

South China Sea Update Paper

While there has been no overt military conflict in the South China Sea, recent developments indicate that tensions have not subsided. On September 6th, a United States Navy destroyer sailed by Chinese-claimed islands, underpinning U.S. involvement and exacerbating the ongoing trade war between the two nations.¹ In September, China and Malaysia agreed to set up a joint dialogue mechanism for the South China Sea, strengthening the ties between the two countries despite Malaysian fears of China's internal oppression of Muslims.² In September, Singapore renewed its pact with the U.S., granting American forces access to the city's bases until 2035, underlining the mutual understanding of the importance of military presence in the region.³ On October 3rd, Vietnamese Ministry of Foreign Affairs spokeswoman Le Thi Thu Hang stated that the Chinese survey vessel Haiyang Dizhi 8 and its escorts expanded "their operations within Vietnam's exclusive economic zone (EEZ) and continental shelf, thus seriously violating Vietnam's sovereign rights".⁴

Russian oil companies have played a larger role in the region since July. Following the lead of Vietnam, Philippine President Duterte has invited Russia's state oil giant Rosneft to consider gas and oil exploration in the Filipino EEZ in early October.⁵

1 "U.S. Destroyer Sails in Disputed South China Sea amid Trade Talks." Reuters. Thomson Reuters, September 13, 2019.
<https://www.reuters.com/article/us-usa-china-military/u-s-destroyer-sails-in-disputed-south-china-sea-amid-trade-talks-idUSKCN1VY1CV>.

2 "Malaysia PM Says Can't Provoke Beijing on South China Sea, Uighur Issue." Reuters. Thomson Reuters, September 28, 2019.
<https://www.reuters.com/article/us-malaysia-china/malaysia-pm-says-cant-provoke-beijing-on-south-china-sea-uighur-issue-idUSKBN1WD0BY>.

3 "Singapore Renews US Military Base Pact as Defence Ties with China Deepen." South China Morning Post, September 25, 2019.
<https://www.scmp.com/week-asia/politics/article/3030111/china-will-be-wary-us-singapore-deal-military-bases>.

4 "Vietnam Accuses Chinese Ships of Ramping up Tensions." South China Morning Post, October 4, 2019.
<https://www.scmp.com/news/china/diplomacy/article/3031603/vietnam-accuses-chinese-ships-ramping-south-china-sea-tensions>.

5 "Moscow's Ties to China May Sway Exploration Deal with Philippines." South China Morning Post, October 11, 2019.
<https://www.scmp.com/news/china/diplomacy/article/3031872/philippines-hopes-south-china-sea-exploration-deal-russia>.

By entangling large outside powers, countries hope to leverage their counterweight against China.

Rather than challenging China and its militarized artificial islands, Philippine President Rodrigo Duterte suggests that he is powerless in warding off China's claims and would rather negotiate with China than risk armed conflict.⁶ Chinese President Xi Jinping told Duterte that if the Philippines were to ignore the Permanent Court of Arbitration's 2016 ruling in which China's claims were invalidated near the Philippines, China would agree to be the junior partner in a joint venture to develop gas deposits at the Reed Bank located within the Philippines's EEZ.⁷ Although no firm deal was made during their meeting in late August, the two presidents agreed to establish negotiating panels to continue oil talks.⁸ Joint activity could legitimize the other side's claim or even relinquish sovereign rights. This undermines the authority of international law, setting the stage for political favors prevailing over objective international arbitration. Any agreement to waive the arbitral award and cooperate with China would setback other claimants, particularly Malaysia and Vietnam which, like the Philippines, have historically been victim to Chinese aggression within their EEZs.⁹

6 Gutierrez, Jason. "Philippines Has Little Power Against China, Duterte Tells Lawmakers." The New York Times. The New York Times, July 22, 2019.
<https://www.nytimes.com/2019/07/22/world/asia/rodrigo-duterte-philippines-congress.html?module=inline>.

7 Petty, Martin, "Philippines' Duterte Says Xi Offering Gas Deal If Arbitration Case Ignored." Reuters, Thomson, September 12, 2019.
<https://www.reuters.com/article/us-philippines-china-southchinasea/philippines-duterte-says-xi-offering-gas-deal-if-arbitration-case-ignored-idUSKCN1VW07O>.

8 Bloomberg.com, Bloomberg, Accessed October 19, 2019.
<https://www.bloomberg.com/news/articles/2019-09-11/duterte-will-ignore-south-china-sea-ruling-for-china-oil-deal>.

9 Petty, Martin, "Philippines' Duterte Says Xi Offering Gas Deal If Arbitration Case Ignored." Reuters, Thomson, September 12, 2019.