

The Issue of Military build-up in the south China Sea

History

During the Chinese Civil War, the Chinese Nationalist Party was in desperate need of economic assets due to the lack of assistance from the Soviet Union and so in 1946 claimed several islands in the South China Sea known to be rich in oil and gas deposits as part of the Guangdong province. When the Communist Party of China (CPC) took over Guangdong in 1949, these claims were upheld and by the end of the Chinese Civil War shortly after this, CPC forces had already started to capture the islands.

Following the signing of the Treaty of San Francisco, Japan was forced to relinquish all territorial claims in the South China Sea, temporarily mitigating conflicts in the area. Several nations with settlements on islands claimed by China gave heavy resistance and China was unable to take much land until 1974, when the Paracel Islands were captured from South Vietnam with diminished defences following the Vietnam War and little US intervention, outraging the Vietnamese population. The Spratly Islands remained heavily contested, however, with Malaysia, the Philippines, the Republic of China (Taiwan) and the newly formed Socialist Republic of Vietnam all claiming territory as well as the People's Republic of China (China).

This caused many small-scale conflicts so the United Nations Convention on Laws of the Sea (UNCLOS) was passed which granted full monetary rights to all islands within 200 nautical miles (~370 km) of the shore of a nation – an area known as the Exclusive Economic Zone (EEZ) – granting China very few of its claimed islands. Several South-East Asian nations signed the convention, including the Philippines in 1984 and Indonesia in 1986. China continued to occupy several Spratlys and a conflict known as the Johnson South Reef Skirmish between China and Vietnam caused the deaths of 74 Vietnamese sailors in 1988.

Furthermore, China released the “Law on the Territorial Sea and the Contiguous Zone of the Republic of China” formalising its island claims with disregard for UNCLOS. This was met with strong opposition from all nations whose EEZ overlapped with China's Contiguous Zone which now included Brunei following its independence from the UK in 1984. Vast numbers of incidents occurred in the 1990s including the capture of Philippines military instalments by Laos-backed China, artillery bombardment of a Vietnamese freighter by Taiwan and the attack of a Chinese fishing trawler



by Malaysia. In 1996, China, Brunei and Malaysia all signed UNCLOS however conflicts continued to ensue. Disputes became more diplomatic in the early 2000s but incidents were regular due to the lack of alliances in the area. China's superior military slowly allowed it to gain control of most of the islands it initially claimed causing its condemnation by the US senate for its use of force. Tensions are still very high in the area and the abundance of oil and gas means that it is unlikely for a nation to give up its territory claims.

Background

China's sweeping claims of sovereignty over the sea—and the sea's alleged 11 billion barrels of untapped oil and 190 trillion cubic feet of natural gas—have antagonized competing claimants Malaysia, Vietnam, Brunei, Taiwan, Indonesia, and the Philippines. As early as the 1970s, countries began to claim as their own islands and various zones, such as the Spratly islands, in the South China Sea, which may possess rich natural resources and fishing areas.

Recent Developments

On July 12, 2016, the Permanent Court of Arbitration in The Hague issued its ruling on a claim brought against China by the Philippines, ruling in favor of the Philippines on almost every count. While China is a signatory to the UN Convention on the Law of the Sea, which established the tribunal, it refuses to accept the court's authority.

In recent years, China has built three airstrips on the contested Spratly Islands to extend its presence in disputed waters, and militarized Woody Island by deploying fighter jets, cruise missiles, and a radar system. China has warned its Southeast Asian neighbours against drilling for oil and gas in the contested region, which has disrupted other nations' oil exploration and seismic survey activities. To challenge China's claims in international waters, the United States has occasionally deployed destroyer ships on freedom of navigation operations in the South China Sea to promote freedom of passage. On July 27th 2017, the UK foreign secretary, Boris Johnson, announced plans to sail two aircraft into the South China Sea for a freedom of navigation operation.

Concerns

The United States, which maintains important interests in ensuring freedom of navigation and securing sea lines of communication, has expressed support for an agreement on a binding code of conduct and other confidence-building measures. The United States has a role in preventing military escalation resulting from the territorial dispute. However, Washington's defence treaty with Manila could draw the United States into a China-Philippines conflict over the substantial natural gas deposits in the disputed Reed Bank or the lucrative fishing grounds of the Scarborough Shoal. A dispute between China and Vietnam over territorial claims could also threaten the military and commercial interests of the United States. The failure of Chinese and Southeast Asian leaders to resolve the disputes

by diplomatic means could undermine international laws governing maritime disputes and encourage destabilizing arms build-ups.