



Indian Council of World Affairs
Sapru House, Barakhamba Road
New Delhi

ICWA GUEST COLUMN

RUMBLINGS FROM SHANGRI-LA

BY



AMBASSADOR SKAND R TAYAL

13 JUNE 2014

Singapore's annual Shangri-La Dialogue attracted much media attention in end-May 2014, with the United States and Japan warning China against taking unilateral de-stabilizing actions in East Asia, particularly in the areas of East China Sea (ECS) and South China Sea (SCS).

East China Sea

In November 2013, China had declared its Air Defence Identification Zone (ADIZ) in the East China Sea which partly overlapped with the older Japanese ADIZ in the South – East and covered the air space over the disputed Senkaku/Diaoyu Island. This was a move to challenge the Japanese ADIZ which had been created by the US in the post-World War period and a process to serve as early warning for future air defences. Another reason could have been the air surveillance by Japan over the ECS zone where three PLA Navy fleets were conducting Mobile –5 war drills in October 2013.

According to analysts, the Chinese strategy is to stake its claims, publicize them but not to enforce its claimed rights by not immediately insisting on affected parties to comply with the requirements of advance information etc. before entering the Chinese ADIZ. For the present the Chinese also appear to be following a policy of non-confrontation with Japan in their dispute over the sovereignty over the Japanese administered Senkaku/Diaoyu islands. Prof. You Ji of the National University of Singapore has summarised the Chinese approach as :

- I. no Chinese military aircraft over the island
- II. no PLA navy vessels close to the disputed area
- III. no big cluster of fishing boats in the disputed area
- IV. no law enforcement in the area; and
- V. no punitive action against Japanese economic interests .

This policy is rooted in the Chinese conviction to avoid creating a situation which may invite the entry of the US militarily on the Japanese side in response to a serious hostile incident. Chinese apprehensions about US involvement must have been exacerbated by the explicit announcement of President Barak Obama in Tokyo in April 2014 that the Japanese administered Senkaku Islands are covered by the 1952 Japan – US Treaty of Mutual Cooperation and Security.

SOUTH CHINA SEA

In the South China Sea, China has been aggressively pushing the envelope primarily against the competing maritime claims of Philippines and Vietnam. China has staked its claims over virtually the entire SCS deriving from the Kuomintang era 9 – dash claim line. Over the years Philippines – the weaker party – has been steadily losing islands to Chinese control eg. the mischief reef in 1994, most of the Spratly islands in the 1970s and denial of fishing rights to Philipino Fishermen in the areas claimed by Philippines as its EEZ. Philippines has recently accused China of constructing an air strip over a disputed outcrop. It is important to note that the South China Sea features are not covered under the US – Philippines Mutual Defence Treaty of 1951. Article V of the Treaty includes “island territories under its (Philippines) jurisdiction in the Pacific....” but not the islands in the South China Sea. However, President Obama in his recent tour of East Asia including Philippines did sign an Enhanced Defence Cooperation Agreement with Philippines to reassure its long-time ally and erstwhile colony.

In March 2014, Philippines filed a case against China in Hague under the UN Convention of the Law of the Seas. China has not recognized the jurisdiction of any International Court or Tribunal to intervene in a dispute which it considers to be a bilateral dispute.

China and Vietnam have a bitter historical legacy with centuries of conquest of Vietnamese lands by China. While China was an ally of North Vietnam during the Vietnam War, China took control of the disputed Paracel Islands in 1974. The 1979 China – Vietnam war over land borders had claimed 10,000 Chinese and 30,000 Vietnamese casualties. While the land border was settled in 2000, tensions flared up in 2011 over Spratly Islands.

In June 2012, Vietnam passed a law placing both Spratly and Paracel Islands under its jurisdiction. China has not recognized this law and has enhanced enforcement of its own claims over the disputed maritime rights particularly over fishing and underwater resources. There have been faceoffs between Chinese and Vietnamese fishing boats in the area and in May 2014 Chinese boats rammed and sank a Vietnamese fishing boat.

A major Chinese provocation against Vietnam in May 2014 has been the placing of an oil rig in the waters claimed by Vietnam as its EEZ. A flotilla of 80 ships and boats protected the rig and approaching Vietnamese fishing boats were attacked by water cannons. This maritime aggression by China is fraught with the danger of serious consequences.

US AND JAPANESE RESPONSE

Chinese actions in East Asian Seas over the last one year have been disquieting to most of the nations of the region. Policy makers and analysts are agonising over the question whether China as the emerging superpower will be accommodating of the interests of its neighbours or it will evolve into a regional bully. Beside Japan and Vietnam, no country in the region has the economic or military strength to stand up to China to defend its legitimate claims.

In this background, the pronouncements of Japanese Prime Minister Shinzo Abe and US Secretary of Defense Chuck Hagel at Shangri-La Dialogue are of momentous significance. The two countries have issued an open warning to China to moderate its stand, be cautious in the pursuit of its exaggerated territorial and maritime claims and not be under the impression that its neighbours are isolated, weak or defenceless. Secretary Hagel reportedly said: “In recent months, China has undertaken destabilising, unilateral actions asserting its claims in the South China Sea” and warned China that, “(US) will not look the other way when fundamental principles of the international order are being challenged.”

Earlier, Prime Minister Shinzo Abe had set the tone when in his keynote address he offered “utmost support” to Southeast Asian countries over their maritime disputes with China.

In response, the Deputy Chief of Staff of the Chinese Army Lt. General Wang Guanzhong told reporters that Secretary Hagel’s speech was “full of hegemonism, threat and intimidation.” Separately in a meeting with Malaysian Prime Minister Najib Razak on 30 May 2014, President Xi Jinping said: “We will never stir up trouble, but will react in the necessary way to the provocations of countries involved.”

China's policy in the ECS and SCS is carefully calibrated to keep pushing the limits incrementally to secure its declared maritime claims and gradually enhance unilateral exploitation of the marine and underwater minerals of the disputed areas. China would ensure that its actions do not escalate in an open, full-scale conflict with its threatened neighbours which may force the United States to intervene. China would have noted Secretary Hagel's assertion at Shangri-La, "To ensure that the rebalance is fully implemented, both President Obama and I remain committed to ensuring that any reductions in US defence spending do not come at the expense of America's commitments in the Asia-Pacific."

** The author is a former Indian ambassador to the Republic of Korea.*