

Briefing Memorandum

Obama Administration's Approach towards the South China Sea dispute

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Introduction

For recent years, attention has again been paid to the territorial disputes between China and the certain Southeast Asian nations over the South China Sea—the South China Sea dispute. The United States is not a nation involved directly in the territorial disputes. Nevertheless, it has been increasing its interest in the issue from the aspect of regional stability, oceanic security, and potential impact on its relations with China, and has shown a positive commitment to this issue since 2010. This Briefing will examine how the Obama Administration responded to the issue, and discuss their outcomes by highlighting further challenges in the near future.

Successful Responses to the South China Sea Issue

As to the territorial disputes over the South China Sea, the Obama Administration does not stand for any specific position and basically sticks to its position of non-intervention. On the other hand, stressing their opposition to the use of force or menace by the nations concerned, the administration has requested those countries to facilitate a peaceful resolution of the disputes in a manner consistent with the international laws that are reflected in the United Nations Convention on the Law of the Sea (UNCLOS). The administration also supports the behavior standards that were reconfirmed in the “ASEAN-China Declaration on the Conduct (DOC) of the Parties in the South China Sea” as agreed upon between the Association of Southeast Asian Nations (ASEAN) and China in 2002, and has requested the nations concerned to formulate a legally binding “code of conduct.” Moreover, recognizing the importance of the South China Sea issue to the United States from the standpoint of oceanic security, the Obama Administration has repeatedly appealed that the United States have strong interest in compliance with international norms of the free navigation principles, use of air space, and right to access oceanic space, since the Secretary of State Hillary Clinton had referred to it in the meeting of the ASEAN Regional Forum (ARF) held in July 2010.

The responses of the Obama Administration to the South China Sea issue are characterized by its emphasis on the multinational framework focusing on the ASEAN region. This would reflect its judgments that such a regional system works as a framework in which the United States, which is not a party of the territorial disputes, can legitimately participate, and further that it is fit as an international rule-making forum that may affect the entire region. Thus, the United States welcomes

that the multinational talks such as the ARF and the East Asia Summit (EAS) take up the oceanic security issues, including the South China Sea issue, as one of the official agendas, and expects this issue to be discussed subject to commitment of the United States. In response to such expectations of the United States, the ARF Ministerial Meeting held in Indonesia in July 2011 discussed the South China Sea issue as one of the key subjects, and the Third Meeting of the ASEAN-United States Leaders Meeting held in November released the joint statement in which they confirmed the common interest in compliance with the international laws and free navigation principles involving oceanic security. Thus, there have been discussions about oceanic security with the participation of the United States.

At the EAS, oceanic security was added to the agendas together with the non-proliferation, humanitarian support, and disaster rescues, although China initially showed its negative stance. In addition, 16 of 18 nations in total that participated in the EAS referred to the South China Sea issue, and expressed many opinions supporting the stance of the United States for the South China Sea issue, such as compliance with international norms including the free navigation principles, and peaceful resolution of the territorial disputes under the prevailing international rules. Thus, the responses of the Obama Administration to the South China Sea issue can be considered to achieve a measure of success in that they made it possible to prevent the situations from growing tension and gain support to the stance of the United States from the Southeast Asian nations.

Balance-focused “Return to Asia” Policy

Then, let me consider what kind of factors there are behind such success of the multinational approaches of the Obama Administration. First of all, it would be necessary to recognize that the reason why the South China Sea issue emerged as one of the security agendas in the East Asia region was that the words and deeds of China over the territorial disputes had provoked the suspicions of the nations in this region, as well as of the nations concerned. More specifically, the stance in support of the United States the Southeast Asian nations showed at the multinational talks including the EAS resulted largely from China itself.

In these situations, the consistent stance of the Obama Administration putting the emphasis on the Asia Pacific region and their efforts to strengthen its strategic commitment to that region played key roles. The Secretary of State Hillary Clinton submitted a paper entitled “America’s Pacific Century” to the American diplomacy journal *Foreign Policy* (November 2011) in which she stressed that as a Pacific nation, the United States will make a proactive commitment to the prosperity and security of the Asia-Pacific region. When President Obama visited the Australian Parliament in November and gave his address, he said, “*The United States will play a larger and long-term role in shaping this region and its future, by upholding core principles and in close partnership with our allies and friends.*” This address created a vivid impression of “Return to Asia” of the United States

that had successfully withdrawn all military forces from Iraq last year and is now reducing the roles of the U.S. armies in Afghanistan.

Such a statement of the Obama Administration has become increasingly persuasive through the expansion of security cooperation with Southeast Asian nations and reinforcement of the U.S. armies' presence in the Asia-Pacific region. As for the former, the United States has been reinforcing its defense cooperation with Vietnam, Indonesia, which held the ASEAN presidency last year, as well as the Philippines, one of its allies, and has continuously conducted joint and multinational military exercises such as "Cobra Gold" and the Cooperation Afloat Readiness and Training (CARAT). As for the latter, the United States has made clear that it would deploy the Littoral Combat Ship (LCS) in Singapore. In November, the United States reached agreement with the Australian government that the United States will deploy its marine forces by rotation in Darwin, a city in North Australia, and would increase the use of the Australian air force bases by the U.S. Air Force.

These successful results the Obama Administration's approach to the South China Sea issue is producing largely reflect the fact that such efforts to reinforce its strategic commitment to the Asia-Pacific region can properly respond to the concerns and expectations of the Southeast Asian nations. It should be remembered, however, that the United States' "Return to Asia" policy advocated by the Obama Administration has naturally another goal of maintaining and strengthening the influence of the United States in this region, while checking China, which shows tough words and deeds over the South China Sea issue, in addition to the goal of providing its allies and partner nations in the Asia-Pacific region with "security."

It should be noted from the standpoint of easing the tension among the nations concerned over the South China Sea issue that the Obama Administration has put stress upon their dialogues with China. In the third "U.S.-China Strategic and Economic Dialogue" held in May 2011, the strategic security dialogue (SSD) in which the military officials of both the nations participated for the first time in this framework was conducted. Furthermore, in the wake of the former Secretary of State Gates' visit to China in January 2011, the top military officials of the United States and China made reciprocal visits (in May and July), and the U.S.-China talks over the Asia-Pacific region issues were conducted in June. While the certain military exchanges between the United States and China were deferred against the backdrop of China's reaction against the United State's decision to sell weapons to Taiwan (in September), the U.S.-China defense talks were held in Beijing as scheduled in early December, in which both the nations discussed the South China Sea issue and the United States' decision to deploy the U.S. Armies in Australia, and the United States stressed that it had no intention to "contain China." Such U.S.-China dialogue emphasized by the Obama Administration would provide both the nations with opportunities to give direct explanations about intents and recognitions behind their actions for oceanic security and security in general, including the South China Sea issue. This can be expected to function as a mechanism to prevent and control the

potential crises and dangers, and is an essential factor to evade a security dilemma in the medium and long terms, thereby contributing to the safety of the region to a certain extent. Given these, the Obama Administration can be considered to demonstrate well-balanced responses that put emphasis on its relations with the Southeast Asian nations, as well as those with China.

Future Challenges

The territorial disputes over the South China Sea had been calmed down for a while most recently after the intensified frictions between China and the concerned Southeast Asian nations between the late 1980s and the early 1990s. However, there occurred situations in which the frictions between China and the concerned Southeast Asian nations had increased for two consecutive years in 2010 and 2011 after China had intensified its activities in the South China Sea since around 2009. Given the fact that the words and deeds of China have become increasingly tough, we should consider that the situation of the rising tension over the South China Sea issue will continue. What is important there is whether the United States can prevent the situation from growing tension and simultaneously develop any process to peacefully resolve the territorial disputes, while procuring supports from the Southeast Asian nations in the future.

The first challenge for this issue is whether the United States can maintain its political, military, and economic influence over the nations in the relevant region including the Southeast Asian nations over a long period of time. It would be essential for the United States to minimize the possible effects of its domestic fiscal problems and reduction of national defense spending, and procure cooperation and alliance of its allies including Japan, as well as continue its stance to make a proactive commitment to the Asia-Pacific region. The second challenge is to develop a process to formulate the code of conduct that is essential to peaceful dispute resolution process. However, it could not be easily resolved with only pure theory of law, because it is substantially affected by strategic judgments of the nations concerned. Therefore, it is important to continue discussions about the oceanic security issues, including the South China Sea issue, in the multinational frameworks such as the EAS and the ASEAN Defence Ministers' Meeting (ADMM) Plus so that the ASEAN-led process of making the code of conduct can be developed. The third challenge is to build up a stable and efficient dialogue channel between the United States and China from the standpoint of preventing the situation from growing tension and controlling crises and dangers. The United States-China dialogues over the security issues have often been interrupted because of any political problems such as China's reaction against the United States' decision to sell weapons to Taiwan. Therefore, it would be more necessary to build up a stable dialogue channel over military security issues that would never be affected by other fields such as political and economic problems between the United States and China.

In any case, the trends of the South China Sea issue encompass many aspects that would be

largely affected by the stance of China, and it is necessary to observe how China will react against the “Return to Asia” policy of the United States advocated by the Obama Administration.

The purpose of this paper is to respond to reader interest in security issues while promoting better understanding of NIDS. A "briefing," of course, is a background explanation. Our hope is that this paper will help readers to better understand the complex security issues. Note that the views expressed in this paper do not represent the official opinion of NIDS.

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