

# Great Powers' Competition in the South China Sea: The Limits of the ASEAN Approach in Managing 21<sup>st</sup> Century Maritime Security Challenges



**PANEL ON “PROTECTING THE ASEAN COMMUNITY FROM EVOLVING POLITICAL-SECURITY CHALLENGES,” ASEAN LEADERSHIP AMID A NEW WORLD ORDER, 8 NOVEMBER 2017, RIZAL BALLROOM, MAKATI-SHANGRILA**

# Introduction



- **The South China Sea is a semi-enclosed sea surrounded by China and several small littoral states.**



# Introduction

**For the last three decades, these littoral states have been involved in a chronic competition to extend their sovereignty over the land features and surrounding waters.**



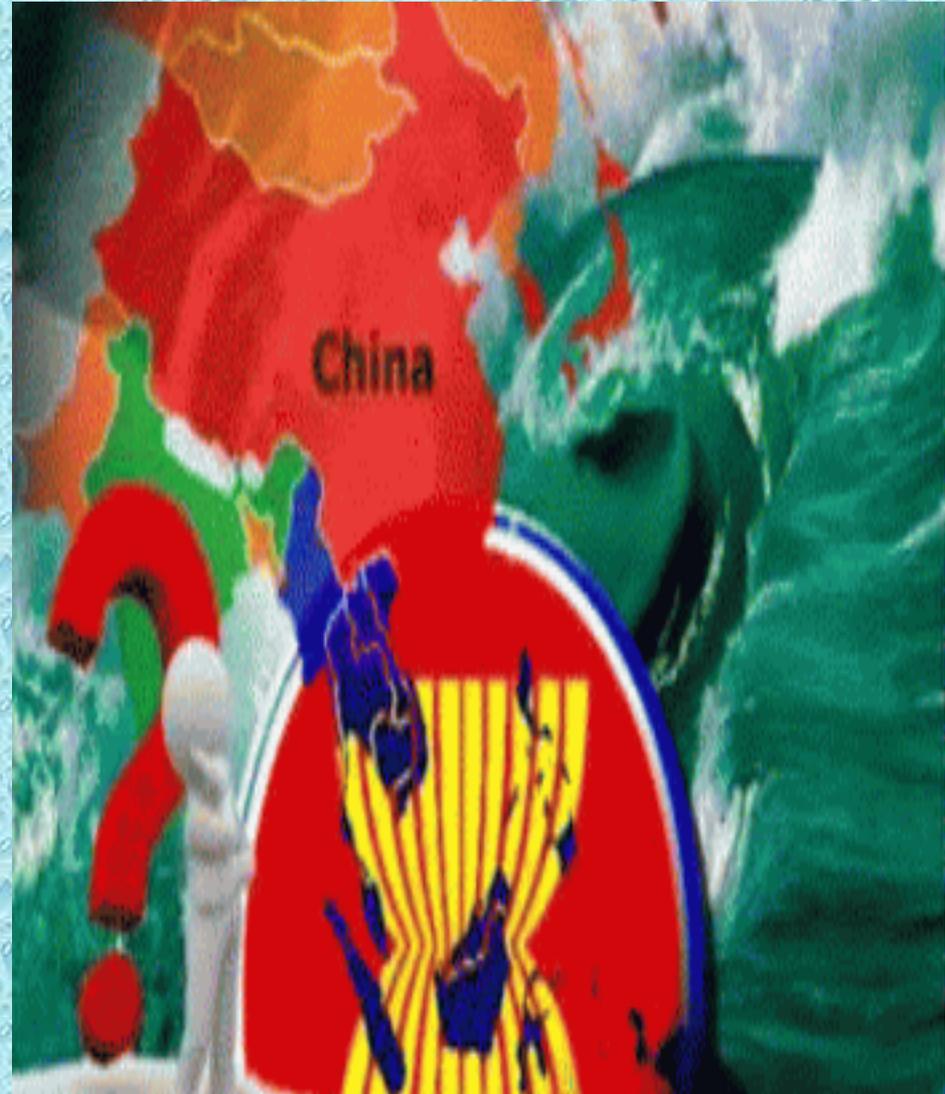
# Introduction

**The dispute became dormant in the first decade of the 21<sup>st</sup> century after China and the ASEAN member states signed the 2002 Declaration on the Conduct of Parties (DOC) in the South China Sea.**



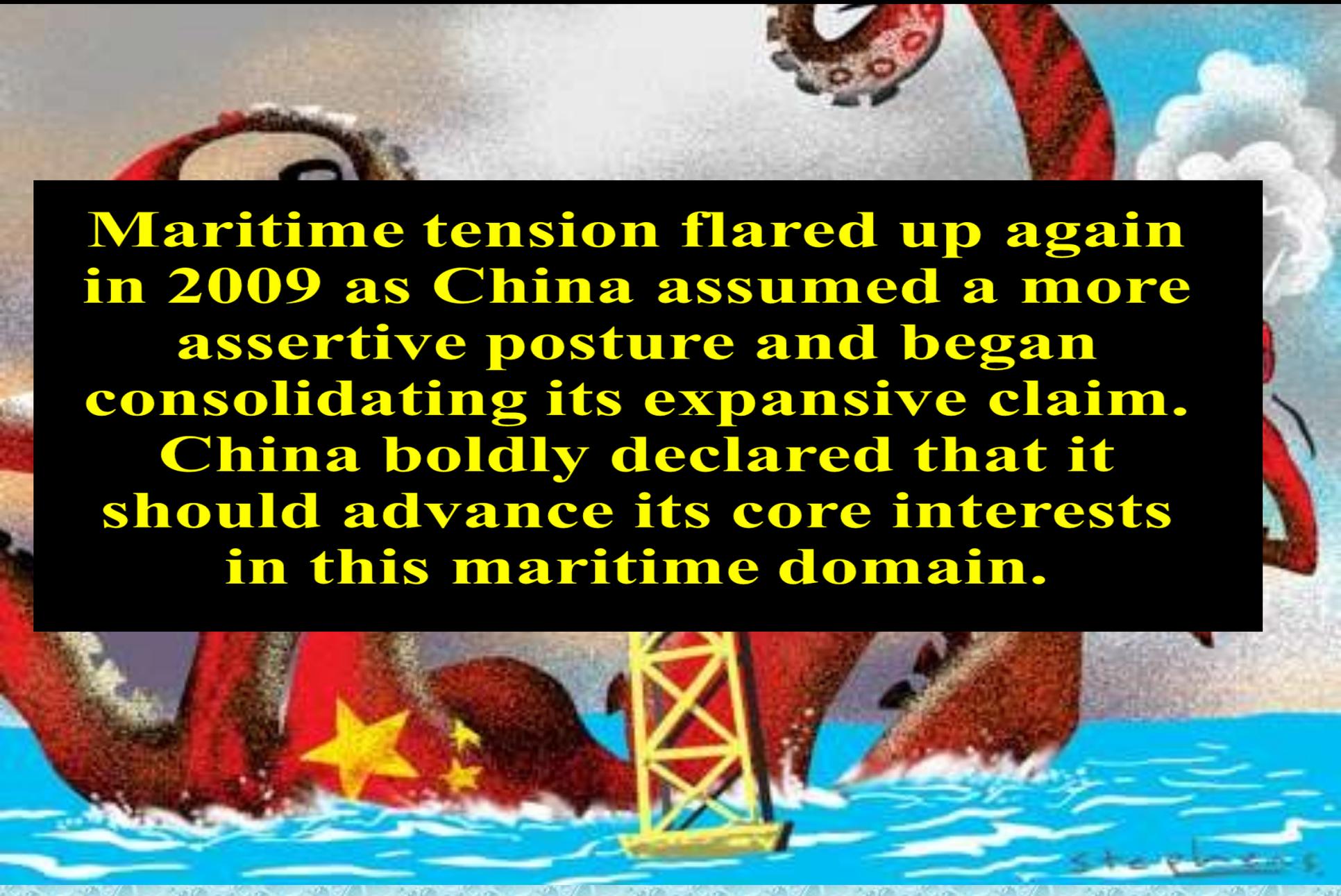
# Introduction

**A non-binding declaration, the DOC set out for trust and confidence building measures and five voluntary cooperative activities among the claimant states. They also agreed to exercise restraint and refrain from activities that would complicate the dispute.**



# Introduction

**Maritime tension flared up again in 2009 as China assumed a more assertive posture and began consolidating its expansive claim. China boldly declared that it should advance its core interests in this maritime domain.**



# Introduction



Consequently, the threat of force to resolve the dispute unilaterally has become apparent in this territorial row.

# Introduction

**China aims to deter the smaller claimant states from strengthening their claims in the disputed maritime territory.**



# Introduction

**As the region's off-shore strategic balancer, the United States has shown interest in the dispute since 2010.**



# Introduction



**In November 2011, the Obama Administration announced a strategic rebalancing to Asia.**

# Introduction



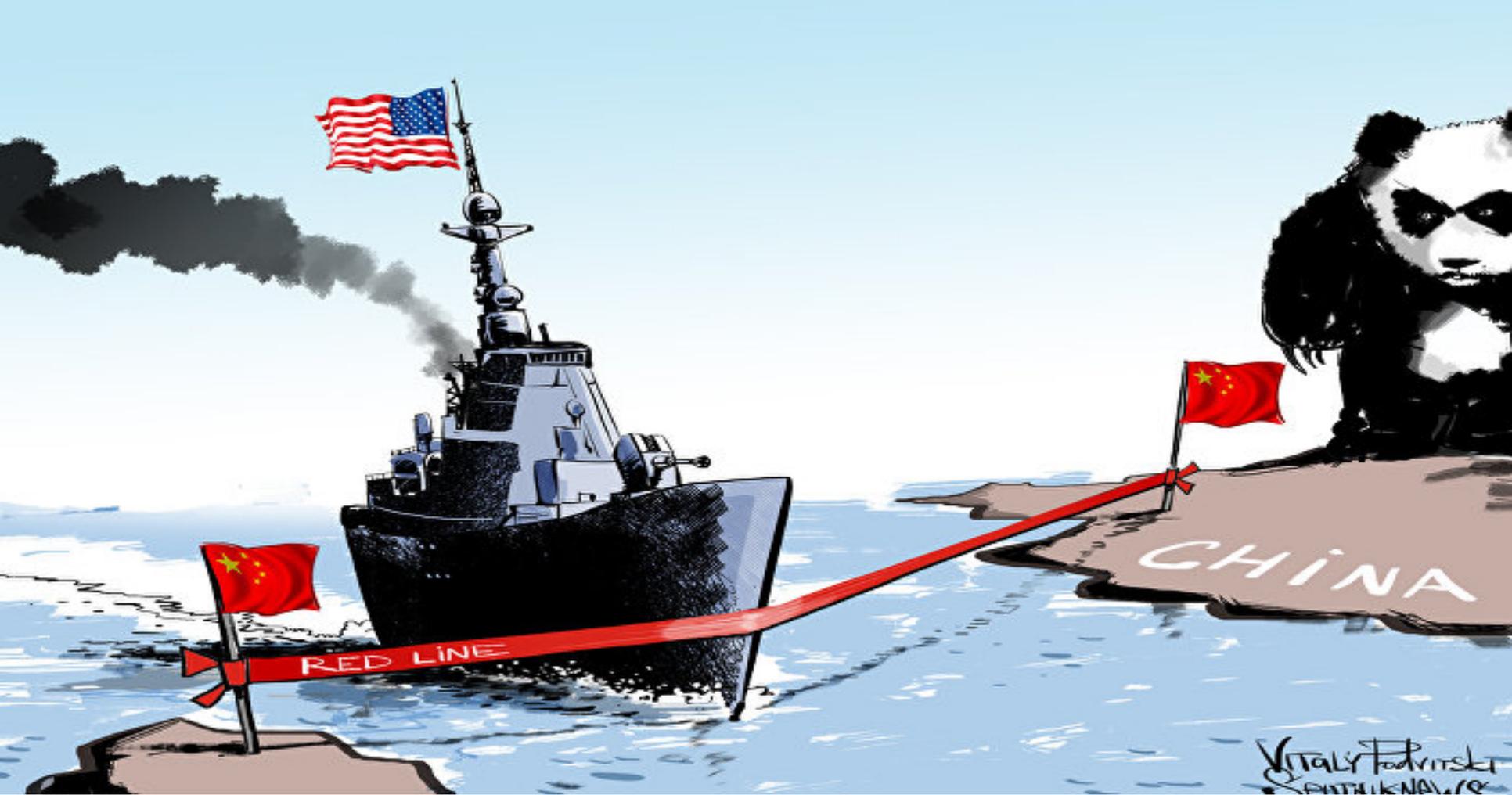
**Japan has a growing interest in the dispute to balance its geo-strategic rival in Asia--China. Japan has assisted two claimant states (the Philippines and Vietnam) in enhancing their maritime security.**

# Introduction



**Growing strategic interest of the U.S. and Japan in the South China Sea dispute has generated a strategic balance or impasse, as their navies maintain their forces over the horizon and project their naval prowess against an expansionist China.**

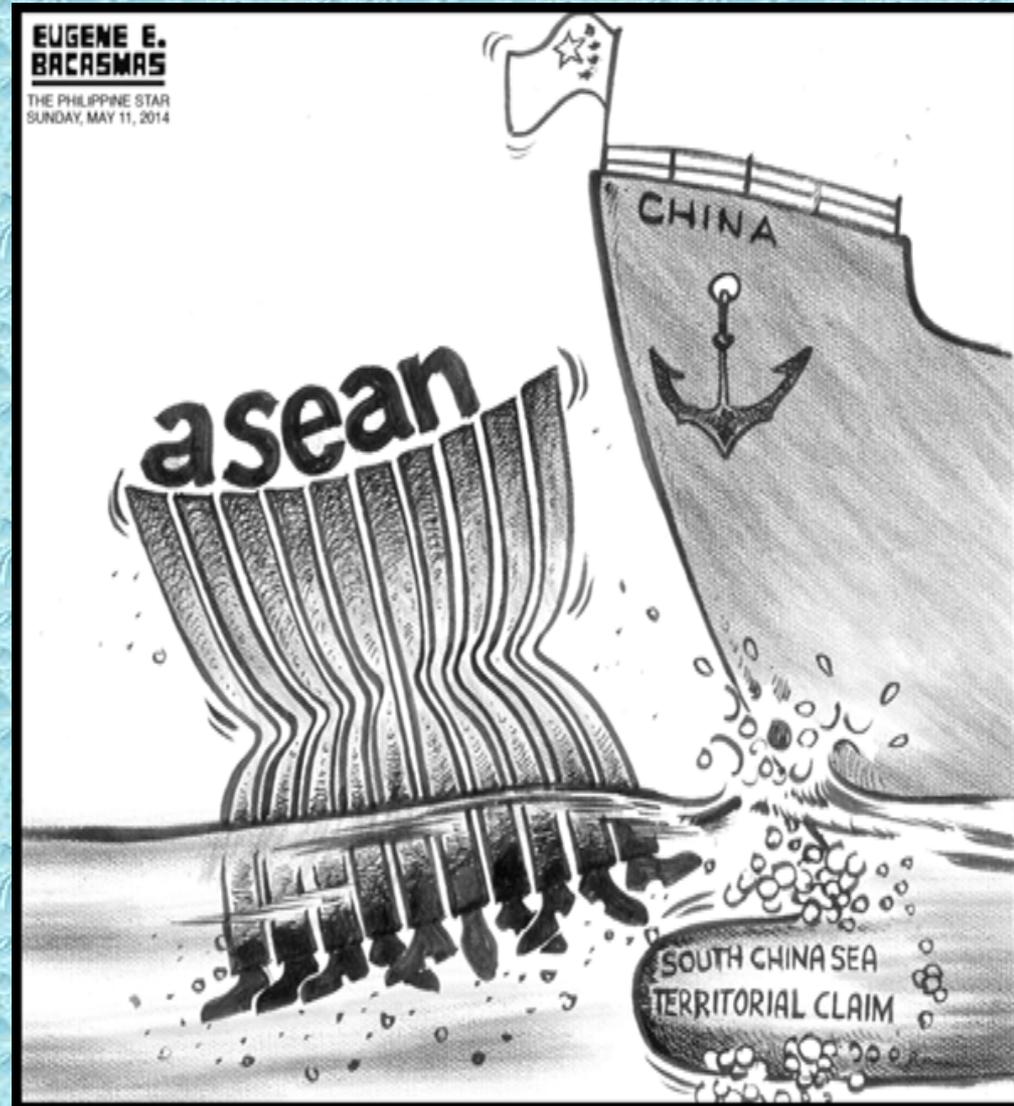




South China Sea is now a “dangerous ground” or the “future of conflict” where power naval powers jockey for primacy with their warships on the high seas.

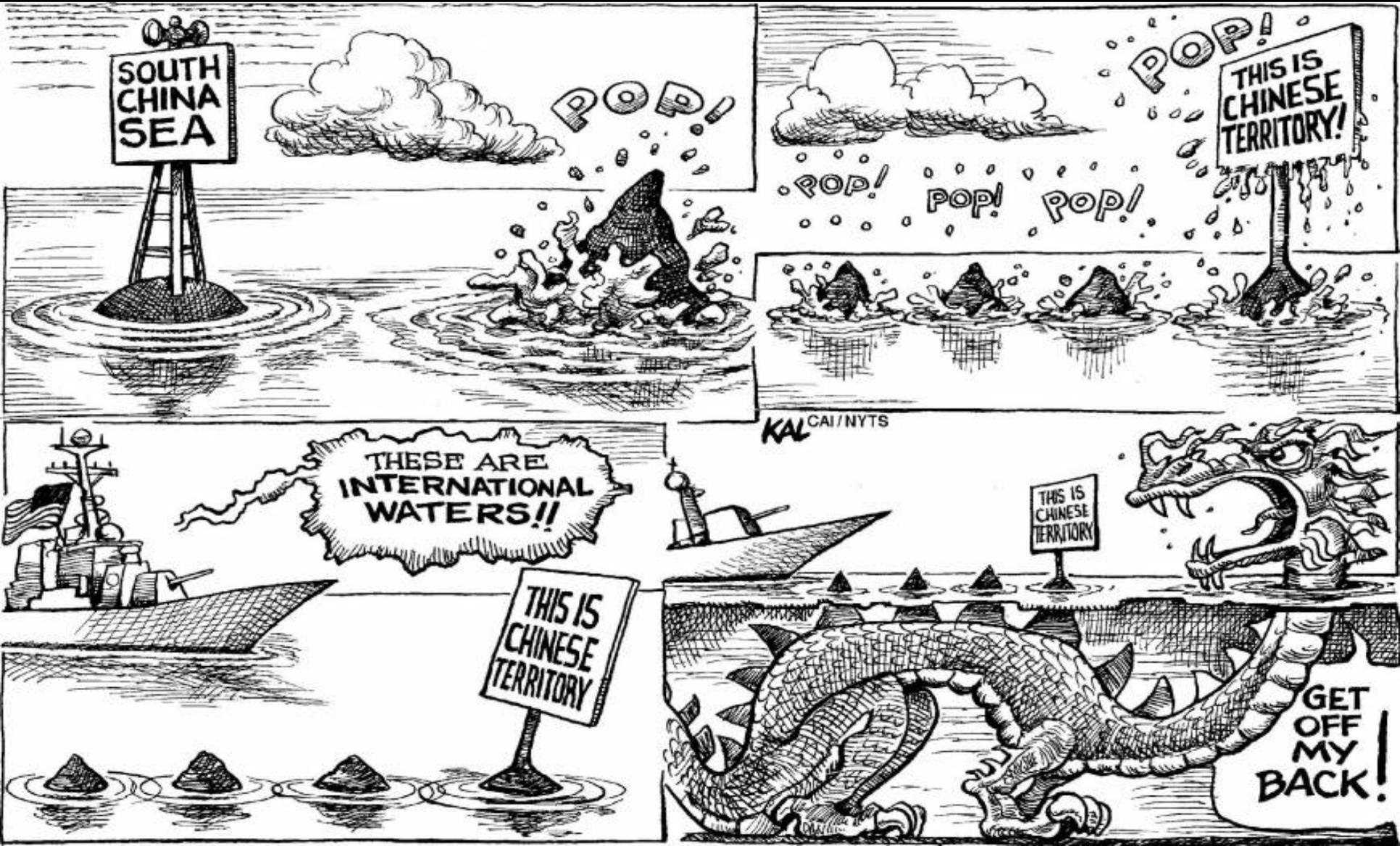
# Introduction

**This dangerous and unfortunate situation is partly a result of ASEAN's inability to influence the developments in the South China Sea because of its failure to place a confidence-building measure regime through a legally binding Code of Conduct (COC).**



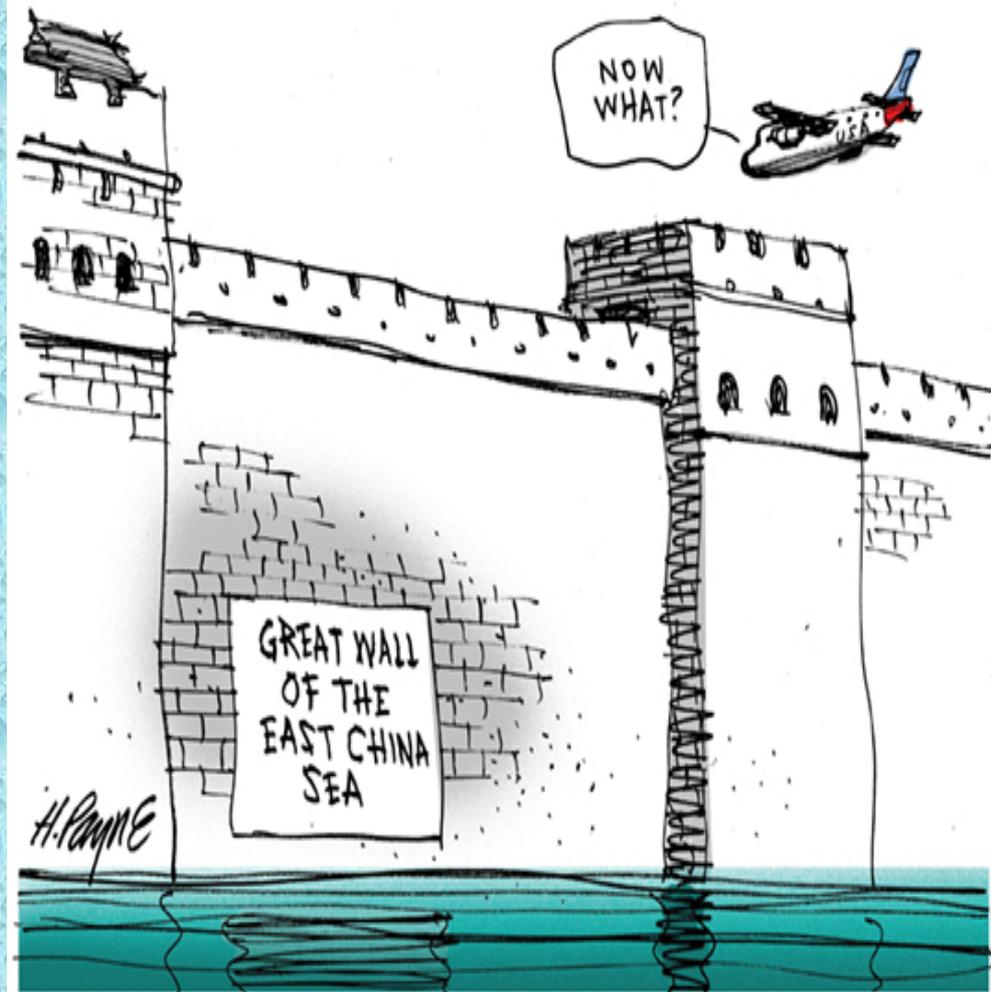


# China's Maritime Expansion

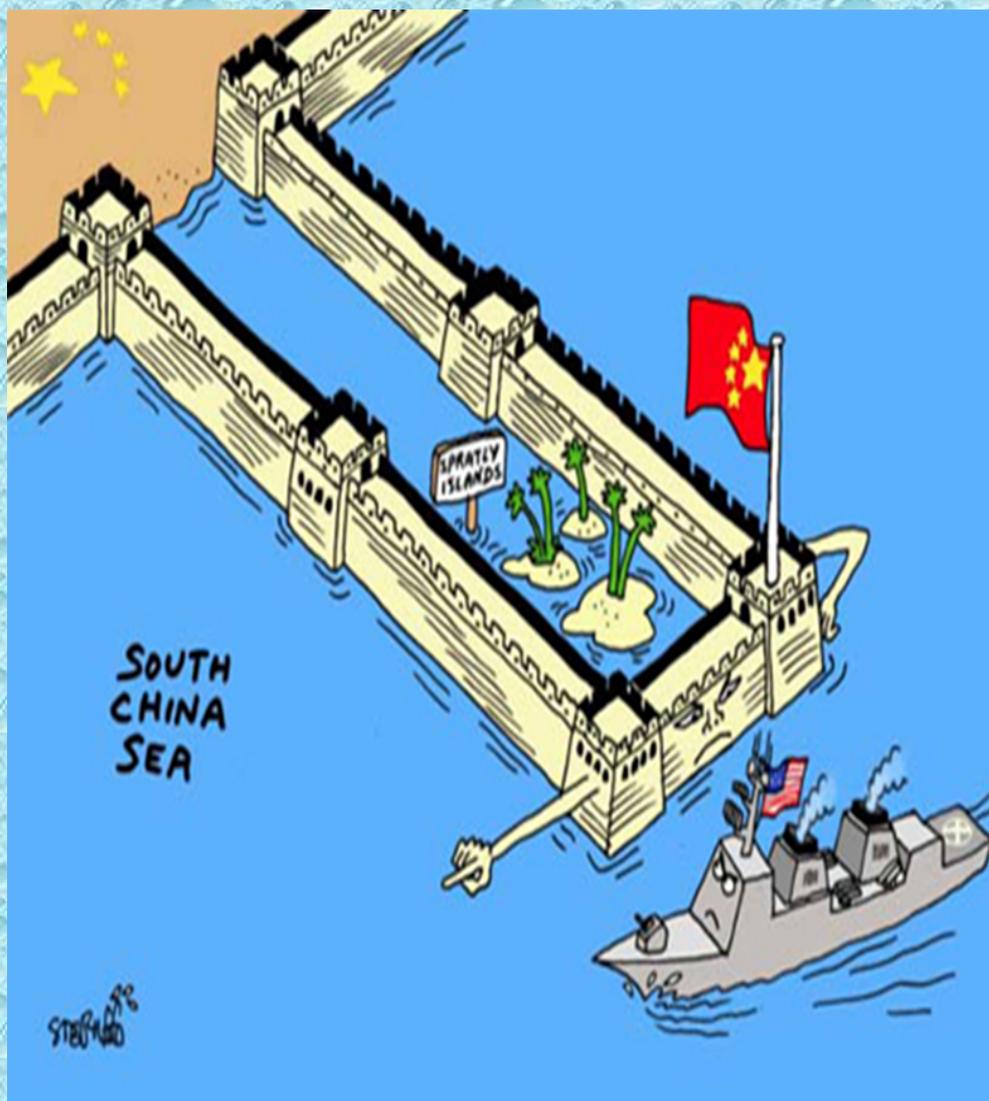


# China's Maritime Expansion

In the mid-1980s, Admiral Liu Huaqing, announced China's adoption of the Near Seas Active Defense Doctrine—it calls for the PLA to form layered defenses in the first-island-chain to deter a potential adversary from threatening China from the Sea.



# China's Maritime Expansion



Since the late 1990s, China has been fielding advanced weapon systems including long-range radars, air defense systems, satellite-based sensors, and long-range cruise and ballistic missiles to prevent or delay U.S. forward deployed forces from intervening in their respective regions.

# China's Maritime Expansion

- **China has developed a navy that is focused on denying the U.S. Navy's access to East China and South China Seas or the first Island chain.**

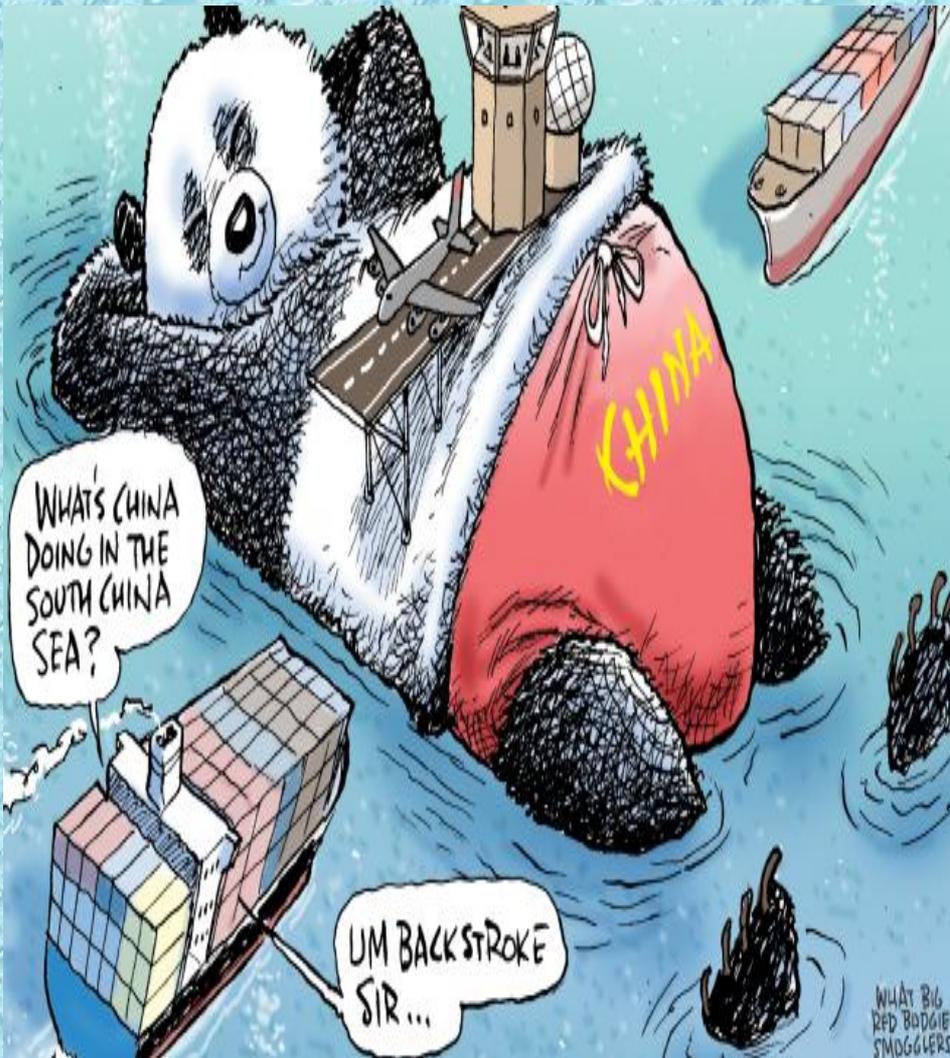


# China's Maritime Expansion



China's naval build-up, increasing assertiveness, and development of its extensive anti-access/area denial capabilities in the First-Island chain are designed to challenge the U.S. role as East Asia strategic off-shore balancer in particular, and the U.S.-led international order that was established in the end of the Second World War.

# China's Maritime Expansion



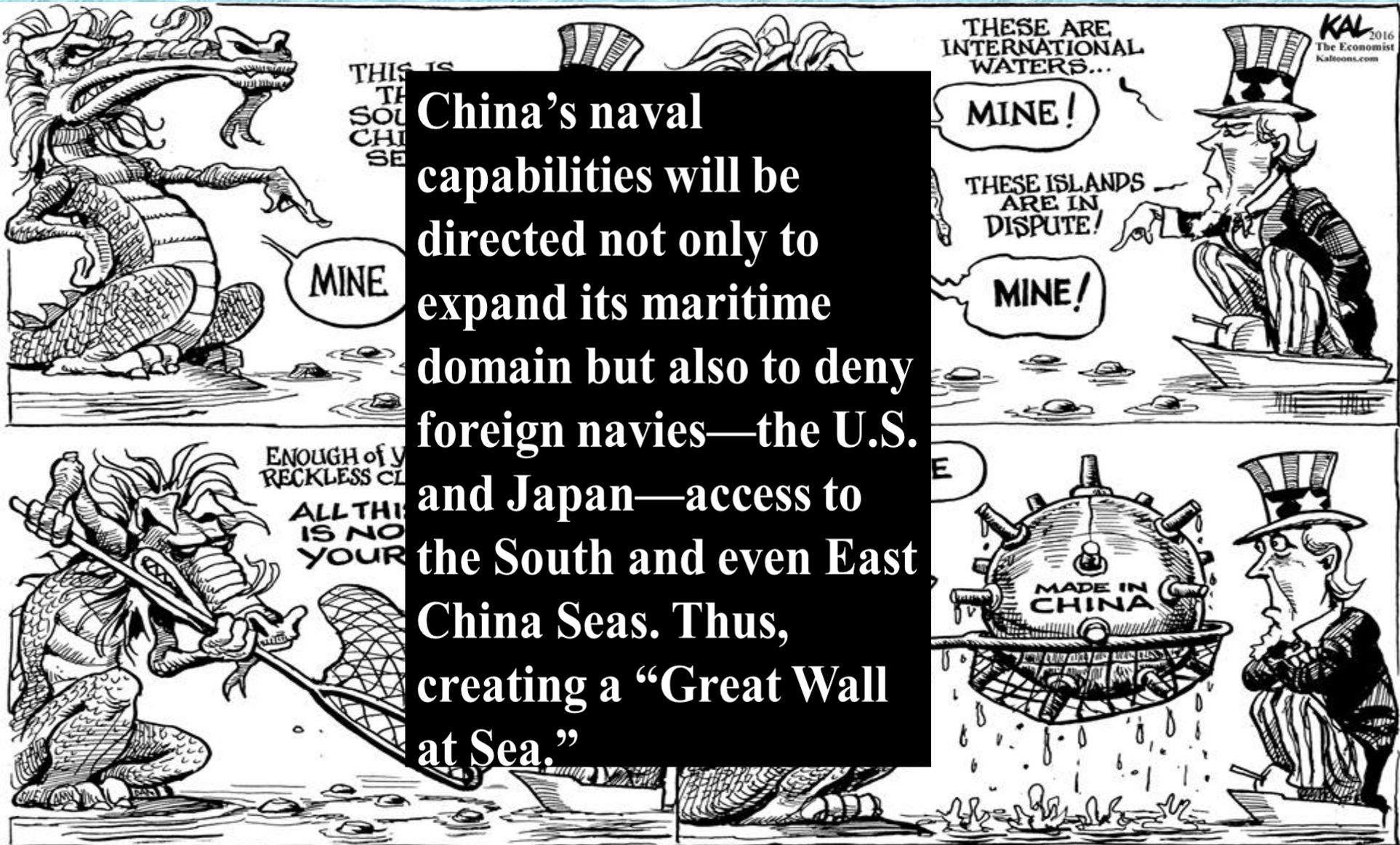
China's encroachments on the maritime and aviation rights of other littoral states in the South China Sea are the most potential trigger of a systemic war in the early 21<sup>st</sup> century.

# China's Maritime Expansion

China's maritime activities such as island creation and base building; its militarization of those bases with all types of missiles and fighter-planes; and the extensions of efforts to control the maritime and air-spaces in both the East and South China Sea could trigger a shooting war with any of the littoral states and even with the U.S.



# China's Maritime Expansion



China's naval capabilities will be directed not only to expand its maritime domain but also to deny foreign navies—the U.S. and Japan—access to the South and even East China Seas. Thus, creating a “Great Wall at Sea.”

THERE IS  
NOTHING  
MORE  
BRACING...

# The Limits of the ASEAN Way



# The Limits of the ASEAN Way

**Confronted by China's efforts to alter the status quo in the South China Sea, ASEAN has applied its approach of cooperative security with China that involved the building of trust on a multilateral basis with the goal of managing or mitigating the existing dispute.**



# The Limits of the ASEAN Way

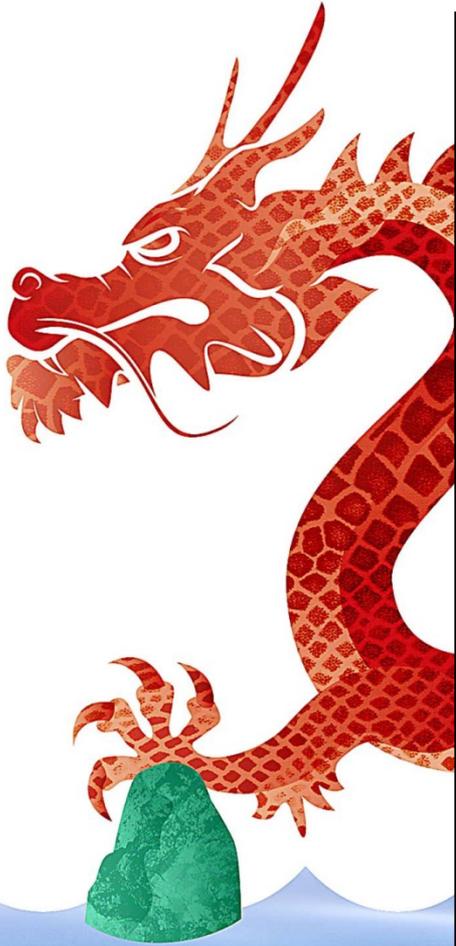
**The ASEAN-approach to regional security is reflected in the formation of the ASEAN Regional Forum (ARF) in 1994**

**The ARF was created to tame or domesticate the foreign policy behavior of China.**



# The Limits of the ASEAN Way

The ARF was envisioned to entrap China into accepting the ASEAN's set of regional norms. It was hoped that the ARF would temper China's hostility against other claimant states, enhance defense transparency, and promote peaceful and cooperative solution to the dispute.



# The Limits of the ASEAN Way

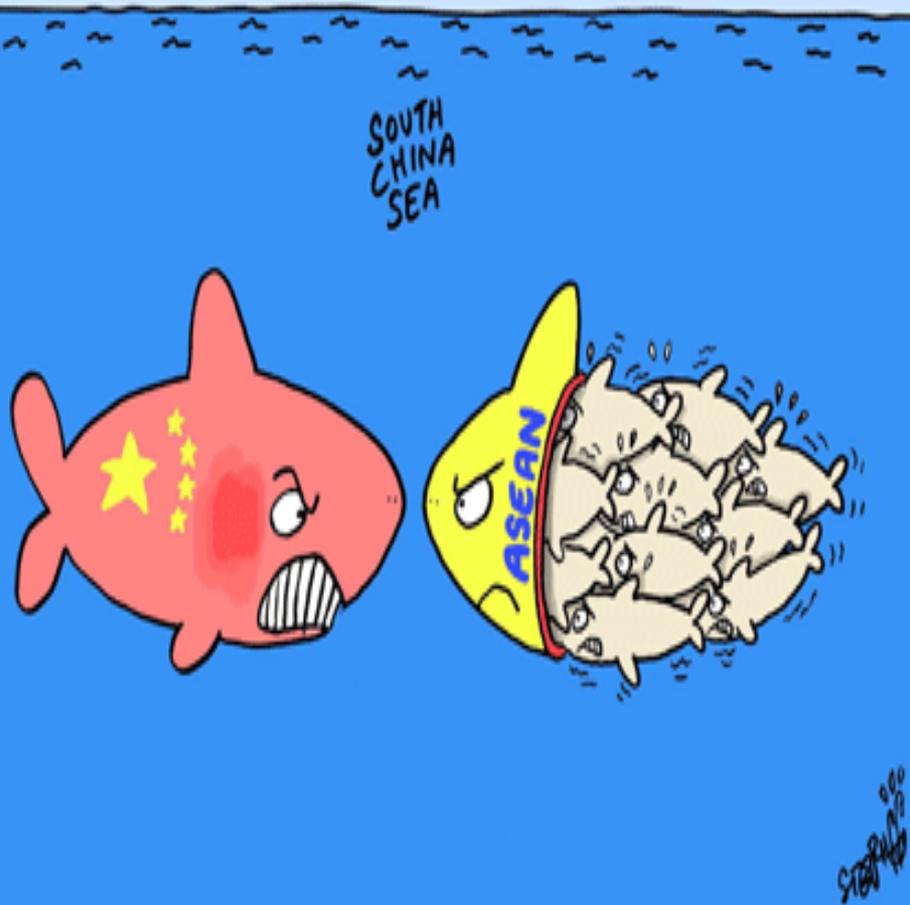
China saw the need for its participation in the ARF as a tactical means to signal its peaceful rise and counter the perception of the “China” threat. In September 2002, ASEAN signed the DOC on the South China Sea.

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# The Limits of the ASEAN Way

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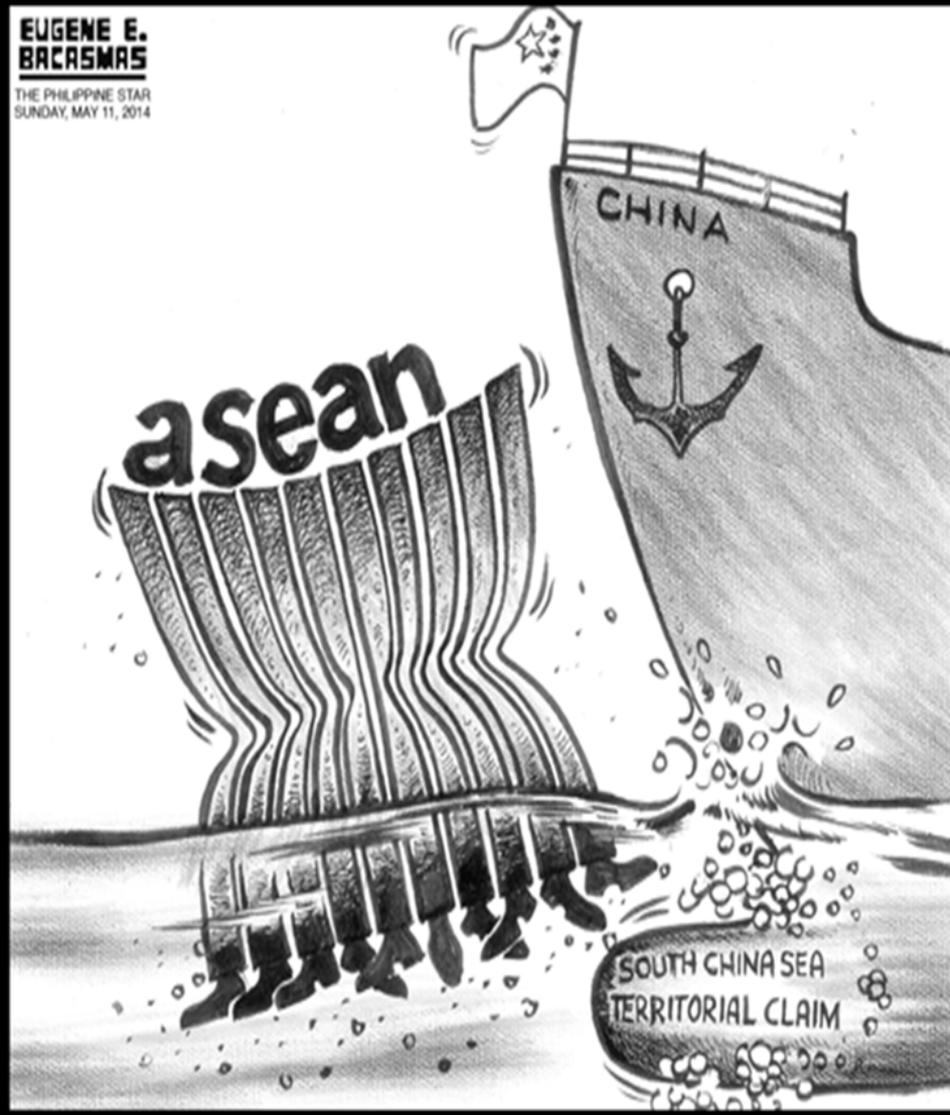
After signing the DOC in 2002, both sides were expected to continue working on the eventual adoption of a legally binding COC. ASEAN prioritized the pursuit of a legally binding COC because it represents a commitment to a rules-based-order, as opposed to a power-based regional order.

# The Limits of the ASEAN Way

The COC should serve as a rules-based framework containing rules, norms, and procedures that should guide the behavior of the claimant states, and a confidence-building mechanism that supports a conducive environment for the peaceful settlement of disputes in accordance with international law.



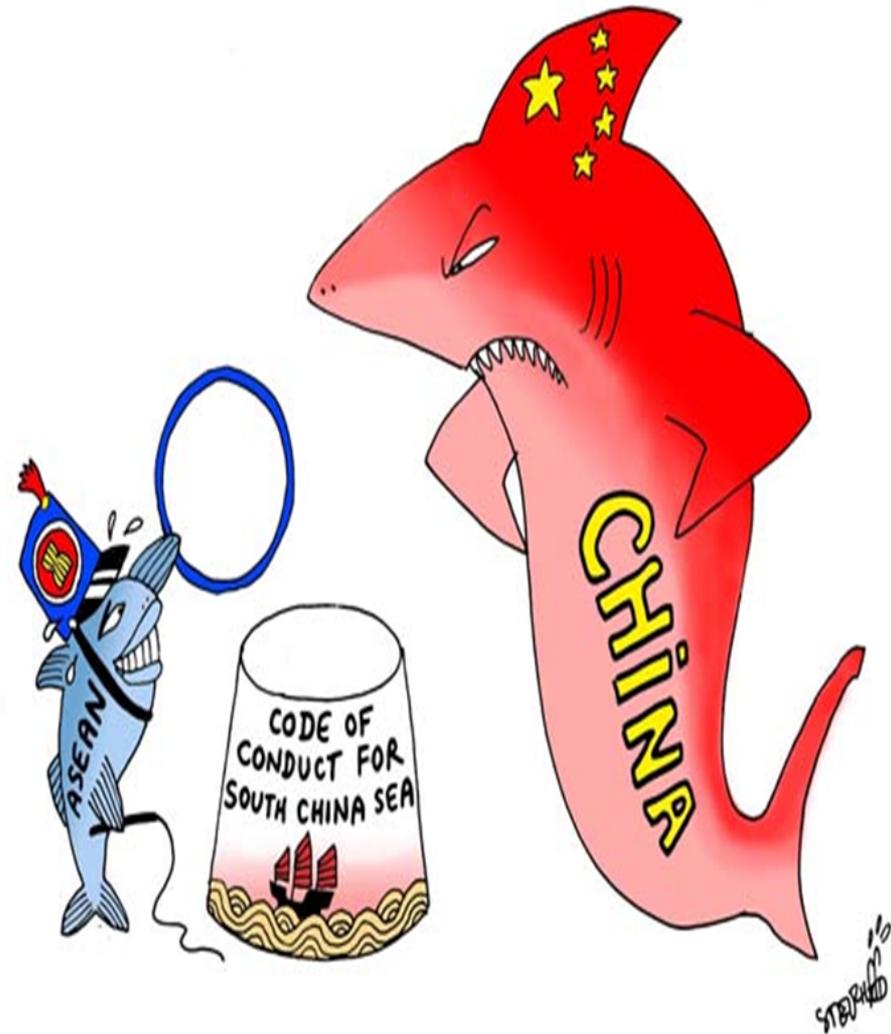
# The Limits of the ASEAN Way



**China aims to alter the geographic status-quo. In public, China agreed to discuss in the South China Sea dispute with ASEAN on a multilateral basis. In private, it insisted in settling the dispute bilaterally with each claimant state.**

# The Limits of the ASEAN Way

The ASEAN states want to conclude a COC as quickly as possible to draw China deeper into the ASEAN-process of peaceful consultations and conflict avoidance.



# The Limits of the ASEAN Way

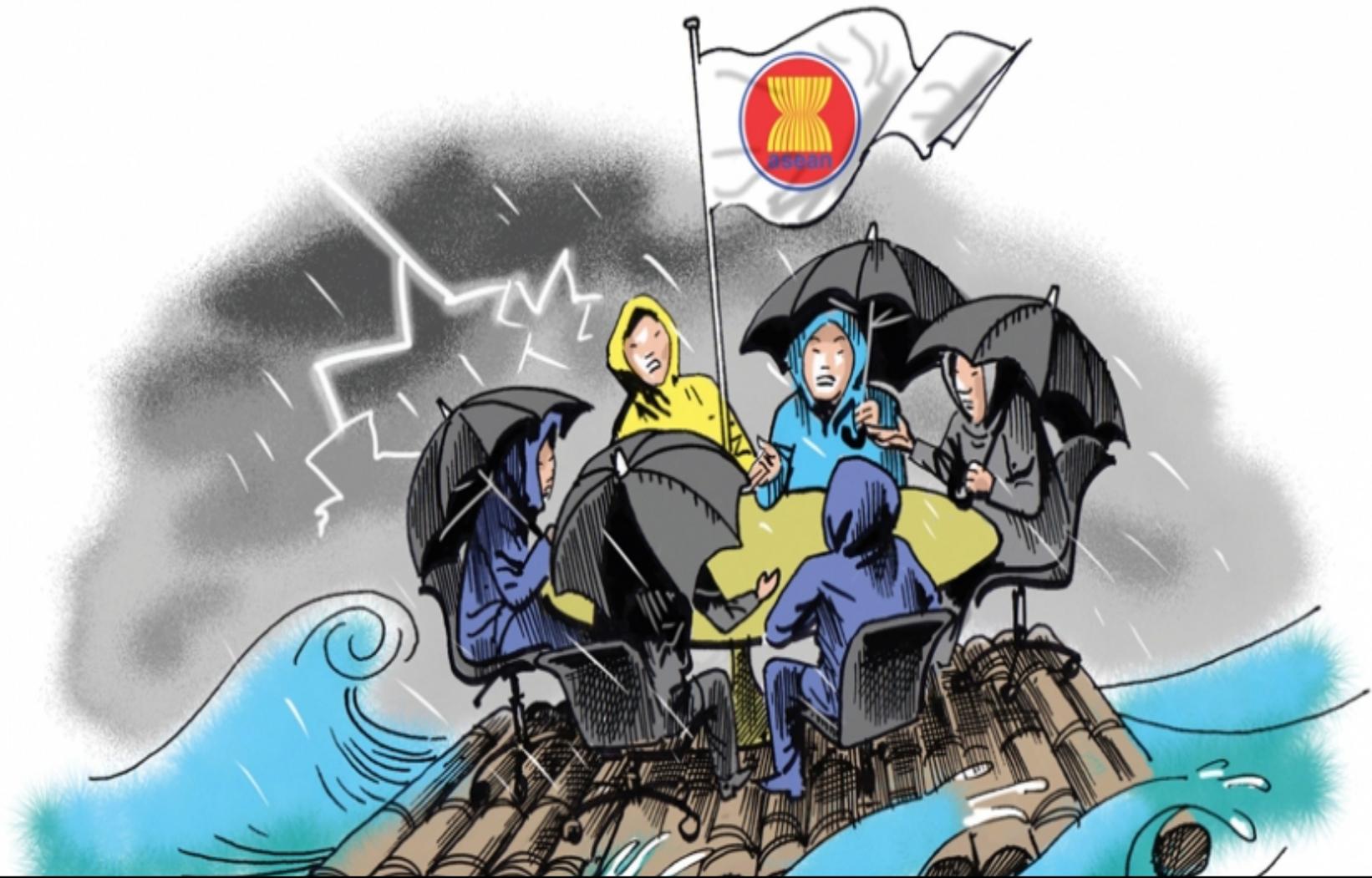


**China, however, does not want to be embedded into a diplomatic system created by small powers. It has been delaying the negotiation by calling for the implementation of a non-binding DOC.**

# The Limits of the ASEAN Way

China supports a step-by-step approach whereby the conclusion of a legally binding COC will be a long-term rather than an immediate goal. This enabled China to be the most active claimant state in using military and paramilitary means to assert its claims, including by coercion of other littoral states.

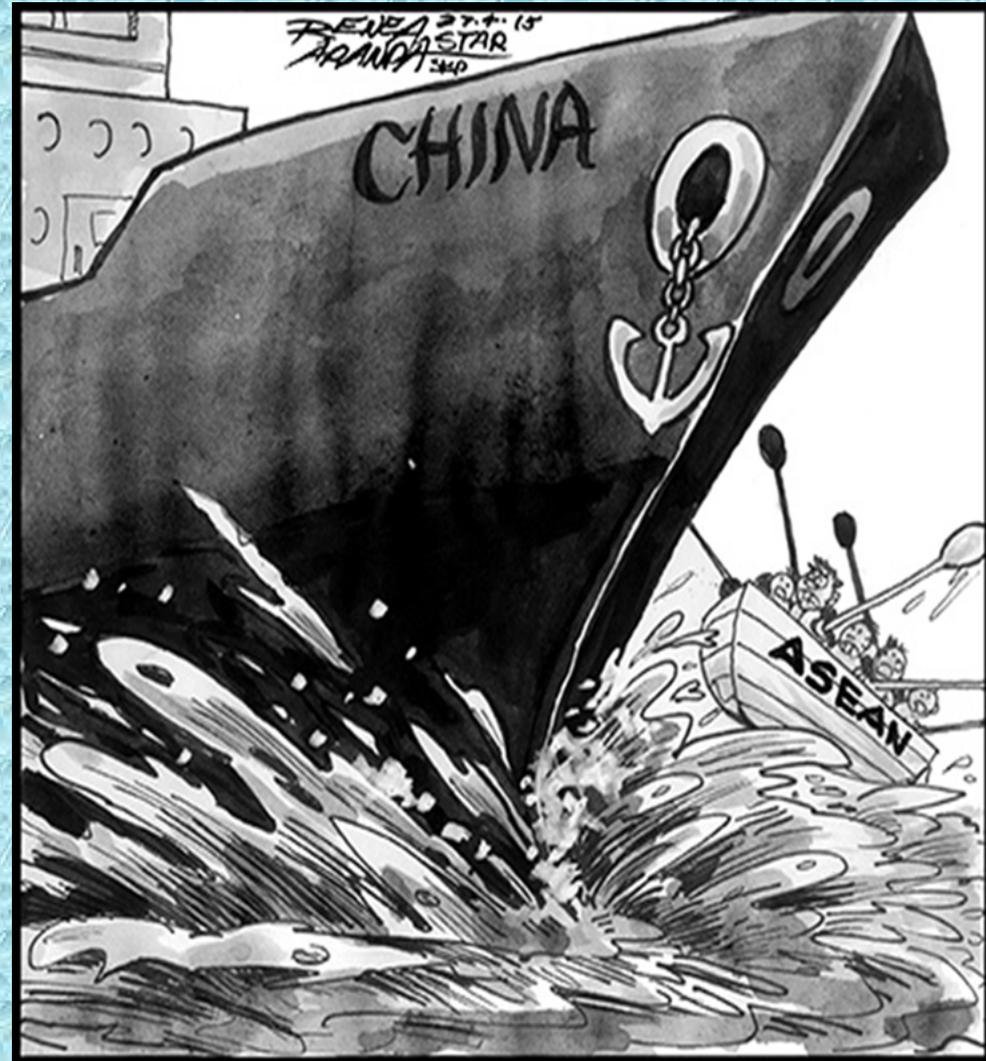




# The 2017 Framework Agreement on the COC

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**In the light of China's expansion in the South China, ASEAN has prioritized the pursuit of a legally binding COC because it emphasizes the principles of international law and the regional organization's mean of conflict-management.**



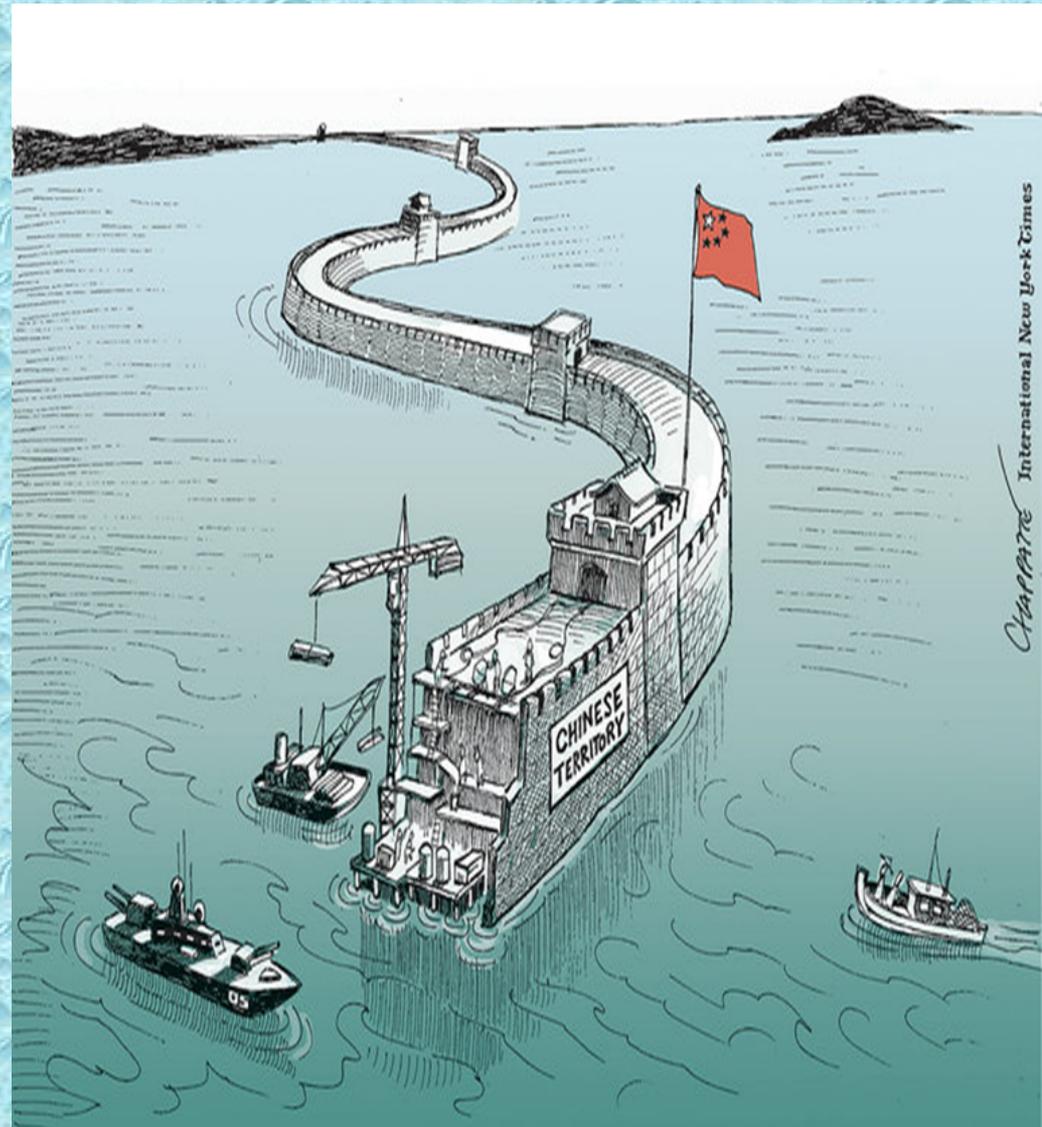
# The 2017 Framework Agreement on the COC



China, however, is in no hurry to conclude a COC with ASEAN. This is because of two reasons: it is part of China's delaying strategy in resolving disputes: and to many Chinese officials, the South China Sea is a Chinese territory.

# The 2017 Framework Agreement on the COC

From 2011 to 2016, ASEAN and China have regularly convened to formulate a draft COC but few specifics of the proposed agreement have come out in public. In the mean time, China has consolidated its claim by reclaiming islands and constructing military infrastructures on these disputed land features.



# **The 2017 Framework Agreement on the COC**

**On 18 May 2017, China and the ASEAN member states finally agreed on a framework for a COC on the South China Sea.**

**The agreement on a framework agreement is a small step forward in the conflict-management process of the territorial row.**



# The 2017 Framework Agreement on the COC

China decided to agree on a framework agreement with ASEAN as means to soften and deflect the diplomatic and political impact of the 12 July 2016 UNCLOS decision that ruled in favor of the Philippines as it legally invalidated China's expansive claim in the South China Sea. Unlike the UNCLOS decision, the framework agreement nor the Code of Conduct would not resolve sovereignty disputes in the South China Sea.



# The 2017 Framework Agreement on the COC

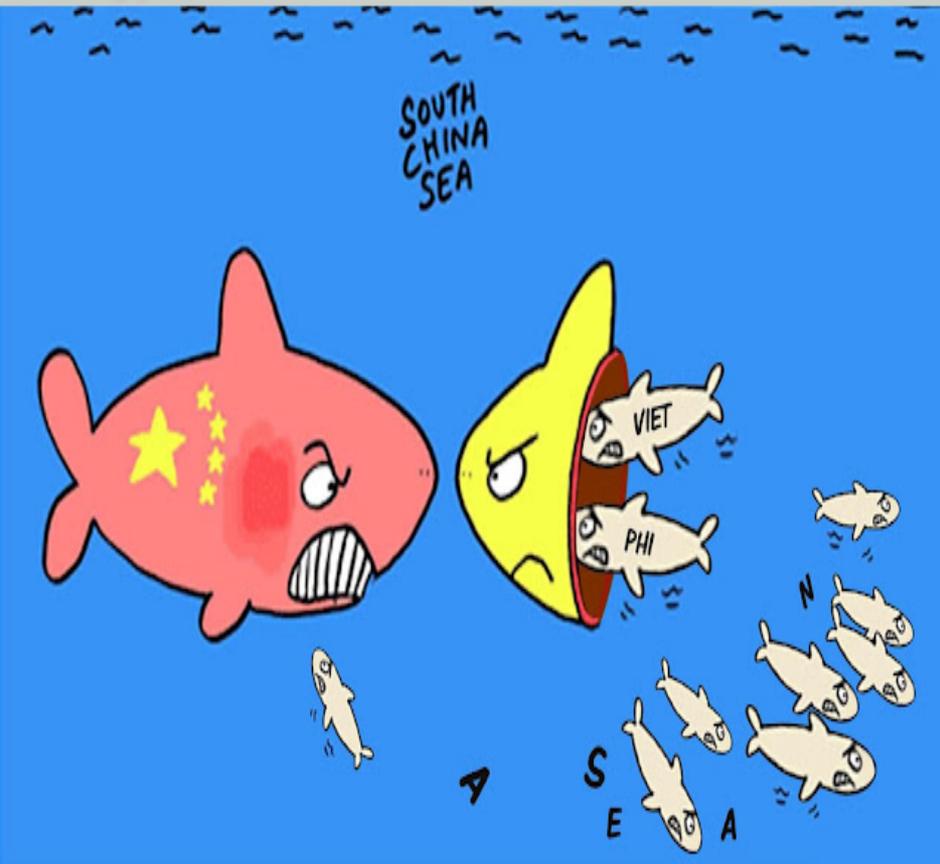
The agreement is also short on details and contains many of the principles and provisions mentioned in the 2002 DOC. ASEAN insists that the COC must be binding. However, China wants adherence to the COC must be voluntary like the 2002 DOC.



# The 2017 Framework Agreement on the COC

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The agreement marginalizes ASEAN's role in the dispute as it frames the future of the negotiations as strictly a matter strictly between the claimant Southeast Asian states versus China.

# The 2017 Framework Agreement on the COC



The agreement aims to exclude the U.S. and Japan as external actors who interfere in the dispute .

# The 2017 Framework Agreement on the COC

- **China makes the negotiation for a COC a hostage to an externality beyond the control of both China and the ASEAN member states.**

[http://www.japantimes.co.jp/opinion/2015/06/08/commentary/world-commentary/chinas-military-might-the-good-news/?utm\\_source=Daily+News+Updates&utm\\_campaign=29f5a30acb-thursday\\_email\\_updates09\\_06\\_2015&utm\\_medium=email&utm\\_term=0\\_c5a6080d40-29f5a30acb-332741141](http://www.japantimes.co.jp/opinion/2015/06/08/commentary/world-commentary/chinas-military-might-the-good-news/?utm_source=Daily+News+Updates&utm_campaign=29f5a30acb-thursday_email_updates09_06_2015&utm_medium=email&utm_term=0_c5a6080d40-29f5a30acb-332741141)



# The East Asian Regional Balance of Power



# The East Asian Regional Balance of Power

The Trump Administration's current foreign policy behavior in East Asia reflects continuity rather than discontinuity with the Obama Administration's strategic rebalancing strategy. It is currently focused on the North Korean nuclear saber-rattling and China's territorial expansion in the South China Sea.



# The East Asian Regional Balance of Power



**During the Shang-rila Dialogue, Defense Secretary James Mattis announced the rebalance of American naval forces to the Pacific. He also gave a veiled warning to China on its unilateral and coercive changes to the status quo in the South and East China Seas.**

# The East Asian Regional Balance of Power

On the side of the Shangri-La Dialogue in Singapore, the Chairman of U.S. Joint-Chief-Staff General Joe Dunford admitted that 60% of U.S. Navy ships, 55% of U.S. Army Forces, 60% of U.S. tactical aviation, and two-thirds of Fleet Marine Forces are now assigned in the Pacific.



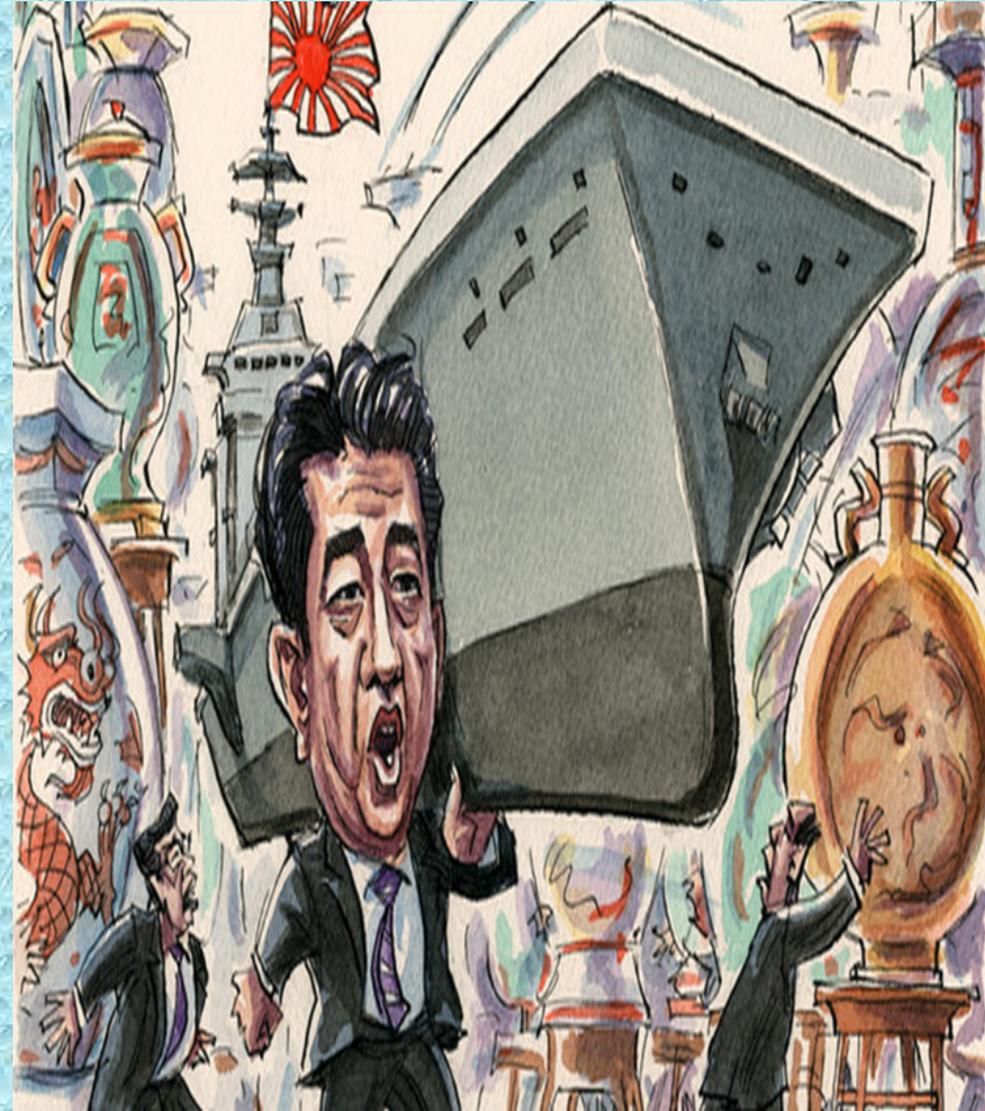
# The East Asian Regional Balance of Power

Japan aims to be a major player in regional security by providing support to U.S. naval operations and building security partnerships with nations, including Australia, South Korea, and Southeast Asian states.



# The East Asian Regional Balance of Power

**The Japan Maritime Self-Defense Force (MSDF) must assume more missions so that American forces can perform more flexible deployments in the Western Pacific.**



# The East Asian Regional Balance of Power



**The JMSDF must assume additional missions in conducting naval operations in any future South China Sea strategic contingencies.**

# The East Asian Regional Balance of Power

**In wartime conditions, it will involve the JMSDF exploiting China's dependence on the SLOCs or even attacking PLAN capital ships operating in the South China Sea.**



# The East Asian Regional Balance of Power

There is currently a strategic impasse in the South China Sea dispute with China unable to exercise complete territorial control of its maritime claim in the face of growing involvement of the U.S. and Japan.



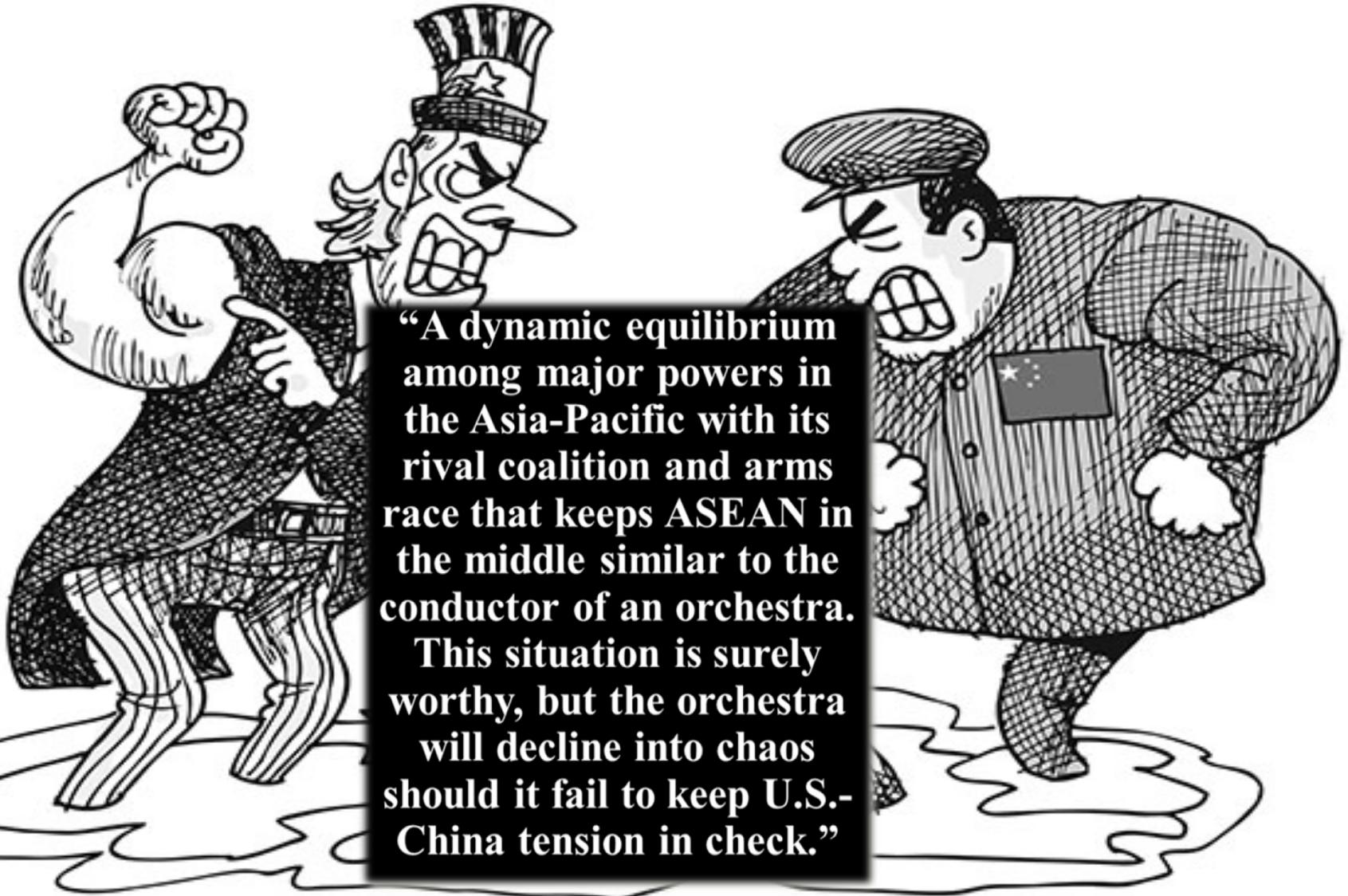
# The East Asian Regional Balance of Power

It generates a strategic situation wherein any error or miscalculation of the claimant states may trigger a major conflict.

It has frozen the dispute and has not resolved it. A case of conflict irresolution.



# The East Asian Regional Balance of Power



# Conclusion



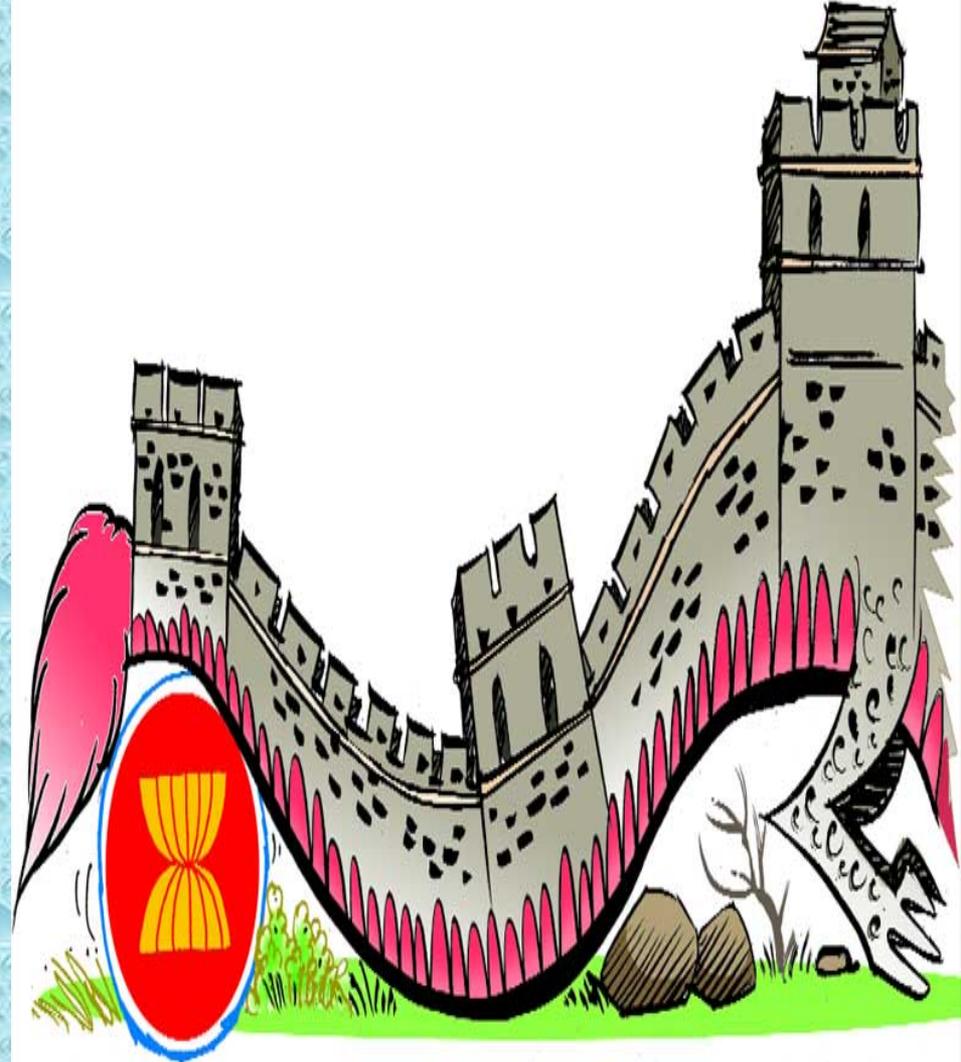
# Conclusion



**There is currently a volatile balance of power situation in the South China Sea as China's maritime expansion is challenged by growing U.S. and Japanese naval presence in the disputed territory.**

# Conclusion

**This dangerous situation is partly a result of ASEAN's inability to influence the developments in the South China Sea. ASEAN has sought to establish a conflict management mechanism through a legally binding COC. China, however, have delayed the negotiation for a COC.**



# Conclusion



**Increased strategic competition between China on the one hand, and the U.S. and Japan on the other hand, has complicated the peaceful management of the South China Sea dispute, and has effectively diminished ASEAN's role on this territorial row.**

**Thank you very much  
for your attention**

