

## An ASEAN-China For The South China Sea

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No one will believe that the stand-off between the Philippines and China over a disputed island in the South China Sea is a straightforward bilateral issue. It has serious implications not only for regional politics but also for the changing pattern of global power. This is why it is imperative that a clear basis be established for the resolution of the dispute without any further delay. Both the Philippines and China have adopted what appear to be rigid positions on the ownership of the uninhabitable rock and the waters around it, which the former calls Scarborough Shoal and the latter calls Huangyan Island. The Philippines claims that Scarborough Shoal which is 135 nautical miles from Luzon comes within its 200-mile Exclusive Economic Zone. China, on the other hand, argues that historically Huangyan has been part of her territory and is mentioned in a 13th century Chinese map.

There are counter-arguments against both positions. If the Shoal is part of the Philippines— Chinese commentators point out— why didn't the Treaty of Paris of 1898 which gave the United States sovereignty over the Philippines recognise it as such? On the other side, there are Filipino analysts who have reminded China that for hundreds of years before the 13th century, the ancestors of present-day Filipinos, Indonesians, and Malaysians, known for their superb maritime skills, were in fact the masters of the seas in the entire region, including what is now known as the South China Sea. The Philippines wants the stand-off resolved through international law, on the basis of the Law of the Seas. China is totally opposed to this and insists that it be settled through bilateral talks. Though both sides will not budge they are determined to avoid a military confrontation. This gives us some hope. What sort of peaceful resolution will satisfy both parties?

This is where ASEAN may have a role to play. ASEAN could propose the establishment of an ASEAN-China Forum which will serve as a platform for continuous discussions and negotiations on the Shoal/Huangyan dispute and other related conflicts pertaining to the South China Sea. After all, three other ASEAN states, apart from the Philippines— Brunei, Vietnam and Malaysia— have also staked claims to parts of the Spratly Islands in the South China Sea. The opposing claimant in all these cases is China which maintains that it has sovereign rights over most of the South China Sea and the islands in it. One of those islands— the Paracels— is also claimed by Vietnam.

Since four ASEAN states are involved, it makes sense for the regional entity to approach the various disputes over sovereignty vis-a-vis China on a collective basis. The proposed ASEAN-China Forum should not involve any other state or institution outside the contending parties. In the past, China has not been keen on this collective approach. It must be persuaded to accept it. A collective approach may serve the larger interests of both ASEAN and China for two other reasons. One, the South China Sea is reputed to contain huge deposits of oil and gas. Though estimates vary, the area is regarded as one of the major sources of mineral

wealth of the future. It is undoubtedly one of the factors behind the intense interest in the South China Sea not only among the claimants but also other powers outside the region. Why shouldn't ASEAN and China jointly harness the wealth of the South China Sea for the well-being of their people? Malaysia has set a good example in this.

In February 1979 it came to an agreement with Thailand to set aside a boundary dispute with the latter in the Gulf of Thailand by joining hands with Thailand to explore oil and gas in a 7250 square kilometre area in the Gulf. The agreement has been working well. The Joint Development Authority which manages the exploration had by the end of 2007 discovered approximately 8.5 trillion standard cubic feet of gas reserves from 22 fields in the area. With such a track record, Malaysia should perhaps take the lead and push for an ASEAN-China Forum on the South China Sea.

Two, ASEAN and China are acutely aware that if the Shoal/Huangyan dispute drags on, and other similar disputes erupt in the near future, a military superpower which has already declared its interest in the South China Sea will not hesitate to enter the fray as a direct player. Its involvement will almost certainly aggravate the situation since the ASEAN claimant that is being backed by the United States may be emboldened to adopt an even more belligerent posture than it would otherwise do.

China is bound to retaliate since it regards the South China Sea as "its core interest." A military conflict between China and the US could have devastating consequences for ASEAN as a whole. This is why China and ASEAN whose economic ties have deepened and broadened as never before in the last decade, should now elevate their relationship through a forum which will address that one most contentious issue that could tear them asunder.

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