



In This Issue:

- In a Fortnight: Fifth Plenum Announces End to One-Child Policy** 1
By Peter Wood
- Xi Jinping Consolidates Power While Presiding Over Tilt Toward Ultra-Conservative Ideals** 3
By Willy Lam
- Building a Credible Arsenal: China's Improved ICBMs** 5
By Scott LaFoy
- Ruling the PLA According to Law: An Oxymoron?** 9
By Susan A. Finder
- Xi's Blue Helmets: Chinese Peacekeeping in Context** 13
By Gary Li



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In a Fortnight

Fifth Plenum Announces End to One-Child Policy

By Peter Wood

China has set the tone for government policy over the next five years with the announcement of the results of the Fifth Plenum of the 18th Chinese Communist Party (CCP) ([State Council Information Office](#), October 30). Amid the various announced plans for increased transparency, a “medium-high economic growth” target and increasing foreign investment, China also announced a shift in its long standing family planning or “one-child policy” (计划生育政策). Chinese couples will now be eligible to have two children. However, a number of push factors, including the high cost of living, a difficult job market and cultural shifts, will contribute to China's slowing population rate.

China Brief is a bi-weekly journal of information and analysis covering Greater China in Eurasia.

China Brief is a publication of The Jamestown Foundation, a private non-profit organization based in Washington D.C. and is edited by Peter Wood.

The opinions expressed in China Brief are solely those of the authors, and do not necessarily reflect the views of The Jamestown Foundation.

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The policy, which was widely introduced in 1979, was never applied to the entire population. Though credited with the prevention of 400 million additional births, a significant proportion of the country was never subject to it. Minorities, those living in rural areas and a number of other categories were eligible to have at least two or children. In July 2014, those couples in which one of the parents who grew up as single children were themselves allowed to have more than one child; couples made up of two members without siblings were allowed to have two children (单独二胎; 双独二胎).

Nevertheless, the program affected an estimated 150 million of China's citizens and spawned a huge bureaucracy under the National Health and Family Planning Commission (国家卫生计生委; NHFPC). According to an estimate at the end of 2005 family planning offices (计生办), employed more than 50 million officials ([People's Daily Online](#), March 2, 2010). The Commission is a Ministry-level organization, and its director, Li Bin (李斌) sits on the State Council and the CCP's Central Committee. In an interview, Li said that the Fifth Plenum's decision upheld the core concept of China's "family planning" policy and population growth strategy ([NHFPC](#), October 29). She added that the policies implemented during the 1970s and 1980s had eased the effects of rapid population growth, improving economic growth and people's standard of living. She also noted that the "fewer births, better births" concept (少生优生) referring to the trend of having fewer children but investing more in their success, had become mainstream. Following the pattern of developed countries, wealthier citizens tend to have fewer children—even without family planning laws.

Over the last fifty years, China's total fertility rate has dropped from six children per woman to 1.7—significantly below the 2.1 replacement rate. [1] This trend was already recognized by the central government, leading the Third Plenum in 2013 (十八届三中全会) to allow couples made up of single child parents to have two children (单独二胎). Li also acknowledged that China's population aging (老龄化) was an important reason for loosening the policy.

This latter issue will come to dominate more and more of the Chinese government's attention and budget. Reports

in 2008 predicted a peak in the working-age population in 2013—part of a larger trend toward population aging ([China Brief](#), April 8, 2011). Projections have showed a working-to-retired ratio of between 3 and 2-to-1 by 2050—creating a tremendous burden for China's working-age population ([China Brief](#), November 4, 2009). Moreover, as Yin Weimin, (尹蔚民) head of the Ministry of Human Resources and Social Security, noted earlier in October, China's average retirement age is below 55—long before their equivalents in other countries ([Beijing Times](#), October 15). This represents an enormous group of mostly unemployed people who represent an ever-larger proportion of the population. At the end of 2014, China had over 200 million citizens over the age of 60 ([People's Daily](#), June 12).

At the same time, the central government has pledged to improve the social services available to retirees. One of the priorities listed in the Fifth Plenum's report was the extension of old age insurance to this group. In a separate statement at the conclusion of the Fifth Plenum, Yin Weimin noted that nearly 200 million Chinese have yet to be included in China's social security insurance plan ([Xinhua](#), October 29). China has taken a number of actions to deal with this ballooning group. In 2000, China set up a fund to invest social security assets, currently totaling more than 1.5 trillion RMB ([Xinhua](#), May 29).

China's spectacular demographic shift from the countryside to the cities has also created its own crisis, with millions of the elderly left to care for their grandchildren—so-called "left behind" children (留守)—while their parents work in the cities ([China Brief](#), September 4). The attendant vacuum this creates has left the countryside with rising violence, and indebted local governments.

With world economic growth rates predicted to remain at a steady low rate, and oil prices remaining flat, China's economic growth will continue to slow. While the Plenum's announced policies are ambitious—creating the economic growth and making the cuts elsewhere in the budget needed to accomplish these goals will certainly be difficult, requiring significant and meaningful reforms through the government.

Note

1. [World Bank](#), World Development Indicators, 2015.

Xi Jinping Consolidates Power While Presiding Over Tilt Toward Ultra-Conservative Ideals

By Willy Lam

Even as President Xi Jinping underscored China's commitment to reform and globalization during his high-profile trips to the United States and Britain over the past two months, the Fifth Generation leader has masterminded a pronounced shift to conservative ideals that are reminiscent of the Mao Zedong era. Xi, who is also General Secretary of the Chinese Communist Party (CCP), has posited Communism as an "attainable goal" of the Party. He has revived Chairman Mao's dictum about the Party's tight control of literature, the arts and all creative works. Additionally, just-released regulations on party discipline have reinstated Lenin's theory of "democratic centralism" by forbidding party members to "groundlessly criticize major policies."

Xi, a princeling (a reference to the offspring of party elders) who has vowed to "ensure that the red heaven and earth [of the CCP's founding fathers] must never change color," has shocked liberal academics and businessmen by openly calling on cadres and party members to "attain the goal of Communism" ([CCTV News](#), July 12, 2013). Xi's exhortation came in the form of an address he made earlier this year to county-level cadres who were attending courses at the CCP Central Party School. "We should not think that Communism is ethereal and unattainable," Xi said. "The reason why we are developing socialism with Chinese characteristics is to diligently work toward [the realization of] Communism" ([Study Times](#), September 7). Xi has apparently gone against one of the best-known teachings of Deng Xiaoping, who famously declared in the early 1980s that China was "at the early stage of socialism." The chief architect of China's reforms also added that socialism was a "long-drawn-out period" that could last more than 100 years. A victim of the ultra-conservative policies of Mao Zedong, Deng was an unabashed advocate of the idea of "taking remedial lessons in capitalism." This was

a reference to the fact that many of Mao's disasters originated from the Great Helmsman's decision to "skip capitalism" by taking a "great leap forward" from feudalism to socialism ([Qiushi](#), August 15, 2014; [People's Daily](#), February 4, 2014).

Despite Xi's ironclad control over the media and the Internet, a number of academics and public intellectuals have raised alarm over Xi's turn toward Maoist beliefs. Real estate businessman and vocal Internet personality Ren Zhiqiang made an indirect appeal to Xi not to go back to the old road. Ren said that people in his age group—who were ardent followers of Mao's call to accomplish Communist goals during the Cultural Revolution (1966–76)—"had been cheated for decades" by utopias evoked by the Great Helmsman ([Global Times](#), September 23; [China Youth Daily](#), September 21). Even bolder were comments made by Cai Xia, a professor at the Central Party School. In an article titled "Taking a leftward turn or retrogressing is equivalent to distorting the ideals of Communism," Cai noted that the CCP must uphold Deng's edict about "upholding the basic line of the early state of socialism." While the professor did not mention Xi by name, she cited another of Deng's famous dictums: "Our major task is to combat leftist tendencies [in ideology]," using Chinese communist parlance for Mao's ultra-radical excesses ([Hong Kong Economic Journal](#), October 9; [Aisixiang.com](#), September 25).

Equally significant is Xi's restoration of the spirit of Chairman Mao's *Talks at the Yan'an Forum on Literature and Art* in May 1942. The full text of the President's October 2014 *Talk at the Forum on Literature and the Arts*—which amounted to an unqualified eulogy of Mao's views—was released by official media earlier this month, a full year after it was originally given. To appreciate the rationale behind Xi's reinstatement of Maoist standards, it is instructive to examine the message of one of Mao's most-cited addresses. Mao indicated that not only writers and artists but intellectuals and party members in general should subsume their individualism under *dangxing* (党性; literally "party nature"; generally speaking, the values and requirements of the party). As Mao put it: "There is in fact no such thing as art for art's sake, art that stands above classes, or art that is detached from or independent of politics... Proletarian literature and art are part of the whole

proletarian revolutionary cause; they are, as Lenin said, cogs and wheels in the whole revolutionary machine.” [1]

Despite the passage of several decades, Xi’s demands on artists and intellectuals are similar to those of Mao: “to nurture and put into practice core values of socialism with Chinese characteristics.” Moreover, Xi says that patriotism is the “deepest, most fundamental and most eternal core socialist value.” The Party boss urged writers and men of letters to take patriotism as “the leitmotif of their artistic creation” and to “guide the people to establish and uphold the correct views of history, the people and the country.” Xi’s insistence that writers and artists focus on “the Chinese experience” testifies to CCP censors and propagandists’ view that the creative community must not fall for the “subversive” ideas of the West. To ensure “literary and artistic workers” will not go astray, Xi argued that “we must strengthen and improve the party’s leadership over art and literature.” The General Secretary called upon cadres working in culture and propaganda departments to do a better job of helping writers and intellectuals to “correctly grasp the relationship between *dangxing* and the nature of the people, [and] the relationship between [the correct] political stance and creative freedom” ([Xinhua](#), October 15; [People’s Daily](#), October 15).

Xi’s reassertion of the Maoist—and Marxist—views on creativity is consistent with his advocacy of Communism as the highest goal of the CCP. As Jilin University Professor Guo Yonghu put it, the *Talk at the Forum on Literature and the Arts* has “further enriched and deepened Marxist theories of literature and the arts.” “Xi has pushed forward to a new stage the theories on art and literature of socialism with Chinese characteristics,” he declared ([CNTV.cn](#), October 24). Other academics, however, are convinced that what Xi is after is tighter control over ideology and the intelligentsia. Li Xigen, a Professor at City University of Hong Kong’s Department of Media and Communication, said Xi’s remarks signaled the president’s anxiety to exercise tighter ideological control. “It is a sign that Xi wants to have more control over the arts, and through that, more control over ideology” ([South China Morning Post](#), October 21).

Even more indicative of Xi’s apparent attempt to transform the party-state apparatus into a Maoist *yiyan tang* (一言堂; “one-voice echo chamber”) are new

rules on “political discipline” published late October by the Party Central Committee and the Central Commission for Disciplinary Inspection (CCDI). The CCDI’s “Code on Disciplinary Punishments” (纪律处分条例) lists infractions within the areas of “politics, organization, corruption, lifestyle, [relations with] the masses and workstyle.” Most significant are regulations warning the party’s 88 million members not to use the Internet, books and publications, TV appearances or forums and conferences to engage in “*wangyi* (“groundless criticisms”) of major policies of the party leadership and in disrupting the party’s concentrated unity.” They are also forbidden from “assembling factions within the party and forming cliques... [so as] to nurture the influence of individuals.” Other no-nos include playing golf, leading a luxurious lifestyle and “inappropriate sexual relations” ([Xinhua](#), October 22; [People’s Daily](#), October 22).

The latest regulations have fleshed out General Secretary Xi’s earlier instructions about observing “political rules” (政治规矩). In a speech in early 2015, the General Secretary urged cadres and party members to have a “strict understanding of political discipline and political rules” ([People’s Daily](#), January 16; [Xinhuanet](#), January 13; [China Brief](#), August 18). Equally significant is that the new codes are geared toward effectively enforcing Xi’s concern about “comprehensively governing the party strictly.” (This dictum is part of the doctrine of the “Four Comprehensives”—“Comprehensively build a moderately prosperous society; comprehensively deepen reform; comprehensively govern the nation according to law; and comprehensively govern the party strictly”—which is considered to be President Xi’s major contribution to the canon of socialism with Chinese characteristics). [2] According to CCDI Deputy Secretary Zhang Jun, the reason for a stricter codification of party discipline is that “existing party regulations can no longer meet the requirements of comprehensively governing the party strictly under new circumstances.” “Some new outcomes of [policy] practice need to be consolidated in institutional format,” he added ([Hubei Daily](#), October 26; [People’s Daily](#), October 26).

The new regulations have raised the eyebrows of liberal scholars in Beijing. Chen Jieren, a researcher at the Chinese University of Politics and Law, argued that the clause about “groundless criticizing major policies could

result in suppressing democracy within the party...Since the CCP Constitution has given members the right to criticize the central leadership...the new code could [itself] be an infringement of the Party charter.” Beijing-based authority on Communist Party history Zhang Lifan also expressed qualms about this stricture. “It is difficult to specify what constitutes ‘groundless criticism’...Party members’ freedom of expression may be adversely affected.” Zhang noted the new rules targeted not only liberals but also ultraconservative Party members who were opposed to market reforms ([Ming Pao \[Hong Kong\]](#), October 23; [HKTVB News](#), October 22).

At a time when Xi is tightening his grip on power, enforcing harsher disciplinary punishments and the restitution of Maoist norms are potent weapons for marginalizing real and potential enemies. At an address to the Fourth Plenum of the CCP Central Committee late last year, Xi laid into cadres who “scheme to form factions and cliques” by means including “groundlessly criticizing the *zhongyang* (central party authorities) ([Xinhua](#), January 15; [Beijing Youth Daily](#), January 12). A good example of a political foe being nailed for “groundlessly criticizing” central policies is the disgraced Party secretary of Hebei Province, Zhou Benshun. A former secretary-general of the Central Political-Legal Commission, Zhou is regarded as a key protégé of former Politburo Standing Committee Zhou Yongkang (unrelated), who received a life sentence last June for corruption and misuse of power. Yet Zhou Yongkang’s biggest blunder seemed to be forming an anti-Xi clique within the Party. ([South China Morning Post](#), June 13; [Radio Free Asia](#), June 12). Zhao Kezhi, who succeeded Zhou as Hebei Party boss in late July, told his colleagues that one of Zhou Benshun’s mistakes was “going against party discipline” and “making groundless criticism of central policies” ([Phoenix TV](#), October 25; [Guancha.cn](#), August 12). Given that the momentum seems to be going the President’s way, cadres and party members who disapprove of his overweening power grab are apparently keeping mum so as to avoid being accused of casting aspersions on central edicts. There seems little doubt, however, that as with much of his Machiavellian maneuvers the past three years, Xi is boosting his clout at the expense of the restoration of values associated with the excesses and lawlessness of Chairman Mao.

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Notes:

1. See Mao Zedong, “[Talks at the Yan’an Forum on Literature and Art](#),” in *Selected Works of Mao Tse-tung* Online
2. For Xi Jinping’s explication of the “Four Comprehensives,” see “[What has Xi Jinping’s series of talks discussed about the ‘Four Comprehensives’?](#)” *People’s Daily*, May 20, 2015.

Building a Credible Arsenal: China’s Improved ICBMs

By Scott LaFoy

On September 3, the People’s Republic of China (PRC) displayed DF-5B intercontinental ballistic missiles (ICBMs) at the end of the strategic weapons portion of the Victory Day parade ([Global Times Online](#), September 3). This was the first time the DF-5 missiles have appeared in a public parade since 1984 and were the only liquid-propellant missiles on display, as well as the only non-mobile/silo-based system at the parade. While various reports differ on its exact range, the common agreement is that it the DF-5 series of missiles is capable of hitting most, if not all, of the strategic targets inside continental United States.

The Chinese Dong Feng-5 (DF, East Wind, 东风) family of missiles is undergoing significant modernization, mainly involving an upgrade to an operational Multiple Independent Reentry Vehicle (MIRV) system. [1] These missiles are several decades old, have low survivability against Russian and US nuclear weapons, and are few in number, with only approximately 20 in service. Even after

upgrading, however, they will still be non-survivable and few in number. This raises the question of *why* these missiles are being modernized when the missiles could instead be deactivated and the money put toward increasing the number of more survivable DF-31 or DF-41 families.

The DF-5B upgrade (CSS-4 Mod 3) likely acts as a stopgap or diversifying element of China's arsenal, contributing to its strategic nuclear deterrent. Adding a credible MIRV component to a nuclear arsenal typically multiplies the perceived threat emanating from even a small arsenal, adding to its deterrent value. Modern ballistic missile defense systems have no proven and operational means of targeting missiles in boost phase, they only can intercept reentry vehicles (RVs) in midcourse and terminal phases, and even these intercepts have severe limitations. A MIRV upgrade therefore means that the number of targets in both of these phases is multiplied, turning the DF-5 arsenal of less than 20 launchers into an arsenal with an unknown amount of reentry vehicles.

If the People's Liberation Army (PLA) does not plan on expanding DF-5 numbers, MIRVs are a necessary upgrade to keep the Second Artillery Force's deterrent mission relevant and credible. The Second Artillery Force ICBM arsenal is already lean, but the MIRV upgrade helps achieve the "lean and effective" (精悍有效) status advertised by PRC leadership. China's ICBM force is still fairly small (60 at most, by published U.S. Department of Defense estimates) and may be forced to rely on some older systems for maintaining a credible deterrent while also diversifying its delivery options. [3] Additionally, the PLA Navy has not yet started active nuclear deterrent patrols with its ballistic missile submarines. Without ballistic missile submarine patrols and with an underdeveloped bomber-delivered nuclear capacity, the PRC is relying exclusively on land-based missiles and must find a way to increase the credibility of its land-based delivery systems. MIRVs help to increase the threat and deterrent strength of the PRC's non-diversified nuclear arsenal.

In short, the new DF-5 variant can actually be relevant as a modern nuclear deterrent if it is upgraded with MIRVs. In the event of a nuclear exchange, 20 launch systems with 20 reentry vehicles are threatening, but some of

these launch systems are likely to have been destroyed, leaving a partial DF-5 force behind for a ragged second-strike. This assumes that the DF-5 systems are only launched as a nuclear counterattack, as outlined in the PRC's "No First Use" nuclear policy, as discussed below. However, if each launch system has multiple warheads, every DF-5 launch is significantly more effective. Especially if ballistic missile defense (BMD) capabilities increase in the future, ragged second-strike capabilities could be intercepted by national-level ballistic missile defenses. However MIRVs have a much greater chance of penetrating defenses, even if a first strike eliminates a portion of the already small fleet.

This article will focus on the strategic deterrent aspects of this decision, though there are also significant technical issues that should be kept in mind. They include the possibility of the Chinese missile industry needing to continually experiment with MIRV technology to make it viable for other platforms or some unknown budgetary decision to intentionally limit DF-31 and -41 production runs.

The State of China's ICBMs

The DF-5B is a relatively new variant of the old DF-5 missile. The DF-5 reached initial operating capability (IOC) sometime in the 1980s, and there have only ever been a few DF-5s of any type active. According to U.S. Department of Defense (DoD) reports, there were only around 20 DF-5 missiles active as of 2010. [2]

An unknown portion of DF-5 missiles are DF-5Bs, though the modernization of DF-5 associated facilities in southwestern Hunan province, visible on open-source satellite imagery, may provide a hint of which brigades received the DF-5B upgrade. However, this is still unverified and requires further analysis.

Subsequent DoD reports have not listed the specific number of DF-5 missiles of any type. After 2010, PRC ICBMs have been bundled together in DoD reports and the reported number for 2015, between 50–60 ICBMs, includes the DF-5A, DF-5B, DF-4, DF-31, DF-31A, and the new DF-41. The

introduction of the DF-41 platform and the general lack of reports of any additional DF-5 production or silo construction in the PRC indicates that there are likely only 20 active DF-5 missiles at this time. For comparison, the U.S. has roughly 450 silo-based nuclear ICBMs and the Russian Federation has approximately 300 mobile and silo-based nuclear ICBMs, in addition to ballistic missile-capable submarines (SSBNs) and strategic bomber forces.

Two notable features of Chinese ICBMs is the number of mobile missile launchers and the lack of operational submarine-launched missiles. The mobile missiles contribute significantly to the survivability of the arsenal and the PRC's second-strike capability. While China has built the JL-2 submarine-launched ballistic missile (SLBM), the PLA Navy is not currently reported to perform deterrent patrols, meaning that the typical "last resort" option maintained by Russia and the U.S. is absent from the PRC arsenal.

DF-5 Survivability

The silo-based DF-5 family, unlike the mobile DF-31 or DF-41 ICBM families, is not a survivable missile family. While the DF-31s and -41s can move, making targeting difficult, DF-5 positions are static and easily trackable. And where Russian and U.S. systems are many in number, making it difficult to ever completely destroy either arsenal, the PRC's systems are relatively few in number, with upwards of 20 DF-5 systems in total. In a nuclear exchange, this means there would be a higher chance of eliminating a significant number of DF-5 systems before they left their silos.

These launchers, pre-upgrade, only contribute minimally to China's second strike capability. The basing configuration of the DF-5 attempts to leverage mountainous geography to overcome its numerical shortcomings, but ultimately the DF-5s are susceptible to preemptive and first strikes and thus do not contribute highly to the PRC's second strike capability. However, with the MIRV upgrade, even semi-survivable missiles

can become very threatening, as even a small number of missiles can cause incredible damage.

The basing configuration of the DF-5 leverages mountainous geography to increase survivability, though this survivability has likely dropped with the rise of Precision Guided Munitions (PGMs) and the modernization of missile guidance systems. DF-5s are based on hill or mountain sides, with a few possibly in valleys. [4] When missile guidance was less developed, these hills and mountains provided cover for the silos and increased the likelihood of incoming reentry vehicles (RV) missing their targets, especially in the case of ICBMs fired from the United States. [5] An RV detonating in or above the next valley over would be partially mitigated by mountainous geography and the strength of the earth, especially with the addition of a hardened silo. For airbursts, this meant that the overpressure would be dispersed partially by the surrounding rough terrain.

At a minimum, the slightly increased survivability may, depending on the exact accuracy and predicted fail rate of U.S. and Russian nuclear systems, force U.S. and Russian planners to keep multiple RVs dedicated to the DF-5 forces. However the MIRV upgrade means that additional targeting is necessary. While DF-5 RVs could be caught by a possible future ballistic missile defense (BMD) system, DF-5B RVs would likely be too numerous for any near-future BMD systems.

For calculations of strategic balance and nuclear deterrence, this means two things. Aggressive opponents would be incentivized to target DF-5Bs for preemptive strike, as every DF-5B that leaves the silo means a significantly larger number of RVs to defend against. Less aggressive opponents would potentially be deterred, as a DF-5B barrage is unrealistic to defend against and nuclear preemption is unprecedented.

The MIRV upgrade revitalizes the DF-5 family and keeps it strategically relevant. A small force of statically based ICBMs that have been in the same positions for decades would not be expected to survive a nuclear exchange, fundamentally undermining the credibility of this particular part of the Chinese arsenal. Any surviving DF-5s that did manage to launch could possibly be intercepted by future BMD systems, again undermining the credibility of the arsenal. However, the upgrade to MIRV means that

the DF-5B are a threat, as any missile escaping its silo is several times more dangerous and difficult to stop. These may act as a stopgap of sorts until the PRC's submarine-based deterrent comes online, or as a partial alternative in case SSBNs end up being less than effective for whatever reason. The additional threat posed by the few DF-5Bs is modest compared to effective SSBN patrols, but it still adds some credibility, additional threat, and diversification to an ICBM force that otherwise is made up of only a few mobile missile systems. If this is the case, the DF-5Bs may act as a sort of "land-based submarine," where the total DF-5 family takes the place of one SSBN until the actual SSBNs are credible and active

China's Stated Policy Regarding Strategic Missiles

Chinese stated policy on the use of nuclear weapons is "No First Use," as seen in documents such as the 2015 Defense White Paper and in the older 2004 *Science of Second Artillery Campaigns* ([State Council Information Office](#), May 26; [China Brief](#), May 29). While there is still debate about whether this policy is absolute, it is, at a minimum, emphasized publicly.

The *Science of Second Artillery Campaigns* emphasizes the "No First Use" aspect of Second Artillery Force policy, fairly explicitly noting that all Second Artillery nuclear operations should be assumed to occur under nuclear conditions, as by definition the Second Artillery should be engaging in nuclear operations in response to opposing nuclear operations. [6]

At the same time, the *Science of Second Artillery Campaigns* emphasizes the importance of deterrence in a nation's ability to freely conduct operations. Moreover, it notes how even local wars can generate deterrent responses. *Campaigns* discusses the influence that strategic nuclear power has on operations and, thus, how important a strong nuclear deterrent is. [7] A strong nuclear deterrent may provide a nation the ability to either conduct operations more freely or to reduce the operational freedom of an opponent. Both of these are vital for any future Chinese military operations, particularly those involving Taiwan. The earlier Straits Crises showed that the U.S. could implicitly or explicitly leverage its nuclear strength as a means of controlling situations. Historically, these concepts also applied to Russia, especially after the Damansky/Zhenbao Island

dispute that showed Russia could threaten nuclear war to influence conventional operations. Having a strategic nuclear deterrent allows the PLA to exert more control over escalation and keep conflicts conventional.

While the PRC maintains that it will not use nuclear weapons first, its military writings discuss the operational utility of strategic deterrence. While nuclear *use* is denounced, nuclear *coercion* is embraced as support for conventional operations. Both of these, however, require an arsenal that represents a credible threat to foreign powers. A small set of aging silo-based ICBMs is not a terribly powerful bargaining chip during a crisis. However even a small set of MIRVs, especially paired with mobile missile systems, will have a much larger impact on coercive strategies and military operations.

Conclusion

The DF-5B is consistent with the PRC's goal of having the Second Artillery Force provide a credible strategic nuclear deterrent. The DF-5B upgrade specifically transforms the DF-5/DF-5A from aging systems that could be defeated by future U.S. BMD systems to a credible threat capable of overcoming BMD systems for years to come. The MIRV upgrade allows the DF-5 systems to approach a more credible second-strike capability and prevent being totally crippled by a first strike, especially when paired with the PRC's mobile missile platforms. This in turn supports another Second Artillery Force mission of providing the environment in which other branches of the PLA can act more freely and without fear of "nuclear bullying."

While the DF-5 is not an optimal launch system, the MIRVs mean that even if only a statistically small portion of the DF-5 arsenal can threaten another power, that small portion can be significantly powerful and valuable as a deterrent. This should all be taken in the context of China's other missiles. The DF-5s may just be a stopgap for deterrence. The DF-5 is not ideal, but the DF-5B's increased threat and ability to penetrate ballistic missile defense does add necessary credibility to the Chinese arsenal while SSBNs or more mobile missiles can be constructed.

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particularly ballistic missiles, nuclear technologies, and cyber capabilities. He is coauthoring a forthcoming report from the Center for Strategic Studies about North Korea's cyber operations.

Notes:

1. Office of the Secretary of Defense, Annual Report to Congress: The Military Power of the People's Republic of China, 2015. p. 8. It should be noted that while the MIRV upgrade has been acknowledged by the U.S. government, there could also be unacknowledged upgrades to guidance or changes in range, though this is speculative.
2. Estimates put the total number of DF-5 missiles at around 20. There is no indication that the DF-5B MIRV upgrade has been comprehensive, and the exact spread of DF-5 mods is unknown. It is entirely possible that all of the DF-5s have been upgraded to the DF-5A model with a few further upgraded to DF-5B.
3. Office of the Secretary of Defense, Annual Report to Congress: The Military Power of the People's Republic of China, 2010.
4. CIA-RDP81T0034R000100450001-7, National Archive CIA Records Search Tool (CREST), Chinese Deployed Strategic Rocket Forces Facilities Encyclopedia, Section 1: Chinese Missile Support Bases and Launch Sites (S) p. 1.
5. Guided missiles, especially older missiles, tend to lose accuracy over longer ranges. Warheads with larger yields were sometimes utilized to overcome this, though the rough terrain mountainous regions can help to mitigate the overpressure generated by a nuclear detonation in certain cases.
6. "China's Military Strategy," [Section IV](#), Xinhua, May 26, 2015.
7. People's Liberation Army Second Artillery Force, *The Science of Second Artillery Campaigns*, (《第二炮兵战役学》) Beijing: PLA Press, 2004, p. 59.

Ruling the PLA According to Law: An Oxymoron?

By Susan A. Finder

One of the least transparent and least understood parts of Xi Jinping's program to "rule the country according to law," announced in October, 2014, is the creation of a body of military law with Chinese characteristics. Is it any more than the slogan of "Ruling the Military According to Law and Ruling the Military Strictly" (依法治军从严治军)? This article will answer that question and describe what is known about the reforms thus far.

For over ten years, within the confines of academic discourse, Chinese military legal officials—serving and retired—have pointed out weaknesses in Chinese military law. As they describe the current military legal framework, military law and military legal institutions are isolated from their civilian counterparts, legislation underpinning basic military legal institutions is missing, commanders think their word is law, and military courts and prosecutors lack professional autonomy and security. [1] These concerns remained the subject of academic discussion until late 2013. [2]

The high level policy decision to modernize military law was first flagged by the Central Committee of the Communist Party during the Third Plenum in 2013, in the Decision On Several Major Issues Of Deepening Reform (中共中央关于全面深化改革若干重大改革的决定). The Central Committee set out more details concerning its policies for military law reforms during the Fourth Plenum in October, 2014 in the Decision Concerning Several Major Issues in Comprehensively Advancing Governance According to Law (中共中央关于全面推进依法治国若干重大问题的决定) ([Beijing Morning Post](#), October 29, 2014; [Xinhua](#), October 28, 2014). In the Fourth Plenum Decision, the Party highlighted the importance of creating a complete body of military law with Chinese characteristics and stressing the Communist Party's absolute leadership over the Army as a core and fundamental requirement for ruling the military according to the law. The Decision additionally called for the overhaul of all aspects of military law, as well as educating

officers and soldiers that following the law is part of the new normal in the PLA ([Xinhua](#), November 15, 2013).

Like the legal reforms in other Chinese legal institutions, the principles laid out in the Fourth Plenum Decision were further developed in a lengthier document, which was issued by the Central Military Commission (CMC) in late February and entitled Deeply Promoting Administering the Military According to Law and Administering the Military Strictly Under the New Situation (Military Law Reform Decision) ([China Military Online](#), April 22). Unlike the reforms of the judiciary and procuratorate, the Military Law Reform Decision has not made public.

However, by drawing on detailed summaries issued by the Central Military Commission's Legislative Affairs Bureau, parts of China's National Defense White Paper and the legal press, important details about the nature of these reforms are revealed ([State Council Information Office](#), May 26; [Legal Daily](#), August 13). The Military Law Reform Decision reflects themes seen in other areas of Chinese legal reform:

- Primacy of Party control;
- Lifetime responsibility of officials for mistaken decisions;
- Clear body of legal rules;
- Drafting of legal rules that bind military officers and military institutions, and encouraging a culture of law observance;
- More effective legal institutions to enforce legal norms;
- More legal advisers;
- A justice system with greater professionalism, autonomy and institutional protection;
- Greater transparency;
- Improved salaries and benefits to attract better qualified personnel.

Party Control

The Military Law Reform Decision repeatedly stresses that the Chinese military (like its legal institutions) must be led by the Communist Party, and that nationalization (国家化)—the separation of the military from the Party's leadership—goes against the principles of the Communist Party. The corollary to this is that Communist Party

institutions that lead the military must act in accordance with law.

Lifetime Responsibility of Officials

Article 20 of the Military Law Reform Decision calls for establishing a comprehensive lifetime responsibility system for major strategic decisions, and a system for monitoring that system, and establishing a system for transparency. This reflects a basic principle that was set out in the Fourth Plenum Decision for judicial and other government officials, establishing life-long responsibility investigation and responsibility tracing mechanisms for major policy decisions, where grave mistakes in policymaking or a long-term delay in the making of policies that should have been made earlier result in major damage or deleterious influences. The summary does not specify the persons who are intended to bear this responsibility ([China-US Focus](#), October 31, 2014).

Clear Body of Legal Rules

Given the previous glacial pace of Chinese military legal developments, the measures set out in Article 10 of the Military Law Reform Decision for promoting a body of military legal rules that are better integrated with civilian law are significant. Specific measures are mentioned which will ensure that lower-echelon military rules comply with higher level regulations. Article 13 calls for promulgating organizational regulations for military departments, so that the exercise of their authority can be monitored and the concentration and abuse) of authority can be avoided. Importantly, this set of regulations significantly reduces the autonomy of lower echelon commands.

Party Committees, Military Institutions, Operations, Officers and Soldiers are Bound by Legal Rules

Four articles of the Military Law Reform Decision require military Party committees, institutions, operations and officers to comply with legal rules. This reflects longstanding concerns of Chinese military legal officials, now made evident by the revelations of widespread corruption and abuse of power within military institutions. These articles call upon military Party Committees to have major decisions reviewed by military legislative affairs offices (similar to the civilian legislative affairs offices, and analogous to Judge Advocate General's Corps, or

JAG, lawyers) and consider their views, in order to prevent and correct illegal decisions. These articles also direct the military to use legal rules to resolve disputes within the military, as well as with civilian parties.

Legal Rules Require Effective Monitoring Institutions

Article 19 of the Military Legal Reform Decision calls for strengthening specialized monitoring and enforcement institutions. Those institutions are not limited to legal ones, but also include the CCP, audit, and Party disciplinary bodies. The intent appears to be having more effective law and Party discipline institutions, thereby reducing abuses.

Military Legal Advisers

The Military Law Reform Decision calls for the establishment of a system of legal advisers, by expanding the number of legislative affairs offices (法制办) described above.

Military Justice Requires a Degree of Professional Autonomy and Institutional Protection

Section 24 of the Military Legal Reform Decision calls for reforming the military justice system (referring to both the courts and procuratorate), establishing a rational court and prosecution system and improving its personnel administration.

In February, Zhang Jiantian, a former Central Military Commission (CMC) Legislative Affairs Commission official (and former military judge), who is now a professor at the China University of Political Science and Law, published an analysis of the Chinese military courts along with his own reform proposals, in the Supreme People's Court newspaper. The article was reprinted by other authoritative media outlets Xinhua and Legal Daily (*Legal Daily*, February 11). His proposals could be understood to apply to the military procuratorate because it has an analogous status to the military courts. He writes that although in name Chinese military courts appear to be courts established in the PLA and People's Armed Police, in reality they are a department of the military political authorities (政治部门). In a 2014 article, the former head of the PLA Military Court conveyed the same point, but in softer language ([Southern Weekly](#), May 1).

Under current law, military courts are under the General Political Department (the Party organization of the PLA), as provided in the regulations on PLA Political Work. Because the military courts operate as a functional department of the political authorities in each military region, the following problems have arisen:

- Complete lack of legal protection for the military courts;
- Unclear legal position of the military courts, because no law has been promulgating setting out their functions and jurisdiction;
- Commanders are in charge of military judges, which means a judge can be demoted if the commander dislikes a judicial decision;
- Operating funds are allocated by the political departments of each service, so the independence of the courts is affected by the control of the finance department of the military service over funding.
- The current system means that local military command leadership interferes in the trial of cases.

The concept paper also suggests drafting legislation for the military courts, although the summary provides fewer details ([Legal Daily](#), August 13).

Proposed reforms

In the view of Zhang and other military legal officials, reform of the military courts requires a national law to supersede the current patchwork of judicial interpretations and military regulations. In their opinion, reform of the military courts requires a firm legal basis ([Yangguang Military](#), January 27). The law should set out the status, organization, jurisdiction, selection of judges, and staffing of the military courts, among other issues.

The law is likely to be eventually drafted, but after the PLA reorganization takes shape as well as the People's Court Organizational Law and Judges Law. The rationale for this would be that the Central Military Commission will need to decide whether the military courts follow the civilian model or something different. Press reports have revealed that work has begun on the redrafting of the Judges Law and People's Court Organizational Law. [3] The drafting of a military court law requires a policy decision about the new framework for a reformed military court system.

Professor Zhang and most other officials who have commented advocate retaining the current system of three levels of courts, while establishing a territorial based system of jurisdiction with unified military courts in each military theater instead of the current system of military courts in each service and military region. Under his proposed structure, personnel would be allocated based on the number of cases. This would use manpower most efficiently while removing interference and enabling military courts to handle cases independently.

The Military Law Reform Decision does not provide clarity on what model will be adopted. The reorganization of the military courts is likely to be linked to the restructuring of the Chinese military.

Transparency

Principles of transparency are mentioned several times in the Military Law Reform Decision, although it fails to set out key specifics such as whether the military courts will become more transparent than before. Military law experts both inside and out of the military are advocating greater transparency, and the Military Law Reform Decision itself calls for greater military transparency in a number of areas, including in the recruitment of students for military academies, hiring, procurement of materiel and engineering services and real estate. However, it appears no policy decision has yet been made. [4]

Improving the Status of Military Legal Personnel

Article 27 of the Military Law Reform Decision concerns improving the treatment of military legal personnel, recognizing what many legal officials have been saying for some time: that the military legal system needs to attract more qualified personnel and they need to be given better treatment. Among the measures mentioned is exchanges with other departments that military legal personnel need to interact. It is likely that many of the most qualified law students would rather join law firms than the PLA. An article published several years ago by a lecturer in the Northwest University of Political Science and Law found that military judges lacked the qualifications of their civilian counterparts, because most had not had a formal legal education, but were political officers who learned law through short term courses or on their own. [5] The Military Law Reform Decision also

calls for selecting some outstanding legal personnel to study or participate in exchanges abroad.

Improve Military Legal Research and International Military Legal Exchanges

The Military Law Reform Decision calls for greater research into military legal theory, and the creation of a common legal syllabus for all branches of the military. Surprisingly, it calls for greater participation in international military legal exchanges. Reflecting the general principles seen in the Fourth Plenum Decision, it promotes Chinese participation in the drafting of international military legal rules and increasing the voice and influence of China in international military legal matters.

Conclusion

The Military Law Reform Decision represents an important part of President Xi Jinping's comprehensive reforms of the current political system and military modernization program. The decision gives Xi's endorsement to the principle that a modern military requires a body of law with corresponding legal institutions. This shift is directed at creating legal institutions that will achieve the goals of the political leadership. Those goals include:

(1) A military legal system commensurate with China's place in the world, (2) that remains firmly under Party control, but (3) is better integrated with the civilian and international world, as China moves to the greater use of military-civilian integration and becomes a more active participant in international military operations, such as the UN. Judging by the sparse press reports on the subject, implementing "rule by law" in the military may involve even greater challenges than in the civilian sphere. In the next several years, we will be able to see whether its implementation means:

- A more predictable and rule-based PLA;
- Less corruption within the PLA;
- better justice for Chinese soldiers and officers; and
- A more professional Chinese military legal community.

Given the importance and sensitivity of the military in the Chinese political system, the reforms listed can be expected to be implemented in a considered way.

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Notes

1. Zhang Jiantian, "[Concerning the Matter of Establishing and Improving Our Country's Military Legal System](#)," (关于我国军事法体系的建立和完善问题)
2. See an overview in "[The Chinese military legal framework must be improved](#)," Global Military Justice Reform [blog], May 20, 2014.
3. Shen Deyong, "[Work hard on legal research and consensus, overcomes difficulties to complete a draft law](#)," (沈德咏：凝聚共识加强修律调研攻坚克难完成修律草案), *Faguanfa*, October 23, 2015.
4. Susan Finder, "[Sunshine, the great disinfectant, coming to the Chinese military legal system?](#)", Global Military Justice Reform (blog).
5. Liu Jun, "[Comparing Chinese Military Court Judges With Local Court Judges](#)," (比较我国军事法院法官与地方法院法官).

Xi's Blue Helmets: Chinese Peacekeeping in Context

By Gary Li

During Xi Jinping's address to the United Nations General Assembly on September 28, he surprised most observers when he pledged to setup a permanent Chinese peacekeeping force of 8,000 troops, as well as make

substantial donations to the UN for peacekeeping duties. In his speech titled "China is Here for Peace," Xi called for an improvement to the current peacekeeping system, more rapid responses to developing crises, and greater support for African nations. To this end, he outlined China's commitments to global peacekeeping ([FMPRC](#), September 28):

1. Establishment of a peacekeeping standby force of 8,000 troops
2. Favorable consideration for UN requests for Chinese engineers, logistics and medical staff
3. Training of 2,000 peacekeepers and establishment of 10 de-mining programs
4. \$100 million pledged to improve the African Union's crisis response forces
5. Deployment of helicopter units to support UN operations in Africa
6. Establishment of a China-UN peace and development fund used to support operations

Points two and three are continuations of existing Chinese efforts at supporting peacekeeping operations and part of China's soft power efforts, while points four and five follow China's tradition of assisting Africa and other developing nations, as well as contributing to stabilizing a continent that is increasingly important for Chinese investment. The pledge of helicopters is worthy of note as Chinese aircraft have hitherto not been deployed on UN operations. It is likely that the helicopters will be transport variants (such as the Mi-17/171 or Z-8) and attack helicopters like the Ukrainian Mi-24s in the Congo.

History

China was slow to join UN peacekeeping missions, with the first deployment of observers (to UNTSO, the UN Truce Supervision Organization) only taking place in 1990, and the first deployment by the People's Liberation Army (PLA) (to UNTAC, the UN Transitional Authority in Cambodia) in 1991. Since then, Chinese peacekeepers have joined UN missions around the world from Haiti to Lebanon. As of September 2015, China has a total of 3,040 personnel involved in various UN peacekeeping missions around the world, including 2,838 military personnel. [1]

Prior to this, Beijing had been wary of involvement with “UN forces,” having fought against a U.S.-led UN force during the Korean War. Its policies of non-interference and a general view of military deployments overseas as not something conducted by socialist nations meant that it did not immediately join peacekeeping missions even after being admitted into the UN in 1971.

Since the first major deployment as part of the Iraq-Kuwait Observer group in 1991, China’s troop contributions had risen dramatically. While it ranked 46th in terms total contributions (67th in terms of non-military personnel), it rose to 14th in 2014 (2,186 personnel, including 1,979 military). As of August of this year China ranks tenth in terms of total contributions. [2]

Despite this increase in numbers in recent years, China has limited its contributions in military personnel to engineering, logistical and medical troops. Indeed, peacekeeping achievements are recorded by the government in terms of the number of bridges built, lengths of roads paved and patients treated. In other words: quantifiable and tangible targets, much like a Chinese foreign direct investment project ([Xinhua](#), April 19).

Motivation

Under President Xi, however, there appears to have been a shift in perceptions regarding the potential benefits stemming from UN peacekeeping missions—for both China and the UN. This is part of the broader shake-up of the PLA under Xi’s leadership, which has seen senior officers removed from power for corruption, and attention paid to more realistic training as well as an “ability to win wars,” which in the West is perhaps better translated as “maintaining combat readiness” ([PLA Daily](#), January 17; [People’s Daily](#), August 27, 2014).

The PLA is rather unique in that it is the only “Great Power” military force not to have engaged in conflict since the beginning of the 21st century. By contrast, NATO member-nations have been involved in the War on Terror since 2001, and Russia is actively redrawing the map of Eastern Europe. Aircraft from all of these nations crisscross the skies over Syria and drones continue to hunt for targets in the mountains of Pakistan.

Meanwhile, the 2.3 million-strong PLA has not fired a shot in anger in a conventional conflict since the border skirmishes with Vietnam in the 1980s, and not engaged in a full-scale conflict since 1979, again with Vietnam. Much of the past 30 years have been spent on various modernization programs that aimed to build a force that can “win under informatized conditions” ([PLA News](#), May 26). The reforms first focused on acquiring more advanced technology, motivated by the demonstration of U.S. conventional power in the deserts of Kuwait during the first Gulf War, followed by attempts to streamline the force.

However, military research, and development has been hampered by an arms embargo by the West, as well as a lack of trained personnel that can effectively man the new platforms. Political intrigue and byzantine networks of patronage has grounded force structure reforms for the past decade. All of these have contributed to the PLA being perceived as a force that looked good on paper but is questionable in terms of actual combat abilities.

Gulf of Aden

One of the key components of modern military operations is the ability to rapidly deploy one’s forces to a flashpoint. Western military reforms, gaining from extensive experience in Afghanistan and Iraq, has been to do away with heavy armored formations of the Cold War and replace them with light, modular and extremely mobile formations in either regimental or brigade size.

However, while Western forces have had opportunities to test themselves in practice, this has not been an option for the PLA, which has to content itself with moving forces within China. While occasional exercises with neighboring countries have been beneficial, these have not been large nor sophisticated enough to fully accumulate institutional knowledge in modern combat operations.

The first opportunity for the PLA to deploy abroad in a meaningful way came in 2008 when China announced that it would send a naval flotilla to the pirate-infested Gulf of Aden ([People’s Net](#), December 26, 2008). Six years and 21 flotillas later, what was an effort to protect a vital shipping route for global trade, has turned into the best joint operations exercise for the modernized People’s Liberation Army Navy (PLAN) that it could have wished for ([China Brief](#), May 1).

During these deployments, often involving large surface warfare as well as amphibious assault ships, the PLA navy tested its ability to operate both at range and for long durations. The experience has not only been invaluable for China's naval development, but it was also welcomed by the international community. China realized that a UN mandate can legitimate Chinese deployment of combat personnel abroad, as well as offer opportunities for Chinese officers to learn from other militaries up-close. Exchanges between Chinese personnel and other participating forces can also act as confidence-building measures, helping to chip away at fears of China's military rise.

Xi's Blue Helmets

Xi Jinping, who has done much to push PLA modernization forward, is now taking Chinese peacekeeping into a new age. In 2014, the first combat troops, an infantry battalion of 700 men and women, was dispatched to South Sudan, arguably paving the way for Xi's recent announcement of a permanent force of around brigade size ([People's Net](#), December 25, 2014). The light mechanized battalion of three infantry companies, one support company and battalion HQ was equipped with the latest equipment and drawn from the Jinan Military Region, a region well known for its innovation in rapid response and light mechanized units.

The future force, if the plan goes ahead, will almost certainly consist of the best and most mobile of China's ground forces. It will also likely to contain all the fruits of its military reforms in hardware, training, and structural experimentation. The PLA has tested "combined battalions," modular forces that consist of units from several arms similar to a battalion battlegroup in NATO forces ([QQNews](#), 2013). These have been tested in new realistic training programs (another innovation introduced under Xi), as well as during the Shanghai Cooperation Organization's (SCO) annual "Peace Mission" exercises alongside Russian and other Central Asia forces ([JMB News](#), 2014)

The new generation of PLA hardware, such as the infantry fighting vehicles and armored personnel carriers seen during the 70th Victory Day Parade in September 2015, are geared toward rapid deployment, interchangeability and firepower. In other words, the PLA

technically possesses all the components it requires to field a rapid reaction force on combat missions. UN peacekeeping operations, much like the Gulf of Aden patrols, will be the best platform for additional training and testing of doctrine.

Responsible Power

Another aspect of Chinese willingness to deploy combat forces abroad is the need to be able to protect the lives and property of Chinese personnel overseas. As Chinese investment abroad increases every year, overseas Chinese have found themselves caught up in conflicts which has required Beijing to expend substantial resources to extract them.

Since the much reported evacuation of Chinese nationals during the Libyan Civil War in 2011, China has also evacuated thousands of its citizens from both South Sudan and Yemen in 2015 ([Xinhua](#), March 30). These operations demonstrated a nascent ability to deploy maritime and aerial transport, but also highlighted their limitations. This was especially in the case with the Libyan evacuation, when a Chinese Il-76 (an aircraft that is in short supply in China) had to fly in from South Sudan ([Sina](#), March 2, 2011).

As China rises, it will inevitably be faced with both shouldering the responsibilities of a great power and the need to protect its citizens abroad. In order to these challenges, the Chinese military must better acquaint itself with the ability to operate in hostile and unfamiliar environments, joint command and control of diverse units and cooperating operationally with foreign forces. UN peacekeeping operations will allow Chinese forces to gain all of these.

This willingness to learn was further demonstrated when, during Xi Jinping's trip to the United Kingdom in October, the two countries agreed on three bilateral defense programs, two of which were on "Examining the Establishment of Sino-UK International Peacekeeping Collaboration Framework" and "2016 Sino-UK Exercise on Expatriate Evacuation" ([People's Daily](#), October 23). [3] This affords a great opportunity for the Chinese to learn from a military that has extensive experience in peacekeeping in hostile environments as well as learning from the Royal Navy on how to conduct large evacuation operations.

Going Forward

Although it might not be a surprise that the current largest concentration of Chinese military personnel is with the UNMISS in South Sudan, where China has considerable energy interests, Chinese blue helmets are also deployed in large numbers in Lebanon, Liberia and Mali, where they do not have clear-cut economic interests. Characterization of China's future peacekeeping operations purely as attempts to protect Chinese overseas interests with military forces are therefore unwarranted.

Chinese blue helmets will likely be just as risk adverse as the PLA always have been, with unnecessary losses seen as potential career ending disasters for officers in charge, and any local civilian fatalities posing considerable reputational risks for China as a nation. Nevertheless the Chinese contingent will no doubt be a welcome additional to UN peacekeeping operations, as the discipline and efficiency of the current troop contingents have often been frequently complimented by the UN ([81.com](#), June 25).

As the 8,000 strong Chinese "UN Brigade" comes into being over the coming years, the world will no doubt focus its attention on its full or partial deployment around the world. It will inevitably come into contact with foreign forces, including those from the West. This will be a golden opportunity for both sides to learn from each other, build stronger trust, as well as allow China to demonstrate itself as a responsible great power. The stakes are high, and Xi Jinping will be potentially gambling with the reputation of the Chinese military and nation. Potential returns will include invaluable lessons for the PLA in overseas deployment, as well as the chance to learn from other, more experienced militaries from around the world.

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Notes

1. [China's Participation in UN Peacekeeping Operations](#) (1990–2008).
2. [Troop and Police Contributions](#), United Nations Peacekeeping.
3. The United Kingdom in particular is keen to "guide" China on its rise as a military power and how to avoid conflict with others. The British military arguably has the longest institutional experience in executing global responsibilities from its time as an Imperial power. However, unlike the U.S., the UK is not directly engaged in strategic rivalry with China.

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