

The Impact of China-ASEAN Multilateral Cooperation on the Spratlys and Paracels Islands' Conflicts

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Abstract

The purpose of this research paper is to understand China's underlying intentions in their multilateral cooperation with ASEAN on the Spratlys and Paracels islands of the South China Sea. The lingering disputes in the area are a destabilizing factor to the contenders, the region and in fact other regions of the world. China's acceptance of a multilateral dialogue was seen as a welcome development towards a lasting solution to the sovereignty claims of the countries of ASEAN and China in particular. The objectives of this report were to explore the China-ASEAN multilateral cooperation and the impact of the cooperation on the Spratlys and Paracels Islands. Using a qualitative documentary research method, written publications like magazines, research reports, journals, news and newspaper reports, internet, and reports of organizations served as the main sources of data collection. The methodology follows an unobtrusive style of comparative historical research method which focuses on changes in multiple cases over time or on more than one nation or society at a single point in time. The cases explored were the reports of the workshops on "Managing Potential Conflicts in the South China Sea" (MPCSCS) and that of the "ASEAN Regional Forum" (ARF). The findings entails that China is using the cooperation to achieve a self-goal of regional hegemony in readiness to contest at the global hierarchy.

Keyword: Multilateral Cooperation, Global Hierarchy, Hegemony, Conflict Resolution

Introduction

The struggle for an effective occupation and a gradual claim of the Spratly and Paracels islands of South China Sea mainly started at a period after WWII when Japan left the two archipelagos unoccupied. This prompted gradual neighboring claims for ownership. With many campaigns for its occupation and control, the dispute has become a growing concern for the region.

These areas of the South China Sea are of a high concern to both its claimant and non-claimants as well. Most of the essential claimants as this report covered are People's Republic of China and the ASEAN states of Brunei Darussalam, Malaysia, The Philippines and Vietnam. These states have claimed that the area is in whole or in parts part of their sovereign states. In international relations, the issue of sovereignty is a sensitive one. Thus, the claimants see their claims as legitimate and indisputable. China is one of the claimants that based her claims on historical grounds. History was not the focal points of others' sovereignty claims. Most base their claims on economic and strategic reasons. They consider the large oil deposit in the sea as a strategic resource to claim. Notably, the Chinese Department of Geology and Mineral Resources estimated that the area may contain as much as 17.7 billion tons of oil, a figure questioned by Western oil experts (Valencia, 1995). On this assumption, Chinese growing economy has forced

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its eagerness to forcefully undertake oil explorations in this region, especially after it became a net importer of oil in 1993. Since all claimants had an eye on the most wanted economic resource in the area, there became a surge in the claims and counter-claims to these archipelagoes to undertake their own share of the oil exploitations free from external intervention. The second front for contest is a long history dispute for the right to fish in the sea. The area is known for its high fish productivity rate which McManus (1994) warned that it will soon be in short of fishes since it has been heavily fished by all the states surrounding it. There is also the issue of the non-claimants being interested in the area in hope of preserving open navigational routes in the SCS as stated by Ali Alatas (1990), which Ross Marlay (1997) made clear that almost one-fourth of the world's trade passes through the region, thereby making any peace process in the area as crucial to both claimants and non-claimants alike.

The disputes over these islands date back to early 1970s. This period was referred to as the golden period for disputants to occupy the Spratly Islands. The Philippines quickly established its effective control over 5 features. Vietnam, after suffering a defeat by China's troops on the Paracels in 1974 began to annex the Spratly Islands actively and later occupied 6 of the features. Meanwhile, the Philippines' swift move to lay claims in the early 1970s prompted China to restate its claims over the whole area of this region. This archipelago is considered by China as an indisputable part of its territory since ancient time. However, compared with the other claimants, China was the last to carry out effective occupation of the Spratlys.

This report has it that China's most effective occupation of the area began in 1988 and started as an armed conflict between her and Vietnam when they sank two Vietnamese vessels killing at least 70 Vietnamese in that incident. She later dislodged Vietnamese troops from a reef in the Spratly. As a result of all these her forceful entrance in the area, other claimants began to see her as a security concern to the entire region. Later in 1995, China made a unilateral move to the Mischief Reef against the Philippines, signaling Chinese first conflict with an ASEAN member state. Hence, making the disputants to realize how urgent it is to deal with an aggressive China and resolve the conflicts around the Spratlys and Paracels amicably. Following the international agreement on Cambodia in 1991, the attention of countries in Southeast Asia gradually became focused on the South China Sea conflict as was considered as a stimulant to regional unrest. How to handle China to prevent it from being a distracting element to regional peace and development became imminent for the ASEAN leaders to ponder on.

In quest for solution, multilateralism became a promising option. According to Robert Keohane (1990), multilateralism is "the practice of coordinating national policies in groups of three or more states". John Gerard Ruggie (1992), in his opinion, states that it is "an institutional form which coordinates behavior among three or more states on the basis of 'generalized' principles of conduct—that is, principles which specify appropriate conduct for a class of actions, without regard to the particularistic interests of the parties or the strategic exigencies that may exist in any specific occurrence". Keohane's definition is widely considered as a 'nominal' or 'quantitative' one because it only answers 'what' multilateralism is. On the other hand, Ruggie's definition explains 'how' the multilateral mechanism processes and is thus perceived as 'qualitative'.

This system of 'what' and 'how' has gained a resounding strength in system of things especially in Asia-Pacific states, like the introduction of 'ASEAN Way'. ASEAN-Way is the generally accepted principles by which ASEAN members adopt in resolving disputes. Although the ASEAN Way is not as effective as some optimists expect. China on the other hand, was unilaterally moving into the disputed South China Sea areas, and is causing major regional

destabilization. Then, there became a much debate on how to deal with an expanding China (Segal, 1996). Whether to engage, contain or resist China became an irresistible concern to both decision makers and overseas China experts. As a result of various exchanges, there was growing consensus within Southeast Asian leaders that accommodating China would serve their national interests (Leifer, 1993). The association decided to employ China, to encourage her to join their multilateral gatherings so as to sit together and discuss ways of resolving the conflicts peacefully.

Indeed, China engaged in the forums and later finally became an active supporter of the processes to peaceful resolution of the conflicts in the SCS. It initially welcomed multilateralism when Premier Li Peng visited Singapore on August 1990 and indicated his country's willingness to seek a peaceful settlement of the conflicts multilaterally. During this trip, Li announced that China was prepared to set aside the territorial disputes in the area and pursue cooperation with the other claimants and explore the region collectively. Chinese Foreign Minister Qian Qichen also stated in Singapore in 1993 that, "as for security cooperation, in our view, we may start off with bilateral and regional security dialogues of various forms, at different levels and through various channels in response to the diversity of the region. China will actively participate in these dialogues and consultations". To support these claims, China's officials and experts began initiating private discussions with their Southeast Asian counterparts on the SCS issue at multilateral conferences and workshops. The most significant multilateral cooperative mechanism then was the informal workshop entitled "Managing Potential Conflicts in the South China Sea" (MPCSCS) which was firstly held in 1990 in Indonesia. This forum was seconded by the formation of ASEAN Regional Forum (ARF) of 1994.

Objective and Scope

Objective

The objectives of this study in specificity are to explore the: 1) multilateral dialogues between China and ASEAN; and 2) impact of the multilateral cooperation on the Spratlys and Paracels islands' disputes.

Scope

This study focuses on documented theories, forum reports, reporters' analysis, expert opinions, key actors speeches and publications on the China-ASEAN relationship in MPCSCS and ARF in resolving the Paracel and Spratly islands disputes. The paper made use of various theories on realism, liberalism, constructivism, hegemonism and other school of explanations to arrive at the conclusions.

Theoretical Framework

In 2002, the four Southeast Asian states, acting through ASEAN, negotiated a *modus vivendi*, a Declaration on Conduct of Parties in the South China Sea (DOC) with China. The DOC was nothing more than a political statement. Its signatories agreed to settle their disputes peacefully and not to upset the status quo. It was agreed that the DOC would be the first step towards a more binding Code of Conduct (COC).

In May 2009, China protested when Malaysia and Vietnam made separate and joint submissions to the UN Commission on the Limits of the Continental Shelf. China countered by tabling, for the first time, a map outlining its claims to the SCS; which contained nine dash lines

in a U-shape covering an estimated 80 per cent or more of the maritime area. But these claims appeared to have little basis in international law. The incidents that have occurred over the years all appear to result from China's efforts to exercise jurisdiction within the nine dash lines.

It has continuously increased her capacity to exercise control over the Sea by expanding the number of her Maritime Surveillance ships and Fishery Administration agencies, constructed a naval base at Sanya on Hainan Island, and heightened constant clashes between the states thereby resulting in her neighbours' decision to modernize their navies hence, an increase in the arms capabilities of the zone. But Southeast Asia's four claimant states, alone or together, cannot hope to match China's naval power as was demonstrated in their 70th victory anniversary of the defeat of Japan held early September, 2015.

On that 70th V-Day Anniversary, Mr. Xi, at the display of world-class high-tech military might, unequivocally reassured the global community that "China will remain committed to peaceful development". "No matter how strong it becomes, China will never seek hegemony or expansion. It will never inflict its past suffering on any nation," Xi reassured.

The ASEAN claimant states sought to resolve the territorial disputes with China on a multilateral ground under the auspices of ASEAN. They are proceeding on two tracks. The first track involves reviving the ASEAN-China Joint Working Group's until-now moribund discussions on implementing the DOC and negotiating guidelines for its implementation. The two sides are currently considering the twenty-first draft. The major sticking point is paragraph two, which provides for ASEAN to caucus before meeting with China. One alternative proposal is to remove this paragraph and adopt its spirit by verbal agreement; another is for the claimant states to meet first, then caucus with ASEAN and finally meet with China.

China philosophy is to settle territorial disputes with the countries directly involved bilaterally; not with or through a third-party. Thus, it opposes multilateral conflict resolution mechanisms because, she argued that the territorial disputes resolution in the SCS should not be between China and ASEAN neither will it involve outside powers, like the US in any discussion.

On these backgrounds, this paper, in carefully considering the existing academic works and the reality, examines the contending arguments of hegemonic stability theory, and the author would likely agree with Gilpin's opinion and believes in the coercive character of a hegemon. Therefore, the theoretical framework of this study borrows from the multiple hierarchy models as the prerequisite assumption that the consequences of China's multilateral functions are towards her hegemonic aims. In essence, this enquiry plans to explore how a coercive power builds up the hegemonic order with the help of multilateral means.

Research Methodology

The purpose of this research paper is to explore the realities in the China-ASEAN multilateral relationship vis-à-vis the disputed Spratly and Paracel islands of the SCS. The inquiry follows a comparative historical type of unobtrusive research method. Unobtrusive measures are measures that don't require the researcher to intrude in the research context. It allows the researcher to collect data without interfering with the subjects under study. Historical comparative methods, which are unobtrusive, focus on changes in multiple cases over time or on more than one nation or society at a single point in time.

So, the cold and warm relationship that has persisted in the Asian peninsula in general and between some Southeast Asian states and China in particular became intriguingly interesting to delve into. With vast source of material available to look at, the researcher undertook this

secondary method of data collection where written materials relevant to the topic were gathered for analysis. The main sources of data collection in this method are archival data, secondary sources, running records, and recollections. So the report used various published articles, magazines, periodicals, Newspapers and research papers to gather the data. Other sources includes the official document reports like the charters of UN, policy statements of various organizations and speeches by key leaders of regional actors.

The comparative historical research as we know is a research method in social science that examines historical events in order to create explanations that are valid beyond a particular time and place, either by direct comparison to other historical events, theory building or reference to the present day events. The report design follows qualitative analyses of case studies as the methodology; which covers the cases of Track II of MPCSCS and Track I ARF from 1990 to 2001 and the recent events on the Spratly and Paracel Islands to gain a better sight on China's behavior, diplomatically over time.

Findings

A summary review of China's multilateral participation for over a decade within the region suggests that China has been a dominating figure on discussions on the SCS issues. Every step taken at the security forums had been redirected and manipulated to her favor. This report has it that the overall result of the multilateral dialogues between China and ASEAN, for the period studied, could be liken to the proverbial Melian Dialogue, where the strong and powerful Athenians made it clear to the Melians "...that right, as the world goes, is only in question between equals in power, while the strong do what they can and the weak suffer what they must". So it goes at the dialogues:

1. China had continued to maintain historical claims of the islands by use of force.
2. Despite the level of tension in the area, it was discovered that conflicts never deterred their bilateral relationships with the other claimants, especially in economic terms.
3. China would play down any multilateral discussion that will answer the question of sovereignty over the Spratlys and Paracels islands. Whenever the issue is highlighted, China would show reluctant of including security discussions in the agenda since it assumed the leading role instead of ASEAN (Chongkittavorn, 1997).
4. The institutionalization of ARF was weak owing to the fact that it adopted most ASEAN norms that "decisions of the ARF shall be made through consensus after careful and extensive consultations among all participants".
5. China, instead of allowing a free-flow of opinion from forum members, tries to force it's ideology of 'avoid conflict, make joint efforts for Development' to become a consensus. She still insists that the two forums of MPCSCS and ARF are not the right platform to discuss the Spratleys and Paracels islands disputes.

The impact of the Dialogues

However, there are few impacts that this research pointed out as the result of the dialogues.

1. Besides the critics opinion, most ASEAN members was in support of China's decisions since they believed that involvement of outside powers would inevitably jeopardize the aim of ASEANs having a total control of their regional affairs. So, such a future interference is what the members would not accept hence they agreed

- and signed the regional code of conduct in the South China Sea between China and ASEAN at the end of the sixth China-ASEAN Summit (10+1), in November 2002, instead of doing so at the ARF. It was indeed the first political documented declaration concluded between China and ASEAN over the Spratly and Paracel islands' disputes.
2. China and ASEAN reiteration of commitments to promoting a 21st-century oriented partnership of good neighborliness and mutual trust, and to enhance cooperation in the region (BBC Monitoring Newsfile of November 5, 2002), which its impacts for the time being are found to be inconclusive, irrelevant and inadequate to uphold a substantial and obligatory peace accord that is lacking on the disputed islands of the SCS.

Conclusions

The MPCSCS has failed to discuss any issue on sovereignty and territorial jurisdictions since the Fifth sitting of the Workshop. The meeting also regulated its membership and opposes its formalization as per China's request, thereby making China's preferred idea(s) a consensus. The ARF on the other hand involves the majority of the countries of Asia-Pacific and was formed to cater for the security issues in the region. As such, China in its dominant nature expressed her sincerity to embark on the joint development of the area; hence, preventing any unifying protests by the ASEAN states in the forum. It further demonstrated her will to respect the freedom of navigation in the conflict sea area in order to avoid external intervention in the matters. With these points, it vehemently objected to any political and security discussion on the sea area in the ARF agenda. Hence, it succeeded in handling the South China Sea delicate issues within this formal multilateral forum.

The "quiet diplomacy" modus operandi of ASEAN has helped in strengthening China's hegemonic strategies in the area. Most members enjoy improved bilateral relationship with China, as such that they were quite hesitant to force ASEAN in confronting China. Hence, ASEAN as a group could not take a stand as a formidable force that can confront China for fear of provocation. That is why it adopted a system of "quiet diplomacy" with intent of making China to consider amicable solutions to the lingering territorial disputes.

In summary, China was known for using unilateral actions in strengthening its regional presence in the disputed areas. However, application of bilateral mechanism has been a means employed by China in consoling its individual Southeast Asian disputants. Hence, they are known for their unilateral and bilateral policies now turned abruptly to embrace multilateralism when it sees that the use of multilateralism could be a speedier propeller in popularizing her preferred orders to the region and beyond. So, since 1990, multilateralism became a complementary tool to establishing China's regional hegemonic stability.

Recommendation

This inquiry have paid particular attention to Chinese multilateral engagements in the Southeast Asia since 1990 to 2001; and can conclude that China used those mechanisms to establish its norms with hegemonic intent in the region. So, it clearly recommends that:

China's indisputable future should be accepted and consensus reached by ASEAN and should work out the modalities on which to undertake regional issues with China. To borrow

from the idea of former ASEAN Secretary-General Rodolfo Severino Jr who said, “It is inevitable that China gains in strength economically and politically. The way ASEAN handles this is to form strong relationships with China. That's the only way to go”.

ASEAN should accept China's proposal for “shelving territorial disputes while exploiting the resources jointly” which gave rise to the “Tripartite Agreement for Joint Marine Seismic Undertaking in the Agreement Area in the South China Sea” as this will help in creating a peaceful neighboring environment in the area.

The region should grant China a total control of the disputed area, so that it can extend its military presence over the SCS and beyond and lessen or eradicate other superpowers' influence on the region. And so, serve one master at a time and thus gain peace in the area.

ASEAN countries may opt to join in the containment of China by embracing the U.S, which may be to their own possible economic and financial risks, as the last Asia financial crisis has shown that China is more close and willing to help ASEAN states financially. So, helping China achieve its aims could be a guarantor to a better economic stability as China will be the financial hub of the zone.

Finally, it is important for the region to harness other possible options, like playing ‘balance of power’ role. The protection that ASEAN states enjoyed from the U.S during the cold war cannot be over-emphasized. The region must move on to next level of self-containment since it has grown economically and politically and in a better position to maintain its own freedom from the so called ‘super powers’. Hence, ASEAN could dilute its tight relation with the US by diversifying its relationship with her ‘big dragon’ neighbor. Thereby creating a balance of power on the superpowers and utilizing this balance to her advantage. The ASEAN having initiated the SCS discussion in the ARF, which includes both China and the US, which made China to assure the freedom of navigation in the region, could be considered as an attempt to balance China's power through multilateral means. This was a major breakthrough of the balance of power that ASEAN achieved during the 1990s. Any of these points if properly analyzed and harnessed could be a lasting solution to peace and better development of the region in particular and the world at large.

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