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The EU-China Strategic Partnership: Counter-Piracy Cooperation Game-Changer?

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BENJAMIN BARTON, JUN 3 2013

A decade in world politics can often feel like a lifetime. Ten years ago, political leaders from either side of the EU-China spectrum could not help but look ahead to the promise of a bright future for close bilateral collaboration. Not only was bilateral trade soaring, surpassing all expectations, but both parties were basking in the light of their “honeymoon period” (Men 2007: 4), out of which their Strategic Partnership (SP) was born. Fast-forwarding to 2013 and the same feeling of mutual goodwill has slowly frittered away. Indeed, for all the progress made on the commercial side of the partnership, the political dimension has constantly lagged behind, with divergences on interests and values proving to be persistent stumbling blocks.

To this end, the SP had originally been conceived as a means to bridge this imbalance between economics and politics, by institutionalising a spirit of reciprocity and cooperative engagement on all bilateral concerns of a political nature. Despite the good intentions encapsulated by the SP, in actuality, this situation failed to materialise, with several examples pointing towards the disjuncture between high-level rhetoric and practical reality. And yet, one aspect of their bilateral ties appears to have gone against this pattern of unfulfilled expectations: counter-piracy cooperation in the Indian Ocean. As this paper will outline, the reason behind this relatively successful bilateral engagement was less the result of non-binding shared political principles, but rather stemmed from bottom-up respect, pragmatism and understanding by low-politics actors from both sides, within the wider context of international counter-piracy efforts. Thus far, this example may represent the exception rather than the rule, but the outcomes of this bilateral interaction may provide the missing ingredients in getting the SP to bridge this political divide over the course of the next decade.

The Strategic Partnership ‘Bridge’

With the inception of official bilateral relations in 1975, most analysts had considered the early years of Sino-European ties as “irrelevant” (Yahuda 1994: 282), both in relation to international relations (IR) but also in terms of overall political output. By the turn of the 21st century, this situation had somewhat evolved. In the space of two decades, from 1981 until 2002, their trade relations had overseen a 24-fold increase, from US\$5 billion to US\$118 billion respectively (Men 2008: 21; Brødsgaard & Hong 2009: 13). By this time, not only had China become the EU’s second trading partner but the consequences of this volume of commercial exchange could no longer be classified as irrelevant or inconsequential, both to world trade and IR writ large (Pastor & Gosset 2005: 1).

Yet, this ‘overnight’ transition from a negligible partnership to a scenario where their common decisions held relatively important bilateral and international repercussions was neither expected, nor sufficiently anticipated. The tools at hand – such as policy papers or annual summits – were ill-adapted for the political upgrade needed to complement the burgeoning nature of their commercial interaction. In effect, for all the beneficial side-effects brought upon by flourishing business activity on both sides, age-old divergences over political interests, values and practices subsisted. The EU and its postmodern take on the universalisation of democracy and the promotion of basic rights was still a far cry from Beijing’s realist “national-interest-driven” reading of world politics and upholding of the non-interference/state sovereignty principles (Zhao 2004: 4; Vogt 2012: 67). Potentially, such political divergences ran the

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risk of derailing the partnership and subsequently jeopardising progress realised on the economic front.

In a bid to avoid these worse-case scenarios, whilst building upon the goodwill generated by impressive trade statistics, decision-makers on either side agreed on the need to upgrade the bilateral relationship in the shape of the SP. The basic idea, in this respect, was to provide a reinvigorated platform to fast-track the political dimension. Ironically, no commonly assembled definition of the SP was ever officially produced. Nonetheless, from the political statements that ensued from the 2003 declaration, the SP transpired as a mechanism seeking to bring awareness to the need for reciprocity and cooperative engagement on any bilateral topic with either strong political overtones or pertaining to an international remit. The underlying objective sought to institutionalise, in a non-binding fashion, these principles into their political interactions. In other words, the SP constituted a mutual socialisation exercise to avoid compromising respective individual and bilateral (economic) interests.

In effect, former Chinese Premier Wen Jiabao and the European Commission (EC), both respectively paid heed to the notion of the SP as a 'lock-in' mechanism, although doing so without a pad or a key. Wen asserted that:

cooperation should be long-term and stable, bearing on the larger picture of EU-China relations. It transcends the differences in ideology and social systems, and is not subjected to the impact of individual events that occur from time to time. By partnership, it means that the cooperation should be equal-footed, mutually beneficial and win-win. The two sides should base themselves on mutual respect and trust, endeavour to expand converging interests and seek common ground on the major issues while shelving differences on the minor ones (cited in Caira 2010: 266).

The EC thereafter concurred:

The EU's fundamental approach to China must remain one of engagement and partnership. But with a closer SP, mutual responsibilities increase. The partnership should meet both sides' interests and the EU and China need to work together as they assume more active and responsible international roles, supporting and contributing to a strong and effective multilateral system. The goal should be a situation where China and the EU can bring their respective strengths to bear to offer joint solutions to global problems (European Commission 2006: 2).

The stage had thus been set – political relations could now accrue on the basis of institutionalised top-down principles of reciprocity and cooperative engagement, whether the issue at stake simultaneously fell within or beyond bilateral strictures. In theory, now that the fundamentals were in place, decision-makers could satisfy themselves that the hardest appeared to have been achieved. In practice, of course, the SP's bedding-in process was anything but smooth, as it struggled to live-up to expectations.

Teething Problems

No sooner had the SP reached the eve of its second anniversary that it had already been beset by a string of political crises, to which it demonstrated the true limits of its ability in carrying forward the political dimension. After such events as the 2005 'Bra Wars' (White & Gow 2005) or the Chinese request for Market Economy Status (Willis 2010), it was the arms embargo ordeal which became symptomatic of the SP's failings.

In and around 2004-2005, on the back of the wave of bilateral goodwill characteristic of the early 2000s, former French President Jacques Chirac and former German Chancellor Gerhard Schröder, decided that time had come to do away with the 1989 arms embargo, which figured as a political stain on the newly redrafted bilateral note sheet. Their decision was as much idealistic and it was egoistic: the embargo went against the SP's newfound principles of reciprocity/cooperative engagement, whilst lucrative rewards were in store should they succeed in getting the ban removed. Sensing that other member states would possibly follow their lead, they boldly proposed lifting it at the EU Council. Beijing, in the meantime, was unsurprisingly satisfied given the long-standing pressure it had been applying on the EU to remove this ignominious stain. At first, the initial response appeared favourable – the EU would therefore be setting the tone to the SP, by laying down a significant marker of reciprocal behaviour and cooperative engagement, in anticipation that Beijing would do the same. Ultimately, though, it all came crashing down.

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In synthesis, once the proposals had formally been made, the EU reverted back to its traditional political roots and backtracked on the whole process. Not only had some member states shown signs of reluctance in lifting the embargo on the basis of doubts looming over political progress made on China's domestic front, but they also failed to see the exact benefits of lifting the embargo. On top of that, many remained unconvinced that reciprocity and cooperative engagement with China was such a smart idea given the sensitivities of Washington's relations with Beijing. Indeed, they were not mistaken – soon after hearing about the possibility of removing the ban, the United States (US) forcefully made its displeasure known to European capitals. Those member states which had previously been wavering on the issue, soon reverted course, pledging their allegiance instead to transatlantism. Consequently, given the need for unanimity within the EU Council to repeal the embargo, the Franco-German proposal was swiftly put to rest (Casarini 2007).

For its part, China had not facilitated the process, by voting-in the 2005 anti-Secession law, targeting Taiwan in the eventuality of the latter claiming independence. Obviously, reciprocity towards the EU had not featured at all when voting this law, which had initially triggered vociferous American opposition to the Franco-German proposal, in light of the 1979 Taiwan Relations Act. In sum, in no shape or form could the rewards on offer promulgated by Beijing outweigh Washington's power of argumentation and influence – an underlying reality insufficiently factored into the SP. Ironically, in wanting to show their commitment to the institutionalisation of political reciprocity and cooperative behaviour, Chirac and Schröder's proposal dealt a near-death blow to the SP (Wacker 2005).

Indeed, the arms embargo ordeal had come to illustrate the ideal opportunity for both sides to demonstrate their true commitment to their SP declaration – in the face of tough political choices, both will do their utmost to stand together rather than fall apart. Having been very close to implementing these vows, they were instead left with a bitter feeling of disillusion: for all the fast-paced economic strides made within the context of their bilateral relations, politically their core affiliations, interests and values continued to remain as perceptibly distant as the space separating them in geographic terms. Thereafter, with the arms embargo ordeal unearthing the true state of their political relationship, the SP has struggled to recover its early form. As a case in point, negotiations on the Partnership and Cooperation Agreement have been on a perpetual standstill since 2007 – again as a causality of divergences over human rights (van der Borgh & Zhang 2010: 71) – whilst reciprocity and cooperative engagement were non-existent during the 2009 Copenhagen Climate Change Conference (Lynas 2009).

In essence, this sequence of setbacks highlights the ill-suited approach of applying a top-down set of non-binding political principles, in the assumption that doing so would suffice in overcoming long-standing suspicion and mistrust. Not only does this approach overlook the time factor underpinning EU-China relations (it took thirty years to reach the SP milestone), but it primarily fails to acknowledge the idea that solid political relations emanate as much from top-down stimulus, as they do from bottom-up input. In this respect, the SP may need to come-in for a makeover during the next decade.

Counter-Piracy Cooperation: A Bottom-Up Template for the SP?

In 2008, the international community was faced with the phenomenon of increasingly successful Somali pirate attacks on shipping transiting off the Horn of Africa (HoA). This threat had caught the eye due to the audacity of these acts of piracy and also because of the relatively unified response it drew from the international community. As a matter of fact, practical cooperation and coordination witnessed off the HoA between such disparate actors as Iran, Russia, the US, Japan and India had previously been unheard of over the last half-century. China and the EU also figured amongst this list of actors, as their commercial ships – often transiting goods through the region fuelling their economic ties – were affected by the problem.

The EU became one of the first actors to develop a response to the piracy phenomenon. By putting together its NAVFOR Atalanta operation, it sought to escort vessels from the World Food Programme (WFP) to/from Somalia, protect vulnerable shipping and repress acts of piracy (EU Council 2008). Naturally, the idea of launching a European mission was designed above all to cater for the needs of European citizens and shipping companies affected by the sudden rise in pirate attacks. However, decision-makers and naval officers working under the NAVFOR mandate soon realised that piracy represented as much a threat as it did a strategic opportunity. Being the

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EU's first maritime operation, NAVFOR offered the chance not only to accelerate the development of the Common Foreign and Security Policy, but also to promote the EU as a proactive international player capable of holding its own alongside other prominent powers. NAVFOR thus set about taking numerous initiatives, setting the tempo in organising international counter-piracy efforts and looking, where possible, to exert a degree of influence.

As far as it was concerned, China arrived much later to the party. Understandably, the decision to deploy naval forces was not taken lightly given that it had not done so in over 500 years. Under pressure to act, the sum of the advantages in doing so quickly and markedly outweighed the possibility for inaction. Contributing to the fight against piracy would consequently allow Beijing to protect its national interests without relying upon other (Western) forces to do so, therefore quelling any possible domestic grumblings whilst creating a platform reinforcing its strategic interests in the region (Wang 2008). Indeed, domestically, Beijing could deploy vessels to demonstrate its activism by offering protection not only to Chinese sailors or vessels, but also to those from Taiwan, Hong Kong and Macau. Moreover, it also had to consider the possible repercussions of Somali piracy on the country's economy, in light of natural resource imports from Saudi Arabia, Iran or Sudan sailing through the region.

Beyond domestic concerns, not deploying would only fuel the fire of critics claiming that China free-rides on the back of the international community, shirking its duties as a "responsible stakeholder" (Gill et al. 2007). In parallel, not involving itself would also amount to reneging on the chance to both reinforce its strategic interests in the Indian Ocean region by enhancing its interaction with littoral states, thus further cultivating its soft power and "peaceful development" (Zheng 2013). Finally, dispatching a contingent to fight piracy would allow the People's Liberation Army Naval (PLAN) to gain in real-time exposure to out-of-area operations – as sought by Hu Jintao's 2004 call for the armed forces' participation in "New Historic Missions" (Mulvenon 2009). Convinced by the necessity to involve itself, Beijing ordered the dispatch of three of its newest warships to the region.

No longer had China staked a claim to fight piracy that NAVFOR sought to establish close working ties with the PLAN, as it had done with other independent deployers such as Russia or India. NAVFOR's primordial intention concerned improving the coordination among the different naval forces present via tactical deconfliction, as well as the optimal usage of scarce naval resources. Indeed, even at its peak, the international community found itself with no more than 30 vessels looking to patrol an area the size of the European continent, whilst pirates raged rampantly. To achieve its objective, NAVFOR could count upon the support of two other coalitions, in the shape of the Combined Maritime Forces (CMF) and NATO, who shared similar views on the steps to be taken by the maritime forces to deter piracy. However, it soon became apparent that the larger obstacle concerned the integration of independent deployers, such as China, into a collective effort in fighting piracy. Yet, in the wider scheme, NAVFOR also sought to utilise cooperative engagement with the PLAN on counter-piracy as a conduit for improving Sino-European relations, but doing so in such a way as to change the manner with which the SP 'game' had hitherto been played. By developing a relationship built on mutual trust, depoliticised cooperation and bottom-up initiative, NAVFOR – with the assistance of the other coalitions – spearheaded a campaign targeted at getting the PLAN to form an integral part of the international community's efforts. Initially, this campaign was met with resistance by Beijing, but NAVFOR persisted with its efforts, which were facilitated by the conjunction of a number of favourable conditions. Consequently, by the end of 2009, China had u-turned on its initial tactical approach, preferring instead to align itself alongside the international community's efforts.

In effect, as early as January 2009, NAVFOR had already reached out to the PLAN by proposing a bilateral Framework Agreement in the context of counter-piracy, as a symbolic gesture to entice the latter.[1] Despite such courtesy, the PLAN remained under strict orders to protect Chinese interests independently, steering clear from any Western coalitions. Additionally, China refuted NAVFOR and CMF's early initiatives to coordinate the international community's counter-piracy efforts, configured around a Group Transit System and the International Recognised Transit Corridor, located within the Gulf of Aden. In brief, the coalitions suggested that commercial shipping, regardless of its country of origin, should be assisted through this corridor by prepositioned participating maritime forces, whose tactical coordination would be facilitated by the Shared Awareness and Deconfliction (SHADE) mechanism: a voluntary and horizontal command and control structure, where participants would not follow orders but simply coordinate their naval forces and, where possible, share best practice.

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Unconvinced, the PLAN preferred emphasising independent convoying and national prerogatives over universalised group transiting. Instead, the PLAN proposed an alternative system dividing the Gulf of Aden and Indian Ocean into separate 'boxes': whilst commercial shipping would traverse the region crossing the individual boxes, naval forces would assist convoying by taking responsibility for the convoy within their (sovereign) box. Picking-up the convoy on one side of their box, they would oversee its safe passage before handing over responsibility to the naval force in the adjacent box. At the apex, coordination would be ensured by the UN, rather than the ad hoc SHADE regime. By this stage, it is fair to admit that the PLAN's tactical preference for shaping the international community's approach stood on rather antithetical ground to the NAVFOR-CMF proposal.[2]

Gradually though, China began to revise its initial positions, as much because of developments at sea as to NAVFOR's persistent bottom-up engagement of the PLAN.[3] Indeed, not only did Beijing come round to the impracticability of its suggested box system, but the hijacking of the *De Xin Hai* vessel in October 2009 illustrated the extent to which China needed to work more closely with other participating navies to deter acts of piracy.[4] In the meantime, NAVFOR had been multiplying its confidence-building measures, designed to convince PLAN counterparts of the value of further integrating into the international community's efforts.[5] Numerous meetings between Force Commanders were thus organised at sea, whilst PLAN representatives were invited on several occasions to visit NAVFOR Operational Headquarters in Northwood (EU NAVFOR 2010). Symbolically, NAVFOR also assisted the PLAN at sea in some important rescue operations, most notably with NAVFOR acting as a pivot between Taipei and Beijing in organising the evacuation of a hijacked Taiwanese vessel (Gros-Verheyde 2012).

Eventually, this persistence in trust-building began paying dividends. By November 2009, the PLAN reversed course on its prior position by fully embracing the SHADE mechanism, to such an extent that it even sought a co-chairmanship role alongside NAVFOR and CMF (Pflanz 2009). In July 2011, the PLAN went a step further by assuming a part of NAVFOR's mandate, in carrying out the responsibility of escorting WFP shipments to Somalia on four separate occasions, reciprocating an earlier request formulated by NAVFOR (EU NAVFOR 2011). Such developments did not emerge unexpectedly – there were the fruit of carefully fostered mutual trust, eventually facilitating a desire to pursue joint efforts symbiotically to the benefit of the international community. In itself, bottom-up cooperative engagement on counter-piracy has thus provided a possible working formula in bridging the bilateral political gap, seemingly all too often missing at the higher echelons of the EU-China partnership.

Conclusion

Naturally, the counter-piracy example comes with fallible limitations and, in some cases, could be interpreted as being exceptional in relation to its specific context. Moreover, counter-piracy should in no terms be understood as solely boiling down to EU-China cooperation. Nonetheless, the early results stemming from this example serve its purpose regarding the SP, particularly when contrasting the results of bottom-up lead engagement with the outcomes of top-down principles applied to bridge the political gap. This political gap has always been a fact of life within Sino-European ties and is likely to remain so for the short- to medium-term. Indeed, policy-makers from either side are right to want to remedy the risks of political divide through the institutionalisation of specific principles, so as to avoid jeopardising progress made over the past three decades. But institutionalisation will not suffice when high-level belief in divergent values and political practices remains strong. Such principles will only take effect when the foundations to the relationship are based on solid ground and for that, top-down manoeuvring has shown its limitations. At times, bottom-up leadership across differing spectrums and levels will be required, because without it, the SP will only superficially pave over the cracks, thus preventing the construction of such solid foundations. Hitherto, counter-piracy has remained the exception rather than the rule for the SP in this respect. Therefore, decision-makers will primordially need to complement their ideals by encouraging further practical initiatives coming from below, in order to change for the better the way the SP game is played.

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[1] Anonymous interview, Brussels, 20 February 2013.

[2] Anonymous telephone interview, 16 April 2013.

[3] Ibid.

[4] Ibid.

[5] See EU NAVFOR website, 'Media Centre' section: <http://eunavfor.eu/media-room/>.

[6] These interviews are classified as 'anonymous', as requested by the two interviewees.

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