

A joint strategy for pacifying the South China Sea by Do Thanh Hai

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Over the last six years, the South China Sea has become a boiling cauldron. China's expansive claim and stubborn assertiveness in this body of water, through which half of the world's shipping tonnage passes, have rattled not only littoral countries but also the world's major powers. What should these countries do to reverse China's assertive course and stabilize the South China Sea?

China's winning strategy

China has a geopolitical design and a subtle strategy for the South China Sea. Beijing usually blames other countries for causing its assertive actions and denies allegations of strategic intentions in the South China Sea. However, playing the victim game is no way to deceive public opinion. It is China's hope that a combination of "4 Ps" – power, proximity, patience, and persistence – would eventually make it the ruler of the South China Sea.

Like in a game of go, China slowly but surely put pieces in key positions on the board. Over several decades, China has invested heavily in modernizing its navy and developing a formidable flotilla of maritime enforcement vessels, big fishing fleets, and mobile drilling platforms to assert administrative control. Beijing has also built artificial islands and set up airfields, logistic facilities, and surveillance centers in the Paracels and the Spratly areas, which enable it to extend its reach and project power.

Southeast Asian claimants' helplessness

ASEAN claimants often lag behind China's initiatives and respond with toothless measures. As all consider relations with a rising China important, they have been slow to realize that Beijing no longer subscribes to Deng Xiaoping's guidance to "hide capabilities and bide time."

Even when they realized that China has been more confident and assertive, Brunei, Malaysia, the Philippines, and Vietnam have failed to cooperate among themselves to define disputed areas, fearing that overreaction would harm their ties with China.

Even if they are able to fashion a unified tougher stance, a union of ASEAN claimants is not able to change China's approach. Even with some level of patience and persistence, they collectively cannot match China in terms of power.

US partial responses

In this author's opinion, the United States, the only power that can check China's geopolitical ambition, has not had an effective, cohesive strategy for the South China Sea. Concerned about China's rise, the Obama administration has undertaken a "pivot" to Asia and the Pacific after a decade of putting priorities elsewhere. The US is shifting 60 percent of its naval assets to the region, advocating the Trans-Pacific Partnership trade agreement, and is playing a more active role in ASEAN-led multilateralism to keep China in check. However, this pivot is more or less "[tiptoeing around](#)" China rather than a specific course of action to stall China's assertiveness in the maritime domain.

Washington did react strongly to China's recent assertive actions. It has sent warships and flown surveillance planes near China's artificial islands to assert freedom of navigation. Nevertheless, these measures were rather spontaneous and not part of a long-term plan to preclude China's calculated moves. In other words, the US sustained commitment to defend the rule of law and the status quo in the South China Sea is questionable.

In search for pacification: a shared vision and a joint strategy

The South China Sea matter is broader than control of islands, rocks, and shoals, access to maritime resources, and freedom of navigation. It is an issue of international maritime order. Should the integrity of UNCLOS be compromised by Chinese coercion, Chinese rule begins.

In the South China Sea, China largely has an upper hand vis-à-vis other contenders because it has a strategy that plays to its advantages. Though the US has some edge over China in terms of strategic power, the latter has clear advantages in terms of proximity, patience, and persistence. The Southeast Asian claimants equal China in these three metrics, but lag China in terms of power. These imbalances mean that there would be no chance for smaller claimants or the United States to stabilize the South China Sea if they work separately.

Southeast Asian claimants, the United States, and other seafaring nations have a shared interest in a stable and rule-based South China Sea. They are undertaking a range of dialogues and joint maritime initiatives, such as collaborative diplomacy, provision of patrol ships and military hardware, capacity building, and joint military and non-military exercises. However, these efforts fall short of a shared vision and a cohesive joint strategy, which is needed to roll back China's assertive course and prevent it from flexing muscle in the future.

Washington should show a proof of commitment by ratifying the United Nations Conference on the Law of the Sea (UNCLOS). Then, the US, its allies, and Southeast Asian

claimants should initiate and lead a discussion on a joint strategy among them to pacify the South China Sea.

A joint strategy needs to build on a shared vision. A shared vision for a long-term stable and orderly South China Sea should draw a line in the sand against all types of assertive activities in the South China Sea and map out avenues for compulsory peaceful resolution of all disputes. It should include deadlines for negotiations among claimants involved in disputes, and automatic transition to third-party arbitration if negotiations fail to meet these deadlines, with or without China's participation. This vision should also aim to protect the integrity of UNCLOS and operationalize it so as to define disputed maritime areas and non-disputed spaces. The issue of the legal regime to be applied to the Spratly and Paracel features could then be entrusted to a relevant arbitration court on the law of the sea.

Based on such a shared vision, a joint strategy would then be developed as an agreement among the United States and Southeast Asian claimants, which would include the following four basic elements:

1. An information center about activities in the South China Sea and a mechanism to share intelligence among the parties;
2. Concrete cooperation programs to strengthen maritime capabilities of Southeast Asian states to monitor and manage their EEZs and deal with incidents and face-offs at sea;
3. A commitment to freeze current occupation and construction and a code of conduct among themselves to preserve the status quo and to speed up negotiations among claimants to resolve disputes. In this regard, the principle of self-restraint has to be translated into a list of do(s) and don't(s) that are applicable to all parties. This commitment should go with a mechanism to enforce it among Southeast Asian claimants, with or without the participation of China.
4. Most importantly, a commitment and a concrete plan of action that prescribe collective and concerted responses against any action that aims to alter the status quo and violate UNCLOS. For example, if a country decides to establish an ADIZ in the South China Sea or move in uninhabited features, all parties will collectively protest and conduct defiant actions such as overflight and passage. Responses should be categorized into different levels, from joint diplomatic protests, and coordination in multilateral forums to concrete exchanges and joint legal, civil, and military actions.

To be clear: this shared vision and joint strategy are not a strategic alignment to contain China. It is a function-based coalition that aims to stabilize the South China Sea only.

The agreement can later be open to other seafaring nations with interests in the region, including China.

Most importantly, the US, and Japan perhaps, should be part of the process, not just facilitators. A peaceful, open, and rule-based South China Sea is in the interest of all seafaring nations. The burden should not rest on the shoulders of Southeast Asian claimants alone.

PacNet commentaries and responses represent the views of the respective authors. Alternative viewpoints are always welcomed and encouraged.