

- Raine, Sarah and Le Miere, Christian. *Regional Disorder: The South China Sea Disputes*. London: The International Institute for Strategic Studies, 2013. 105-150. Print.
- Remo, Amy R. "Philippines bids-out China claimed oil prospects." *INQUIRER Online*. Inquirer Group of Companies. July 31, 2012. Web. November 19, 2012.
- Thayer, Carlyle A. "ASEAN's Code of Conduct in the South China Sea: A Litmus Test for Community Building?" *The Asia Pacific Journal: Japan Focus Newsletter*. 10.34 (August 20, 2012). Print.
- "Type 052B/Guangzhou class destroyer, China." *Naval-technology Online*. Net Resources International. 2012. Web. September 6, 2013.
- Wu Shicun. "The Huangyan Island Standoff: A Review of the Claims and the Prospects for the Future." *China-US Focus Online*. China-United States Exchange Foundation. May 5, 2012. Web. September 6, 2013.

## China's Claim in the South China Sea: A Historical Burden?<sup>1</sup>

*Chito Sta. Romana<sup>2</sup>*

MANILA (April 16, 2012) — The stalemate over the Scarborough Shoal is the latest in a series of recent incidents in the diplomatic tug-of-war between the Philippines and China over a number of islands and reefs in the South China Sea.

From a Filipino perspective, the root of the problem lies in Beijing's assertion of its historical claim to the islands and waters of the South China Sea, or what Manila now calls the West Philippines Sea.

With its long civilization, China claims that the Scarborough Shoal was first discovered in the 13th century when the Yuan Dynasty emperor, the Mongolian leader Kublai Khan, ordered a survey of the South China Sea ("Some Basic Facts" *Embassy of the People's Republic of China Online*).

In the case of the Spratlys, the Chinese claim goes further back more than two thousand years ago when a Han Dynasty navigator is supposed to have discovered the islands during a

<sup>1</sup>This article was originally published as "South China Sea represents 'a new Persian Gulf'?" *Rappler Online*. April 16, 2012. Web. September 6, 2013.

<sup>2</sup>The writer is former Beijing bureau chief for ABC News (U.S.A.). He covered China as a broadcast journalist and TV producer for ABC News from 1989 to 2010.

journey through the South China Sea.

So does it mean that China claims the whole South China Sea? A Chinese spokesman officially denied this during a Foreign Ministry press briefing on February 29, 2012. According to the spokesman, "Neither China nor any other country lays claim to the entire South China Sea" ("Foreign Ministry" *Ministry of Foreign Affairs, the People's Republic of China Online*).

But he went on to point out that China has "indisputable sovereignty" over all the islands and their surrounding waters in the South China Sea.

What is not yet clear, though, is the exact extent of this claim or whether China will ever agree to validate the legality of its historical claim in an international tribunal.

One can get an idea of China's expansive claim from its official map, a copy of which was attached to a document it submitted in 2009 to a United Nations commission which handles cases related to the limits of the continental shelf, as provided by the U.N. Convention of the Law of the Sea (UNCLOS).

This map, first drawn up in 1947, contains the "nine-dash line" that is supposed to delineate China's maritime borders. But due to the obvious conflict between the "nine-dash line" and the exclusive economic zones and continental shelves defined by UNCLOS, the Philippines and other countries have questioned the legal validity of this line.

A prominent international law expert described the "nine-dash line" map as "puzzling and disturbing" because it has no basis under UNCLOS.

Facing growing pressure, China's Foreign Minister Yang Jiechi gave a brief comment about it at the ASEAN regional forum in July, 2011. He said, "The dotted line was formally announced by the Chinese government in 1948. China's sovereignty, rights and claims in the South China Sea were established and developed in the long course of history. They have been consistently upheld

by the Chinese government" ("Remarks by Foreign Minister" *Ministry of Foreign Affairs, the People's Republic of China Online*).

Though there is no sign that China will ever give up this burden of history, its recent denial about claiming the entire South China Sea appears to indicate some movement at clarifying the extent of China's historical claim.

As China is finding out, its stated policy of developing good-neighborly relations with Southeast Asian countries is being undercut, if not undermined, by its own efforts to increasingly assert its historical claim. Whatever reservoir of goodwill it has built up in the region is being drained by the accumulation of maritime incidents and standoffs, leading to increasing suspicion of China's intentions.

But underlying these disputes over these islands and reefs are real concerns over marine resources. The waters around Scarborough Shoal abound in fishery resources, while the Reed Bank is believed to have oil and gas deposits. There is a growing perception that the South China Sea represents 'a new Persian Gulf' (Zou "Oil bonanza").

Thus, aside from the issue of sovereignty, energy security is also a major factor behind these competing claims. Imported oil accounted for 55 percent of China's total oil use in 2010 and this share is expected to increase (Zou "Oil bonanza").

The natural gas field in Malampaya, which is located off Palawan, already supplies approximately 40 to 50 percent of Luzon's power needs ("Malampaya enters" *Shell Philippines Online*). The Philippines is hoping an even bigger gas field can be developed in the Reed Bank, known among Filipinos as the Recto Bank.

Finally, the growing rivalry between China and the United States in Asia provides a strategic context that complicates the regional situation.

To China's dismay, the U.S. pivot to Asia symbolizes a move to balance, if not contain, the growth of Chinese power with

U.S. military presence as Asian countries seek to hedge against any potential miscalculation or conflict.

China's anxiety is reflected in its state media, particularly the *Global Times*, which is considered a bellwether of extreme nationalist sentiment. In a commentary published in January 2012, the *Global Times* called for punishing the Philippines and Vietnam for "balancing China by siding with the U.S." ("Make Philippines" *Global Times Online*).

With the strengthening of the military alliance between the U.S. and the Philippines, the *Global Times* issued a stern warning to Manila against acting as "a pawn in the U.S. geopolitical game against China" ("Make Philippines" *Global Times Online*).

Amid such a complex background of overlapping claims over sovereignty, competition over marine resources and intensifying strategic rivalry, it is difficult to expect an end to this diplomatic tug-of-war in the near future.

## References

- "Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on February 29, 2012." *Ministry of Foreign Affairs, the People's Republic of China Online*. March 1, 2012. Web. September 6, 2013.
- "Make Philippines pay for balancing act." *Global Times Online*. January 29, 2012. Web. September 6, 2013.
- "Malampaya enters new phase: Harnessing the power of natural gas." *Shell Philippines Online*. Shell Philippines. Web. September 11, 2013.
- "Remarks by Foreign Minister Yang Jiechi at the ARF Foreign Ministers' Meeting." *Ministry of Foreign Affairs, the People's Republic of China Online*. July 24, 2011. Web. September 6, 2013.
- "Some Basic Facts on China's sovereignty over Huangyan Island." *Embassy of the People's Republic of China Online*. April 13, 2012. Web. September 6, 2013.
- Zou Le. "Oil bonanza in South China Sea." *Global Times Online*. April 19, 2011. Web. September 6, 2013.

## Scarborough Dispute and Standoff in Asean Forum on Code of Conduct<sup>1</sup>

*Benito O. Lim*

The debate on the failure of the 45th ASEAN Foreign Ministers' Meeting last July 9, 2012 to issue a joint communiqué appears to be unending especially among geopolitical analysts from the United States, the Philippines, Vietnam, and Australia. According to some observers, the differences among the ASEAN (Association of Southeast Asian Nations) foreign ministers had already caused a "nasty crack" within ASEAN over how best to deal with the disputes among the claimants in the South China Sea. And for some, it was "a first in diplomatic bungles in its 45-year history."

### 1. Who is to Blame for Forum's Failure?

It appears that most of the blame has been focused either on China and Cambodia or on the Philippines, Vietnam, and the U.S. Philippine Foreign Secretary Albert del Rosario charged that Cambodia refused to cater to Philippines' suggestion that

<sup>1</sup> Paper presented at the roundtable discussion on "Philippines-China Relations" convened by the Philippine Association for Chinese Studies, Crowne Plaza Galleria Manila in Ortigas Center, Quezon City on August 18, 2012.