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South China Sea Disputes: KL's Subtle Shift on China?

By Oh Ei Sun

Synopsis

Malaysia raised its level of response over a recent encounter with a Chinese vessel in disputed waters in South China Sea. Does this signify a new norm in Malaysian and other Southeast Asia claimants' attitudes in engaging China?

Commentary

IN THE latest episode in the ongoing territorial disputes in South China Sea, Malaysia will reportedly lodge a formal diplomatic protest with China over the presence of a Chinese Coast Guard vessel near Luconia Shoals, a series of islets and reefs well within Malaysia's claimed 200-nm exclusive economic zone. The Malaysian Prime Minister, Najib Razak, would "raise the issue directly with Chinese President Xi Jinping", a cabinet minister, Shahidan Kassim, was quoted as saying.

With China being Malaysia's largest trading partner and Malaysia China's largest trading partner in Southeast Asia, Kuala Lumpur is mindful of this fruitful bilateral economic relationship over and above the territorial dispute with China in the South China Sea. This is in stark contrast to the more assertive approaches of two other ASEAN claimants, Vietnam and the Philippines, in their territorial disputes with China. Therefore, the more vocal Malaysian reaction of late to perceived Chinese aggressiveness in the South China Sea seems to suggest an apparent departure from Kuala Lumpur's previous low-key responses to China's claims. There are five possible factors for this shift in Malaysian attitude.

Large-scale reclamation

Firstly, over the last year or so, China has engaged in unprecedented large-scale land reclamation in various parts of the South China Sea which it claims. While other claimants have over the years also reclaimed reefs or buttressed submerged features in their respective claimed territories, China has over a short span of time reclaimed much more than all the other claimants combined, building artificial islands out of reefs. Inevitably, this raised suspicion among regional and extra-regional parties.

Other claimants, Malaysia included, voiced their concerns in varying tones, some - Vietnam and the

Philippines - louder than others, but all proved ineffectual in stopping China's reclamation activities, no matter how far-flung away from the Chinese mainland. It would appear that Malaysia's apparent shift in posture was triggered by such Chinese moves to change the "facts on the ground".

Secondly, intrusions into Malaysia's claimed waters by China's official vessels - mostly civilian but occasionally military or para-military (as in the present case) - have increased to a level that has alarmed Kuala Lumpur. These intrusions were raised from previously biennial or annual "customary" visits into "a daily affair" since late last year as claimed by Malaysian naval authorities.

Apparently, every time an incident occurred, the Malaysian side would "shadow" the intruding vessel and lodge a "diplomatic protest" with the Chinese side. Apparently these moves have failed to dissuade China from its serial intrusive activities. The increasing frequency and intensity of these intrusions by Chinese vessels seemed to have prompted Kuala Lumpur to upgrade its protest to the highest level possible - between the top leaders of both countries.

Testing the waters?

Thirdly, as in many other international tussles, the various claimants over the years have employed a range of tactics in advancing their respective claims, ranging from informal caution and diplomatic notice, to armed confrontation and forceful occupation. As China argued that its land reclamation was following precedents by other South China Sea claimants, the Philippines and Vietnam also recently announced in quick succession that they were either organising tourist groups to their disputed maritime features or constructing touristic infrastructure on them. It should not come as a surprise if Malaysia would similarly add yet another front in defending its claims by airing displeasure at the highest level.

Fourthly, the United States' renewed strategic commitments to the region perhaps have also emboldened some regional claimants in their disputes with China. Late last month, addressing the Shangri-La Dialogue security conference in Singapore, the new American Secretary of Defence Ashton Carter reiterated the US resolve to preserve freedom of passage in the South China Sea even as he censured China for its large-scale land reclamation on the disputed features. In fact, Carter explicitly said that China's actions were pushing its regional neighbours towards requesting security guarantees by the US.

Carter also pledged more US security resources under the new Southeast Asian Maritime Security Initiatives while inking various defence cooperation agreements with Vietnam a few days later. This series of not-so-subtle security-enhancing rhetoric and actions on the part of the US are of course not lost to the Southeast Asian claimants. It is not surprising that Malaysia upped the ante by pressing harder its South China Sea claims.

Finally, there is also a domestic dimension to Malaysia's bolder reaction to Chinese intrusion into its territorial waters. Prime Minister Najib is currently embroiled in a political struggle with one of his predecessors, Mahathir Mohamad. He is finding himself in the unenviable position of having to fend off various domestic political salvos from both within and outside the administration. As such, the Malaysian government simply cannot appear to be weak on the international front, especially in defending Malaysia's South China Sea claims, lest this becomes fodder for further attacks by political rivals.

In the face of all this, there is one positive development arising from this latest South China Sea encounter between China and Malaysia. As Mr Xi and Mr Najib are not scheduled to officially meet anytime soon, Prime Minister Najib's prospective raising of the latest Malaysian displeasure "directly with" President Xi would suggest that there is a "hotline" or some special direct channels of communication between the two top leaders. This testifies to the overall close and cordial relations between the two countries.

All eyes are now on whether this latest South China Sea incident, currently suggesting a subtle shift in Kuala Lumpur's position, will actually lead to significant changes in its bilateral relationship with China, or in the collective consensus on the South China Sea among Southeast Asian nations.

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