



KAMARAJ IAS ACADEMY
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South China Sea Dispute

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Why is in news?

The Philippines has approached neighbours such as Malaysia and Vietnam to discuss a separate code of conduct regarding the South China Sea, its president said on Monday, citing limited progress towards striking a broader regional pact with China.

Relations between the two have grown more tense under President Ferdinand Marcos Jr, who has increasingly complained about China's "aggressive" behaviour while rekindling strong ties with the Philippines' sole treaty ally, the United States.

About the issue:

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According to the **United Nations Conference on Trade and Development (UNCTAD)** **one-third of the global shipping passes through it**, carrying trillions of trade which makes it a significant geopolitical water body.

The South China Sea is **one of the busiest waterways in the world**, serving as a vital trade and merchant shipping route.

The South China Sea disputes are maritime and island claims between the region's sovereign states.

These disputes involve **China, Brunei, Taiwan, the Philippines, Vietnam, and Malaysia**, all of which are geopolitically located in the Indo-Pacific region.

The South China Sea is a **branch of the western Pacific Ocean** in Southeast Asia.

Bordering states & territories: The People's Republic of China, the Republic of China (Taiwan), the Philippines, Malaysia, Brunei, Indonesia, Singapore and Vietnam.

Taiwan Strait connects it to the East China Sea, and Luzon Strait connects it to the Philippine Sea.

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In 1982, the **UN Convention on Laws of the Sea** was adopted and signed, formalising extended maritime resource claims in international law.

At this time, no fewer than six governments had laid claim to the disputed Paracel and Spratly islands in the South China Sea.

By 2016, these reclamations had resulted in **three military-grade, mid-ocean airfields** that sent shockwaves around the world, provoked in part by China breaking its own pledge not to militarise the islands.

Nine-dash line:

The nine-dash line is a **historical demarcation line on a map used by China** to assert territorial claims in the South China Sea.

The line comprises nine dashes, which extend hundreds of miles south and east from its most southerly province of Hainan.

China asserts a claim to 90% of the South China Sea, primarily based on the historical U-shaped nine-dash line drawn on a map in the 1940s and encompassing several islands, notably the Paracels and Spratlys.

However, the Permanent Court of Arbitration under UNCLOS (United Nations Convention on the Law of the Sea) has determined that China's claim in this region lacks a legal foundation.

Scarborough Shoal dispute:

It is a dispute between – China & Philippines.

The 9 dash line runs as far as 2,000 km from the Chinese mainland and encircles Beijing's claimed waters and islands of the South China Sea claiming as much as 90% of the sea.

China's claim - Claiming historic rights as one of the first people to explore the area, China claimed the sea feature as part of its territory in recent decades and started to refer to it as Huangyan (Yellow Rock) Island.

In 2012, Beijing seized control of it and forced Filipino fishermen to travel farther for smaller catches.

Developmental activities by China:

It includes

Piling sand onto existing reefs

Military outposts in Paracel and Spratly islands

Deploying fighter jets, cruise missiles, and a radar system

Installation of barriers at the Scarborough Shoal

Construction of artificial islands in the Spratly islands

Philippines' claim - The Philippines continues to insist that it has **fishing rights over the disputed area** because it is part of its EEZ.

Claims Over Islands:

The **Paracel Islands** are claimed by China, Taiwan and Vietnam.

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The **Spratly Islands** are claimed by China, Taiwan, Malaysia, Vietnam, Brunei and Philippines.

The **Scarborough Shoal** is claimed by the Philippines, China and Taiwan.

China's Claim Over South China Sea:

China claims almost the entire South China Sea, including the Paracel Islands.

Taiwan, the Philippines, Brunei, Malaysia, and Vietnam all claim territory in the region, which is thought to contain valuable oil and gas deposits.

Chinese fishing fleets are engaged in paramilitary work on behalf of the state rather than the commercial enterprise of fishing.

The US is very critical of this building of artificial islands and terms these actions of China as building a 'great wall of sand'.

China's Assertion Over South China Sea:

Since 2010, China has been **converting uninhabited islets into artificial islets** in order to bring them under the UN Convention on the Law of the Sea (examples would include Haven Reef, Johnson South Reef and Fiery Cross Reef). China has been **modifying the physical land features of the reefs** to alter their size and structure. It has **also built airstrips on the islands of Parcel and Spratly**.

Chinese fishing fleets are more interested in paramilitary work for the state than in commercial fishing. The US strongly condemns China's construction of artificial islands and refers to it as erecting a "great wall of sand."

Other Issues with respect to SCS:

Undefined geographic scope of the South China Sea.

Disagreement over dispute settlement mechanisms.

Undefined legal status of the Code of Conduct (COC) add to it.

The different histories of distant, largely uninhabited archipelagos of the sea make the matter more complicated and multifaceted.

India's stand:

India has a **commercial interest in the South China Sea (SCS) region**. But it follows the policy of not involving itself in the disputes between sovereign nations.

India has been **concerned about the security of its trade flows and energy interests** in the South China Sea. Vietnam has offered India seven oil blocks in its territory of the SCS. India has signed energy deals with Brunei too.

India has **started internationalizing disputes in the Indo-Pacific region** to oppose China's threatening tactics in the South China Sea. The Key element is Act East Policy in this direction.

Use Soft Power – Using India's Buddhist legacy to make a strong bond with the South East Asian Region.

In order to defend maritime lanes of communication (SLOC) and counteract Chinese aggressiveness in the area, India has stationed its navy in the Sea alongside Vietnam.

Way forward:

The South China Sea is a crucial maritime gateway and junction for shipping between the Pacific and Indian Oceans. Any confrontation in the South China Sea, one of the world's most vital oceans in terms of geopolitics, economy, and strategy, will be a danger to regional and global security.

As **free and stable marine commons are crucial to global trade and economy**, India and many other nations have an interest in safeguarding the water lanes that pass through the region.

Despite the fact that the PCA declared its decision, the **reality on the ground has not altered, making it practically impossible to carry out the decision.**

By reiterating the **need for a peaceful conflict resolution** that fully respects legal and diplomatic channels and abides by the ruling, India has sent a strong message that the region wants peace and respect for international law.

The South China Sea problem **requires a political framework**, which can only be created through dialogue.

Leaders of the Association of Southeast Asian Nations (ASEAN) should try to find a political solution through "quiet diplomacy", as the potential for resolving this issue through legal methods is very low.