

The Disputes over the South China Sea in the Background of the “Belt and Road” Initiative versus the Indo-Pacific Strategy—From Chinese Perspective

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Keywords: The South China Sea disputes; the “Belt and Road” Initiative; the Indo-Pacific strategy; Chinese Perspective

Abstract: Whether for the China’s “Belt and Road” initiative or the US’s Indo-Pacific strategy, the situation in the South China Sea region is a key factor in the smooth progress of each other. All Chinese actions which consistent with international law are not the source of disputes in the South China Sea region. Since the “Belt and Road” initiative, China and other claiming countries in the South China Sea region are actively working together to control the deterioration of the situation and have achieved positive results. At present, it is generally stabilizing. Under the implementation of the Indo-Pacific strategy, the South China Sea dispute has risen from a regional issue to a global issue, and its essence is no longer in the category of regional disputes between China and other claiming countries, but evolve to the strategic game among the big powers under realistic thinking due to insufficient strategic mutual trust and misjudgement of strategic intention. Based on this, China should first acknowledge the actual interests of the America in the Asia-Pacific related regions, continue to consolidate and promote the good relationship between China and the United States; Secondly, it should be based on the “dual regulations” to promote negotiations between the disputed parties involved; Finally, China needs to actively guide international public opinion through various media to shape its positive international image in the South China Sea region affairs.

The South China Sea gets its name from its geographical waters. It is located in the southern waters of the continental margin of mainland China and in the westward waters of the Pacific Ocean. Since the 1970s, multi-party disputes have formed around the sovereignty of the Island Reef and the jurisdiction involved of some sea areas, which includes: China, Vietnam, Philippines, Malaysia, Brunei, Indonesia, and Taiwan. Besides, Intervention by extraterritorial forces has made disputes in this region one of the most complex disputes over island sovereignty and maritime jurisdiction in the world. In the current, China’s sovereign action on the islands of the South China Sea receives high attention from Indo-Pacific Strategy. The situation in the South China Sea is a key variable for the smooth progress of the US’s Indo-Pacific strategy and China’s “Belt and Road” initiative.

1. The Status Quo under the “Belt and Road” Initiative: from Tension to Easing

In the early days of the “Belt and Road” initiative, related countries involved in the disputes intensified their activities in the area of dispute. In particular, Vietnam and the Philippines are more active. In 2012, Vietnam passed the National Ocean Law on sovereignty over Xisha and Nansha. In

2013, Vietnam established the Fisheries Administration to enhance the marine monitoring capabilities. In 2014, the 981 drilling platform incident broke out. The China-Philippine Huangyan Island incident broke out in 2012. The Philippines initiated international arbitration procedures in 2013, and strengthened control over Ren'ai Reef in 2014. In addition, during this period, despite apparent differences of opinion among ASEAN member states, they were still struggling to find a coordinated legal basis. In 2012, ASEAN issued the "Six Principles"^[1], which explicitly stated that "based on the United Nations Convention on the Law of the Sea and other international laws settle disputes peacefully", which to some extent reflects the "ASEANization" trend of the South China Sea issue.

The "Belt and Road" Initiative is not a dedicated solution to the South China Sea issue, but the countries along the South China Sea are priority areas for the "21st Century Maritime Silk Road". Since the "Belt and Road" Initiative in 2013, China has made a series of adjustments to Policy in the region. The main performance is embodied into the following three aspects.

The first is the "two-track approach". Specific disputes over the South China Sea are settled by the parties directly through bilateral negotiations on the basis of respect for historical facts and international law. At the same time, peace and stability are jointly maintained by China and ASEAN. This is highly consistent with the spirit of multilateral cooperative governance inherent in the Declaration on the Conduct of Parties (DOC). This marks a change in the way China handles its problems. China has shifted from the idea of negotiating only between disputed states to recognizing limited multilateral discussions. This is fundamentally different from the previous attitude of total rejection.

The second is to strengthen the consensus on the "dual-track principle" through high-level exchanges. In October 2013, Chinese President Xi Jinping visited Indonesia and Malaysia respectively. He stated that China is willing to strengthen many maritime development cooperation with ASEAN countries, make good use of the China-ASEAN Maritime Cooperation Fund, jointly develop a good maritime partnership, and work together 21st Century Maritime Silk Road Construction. In the same year, Li Keqiang visited Brunei, signed a Memorandum of Understanding on China-Brunei Offshore Cooperation and an agreement on the establishment of a joint venture company in the field of oilfield services. The two sides issued a joint statement on this. When Xi Jinping visited Vietnam and Singapore in 2015, the two sides reached a consensus on "properly handling and managing maritime differences and focusing on advancing maritime cooperation". When the Philippine President Duterte visited China in 2016, China and the Philippines reaffirmed the "dual-track principle" to resolve the differences and signed the "Joint Statement of the People's Republic of China and the Republic of the Philippines". The two sides stated that "they will continue to settle differences and disputes through negotiations, comprehensively implement the 'Declaration of Conduct' (DOC), strive for an early consensus on 'Code of Conduct' (COC), maintain restraint, and maintain stability in the South China Sea". From 2017 to 2018, the three rounds of bilateral consultation mechanisms between China and the Philippines were launched. In November 2018, Xi Jinping paid a state visit to the Philippines, and the two countries signed the Memorandum of Understanding on Cooperation in Oil and Gas Development. The two countries have made significant breakthroughs in practical cooperation. Since the "Belt and Road" initiative, China has taken a "dual-track approach" as a guide, and is actively working to control the deterioration of the situation with other claimants in the region, and has achieved positive results. At present, it is generally stabilizing. In addition, China and ASEAN have achieved remarkable results in regional interaction. In 2016, China and the ASEAN countries adopted the Joint Statement on the Comprehensive and Effective Implementation of the Declaration on the Conduct. China and

ASEAN countries held the 13th Senior Officials Meeting and the 18th joint working group meetings, the meeting adopted the “Guidelines for the Hotline Platform for Diplomatic Senior Officials of China and ASEAN Countries in Response to Maritime Emergency Situations” and the “Joint Statement of China and ASEAN Countries on the Application of the Rules of Maritime Accidents in the South China Sea”.^[2] In 2018, China and ASEAN countries reached the consensus on a draft single consultation text of the Code of Conduct (COC).

The third is to advance through the “Belt and Road” project to provide international public service products. Under the framework of “Vision and Action for Promoting the Co-construction of the Silk Road Economic Belt and the 21st Century Maritime Silk Road”, China has found more common grounds and interchanges with neighboring countries by strengthening communication and promoting trade with each other. This provides the necessary funding and technical support for the development of the countries along the region, thereby strengthening the trust between China and the other countries, and creating a favorable international environment for the peaceful settlement .

In general, the situation in this region has been tense since the “Belt and Road” initiative. However, under the influence of “dual track” principle and the “Maritime Silk Road” project, the situation has stabilized since 2016.

2.The Situation under Indo-Pacific Strategy: Sensitive Geostrategic Games

With U.S. planning for Indo-Pacific strategy, the South China Sea has become one of the focused issues. Some arguments such as “rules-based order, maintaining freedom of sail and overflight, compliance with international law, and opposition to militarization of islands and reefs”, etc., still dominate the discourse system of the Indo-Pacific strategy. The United States believes that China's deployment of anti-ship missiles, surface-to-air missiles, radio interference equipment, and bomber landings on islands and reefs are “directly for military purposes”^[3]. The involvement of the United States has increased the strategic doubts of each other, and is also the biggest uncertain factor in the situation in the South China Sea. Under the influence of this factor, the nature of the South China Sea dispute has changed. Under the misjudgment of strategic intent, it has changed from a regional issue to a global issue, and has become a strategic game issue for a large country.

Goals and behaviors form the basic elements of strategic intention. Actions are the products of will and belief, and the reasons are the causes of behavior. American realism scholars Millsheimer, Zals Lager and others divided the national strategic purpose into “maintaining the status quo” and “revisionism”. But they also think that the specific grasp of strategic intention is not very accurate, because there is often inconsistency between will and behavior. Even in a greedy country, if his desire to pursue territory expansion is prevented, his behavior will be like a country that maintains the status quo, not revisionism; and a country whose motivation is merely to seek security may also adopt revisionism and expansionary policies.^[4] Whatever the type of strategic intention of a country, and how that intention manifests itself, depends primarily on national interest considerations. With the rapid development of China, America, based on its own behavior logic, assumes that China's military modernity will promote its dominance in the Asia-Pacific region, so it is full of doubts about China's military modernization. In recent years, China's legitimate rights protection in the South China Sea has been labeled by the United States as “endangering regional peace and stability, endangering freedom of navigation, and not complying with international law and international norms”. America has positioned China as a “revisionist” country and believes that China's rights defense will “militarize” the South China Sea in order to push it out of the Asia-Pacific region and build a China-led regional order. Based on this suspicion of strategic intention, the United States gradually abandoned its neutral stance in action, shifting from indirect intervention to direct

intervention, from behind-scenes director to front-stage starring, and fully involved in the South China Sea dispute. Since the “Belt and Road” initiative, America has changed its previous neutral stance. It has repeatedly claimed that the South China Sea is of immediate interest, throwing out the “freezing theory”, supporting arbitration case, and advocating “the right to free navigation on the high seas”. For these purposes, the United States has released a report entitled “Situations in the South China Sea and US Countermeasures” and launched several military operations (see the table below). In addition, the United States has also increased military maritime diplomacy in this region. For example, the United States and the Philippines held a ten-day “side by side” joint military exercise in 2017. The “Carr Vinson” aircraft carrier battle group in 2018 Visited Vietnam and conducted a joint military exercises with the Japan Maritime Self-Defense Force. These military operations provide security asylum for the corresponding allies, and also facilitate their own military reconnaissance in the area. From the perspective of Indo Pacific’s strategic layout, the Trump administration may be more radical than the Obama administration. It has strengthened the convenience of its so-called “freedom of navigation” and increased the frequency of its activities. The degree of “militarization” in the South China Sea, the situation is facing more complex challenges and problems. In the background of the Indo-Pacific strategy, America regards China’s legitimate rights protection as a challenge to regional order and American maritime hegemony. The United States’ actions have fully revealed its strategic intention of using the South China Sea disputes to obstruct China’s peaceful rise. Therefore, taking the U.S. factor into account, the South China Sea dispute has gone beyond the scope of disputes over sovereignty and maritime rights between the sovereign claimants, and has become a frontier issue in the strategic game between the hegemonic defending nations and the emerging countries.

Table 1 . Military Activities of US Ships in Recent Years^[5]

Year	Warships	Into Range
2015	“Lassen”guided missile destroyer	Within 12 nautical miles of Chubi Reef, Nansha Islands
2016	“Curtis Wilbur”missile destroyer	Within 12 nautical miles of Zhongjian Island,Xisha Islands
2016	“William Lawrence”missile destroyer	Within 12 nautical miles of Yongshu Reef,Nansha Islands
2017	“Dewey”missile destroyer	Within 12 nautical miles of Meiji Reef Nansha Islands
2018	“Higgins”guided missile destroyer and“Antitan”guided missile cruiser	Within 12 nautical miles of Zhongjian Island and Yongxing Island, Xisha Islands
2019	“Preble”and“Zhongyun”missile destroyers	Within 12 nautical miles of Nanxun Reef and Chigua Reef,Nansha Islands

In response to the intervention of extraterritorial forces, China has also actively taken the corresponding actions of sovereign states and actively used the rights of self-protection and self-defense granted to sovereign states by international law,such as building airports and deploying radar. For US military activities,China sent several ships for defensive surveillance,which clearly expressed the Chinese government’s determination and attitude to defend sovereignty and interests. At the same time, in the face of the United States’increasing military presence, China and Russia conducted“maritime joint”military exercises, including joint antisubmarine operations, seizing control of islands and reefs,and joint search and rescue. In 2018, China held a grand military parade in this region.This is the largest fleet in the history of China’s maritime parade with the most complete formation and the highest level of modernization.China’s defensive measures have formed

a certain countermeasure against the United States, but it will also inevitably lead to a situation of competition between China and America. Therefore, we can judge that the geostrategic game between the two countries will exist for a long time.

3.China's Future Path Choices: Interest Adjustment and Public Goods Supply

First of all, China should face up to the actual interests of America in the Asia-Pacific region, continue to consolidate and promote the relationship as a new type of great power, carry out strategic communication at multiple levels, prevent misjudgments, and jointly control geographical risks. On the one hand, the South China Sea is China's core interest and it must defend; On the other hand, the South China Sea is a key interest for the United States and it needs to honor its obligations to maintain allies and hegemony. Under such circumstances, when China's fast-growing interests conflict with US interests, it is easy to create strategic mutual doubt. As a defending and a rising country, There must be a lot of competitive interest here, but they also have consistent interests, such as freedom of navigation and a rule-based and standardized governance system. The "freedom of navigation" has never been a problem, and China itself is the biggest beneficiary of "freedom of navigation". China currently has more than 40% of foreign trade goods and more than 80% of imported crude oil products passing through this sea area. China's concern for freedom of navigation can be said to be much higher than the United States. Strengthening communication and exchange is an effective channel to alleviate misunderstandings of mutual intentions. China should adhere to the long-term policy of negotiating peaceful settlement of the disputes and recognize the right of the United States to free navigation under international law. China must make it clear that it has no intention to push American forces out of this region, and has no intention of promoting expansionism and seeking maritime hegemony. In addition, the two countries should also follow the Guiding Principles of the Maritime Military Security Consultation Mechanism and the Regulations for Accidental Encounters at Sea to avoid frequent vicious interactions between the two sides that could lead to gunfire.

Secondly, China should promote the negotiation among the disputed parties involved on the basis of the "dual regulations" principle, and focus on peace and stability to "put aside disputes and develop together" and seek a long-term solution. Although the economic interdependence between China and ASEAN continues to deepen, the South China Sea issue has become a serious obstacle to the further development of China-ASEAN relations. China should resolve disputes through dialogue and resolve differences through consultations. Substantial progress should be made as soon as possible in the negotiation of the "Code of Conduct", cooperation in non-traditional security, and joint development of disputed sea resources. China needs to convey to ASEAN countries China's confidence and determination to maintain peace and stability, so that ASEAN countries can gain more practical benefits through cooperation with China and increase their awareness of the "certainty" of China's policy. China should take the "Belt and Road" construction as an opportunity to build a "China-ASEAN Community of Destiny", while actively taking on international responsibilities, supporting ASEAN to play a leading role in East Asia regional cooperation, attaching importance to the constructive role of the ASEAN mechanism, and playing together in the region Governance in economic and social security..

Finally, China needs to actively guide international public opinion through various media to shape a positive international image. Good communication mechanisms enable the disputed parties involved obtain accurate and effective information in a timely manner, thereby reducing strategic mistrust between the parties and reducing the probability of strategic misjudgement. At present, China's right to speak internationally on the South China Sea is still at a disadvantage. China's

historical rights has been challenged by claimants and extraterritorial forces in accordance with the United Nations Convention on the Law of the Sea. The United States uses its international dissemination advantage to continuously hype China's threat theory and the concept of "freedom of navigation", and constantly creates negative discourses that suppress China. The purpose is to shape China's negative role image in international affairs in the South China Sea, so that it can infiltrate its power into the South China Sea region, create favorable international public opinion, and suppress China's reasonable and legitimate claims. China should take the initiative to explain the justification of China's claims, and make a reasonable and justifiable counterattack against the deliberate smearing of China from the media. It is necessary to further develop and disseminate the concepts of pacifism such as "seeking harmony and never follow the unjust", "taking neighboring countries as good friends", "joint development", and "community with shared future" advocated by China, and strive to gain greater understanding and recognition from the people of the South China Sea.

4. Conclusion: Peace and Development Requires Joint Efforts in Cooperative Governance.

Power, mechanism and concept are the three basic categories of international relations. Based on these category, different governance paradigms of international issues will arise. Blindly highlighting the category of power is necessarily a realist confrontation. In today's interdependent globalization, the solution of international problems cannot be solved by traditional power alone. The inevitable result must be a zero-sum game. And traditional mechanisms and concepts are not necessarily the way to solve problems. Because the mechanism may be dominated by hegemony, and the concept may be biased. Therefore, the solution of the South China Sea issue is included in the theoretical perspective of state relations, a new paradigm of cooperative governance is needed. Under this paradigm, the power factor is in a secondary position, and the unified power center is constantly being broken. a network structure of multiple power subjects is increasingly taking shape; the international mechanism formed by multiple power subjects based on mutual equal consultation will effectively restrict the abuse of power; the concepts of multiple cooperation and mutual benefit are the consensus value basis of this mechanism. Therefore, with the purpose of benefiting the South China Sea, all parties in the South China Sea have strengthened exchanges across various channels, broadened discussion topics, gathered consensus on cooperation, formed an effective governance network, and jointly controlled the extreme trend of traditional power.

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