The Military and Security Situation in the South China Sea

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7 March 2013
The Overall Situation in the SCS

• Sovereignty/core interest;
• Sovereign/Maritime rights and interests;
• Energy Security;
• Food Security;
• Maritime Strategy/SLOC;
• Domestic political pressure;
• Rising nationalism;
• The Concern about China’s Rise;
• US-China strategic competition;
• International Law, in particular, UNCLOS.
The Military & Security Situation in the South China Sea

- Increasing Chinese assertive moves;
- Actions or counter-actions taken by the Philippines, Vietnam, and Taiwan;
- Increasing Military Spending and Arms Procurement in the SCS Region;
- Increasing U.S. Concern and Involvement;
- American Strategy of Rebalancing toward Asia
- Increasing involvement of external powers;
- The proposal to adopt a regional code of conduct;
- An Increasing U.S. Congressional support for Taiwan.
Increasing Involvement of External Powers

- **Russia**'s Defense Minister, General Sergei Shoigu, visited Vietnam for talks on military cooperation 2 days ago. He also visited the Cam Ranh naval base in Cam Ranh Bay. Russia is to invest in the construction and provide facilities to the bay. (5/3/2013)

- **India** declared that the country is ready to deploy naval vessels to the SCS to protect its oil exploration interests as tensions climb. (12/2012)

- **Australia** increased greater security cooperation with the Philippines. Australian forces will conduct joint exercises with Filipino troops under a newly approved Status of Visiting Forces Agreement (2012)

- **Canada’s** Commercial Corporation signed with the Philippine Department of National a MOU on government-to-government transaction in defense- and military-related equipment, materials and systems and/or services, worth $12.6 billion. (11/2012)
Increasing Involvement of External Powers

• **Japan** sent 3 warships for port call to Mania in 5/2012;

• Japanese prime minister Abe visited Vietnam in 1/2013, agreeing to deepen bilateral security cooperation between the 2 countries and expressed their opposition to “changing the status quo by force” in the SCS;

• Japan and the Philippines held the 2\(^{nd}\) Dialogue on Maritime and Ocean Affairs on 22/2/2013 to explore various areas of cooperation in the maritime sector focusing on maritime safety and security.

• The two countries stressed that the SCS issue should be resolved peacefully in accordance with Int’l Law, including LOS Convention. (The 1\(^{st}\) Dialogue was held in 9/2011; the 3\(^{rd}\) will be held in Tokyo in 2014)
American Strategy of “Rebalancing toward Asia

- **Afloat**: ~16,000 troops, drawn mostly from Japan
- **Japan**: ~40,000 troops
- **South Korea**: ~28,500 troops
- **Philippines**: ~500 rotational troops, expanded cooperation and rotational arrangements under discussion
- **Guam**: ~4,500 troops, Proposed addition of ~4,500 troops, drawn from Japan

- **Malacca Straits**
- **Singapore**: Plan to station four Littoral Combat Ships
- **Darwin**: Proposed ~2,500 troops, drawn globally
- **Perth**: U.S. and Australia discussing a plan to allow the U.S. Navy greater access to the Australian naval base here

**Map Details**
- **1,200 Miles**
Indeed Australia, Canada, India, Japan, Russian Federation and certainly U.S. are in the process of deepening their strategic engagements with South East Asian countries, including through the ASEAN multilateral mechanisms, and increasing their concerns and involvement in the SCS issues.
The EU and the SCS issue

★ To what extend the EU’s interest will be affected by these trends of development?

★ How should EU respond to the development of SCS dispute?

★ Has it become more important for adoption of a regional code of conduct in the SCS? If so, what role can EU play?

★ The U.S. government, in particular, the Congress, is giving more support to Taiwan’s participation in the SCS security dialogue process. What is the implication of this development for the European Parliament in checking the Commission’s works and ensuring that the EU can act effectively and usefully in the SCS region and on the EU-Taiwan relations?
A very important strategic location, connecting ECS, SCS, and Western Pacific.
1982 LOS Convention

Chinese Claimed Straight Baseline for Diaoyu Dao and its Affiliated Islands
from Statement of September 10, 2012

- Straight baseline points
- Straight baseline
- Hypothetical median line

FOR ILLUSTRATIVE PURPOSES
1. Brunei
2. China/Taiwan
3. Indonesia
4. Malaysia
5. Philippines
6. Vietnam
7. Area beyond 200nm EEZ limit (ignores South China Sea islands)

Note: The lines and markings for various claims are for illustrative purposes in this map.
Oil and Gas Potential in the SCS and Energy Security

• In 2/2013, U.S. EIA Administration estimates that in all, the SCS contains approximately 11 billion barrels of oil and 190 trillion cubic feet (tcf) of natural gas in proved and probable reserves.

• Evidence suggests that most of these resources are likely located in the contested Reed Bank at the northeast end of the Spratly Islands in the SCS.

• British company Forum Energy estimated that Reed Bank holds about 440 million barrels of oil and 3.4 tcf of gas.

• In 11/2012, the Chinese National Offshore Oil Company estimates that the SCS holds around 125 billion barrels of oil and 500 tcf of natural gas in undiscovered resources.
Oil and Gas Potential in the SCS and Energy Security

• In 3/2011, China forced the British Forum Energy to stop oil exploration in the disputed Reed Bank area in the SCS. But, in 2/2012, the company stated that it will continue the exploration work in the area contested by both China and the Philippines.


• In 12/2012, China warned India to stop oil exploration in the SCS, but India said it plans to send warships to protect the exploration.

• In 12/2012, it was reported that Taiwan is to launch oil exploration in waters off Taiping Island (Itu Aba) of the Spratly archipelago in the SCS in 2013. Vietnam protested Taiwan’s plan.
Rising Nationalism in China

The Beijing Snacks restaurant near the Forbidden City, a popular tourist spot, has posted a sign on its door reading "This shop does not receive the Japanese, the Philippines, the Vietnamese and dog(s)."

"I love the Diaoyu Islands," which refers to a dispute with Japan, is a popular brand. Police have confiscated "Tokyo Big Explosions" from some stores.
Rising Nationalism in Vietnam and the Philippines
Increasing Chinese Assertive Moves in the South China Sea Region (I)

• Effective control of the waters surrounding the Scarborough Shoal (since summer 2012)
• The establishment of Shansha City/Garrison Command (7/2012)
• Commissioned its first aircraft carrier, the Liaoning (67,500-ton), on 25/9/2012
• The establishment of High Level Task Force on Safeguarding Sovereignty and Maritime Rights and Interests (9/2012)
• Launching a program to increase the number of unmanned aerial vehicles (UAVs) monitoring the Scarborough Shoal, Paracel Islands and Spratly Islands as a part of its 12th five year plan. (9/2012)
• Second stealth fighter (J-31) made its maiden flight (10/2012)
The Chinese new Maritime Regulations (entering into force 1.1.2013)

• (1) foreign vessels, when passing through the territorial waters under Hainan’s jurisdiction, illegally stopping or anchoring, or “trying to pick a quarrel”;
• (2) foreign vessels, before inspection and without permission, entering into or leaving the Chinese ports, or without permission, changing the entering or departure ports;
• (3) illegally landing on islands and reefs under the administration of Hainan;

• These are the three among the 6 actions carried out by foreign vessels or their personnel could warrant boarding or other interference by Hainan’s public security and coastal border agencies, including Sansha City’s public security and coastal border units that are dispatched to the disputed islands and reefs in the Paracel and Spratly archipelagoes in the SCS.
Increasing Chinese Assertive Moves in the South China Sea Region (II)

- Publishing the Map of Shansa City and the islands/waters under its administrative jurisdiction (11/2012)
- E-passport/Full Map of China (11/2012)
- Hainan’s Maritime Regulations (11/2012)
- “Firmly upholding maritime rights and interests”, 18th CCP Congress work report outlines for the next five year (2011-2015) (11/2012)
- Priority of the implementation of DOC; Opposing internationalization of the SCS issue (11/2012)
- Willing to talk about COC only “when time is ripe” (11/2012)
- Landing fighter jet on new aircraft carrier in show of force (11/2012)
Increasing Chinese Assertive Moves in the South China Sea Region (III)

- Sending first oceangoing patrol *Haixun* 21 equipped with a helipad to the SCS, which is under the Hainan Maritime Safety Administration (12/2012)
- Carrying out regular patrols over the waters in claims the SCS to secure the nation's maritime rights and interests. (1/2013)
- A submarine flotilla of the SCS Fleet under the PLAN cruised in the SCS in mid-Jan. 2013 (1/2013)
- Scheduling to conduct experimental missions by China’s manned submersible, the *Jiaolong*, in May and June 2013 (1/2013)
- The Chinese government appropriated $1.6 billion to fortify islands in the SCS. The plan includes construction of airports, piers and other facilities that could have both civilian and military uses. (1/2013)
- Naval exercises in the Shansa and Spratly areas (Jan. & Feb./2013)
Increasing Chinese Assertive Moves in the South China Sea Region (IV)

• Taking over management of Pakistan's Gwadar port, as part of China’s drive to secure energy and maritime routes that also gives it a potential naval base (“String of Pearls” strategy) (2/2013)

• Launching routine fishery patrols around Spratly Islands to better protect the legitimate interests of Chinese fishermen in the area (2/2013)

• China returned the Philippines’ notification of arbitration three days before the deadline set for appointing its arbitrator; China urged Philippines to avoid complicating the SCS issue (19/2/2013)
Increasing military spending and arms procurement: An Indication of Arms Race?

• In May 2011, Philippine President Aquino III said that he warned the Chinese defense minister of a possible arms race in the region if tensions worsened over the disputes in the SCS.

• A recent *Defense News* special report highlighted global trends in defense spending. The report concludes by pointing out that the locus of global military spending (and global military power) is shifting towards Asia. (7/11/2012)

• In a recent article published in *Foreign Policy Digest* (on 19/11/2012), the writer points out that the states most likely to experience future arms races are actually within the Asia-Pacific region.
Increasing military spending and arms procurement: An Indication of Arms Race?

- A report in *The Vancouver Sun* (12/12/2012) entitled “Naval arms race gains steam,” the reporter wrote that “[a]n arms race in Asia over the past decade to acquire naval warfare weapons means that any political miscalculation over the many territorial disputes in the region can quickly lead to conflict.”

- **Professor Geoffrey Till** warned in 2/2013 that “Any day in the disputed East and South China Seas could easily generate an incident that risks turning mild competition into a full-blown international crisis at sea”. He also states that “All in all, what’s happening [in Asia-Pacific region] is not a naval arms race at the moment, but it is far from impossible that the naval modernization process we see around the region could turn into one.”
Increasing military spending and arms procurement -- China

- Spending $106.4 billion in 2012 alone on its military, the second largest in the world and up about 11.2% from 2011. Its military spending in 2000 was about $14 billion.
- Commissioned its first aircraft, the Liaoning (67,500-ton), on 25/9/2012.
- China developed DF-21D (Dong-Feng 21 variant D), the world's first and only anti-ship ballistic missile (ASBM), capable of sinking an aircraft carrier with one shot. Defense news speculation, DF-21C has a range of up to 1700 km and can easily attack most of Vietnam’s land target and Subic Bay of the Philippines. The DF-21D ASBM has a range of about 1500 to 2000 km and can completely cover the Spratly Islands. A range of up to 2000 km can cover 70% of the SCS.
Increasing military spending and arms procurement -- China

- China's newest stealth fighter jet J-31 had its successful maiden flight on 31 October 2012. This 5th fifth-generation J-31 stealth fighter has vertical takeoff and landing capabilities. This fighter may be deployed to PLAN aircraft carriers.

- China has more than 68 submarines (5 Type 094 Jin class SSBNs; 1 Xia class SSBN; 1 Golf class SSB; 5 Han class; at least 4 Shang class (Type 093) SSNs; 2 Type 095 SSNs; 12 Kilo class conventional subs (SSKs);
Increasing military spending and arms procurement  -- China

• Landing fighter jet on new aircraft carrier in show of force (11/2012)

• China is now also developing a new ICBM, the DF-41, which can be launched at short-notice from mobile and hard-to-detect road or rail platforms. The DF-41 has an estimated range of between 12,000 and 15,000 km and be able to carry up to 10 separate nuclear warheads, each capable of striking different targets. (1/2013)
Increasing military spending and arms procurement – Southeast Asia

• Defense spending in Southeast Asia increased 13.5% to $25.4 billion in 2011 and was expected to rise to $40 billion by 2016, according to the Stockholm International Peace Research Institute.

• **Singapore** allocated $9.7 billion in 2012, which was amount to 24% of its national budget. In 6/2012, The Singapore military agreed to allow the U.S. Navy to deploy up to 4 littoral combat ships (LCB) to the city-state. The first LCB, *USS Freedom*, is expected to arrive in Singapore in mid-April 2013 for its inaugural ten-month deployment. (28/2/2013)

• **Thailand** was planning to buy submarine and warplanes from Sweden.
Increasing military spending and arms procurement – Southeast Asia

• Arms deliveries to **Malaysia** jumped eightfold over the five years to 2009. Two *Scorpene*-class attack submarines were incorporated into the Royal Malaysian Navy in 2009 and 2010. Planned to buy an Agosta submarine from France.

• In 11/2011, **Indonesia** announced its plan to buy 24 F-16 fighter aircraft from the US, which is to be delivered in 2014. It signed with South Korea a deal for 3 submarines in 2011, which cost about $1.2 billion. Indonesia’s Defense Strategic Plan 2024 calls for a fleet of 10 submarines. Indonesia is now in the process of negotiating with UK for buying 3 warships to modernize its naval fleet. (1/2013)
Increasing military spending and arms procurement -- Southeast Asia

- **Vietnam** signed a deal with Russia for 6 Project-636 Kilo-class convention submarines and 12 Sukhoi Su-30MK2 fighters in 2009. The first submarine began sea test in early of December 2012. The second submarine was launched on 28/12/2012. Vietnam will have its 6 Kilo-class submarines in its waters by 2016-17.

- At the end of year 2012, 24 Su-30MK2 fighter aircrafts equipped missiles, including R-27, R-73, Kh-29, Kh-31A/P, X-35, were delivered to Vietnam People's Air Force.

- Its defense budget for 2012 was $3.1 billion, a rise of 35% over 2011.
Increasing military spending and arms procurement: Southeast Asia

- The Philippine Congress approved the budget and acquisition process for the acquisition of 12 jet trainer/surface-attack aircraft; 6 close-air support aircraft; 2 long-range maritime patrol aircraft; 2 light-lift and 3 medium-lift fixed-wing military transports; 3 ground-based radars; 10 attack helicopters. This was approved under the country’s 1st five years (2012-17) of a 15-year military modernization bill. The budget allocated for 2012-17 is at least 75 billion pesos ($1.8 billion) (11/2012)

- The Philippine government decided to proceed with a proposal to purchase 12 light fighter (FA-50) from South Korea. US$464 million was allocated for the purchase. (1/2013)
The Military & Security Situation in the South China Sea

- Increasing Chinese assertive moves;
- Actions or counter-actions taken by the Philippines, Vietnam, and Taiwan;
- Increasing Military Spending and Arms Procurement in the SCS Region;
- Increasing U.S. Concern and Involvement;
- American Strategy of Rebalancing toward Asia
- Increasing involvement of external powers;
- Conclusion of a regional code of conduct: Remains Elusive?;
- *Increasing U.S. Congressional support for Taiwan.*
Increasing U.S. Congressional Support for Taiwan’s Security and Participation in the SCS dialogue Process

Security and Arms Sale to Taiwan


• Section 1281. Sense of Congress on Sale of Aircraft to Taiwan: “the President should take steps to address Taiwan’s shortfall in fighter aircraft, whether through the sale of F–16 C/D aircraft or other aircraft of similar capability, as may be necessary to enable Taiwan to maintain a sufficient self-defense capability.”
Increasing U.S. Congressional Support for Taiwan’s Security and Participation in the SCS dialogue Process

• **IGO Participation, Security, Arms Sale to Taiwan**

• H.R. 419, “To strengthen and clarify the commercial, cultural, and other relations between the people of the United States and the people of Taiwan, as codified in the Taiwan Relations Act, and for other purposes” (Taiwan Policy Act of 2013), introduced on 25/1/2013 and was referred to the Committee on Foreign Affairs, and the Committee on Ways and Means.
(c) **Defense Transfers**- In order to accomplish the purposes of this section, the President is authorized to make available to Taiwan defense articles or defense services, including the following:

1. Air and air defense capabilities;
2. Maritime capabilities;
3. Ground capabilities;
Increasing U.S. Congressional Support for Taiwan’s Security and Participation in the SCS dialogue Process

• **Participation in the SCS Security Dialogue**
  
  • H.R. 6313 “To promote peaceful and collaborative resolution of maritime territorial disputes in the South China Sea and its environs and other maritime areas adjacent to the East Asian mainland,” adopted on 2/8/2012;
  
  • H.R. 772 “To promote peaceful and collaborative resolution of the South China Sea dispute,” introduced 15/2/2013
  
  • H.R. 6313 and H.R. 772
  
  List Taiwan as one of the claimants in the SCS territorial dispute and “welcome the diplomatic efforts of Association of Southeast Asian Nations (ASEAN) and the United States allies and partners in Japan, the Republic of Korea, Taiwan, the Philippines, and India to amiably and fairly resolve these outstanding disputes”
A Regional COC for the SCS: Remains Elusive?

• H.R. 772 “To promote peaceful and collaborative resolution of the South China Sea dispute,” introduced and referred to the Committee on Foreign Affairs, and the Committee on Armed Services on 15/2/2013

• The bill asks Secretary John Kerry, no later than 180 days after the date of the enactment of this Act, “shall” submit to the House Committee on Foreign Affairs and Senate Foreign Relations Committee a report on the COC and other peaceful measures for resolution of the SCS territorial dispute.
EU and the SCS dispute

• It seems that EU has begun to pay more attention to the recent worrisome trend of development in the SCS region.

• It is argued that EU can no longer stay out of the disputes as much as possible and as before.

• In the years ahead, is it likely for EU to play a role by taking actions such as deployment of warships into the SCS area, that has been recently suggested by a European strategic expert Mr. James Rogers?

• What role can be played by the European Parliament?

• Is it possible for European Parliament to take legislative actions similar to the actions taken by the U.S. Congress on the SCS issue?
**EU and the SCS Dispute**

**European experience** in resolving sovereignty issues or maritime disputes (a soft power approach)

- Common Fishing Policy
- Joint development of oil and gas (Bonn Agreement)
- Joint efforts to protect the marine environment (PSSA, REMPEC, Helcom, OSPAR, Bonn Agreement,)
- Setting up regional fisheries commission (OSPAR, NAFO, NEAFC, GFCM)
- European maritime safety agency
- The North Sea Joint cooperation
Taiwan needs EU support

• Since participation in the regional security dialogue that deals with the SCS dispute is very important to Taiwan’s sovereignty and maritime interests, it is necessary for Taiwan to seek support not only from the US, but also from EU.

• The EU has announced its intention to encourage ASEAN and China to advance a COC and to resolve territorial and maritime disputes through peaceful, diplomatic and cooperative solutions.

• Since Taiwan is one of the claimants and also a stakeholders in the SCS dispute, how can Taipei be invited to the negotiation table on the COC issue? I believe, both of the European Parliament and U.S. Congress can play a very important role in this regard.
Increasing U.S. involvement in the South China Sea Issue

- **17th ARF, held in Hanoi, Vietnam (7/2010)**
- U.S. Secretary of State Hillary Clinton stated that the U.S., “like every nation, has a national interest in freedom of navigation, open access to Asia’s maritime commons, and respect for international law in the SCS.”
- In addition, the Secretary said that although the U.S. does not take sides on the sovereignty and maritime disputes over the islands in the SCS, “claimants should pursue their territorial claims and accompanying rights to maritime space in accordance with the UN Convention on the Law of the Sea.”
Increasing U.S. involvement in the South China Sea Issue

• 18th ARF, held in Bali, Indonesia (7/2011)

• Secretary Clinton asked all of the parties concerned to clarify their claims in the SCS in terms consistent with customary international law, particularly as reflected in the LOS Convention.

• “Consistent with international law, claims to maritime space in the SCS should be derived solely from legitimate claims to land features,” she said.
Increasing U.S. involvement in the South China Sea Issue

- **Hearing**, the Senate Foreign Relations Committee Subcommittee on East Asian and Pacific Affairs (9/2012)
- Kurt Campbell, Assistant Secretary, Bureau of East Asian and Pacific Affairs, U.S. Department of State, reiterated that the U.S. does not take a position on the ultimate sovereignty of the disputed islands in the Sea of Japan, the ECS, and the SCS.
- He said that the claimants should address their differences peacefully. The United States “has an interest in peaceful relations among all of its Northeast Asian partners and allies, and has nothing to gain from seeing the situation escalate,”
Increasing U.S. involvement in the South China Sea Issue

• **11/2012**, at the 7th East Asia Summit, President Obama reaffirmed U.S. national interests in the maintenance of peace and stability, respect for international law, unimpeded lawful commerce, and freedom of navigation.

• President Obama encouraged the parties to make progress on a binding COC in the SCS to provide a framework to prevent conflict, manage incidents when they occur, and help resolve disputes.

• The United States has consistently worked with its partners in the Asia-Pacific region to build capacity and promote cooperation on maritime security issues.
Increasing U.S. involvement in the South China Sea Issue

• 12/2012, Assistant Secretary Campbell stated in Kuala Lumpur, Malaysia that the U.S. encourages all parties concerned “to take appropriate steps so that there will be no misunderstandings, no miscalculations that could trigger an environment that would be antithetical to the maintenance of peace and stability.”

• The Assistant Secretary stressed the importance of Asia to the global economy and U.S. national interests, and therefore “we cannot afford provocative steps to undermine the peace and stability on which the remarkable prosperity of Asia and the wider world is based,” he said.
Increasing U.S. involvement in the South China Sea Issue

• **Congressional Concern**
  
  • **Hearings:**
  
  • 7/2009  Senate Foreign Relations Subcommittee on East Asia and Pacific Affairs, “Maritime Territorial Disputes and Sovereignty Issues in Asia”;

  • 9/2012  House Foreign Affairs Committee, “Beijing as an Emerging Power in the South China Sea”;

  • 9/2012  Senate Foreign Relations Subcommittee on East Asia and Pacific Affairs, “Maritime Territorial Disputes and Sovereignty Issues in Asia”. 
Increasing U.S. involvement in the South China Sea Issue

• Congressional Actions: Passing Resolutions

• The Senate:
  6/2011: S. Res. 217
  8/2012, S. Res. 524

• The House:
  7/2011, H. Res. 352;
  4/2012: H. Res. 616
  8/2012: H. Res. 6313
Increasing U.S. involvement in the SCS issue

- **S. Res. 524 (2.8.2012)** This resolution, reaffirming the strong support of the U.S. for the 2002 DOC, was introduced on 23/7/2012 and agreed to in Senate without amendment and an amended preamble by unanimous consent on 2.8.2012.

- **S. Res. 217 (27.6.2011)** This resolution, calling for a peaceful and multilateral resolution to maritime territorial disputes in Southeast Asia, was introduced on 27.6.2011 and agreed to without amendment and with a preamble by unanimous consent the same day.

- **H.R. 6313 (2.8.2012)** This bill to promote peaceful and collaborative resolution of maritime territorial disputes in the SCS and its environments and other maritime areas adjacent to the East Asian mainland was introduced and referred to House Committees on Foreign Affairs and Armed Services on 2.8.2012.
Increasing U.S. involvement in the SCS issue

- **H. Res. 352 (15.7.2011)** This resolution, calling for a peaceful and collaborative resolution of maritime territorial disputes in the SCS and its environs and other maritime areas adjacent to the East Asian mainland, was introduced and referred to House Committees on Foreign Affairs and Armed Services on 15.7.2011

- **H. Res. 616 (16.4.2012)** This resolution, expressing the sense of the House of Representatives regarding U.S. relations with the PRC, was introduced on 16.4.2012, and referred to the Subcommittee on Asia and the Pacific on 7/5/2012. Paragraph 8 of the resolution “encourage[s] the peaceful resolution of maritime territorial disputes in the SCS and ECS, and support efforts to facilitate a multilateral, peaceful process to resolve these disputes.”
The United States does not take a position regarding competing territorial claims over land features.

Territorial disputes should be resolved peacefully, without coercion, intimidation, threats, or the use of force.

Claims of territorial waters and EEZs should be consistent with customary international law of the sea, as reflected in UNCLOS, and must therefore, among other things, derive from land features.

The United States has a national interest in the preservation of freedom of navigation as recognized in customary international law of the sea and reflected in UNCLOS.

The United States, like most other countries, believes that coastal states under UNCLOS have the right to regulate economic activities in their EEZs, but do not have the right to regulate foreign military activities in their EEZs.
American Strategy of “Rebalancing" toward Asia

• China’s increased military spending and upgrading its military capability has caused concern among its neighbors and the US.
• The American “pivot” toward Asia strategy is in part the response to the concern about China’s increasing military spending and arms procurement and its assertive moves in the ECS and SCS.

• In 1/2012, President Obama said that the U.S. would “pivot” and “rebalance” its global military forces toward the Asia-Pacific region. In 6/2012, former defense secretary Panetta stated in Singapore that by 2020, 60% of U.S. warships, including six aircraft-carrier battle groups, would be stationed in the Asia-Pacific.
American Strategy of "Rebalancing" toward Asia

According to Kurt M. Campbell, Assistant Secretary, Bureau of East Asian and Pacific Affairs. U.S. Department of State, the U.S. strategy has six key components. Two of them are related to the military cooperation between the U.S. and the countries in the Asia-Pacific region:

1. Deepening and broadening U.S. alliances with Japan, Republic of Korea, Australia, Thailand, and the Philippines;
2. Building new partnerships with a range of emerging players like China, India, Singapore, Indonesia, Vietnam, Malaysia, and New Zealand.
US-Philippines Military Cooperation

- U.S. Secretary of State Hillary Clinton and Philippine Secretary for Foreign Affairs Albert del Rosario signed the Manila Declaration on 16/11/2011, when commemorating the 60th anniversary of the Philippines-US Mutual Defense Treaty. The two sides subscribed to a rules-based approach in resolving competing claims in maritime areas through peaceful, collaborative, multilateral, and diplomatic processes within the framework of international law. They also expected to maintain a robust, balanced, and responsive security partnership including cooperating to enhance the defense, interdiction, and apprehension capabilities of the Armed Forces of the Philippines.

- The U.S. agreed to provide the Philippines a second coast guard cutter (the Dallas) (2/2012)

- A joint statement by the Philippines and U.S. in April 2012 that reaffirmed the Manila Declaration signed on 16/11/2011 and to ensure the US-Philippines alliance remains robust, agile, and responsive in order to meet changing global and regional dynamics. Among other things, they sought to address common strategic and security objectives. (4/2012)
US-Philippines Military Cooperation

- The Defense Threat Reduction Agency of the U.S. Department of Defense conducted a Senior Executive Seminar on Maritime Domain and WMD Awareness with member agencies of the Philippines’ National Coast Watch System in Manila (24-28/9/2012).

- The Philippine and U.S. forces conducted joint annual amphibious landing exercises in 10/2012

- U.S. Navy aircraft carrier USS George Washington visited Manila amid territorial disputes between the Philippines and China; it was reported that the U.S. military will return to Subic Bay in the Philippines (10/2012)

- The 3rd annual US-Philippines bilateral strategic dialogue, held in 12/2012, discussed the increase in the number of U.S. military ships, aircraft and troops rotating through the Philippines.
US-Vietnam Military Cooperation


• U.S. Military Sealift Command Dry Cargo/Ammunition Ship USNS Richard E. Byrd visited Cam Ranh Bay in 8/2011, the first by a U.S. Navy ship to the port in more than three decades.

• Holding the 2nd Vietnam-US Defense Dialogue and signed a defense cooperation MOU at deputy defense ministerial level, which include maritime cooperation and exchange of information, in 9/2011

• Vice Admiral Scott H. Swift, Commander of the U.S. 7th Fleet, visited Hanoi (1/2012)

• As part of the U.S. strategic rebalancing to the Asia-Pacific announced in January 2012, U.S., marines have begun conducting rotational training deployments to Darwin, on Australia’s northern coast. I

• U.S. Navy will station up to four Navy Littoral Combat Ships (LCS) at Singapore, at the southern end of the SCS, with the first LCS scheduled to deploy there in 2013 for an initial trial deployment. LCS displace about 3,000 tons, making them the size of a corvette (i.e., light frigate) or coast guard cutter, and can be equipped (depending their embarked mission modules) to counter small boats or mines or submarines
Increasing Involvement of External Countries

- Australia, Canada, India, Japan, and certainly U.S. have begun to deepen their strategic engagements with South East Asian countries, including through the ASEAN multilateral mechanisms.

- **Canada** – In 11/2012, the Philippine Department of National Defense and the Canadian Commercial Corporation signed a MOU on government-to-government transaction in defense- and military-related equipment, materials and systems and/or services, worth $12.6 billion.

- **Japan** – Japan sent 3 warships for port call to Mania in 5/2012; Japanese prime minister Abe visited Vietnam in 1/2013, agreeing to deepen bilateral security cooperation between the 2 countries and expressed their opposition to “changing the status quo by force” in the SCS; Japan and the Philippines held the 2^{nd} Dialogue on Maritime and Ocean Affairs on 22/2/2013 to explore various areas of cooperation in the maritime sector focusing on maritime safety and security. The two countries stressed that the SCS issue should be resolved peacefully in accordance with Int’l Law, including LOS Convention. (The 1^{st} Dialogue was held in 9/2011; the 3^{rd} will be held in Tokyo in 2014)
Increasing Involvement of External Countries

- **Australia** – the Philippines and Australia conducted naval exercises (Lumbas 2012) in Manila Bay in October 2012. The two countries also discussed greater security cooperation and visits by Australian forces for exercises with Filipino troops under a newly approved Status of Visiting Forces Agreement, ratified by the Philippine Senate in July 2012, allowing Australian troops to hold combat exercises with Filipino troops in the Philippines. (Australia approved the agreement in 2007)

- **India** – declaring that the country is ready to deploy naval vessels to the SCS to protect its oil exploration interests as tensions climb. (12/2012)
American Strategy of “Rebalancing" toward Asia

• Although the U.S. officials state that American strategy of “rebalancing toward Asia” is not aiming at China, Chinese and international maritime security experts are taking the view that the key strategic aim of the U.S. "pivot to Asia" policy is to contain China's maritime assertiveness and protect freedom of navigation in the Asia-Pacific region.

• Accordingly they content that not only has this strategy paradoxically strengthened the hands of Chinese hawks calling for further flexing its military muscle but also emboldened the American regional allies and partners, namely Japan, Philippines, and Vietnam, to push their territorial and maritime claims in the ECS and SCS more aggressively.

• It was believed that the U.S. decision to equip its regional allies or partners with an expanded package of sophisticated military hardware, featuring state-of-the-art warplanes, fighters, and anti-missile systems, could aggravate an already combustible regional dynamic and extinguish any prospects for a peaceful resolution of the ongoing sovereign and maritime disputes in both the ECS and SCS.
American Strategy of “Rebalancing" toward Asia

• As things stand, the Pentagon has to cut $46 billion in spending through the end of September. It faces more cuts in future years unless a compromise is reached. The military also has to absorb a $487 billion reduction in defense spending over the next 10 years, mandated by legislation in 2011. Worsening matters, the failure to agree on a budget for this year has kept spending levels at last year's rates. That's already hampering plans to roll out the new Asia-orientated defense strategy.
American Strategy of “Rebalancing” toward Asia

• Mark Lippert, the top defense official for the Asia-Pacific, acknowledged "everything is on the table" in terms of what could be cut, but reaffirmed the U.S. intent to base some 60 percent of its navy ships in the region by 2020 up from about 50 percent now and to increase the number of air force aircraft in the region by 2017.

• "There's a strong sense within the administration that the rebalance is a priority and we'll work to make that continue," Lippert said at a conference held on 27/2/2013.
American Strategy of “Rebalancing” toward Asia

• "The rebalance is not a zero-sum game with Beijing (and) it's not a contain-China strategy - in fact, a strong bilateral relationship with China is part of the rebalance," said Lippert.

• The Pentagon's goal remains to forge robust military ties with the Chinese military at all levels through increased visits and exchanges of officers and civilian military leaders.
A Regional COC for the SCS: Remains Elusive?

• During the ASEAN and China summit in 2012, ASEAN attempted but failed to establish a system for resolving disputes in the SCS.

• China, along with its ally Cambodia, stalled plans to develop a COC that would govern the actions of claimants in the disputed areas in the SCS.

• Is it likely to see the adoption of the COC?
A Regional COC for the SCS: Remains Elusive?

• **United States**
  
  • 20/11/2012 at the 7th EAS, President Obama encouraged the parties to make progress on a binding Code of Conduct in the South China Sea to provide a framework to prevent conflict, manage incidents when they occur, and help resolve disputes.
  
  • 15/2/2013, U.S. Ambassador to ASEAN David Carden, when visiting Brunei, stated that “[i]t is deeply understood by all concerned that the South China Sea is an issue that needs to be managed by ASEAN properly” and that “[i]t is my hope this year[2013] that we will make progress on a code of conduct.”
A Regional COC for the SCS: Remains Elusive?

• H.R. 772 “To promote peaceful and collaborative resolution of the South China Sea dispute,” introduced and referred to the Committee on Foreign Affairs, and the Committee on Armed Services on 15/2/2013

• The bill asks Secretary John Kerry, no later than 180 days after the date of the enactment of this Act, “shall” submit to the House Committee on Foreign Affairs and Senate Foreign Relations Committee a report on the COC and other peaceful measures for resolution of the SCS territorial dispute.
A Regional COC for the SCS: Remains Elusive?

- **European Union**

  In 7/2012, European Union High Representative for Foreign Affairs and Security Policy Catherine Ashton and Secretary of State Hillary Clinton met in Phnom Penh to exchange views on developments in the Asia-Pacific. On the South China Sea issue, the Secretary and the High Representative stated that they will continue to encourage ASEAN and China to advance a COC and to resolve territorial and maritime disputes through peaceful, diplomatic and cooperative solutions.
A Regional COC for the SCS: Remains Elusive?

• Thailand

As the coordinator of ASEAN-China relations (July 2012 – July 2015), it plan to seek a common ASEAN position on the disputed waters for the bloc's talks on the issue with China. In February 2013, it was reported that Thailand would spare no effort to push for the full implementation of the DOC and an early signing of the COC.
A Regional COC for the SCS: Remains Elusive?

• Brunei

After taking over the ASEAN chairmanship for 2013 from Cambodia on 20/11/2012, Brunei expressed its intention to push forward the ASEAN-China dialogue and drafting process of a COC in the SCS.
A Regional COC for the SCS: Remains Elusive?

- **ASEAN Secretary-General (Vietnam)**

In January 2013, Le Luong Minh, the new ASEAN Secretary-General, stated that he wants to finalize a legally binding COC aiming at easing tensions in the South China Sea.
A Regional COC for the SCS: Remains Elusive?

- Is it likely to see the COC in the SCS in 2013?
- Is it likely for Taiwan to be included in the negotiating process that deals with the adoption of the COC?
- Is it possible for Taiwan to be invited to sign the COC, once it is adopted?
Taiwan and the SCS Dispute

• One of the legitimate claimants and stakeholders;
• Spratly Initiative proposed in 2008;
• Basic principles: Safeguarding sovereignty, putting aside dispute, peace and reciprocity, and Joint development;
• Having been excluded from the diplomatic and collaborative process;
• Increasing US and ASEAN support for participation in the process
• A need to talk with ASEAN member states and China (10+[1+1] formula)
• Unilateral peaceful proposal or unilateral act (e.g., SCS peace initiative, an unilateral COC, MPA or Peace/Ecotourism Park, SCS Summer Camp)
• A Need to gain more support from US, EU, and members of the international community.
Increasing U.S. Congressional Support for Taiwan’s Security and Participation in the SCS dialogue Process

• **Security and Arms Sale to Taiwan**


• **Section 1281.** Sense of Congress on Sale of Aircraft to Taiwan: “the President should take steps to address Taiwan’s shortfall in fighter aircraft, whether through the sale of F–16 C/D aircraft or other aircraft of similar capability, as may be necessary to enable Taiwan to maintain a sufficient self-defense capability.”
Increasing U.S. Congressional Support for Taiwan’s Security and Participation in the SCS dialogue Process

• **IGO Participation, Security, Arms Sale to Taiwan**

• H.R. 419, “To strengthen and clarify the commercial, cultural, and other relations between the people of the United States and the people of Taiwan, as codified in the Taiwan Relations Act, and for other purposes” (Taiwan Policy Act of 2013), introduced on 25/1/2013 and was referred to the Committee on Foreign Affairs, and the Committee on Ways and Means
The Proposed Taiwan Policy Act of 2013

• **SEC. 107. INTERNATIONAL ORGANIZATIONS.**

  • (a) Annual Program- To provide Taiwan with the international space it requires to function effectively in the world community, the Secretary of State shall direct the Department of State to continue its annual program to ensure meaningful participation by Taiwan in the World Health Assembly in Geneva, Switzerland, as well as meaningful participation for Taiwan in other relevant international organizations, such as the International Civil Aviation Organization (ICAO).

  • (b) Meaningful Participation by Taiwan- The Secretary of State shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to ensure meaningful participation for Taiwan in relevant United Nations Entities in which Taiwan has expressed an interest in participating.
The Proposed Taiwan Policy Act of 2013

• SEC. 201. STRENGTHENING THE DEFENSE OF Taiwan

(c) Defense Transfers- In order to accomplish the purposes of this section, the President is authorized to make available to Taiwan defense articles or defense services, including the following:

(1) Air and air defense capabilities;
(2) Maritime capabilities;
(3) Ground capabilities;
(4) Capacity for partnership with friendly foreign militaries.
The Proposed Taiwan Policy Act of 2013

- **SEC. 202. ADVANCED COMBAT AIRCRAFT FOR TAIWAN.**
- (a) Statement of Policy- Notwithstanding the upgrade of Taiwan's F-16 A/B aircraft, Taiwan will experience a growing shortfall in fighter aircraft, particularly as its F-5 aircraft are retired from service.
- (b) Authority To Accept Letter of Request- Pursuant to the foreign military sales program authorized by the Arms Export Control Act, the President is authorized to accept a letter of request from Taiwan for price and availability data or for a formal sales offer with respect to the F-16C/D Fighting Falcon multirole fighter aircraft or other aircraft of similar capability, as may be necessary to enable Taiwan to maintain a sufficient self-defense capability.
Increasing U.S. Congressional Support for Taiwan’s Security and Participation in the SCS dialogue Process

- **Participation in the SCS Security Dialogue**
  - H.R. 6313 “To promote peaceful and collaborative resolution of maritime territorial disputes in the South China Sea and its environs and other maritime areas adjacent to the East Asian mainland,” adopted on 2/8/2012;
  - H.R. 772 “To promote peaceful and collaborative resolution of the South China Sea dispute,” introduced 15/2/2013
  - H.R. 6313 and H.R. 772 List Taiwan as one of the claimants in the SCS territorial dispute and “welcome the diplomatic efforts of Association of Southeast Asian Nations (ASEAN) and the United States allies and partners in Japan, the Republic of Korea, Taiwan, the Philippines, and India to amiably and fairly resolve these outstanding disputes”
Increasing U.S. Congressional Support for Taiwan’s Security and Participation in the SCS dialogue Process

• **Participation in the SCS Security Dialogue**

• H.R. 772

  **SEC. 3. REPORT ON THE CODE OF CONDUCT FOR THE SOUTH CHINA SEA.**

  (a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a **report on the Code of Conduct and other peaceful measures for resolution of the territorial disputes in the South China Sea.**
EU and the SCS dispute

- It seems that EU is paying more attention to the recent worrisome trend of development in the SCS region.
- It also seems that EU can no longer stay out of the disputes as much as possible and as before.
- In the years ahead, is it likely for EU to play a role, just like Australia, Japan, India, and the U.S., to deploy warships into the SCS area, as recently suggested by a European strategic expert Mr. James Rogers?
- Is it possible for EU to take a more strategic approach to the SCS region as a whole and to China in particular?
- If the EU plans to work with Asian partners on increasing maritime security based on int’l law as reflected in the 1982 LOS Convention, is it likely to issue further support to the international arbitration initiative by the Philippines?
EU and the SCS dispute

• If it is the EU’s stated policy to encourage ASEAN and China to advance a COC and to resolve territorial and maritime disputes through peaceful, diplomatic and cooperative solutions, what role can be played by Brussels?

• If the U.S. is giving more support to Taiwan to be involved in the regional dialogue process to resolve the SCS dispute by taking a diplomatic and collaborative approach, in which Taiwan should be included, what role can EU play to help Taiwan?

• Since participation in the regional security dialogue that deals with the SCS dispute is so important to Taiwan’s interest, it is necessary for Taiwan to seek more support from the EU, the US, China, ASEAN member states, and other members of the international community.
EU and the SCS Dispute

- In 11/2012, the Philippine President Aquino III, European Council President Herman van Rompuy and European Commission President Jose Manuel Barroso met on the sidelines of the 9th Asia-Europe Meeting in Vientiane, Laos. During the meeting, President Van Rompuy confirmed that Brussels firmly supports a rule-based and peaceful resolution of disputes in the SCS in accordance with international law.

- In 12/2012, Robert Goebbels of Luxembourg, a member of the European Parliament since 1999, urged the claimant states to resolve the SCS disputes peacefully in international courts.

- In 2/2013, when visiting the Philippines, a group of European Parliament members, representing the House Delegation for South East Asia and the ASEAN countries, stated that China should join the arbitration process initiated by the Philippines before the U.N. to resolve the SCS dispute and prevent a military conflict. In the same month, German Foreign Minister Guido Westerwelle expressed his country’s support for the Philippine position to solve its sea dispute with China under international law.
Thank you very much for your attention!

Comments or Questions?