

Conflict in the South China Sea February 25, 2017

By Bernard D. Cole

The South China Sea is a large and incredibly important waterway to the world. The sea is important to the economies of China, Japan and South Korea. This important waterway is also home to many issues in Asia, and there have been territorial disputes of the waterway throughout history. China is the most vocal to these claims, but Brunei, Indonesia, Malaysia, the Philippines and Vietnam also are in conflict. Not only are there territorial issues, but the United States has “important economic, political and military interests in the sea.”

For the past 50 years, the United States Navy has dominated the South China Sea. Recently, however, China has been fighting for its own dominance of the sea. Its navy is becoming larger and more powerful as time passes. It is currently the strongest navy in Asia, and by 2020 it will likely be the strongest navy globally. The Chinese navy needs to be strong for security reasons; they want to be able to protect their land with their quickly growing economy. The United States has an interest in the South China Sea because it wants freedom of navigation. Both want some power over how the sea is administered.

To maintain peace between the two countries, there must be a carefully crafted diplomacy. The United States wants to ensure commercial access to the maritime commons in the area. The United States does not fully agree with specific maritime claims by China. China has made threats in response to the U.S. naval demonstrations to promote freedom of navigation. The United States does not want conflict with China; however, it wants to be clear that the South China Sea is international waters and states need to have freedom of navigation through the area.

The United Nations Convention on the Law of the Sea (UNCLOS) is “an international treaty that seeks to establish a globally acceptable body of maritime laws and definitions.” There is much dispute over the land features in the South China Sea and an understanding of this treaty and how it defines land features is necessary to understand the conflict. This treaty defines what an island is, what coastal baselines are and historical rights. All three are important features in deciding what territory belongs to what country. The mainland features in dispute are the Paracel Islands, the Spratly Islands, Macclesfield Bank and the Natuna Islands. The most frequent debates over these land features happen between China and Vietnam and China and the Philippines.

Although there is much dispute in most of the South China Sea, there are areas where some resolution has occurred, such as the Gulf of Tonkin. China and Vietnam have agreed on the width of the gulf’s territorial sea for each countries’ jurisdiction, but they have yet to agree upon their maritime boundary. Despite not agreeing fully with each other, both countries want to prevent any armed conflict, and the area remains mostly peaceful. The United Nations created the International Tribunal for the Law of the Sea (ITLOS) to try resolve disputes in the South China Sea. However, this drove more of a wedge between China and the United States.

The South China Sea is an important communication waterway for most of the world’s economy. There have been continued disputes in this area, and it will not stop soon. Any disagreement the U.S. has with China they take as an attack on their interests. Tensions between the U.S. and China are strengthening, and it could continue to escalate.