

SOUTH CHINA SEA DISPUTE: ASIAN DETONATOR TO A GLOBAL CATASTROPHE?

F. M. Tunvir Shahriar,

Research Officer,
Bangladesh Institute of Development Studies (BIDS),
Bangladesh.

ABSTRACT

Southeast Asia is the most dynamic region of the present world in economic, financial, and strategic terms. Most of the global trade needs passages through the South China Sea. That is why the contentious waters of the sea are incessantly being very closely observed by the international community across the world. The geo – location of the sea itself is conflict prone because almost ten individual states share its coasts. According to the resource prospect too this sea is extremely ripe because already tempting amount of hydrocarbon deposits has been discovered or identified. But simultaneously, flaring debate on the actual existence and extractability of the resources is also present. The disputant states also share hostile historical experiences including a large number of military encounters that impede mutual confidence-building. The territorial disputes, clashes over the control of the straits and contests on the resource reserve have been further intensified in the region as the rapid, sophisticated, and comprehensive military reinforcements are taking positions in the South China Sea. Involvement of big powers particularly of the United States is stirring up the situation. On the other hand, none of the settlements has proved to be successful enough. Under these circumstances, the dispute is preparing itself with all probabilities to expose as a serious regional and even a larger scale conflict. Focusing on these issues, this article attempts to discover and discuss the conflict potentiality of the dispute to convert into a massive warfare.

Keywords: South China Sea, Regional Conflict, Conflict Potential, China, Territorial Dispute, Natural Resources, International Trade.

INTRODUCTION:

South China Sea is perhaps the most complicated conflict zone in the present world. This pressing dispute is just second to the Second World War in having a great number of direct stakeholders, rather participants. This semi-enclosed sea is surrounded by no less than nine independent states and Taiwan in addition, all having rigidly overlapping claims over the sovereignty of a large number of continental shelves, islands, islets, reefs, and Exclusive Economic Zones (EEZs¹). Seven states, namely the People's Republic of China, the Philippines, Vietnam, Indonesia, Malaysia, Cambodia, and Brunei, along with the Republic of China (Taiwan) are openly involved in the dispute. However, it cannot be denied that South and Southeast Asia is the region which is under the chief microscope of the world community in the contemporary time, and more particularly South China Sea issue is critically very important for world politics not just because it tremendously includes the politico-strategic affairs of one of the imminent super powers- China, not just because it is closely related with the geopolitical, strategic, financial and socio-economic interests of a significant number of developed and transitional states that have and will have vital roles in global economy, but also for the fact that this region is most probably carrying one of the biggest deposits of natural resources that is more than capable to seduce the major powers in their tries to secure their respective futures in the energy scarce days to come. On that note, this paper attempts to discuss the geographical and geological influences to this dispute, assess the actuality of the resource reserve and its impact. While exploring the background of the dispute this paper would analyze the various elements of this dispute, and scrutinize the different roles of the actors concerned. South China Sea dispute has got vivid intra and inter regional aspects that have and are continuously changing the portfolio of the conflict, taking them in consideration the paper would look into its current status. A number of managing initiatives have been conducted so far to address this complex conflict. This paper would study the incompetence, shortcomings, and ineffectiveness of those initiatives for which the dispute still clenches enough conflict prospective. Most importantly, discussing these aspects of the conflicts, the major task of this paper would be the assessment of the probability of South China Sea dispute to act as the trigger to a large scale international, even intercontinental, warfare.

METHODOLOGY:

This study uses qualitative method for descriptive analysis. The data and relevant information, facts and articles, have been used to support the analytical method to understand conflict potential of the dispute. Data used in this study is mainly from secondary sources: relevant information from books, updated journal, newspapers, and magazines articles. A good number of websites including the electronic versions of relevant research papers and studies addressing on this issue has also been consulted.

THEORETICAL FRAMEWORK: DISPUTE:

The word 'dispute' refers to a disagreement or argument about something important, an angry quarrel, Collision, contestation, controversy, and contention. Another meaning of dispute is to question the truth or validity of something. This meaning is particularly relevant to the South China Sea issue because the every claimant state is questioning the validity of the claims of the other states on South China Sea waters, and subsequently tries to validate that of the own. In fact, a dispute means coming into conflict with contravention and resistance. In fact dispute is an assertion of a right, claim, or demand on one side met by contrary claims or allegations on the other. The International Court of Justice (ICJ) defines dispute as "a disagreement on a point of law or fact, a conflict of legal views or of interests between two persons" (Greece v. Great Britain, 1924). An important point to note is that disputes do not necessarily arise when claims are rejected or ignored for an irrationally long period of time, rather a dispute starts at that point when the claim is reasserted after being denied.

CONFLICT:

In short, conflict is the result of opposing interests involving scarce resources, goal divergence and frustration. Though conflicts are usually defined simply in terms of violence or hostility, but a conflict also includes incompatibility or differences in issue position (Czempiel, 1981). But an expert definition refers to that, conflict is 'a social situation in which a minimum of two actors (parties) strive to acquire at the same moment in time an available set of scarce resources' (Wallenstein, 2007b). From this point of view, the South China Sea conflict is nothing but a resource conflict. However, according to C.R. Mitchell, the structure of conflict structure consists

¹ According to the United Nations Convention on the Law of the Sea (UNCLOS), an EEZ of a state is a season stretching from the baseline out to 200 nautical miles from its coast over which that state has special rights to explore and use the marine resources.

of three parts: attitudes, behavior and situations and the interaction among these three parts create conflicts between individuals, groups, or nations (Mitchell, 1981).

It is important to note that in this paper, the South China Sea issue has been referred to as a dispute, and also as conflict, simultaneously. It should not be confused that every dispute is by definition a conflict. Coverage of conflict definition ranges from the psychological dimensions of ambiguity to nuclear warfare. Therefore it can be said that South China Sea clashes are a conflict which is in the level of dispute now.

CONFLICT MANAGEMENT AND RESOLUTION:

Before understanding conflict management, it is necessary to know about conflict resolution, though the process sequence and the pedagogical order of studying are somewhat opposite. However, Peter Wallensteen defines conflict resolution as a situation where the conflicting parties enter into an agreement that solves their central incompatibilities, accept each other's continued existence as parties and cease all violent action against each other (Wallensteen, 2007 a). That means conflict resolution of course comes after the conflict. But, it is believed that all the aspects of a conflict, especially if the conflict is an international one, are extremely tough to fully resolve. Because in most of the cases, neither the mutual trust of the parties concerned can be completely restored, nor can the resource provision be ensured to equally meet everyone's need. Hence, the question of conflict management rises. Conflict management attempts to limit the negative aspects of conflict while increasing the positive aspects of it. In that sense, conflict management is the ongoing avoiding, accommodating, compromising, collaborative, and even coercive efforts to restrain the conflict from further escalation. Therefore, conflict management is a practice of recognizing and dealing with disputes in a rational, balanced and effective way. However, conflict management is often viewed as a part of the resolution process which may or may not lead to complete resolution.

GEOPOLITICAL ARRANGEMENT: CONFLICT NATURALLY DISPOSED:

It is well proven and vastly experienced that geography, particularly physical geography, and conflict have inescapable impact on one another. In case of attacking the opponent, defending in the event of an enemy attack or sitting for settlements, rulers and warlords have historically preferred geographical locations that can be utilized as protected sites, such as the inside bend of a river meander or the top of a hill. Topography also played an important part in many battles in the history. Moreover, some environments also make conflict challenging and costly. The Gulf Wars and the Iraq War in 2003 well exemplify this relationship- desert landscapes provide little cover and the lack of landmarks makes navigation difficult. The flat Iraqi terrain has smoothed the pace of advance greatly and the lack of cover favors coalition forces that possess weapons with a much greater range than the insurgents. Marsh land and mountainous regions are notoriously difficult to engage in conflict, set up a base or equipment and later, survive and consolidate in low temperatures and harsh conditions (Royal Geography Society, 2013).



[Illustration-01/map: South China Sea. Source: Sarr, 2011.]

Covering an area of about 3,500,000 km² the South China Sea (Hereafter, SCS) is the largest marginal sea in the Pacific Ocean off the southeastern Asian continent. SCS is surrounded by the People's Republic of China (Hereafter PRC or Taiwan), Macau and Hong Kong on the north, the Republic of China (Taiwan) on the northeast, the Philippines on the east, Indonesia on the southeast, Brunei on the south, Malaysia and Singapore on the southwest, and Vietnam, Thailand and Cambodia on the west. In 1953 the International Hydrographic Organization defined the limits of the South China Sea as follows:

ON THE SOUTH:

The Eastern and Southern limits of Singapore and Malacca Straits [A line joining Tanjong Datok, the Southeast point of Johore (1°22'N 104°17'E) through Horsburgh Reef to Pulo Koko, the Northeastern extreme of Bintan Island (1°13.5'N 104°35'E). The Northeastern coast of Sumatra] as far West as Tanjong Kedabu (1°06'N 102°58'E) down the East coast of Sumatra to Lucipara Point (3°14'S 106°05'E) thence to Tanjong Nanka, the Southwest extremity of Banka Island, through this island to Tanjong Berikat the Eastern point (2°34'S 106°51'E), on to Tanjong Djemang (2°36'S 107°37'E) in Billiton, along the North coast of this island to Tanjong Boeroeng Mandi (2°46'S 108°16'E) and thence a line to Tanjong Sambar (3°00'S 110°19'E) the Southwest extreme of Borneo.

ON THE EAST:

From Tanjong Sambar through the West coast of Borneo to Tanjong Sampan mangio, the North point, thence a line to West points of Balabac and Secam Reefs, on to the West point of Bancalan Island and to Cape Buliluyan, the Southwest point of Palawan, through this island to Cabuli Point, the Northern point thereof, thence to the Northwest point of Busuanga and to Cape Calavite in the island of Mindoro, to the Northwest point of Lubang Island and to Point Fuego (14°08'N) in Luzon Island, through this island to Cape Engano, the Northeast point of Luzon, along a line joining this cape with the East point of Balintang Island (20°N) and to the East point of Y'Ami Island (21°05'N) thence to Garan Bi, the Southern point of Taiwan (Formosa), through this island to Santyo (25°N) its North Eastern Point.

ON THE NORTH:

From Fuki Kaku the North point of Formosa to Kiushan Tao (Turnabout Island) on to the South point of Haitan Tao (25°25'N) and thence Westward on the parallel of 25°24' North to the coast of Fukien.

ON THE WEST:

The Mainland, the Southern limit of the Gulf of Thailand and the East coast of the Malay Peninsula. (p.30)

ISLANDS AND SEAMOUNTS COMPRISED:

The South China Sea Islands comprise over 250 islands, atolls, cays, shoals, reefs, and sandbars even if only the bodies of around 1 km² area are considered. Many of them are naturally under high tide water, and some are permanently submerged too. In almost all these islands there is no indigenous habitat, making them highly vulnerable to external attacks because there are nearly zero possibility of native resistance. The geographical features of SCS are grouped into three archipelagos (Mentioned herein according to size, starting with the biggest) that comprise 30,000 islands and reefs which might have little economic importance but still complicate the governance and economics in the region with their great importance in establishing international boundaries, along with one bank and a shoal.

SPRATLY ISLANDS:

With an area of less than 05 km² of flat terrain with mostly tropical environments spread over more than 425,000 square kilometers of sea, right-angled triangle shape is a group of 750 reefs, islets, atolls, cays, and islands (WWF, 2013). The archipelago is situated among the coasts of the Philippines, Malaysia (Sabah), and southern Vietnam. The shape of Spratly Islands resembles a right-angled triangle. However, no native islanders inhabit these islands that offer rich fishing grounds and are suspected of containing significant oil and natural gas reserves.



[Illustration-02/map: Spratly Islands. Source: Welt-Atlas, 2013.]

Among the Spratlys, China, the Taiwan, Vietnam, the Philippines, and Malaysia have shared 45 islands through military forces in small numbers. One area of small islands on the Louisa Reef in the southeastern part of the Spratlys also claimed by Brunei as its EEZ.

Paracel Islands:

Hot and humid Paracel Islands consist of over 30 islets, sandbanks and reefs of about 15,000 square kilometers of the ocean surface with abundant rainfall and frequent cyclones. The islands are divided into two main groups, namely the Amphitrite group is in the northeast and the Crescent group is in the southwest, located about 70 km from one another. The fishing grounds around the islands are very productive. Besides, probability of oil and natural gas reserve is also very high.



[Illustration-03/map: Paracel Islands. Source: Vidiani, 2013.]

Though Hainan Province of the PRC is currently administering all of the islands, the sovereignty of the Paracel islands is disputed between the PRC, Taiwan, and Vietnam.

Pratas Islands:

Pratas Archipelago includes three islands forming from an atoll located 340 kms southeast from Honk Kong, in the SCS. Named as the 'Moon Island' because of the resembling shape, Dongsha Island, main island of the archipelago, is the biggest island in the SCS and the first to be developed. Though the PRC claims sovereignty over these islands, they are still governed by Taiwan.



[Illustration-04/map: Pratas Islands. Source: TimeGenie, 2013.]

Macclesfield Bank:

With a length more than 130 km lying along southwest-northeast and width of maximum 70 km the 6,448 km² Macclesfield Bank, also called Zhongsha Islands, is a stretched outrecessed atoll at the outer rim of underwater reefs and shoals in the SCS. It is situated to the east of the Paracel Islands, southwest of the Pratas Islands and north of the Spratly Islands (The Geological Society of America, 2001). It is one of the largest atolls of the world though completely submerged without any embryonic cays or islets.



[Illustration-05/map: Macclesfield Bank (Zhongsha Islands). Source: Wikipedia, 2007.]

Though logical questions have raised regarding the legality of territorial claims upon Macclesfield Bank in accordance with the United Nations Convention on the Law of the Sea as the bank is entirely underwater (Hong & Dyke, 2009), both the PRC and Taiwan have claims over it, in whole or in part (Perlez, 2012 a).

Scarborough Shoal:

Scarborough Shoal or Scarborough Reef is actually a group of rocks or very small islands and reefs in an atoll shape. It is located between the Macclesfield Bank and Luzon Island of the Philippines in the SCS. This territory is also disputed with overlying claims by the PRC, Taiwan, and the Philippines.



[Illustration-06/map: Scarborough Shoal. Source: The Telegraph, 2012.]

However, physical geography influences conflicts in two ways, as a source of conflict and as a facilitating condition for conflict as well (Diehl, 1991). In fact having the two straits on the north, one between the PRC and Taiwan, and the other between Taiwan and the Philippines, and the Java, Flores and Banda Seas on the south to connect to the Pacific Ocean, SCS is almost delimited by the land of nine countries. Therefore, it is not unnatural that the waters of SCS are contested upon by the littoral states.

ROLE OF THE GEORESOURCES: WATERS WITH WONDER OR WATERS FOR WAR:

Dangerous The SCS was created around 45 million years ago when the 'Dangerous Ground'² rifted away from southern part of mainland China and then seafloor extension till 30 million years ago resulted in today's V-shaped basin. The SCS is located above a drowned continental shelf that was above the sea level during the last ice ages adjoining Borneo and the Asian mainland. Geomorphological data indicate that the SCS has got a relatively flat ocean floor underlain by oceanic crust in the center (Madon, 2013). Rivers like Mekong, Red, and Pearl which are the sources of large sediment volumes end in the SCS making the deltas oil and gas rich. The SCS is located within the domain of a plate triple-junction and the resource allocation can be divided into five major geotectonic blocks (Clark and Li, 1993):

1. The southern China faulted block
2. The eastern Indochina faulted block
3. The Nansha-Borneo faulted block
4. The Taiwan-Luzon faulted block, and
5. The central ocean basin faulted block.

²The Dangerous Ground is a large risky area in the southeast part of the SCS which contains large number of reefs rising abruptly from ocean depths. There are also many low islands, sunken reefs, and atolls awash in the area.

Besides, the SCS is a biologically diverse marine ecosystem. According to the SeaWiFS global primary productivity estimates, it is a Class II, moderately high productivity ecosystem containing 150-300 grams of carbon per square meter per year. Areas in the gulfs, along the coast, and in reef and sea-grass spots which are common in the Philippines portion of this Large Marine Ecosystem³ (Hereafter, LME) hold high productivity that hosts prolific ecosystems. Tectonic development and rifting history of the SCS have largely shaped the type, nature, amount, and allocation of the resources that are the pivot of the conflict. However, this is apparent that geological features have a significant role in the South China Sea Dispute because it is directly related to the potential resources under the seabed. However, the resources of SCS can be divided into two categories- energy resources that are mostly oil and gas, and fishes.

FISH RESOURCES:

Most of the potential oil and gas resources of the SCS are still subject to extraction. The probability of the hand-on status of majority amount of those resources is still a distant thought because the dispute relating to the command over the two types of resources in the name of competing claims on sovereignty does not seem to end immediately producing mutually satisfying cooperated settlements among the states concerned. Therefore, the present overt proportion of the conflict or tension is mostly revolving around fishing in the sea. As if energy disputes are not enough, rivalries over the fishing is contributing to a great extent to rising tensions at this moment. However, the South China Sea LME is characterized by its tropical climate with different sub-systems in it (Pauly, 1993). Vietnam, China, Taiwan, the Philippines, Malaysia, Thailand, Indonesia and Cambodia border the SCS's LME. But the Gulf of Thailand has been designated as a separate LME. Primary force driving the SCS LME is the intensive fishing, with climate as the secondary driving force. The SCS is highly productive in terms of fisheries with 3,300 species of fish alone, most of which are distributed in the southwest of the sand archipelago, and other marine living resources because of the extensive continental shelves, relatively shallow depths, and the influx of numerous large continental rivers (Ritterbush, 1978). The SCS is one of the world's centers of highest level of biodiversity (Talaue-McManus, 2000) with over 1,027 species of fish, 91 species of shrimp and 73 species of cephalopod in the Northern continental shelf; approximately 205 fish and 96 shrimp species in the continental slope; and more than 520 fish species around the islands and reefs of the Southern waters (Xianshi, 2000). Every year, 05 million tons of catch are provided by the SCS which is 10% of the total global catch (Khemakorn, 2006).

OIL DEPOSIT:

The prime attention concerning the resources of the SCS is on hydrocarbons in general and on oil in particular. Though they vary in probable amount and type of deposit, extent of explorability, and status of intersecting claims, oil depositing sites have been discovered in the areas of almost all the littoral states of the SCS. Statement of the proven oil reserves of SCS ranges from 7.5 billion (Global Security, 2013) to 7.7 billion (Wikipedia, 2013 c) barrels, with an estimated 28 billion barrels in total. Moreover, Chinese estimate here is far more optimistic which suggests that the potential oil deposits of only Spratly and Paracel Islands, which are speculated as an untapped oil-bearing provinces because of the oil-rich surrounding areas, might be as high as 105 billion barrels. In that case the total oil reserve of the SCS may cross even 213 billion barrels (Global Security, 2013). But in fact, no commercial oil or gas reserves have yet been discovered in either one of the Spratly and Paracel archipelagos and the latest authentic estimate about the total oil reserve in the SCS has been published by the U.S. Energy Information Administration in one of their 2013 reports which mentioned it to be 11 billion barrels. At present, on an average 1.3 million barrels are produced each day with Malaysia producing half of it alone. However, at the same time it is also true that additional sites like Statoil's Lufeng Field in China, Vietnam's Block 46, and the ones in Malaysia coming online have resulted in substantially increased oil production in the SCS (Global Security, 2013).

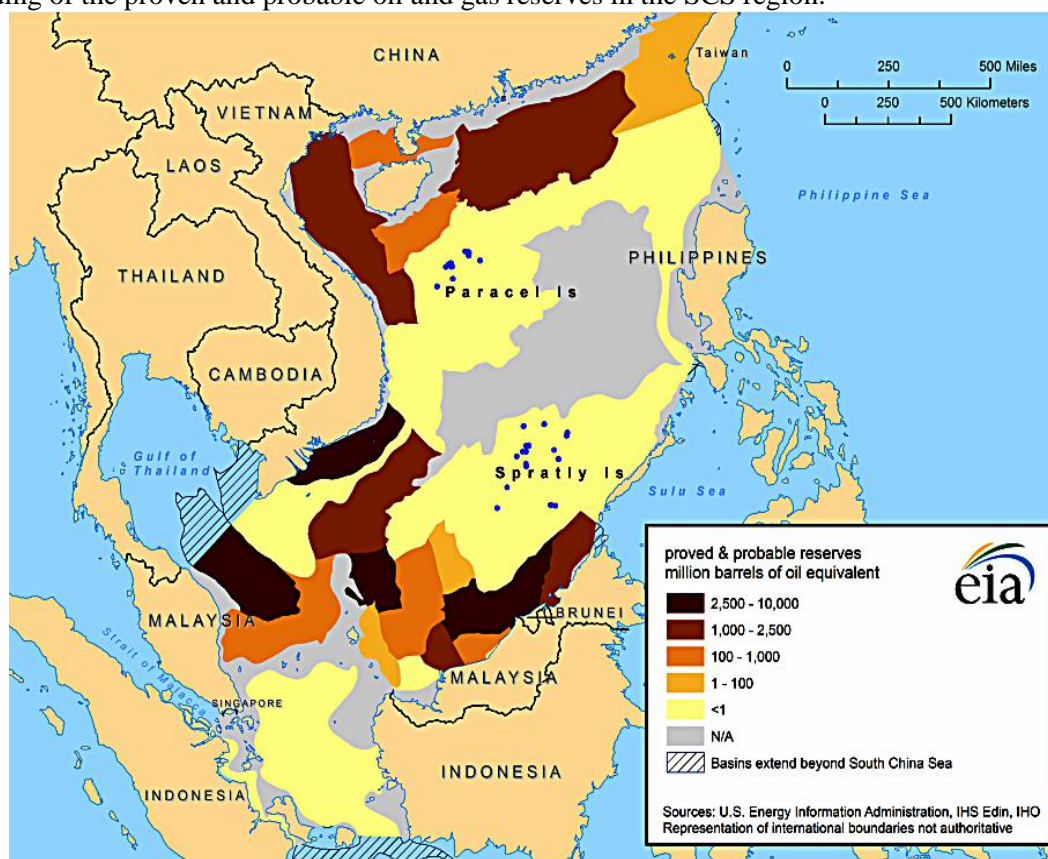
NATURAL GAS RESERVES:

Natural gas most probably over-takes its hydrocarbon opponent oil in abundance in the SCS, but is much less talked about. Gas deposits have been found in almost all the hydrocarbon fields in the SCS regions of Brunei, Indonesia, Malaysia, Thailand, Vietnam, and the Philippines. A US Geological Survey shows that 60%-70% of

³ Large Marine Ecosystem is a region in an ocean that encompasses coastal areas from river basins, bays to the seaward boundaries of the continental shelves, and the outer margins of the major current systems.

the hydrocarbon resources in the SCS regions are gas which indicates that the sum total of both discovered and undiscovered gas in the offshore basins of the South China Sea is around 266 trillion cubic feet (Tcf). On the other hand, a Chinese report claims that the entire South China Sea contains more than 2,000 Tcf though the most optimistic non-Chinese report has estimated total gas resources in the Spratly Islands at 24 Tcf (Global Security, 2013). Alike the field of oil production, Malaysia is the leading natural gas producer in the region as well. Development of natural gas resources outside of Malaysia had greatly been hindered by infrastructural deficiency, yet natural gas exploration activity elsewhere in the region, mostly in waters of the Gulf of Thailand claimed by Cambodia, continued to increase until the East Asian economic crisis.

The following map generated by the U.S. Energy Information Administration (EIA) facilitates the understanding of the proven and probable oil and gas reserves in the SCS region.



[Illustration-07/map: Proved and Probable Oil and Gas Reserves in the SCS. Source: Hudson, 2013.]

MINERAL ASSETS:

The SCS is not only rich in oil and gas reserves, but is also speculated, and to some great extent proven too, as an ample area of mineral resources. The near-shore placer minerals of the SCS include titaniferous magnetite, zircon, monazite, tin, gold, and chromite (Clark and Li, 1993). China proclaimed on December 24, 1989 that only the Spratly islands contained phosphor of 370,000 ton (Swanström, n.d.).

DICHOTOMY OVER THE RESERVES: IS IT REALLY THERE?

Because of the huge speculated reserves of natural resources, China calls the SCS the 'Second Persian Sea' (news.qq.com, 2011) and has planned to deploy its state-owned offshore exploration corporation to exploit oil on a larger scale in the SCS region for the next 20 years with a budget of about US\$30 billion expecting an annual production of 25 million metric tons of crude oil and natural gas in return (Wikipedia, 2013 d). But, however, some part of the reality tells it otherwise. Actuality of the "sizable deposits of oil and gas" of the SCS (Perlez, 2012 b) has met considerable questions in the recent times (Hudson, 2013). In one of its 2013 reports, EIA claimed to discover that the contested areas of the SCS have much less conventional oil and gas reserves than the present exaggeration suggests. The report says that the uncontested parts of the SCS hold most of the fields that contain discovered oil and natural gas clustered near the shorelines of the coastal states. It adds that the Spratly reserve almost no oil and less than 100 cubic feet of natural gas in proved and probable forms while

Paracel Islands territory has even less natural gas and no oil at all (EIA, 2013). However, be it just the probability of the resources or the actual presence of it, it has shaped up such degree of expectation that it has been enough to turn the SCS as the most serious flashpoint of the region.

BACKGROUND OF THE CONFLICT: PROVOCATION FROM THE HISTORY:

Every conflict or dispute carries some historical influence through and the SCS dispute is no exception. The conflict is not at all a contemporary phenomenon rather its origin dates to the 19th century. Though nine countries are more or less involved in the dispute, conflict history has mostly revolved around two pair of participants, PRC and ROC, and most importantly China and Vietnam, as majority of the activities that have built the conflict over time are carried out by these four contenders. This part of the paper would focus on the major historical aspects and events of the dispute, and try to judge their influence to its present condition, and also to the future possibilities. This chapter would try to establish that intense historical background itself also acts as one of the triggers of the conflict. However, as the Second World War (WWII) has dramatically changed almost all the geopolitical realities of the world, it has also done vital shifting in the SCS dispute. Accordingly, in this paper the evolution of the conflict has been divided into two particular phases that are discussed as follows.

DEVELOPMENTS TILL THE SECOND WORLD WAR:

Disrupting the natural arrangement, the first exclusive demarcation on the SCS came from the Chinese who claimed the Paracels even as early as the 15th century. In 1802, Vietnam declared that they own the Paracels. But no official political delimitation was there in the SCS until 1816 when Gia Long, the first emperor of the last Vietnamese dynasty- Nguyễn, claimed the Paracels for Vietnam (Samuels, 1982). Nineteen years later, Vietnam tried to consolidate their claim by setting up pagodas in the islands. On the other hand, after colonializing Vietnam, France found itself at variance with China in the late 19th century over the control of the Paracels (Conboy, 1992). But in 1876 China came up with its first documented claim on the archipelago. Besides, setting up the maritime boundary in the Gulf of Tonkin, the 1887 Sino-French convention between France and the then Qing Empire, namely the 'Convention Respecting the Delimitation of the Frontier between China and Tonkin', approved after the Sino-French War that stretched from 1884 to 1885, supported and further strengthened the Chinese claim over the Paracels (Kenny, 2002). The Spanish-American War brought about a notable transferal to the disputed history of the SCS because the war ended up with Spain surrendering the Philippines Islands to the United States in the 1898 Treaty of Paris and ostensibly since then the Philippines has grown up as a vital player of the game. In 1902, China played a very clever move to authenticate its claim by incorporating the Paracels into its Guangdong Province. However, it is true that the pre-WWII period of the SCS dispute was mostly centered to the Paracels issue, but the Spratlys, for the first time, made its entrance to the scene when Japan placed its claim over both the Paracel and Spratly Islands in 1927. Just one year later, the ROC further complicated the scenario by declaring that the Paracel Islands are the southernmost limits of its territory. France also stood up with its repeated claim on the Paracels in 1931. Finally when the WWII started, Japan annexed all the islands and took control over the entire SCS in 1939.

DEVELOPMENTS SINCE THE SECOND WORLD WAR:

In this part, the significant developments of the SCS dispute since the end of the WWII and till the end of the Cold War would be focused. The most recent developments would be discussed later, in the relevant parts of the paper. However, one of the most significant post-WWII issues of the dispute is obviously the 'nine-dotted line'⁴. In 1949 when the communists took over the Chinese mainland and the PRC was established, these demarcation lines were revised from the 1947's original 'eleven-dotted line' of the ROC to distinguish ROC's and PRC's claims over the SCS. Chinese officials refer to the U-shaped area for the historical authenticity of their claims.

⁴ The nine-dotted line or nine-dashed line is the demarcation line which both the governments of the PRC and the ROC refer to, to demonstrate their respective claims on the SCS waters.



[Illustration-08/map: The Nine-dotted Line. Source: Baker & Zhang, 2012.]

After the WWII, the traditional clashes among the states around the SCS turned into nationalism-based political disputes between individual states. As a result decolonization got boosted up in the region. However, in the 1950s the independence movements in the region were explicitly influenced by the Cold War wave and in most of the cases were crooked as foreign-assisted civil wars that served as proxy wars for the US and the then USSR blocs. Importantly, to respond to the Cold War groupings and tension, many of the traditional acrimonies of the SCS region were for that time doomed down in the name of cooperation. The support and assistance from the Cambodian chauvinist Khmer Rouge⁵ to the Vietnamese against the US-led alliance well exemplifies the then state of affairs (Conboy, 1992). However, Tokyo ostensibly surrendered to China in 1951 and lost the control over the SCS. On the other hand Vietnam, in spite of being under the French control, continued its claim over the Island chain. In 1960s, the Vietnamese government silently established a small militia garrison on three of the islands in the name of protecting their newly built weather station (Conboy, 1992) and in 1973 they signed several offshore exploration contracts with the US in the area south of the Paracels to tackle the oil crisis which immediately drew further Chinese attention to the sea (Kivimaki, 2002). A Chinese fishing fleet set off in January 1974 with navy escort and was challenged by the Saigon garrison. Then and then China responded with an eleven-ship naval convoy that destroyed one South Vietnam ship in the sea leaving four Vietnamese nationals seriously injured. South Vietnam protested the incidence but failed to reassert their command on the islands even with the support from Taiwan condemning Beijing, because North Vietnam was in favor of China in the name of communist solidarity and the US remained completely mute to the issue. However, in the early 1970s South Vietnam also occupied some parts of the Spratly archipelago while China claimed the whole of it even being 600 miles distant from the nearest island. Taiwan also insisted their historical claim on the archipelago and retained a small garrison in Atua Island. Being inspired by the study of the UN Economic Commission for Asia and the Far East that hinted of huge oil and gas reserve in the SCS, the Vietnamese government reinforced its garrison with three platoons of SEAL naval commandos in the Spratlys in February 1974 which was later occupied by the North Vietnamese 126th Naval Sapper Group in the final week of April 1975, just before the fall of South Vietnam (Conboy, 1992). For almost the next ten years, the SCS issue was not vibrantly present on the international canvas. But in 1988, killing 70 Vietnamese in a skirmish near the Spratlys, Chinese navy once again started to assert control over the archipelagos with the confidence of scoring several small but decisive victories over Vietnam in the meantime (Washington Post, 2012). Since 1988, no massive clashes have been reported in the SCS region but small scale fighting, bush-wars, and overall the hot oral diplomatic wars have always been on. Below is a listing of notable military involved incidents between the SCS states from 1970s to the last decade of the 20th century.

⁵The Khmer Rouge was the name given to the followers of the Communist Party of Kampuchea in Cambodia which was formed in 1968.

Date	Countries	Military Action
1974	China, Vietnam	China seized the Paracels from Vietnam, with 18 of its troops killed in clashes on one of the islands.
1988	China, Vietnam	Chinese and Vietnamese navies clashed at Johnson Reef in the Spratlys. Several Vietnamese boats were sunk and over 70 sailors killed.
1992	China, Vietnam	Vietnam accused China of landing troops on Da Luc Reef. China seized almost 20 Vietnamese cargo ships transporting goods from Hong Kong from June - September.
1994	China, Vietnam	China and Vietnam had naval confrontations within Vietnam's internationally recognized territorial waters over Vietnam's Tu Chinh oil exploration blocks 133, 134, and 135. Chinese claim the area as part of their Wan' Bei-21 (WAB-21) block.
1995	China, Philippines	China occupied Philippine-claimed Mischief Reef. Philippine military evicted the Chinese in March and destroyed Chinese markers.
1995	Taiwan, Vietnam	Taiwanese artillery fired on a Vietnamese supply ship.
1996	China, Philippines	In January, Chinese vessels engaged in a 90-minute gun battle with a Philippine navy gunboat near the island of Capone, off the west coast of Luzon, north of Manila.
1997	China, Philippines	The Philippine navy ordered a Chinese speedboat and two fishing boats to leave Scarborough Shoal in April; the Philippine navy later removed Chinese markers and raised its flag. China sent three warships to survey the Philippine-occupied islands of Panata and Kota.
1998	Philippines, Vietnam	In January, Vietnamese soldiers fired on a Philippine fishing boat near Tennent (Pigeon) Reef.
1999	China, Philippines	In May, a Chinese fishing boat was sunk in a collision with Philippine warship. In July, another Chinese fishing boat was sunk in a collision with a Philippine warship.
1999	China, Philippines	In May, Chinese warships were accused of harassing a Philippine navy vessel after it ran aground near the Spratlys.
1999	Philippines, Vietnam	In October, Vietnamese troops fired upon a Philippine air force plane on reconnaissance in the Spratlys.
1999	Malaysia, Philippines	In October, Philippine defense sources reported that 2 Malaysian fighter planes and 2 Philippine air force surveillance planes nearly engaged over a Malaysian-occupied reef in the Spratlys. The Malaysian Defense Ministry stated that it was not a stand-off.
2000	China, Philippines	In May, Philippine troops opened fire on Chinese fishermen, killing one and arresting 7.

[Illustration-09/chart: Major Military Clashes in the SCS (1970s-2000). Source: UCLMUN, 2012.]

SCS: THE THREEFOLD CONFLICT:

The SCS dispute is already a complicated conflict and is becoming more so every other day. Just the big number of contestants is not obfuscating the situation; the conflict in itself is rather multilayered. To identify separately, three different frontages of this conflict, or they might be viewed as the reasons of the conflict, are

1. The territorial disputes
2. Clashes over the control of the straits and
3. Contestson the resource reserve.

But the important thing is that each one of these three is intensely related to the other two. For understandable reasons, contest over the natural resources is closely related to the clashes over the straits; likewise, territorial disputes entangle the race of control over the straits. The other four interconnections on the permutation table are equally significantly true.

THE TERRITORIAL DISPUTES:

Territorial disputes are the major problem in the SCS dispute. Particularly, nine notable disputes are prevalent there within the SCS frontiers most of which also includes EEZ disputes. Hereby, they would be evanescently put light on.

1. Dispute among Vietnam, Malaysia, the Philippines, Taiwan, and China over the islands in the southern reaches of the SCS, most importantly the Spratly Islands.
2. Clashes between and among Vietnam, China, and Taiwan on the issue of the islands in the northern reaches of the South China Sea, mainly the Paracels.
3. Major dispute over the nine-dotted line area claimed by China which covers most of the SCS and overlaps EEZs of Brunei, Malaysia, Philippine and Vietnam.
4. After that, the dispute between the Socialist Republic of Vietnam (SRV) and the People's Republic of China (PRC) over the maritime boundary in the Gulf of Tonkin, the 12600 km² northern arm of the SCS is located off the coast of northern Vietnam and southern China (Keyuan, 2005).

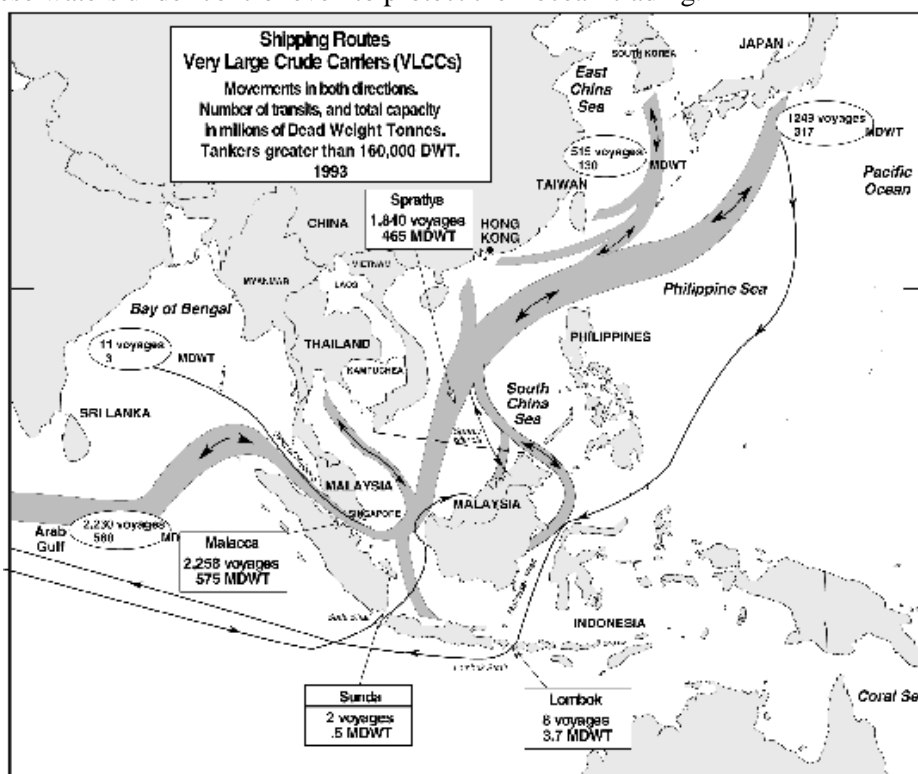
5. Dispute over the maritime boundary in the waters north of the Natunaarchipelago between Indonesia, China, and Taiwan. The dispute started in 1993 when China asserted their claim on a gas field north to the islands, and Jakarta profusely rejected that (Global Security, 2011 a).
6. Then, the dispute over the maritime boundary along the Vietnamese coast between Vietnam, China, and Taiwan.
7. Maritime boundary dispute between the Philippines, China, and Taiwan of the waters off the coast of central Philippines and Luzon.
8. Dispute over the maritime boundary in the Luzon Strait between the Philippines and Taiwan, including the islands. And
9. Dispute between Vietnam, China, Taiwan, Malaysia and Brunei over the maritime boundary north of Borneo.

CLASHES OVER THE CONTROL OF THE STRAITS:

The location of the SCS is strategically extremely important. Connecting two of the most important oceans of the world, the Pacific Ocean and the Indian Ocean, this sea lies diagonally from northeast to southwest and links six straits on its margin. Clockwise from north they are

1. Taiwan Straits (south-northwards) that links the East China Sea
2. Bashi Channel (west-eastwards) that links the East China Sea and the Philippine Sea
3. Luzon Strait (west-eastwards) that links the Philippine Sea
4. Balabac Strait (south-northwards) that links the Sulu Sea
5. Sunda Strait (north-southwards) that links Java Sea, and
6. Malacca Strait (east-northwards) linking Andaman Sea and the Indian Ocean.

However, referred to by the 'in and out of Nanhai', all these straits are very important sea routes for international trade and commerce (Jiemian, 2011). In fact, the SCS is the second busiest sea lane in the whole world, just next to the Mediterranean. Over 40,000 super tankers and business ships use the route per year. More than half of the merchant tonnage shipments pass through the SCS, more specifically through the Straits of Malacca, Sunda, and Lombok every year. Amazingly the tanker traffic through only the Strait of Malacca leading into the SCS is well over five times more than that of the Panama Canal and three times more than the Suez Canal annual mercantile traffic. Most importantly all the trading fleet passing through the Malacca and Sunda Straits in normal course has to pass near the Spratlys. That is why control and command over the straits and the archipelagos are so vital for the states concerned. Besides, the huge amount of shipping through the SCS has made the sea a seriously vulnerable spot for piracy attacks too. In the past decades, almost half of the world's total cases of piracy were reported from the SCS. This phenomenon also has drawn attention of the littoral states to keep these waters under control even to protect their ocean-trading.



[Illustration-10/map: Supertankers Movement in the SCS. Source: Global Security, 2011 b.]

However, mainly raw materials dominate the cargoes shipped through the SCS en route to the East Asian states every year. Mainly liquid tonnage of crude oil and liquefied natural gas (LNG), and secondly dry tonnage of coal and iron ore are transported through the Malacca Strait and the Spratly Islands. Respectively, two-thirds and half of the tonnages shipped through the Malacca Strait and the Spratlys contain crude oil from the Persian Gulf and this oil flows rise approximately up to 15 million barrels per day now (Colonia.asia, n.d.). Moreover, two-thirds of the total global LNG shipments are transported through the SCS whose Japan, South Korea and Taiwan are the major recipients of. Lombok and Makassar Straits are also quite busy routes of the region. Therefore, this busy shipping industry has resulted in the thriving maritime-related industries in the region. Given that mostly depending on the 'export-oriented economy' East Asia topped the states in economic growth in the last 50 years, the uninterrupted transit of the massive amount of cargoes through the SCS predominantly necessitates the freedom and safety of navigation in the SCS which not only is very crucial to the SCS coastal states but also is the core issue of the conflict (Jiemian, 2011). However, the waters of Taiwan Strait have been the theatre of several military clashes between the PRC and the ROC. One of the major deterrence dyads in the Taiwan Strait is the Chinese deterrence of Taiwan from declaring independence from the mainland sovereignty, and this influences China to consolidate their command over the Taiwan Strait. China, however, explains its presence in the strait proclaiming Taiwan as Chinese territory and it has strong nationalist and security incentives to seek Taiwanese unification to mainland China (Ross, 2002). On the other hand, Malacca Strait that adjoins the Indian and Pacific Oceans is perhaps the most strategically significant strait in the region. The 1970 Treaty sharing the seabed of the Malacca Strait has not been able to completely diffuse the tension between Indonesia and Malaysia. Besides, in a joint declaration on 16 November 1971, both these states, though recognizing that the treatment of international shipping should be in accordance with the principle of innocent passage, refused the status of the Malacca Strait as an international waterway (Sien, 1998). It is important to mention that Singapore also noted the declaration (Sien, 1981). Though long-term Indonesian strategy is to condense the importance of the Malacca Straits by diverting sea traffic to the other channels such as the Sunda and the Lombok-Makassar, the Malacca Straits, together with all the other channels of water leading into the archipelagic waters of Indonesia, are vital to the security and sovereignty of Indonesia because its 1957 Archipelagic Principle claims all of the waters within straight lines drawn between adjacent pairs of outermost islands and 12 nautical miles outwards of these lines as her internal waters (Sien, 1998). In case of Malaysia, control over the SCS straits is very important because the two parts of the state, Peninsular and East Malaysia, are physically separated by the sea. Movement of the Malaysian cargoes between its eastern and western coasts is also very important for the country. That is why Malaysia has so recognized her maritime interests in the straits that it has deployed more than half of its Royal Navy vessels and ships in the Straits of Malacca and has set up the Lumut naval base to guard the northern entrance of the strait as well (Ahmad, 1988, 1993). As the nation's economic progress can be greatly accredited to her strategic location at the southern gateway of the Malacca Strait, Singapore equally goes all-out to ensure that the strait remains freely navigable (Ken, 1978). However, with a huge merchant fleet and a very strong naval force active in the SCS, the PRC has also shown remarkable interests in the Malacca Strait. In order to safeguard its southern rims, presence in the Andaman Sea is strategically extremely important for China. Besides, China has also shown noticeable interest in the east African states. That is why China has been operating extensive naval activities near the Andamans since 1970s (Sen Gupta, 1974). Likewise, the waters of Luzon Strait are also quite hot with the Philippines and Taiwan opposing one another over the freedom of navigation; and all other straits in the region are also spots of contest of more or less intensity. Therefore, it is evident that the straits through the SCS have proved themselves as a critical matter of concern in both the contexts of the actuality and probability of the conflict in the very region.

CONTESTSON THE RESOURCE RESERVE:

It is quite understandable that all the claimants seek to share in the exploration and exploitation scopes of hydrocarbon resources if and when it occurs in the SCS. Quite naturally, the disputants well understand the economic importance of the maritime resources of the SCS and the fact that these resources are not unlimited. The PRC, according to its national economic reform policy, has concentrated to promote an offshore petroleum industry. She has signed 100 contracts with fifty-nine companies from sixteen countries, covering 350,000 square kilometers in the SCS after the endorsement of the 1982 law permitting foreign participation in offshore petroleum exploration (ogj.com, 1995). The PRC's desire and strategy quite naturally motivated other applicant states to place forward and assert their national claims throughout the archipelagos. As a result, this Chinese strategy to move offshore to develop potential oil fields has strained its relations with other littoral states in South East Asia (Swartz & Forney, 1996). Vietnam, the major oil producing state of the region, is suffering declining productions in its established fields and PetroVietnam, its state-owned oil company, has taken on 60

oil and gas exploration and production contracts recently with various foreign companies in an effort to exploit new pits (Buszynski, 2012). This development would supposedly increase the possibility of renewed clashes between China and Vietnam because the PRC has constantly opposed any Vietnamese exploration agreements with any international company in the SCS. There is also difficulty in the relationship between the PRC and the Philippines on the issue of SCS oil. The Philippines has decided to offer 15 exploration contracts over the next few years for offshore exploration off Palawan Island which falls within the Chinese claimed area (Agence France-Presse, 2011). On the other hand, in March 2001, Indonesia also pledged to explore Block 17 and other offshore blocks near Vietnam an area Beijing's oil company, CNOOC, recently tendered for joint development according to China's jurisdictional claim (Suptiyanto, 2012). Indonesian national oil company, Pertamina agreed with PetroVietnam and Malaysia's Petronas in 2002 to jointly explore Block 10 and 11.1 in the Nam Con Son basin, parts of which are located within the Chinese claim (Supriyanto, 2012). Moreover, Pertamina and Petronas signed contracts with ExxonMobil and Total companies in December, 2010 to explore the East Natuna Block with estimated first production starting by 2021 (Supriyanto, 2012), which surely further collides with China's energy ambitions in the region. Adding to that, in the name of the marine resources Chinese annual 10-week ban on fishing for both the regional and the foreign boats in most of the SCS waters claiming sovereignty over much of the sea is also seen as an arbitrary move by all its smaller regional neighbors who oppose the decision accusing China that it is extending the ban into their territorial waters. Particularly, Vietnam complains that the ban encompasses its waters and violates its sovereignty over the Paracels (Wadhwaney, 2013). The Chinese Government has a year-round ban on trawling in its own territorial waters down to a depth of 40 meters, which also is not a warmly accepted decision in the region (Blackmore, 2002). Therefore it is quite apparent that energy struggle has severely heightened the regional tensions in the past decades (Shirley, 1992).

THE REGIONAL POWER PROJECTION: PLAYERS OF THE GAME:

However, the SCS has been established as the dispute hub of the Southeast Asian region, the capacity and capability analysis of the contenders, that means the seven states aforementioned and Taiwan, is very important indeed because this power projection is one of the most vital, if not the very one, indicators that actually can provide an authentic estimation of the probability of the present dispute to turn into a disaster in the near future. It provides a clear view of how rich stocks the states contain to afford and invest in the probable massive scale conflict if it outbreaks. As the SCS is a water body and the conflict over its resources and command has got minimum chances, at least in the present and near-future contexts, to result in land wars between and among the countries, mainly the naval power of the states concerned would be discussed. Air force strength is also relevant but aerial attacks can mainly back up the naval assaults for consolidation. Therefore, military capacities in the naval wings of the states are expected to predominantly shape the respective conflict behaviors in the present and upcoming days in the deep blue of the SCS.

THE PEOPLE'S REPUBLIC OF CHINA (PRC):

Beijing has the largest and most sophisticated naval power on a standby mode to be deployed in the SCS if necessary. The People's Liberation Army Navy (PLA-N), with approximately 290,000 personnel, more than 515 active combat vessels with 138 major combat ships, and 432 assault naval aircrafts (Greenfield, 2012), China is one of the strongest naval powers of the entire world at present. The 63 submarines, 47 frigates, 25 destroyers (Greenfield, 2012) and the first commissioned aircraft carrier of PLA-N, *Lioning* (Chang, 2012), altogether have provided China more than sufficient power to commandingly keep its naval task force at the SCS for at least thirty consecutive days (Conboy, 1992).

REPUBLIC OF CHINA (ROC, TAIWAN):

With 38,000 personnel, 4 of submarines and destroyers each, 22 frigates, and 08 minesweepers, Taiwan is also a considerable naval power in the region (Wikipedia, 2013 a). But Taiwanese naval air posture is not that much significant to compete with China. Taiwan's naval air power is also limited to twenty-one anti-submarine warfare (ASW) S2F aircraft whereas only eleven of them are operational (Cole, 1969). But, despite the numerical inferiority to the PLA-N, Taiwan's navy is superior in technology and systems integration categories, which well translates into at least equality with the PLA-N as a fighting force at sea (Cole, 1969).

VIETNAM:

With 42,000 officers and sailors, Vietnam People's Navy is quite strong and ready to engage with any war possibilities. Vietnamese Navy consisted of about 27,000 naval infantry, 9,000 regulars, and 3,000 conscripts even back in 2006. However, Japan is greatly patronizing Vietnam in its naval enrichment, an attempt to counter China's activities in safeguarding Vietnam's maritime rights in the SCS. Japan proposes Vietnam to set a civil military security force to facilitate the export of patrol vessels to Vietnam. Japan is also planning to export high-performance maritime patrol ships above 1,000 tons in an effort to help Vietnam strengthen its capacity to protect its rights in the SCS (Global Times, 2013). On the other hand, Russia became Vietnam's biggest arms provider in 2009, with an order to deliver six diesel-electric submarines. In 2011, the Vietnam Navy received two modern Gepard class frigates in 2011, which are the largest, most modern warships in Vietnam (Asitimes blog, 2013). To keep control over the SCS and more specifically, the Spratlys, acted as the major stimulus behind Vietnam's such huge investment in the military sector.

THE PHILIPPINES:

Holding a 24,000-member navy, including 7,500 marines, the Philippines is not an ignorable naval power in the region. Though the Philippines has just one frigate, its navy consists of 58 patrol and coastal combatants 7 amphibious ships, plus about 39 amphibious craft, and also 11 support vessels (Tagaloglang, n.d.).

CAMBODIA:

With approximately 4,000 active personnel and 228 active boats and ships, Royal Cambodian Navy is one of the smallest naval forces in the region. The navy retains 20 patrol crafts including 5 fast attack ones, along with about 200 naval canoes. Cambodia increased the strength of its navy from 1,000 to 3,000 sailors and created a force of 2,000 marine infantry in 2007. Vietnam trained many of the Cambodian officers in its naval academy (Truongsongroup.com, 2010).

MALAYSIA:

Though the number of active personnel in the Royal Malaysian Navy (RMN) or TLDM is much less than in the TNI-AL, only 18,000, still Malaysia is a significant naval power in the Southeast Asia as it owns 2 submarines, 4 frigates, 9 ships, 4 corvettes, 12 fast attack crafts, 25 patrol vessels, and 2 hydrographic survey vessels (Wikipedia, 2013 b). On June 27, 2011, the RMN launched the Advanced Electric LCS Ship, KD Tony Pua, which can operate in shallow water with increased maneuverability and stealth (Malaysiamilitarypower blog, 2011). This would particularly be effective for surveillance in the SCS.

BRUNEI:

Royal Brunei Navy (RBN) is a small but relatively well equipped force whose major task so far is to conduct search and rescue missions. RBN is equipped with missile gun boats and coastal patrol crafts since 1977 (Brunei Ministry of Defense, n.d.). At present, RBN contains 13 fleets to protect Brunei waters.

INDONESIA:

The Indonesian Navy (TNI-AL) has strength of 74,000 personnel, 150 battle ships, 6 frigates, 2 submarines, and 26 amphibious assaults (Global Fire Power, 2012). Moreover, Indonesian Navy has decided to maximize their combat ability by 2014. Naval Chief of Staff Admiral Marsetio said on April 26, 2013 that new weaponry system including warships would arrive at Indonesia (Kusbiantoro, 2013). That three submarines made in South Korea, a frigate ship made in England, hydrographic ship, anti-submarine helicopter and a fast missile boat would soon be added to the navy he also added (Kusbiantoro, 2013). Though Indonesia lacks the status of a direct claimant of the SCS waters in the opinions of some analysts, but the new military equipment would much possibly increase Indonesian involvement to the SCS issue.

EXTERNAL ACTORS: THE BIG BROTHER POLITICS:

Influences from beyond the region are a great factor in the SCS dispute. Particularly, the U.S. interests and growing interference of India in the issue are further compounding the situation. The external involvement has reached to such an extent today that SCS dispute is more discussed as an issue between China and the U.S. than

an internal issue of Southeast Asia. Of course a demographic hub like the SCS region through where 1.5 billion Chinese, 6 billion Southeast Asians, and 1.5 billion inhabitants of the Indian subcontinent keep around the world economic exchanges would draw attention of the big powers but when that attention interrupts the interests and choices of the littoral states, that is indeed a big reason to worry.

THE U.S. INVOLVEMENT:

The viability of the entire presence of the U.S. in the SCS has now been at stake because China has refused to allow any state to conduct military exercises or collect intelligence or militarily useful data in the SCS, though it claims to respect the freedom of passage of ships and aircrafts through the area, only on the condition that they are en route to another destination (Wesley, 2012). But for retaining the foothold in the western Pacific, the SCS is extremely significant for the U.S. That is why Washington is adamant that the SCS sea lanes are international waters, and are therefore subject to freedom of navigation, which in international law allows the conduct of military exercises and the collection of intelligence and militarily useful data (Dutton, 2011). Contrariwise, China accuses the US of having a hidden intention of gradually building a coalition against China in the SCS region (Wesley, 2012).

To defend its interests and serve long-term objectives in the SCS, The US is moving toward a more distributed network of stronger partners and allies in Southeast Asia as the 'hub and spoke' model of alliances between the United States and its East Asian partners is being eclipsed by a broader, more complicated and more diffuse web of relationships in which Asian countries are the primary drivers (Cronin & Kaplan, 2012). In addition, alarmed members of ASEAN seek US for support which may drag the US in to the conflict. For example, the live-fire drills by Vietnam and the Philippines in SCS disputed waters were conducted with the US aid (UCLMUN, 2012).

Competing with the growing Chinese military capabilities in the SCS, the US administration has also been recommended by the bipartisan Quadrennial Defense Review Independent Panel in 2010 to build toward the 346-ship fleet rather than the 250-ship mark (U.S. Institute of Peace, 2010). Furthermore, rather than only the smaller littoral combat ships the US has plans to deploy more destroyers and submarines in the region. In 2011, while visiting Australia and addressing to Australia's parliament to boost ties with the U.S. ally amid growing tensions over the SCS, President Obama has unveiled plans to deepen America's military presence in the Asia-Pacific region (Slack, 2011), which would make the SCS dispute scenario more complex.

ROLE OF INDIA:

India is gradually becoming more influential and getting more involved in the issue of SCS conflict. As almost 55% of its trade with the Asia Pacific transits through the SCS and as it enjoys a unique distinction of shipping oil from Sakhalin to Mangalore through sea routes of the region, India has a strong interest in keeping the sea lanes open for secure energy supplies to states like Japan and Korea (Singh, 2011). But India's involvement too is expected to complicate the state of affairs. Particularly, India's developing ties with Vietnam will make the situation in the SCS more difficult. India's Oil and Natural Gas Corp (ONGC) and PetroVietnam signed a three-year agreement for cooperation in oil and gas exploration and production in the SCS in October, 2011, which was severely opposed by China (MaritimeSecurity.asia, 2011). ONGC considers the Vietnamese claims in the SCS as legitimate according to the international law and declared that it would continue with exploration projects in two blocks near the Paracels, islands the Chinese are particularly sensitive of (Krishnan, 2011). While moving toward Nha Trang in southern Vietnam on July 22, 2011, Indian naval vessel the INS Airavat was warned by the Chinese authority not to enter into "Chinese waters", but India responded that it supports freedom of navigation in international waters, including in the SCS (Bagchi, 2011).

However, other external actors like Australia and Japan have also got vital dealings with the SCS. Australia closely observes the SCS developments according to its 'Northern Approach' because it fears of sudden power projection out to Australia by any SCS disputant state. It has also tensions of possibilities of disruptions in its seaborne trade and energy supply routes. On the other hand, with 90% of its imported oil passing through the SCS, Japan has its own strategic interests in the region. The power balance in the SCS enormously impacts on the security of Japan's surrounding waters, namely the East China Sea and Philippine Sea. Japan announced its new National Defense Program Guidelines in December 2010 calling for enhanced ISR operations along the Ryukyu island chain and reinforcement of the submarine fleet (UCLMUN, 2012).

CRITICAL ANALYSIS OF THE CONFLICT MANAGEMENT AND RESOLUTION INITIATIVES AND DOCUMENTS: WHY IT DID NOT CLICK:

A decent number of endeavors has been attempted so far to prevent, manage, mitigate, or resolve different bilateral or multilateral features of the SCS dispute. Starting from bilateral talks to international legal documentation, a wide range of options has been tried to keep SCS waters calm. But reality is that the dispute still is tremendously prone to acute clashes, even is further growing both in terms of coverage and intensity. This indicates that the managing initiatives must have had some loopholes that are confining them to come up with notable success rates. Even some activities bidden in the region had instigations in themselves which escalate the struggle more.

THE SINO-ASEAN RAPPROCHEMENT:

The rapprochement of China and the Association of Southeast Asian Nations since the early 1990s is an important part of the peaceful development of Sino-ASEAN relations and a significant peace-building effort that has led to the 2002 declaration on conduct signed by the parties in the SCS. It is true that China has to some extent moved from great power-oriented diplomacy to 'soft diplomacy' since then (Weissmann, 2010). Though China participated for the first time in any multilateral frameworks in 1994 by joining ASEAN Regional Forum (ARF) which was overstated as "remarkable development" by some Chinese experts (Xiao, 2009), it was China's hedge against ARF's taking an anti-China direction rather than reflecting a genuine interest in participating (Weissman, 2010). To be true, however, the rapprochement has not been able to successfully transfigure China's superpower attitude and relax its position of claiming whole of the SCS as its national property.

THE DECLARATION ON THE CONDUCT (DOC):

The Declaration on the Conduct of Parties in the South China Sea (DoC) signed in 2002 is the only existing documented conflict management mechanism for the region. But unfortunately it is yet to be operationalized. Actually it is nothing but a non-binding, essentially toothless agreement (Storey, 2013). In July 2011, ASEAN and China finally agreed on an unequivocal and non-specific set of implementation guidelines to discussions on cooperative projects in comparatively less important areas such as search and rescue and marine conservation. Though never been enthusiastic about it, yet China agreed in principle to discuss about a Code of Conduct (CoC) with ASEAN in late 2011 but retreated in July 2012. Moreover, 2012 ASEAN Chair Cambodia and the Philippines got divided on whether discussions on the SCS should be officially recorded, and therefore ASEAN failed to issue a final communiqué for the first time (Storey, 2013). Chinese government accuses the Philippines and Vietnam to have repeatedly violated the DoC by pursuing unilateral and provocative actions that breach the 'self-restraint' clause and also suspects that Manila and Hanoi seek to harness ASEAN's agenda in pursuit of their own interests and those of the United States (Storey, 2013). On the other hand Hanoi and Manila level the same accusation at Beijing. Finally it can be said that because of the Chinese reluctance to the DoC and tendency to postpone talks with ASEAN on a CoC make the declaration somewhat ineffective. Besides, ignoring prior incorporation of a comprehensive CoC, and the Philippino-Vietnamese internationalization effort have made the future of the DoC further fuzzy.

UNITED NATIONS CONVENTION ON LAW OF THE SEA (UNCLOS), 1982:

The international document that is mostly referred to in the SCS dispute issues is the UNCLOS. This international agreement was resulted from the third United Nations Conference on the Law of the Sea (UNCLOS III) during 1973-1982. The convention was signed in 1982 and came into force in 1994, and sets forth the rights and responsibilities of states in their use of the oceans, establishes guidelines for transboundary business, the environment, and the management of marine natural resources. The regime of islands of the document is directly relevant to explaining the territorial claims on the archipelagos of the SCS. All the claimant states of the SCS have ratified the agreement except Cambodia which is just a signatory, and Taiwan which has not even signed it so far. However, this document too has got notable lacks that hinder its positive implication in any peaceful settlement in the region in future. Firstly, an authoritative interpretation of Article 121 of UNCLOS (the regime of islands) is still not there and both state practice and international jurisprudence are of only limited utility on this issue (Schofield & Wang, 2012). Another loophole in the treaty is its reliance upon national legislation to implement its provisions, because states can be and in fact are reluctant to consider such legislation as a priority (Hollis, 2013). The national administration issue has also been criticized because some states have shown tendency to excuse violations that have been happened abroad (Hollis,

2013). Another criticism is the jurisdictional breakdown of sovereignty by the UNCLOS. Provisions that govern the consumption of the fish stocks divide control and conservation measures based on distance from the shores which opposes the natural order of the ecosystem (Hollis, 2013). Therefore, it is becoming increasingly clearer that the SCS disputants are also distinctly divided in their views on the capacity of certain features of the document to generate broad maritime claims (Schofield & Wang, 2012). Moreover, USA has not yet signed the document criticizing that the seabed mining regime is adversative to the principles of free-market economy (Hollis, 2013).

ROLE OF NATIONALISM IN THE SCS DISPUTE: THE FORGOTTEN PROTAGONIST:

Rigid territorial claims, hunger for the resources, and greed for power to control the channels- all are responsible for the SCS dispute. But let's not forget the main driver of all the instabilities in the region- nationalism. Territorial claims are not being possible to accommodate with each other, resource management initiatives are not being enduring, control over the straits is remaining nonnegotiable, all because the nationalistic attribute is so strong in the region and identity politics influences, if not decides for, almost everything. No one is ready to sacrifice anything. Even if the governments are in positions to negotiate, the peoples come out on the streets to what they think protect the national interests. Nationalism is a potent force particularly in China and Vietnam where SCS issue is the main driver of popular protests (ICG, 2012 b). For Chinese and Vietnamese leaderships, nationalism is a double-edged sword that simultaneously gives advantages and limits options (ICG, 2012 a). Vietnamese claims in the SCS have become such an integral and emotional part of a historical narrative that the East Sea (Vietnam calls South China Sea with this name) disputes strike at the heart the Vietnamese people (ICG, 2012 b). Widespread suspicion and animosity have grown in the minds of Vietnamese people toward China which is fostered by the territorial disputes, history of violent conflict and a staggering bilateral trade deficit. For that the Vietnamese administration cannot afford to be soft on China. For the governments of the Philippines, Malaysia, Taiwan and Brunei, nationalist sentiments with regard to the SCS are strong enough though they have not yet been applied in frequent incidents to constrain their governments' options.

CONCLUSION:

SCS, as a conflict, is multifaceted and intricate. And Southeast Asia as a region is not only enormously important for the states belonging to it, but also for the world community. So, the conflict no longer remains only a regional issue, rather its global implications are so vital that sometimes the dispute is confused to be a proxy between the PRC and the USA. Seemingly, all the other nations in the region tend to belong to either one of the blocs. But this is sure that the Chinese preeminence is not welcomed by the states of the region, neither by the foreigners. Though none of the territorial claims in the region is indubitable, and apparently any of the states is not in a position, at least at present, to afford to engage in direct military conflict with China, but this dispute slots in all the essential factors to burst into a serious conflict, even war at any moment. A number of recent developments have further deepened this possibility. Nationalistic, at times even chauvinist, attitudes regarding the sovereignty of the islands have recently been heightened in China, Vietnam, and Philippines. As a result, most of the claimants are persuading their jurisdictional claims through national legislation, administrative sanctions, and military fortification. Moreover, ongoing tensions between North Korea and South Korea could upset the status quo of the region. Indications for that have been seen when very recently Japanese, South Korean, and U.S. joint search-and-rescue maneuvers have taken place in the East China Sea waters, just when Japan's territorial clashes with China over a group of islands in the SCS have also been more penetrating. Therefore, at the end it can be said that though this paper does not go to the area of recommending possible way-outs of the dispute, nevertheless, it must be mentioned that although SCS is not exclusively a Southeast Asian matter of concern but the dispute, in most part, is so. It is mere reality that external, mainly the US influences might not be able to be avoided completely, but the SCS states have to realize that at the end of the day they are the major actors for settlement, and to catch on and then maintain a feasible and durable management mechanism for this highly volatile conflict.

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