

**International Conference on Maritime Challenges and Market Opportunities**  
“Facilitating Cooperation in the Asia-Pacific”  
Taipei 28-31 August 2017

# CHALLENGES IN FACILITATING MARITIME SECURITY COOPERATION IN THE POST-ARBITRATION SOUTH CHINA SEA GEOPOLITICAL ENVIRONMENT

**ROMMEL C. BANLAOI, PhD**



# POST-ARBITRATION GEOPOLITICAL ENVIRONMENT IN THE SOUTH CHINA SEA



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At present, there is a *calm moment*  
and ephemeral reduction of security  
tensions in the South China Sea



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## Because of the following positive developments:

- The Philippines' **pragmatic paradigm shift** to China, which resuscitates Philippines-China relations
- Persistent **quite diplomacy** of Malaysia and Brunei, which sustains robust economic ties with China
- **Practical talks** between Vietnam and China, which aims to pursue maritime cooperation
- China's active promotion of ***development***

### ***diplomacy***

which is an innovative tool **to facilitate cooperation** and to promote ***preventive diplomacy*** in the South China Sea



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- **Cautiously cooperative attitude** of Indonesia, Thailand and Singapore
- **Distant but compliant behavior** of Cambodia, Laos, and Myanmar
- **Conflict-avoidance position** of ASEAN
  - Existing **China-ASEAN Strategic Partnership** solidifies friendship and cooperation in the South China Sea



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**New pragmatic outlooks and innovative directions are being taken by claimants and some pertinent players**

**.....contributing immensely to the positive improvement of security situation in the South China Sea, which is essential for its long-term stability.**



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Major players have learned, thus far, to be more circumspect by not overreacting when inevitable security irritants occasionally occur in the South China Sea.



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**This moment of relative calm** creates a **sense of regional stability** resulting from **positive developments** in China's bilateral relations with claimants, particularly with the Philippines that earlier initiated the international arbitration case.



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These positive developments  
arguably facilitate maritime security  
cooperation among littoral states in  
the South China Sea.



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# ASEAN 50

## PHILIPPINES 2017



PARTNERING FOR CHANGE, ENGAGING THE WORLD



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# CHAIRMAN'S STATEMENT ON THE SOUTH CHINA SEA

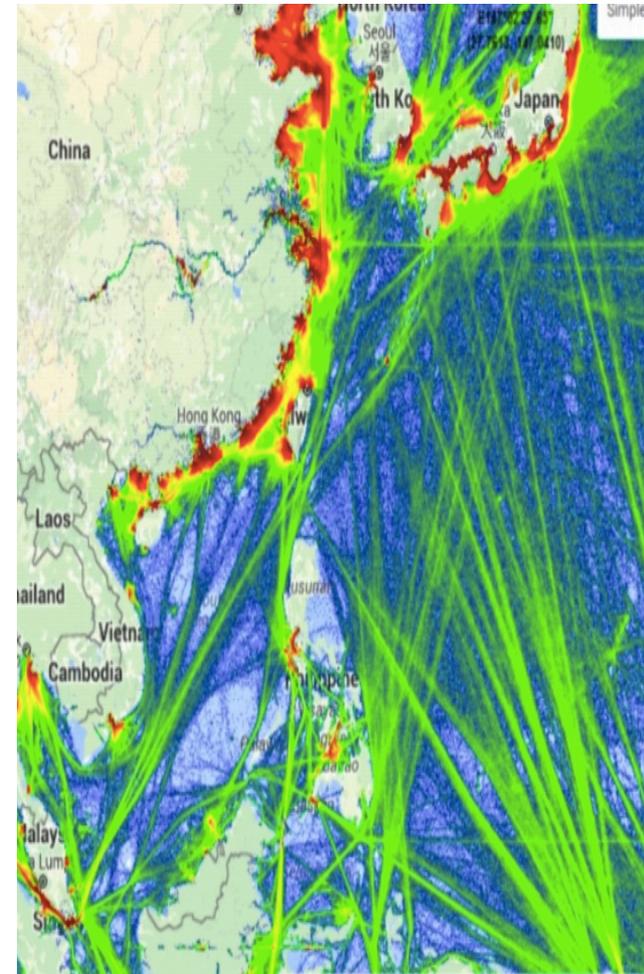


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The importance of maintaining peace, stability, security and freedom of navigation and overflight in and above the South China Sea.

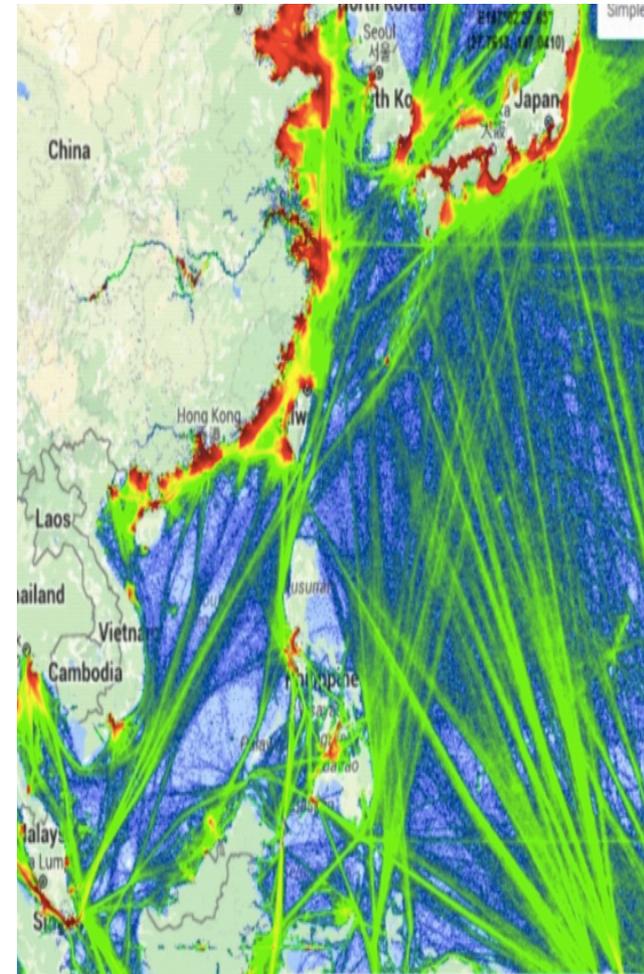


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The operationalization of the *Guidelines for Hotline Communications among Senior Officials of the Ministries of Foreign Affairs of ASEAN Member States and China* in Response to Maritime Emergencies in the Implementation of the Declaration on the Conduct of Parties in the South China Sea...

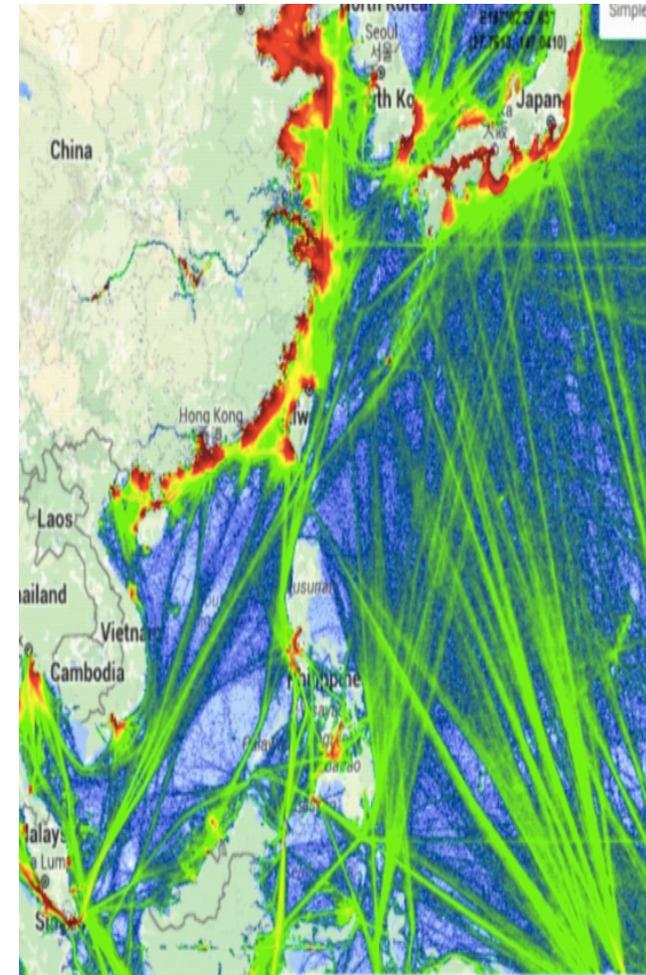


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.....and look forward to the early operationalization of the other early harvest measure which is the **Joint Statement on the Application of the Code for Unplanned Encounters at Sea (CUES) in the South China Sea.**



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The need to take note of the concerns expressed by some Leaders over **recent developments** in the area.



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The importance of the need to **enhance mutual trust and confidence, exercising self-restraint** in the conduct of activities, and **avoiding actions that may further complicate the situation**, and pursuing the **peaceful resolution of disputes**, without resorting to the threat or use of force.



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ASEAN members also stress **“the importance of the full and effective implementation of the Declaration on the Conduct of Parties in the South China Sea (DOC) in its entirety.”**



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Members also “took note of the improving cooperation between ASEAN and China” and “welcomed the progress to complete **a framework of the Code of Conduct in the South China Sea (COC)**” by middle of 2017, in order “to facilitate the early conclusion of an effective COC.”



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**JOINT COMMUNIQUÉ OF THE  
50<sup>TH</sup> ASEAN FOREIGN MINISTERS' MEETING  
Manila, Philippines  
5 August 2017**

**“PARTNERING FOR CHANGE, ENGAGING THE WORLD”**



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Welcomed the improving cooperation between ASEAN and China and are encouraged by the **conclusion and adoption** of the **FRAMEWORK OF A CODE OF CONDUCT IN THE SOUTH CHINA SEA**, which will facilitate the work for the conclusion of an effective COC on a mutually-agreed timeline.



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# FRAMEWORK OF A CODE OF CONDUCT IN THE SOUTH CHINA SEA

- It is a push forward, not a push backward
- Anchored heavily on the principle of the DOC
- New provisions on conflict prevention and dispute management
- Stronger commitment to facilitate maritime security cooperation, particularly in maintaining freedom of navigation and over-flight



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Reaffirmed readiness to begin the **substantive negotiation on the COC** and tasked ASEAN Senior Officials to start the negotiation on the COC with China.



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Recognized the benefits that would be gained from having the **South China Sea** as a sea of peace, stability and prosperity.



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Stressed the importance of undertaking **CONFIDENCE BUILDING AND PREVENTIVE MEASURES** to enhance, among others, **TRUST AND CONFIDENCE** amongst parties, pursuant to the **full and effective implementation of the DOC in its entirety**, and **pending the early adoption of an effective COC**.



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As a result, there was a **successful testing of the MFA-to-MFA hotline** to manage maritime emergencies in the South China Sea.



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ASEAN and China are now looking forward to the **operationalization of the joint statement on the observance of the Code for Unplanned Encounters at Sea (CUES)** in the South China Sea.



## CODE FOR UNPLANNED ENCOUNTERS AT SEA

Version 1.0

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**These are practical measures that could reduce tensions, and the risks of accidents, misunderstandings and miscalculation.**



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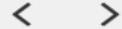
# “Deceptively quite and calm” in the South China Sea



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# 5 Chinese ships spotted near Pag-asa sandbars

'The Chinese may have a sinister plan to occupy sandbars just west of Pag-asa that belong to us,' says Magdalo Representative Gary Alejano



**Carmela Fonbuena**  
@carmelaonbuena

Published 10:21 AM, August 15, 2017  
Updated 12:37 AM, August 16, 2017

4

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BUDGET REVISIONS: The House committee on appropriations discussed on August 14, 2017 the 2018 budget of the Department of National Defense and the



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| DATE & TIME             | VESSEL   | APPROXIMATE DISTANCE FROM PAG-ASA ISLAND |
|-------------------------|----------|------------------------------------------|
| AUG 14, 2017<br>7:15 AM | CG 46115 | 2.5 NM, N                                |
| AUG 15, 2017<br>6:15 AM | CG 46115 | 4 NM, NNE                                |
| AUG 15, 2017<br>6:57 AM | PLAN 545 | 3 NM, SW                                 |
| AUG 15, 2017<br>7:15 AM | PLAN 504 | 2.5 NM, NW                               |
| AUG 15, 2017<br>7:45 AM | PLAN 168 | 5 NM, SW                                 |

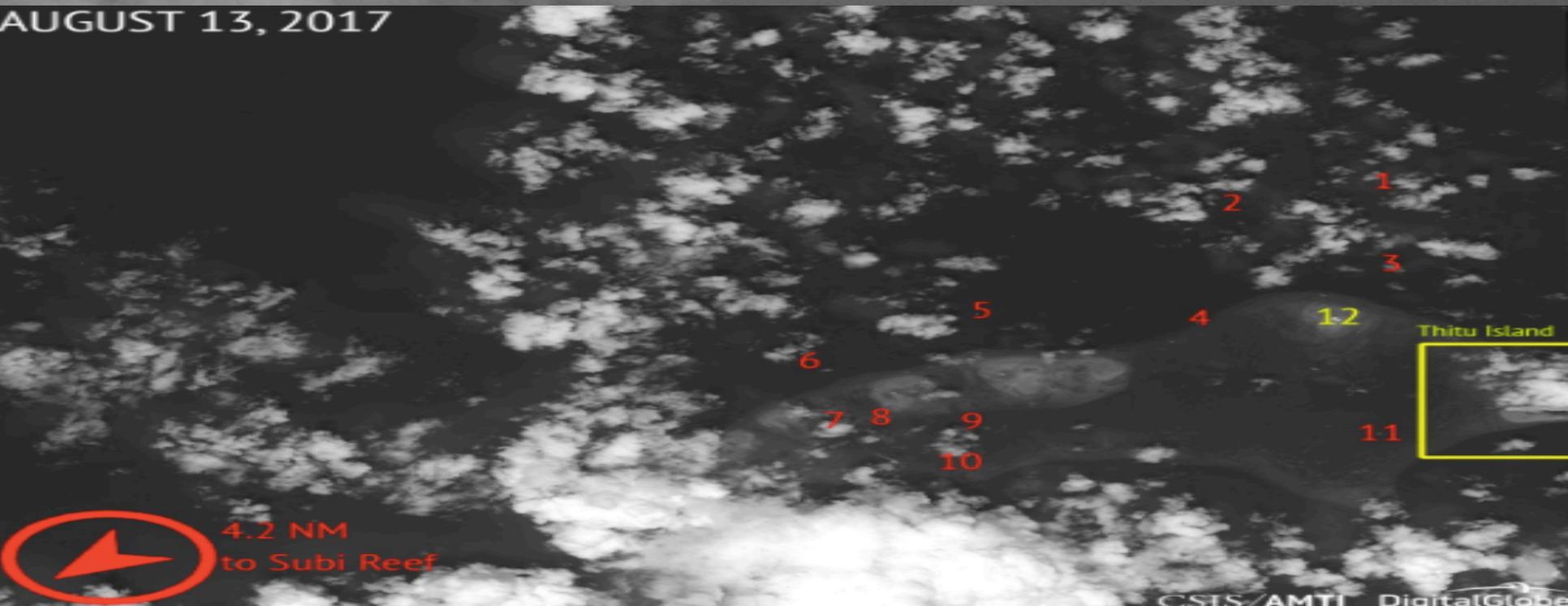


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CONFIRMING THE CHINESE FLOTILLA NEAR THITU ISLAND

AUGUST 13, 2017



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# THE | DIPLOMAT

Read The Diplomat, *Know the Asia-Pacific*

## South China Sea Update: Assessing the Latest Chinese Maritime Activity Near Thitu Island

Gregory Poling joins the podcast to go over recent events near Thitu Island in the South China Sea.

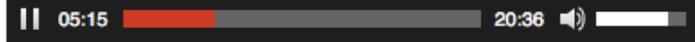
By Ankit Panda  
August 26, 2017



Gregory Poling, director of the Asia Maritime Transparency Initiative at the Center for Strategic and International Studies, joins *The Diplomat's* Ankit Panda (@nktpnd) to discuss recent developments near Thitu Island in the Spratly group in the South China Sea. The podcast also addresses Philippine foreign policy under President Rodrigo Duterte.



Image Credit: Planet Labs imagery. Pag-asa Island on August 15, 2017.



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# Calm before the Storm



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# CHALLENGES IN FACILITATING MARITIME SECURITY COOPERATION IN THE SOUTH CHINA SEA



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# Continuing unilateral actions of claimants:

- Increased maritime patrols
- Incessant infrastructure developments and facilities improvements, especially the planned and actual setting up of maritime surveillance and monitoring posts or coast watch stations in occupied features
- Persistent acquisition of maritime assets for territorial protection and defense
- Growing conduct of military exercises in or near the disputed waters
- Intensified holding of other activities like island tourisms, marine surveys, scientific researches, oil and natural gas explorations, and patriotic visits.

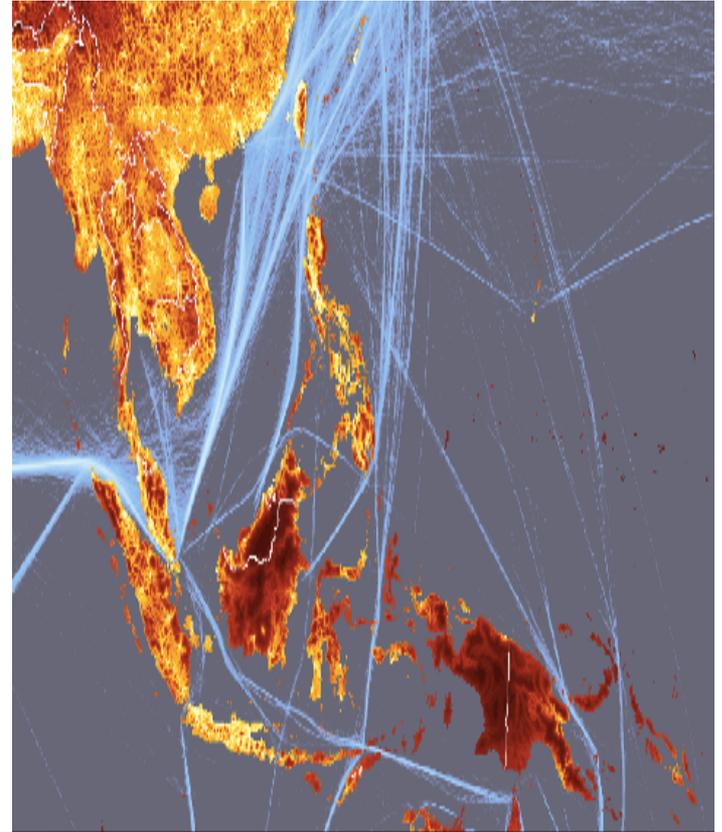


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# Involvements of extra-regional powers:

- The United States
- Japan
- Australia
- Russia
- India
- European powers
- Others



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# International concerns regarding the legal bearing of the international arbitration award

- Western nations want strict compliance of the award
- China rejects the award
- The Philippines at present is “setting aside” the award
- ASEAN members remain ambivalent on the award



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# Issues associated with the implementation of the DOC (Declaration on the Conduct of Parties in the South China Sea) and the conclusion of the COC (Code of Conduct in the South China Sea)

- There is still the lack of clarity on how to implement the DOC
- China and ASEAN members have different levels of political will on the DOC implementation
- China and ASEAN members continues to have different views on how to start and conclude the negotiations on the COC



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Surmounting these challenges are essential for long-term stability in the South China Sea.



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# ASEAN, Chinese officials, maritime experts to convene in Manila to discuss cooperation: Manila

TOP STORIES



Source: Xinhua | 2017-08-28 16:53:35 | Editor: Song Lifang

"The seminar also seeks to boost regional efforts to ensure peace and stability in the South China Sea to help prevent maritime accidents, and to preserve and protect the marine environment and promote sustainable fisheries," Cayetano said.



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