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Options for ASEAN in the South China Sea

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SYNOPSIS

As tension escalates in the South China Sea, what options do ASEAN and its member states have? This piece argues that ASEAN is not without options; it simply prefers non-adversarial ones.

COMMENTARY

Not Without Options

[ASEAN has taken a collective position on the South China Sea disputes.](#) This is centred on several long-held principles, including freedom of navigation, peaceful resolution of disputes, and full respect for legal and diplomatic processes. For the first time, ASEAN foreign ministers, in a statement released on 30 December 2023, expressed “concern [for] the recent developments in the South China Sea” and made a strong call “to restore and enhance mutual trust and confidence as well as exercise self-restraint in the conduct of activities that would complicate or escalate disputes and affect peace and stability” in the South China Sea.

China’s aggressive determination to assert its interest in regional waters has led its Southeast Asian neighbours, a group of small and medium states, to seek out options that can balance the asymmetry between China and ASEAN in terms of power and size. China probably does not realise that it is its own assertive approach that pushed the tension in the South China Sea beyond the complex competing territorial and maritime disputes between the claimants.



The ASEAN Foreign Ministers' Statement released in December 2023 was the first time the bloc definitively expressed concern over the South China Sea disputes, but there is yet no clear path on how ASEAN can restore stability in the region. *Image from Wikimedia Commons.*

The core contention in the South China Sea is now centred on the broader question of the universality of law and rules, where the stakeholders are no longer limited to the claimants alone. This development opens new options for Southeast Asia to explore partnerships and support from extra-regional maritime stakeholders. [Some have opted to expand their defence engagement with the United States and its allies and partners.](#)

But increased external engagement is not necessarily at the expense of the bilateral channels each Southeast Asia state maintains and continues to nurture with China. As the nature of bilateral relations between each ASEAN country and China is different, individual ASEAN countries will have to consider their own national interests when dealing with Beijing. Where ties are deep and institutionalised, diplomacy remains the primary strategy. [Vietnam is a very good example of harnessing its deep and long-standing bilateral relations to manage its disputes with China in the South China Sea.](#)

Keeping the Code of Conduct (CoC) process alive remains an important option, despite how commentators and critics alike contend that the realities on the ground have changed significantly and that ASEAN and China's inability to conclude the CoC negotiation has diminished the need for one. Arguably, the negotiation process remains useful as it provides a closed-door diplomatic platform for the 11 parties to consult with each other, convey and exchange views, and hopefully seek common ground for a collective approach to managing tensions in the South China Sea. Despite the long-drawn process, it is obvious that the Southeast Asian negotiators have not forsaken substantive considerations for expediency.

What Didn't Happen

ASEAN has been on the receiving end of strong criticism for its inability to manage tensions in Southeast Asia, with the Myanmar crisis being the most vexing and the South China Sea issue being a long marathon with no checkered flag in sight. Yet, one must recognise that it is no mean feat on ASEAN's part to have managed these complexities thus far and that an all-out conflict in the South China Sea has not

become a reality despite tensions running high. It will be in no one's interest if war breaks out in the South China Sea.

Unfortunately, what is also not happening is real progress on the CoC front, as initially intended. At one point of time, there had been a three-year timeline for the development of the CoC, though progress on this eventually plateaued. This lack of progress had still been tolerable before tensions started ratcheting upward. Now, with more live confrontation at sea, the lack of progress on the CoC front means that there are no viable mechanisms to help alleviate tension and reduce the increasing risk of open conflict.

What More Can Be Done?

Continued engagement with China remains the primary strategy, although ASEAN is in a difficult position on this front. On one hand, negotiating with China as a group has long been seen as a strategy to put ASEAN on an equal footing vis-à-vis China. Hence, the CoC negotiation had been designed as an ASEAN-China process, as opposed to claimant countries having to negotiate individually with China. On the other hand, coming together as a group is proving to be more complicated than expected.

A key challenge remains that the nature of each ASEAN member state's (AMS) bilateral relations with China has never been equal, although not all would acknowledge this publicly. On top of that, each AMS adopts rather different strategies in engaging with China based on their immediate interests, foreign policy inclinations, and their own ties with the United States. Therefore, it is difficult for ASEAN to put up a strong, collective front to negotiate with China.

Nevertheless, geography is an immutable factor. China and Southeast Asia will always be neighbours; whether the 11 countries choose to live in peace and harmony is up to them. To fill the gap of the slow progress of the CoC, regional countries will need to explore new tension management mechanisms that complement the CoC process. This may mean that claimants will need to seek alternative strategies that suit their own interests while managing their differences with China. Previously, these initiatives were sometimes seen as undermining the ASEAN process and were frowned upon by other ASEAN member states. There may thus be a need to update how claimant countries can seek to defend their own interests, given that there are limitations to the ASEAN process.

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