

South China Sea Storms: A dive into the contested waters

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The South China Sea covers a vast expanse of approximately 3.5 million square kilometres. It contains in the region of 250 small islands, atolls, cays, shoals, reefs and sandbars which are mostly submerged in high tides. The most



prominent two groups are known as the Spratly and Paracel Islands. These vast seas border several countries including China, the Philippines, Vietnam, Malaysia, Brunei, Indonesia and Taiwan.

This area is rich in resources and is estimated to contain 11 billion barrels of oil, 190 trillion cubic feet of natural gas and 10% of the world's fish resources. It is also vitally important to commerce as 30% of global commercial maritime passes through it to Southeast Asia.

Over the past decade, China has constructed seven controversial artificial land masses on the Spratly Islands using highly sophisticated reclamation technology, which allows for their construction on soft reef sand. The three most controversial and fortified Islands named Meiji (Mischief Reef), Yongshu (Fiery Cross Reef) and Zhubi (Subi Reef) form a pyramid located in the middle of the ocean between Vietnam and the Philippines. Against President Xi's promise, these three Islands were reported to be fully militarized in 2022, equipped with runways and personnel forming a formidable offence/defensive position against neighbouring bases in Malaysia, Vietnam and the Philippines.

Historical context, key claimants and their claims

In 1971, the CIA produced a (now declassified) research study report called 'Islands of the South China Sea'. The report made reference at the time to *“a series of seemingly unimportant events that had drawn international attention to small and normally uninhabited islands of the South China Sea generally designated as the Spratly and Paracel Islands and the Pratas Reef”*. The report said that the status of these islands has never been settled and that the US has neither advanced claims, nor made any determination based on the claims of others. It acknowledged the fact these islands were small in size, mostly uninhabitable, with limited usefulness. However, it accepted - given their location and regional sensitivity - they would continue to attract international attention. If they continue to be manned and fortified by claimants, there remains the potential for armed confrontation.

Following Japan’s WWII defeat and renouncing Spratly Island claims in 1945

The race to assert claims to the islands began following Japan’s defeat in 1945. Although no country was officially granted sovereignty, in 1949, under the Kuomintang Government, China drew distinction over its intentions by creating the now famous “nine-dotted-line” which claimed most of the South China Sea including the Paracel Islands. Tensions started when, in 1955, an American citizen laid claim to the “Manity Islands” to the west of Palawan (Philippines), without US Government approval. This was brought to the attention of the Chinese Nationalist (today Taiwan) Ambassador in Manilla, who stated that *“any boats that visit the islands were in fact violating Chinese territorial waters”*.

In 1956, Tomas Cloma, then friend and business associate of the Philippines Vice President and Foreign Minister, Garcia, announced his own claim to the Spratly’s, declaring them as his own property. Cloma added he had visited and mapped the area and left a number of student cadets to study there from his Philippines Maritime Institute Nautical School. Vice President Garcia also showed an interest and stated that he saw no reason why the island should not belong to the Philippines and ordered a Foreign Office review.

The Chinese Nationalist Ambassador's reaction to this was swift and he reasserted the Chinese Nationalist's claim saying the islands "*were of prime importance to its prestige and that the claims must be vigorously upheld*". The Chinese Nationalist President Chiang immediately ordered two destroyer warships despatched from Taiwan with a platoon of marines to the islands. When the Chinese arrived, they reported to have made no contact with any subjects. They did, however, find several anti-nationalist slogans.

It is believed that Cloma returned several times to the islands following the Chinese expedition's return to Taiwan. A larger Chinese vessel returned on 11 July 1956, this time leaving part of its force on Itu Aba Island which remained as a permanent garrison ever since, protecting the nation's self-proclaimed interests.

Vietnam quietly encouraged the Philippines to advance a claim for the islands and indicated that it would send forces and occupy one of them. Vice President Garcia recommended to President Ramon Magsasay that the Philippines announce its claim, however, the President and his foreign military advisors opposed the idea and suggested not getting involved in the dispute.

It was not until 1982 that the United Nations law formed agreed exclusive economic zones (EEZs) which are land ownership rights covering an area of the ocean that extend 200 nautical miles from a nation's territorial seas. Following the announcement of the EEZs, China reiterated its nine-dash-line claim and rejecting all those of other countries.

Major legal and diplomatic developments

In 2016, the United Nations Convention on the Law of the Sea (UNCLOS) applied a ruling in a permanent Court of Arbitration (PCA) between the Philippines and China. The PCA rejected China's claim based on self-proclaimed 9-dash-line marking a territory covering the whole of the South China Sea and ruled in favour of the Philippines. Despite this, China refused to accept the ruling, and the islands in the region continue to be disputed.

Major events, conflicts and standoffs

September 3, 1937 - Japan invades South China Sea islands.

1947 - China announces its South China Sea claim with the nine-dash-line which is not accepted by any country.

September 8, 1951 - Treaty of San Francisco.

Japan renounces all claims to Korea, Formosa (Taiwan), the Pescadores, and the Spratly Islands in the South China Sea.

October 1, 1960 - US-Japan Security Treaty.

The US and Japan sign the Treaty of Mutual Co-operation and Security, a renewable agreement stating that any attack on lands under Japan's administration would require mutual action to "meet the danger". The US is also bound by a similar treaty with the Philippines signed in 1951.

December 10, 1982 - UNCLOS is established.

March 14, 1987 - China sinks three Vietnamese ships killing seventy-four.

The incident occurs near the Fiery Cross Reef in the Spratly's.

January 1996 - Mischief Reef incident.

A ninety-minute battle ensues between three Chinese naval vessels and a Philippine gunboat near the Mischief Reef in the Spratly's.

May 2009 - Malaysia, Vietnam submit UN claims.

Malaysia and Vietnam apply to extend their continental shelves beyond the standard 200 nautical miles from their coastlines. China objects to the submission.

July 23, 2010 - United States affirms interest in South China Sea.

US Secretary of State Hillary Clinton states Washington's recognition of "neutrality of sovereignty" in the South China Sea at a speech at an Asian regional meeting.

June 1, 2011 - Philippines summons Chinese envoy.

The Philippines asks China to answer for at least five incursions by Chinese ships in the past year near the Spratly Islands and the Amy Douglas Bank, off the coast of Palawan Island.

October 2011 - Philippines renames South China Sea the West Philippines Sea.

April 8, 2012 - Scarborough Shoal incident.

The Philippines dispatches a warship to confront Chinese fishing boats in the Scarborough Shoal. China subsequently responds by dispatching its own surveillance vessels.

September 30, 2018 - US, Chinese warships nearly collide

A US destroyer narrowly avoids colliding with a Chinese destroyer near the Spratly Islands. Reports state the Chinese destroyer Lanzhou came to within forty-five yards of the USS Decatur. China condemned the US patrol. President Donald Trump says President Xi Jinping “may not be a friend of mine anymore”.

April 5, 2019 - Philippine President alarmed by Chinese ships

Enraged Philippine President Rodrigo Duterte promised to send troops on a “suicide mission” if China continues to send ships near the Philippines-occupied Thitu Island in the Spratly’s.

July 3, 2019 - Chinese Ship spends months in Vietnam’s EEZ

The Chinese survey ship, Haiyang Dizhi 8, and escort ships entered Vietnams EEZ near an offshore oil block which China claimed was in its territory.

2024 - Collisions escalate China-Philippines dispute over Second Thomas Shoal

Several confrontations have occurred this year relating to the Philippines attempts to take supplies and personal to a manned outpost near the second Thomas Shoal. Aggressive actions include water cannons and boat ramming with one incident seeing a Philippine soldier lose a thumb.

Conclusion

This contentious sea region has been the location of relentless territorial assertion and conflict, combining the complicated ingredients of unilateral ambition and the absence of definitive law. The 2016 PCA ruling that dismissed China’s land claims depicted by its nine-dash-line has been ignored and China continues to expand its presence committing fortunes to establish territories on areas of land that were not officially recognised and, in fact, considered uninhabitable and unthinkable of occupation by neighbouring countries.

China's intentions have moved from claiming a cluster of shoals 1,500 nautical miles from its own shores in 1947, to establishing several inhabitable islands - three of which fully equipped militarized stations in the middle of the ocean - within 200 nautical miles of Malaysia, Vietnam and the Philippine coastlines.

These encroachments are both concerning and worrying when considering the aggression that has come with the policing of these artificial lands and whether the reclamation and militarization will even stop. The almost weekly confrontations continue to make headlines and, if any form of negotiation even begins, it lasts no more than a couple of days before breaking down. The situation is straining diplomatic relations and clearly ostracising China in the region.

However, analysts fear that affected nations depend so much on China's trade that they are in no position to take any substantive action.

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