



Preventing confrontation and conflict in the South China Sea

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Abstract

Beginning in the late 1960s, territorial disputes in the South China Sea have transitioned through several different phases. Since the United States, in conjunction with its allies and partners under the traditional security framework, intervened through military and diplomatic means, disputes in the region have become more acute and complex than ever before. What does the future hold for countries inside and outside of the South China Sea region and their relationships with each other? Will these disputes escalate or de-escalate? Will diplomatic friction and confrontation develop into direct conflict at sea? If 2019 was any indication, new instabilities and intractable discord at the local level are likely in the 2020s and beyond. Unilateral actions by Vietnam, Malaysia, Indonesia, and even the Philippines in the post-Duterte era will trigger turbulence in the South China Sea. China will find the maritime cooperation it champions more difficult to advance. Negotiations over the Code of Conduct in the South China Sea (COC) may encounter unexpected hurdles. Related legal disputes may heat up again and rise to the international level. Close ties between the United States and Vietnam could lead to a “black swan” event.

Keywords South China Sea territorial disputes · The United States · Confrontation and conflict · South China Sea code of conduct

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1 Introduction

In the late 1960s and early 1970s, a series of territorial disputes developed between China, the Philippines, Vietnam, Malaysia, and Brunei concerning the sovereignty of some islands and reefs in the South China Sea and claims to maritime jurisdiction of the Nansha Qundao (Spratly Islands).¹ As the regional and international situation evolved, these disputes have gone through several phases. From the end of the Cold War to the first decade of the twenty-first century, when the international system shifted from bipolar to unipolar, the South China Sea and maritime disputes remained relatively stable. Since the second decade of the twenty-first century, however, the United States and its allies and partners, under US leadership, have begun to exert influence over the South China Sea controversy through diplomatic and military means, leading to unprecedented levels of complexity and intensity in disputes over land and at sea. In the third decade and beyond, whether the South China Sea is headed for conflict or peace is a hot research topic in the international community.

In a 2011 article in *Foreign Policy* magazine, Robert D. Kaplan, a senior journalist and geopolitical scientist, predicted that, “[t]he South China Sea presages a different form of conflict than the ones to which we have become accustomed” (Kaplan 2011). An ardent believer in the inevitability of conflict in the South China Sea, Kaplan and his viewpoint were widely accepted by American researchers and academics. The Rand Corporation, the Council on Foreign Relations, and various other US think tanks see the South China Sea as a priority issue over which China and the United States are most likely to clash (Dobbins et al. 2017; Stares 2018, 2019). Such a prediction is unprecedented. Therefore, will the situation in the South China Sea devolve into direct conflict, as Kaplan prophesied?

It is well known that China’s conflicts with Vietnam, the Philippines, and Malaysia on the South China Sea had been in decline since 2016. Positive momentum was building toward the resolution of maritime disputes. However, things have fundamentally changed since 2019. The South China Sea has remained a focal point within the international community, grabbing headlines in major international media outlets and routinely occupying space on the agendas of many bilateral and multilateral political summits and academic conferences. China’s conflicts with Vietnam and Malaysia over oil and gas development, maritime jurisdiction, and claims to territorial sovereignty are worsening. Although it is safe to assume that the South China Sea will remain relatively stable and controllable in the future, negative factors and uncertainties are notably on the rise, leading to mounting pressure on China to uphold its rights and maintain regional stability. With faster progress in negotiating the text of the Code of Conduct in the South China Sea (COC), competition will

¹ Vietnam has laid claim to the sovereignty and maritime jurisdiction of the islands and reefs of the Xisha Islands, but China does not recognize the existence of a dispute over the sovereignty of the Xisha Islands. The question between China and Vietnam on the Xisha Islands is delimitation. Likewise, the Philippines claims sovereignty on Huangyan Dao (Scarborough Shoal) of the Zhongsha Islands. However, it does not control Huangyan Dao, and China does not believe there is a dispute. China and Indonesia disagree on the delimitation of the maritime territory near the Natuna Islands at the south of the South China Sea.

intensify for influence and leadership in regional institution-building. New turbulence may be on the horizon.

2 Another eventful year

In 2019, progress was made on the South China Sea conflicts via a dual-track approach on both the multilateral and bilateral levels. Disputes between China and the other claimant states, including the Philippines, Vietnam, Malaysia and Brunei, were controlled and stability was generally maintained in the South China Sea.

At the multilateral level, China and the ASEAN countries followed through with the consensus for cooperation they reached in the Declaration on the Conduct of Parties in the South China Sea (DOC). Although it took them 6 years to conclude the DOC negotiations, China and the 10 ASEAN countries progressed much faster in negotiating the COC, which is more complex and binding. Since the COC negotiations kicked off in 2013, China and 10 ASEAN countries have approved a COC framework in 2017, and come up with a single draft negotiating text in 2018. In 2019, the COC negotiations concluded the first reading of the draft text ahead of schedule, and the second reading got initiated. This progress indicates the consensus among China and the ASEAN countries on building a rules-based order in the South China Sea through which peace and stability can be upheld.

At the bilateral level, China and the Philippines, guided by their leaders and supported by a well-functioning consultative process for debating issues related to the South China Sea, which was established in May 2017, have not only managed their maritime disputes effectively, but also established an intergovernmental joint steering committee for oil and gas cooperation and a working group comprising their oil and gas enterprises. And the two sides have notably increased their pace of cooperation (Viray 2019). China and Malaysia also reached consensus on a bilateral consultation mechanism on maritime issues, providing a new institutional platform for them to resolve disputes through dialogue and consultation (Blanchard and Birsell 2019).

Meanwhile, however, the South China Sea issue has grown into more than just a set of disputes among the littoral states about the sovereignty of certain islands and features and maritime jurisdiction. It has become a “geopolitical trap” that is unavoidable in the context of competition between major powers and in the restructuring of the regional order in the Asia–Pacific. That is why the pendulum of the South China Sea swings between calmness and tension. The situation remains unprecedentedly and uniquely complex, featuring a combination of interconnected factors—competition among major powers, pursuit by smaller countries for immediate interests, intensive military development, and jostling for power in international discourse.

The US in recent years has repeatedly come up with new policies and tactics with regard to the South China Sea, demonstrating a clear intention to contain China by leveraging this issue. The US has: warned that it would not treat Chinese “maritime militia” and coast guard that “work with the military” differently from the Chinese Navy; claimed that any armed attack on any Philippine forces, aircraft, or public

vessels in the South China Sea will trigger mutual defense obligations under Article 4 of the Mutual Defense Treaty; sent its littoral combat ships deployed in Singapore to conduct, for the first time, freedom of navigation operations (FONOP) against China; and deployed its Coast Guard in the South China Sea for the first time since the Cold War to assist the US Navy with its operations. All of this indicates that the US is building a network to contain China, which involves parallel progress on diplomatic and military fronts, coordinated military and quasi-military operations, and active participation of its allies and partners. In addition, the US has started to exert influence over the COC negotiations through its “agents” in Southeast Asia and introduced bills in Congress as a policy option to pressure China. In May 2019, a bipartisan group of 15 US Senators reintroduced the South China Sea and East China Sea Sanctions Act to impose sanctions against Chinese individuals and entities that participate in construction activities in the South China Sea.

Extra-regional countries’ military interventions in the South China Sea have also increased in recent times. In 2019, the US conducted as many as eight FONOPs against China in the South China Sea. Under the Trump administration, the United States had conducted 20 China-targeted FONOPs in the South China Sea by the first quarter of 2020, covering the Xisha Qundao (Paracel Islands), the Nansha Qundao (Spratly Islands) and the Huangyan Dao (Scarborough Shoal). This level of operations is unprecedented in terms of frequency, geography, and tactics. Leveraging its air, surface, and subsurface deployment, and its military forces both inside and outside the Western Pacific (the 3rd Fleet and 7th Fleet), the US dispatched aircraft carriers, bombers, and scout planes in scores of sorties to navigate through or fly over the South China Sea, and conducted targeted deterrence and reconnaissance activities near the Huangyan Dao (Scarborough Shoal) and other Chinese islands and reefs. The US and its extra-regional allies and partners, such as Japan, Australia, Britain, and India, along with ASEAN countries such as Vietnam and the Philippines, conducted various bilateral and multilateral joint exercises within the South China Sea and its surrounding waters. Advanced assets such as littoral combat ships, missile destroyers and P-8 Poseidon sub-hunters were deployed by the US in its first naval drill with ASEAN member states in the Gulf of Thailand and off the coast of Ca Mau Province of Vietnam. Since 2017, Japan has sent its helicopter carriers to the South China Sea for three consecutive years and its submarine JDS Kuroshio (SS-596) for joint operations. It dispatched the JS Izumo helicopter carrier for a joint exercise with the USS Ronald Reagan aircraft carrier in the South China Sea in May 2019 and deployed its Coast Guard, too, in support of operations in the South China Sea. Amid intensified geopolitical competition in the South China Sea, high-frequency, regular, and systematic military presence of extra-regional powers in collusion with regional countries will bring more uncertainties to the maritime security landscape.

Some claimant country has taken sustained and reckless unilateral actions. Between May and October 2019, Vietnam once again unilaterally launched oil and gas exploration activities in Wan’an Tan (Vanguard Bank) of the Nansha Qundao (Spratly Islands). It conducted deep-sea drilling near the Chinese Wan’an Bei-21 block (called 06-1 Block by Vietnam), triggering the most serious and longest stand-off between China and Vietnam at sea since the last one over China’s

Zhongjiannan Project in 2014. Some other claimant countries also continued to step up control over and build new facilities on their occupied features and take unilateral actions, including oil and gas exploration and exploitation in disputed waters. Risks of maritime frictions and confrontation are on the rise again, posing a severe challenge to dispute management and bilateral relations between China and relevant countries. For example, from May 2019 to the first quarter of 2020, Malaysia conducted unilateral oil and gas development in four blocks near Beikang Ansha (North Luconia Shoals) and Danwan Jiao (Swallow Reef) of the Nansha Qundao (Spratly Islands), triggering a months-long maritime stand-off between Vietnam, Malaysia, and China (CSIS 2020).

The EU and some of its member states, in the meantime, are making increasingly high-profile interventions in the South China Sea, without even hiding their biased positions. Due to US pressure and lobbying by Vietnam and other claimants, as well as flowing from their own strategic considerations, the UK, France, and Germany have intervened in the South China Sea in a more proactive way. Apart from some member states sending military vessels to conduct joint operations with the US, the EU also made a statement for the first time on the South China Sea in August 2019. In the same month, the UK, France, and Germany made a joint statement on the situation in the South China Sea (UK Foreign & Commonwealth Office 2019). Surprisingly, both statements sided with Vietnam in its unilateral action in Wan'an Tan (Vanguard Bank) of China's Nansha Qundao (Spratly Islands) and were critical of China's legitimate countermeasures in the South China Sea—albeit without naming China.

3 Three tensions affecting the future of the South China Sea

The South China Sea issue is, in essence, the disputes among China, the Philippines, Vietnam, Malaysia, and Brunei over territorial sovereignty of all or part of Nansha Qundao (Spratly Islands) and jurisdiction of relevant maritime areas. Since 2010, new factors have come into play in the South China Sea, after some claimant states and extra-regional countries such as the United States, had made adjustments to their South China Sea policies. Resources, sea lanes, and geopolitical power have come to be the focus of competition among these regional and extra-regional parties. As COC negotiations deepen, efforts to build a rule-based order in the South China Sea may run into some unexpected difficulties, leading to three major tensions. These tensions can serve as a barometer of the situation in the South China Sea in the future.

First is the tension between a new rule-based regional order built by China and joined by other countries in the region and the US-led security structure based on alliances and power. In October 2019, Rear Adm. George M. Wikoff, commander of Task Force (CTF) 70 of the US Navy, claimed that the COC might undermine freedom of navigation in the South China Sea. The following November, US Defense Secretary Mark Esper accused China of manipulating the COC when he attended the 6th ASEAN Defense Ministers' Meeting-Plus. Since May 2019, the US has been attempting to instigate such claimants as Vietnam to disrupt the process of

COC negotiations through unilateral oil and gas exploration and exploitation in disputed waters, as well as through raising questions about whether the COC should be legally binding, in exchange for US diplomatic aid and arms sales. Rather than supporting and urging the conclusion of the COC negotiations, as it did in the past, the US is “reverse braking” the progress of the COC negotiations between China and ASEAN countries. This is an indicator of worries by the US that regional countries may speed up the process of restructuring the regional order in ways that challenge the US-led security architecture. Whether the US will take steps to further disrupt the COC negotiations will be an important factor driving tensions in the South China Sea.

Second is the tension between the aspirations of most countries in the region to refrain from unilateral actions and manage differences by making new rules in the South China Sea and the attempts by some claimant countries to unilaterally maximize their vested interests before the new rules are enforced. Participating countries anticipate that the forthcoming new rules will be more restrictive than the DOC on conduct in and involving the South China Sea. As such, claimant countries that engage in reckless unilateral actions will face more restraints and pay a higher price if they break the rules in the future. This is obviously not conducive to maintaining the vested interests of some claimant countries. Therefore, they may speed up their unilateral actions before the signing of the COC. Countries like Vietnam may also bring some of their disputes with China to third-party arbitration or threaten to do so, introducing new disturbing factors to the COC negotiations and potentially disrupting peace and stability in the South China Sea.

Third, in addition to the United States, the status-quo maritime power, former maritime hegemonic and emerging sea powers have also joined the competition for primacy in the South China Sea. Growing power competition has contradicted with regional countries’ stabilizing efforts. Traditional and emerging sea powers, such as Japan, Britain, Australia, and India, may exert influence on the new regional order through diplomatic, economic, and military means in the process of power reshuffling and rules reconstructing in the region. Their attempts to ensure a better position for future geopolitical competition and distribution of power in the South China Sea will create tension as China and other countries are working to stabilize the situation. For example, Japan, which views the South China Sea as its maritime lifeline, aims to expand its influence on Southeast Asian security affairs through the South China Sea issue and thereby serve its goal of becoming a military and political power. Given Japan’s aspiration to build its own order in the South China Sea, irreconcilable tensions will be generated with China, which advocates for a dual-track approach for the management and resolution of disputes surrounding the South China Sea (Storey 2013).

4 Six trends in the evolution of the South China Sea

Given the growing sense of urgency among countries in and outside the region vying for their interests, the potential exists for further turbulence in the South China Sea. In particular, as the US takes steps to implement its Indo-Pacific strategy, the

South China Sea issue will provide a major way for the US to contain China in the military and security domains in the Indo-Pacific. The United States can be expected to step up military activities, make more forward deployments, and take provocative actions related to the South China Sea issue more often on multilateral occasions, as China expands its influence in the South China Sea. In other words, we cannot underestimate the danger of a turbulent South China Sea, given the potential for the disputes there to spill over and expand in their geopolitical scope. The following are six trends to watch as the situation in the South China Sea continues to unfold:

First, military competition will become increasingly intense between the US-led system of alliances and partnerships and China in the South China Sea. A research report issued by the US Congress Research Service in February 2020 argued that potential general US goals for US-China strategic competition in the South China Sea should include “fulfilling US security commitments in the Western Pacific, including treaty commitments to... the Philippines; maintaining and enhancing the US-led security architecture in the Western Pacific; maintaining a regional balance of power favorable to the United States and its allies and partners; defending the principle of peaceful resolution of disputes... [and] the principle of freedom of the seas...; preventing China from becoming a regional hegemon [and] preventing China from controlling or dominating the S[outh] C[hina] S[ea]”. Based on this, the United States would put forward specific goals to dissuade China from: “carrying out additional base-construction activities in the South China Sea; moving additional military personnel, equipment, and supplies to bases at sites that it occupies in the S[outh] C[hina] S[ea]; initiating island-building or base-construction activities at Scarborough Shoal; declaring straight baselines around land features it claims in the S[outh] C[hina] S[ea], or declaring an air defense identification zone (ADIZ) over the S[outh] C[hina] S[ea]” (Rourke 2020).

Despite a number of conceptual differences between China and the United States over some issues of the South China Sea, irreconcilable structural tensions are the main factor in the gradual escalation of their competition. As observed by some academics, the two countries accept different definitions of concepts such as “offense” and “defense” when it comes to China’s construction on the islands and reefs and the “militarization” of the South China Sea issue. However, the divergence between China and the US does not hinge on interpretations of jargon or standards. Instead, shifts in the balance of power between the two countries and consequent misconception of the other’s intentions are the keys to their spiraling differences on the South China Sea issue. The United States believes China’s actions in the South China Sea pose a threat to its interests; China senses that US actions are provocative and dangerous. And their bilateral relations have deteriorated from mistrust and suspicion to the adoption of confrontational measures.

Against this background, the Trump administration has identified the South China Sea as an important tool in its strategic competition with China and its containment policy. In addition to FONOPs, it has planned more robust measures to curb China’s growing influence and deterrence in the South China Sea. Therefore, FONOPs must increase or be upgraded to strengthen the US military presence in the South China Sea. Embracing an opportunistic strategy, Japan sees the South China Sea issue as a great opportunity to project its power into the neighboring

region and seek a more active political and military role. Urged by the United States, Australia and Britain may also take further provocative military actions against China. It is worth noting that the military activities and deployments of the United States and its allies may happen in concert with actions taken by countries within the region, which will bring more uncertainty to the military and security landscape in the South China Sea.

Second, unilateral actions by some claimants will be a major factor of instability in the South China Sea. A small number of countries may push ahead with oil and gas exploration activities in blocks over which they exert claims, and which contain rich oil and gas potential; they may also conduct a new round of prospecting or development in other blocks with economically recoverable reserves. Recent history indicates that Vietnam and Malaysia are two countries performing unilateral oil and gas development in some of the disputed areas of the South China Sea.

Third, the COC textual negotiations may run into unexpected difficulties. The negotiations on the single draft text has started its second reading. Differences will emerge among claimants over various issues including whom and what the COC should regulate, whether and to what extent it should be legally binding, as well as its enforcement and execution mechanisms. The US, Japan, Britain, Russia and other extra-regional powers, out of their strategic and business interests, may exert their influence over the textual negotiations through different channels, especially on issues such as joint military exercises and oil and gas development.

Fourth, legal disputes over the South China Sea will intensify again. Beijing and Manila have reached consensus on shelving the decision of the South China Sea arbitration since the second half of 2016. However, people who are pro-American and against China in the Philippines keep pressuring the Duterte government on handling the disputes with China in the South China Sea in line with the ruling of the arbitration. Vietnam and some other claimants still cite the ruling as endorsement for their own unilateral actions. Vietnamese politicians and academics are clamoring to submit Vietnam's disputes with China to an international court or arbitration. Will Vietnam, backed by the US and some European countries, take substantive steps to provoke a legal war with China? We cannot take for granted that this is just a minor probability event.

Fifth, the South China Sea issue, as orchestrated by some countries, may become further "internationalized." It is a major objective in the South China Sea policy of some claimant countries to expand and internationalize this issue. Guided by this objective, on the political and diplomatic fronts, these countries hype up the issue and claim that China poses a threat in the South China Sea at various multilateral fora; on the military front, they introduce extra-regional countries and help them expand their military presence in the South China Sea by providing access to military bases, arms procurement, and joint exercises; on the economic front, they invite many western oil companies to conduct oil and gas exploration and exploitation in disputed waters and "concede" and "bundle" their interests with these companies in exchange for support from their home countries. Driven and pulled by these claimant countries, the South China Sea disputes are on an irreversible path toward "internationalization."

Sixth, the close cooperation between the US and Vietnam on the South China Sea issue may create a new “black swan” event. The US needs the South China Sea issue to contain China; Vietnam needs US power to counterbalance China on this issue and consolidate its vested interests. This is where the interests of the US and Vietnam converge. Since the China–Vietnam confrontation on the Wan’an Tan (Vanguard Bank) in 2019, US diplomats and media outlets have frequently voiced their support for Vietnam. The two countries seized this opportunity to step up their defense and security cooperation on intelligence-sharing, port calls by military vessels, and arms aid. Such close and active coordination between a regional country and an extra-regional power is unprecedented. Vietnam, which holds the ASEAN rotating presidency and a non-permanent seat in the UN Security Council in 2020, may take new steps to internationalize and expand the South China Sea issue. The US may adopt Vietnam as its new “agent” in destabilizing the South China Sea region and use it as an important base for forward deployment of its military and coast guard, stepping up intelligence gathering, reconnaissance, and containment of Chinese activities in the South China Sea, and probably setting up new barriers to the efforts by China and ASEAN countries in building a rules-based regional order.

5 How should the South China Sea situation be managed?

As Robert Kaplan said, the United States, not China, might be the problem in the future (2011). Since the United States brought the South China Sea into the arena of great-power competition again in 2010, efforts by China and ASEAN countries to build a rules-based order in the South China Sea through the COC negotiations have been challenged. The future remains uncertain even as countries in the region seek peace through rulemaking.

Obviously, a South China Sea that is constantly the subject of conflict and potential war does not serve the interests of China and ASEAN countries. Nor is it the best strategic choice for the United States and its allies and partners. In fact, China and the United States have been working to build consensus and a crisis management mechanism to avoid direct conflicts. However, as high-pressure US military activities keep tensions with China mounting in the South China Sea, the effectiveness and reliability of the Rules of Behavior for the Safety of Air and Maritime Encounters established by the two countries will be tested.

Given this, how can Kaplan’s prediction about conflict over the South China Sea be prevented from materializing?

In essence, the South China Sea issue is about the disputes among various claimant countries such as China, Vietnam, the Philippines, Malaysia, and Brunei over the sovereignty of all or some islands and reefs of the Nansha Qundao (Spratly Islands) and the their overlapping claims to the jurisdiction and sovereign rights in relevant maritime areas. However, a chain of “security dilemmas” between relevant parties is the critical factor in the increasing complexity and intensity of these disputes. The absence of security cooperation mechanisms is the main cause of worsening security dilemmas in the region. Mechanisms such as ASEAN plus one summits (10+1) and ASEAN Regional Forum (ARF) are inadequate to meet the needs

of security governance in the South China Sea. It is necessary for littoral states in the South China Sea to formulate more binding and operational rules for security issues at sea in order to increase the political cost to parties who violate the rules.

Issues at three levels need to be addressed when it comes to a security cooperation mechanism in the South China Sea: (1) conflict of sovereignty and security interests among claimants; (2) maritime conflicts triggered by potential crises; and (3) growing interests and aspirations of extra-regional countries.

On the first level, rules should be in place for claimant countries. A claimant will take countermeasures if it is concerned about its interests and claims being undermined by other claimants, ultimately resulting in a vicious cycle of action–reaction–action. Mutual mistrust among claimants leads to unilateral actions that are the fundamental cause of confrontation at sea. Therefore, to establish a model of “cooperative security” among claimants is a first-level task for creating a security cooperation mechanism in the South China Sea. With such regional cooperation in place, restrictions and rules will be imposed on one country’s behaviors that may undermine rights, claims, and interests of other countries, which can help the parties concerned escape the endless and spiraling mutual precaution and competition. Based on these mechanisms, claimant countries can also put in place a system for governance and cooperation to address common non-traditional security threats, such as piracy and terrorism.

On the second level, a long-term mechanism for crisis prevention should be in place. Regional peace and stability represent the greatest security interest for non-claimant countries around the South China Sea (York 2015). And in reality, the competition and disputes in the South China Sea have greatly increased the diplomatic and economic cost of relevant countries in asserting their respective claims. For example, in their unilateral moves to exploit oil and gas resources, both Vietnam and Malaysia not only faced China’s protest, but also had to give away most of their profits to their foreign partners. Especially for the oil and gas project in the Wan’an Tan (Vanguard Bank) of disputed Nansha Qundao (Spratly Islands) Vietnam can only keep about 20% of the profit, while Indian Oil Corporation Limited (IOCL) and Russian energy giant ROSNEFT receive 45% and 35%, respectively. More importantly, China has become the second-largest economy in the world, the biggest economy in Asia, and the biggest trading partner of all ASEAN countries except for Laos. All littoral countries of the South China Sea, including Thailand, Singapore, and Indonesia, are keen to maintain regional stability, which includes the benefit of cooperative relationships with China. However, it is unrealistic to believe that fundamental resolutions to the disputes over the South China Sea can be reached in the short-term, as the parties concerned differ considerably in their approaches to resolving disputes and suffer from mutual distrust. Should unilateralism be replaced by bilateral and multilateral cooperation, conflicts would be avoided at the origin for claimant states competing for resources and jurisdiction. At the same time, greater cooperation would provide room for maneuvering and help build mutual trust, paving the way for collaborative resolutions. More importantly, bilateral and multilateral communication and liaison mechanisms, including emergency hotlines between the foreign ministries, and the security code of conduct, such as one for maritime enforcement agencies, will help forestall crises.

On the third level, interests and behaviors of extra-regional countries should be regulated. The South China Sea provides the shortest sea lanes for Japan and South Korea in East Asia to reach South Asia, Africa, and Western Europe, and for Britain and Australia to connect Southeast Asia with Northeast Asia. It is worth noting that the pursuit of power by extra-regional countries is not encouraged by international practice and modern international rules and norms. Therefore, while freedom of passage and other rights and interests of non-littoral states should be fully respected in the South China Sea, the scope of interests and a code of conduct must be established in the South China Sea for extra-regional countries. Once the rights and interests of extra-regional countries, as well as a mutually acceptable code of conduct are clearly defined, there will be fewer misjudgments by extra-regional countries with interests in the South China Sea and consequently a lower possibility of conflict.

6 Conclusions

The prediction that “the South China Sea is the future of conflict” is an empirical conclusion based on observation of disputes in the past and evolving developments in the South China Sea. This prediction by Kaplan and other academics are hypotheses based on strategic and geopolitical models. A review of the “black box” of state decision-making, perhaps, could lead to a more accurate and complete judgment (Hilsman et al. 1993). Leadership changes in the Philippines, Vietnam, Malaysia, as well as Japan and Britain, may alter their foreign policies; while choices and changes in US policy toward the South China Sea are the result of competition and interaction among domestic interest groups.

China and the ASEAN countries must not fall into the trap of a self-fulfilling prediction. The possibility remains for China and the United States to enter into direct conflict due to misjudgment and miscommunication, like the clash between a Chinese fighter jet and a US reconnaissance aircraft in 2001 in the South China Sea. If the United States establishes a US-centered security cooperation architecture that features China as the imaginary enemy, as its Indo-Pacific Strategy Report released in 2019 envisaged, China-US competition in the South China Sea will increasingly resemble a cold war.

The South China Sea is the common home of all its littoral states, including China. It is a major platform for China and ASEAN countries, including Vietnam, to build a maritime community for a shared future. Enduring peace and stability in the South China Sea serve the interests of countries in the region and meet the shared expectation of the international community.

Now, the South China Sea issue is at a crossroads—will it move forward toward stability or return to turbulence? The process for achieving stability should be underpinned by mutual trust, consensus, cooperation, and choices for China and other claimants, such as Vietnam and the Philippines, and between China and the ASEAN countries. As long as all sides remain cool-headed when facing disruptions, and work to enhance mutual trust, boost confidence, stay committed to cooperation, and dedicate themselves to building a regional order featuring equity, transparency,

openness, and cooperation, the South China Sea may not fall into the abyss of friction and conflict again.

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