

THE SOUTH CHINA SEA: A MARITIME GEOGRAPHY OF LATENT CONFLICTUALITY

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ABSTRACT

This *Research Paper* aims to identify the strategic objectives pursued by Beijing in the South China Sea. The hypothesis explored is that the South China Sea constitutes a strategic layer within a global securitisation design. Other than the protection of “near seas” and the Hainan naval bases, there is an imperative to protect the “far seas”, *i.e.* maritime communication channels. The control of the South China Sea is thus one of the objectives of Xi Jinping’s China, a market power, as a means to conquer naval power. To do this, China uses a *modus operandi* pertaining to that of a “hybrid war”: historic narratives and revisited policies are put forward, while a preferential use of paramilitary actors such as coastguards, fishing fleets and maritime militias can be observed. Faced with this assertiveness, the growing strategic differential and economic interdependence between Beijing and the South-East Asian states leaves little space for a fairly negotiated solution that could result in constructive cooperations.

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INTRODUCTION

The contestation of maritime borders in the South China Sea has long been considered as a regional security issue of concern to China and its South-East Asian neighbours alone. An international dimension was added once the United States, Japan, Australia and India started to worry about Chinese activism likely to restrain the freedom of navigation and access to the Strait of Malacca. Europe also admitted that it could not steer clear from tensions, or even a low- or high-intensity conflict, that could impact its strategic, economic and commercial interests.

However, these actors appear powerless faced with the Chinese policy of *fait accompli*. The Permanent Court of Arbitration of The Hague, seized by the Philippines, rendered a verdict on the 12th July 2016 invalidating Chinese territorial claims that were based on “historic” rights. A year later, China stands firm on its sovereignist interpretation of the law of the sea¹. Faced with the increase of tensions, South-East Asian states remain mobilised yet at the same time very divided² on the response to be given. Furthermore, although the outlines of the new US administration’s Asia policy remain blurred, it seems torn between the two tutelary great powers of the region.

THE CHINESE STRATEGY OF APPROPRIATION OF THE SOUTH CHINE SEA

Chinese authorities demonstrate a strong determination to establish their claims in the South China Sea. From a legal point of view, these claims are based on an interpretation of the law of the sea that intends to restrict both the maritime and air transport (both civilian and military) of the international community. At present, none of the main international maritime companies have reported an incident. Finally, China multiplies the patrols of its coastguards, instrumentalising when needed the fishing fleets, and has actively engaged in the construction of artificial islands.

Legal Revisionism

China claims all the islands off the coast. This applies in first place to Taiwan, the “rebel island”, but also to the surrounding islands: the Diaoyu-Senkaku Islands administered by Japan, the Pescadores and Pratas Islands belonging to Taiwan, the Paracel Islands (*Xisha* in Chinese) controlled by Beijing but claimed by Vietnam and Taiwan, and finally the Spratly Islands (*Nansha* in Chinese), the object of recurrent conflicts. To this day, in this vast archipelago of 410 000km², China occupies nine islands. Malaysia occupies three, the Philippines five, Brunei two. Taiwan, for its part, occupies one small islet.

Several key dates illustrate the territorial nibbling strategy of China, starting in 1988 with the Spratly Islands partially taken over from the Vietnamese and the occupation of six sites. In 1995, China occupied the Mischief Reef, before claiming the Scarborough Shoal from the Philippines to take control of the reef in 2012. In order to extend its maritime zone, China is calling for the implementation of the regime applied to “archipelagic states”. Its strategy, invalidated by The Hague’s Permanent Court of Arbitration on the 12th July 2016, is to include the three claimed archipelagos (Paracel, Spratly and Zongsha) within a “nine-dash line”, obtaining *de facto* very extensive territorial waters covering virtually the entire South China Sea. With regard to this area, and in support of its claims, China also qualifies it as a “historic sea”³. The three claimed archipelagos have been organised into a new administrative entity created from scratch, the district of Sansha, subdivision of the province of Hainan, a large island in southern China⁴. As such China has the right to inspect any foreign ship “illegally” entering its territorial waters with its maritime police. According to this perspective, to benefit from the right of innocent passage, any ship (civilian or military) must ask for authorisation⁵.

1 Other conclusion of the [PCA’s report](#): all the elements discovered at high tide in the Spratly Islands are rocks and not islands. They do not entail an Exclusive Economic Zone (EEZ). See Mathieu Duchâtel, “[Mer de Chine du Sud : le verdict de la Haye est le pire des scénarios pour Pékin](#)”, *Asialyst*, 15th July 2016; Sophie Boisseau du Rocher, « [Mer de Chine du Sud : la puissance chinoise n’a pas tous les droits](#) », *Asialyst*, 25 juillet 2016.

2 See: “[Expert / PCA’s Ruling Helps Address East Sea Disputes in Long Run](#)”, *Vietnam.net*, 19th July 2016; Victor R. Savage, “[ASEAN’s South China Sea Conundrum](#)”, *The Straits Times*, 25th October 2016.

3 President Xi Jinping, visiting fisherman of Tanmen (Hainan) in April 2013, spoke of a “sea of the ancestors”.

4 Juliette Genevaz, [La réforme de l’APL, au cœur de la rénovation de l’État chinois](#), *IRSEM Research Paper n°29*, 16th August 2016.

5 See [Xu Hong’s press conference](#) on the Chinese position regarding the arbitration on the Sea of China requested by the Philippines, website of the Ministry of Foreign Affairs of the People’s Republic of China, 12th May 2016.

In February 2017, China announced the revision of its Maritime Transportation Security Act⁶ of 1984. The proposed arrangements would allow the Chinese maritime authorities to prevent foreign vessels from entering Chinese “territorial waters” on the grounds of possible interference with the safety of maritime traffic. For example, foreign submarines must remain on the surface and hoist their flag in Chinese territorial waters. More generally, all foreign vessels – military and commercial – will have to apply for a right of passage with Chinese authorities.

From Massive Reclamation to Militarisation

Since 2014, the construction of artificial islands on the coral reefs of the Spratly archipelago has intensified, giving new impetus to the Chinese appropriation strategy. Beijing conducted major embankment operations, transforming these reefs into ports and various infrastructure. At the time, China carried out large-scale embankment works on seven of the Spratly islets. The Fiery Cross Reef has a 3,000-metre-long runway on which civilian aircrafts undertook landing-tests in early 2016. Military aircrafts are expected to follow suit. In addition, China is extending the runway on Woody Island (*Yongxing* in Chinese) in the Paracel archipelago⁷. Approximately 2,300 metres in length, it can accommodate transport aircrafts such as Boeing 737s. Numerous civilian flights from Hainan were able to take place, including towards neighbouring reefs⁸. In addition, Woody Island has an artificial harbour for vessels of up to 5,000 tons in displacement. In 2016, China deployed surface-to-air missile batteries on Woody Island⁹ and installed radars in at least four of the Spratly Islands (Cuarteron, Gaven, Hughes and Johnson South). It is thus working to strengthen its air and maritime traffic surveillance capabilities in the South China Sea, particularly that from the Strait of Malacca. An unavoidable point of passage in the crossing of South-East Asia by sea, the strait crystallizes regional and international attention, particularly with regard to the residual risk of piracy.

THE STAKES OF CHINA’S TERRITORIAL NIBBLING

The question arises as to whether the benefits that China intends to derive from the use of these constructions can counterbalance the continuing deterioration of its relations with its ASEAN partners, the United States¹⁰ and also Japan with which it is violently opposed to on the issue of the Diaoyu-Senkaku Islands in the East Sea. Through an empirical analysis, a multitude of potential gains that address multifaceted security needs can be identified: food security, energy security, and military security.

A Multi-Faceted Security Dynamic Centred on Hainan

Several motives underlie the coercive strategy adopted by China. There is a need to secure the supply and control of the Sea Lines of Communication (SLOC) of vital interest to China as a market power because of its dependence on international maritime flows: 80% of these supplies transit through the straits of the region. The Paracel Islands, for example, can be used as projection bases to secure the maritime artery that allows passage to the Indian Ocean. The economic motive is decisive. China, which already has an exclusive economic zone (EEZ) of 880,000 km², covets the 3.5 million km² of the South China Sea. This sea harbours abundant natural resources: oil, gas, reserves of guano¹¹ and polymetallic nodules¹². It also accounts for 10% of the world’s fisheries. With regard to oil reserves, the activism of Chinese companies can be explained by technological advances allowing them to drill in deep water, for example off

6 See: “[Draft Maritime Law Revisions Say China May Bar Foreign Ships from Passing Through its Waters](#)”, *People’s Daily online*, 16th February 2017.

7 Carlyle A. Thayer, “[China’s Air Strip on Woody Island](#)”, *Thayer Consultancy*, 20th October 2014.

8 See: “[China tests Two New Airfields in the South China Sea](#)”, *Xinhuet*, 13th July 2016.

9 Lucas Tomlinson & Yonat Friling, “[China Sends Surface-to-Surface-Air Missiles to Contested Islands in Provocative Move](#)”, *Fox News*, 16th February 2016; Harold Thibault, “[Washington dénonce une “militarisation accrue” de la mer de Chine](#)”, *Le Monde*, 18th February 2016.

10 See the Chinese analysis with the [Interview of Professor Xue Lie](#) of the Chinese Academy of Social Sciences in Beijing, *The Diplomat*, 6th July 2016.

11 Fertile substance with a heavy nitrogen concentration making it an important energy resource.

12 Small rocks located at 4,000 to 5,000 metre depths which aggregate minerals (manganese, iron, cobalt silico and aluminium).

the coast of Vietnam. The commissioning of the Blue Whale 1 platform in 2017 should allow China to operate at depths of 3,600 metres, and to drill at more than 15,000 meters.

Finally, there remains the undeniable political and military motive. The control of the waters and airspace of the South China Sea would give an interesting strategic depth to China. This area has deep-sea depths and allows for easy access to the Pacific. Through the claim of the archipelagos, China intends firstly to increase its geography, while secondly allowing its naval units to reach the high seas and access the oceanic depths of the Pacific without having to pass through the maritime zones of its neighbours. As such, the Lombok Strait is the only point to allow the passage of submarine units. Yet, apart from the Sanya naval base, Hainan is home to the Longpo submarine base, which houses the four Jin-class ballistic missile submarines (Type 094 SSBN) that are responsible for China's second-strike capability¹³. It is understandable that China is giving itself the means to protect its deterrence, especially as it considers that the establishment of the American anti-missile defence system (THAAD¹⁴) in South Korea early 2017 diminishes its capabilities in this matter.

The Backbone and Relay of an Anti-Access Strategy

China could use these artificial islands for logistical support. It would thus be able to refuel its combat vessels or fighter planes in the case of conflict with its neighbors. These constructions can also facilitate the work of Chinese fishing fleets and coastguards patrolling the South China Sea by allowing them to rest and refuel. However, if it is confirmed that beyond the development of airstrips, hangars and other infrastructure, China is deploying missiles and surveillance radars on constructions gained over the sea, the first signs of an Anti-Access/Area Denial strategy could be found. China would then have the means to carry out a more effective control of the sea and air spaces of the whole South China Sea¹⁵.

The newly created islands would serve a role in the denial of access to Chinese coasts as it is not excluded that China will install anti-ship ballistic missiles (ASBM) on certain forward posts, thus creating closed areas. The deployment of this type of armament on the island of Hainan would be most plausible. Such a system would cover and restrict, or even prohibit, access to the whole South China Sea, thus giving China the full possibility of protecting the transit of its strategic submarine units.

By highlighting the concept of "active defense¹⁶", the White Paper on China's Military Strategy released on 26th May 2015¹⁷, provides the keys to China's objectives in the South China Sea. It establishes that China must become a major naval power and also raises the question of strengthening Chinese logistical means. The experience of the Chinese Navy deployment in the Indian Ocean and China's involvement in the fight against piracy since 2008 has prompted its leadership to reflect on the specific constraints involved in extended deployments away from base ports. The launch of the "One Belt, One Road¹⁸" initiative in September 2013 (implying the search for control of the major commercial communication channels) also prompted China to define a logistical model adapted to its new ambitions. One of these objectives is to escape the pre-eminence of the United States Navy. Indeed, they are the only guarantee of freedom of navigation on the main strategic international routes and straits, notably the oil and gas supply route on which the Chinese economy heavily relies on.

The emphasis on the modernization programs of the Navy reflects the new Chinese priorities and the hierarchy of strategic objectives pursued: effective control over the EEZs in the South and East China seas (i.e. the near seas), but also its ambitions as a global maritime power, intimately intertwined with its commercial interests requiring China to project itself on the high seas.

13 Hans M. Kristensen & R. S. Norris, "Chinese nuclear forces", in ["Status of World Nuclear Forces"](#), Federation of American Scientists, 2017.

14 Terminal High Altitude Area Defence

15 Ashley Townshend, ["The Strategic Significance of China's Woody Island Power Play"](#), Lowy Institute, 6th March 2016.

16 Juliette Genevaz, ["Les enjeux de la stratégie chinoise de "défense active"](#), IRSEM Research Paper n°31, 17th October 2016.

17 State Council Information Office of the People's Republic of China, ["China's Military Strategy"](#), website of the Ministry of Defence of the People's Republic of China, 26th May 2015.

18 Renamed "Belt and Road Initiative" (BRI), this vast infrastructure program implemented by China in Europe, Central Asia and Africa should enable it to secure its trade and control all the seas. It encompasses eighteen of the least developed Chinese provinces and approximately sixty foreign countries. For the maritime part, the 21st Century Maritime Silk Road, the trail departs from the main Chinese ports towards Thailand, Vietnam, Malaysia and Singapore before reaching the Indian Ocean (Sri Lanka), the Red Sea, the Gulf of Aden, the Suez Canal and finally the Mediterranean Sea.

THE PEOPLE'S LIBERATION ARMY NAVY: LABORATORY OF THE NEW CHINESE IDENTITY

This renewed strategic vision has placed the modernization of the People's Liberation Army Navy (PLAN) at the forefront of Chinese leaders' concern. Perceived as a mark of power, the Navy found its place in the "Chinese Dream of great national rejuvenation"¹⁹, as theorized by Xi Jinping.

Promoting Maritime Sovereignty

In the space of two years, the PLA Navy has seen significant technological and doctrinal advances. In 2015, China announced that it had begun the construction of its second aircraft carrier²⁰ and that it had conducted its first operational underwater nuclear patrol. Two years later, a third aircraft carrier is said to be under construction²¹. Breaking with its position of non-interference prohibiting the establishment of military bases abroad, China signed an agreement with the Republic of Djibouti, granting it, inter alia, facilities for maritime stationing²². The Chinese Navy is hence working to reduce its vulnerabilities in close waters by extending the spectrum of its operations²³. It also seeks to support its ambitions as a maritime power in order to compete with potentially rival navies, first and foremost the US Navy²⁴. The increasing number of Chinese citizens in Africa, Latin America and the Middle East (said to be of 5.5 million people), as well as its growing infrastructure and investment are all factors that led the country's leaders to reconsider the role of the Navy. However, the defence of Chinese maritime sovereignty in its vicinity and China's ambition of greater control of its maritime borders in the South China Sea, as well as in the East Sea against Japan, remain priority determinants in Beijing's action. Finally, the question of Taiwan and the possible scenario of a maritime embargo are also significant factors in the accelerated development of the capabilities of the PLA Navy.

The White Paper on Military Strategy notably explains that the Chinese Navy will shift its focus from the defence of the near seas to that of a combined strategy for the defence of near seas and the protection on the high seas. It stresses that the military will have to build a "modern maritime military force structure".

The document also emphasizes the need for a change in mentality that has so far been too land-based, in order to take greater account of ocean and sea management and the protection of Chinese maritime rights and interests. Undoubtedly, the document initiated the change of thought of China as a "maritime power"²⁵.

*"It is necessary for China to develop a modern maritime military force structure commensurate with its national security and development interests, safeguard its national sovereignty and maritime rights and interests, protect the security of strategic SLOCs and overseas interests, and participate in international maritime cooperation, so as to provide strategic support for building itself into a maritime power"*²⁶.

A recent article written on the situation in the South China Sea by three Chinese naval officers²⁷ illustrates the now primordial role of the Navy in defending the interests of Chinese sovereignty, all the while revealing the state of mind dominant within the Chinese naval forces. The three officers denounce the US "intrusion" in the South China Sea and its increase after 2015. While they predict tense relations between China and US, Japanese and South-East Asian armed forces, they set aside any prospect of major conflict. For them the "strategic initiative" lies with China, while Beijing's pro-active stance has had a deterrent effect on the ASEAN states involved in the dispute. The concept of "dy-

19 The expression is used many times in the *White Paper on Chinese Military Strategy*

20 See "[China Building Second Aircraft Carrier](#)", *Xinhua*, 31st December 2015.

21 Gabriel Dominguez, "[China Building Third Aircraft Carrier Says Report](#)", *HIS Jane's*, 24th February 2017.

22 Sonia Le Gouriellec, "[Djibouti, un amour de Chine](#)", *The Conversation*, 23th December 2015; "[China sets up a military base in Djibouti](#)", *Xinhua*, 11th July 2017. France, the United States and Japan already have military bases in Djibouti. The United States and Japan pay an estimated annual rent of \$30 million. China would instead finance and build a network of ports, roads, railways and airports linking the country to the rest of Africa.

23 In addition to the facilities offered by Djibouti and on the basis of a similar model, it is likely that the Chinese naval command, which does not benefit from an important logistical component, negotiates similar facilities with countries of East Africa, the Gulf and the Middle East. The Mediterranean would therefore also become an area for the deployment for the Chinese Navy.

24 David Shambaugh, *China Goes Global: the Partial Order*, Oxford University Press, 2013.

25 Andrew Erickson, "[China Moves out: Stepping Stones Toward a New Maritime Strategy](#)", 6th April 2015; Dennis J. Blasko, "The 2015 Chinese Defense Paper on Strategy in Perspective: Maritime Mission Require a Change in the PLA Mindset", *China Brief*, 15, 29th May 2015.

26 *White Paper on Chinese Military Strategy*

27 Ryan Martinson & Katsuya Yamamoto, "[Three PLA Officers Just Revealed What China Wants in the South China Sea](#)", *The National Interest*, 9th July 2017.

namic balance” emerges from the analysis of the Chinese officers who believe that the balance of power will ultimately lean in favour of China. According to them, the Beijing’s rapid expansion in the Spratly Islands gives China a strategic advantage which must be exploited. To do this, they must rely on all their forces, both civilian and military, dedicated to strengthening the state’s action at sea.

The Rising Power of a Civilian Maritime Component

Overall, the Chinese Navy intends to improve its defensive capabilities in its vicinity, while protecting its interests in “distant seas”. It must also improve coordination with the Chinese Coastguards²⁸. If the development of the navy takes place along the lines exposed here, China is expected to establish a force for the high seas, while maintaining at the same time in its vicinities a professional maritime component sufficiently large to be deployed and remain present in the claimed maritime areas.

These areas include not only the South China Sea but also the East Sea with disputed islets in Japan. As such, all the units of the maritime administration, the famous five “dragons”, have been recently regrouped into a single body of coastguards²⁹. This reform of the Chinese civilian maritime force into a single entity and under the single authority of the State Oceanic Commission, should ultimately make it one of the largest fleets reinforcing state action at sea in Asia, alongside its Japanese rival³⁰. In addition, the rise of coastguard components is a clear regional phenomenon, making it the preferred tool for managing maritime claims. This phenomenon, by blurring the boundary between the missions of reinforcing state action at sea and defence of sovereignty, tends to “militarise” the function of coastguard, making interactions at sea more complex.

Table of Tonnage Increases of Major Coastguard Forces in East Asia (2010-2016)³¹

Country	Total Tonnage (2010)	Progression of Construction in Tonnage (2010-2016)	Total Tonnage (2016)	Percentage of tonnage increase
China	110,000	80,000	190,000	73%
Japan	70,500	35,000	105,500	50%
Vietnam	20,500	15,000	35,500	73%
Philippines	10,000	10,000	20,000	100%

For China, a unified coastguard force should enable it to strengthen its operational capabilities and its range of action at sea. It should also provide it with a crisis management component for crises at sea, which can be precisely graduated on a scale. On the front line in the South China Sea and depending on the message to be sent, Chinese coastguards should be able to prevent a “military” escalation. The area covered by presence and surveillance missions are conveniently increased with the help of fishing-vessel flotillas acting, in a coordinated manner, as an auxiliary force. Militias recruited and paid by the government are found on board. This mode of operation is reminiscent of actions in the East of Ukraine where armed men without apparent insignia were active. Western literature on the phenomenon thus evokes “little blue men”³² echoing the “little green men”, singled out by NATO military officials in Crimea and Donbass.

28 Andrew Erickson et Gabe Collins, “[New Fleet on the Block: China’s Coast Guard Comes Together](#)”, *Wall Street Journal*, 11th March 2013; Ryan Martinson “[Here Comes China’s Great White Fleet](#)”, *The National Interest*, October 2014.

29 Prior to the restructuring, China had five maritime administration and surveillance bodies under five ministries: the Coastguard of the Ministry of Public Security, the Maritime Safety Administration of the Ministry of Transport, the maritime surveillance of the State Oceanic Administration, the Fisheries Enforcement Command of the Ministry of Agriculture, the maritime forces of the General Administration of Customs.

30 Shinji Yamaguchi, “[Les stratégies des acteurs maritimes chinois en mer de Chine du Sud](#)”, *Perspectives chinoises*, 3, 2016.

31 Lyle J. Morris, “[Blunt Defenders of Sovereignty: the Rise of Coast Guards in East and Southeast Asia](#)”, *Naval War College Review*, Spring 2017.

32 Franz-Stefan Gady, “[Little Blue Men: Doing China’s Dirty Work in the South China Sea](#)”, *The Diplomat*, 5th November 2015; Andrew S. Erickson & Conor M. Kennedy, “[China’s Maritime Militia: What it is and How to Deal with it](#)”, *Foreign Affairs*, 23rd June 2016.

From the Chinese perspective, a notable article in *China Daily* reports the rise of maritime militias since the 1970s, all the while stressing the authorities' desire to develop their role alongside the Navy³³.

While summarising the strategic priorities of the Chinese leadership, the White Paper on Military Strategy provides signs of possible future trends for the Chinese naval program. It will be necessary for Beijing to orient the construction of new platforms and capabilities in line with the main concerns expressed in the document: defending its vicinity, protecting distant seas and working with the coastguard force.

SOUTH-EAST ASIA, BETWEEN DISPUTE AND COMPROMISE

Since the verdict of The Hague's Permanent Court of Arbitration of July 2016, South-East Asia has become more widely torn between China, the United States and alternative powers capable of providing counterweight³⁴. While ASEAN has long learned to compose with both Washington and Beijing, the new Chinese intransigence, as well as the continuing vagueness around the South Asia policy of the Trump administration, create a more delicate situation³⁵.

ASEAN Searching for a Common Perspective

The rise of China's economic and military power is an inescapable circumstance for the region. States in the region must consider their relationship with China in a global and long-term perspective, beyond the strategic issues related to the South China Sea³⁶. The unconditional withdrawal of the Transpacific Partnership (TPP) by President Trump left the Chinese proposal for the creation of a free-trade area open. This free-trade area targets the ten ASEAN member states³⁷ with the Regional Comprehensive Economic Partnership (RCEP). Wrongly perceived, the US decision has given credence to the idea that the United States – despite its strong military footprint – no longer wants to be the only great power responsible for the security or political and economic stability for the Asia-Pacific region. The withdrawal of the United States from the TPP has greatly undermined its strategic scope despite the efforts of Japan and Australia to promote it. With its remaining eleven members, this partnership represents only 13% of the world GDP instead of 38% had the United States remained. Beijing's plan though, built around the RCEP and encompassing, beyond the ASEAN countries, Japan, South Korea, India, Australia and New Zealand, aims to reorganize Asian regionalization around China³⁸. Moreover, the development of the New Silk Road project gives this partnership an unprecedented potential for extension, reinforcing the pre-eminence of Chinese influence. While the quality of the relationship between Washington and Beijing remains important for the maintenance of regional balances, ASEAN strives to avoid being reduced to a role as an adjustment variable in the context of a competition between its two major partners. As a result, the organization looks to other powers in the region, such as Japan, India or Australia, inviting them to play a greater political and military role.

The European Union is regularly called upon to express its views of maritime security in South-East Asia³⁹. Thus, the French commitment to an Asian maritime order based on the law of the sea and the peaceful settlement of conflicts, presented by the Minister of Defence at the 2016 Shangri-La Dialogue⁴⁰ and reiterated in 2017, was welcomed with great interest.

33 See "Assessing the South China Sea Ruling", report of the Australian Strategic Policy Institute, August 2016; Heng Sarit "[ASEAN: Between China and America](#)", *East Asia Forum*, 12th July 2013; Sourabh Gupta, "ASEAN and China at a Crossroads after the South China Sea Ruling", *East Asia Forum*, 31st July 2016.

34 *Ibid.*

35 Interviews in Singapore in December 2016 and June 2017.

36 Benoît de Tréglodé, "[L'Asie du Sud-Est et la Chine de Xi Jinping : le grand accommodement](#)", *Mondes émergents*, 2014.

37 At the time of writing only four countries members of ASEAN are party to the TPP: Singapore, Brunei, Malaysia and Vietnam.

38 Shintaro Hamanaka, "[Trans-Pacific Partnership versus Regional Comprehensive Partnership: Control of Membership and Agenda Setting](#)", *Asian Development Bank paper*, December 2014.

39 Valérie Niquet, "[Sécurité maritime en Asie : l'impossible indifférence de l'Europe](#)", *FRS Notes (Fondation pour la Recherche Stratégique)*, 1, 2017.

40 Jean-Yves LeDrian, in the speech delivered during the 2016 Shangri-La Dialogue, had evoked the establishment of EU maritime patrols in the South China Sea (See Jean Yves-Le Drian, "[Discours prononcé lors du Dialogue Shangri-La](#)", 5th June 2016). Sylvie Goulard, then French Minister of the Armed Forces and present at the 2017 Shangri-La Dialogue, recalled the realisation of this initiative by the Mistral-class amphibious assault ship's mission in the area during the Spring of 2017, with a Royal Marines unit on board.

In the absence of internal consensus and due to Chinese pressure, ASEAN failed to issue a communiqué referring to the situation in the South China Sea twice, in 2012 and 2016. It is well known that an intransigent position towards China is not the best option. This is especially true in the context of a resumed Sino-ASEAN dialogue on the preliminary guidelines for the implementation of the Declaration on the Code of Conduct of Parties in the South China Sea adopted in 2002⁴¹. The approval of a framework for a revised Code of Conduct in May 2017 at the ASEAN-China summit in Manila is an undeniable victory for Beijing, which can, at best, play on the multilateral factor with a text of vague content.

Fluctuating national positions

Moreover, beyond the difficulties in developing a common vision, ASEAN countries involved in the dispute - the Philippines, Vietnam and Malaysia - have specific positions, some of which have varied over time.

The most spectacular evolution remains the Philippines. With regard to Vietnam, the former had a very assertive position, which resulted in a referral to the Court of Arbitration in 2013. As soon as the arbitration was handed down, Rodrigo Duterte, the newly elected President of the Republic of the Philippines, began a rapprochement with China while denouncing the security alliance dating back to 1951 with the United States⁴². It is understandable that President Duterte, preparing for the Philippine Chair of ASEAN for 2017, wished to present his country as an independent interlocutor while protecting it from possible economic retaliation measures from China. Malaysia, admittedly discreet in its claims, signed an arms contract with Beijing in November 2016 which includes the purchase of four patrol boats. This unprecedented military rapprochement, following an economic alignment and quite important Chinese investment contracts⁴³, has since been confirmed by the Malaysian offer to use the Port of Kota Kinabalu, overlooking the disputed waters of the South China Sea, as a port of call in January 2017. Two Chinese naval units, including one submarine, stationed there.

Vietnam remains today the most resolute actor, yet also the most isolated in its claims against Beijing⁴⁴. Pragmatism dominates within the Sino-Vietnamese relationship however⁴⁵. The attitude adopted towards China is as much dependent on the ideological debates within the Vietnamese Communist Party, as the need for foreign investment to support the country's economic growth. The alternation between cycles of tensions⁴⁶, negotiations and diplomatic advances characterizes the history of the two countries, including in the maritime field. One example of this is the Agreement on the Delimitation of the Gulf of Tonkin signed in 2000⁴⁷. There is also an increase in violent incidents at sea since 2012 at the expense of Vietnamese fishermen⁴⁸.

As a notable fact, since 2016, China has not been afraid to alienate Indonesia as a result of a fishing incident where a Chinese trawler operating in the Indonesian EEZ was boarded by representatives of the Indonesian fisheries department. The new President of the Republic of Indonesia, Joko Widodo, has made the fight against illegal fishing one of his priorities and has reaffirmed Jakarta's sovereignty over the Natuna Islands by renaming the waters northeast of these islands – which border the Chinese EEZ – “the northern sea of Natuna⁴⁹”. Although Indonesia remains only slightly

41 Elina Noor, “[ASEAN not so divided](#)”, *ISIS Malaysia*, 2016.

42 François-Xavier Bonnet, “[Quand Manille manœuvre](#)”, *Le Monde diplomatique*, May 2017. Philippine pragmatism is not only due to economic motives but is also part of the regional attraction for the political and economic model of Chinese leadership, admittedly authoritarian yet stable, contrary to a Western democratic model marked by the rise of European populism, the Brexit and the election of Donald Trump. See Sophie Boisseau du Rocher et Emmanuel Dubois de Prisque, “[L'Asie du Sud-Est et la tentation autoritaire, l'impact du modèle chinois](#)”, *Paper of the Thomas More Institute*, 24th June 2017.

43 David Delfolie, Nathalie Fau et al., “Malaisie-Chine : une précieuse relation”, *Irasec*, December 2002.

44 Interviews in Paris, December 2016.

45 Benoît de Tréglodé, “La mer de Chine du Sud, le Vietnam et la Chine”, paper of *the Observatoire de l'Asie du Sud-Est*, September 2011.

46 Murray Hiebert & Gregory Poling, “[Tensions Bubble to the Surface in China-Vietnam Spat](#)”, *Asia Maritime Transparency Initiative*, 28th June 2017.

47 According to Sébastien Colin, the agreement delimiting the Gulf of Tonkin and establishing cooperation in the fields of fisheries, fuels or maritime safety can be serves as an “illusion” of China's potential cooperative posture. See Sébastien Colin, “[Politique chinoise dans les mers de Chine](#)”, *Perspectives chinoises*, 3, 2016, p.5-11.

48 In May 2014, the installation of the China National Petroleum Corporation (CNPC) drilling rig in the Vietnamese EEZ, 130 nautical miles of the coast of Vietnam and 180 nautical miles off the coast of Hainan, created tensions between Chinese and Vietnamese navy vessels, notably with the boarding of Vietnamese vessels. Since then, Vietnamese sailors accused of illegal fishing in Chinese “territorial waters” are routinely assaulted and arrested. See Arnaud Vaulerin, “[Bataille navale en mer de Chine méridionale](#)”, *Libération*, 2nd January 2017. However, after 3 years of “inactivity”, Vietnam is said to recommended oil prospecting on the 136-03 bloc located in an area under dispute with China. See Bill Hayton, “[Vietnam Drills for Oil in South China Sea](#)”, *BBC News*, 5th July 2017.

49 Aaron L. Connolly, “[Indonesia's New North Natuna Sea: What's in a name?](#)”, *Lowy Institute*, 19th July 2017.

concerned by the dispute over the South China Sea, it intends to see its role as a regional naval power to be recognised, in line with the ambitious maritime strategy developed by its president.

CONCLUSION

The rise of the Chinese navy will surely create serious difficulties for foreign navies, not only limited to the US Navy but also the ASEAN navies bordering the South China Sea. In the Spratly Islands, the formation of artificial islands and enclaves provides the Navy, as well as the Chinese Coastguard, an opportunity to station more units (including aircrafts), as well as an opportunity to intensify patrols if the developments of the Sanya and Longpo naval bases on the island of Hainan are taken into account. Underwater unit patrols are expected to become a standard for Chinese operations in the South China Sea and to complicate the deployment of other submarine fleets⁵⁰. Given the dynamism of submarine acquisition in South-East Asia, the risk of a naval incident at depths is as great as incidents on the surface. Indeed, in January 2017, Vietnam received the sixth and last Kilo-class submarine built in Russia, under a \$2 billion contract signed in 2009. Indonesia plans to modernize its aging submarine fleet, while Thailand is discussing the purchase of three Yuan-class Chinese units. Australia is engaged in an ambitious construction program of twelve Barracuda units. Malaysia, for its part, has two recent Scorpène-class units. Submarines, discreet and enduring, are particularly suited to the defence of coasts and maritime roads, and clearly pertain to “anti-access” strategies designed to hamper or even prevent the access of opposing forces to a theatre of operations.

In addition, collaboration between the Navy and the Chinese Coastguard will continue to blur the lines between military and non-military operations. Coastguard units are becoming increasingly robust and heavily armed, as their American or Japanese competitors⁵¹. The protection of maritime claims in the South China Sea and the East Sea remain the most obvious objective in the coordination of these two components. By combining the capabilities of the two forces, which now include a paramilitary fleet, China should intensify its harassment of neighbouring nations that seek to defend their rights in disputed territories⁵².

These disputed maritime areas will increase the potentiality of conflict and become subjects of tense confrontations, especially if the new US administration continues, as it has been doing so since the beginning of 2017, US Navy deployments in support of freedom of navigation (Freedom of Navigation Operations, FONOPS). This perspective, and therefore the possibility of a serious crisis, is all the more worrying as the Chinese Navy does not possess a developed culture of confidence-building measures, despite its participation in various fora⁵³. For the time being, the implementation of confidence-building measures or specific provisions to avoid incidents at sea (such as the INCSEA-type agreement⁵⁴) remains uncertain.

50 Center for Strategic and International Studies report, [Asia Pacific Rebalance 2025: Capabilities, Presence and Partnership](#), 20th January 2016.

51 In 2017, China deployed two heavily armoured coastguard and helicopter-carrier vessels, the CCG 2901 and 3901, with a displacement of more than 12,000 tons, making them the largest units of the region.

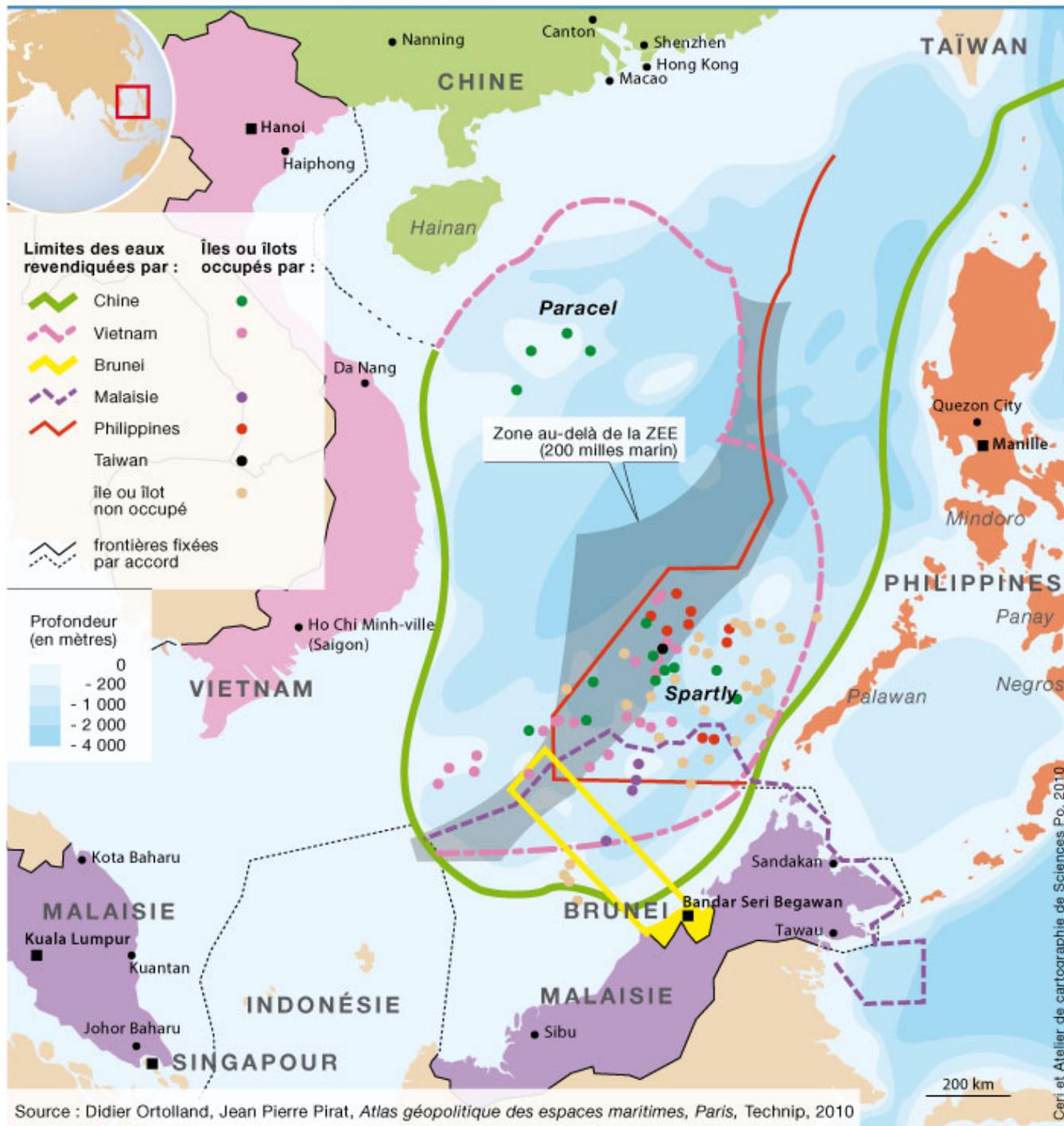
52 Sectoral cooperation in the field of fisheries or of a scientific nature (protection of specific marine areas such as the protection corals around the Pratas Islands) may be set up. However, they are struggling to become institutionalised because of existing maritime disputes. See Margaret Sembiring, [“Rising Tensions and Temperature in the South China Sea”](#), *East Asia Forum*, 30th June 2017.

53 The Western Pacific Naval Symposium centred on cooperation, transfers of personnel, lifesaving or HADR (Humanitarian Assistance/Disaster Relief) exercises.

54 INCSEA: Agreement on Prevention of Incidents at Sea. Agreement signed in 1972 between the US and Soviet navies. In the area of maritime confidence-building measures, a WPNS initiative led to the signature of the Code for Unplanned Encounters at Sea (CUES), by all member navies including China.

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