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South China Sea: The French Are Coming

France, also an Indo-Pacific nation, has its own stake in the South China Sea.

By Yo-Jung Chen
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China's aggressive territorial push in the South China Sea has resulted in turning this busy international trade route into one of the most volatile spots in the world.

The U.S.-led international efforts to defend the freedom of navigation guaranteed by the UN Convention on the Law of the Sea (UNCLOS), aiming at preventing the entire South China Sea from becoming an exclusive Chinese lake, has just received a powerful boost in the form of the July 12 ruling of The Hague-based UN Permanent Court of Arbitration. Much to China's anger, most of its sovereignty claims over the South China Sea are rejected in this ruling.

To the surprise of many, a seemingly unrelated European power, France, has announced its intention of coordinating the navies of fellow European Union nations to conduct Freedom of Navigation Operations or FONOPs in South China Sea. On June 5, at the Shangri-la Dialogue in Singapore, French Defense Minister Jean-Yves Le Drian mentioned this initiative for joint EU patrols of "the maritime areas of Asia" and for a "regular and visible presence there."

Although China was not named in Le Drian's speech (China is not the only country with sovereignty claims in the South China Sea), the French initiative was generally interpreted as a

bad news for Beijing, who was already irritated by what it sees as “outside interference” by the United States and its allies in China’s territorial feuds with countries bordering South China Sea.

From a strictly strategic viewpoint, France’s announced plan will not have a determining impact on the situation in the South China Sea. After all, despite being a major military power with global reach, France’s military presence in the region is limited. Besides, outside of France, what other EU nation has a permanent naval and air presence in the Pacific?

But however small the strategic impact may be, the French initiative promises to weigh in heavily on the diplomatic front, adding significantly to China’s already stark isolation in this case.

The scope of this diplomatic impact should be measured in the wake of the July 12 ruling of the UN Permanent Court of Arbitration, in a context where China is attempting, without much success, to put together a “coalition of the willing” of countries presumably supportive of its position in the South China Sea.

The French initiative thus has the potential of further weakening China’s position by conspicuously bringing Europe in as an additional heavyweight to the international pressure for respecting the rule of law, represented by The Hague-based arbitration court’s ruling.

France in the Asia-Pacific

Contrary to general perception, France is no stranger in this volatile theater in the Far East. The announced French initiative may not be so surprising when one recalls that France is also an Asia-Pacific nation with vital interests in the region. It has territories in the Southern Pacific: French Polynesia, New Caledonia, and Wallis & Futuna islands. Combine this to territories in the Indian Ocean (La Reunion, Mayotte, Kerguelen, etc.), and France is also an Indo-Pacific nation.

These overseas territories add to those in the Caribbean’s to give France the world’s second largest Exclusive Economic Zone (EEZ) (11 million square kilometers) after the United States, 62 percent of which is located in the Pacific and 24 percent in the Indian Ocean. 1,500,000 French citizens live in the French Indo-Pacific territories (500,000 in the Pacific) besides the 130,000 French nationals in various Asia-Pacific countries.

These territories, EEZ, and population necessitate adequate protection and policing. This explains the permanent presence of 8,000 French military personnel in the Indo-Pacific area (2,800 in the Pacific). In the Pacific area alone, France operates two surveillance frigates, four patrol vessels, two multi-mission ships, five maritime surveillance aircraft, four tactical transport aircraft, and seven helicopters.

Although the European Union as such does not particularly shine as a visible strategic presence in the Asia-Pacific region, France, through various treaties and agreements, maintains a network of “strategic partnerships” with Asian countries such as Japan, China, India, Indonesia, Australia, Singapore, and Vietnam.

France also has developing strategic relationships with Malaysia and New Zealand. And it takes part in almost every major regional strategic forum such as the Shangri-La Dialogue in Singapore, the ASEAN Regional Forum, and the Pacific Coast Guard Forum, to mention only a few. France is the first of EU nations to have signed up to the Treaty of Amity and Cooperation in Southeast Asia, the TAC.

Moreover, France is a major provider of defense equipment in Asia. It has recently inked a deal to provide 12 new submarines to Australia. It is in the process of selling Rafale jet fighters to India and it has assisted Malaysia in setting up its submarine force. France also maintains research cooperation on defense matters with Singapore. Few people know that fighter pilots of the Singapore Air Force train on a permanent basis in southern France.

On a historical note too, France is not new in the region. According to Professor Shawn McHale writing in May 2016 for the “Rising Power Initiative,” France, as colonial ruler of Vietnam at the time, in 1931 asserted its sovereignty over part of the South China Sea. French sovereignty was challenged by Japan throughout World War II and both stopped their claims only in the 1950s.

Why France and the EU?

Given this background, questions may still linger on why France, which, along with other European countries, has important trade interests with China, would choose to ruffle Chinese feathers at this point by entering the fray in the South China Sea.

In fact, the French initiative stems from a mounting concern in Europe that the aggressive Chinese expansion in the South China Sea and China’s rejection of the Permanent Court of Arbitration’s authority would constitute a serious issue for global governance and the rule of law, which will have far reaching consequences beyond Southeast Asia.

This concern, expressed in the March 11 declaration by the EU High Representative for Foreign Affairs, was repeated in the communiqué of the June G7 summit in Japan and was echoed in various statements by European officials and scholars.

Coincidentally, the Arbitration Court’s award came on the very opening day of the 2016 EU-China Summit in Beijing. This has allowed EU President Donald Tusk to insist diplomatically to his Chinese hosts that, regarding the South China Sea, “the rule-based international order is in our common interest and both China and the EU have to protect it.” EU foreign policy chief Federica Mogherini also called on “all parties to respect legal decisions and uphold the UNCLOS including freedom of navigation.”

Indeed, as Le Drian said in substance in his speech at the Shangri-La Dialogue, if the rule of law and freedom of navigation are not respected now and here in the South China Sea, tomorrow they will be trumped elsewhere in the world, including in and around Europe itself.

So, France sees an urgent need to back up the EU’s common concern with concrete action by conducting FONOPs in this part of the world, preferably under European colors.

It is worth noting that, even before the EU's March declaration of concern and the international court's ruling in July, the French Navy has already been operating in the South China Sea for years. In the most recent cases, French naval ships have carried out joint drills with Australian warships (and Vietnamese navy personnel) off Vietnam's coast (November 2015) as well as with the Malaysian Navy off the northern coast of Borneo (February 2016). Besides, French Navy's "*Jeanne d'Arc* Group," a fleet led by a state-of-the-art helicopter carrier, has been visiting the South China Sea in its annual cruises from the Mediterranean to the Pacific.

Cautious Neutrality

Understandably, some might still wonder how this effort for upholding the rule of law and freedom of navigation in the South China Sea may negatively affect France's (and the EU's) huge trade interests with China, an economic giant with a record of punishing its trade partners for sensitive political motives. For example, in 2008, the French economy suffered severe Chinese reprisals following French condemnations of human rights violations in Tibet. In another case, Norway was commercially punished following the 2010 Nobel Peace Prize award to jailed Chinese dissident Liu Xiaobo.

However, despite what appears to be a challenge to China in the South China Sea, France and the EU have carefully maintained strict neutrality in specific territorial disputes. This neutrality, reiterated by Mogherini on July 13 in Beijing, is after all in line with what China has consistently asked the EU. It should ensure that Beijing would not react beyond mere expressions of displeasure to a French/EU FONOP which, in strict official term, is not aimed at China alone.

Mercantile Aims or Principled Motivation?

It cannot be denied that some skeptics see a different motivation in the French initiative. In their eyes, the fifth-largest arms exporter in the world may see an opportunity in the rising need for new defense equipment in a region made increasingly nervous and volatile by the threat of an assertive China, if not by the saber-rattling North Korea. Rising Chinese maritime assertiveness is pushing countries in the Indo-Pacific area to a rush to modernize their arsenals. This means a need for France to increase its presence in the region with a promising market.

However, as far as France is concerned, I am rather inclined to see a principled motivation behind its new initiative in the South China Sea. France does have an honorable record of persistently upholding international justice, even at the cost of its own economic interests.

Such was the case in the above-mentioned 2008 friction over Tibet, putting France at odds with China. Such was also the case when, in 2003, France braved the furious wrath of the United States, its oldest ally and major trade partner, by leading the worldwide opposition to America's invasion of Iraq.

This time around, the ruling of the Permanent Court of Arbitration gives France a new impetus to stand up again in the defense of international justice in the South China Sea, because this also means defending the rule of law elsewhere.

This being said, while the French Navy continues to be present in the South China Sea, the prospect of an EU fleet patrolling these waters may still be a long way away, given the multiple crises and divisions within the European bloc, especially after Brexit. But as a EU founding member most active in pushing for a common defense policy, France is best suited for coordinating such an operation among EU partners.

Is France about to assume another principled and gallant defense of international law, this time in the South China Sea? Or, as its critics suspect, is it taking a position and showing the flag in hopes of harvesting future mercantile benefits in the economically booming Asia-Pacific?

Maybe both...