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# RSIS COMMENTARIES

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## **South China Sea: Reducing the China-Vietnam tension**

By Zhen Sun

### **Synopsis**

*The disputed South China Sea is a source of long-running tension and instability in Asia, worsened by controversial actions and sharp reactions by the various territorial claimants. There is a need for the peaceful resolution of disputes between China and Vietnam.*

### **Commentary**

RECENT EVENTS in the South China Sea involving China's annual fishing moratorium and skirmishes between Chinese and Vietnamese vessels over seismic survey and oil exploration -- with the inevitable nationalistic rhetoric that comes with such incidents -- highlight the politically volatile situation in the region.

China's unilateral moratorium on fishing in an area of the South China Sea north of 12 degrees latitude from 16 May 2011 was due to end on 1 August 2011. Vietnam has challenged the moratorium ever since it was first imposed in 1999, claiming it has sovereign rights in parts of the affected area.

Tensions have risen this year, stoked by formal accusations by the Vietnamese authorities and newspapers of "Chinese starvation of Vietnam's fishing industry" and protest demonstrations in Hanoi and Ho Chi Minh City. Arguably adding to the situation were purported displays of Vietnam's military such as conducting live fire drills in June and ordering military conscription for the first time since 1979. Moreover Vietnam announced plans to hold joint naval activities with the United States both at sea and in port in the next few months.

### **Vietnam's Dilemma**

Vietnam appears to have found itself in a dilemma: to stake its claim for fishing rights and oil exploration or risk losing them to a more assertive China. The Vietnamese government has accommodated a growing nationalistic sentiment among its people, but it is also afraid that this could create a momentum leading to something greater and harder to control that could complicate its relations with China.

On the other hand China's enforcement of the moratorium and strong response to Vietnam's actions have served to heighten tension and sent a tough signal to both its people and the neighbouring states.

Since its inception 12 years ago, China's fishing moratorium has resulted in tangible benefits for the fishing community in terms of improvement to fishing stocks, both in quantity and quality. It proved effective and necessary in protecting fisheries resources and improving production. Moreover, it has been widely accepted and implemented with only minor instances of non-compliance.

China's fishing moratorium, first imposed in the Yellow Sea and East China Sea in 1995, and then in the South China Sea, is in keeping with its international obligations. Under the 1982 United Nations Convention on the Law of the Sea, to which both China and Vietnam are parties, the coastal state is obliged to take proper measures to ensure that living resources under its jurisdiction are not endangered by over-exploitation. China also formulated a Fisheries Law to enhance the protection, increase development and reasonable utilisation of fishery resources.

### **Maintaining Harmony**

China and Vietnam, which have managed to maintain a long-standing relationship as neighbouring states, have every incentive to continue doing so. China-Vietnam relations have been marked by extended periods of collaboration and shorter periods of military conflict. Following the resumption of their relations in 1991 they have signed the Land Border Treaty in 1999 and the Agreement on the Maritime Demarcation in the Gulf of Tonkin in 2000. Their successful delimitation of the territorial sea, exclusive economic zone and continental shelf in the Gulf of Tonkin proved that the two states can solve territorial issues by peaceful means. This gives hope that the recent incidents in the South China Sea can be solved bilaterally by peaceful means.

An encouraging sign has been the high-level diplomatic exchanges between China and Vietnam immediately after the recent occurrences. During a visit to Beijing by a special envoy from Vietnam, the two parties agreed on the importance of diplomatic negotiation to resolve the South China Sea issues. Both sides also agreed to avoid taking action which aggravates or complicates the issue. In addition, China and Vietnam have continued their joint naval patrols in the Gulf of Tonkin, including a port call to China in June, which marked the 11th joint patrol since 2005.

### **Growing power, avoiding belligerency**

While China, with its growing power, is becoming more assertive in territorial disputes and security affairs, it needs to show that being powerful does not necessarily mean being aggressive. It is just as well that China advocates a peaceful resolution to the South China Sea disputes through talks and consultations between states directly involved. Beijing has declared that it will refrain from resorting to force. It is also willing to work with all parties involved to fully implement the 2002 Declaration on the Conduct of Parties in the South China Sea to safeguard the stability of the sea by practical means and make it a sea of "peace, friendship and cooperation".

However it is necessary that China and other claimant states clarify their claims, spell out their interests and positions, and hold dialogues to ensure that they do not misunderstand or misjudge each other. The claimant states should all adopt a restrained, responsible, and constructive attitude toward each other, and be prepared to withstand and resolve serious tensions if and when they arise.

China emphasises that regional disputes be resolved by states in this region. It argues that internationalising the South China Sea issue only heightens tension between parties; ostensible support from parties not involved in the dispute will encourage certain factions within states or the states themselves to adopt a more belligerent tone and makes it less possible to reach an agreement.

For both China and Vietnam, the most important concern is to eliminate miscalculation, misunderstanding and misperception to ensure order and stability in the South China Sea.

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