine the PLA's already weaker position. Similarly, China has resisted committing to military agreements on issues ranging from arms control to rules of engagement for military forces, arguing that doing so would constrain its operational options or jeopardize its strategic position.

The U.S. approach to mil-mil relations in recent decades has aimed to reduce distrust and miscommunication, cooperate on issues of mutual interest, and encourage the

PLA to adhere to U.S.-championed norms and become more transparent about its activities and intentions. The United States also at times has showcased its own military capabilities to the PLA for deterrence purposes. As the U.S. approach to China became more competitive during the Trump Administration, the U.S. Department of Defense (DOD) remained committed to mil-mil relations but adopted a narrower set of priorities, with more focus on risk reduction and less on cooperation. In general, Congress has been increasingly cautious and skeptical about mil-mil relations with China and has passed legislation to limit and enhance oversight of these ties. Most significantly, in the National Defense Authorization Act (NDAA) for Fiscal Year 2000 (P.L. 106-65), Congress restricted military engagement with China to ensure the PLA would not gain combat-relevant skills or know-how from its interactions with the United States (see below for more details).

U.S. policymakers and scholars debate the utility and purpose of military ties with China. Those who argue for further limiting cooperation assess that the balance of benefits from mil-mil ties weighs heavily in China's favor due to the aforementioned asymmetries in military strength and transparency. These observers eschew "talking for the sake of talking," citing instances in which China has refused to discuss certain topics or failed to uphold existing agreements. Instead, they argue that the U.S. approach should be transactional, rewarding China's cooperation with more cooperation and suspending initiatives that are not perceived to deliver sufficient benefits. Proponents of more robust engagement argue the stabilizing effect of mil-mil ties is growing more important as the overall relationship deteriorates, and that even sclerotic negotiations and dialogues offer predictability in an otherwise tumultuous relationship.

Major Elements of Mil-Mil Relations

Many U.S.-China mil-mil activities occur on a regularly scheduled basis, although some or all elements of the mil-mil relationship have been suspended or limited over the years. The number of mil-mil contacts (as reported by DOD, which began annually reporting them in 2010) declined in recent years: after peaking at 41 in 2014, reported contacts did not exceed 20 per year during the Trump Administration.

Dialogues and exchanges: U.S.-China mil-mil dialogues and exchanges include high-level visits of defense officials, longstanding dialogues, military academic exchanges, and functional exchanges. Longstanding dialogues include the Military Maritime Consultative Agreement talks (est. 1998), a forum to discuss concerns about air and maritime operational safety, and the Defense Policy Coordination Talks (est. 2006), which sets the annual agenda for military

exchanges. Bilateral dialogue mechanisms occasionally are impacted by tensions; for example, when the Military Maritime Consultative Agreement dialogue planned for December 2020 did not occur as scheduled, each side blamed the other. Successive U.S. administrations have sought to shape the direction of the mil-mil relationship by altering existing dialogues or establishing new ones.

Confidence-building measures: In 2014, DOD and the PRC Ministry of National Defense signed two memoranda of understanding (MOUs) establishing voluntary confidence-building measures intended to manage risk, enhance mutual understanding, and avoid miscalculation between the two militaries.

- The *Notification of Major Military Activities MOU* promotes reciprocal notification of national security-related information (including major announcements or policy and strategy changes) and reciprocal observation of military exercises and activities. In 2015, the two sides negotiated an annex to “improve and normalize” the use of the Defense Telephone Link for crisis communications. This link, established in 2008, aims to facilitate secure calls between the two militaries. Some observers say China has been reluctant to use the link or commit to protocols for communicating in a crisis.
- The *Rules of Behavior for Safety of Air and Maritime Encounters MOU* seeks to promote safe encounters between the two militaries at sea and in the air (an annex on air encounters was added to the MOU in 2015). U.S. and PRC stakeholders, including government officials, have argued the MOU has been effective, although DOD has publicized several unsafe air and maritime encounters with the PLA in the years since the MOU was signed. These include at least nine incidents between March and May 2020 involving U.S. and PLA aircraft operating over the South China Sea.

Exercises: Since 2017, bilateral exercises have been limited to the U.S.-China Disaster Management Exchange, an annual exercise (since 2005) focused on humanitarian assistance and disaster relief (HA/DR). Both countries have in recent years participated in multilateral exercises held in Australia, Mongolia, and Thailand. Neither side has hosted the other for a naval port visit since 2017.

In compliance with FY2000 NDAA restrictions, U.S.-China military exercises focus on non-combat scenarios and capabilities such as HA/DR, search and rescue, and counterpiracy. The most high-profile exercise in which the United States and China both participated was the U.S.-led multinational maritime exercise Rim of the Pacific (RIMPAC): in 2014 and 2016, the PLA participated in HA/DR drills. Some U.S. policymakers have cautioned that even non-combat exercises with the PLA undermine U.S. interests by providing opportunities for the PLA to hone warfighting capabilities, conferring know-how, experience, and prestige to the PLA. Then-Secretary of Defense Jim Mattis announced DOD had disinvited the PLA from the 2018 RIMPAC exercise, citing China’s “continued militarization of the South China Sea” as a primary reason. The FY2018 NDAA (P.L. 115-232) prohibited China from

participating in future iterations of RIMPAC unless it meets certain conditions, including establishing a “four-year track record of taking actions toward stabilizing the region.”

Real-world cooperation: While the PLA and U.S. military do not conduct combined military operations, they have at times cooperated militarily in limited ways to address nontraditional security threats. Since 2008, the two militaries have coordinated their counterpiracy patrols in the Gulf of Aden through a voluntary multinational coordination and information-sharing mechanism. On at least one occasion, U.S. Navy and PLA Navy ships coordinated responses to an attempted pirating of a Chinese cargo ship off the coast of Oman.

Future Prospects: Some policymakers and observers advocate for establishing or enhancing exchanges on issues such as space, cyber, and artificial intelligence. The Trump Administration has sought to include China in negotiations with Russia to limit nuclear weapons. Beijing has in the past participated in some arms control arrangements, but has long declined to engage in formal negotiations to limit nuclear weapons, and argues that Washington and Moscow should take the first steps toward arms control given their much larger arsenals and greater capabilities.

Congressional Action

Previous major Congressional action related to U.S.-China mil-mil relations includes the following:

Tiananmen sanctions and arms transfer restrictions: Signed into law in 1990 (P.L. 101-246), the Foreign Relations Authorization Act for FY1990-1991 prohibited a range of U.S.-China mil-mil activities, including arms sales. Although some of these restrictions have been lifted, remaining sanctions include prohibitions on the issuance of export licenses for U.S. Munitions List items and crime control equipment to China. Congress has prohibited the export of dual-use items to China over the years as well.

Restrictions on U.S.-China mil-mil activities: In 1999, the FY2000 NDAA prohibited the Secretary of Defense from authorizing any military contact with the PLA that would “create a national security risk due to an inappropriate exposure” of the PLA to 12 operational areas of the U.S. military: force projection operations; nuclear operations; advanced combined-arms and joint combat operations; advanced logistical operations; chemical and biological defense and other capabilities related to weapons of mass destruction; surveillance and reconnaissance operations; joint warfighting experiments and other activities related to transformations in warfare; military space operations; other advanced capabilities; arms sales or military-related technology transfers; release of classified or restricted information; and access to a DOD laboratory.

Reporting requirements: The FY2010 NDAA (P.L. 111-84) required DOD to report on U.S.-China security cooperation, mil-mil activities, and U.S. strategy for future mil-mil engagement in its congressionally mandated (P.L. 106-65) annual report to Congress on China.

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