

## Omens for the Shangri-La Dialogue

Written by Christian Le Mière

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CHRISTIAN LE MIÈRE, MAY 31 2012

The Shangri-La Dialogue opens on 1 June and already it is evident that there will be a maritime focus to this year's event. One of the plenary sessions and two of the special sessions are dedicated to maritime issues. This is unsurprising given a highly eventful period in the contentious South China Sea.

The heavily disputed waters are contested by seven political entities (Brunei, China, Malaysia, the Philippines, Taiwan and Vietnam all maintain claims to some or all of the islands, while Indonesia's exclusive economic zone (EEZ) overlaps with China's vague nine-dashed line map). That makes it truly a regional issue and one that has risen to the top of the agenda in recent years, as states have submitted their claims to the Commission on the Limits of the Continental Shelf and started to exploit the undersea resources in a more concerted fashion.

It is currently of pressing importance given the ongoing stand-off at Scarborough Shoal. Since early April, when the Philippine flagship, the BRP *Gregorio del Pilar*, a US-donated cutter, tried to arrest Chinese fishermen, there has been a constant rhetorical battle between the two countries over the small group of islets. A rotation of maritime paramilitary vessels has been deployed to the shoal to assert each country's sovereignty and intimidate the other claimant.

The current contretemps in the South China Sea highlights several interesting issues. The first is the use of maritime paramilitaries as a form of auxiliary navy to assert a state's sovereignty. Amid the competition for control of the South China Sea, there has been a rapid increase not only in naval capabilities, but also in maritime paramilitary or constabulary forces. Nowhere is this more apparent than in China, where the China Marine Surveillance force has been the beneficiary of large amounts of investment and will see a huge expansion in its fleet in coming years.

The reasons for this expansion in maritime paramilitaries are clear. The use of maritime paramilitaries as opposed to naval vessels allows states to claim *de facto* sovereignty over an area, and hence attempt to support a claim *de jure* sovereignty, while avoiding escalatory naval deployments and lessening the possibility of conflict. It also allows for states to aggressively assert their sovereignty claims while also supposedly respecting the 2002 Declaration on the Conduct of Parties in the South China Sea (DoC). That document, signed by the ten member states of ASEAN and China, exhorts its signatories to "resolve their territorial and jurisdictional disputes by peaceful means, without resorting to the threat or use of force..." Deploying naval vessels to coerce neighbouring states in a multilateral dispute would clearly transgress this agreement; using unarmed or lightly armed maritime paramilitary vessels may well violate the spirit of the DoC, but it could be argued it does not violate the letter of it.

The use of maritime paramilitaries has also indicated the increasing prevalence of a form of 'paragunboat diplomacy'. This concept greatly resembles gunboat diplomacy as it seeks to coerce rivals through the use of sea-based force, but simply with less well-armed vessels. Traditional gunboat diplomacy has also been more predominant in the Asia-Pacific region recently, as witnessed by the sinking of the *Cheonan* in 2010, the US reaction with the deployment of the USS *George Washington* to the Yellow Sea and a variety of live-fire exercises by both China and Vietnam in the South China Sea to symbolise displeasure and act as a deterrent to each other.

What all of this sabre rattling demonstrates is the very clear gulf between the various claimant states and the intractable nature of the dispute. This is worrying as nations are now investing more concertedly in their navies to

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ensure they are prepared for any contingency. In particular, a raft of submarine purchases throughout the region hint at growing concerns, with Malaysia and Singapore having both taken delivery of two submarines apiece recently, Vietnam and Indonesia having ordered six and three submarines respectively, Australia and Japan having outlined their plans to expand their fleets and Thailand and Taiwan noting their desire to procure new boats. All the while, China's surface and sub-surface fleet has been steadily growing and modernising; in 1990 the country had just two World War II-era destroyers in service, but now it has 13 modern, well-equipped destroyers. This surface fleet is supported by more than 70 submarines in a still-growing fleet.

With this arms build-up raising eyebrows across the region, there are currently various attempts to reach diplomatic solutions to the complex South China Sea dispute, with for instance negotiations ongoing for the development of a Code of Conduct, which would resemble the DoC but be legally binding (the DoC is just a political agreement). However, such an agreement is likely years away if it ever comes to fruition.

As if this is all not complex enough already, the much-vaunted US 'pivot' or 'rebalance' to Asia is being undertaken as a response to perceived Chinese assertiveness in the region and to reassure allies of Washington's continued commitment.

The focus on the South China Sea at the Shangri-La Dialogue, therefore, will be a welcome addition to the diplomatic efforts to avoid conflict over this emotive issue. But the dialogue itself will not find a solution, as it will take many more years of concerted diplomacy to settle this thorny issue. We can therefore expect continued military competition even though there is little appetite for conflict, while regional states will continue to pursue a non-violent solution.

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### Further Reading:

The Return of Gunboat Diplomacy

<http://www.iiss.org/publications/survival/survival-2011/year-2011-issue-5/the-return-of-gunboat-diplomacy/>

Policing the Waves: Maritime Paramilitaries in East Asia <http://www.iiss.org/publications/survival/survival-2011/year-2011-issue-1/policing-the-waves-maritime-paramilitaries-in-the-asia-pacific/>

America's Pivot to East Asia: The Naval Dimension

<http://www.iiss.org/publications/survival/survival-2012/year-2012-issue-3/americas-pivot-to-east-asia/>