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# FLASHPOINT : GLIMPSES IN THE SOUTH CHINA SEA



NEHGINPAO KIPGEN CENTER FOR SOUTHEAST ASIAN STUDIES  
JINDAL GLOBAL UNIVERSITY

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# **ABOUT THE CENTER**

**This Research Center is named after Professor Nehginpao Kipgen., an eminent scholar of Southeast Asian Studies. He was the founder of this Center in 2016, with the vision of making Southeast Asia a cornerstone of teaching and research within India and Beyond.**

**The Center focuses on Southeast Asia, a sub-region of Asia, consists of countries that are geographically south of China, east of India, west of New Guinea and north of Australia. These countries are Brunei Darussalam, Cambodia, Timor Leste (East Timor), Indonesia, Laos, Malaysia, Myanmar (Burma), Philippines, Singapore, Thailand, and Vietnam.**



# ABOUT THE FOUNDER



## **Dr. Nehginpao Kipgen**

Prof. (Dr.) Nehginpao Kipgen (25.5.1978–2.5.2021) was a Professor at the Jindal School of International Affairs, O.P.Jindal Global University.

He was a renowned Political Scientist and thinker whose concentrations were in Comparative Politics and International Relations.

His scholarly work was focussed on Asia, with a specialization in Southeast Asia and Burma/Myanmar. He had presented papers and served as a chair and discussant in several international academic conferences, including International Political Science Association (IPSA) and International Studies Association (ISA). He was also a Board Member (RC18 – Asian and Pacific Studies) of IPSA.

# ABOUT THE DIRECTORS



**Prof. (Dr) Pankaj Jha**  
**Director**

Prof. (Dr.) Pankaj Jha is Professor & Dean (Research) at Jindal School of International Affairs (JSIA). Dr. Pankaj Jha was Director (Research) with Indian Council of World Affairs for more than two and half years. He had worked as Deputy Director with National Security Council Secretariat (2012-2013)



**Prof. Gitanjali Sinha Roy**  
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Gitanjali Sinha Roy is an Assistant Professor at the Jindal School of International Affairs(JSIA).Previously, she worked with the Centre for Land Warfare Studies (CLAWS), New Delhi, India as a research assistant. She was a visiting Monbukagakusho (MEXT) Fellow at the University of Tokyo. She was a Research Assistant at the United Service Institution of India, New Delhi, India.

# Navigating the South China Sea: Brunei's Nuanced Perspective

By Azeem

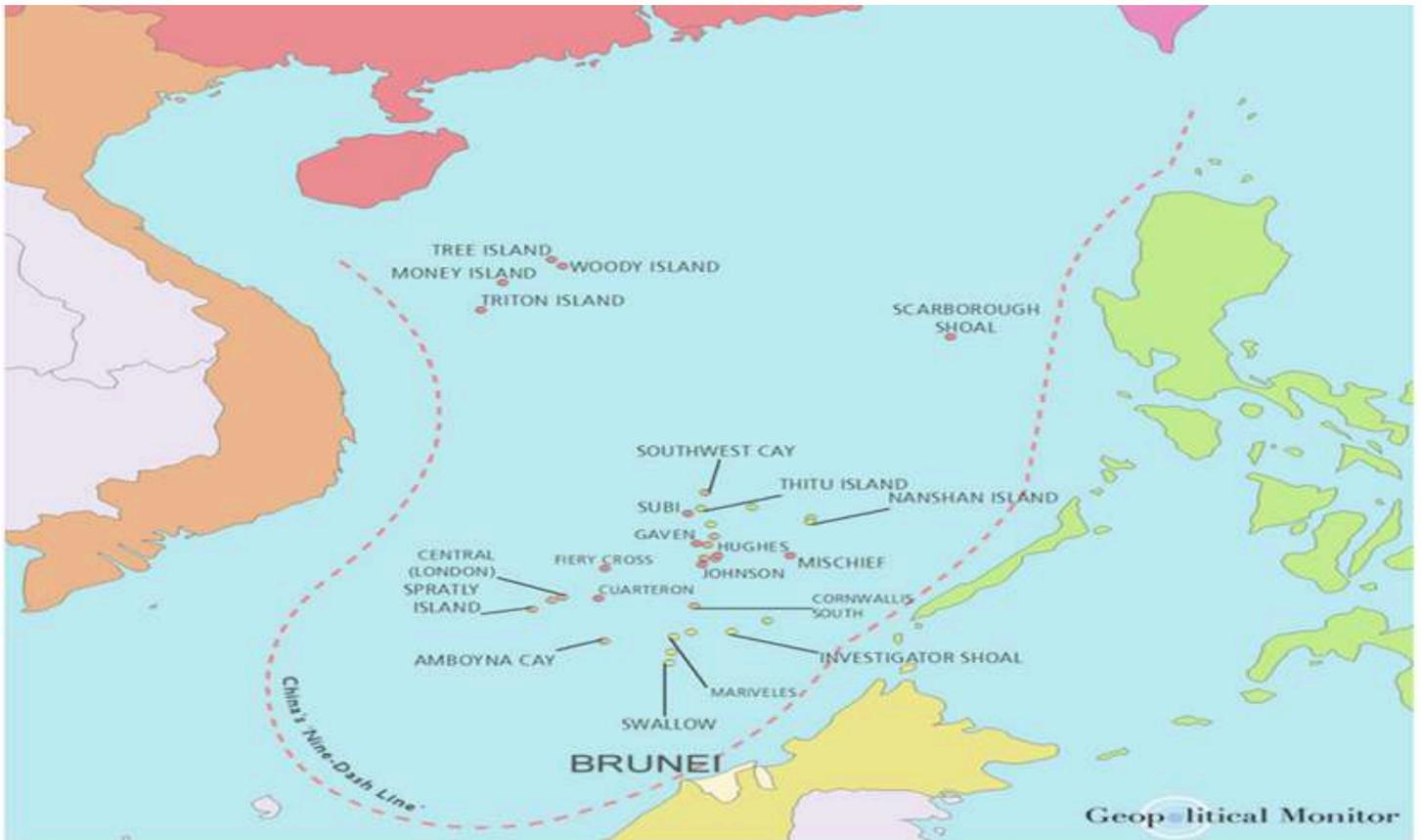


Image Credit: Geopolitical Monitor

## Introduction:

This comprehensive article offers an in-depth exploration of Brunei's multifaceted perspective on the South China Sea disputes, analysing various dimensions that shape its stance. Beginning with a historical overview that traces Brunei's ties to the region back to the establishment of the Sultanate of Brunei Darussalam, the article provides context for understanding Brunei's evolving approach to maritime issues. Emphasising diplomacy as a cornerstone of its foreign policy, Brunei's stance is characterised by a delicate balance between safeguarding its sovereign rights and fostering cooperative relationships with neighbouring states.

The article delves into Brunei's diplomatic strategies in navigating the complex geopolitics of the South China Sea, highlighting its commitment to dialogue, consensus-building, and adherence to international law, particularly the United Nations Convention on the Law of the Sea (UNCLOS). Brunei's active participation in regional forums such as the Association of Southeast Asian Nations (ASEAN) underscores its dedication to promoting stability and cooperation in the region.

**Economic considerations also play a significant role in shaping Brunei’s perspective, with the South China Sea holding strategic importance for its fisheries, shipping routes, and potential hydrocarbon resources. Brunei seeks to ensure access to these resources while advocating for sustainable development and environmental conservation in the face of growing threats such as pollution and overfishing.**

**Moreover, the article explores Brunei’s ongoing efforts towards conflict resolution in the South China Sea, highlighting its engagement in diplomatic channels and support for initiatives aimed at enhancing maritime security and fostering regional cooperation. By prioritising peace, stability, and the well-being of all stakeholders, Brunei aims to address the human dimension of the issue, acknowledging the impact of the disputes on millions of people who rely on the sea for their livelihoods.**

**We will also provide a comprehensive overview of Brunei’s multifaceted engagement with the South China Sea disputes, underscoring its commitment to diplomacy, international law, and regional cooperation. Through its pragmatic and inclusive approach, Brunei reaffirms its role as a responsible custodian of the international order, contributing to efforts aimed at promoting peace and stability in one of the world’s most strategically significant maritime regions.**

**Brunei’s stance regarding the South China Sea disputes is characterised by a multifaceted approach deeply rooted in its historical background, cultural values, and strategic interests. As a small country with limited resources and a strong emphasis on diplomacy, Brunei has adopted a nuanced position that seeks to balance its sovereign rights with the imperative of maintaining peaceful relations within the region. Here, we delve into key aspects of Brunei’s broader perspective on the South China Sea, elaborating on its historical ties, diplomatic stance, impact on regional dynamics, implications for international law, economic considerations, environmental concerns, multilateral cooperation, geopolitical implications, ongoing efforts towards conflict resolution, and the human dimension of the issue.**

### **Historical Background:**

**Brunei’s relationship with the South China Sea dates back centuries when Sultan Bolkiah established the Sultanate of Brunei Darussalam during the 15th century. The territory now known as Brunei includes parts of Borneo Island and several islands in the South China Sea. Despite this history, Brunei has not actively pursued its claims until recently, preferring instead to maintain goodwill among neighbouring countries. Over the centuries, Brunei has navigated its historical ties with China, Southeast Asian neighbours, and colonial powers, shaping its understanding of maritime boundaries and regional dynamics.**

### **Ties with China:**

**Brunei's historical ties with China have played a significant role in shaping its perspective on the South China Sea. While Brunei maintains cordial relations with China, it also seeks to assert its sovereign rights in accordance with international law. Despite occasional tensions over maritime disputes, Brunei emphasizes the importance of dialogue and cooperation in managing differences and maintaining regional stability. Brunei's approach reflects its desire to engage with China constructively while safeguarding its territorial integrity and maritime interests.**

### **Strategic Culture:**

**Brunei's strategic culture emphasizes non-confrontational approaches to international issues. This mindset stems from the belief that the sultan holds ultimate decision-making power over national matters, leading to a cautious foreign policy. In line with this philosophy, Brunei prefers multilateral solutions to regional conflicts, such as those involving the South China Sea. By engaging in dialogue and consensus-building, Brunei seeks to advance its interests while minimising the risk of escalation.**

### **Cooperative Approach:**

**Brunei believes that working together with other nations is essential for securing maritime traffic and resolving territorial and maritime boundary disputes. By focusing on cooperation, Brunei aims to avoid escalating tensions and fosters mutual understanding between claimants and non-claimants alike. Brunei actively participates in regional initiatives and diplomatic efforts aimed at promoting confidence-building measures, resource sharing, and sustainable development in the South China Sea.**

### **Adherence to International Law:**

**Brunei supports the use of international law, particularly the United Nations Convention on the Law of the Sea (UNCLOS), to resolve disputes related to the South China Sea. While Brunei has made few public statements about these disputes, its commitment to upholding international norms suggests that it will continue to advocate for peacefully resolved disagreements. Brunei's adherence to UNCLOS reflects its broader commitment to a rules-based international order and the peaceful resolution of disputes through legal mechanisms.**



### **Association of Southeast Asian Nations (ASEAN):**

**Brunei's approach to the South China Sea issue is deeply intertwined with its relationship with ASEAN. Brunei views ASEAN as a crucial platform for addressing shared concerns and promoting regional stability. It actively supports initiatives such as the ASEAN Code of Conduct, aimed at preventing further militarisation and fostering dialogue among claimant states. Within ASEAN, Brunei's stance is perceived as pragmatic and diplomatic, emphasising dialogue, adherence to international law, and multilateral engagement. Its efforts, including participation in frameworks like the DOC and negotiations for a COC, are seen positively as contributions to peace and cooperation in the region. Overall, ASEAN regards Brunei as a constructive partner in navigating the complexities of the South China Sea while upholding unity and consensus within the ASEAN community.**

### **Impact on Regional Dynamics:**

**Brunei's nuanced perspective on the South China Sea has profound implications for regional dynamics and power relations. Despite being a small country with limited resources, Brunei's diplomatic endeavours play a significant role in shaping the discourse and agenda within regional forums, notably ASEAN. By advocating for dialogue, cooperation, and adherence to international law, Brunei contributes to mitigating tensions and promoting confidence-building measures among claimant and non-claimant states alike. Brunei's approach reflects its commitment to preserving regional stability, promoting economic development, and safeguarding maritime security in the South China Sea.**

**As a member of ASEAN, Brunei leverages its diplomatic influence to foster consensus and unity among member states, thereby enhancing ASEAN's collective voice on the issue. Moreover, Brunei's emphasis on adherence to international law underscores the importance of a rules-based order in the region, which is essential for the peaceful resolution of disputes and the maintenance of stability.**

**Furthermore, Brunei's engagement in regional initiatives aimed at enhancing maritime cooperation, such as joint patrols and information-sharing mechanisms, reinforces its role as a responsible stakeholder in the South China Sea. By promoting practical measures to address maritime challenges, Brunei contributes to building trust and cooperation among regional actors, thereby reducing the risk of conflict and instability. Overall, Brunei's nuanced approach to the South China Sea issue not only reflects its national interests but also underscores its broader commitment to promoting peace, stability, and prosperity in the region.**

**As a result, Brunei's diplomatic efforts have a ripple effect on regional dynamics and power relations, influencing the trajectory of developments in the South China Sea and beyond.**

### **Economic Considerations:**

Brunei's perspective on the South China Sea is significantly influenced by economic factors. The region holds immense importance for Brunei's economic interests, particularly in fisheries, shipping routes, and potential hydrocarbon resources. As a nation heavily reliant on oil and gas exports, Brunei seeks to ensure access to these resources to sustain its economy and promote diversification efforts. The uncertainty and tensions surrounding the South China Sea have implications for Brunei's economic stability and growth prospects. Disputes over maritime territories could disrupt shipping routes, affecting Brunei's trade and maritime activities.

Furthermore, any escalation of tensions in the region could deter foreign investment in Brunei's energy sector, crucial for its economic development. In response, Brunei emphasizes the importance of maintaining stability and promoting cooperation in the South China Sea.

By advocating for peaceful resolutions to disputes and adherence to international law, Brunei aims to safeguard its economic interests and create an environment conducive to sustainable development. Additionally, Brunei actively engages in regional initiatives, such as ASEAN-led mechanisms, to address economic concerns and foster cooperation among neighbouring states. Overall, Brunei's approach to the South China Sea issue is deeply intertwined with its economic imperatives, emphasising the need for stability and cooperation to ensure continued prosperity in the region.

### **Environmental Concerns:**

Brunei recognises the importance of preserving the marine environment in the South China Sea. Pollution, overfishing, and habitat destruction pose significant threats to marine biodiversity and ecosystem health. Brunei advocates for sustainable fishing practices, marine conservation initiatives, and environmental cooperation among South China Sea stakeholders. By addressing environmental concerns, Brunei aims to protect marine resources and promote the long-term sustainability of the South China Sea ecosystem.

**Ongoing Efforts Towards Conflict Resolution:** Brunei remains actively engaged in ongoing efforts towards conflict resolution in the South China Sea. Through diplomatic channels, Brunei continues to promote dialogue, negotiation, and peaceful settlement of disputes. Brunei supports initiatives aimed at building trust, enhancing maritime security, and fostering regional cooperation. By maintaining an open and inclusive approach to conflict resolution, Brunei seeks to contribute to lasting peace and stability in the South China Sea.

### **Human Dimension:**

Finally, it's essential to acknowledge the human dimension of the South China Sea issue. The disputes impact the lives and livelihoods of millions of people who depend on the sea for food, transportation, and economic opportunities. Brunei's approach seeks to address these human concerns by prioritising peace, stability, and sustainable development. By promoting dialogue, cooperation, and adherence to international law, Brunei aims to create a future where all stakeholders can benefit from the resources and opportunities offered by the South China Sea.

### **Brunei's Dilemma:**

In summary, Brunei's approach to the South China Sea reflects its multifaceted engagement with the complexities of the issue. Grounded in historical awareness, Brunei navigates its maritime claims with a keen understanding of its past ties and contemporary diplomatic challenges. Its diplomatic pragmatism is evident in its emphasis on dialogue, consensus-building, and adherence to international norms, particularly within the framework of UNCLOS and ASEAN. By prioritising cooperation over confrontation, Brunei seeks to foster regional stability and mitigate tensions in the South China Sea.

Furthermore, Brunei's strategic engagement underscores its commitment to promoting the well-being of all stakeholders affected by the disputes. By advocating for peaceful solutions and sustainable development, Brunei aims to address not only the geopolitical ramifications but also the human dimension of the issue, acknowledging the livelihoods and aspirations of those who depend on the sea for their sustenance and prosperity.

In navigating the complexities of the South China Sea, Brunei demonstrates a perspicacious approach, blending historical cognisance with diplomatic adeptness and strategic foresight. Through its efforts to foster peace, stability, and prosperity in the region, Brunei reaffirms its stature as a responsible custodian of the international order, contributing to the collective pursuit of a more secure and harmonious maritime environment for present and future generations.

### **Future Aspects:**

Looking ahead, Brunei's role in navigating the South China Sea disputes is poised to evolve further as geopolitical dynamics continue to shift. As the region faces ongoing challenges related to maritime security, environmental sustainability, and economic development, Brunei's diplomatic engagement and commitment to conflict resolution will remain essential. Additionally, Brunei has the opportunity to leverage its position within ASEAN and other multilateral frameworks to advance dialogue and cooperation among claimant and non-claimant states alike.

**Furthermore, Brunei can play a pivotal role in promoting confidence-building measures, resource sharing, and environmental conservation initiatives in the South China Sea. By fostering greater transparency, trust, and collaboration among regional stakeholders, Brunei can contribute to building a more stable and prosperous maritime environment for the benefit of all. Additionally, Brunei may explore opportunities for enhanced bilateral cooperation with key partners to address shared challenges and opportunities in the South China Sea.**

**Overall, Brunei's future engagement with the South China Sea disputes will continue to be guided by its commitment to peace, stability, and the well-being of all those affected by the issue. Through proactive diplomacy, adherence to international norms, and a focus on sustainable development, Brunei can help shape a future where the South China Sea is a source of cooperation and prosperity rather than conflict and contention.**

### **Conclusion:**

**In conclusion, Brunei's nuanced perspective on the South China Sea disputes is a result of its historical background, cultural values, and strategic interests. Through a careful balance of diplomacy, adherence to international law, and active participation in regional forums, Brunei demonstrates its commitment to promoting peace, stability, and cooperation in one of the world's most strategically significant maritime regions. By prioritising dialogue, sustainable development, and the well-being of all stakeholders, Brunei reaffirms its role as a responsible actor in the international community.**

# Malaysia's Approach to the South China Sea Dispute

By Eljoezer Sun

## Overview

The scrimmage between China and its neighboring countries in the South China Sea is seen as a very intense issue that has been spanning over decades, which seem to have no end in sight despite many attempts to mitigate the conflict. China's claims of sovereignty and control over the South China sea have challenged competing claimants like Brunei, Indonesia, Malaysia, the Philippines, Taiwan, and Vietnam. The Sea, which is estimated to have over 11 billion barrels of untapped oil and 190 trillion cubic feet of natural gas, is considered a major source of riches for all the countries who have access to it and much of the growth and survival of these countries depend on the sea.

According to China, under the international law, foreign militaries are not allowed to conduct intelligence gathering activities, such as reconnaissance flights, in its exclusive economic zone (EEZ). However, the United States affirms that, claimant countries, under the UN Convention of the Law of the Sea (UNCLOS), should have freedom of navigation through EEZs in the sea and are not required to notify claimants of military activities. Furthermore, in July 2016, the Permanent Court of Arbitration at the Hague issued its ruling based on a claim made by the Philippines against China under UNCLOS, the ruling was in favor of the Philippines in almost every count. While China is already a signatory to the treaty, which established the tribunal, it still refuses to acknowledge the court's hearing.

Throughout the years, sources have claimed that China's is continuously increasing its efforts to reclaim land in the South China Sea by physically increasing the size of its islands or in some instances, creating new islands altogether. China has constructed ports, military installations, and airstrips- more evidently in the Paracel and Spratly Islands, where it has twenty and seven outposts, respectively. China has even militarized Woody Island through its deployment of fighter jets, cruise missiles, and a radar system.

On the counter, the United States has challenged China's aggressive territorial claims, part of the reason being the fact that its political, security, and economic interests and influence in the region is at stake. Subsequently, in response to China's assertiveness, land reclamation efforts have been carried out by conducting FONOPs and bolstering support for Southeast Asian partners.

**Apart from the United States, Japan has also taken initiatives to counter China's control and presence in the disputed territory by selling military ships and equipment to the Philippines and Vietnam to increase their maritime security capacity and to effectively deter Chinese aggression.**

**At the moment, the United States, which maintains important interests in ensuring freedom of navigation and uphold the prohibitions under UNCLOS, has expressed its concerns and expressed support for an agreement on a binding code of conduct and other confidence-building measures. China's claims, not only challenges the territorial sovereignty of its southeast Asian neighbors but also threatens the Sea lines of Communication (SLOCs), which are important maritime passages that facilitate trade and movement of naval forces.**

**However, in the context of this paper, we will be focusing on Malaysia's approach and response to the Chinese aggression in the territorial dispute for what most would term Malaysia's reciprocation as "Playing it Safe". While most actors like the Philippines or Vietnam would take a more rigorous stance against China, Malaysia prefers a more subtle and confidential approach to maintain its ties and relations with the Chinese Government.**

### **Background**

**The recent increase in tensions between China and several its neighbors regarding the South China Sea dispute has not yet reached Malaysia, even though China has raised its claims towards parts of the Spratly Islands. Malaysia's laid-back approach may at first seem unexpected for some, given the fact that it firmly solidified its formal claim in the 2009 submission of the UN Commission on the Limits of the Continental Shelf (According to UNCLOS).**

**Furthermore, China, at the time, responded with a firm formal objection which illustrated its own claims to almost the entire South China Sea based on its so called "Nine dash" map. Since then, Malaysia has focused more on strengthening its ties and preserving its bilateral relationship with China, building on the already existing economic ties it has with China which can be seen as a nod to its traditional approach. Malaysia was also the first ASEAN member to establish diplomatic relations with China in 1974, which can also be viewed as the foundation for the current relationship.**

**However, the increasing frequency of Chinese encroachment into Malaysian waters, as well as a series of hiccups and disruptions that rocked the Sino-Malaysian diplomatic relations- most evidently Malaysia's handling of the Missing Beijing-bound Malaysian Airlines flight MH370 in 2013.**

**It caused a lot of impasse in Beijing, which eventually led to the condemnation and criticism from Beijing over Malaysia's irresponsibility, followed by alleged interference in the Southeast Asian state's internal affairs by the Chinese envoy in 2014 after remarks and comments made ahead of a pro-government rally in a predominantly ethnic Chinese district- which ultimately led to Malaysia to recalibrate its decisions and outlook that caused some in the country to question the overall wisdom of Malaysia's strategy towards its relationship with Beijing.**

### **Malaysia's Approach**

**Malaysia's approach to the South China sea dispute has portrait a range of responses from regional observers over the past few years. Responses ranging from puzzlement, frustration, curiosity and in some cases even outright disdain for what can be seen by others as an inadequate response and most of the time muted reactions from the Malaysian Government's behalf, even as they are positioned in the face of increasing assertive developments in the area.**

**Malaysia has traditionally adopted a "playing it safe" approach to the South China Sea premeditated to secure its claims and interest while simultaneously ensuring that it preserves its important bilateral ties and relations with China. However, ahead of the ruling by the Arbitral Tribunal in 2016, Malaysia had come under increasing scrutiny and pressure from other actors, given the increasing, bolder, and more frequent Chinese encroachments into Malaysian waters as well as some unexpected disruptions in the Sino-Malaysian relationship. On the other hand, the ruling has also provided Malaysia with an opportunity to pursue both sides of its traditional approach.**

**In hindsight, the verdict is a shot in the arm and a violation for the international law, which is central to Malaysia's South China Sea policy, and at the same time provides a boost to its claims that it is seeking to protect. Moreover, Malaysia also recognizes that the ruling presents officials and members of the Association of Southeast Asia Nations (ASEAN), China and other actors who are involved in the matter, who see this as an opportunity to lower the heat in the South China Sea by pushing diplomatic efforts and strengthening ties with Beijing, even if it means playing into the hands of the Chinese government.**

**As mentioned before, Malaysia has tended to pursue a "Playing it Safe" approach towards the dispute. Unlike the Philippines and Vietnam, Malaysia has practiced "quite diplomacy" over the South China Sea issue, preferring to engage communications and dialogues in private rather and elicit them publicly, choosing to bolster ties despite the dispute.**

**Although, Malaysia has also taken calibrated steps to secure its own claims and defend its sovereignty in the region through various diplomatic, legal, and economic measures to support its interests. Whether it be working behind the scenes to ensure ASEAN's unity and commitment to the South China Sea, even advancing security ties with countries other international players like the United States in efforts to boost it won defense and military capabilities or using the international law to support its claims.**

### **Malaysia's Interests in the South China Sea**

**Malaysia has several interests in the South China Sea. The first one is preserving its claims. Within the South China Sea, Malaysia claims about 11 maritime features in the Spratly Islands and occupies eight of them, with the other three being occupied by Vietnam or the Philippines. Protecting these claims is essential for Malaysia's prosperity and security. Malaysia is known for being Southeast Asia's second-largest oil and natural gas producer and the World's third-largest liquefied natural gas exporter, however a significant part of its oil and gas resources are from the South China Sea.**

**Adding to this, Malaysia's oil, and gas sector accounts for about a third of the Malaysian Government's annual revenue, and several of the fields and areas used to extract hydrocarbons are within China's nine -dashed line. In terms of security, Malaysia's portion of the South China Sea is an integral part of its territory, especially since the waterway divides Peninsular Malaysia from East Malaysia, therefore preventing encroachments into its sea waters is inevitably tied to preserving the country's sovereignty and territorial integrity.**

**Second, Malaysia also has a keen interest in maintaining its bilateral relations with China even beyond the South China Sea issue. Since the end of the cold war, Sino-Malaysian relations have quite bloomed ever since, this is partly due to the easing of tensions over ideological and ethnic Chinese questions that have also helped boost economic ties between both countries. As mentioned before, Malaysia was the first South Asian state to normalize ties with China, this was seen as a historic moment back in 1974 when the former Prime Minister, Tun Abdul Razak, took the initiative to build ties and promote exchanges between the two states. These events were the foundation that gave rise to the idea of a special relationship between both these countries that continues to permeate circles even in the current situation.**

**Now, China is Malaysia's largest trading partner and biggest tourist-generating capital outside of ASEAN. All these factors point to the fact that Beijing plays a significant part in achieving Najib's goal of making Malaysia a high-income nation and developed country by 2020.**

When it comes to the South China Sea specifically, Malaysia has been affected much less by China's assertiveness compared to its fellow ASEAN state members like Vietnam and the Philippines, this could also be because parts of its claims lie in the farthest southernmost part of the Nine-dash line. For these reasons, the Malaysian government is content to believe that China presents more of an asset rather than a threat to its interests and security. Malaysian Officials, believe that Malaysia's needs would be best served and achieved through strengthening the core of its relationship with China while not allowing the bilateral ties to be overshadowed by the South China Sea issue.

Ensuring broader regional peace and stability has also been Malaysia's key interest in the South China Sea. The South China Sea is considered a highway for trade, shipping, transportation, and telecommunications that is key to the region's growth and prosperity, through which a third of world trade passes. This makes trade safe and secure through which Sea Lines of Communication (SLOCs) is preserved. Trading and Maritime nations like Malaysia, overall regional order and stability is of critical importance to their well-being, especially when of the ratio of trade to gross domestic product (GDP) of Malaysia exceeds 150 percent and where around 95 percent of trade is seaborne. Therefore, Malaysia continues to stress and convince all its South China Sea claimants ought to resolve their disputes through peaceful means rather than force.

### The Significance of the Malacca Strait

The Malacca Strait is a narrow waterway connecting the Andaman Sea (Indian Ocean) and the South China Sea (Pacific Ocean). Located between Sumatra and the Malay Peninsula, the Malacca Straits are known for being the major international navigation route linking the Pacific Ocean, the South China Sea, and the Indian Ocean.



Each of the Coastal States of Indonesia and Malaysia have territorial claims over the waterway, where the 12-mile territorial waters claimed by both countries overlap and together cover the entire width of the Straits. The Malacca Straits are considered the vital connection between the Pacific and Indian Ocean, providing the means for transport of vast quantities of food, fuel, and other natural resources.

However, this brings us to the question of the “Malacca Dilemma”, with China becoming the world’s largest production center, its energy and resource demands grew exponentially. Domestically, the Chinese Communist Party’s (CCP) legitimacy became intertwined with the prospect and challenge of meeting rising energy demands to sustain economic growth in its economy. Therefore, securing energy resources became inextricably linked to the CCP’s survival in a rapidly expanding. This energy security entailed securing the maritime trade routes that passed through the Malacca Strait and quickly led to the notion of the Malacca dilemma. Beijing’s interest in the Malacca Strait is quite evident, and that is coming up with a military strategy to ensure safe passage for Chinese transportation vessels traversing through the Malacca Strait.

Although, Beijing tends to exaggerate China’s security concerns in the Malacca Strait for three primary reasons. First off, three neutral coastal countries surrounding the Malacca Straits-Indonesia, Malaysia, and Singapore, are very much keen on resisting any kind of international attempts, including US initiatives, to administer the straits amid concerns that it would lead the local coordination efforts between them and the region to a compromise. Second, there is local disagreement and concern on the primary threat of piracy and global terrorism as an excuse to exercise a strategic stronghold over the regional waters. Third, while the United States has an objective of enforcing a blockade against the Chinese particularly in the Malacca Strait, its focus will most likely be towards other sea routes where the US navy enjoys unchallenged superiority, such as the Strait of Hormuz. Subsequently, if the US does enforce a blockade on Malacca, and all its surrounding straits, China can respond by blockading US allies such as Japan, South Korea, and Taiwan through the East and China Seas.

The complications and conflicting viewpoints on the safety and security of the Malacca Straits necessitate a multilayered and inclusive security arrangement that incorporates major powers and regional players. For example, ensuring security in the Malacca Straits should be the responsibility of the coastal states surrounding the region and having claims on the waterways, that is, Malaysia, Indonesia, and Singapore. The role of powerful states in this regard will be limited to capacity building and sharing maritime domain awareness. This will not only address the concerns of the small nations in the region but also transfer the ownership to more relevant parties in order to address the security dilemma the great powers share in the region.

## **Implications for the United States**

**Malaysia's "playing it safe" approach on the South China Sea issue has proven to have some implications on the United States as a key player who also has kept an eye on the regional scuffle. However, the United States seeks to engage Malaysia as a partner not only on increasing maritime security in the South China Sea, but also to broader regional security and order building initiative as well. The history behind US-Malaysian relations is quite complex to say the least, as both the countries resumed bilateral cooperation amid disagreements on issues regarding human rights and American foreign policy towards the Middle East. While several differences are quite imminent, ties between the two countries strengthen under the Obama administration, with both the Countries linking a comprehensive partnership in 2014 after Obama made a historic presidential visit to Malaysia.**

**The South China Sea has been a major talking point in the US-Malaysia interactions, especially in the recent years. Therefore, understanding how American interests are affected by Malaysia's approach to the issue will be critical as it will help us determine and understand Washington's steps taken towards the region and trajectory of the US-Malaysia relationship.**

**While both countries support a strong ASEAN alliance and agree on the importance of international rules and norms, Malaysia is also a claimant that simultaneously preserve its special bilateral relationship with China for the sake of protecting its economic and strategic interests in the region. Therefore, Malaysia's continued preference to keep a low profile in dealing with Beijing makes it clear that it is unlikely that it would participate in any initiatives delineated to directly and publicly counter or criticize the Chinese government on the South China Sea issue.**

**However, there is still room for cooperation and collaboration between the US and Malaysia, particularly focusing on Maritime security in general. Malaysia's continuing military modernization offers the US a range of prospects for cooperation especially on the security side of the relationship. The two countries already have a firm foundation in this spectrum, notably when it comes to frequent naval visits, joint military exercises, and intelligence sharing in the maritime domain.**

**For example, the Southeast Asia Cooperation and Training (SEACAT) exercise involving the United States and the Navies of Six other ASEAN members- Brunei, Indonesia, Malaysia, the Philippines, Singapore, and Thailand- could be further expanded to include even greater participation from ASEAN civilian maritime enforcement in different areas of the exercise. Although this could just be a trivial advancement in US-ASEAN relations, it can also help the US to ensure that peace and stability in the region is preserved and protected.**

# **Singapore's Position in Southeast Asia and It's Perspective Towards the South China Sea**

By Anu Chauhan

## **Abstract:**

**This paper explores Singapore's strategic position within Southeast Asia and examines its nuanced perspective towards the South China Sea issue. Despite its small size, Singapore plays a significant role in regional geopolitics and maritime security. The purpose of this paper is to analyze Singapore's approach to the South China Sea dispute. It aims to provide insights into Singapore's historical background, diplomatic initiatives, and security concerns. Through a multidimensional lens, this paper elucidates Singapore's commitment to upholding international law, promoting dialogue, and safeguarding its national interests while navigating the complexities of the South China Sea.**

## **Introduction:**

**Southeast Asia is home to a variety of ethnic and linguistic groups that are spread throughout a vast territory. These groups are found in forests, mountains, valleys, rivers, deltas, coastline islands, and archipelagos. Due to such a diverse environment, the countries of Thailand, Myanmar, Laos, Cambodia, Vietnam, Indonesia, Malaysia, Brunei, Singapore, and the Philippines have distinct identities, beliefs, and geopolitical needs. This paper emphasizes Singapore's diplomatic role in the South China Sea despite its small size. Singapore, situated at the heart of Southeast Asia serves as a gateway that is home to a rapidly growing market of over 650 million people. This island city-kingdom has mounted itself as a worldwide monetary powerhouse. Singapore, a small nation in Southeast Asia, has emerged as a global diplomatic powerhouse. Embedded in the heart of Southeast Asia, Singapore is a breathtakingly beautiful island country that boasts a vibrant culture, rich history, and stunningly modern architecture.**

**The small water body 'strait of Johor' separates Singapore and Malaysia Singapore is the largest port in Southeast Asia and one of the busiest ports globally. Its growth and prosperity can be attributed to its strategic location at the southern end of the Malay Peninsula, which gives it control over the Strait of Malacca. This strait connects the Indian Ocean to the South China Sea. Due to its geopolitical importance, strong economy, and advantageous location, Singapore has become a key player in determining the dynamics of the Asia-Pacific area.**

**One of the most pressing issues facing Singapore is the complex and multifaceted disputes over the South China Sea, which have profound implications for regional stability, security, and economic prosperity. Singapore faces the significant challenge of navigating the complex and multifaceted disputes surrounding the South China Sea. These disputes have far-reaching implications for the region's stability, security, and economic prosperity. The South China Sea is a vital maritime trade route, and the disputes over it involve multiple countries, each with their interests and claims. These tensions have the potential to escalate and threaten regional peace and security.**

**The primary causes of this tension are disagreements over conflicting claims to marine sovereignty and territory among Brunei, China, Malaysia, the Philippines, Taiwan, and Vietnam. As a non-claimant in the South China Sea disputes, Singapore does not evaluate the merits of the various claims or take a side. "All stakeholders to manage their differences calmly and peacefully by international law, including UNCLOS [United Nations Convention on the Law of the Sea]," has been the constant message it has sent forth.**

#### **Singapore Roots of Impartial Stance: History and Diplomacy:**

**Singapore's approach to regional diplomacy and security has been influenced by its historical trajectory. After gaining independence from British colonization in 1965, the country started its journey of nation-building and economic development under the leadership of its founding father, Lee Kuan Yew. Singapore is keenly privy to its boundaries in material hard power. Hence it invested a lot in diplomacy, and turn "diplomacy has played a significant part in Singapore's success story abroad over the past 50 years".**

**Singapore has consistently been able to successfully negotiate the challenge of international relations thanks to its practical astute, and flexible diplomacy under the umbrella of nationalism. Singapore's foreign policy is based on five principles, one of the third principles is that Singapore aims to be a friend to all, but an enemy of none. Singapore has a history of conducting mediation talks, to resolve issues. Singapore also participates in various regional forums and initiatives aimed at addressing common challenges, including security issues, economic development, and environmental sustainability.**

**Singapore as a founding member of ASEAN (Association of Southeast Asian Nations) is undisputable, ASEAN is committed to maintaining peace and stability in Southeast Asia. In 2014, Singapore facilitated peace talks between the Philippine government and the Marco Islamic Liberation Front (MILF), leading to the signing of the comprehensive agreement on the Bangsamoro.**

**Singapore's foreign policy is a well-thought-out approach that balances practicality and principles in the field of diplomacy. Its policy is characterized by a steadfast commitment to neutrality, non-alignment, and active engagement with all major powers. Singapore actively participates in regional forums and multilateral initiatives to promote dialogue, cooperation, and mutual understanding among neighboring countries. Its unwavering adherence to multilateralism and international law has earned Singapore's respect and credibility on the global stage.**

**This recognition has enabled Singapore to play a constructive role in addressing regional challenges and fostering regional peace and stability. Singapore's foreign policy reflects its desire to maintain good relations with other countries while pursuing its national interests and contributing to global peace and prosperity.**

### **Singapore's Perspective Towards the South China Sea:**

**The dispute over the South China Sea is a complex and multi-faceted challenge for Singapore, which has a stake in maritime security, freedom of navigation, and regional stability. As a coastal state with no direct territorial claims in the South China Sea, Singapore takes a pragmatic and balanced approach to the issue. It emphasizes the importance of upholding international law, resolving disputes peacefully, and maintaining open and inclusive dialogue among all stakeholders. Singapore does not have a direct territorial claim over the South China Sea. However, this does not mean that Singapore is not interested in the region. Singapore is keen on ensuring that international law upholds the freedom of navigation and overflight and that such law is interpreted and implemented consistently.**

**Singapore has been a member of the global Non-Aligned Movement since 1970. This movement promotes policies and multilateral cooperation initiatives that are beneficial to all parties involved. During the 2010 ASEAN Regional Forum (ARF) meeting, the United States Secretary of State, Hillary Clinton, had a diplomatic disagreement with her Chinese counterpart regarding issues concerning the South China Sea. At the meeting, the then Foreign Minister of Singapore, George Yeo, emphasized the importance of freedom of navigation under international law and expressed hope for a peaceful resolution of the territorial disputes in the region. He mentioned that Singapore supported a joint declaration signed by ASEAN and China.**

**In 2002, which committed all the parties involved to resolve the disputes through peaceful means. (Singapore firmly believes that disputes should be settled amicably by adhering to international law, particularly the United Nations Convention on the Law of the Sea (UNCLOS).**

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**Any unilateral action that disregards international law or puts the rights and interests of other states at risk is not accepted. As a signatory of UNCLOS, Singapore has access to a comprehensive legal framework that governs its rights and obligations in the maritime domain. UNCLOS establishes exclusive economic zones (EEZs), territorial sea boundaries, and coastal state rights. Singapore sets an example of the importance of following established norms and resolving disputes through the legal system by upholding UNCLOS.**

**In 2016, an international tribunal ruled in favor of the Philippines in their case against China regarding territorial claims in the South China Sea. Singapore supported the tribunal's ruling and emphasized the importance of international law in resolving disputes. Although Singapore is not directly involved in the territorial disputes in the South China Sea, it actively supported the arbitration process as a way of peacefully resolving disputes and clarifying legal issues under UNCLOS. Singapore restated its support for the rules-based international order and urged all parties to comply with the tribunal's ruling once it was issued. After the tribunal's decision in favor of the Philippines, Singapore expressed its support for the ruling and urged all parties to exercise restraint and avoid actions that could escalate tensions in the region.**

**Singapore believes in the importance of engaging all parties involved in the South China Sea dispute through dialogue and diplomacy. It supports initiatives such as the Declaration on the Conduct of Parties in the South China Sea (DOC) and the ASEAN-China Framework for a Code of Conduct (COC) as constructive mechanisms for managing tensions and building trust among regional stakeholders. Singapore has been a consistent supporter of the DOC since its inception in 2002.**

**At the ASEAN Foreign Ministers' Retreat in Chiang Mai on January 17-18, 2019, the Chairman issued a press statement emphasizing the importance of maintaining peace, security, stability, safety, and freedom of navigation in the South China Sea. The statement recognized the benefits of having the South China Sea as a peaceful, stable, and prosperous region and highlighted the significance of the full and effective implementation of the 2002 Declaration on the Conduct of Parties in the South China Sea (DOC). The Chairman welcomed the improving cooperation between ASEAN and China and encouraged the progress of the substantive negotiations towards the early conclusion of an effective Code of Conduct in the South China Sea (COC) on a mutually agreed timeline.**

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**Singapore has taken an active role in promoting regional stability and cooperation in the South China Sea.**

**As part of this effort, Singapore hosts the annual Shangri-La Dialogue, a high-level security summit that brings together top defense officials and experts from across the Asia-Pacific region. Through its participation in such multilateral initiatives, Singapore is contributing to efforts to manage tensions and foster cooperation in the region.**

**Singapore relies on open sea and air lanes for its economic survival and prosperity. As an international transshipment and aviation hub, the freedom of navigation and overflight mustn't be interfered with. This freedom is preserved through a legal regime and must be applied consistently in the South China Sea. Singapore is a major maritime trading nation and places great emphasis on ensuring freedom of navigation and overflight in the South China Sea. It is against any attempts to restrict or impede the lawful passage of vessels through international waters and advocates for the maintenance of a rules-based maritime order. Defending the right to freedom of navigation and overflight is one of Singapore's major interests and roles in the South China Sea.**

**In 2018, Singapore took over the chairmanship of ASEAN and made regional security and stability a top priority, especially concerning the South China Sea issue. Singapore's leadership played a significant role in promoting dialogue, cooperation, and stability in the region, even though it did not directly mediate in the territorial disputes. As part of its Chairmanship, Singapore hosted the 32nd ASEAN Summit and other related meetings.**

**The ASEAN Summit, chaired by Prime Minister Lee Hsien Loong, provided a platform for leaders to discuss regional issues. The theme for the 2018 ASEAN Summit was "resilient and innovative," which encapsulated Singapore's vision for ASEAN to be united in the face of growing uncertainties in the global strategic landscape. Singapore's leadership aimed to promote a cohesive ASEAN stance on regional security challenges, including those related to the South China Sea, by facilitating discussions among ASEAN member state.**

**Singapore has taken steps to bolster its defense capabilities and maritime security cooperation with neighboring countries to protect its interests in the South China Sea. To strengthen interoperability and improve awareness of the maritime domain, Singapore has conducted joint military exercises and patrols with partners like the United States, Australia, and Japan. Singapore has taken measures to tackle non-traditional security risks, such as environmental damage, unlawful fishing, and piracy, in the South China Sea. To achieve this, the country has invested in research and capacity-building programs and has also supported initiatives that promote sustainable development and marine conservation in the region.**

**Conclusion:**

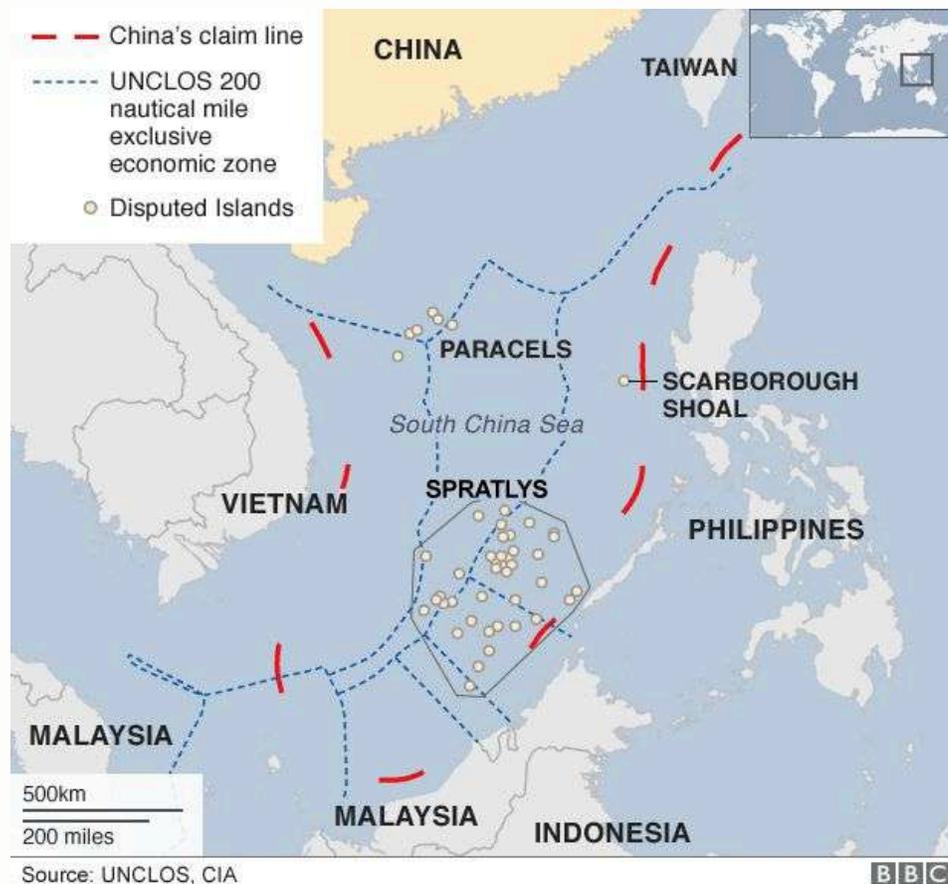
**Singapore is considered an 'honest broker' in the South China Sea due to its neutral stance. As a non-claimant state, Singapore does not show any favoritism towards any specific claimant state and urges all parties involved to resolve their differences through peaceful means. In the words of Mr. Shanmugam, "it doesn't matter who owns which islands, but where there are disputes, we want them to be dealt with in a way that doesn't lead to confrontations or violence." Singapore has always been committed to regional stability and has proven itself as an honest broker, often "punching above its weight" to maintain peace and benefit all Southeast Asian Nations. (Chua, 2014)**

# Thailand and the South China Sea: A Balancing Act in Turbulent Waters

By Anisha

## About South China Sea & Background

The South China Sea is an arm of the western Pacific Ocean that borders the Southeast Asian continent. It is bordered on the northeast by the Taiwan Strait (which connects it to the East China Sea); on the east by Taiwan and the Philippines; on the southeast and south by Borneo, the southern limit of the Gulf of Thailand, and the east coast of the Malay Peninsula; and on the west and north by the Asian mainland. The China Sea is made up of the South and East China Seas. The southern limit of the South China Sea is a rise in the seabed between Sumatra and Borneo, while the northern line extends from Taiwan's northernmost point to the coast of Fujian province, China, across the Taiwan Strait. It covers around 1,423,000 square miles (3,685,000 square kilometers), with an average depth of 3,976 feet (1,212 meters).



Source : BBC

Following the end of the Cold War, the South China Sea (SCS) became increasingly important in terms of international security. Several countries have claimed islands, rocks, and neighboring waterways, and these claims are being fiercely contested today. The SCS is one of the world's most important sea lines of communication (SLOCs), strategically located in terms of military and trade flow, and replete with marine natural resources, the value of which is expected to skyrocket once studies on the region's oil and gas resources are completed and extraction operations begin. Four of the principal claimants (Vietnam, Malaysia, the Philippines, and Brunei) are members of ASEAN. Beijing has been the most threatening to ASEAN countries among the two remaining claimants, the People's Republic of China (PRC) and the Republic of China (ROC) on Taiwan, having been responsible for a series of events since 1974.

### **Thailand's Role**

Thailand's attitude on the South China Sea is complex and varied, reflecting its desire to strike a balance between its interests and competing pressures from diverse players. Thailand plays a non-claimant role in the South China Sea, and has a strong interest in the region due to its geographic proximity and commercial linkages. Thailand has always adopted a non-alignment policy and maintains friendly relations with a number of countries, including those involved in the South China Sea dispute. Thailand has highlighted the need to maintain peace, stability, and freedom of navigation in the South China Sea. The country has supported conflict resolution through peaceful means, including negotiation and compliance with international law, particularly UNCLOS.

Thailand's physical proximity to the South China Sea, combined with its economic interests in the region, presents it as a key player in the complex dynamics of territorial disputes. While Thailand is not a claimant state in the South China Sea conflicts, the country's approach is marked by a dedication to regional stability, peaceful conflict resolution, and economic security. Thailand's maritime interests are inextricably linked to those of its ASEAN neighbors. Additionally, China is Thailand's major commercial partner, resulting in a complicated economic interdependence

## Geo-Political Scenario

The People's Republic of China focuses the majority of its emphasis on the South China Sea (SCS) and the South-East Asian states of Vietnam, Indonesia, and Thailand. An early reason for Beijing's increased diplomatic pressure on Bangkok may be linked back to the country's topography, which can be summarized in two key points:

1) The Thai coast is adjacent to the Strait of Malacca, a South China Sea passage that connects China's principal ports to European and Middle Eastern markets. The transboundary rivers Mekong and Salween, which originate in Tibet and flow through Thailand, have an impact on the country's rural economy.

2) Beijing regards Thailand's features as highly strategic, affecting the Xi Jinping presidency in developing policies for the Southwest Asia-Pacific area, including:

– Foreign Direct Investment (FDI) is critical for boosting Chinese businesses' presence in specific countries, utilizing natural resources, and establishing an infrastructural network. This aligns with the concept of Debt Trap Diplomacy:

“China’s debt trap diplomacy called the Belt and Road Initiative is a ploy for them to procure political and economic ascendancy by exploiting the poorer countries, which in turn could help them attain influence and control all over the world as the possible global hegemony in the future“.

– Opposition against the US military presence near the first island chain, aimed at preventing the US Navy from exerting sea control in the Malacca Straits, Luzon, and Taiwan, denying China access to the Indian and Pacific Oceans

## Key Factors Shaping Thailand's Perspective

Indonesia, as a non-claimant state, has numerous important interests in the South China Sea:

- **ASEAN Centrality:** Thailand fully supports ASEAN's unified policy to the South China Sea, which advocates for a peaceful conclusion through UNCLOS-based engagement and negotiations. This is consistent with its stated commitment to a rules-based international order.
- **Economic ties with China:** China is Thailand's major trading partner, with substantial investments and infrastructure projects in the country. This demands keeping a positive relationship, despite occasional difficulties over the South China Sea.

- **Freedom of Navigation:** Thailand recognizes the importance of freedom of navigation and overflight in the South China Sea for global trade and stability. This aligns with the interests of major nations such as the United States and Japan, but it may cause problems with China's aggression in the region.
- **Domestic Considerations:** Thailand's domestic political environment affects its South China Sea policy. Different governments have demonstrated varying levels of aggressiveness, based on their internal interests and relationships with international powers
- **Non-alignment and Diplomacy:** Thailand has long adopted a non-alignment strategy, avoiding taking sides in international wars. Thailand's attitude to the South China Sea issues reflects this stance, with an emphasis on diplomatic solutions and peaceful communication. The government has long advocated for dispute resolution through international law, including the United Nations Convention on the Law of the Sea (UNCLOS). Indonesia seeks to strike a balance in its interactions with big countries such as China and the US. While working economically with China through its "global maritime fulcrum" concept, Indonesia also intends to fight any intimidation or coercion associated with the U-shaped line.
- **Regional cooperation and diplomatic initiatives:** Thailand regularly participates in regional conferences and diplomatic initiatives aimed at resolving the issues raised by the South China Sea disputes. The country backs multilateral approaches that promote dialogue, cooperation, and conformity to international standards. Thailand's involvement in these conferences demonstrates its commitment to promoting diplomatic solutions and a cooperative regional environment.
- **Economic Interests and stability:** Thailand understands the strategic importance of the South China Sea in global trade and transportation. The sea is an important shipping route that has an impact on Thailand's trade and economy. As a result, Thailand has a vested interest in ensuring regional peace, stability, and freedom of navigation. The country's approach is concentrated on ensuring that commercial operations in and around the South China Sea continue unhindered.

## **Thailand's Role as a Non-Claimant State**

**Thailand's status as a non-claimant nation is multifaceted. It promotes ASEAN unity, encourages dialogue, balances relations with major nations, protects its maritime interests, and responds to internal dynamics. While problems exist, Thailand's ongoing engagement and efforts to foster trust and understanding are critical to finding long-term solutions in the South China Sea.**

- Mediation Efforts:** Thailand has played an important role in mediating between ASEAN and China, enabling conversation and advocating for the adoption of a Code of Conduct (COC) for the South China Sea. However, progress has been hampered by divergent viewpoints among parties.
- Balancing Act:** Thailand's Balancing Act aims to maintain good relations with China while advocating for ASEAN values and its own interests. This requires careful diplomatic maneuvering and sophisticated explanation of its position.
- Engagement with Major Powers:** Thailand engages with major nations such as the United States and Japan, seeking common ground on freedom of passage and their support for a peaceful resolution to the South China Sea.
- Protecting Maritime Interests:** While Thailand is not directly involved in disputes, its maritime interests in the South China Sea coincide with other countries' claims. It takes part in coordinated maritime patrols and exercises with regional partners to demonstrate its presence and ensure freedom of navigation.

## **Instances of Thailand's mediation efforts and their outcomes**

- ASEAN-China engagement:**

**Efforts:** Thailand facilitated ASEAN-China engagement, leading to the signing of the Declaration on the Conduct of Parties in the South China Sea (DOC) in 1992. This DOC set guidelines for the peaceful resolution of disagreements and created the framework for future negotiations.

**Outcome:** While the DOC did not resolve specific territorial claims, it did offer a framework for peaceful relations and served to keep tensions from rising. However, worries linger about its ineffective enforcement measures and unclear language.

- **ASEAN Summit in 2009:**

**Efforts:** Thailand, which hosted the 14th ASEAN Summit in 2009, played an important role in fostering discussions on regional issues such as the South China Sea disputes. The summit provided an opportunity for member states to engage in debate and share their concerns.

**Outcomes:** While the meeting did not result in a definitive resolution of the problems, it aided the ongoing diplomatic effort by encouraging communication among ASEAN member states.

- **Promoting Code of Conduct:**

**Efforts:** Thailand actively participated in the negotiations for a COC, which would expand on the DOC and enhance the rules-based order in the South China Sea.

**Outcomes:** Despite Thailand's efforts, the COC discussions are still deadlocked due to different interpretations of UNCLOS and opposing claims. Thailand, on the other hand, continues to advocate for progress, emphasizing the COC's relevance to regional stability and marine security.

- **Informal Talks in 2010:**

**Efforts:** In 2010, Thailand hosted informal meetings between China and ASEAN to promote understanding and resolve issues in the South China Sea. These discussions were viewed as a confidence-building measure.

**Outcomes:** The meetings did not result in an instant settlement, but they were viewed as a promising step toward promoting conversation and decreasing tensions. They contributed to the overall structure of regional cooperation.

- **ASEAN Regional Forum (ARF) 2019:**

**Efforts:** Thailand participated in ASEAN-led ARF negotiations on regional security problems, such as the South China Sea. The event serves as a platform for dialogue and confidence-building measures among participating governments.

**Outcomes:** While the ARF does not offer instant solutions, it is a vital tool for diplomatic efforts. The discussions help to establish confidence and understanding amongst the nations involved.

- **Facilitating Bilateral Talks:**

**Efforts:** Thailand occasionally serves as a facilitator for bilateral discussions between claimant states and China, such as those between Vietnam and China in 2011.

**Outcomes:** These attempts have yielded mixed results. While some conversations resulted in de-escalation of tensions and enhanced communication, others terminated without clear agreements owing to unsolved issues.

- **Mediating Regional Initiatives:**

**Efforts:** Thailand regularly engages in regional initiatives to promote collaboration and trust in the South China Sea, such as the ASEAN Regional Forum (ARF) and the East Asia Summit (EAS).

**Outcomes:** These activities have helped to enhance conversation, information exchange, and joint exercises among regional states, resulting in a more peaceful atmosphere. However, their ability to resolve fundamental disagreements remains restricted.

- **Mediating with the Major Powers:**

**Efforts:** Thailand communicates with key nations such as the United States and Japan, providing its views on the South China Sea and encouraging its engagement in regional stability.

**Outcomes:** This involvement contributes to the alignment of interests between ASEAN and major powers, strengthening the united voice for peaceful settlement and respect for international law. However, negotiating the conflicting interests of large countries can be difficult.

**Overall,** Thailand's mediation efforts have had mixed results in the South China Sea. While they have not settled fundamental concerns, they have helped to de-escalate tensions, promote communication, and foster regional collaboration. However, obstacles continue due to varying interpretations of UNCLOS, opposing claims, and the region's complicated power relations. Thailand's continuing engagement and attempts to foster trust and understanding among all parties will be critical in finding long-term solutions for the South China Sea.

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## Impact on Stakeholder Relationships

- **ASEAN:** Thailand's leadership in campaigning for ASEAN unity has enhanced the organization's position, allowing it to face China as a single front. However, some ASEAN countries may see Thailand's balancing act with China as favoring economic interests over regional unity
- **China:** Thailand's efforts to mediate conversation and encourage peaceful resolution open up opportunities for engagement with China. However, its robust support for free navigation and criticism of Chinese policies can occasionally strain relations.
- **US & Japan:** Thailand's common worries about freedom of navigation, as well as China's assertiveness, are in line with major nations' interests. However, negotiating these powers' clashing interests can be difficult, and Thailand must avoid being perceived as simply aligned with US or Japanese agendas.

Thailand's operations in the South China Sea have both beneficial and bad consequences for the region and its interactions with other players. While its efforts help to promote regional security and communication, obstacles persist due to complicated power dynamics and opposing interests. Understanding these intricacies is critical for judging Thailand's effectiveness and capacity to contribute to long-term peace and development in the South China Sea.

## Challenges and Opportunities

- **Slow Progress on COC:** The COC negotiations face numerous hurdles due to divergent interpretations of UNCLOS and competing claims. Thailand must continue to play a positive role in supporting progress while keeping deadline expectations in check.
- **Domestic Political Uncertainties:** Shifting political alliances and internal disputes have the potential to weaken Thailand's consistency and assertiveness in the South China Sea. Political stability and a clear foreign policy strategy are required for effective participation in the area.
- **Opportunities for Collaboration:** Despite the challenges, opportunities for collaboration exist. Thailand may use its neutral stance to facilitate discussions between ASEAN and China, support joint marine projects, and contribute to regional stability through confidence-building measures.

## **Envisioning the future**

**Indonesia envisions a peaceful resolution of issues in the South China Sea based on international rules. As a responsible maritime actor, Indonesia seeks stability, cooperation, and compliance with UNCLOS norms. Its status as a non-claimant state enables it to advocate for these objectives while protecting its own interests.**

## **Conclusion**

**Thailand's stance on the South China Sea reflects its dedication to ASEAN unity, economic interests, and desire for a peaceful and stable marine environment. Thailand's nuanced approach, position in moderating conversation, and involvement with global nations will be critical in achieving long-term solutions for the South China Sea and safeguarding the region's prosperity. It's worth noting that the South China Sea disputes are continuous, and diplomatic efforts are complicated and multidimensional.**

**Thailand's engagement in resolving these issues illustrates its commitment to regional stability and conflict resolution through peaceful means. Outcomes are frequently incremental, with a focus on establishing trust and creating a climate receptive to discussion. Thailand's position in the South China Sea is shaped by a complex interplay of economic interests, regional dynamics, and domestic concerns.**

**While not directly involved in territorial disputes, the monarchy strikes a delicate balance between maintaining positive relations with China, supporting ASEAN unity, and protecting its own maritime interests. This issue looks briefly at the basic causes that determine Thailand's perspective, its current attitude, and the challenges and opportunities it faces in the shifting South China Sea situation.**

# TIMOR LESTE'S PERSPECTIVE OF SOUTH CHINA SEA

By Kripa Dev

## ABSTRACT

This article looks at Timor-Leste's position on marine issues, namely in the South China Sea and the Timor Sea. Timor-Leste, a small island republic, promotes international law, diplomacy, and peaceful conflict resolution. Despite limited resources and threats from larger nations, Timor-Leste works to safeguard its sovereignty and interests through legal measures and regional collaboration. The essay delves into Timor-Leste's approach to maritime conflicts with Australia, as well as its perspective on the South China Sea war, showing the obstacles and opportunities that tiny island governments confront in today's complicated geopolitical scene.

## INTRODUCTION

In Southeast Asia's complex geopolitical environment, the small but resilient republic of Timor-Leste stands out as an example of honest diplomacy and strategic positioning. Timor-Leste, located between the Indonesian archipelago and Australia's northern coast, has long been the centre of maritime conflicts, notably in the oil-rich seas of the Timor Sea. However, beyond its local territorial concerns, it has a broader view of regional security and respect for international law, as seen by its involvement in the South China Sea (SCS) issue.

In the context of conflicting territorial claims and escalating tensions in the SCS, Timor-Leste's unique situation provides vital insights into the challenges of maritime administration and the quest for territorial sovereignty in disputed areas. By evaluating Timor-Leste's position on the SCS conflict, along with strategic cooperation with China and adherence to international rules, we can gain a better understanding of the forces influencing regional geopolitics and the struggle for maritime security.

This article dives into Timor-Leste's strategic priorities, diplomatic engagements, and consistent attitude on the South China Sea issue, giving light to the country's involvement in Southeast Asian maritime relations. Timor-Leste's trajectory, from historical conflicts to current diplomatic attempts, reflects the larger goals of governments seeking to maintain sovereignty, foster collaboration, and ensure stability in the face of marine difficulties.

## **SOUTH CHINA SEA & UNCLOS**

**The South China Sea (SCS) is one of the world's most problematic maritime regions, with many territorial disputes, competing over resources, and geopolitical tensions. At the centre of the conflict are rival claims by many countries, notably China, the Philippines, Vietnam, Malaysia, and Brunei, over different islands, reefs, and nautical features in the region.**

**The United Nations Convention on the Law of the Sea (UNCLOS), a historic international convention that specifies governments' rights and obligations with regard to the use of the world's seas, is central to the debate over the SCS conflict. The UN Agreement on the Law of the Sea creates a comprehensive legal framework for marine governance, which includes rules on territorial sovereignty, exclusive economic zones (EEZs), and maritime boundary delimitation.**

**However, applying UNCLOS to the SCS conflict has proven difficult, with opposing interpretations of its clauses and different national interests resulting in persistent tensions and occasional clashes. While the UNCLOS offers a process for resolving maritime disputes through arbitration and adjudication, but states like China, choose to press their claims unilaterally, violating the established norms of international law.**

**Timor-Leste's stance on the SCS dispute is shaped by its adherence to UNCLOS and commitment to multilateralism and peaceful conflict settlement. As a signatory to UNCLOS and proponent of international law, Timor-Leste argues for a rules-based approach to maritime governance in the SCS, emphasising the necessity of discussion, negotiation, and adherence to legal principles in conflict resolution.**

**However, Timor-Leste's position as a weak state restricts its capacity to exert direct pressure on China or affect the conflict through military or economic penalties. Unlike Vietnam or the Philippines, Timor-Leste lacks the necessary military or economic might to confront China's activities on its own. Despite these constraints, Timor-Leste uses moral authority and international law to advocate for its perspective. It actively promotes ASEAN unity and advocates for peaceful dispute resolution based on the UNCLOS.**

## **TIMOR LESTE & ITS MARITIME DISPUTE**

**Timor-Leste, a small island country in Southeast Asia, has also become entangled in a maritime conflict, but in a different setting than the intricate web of claimants in the South China Sea. Timor-Leste, located in the Timor Sea between Australia and Indonesia, has been fighting for its sovereignty and a fair share of marine resources for many years.**

**The maritime disagreement between Timor-Leste and Australia centres around the definition of maritime borders and the allocation of oil and gas deposits in the Timor Sea. Despite obtaining independence in 2002 after decades of struggle and occupation, Timor-Leste is still dealing with the consequences of colonialism and the pillaging of its natural resources by more powerful neighbours.**

**Timor-Leste's conflict with Australia centres upon sovereignty and equitable sharing of resources. While international law, notably UNCLOS, gives rules for defining marine borders based on equality and fairness, Timor-Leste claims that Australia's activities have breached these principles and harmed the developing country.**

**The Timor Sea Treaty, signed in 2002, initially called for collaborative development of oil and gas resources in the Timor Sea, with Timor-Leste receiving a large portion of the earnings. However, later accords, such as the Treaty on Certain Maritime Arrangements in the Timor Sea (CMATS), expanded Australia's control over resources while postponing the settlement of maritime borders until 2057, effectively delaying Timor-Leste's access to its fair share of resources.**

**Despite these hurdles, Timor-Leste has tried diplomatic and legal routes to exercise its rights and resolve the maritime issue. In 2016, Timor-Leste began obligatory non-binding conciliation procedures against Australia under UNCLOS, questioning the legitimacy of earlier agreements and asking for a fair and permanent maritime boundary.**

**Timor-Leste's efforts to resolve its maritime conflict with Australia have also received attention in light of broader geopolitical forces, especially China's assertive operations in the South China Sea. By highlighting international law and pushing for a rules-based approach to marine governance, Timor-Leste hopes to establish a precedent for peaceful conflict resolution and fair resource management in maritime conflicts.**

**Despite its strategic cooperation with China and economic relationships to other regional countries, Timor-Leste has not shied away from criticising China's aggressive behaviour in the South China Sea.**

**President Jose Ramos-Horta has encouraged ASEAN member nations to unite against China's aggression, emphasising the significance of multilateral cooperation and respect to international law in resolving maritime conflicts.**

**Timor-Leste exemplifies the challenges and opportunities that small island nations face when asserting sovereign status and protecting their maritime rights in an increasingly complex and challenged maritime structures by navigating its oceanic conflict with Australia while dealing with broader regional dynamics.**

#### **TIMOR LESTE'S STRATEGIC PARTNERSHIP WITH CHINA**

**In recent years, Timor-Leste has formed a strategic alliance with China, relying on economic cooperation and diplomatic engagement to support its development aspirations. China has emerged as a key investor and development partner in Timor-Leste, funding infrastructure projects, economic development initiatives, and capacity-building programmes. Timor-Leste's strong economic dependency makes it difficult to explicitly criticise China's actions in the South China Sea.**

**For example, a large infrastructure project backed by China may be jeopardised if Timor-Leste takes a strong position against China. However, Timor-Leste has found means to express its concerns indirectly. It participates in regional forums such as ASEAN meetings and supports a unified front against unilateral acts in the South China Sea, but does not openly name China.**

**Timor-Leste and China's strategic collaboration spans a variety of industries, including infrastructure, energy, and trade. Chinese investment in vital infrastructure projects including roads, ports, and telecommunications has helped Timor-Leste achieve its socioeconomic development goals. Furthermore, China's development support and technical knowledge have helped to strengthen capacity in fields like as agriculture, healthcare, and education.**

**Despite the economic benefits of its alliance with China, Timor-Leste has shown a readiness to maintain its sovereignty and fight for international principles, even if it means criticising China's activities in the South China Sea (SCS) issue. Timor-Leste's approach to diplomatic ties with China strikes a careful balance between economic objectives and strategic imperatives. Due to its weak state status, Timor-Leste must maintain a friendly relationship with China, a significant investor. However, it recognises the need of adhering to international law norms.**

**Timor-Leste's decision to condemn China's conduct in the SCS conflict demonstrates its commitment to preserving the rule of law and maintaining regional stability. By pushing for ASEAN unity and UNCLOS principles, Timor-Leste underlines its commitment to a rules-based international order and peaceful conflict settlement.**

**In its diplomatic relations with China, Timor-Leste emphasises discussion, diplomacy, and adherence to international rules. Timor-Leste aims to maintain good ties with China while preserving its beliefs and values, developing its own interests while contributing to regional peace and stability.**

### **TIMOR'S PERSPECTIVE**

**Timor-Leste's position on maritime issues, both in the Timor Sea and in the larger South China Sea, illustrates its dedication to the ideals of sovereignty, equality, and international law. As a small island nation with few resources and a history of colonial exploitation, Timor-Leste's approach to marine issues is informed by its desire for independence, economic growth, and regional stability.**

**In the Timor Sea, Timor-Leste's stance is based on a desire to exercise sovereignty over its territorial waters and secure an equitable share of oil and gas resources. Despite major hurdles in negotiating with Australia, its larger and more powerful neighbour, Timor-Leste has explored diplomatic and legal channels to protect its rights under UNCLOS and international law.**

**Former President Taur Matan Ruak and Former Japanese Prime Minister Shinzo Abe issued a joint statement expressing 'serious concern' over unilateral activities in the South China Sea that might exacerbate tensions and disrupt the status quo. Timor-Leste cherishes its partnerships with many countries, particularly China and Japan, and strives to maintain a balanced approach to international affairs. Timor-Leste, being a weak state, is subject to pressure from more powerful countries. Its reliance on foreign aid and investment needs a balanced approach to international affairs, notably with China, a significant economic benefactor. However, this balancing effort does not preclude Timor-Leste from campaigning for its own interests. While it recognises the benefits of working with China, it is also cautious and independent in its foreign policy judgements.**

**Overall, Timor-Leste's approach to the South China Sea issue is marked by adherence to international law, diplomatic interaction with diverse players, prudent economic relationships, and support for regional stability. While maintaining amicable ties with China, Timor-Leste tries to defend its sovereignty and pursue its national interests in a difficult geopolitical context.**

## **CONCLUSION**

**Ultimately, Timor-Leste's approach to maritime issues in both the Timor Sea and the South China Sea is informed by its dedication to sovereignty, equity, and international law. As a small island nation with limited resources, Timor-Leste has enormous obstacles in defending its rights and interests against larger and more powerful neighbours. However, its staunch dedication to multilateralism, diplomacy, and legal procedures such as the United Nations Convention on the Law of the Sea underlines its resolve to maintain sovereignty and achieve an equitable share of marine resources.**

**In the Timor Sea, Timor-Leste's endeavours to negotiate with Australia and establish maritime borders reflect its desire for self-determination and economic growth. Despite barriers and failures, Timor-Leste has remained committed to resolving the issue in a reasonable and equitable manner, emphasising the significance of international law and collaboration in handling marine concerns. However, these constraints are a reality for many weak nations, leaving them vulnerable to exploitation or coerced into unequal alliances.**

**Similarly, Timor-Leste's position on the South China Sea issue demonstrates its adherence to regional stability, peace, and freedom of navigation. While not directly involved in the issue, Timor-Leste supports for ASEAN member states' solidarity and the peaceful settlement of conflicts based on international law. Despite its strategic alliance with China, Timor-Leste has not shied from condemning assertive actions in the South China Sea, displaying its commitment to sovereignty and multilateralism.**

**Timor-Leste's experience tackling its own marine concerns and interacting with larger regional forces, despite its weak state status, demonstrates the importance of small island nations in creating the future of maritime administration. By persistently pushing for rules-based maritime governance and peaceful dispute resolution in the South China Sea, Timor-Leste provides a good example for other tiny states. This strategy, which emphasises international law and multilateralism, can help to build a larger movement against unilateral measures and promote a more stable and fair maritime order in the region.**

Finally, Timor-Leste's approach to maritime issues reflects its desire for a more just and equitable international order in which tiny island states may express their rights and interests in conformity with international law. As Timor-Leste continues to manage complicated maritime concerns, its viewpoint stands as a light of hope for a more peaceful and cooperative future in the world's waters.

Timor-Leste's struggle demonstrates the difficulties that many small islands' governments face when pursuing their marine rights against larger ones. These countries often do not have the military and economic resources to directly confront stronger powers. Timor-Leste's effort to handle its connections with China and argue for its concerns in the South China Sea, highlighting the young nations feud with Australia, exemplifies a larger dilemma in international relations. A more equal system is required in which the rights and voices of all nations, regardless of size or power, are protected.



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# VIETNAM'S HEDGING NATURE WITH CHINA: THE SOUTH CHINA SEA DISPUTE

By Anoushka Kashyap

## Introduction

The South China Sea Dispute is a brawl about claiming sovereign authority over the entire Sea including the islands named 'The Spratly and Paracels'. The Sea is rich in oil reserves, fish and its trade route makes it an important Sea Route. Due to its richness, many countries like the Philippines and China for example, have fought over it in turn creating a ruckus and a conflict zone. It has been regarded as one of the flash points along with Korean Peninsula and Taiwan Strait.

The Sea lies in the region of South East Asia and countries like Malaysia, Brunei, Laos, China, Philippines and Vietnam surround the sea. The dispute is a fight over claiming complete maritime sovereignty of the Sea. China has been regarded as an 'aggressor' in the Southeast Asian Region and specifically at the Sea as it has been very actively harassing fishermen and people of other country with laser beams claiming the entire Sea belonging to it due to the 'Nine Dash Line'.

The situation has mostly been 'China vs South East Asian countries' as China breaks all the maritime laws and claims Spratly and Paracel islands. China has been regarded as 'bully' in the sea as the country claims to have territorial sovereignty over the sea based on the 'nine dash line'.



**The Nine Dash Line was designed by a cartographer centuries ago for China in the map to showcase how much area comes within the territory and according to it, China openly claims many islands and areas at Sea which belong to other countries like Vietnam. The South China Sea is open-ended and according to UNCLOS, there are rules and regulations all countries need to follow at Sea which says that all countries have equal rights at the Sea.**

**But China has always been acting out by not attending the ASEAN meetings and disobeying the laws and Xi Jinping of CCP claims the sea “to be a part of its territory”. China is a clever nation as it has made several speeches of contradicting itself on the sea dispute. On one hand it says that it “wants peace and stability at the sea” and on the other hand claims “sea to be a part of China”. China included a ‘tenth dash line’ wherein it wanted to incorporate ‘Taiwan under its control’.**

**So, China is clearly a ‘bully’ breaking all rules and laws need to be followed at sea and wants claim over it. There are some countries like Vietnam and Taiwan who speak out as a reaction to China’s aggression at the sea. While, there are other countries like Indonesia, Singapore, Brunei and Laos that have been neutral or never have spoken against China on the issue. Taiwan has a turbulent history with China because of the wars and border disputes. While Taiwan has a more challenging relation with China as China wants to claim Taiwan according to its ‘ten dash line’.**

**There have been many laws made to maintain peace and cooperation in South China Sea. The most important is UNCLOS known as ‘United Nations Convention on the Law of Sea’. Under the ‘UNCLOS Article 123’, states that South China Sea being a ‘semi-enclosed area’ gives states bordering it equal rights over the sea and everyone needs to cooperate”. In 2002, ASEAN or the ‘Association of the South East Asian Nations’ including China had signed a ‘Declaration on Conduct of Parties’ (COP) for South China Sea dispute. It was made in order to maintain friendly and cordial relations at sea. But, China has always denied to follow the laws until today.**

### **Vietnam and China**

**Vietnam is a prominent claimant of the Sea and it has equal rights like any other claimant country to have access via the Sea. Vietnam portrays a ‘hedging’ nature towards its rival China as it clearly disagrees with the actions of China at the Sea but does not take any action against China. It tries to balance its relations with China via engaging in bilateral relations.**

**Vietnam is depended on China because of the initiatives like the Belt and Road Initiative (BRI) and developmental strategies that China has initiated which will lead to the betterment of the ASEAN nations and the Southeast Asian Region. ASEAN has officially failed in resolving the South China Sea Dispute along with the extremist ideologies against minorities in Myanmar.**

**Vietnam and China witness a face-off at the Sea because of China's disregard for the maritime laws of the Sea. Since the last five years the dispute has become concerning and alarming to the region. For instance, in the year 2014, China had disregarded Vietnam's EEZ (Exclusive Economic Zone) as the former had planted an oil rig 'Haiyang Shiyou 981' in Vietnam's EEZ zone leading to a "face-off" between the two countries.**

**China has been constantly harassing the claimant countries of the Sea until now as for example in 2017, China threatened to attack Vietnam in the Spratly islands of the Sea as it wanted Vietnam to stop the oil and gas drilling.**

### **China and Vietnam Relations over The Years**

**The relationship between Vietnam and China is complex and involves tensions at the same time due to the maritime outlook. China had colonized Vietnam's northern part in 111 BCE. From the colonial times till present date both the countries are fighting with each other. There was a war amongst the two in 1979 when Vietnam had occupied Cambodia so China had retaliated with an offensive attack.**

**China and Vietnam had originally strong bilateral ties in 1950. China had supported Vietnam in the latter's war against France.**

**“Faced with the ever-changing international situation and arduous domestic development tasks, the two countries must not forget the original intention of their traditional friendship” ~ Xi Jinping**

**China has been Vietnam's trading partner worth \$175 billion. There is a huge Chinese diaspora in Vietnam making Mandarin a widely spoken language in Vietnam. Both countries share 'Comprehensive Strategic Partnership' and Hanoi had joined "Beijing's community of shared future". Recently President of the Communist Party Xi Jinping had visited Vietnam after six years to bolster bilateral ties among the countries.**

**During President Jinping's recent visit to Hanoi, China and Vietnam signed thirty-seven agreements on issues like cross-border railway development programme. But, despite the controversial and double-sided nature of the two countries for each other, they strongly claim to have sovereignty over the South China Sea and in a recent movie called 'Barbie' was banned in Vietnam due to a picture of a map showcasing the nine-dash line was seen in the movie, proving Vietnam's strong claim over their idea of sovereignty over the Spratly and Paracels islands.**

**Vietnam has recently said that it will show its military at the Sea under a project initiated by the Vietnamese Défense Ministry and navy in stationing its military on Pearson Reef and Pigeon Reef. The country is strengthening its army in order to counter China at the Sea. China has not been a 'good listener' until now and gives false promises via attending summits to falsify people that it wants to negotiate at the Sea but continues to harass.**

**But due to the hedging nature of Vietnam as it strongly disagrees with China on its sovereignty claims at the Sea according to its Nine Dash Line but it is also pressurised by the superior for instance to stop exploring the Sea with its foreign counterparts. China is clever as it knows that if gets the sole sovereignty of the South China Sea then it can get a control over the Indian and the Pacific Oceans.**

**Vietnam is a strong claimant of its sovereignty rights of the islands at the Sea for China and is a rising regional power with economic growth. Vietnam plays an important role in the ASEAN meetings standing up against China in making all members believe China's illegal claims of the Sea and the signing of the Code of Conduct (COC) which angers China. But, Vietnam hasn't yet publicly opposed China and yet it enforces its historical claims at the Sea.**

**The recent developments have stood out to be in favour for Vietnam as it was able to unite ASEAN countries when it was the Chair demanding an end to Chinese intrusions in the waters. Vietnam then went on to become a Non-Permanent Member of the UNSC and the way it dealt with the COVID-19 pandemic was noteworthy.**

**It had things in its favour as when the pandemic occurred people around the world thought that it was originated in China which brought in hatred for the Chinese that worked amazingly in favour of Vietnam.**

**There are challenges at the same time as well that has been the core discussion of this article. Since China keeps on asserting its aggressive oppression at the Sea and is utilising different and all possible measures to claim the islands at the Sea using Nine Dash Line.**

### **Vietnam a Hard Power or Soft Power?**

**Vietnam's foreign policy has been regarded as "bamboo diplomacy" and "resembles Vietnamese bamboo, which has strong roots, a firm trunk, and flexible branches". According to Anton Bernalov in his article 'Vietnam in a Post-Global World: A Middle Power's Difficult Journey', he speaks about that "Vietnam has become firm and flexible in the recent years". Vietnam is focused on sustaining and maintaining its own position amongst the major powers.**

**Vietnam is a 'middle power' that means it lies between a regional and a global power. It means that it has been able to influence the nations around it but has not been able to influence other regions. It also means that as a middle power it portrays a hedging nature and will ally with any nation wherein it will see its benefits and future aspirations. It has been ranked as third in ASEAN because of its population. According to Global Firepower Rating, "it is the second strongest military power in ASEAN." Vietnam had made a policy of reform which had begun in the year of 1986 which made Vietnam a "tiger cub economy". Vietnam has been able to show a stable growth (4.24% in 2023).**

**There are differing opinions on Vietnam's issue as a middle power or not and according to The Diplomat, "the country's hedging strategy has proved to be successful in recent decades but is under pressure from the growing strategic tensions in the region."~ John Nielsen**

**Vietnam's President Nguyen Xuan Phuc had announced that he will be taking a step back making it the talk of the town of the communist country. The nation has a huge military expenditure in Southeast Asia. "Between 2003 and 2018, its military spending increased nearly 700%, from USD 841 million in 2003 to USD 5.5 billion in 2018."~ International Trade Administration**

**Vietnam has been recently focusing on its 'maritime security-related issues' mostly due to the South China Sea issue and since China had not long ago attacked an oil-rig of Vietnam. "According to the Vietnam Defense White Paper in 2019, Vietnam is pursuing a non-aligned policy known as "four no's" which is no military alliances; no siding with one country against another; no foreign military bases and no using Vietnamese territory to oppose other countries; and no using force or threatening to use force in international relations."**

**Vietnam has a 2,000 mile coastline facing towards the South China Sea which showcases Vietnam's thinking of focusing on its navy and waters. "In 2011, it issued a detailed maritime strategy for 2011-2020, making the protection of maritime sovereignty and the maritime economy a key national security pillar."**

## **ASEAN, China and Vietnam**

**Vietnam has tried to improve relations with China via organising visits to Beijing on discussing a two-way for both countries pertaining to sovereignty at Sea, increasing bilateral relations involving trade and commerce activities between both countries, attending all ASEAN meetings and strongly voicing its opinions against the regional aggressor and the former claims to have evidences regarding its rights over the Spratly islands since the seventeenth century older to China's evidences.**

**Last year, China along with other ASEAN members had agreed on a set of new guidelines for a Code of Conduct (COC) on South China Sea issue. The decades old talks on the Chinese intrusive measures under the COC were seen to reemerge in ASEAN talks. But, it is seen that ASEAN and Vietnam are depended on China for the developmental projects like BRI which benefit the member countries.**

**The author 'Lili Yan Ing' in her article 'The economies of ASEAN non-alignment' on the website called 'The Strategist', argues that the Association of Southeast Asian Nations (ASEAN) do not have an option of 'decoupling' from China. She uses the term 'decoupling' throughout the article to imply that the ASEAN members cannot 'decouple' or avoid the situation between China and the West.**

**China and on the West. She explains the reader that avoiding or ignoring one country is not the best solution. So, maintaining warm and friendly relationships with the West and China will be a wise option.**

**She discusses about various facts showcasing that how the region of Southeast Asia is dependent economically on China and the West in many different sectors like industry, automobiles and mechanical appliances. China and the ASEAN nations have become increasingly dependent on each other over the past years.**

**ASEAN and China have trade relations with each other and China is ASEAN'S foremost trading partner. The countries have signed the ASEAN-China Free Trade Agreement (ACFTA) which has led to an increasing economic growth in both the countries. China has made mega infrastructure projects develop in the ASEAN region like the 'Belt and Road Initiative' (BRI).**

**The Belt and Road Initiative (BRI) is a massive project which was started by China in the year 2013, with the aim to enhance trade connections and cooperation among Asia, Europe and beyond. This project is bringing in mega changes in the ASEAN countries and the region by China by the improvement in transportations and improvement of movement of goods and people.**

**China along with the South East Asian countries had reached to a consensus on an agreement based on the 'Code of Conduct' (COC) about the South China Sea issue, which dates back to the 1990s. The region has seen a greater engagement of the Southeast Asian nations on the South China Sea dispute than that of China. The statement provided by Prashanth Parameswaran, "On July 13, including the United States," emphasizes the fact that China has ignored many laws passed under the 'United Nations Convention on the Law of the Sea' (UNCLOS).**

**According to 'UNCLOS Article 123,' the South China water is a 'semi-enclosed area', giving states bordering it similar rights over the water, and everyone must cooperate.**

**In 2002, ASEAN, or the 'Association of South East Asian Nations,' including China, adopted a 'Declaration on the Conduct of Parties' (COP) regarding the South China Sea issue. It was created in order to maintain pleasant and cordial connections at sea. Though China has not yet followed any rules concerning the South China Sea, it recognizes the importance of participating in Association of South East Asian Nations (ASEAN) summits. The new laws do not attempt to hide away the reality of the situation at the Sea, as it is well understood that considerable obstacles will remain on the COC even in the future, given China's history. China's rhetoric emphasizes peaceful advances in the Sea, but its actions portray a different picture for its neighbours, pointing towards violence.**

**ASEAN is a forum in which all member countries have tried numerous times to bring peace at sea by drafting and passing numerous rules, but have yet to be effective. So far, ASEAN has failed in the South China Sea dispute and the Myanmar conflict.**

### **USA, Vietnam and China's Relations and Outlook at the Sea**

**USA and China have been rivals since many decades now and the USA is concerned about China's behaviour at the Sea which is in turn causing the trade not happen peacefully. USA has trade worth billions of dollars that take place via South China Sea.**

**China has been regarded as a rising hegemon and USA is afraid that China might overtake to become world's leading nation in trade and other arenas. USA supports Vietnam on the dispute despite sharing a colonised history with Vietnam. USA provides funds and aid to Vietnam and supports Vietnam's actions that are anti-China.**

**Last year, in the month of September, USA and Vietnam’s Presidents attended a meeting in Hanoi that “threat or use of force” will not be tolerated at both ends by China. The Presidents of both countries demanded a ‘free and open Sea’ and their ships being able to travel and navigate the Sea without the threat of China. Both countries have strong desires for China to backdown from acting as a ‘aggressor’ breaking all the laws at the Sea because it is affecting their trade across countries.**

**USA and Vietnam share a bilateral relation due to the Comprehensive Strategic Partnership and the countries improved their relations last year at the meet in Hanoi. But, it is believed that Vietnam will not forget China as its partner. So, clearly it is evident that Vietnam plays a ‘balancing role’ when it comes to China.**

### **The Way Forward**

**“The future of the South China Sea has global implications” ~ Dhruva Jaishankar**

**The future of the South China Sea will have worldwide implications as the situation at Sea affects not only the neighbouring countries but also the far-off countries like the USA due to the Sea being an important sea route for trade and commerce. The future of the Sea remains uncertain and according to some scholars can lead to a war in the twenty-first century.**

**It is going to be a difficult journey in the future and what the future upholds remain uncertain. Vietnam needs to take certain measures in order to remain at peace with China.**

**1.Vietnam should collaborate with other Southeast Asian countries so that all the power is not in the hands of only China by building their own BRI and fund their region’s developmental programs.**

**2.Vietnam should do patrolling in the South China Sea waters with the help of their ‘Coast Guard’ and ‘Fishing militia’ to showcase their presence at Sea.**

**3.Vietnam needs to boost its economy even more than before and work on its Cooperative Partnerships more strongly and gain support from other countries in fighting against China.**

**4.I believe that there needs to be peace and harmony at Sea for a certain future which can happen via compromise and someone needs to take that step.**

**It is a challenging piece of work for Vietnam to gain equality at Sea. Vietnam needs to choose one side of its strategy “Cooperation and Struggle” that it implies for China. It should completely oppose China and find other allies and superpowers or neighbours to provide aid to the country rather than China. Vietnam’s depended attitude is making it suffer and China is taking the advantage of the situation as China knows that Vietnam has to rely on it for various things.**

### **Conclusion**

**There are differences and conflicts among the ASEAN members pertaining to China in the South China Sea, as differing concerns may lead to China's ‘non-alignment’ with regard to the South China Sea. Overall, the discussions have led to the conclusion that China is viewed as an aggressor in the Sea and the future of the Sea and the COC is uncertain. According to my understanding, China has been in a contradictory position in the Sea Dispute, as it has tried to collaborate in certain situations while also attempting to rule the entire Sea.**

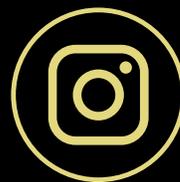
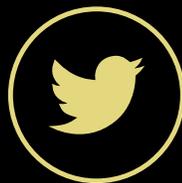


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