

## South China Sea Conflict and Security Cooperation in ASEAN Waters

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### ABSTRACT

The study aims to analyze how ASEAN acts to keep the region from conflicts over the South China Sea. The South China Sea conflict is a conflict that has a major impact on the ASEAN region; it is influenced by the territorial waters owned by several countries in ASEAN according to the United Nations Convention for the Law of the Sea (UNCLOS) in 1982. China's unilateral claim in 2012 was the beginning of ASEAN's concerns over the security and stability around the South China Sea and ASEAN waters. This article focuses on ASEAN's response in response to China's moves after unilateral claims and the establishment of military fleets around the Spratly and Paracel islands. The ASEAN Regional Forum (ARF) on 2018 is an important response for ASEAN in the face of maritime security threats. Establishment of policy strengthening security cooperation will have a significant impact in the development of stability in the South China Sea region, where the situation in the region worsens with the increasing number of actors involved in the conflict. The findings obtained from this paper aim to explain the analysis of ASEAN schemes to safeguard the territorial waters around the South China Sea.

**Keywords:** Conflicts, Territorial Waters, Security, Stability, Cooperation, Development.

### INTRODUCTION

The South China Sea is an issue affecting countries around the region. Until now, they could not solve the South China Sea problem. The territorial claims made by the People's Republic of China (PRC) increase security instability in the South China Sea region where countries in the ASEAN region perceive that with the increasing aggressiveness by the People's Republic of China launching claims to ownership of the territory, there will be security instability in the ASEAN territorial zone.

The South China Sea conflict refers to historical claims of countries with interests in the region. People's Republic of China claims that the territory in the South China Sea has been in the country since 2000, strengthened by a map claim established in 1947 known as the "*Nine Dash Line*" (Nainggolan, 2013). The map shows People's Republic of China's ownership of the South China Sea in the form of ocean and land areas in the Paracel and Spratly islands.

Vietnam claims ownership of the Paracel and Spratly islands is fully owned by the country. The claim base on a historical history in the 17th century, the two territories were owned by Vietnam and supported by evidentiary documents (Nainggolan, 2013). Apart from China and Vietnam, there are several ASEAN countries that claim ownership of parts of the South China Sea, the Philippines, Malaysia, Brunei Darussalam, and Indonesia. This claim is reinforced in the exclusive economic zone treaty (ZEE) under the international Sea law convention (1982).

The ocean and land areas in the South China Sea have great potential, the potential of petroleum and mineral reserves being the goal of the People's Republic of China in claiming the territorial waters. Another potential Strait of China Sea has been

the sector of many activities, it uses mainly as trade activity line and is a strategic zone for international shipping that connects three continents (Junef, 2018). The South China Sea is beneficial for the country that controls the region, the country that claims the territorial waters will develop rapidly.

Since 1970 there have been aggressive and provocative moves in the fight for ownership of the South China Sea. The Vietnam-China dispute (1974), confrontation of the Vietnam-China for Spratly islands (1988), and the provocation of a Philippine-Vietnamese naval vessel (BBC, 2011). The long dispute that has begun since 1970 has worsened since the PRC's unilateral claim in 2012 alarmed countries in ASEAN. China's unilateral claim also shows that the country has a plan to defend the waters of the South China Sea with military force. This is showed by the emergence of Chinese military forces near the ASEAN waters (Council on Foreign Relation, 2019).

In the threats posed by the People's Republic of China, ASEAN has held several regional forums for discussing ASEAN waters security cooperation (ASEAN, 2018). Thus, this research aims to analyze ASEAN's policy in ASEAN territorial security in the threat's face of the People's Republic of China in the South China Sea conflict. This article explores the implementation of the "ASEAN Regional Forum on Maritime Security" which focuses on discussions on ASEAN steps to safeguard the Region from security threats and other maritime issues. This paper argues that security cooperation in ASEAN waters can be achieved if ASEAN countries cooperate in safeguarding ASEAN waters.

## LITERATURE REVIEW

Before referring to the detailed discussion, some prior research is needed related to the study of regional security in ASEAN waters. It aims to clarify the use of securities theory studies as the basis for analyzing problems. Some previous research references were classified to two points of view - the first discussing the Viewpoint of the People's Republic of China towards the South China Sea, the second discussing ASEAN countries' viewpoints on the south China sea, the third discussing the theory of securitization, and the fourth on ASEAN regional cooperation in strengthening maritime security.

### CHINA PERSPECTIVE ON THE SOUTH CHINA SEA

Wu (2013) describes land formations in the South China Sea where there are three clusters of islands and one underwater river. The three islands are the Paracel archipelago, the Spratly Islands, and the Pratas Islands. The Spratly Islands are very important islands for the People's Republic of China, this is because the Spratly Islands have great potential for natural resources and have a strategic geographical location. The Spratly Islands are also a strategic marine traffic area that supports the country's economy. That territory of the archipelago is within the economic zone of the People's Republic of China, which has been claimed since dynastic times.

Greer (2016) supported this statement that the South China Sea is a very strategic region because the South China Sea is a region rich in marine resources and one of the strong sectors in developing a country's economy. The South China Sea is a

vital economic area for China, and it makes the People's Republic of China use historical claims as a goal of defending the territory.

#### ASEAN PERSPECTIVE ON THE SOUTH CHINA SEA

Lieberthal & Mc Devitt (2014) explained the need for the South China Sea as an important water area for countries in ASEAN, based on the South China Sea region, has abundant natural resource potential and has a large contribution to the increasing value of global transactions. Alatas (2016) explained that the rivalry of influence in the South China Sea conducted by the People's Republic of China has a purpose not only to the ownership of natural resources but to be a hegemonic force in the South China Sea region. Firestein (2019) explained that there are five ASEAN countries that have interests, those are; Vietnam, Malaysia, Brunei Darussalam, Philippines, and Indonesia. The South China Sea is at the geopolitical and geo economics heart of the ASEAN region and losing ownership of the sea will have a devastating impact on the region.

#### SECURITY CONCERN IN THE SOUTH CHINA SEA

Youji (1998) said that the conflict in the South China Sea will impact the security of the waters of the South China Sea region, which is based on the view that it is likely that ASEAN will refrain from constructive agreements with China. The claims of Spratly islands in the southern sea of China will have an adverse effect on China's economy due to the possibility of weakening bilateral cooperation. The Spratly Island claims will adversely affect the bilateral relations of ASEAN countries with the People's Republic of China. The implications of the Spratly Island seizure will strengthen ASEAN's relationship in protecting the region from outside threats that jeopardize security stability in the ASEAN region.

Pollsters (2013) said that the state of the South China Sea conflict had a profound impact on regional stability in Southeast Asia as evidenced by the triggering of tensions that threatened security stability in China's oil company tensions with Vietnam. Lunn (2016) explained that the problem of peace in the South China Sea arises from the People's Republic of China's claim to the "Nine-dash Line" where the South China Sea territory comprising several clusters of islands is owned by the People's Republic of China through historical claims. These claims affect the growing conflict between several countries. There are conflicts over claims about certain areas and there are growing security concerns in the South China Sea and will affect the security of the ASEAN region and its surroundings.

#### ASEAN REGIONAL COOPERATION IN MARITIME

ASEAN itself does not dwell in the face of regional conflicts that threaten the security of the region. Besides understanding the concept of security, it is important to know how the agreement between ASEAN countries in safeguarding ASEAN territorial waters from threats. ASEAN maritime Forum (2018) is a maritime cooperation agreement affirmed in the Declaration of ASEAN Concord, ASEAN Political security Community (2009-2015), and ASEAN 2025 Forging Ahead Together. This cooperation focuses on security issues in ASEAN's territorial waters (ASEAN, n.d.).

The ASEAN Maritime Forum focuses on economic cooperation in maritime and security cooperation in addressing piracy, resource theft, and marine biota destruction. In 2018, the ASEAN Regional Forum was held to discuss strengthening the cooperation of ASEAN member states in the face of South China Sea conflicts and the cooperation of security cooperation in preventing the potential theft of marine resources in ASEAN territorial waters.

## **RESEARCH METHOD**

Based on the literature reviews above, it can be concluded that the potential resources and geographical location of the South China Sea cause the increasing security threat to ASEAN territorial waters. This is reinforced by the desire of the People's Republic of China to take control of the territory, which will cause the region's instability around the South China Sea. The study placed the South China Sea conflict as a security issue that not only threatens national security but also threatens stability in the region around the conflict area. In contrast to previous research, this article emphasizes the analysis of the security process of ASEAN countries in dealing with the South China Sea conflict.

## **THEORETICAL FRAMEWORK**

In understanding the problems in this study, the theory used as the basis of the theoretical framework are securitization Theory based on the writings of Barry Buzan (1998) and international cooperation by Joseph Grieco (1990). In Buzan's "Security: A New Framework for Analysis". Security is a concept in which an actor is facing an issue as a threat that affects the security of the country and politics. Security occurs as a result of threats that harm a country's power.

In The book Buzan wrote, there are five sectors of security issues in which each sector is identified through existing interactions (Buzan et al., 1998). The sectors that can be identified on the problems in the South China Sea conflict can be reviewed from the economic sector where the seizure of the South China Sea area is based on the strategic economic area. The conflict has affected other sectors of the military and politics, as the region's security becomes increasingly difficult to guarantee due to the use of the military as intimidate and potentially damaging security force in the South China Sea.

There are five stages of security according to Buzan, the first is Issue threat identification where at this stage the actor identifies the issue that is a threat issue or not. In this case, ASEAN countries identified the unilateral claim of the People's Republic of China and the establishment of a military base in the South China Sea region is a security issue. The second phase is Facilitating Conditions. In this case, the South China Sea conflict has adversely impacted various sectors of ASEAN countries that have interests in the South China Sea, pushing the South China Sea conflict into a regional security issue. The third stage is the Unit of Analytics, where at this stage there is an analysis of the actors who are the reference to security. The fourth stage is the Speech Act, which is an official statement of political figures that reinforces security threats. The last stage is constellations of Securitization, where it aims to analyze the constellation of security (Hartono, 2018).

The security stage has an indicator to point out main points of the problem, it explains the key points in the security level. The first indicator is Securitizing Actor, where in this case the securitization actor has the right to turn an issue into a security issue. The second indicator is the Speech Act in which statements of state leaders have the impact of changing an issue into a security issue. The third indicator is existential threat. The existential threat experienced by the ASEAN region is a threat in regional security, economic stability, and regional stability. The fourth indicator is referent object in this case, ASEAN community is under pressure and threat because of conflict situation. The fifth indicator is Audience, where in this case UNCLOS and the United Nations understand the attitude of countries in the ASEAN region to turn the South China Sea into a security issue. The latest indicator is Functional Actor, which is a conflicting country in the South China Sea. The theoretical framework can be seen in the following table:

Analysis of security patterns can be seen through the approach seen from the correlation between existing security systems. There are three steps in analyzing: What issues are planned by actors, the form of correlation between issues, actors, and interactions of both, and finally is the analysis of threats in several sectors. In the concept of security, a threat that is successfully overcome will be downgraded to a political issue. Categorization of an issue becomes a security issue set through strict criteria so it can be distinguished to resolve the issue (Waeber, 1995)

The second theory is to use the concept of cooperation developed by Joseph Grieco. According to Grieco, there are 4 stages in the desire's development for cooperation of an emerging country (Grieco, 1990). The first stage is State fear for their live, where in that stage a country feels threatened by the conditions that occur in the international world. The second stage is Self Dependent, in which a country considers that in order to maintain the security of the state is required to try on its own, the third stage is (3) Relative capabilities among states, whereby the stage clarifies that each country has different capabilities in maintaining the security of the state, the last stage is the State will not agree with unfavorable agreements at which stage the country will not cooperate with unfavorable cooperation. According to Grieco, country will always feel threatened from other countries. Grieco's cooperation model focuses on cooperation that minimizes Relative Gain and maximizes Security and Independence. This can be seen from the regional cooperation forum which discusses ASEAN countries' cooperation in maintaining maritime regional stability in the South China Sea.

## **RESULT AND DISCUSSION**

The South China Sea is a very complicated area of conflict. This is based on several countries that have interests in the waterway competing for their right to own a part in the strategic area. South China Sea itself is a sea that lengthways from the southwest to the northeast, on the south by 3 degrees' south latitude of Sumatera island Kalimantan (Borneo) Island, or rather in the Strait of Karimata, and in the north bordering with Taiwan from the northern tip of Taiwan toward Fukien, China (Sitohang et al., 2008). Based on article 122 of the United Nations Conventions of The Law of the Sea – (UNCLOS 1982), stating that the South China Sea (SCS) is include in semi-enclosed sea that surrounded by two or more countries and connected with another ocean. It is seen from the location of the South China Sea are said to be very strategic

as shipping and world trade lanes, connecting the Indian Ocean and the Pacific Ocean. In addition to its strategic location, South China Sea also has abundant natural resources.

Its strategic location makes it one of the most important world travel routes in the world. The economic value derived from the use of the South China Sea as a distribution channel is USD 5.3 trillion in 2019 (Bangun, 2021). In addition, natural resources in the form of oil in the South China Sea are estimated at 11 billion barrels in total, then there are 190 trillion cubic feet of natural gas, which is equivalent to 57.9 trillion cubic meters (Bangun, 2021). Furthermore, the economic value of the South China Sea will also increase if the fishery sector is taken into account.

Unilateral claims from the People's Republic of China have led to an increasingly violent conflict in the region. The deployment of military force by the people's republic of China poses a threat that affects the security and stability of the South China Sea region. The military move has been a bluff for China against the country's desire to take control of the region in absolute terms. China's military moves are putting pressure on several ASEAN member states around the South China Sea. This can be seen with some countries in ASEAN preparing military forces to protect themselves from the possibility of an increasingly severe South China Sea conflict.

The conflict between ASEAN countries in maintaining ASEAN regional security and stability is also seen with a lot of friction with the People's Republic of China. Among them is the seizure of territory of the Spratly and Paracel islands where both territories are owned by Vietnam according to historical claims but denied by the people's republic of China (Truong & Knio, 2016). Vietnamese defense ministry statement discusses China's threats and Aggressive actions that jeopardize regional stability affecting the growing tensions of the conflict (Viray, 2018).

## SECURITY ISSUES IN ASEAN WATERS

The conflict in the South China Sea has encouraged ASEAN countries to follow through on regional cooperation that initially focused on protecting the region from terrorism into a focus on de-escalation of conflicts in the waters of the South China Sea. Security threats in the South China Sea conflict have been around since Vietnam and the Philippines issued a statement on territorial ownership in the South China Sea (Grossman, 2020). The Spratly Archipelago is an island in a strategic position and is in the middle of several countries. The issue of the threat is still a threat that affects one country. After many countries in Southeast Asia became independent and joined UNCLOS, there are several countries that have economic lines across the South China Sea. In 1979, Malaysia and Brunei were charged with partial ownership of the Spratly archipelago (Junef, 2018). This has led to increased security tensions in the South China Sea region. These countries play an important role as security actors who have a significant influence in turning South China Sea conflict into an issue of threat that jeopardizes security stability in the Southeast Asia region.

The unilateral statement issued by the People's Republic of China against claims of ownership of the South China Sea has a complete effect on countries in the Southeast Asia region. In response to the statement, member states, which are incorporated in ASEAN and have the interest of issuing several policies aimed at

stopping the People's Republic of China from making aggressive moves in territorial claims.

One policy issued is the Trilateral Cooperation between the People's Republic of China, the Philippines, and Vietnam. The policy focuses on areas of exploitation of natural resources in conflict areas (Schofield & Storey, 2009). Indonesia also played a role in issuing a policy on the prohibition of fishing by unpermitted foreign vessels in Natuna (Wicaksana, 2019). The policy was born out of the large number of Chinese ships that conduct fishing and natural resource gathering in the Natuna region. This provides a polemic where there is interference from the warships of the People's Republic of China against guard vessels from Indonesia in catching illegal fish vessels from the People's Republic of China (Wicaksana, 2019).

To expand security in ASEAN to the South China Sea conflict, there are statements from several leaders from countries in ASEAN underscored the urgency in raising the South China Sea conflict as an issue that threatens regional security. Some political questioning of the attitude of the People's Republic of China in the South China Sea is summarized in several points, namely:

1. The statement of the Vietnamese Prime Minister, Phạm Bình Minh, that Vietnam will follow ASEAN in conflict resolution using International laws (Iwamoto, 2020).
2. Indonesian Prime Minister Retno Marsudi's statement said that the conflict in the South China Sea region was worsening as the United States took part in the conflict. Retno said that "We do not want to get caught up in this competition" (Allard & Widiyanto, 2020).
3. ASEAN leaders' statement at the ASEAN Summit, that UNCLOS 1982 is the basis for determining maritime rights, jurisdiction, and legitimate interests of the maritime zone (TheGuardian, 2020).

According to the statement, the threat raised through the above speech focused on the security of the territorial waters because of the conflict. The South China Sea area is a strategic area because there is a lot of natural resource content and potential (Haryanto & Darmawan, 2015). With unilateral claims and the deployment of military force in the South China Sea, it poses a threat that has the potential to jeopardize security stability. The threat justifies those countries are threatened by the Movement of the People's Republic of China. The deployment of military facilities further increases fears of war in the South China Sea region, where the possibility of war will affect security stability in the Southeast Asia region.

The next component in securitization is the audience. Countries in the ASEAN region that have interests in the South China Sea want the security process to be understood by every country or country outside the Southeast Asia region that the situation in the South China Sea conflict is getting worse and that if there is no de-escalation of forces in the conflict area, there is a possibility that war will occur. The last process in securitization is functional actors. The functional actor here is an actor who influences the spending policies issued by ASEAN member states on issues in the South China Sea. Influential actors are the leader of the country and the Minister of Foreign Affairs. In 2019, the ASEAN Regional Forum was held in Thailand to discuss the threat of the People's Republic of China in the South China Sea conflict (Republika, 2019). The meeting discussed the strategy of ASEAN countries in resolving the South China Sea conflict.

## ASEAN COUNTRIES STRATEGY TO MAINTAIN ASEAN TERRITORIAL STABILITY

The conflict in the South China Sea has a major influence on security stability in the ASEAN territorial waters. If using the concept of cooperation, countries in ASEAN have been involved in the fourth phase. According to Grieco the fourth phase of cooperation is at the stage each country will only cooperate if the country benefits (Grieco, 1990). ASEAN's position in resolving this dispute case is considered quite unique, where there are several member countries that claim directly over the South China Sea. On the other hand, ASEAN has the principle of not interfering in the affairs of its member countries, which is better known as the Non-Interference Principle.

ASEAN itself was formed with the vision of "A Southeast Asia Region of peace, freedom, and prosperity for their peoples" (Manurung, 2017). The vision carried over to ASEAN in the present time. At the ninth ASEAN Summit there is a strategy of the ASEAN organization to create regional integration that signifies the strengthening of relations in various fields for ASEAN member states. There was the establishment of ASEAN political-security community (APSC), ASEAN Economic Community (AEC) and ASEAN Socio-Cultural Community (ASCC) (Karim, 2016).

In maintaining political power and security stability, the APSC held several meetings to discuss the procedures for maintaining and anticipating conflicts within Southeast Asia while still providing major powers in ASEAN to take part in the development of regional cooperation in security. The results of the APSC were the ASEAN regional forum (ARF), ASEAN Plus Three, East Asia Summit (EAS), and Treaty of Amity and Cooperation (TAC) (Sukma, 2012).

To resolve the conflict in the South China Sea, ASEAN is trying to downsize the threat through mediation. The first result was the South China Sea conflict into UNCLOS. This is a way by ASEAN that fits with the organization's vision to resolve a conflict without using pressure or strength. The second strategy is contained in the ASEAN Regional Forum Work Plan for Maritime Security, which contains the procedures and plans of ASEAN member states to defend ASEAN territorial waters from external threats. (ASEAN Regional Forum Work Plan, 2018). In the sea security defense proposal, ASEAN member states agreed to cooperate in sea defense and agreed on regional security cooperation against terrorism and other threats that interfere with security stability.

Multilateral cooperation between ASEAN and the People's Republic of China in sea security is also used to reduce conflict tensions in the South China Sea region. From 2012 to 2016 there were seven pirate attacks in the South China Sea area (Andyva & Burhanuddin, 2018). The attack became the basis for the establishment of the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP).

The establishment of the Code of Conduct (CoC) in 2016 between ASEAN and the People's Republic of China as a way of resolving the conflict (Manurung, 2017). In 2002 to 2017 the use of the DoC did not run its maximum because of the increasing number of external actors involved in the South China Sea conflict. The DoC itself does not rely on documents and only through the political opposition of the participating countries so that the DoC's change to the CoC is ASEAN's step in reaching a resolution of the conflict in the South China Sea (Kembara, 2018). Progress towards the formation of the CoC itself began to be seen with the completion of the first reading

or reading of the draft contents of the CoC between ASEAN and China in 2019. ASEAN member countries and China hope that the CoC can be completed soon, although the second reading stage is the discussion of material from the CoC and has been scheduled will take place for four times in 2020 had to be postponed due to the Covid-19 Pandemic (Bangun, 2021).

The strategy above is still not successful because the South China Sea conflict is still unresolved, but it shows that ASEAN as a regional organization plays an important role in maintaining the stability of the territorial waters of the member states.

## CONCLUSION

The South China Sea conflict is a conflict has a long historical footprint, the dynamics of the conflict originating from countries in the South China Sea expanding into a conflict that affects many countries and regions. ASEAN region was severely affected by the conflict. The conflict has the potential to interfere with the security and stability of ASEAN's territorial waters. The conflict worsens with the deployment of military force in the South China Sea region. ASEAN seeks to resolve conflicts in diplomatic ways. The non-traditional maritime and defense cooperation strategy is strengthened by ASEAN member states. With the enactment of the ASEAN Regional Forum Work Plan in 2018, it can be seen that ASEAN focusing on maritime security in ASEAN's territorial waters from external threats. This may be a reference to subsequent research on ASEAN's strategy in responding to the South China Sea conflict resolution with a study of other perspectives and concepts.

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