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14. ABSTRACT China's rise in status as a major power in the western pacific is complemented by growth of aggressive behaviors as it attempts to assert its dominance in the region. The Chinese growth model has necessitated the use of an increasingly large maritime force to further the requirements for their sustained progression, including the unprecedented expansion of its commercial fishing fleet. The People's Armed Forces Maritime Militias (PAFMM) harnesses the asymmetric advantages of this massive commercial industry as an instrument of Chinese power by utilizing tactics not seen previously on the world stage. Their employment methods exploit the ambiguous gray space below the level of armed conflict and give the Chinese a nearly unchecked advantage in the region. USINDOPACOM should aggressively formalize a strategy to counter China's asymmetric Maritime Militias. The strategy should emphasize PAFMM designation as a State Sponsored Threat network, refocusing elements of the post 9-11 Joint Force capabilities and experience on PAFMM, and developing a formal cooperative framework with regional partners to establish a united front to counteract antagonistic PAFMM behaviors in the South and East China Seas.					
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A Roadmap to Contesting PAFMM



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INTRODUCTION

China's rise in status as a major power in the western Pacific is complemented by growth of aggressive behaviors as it attempts to assert its dominance in the region. The Chinese growth model has necessitated the use of an increasingly large maritime force to further the requirements for their sustained progression, including the unprecedented expansion of its commercial fishing fleet. The People's Armed Forces Maritime Militias (PAFMM) harnesses the asymmetric advantages of this massive commercial industry as an instrument of Chinese power by utilizing tactics not seen previously on the world stage. Their employment methods exploit the ambiguous gray space below the level of armed conflict and give the Chinese a nearly unchecked advantage in the region. However, the Chinese fishing and Maritime Militia fleets are slowly gaining notoriety and have captured the interest of U.S. lawmakers. As recently as December of 2021, House Resolution 6158 included legislation titled "Countering the People's Republic of China Maritime Militia Fleet Act" directing further study and reporting from the Department of Defense.¹

USINDOPACOM should aggressively formalize a strategy to counter China's asymmetric Maritime Militias. The strategy should emphasize PAFMM designation as a State Sponsored Threat network, refocusing elements of the post 9-11 Joint Force capabilities and experience on PAFMM, and developing a formal cooperative framework with regional partners to establish a united front to counteract antagonistic PAFMM behaviors in the South and East China Seas.

¹ Congressional Research Service, "U.S.-China Strategic Competition in South and East China Seas: Background and Issues for Congress" 26 January 2022 p.48, taken from <https://crsreports.congress.gov/product/pdf/R/R42784> on 24 Sep 2022. The legislation specifically directed the Secretary of Defense to study and report on the challenges posed by militia fleets in the South China Sea including the options for countering militia fleets and for an assessment of future capabilities needed to address those challenges.

DESIGNATION AS A STATE SPONSORED THREAT NETWORK

Designating PAFMM as a state sponsored threat network is an essential step to building a collaborative case against an otherwise unchecked asymmetric threat. In theaters like the South and East China seas where operations short of war are the norm, "...use of one's combat forces is often restricted due to the content of the political strategic objectives, more restrictive rules of engagement, public perceptions, and the extraordinary influence of social media in shaping the strategic environment."² Threat network designation enables the use of tools and methods in the U.S. range of options otherwise unavailable to counteract PAFMM. It also focuses the collaborative support of key partners and allies within the region, which has remained elusive with regards to a multinational response against PAFMM. To date, the Chinese have successfully utilized PAFMM to exploit the "gray space" in international law and established norms of maritime conduct. PAFMM use first appeared when the Chinese successfully massed militia fishing vessels against South Vietnamese forces in 1974, seizing the disputed territory of the Western Paracel islands³. This early success and the lack of international response encouraged China to adopt a strategy of PAFMM growth as a faster, cheaper, effective, and less escalatory alternative to a large and traditional navy. Over time, they found complimentary uses for PAFMM that provide an excuse for their armed naval forces to accompany the civilian fleet to regions of national interest, while maintaining a threat of overt military action in order to protect fisherman's rights.

² Milan Vego, "Operations Short of War and Operational Art", JPME Today, JFQ 98, 3rd Quarter 2020, National Defense University Press p 48.

³ Derek Grossman, and Logan Ma. "A Short History of China's Fishing Militia and What It May Tell Us." The Rand Corporation, April 6 (2020) p 4.

Gray Zone Employment

The Chinese have become experts at exploiting status ambiguity between civilian vessels operating in an innocent manner, juxtaposed with an aggressive employment concept with the hallmarks of joint military operations. In 2017, the China Maritime Studies Institute uncovered a native language publication in which China's Maritime militias were highlighted and even described this duality that when "putting on military uniforms [they] qualify as soldiers, taking off the uniforms they qualify as citizens."⁴ Because of this very fluid role change, international efforts against PAFMM are continually hamstrung by a debate of appropriate response/force. As leading expert Conor Kennedy claims, "This perceived deniability, however implausible, makes them ideal instruments for pursuing national aims in the gray zone between war and peace."⁵ This leaves the international community with no clear response methods including military intervention against fisherman, law enforcement operations, or other options that do not unintentionally escalate an already precarious situation. The Chinese have demonstrated a willingness to mass their fleets to contest fishing waters while also performing presence operations to reinforce territorial claims. This strategy is confirmed by Senior Colonel He Zhixiang, the leader of a regional militia mobilization department in 2013 when he stated that the militia presence should be constant in "all areas within the nine-dash line."⁶ These tactics

⁴ Conor M. Kennedy, and Andrew S. Erickson. China Maritime Report No. 1: China's Third Sea Force, The People's Armed Forces Maritime Militia: Tethered to the PLA. China Maritime Studies Institute, U.S. Naval War College, 2017 p. 15 ["China Maritime Report No. 1: China's Third Sea Force, The People's Arm" by Conor M. Kennedy and Andrew S. Erickson \(usnwc.edu\)](#)

⁵ Conor M. Kennedy, "Gray Forces in Blue Territory, The Grammar of Chinese Maritime Militia Gray Zone Operations" From Andrew S. Erickson, and Ryan D. Martinson. 2019. China's Maritime Gray Zone Operations. Studies in Chinese Maritime Development. Annapolis, Maryland: Naval Institute Press. p 117. [https://search-ebscohost-com.usnwc.idm.oclc.org/login.aspx?direct=true&db=nlebk&AN=2665375&site=ehost-live](https://search.ebscohost-com.usnwc.idm.oclc.org/login.aspx?direct=true&db=nlebk&AN=2665375&site=ehost-live)

⁶ Conor M. Kennedy, "Gray Forces in Blue Territory, The Grammar of Chinese Maritime Militia Gray Zone Operations" From Andrew S. Erickson, and Ryan D. Martinson. 2019. China's Maritime Gray Zone Operations. Studies in Chinese Maritime Development. Annapolis, Maryland: Naval Institute Press. p. 118 [https://search-ebscohost-com.usnwc.idm.oclc.org/login.aspx?direct=true&db=nlebk&AN=2665375&site=ehost-live](https://search.ebscohost-com.usnwc.idm.oclc.org/login.aspx?direct=true&db=nlebk&AN=2665375&site=ehost-live).

present a conundrum for local nations, because while escalation is unlikely, the sheer number of fishing fleet vessels is overwhelming to manage.

Why PAFMM qualifies

From a state sponsor perspective, China's maritime militias are provided military support through a coordinating command structure, training and equipment. In 2016, PAFMM militias were reorganized and subordinated to five geographically designated theater commands within China which are tasked with mobilization as well as administrative duties and operational control for the militia fleets.⁷ These theater commands coordinate operations within their fleets and handle the tasks of providing training and salaries for the militia during periods of utilization. The largest fleets number in the thousands and are based out of Hainan island operating steel hulled vessels equipped with satellite communications as well as sensors and radars capable of surveilling thousands of nautical square miles.⁸ Additionally, PAFMM units have been observed training alongside Chinese naval vessels during major exercises.⁹ Unfortunately, while the State Sponsor status in their home waters seems straightforward, the legal ambiguity that they exploit in an operational capacity creates uncertainty when consulting precedents for also denoting them a "threat network".

⁷ Morgan Clemens and Weber, Michael, Rights Protection versus Warfighting, Organizing the Maritime Militia for Peace and War. from Andrew S. Erickson, and Ryan D. Martinson. 2019. China's Maritime Gray Zone Operations. Studies in Chinese Maritime Development. Annapolis, Maryland: Naval Institute Press. p 99 <https://search-ebscohost-com.usnwc.idm.oclc.org/login.aspx?direct=true&db=nlebk&AN=2665375&site=ehost-live>

⁸ Mark A. Stokes, China's Maritime Militia and Reconnaissance-Strike Operations from Andrew S Erickson, Ruan D. Martinson, China's Maritime Gray Zone Operations p. 111 – 112 . <https://search-ebscohost-com.usnwc.idm.oclc.org/login.aspx?direct=true&db=nlebk&AN=2665375&site=ehost-live>.

⁹ Conor M. Kennedy, "Gray Forces in Blue Territory, The Grammar of Chinese Maritime Militia Gray Zone Operations" from Andrew S. Erickson, and Ryan D. Martinson. 2019. China's Maritime Gray Zone Operations. Studies in Chinese Maritime Development. Annapolis, Maryland: Naval Institute Press. p. 119 <https://search-ebscohost-com.usnwc.idm.oclc.org/login.aspx?direct=true&db=nlebk&AN=2665375&site=ehost-live>.

The Legal Designation

Designating an organization as a threat network is a nuanced argument because much of the framework in place for this designation is focused on terrorism. Unfortunately, a universally accepted categorization for PAFMM is elusive. As leading expert Connor Kennedy claims, “...to date there has been no systematic effort to define the range of dispute-related operations it performs.”¹⁰ Current joint doctrine also fails to make mention of militias in a maritime context.¹¹

¹² ¹³ When threat networks are referenced, they usually are tied to terrorism/transnational criminals and the associated flow of arms, finance, or smuggling operations. The U.S. Department of State officially designates terrorist organizations and broadly categorizes them as foreign, and which possess or retain the ability and intent to harm the United States or its citizens¹⁴. While some actions of PAFMM could be described as terroristic in their aims to disrupt and act in coercive and aggressive manners, PAFMM writ large appear to operate as typical civilians involved in commercial activities when not actively pursuing operations directed by the State (China). This undefined categorization is precisely why PAFMM are effective. Their dual use status is fluid and switches nearly instantaneously from civilian activities to state directed operations.

¹⁰ Conor M, Kennedy, “Gray Forces in Blue Territory, The Grammar of Chinese Maritime Militia Gray Zone Operations” From Andrew S. Erickson, and Ryan D. Martinson. 2019. *China’s Maritime Gray Zone Operations*. Studies in Chinese Maritime Development. Annapolis, Maryland: Naval Institute Press. p.117 [https://search-ebscohost-com.usnwc.idm.oclc.org/login.aspx?direct=true&db=nlebk&AN=2665375&site=ehost-live](https://search.ebscohost-com.usnwc.idm.oclc.org/login.aspx?direct=true&db=nlebk&AN=2665375&site=ehost-live)

¹¹ U.S. Office of the Chairman of the Joint Chiefs of Staff, *Joint Publication 5-0: Joint Planning* (Washington, DC: JCJS, 1 December 2020). <https://www.jcs.mil/Doctrine/Joint-Doctrine-Pubs/>

¹² U.S. Office of the Chairman of the Joint Chiefs of Staff, *Joint Publication 3-0: Joint Operations* (Washington, DC: JCJS, 18 June 2022). <https://www.jcs.mil/Doctrine/Joint-Doctrine-Pubs/>

¹³ U.S. Office of the Chairman of the Joint Chiefs of Staff, *Joint Publication 3-25: Countering Threat Networks* (Washington, DC: JCJS, 21 December 2016). <https://www.jcs.mil/Doctrine/Joint-Doctrine-Pubs/>

¹⁴ U.S. Department of State Foreign Terrorist Organizations, Bureau of Counterterrorism, from <https://www.state.gov/foreign-terrorist-organizations/>, accessed on 20 Sep 2022.

There is room to maneuver in further policy however, as Section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 defines "terrorism" as "premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents."¹⁵ PAFMM, while clearly exhibiting the hallmarks of state sponsorship, could fall within this definition of the U.S. Department of State. By applying this definition, and declaring PAFMM a State Sponsored Threat network, the tools normally available to combat terrorist organizations are made available to combat PAFMM at the discretion of the Joint Force Commander.

Why Legal Status is Important

The crux of the argument for designation as a state sponsored threat network is that it forces the Chinese to publicly acknowledge that they support PAFMM (and the antagonistic operations they undertake), or that militia vessels are not operating under PRC direction or guidance and are instead incidents of fisherman acting independently and unprofessionally. In June of 2020, Indonesian scholars reviewing the status of maritime militias with respect to international law concluded that “the constant shift of maritime militias’ functions had denied it of a sovereign immunity conferred by UNCLOS 1982...”; however, it also admitted that there was sufficient ambiguity requiring further international laws to clarify status and acceptable frameworks for dealing with militia vessels.¹⁶ If China openly acknowledges the use of PAFMM, then it is also openly acknowledging that they are behind the coercive (and often hostile) activities on the spectrum of competition below military conflict in the global

¹⁵ U.S. Department of State Archive, Foreign Relations Authorization Act, Fiscal Years 1988 and 1989: Terrorism Definition, taken from <https://2001-2009.state.gov/s/ct/rls/fs/08/103401.htm>

¹⁶ Novena Clementine Manullang, Achmad Gusman Siswandi, and Chloryne Trie Isana Dewi. 2020. “The Status Of Maritime Militia In The South China Sea Under International Law Perspective”. *Jurnal Hukum IUS QUIA IUSTUM* 27 (1):23-44. <https://doi.org/10.20885/iustum.vol27.iss1.art2>

commons.¹⁷ If they do not, then they expose PAFMM vessels to the argument that they are not protected state vessels and can be treated under a legal framework of law enforcement activities under the customs and norms of the seas. Regardless of Chinese acknowledgment or disownment of overt PAFMM activities, the designation as a state sponsored threat network will allow other components of the Department of Defense, U.S. Government, and partners and allies to engage against the militias.

REFOCUSING POST 9-11 JOINT FORCE CAPABILITIES

In a post 9-11 world, the Joint Force has developed organizations, specialized hardware, and gained the operational experience through successful utilization to combat terrorism across vast domains. These capabilities can be repurposed to focus on the PAFMM threat network in a highly effective manner and in an approach that has not yet been tried.

Organizations and Cross-Collaboration

Many organizations have significant technical knowhow and processes in place to prosecute threats which are historically terrorist-focused in nature. Their expertise is also applicable to the current asymmetric problem-set posed by the China's maritime militias. For example, the Defense Threat Reduction Agency (DTRA) has historically focused on countering trans-regional and multidomain weapons of mass destruction as a DOD support agency falling under USSOCOM¹⁸. Traditionally thought of as a non-state actor/counter VEO focused agency, DTRA's expertise has grown beyond weapons of mass destruction to also include understanding and illuminating threat networks and integrating analytics across many governmental agencies.

¹⁷ This general concept of forcing a definitive "yes or no" overt acknowledgment by the Chinese on PAFMM utilization due to proposed designation as a Dept of State extremist organization was initially presented by Lt Col Jeffery "SLAM" Cameron during the author's initial research.

¹⁸ Vayl S. Oxford "Countering Threat Networks to Deter, Compete, and Win. JFQ 95, 4th Quarter 2019, p 79.

It has developed collaborative tools and habitual relationships which enable agile and rapid dissemination of useful intelligence to decision makers across agencies both inside the DOD and among other governmental agencies including certain key non-U.S. partners and allies¹⁹.

DTRA's extensive web of contacts, as well as its decades of expertise, make the agency well suited to focus on the South and East China Sea's asymmetric actors. By analytically targeting militia vessels and exposing specific links back to Chinese PAFMM organizational hierarchy, a virtual data repository can be established to arm decision makers with attributable examples of PAFMM activities.

Similarly, USSOCOM's rise in size, budget, and capabilities are consequences of the War on Terror. As a Functional Combatant Command that is the DOD's worldwide coordinating authority for both countering trans-regional terrorist organizations and other threat networks, USSOCOM's experience is vast²⁰. Designation of PAFMM as a threat network would allow elements of the SOCOM enterprise to bring unique capabilities to bear upon the PAFMM fleet. SOCOM is comfortable operating in the "gray" spaces of the world, as they've been doing so for decades. Since 9-11, USSOCOM has "developed closely integrated teams at the tactical and operational levels to meet critical counterterrorism objectives. These task force structures are flat, agile, bring together diverse interagency tools and authorities, and remain laser-focused on a specific outcome."²¹ Not only do these organizations and teams bring experience to prosecuting complex problems across the competition continuum, they can also take advantage of SOCOM's

¹⁹ Vayl S. Oxford "Countering Threat Networks to Deter, Compete, and Win. JFQ 95, 4th Quarter 2019. p 80

²⁰ Statement of General Raymond A. Thomas, III, U.S. Army Commander, United States, Special Operations Commander, before the House Armed Services Committee Subcommittee on Emerging Threats and Capabilities, May 2, 2017, taken from <https://www.socom.mil/Pages/posture-statement-hasc.aspx>, on Oct 1 2022.

²¹ Kevin Bilms and Costa, Christopher P., "Look at Great Power Competition Through a Special Operations Lens," Defense One, June 18, 2020 <https://www.defenseone.com/ideas/2020/06/putting-special-operations-lens-great-power-competition/166241/>

coordinating authority, providing the Joint Force Commander relatively low cost options that are suited to engaging a non-traditional state sponsored actor in a way that capitalizes on their operational strengths and experiences. Employment of SOCOM's resources should not require significant investment in new capabilities or extensive new force structure to accomplish.

The Hardware We Need

Continuing the theme of reimagining tasks and purposes for existing capabilities, Remotely Piloted Aircraft (RPA) are a viable option in the Joint Force Commander's toolkit for PAFMM identification and interdiction. With long loiter time, an array of sensors, and near real-time retasking ability, they are well suited for the vastness of the South and East China Seas. In a recent exercise Rim of the Pacific (RIMPAC) 2022, an MQ-9 UAV was retasked from a training mission to assist in a search and rescue operation involving a partner nation ship that had become disabled and caught fire²². This instance is an excellent example of a dynamic situation where an asset was able to create situational awareness and flexibility for the joint force. The target set, (a disabled ship), is very similar to the types of vessels that would theoretically be of interest if UAVs were utilized identifying PAFMM behaviors. In addition, the ability to stay overhead and on station for up to 27- hours (in the example of an MQ-9)²³ and record full motion video as the all-seeing eye, is a valuable capability for building the body of evidence against PAFMM behaviors. The ability to identify, observe, record, and catalogue PAFMM vessels openly committing hostile and aggressive actions gives significant leverage to U.S diplomats and

²² David Roza, How an Air Force Reaper drone helped save lives aboard a burning ship in the Pacific, Task and Purpose, Published Aug 24, 2022. <https://taskandpurpose.com/news/air-force-mq-9-reaper-rescue-mission/>
The MQ-9 crew, operating out of a base in New Mexico, was re-tasked, located the disabled vessel, and loitered overhead long enough to send vital full motion video via satellite uplink directly to the exercise control center at the Pacific Warfighting Center in Hawaii.

²³ John J. Zaimis *RPAs in the Gray Zone: An Asymmetric Advantage for the Operational Commander*. NAVAL WAR COLLEGE NEWPORT RI NEWPORT United States, 2018, pg 4.

partner nation officials as they attempt to counteract PAFMM with non-escalatory response options. UAV's are an essential enabling tool in that approach.

Deterrence Operations

While organizations and hardware are necessary ingredients required to challenge PAFMM, there are additional classified capabilities that, when combined with the various agencies, operators, and supporting architecture, can create a powerful force to deter PAFMM. As JP 5-0 states, deterrence activities are designed to alter an adversary's decision calculus, may also demonstrate US commitment to a region, ally, partner, or principle and may even "demonstrate a capability designed to deny an adversary the benefits of an undesired action."²⁴ The types of Task Forces and non-traditional, cross functional teams that have been honed throughout the post 9-11 years can adapt to the PAFMM problem. While the possibility of kinetic action against PAFMM is not the first choice, the threat of that ability via UAV armed overwatch (or other means), could be a powerful deterrent. However, even with sophisticated detection means, positively identifying and observing PAFMM antagonistic actions remains difficult.

For Deterrence operations to practically take place, we must acknowledge the South and East China seas are vast, and resources available to monitor them are limited. Thus, an approach utilizing deterrence operations within certain known areas where coercive tactics have a higher probability of being observed is essential to success. These areas are typically near exploratory oil and gas wells, resource rich areas frequented by fishing fleets, or geographic key terrain characterized by shallow waters and few avenues of access. Historic examples include areas of

²⁴ U.S. Office of the Chairman of the Joint Chiefs of Staff, *Joint Publication 5-0: Joint Planning* (Washington, DC: JCJS, 1 December 2020), V-3. <https://www.jcs.mil/Doctrine/Joint-Doctrine-Pubs/>

past tensions like Scarborough Shoal or Second Thomas Shoal in the Philippines, and in Japanese waters near the Senkaku islands.²⁵ The end goal of positioning the appropriate assets in time and space to observe PAFMM in action, is undeniable video evidence. A body of video evidence in conjunction with the power of social media becomes the catalyst for building public awareness and harnessing international opinion/pressure against these types of activities. Mechanisms of international law, regional trading alliances, and even the court of public opinion, must be coordinated for the purpose of applying pressure against PAFMM activities and usage.

DEVELOPING A COOPERATIVE FRAMEWORK WITH PARTNERS

Deterrence operations and the evidence they harvest are effective only if certain regional key actors and stakeholders are willing to actively participate against PAFMM. The U.S. will not prevail in the court of international opinion if it is the sole voice of opposition. Fortunately, there are several nations with close relationships (mutual defense treaty signatories)²⁶ with the United States, and who also share the unfortunate distinction of being victims to many PAFMM aggressive incidents. Japan has a longstanding dispute with China over the Senkaku islands. As recently as 2016, a large formation of approximately 100 Chinese fishing boats, many operated by PAFMM crews, sailed into the disputed waters of the Senkaku islands and remained until eventually driven off by Japanese vessels. Similarly, the Philippines have had a much more

²⁵ Derek Grossman, and Logan Ma. "A Short History of China's Fishing Militia and What It May Tell Us." The Rand Corporation, April 6 (2020). <http://www.maritimeissues.com/history/a-short-history-of-chinas-fishing-militia-and-what-it-may-tell-us.html#:~:text=A%20Short%20History%20of%20China%E2%80%99s%20Fishing%20Militia%20and,Derek%20Grossman%20and%20Logan%20Ma%20April%206%2C%202020>

²⁶ U.S. Department of State, U.S. Collective Defense Arrangements, from <https://2009-2017.state.gov/s/l/treaty/collectivedefense/index.htm>

confrontational history with regards to PAFMM activities in its home waters²⁷. Together, these two nations represent some of the longest running defense partnerships with the U.S in the Pacific region and confronting the PAFMM threat is in their collective interest.

Joint Pub 3-25 states in order to counter Threat Networks, Commanders "...must be able to employ a joint force to work with interagency and interorganizational security partners in the operational area to shape, deter, and disrupt threat networks. They may employ a joint force with PNs to neutralize and defeat threat networks".²⁸ While there are others with a history of PAFMM encounters, both the Philippines and Japan are the most promising to begin building coordination activities and mechanisms for PAFMM confrontation. They could benefit from the longstanding defense cooperation activities which offer a good vehicle to expand upon. USINDOPACOM possesses a model for working in cooperation with other nations against threats within the conflict continuum through Joint Interagency Task Force-West - an organization that coordinates activities from sensor platforms across the interagency and international partners. It catalogues and interdicts illegal activities within INDOPACOM's area of responsibility with the primary focus on law enforcement and drug interdiction.²⁹ It could serve as a blueprint for a similar organization consisting of U.S., Japanese, and Philippine agencies focused on the South and East China seas, or even expand its scope and target the PAFMM threat network with its existing structure and authorities.

²⁷ Tudor CHERHAT, "South China Sea: Asymmetric Conflicts. The Role Paramilitary Forces of Chinese." *Conflict Studies Quarterly* 39 (2022). From 1995 through 2020 there have been at least 5 major incidents involving PAFMM vessels and Philippine fishing or governmental vessels ranging in activities from fishing harassment, resource exploitation disruption, and ramming incidents.

²⁸ Office of the Chairman of the Joint Chiefs of Staff, *Joint Publication 3-25: Countering Threat Networks* (Washington, DC: JCJS, 21 December 2016), I-3.

https://www.jcs.mil/Portals/36/Documents/Doctrine/pubs/jp3_25.pdf

²⁹ Joint Interagency Task Force West, U.S. Indo-Pacific Command, <https://www.pacom.mil/JIATFW/>

By, With, and Through

Foreign military sales offer another opportunity to aid partner nations to stand up to PAFMM. Using new hardware and the training that accompanies it, the U.S. military can shape tactics and proficiency for nations with less capable militaries. According to [globalsecurity.org](https://www.globalsecurity.org), USINDOPACOM annually participates and partners with foreign militaries in over 1,500 exercises or engagements.³⁰ The ability to participate with Japan and the Philippines during even a fraction of these engagements would bolster their own capabilities and processes for the PAFMM fight. Additionally, the U.S. Coast guard has made great strides in aiding foreign countries with techniques for law enforcement activities. These Law Enforcement Detachments (LEDets) can help to train foreign coast guard and navies with techniques and procedures that sufficiently straddle the line between military and law enforcement activities, ideally suited for operations against Chinese maritime militias.³¹ With U.S. intelligence and sensor networks leveraging partner forces to be the face of the confrontation in their own territorial waters, the combined array of a modified joint targeting cycle with a partner nation “finish” under a law enforcement arrangement can serve as the tactical roadmap to what successful counter PAFMMS operations look like.

COUNTERARGUMENT

Opponents to formalizing a PAFMM strategy may dispute the need to counter the organization in the first place. Usage of Chinese maritime militias are in line with the long-standing tradition of the use of civilians to augment Chinese armed forces. Maritime militias are

³⁰ <https://www.globalsecurity.org/military/ops/ex-pacom.htm>, taken on 3 Oct 2022.

³¹ Lieutenant Andrew Ray, U.S. Coast Guard, *Employ Coast Guard LEDets in the Indo-Pacific*, U.S. NAVAL INSTITUTE, August 2020, Vol 146/8/1,410, from <https://www.usni.org/magazines/proceedings/2020/august/employ-coast-guard-ledets-indo-pacific>

just the natural extension of this practice initially focused on coastal defense³². Morgan Clemens and Michael Weber argue, “The organizational and technological simplicity of many PAFMM units and vessels, which makes the force so cost-effective and versatile, also serves to render large portions of it unsuitable for the more specialized and technical missions and roles that Chinese policy assigns to it in wartime”.³³ PAFMM are difficult to command and control, especially during overt conflict and may become a liability to the more professionalized navy and coast guard. Motivation for PAFMM forces may also be a concern, as militias “may not share the state’s ideological goals or owe it much allegiance; their fighters might seek economic gain or local status more than any particular political agenda”.³⁴ These concerns directly contribute to the practical realities of repurposing a fishing fleet for non-fishing activities. The fleets are subject to economic conditions, the fishing seasons, and vessel maintenance and availability³⁵. Coordination for the above factors makes the fleets more of an ad hoc arrangement and are difficult to count on in terms of reliable capabilities and availability for higher-end military operations.

While there are merits to this line of thinking, the flawed logic is that it will be ineffective during times of hostilities. The effectiveness or ineffectiveness of PAFMM during conventional conflict is largely irrelevant. In the competition continuum, one could expect that increasing

³² Derek Grossman, and Logan Ma. "A Short History of China's Fishing Militia and What It May Tell Us." The Rand Corporation, April 6 (2020) p 2. <http://www.maritimeissues.com/history/a-short-history-of-chinas-fishing-militia-and-what-it-may-tell-us.html#:~:text=A%20Short%20History%20of%20China%E2%80%99s%20Fishing%20Militia%20and,Derek%20Grossman%20and%20Logan%20Ma%20April%206%2C%202020>

³³ Morgan Clemens and Michael Weber, “Rights Protection versus Warfighting, Organizing the Maritime Militia for Peace and War”. from Andrew S. Erickson, and Ryan D. Martinson. 2019. “China’s Maritime Gray Zone Operations”. Studies in Chinese Maritime Development. Annapolis, Maryland: Naval Institute Press. p. 98 <https://search-ebshost-com.usnwc.idm.oclc.org/login.aspx?direct=true&db=nlebk&AN=2665375&site=ehost-live>

³⁴ Ariel Ahram. *Proxy warriors: the rise and fall of state-sponsored militias*. Stanford University Press, 2011. p 14

³⁵ Morgan Clemens and Michael Weber, “Rights Protection versus Warfighting, Organizing the Maritime Militia for Peace and War”. from Andrew S. Erickson, and Ryan D. Martinson. 2019. “China’s Maritime Gray Zone Operations”. Studies in Chinese Maritime Development. Annapolis, Maryland: Naval Institute Press. p. 99 <https://search-ebshost-com.usnwc.idm.oclc.org/login.aspx?direct=true&db=nlebk&AN=2665375&site=ehost-live>

hostilities to the point of conventional conflict are not the currently stated goal of the PRC. As we have seen demonstrated through policy papers and internal Chinese military think tanks, China's aggressive attempts to achieve its objectives in the region are through all means short of armed conflict³⁶. Thus, PAFMM can reasonably be expected to see continued utilization for all the same historical reasons – it is sufficiently difficult to attribute directly to military actions, it continues to establish a maritime presence in disputed waters, and it threatens other international actors without overt escalation. Therefore, the stated requirement for a strategy to categorize and implement coordinated action against PAFMM remains.

CONCLUSION

Designating PAFMM a state sponsored threat network circumvents the dubious civilian versus military status issue. This designation forces China to either openly acknowledge or disavow PAFMM activities, which closes the semantics/regulatory status of forces loophole that the Chinese are exploiting. By designating PAFMM a threat network, additional capabilities from the joint force can be brought to bear. These capabilities can utilize existing areas of expertise and coordinating mechanisms to enact deterrence operations against PAFMM. By partnering with regional actors, the operational approach will utilize the joint targeting cycle to expose PAFMM in the court of international opinion.

³⁶ Abhijit Singh *Deciphering Grey-Zone Operations in Maritime-Asia*, Observer Research Foundation (ORF) Special Report #371, August 2018 p 8.

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