

SHANGRI LA DIALOGUE AND THE SOUTH CHINA SEA CONFLICT

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While Shangri La is imagined as a mystical and peaceful place resplendent with harmony and conducive conditions for a long and prosperous life the South China Sea, on the contrary, is a place that is full of tensions with a potential for hot conflict breaking out at any time. That is why every year in Shangri La Dialogue (SLD) at Singapore the debates on the South China Sea are featured as one of the major topics of this high level conclave. No wonder, therefore, that this year also the South China Sea issue found mention in speeches and discussions of the SLD in some way or the other.

Prime Minister Narendra Modi in his key note speech at the SLD noted that prosperity and security require us to evolve, through dialogue, a common rules-based order for the region. He also stressed that an order must believe in sovereignty and territorial integrity, as well as equality of all nations, irrespective of size and strength. And these rules and norms should be based on the consent of all, not on the power of the few. There has to be commitment to the rule of law. India has been strong proponent freedom of navigation, unimpeded commerce and peaceful settlement of disputes in accordance with international law.

Further, PM Modi emphasized that all countries should have equal access as a right under international law to the use of common spaces on sea and in the air. He

reiterated India's support for freedom of navigation, unimpeded commerce and peaceful settlement of disputes in accordance with international law.

He also spelt out his vision of Indo-Pacific which covers area from the Pacific to eastern shores of Africa and where the ASEAN occupies a pivotal position. This vision is built around 'inclusiveness, openness and ASEAN centrality and unity, therefore, lie at the heart of the new Indo-Pacific.

Even though PM Modi did not mention China in the above context it was quite clear that it is China who has been changing the status quo in the South China Sea unilaterally and has not adhered to the international law and norms. China has not only been able to weaken the concept of ASEAN centrality by offering economic allurements to ASEAN members but also it has been able to influence smaller countries in their geopolitical choices through coercion.

There have also been reports that indicate that the next step that China might take in the SCS is to declare an Air Defence Identification Zone (ADIZ) over it like it did over the East China Sea in November 2013.

James Mattis, the US Defence Secretary, in his address at SLD was more upfront in his remarks about China and its aggressive behavior in the SCS. He castigated China's policy in the SCS in contrast to what the America's strategy of promoting openness in the region. He also questioned China's broader goals and criticized Beijing's militarization of the SCS that included the deployment of anti-ship and surface to air missiles, electronic jammers and landing of nuclear capable Bomber aircraft besides construction of artificial islands. The objectives of China in resorting to such actions were to intimidate and coerce the other rightful claimants and were in 'contradiction to President Xi's public assurances during his visit to the US in 2015.

And to show its unhappiness with China's continuing militarization of the SCS the US withdrew its invitation to the PLA Navy to take part in the Rim of Pacific (RIMPAC) Exercises of 2018. Obviously, this has not gone down well with China because this could be viewed as a loss of face. Moreover, there is a likelihood of the US Navy expanding its presence in the SCS. It needs to be noted that the Trump administration in its latest National Security Strategy document has named China as its 'strategic rival'.

In another development before the commencement of SLD, the Philippines National Security Advisor stated that though Manila would pursue diplomacy as the first option they would be prepared for a war ‘if their troops are harmed, that could be the red line’. Even the Philippines Foreign Secretary Alan Peter Cayetano remarked that “Nobody can extract natural resources there on their own and the president has declared that if anyone gets the natural resources in the West Philippine Sea-South China Sea, he will go to war.” This was in direct contrast to accommodation of China’s policies in the SCS by President Duterte in the recent times mostly for economic benefits.

Meanwhile, Australia’s Defence Minister Marise Payne while speaking at the SLD stated that Australia encourages all countries to clarify and resolve their territorial claims in the South China Sea based on international law. She also supported the recent moves by ASEAN states and China towards a Code of Conduct for the South China Sea. Nevertheless, she criticized adopting a “might-is-right” approach which is contrary to the interests of all nations. Compared with last year’s keynote speech by the Prime Minister Malcolm Turnbull during SLD she was less forthcoming on China’s muscular policies in the SCS.

As expected China’s response to the SLD deliberations and pronouncements was quite combative. Lt. Gen. He Lei, Vice President of the Academy of Military Science of the Chinese People's Liberation Army and leader of the Chinese delegation to SLD claimed legitimacy for their actions in the SCS. He termed all the criticism directed at China as irresponsible comments. According to him, China has indisputable sovereignty over the islands in the South China Sea and the adjacent waters, a fact verified by historical evidence and supported by international law. However, he overlooked the fact that there is little historical evidence that supports this expansive claim.

China lost to Philippines in the arbitration case regarding Scarborough Shoals in July 2016. The United Nations (UN) Arbitral Tribunal also decided that China’s “nine-dash line” is invalid. The Tribunal concluded that there was no legal basis for China to claim historic rights to resources within the sea areas falling within the ‘nine-dash line. Evidently, China is not willing to accept international norms especially when such norms do not suit its ambitions whether territorial or otherwise.

In conclusion it can be said that while China might have a few friends in the region in a geo-political sense it has more than adequate economic heft and military muscle to intimidate the countries in the South East Asian region and on the SCS littoral. With its rising comprehensive national power China has embarked on enforcing its version of rule-based order which is unmindful of the existing international values, principles, norms and rules. Thus, South China Sea is increasingly becoming where the next hot conflict might occur. There is a need to forge unity not only among the ASEAN members but also among the regional powers to continue to challenge China in altering the status quo in the South China Sea region as also elsewhere.