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Sovereignty tussle key to China-Asean ties

By For The Straits Times, Michael Richardson

RELATIONS between China and South-east Asia have taken a great leap forward in the past 15 years.

Mistrust from the Cold War and the days when Beijing supported communist-led insurgencies in the region has largely been dispelled. Two-way trade, investment and tourism are booming.

These and other achievements in forging closer ties were rightly celebrated by Chinese and South-east Asian leaders at their summit in Nanning last week. Both sides have benefited enormously.

With the United States preoccupied by its troubles with Iraq, Iran, Afghanistan and the war on terror, China's influence in a region once dominated by America and its ally, Japan, will continue to grow.

Yet regional security cooperation between China and Asean falls far behind their economic and political ties. China's armed forces, obsessed by secrecy and old thinking, have not dropped the ball; they have simply failed to pick it up and push it forward.

Chinese Premier Wen Jiabao suggested in his speech to the summit that China was now ready to add a military dimension to cooperation with South-east Asia to ensure common security.

He called for expanded military dialogue and exchanges, practical defence cooperation and joint development of the South China Sea, where China, Taiwan and four South-east Asian countries have overlapping territorial claims in an area with promising oil and gas reserves.

How could security links be improved?

Mr Wen suggested closer collaboration in maritime security, search and rescue, disaster relief, counter-terrorism and curbing transnational crime. He also said that China was ready to accede to the treaty that bans the development, possession or storage of nuclear weapons in South-east Asia - something the US has so far refused to do.

But these are easy, cost-free steps for Beijing. To cement its ties with Asean for the long term, China should go further. Indeed, it may already have signalled a willingness to do so.

Official maps published by China mark its maritime boundary as a broken line extending deep into the South China Sea, and thus into the heart of South-east Asia.

The Chinese line encompasses not just the Chinese-controlled Paracel Islands and the disputed Spratly Islands to the south, but also many of the offshore oil and gas fields being exploited or explored by South-east Asian countries in the Exclusive Economic Zones within 200 nautical miles of their territories.

Shaped like a giant U extending from the Chinese mainland and Hainan Island, Beijing's claim of jurisdiction over its 'historic waters' covers almost all of the South China Sea and dates back to 1947.

It brings China into potential conflict with the maritime resource claims of Vietnam, the Philippines, Indonesia, Malaysia and Brunei.

Last week, China and Malaysia announced a deal worth about US\$25 billion (S\$39.3 billion) in which the Malaysian national petroleum company, Petronas, will supply liquefied natural gas to Shanghai for 25 years starting in 2009 from Malaysian offshore fields in the South China Sea. Some of these fields fall within or straddle China's broken line claim. The deal with Petronas indicates Beijing now accepts that Malaysia, and not China, owns the fields.

China could pre-empt a potential future conflict over energy, fisheries and sea-lane control in the South China Sea by formally and finally abandoning its broken line maritime boundary claim in the area. This claim may not be active now, but it could always be revived.

Dropping it would make it clear that Beijing bases its claims in the South China Sea on current international law, not ancient history.

Alternatively, China and the South-east Asian contestants could agree to put their rival sovereignty claims to arbitration or adjudication before the United Nations Law of the Sea tribunal or the International Court of Justice, as some South-east Asian countries have done with their island and maritime boundary disputes.

As an interim measure, China and the South-east Asian claimants to the Spratly Islands - Vietnam, the Philippines, Malaysia and Brunei - could move beyond their 2002 non-binding joint declaration on conduct in the South China Sea and sign a mandatory code of conduct that would freeze unilateral activities and permit no further occupation of atolls and reefs or new construction on inhabited parts of the widely scattered archipelago.

South-east Asian countries with significant navies or coast guards could develop a programme of training exercises with China that would include a counter-terrorism and anti-piracy component, similar to programmes they now have with the US and Japan.

For its part, China could accept the standing invitation from the US and South-east Asian countries to take part in regional military cooperation exercises such as Cobra Gold.

These focus increasingly not on defence from external attack, but on peacekeeping, disaster relief and combating terrorism, piracy and other potential threats to safety and freedom of navigation.

Of course, if Beijing maintains its old claim to sovereignty over most of the South China Sea while China itself becomes economically and militarily more powerful, it will be able to negotiate with other claimants from a position of increasing strength.

But this approach is unlikely to enhance mutual trust and security cooperation between China and South-east Asia.

The writer is a visiting senior research fellow at the Institute of Southeast Asian Studies. This is a personal comment.