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**MARITIME DISPUTES WITH CHINA IN ASIA-PACIFIC: AN**  
**ANALYSIS**

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*Abstract*

This paper is an endeavor to highlight the maritime disputes in Asia-Pacific and the response of regional states in the aftermath of Washington's policy of "Rebalancing power in Asia". Maritime disputes in Asia-Pacific have raised an alarming situation in the dynamics of regional politics. The issue has taken prominence since 1970s with the emergence of the concept of continental shelf and signing of United Nations Convention on Law of Seas (UNCLOS) in 1982. Moreover, with the growing need of energy and expansion of Chinese industrial network, China has taken an assertive position in order to stretch its sovereignty claims in South China Sea (SCS) and East China Sea (ECS), which in turn has led to the start of the race of modernization of naval security apparatus among regional actors. Owing to the geographical expanse of China, Beijing has made its foreign policy objective to enhance its role in Maritime East at the expense of other contending powers like Japan, and USA. She never hesitates in blatantly discarding the US presence in the region and seems very ambitious in pursuing its "Far East policy". With this view this study analyzes the Chinese posture of hegemony in the region with immense possibility of regional players to cooperate with China to avoid clashes in future.

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**Keywords:** East-Asia, East China Sea, Exclusive Economic Zone, Maritime Disputes, South China Sea.



## 1. Introduction

Asia-Pacific is a geographically strategic region of the world. For a long time it has remained a hub of world trade and commerce. It has always attracted the nations of the world for its immense potential of trade. A wide network of trade routes and sea lanes has enhanced the currency of the region. In recent years the region has contributed to nearly 56% of the world's economic output. (Voice Of America, 2014). Besides that the region is home to the world's emerging powers to name a few, like Japan, Singapore, Korea, and China. Thanks to scientific discoveries and burgeoning energy needs which has become a potent cause of tensions among nations of the world; the most important being maritime disputes in South China Sea (SCS) and East China Sea (ECS) Various contenders in the region have gone eyeball to eyeball with each other on the issue of sovereignty over bunch of islands, atolls, reefs, and the continental shelf in South China Sea, and East China Sea. The most important is the issue of the Sprately islands and Paracels in the South China Sea, and the issue of Senkaku Islands in the East China Sea. These issues have been bones of contention since the last quarter of the previous century.

In contemporary times the dispute in South China Sea is among six contenders i.e. Brunei, China, Taiwan, Malaysia, Philippines, and Vietnam.

All these countries occupy some territories within this region and claim their respective sovereign rights over the South China Sea. However it does not mean that there is no mutual understanding among these countries. There exists a Declaration of conduct of Parties (DOC) which was signed between China and ASEAN countries in 2002. However, there is a clear trust deficit and the lack of mutual confidence has given birth to the above mentioned issues in the region.

While the issue of Senkaku islands, a major irritant between Chinese and Japanese relations, dates back to the 1970's when the US favoured inclusion of Senkaku islands under Japanese jurisdiction. Since then tensions between the two countries have escalated from public hatred to stoppage of trade, even some times resulting a row in diplomatic relations. In 2010 it peaked when Japanese coast guards arrested a Chinese fishing boat which resulted in a diplomatic cut-off, until the release of the Chinese fishermen. One thing common in all the above-mentioned issues is the growing undersea explorations, in a race of oil and gas explorations. All the parties included in the disputes directly or indirectly strive for control over maritime resources.

It is also argued that "compared to other great powers in human history, China has been arguably the most successful economic power in the first three decades of "catch up" (with the leading powers of the time" (Javad, 2015, p.8). China seems to be adopting a very aggressive outlook in this regard. (Yee, Maritime Territorial Disputes in East Asia, 2011). In such a scenario the role of US involvement in the matters of Asia-Pacific cannot be neglected. In order to maintain its credibility US officials have proclaimed time and again their support to allies in the region. And the response from allies especially Japan has always been encouraging. This attitude on the part of Japan has acted as an acid test for China. China is shy of US presence in the region; she never wants to internationalize the issue, whereas Japan and Philippines are willing to sell the issue at the international level. In the following pages various aspects of the maritime disputes are discussed.

### **1.1. An overview of the Maritime Disputes in Asia-Pacific**

China is one of those countries in the world which has one of the world's largest population and borders various countries of the world. Due to its geographical stretch, she has also been a party to multiple maritime disputes. China is involved in its maritime disputes with many countries of its borders at its southern and eastern sea borders. "In Particular given the global importance of the maritime/economic interactions that will be in play in the waters now of the strategic significance to China: The Indian Ocean and South China Seas, understanding how global economic/fiscal stability is created and works in conjunction with the maritime domain is vital to any successful American strategy aimed at the Far East" (Kennedy and Pant, 2016, p.14).

### **1.2. Maritime disputes in the Southern China Sea involve:**

#### **1.2.1. Paracels Islands**

Paracels islands (called Xisha Islands by China) have been a source of conflict among China, Taiwan, and Vietnam. Currently it is under Chinese control. However in the past it became the cause of the Parcel war between China and Vietnam. But due to Chinese military superiority China won the war, and Vietnam was driven out of the Paracels islands in the war, but tension still exists among the trio of nations.

#### **1.2.2. Spratly Islands**

Spratly islands (also called Nansha Islands) include a group of more than 100 islands. Countries like Brunei, China, Philippines, Indonesia, Malaysia, Taiwan, and Vietnam claim their rights over these islands because of its mineral importance. Various oil and gas fields have been estimated to be under these islands. A few countries have deployed their military troops to establish a strong foothold over their part of the islands. Among them Philippines and US alliance seem to prove a game changer.

#### **1.2.3. Scarborough Shoal**

The shoal is named after British East India tea trading ship which collided with a rock and sank in 1784. As compared to the issue of Spratly and Paracel islands the issue of the shoal (known as Huanuyan Islands in China) is of lesser magnitude. However it is also territory claimed by China, Taiwan, and Philippines (Singh, 2011).

### **1.3. Maritime Disputes in the East China Sea**

In the East China Sea, the only consequential dispute is over Senkaku Islands (also called Diaoyu Islands).

#### **1.3.1. Senkaku Island**

This involves a maritime territorial dispute between two gigantic Asian powers i.e. China and Japan. The dispute between both countries arose due to different interpretations of the United Nations Convention on Law of Seas (UNCLOS), by both parties. Japan claims its Exclusive Economic Zone

(EEZ) is defined by median lines whereas, China interprets the principle of EEZ, as having sole control over the entire East China Sea which is unacceptable to Japan (Zhou, 2015).

#### **1.4. Position of Stakeholders**

Different contenders in the maritime disputes have maintained their respective views based on their historical linkages and interpretation of UNCLOS 1982 as discussed below.

##### **1.4.1. Peoples' Republic of China (PRC)**

China maintains her sovereign claims over Spratly Islands with the historical occupation by the Han Dynasty nearly 2100 years ago. In addition to that China considers Paracel Islands as part of her Hainan Province. There are multiple historical records which have hinted of Chinese occupation over these areas. Whether it may be the Han Dynasty or Ming Dynasty or occupation by fisherman or traders, archaeological evidence have proven Chinese presence since olden times. It was during the second World War when Japan claimed her right over the islands but China reaffirmed its claim over the whole territory encompassed by its nine-dotted lined map created in 1947. In 1992 China reasserted her rights in South China Sea, and currently she enjoys control over the whole territory in the South China Sea.

##### **1.4.2. Taiwan**

Claims by Taiwan are more or less a mirror image of Chinese claims. However, the issue is that Taiwan is yet to be recognised as an independent state in the community of nations so, her claim is not that clear despite the fact that the Prata Islands in the Spratlys islands are occupied by Taiwan.

##### **1.4.3. Vietnam**

Vietnam also uses historical evidence to prove its claims over Spratly and Paracels Islands in the South China Sea. She claims the Spratly Islands as a part of the Vietnamese province of Khanh Hoa though the historical records for that claim are weak. She has fought a war with China in 1974, but China succeeded in seizing control of the territory. However, in future the issue may lead to either betterment or worsening of bilateral relations between China and Vietnam.

##### **1.4.4. Philippines**

Unlike China and Vietnam, the Philippines claim is a recent one. It was maintained in the backdrop of the discovery of islands by a Philippines' businessman Thomas Cloma in 1957 which he named Kalyan but which was not recognised by the government at that time. In 1970s it was recognised by the succeeding government, not only that the airspace and continental shelf of the said area was also proclaimed as part of the Philippines.

##### **1.4.5. Malaysia**

The claim by Malaysia over Spratly islands is also recent. She believes in the principle of continental shelf and recent discovery which she has maintained in her 1979 map.

#### **1.4.6. Brunei**

Among all the contenders which have maintained their respective territorial rights in the South China Sea, Brunei is a unique case. She physically does not possess control over any part of the Spratly Islands, but maintains her territorial claim (EEZ) based on the principle of UNCLOS (Gjetnes, 2000).

#### **1.4.7. Japan**

The row between Japan and China over Senkaku islands is recent receiving fresh impetus in 1970s. Since then two countries have enhanced naval surveillance in the East China Sea. The root cause of the tension is regional history. It is much believed that “as China and Japan attempted to modernize in order to protect themselves from the West, the rivalry with each other came to focus on an old age issue: the control of Korea” (Dreyer 2016, p.43). Each country has strong historical and nationalistic pride, which has resulted in formulation of anti-state attitude by the public of both countries towards each other. In addition the US alliance with Japan has further aggravated the situation. Tension could be lessened with the US assurance of performing a mediating role in diminishing the tensions while maintaining her complete neutrality (Zhao, 2013). Thus, new dimensions are required to explore in the similar context (Rothman, Vyas and Sato 2017, pp.93-94).

### **1.5. Motivating Factors to claim Territorial Rights**

International anarchic political system states always try to pursue their power in order to survive. Everyday new technologies are adding to the already available stockpiles of the states’ defence systems. These states strive to enhance their national power. The same equation applies to maritime disputes of Asia-pacific. It is due to following reasons that contending states vie to achieve more and more territory in blurredly defined oceans of the world.

#### **1.5.1 Power Resources**

As mentioned earlier both the South China and East China Seas possess plenty of natural resources; the most valuable being reserves of oil and natural gas. Recent technological developments have aided the potential of countries to extract more and more important minerals for the progress and development of country’s infrastructure. Keeping in mind this fact the sovereignty claims of China in the South and East China Seas would put China in a better position. Additionally Chinese claims to EEZ would contribute positively to boost Chinese energy needs.

#### **1.5.2. National Pride**

China has maintained her territorial rights in East and South China Seas (Spangler, & Karalekas, 2017) on historical evidences due to its long cherished history of nationalistic attitude. Not only that the Chinese public is proud and ambitious about their history, hence claiming their rights on the said territory with nationalistic zeal. Any claim except China’s is unacceptable to the Chinese leadership as well as the Chinese public. They are adamant in protecting their rights in this regard. It is also stated that “over the past 30 years, the Chinese development clock has run three to four times as fast as those other economies” (Fels, Enrico and Truong-Minh Vu 2016, p.7).

### **1.5.3. Fishing Rights**

Unlike other coastal areas of the world, the waters of the South and East China Seas are an important source of sea food for the inhabitants of the region. It provides a vast supply of ready protein not only for the people of the region but also the trans-pacific. Depletion of near shore fish has encouraged nations to move off shore for catches. That is why nations are eager to claim their sovereignty rights in the islands in these seas. Furthermore the concept of EEZ would permit China to legally materialize her sovereign rights over some of those fishing grounds in the said area.

### **1.5.4. Sea Lanes**

Since time immemorial, sea lanes have been source of trade and commerce activities in the world. Similarly the region under review has also helped the transfer of a great fraction of world seaborne trade. Currently a bulk of world oil is shipped through this area starting from the Persian Gulf to China, Japan and other countries of the region. Besides that, 80% of oil imports in China flow through these sea lanes. Chinese sovereignty over these islands would help China maintain control and monitor the movement of shipping which would leverage great strategic benefits to China in times of peace as well as crisis.

### **1.5.5. Security from State Interventions**

China holds the view that she has the right under UNCLOS to monitor foreign ships which sail in her EEZ. However this interpretation is against the spirit of International Law. If it happens that China succeeds in establishing her sovereign rights in the islands of the South and East China Seas then it would naturally enhance China's security position in the waters of the said Seas. It would declare the waters near its 12 nautical miles of territory as having legal Chinese rights, and from there up to 200 nautical miles as EEZ. It would put China in an advantageous position to monitor US naval ships stationed in the adjacent region and also help protect the Chinese mainland from aggression of foreign ships (Rourke, 2012). But on the other end, "the ratification of UNCLOS in 1982 weakened Beijing's claim to sovereignty over the entire South China Sea. According to the convention the only basis for a lawful claim to the continental shelf at the South China Sea's centre was to possess one of the Spratly Islands" (Jenner & Thuy 2016, p.305)

## **1.6. Theoretical Framework**

Empirically the maritime disputes of the Asia-Pacific can be accessed from the lens of hegemonic stability theory. The hegemonic theory was propounded by Charles P. Kindleberger, who is considered the father of hegemonic stability theory (Miller, 1998). According to the hegemonic stability theory, Hegemon creates a system which encompasses spheres like military, political, and economic and through persuasive or coercive actions a hegemon influences the decisions of other states. In this way the decisions are controlled by Hegemon single-handedly. As compared to powerful states, weaker states are not in a position to influence the decisions of more powerful states resulting in an equation of imbalance of power. In such a scenario there is a great likelihood of creation of cooperation among states. In contrast there also might exist a situation where states deny involvement in any cooperation with powerful states (Liu, 2011).

In applying this theory to the Chinese case one can see a mixed situation. Some states like South Korea, Taiwan, Thailand and to some extent the Philippines are willing to cooperate with China. The popular response of these states is to favour regional cooperation which excludes US presence in the region. Besides that the concept of universal Human Rights is unacceptable to the nations of South East Asia. They dislike this western notion led by US and its allies which seemingly puts them in the Chinese camp (Yee, 2011).

On the other hand some states like Vietnam, Japan, and Indonesia have maintained a different perspective. These states are involved in the greater US military camp. They are motivated to internationalise the issue of South and East China Seas against the wishes of China which aims at bilateral solving of the issue. In all these circumstances it becomes difficult to predict that the outcomes. But we can observe from Chinese robust military advancement and narrative such as the Far East policy, that China will never budge a single inch from its policies and her increased trade ties with other countries of the region might lead them to the table. Even with ASEAN countries China has signed a code of conduct i.e. DOC in 2002 which also emphasizes the regional solution of the issues with mutual cooperation and harmony. The code discards any use of violence; rather it hints at the use of all diplomatic channels to resolve the issues in the South China Sea. The negotiation process by ASEAN countries with China highlights their firm resolve to solve the issue without involving external regional players (Song, 2000).

### **1.7. Legal Dimensions of the Issue**

“It is true that border disputes affect not only the diplomatic relations of regional states, but also their domestic situation-especially their economic development” (Gerstl & Strasakova 2017, p.46). In maritime disputes the Asia-Pacific islands have remained a major contributing factor related to the issue of sovereignty, the unclear jurisdiction of those islands and an acceptable interpretation of regimes. At the global level UNCLOS is the only legislation that has served as an anchor to stabilise the various claims of the states for possessing exclusive rights of international waters. However in the absence of a uniform authority in the international system, the decisions of sovereign states setting the rules of game, has resulted in the issue of maritime disputes in this part of the world. Taking advantage of such an environment China has emerged as an assertive power in the region coupled with its consistent economic growth. Owing to absence of a unified authoritative agency, the governing the regime of islands as provided in Article 121 of the UN Convention on the Law of the Sea (UNCLOS), remains unclear, and to date no consensus on its interpretation has emerged.

UNCLOS was mooted in 1982, and after nearly a decade of deliberations the convention came into force in 1994. It consolidated all the previous treaties and maritime laws formulated under auspices of United Nations. Except Taiwan all other contending parties have ratified the rules based under UNCLOS. Despite the fact, China controls 90% area of the South China Sea, on the plea of “Historical Waters” which is in sheer contrast with the principles laid down in the treaty. China holds the view that she possesses natural rights over the area, and represents her claim by the nine-dashed line map colloquially known as “Cow’s Tongue” because of its dropping shape.

## **1.8. Highlights of UNCLOS**

The United Nations Convention on Law of Seas has very succinctly defined the provisions which fall under its domain. Some of those treaty provisions are discussed below.

### **1.8.1. Territorial Seas**

Under UNCLOS states have right to control international waters up to 12 nautical miles of coastline of the states' territory. This is a very clear and unproblematic provision of the treaty which allows other states to enjoy the right of innocent passage subject to law of the state in question.

### **1.8.2. Contiguous Zone**

Under UNCLOS states are also entitled to enjoy their sovereign rights up to additional 12 nautical miles from their territorial seas. Influence under this zone provides states an opportunity to safeguard their coastal rights, where no other state is entitled to infringe upon the customs, fiscal, sanitary, and other traditions, and related laws of the coastal state in question. Failing to do so would render the offending state liable to be punished according to internal law.

### **1.8.3. Exclusive Economic Zone (EEZ)**

EEZ is the most important provision of UNCLOS. In Part V of the convention it is clearly stated that states are at liberty to establish the Exclusive Economic Right up to 200 nautical miles from baselines of the territorial sea. In this particular area states enjoy various economic rights, ranging from exploitation and preservation of natural resources whether living or non-living along with that establishment of artificial features and installation of scientific facilities under state jurisdiction.

The issue which is currently challenging is the unequal distribution or natural resources, and asymmetry of distance between states' distance from one coast to another and distance between two islands. Every maritime state does not have a distance of 400 nautical miles which equally distributes EEZ area between two coastal states. The same rule is applied to the continental shelf though the prescribed limit which in this case is 350 nautical miles. In order to resolve the issues of such nature the final authority rests with sovereign states. It depends upon the attitude of the states as to how they want to behave in international politics. No doubt UNCLOS has provided mechanisms or cooperation and confidence building measures, but the practices of individual states occur over and above those mechanisms.

### **1.8.4. Continental Shelf**

Under UNCLOS states are given some additional economic rights which extend beyond EEZ up to a limit of 350 nautical miles. In that area states are authorised to maintain as well as regulate drilling activities for all purposes. Article 77 clearly states that in case a state is not carrying out exploration activities no other state has the right to operate in that area of influence without prior permission of the state concerned. *"Moreover, the right of the coastal states over continental do not depend on occupation, effective, or notional or any express proclamation"*.

Besides these principles UNCLOS also discusses the traditional rights of non-littoral states, foreign vessels, and naval ships. The right of innocent passage is guaranteed to foreign ships which sail from the transitional belt of 12 nautical miles. However convention never allows for the military use of the sea beyond territorial seas, commonly known as the “high seas”. In the light of this provision China has no right to demand monitoring or foreign warships or US navy in the South China Sea. That is the issue which China is contending at international level, as against the wishes of international community (Cronin, 2012).

### **1.9. China’s Assertive Role in Maritime Disputes**

Chinese assertiveness has coincided with her economic and technological advancement. In order to strengthen its control over historical waters in the region China has relied on the use of force on various occasions. Not only that the nationalistic sentiment commensurate with positive public opinion favoring such a posture has multiplied Chinese aggressiveness in the region. The disputes of China and Japan in the East China Sea and with Vietnam, and the Philippines in the South China Sea has led China to adopt the “Push Back” approach which may germinate into unintended escalation. Thus the region may enjoy peace and stability if the mutual relations of the countries concerned remain peaceful and cooperative. On the other hand outcomes might turn hostile and clashes might prolong into hardening of tough diplomatic stances towards each other (Thayer, 2012).

Besides that, China’s assertive posture is also the result of Chinese security fears in the region. The announcement of the US rebalancing strategy in Asia, and the US diplomatic support to her allies to counter Chinese military and naval modernization has resulted in Chinese and US competition as well as rivalry in the region. Both the giants are involved in the modernisation of their respective naval forces. China has gone on the extent of involving her military as well as paramilitary forces as a tool of her “Salami-Slicing” strategy.<sup>1</sup> The recent challenge posed to US warships in the international waters by China is an indication of Chinese uncompromising assertive designs (Rourke, 2012).

#### **1.9.1. China in the South China Sea**

The history of China has witnessed that the mainland China has always faced threats from the sea. Since the mid-19<sup>th</sup> century securing sea lanes has been an important military pursuit of Chinese naval forces. Due to the wide spread strategic importance of the sea, Chinese strategists have followed the theory of “sea power” presented by Admiral Alfred Thayer Mahan. In order to enable China fulfil her long cherished aspirations of becoming a naval power she has emphasised the stationing of military as well as paramilitary forces in the waters of the South China Sea for her greater benefit to secure her greater maritime, economic, and national interests. “Apart from threats to the marine environment and resources, the South China Sea is also vulnerable to other threats such as piracy and maritime crimes” (Wu and Zou 2016, p.4). While speaking at a collective study session Xi Jinping insisted on the need for military preparedness to cope with hardships and emergency situations. He also reiterated the need to

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<sup>1</sup> Salami-Slicing strategy defined: The slow accumulation of small actions, none of which is a casus belli, but which adds up over time to a major strategic change. It is gradually accumulate through small but persistent acts; evidence of China’s enduring presence in its claimed territory, without economic rights granted by UNCLOS and perhaps even the right of ships and aircraft to transit what are now considered to be global commons.

safeguard maritime rights and interests. Alluding to China's territorial disputes, he emphasized the need to safeguard "national sovereignty" and "core interests" (Zhang, 2015).

### **1.9.2. China and ASEAN**

China's leadership has not lagged in initiating a positive agenda vis-a-vis their neighbours. Believing in democratic norms and principles of peaceful coexistence Chinese foreign policy makers have enunciated more a proactive neighbouring policy. At the Politburo address Xi Jinping expressed the utmost resolve in resolving maritime territorial disputes by peaceful means and through negotiations. He also hoped for "shelving disputes and carrying out joint development for areas over which China has sovereign rights". This policy of peacefully resolving issues of mutual concern, with neighbouring countries is in fact a reaffirmation of Deng Xiaopong's guidelines for handling territorial disputes through cooperation and peaceful means. This policy initiative in essence is the rejection of tougher nationalistic rhetoric which stresses on giving a tough time to neighbouring countries (Fravel, 2013). Not only that Chinese leadership established a milestone development when it launched consultations on the Code of Conduct with ASEAN countries. Similarly the idea of opening a Maritime Silk Road with Indonesia was another development of significance in the China's relationship with ASEAN countries. The idea was highlighted by the then Chinese premier while speaking to the Indonesian parliament during his visit. During the occasion Li Keqiang also mooted the possibility of future China-ASEAN cooperation and outlined a plan to establish an Asian infrastructure bank.

### **1.9.3. China in the East China Sea**

China's relationship with her counterpart in East Asia is another story altogether. The Chinese view their relationship with Japan as a unique case unlike that of ASEAN nations. China is of the view that Japan should toe Chinese lines of actions, with regard to the fate of Senkaku islands. Japan disowns of islands China's claim over these islands and claims her unconditional rights over the territory of said islands. China insists on her territorial rights over the islands on the argument that the islands are located only 12 nautical miles northeast of Taiwan, are part of the province of Taiwan and therefore fall under the jurisdiction of Peoples Republic of China (PRC). Post 1970s the territoriality of these islands have been an issue of concern between these two states. However, tension between the two escalated in 2005 when China started drilling to extract natural gas from the waters around the islands some 3 miles from the Japanese median line. Tokyo reciprocated by starting her own drilling expedition resulting in increasing hostile relations of both the parties. But in that scenario Chinese assertiveness remained more prominent because China multiplied her military manoeuvres, and accused Japan of violating Chinese territory.

Later on in September of 2010 Japanese coast guards arrested Chinese fishing boats that resulted in a major diplomatic row between the two parties. It led Beijing to adopt a hostile posture towards Japan involving propagation of anti-Japanese sentiments in China, holding protest demonstrations, asking tourists not to visit Japan, halting exports of rare minerals to Japan coupled with Japan bashing media activities. This aggressive behaviour on the part of China promoted a US backlash which came to aid of its allies in the region. In her comment secretary of State Hillary Clinton warned Beijing in the following

words: “Let me say clearly again the Senkaku fall within the scope of Article 5 of 1960 US-Japan Treaty of Mutual Cooperation and Security” (Charichael, 2010).

Thus, it can be clearly seen that China is bent upon pursuing an offensive military strategy in the region while at the same time implementing conflict avoidance measures with selected countries. Her Salami-Slicing tactics to advance her military activities in the international waters and her use of the EEZ, is against the spirit of international law, as well as international traditions (Cronin, 2012).

### **1.10. US Response to Chinese Assertiveness in the Region**

The US response towards Chinese assertiveness is very clear from the policy statements of the US state department. Since US enjoys super power status in global affairs, it is unlikely that the US response towards China would be passive. The role of US in the politics of Asia-Pacific is pronged at multi levels. US wants to counter Chinese military and economic rise on the one hand, while on the other she intends to establish her legal presence in the region. In order to achieve that end the US has signed military and security pacts with the countries neighbouring China. US has extended her full military support to Japan for the protection of the latter’s right over Senkaku Islands. In addition to that US has signed a deal to sell arms to Taiwan in 2010. It is also believed that “Americans have also witnessed previous spasms of attention to and rhetoric about the centrality of the Pacific and China, generally coming to naught.” (Huang 2017, p.13).

Besides Taiwan, the US is also involved with Vietnam for her maritime security in the region. Keeping in mind such developments it seems that the US is ruthlessly pursuing her interests in regional politics in order to challenge the growing role of the Chinese in the maritime politics of the region.

On August 3, 2012 the State Department issued the statement that “US has a national interest in the maintenance of peace and stability, respect for international law, freedom of navigation, and unimpeded lawful commerce in the South China Sea” (Glaser, 2014).

## **2. Problem Statement**

There is a need to highlight the alarming maritime disputes in Asia-Pacific and the response of regional states in the aftermath of Washington’s policy of “Rebalancing power in Asia, due to China’s maritime expansionist policy disputes in the region fed by its growing need of energy and expansion of its industrial network with reference to South and East Sea. This has started a new navel race in the region due to which the geopolitical structure of the world is going to change.

## **3. Research Questions**

This research was mainly based on following questions:

- *To what extent is the Chinese posture reflective of hegemony in the region?*
- *Why are regional players trying to avoid clashes with China?*
- *How successful are China’s policies?*

#### **4. Purpose of the Study**

The main purpose of this study is to analyse the reasons for the disputes occurring at this stage with China as a global economic giant and to what extent its posture of hegemony in the region would affect the possibility of regional players cooperating with China to avoid clash in future.

#### **5. Research Methods**

In this research secondary source material was analysed in depth with regard to the issue at hand in which different books, articles, newspapers were used as source material. Hence, the research method used in this study was content analysis where the source material was carefully analysed for pertinent data that could contribute to answering the research questions.

#### **6. Findings**

The analysis of the documented evidence uncovered the following main findings:

- The disputes have fuelled China's growth of its naval and economic powers.
- According to the hegemonic stability theory it may be concluded that weaker states might cooperate with China in the future.
- China seems reluctant to be sidelined from its current stance on its claims on territories of South and East China Seas.

#### **7. Conclusions and Implications**

It may be concluded that maritime disputes in the Asia-Pacific are of great geo-political significance, specifically the role of big contenders like China, USA, and Japan. Their role in maritime politics can contribute significantly towards peace and stability in the region. UNCLOS has outlined the principles for coastal states, and the document can create a situation of mutual understanding among various contenders providing each contender follows a single uniform accepted interpretation to that document. However due to different policy statements of big powers each state is following its unique set of interpretations, that has resulted in the creation of mutual distrust and antagonism towards each other. The Chinese view Japan and its population with contempt owing to their rivalry in the East China Sea. Similarly the conflict in the South China Sea over territory among the six contenders has served as a hotbed of diplomatic resentments and cold war like situations.

In that entire scenario the Chinese assertive outlook has added fuel to an already tense environment. The Chinese strategy of salami-slicing has raised fears not only in the region but also in Washington. In such circumstances Washington has reciprocated by initiating a rebalancing strategy, which has raised alarms for China and some of her neighbouring countries who prefer not to internationalize the issue of maritime disputes, whereas Japan being ally of the US welcomes US intervention in the issue. China claims her natural right over international waters considering it as historical waters. Other states claim their right over islands and international waters considering it their right under UNCLOS, resulting in an escalation of disputes among these players. In all these disputes the

growing Chinese naval and economic power seems to dominate the big picture, and hegemonic stability theory stipulates that weaker states might cooperate with China in the future. Additionally all her actions point to China's reluctance to back down from its current stance on her territorial claims in the South and East China Seas.

## 8. Recommendations

- The current century is the century of Asia-Pacific and US has to play a mediating role in order to pursue her objective of rebalancing. Attached with that strategy are divergent objectives that can help promote peace and stability in the region.
- In order to maintain the rules based norms of international law the US must ratify the UNCLOS.
- All the important stakeholders i.e. China, Japan, and US need to reconfirm their commitments they made in 1972 to resolve international disputes without resorting to aggression or threat of force.
- Japan's current defensive posture- limited military involvement under 'peace constitution' should be respected because it is a potential confidence building measure for defusing tension in the region.
- A secure community must be built in Asia-Pacific. A framework like ASEAN must be formulated. There is a dire need for a change in attitude to enhance faith in ASEAN.
- The parties involved in the disputes must evolve a bilateral, trilateral or multilateral mechanism for greater understanding of the issue and also make efforts to resolve issues with mutual understanding and good faith, setting aside nationalistic sentiments.
- A mechanism of cultural exchange must be established to help softening of ties among various contenders.
- There should be a sharing of intelligence and military joint military exercises which may be a good omen for the peace and stability in the dynamics of maritime politics.

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