

Understanding ASEAN-China Conflict Prevention Measures: A Case Study of South China Sea

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Abstract

Given the geopolitical importance of South China Sea, the members of Association of South East Asian Nations (ASEAN) and China have been engaging in the prevention or de-escalation of conflict in South China Sea by establishing norms and behavioral rules, such as the 2002 Declaration on Conduct of South China Sea, in order to establish peace and order in the region. In this context, this article seeks to examine the conflict prevention measures adopted by China and the ASEAN to mitigate conflict in South China Sea. The study is based on the argument that China and the ASEAN members have not faced an open war as trade interdependence is increasing among them and strives to forge a secure and stable order.

Keywords: ASEAN, China, Maritime Conflict, South China Sea, Conflict Prevention

Introduction

The maritime issues are emerging area in the domain of international relations. Also, “maritime boundary dispute is an alarming issue all over the world ... becoming very much concerned about their marine resources because the world economy has turned into ocean-based resources termed as Blue economy” (Hasan, Jian, Alam, & Chowdhury, 2019: 89). The study on South China Sea from conflict prevention perspective has been

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neglected among scholars of IR and maritime scholarship despite of its geo economic imperatives and so on. At the onset, “the South China Sea has been a ‘flashpoint’ for a long time, and diplomats and scholars, whether from western society or states in the region, have tried for decades to provide possible solutions to the sovereignty disputes in this region” (Kao & Pearre, 2018: 104). As international relations have been undergoing a transformation countries as well seeking to build a new sort of relationship in which emerging maritime issues and conflicts are playing important roles. In this direction, economic relations also play an indispensable role as seen between China and the ASEAN. It is acknowledged that “the 10 member Association of Southeast Asian Nations (ASEAN) became China’s second largest trading partner in the first half of 2019, overtaking the United States for the first time since 1997” (*China Daily*, 2019).

The Cold War period has been a period characterized as trust deficit as far as relationship building among countries is concerned. However, this trend has changed after the Cold War period in which China and ASEAN establish a new sort of relations based on economic development, growth and committing a peaceful environment. “the south china sea is a region that has made a significant contribution to joint development as a means of overcoming bilateral overlapping maritime claims” (Thao & Amer, 2009: 342).

Although South China Sea for a long time has been a source of tension and instability in the region that not only has had influenced relations but also welcomed external powers to take leverage from the suspicious relationship built during the Cold War. Likewise, “the South China Sea has long been regarded as a

major source of tension and instability...many bilateral and multilateral efforts to manage the possible conflicts in the region have been recorded” (Thao & Amer, 2009: 333). It is though widely acknowledged that the colonial history and its long lasting peace disturbance strategies by not sorting out or clearing boundary conflict has been a pivotal factor in it.

What changed in the relations of ASEAN-China after the Cold War? It is widely maintained that “the disappearance of the ideological barriers and establishment of diplomatic ties between China and all ASEAN states by 1991... importance of economic links... the salience of the Spratly territorial disputes... and emergence of multilateralism as a mode of diplomatic interaction” (Chwee 2005:103). These are the major factors that push to China to rebuilt the centuries old security relations with the members of ASEAN.

This article has been organized into six sections: the first section deals with the basic understanding of maritime conflict and its rising importance in the realm of international relations and it also discusses the South China Sea conflict; the second section underlines the ASEAN efforts and approach to mitigate conflict such as South China Sea and reinforces ASEAN centrality; the third section addresses the Chinese engagement and its undergoing behavioral changes in maritime policy especially South China Sea; the fourth section talks about the concept of conflict prevention as a measure to reduce conflict possibility in South China Sea between China and the ASEAN; the fifth section demonstrates the opportunities the peace in South China Sea can bring such as more economic engagement and cultural identity strengthening; and the sixth section concludes by proving that the South China

Sea has become a zone of joint exploration from confrontation as witnessed between China-Philippines and so on and peaceful transformation facilitates other to secure and stable the region.

Understanding Maritime conflict and South China Sea

Waters or Seas have been essential to human kind as it is the source of minerals, such as gas, oil and other resources. “Maritime enterprises, such as shipping, trade and fishing, were significant facets of medieval and early-modern societies” (Sicking, 2017: 02). Maritime is linked with the boundry of seas and its uses by nation-states. Maritime conflict or dispute is defined as “a dispute relating to demarcation of the different maritime zones between or among states” (Hasan, , Jian , Alam, & Chowdhury, 2019: 90).

There have been several sorts of examples where countries claim their sovereignty over seas, thereby, give rise of conflicts. The Norway-Russia over Arctic and Cyprus-Turkish maritime conflicts is few instances. In Asia, the South China Sea maritime conflict is critical case where there are many countries keep claiming. South China Sea is a maritime conflict among many stakeholders as believed “China claims the Spratly Islands and other three maritime features in the South China Sea...four ASEAN countries, Vietnam, the Philippines, Malaysia, and Brunei, dispute the sovereignty of the Spratly Islands with China” (Sato 2013:95). It is widely believed among scientific community that the South China Sea may consists of billions barrels of oil and gas—which could provide a push to human kind.

In recent years after several moment which could have led an open war among the stakeholders China and the members of

ASEAN have sought to maintain peace and order in the region. It is also stated that “the end of the Cold war and the settlement of the Cambodian conflict opened a new chapter in the development of ASEAN-China relations” (Chwee, 2005: 102).

ASEAN Efforts

In spite of challenges, such as the South China Sea, “ASEAN, as an organization, became involved in the South China Sea dispute in July 1992 when China and Vietnam became engaged in exploration activities” (Kipgen, 2018: 433). Nonetheless, after the Cold War period the relations are becoming trustful and cooperative and left the narrow approach adopted during the Cold War period.

The Association of Southeast Asian Nations (ASEAN) is a regional organization of ten countries which was established in 1967 to maintain peace and enhance development. Although, it was the period when the world was divided into two groups based on ideologies, capitalism led by the United States and its allies and the socialism led by the former Soviet Union (now Russia) and influencing the unity of ASEAN organization. It is claimed that China considered it as a military alliance of United States while the ASEAN members also critical of communist expansion in the region. This was the fear that prevented both from mutual development and progress. The purpose of ASEAN is “to accelerate economic growth, social progress, and cultural development among the members” (Kim, 2011: 409).

Moreover, it is the ASEAN which establishes its norms and behavioral rules in 1976 with the signing of Treaty of Amity and Cooperation (TAC). This was the first attempt of ASEAN members

to prevent intra-ASEAN conflicts and is opened for other countries which are willing to join and committed to follow. The TAC believes that the ASEAN members would follow the principles of “mutual respect for the independence, sovereignty, equality, territorial integrity... non-interference in the internal affairs of one another... settlement of differences or disputes by peaceful means” (TAC, 1976). This makes it an important measure to deploy peaceful techniques to resolve or mitigate regional conflicts. Here, it should be noted that the Treaty of Amity and Cooperation (TACT) was joined by China in 2002. As a model code of conduct, the TAC is pivotal in establishing partnership and maintaining peace in the region. Likewise, “the two fundamental principles of ASEAN since its formation have been non-interference in the internal affairs of member states and reaching an agreement by a consensus” (Kipgen, 2018: 434).

In addition, the ASEAN concord I and II are equally pivotal which focus on the economic, social, political and cultural cooperation among the ASEAN members. Holistically, it is termed as the ‘ASEAN way’ that consists of all its norms which drive it towards the path of development and peace. Pessimists believe that the ASEAN organization is merely a talk shop or losing its significance, but they forget to underline its successful advancement and implementation of its code of conduct and maintain peace in the region. The ASEAN is interrogated by saying that “the South China Sea dispute is a litmus test of ASEAN unity and its ability to maintain its self-assumed role in the driver’s seat of regional affairs” (Zhao 2018:10). This test ASEAN would seek to mitigate or resolve with the cooperation of China. The ASEAN unity is the sole

driver behind the development and establishing peace in the South China Sea region.

The 'ASEAN centrality' is believed to have reinforced as members have strengthened their economic relationship and forging a partnership in order to secure the ASEAN soul.

Chinese Engagement

The South China Sea conflict cannot be understood without understanding China and its history—which as believed is crucial in the perception management of Chinese maritime policy in the region. It is clear that “due to geographical, historical and cultural reasons, the region has always been seen as a periphery (zhoubiandiqu) to which Beijing could exert its influence more effectively” (Chwee, 2005: 118). The maritime policy though over the last couple of decades has undergone a rapid transformation and seeking to adjust the unstable and changing scenarios. In China, it is being claimed that the colonial powers failed to design the clear boundary instead to give rising conflicts, such as the South China Sea. This is said that “China’s territorial disputes with its neighbors in the South China Sea are left to history. Before the arrival of western powers, china was an empire. Territorial boundaries along China’s frontiers were neither clearly drawn nor did they have any significance under the tributary system” (Zhao, 2018: 02). The Chinese perspective as far as South China Sea is concerned is widely influenced by its history, culture and law. Due to the rigidity of Chinese maritime policy during the Cold War, “China’s interactions with ASEAN states were conducted solely on a bilateral basis and no institutionalized linkage was formally forged between China and the regional organization” (Chwee,

2005: 103). As mentioned above, the bipolar Cold War politics and the suspicious behavior of China throughout the Cold War restricted itself from engagement and diplomatic participation at organizational level.

However, this trend changed after the Cold War as the globalization and Chinese 'Open Door' policy stimulates other neighboring countries not merely for participation at political level but advancing economic relationship with them. Since then, "China's perceptions and policies toward multilateral institutions have been going through significant changes, from caution and suspicion to optimism and enthusiasm" (Chwee, 2005: 102). Therefore, China avoids direct military confrontation with the members of ASEAN over South China Sea. Here, it is imperative to underscore the rising economic dependence between China and the ASEAN that has opened up a new chapter in their history and influencing their political decision making and diplomacy as well.

Although, China has become soft on hard issues by influencing the decision in other countries as seen in the Belt and Road Forum (BRI) and on the peaceful resolution of South China Sea conflict, and "Beijing has indicated a willingness to seek a peaceful settlement and has participated in conference that have explored alternative solutions, including joint development of the region's natural resources" (Hyer, 1995: 34). This can be precisely seen in the changing approach of China which made it possible to think beyond the Cold War rivalry. Likewise, "China has, over the past two decades, made impressive overall progress towards improving relations with its Southeast Asian neighbours, mounting tensions over these competing claims threaten to undermine its charm offensive" (Raine, 2011: 69).

Conflict Prevention in South China Sea

The post Cold War period has been a witness of rising new trends and these trends are responsible to give emergence of conflict prevention. The concept of conflict prevention is a post Cold War phenomenon which is defined as a measure to mitigate the conflicts through exchange of information, early warning mechanism and confidence building measures. It is also the process by which early warning measures are deployed to prevent conflict and strengthen peace building. In the case of South China Sea, the ASEAN and China have been working on conflict preventive measures in order to stabilize the region. The 2002 Declaration on Conduct on South China Sea is a major milestone in it which precisely states that all the stakeholders would use peaceful means to solve conflicts like South China Sea. It is maintained that peace and stability in South China Sea is a successful efforts been made by the ASEAN organization and China. The DOC is considered an early warning deployment to maintain peace in South China Sea as it “promote a peaceful, friendly and harmonious environment in the South China Sea between ASEAN and China for the enhancement of peace, stability, economic growth and prosperity in the region” (DOC, 2002: 1).

It also seeks to “to protect its sovereignty, the declaration helps to preserve regional stability and a stable Sino-ASEAN relationship...also reduces the possibility for external powers to interfere in the disputes” (Chwee, 2005: 117). Nonetheless, “the DOC has provisions to govern the conduct of parties not in a prohibitive manner but in a more positive manner in that conduct of states is to aim to reduce the tensions of the territorial and jurisdictional disputes in the South China Sea” (Thao, 2003: 280). In other words, the DOC is not a legal binding measure but a

preventive measure to avoid direct military confrontation with the other countries in the region. Undoubtedly, it is the changing maritime policy of China which has accommodative arrangements to maintain peace. It is further contended that “reparticipation by China in the proceedings may be conducive to the creation of a positive atmosphere for cooperative settlement of the dispute in which China and the Philippines may be able to negotiate and consult to reach an agreement or consensus terminating the proceedings” (Mincai, 2014: 11).

In addition, as the gravity of world attention is moving towards Asia from Atlantic in 21st century scholars have also anticipated the potentials of conflicts as well over several issues, water is one of them. However, the ASEAN and China is committed “to consolidate and develop the friendship and cooperation existing between their people and governments with the view to promoting a 21st century-oriented partnership of good neighbourliness and mutual trust” (DOC, 2002: 1).

Opportunities

The peace and stability in South China Sea presents several opportunities in the relations of ASEAN and China. It is claimed that wars in the history of human kind have brought up disastrous results and taken back development. However, prevention of conflict is such a model through which progress can be maintained. As mentioned above, the subject could bring the ASEAN and China into a new hemisphere where lots of opportunities could be seen as follows: first, Economic development and progress as world has experienced over last couple of decades is an important domain in which the ASEAN

and China could work together if peace is not disturbed. Second, given the integration of world and people, social harmony among different ethnic diaspora is another major area where the ASEAN and China look their partnership. Providing the ethnic Chinese living in different parts of Southeast Asian region it would be a win win situation for both. “Development of new legal arrangements is a necessity. ASEAN and China should actively move forward to an ASEAN-China Code of Conduct or a similar binding agreement, which should contain guidelines for self-restrain, cooperation and the application of international law” (Thao & Amer, 2009: 344), as both are required to work together for a joint solution as force or military is not believed a fair measure to establish peace and development.

Conclusion

After a long study and investigation about conflict prevention in South China Sea and how the ASEAN and China are dealing with it with keeping the future and development in mind, it can be inferred that the world has transformed in which countries more are focusing on economic engagement and development than isolation as seen during the cold war period. This engagement could be demonstrated in the efforts of China and ASEAN conflict prevention techniques in South China Sea. Although the DOC is not legal binding document but they are in the process to make it for and seeking to work on other areas of subjects. It would be though win win situations to keep continue on forging and reinforcing relationship. Although, the members of ASEAN and China persistently believe in “mutual respect for the independence, sovereignty, equality, territorial integrity and national identity of all nations” (TAC 1976:2). Thus, it is proved

that as shown above China and ASEAN have entered into a new era which is quite different from the Cold War period. Providing the history and evolution of conflict prevention in South China Sea they make it clear that in a rising conflicts only peaceful measures would be utilized such as discussion, debates and so on.

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