

## The Influence Of The Chinese Coast Guard On The UNCLOS And Use Of Force Doctrine In Maritime

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### **Abstract**

The role of the Chinese Coast Guard (CCG) in the South China Sea has rapidly been turned into ‘the Chinese newest armed force’. With a hybrid nature as a civilian actor possessing naval combative capacity, the nature of the CCG has both shaped and defied the current use of force law in maritime context. This article aims to revisit the seminal case of *the South China Sea Arbitration (The Philippines v China)* and investigate how the Hague Tribunal had considered this new state practice. Also, the article will examine whether the CCG would fall within the use of force doctrine. As the current law stands, there has not been any complete consideration of this perplexing nature. The Hague Tribunal took a precautious approach to limit its analysis of the CCG and the legality of the CCG’s activities under the use of force doctrine seems to be far from clarity.

**Keywords:** the Chinese Coast Guard, Coast Guard, South China Sea, UNCLOS

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## 1. Introduction

For more than decades, China/Taiwan, the Philippines, Vietnam, Brunei and Malaysia (hereafter the claimants) have all claimed their sovereignty over the sea around the Spratly Islands, Paracel Islands and Scarborough Shoal in the resource-rich South China Sea. In 2015, despite the Philippines's tremendous effort to settle the South China Sea disputes through the international agreed mechanism of the United Nations Convention on the Law of the Sea (UNCLOS)<sup>1</sup>, China, the most powerful and aggressive claimant, immediately and completely denounced the awards from the landmark *South China Sea Arbitration (The Republic of Philippines v. The People's Republic of China)*.<sup>2</sup>

China has long argued that it has sovereignty over the disputed areas because of its so-called historical rights. Relying on the Chinese ancient map, China consistently claims that Chinese territories extend beyond Hainan Island to cover a large part of the South China Sea, before reaching the outset bound by the notorious Nine-Dash line had been drawn.<sup>3</sup> The Hague Tribunal in the *South China Sea Arbitration* rejected China's historical rights but declared no jurisdiction to delimit the territories in the South China Sea. Despite the narrow scope of the awards, China never recognizes

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<sup>1</sup> United Nations Convention on the Law of the Sea (adopted 10 December 1982, entered into force 16 November 1994) 1833 UNTS. 397. 17

<sup>2</sup> *The South China Sea Arbitration (The Republic of Philippines v The People's Republic of China)* (Merits) [2016] PCA 2013-19; *The South China Sea Arbitration (The Republic of Philippines v The People's Republic of China)* (Jurisdiction and Admissibility) [2015] PCA 2013-19

<sup>3</sup> Bill Hayton, 'The Modern Creation of China's Historic Rights Claim in The South China Sea' [2018] *Asian Affairs* 49:3, 370-382 See also Julian Ku, 'The South China Sea and China's "Four Sha" Claim: New Legal Theory, Same Bad Argument' (*Lawfare*, 25 September 2017) <<https://www.lawfareblog.com/south-china-sea-and-chinas-four-sha-claim-new-legal-theory-same-bad-argument>> accessed 15 September 2018

nor follows it.<sup>4</sup> Instead, China resorts back to state practices as a means to resolve the disputes. It continues to proclaim a de facto control over the area by building massive artificial islands and sending the Chinese Coast Guard (the CCG) to defend its self-proclaimed territories. These practices are both unique and unprecedented. The rise of the coast guards in the region, especially the CCG, is a fast developing practice that is deserved more attention and clarity over its clouded legal status.

After the watershed reform of coast guard in 2013, China boasts to deploy the largest coast guard vessel in the world and approximately 17,000 personnel in both the South China Sea and the East China Sea.<sup>5</sup> The rapid expansion and regular deployment of the Chinese Coast Guards (CCG) confirm a new practice of the use of coast guard, rather than the navy, in the disputed water. This new practice also sparks the beginning of the coast guard arm race between the claimants. From 2010 to 2016, Vietnam has increased its coast guard tonnage by 73 per cent and the Philippines have increased theirs by 100 per cent.<sup>6</sup>

The expansion of the CCG budget also allows the CCG to equip themselves with large vessels that are retired warships from the People's Liberation Army Navy (PLAN)<sup>7</sup>, and to rapidly transform more of its ships into armed coast guard vessels.<sup>8</sup> Some of the coast guard ships are now armed with 76mm rapid-fire guns, two auxiliary guns and two anti-aircraft machine

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<sup>4</sup> Chinese Society of International Law, 'The South China Sea Arbitration Awards: A Critical Study', [2018] Chinese Journal of International Law, Volume 17, Issue 2

<sup>5</sup> Lyle J. Morris, 'Blunt Defenders of Sovereignty: The Rise of Coast Guard in East and South East Asia', [2017] 84 Navel War College Review 70

<sup>6</sup> Ibid. 78

<sup>7</sup> Ibid. 7

<sup>8</sup> Michael D. Armour, 'The U. S. Coast Guard In The South China Sea: Strategy Or Folly?' (*Center of Maritime Security*, 6 November 2017) <<http://cimsec.org/u-s-coast-guard-south-china-sea-strategy-folly/34648>>accessed 15 September 2018

guns.<sup>9</sup> However, most of the CCG's vessels are still lightly armed with non-lethal weapons such as water cannons and sirens. The CCG manoeuvres are less dangerous than full force naval operations but still create a life-threatening danger. By relying on a so-called 'bullying tactic'<sup>10</sup>, the CCG employs the sheer size of its vessels to throw their weight around and potentially sink the counterpart vessels. Finally, the full-fledged militarization of the CCG came in early 2018 when the Chinese Communist Party started to transfer authority over the CCG to the Central Military Commission, rendering the CCG a new branch of Chinese Army.<sup>11</sup>

The role of coast guards in the South China Sea, especially the CCG has rapidly turned from being 'a fulltime marine harassment organization',<sup>12</sup> to 'the Chinese newest armed force',<sup>13</sup> in only a few years. The rise of the CCG also creates a grave international concern that triggers a debate whether Washington should also send the US coast guard into the western Pacific.<sup>14</sup> This practice is alarming not solely because of its dangerous threat but its uncertain legal status. The CCG has cloaked its increasing military

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<sup>9</sup> Ibid.

<sup>10</sup> William Pesek, 'Making sense of South China Sea dispute' (*Forbes*, 22 Aug 2017), <<https://www.forbes.com/sites/outofasia/2017/08/22/making-sense-of-the-south-china-sea-dispute/#5ea32f0f1c3b>> accessed 15 September 2018

<sup>11</sup> David Tweed, 'Military control of Chinese coast guard adds edge to sea disputes' (*Japan Times*, 27 March 2018) <<https://www.japantimes.co.jp/news/2018/03/27/asia-pacific/military-control-chinese-coast-guard-adds-edge-sea-disputes/#.W56WD5MzbOS>> accessed 14 September 2018

<sup>12</sup> Todd Crowell, 'A Coast Guard Arms Race' (*Real clear defence*, 22 May 2016) <[https://www.realcleardefense.com/articles/2016/05/23/a\\_coast\\_guard\\_arms\\_race\\_109386.html](https://www.realcleardefense.com/articles/2016/05/23/a_coast_guard_arms_race_109386.html)> accessed 15 September 2018

<sup>13</sup> Lyle J. Morris, 'China Welcomes Its Newest Armed Force: The Coast Guard' (*War On the Rocks*, 4 April 2018) <<https://warontherocks.com/2018/04/china-welcomes-its-newest-armed-force-the-coast-guard>> accessed 15 September 2018

<sup>14</sup> Armour (n 8)

capacity under the civilian outlook. It gradually forms the distinctive nature that is not easily distinguished into either law enforcement actor or military actor. The militarized CCG has challenged not only the existing law but also the clear-cut traditional distinction between naval force and law enforcement force. The doctrinal presumption<sup>15</sup> that a civilian actor would possess less capacity to create danger is now challenged by the presence of the armed coast guard. The strong emphasis on appearance over real capacity seems to render the current law out-of-touch from this new practice in the South China Sea. There is an urgent need for the law to reconsider the appearance presumption embedded in both jurisdiction and substantive law in the UNCLOS, in order to accommodate, regulate and scrutinize the new emerging practice of the armed coast guards.

## **2. Question of Jurisdiction: Should the CCG's Activities Deem 'Law Enforcement Activities', 'Military Activities' or Neither?**

The first and most significant issue concerning the use of coast guards is whether their activities would fall within the jurisdiction of the UNCLOS compulsory dispute resolution. The law on the UNCLOS jurisdiction is encapsulated in Part XV, Section 2 of the UNCLOS. The Article requires parties who cannot settle their disputes under Section 1 to submit the disputes to either a court or a tribunal according to Annex VII. However, as long as a written declaration is made, the signatory states can exclude themselves from the UNCLOS jurisdiction in matters enumerated in Article 298(1), which are 'disputes concerning military activities' and 'disputes concerning law enforcement activities'. Relying on Article 298(1)(b), the Tribunal in *the South China Sea Arbitration* acknowledged that China has

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<sup>15</sup> See *Guyana v Suriname* [2007] ICGJ 370; *The Arctic Sunrise Arbitration (Netherlands v Russia)* [2013] ITLOS No.22

triggered Article 298 exemption by its written declaration in 2006.<sup>16</sup> The Tribunal in *the South China Sea Arbitration* considered China's military/paramilitary activities in relation to Article 298(1)(b) in Submission No. 14 concerning the stand-off incident and the artificial island construction around Second Thomas Shoal. The ruling, nevertheless, is far from satisfactory.

In Submission No.14, The Philippines accused China of breaching the obligation to refrain from aggravating or extending the dispute [pending before the Tribunal]. The Philippines grounded their accusation on two incidents; the stand-off incident between the Philippine navy and a mix of both the CCG and PLAN around Second Thomas Shoal, and the artificial island construction activities around seven reefs in the South China Sea. The Tribunal dismissed the aggravation claims based on the stand-off incident but declared jurisdiction over the island construction activities. The two incidents were distinguished on what the Tribunal upheld as 'military activities'.

Regarding the stand-off incident, the Philippines reminded the Tribunal of the presence of the CCG in the so-called Cabbage tactic<sup>17</sup> during the incident. The CCG's presence should render the incident non-military in nature. The Tribunal, unlike the Philippines, emphasized instead on the presence of the military force in the incident and concluded that the facts fall well with the military activity exceptions of Article 298(1)(b) before dismissing the claim.<sup>18</sup> Although the Tribunal described the incident as

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<sup>16</sup> People's Republic of China, Declaration under Article 298 (25 August 2006), 2834 UNTS 327

<sup>17</sup> The Cabbage tactic is illustrated as follows; In the area around the island, fishing administration ships and marine surveillance ships are conducting normal patrols while in the outer ring there are navy warships. The island is thus wrapped layer by layer like a cabbage. As a result, a cabbage strategy has taken shape. See *South China Sea Arbitration (Merits)* (n 6) para 1120

<sup>18</sup> *South China Sea Arbitration (Merits)* (n 6) para 1161

representing ‘a quintessentially military situation.’<sup>19</sup> The Tribunal reserved itself from exploring ‘the outer bounds of what would or would not constitute military activities for the purposes of Article 298(1)(b).’<sup>20</sup> By contrast, in the incident of the Chinese artificial island construction, the Tribunal ruled the activities as non-military activities. Rather than considering the presence of the CCG or PLAN, the Tribunal satisfied with China’s self-verifying documents<sup>21</sup> reiterating that its activities in the South China Sea are for a civilian function such as fishing and exploration and are carried out by the CCG, a civilian actor. As the island construction activities were civilian<sup>22</sup>, they did not trigger any of Article 298 issues. After exercising its jurisdiction, the Tribunal found China breaching its obligation not to aggravating pending disputes.<sup>23</sup>

The Tribunal’s analysis in Submission No. 14 seems to cause both confusion and uncertainty on how to draw the line between civilian and military acts, especially in activities that appear to be both military and civilian. The presence of navies or coast guards does not seem to be a sole decisive factor in characterizing the nature of the operation because a self-certifying document can also serve as a pivotal factor. It is uncertain as to what evidence is needed to prove an activity civilian or military. Moreover, the Tribunal also read the law enforcement activity exception in Article 298 narrowly, only to excuse the jurisdiction over the law enforcement activities that regulate marine science research or fisheries as elaborated in Article 297 paragraph 2 or 3 respectively.<sup>24</sup> This strict reading rendered the law enforcement activity exception inapplicable to the Submission and forced the Tribunal to rely on the distinction between civilian and military activities

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<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> *South China Sea Arbitration (Merits)* (n 6) para 916-931

<sup>22</sup> Ibid.

<sup>23</sup> *South China Sea Arbitration (Merits)* (n 6) para 1173

<sup>24</sup> *South China Sea Arbitration (Jurisdiction and Admissibility)* (n 6) para 378

without having any middle ground to fall into. The analysis is also inconsistent with the reality in the South China Sea where the CCG has become militarized and the prevalence of the Chinese Maritime Militia is on a surge.<sup>25</sup> This half-baked analysis of law comes with an expensive price of uncertainty and confusion.

In fact, the Tribunal can have a full flank analysis of the nature of the armed CCG by shifting the analysis from the appearance of the actor to the use of force capacity of the actor. Rather than giving a substantial weight on one factor to determine the nature of the force used, the Tribunal should collectively take into account of all pieces of evidence, such as a presence of a navy or coast guard and a party's certifying document of an incident, with equal weights. This departure from the appearance presumption in international law<sup>26</sup> can derive a legal support from Article 31(3)(b) of the Vienna Convention on the Law of Treaties<sup>27</sup> states that an interpretation of any treaties or international law can be determined by 'Any subsequent practice in the application of the treaty which establishes the agreement of the parties regarding its interpretation. By relying on this Article, the Tribunal can incorporate the new practice in the South China Sea into the UNCLOS' hard-and-fast rules. As a result, the Tribunal would be able to discuss the uniqueness of the CCG's practice while arriving at the same conclusion. This reality-consistent approach would accommodate future development of the disputes

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<sup>25</sup> Chinese Maritime Militia (CMM) refers to military-trained civilians and fishermen who are sent to be the first line of defence against other Claimants. The use of Chinese militia began in 2014 in the HYSY 981 incident See Morris (n 13) 97

<sup>26</sup>See *Guyana v Suriname* [2007] ICGJ 370; *The Arctic Sunrise Arbitration (Netherlands v Russia)* [2013] ITLOS No.22

<sup>27</sup> Vienna Convention on the Law of Treaties (entered into force 27 January 1980) 1155 UNTS. 331

### 3. Question of Substantive Law: Are the CCG's Activities Considered the Use of Force?

In *South China Sea Arbitration*, the Tribunal discussed the bullying behaviors of the CCG within the Philippines territorial sea around the vicinity of Scarborough Shoal (Submission No. 13) in the context of Article 94, requiring a flag state to follow an accepted international regulation<sup>28</sup> and to ensure safety at sea.<sup>29</sup> The Tribunal also incorporates the Convention on the International Regulations for Preventing of Collisions at Sea 1972 (the COLREGS)<sup>30</sup> into Article 94(5) as an accepted international regulation and found that the CCG had breached numerous rules of the COLREGS<sup>31</sup>, fundamentally because of its 'total disregard of good seamanship and neglect of any precaution',<sup>32</sup> creating a risk of collision. Article 94 is a catch-all Article governing all kinds of vessels at any zones in the sea. The widest scope of Article 94 allows the Tribunal to sidestep the untouchable question of sovereignty, which the Tribunal has no jurisdiction to delimit, but still permits the Tribunal to find the CCG's acts illegal. Also, the hybrid identity of the CCG does not seem to cause any problems since Article 94 would govern all kinds of vessels – military and civilian alike.

The pitfall of Article 94, nevertheless, is its limited effect. Article 94(5) covers any accepted international regulation, not just the COLROEGS. China can potentially substitute the COLREGS with the progressive Code of Conduct in the South China Sea as long as China can make a persuasive argument the code is an accepted international regulation. Since 2002, China has been keen to enter into a bilateral agreement on the South China

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<sup>28</sup> United Nations Convention on the Law of the Sea, Article 94(5)

<sup>29</sup> United Nations Convention on the Law of the Sea, Article 94(3)

<sup>30</sup> Convention on International Regulations for Preventing Collisions at Sea (adopted in 20 October 1972) 1050 UNTS 16

<sup>31</sup> *South China Sea Arbitration (Merits)* (n 6) para 1109, 1109

<sup>32</sup> *South China Sea Arbitration (Merits)* (n 6) para 1088

Sea conflicts with its South East Asian claimants unanimously represented by The Association of South East Asian Nations (ASEAN).<sup>33</sup> The recent 51<sup>st</sup> ASEAN Foreign Minister meeting in early 2018 results in a workable timeline for ASEAN and China to negotiate and start the drafting process of the Code of Conduct in the South China Sea.<sup>34</sup> Given the Chinese heavy investment in its Belt and Road Initiative in South East Asia, China's increasing influence over the region might give it a leverage to negotiate the Code of Conduct in its favour.<sup>35</sup> With a possibility that the Code of Conduct would substitute the COLREGS in Article 94, it is hard to predict whether Article 94 would have teeth at all.

However, even a stronger pill is given to contain the CCG's aggressive activities, the success of the treatment is still unclear. Article 301, banning the use of force in oceans, is the most powerful legal force to end any kind of aggressive activities as long as those activities are considered the use of force or threat to the use of force. This strongest pill might not have its full-force if applies in the in *the South China Sea Arbitration*. Firstly, Article 301, applying to state parties only 'in exercising their rights and performing their duties under this Convention', might not be an appropriate law in the arbitration. This is because rights and duties under the Convention cannot be determined before because the question of delimitation has been unsolved.

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<sup>33</sup> Carl Thayer, 'ASEAN and China set to agree on Single Draft South China Sea Code of Conduct' (*The Diplomat*, 27 July 2018) <<https://thediplomat.com/2018/07/asean-and-china-set-to-agree-on-single-draft-south-china-sea-code-of-conduct>> accessed on 15 September 2018

<sup>34</sup> *Ibid.*

<sup>35</sup> Editors South China Morning, 'Divided Asean spins its wheels as great powers become back-seat drivers in Southeast Asia' (*South China Morning*, 19 August 2018) <<https://www.scmp.com/news/china/diplomacy-defence/article/2160250/aseans-limits-are-display-effort-build-robust-southeast>> accessed 15 September 2018

Secondly, the hybrid nature of the CCG would challenge the definition of the use of force under the use of force doctrine. *Guyana v Suriname*<sup>36</sup> stands as a precedent that the ban on the use of force applies to law enforcement activities, which are carried out by either a navy or a civilian actor. The case also emphasises the appearance presumption that the use of force by civilian coast guards would be less threatening and aggressive than the use of force by navies.<sup>37</sup> In *Guyana*, the mere shouting by a naval constitutes a use of force. This approach would allow a legal protection to the CCG's activities because the approach presumed that civilian force would have less dangerous capacity than naval force and less likely to breach the ban on the use of force. On the other hands, the *I'm Alone*<sup>38</sup> approach can alternatively hold the CCG's enforcement activities illegal. The Commissioners ruled that the law on the use of force also applies to law enforcement activities such as boarding, searching and seizing the ship. The use of force in law enforcement is not illegal as long as the force is necessary and reasonable for the law enforcement purpose.<sup>39</sup> However, resorting primarily to the bullying tactics, the CCG rarely starts firing or employs any dangerous weapons. It is doubtful whether these activities would exceed necessary and reasonableness parameter in the *I'm Alone* since the approach does not seem to directly consider the intimidating appearance and potential full-scale battle that the armed CCG creates. All in all, the very nature of the CCG has cut through the traditional understanding of the role of civilian force and naval force in maritime conflict management and the current law based on the traditional understanding simply could not follow.

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<sup>36</sup> *Guyana v Suriname* [2007] ICGJ 370

<sup>37</sup> Alex G. Oude Elferink, 'The Russian Federation and the Arctic Sunrise Case: Hot Pursuit and Other Issues under the LOSC' [2016] 92 INT'L L. STUD 381

<sup>38</sup> *S. S. "I'm Alone" (Canada, United States)* [1935] 3 R.I.A.A. 1609

<sup>39</sup> *Ibid.* para 1617

#### 4. Conclusion

One of the Chinese policy-maker reveals that the use of coast guards is 'an attempt to demilitarize territorial disputes, as well as to show rival claimants that China views these disputed areas as sovereign Chinese territories subject to domestic law.'<sup>40</sup> In other words, the presence of the CCG suppresses the seriousness of the ongoing sovereignty disputes and turns them into mere domestic maritime governance problems. While the destabilizing effect of the coast guard might reduce tensions around the dispute, Brian C. Chao is worried that the CCG is just a diplomatic tool that 'could lull all participants into a false sense of calm.'<sup>41</sup> The claimants might underestimate the naval capability cloaked underneath the CCG's uniform and this might lead to a greater risk of miscalculation. The CCG might also have a misconception about the legality of its actions and take a greater risk at seas, thinking the law is on its side. Clarity in law and a fully developed interpretation to suit the real CCG's practice would not only pave a way for a stable and predictable body of international law but would help all the claimants to better channel their policy to settle these prolonged and ever-escalated disputes in the South China Sea.

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<sup>40</sup> Morris (n 13) 83

<sup>41</sup> Brian C Chao, 'Coast Guards Could Accidentally Spark War in the South China Sea' (*National Interest*, 28 June 2016) <<https://nationalinterest.org/feature/coast-guards-could-accidentally-spark-war-the-south-china-16766>> accessed 15 September 2018

## References

### Table of statutes

1. Convention on International Regulations for Preventing Collisions at Sea (adopted in 20 October 1972) 1050 UNTS 16
2. United Nations Convention on the Law of the Sea (adopted 10 December 1982, entered into force 16 November 1994) 1833 UNTS. 397. 17
3. Vienna Convention on the Law of Treaties (entered into force 27 January 1980) 1155 UNTS. 331

### Table of cases

1. *Guyana v Suriname* [2007] ICGJ 370
2. *S. S. "I'm Alone" (Canada, United States)* [1935] 3 R.I.A.A. 1609
3. *The Arctic Sunrise Arbitration (Netherlands v Russia)* [2013] ITLOS No.22
4. *The South China Sea Arbitration (The Republic of Philippines v The People's Republic of China) (Merits)* [2016] PCA 2013-19; *The South China Sea Arbitration (The Republic of Philippines v The People's Republic of China) (Jurisdiction and Admissibility)* [2015] PCA 2013-19

### Official document

1. People's Republic of China, Declaration under Article 298 (25 August 2006), 2834 UNTS 327

### Books

1. Booth, Ken, 'the Role of Navies in Peacetime' in Hugh Smith & Anthony Begin (eds), *Naval Power In The Pacific Toward The Year 2000* (Boulder,1993)
2. Donald R. Rothwell, 'Maritime Regulation and Enforcement: The Legal Framework for the South China Sea' in Tran Truong Thuy & Le Thuy Trang (eds) *Power, Law, and Maritime Order in the South China Sea*, (Lexington Book 2015)

## Journal Articles

1. Alex G. Oude Elferink, 'The Russian Federation and the Arctic Sunrise Case: Hot Pursuit and Other Issues under the LOSC' (2016) 92 INT'L L. STUD 381
2. Bill Hayton, '*The Modern Creation of China's Historic Rights Claim in The South China Sea*', [2018] Asian Affairs 49:3, 370-382
3. Chinese Society of International Law, '*The South China Sea Arbitration Awards: A Critical Study*', [2018] Chinese Journal of International Law, Volume 17, Issue 2, 207-748
4. Francesco Francioni, 'Peacetime Use of Force, Military Activities, and the New Law of the Sea', [1985] 216 Cornell International Law Journal 18
5. James Kraska and Michale Monit, 'The Law of Naval Warfare and China's Maritime Militia' [2015] 91 INT'L. L. STUD. 450
6. Lyle J. Morris, 'Blunt Defenders of Sovereignty: The Rise of Coast Guard in East and South East Asia' [2017] 84 Navel War College Review 70

## Websites

1. Brian C Chao, 'Coast Guards Could Accidentally Spark War in the South China Sea' (*National Interest*, 28 June 2016) <https://nationalinterest.org/feature/coast-guards-couldaccidentally-spark-war-the-south-china-16766> accessed 15 September 2018
2. Carl Thayer, 'ASEAN and China set to agree on Single Draft South China Sea Code of Conduct' (*The Diplomat*, 27 July 2018) <https://thediplomat.com/2018/07/asean-and-china-set-to-agree-on-single-draft-south-china-sea-code-of-conduct> accessed on 15 September 2018
3. David Tweed, 'Military control of Chinese coast guard adds edge to sea disputes' (*Japan Times*, 27 March 2018) <https://www.japantimes.co.jp/news/2018/03/27/asia-pacific/military->

control-chinese-coast-guard-adds-edge-sea

disputes/#.W56WD5MzbOS accessed 14 September 2018

4. Editors South China Morning, 'Divided Asean spins its wheels as great powers become back-seat drivers in Southeast Asia' (*South China Morning*, 19 August 2018) <https://www.scmp.com/news/china/diplomacy-defence/article/2160250/aseans-limits-are-display-effort-build-robust-southeast> accessed 15 September 2018
5. Julian Ku, 'The South China Sea and China's "Four Sha" Claim: New Legal Theory, Same Bad Argument' (*Lawfare*, 25 September 2017) <https://www.lawfareblog.com/south-china-sea-and-chinas-four-sha-claim-new-legal-theory-same-bad-argument> accessed 15 September 2018
6. Lyle J. Morris, 'China Welcomes Its Newest Armed Force: The Coast Guard' (*War On the Rocks*, 4 April 2018) <https://warontherocks.com/2018/04/china-welcomes-its-newest-armed-force-the-coast-guard> accessed 15 September 2018
7. Michael D. Armour, 'The U. S. Coast Guard In The South China Sea: Strategy Or Folly?' (*Center of Maritime Security*, 6 November 2017) <http://cimsec.org/u-s-coast-guard-south-china-sea-strategy-folly/34648> accessed 15 September 2018
8. Todd Crowell, 'A Coast Guard Arms Race' (*Real clear defence*, 22 May 2016) [https://www.realcleardefense.com/articles/2016/05/23/a\\_coast\\_guard\\_arms\\_race\\_109386.html](https://www.realcleardefense.com/articles/2016/05/23/a_coast_guard_arms_race_109386.html) accessed 15 September 2018
9. William Pesek, 'Making sense of South China Sea dispute' (*Forbes*, 22 Aug 2017), <https://www.forbes.com/sites/outofasia/2017/08/22/making-sense-of-the-south-china-sea-dispute/#5ea32f0f1c3b> accessed 15 September 2018