

# ASEAN Neutrality and Unity over the South China Sea Disputes

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# Introduction

- South China Sea (SCS) dispute is a major irritant in bilateral and multilateral relations
- The ASEAN approach is based on conflict management and avoidance rather than resolution
- ASEAN preserves its neutrality on the sovereignty disputes. It does not take a position
- It focuses instead on conflict management and seeks to include all the ASEAN states and China
- ASEAN neutrality and unity is being challenged by:
  - An escalation of the situation in the disputed waters
  - Rising China-US competition

# ASEAN Diplomacy

- Treaty of Amity of Cooperation (TAC)
- ASEAN Way- an informal process of interaction
- China has since the late 1990s diplomatically endorsed ASEAN's principles as well as its style of informal diplomacy
- 2002 ASEAN-China Declaration on the Conduct of Parties in the South China Sea (DOC)- interim accord
- Guidelines for developing a code of conduct for the South China Sea (July 2011)
- Consultations for a Code of Conduct for the SCS (COC)
- Still, little progress toward the full implementation of the DOC and the negotiation of a COC

# RECENT ASEAN Diplomacy

- 8<sup>th</sup> meeting of the Joint Working Group for Implementation of the DOC (May 2013)- China and the ASEAN countries agreed to implement the declaration and promote the 2011 DOC Guidelines
- 2013 AMM (July 2013)- Beijing and the ASEAN states agreed to start formal consultations on a COC in September 2013
- 9<sup>th</sup> ASEAN-China Joint Working Group Meeting on the Implementation of the DOC (Sept 2013)- first consultations on COC
- ASEAN-China Summit (Oct 2013)- Chinese Premier Li Keqiang called for peace and cooperation in the SCS

# Challenges to ASEAN Neutrality

- Escalation in the South China Sea:
  - Asymmetry of naval power in the SCS. Rise of Security dilemmas.
  - Series of incidents at sea since 2007: fisheries disputes and hydrocarbon exploration in disputed waters
  - Scarborough Shoal (2012)
  - 2012 AMM and the failure to reach a consensus
- ASEAN's response: Indonesia's shuttle diplomacy and Brunei's successful chairmanship in 2013

# Challenges to ASEAN Neutrality

- Sino-US competition:
  - *Impeccable* incident (2009)
  - The US remains a neutral party in the SCS. Still, the US has a national interest in the freedom of navigation in the SCS (ARF 2010)
  - US Pivot vs. China's active foreign policy in Asia
  - China views US diplomacy in the SCS as external interference. US Meddling in its affairs
- ASEAN's response: regional states do not want to have to choose between the two great powers

# ASEAN Neutrality in the Coming Years

- SCS disputes to remain a key security flashpoint; likely to remain volatile and possibly dangerous
- A binding COC not to be completed anytime soon
- The rise in influence of the PLAN on the SCS could result in more frequent skirmishes
- Fisheries incidents that escalate into diplomatic incidents should also occur
- Rising nationalism in claimant countries

# ASEAN Neutrality in the Coming Years

- ASEAN's own disunity and lack of consensus on the South China Sea
- ASEAN will continue to be split along four lines:
  1. Assertive claimants (Vietnam, Philippines)
  2. Passive claimants (Malaysia, Brunei)
  3. Worried non-claimants (Singapore, Indonesia)
  4. Passive non-claimants (Thailand, Cambodia, Laos, Myanmar)
- In short, disunity may further complicate ASEAN's objective to maintain its neutrality

# ASEAN Neutrality in the Coming Years

- ASEAN's neutrality will partly depend on China:
  - Welcome Chinese diplomatic engagement with ASEAN, e.g. Xi Jinping's successful visit to the region in October 2013
  - Strengthening ASEAN-China relations would facilitate ASEAN neutrality and unity
- Or, worse scenario:
  - Deep tension between the US and China forcing Southeast Asian states to choose.
  - Split between bandwagoning and balancing strategies

# ASEAN Neutrality in the Coming Years

- Middle-ground and most likely scenario:
  - China will continue to engage with ASEAN
  - but a level of tension over the South China Sea will remain
  - The United States and China will continue to compete for regional influence
  - The ASEAN countries will stick to their hedging strategy

# Conclusion

- ASEAN has promoted confidence-building in the SCS. It has done so by pushing the sovereignty disputes aside and focusing on dialogue
- ASEAN's model is challenged by rising tensions and China-US competition
- ASEAN's model of conflict management depends on its unity and neutrality
- The possibility of a regional split needs to be prevented as it would severely undermine ASEAN's role in regional affairs