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South China Sea

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South China Sea

- ❑ Arm of western Pacific in southeast Asia
- ❑ Borders China, Taiwan, the Philippines, Malaysia, Brunei, Indonesia, Singapore and Vietnam
- ❑ Contains the Paracel & the Spratly Islands and the Scarborough Shoal

Importance of South China Sea

- ❑ Strategically important as the Strait of Malacca connects the Indian and the Pacific Oceans
- ❑ Geopolitically significant as one-third of global shipping passes through it
- ❑ Ecologically important as contains one-third of the world's marine biodiversity
- ❑ Provides food security by its fisheries
- ❑ Contains potentially huge oil and gas reserves

Timeline

- ❑ **1994:** The Convention on the Law of the Sea
- ❑ **1997:** Beijing shared Nine-dash Line on historical claims
- ❑ **2002:** The Declaration on the Conduct of Parties in the South China Sea signed by ASEAN & China
- ❑ **2009:** Two diplomatic notes by China claiming majority of the sea
- ❑ **2013:** The Philippines challenged China in an arbitration case under the Law of the Sea Convention
- ❑ **2016:** Arbitration Tribunal ruled in favour of the Philippines & rejected China's historical claims

Issues Involved

- ❑ Construction of artificial islands with heavy military developments by China
- ❑ Violation of principles of Exclusive Economic

South China Sea

- ❑ violation of principles of Exclusive Economic Zones (EEZ) by China's Nine-dash Line
- ❑ Non-negotiable behavior of China stalls the negotiation with ASEAN on the Code of Conduct

Challenges

- ❑ Overlooking of International laws & regulations by China
- ❑ U.S. aircrafts' involvement to check N. Korean activities makes it more complex.
- ❑ Undefined geographic scope of the sea
- ❑ Disagreements on dispute settlement mechanisms
- ❑ Undefined legal status and non-binding nature of the Code of Conduct
- ❑ Different histories of scattered uninhabited islands make the problem multifaceted

Achievements

- ❑ The Declaration on the Conduct of Parties in the South China Sea, 2002 was a positive step by ASEAN & China.
- ❑ They adopted a bare-bone framework for the COC in 2017.

Suggestions

- ❑ New arbitration processes to move focus from military disputes to joint developments.
- ❑ Adopting the idea of Joint Development Zones to pursue joint commercial activities, environment protection, disaster relief & counter-piracy control
- ❑ Peaceful measures to settle disputes & to safeguard maritime security, navigation & overflight rights

India's stand on South China Sea Issue

- ❑ Advocated for navigational freedom & maritime dispute management including South China Sea
- ❑ Silence on the dispute after Philippines won the arbitration award
- ❑ No defence cooperation, navigational patrols & naval exercises with the claimant states
- ❑ Not party to maritime territorial disputes of region so no interference policy
- ❑ Wants to preserve its Wuhan Consensus with China

Way Forward

- ❑ An overarching authority in Asia with China as a member can help
- ❑ A check on China's power to keep it balanced



- Peaceful bilateral or multilateral talks and negotiations to keep violence and war situations aside

For TTP