South China Sea: New Area of Conflict between India China

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Abstract:

In fact, choice of navigation through the South China Sea, especially the chokepoints of the Taiwan Strait in the north and the Strait of Malacca in the south, is indispensable to the region’s geo-strategic role in linking northeast Asia’s sea-born trade with the world. With respect to oil and LNG, the amount transported through the South China Sea is three time greater than the that travelling through the Suez Canal and 15 times greater than the amount transported through the Panama Canal. The majority of this crude oil comes from the Persian Gulf and is bound for Japan, South Korea and Taiwan. Additionally, about two third of South Korean and 60% of Japanese and Taiwanese LNG supplies flow through this critical region. Naturally, given its geo-political context, any conflict in the South China Sea jeopardizes peace and stability not only of the littoral states, but also of the surrounding countries.

The conflict between India and China over the South China Sea has been building for more than a year. India signed an agreement with Vietnam in October 2011 to expand and promote oil exploration in the South China Sea and has now reconfirmed its decision to carry on despite the Chinese challenge to the legality of Indian presence.

Key Words: ASEAN, ONGC, Panama Canal, Persian Gulf, South China Sea, Strait of Malacca, UNCLOS

Introduction:

As the world moves into the second decade of the 21st century, a new area of confrontation is taking shape on South China Sea between India and China, Asia's two behemoths in terms of territory, population and richness of civilization. The South China Sea is a marginal sea south of China and largest of six marginal seas, which lie between the main land of Asia and rampart of offshore islands. It is a part of Pacific Ocean encompassing an area from Singapore and Strait of Malacca in southwest to the strait of Taiwan in the northeast. It is the largest sea body after the five oceans. Being the world’s second busiest international shipping lane it provides the key maritime link between Indian and Pacific Ocean.
In fact, choice of navigation through the South China Sea, especially the chokepoints of the Taiwan Strait in the north and the Strait of Malacca in the south, is indispensable to the region’s geo-strategic role in linking northeast Asia’s sea-born trade with the world.\(^3\) With respect to oil and LNG, the amount transported through the South China Sea is three time greater than the that travelling through the Suez Canal and 15 times greater than the amount transported through the Panama Canal. The majority of this crude oil comes from the Persian Gulf and is bound for Japan, South Korea and Taiwan. Additionally, about two third of South Korean and 60% of Japanese and Taiwanese LNG supplies flow through this critical region.\(^4\) Naturally, given its geo-political context, any conflict in the South China Sea jeopardizes peace and stability not only of the littoral states, but also of the surrounding countries.\(^5\)

The jurisdiction over South China Sea has been a matter of dispute between China and a number of littoral states in the region. China has claimed over a large number of islands there and in fact entire South China Sea.\(^6\) India has a strong interest to keep the sea-lanes of communications free from great power rivalry. Japan, South Korea look upon Indian Navy to secure their maritime commerce as these countries are dependent on overseas energy supplies, which pass through the Indian Ocean. India has the unique distinction of shipping oil from Sakhalin to Mangalore through the sea routes and India will be unwilling to allow China to control over these waters.\(^7\)

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**India’s Interests in the South China Sea:**

India, poised to become the fastest growing economy by 2016 as predicted by IMF, recognizes the greater role that it must play if it is to be a significant actor in world affairs. India has long known the value of the ASEAN region with its Look East strategy. But now with Prime Minister Modi at the helm, the shift to an Act East policy of India signifies a greater strategic interest in forming stronger linkages with ASEAN and its member states, many of which are entangled in maritime disputes with China over the South China Sea.

India, in the past, has shown reticence in expressing its views about territorial issues in the region, preferring to be a passive observer. But in the ASEAN Regional Forum Summit in Phnom Penh in 2012, India emphasized its strong support for freedom of navigation and access to resources such as fisheries and gas in accordance with principles of international law. This was followed by a joint communiqué
from India and Vietnam in 2014 calling for all concerned parties in the South China Sea to exercise restraint, avoid threat or use of force and resolve disputes through peaceful means.

But India’s interest in the South China Sea region runs deeper than a desire for stronger cooperation with ASEAN countries. India is the fourth largest energy consumer in the world and its energy import-dependence is enormous, with oil, coal and gas imports projected to significantly increase within the next two decades according to former Indian Foreign Affairs Minister Salman Khurshid. This crucial need compels India to explore sources of energy through various means, including oil and gas exploration. And so, India accepted Vietnam’s invitation to explore oil and gas in contested waters in the South China Sea in 2011. This made India, by consequence, a player in the maritime wrangling in the South China Sea. While this agreement illustrated India’s desire for deeper ties with Vietnam, it also simultaneously earned the ire of China, as it was perceived as a direct contravention of China’s appeal to the international community that non-littoral countries should not involve themselves in the South China Sea dispute.

India is apprehensive of China’s provocations in the South China Sea, as it is almost entirely dependent on sea trade and any disruptions in the sea-lanes of communications (SLOC) will be detrimental to its economic and strategic interests in the region. Its strategic maritime interest extends to the maritime choke points in the Indian Ocean and Strait of Malacca as 95 percent of India’s total external trade, along with its oil imports, transit through these waters. The security of passage and freedom of navigation in these vast waters and unimpeded access to the region’s maritime commons are therefore imperative to India’s industrial and commercial growth.

This concern is in fact enshrined in India’s Maritime Doctrine, which outlines the importance of protecting the nation’s economic interests. According to the former Indian Navy chief Admiral D.K. Joshi, India is also investing in hydrocarbon assets worldwide and these assets are maintained by sea and use sea-lanes for repatriation to India. Securing energy, given that it has a maritime component, is thus a paramount concern for India.\(^\text{10}\)

**China’s Interest in South China Sea:**

China, as the most powerful among the claimants in the complex dispute, can decisively influence conflict dynamics. The conflict witnessed a relative calm period after China softened its behavior in mid-1990s, announced that it would abide by the international law and acceded to the United Nations Convention on the Law of the Sea (UNCLOS). In 2002 China and ASEAN signed Declaration of the Conduct of Parties in the South China Sea (DoC), which was intended to set guidelines to minimize the likelihood of conflict. Although the implementation of the DoC has been rather fruitless, most of the 2000s went by without significant tensions. This began to change in 2008 with China reportedly being
more ‘assertive’. The ‘assertiveness’ has had different forms in times, with two notable de-escalations. First occurred in July 2010, when South China Sea became the topic of discussion for the first time and where the US State Secretary Hillary Clinton named freedom of navigation in South China Sea as the US national interest. The second appeared in July 2011, when, after a series of incidents, China agreed to sign guidelines for implementing DoC. This, however, did not last and in the consequent years there have been more incidents, typically involving clashes between fishermen; maritime agencies trying to “enforce” domestic law; activities of sabotaging the oil-related activities, etc.

Between March and June 2012, the Philippines and China were engaged in a standoff in the disputed Scarborough Shoal. The incident began when Chinese fisher boats were spotted by Filipinos who sent their largest navy ship to arrest the fishermen; however, Chinese surveillance boats were dispatched as well to prevent the arrest. After a couple of days, the Philippines replaced their navy with coast guards who then stayed in the place opposing Chinese counterparts until June, when both sides pulled out. Nonetheless, Chinese ships were seen on the place soon afterwards and have not left ever since. Reportedly, China is even building structures on the shoal.

Similar incident started in the early May 2013 over the Second Thomas Shoal. The Philippines objected presence of Chinese patrol ships which blocked the Philippines’ ships from delivering supplies to their marines deployed at the Shoal, after which vessels of both sides remained in the place facing each other. There have been reports about Chinese attempt to repeat the strategy from the Scarborough Shoal, which would result in establishing a presence at the expense of the opponent. Even today, it is unknown whether the stand-off is still going on, as the media went silent about reporting on the issue, yet there are still mentions of continuation as of September 2013.

The two incidents show that China is increasingly willing to use a possible situation as an opportunity to strengthen its own positions. There are also signs pointing at the direction that China might feel that it’s time for securing the sovereignty claims has finally come and it is willing to use a wider range of power tools to get its way, including an ostensive presence of military.

**India - China Conflict in South China Sea:**

On 22 July 2011, the INS Airavat, an Indian amphibious assault vessel on a friendly visit to Vietnam, was reportedly contacted 45 nautical miles from the Vietnamese coast in the disputed South China Sea by a party identifying itself as the Chinese Navy and stating that the ship was entering Chinese waters. A spokesperson for the Indian Navy explained that as no ship or aircraft was visible, the INS Airavat proceeded on her onward journey as scheduled. The Indian Navy further clarified that "there was no confrontation involving the INS Airavat. India supports freedom of navigation in international waters,
including in the South China Sea, and the right of passage in accordance with accepted principles of international law. These principles should be respected by all.”

In September 2011, shortly after China and Vietnam signed an agreement seeking to contain a dispute over the South China Sea, India's state-run explorer, Oil and Natural Gas Corporation (ONGC) said that its overseas investment arm, ONGC Videsh Limited, had signed a three-year agreement with Petro Vietnam for developing long-term co-operation in the oil sector, and that it had accepted Vietnam's offer of exploration in certain specified blocks in the South China Sea. In response, Chinese Foreign Ministry spokesperson Jiang Yu, without referring to India by name, stated as follows:

"China enjoys indisputable sovereignty over the South China Sea and the island. China's stand is based on historical facts and international law. China's sovereign rights and positions are formed in the course of history and Chinese Government has held this position for long. On the basis of this China is ready to engage in peaceful negotiations and friendly consultations to peacefully solve the disputes over territorial sovereignty and maritime rights so as to positively contribute to peace and tranquility in the South China Sea area. We hope that the relevant countries respect China's position and refrain from taking unilateral action to complicate and expand the issue. We hope they will respect and support countries in the region to solve the bilateral disputes through bilateral channels. As for oil and gas exploration activities, our consistent position is that we are opposed to any country engaging in oil and gas exploration and development activities in waters under China's jurisdiction. We hope the foreign countries do not get involved in South China Sea dispute.”

An Indian foreign ministry spokesman responded, "The Chinese had concerns, but we are going by what the Vietnamese authorities have told us and [we] have conveyed this to the Chinese." The Indo-Vietnamese deal was also denounced by the Chinese state-run newspaper Global Times.

Conclusion:

As China and India rise economically, their military muscle is growing as well. Both need energy to keep that kind of growth going and that may be putting the two Asian giants on a collision course. Because of renewed domestic Nationalism, the Indian government cannot afford to be seen to be weak when dealing with China. Obviously a higher profile will make the Modi led government popular amongst the population.

Over 200 billion barrels of Oil and large amounts of natural Gas, which is more than what the vast majority of the world’s energy rich nations have is all hidden in the South China Sea. This is probably the main reason why China is so aggressively defending its claim over the vast area. China claims most of the territory for itself but India has also managed to get access to it by buying a stake in a Vietnamese Gas
Field. Shortly after Hanoi accused Chinese boats of sabotaging oil explorations efforts, India warned China that it is ready to use force to defend its interest.

Hopefully it should not lead into a long term conflict but it’s in a way inevitable because both India and China have large ambitions of becoming global military powers and dominate their respective backyards. Both China and India have been pumping billions of U.S. dollars in their armies and navies and holding military drills on a regular basis to maintain military readiness. Beijing has also announced that its naval police will soon start to board and inspect foreign commercial and military vessels entering the South China Sea, something that the Indian Navy will not allow.

Surely the vast oil reserves in the South China Sea are too big cash for neither India nor China to pass up. But, is it really worth a conflict for two heavy-weight economies to head towards an all-out war because it looks like a game that neither can win. Both India and China cannot afford any weaknesses and make it easier for other countries to take a bite of the vast resources. The United States have slowly and steadily been stepping up its economic and military presence in the South China Sea and have also committed a large chunk of its naval fleet to protect smaller countries in the region.

The West is trying to depict the expansion of India and China in terms of a clash. For both India and China, the last thing that they want is a military conflict that will send their economies decades behind. So if the two Asian power houses, India and China cannot share world resources peacefully, they may go to other players and form alliances which will lead to an emergence of another Cold War type era. Signs of that are already visible with India warming up to the United States, Japan, Australia, Vietnam and other smaller countries in the region which are all US allied states.

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