

افغانستان آزاد – آزاد افغانستان

AA-AA

چو کشور نېاشد تن من مېباد بدین بوم ویر زنده یک تن مېباد
همه سر به سر تن به کشتن دهیم از آن به که کشور به دشمن دهیم

www.afgazad.com

afgazad@gmail.com

European Languages

زبان های اروپائی

<http://www.counterpunch.org/2015/06/17/the-looming-us-china-crisis-in-the-south-china-sea/>

The Looming US-China Crisis in the South China Sea Provocative Rhetoric

by MEL GURTOV

June 17, 2015

The long-running, multi-party dispute over control of islets in the South China Sea (SCS) is worsening both in rhetoric and provocative activity. Meeting in late May at the Shangri-La Dialogue on regional security, US and Chinese defense officials sparred over responsibility for the increased tension, though they stopped short of issuing threats. In fact, all sides to the dispute say they want to avoid violence, prefer a diplomatic resolution, and support freedom of navigation.

Both the US and China insist that the dispute notwithstanding, their relationship overall is positive and enduring. But China, claiming indisputable sovereignty over the SCS, is backing its claim in ways that alarm the US and several Asian governments: construction of an air strip on the Spratly Islands, a land reclamation project that has artificially expanded its claimed territory, and most recently emplacement of two mobile artillery vehicles.

The Pentagon has responded by publicly discussing US options such as flyovers and navigation in Chinese-claimed air and sea space. A US navy surveillance aircraft has already challenged China's sovereignty claim by overflying Fiery Cross Reef in the Spratlys, prompting a Chinese order (which the aircraft ignored) to leave the area. In the meantime, US military assistance to other claimants, including Vietnam and the Philippines, has enabled their coast guards to at least keep an eye on Chinese activities.

The US-China debate over the SCS would be a tempest in a teapot were it not for two other sources of contention. One is the gas and oil potential underneath the South China Sea, long subject to intense competition. The other is the friction arising from the different US and Chinese strategic postures in East Asia. The US deploys enormous air, naval, and nuclear power across the region. Rising China, one Chinese scholar writes, “is no longer susceptible to U.S. coercion or bullying. Under President Xi Jinping, the more confrontational stance Washington takes, the more assertive Beijing will become in response.”

The US “rebalancing” of forces in Asia since 2009, with emphasis on deploying additional naval power to the Pacific; its backing of Japan in Japan’s territorial dispute with China in the East China Sea; and the Trans-Pacific Partnership trade agreement that aims to undercut China’s commercial as well as political success in Asia—these are among the US moves in Asia that have prompted Chinese pushback both economically and militarily. China’s gradual buildup in the SCS should be seen as part of that pushback. Its latest official strategy statement, issued (surely not coincidentally) on May 26, explicitly links “maritime military struggle” and “active defense” to the “provocative” actions and “meddling” of foreign parties in that area. The strategy statement conceives of a greatly increased role for the Chinese navy in “offshore waters defense.”

Although China’s declared position would seem to make the sovereignty issue nonnegotiable, that doesn’t rule out conflict management. Ownership can be separated from, and thereby detached from, political and economic issues. All sides might agree, for instance, not to object to others’ sovereignty claims and to freeze the situation on the ground, disallowing further construction and land reclamation, entry of vessels and weapons, and introduction of civil or military personnel.

Crafting a binding code of conduct is an option that seems to have support from China and the 10 nations of the Association of Southeast Asian Nations (ASEAN). They agreed on the current version of the code, the Declaration on the Conduct of Parties in the South China Sea, in November 2002. It commits the parties to resolving disputes by peaceful means, without using threats or force and in accordance with international law, including UNCLOS, the UN Convention on the Law of the Sea. The parties also “undertake to exercise self-restraint in the conduct of activities that would complicate or escalate disputes and affect peace and stability including, among others, refraining from action of inhabiting on the presently uninhabited islands, reefs, shoals, cays, and other features and to handle their differences in a constructive manner.” Unfortunately, what constitutes self-restraint and how actions would be handled constructively remain to be determined. Instead, the concerned Southeast Asian nations rely on multilateral trust-building efforts to ease tensions, while the Chinese prefer bilateral talks and, it seems clear, unilateral actions to strengthen their claim.

More formal legal avenues might also be utilized despite China’s objections, including the Philippines case before UNCLOS and recourse to the International Court of Justice (ICJ). The US does not stand on firm ground, however, when it comes to international legal remedies. First, the UNCLOS, as a treaty, has been awaiting Senate approval since 1994! (Many, including Professor Jerome A. Cohen, a leading expert on international law, urge US ratification). Second, the US has a long record of ignoring adverse ICJ decisions. Third, since

1986, the US has rejected the court's compulsory jurisdiction. The US could be a more effective actor here if it were more law-abiding—certainly more effective than by deploying forces to test China's intentions.

All the parties, and especially Washington and Beijing, surely see the downside to continued tension, notably the retreat of US-China relations to Cold War-style tests of resolve. "Conflict is bad for business," the new head of US Pacific forces is quoted as saying. It's bad for many other things too, but countries have gone to war over far lesser stakes when clashing notions of self-righteousness and national security prevail over common sense.