

## Maritime Coercion and Gray Zone Conflicts

The purpose of this chapter is to provide a broad introduction to issues related to the so-called *gray zone conflicts*, usually described as the space between peace and war. This is a (relatively) new and increasingly relevant form of warfare in which actors seek to achieve their security objectives, or gain strategic advantage, without resorting to direct use of military force, but by engaging in covert or illegal activities that are below the threshold of armed organised violence and do not escalate into war. While such conflicts take place in every domain (land, sea, air, space, cyberspace), the chapter considers only the maritime domain, where, according to the lesson of sea power theorists, the game for regional and world hegemony is being played more and more evidently. After reviewing some cases of gray zone coercion concerning other crucial quadrants of maritime geopolitics, the chapter focuses on the Indo-Pacific region, and especially the South China Sea (SCS) and East China Sea (ECS), where Beijing has long been employing gray zone coercion tactics and strategies in order to gradually change the regional (but also global) status quo in its favour without triggering military conflict or eliciting an anti-Chinese backlash. Some brief considerations on how to develop a coherent and effective strategy to coping with the main gray zone challenges in the maritime domain, particularly that of Southeast Asia, complete the chapter.

### Understanding gray zone conflict

Contrary to what who thinks in terms of a binary peace–war distinction seems to believe, “the space between war and peace in not an empty one, but a landscape churning with political, economic, and security competitions that require

<sup>1</sup> University of Turin. Author of the *Understanding gray zone conflict; China's maritime gray zone operations; How to counter China's gray zone strategy at sea?* subchapters.

<sup>2</sup> University of Siena. Author of the *Gray Zone operations at sea and Case studies of maritime coercion* subchapters.

constant attention”.<sup>3</sup> Nowadays, many scholars routinely refer to this space as a *gray zone* characterised by conflictual but non-war interactions. In short, gray zone strategies are seen as ‘contests of initiative’ in which a state eager to change some aspects of existing international environment benefits from moving first and implementing, through the use of military, paramilitary, and/or unconventional capabilities, a strategy of political coercion aimed at forcing opponents into complying with his revisionist goals, but without escalating to overt warfare.<sup>4</sup> In other words, engaging in a gray zone strategy is to make “an effort or series of efforts beyond steady-state deterrence and assurance that attempts to achieve one’s security objectives without resort to direct and sizeable use of force”.<sup>5</sup> Clearly, despite its perceived novelty, what the concept of gray zone conflict tries to describe, that it is an “activity that is coercitive and aggressive in nature, but that is deliberately designed to remain below the threshold of conventional military conflict and open interstate war”,<sup>6</sup> seems anything but new:<sup>7</sup> it is a well-known phenomenon that has been referred to in the past (and still is referred to) by other names such as low-intensity conflict, military operations other than war, or hybrid, asymmetric, nonlinear and unconventional warfare.<sup>8</sup> Some analysts consider the concept of gray zone conflict to be largely overrated, if not downright meaningless and analytically useless.<sup>9</sup> They argue that gray zone theorists, including under that label too wide a range of behaviours, end up transforming the gray zone “into a catchy catch-all that encompasses nearly all forms of modern conflict, and thus tell us nothing useful about any of them”.<sup>10</sup> It is well understood, therefore, why it is essential to define and circumscribe this concept as precisely and rigorously as possible. According to its best-known definitions, gray zone conflict can be conceptualised as “anything short of conventional

<sup>3</sup> SCHADLOW 2014.

<sup>4</sup> KUO 2020.

<sup>5</sup> GREEN et al. 2017: 21.

<sup>6</sup> BRANDS 2016.

<sup>7</sup> KAPUSTA 2015.

<sup>8</sup> It has been noted by several scholars that the concept of hybrid warfare seems to be broad and expansive enough to include gray zone strategies. Hybrid and gray zone strategies are certainly related but not synonymous: hybrid warfare methods are generally more violent, therefore, only a select subset of them can be employed in gray zone strategies seeking to maintain short of threshold that results in war. GREEN et al. 2017; PATALANO 2018.

<sup>9</sup> ELKUS 2015.

<sup>10</sup> BRANDS 2016.

war which leverages multiple instruments of national power to intentionally achieved limited, instead of outright, political victories in a deniable manner to gain influence over a system or actor”.<sup>11</sup> More precisely, Michael J. Mazarr argues that such a form of conflict:

- pursues political objectives through cohesive, integrated campaigns
- employs mostly non-military or non-kinetic tools
- strives to remain under key escalatory or red line thresholds to avoid outright, conventional conflict
- moves gradually towards its objectives rather than seeking conclusive results in a specific period of time<sup>12</sup>

As scholarly literature suggests, the defining features of gray zone coercion are: measured revisionism, asymmetry, ambiguity, attributive deniability, unconventional tools and tactics, and strategic gradualism. First of all, gray zone strategy is mostly the province of moderately (but not radically) revisionist powers, that is countries dissatisfied with certain aspects (such as rule-setting influence and power–goods distribution) of the existing status quo and their current position, at the regional and/or global level. Alexander Lanoszka notes that gray zone belligerents (and this is all the more true for moderate revisionist states), lacking global (while having local) escalation dominance,<sup>13</sup> are determined to enhance their relative power and capture more influence, but without incurring the costs and risks of a retaliation by stronger, often extra-regional states or coalition of states.<sup>14</sup> In sum, following Michael Green et al., it can be said that “gray zone coercion is most likely when a potential challenger is dissatisfied but the dominant power retains escalation dominance”:<sup>15</sup> in such a condition, a dissatisfied state is encouraged to seek more limited changes to the status quo and pursue its strategic goals through more cautious and gradual approaches, through ambiguously aggressive actions designed not to cross the level that usually triggers

<sup>11</sup> LAMB 2020: 4.

<sup>12</sup> MAZARR 2015: 58.

<sup>13</sup> Herman Kahn described escalation dominance as “a capacity, other things being equal, to enable the side possessing it to enjoy marked advantages in a given region of the escalation ladder. [...] It depends on the net effect of the competing capabilities on the rung being occupied, the estimate by each side of what would happen if the confrontation moved to these other rungs, and the means each side has to shift the confrontation to these other rungs”. KAHN 2010: 290.

<sup>14</sup> LANOSZKA 2016.

<sup>15</sup> GREEN et al. 2017: 29.

conventional military response. It is precisely from the tension between local and global escalation dominance that the other key characteristics of gray zone strategy follow.<sup>16</sup> The first is asymmetry, which can relate to both capabilities (especially military ones, on which escalation dominance heavily depends) and interests (when for example a state values an objective or a disputed issue more than does its adversary, to the point of being more willing, *ceteris paribus*, to take risks, what may explain why weaker states sometimes win wars against stronger ones). The second is ambiguity, which can take two forms: on the one hand, information ambiguity creates vagueness about facts, and “makes it difficult for other parties to determine what happened, where, when, by whom, and why”; on the other hand, normative ambiguity “makes it difficult for other parties to determine whether a law was broken, a norm was violated, a treaty commitment should be invoked, or even whether the status quo was altered”.<sup>17</sup> Moreover, the inherent ambiguity of gray zone challenges exacerbates the problem of plausible and implausible deniability because in order to extract concessions from weaker neighbours, and simultaneously provide them or stronger third-parties a possible rationale to avoid (or otherwise delay) their engagement or escalation, measured revisionists employ a broad range of gray zone coercion tactics that “are frequently shrouded in misinformation and deception, and are often conducted in ways that are meant to make proper attribution of the responsible party difficult to nail down”.<sup>18</sup> Among these unconventional practices, “that make attribution too uncertain to justify lethal response”,<sup>19</sup> figure severe political and economic coercion, information and disinformation activities, large-scale cyber and space operations, covert actions and proxy support (that is use, whether direct or not, of non-state and para-state groups in order to implement militarised forms of intimidation or territory control), provocation by state-controlled non-military or paramilitary forces and presenting *faits accomplis*<sup>20</sup> to status quo states, sidestepping their redlines and undermining credibility of their commitments and deterrent threats. Finally, the last defining feature of gray zone conflict is that it is gradualist in nature. What can be called strategic gradualism, otherwise

<sup>16</sup> KUO 2020.

<sup>17</sup> GREEN et al. 2017: 32.

<sup>18</sup> BRANDS 2016.

<sup>19</sup> LOVELACE 2016: ix.

<sup>20</sup> A *fait accompli* strategy is an effort “to achieve the objective so quickly so as to deprive the defender of the time and opportunity to reverse his policy”. GEORGE-SMOKE 1974: 537; ALTMAN 2017.

known as *salami slicing*<sup>21</sup> or *cabbage peeling*,<sup>22</sup> is a refined incremental approach (already discussed in Thomas Schelling's classical work, *Arms and Influence*)<sup>23</sup> that, in Robert Haddick's words, "involves the slow accumulation of small changes, none of which in isolation amounts to a *casus belli*, but which add up over time to a substantial change in the strategic picture".<sup>24</sup> Mazarr, for his part, notes that "gradualist approaches are especially appealing to *measured revisionists*":<sup>25</sup> such states, in fact, while employing sequences of incremental moves calculated to unfold over time, bit by bit, rather than to achieve rapid, decisive results, nonetheless manage these moves to sum up to a significant change in the status quo that cannot be reversed except through an escalation that may lead to open conflict. By means of this strategy, also definable as "tailored coercion for incremental revisionism",<sup>26</sup> it is possible to test the reactions of the adversaries and understand to what extent the use of low-intensity coercion is permitted and when it is countered with the threat or use of force.

### Gray zone operations at sea

Coercion at sea below the threshold of open conflict is not a new phenomenon. Forms of armed suasion have been largely used in peacetime to influence international politics at sea, being defined as "gunboat diplomacy".<sup>27</sup> Gray zone

<sup>21</sup> *Salami slicing tactics* can be described as the revisionist practice of slowly (step-by-step) changing the 'facts on the ground', maybe through a series of limited *faits accomplis*, in order to overcome status quo defenders, whose opposition is reduced slice by slice until they realise (usually too late) that they have been completely neutralised and are faced with a dramatic change in the strategic picture (which would have produced a severe crisis, or war, if one had tried to get it all at once) and a dilemma of acquiescing or pursuing a dangerous escalation.

<sup>22</sup> *Cabbage peeling* is a strategy (widely used by China) of setting up infrastructure on disputed islands and then surrounding them with layers composed of fishing boats, coast guard lookouts and warships so that the island remains wrapped, layer by layer, like cabbage.

<sup>23</sup> According to Schelling, "if there is not sharp qualitative division between a minor transgression and a major affront, but a continuous graduation of activity, one can begin his intrusion on a scale too small to provoke a reaction and increase it by imperceptible degrees, never quite presenting a sudden dramatic challenge that would invoke the committed response" SCHELLING 2008: 67.

<sup>24</sup> HADDICK 2014.

<sup>25</sup> MAZARR 2015: 38.

<sup>26</sup> CRONIN et al. 2014: 6.

<sup>27</sup> CABLE 1999: 1.

operations can be considered an evolution of these traditional forms of coercion, caused by the changes in international landscape, technological change, and an increased involvement of non-military forces as a form of “para-gunboat diplomacy”.<sup>28</sup> Pivotal in the definition of gray zone conflicts at sea has been the process of territorialisation of the seas that began in the second half of the previous century, marked by the United Nations Convention on the Law of the Sea (UNCLOS) of 1982. The UNCLOS laid down a comprehensive regime of international law establishing rules for the governance of the oceans, navigation, archipelagic status, transit regimes, exclusive economic zones (EEZs), continental shelf jurisdiction, deep seabed mining, the exploitation regime, protection of the marine environment, scientific research and settlement of disputes. Nevertheless, UNCLOS and territorialisation also sparked increased disputes over maritime jurisdiction, military presence and activities.<sup>29</sup> Current gray zone activities and coercion campaigns at sea are strictly related to claims of sovereignty or sovereign rights over geographical features or water areas. These claims often are used to mount pressure on a country more than to search for a specific solution to a maritime issue. The conduct of powers in gray zone operations usually differs according to the relative strength of the actors involved. Weaker power can employ gray zone activities against a stronger opponent and vice versa with different conduct. In this context, the stronger power usually will not start kinetic exchanges, trying instead to provoke a military response by the weaker power to make the latter appear as the aggressor in an ensuing conflict that it will lose. The scope of gray zone coercion at sea is not to obtain an absolute undermining of the opponent’s capability to exercise control of maritime areas. Instead, it is to exercise sufficient interference to undermine the feasibility of another state’s control over the sea. Activities of this type can include disruption of offshore activities and offshore petroleum exploration and exploitation. Another key feature is the disruption of maritime traffic. Indeed, merchant ships are also susceptible to gray zone operations: the necessity to avoid conflict could lead to longer routes or the passage to unsafe areas to higher insurance costs. In the last two decades, Russia and China have been excellent examples of this approach to gray zone operations, using a more substantial level of coercion against weaker opponents

<sup>28</sup> LE MIÈRE 2014: 30. Criticism of the gray zone as something new is expressed by STOKER–WHITESIDE 2020.

<sup>29</sup> KLEIN 2011.

than would have done against peers or even opponents.<sup>30</sup> For the conduct of gray zone operations non-military forces are pivotal like sea-borne militias, police forces, coast guards and even flotillas of fisherfolk motorboats to avoid open military confrontation.<sup>31</sup> Finally, cyber warfare can impinge on the realm of gray zone operations at sea through cyberattacks against shipping computer systems and the cutting of undersea hydrophone networks and internet cables, damaging navigation infrastructure. Indeed, maritime shipping technologies are vulnerable to attacks to manipulate data, blurring traditional lines between maritime shipping and security. For example, Russia has been called out for cyber hacking technologies related to the Automatic Identification System (AIS) used to share weather station data or to prevent collisions, primarily through narrow waterways.<sup>32</sup>

### **Case studies of maritime coercion**

The previously underlined characteristics of gray zone operations at sea have already been consolidated in a rich history of examples. Precocious developments were the ‘Cod Wars’ of 1958–1976. The dispute saw a weaker nation, Iceland, challenging the status quo by combining gray zone activities and political pressure against a stronger opponent, the United Kingdom. The dispute began in 1958 with the unilateral extension of Icelandic territorial waters from 4 to 12 miles from the shoreline. The U.K. replied by sending military vessels to protect British trawlers. The dispute continued in the following two decades due to the extension of Iceland’s fisheries limit to 50 miles from the shoreline (1972). It concluded in 1976 with an agreement on the extension to a 200-miles limit of the Icelandic EEZ. During the dispute, Icelandic patrol ships employed wire cutters for the first time, cutting the trawling wires of British trawlers, sabotaging their fishing and endangering their crews. The British opposed Icelandic claims because they could establish a precedent that could impede the Royal Navy from travelling freely and projecting power and cause the expulsion of British fishing fleets from other fishing grounds. Despite its weakness, Iceland won the

<sup>30</sup> GOLDRICK 2018.

<sup>31</sup> SINGH 2018; MARTINSON 2015; WERNER 2018.

<sup>32</sup> GRESH 2020.

dispute and coerced into accepting its claims.<sup>33</sup> Since the launch of the FON (Freedom of Navigation) policy in 1979 and especially after the signing of the UNCLOS convention of 1982, the U.S. Navy engaged in gray zone activities, usually in the form of FONOPs (Freedom of Navigation Operations). The scope of these operations is to challenge unilateral maritime claims impinging on the freedom of the seas. Operations are divided into FON assertions (that is, operations with the primary purpose of challenging excessive maritime claims) and other FON-related activities (that is, operations with some other primary purpose but having a secondary effect of challenging excessive maritime claims).<sup>34</sup> In some cases, as in the 1981 Gulf of Sidra incident, FONOPs led to the use of lethal force. On that occasion, two Libyan MiGs were shot after firing a missile against a U.S. F-14 employed in a naval exercise. The U.S. Navy was deliberately training in a maritime space claimed by Libya, an attitude consistent with the U.S. FON policy of directly challenging territorial waters claims the U.S. refuses to recognise.<sup>35</sup> The incident remarks on the porosity of the border between gray zone operations and open conflict. In general, however, gray zone coercion is usually less violent. Due to its strong territorialised character, the Mediterranean Sea offers some key examples. In 2013, Spain employed gray zone activities in the waters of Gibraltar, including unauthorised oceanographic research and restrictions on the movement of people and goods across the border. The objective was to stop the construction of an artificial reef in Gibraltar. Britain replied by sending warships to exercise in the Mediterranean. Spanish pressure was a peculiar case of gray zone activities combining coercion both at sea and on land toward reaching a maritime objective.<sup>36</sup> In 2018, coercion was employed also by Turkish warships blocking an Italian rig from reaching an area off Turkish Cyprus to start natural gas explorations.<sup>37</sup> Iran and Russia have proven among the most aggressive users of gray zone operations in the maritime domain. Iran's gray zone operations at sea are part of its broader attempt to use perceived American fear of escalation to an undesired all-out war, giving Iranian gray zone operators great freedom to act. The aspect is evident in the development and operations of the Islamic Revolutionary Guard Corps Navy (IRGC), with its

<sup>33</sup> STEINSSON 2016.

<sup>34</sup> U.S. Department of Defense 2017.

<sup>35</sup> RATNER 1984.

<sup>36</sup> DEL VALLE GÁLVEZ 2013.

<sup>37</sup> CAFFIO 2018.



large inventory of fast light attack craft adapted for ‘guerrilla operations at sea’, the Iranian use of proxy elements for attacks against international shipping in the Gulf of Oman, and the seizure of tankers by the IRGC, as bargain chip against western economic sanctions.<sup>38</sup> Before the war in Ukraine, Russia’s infiltration of submarines in other Baltic nations’ territorial waters was considered by experts a form of intimidation, coercion and area denial. This tactic aimed to increase Russia’s theoretical area of control and accomplish its political goals without escalating to direct conflict. At the same time, other nations are required to be cautious and defensive. Similar coercion could have been the aim of the Russian deployment of A2/AD (which stands for anti-access area denial) capabilities in the Eastern Mediterranean, this time against Greece and Egypt.<sup>39</sup> In December 2018, Russia also used movement disruption against the Ukrainian naval forces, preventing a tugboat and two gunboats of the Ukrainian Navy from entering the Azov Sea from the Black Sea to reach the port of Mariupol. Russian coastguard vessels, backed by military aircraft and helicopters, rammed the Ukrainian ships and opened fire, injuring six Ukrainian sailors and capturing the Ukrainian crew members, later detained. At that time, Russia still denied its involvement in Ukraine, starting with the 2014 annexation of Crimea and the proclamation of the two separatist republics in the eastern part of the country. According to James Kraska, the incident demonstrates “how adept Russia is at exploiting the seam between the contending peacetime and wartime legal dimensions of the Crimea conflict to create perceptions of a “gray zone” that effectively advance its geo-political agenda while confusing and demoralizing its critics”.<sup>40</sup>

### **China’s maritime gray zone operations**

Undoubtedly, China’s rapid emergence as a “true maritime power”<sup>41</sup> that can effectively challenge dominant U.S. influence in the Indo-Pacific region

<sup>38</sup> EISENSTADT 2021; TRUVER 2020; NADIMI 2020.

<sup>39</sup> HICKS et al. 2016; ALTMAN 2016.

<sup>40</sup> KRASKA 2018.

<sup>41</sup> The goal of building China into a *true* “maritime great power” (MGP), as repeatedly stated by President Xi Jinping (whose emphasis on the term ‘true’ “implies something more than a mere passive facticity”, in so far as “it suggests an active plan to produce some kind of significant transformation”), is a central pillar of Beijing’s overall strategy aimed at pursuing the ‘Chinese dream’ in the context of China’s ‘peaceful rise’ and ‘national rejuvenation’ YOON 2015: 40, 59.

represents a leading example of gray zone maritime coercion. In this decisive geopolitical quadrant, and especially in the South China Sea (SCS) (called by Robert Kaplan the “throat of global sea routes” and “the 21<sup>st</sup> century’s defining battleground”),<sup>42</sup> Beijing pursues, in fact, its revisionist goals almost entirely in the gray zone, employing “different combinations of influence, intimidation, coercion, and veiled aggression to approach, probe, and, at times, violate perceived U.S./partner redlines while skilfully remaining below the threshold of outright military provocation”.<sup>43</sup> Mostly, Chinese activities in the SCS and East China Sea (ECS), while including frequent acts of bullying and intimidation, are carefully calibrated to achieve warlike ends without resorting to warlike violence. These activities have now taken the form of a coherent multidimensional (insofar it involves a broad range of national capabilities) campaign of pressure and creeping expansionism aimed at promoting China’s maritime rights and interests (such as asserting its sovereignty on and around contested reefs, shoals and islands in ‘near-seas’), but even more at shifting in China’s favour the power dynamics that have ensured stability and U.S. primacy in the Indo-Pacific region since the end of World War II. This power-based approach, which can best be described as “nonmilitarized coercion”<sup>44</sup> and contributed to jeopardise geopolitical equilibrium in the region feeding more and more fears about conflict escalation at sea, is perfectly consonant with China’s measured revisionism and adoption of a gray zone strategy. Such an approach, as noted above, leverages a wide range of tools and techniques (military, economic, political, diplomatic, legal, communicative and others), including more and more aggressive commercial expansion, intimidating the use of non-violent coercive military force, explicit rejection of the principle of multilateral diplomacy to leverage unequal power in bilateral relations, extensive exploitation of cyber and information operations, increasing island-building and base-construction activities so as to enhance A2/AD capabilities and counter opponents’ military interference, strengthening maritime law enforcement capabilities and reorganisation of civilian agencies, “increased tempo operations by maritime law enforcement vessels in disputed areas – all in coordination with civilian fishing vessels, in what might be termed a maritime-style ‘People’s War’.”<sup>45</sup> While the People’s

<sup>42</sup> KAPLAN 2011: 80.

<sup>43</sup> FREIER 2016: 33.

<sup>44</sup> DUTTON 2014: 10.

<sup>45</sup> DUTTON 2014: 11.

Liberation Army Navy (PLAN) warships, never far from any assertive action in disputed waters, are usually available over the horizon as reserve forces serving to deter China's opponents from considering escalation, a key contribution to Beijing's gray zone operations in the SCS and ECS has come from Chinese maritime law enforcement agencies:<sup>46</sup> these are the China Coast Guard (CCG), which in recent years has rapidly increased in size and modernised its forces, significantly improving China's capacity to assert and defend its maritime claims and to conduct extended offshore operations, and the People's Armed Forces Maritime Militia (PAFMM), which is a subset of Chinese national militia (an armed reserve force of civilians available for mobilisation to perform basic support duties) essentially consisting of vessels indistinguishable from ordinary fishing boats, and that therefore "often puts foreign navies in the quandary of not knowing whether the Chinese craft they encounter are state directed".<sup>47</sup> Clearly, the use of gray zone coercion tactics through the CCG and PAFMM turns out to be doubly advantageous for China: on the one hand, the two agencies (the former operating on the pretext of routine law enforcement, the latter pretending to consist only of ordinary fishermen) "allow Beijing to advance its maritime claims vigorously without being criticized of using traditional gunboat diplomacy to press for its geopolitical objectives"; on the other hand, "the use of these agencies, particularly the PAFMM, provides China some level of plausible deniability should certain operations do not go according to plan".<sup>48</sup> Over the past 15–20 years, in addition to building a modern blue-water Navy,<sup>49</sup> Beijing has employed all these (and other) tools and techniques to support a long series of coercive (but short of war) actions in the Southeast Asian maritime domain. The main goal pursued through this gray zone strategy is to gain

<sup>46</sup> It is worth noting that, according to Alessio Patalano, the gray zone construct, insofar uncritically assumes that the use of force is designed not to cross the threshold of outright military conflict, is particularly problematic within the context of Chinese military and constabulary coercion at sea. Since constabulary coercion, Patalano writes, "is subordinated to the broader objectives of military coercion", which in turn "is a function of a broader strategic intention to project military power within and beyond the confines of the ESCS [that is East and South China Seas], whilst preventing others to do the same [...] the hybrid vocabulary better captures the objective risk that war may actually happen if prolonged and systematic acts of coercion are not fully addressed". That is why, according to the author, Chinese maritime coercion is much better described as part of a hybrid strategy than as a gray zone strategy. PATALANO 2018: 811, 819.

<sup>47</sup> TOBIN 2018: 32.

<sup>48</sup> GALANG 2021.

<sup>49</sup> FANELL 2019.

control of the islands and maritime areas included in the so-called nine-dash line (also known as the U-shaped line or the cow tongue), which is a demarcation line first used by the Chiang Kai-shek government in 1947, and adopted with minimal changes in 1949 by the People's Republic of China (PRC), to indicate China's maritime boundaries in the SCS. The area inside the nine-line segments (that, if connected, would enclose an area covering roughly 90% of the SCS) "far exceeds what is claimable as territorial waters under customary international law of the sea as reflected in UNCLOS, and includes waters that are within the claimable EEZs (and in some places are quite near the coasts) of the Philippines, Malaysia, Brunei, and Vietnam".<sup>50</sup> An even better understanding of China's strategic goals in the SCS and, more broadly, in the Indo-Pacific region is gained by referring to the 'two island chain strategy', first formulated in the 1980s by Admiral Liu Huaqing (sometimes called 'China's Mahan'), who made a case for an increasingly strong Navy and laid the theoretical foundation for China's current naval strategy, introducing the concept of 'offshore defence' and making it the cornerstone of the transformation of China's Navy from a permanent coastal defence force to a global projection force. Liu Huaqing outlined the evolutionary stages of this transformation to 2020 as follows: first, China's coastal defence capabilities will be implemented; then, by the end of the 20<sup>th</sup> century, China will equip itself with a 'green-water Navy', capable of extending its control within the so-called 'first island chain', covering an area of 200 nautical miles from the Chinese coast and including the Kuril Islands, Japan's archipelago, the Ryukyu Islands, Taiwan, the northern Philippines and Borneo;<sup>51</sup> finally, by the year 2020, China's Navy will be able to compete with the world's leading navies and play the role of a full-fledged 'blue-water Navy', capable of controlling the maritime space within the so-called 'second island chain', which farther east extends from Honshu (Japan's largest island, where Tokyo is located) to New Guinea via the Japanese-governed Ogasawara and Volcano Islands, and the U.S. territories of Guam (hosting a major U.S. military base), and the Mariana and Caroline Islands: in this way, China will have direct access to the Pacific on one side and the Strait

<sup>50</sup> O'ROURKE 2020: 79.

<sup>51</sup> It is interesting to note that the first island chain can also be considered "a kind of "Great Wall in reverse": a well-organized line of U.S. allies that serves as a sort of guard tower to monitor and possibly block China's access to the Pacific Ocean" KAPLAN 2011: 33.

of Malacca<sup>52</sup> and the Bay of Bengal on the other. Liu Huaqing's 'two island chain strategy' thus identifies the Chinese Navy's main areas of action and different lines of defence. The most important of these lines is the one that marks the beginning of the strategic defence zone intended to protect China from incursions or air attacks by enemy forces. Within this 'green water zone', extending to the first island chain, Chinese strategy is aimed at intercepting and neutralising invading forces. That is why Liu's entire strategic concept of offshore defence can be represented as a wide-ranging sea denial operation, involving an implicit recognition of the Chinese Navy's inability to hold its own in a symmetrical confrontation. But let us return to the map of the nine-dash line. On 7 May 2009, in support of its claim of historical rights to the SCS, China submitted to the United Nations Commission on the Limits of the Continental Shelf a document, including this map, which stated that "China has indisputable sovereignty over the islands in the South China Sea and the adjacent waters, and enjoys sovereign rights and jurisdiction over the relevant waters as well as the seabed and subsoil thereof".<sup>53</sup> It goes without saying that China's claims have been considered unfounded, illegal, unreasonable and preposterous by all other states in the region claiming the application of the rules included in the 1982 UNCLOS, which stipulates that each state exercises its sovereignty over territorial waters within 12 miles and has the right to exploit the natural resources found within the 200 nautical miles of the EEZ, and that consequently the other waters of the SCS should be considered international waters. These divergent interpretations have

<sup>52</sup> The Strait of Malacca, which connects the Indian and Pacific oceans and is the shortest sea route between Europe and the Far East, is perhaps China's main Achilles' heel as about 80% of China's energy imports pass through Malacca, and any disruption in the flow of shipping through the strait would seriously jeopardise Beijing's energy security. Precisely to highlight China's vulnerability to this strait and the difficulty of remedying it (maybe by finding alternative routes), former Chinese Communist Party Secretary Hu Jintao coined the expression 'Malacca dilemma' in 2003. One way to solve this dilemma is offered by the so-called 'String of Pearls Strategy'. Such a term refers to a series of ports and support bases for the Chinese navy and civil navy in the Indian Ocean, located in Cambodia, Burma, Bangladesh, Sri Lanka, Pakistan, Djibouti and Sudan. One might think that the 'String of Pearls Strategy' has a strong anti-Indian vocation, but if properly analysed it appears rather as an attempt on the part of the Chinese to secure their supplies from an American blockade in the event of a conflict over Taiwan: either diverting them by land (important in this respect is the Pakistani port of Gwadar, from which a roads and pipelines system is to be built in order to transport imported energy resources from the Middle East directly to the Chinese province of Xinjiang) or bypassing the Strait of Malacca (perhaps via the Strait of Lombok).

<sup>53</sup> CLCS 2009.

caused multiple maritime territorial disputes between China and other states bordering the SCS, particularly Vietnam, the Philippines and Malaysia. The subject of the disputes is sovereignty over several island groups such as the Spratlys (which are claimed entirely by China, Taiwan and Vietnam, and in part by the Philippines, Malaysia and Brunei, and which are occupied in part by all these countries except Brunei) and the Paracels (which are claimed by China and Vietnam, and occupied by China) and exclusive control over the surrounding maritime areas. Interestingly, most of the disputed islands were not originally legally classifiable as islands but only as rocks, as they were not permanently inhabited and could not sustain independent economic and social activity. According to UNCLOS, rocks, unlike islands, give no right to control EEZs. The fact that the SCS is characterised by the presence of a myriad of poorly inhabited islands and atolls that make it difficult to draw clear and recognisable boundaries undoubtedly favour the use of coercive gray zone strategies. In addition, until recently, several of the states involved experienced some difficulties in monitoring and surveilling all the islands that make up their territory, making it possible for Chinese military or paramilitary forces to carry out *faits accomplis*. Although there have been maritime and territorial disputes in the SCS in the past, it is mainly since 2010 that China has started to systematically use its own version of the gray zone strategy, referred to as the ‘cabbage strategy’, indicating the process of wrapping an island in several layers of Chinese control. Generally, the first move is to create a *fait accompli* that determines a form of control, such as the presence of fishermen and the construction of some rudimentary building. This presence is reinforced by the protection of coast guard and then navy ships, making it almost impossible for the other states involved in the dispute to regain control of the island without causing an escalation. The acceleration of this strategy came with the construction of artificial islands. While other states have limited themselves to building small semi-permanent structures for local fishermen, China has promoted a full-fledged process of expanding the SCS small atolls territory by dredging underwater sediments, so as to expand the size of pre-existing islands or even create new ones. Many of what used to appear as semi-submerged atolls now appear as artificial islands capable of supporting forms of economic activity, but also, in some cases, hosting port infrastructures, airstrips and military installations (such as radar and missile batteries). The most prominent examples of the application of the ‘cabbage strategy’ are Mischief Reef and Fiery Cross in the Spratlys and Tree Islands in the Paracels. Still on the subject of China’s gray zone strategy in the

SCS, it is worth recalling the events that took place from April to June 2012, when China gained *de facto* sovereign control over Scarborough Shoal (which lies well inside the Philippines EEZ, just 140 nautical miles from Manila), first by sending on site two law enforcement vessels to deter the Philippines' presence and then, as part of a gradual escalation, by sending its coast guard and several fishermen and occasionally harassing Philippine vessels. It was a two-month standoff, at the end of which, all attempts at a diplomatic settlement of the crisis having failed, the Philippine vessels left the shoal while China's remained and began denying entry to Filipino fishermen, resulting in a *de facto* seizure of control by Beijing. Also noteworthy is the Second Thomas Shoal incident, which refers to the facts occurring on March 2014, when Chinese patrol ships repeatedly harassed Philippine vessels likely carrying construction materials to consolidate the Philippine's outpost at Second Thomas Shoal. In particular, on 29 March, a Chinese coast guard cutter crossed the bow of another Philippine supply ship in an effort to block its path. Since then, Chinese ships continued to maintain a presence in the vicinity of the shoal and monitor Philippine vessels entering it. In July 2016, the Permanent Court of Arbitration in The Hague ruled that China's historical claims on the SCS have no legal validity and that changes to the status quo carried out through coercion are illegitimate. Beijing immediately declared that it did not recognise the validity of the Court's ruling, and stated that the islands in question, since they are Chinese territory, cannot be the subject of an interstate dispute requiring a resolution under international law. In the following years, China has continued its construction and militarisation activities in the disputed islands, culminating in the deployment of fighter planes and H6 bomber landing trials in the Paracel Islands in 2019. China's use of gray zone strategy is obviously not limited to the SCS. The dispute over the Senkaku (Chinese: Diaoyu) Islands (a group of uninhabited islets that are claimed by China, Taiwan and Japan, which administers them) is a second major front for China's gray zone strategy. Since the 1990s and 2000s, the dispute has periodically flared up again, creating tense peaks in Sino-Japanese relations and in the triangular relations between Beijing, Tokyo and Washington. A first case occurred in September 2010, when a Chinese fishing trawler collided with Japanese coast guard vessels in water near the Senkaku Islands, triggering a two-week diplomatic crisis due to Tokyo's decision to arrest the skipper and detain his crew, who were, however, released shortly afterwards. Anyway, the most significant crisis occurred in September 2012, when the Japanese central government decided to nationalise some of the Senkaku Islands by purchasing

them from their private owner. Although this move was intended to prevent the purchase by Tokyo Governor Shintaro Hishihara, known for his nationalistic views, the decision was seen in Beijing as a serious violation of Chinese territorial sovereignty, to the extent that vehement anti-Japanese protests erupted in major Chinese cities. A year later, in November 2013, Beijing renovated an air defence identification zone (ADIZ) over most of the ESC, in order to identify, monitor, control and react to aircraft entering this zone. On that occasion, both Japan and the U.S. refused to recognise the Chinese ADIZ, conducting overflights of the area to reaffirm both Japanese sovereignty and rejection of the Chinese initiative. Since then, China continued to put pressure on the Japanese military through maritime incursions by civilian or paramilitary vessels, and through violations or attempted violations of Japanese airspace in the area. This has led the Obama Administration to reiterate that the Senkaku Islands are considered part of Japanese territory and therefore subject to the defence clause of the U.S.–Japan alliance. Overall, the gray zone strategy in the case of the Senkaku Islands appears much less effective than in the SCS. In this case, geography provides a focal point on which the defenders can focus their attention so as not to allow Beijing to obtain a *fait accompli*. Moreover, Japan is certainly a more powerful and determined adversary in the defence of its territorial integrity than the other states in the region. Many other cases of gray zone maritime coercion in the SCS and ECS could be cited:<sup>54</sup> similarly to those already examined, they include “collisions of ships and aircraft, military operations in disputed waters and airspace, fishing and law enforcement activities in areas claimed by multiple parties, the use of economic and diplomatic leverage, and land reclamation and construction on disputed features”.<sup>55</sup> The analysis of all these cases (differing in timing, subject of dispute, main actors and outcomes) clearly shows that China, having consolidated its position in the SCS, has recalibrated its assertiveness in the area. This did not translate into the complete renunciation of coercive conduct, but rather resulted in the use of such conduct to a lesser extent. China now has less incentive to create critical situations and trigger potential military

<sup>54</sup> One of these is the harassment (on 8 March 2009) of the *Impeccable*, a U.S. Navy unarmed, civilian-operated ocean surveillance ship, which was surrounded by five Chinese vessels aggressively manoeuvring in dangerously close proximity to it, in an apparent attempt to harass his crew. Such an incident “highlighted the potential for diverging views of freedom of navigation to lead to isolated clashes at sea” BOWERS 2018: 58.

<sup>55</sup> GREEN et al. 2017: 2.



escalations, which confirms the thesis that, in the context of the maritime territorial disputes in which it is involved, Beijing is more inclined to resort to military force on those occasions when it perceives itself to be in a condition of relative inferiority. In other words, China does not show a greater inclination to trigger a conflict where it believes it has greater military capabilities; on the contrary, it does so when it perceives its general weakness (not only military) and considers conflict as the only possible solution.<sup>56</sup>

### **How to counter China's gray zone strategy at sea?**

To some extent the fact that China oriented its conduct towards strategic gradualism can be interpreted as a symptom of the continuing ability of the system of deterrence (mainly based on bilateral alliances) established and consolidated by the U.S. to guarantee extended deterrence to its allies, discouraging openly revisionist attempts. It is not certain, however, that China's systematic (and so far, rather effective) use of gray zone coercion will in the long run fail to erode the credibility of the alliances that bind the U.S. to its Southeast Asian partners, with what serious consequences for the stability of the U.S.-led regional (but also global) order is easy to imagine. Furthermore, it should be remembered that gray zone strategies have significant limitations, starting with the fact that they do not allow for decisive outcomes within a defined period of time. In this respect Mazarr writes: "Gray zone strategies allow states to capitalize on others' vulnerabilities, but they seldom, if ever, offer avenues to achieve decisive results on their own. Beijing cannot be certain of achieving its ultimate goals in the South China Sea through gradual gray zone tactics and techniques alone. If others resist sufficiently, China will ultimately need to decide whether to escalate to more elaborated forms of aggression."<sup>57</sup> On the other hand, the objective difficulty of successfully coping with an accumulation of aggressive Chinese steps (albeit these are part of a subtle and calculated strategy aimed as a whole at producing significant changes to the status quo without provoking a decisive response) could cause, in the long run, decisive reactions by China's opponents, whether or not major thresholds or redlines are crossed.<sup>58</sup> Understanding what lies over

<sup>56</sup> FRAVEL 2008.

<sup>57</sup> MAZARR 2015: 121.

<sup>58</sup> MAZARR 2015.

the horizon demands thinking rigorously about the lessons to be learned from the past. In perhaps the best work on the subject, the aforementioned *Countering Coercion in Maritime Asia* by Michael Green et al., five lessons are identified that should be drawn from recent incidents of gray zone coercion in the SCS and ECS and which policymakers should take into account if they want to develop a coherent and effective strategy to deter China's coercive actions:

- *Lesson 1: Tailor deterrence strategies.* Leaders should only draw red lines that they are willing to uphold.
- *Lesson 2: Clarify deterrence commitments.* Leaders will have to be clear about the actions they oppose and demonstrate how they may respond in order to credibly deter those actions.
- *Lesson 3: Accept calculated risk.* Risk avoidance encourages coercion by reassuring China that the likelihood of escalation in gray zones is minimal.
- *Lesson 4: Tighten alliances and partnerships.* By ensuring that the United States is a constant participant in allied decision making, Washington can dissipate both ally fears of abandonment and U.S. fear of entrapment.
- *Lesson 5: Exercise restraint while demonstrating resolve.* If the United States takes a more robust approach to deterring gray zone coercion, then it should also engage Beijing to demonstrate that Washington still welcomes the rise of a peaceful and prosperous China.<sup>59</sup>

More generally, the ongoing strategic debate on these issues has led to various attempts to outline the main options to effectively counter China's gray zone strategy in the SCS and ECS and its repeated attempts to undermine the rules-based (and Washington-led) regional order. According to Hal Brands and Zack Cooper four basic strategies are available:

1. *Rollback* aims to push China back from its recent gains in the South China Sea and restore the status quo ante; it accepts a substantial likelihood of military conflict as the price of attaining this ambitious objective.
2. *Containment* accepts Chinese gains made to date, in recognition of just how difficult and dangerous would be to reverse those gains, but draws the line firmly – including by threat or use of military force – against further advances.

<sup>59</sup> GREEN et al. 2015: v–vi.

3. *Offset* does not seek to prevent further Chinese encroachments in the South China Sea, but aims to penalise Beijing for destabilising actions, while also offsetting their impact through measures that strengthen the overall U.S. position in the region.
4. *Accommodation* accepts Chinese dominance of the South China Sea, on the theory that it is simply too costly and perilous to compete with Beijing in its own back yard, and instead seeks to ensure a smooth transition to Chinese regional primacy.<sup>60</sup>

Once the point is made that none of these strategies is perfect as each has its merits and flaws, one can certainly agree with the authors when they identify a shrewd and well-calculated combination of the most compelling aspects of containment and offset as the strategy best suited to protect the U.S. and its allies' geostrategic interests at a reasonable cost.

## Conclusion

As seen, analysis of the nature and scope of the most threatening gray zone challenges in the maritime domain suggests that it is primarily in the Indo-Pacific region that the game on which the definition of international order will depend in the decades to come will be played. In fact, the need for a rising China to display, if only through forms of gray zone coercion, its growing power in the SCS and ECS (as well as, in perspective, globally), places the United States and its allies in a serious dilemma: to pander, at least in part, to China's claims, with the hope (one does not know how well-founded) that China would be willing to share near-seas with others on the basis of mutually agreed rules, or to reject them simultaneously implementing a strategy to contain China's growing power, possibly avoiding falling into Thucydides' famous trap? How the situation will evolve is unknown. What is clear is that, as Kishore Mahbubani puts it, "the real reason why most international waterways remain safe and open, and thereby facilitate the huge explosion of global trade we have seen, is that American Navy acts as the guarantor of last resort to keep them open. Without the global presence of U.S. Navy, our world would be less orderly".<sup>61</sup>

<sup>60</sup> BRANDS-COOPER 2018: 14.

<sup>61</sup> MAHBUBANI 2009: 105.

## Questions

1. What are the defining characteristics of gray zone coercion?
2. Who and why does resort to gray zone coercive actions in the maritime domain?
3. What do the salami slicing and cabbage peeling tactics consist of?
4. In what ways has China used gray zone coercion to support its claims in the SCS?
5. How to articulate a coherent strategy for effectively countering China's gray zone coercive actions in the SCS and ECS?

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