

# South China Sea - Old Worries on The Rise

Written by Tilman Pradt

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The territorial disputes concerning the Spratly and Paracel Islands and adjacent waters are still unresolved. Recently, incidents between Vietnamese seismic survey ships and Chinese coast patrols are a reminder of the conflict potential these border disputes inherit.[1] After a phase of relative easiness among the claimants to the South China Sea (SCS) islands, these newly heightened tensions cause rising worries in the region and abroad.[2]

In this respect, the focus of security analysts is on (newly) granted contributions for oil exploration surveys in waters claimed by both China and Vietnam. The recent clashes between survey ships and coast patrol ships should have been prevented by the signing of the Declaration on the Conduct of Parties in the South China Sea (DoC) in 2002. By signing this declaration, the claimants to the disputed areas in the SCS (namely the Spratly Islands) agreed "to resolve their territorial and jurisdictional disputes by peaceful means, without resorting to the threat or use of force." [3]

This purpose of peacefully resolving territorial disputes is obviously not appreciated.

The most promising effort to resolve the conflicting territorial claims in the SCS or at least to build some mutual understanding and foster confidence among the claimants has been a series of workshops initiated by Indonesia in the 1990s.[4] These workshops did not succeed in reaching a solution for the conflicts yet but provided the claimants a platform for discussion and this was probably the necessary condition for reaching the DoC.

Nonetheless, during the last decade there was little progress in resolving the territorial disputes, rather the opposite as the recent clashes might suggest.

To better understand the complexity of the SCS disputes it is helpful to determine the different conflict lines which constitute the various aspects of the problem.

### Dimensions of the conflict

First, the area is alleged to bear vast contingencies of fossil resources in its seabed (e.g., hydrocarbons such as oil and gas) though estimations about the real amount vary dramatically.[5] Rising energy prices in combination with Asia's demand for fossil fuels are the reason for aggravating the disputes about exploitation rights. Most of the oil fields in the South China Sea are located at deep sea level, which caused a problem for exploitation in the past. But since deep sea drilling became more common and thus more profitable during the last two decades, the claimants' interest in offshore drilling in the SCS experienced rising attention.

Second, the contested islands are situated in the middle of the SCS (especially the Spratly Islands) what qualifies them to be strategically important locations for military bases. Besides the success of the Association of Southeast Asian Nations (ASEAN) in avoiding military conflicts among its member states, the SCS littoral states are troubled in overlapping territorial claims and thus interested in understating these claims through effective (military) occupation. The possibility of a permanent Chinese military presence in this area is an unsettling perspective for ASEAN members (although this process is already happening).[6]

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Third, the SCS is an important route for commercial shipping. The ASEAN members are highly dependent on free passage, as are China and Japan, which import eighty percent of their crude oil purchases through the SCS. Therefore, the possession of some of the SCS islets is regarded as a means to guarantee free passage and thus the important commercial shipping in the region.[7]

Fourth, the disputes over the SCS islands have become an issue of increasing nationalism. Asia's young democracies are still in the process of national identity building to distinguish and looking to distinguish themselves on the international stage. In this regard, the dispute over some uninhabited rocks, which are even submerged during high tide, can quickly escalate because of old nationalistic tensions between the claimants.

## Geopolitical context

All this should be understood in the bigger context of geopolitics. China's economic rise combined with its increasing military capabilities is attentively observed by security analysts in the region and abroad. SCS claimants therefore do not merely trust in bilateral negotiations with Beijing or in the ASEAN's possibilities to prevent conflicts but are reaching out for security alliances with outside powers (i.e., the US). After a decade of waned interest in the region, the US has recently highlighted its interest in a peaceful resolution of the SCS conflicts and an enduring guarantee for free passage. The United States is again raising its engagement in the region after a shift of interest towards the Middle East. It is unsettling in this regard that China is claiming the whole of the SCS area (as does Vietnam) and reacts allergic to interferences from outside the region. Beijing's angry response to U.S. Secretary of State Hillary Clinton comment illustrates this. [8]

The recent sending of the guided-missile destroyer USS Chung-Hoon to conduct military exercises with Vietnamese navy forces in the SCS highlights further the security aspects of the border disputes.[9] It seems as if Vietnam and other SCS claimants are looking for security alliances (i.e. with the United States) to prepare for the eventuality that a more powerful China might try to settle the territorial disputes by military means in the future.

Security analysts as Robert Kaplan are already assuming that Vietnam will become the next major ally of the United States in the region, similar to the role of Great Britain in Europe.[10]

The Asian region has as a whole increased its military spending on arms purchases.[11] Vietnam has recently announced its order of Russian built Kilo class submarines and Su-30 jet fighters,[12] the very same weapon systems that China has obtained from Russia during the last decade. Additionally, the aircraft carrier "Varyag" which China received from the Ukraine in the 1990s is finally near launch status and will soon sail the SCS.

This is a highly explosive cocktail which requires sober diplomatic (multilateral) initiatives to reach a peaceful solution. Demilitarising the area in the meantime would be very helpful in view of confidence building measures, unfortunately quite the opposite is happening.

All multilateral conflict resolution efforts have failed so far. Probably the most promising initiative has been the series of so-called Indonesian Workshops in the early 1990s, since then no serious multilateral solution finding meetings took place. Especially the consensus appreciating character of ASEAN-led initiatives (i.e., the "ASEAN Way") is inappropriate to reach any progress in a conflict as protracted and complex as the SCS territorial disputes.

Instead, bilateral agreements among single claimants seem to be the means of choice. But bilateral agreements, same as bi- and trilateral joint exploration efforts, are prone to reach an agreement among the participants but excluding other claimants, thus aggravating the situation rather than improving it.

## Conclusion

A new, serious multilateral approach to resolve the territorial disputes in the SCS is needed, appreciating the preconditions of successful third-party mediation (i.e., a mediator really neutral to the conflict; participation of all concerned parties; secrecy about the discussions and progress reached during the mediation process). The key to

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successful mediation is the participants/ claimants confidence, that they will gain more by a reached (negotiated) solution than by delaying the problem and later “solving” it militarily to one’s own advantage.

Currently, it does not seem as if the SCS claimants have reached this point and thus any new multilateral negotiation round is foredoomed to fail. The regions’ rising military budgets and building of new security alliances instead of multilateral solution efforts will provoke new clashes between claimants’ ships and possibly trigger military conflicts in the future.

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[1] (“China reprimands Vietnam over offshore oil exploration”, 2011), (“Hanoi blames Beijing for maritime incident”, 2011), (“China warns Vietnam against “incidents” in disputed sea”, 2011)

[2] (“East Sea incident a pressing issue: Vietnamese Defense Minister”, 2011), (Bowring, 2011), (Denmark, 2011)

[3] <http://www.aseansec.org/13166.htm> (accessed 2011-07-31)

[4] (Djalal & Townsend-Gault, 1999) and (Djalal, 1998)

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[5] (Tønnesson, 2002)

[6] (Emmers, 2010)

[7] (Ho, 2009)

[8] (Cerojano, 2010)

[9] (Hsiao, 2011)

[10] Robert Kaplan at the Carnegie Council, November 1, 2010, see clip at: <http://www.youtube.com/watch?v=eAd7B-S3tvo> (accessed: 2011-08-24)

[11] [http://www.sipri.org/research/armaments/milex/resultoutput/regional/Milex\\_asia\\_ocean](http://www.sipri.org/research/armaments/milex/resultoutput/regional/Milex_asia_ocean) (accessed 2011-07-31)

[12] (Denmark, 2011)