

South China Sea Dispute: India's Implication and Perspective

Sonika Sharma

Ph.D Scholar, Vidyasagar University,

Midnapore (WB)

Email: sonikas218@gmail.com

Abstract

South China Sea Dispute is a dispute between seven littoral Countries for territory. This region is the treasure of oil and natural gas so geo-strategically very important. China is one of the largest claimants of these resources along with a major portion of territory in the South China Sea. The seven other littoral countries named Philippines, Malaysia, Brunei, Indonesia, Singapore, and Thailand are also claiming the area. It is not new but by 2009 this dispute furthered for global attention when a joint submission to the United Nations by Vietnam and Malaysia of a section of their extended continental shelves in the area. External Powers like the United States of America and India have taken keen interest in the South China Sea in view of its geo-strategic location that is important from military and economic perspectives. The United States has been advocating its presence as a peacemaker because the United Nations has declared this region a Free Zone. India has also paid due attention towards the region to promote maritime security. In this backdrop, the dissertation aims to focus on India's foreign policy strategy towards the South China Sea within the neo-realist framework.

Key Words: *India, China, Foreign Policy, International Laws, ASEAN etc.*

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Sonika Sharma

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Introduction

The Maritime area of 4,982,900sq kilometers is the Cockpit of tension in Asia–Pacific and it consists of Philippines, Malaysia, Brunei, Indonesia, Singapore, Thailand, the Indochinese countries of Cambodia and Vietnam and the People Republic of China and Taiwan as littoral countries. The interests of different nations include acquiring fishing area around the two archipelagos; the potential exploitation of suspected crude oil and natural gas under the waters of various parts of the SCS; and the strategic control of important shipping lanes. Maritime tensions stem from several linked disputes that are cumulative in their effect. The principle driver is the quest of all countries for natural resources to fuel economic growth in this case oil, natural gas, minerals and fishing business in order. to secure those resources the countries concerned claim various rock sand islands in the East and South China Seas, and broadest exclusive rights to exploit fishing in these and hydrocarbon and minerals and the seabed. Each state defends its version of history to fortify its case and each act diplomatic and in other ways to assert its claims. This Maritime area is important for many business purposes. In a sense, it connects and integrates the whole world. The entire region is divided into two parts – the South China Sea (Chinese: Nan Hai) and the East China Sea (Chinese: Dong Hai), that connects through the shallow Taiwan Strait between Taiwan and the mainland China. The South China Sea is bounded on the west by the Asian mainland; on the south, by a rise in the seabed between Sumantra and Borneo; and on the east, by the Philippines and Taiwan. The sea’s northern boundary extends from the northern most point of Taiwan to the coast of Fujjan province of China. The sea is fished heavily. The geographical location of the sea makes it a perfect area for coral growing. (For more detail refer *Encyclopedia Britannica*)The strategic importance of East Asian ocean waters has been rising in recent years. The main factors boosting the strategic value of this maritime area have been, (1) access to oceanic energy resources, (2) territorial conflicts in the South China Sea and Each China Sea, and (3) buildup of naval military power by countries in the region. Many countries in the region, including China, have been pouring effort into strengthening their naval power. The objective of this study is to find out the geo strategic importance of South China Sea from Indian perspective with special emphasis on the role played by New Delhi in the region. This apart, the study aims to explore the actual nature of conflict in the SCS region involving the littoral and hinterland states. Basically, secondary methodology

has been used for this article.

Origin of the dispute (2009)

The collapse of the Soviet Union has given China the possibility of becoming Asia's next hegemonic power. There is no doubt that China harbours such intention. (Chang; 2004) The current round of tensions in the SCS could be traced back to the 2009 joint submission to the United Nations by Vietnam and Malaysia of a section of their extended continental shelves in the area. China responded by submitting an objection before the United Nations to the claims made by Vietnam and Malaysia.

Facts about islands in South China Sea

The *Spratlys* are one of the major archipelagos in the South China Sea which comprise more than 30,000 islands and reefs, and which complicate governance and economics in this part of Southeast Asia due to their location in strategic shipping lanes. The islands have no indigenous inhabitants, but offer rich fishing grounds and may contain significant oil and natural gas reserves and as such are important to the claimants in their attempts to establish international boundaries. Almost 50 per cent of the proteins requirement of the population bordering the South China Sea is met by the abundant fishing activity in the region (Puri&Sanghal:2011)

The northeast of *Spratlys* is known to mariners as Dangerous Ground and is characterized by its many low islands, sunken reefs, and atolls with coral often rising abruptly from ocean depths greater than 1,000 meters (3,300 ft) - all of which makes the area dangerous for navigation.

“States staking claims to various islands are: People's republic of China, Vietnam, Philippines, Malaysia, Taiwan (Republic of China) and Brunei. All expect Brunei occupy some of islands. China directly controls 7 of 52 *Spartly* islands plus smaller territories but claims ownership of 90%of the area. Vietnam has control over 40 of the islands, Philippine controls 9, Malaysia has 5 and Taiwan controls 1 island.”(Pradhan:June 2012)

China claims most of the South China Sea, through which more than \$5 trillion in global trade passes every year. Vietnam, Malaysia, Brunei, the Philippines and Taiwan have rival claims. Beijing has rattled nerves with construction and reclamation activities on the islands it occupies, though it says these moves are mostly for civilian purposes.(*Times Of India: Feb 22, 2016*)

Oil and Natural Gas Reserve in the South China Sea

The SCS maritime area within China's dotted line is just over 2 million square kilometers, of which shallow water area comprises 480,000 square kilometers, deep water area comprises 310,000 square kilometers and super deep area make up 1.22 million square kilometers. It has been proven that the South China Sea consists of 48 Mesozoic and Cenozoic sedimentary basins, of which the central and southern part of the South China Sea boasts 14 medium-large sedimentary basins with an area of 750,000 square kilometers. Results from a China Geological Survey study released in February 2011, show that the northern deep-water area of the South China Sea possesses relatively thick Mesozoic and Cenozoic sedimentary stratum. In sum, the area of sedimentary basin within China's dotted line is 581,000 square kilometers with 350 proven oil and gas fields or tectonics. The central and southern part of the South China Sea, also the disputed area, has an area of 141.9 million square kilometers, occupying 71 percent of the area within China's dotted line. (Guoqiang: 2015)

Data assessment by various parties concerning oil and gas reserves in the South China Sea diverges slightly due to a lack of adequate prospecting. According to some expert estimates from Hainan province, oil and gas reserves of the main basins in the South China Sea amount to 70.78 billion tons, of which petroleum deposits comprise 29.19 billion tons (with proven extractable deposits reaching up to 2 billion tons), natural gas deposits comprise 58 trillion cubic meters (with proven extractable deposits totaling 4 trillion cubic meters). Some oil company reports suggest that petroleum reserves from the central and austral part - also within China's dotted line - amount to 25.53 billion tons, natural gas reserves total 2.085 billion cubic meters, and proven petroleum reserves are 4.2 billion tons and natural gas 580 million cubic meters. (Guoqiang: 2015) One study revealed that China's neighbors have already identified oil and gas reserves in the South China Sea of 26.8 billion tons, of which petroleum reserves within China's dotted line total 827 million tons and natural gas reserves amount to 4.0985 billion cubic meters.

Although various parties hold disparate estimates on the oil and gas reserves in the South China Sea, it is true that the South China Sea is endowed with great oil and gas resources, being one of the world's four big oil and gas maritime areas. (Guoqiang: 2015) Because of this, the area garners the sustained

attention of various countries worldwide and has become the focus of energy development and energy security.

China's Oil and Gas Exploitation in the South China Sea

In geostrategic term the South China Sea is not an "inland sea of China". In strategic and military terms the South China Sea is in a key position that enables control not only over South East Asia but over the entire realm of South and east Asia. (Kapila:2013) 10 years ago, 80 percent of total investment in East Asia headed to Asian Countries and 20 percent to China, those ratios have reversed. South East Asia is in danger of being a backwater. The most significant strategic implication of South China Sea has arisen as a new cold war in Asia Pacific from China's side. Since the 1990s, the *Spratlys* Islands dispute involving China, Taiwan, the Philippines, Malaysia, Vietnam and Brunei has been seen as a major challenge to regional stability in South-East Asia.

Maritime oil exploitation is an industry with high risk, high technology barriers and high levels of investment. It is estimated that about 4 to 5 billion RMB (Chinese Money) are necessary to build a medium-sized maritime oilfield. Even before the formal start, hundreds of millions or even billions of RMB are needed to engage in preparatory work. As China is investing so much money it is clear to all nations that its benefit is defiantly a big part of China's Economic and development factor.

India's involvement in South China Sea

The South China Sea abuts the Indian Ocean, the most compelling zone of primary interest for New Delhi, through the Malacca Strait. And it is theatre where Indian maritime forces may deploy to back up larger foreign policy goals. It only makes sense for India to cast its strategic gaze eastward, beyond its immediate environs.

Although India is not a littoral state, India is widely recognized as an important stakeholder in the security of the region. Recent joint statements with ASEAN have expressly alluded to "India's role in ensuring regional, peace and stability... addressing common challenges on maritime issues, ensuring maritime security and freedom of navigation". India's entry into the geopolitics of the region has been welcomed by almost all states with the exception of China. Simply put, "The South China Sea is becoming a factor in India's own strategic calculations and strategic debates, and India is becoming a factor in the strategic calculations of South China Sea states."

Role of International Law

The Geneva Conventions on Territorial Sea and Contiguous Zone, Continental Shelf and High Sea, and the United Nations Conventions on the law of the sea which was adopted on 29 April 1958 and 10 December 1982 respectively, were recognized as universal legal documents on the seas. The Conventions contain provisions on the recognition of maritime zones such as internal waters, territorial sea, contiguous zone, exclusive economic zone, continental shelf, and archipelagic waters, which shall be established by coastal states. The Conventions also state the rights and obligations of the states on managing and governing their activities including protection and preservation natural resources in the zones. Furthermore, the states enjoy their rights in the Area and high sea which are beyond their national jurisdiction, for the purpose of exploitation and exploration. (Ravin:2005)

India's Maritime Policy

On October 26, 2015, the Indian Navy released its latest maritime strategy, titled "Ensuring Secure Seas: Indian Maritime Security Strategy." This edition is a revised and updated version of the previous outlined strategy "Freedom to Use the Seas: India's Maritime Military Strategy," published in 2007. The title itself is indicative of the changing tone of the Indian navy's interests and intentions from the 2007 strategy. The previous strategy did not take into consideration the changing geopolitical environment and its strategic implications on India's maritime interests. The 2015 maritime security strategy addresses this gap by complementing the evolving security dynamics in the Indian Ocean region and reflecting a bold Indian navy with a renewed outlook on India's maritime security needs. (Baruah: 2015)

The security architecture in maritime Asia along with the rise of China is compelling India to define its strategic interests and review its maritime policy. The maritime security strategy precisely does the same. It carries a larger strategic angle than its predecessors and attempts to embody an Indian naval vision for the region. (Baruah: 2015)

The fact that India is willing to play a larger role in the unfolding security architecture in the region is reflected in the joint military/naval exercise with US, Japan, Australia etc. (Baruah: 2015) It was only a matter of time before New Delhi acknowledged the changing dynamics within its area of maritime interests. The initiatives taken under the Modi government to re-engage with the navies of the region are much appreciated and this document is a step forward in voicing India's

intentions and concerns regarding maritime security. If New Delhi can sustain the momentum that it has created in the Asian maritime domain, India will emerge as a credible leader and critical player in the evolving security architecture of the Indo-Pacific.

China's Counter Strategy

Chinese military strategists have developed a set of weapons and tactics to deny access to the perceived hostile forces. Among the weapons are submarines that are increasingly difficult to detect. The extension of Indian strategic space into the Indo-Pacific Ocean has strategic consequences, China reacted by asking India to stay away from the South China Sea.

China has built many Artificial Island on South China Sea Artificial Island. U.S. officials say they have repeatedly asked China to stop the work, to no avail. Daniel Russel, Assistant Secretary of State for East Asian and Pacific Affairs, conveyed U.S. concerns about the issue on a visit to Beijing this month, according to people familiar with the matter. In fact, this is a methodical, well-planned strategy of China to create a chain of air- and sea-capable fortresses across the center of the Spratly Islands chain.

China's foreign ministry declined to comment on the satellite images, but referred to earlier statements that Beijing has sovereignty in the areas where the construction is taking place and that the work is designed to improve the lives of personnel working there.

In the recent past, China has become aggressive in the maritime domain. It maintains that it has the right to regulate foreign military activities in the EEZ whereas the US claims freedom of navigation and over-flight in international waters. Armed with naval and air infrastructure and a large fleet of modern destroyers and frigates, the PLA navy is now conducting regular operations in the East and South China Sea, including aggressive patrolling of the *Paracels* and *Spratlys*. Further, the number of PLA Navy exercises and the levels of participation have gone up substantially. (Puri & Sahgal:2011) The South China Sea region is in the grip of rapid militarization and it is a cause for all round concern. China has employing morale boosting mother ships, to enforce its sovereignty claims. The new aircraft carrier is now commissioned and much in operation, and the new oil rig (CNOOC981) was being used as a "mobile national territory and a strategic weapon. 'Mobile territory', has no basis under the UNCLOS, but that had not deterred China from using it as a tool to press its claims.

(Report:2012)

These developments may also be seen in the context of Beijing's construction of two lighthouses on the Cuarteron Reef and Johnson South Reef in the Spratly Islands, completed in mid-October 2015. The lighthouse is China's master-stroke. Sooner or later, every passing ship may have to recognise their existence, at least in distress, leading to the automatic acceptance that the lighthouses and the land they are built on belong to China. (*The Indian Express: January 15, 2016*)

Conclusion

The ongoing dispute over the South China Sea (SCS) issue is gradually emerging as a dangerous and potential trouble spot for the world community as it involves crucial South-east and East Asian region. According to some scholars, the region has become a 'second Persian Gulf'. Motivated by the desire to extend control over sea-based resources, neighbouring states in the area have increasingly come into verbal Conflict and even military confrontation over the sovereignty.

The South China Sea conflicts seem headed towards initiating another global Cold War, this time in Asia Pacific. This new Cold War initiated by China's aggressiveness and brinkmanship, devoid of ideological underpinnings, but dominated by an on-going strategic tussle initially for mastery of the Western Pacific, promises to be more intense and conflictual. Artificial Islands by China on International sea Zone and its Naval Forces over the islands is not acceptable by the other countries. China is breaking International law for its selfish purpose.

Global geopolitical changes in the post cold war era have given regional powers, the freedom to pursue historical and territorial claims. This phenomenon more evident in South China Sea where state sovereignty, oil and natural gas interest and shipping are converging to create a potential flashpoint with significant policy implications for the China, US, Japan, the ASEAN nations, and India.

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