

# The South China Sea: Examining Security and Cooperation

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## Introduction

For Beijing, the issue of the South China Sea and its security is of paramount importance. Lately it has doubled-down on its efforts to gain greater control over not only the sea but also the airspace. From China's perspective, in the current context the biggest threat to national security would be the naval dominance of a Japan and Australia backed United States in the Western Pacific.

Up until recently however, China toned-down some of its more overt intimidation tactics. As competition between the US and China intensifies, there is fear in the region that Beijing may be downplaying the potential benefits of allowing a greater role to other powers like the

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US, in order to further its own objectives associated with establishing regional primacy. Even though the United States holds no position over sovereignty claims in the South China Sea region, not even in relation to its ally the Philippines, Washington continues to display signs of eagerness towards managing tensions with respect to maritime security in the South China Sea region.

Driven by anxiousness over China's 'true intentions', some ASEAN states advocate for a greater role of other external powers. Forums like the East Asia Summit (EAS) have been used by the ASEAN in hopes that a diverse mix of countries will help

keep balance between relevant powers in check. Generally ASEAN member states have given precedence to regional peace and stability over sovereignty concerns. The seizure of Scarborough Shoal from the Philippines in 2012 is a case in point. ASEAN statements continued to emphasize the non-use of force and resolution through negotiation, at the same time they also put in place rules like the Code for Unplanned Encounters at Sea, the Declaration of Conduct (DOC) of Parties in the SCS, and the Code of Conduct building on the DOC.

All Southeast Asian claimants in the South China Sea (Brunei, Indonesia, Malaysia, the Philippines, and Vietnam), China, and outside powers like the United States hold significantly different security concerns, priorities and visions for cooperation and security in the larger region. There is a notable divide on the simplest of questions pertaining to security; on the region's most vulnerable countries, the obstacles to security and the

prioritization of security concerns. Opinions vary between South China Sea littoral countries including China, and the United States and outside powers. With the eighth Xiangshan Forum to take place this October, it is important to examine challenges to cooperation awaiting countries that will soon engage in debate over the crucial South China Sea issue. This paper tackles the different understandings of security between stakeholders in the South China Sea issue. It will examine major obstacles to cooperation on security in the region, and discuss cooperation in the current context as a real possibility.

## The Xiangshan Forum

Co-hosted by the China Association for Military Science and China Institute for International Strategic Studies, the eighth Xiangshan Forum is set to take place this month. The Xiangshan Forum is an annual Track 1.5 defense meeting attended by important defense and military leaders, think-tank heads, and renowned experts and scholars of concerned countries, as well as representatives of international organizations.

The forum will address important questions related to: regional security and regional threats, stakeholders involved in security cooperation, and the future of cooperation management. This forum is particularly of

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interest because it lists speakers who will help bring forward side-by-side both Asian and Chinese perspectives on maritime security. From 24th to 26th October, the forum will hold discussions on building a new security partnership based on equality, mutual trust and win-win cooperation. The forum will focus on the nature and realities of multilateral maritime security cooperation, and discuss: a new vision for international security governance, the threat of

terrorism and countermeasures, and challenges awaiting UN cooperation and peacekeeping efforts.

The Xiangshan Forum is viewed as an emerging competitor to the more popularly known British International Institute for Strategic Studies' (IISS) Shangri-La Dialogue (SLD), which is held every summer in Singapore. The Shangri-La Dialogue, dominated by Western countries, is accused by the Chinese of giving preferential treatment to outside countries' perspectives and ignoring Chinese voices. Beijing has gone as far as accusing SLD organizers of using the platform mainly to promote criticism of China's policies.

A retired People's Liberation Army (PLA) major general and a delegate at the forum, Yao Yunzhu was quoted as saying: "The US has created a grand narrative consisting of keywords including 'rule-based order', 'freedom of navigation and over-flight', and 'militarization' – once you hear these words, you know it's a criticism targeting China." Several observers have agreed to China's criticism of Western conduct under the SLD. While these concerns have been regarded as legitimate by some, it

is still argued that China should not expect any special treatment on the issue of regional security.

“I can understand if they may feel like they’ve been ganged up on coming here,” said one individual, requesting anonymity. “I think that’s a legitimate question as to why the IISS, an organization headquartered in London, hosts the region’s top security dialogue, and why there are so many Westerners here. Perhaps Beijing would prefer an institution with fewer non-Asian voices.”

The individual continued: “the organization can’t repeatedly give China special treatment when other countries with key speaking roles send their defense ministers or at least the chiefs of their defense forces”.

## Obstacles to Security: Differing Perspectives

When it comes to China and other South China Sea countries, common security concerns range from terrorism to piracy, illegal fishing, smuggling, and even environmental degradation. For majority South China Sea littoral countries, however the key contentious issue remains that of protecting territorial and maritime claims against other claimants and outside powers.

Most South China Sea countries gained independence in the wake of the Second World War. China on the other hand obtained a new system of government during this time. All this was achieved with severe internal and international struggle. Hence threats to sovereignty in the region are handled with utmost seriousness, and pushed back with significant force.

In their short history as modern nation-states, South China Sea countries have only recently extended their maritime jurisdiction to 200

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nautical miles or more. The leadership and the general population in the South China Sea countries see their particular territories, the distinct rocky landscape and resources unique to their lands as part of their “sacred national heritage”. Their maritime claims are not just about lands and territory rather to these countries they also represent the legitimacy of their government. Hence, any threat to these claims would also be threatening ‘national pride’. It is precisely the strength of this narrative that complicates calls for shared security in the region. On the one hand, a

nationalist perspective on the issue of regional security unites countries in their cause to protect their individual claims; on the other hand it hinders the claimants’ ability to fully pursue maritime security cooperation which at times requires them to rise above such issues.

Chinese concerns however are far more extensive and complex compared to those of other South China Sea countries because of its status as a rising global power and a competitor to the United States in the region. Between China and outside powers, there are vast security concerns that need to be accounted for. These include protecting the international order, freedom of navigation for the movement of warships and warplanes, and trade in weapons of mass destruction. The threat of

the use of force and the need to improve maritime domain awareness are also interest unique to China and outside powers.

It is clear with regards to the US-China rivalry in the region that each of the two powers will prefer to focus on traditional security concerns. Both intend to take the lead in uniting all powers big or small with stakes in the region and build a coalition to limit the role of the other. This will likely shadow any and all efforts from both sides.

It is important to note that ASEAN member countries figure prominently when addressing the crucial question on how to deal with possible threats to security and move forward. For the ASEAN a focus on nontraditional issues would likely be preferable. In terms of looking for a leader to provide centrality to all stakeholders in the region, the ASEAN hope to fill this role.

All countries discussing maritime security currently have visibly different ideas of security and terms of cooperation owing to their individual interests in protecting their positions in the conversation and the larger region. Any attempts at conciliation will need to take account of the full length of obstacles to security in the South China Sea. There is an important and necessary task.

### Building Trust

There is a belief among most countries in Asia particularly that maritime security cooperation is fundamentally a means to put the most powerful countries in a position of even more power. The idea is that a few powerful countries through such initiatives assert themselves as

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technologically and militarily superior and use their position to intimidate and dictate terms for other less powerful countries. Such biases and fears affect maritime security cooperation more directly when it comes to information-sharing, which is a critical part of security cooperation. There are deep-seated suspicions with respect to 'intention' that have grown stronger with time and need to be addressed.

Intelligence information sharing is perhaps the most sensitive in this regard because it also includes potentially revealing sources and methods.

## Asymmetric Resource and Capabilities

Militarily South China Sea countries are each faced with their unique set of challenges. Each country's economy is at a different stage in its development and there are stark differences in operating budgets and wide variations in stages of technological development. It is important

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to bear in mind all countries involved have a different scale (in terms of operation), territory and population—meaning they have different capabilities to reconcile with challenges. The lack of a common doctrine, language and interoperability of equipment are added obstacles to maritime security cooperation. There is at times little incentive to dedicate limited resources to cooperation and tackle threats that may be of low priority to some countries. Trade in weapons of mass

destruction, noncommercial freedom of navigation concerns and maritime domain awareness are areas of great interest to outside maritime powers, but for several Southeast Asian littoral countries these can be of little value.

## US-China Rivalry

In the US-China relationship, the South China Sea became a particularly contentious issue since China began constructing “man-made islands” to bolster its territorial claims. The Asia Maritime Transparency Initiative reported China's involvement in record dredging and artificial island-building in the Spratlys since 2013. China built 3200 acres of new land and considerably expanded its presence in the Paracels.

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About one-third of the world's maritime trade transits the South China Sea annually. According to reports, eight of the world's recorded ten busiest container ports are located in the Asia-Pacific region. Two-thirds of the world's oil shipments transit through the Indian Ocean to the Pacific. Most of these shipments go to a rising China.

As Paul Kennedy too notes, without guaranteed and safe maritime access through the South China Sea, it will be difficult for China to attain the kind of “trends in differentials in growth rates and technological change” necessary to change economic balances, which can then create the conditions for the political and military equilibrium it needs to establish itself as a great power.

According to Westphalian standards, China’s approach with respect to the “Nine-Dash Line” is a particularly interesting approach to sovereign territory. So far China has been able to successfully maintain some ambiguity around what its Nine-Dash Line in the South China Sea

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precisely means. Several states fear that it is primarily a maximalist claim for control over all features, land, strategic waters and seabed within the area of the Nine-Dash Line. It dates back to a pre-Communist China. The 1948 map surfaced again in 2009 when the Peoples’ Republic of China was pushing back

against a Malaysian-Vietnamese application to further expand continental shelves under the United Nations Convention on the Law of the Sea (UNCLOS). China’s claim now stretches to nearly all of the South China Sea—increasing its geographic size by about 50 per cent.

In 2016 the arbitral tribunal under Annex VII of UNCLOS revealed China’s claim to rights over sea areas falling within the Nine-Dash Line actually has no legal basis—neither in international law nor in history.

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China has never enjoyed exclusive control over waters or resources in the area. Its navigation and trade in the South China Sea region so far has been China exercising high seas freedoms which were already in existence under international law. Furthermore, since none of the China-claimed islands like the Spratly Island reefs and Scarborough Shoal investigated by the tribunal were technically regarded as islands under UNCLOS, these did not encourage sovereignty assertions or maritime entitlements either. The Nine-Dash Line argument is largely based on China’s position as an emerging great power in the region with a growing demand for safe and dependable trade routes and markets, which can help secure its economic and political future.

US commanders in the Pacific are now increasing Freedom of Navigation Operations (FONOPS) in the contested South China Sea. In some

Chinese circles this is viewed as the US posturing to threaten China's access to foreign markets and energy supplies.

America's naval dominance is viewed with suspicion in the South China Sea, which has now become a flashpoint for tension in the US-China relationship. In May this year the Chinese military landed long-range bombers on Woody Island in the South China Sea—which is another example of China's stance against America's operation readiness in the South China Sea region.

#### Maritime Security Exercises

China and the United States, along with allies Japan, Australia and the UK, offer cooperative maritime security exercises and assistance to

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several Southeast Asian claimants. Southeast Asian coastal nations are eager to accept foreign assistance when it comes to capacity building. However oft-times security cooperation with either the United States or China is seen as a question of picking sides. The burden to choose is introduced by America and China themselves—often implied when not brazenly said. Countries in the region are understandably less welcoming of external military forces when for instance they see the offer for assistance as also requiring them to be party to the ongoing US-China competition for a greater security role in the region. They are

particularly hesitant to participate if it means they will be pushed into regional schemes that depend on them picking sides.

The Southeast Asia Cooperation and Training (SEACAT) exercises are one of the main US-led multilateral exercises involving South and Southeast Asian states. Exercises involve bringing together personnel to execute maritime responses in different security-related challenging situations, like those relating to smuggling, piracy, human trafficking and illegal fishing. These exercises have been taking place since 2002, initially under the title of "Southeast Asia Cooperation against Terrorism." They were renamed in 2012 to further expand the scope of training offered under them.

Training exercises have now become a means to expand multilateral cooperation and information-sharing among coastguards and regional players. The growing integration of information-sharing centers is

critical to Washington's long-term plan of bringing together like-minded states in the region.

On August 27 this year, the US and South and Southeast Asian states launched the 17th iteration of the SEACAT exercises. Information sharing centers this year included Singapore's Information Fusion Center (IFC); Maritime Operations Centers (MOCs) in Brunei, the Philippines, and Thailand; along with the Combined Enterprise Regional Information Exchange System (CENTRIXS), which is a global multinational information sharing initiative aiding communication in real time. These drills highlight the collective efforts of the US, its allies and partner countries in South Asia to boost collaboration on maritime security in the Indo-Pacific region.

## Cooperation: A Possibility?

It is important for China to recognize that its conduct so far at the regional and international level raises serious doubts about its ‘true intentions’ in the South China Sea. It refused to participate and adhere to the arbitral tribunal’s July 12 ruling in the Philippines’ South China Sea case against China. The tribunal ruled in favor of Manila, categorically stating that several major parts of Beijing’s claim and efforts to enforce its position are unlawful. Henceforth, China has earned itself a reputation for ignoring laws and norms when they’re contrary to its regional interests.

In order for China to truly position itself as in favor of cooperation it will have to make some changes—at least in its tone.

Several Asian countries believe in the value of the US alliance and partnership network, and international regulations and norms for regional peace and prosperity, regardless of Beijing’s position. Beijing needs to find a way to engage other powers within and beyond the region, the US especially. In conversations relating to a new ‘regional security architecture’, China needs to take into account the Western perspective, for instance. China must be careful not to use anti-Western rhetoric as it has in the past on the issue. China has publicly criticized Singapore for siding with the United States in the past. It also disapproved of Myanmar doing the same, but more privately. Giving credit to contributions by the United States, Japan and Australia would certainly help eradicate the charge against Beijing that it is using the current state of affairs for zero-sum competition with Washington.

Asia-Pacific nations have serious doubts of China’s commitment to ASEAN centrality. In the past China has demonstrated an interest in testing and possibly even undermining ASEAN’s unity. At the ASEAN-China Special Kunming Meeting, China attempted to divide the regional grouping. According to a report, during the meeting Beijing evoked a lot of anger in the room when it tried to challenge the ASEAN’s centrality. There are even some reports of China drawing up a four-point consensus in April with Southeast Asian countries Cambodia, Laos and Brunei. These reports were however later denied by all countries accused of siding with China.

Given these regional realities, perhaps one way of pushing multilateral maritime security cooperation in the South China Sea can be if the US and China are to cooperate against a single high priority threat, for instance. In “Maritime Security Cooperation in the South China Sea”, Mark J. Valencia suggested “transnational piracy and terrorism and/or insurgencies” as two areas that could prove ideal to lay the grounds for

US-China cooperation. Regardless, creating the right environment for cooperation will take time and consistent diplomatic effort from both sides. Given the ongoing trade war and the current state of tensions in the bilateral relationship, any positivity in the matter would however involve quite a leap of faith.