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Territorial disputes in the South China Sea

Territorial disputes in the South China Sea involve both island and maritime claims among seven sovereign states within the region, namely Brunei, the People's Republic of China, Taiwan, Indonesia, Malaysia, the Philippines, and Vietnam. There are disputes concerning both the Spratly and the Paracel islands, as well as maritime boundaries in the Gulf of Tonkin and elsewhere. There is a further dispute in the waters near the Indonesian Natuna Islands. The interests of different nations include acquiring fishing areas around the two archipelagos; the potential exploitation of suspected crude oil and natural gas under the waters of various parts of the South China Sea; and the strategic control of important shipping lanes.

Background

The area is potentially rich in oil and natural gas deposits; however, the estimates are highly varied. The Ministry of Geological Resources and Mining of the People's Republic of China estimate that the South China Sea may contain 17.7 billion tons of crude oil (compared to Kuwait with 13 billion tons). In the years following the announcement by the ministry, the claims regarding the South China Sea islands intensified. However, other sources claim that the proven reserve of oil in the South China Sea may only be 7.5 billion barrels, or about 1.1 billion tons. According to the U.S. Energy Information Administration (EIA)'s profile of the South China Sea region, a U.S. Geological Survey estimate puts the region's discovered and undiscovered oil reserves at 28 billion barrels, as opposed to a Chinese figure of 213 billion barrels. The same EIA report also points to the wide variety of natural gas resource estimations, ranging from 900 trillion cubic feet (25.5 trillion cubic meters) to 2 quadrillion cubic feet (56.6 trillion cubic meters). The South China Sea is dubbed by China as the "second Persian Sea." The state-owned China Offshore Exploration Corp. planned to spend 200 billion RMB (US\$30 billion) in the next 20 years to exploit oil in the region, with the estimated production of 25 million metric tons of crude oil and natural gas per annum, at a depth of 2000 meters within the next five years.

On March 11, 1976, the first Philippine oil company discovered an oil field off Palawan, which is an island province bordering the South China Sea and the Sulu Sea. These oil fields supply 15% of annual oil consumption in the Philippines.

The nine-dotted line was originally an "eleven-dotted-line," first indicated by the then Kuomintang government of the Republic of China in 1947, for its claims to the South China Sea. After, the Communist Party of China took over mainland China and formed the People's Republic of China in 1949. The line was adopted and revised to nine as endorsed by Zhou Enlai.

The legacy of the nine-dotted line is viewed by some Chinese government officials, and by the Chinese military, as providing historical support for their claims to the South China Sea.

In the 1970s, however, the Philippines, Malaysia and other countries began referring to the Spratly Islands as included in their own territory. On June 11, 1978, President Ferdinand Marcos of the Philippines issued Presidential decree No. 1596, declaring the Spratly Islands (referred to therein as the Kalayaan Island Group) as Philippine territory.

The abundant fishing opportunities within the region are another motivation for the claim. In 1988, the South China Sea is believed to have accounted for 8% of world fishing catches, a figure that has grown since then. There have been many clashes in the Philippines with foreign fishing vessels (including China) in disputed areas. China believes that the value in fishing and oil from the sea has risen to a trillion dollars.

The area is also one of the busiest shipping routes in the world. In the 1980s, at least 270 merchant ships used the route each day. Currently, more than half the tonnage of oil transported by sea passes through it, a figure rising steadily with the growth of Chinese consumption of oil. This traffic is three times greater than that passing through the Suez Canal and five times more than the Panama Canal.

Current situation

As of 1996, Vietnam, the Philippines, Brunei, Malaysia and other countries asserted claims within the Chinese nine-dotted line. The United Nations Convention on the Law of the Sea, which came into effect on November 16, 1994, resulted in more intense territorial disputes between the parties.

As of 2012, all of the Paracel Islands are under Chinese control.

Eight of the Spratly Islands are under Chinese control; Vietnamese troops control the greatest number of Spratly islands, 29. Eight islands are controlled by the Philippines, five by Malaysia, two by Brunei and one by Taiwan. The Indian Ambassador to Vietnam, while expressing concern over rising tension in the area, said that 50 per cent of its trade passes through the area and called for peaceful resolution of the disputes in accordance with international law. 2011 agreement

On July 20, 2011, the PRC, Brunei, Malaysia, the Philippines and Vietnam agreed to a set of preliminary guidelines which would help resolve the dispute. The agreement was described by the PRC's assistant foreign minister, Liu Zhenmin, as "an important milestone document for cooperation among China and ASEAN countries". Some of the early drafts acknowledged aspects such as "marine environmental protection, scientific research, safety of navigation and communication, search and rescue and combating transnational crime," although the issue of oil and natural gas drilling remains unresolved.

Chinese objection to Indian naval presence and oil exploration

On July 22, 2011, the INS Airavat, an Indian amphibious assault vessel on a friendly visit to Vietnam, was reportedly contacted 45 nautical miles from the Vietnamese coast in the disputed South China Sea by a party identifying itself as the Chinese Navy and stating that the ship was entering Chinese waters. A spokesperson for the Indian Navy explained that as no ship or aircraft was visible, the INS Airavat proceeded on her onward journey as scheduled. The Indian Navy further clarified that "There was no confrontation involving the INS Airavat. India supports freedom of navigation in international waters, including in the South China Sea, and the right of passage in accordance with accepted principles of international law. These principles should be respected by all."

In September 2011, shortly after China and Vietnam signed an agreement seeking to contain a dispute over the South China Sea, India's state-run explorer, Oil and Natural Gas Corporation (ONGC) said that its overseas investment arm, ONGC Videsh Limited, had signed a three-year agreement with PetroVietnam for developing long-term cooperation in the oil sector, and that it had accepted Vietnam's offer of exploration in certain specified blocks in the South China Sea. In response, Chinese Foreign Ministry spokesperson Jiang Yu, without referring to India by name, stated as follows:

"China enjoys indisputable sovereignty over the South China Sea and the island. China's stand is based on historical facts and international law. China's sovereign rights and positions are formed in the course of history and this position has been held by Chinese Government for long. On the basis of this China is ready to engage in peaceful negotiations

and friendly consultations to peacefully solve the disputes over territorial sovereignty and maritime rights so as to positively contribute to peace and tranquillity in the South China Sea area. We hope that the relevant countries respect China's position and refrain from taking unilateral action to complicate and expand the issue. We hope they will respect and support countries in the region to solve the bilateral disputes through bilateral channels. As for oil and gas exploration activities, our consistent position is that we are opposed to any country engaging in oil and gas exploration and development activities in waters under China's jurisdiction. We hope the foreign countries do not get involved in South China Sea dispute."

An Indian foreign ministry spokesman responded, "The Chinese had concerns, but we are going by what the Vietnamese authorities have told us and [we] have conveyed this to the Chinese." The Indo-Vietnamese deal was also denounced by the Chinese state-run newspaper Global Times.

Retrenchment

In Spring 2010, Chinese officials reportedly communicated to U.S. officials that the South China Sea is "an area of 'core interest' that is as non-negotiable" and on par with Taiwan and Tibet on the national agenda. but may have backed away from that assertion in 2011.

In October 2011, China's Global Times newspaper, published by the Communist Party, People's Daily, editorialized on South China Sea territorial disputes under the banner "Don't take peaceful approach for granted". The article referenced recent incidents involving Philippines and South Korea detaining Chinese fishing boats in the region: "If these countries don't want to change their ways with China, they will need to prepare for the sounds of cannons. We need to be ready for that, as it may be the only way for the disputes in the sea to be resolved." Global Times (China), 25 October 2011 Responding to questions about whether this reflected official policy, a Chinese Foreign Ministry spokeswoman stated the country's commitment "to resolving the maritime dispute through peaceful means." Alan Dupont of the University of New South Wales has said that the Chinese government appears to be directing its fishing fleet into disputed waters as a matter of policy.

Oil development

Vietnam and Japan reached an agreement early in 1978 on the development of oil in the South China Sea. As of 2012, Vietnam had concluded some 60 oil and gas exploration and production contracts with various foreign companies. In 1986, the "White Tiger" oil field in the South China Sea came into operation, producing over 2,000 tons of crude oil per year, followed by the "The Bear" and "Dragon" oil fields. As of 2011, Vietnam was the sixth-largest oil producer in the Asia-Pacific region although the country is now a net oil importer; in 2009 while petroleum accounted for 14 percent of government income, this was down from 24 percent in 2004.

China's first independently designed and constructed oil drilling platform in the South China Sea is the Ocean Oil 981. The major shareholders are J.P. Morgan Chase & Co. (19.01%), Commonwealth Bank of Australia (14.05%), T. Rowe Price Associates, Inc. and affiliates (6.01%), and BlackRock, Inc. (5.37%). It began operation on May 9, 2012 in the South China Sea, 320 kilometres (200 mi) southeast of Hong Kong, at a depth of 1,500 m and employing 160 people. On May 2, 2014, the platform was moved near to the Paracel islands, a move Vietnam stated violated their territorial claims while Chinese officials said was legal as it falls within surrounding waters of the Paracel Islands which China militarily controls.

Ethnic minorities in Vietnam and the Philippines

Various factions of the Muslim Moro people are waging a war for independence against the Philippines. The website of the separatist Moro National Liberation Front (MNLF) of Nur Misuari declared its support for China against the Philippines in the South China Sea dispute, calling both China and the Moro people as victims of Philippine

colonialism, and noting China's history of friendly relations with the Moros. The MNLF website also denounced America's assistance to the Philippines in their colonization of the Moro people in addition to denouncing the Philippines claims to the islands disputed with China, and denouncing America for siding with the Philippines in the dispute, noting that in 1988 China "punished" Vietnam for attempting to set up a military presence on the disputed islands, and noting that the Moros and China maintained peaceful relations, while on the other hand the Moros had to resist other colonial powers, having to fight the Spanish, fight the Americans, and fight the Japanese, in addition to fighting the Philippines.

Champa historically had a large presence in the South China Sea. The Vietnamese broke Champa's power in an invasion of Champa in 1471, and then finally conquered the last remnants of the Cham people in an invasion in 1832. A Cham named Katip Suma who received Islamic education in Kelantan declared a Jihad against the Vietnamese, and fighting continued until the Vietnamese crushed the remnants of the resistance in 1835. The Cham organization Front de Libération du Champa was part of the United Front for the Liberation of Oppressed Races, which waged war against the Vietnamese for independence in the Vietnam War along with the Montagnard and Khmer Krom minorities. The last remaining FULRO insurgents surrendered to the United Nations in 1992. Vietnam has settled over a million ethnic Vietnamese on Montagnard lands in the Central Highlands. The Montagnard staged a massive protest against the Vietnamese in 2001, which led to the Vietnamese to forcefully crush the uprising and seal the entire area off to foreigners.

The Vietnamese government fears that evidence of Champa's influence over the disputed area in the South China Sea would bring attention to human rights violations and killings of ethnic minorities in Vietnam such as in the 2001 and 2004 uprisings, and lead to the issue of Cham autonomy being brought into the dispute, since the Vietnamese conquered the Hindu and Muslim Cham people in a war in 1832, and the Vietnamese continue to destroy evidence of Cham culture and artifacts left behind, plundering or building on top of Cham temples, building farms over them, banning Cham religious practices, and omitting references to the destroyed Cham capital of Song Luy in the 1832 invasion in history books and tourist guides. The situation of Cham compared to ethnic Vietnamese is substandard, lacking water and electricity and living in houses made out of mud.

The Cham in Vietnam are only recognized as a minority, and not as an indigenous people by the Vietnamese government despite being indigenous to the region. Both Hindu and Muslim Chams have experienced religious and ethnic persecution and restrictions on their faith under the current Vietnamese government, with the Vietnamese state confiscating Cham property and forbidding Cham from observing their religious beliefs. Hindu temples were turned into tourist sites against the wishes of the Cham Hindus. In 2010 and 2013 several incidents occurred in Thành Tín and Phước Nhơn villages where Cham were murdered by Vietnamese. In 2012, Vietnamese police in Chau Giang village stormed into a Cham Mosque, stole the electric generator, and also raped Cham girls. Cham Muslims in the Mekong Delta have also been economically marginalized and pushed into poverty by Vietnamese policies, with ethnic Vietnamese Kinh settling on majority Cham land with state support, and religious practices of minorities have been targeted for elimination by the Vietnamese government.
