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# **China's Positions and Interests in the South China Sea: A Rational Choices in its Cooperative Policies**

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After the Cold War, although the danger of conflict and war between the east and west has been removed, some latent hot issues have emerged in the East Asia area, among which the South China Sea issue became a prominent regional security problem. Because this issue is related to China—the fast developing big power in this region, it then turned into an important foundation for the so-called “China threat” theory which has been prevalent since the 1990s. The western countries have always been taking advantage of the South China Sea issue to damage China’s image, and at the same time some claimant states in the South China Sea also made use of the complicated Asia-Pacific security situation to extend their own interests in the South China Sea. Due to the interweaving historical factors, differences in current security interests, disagreements in sea boundaries, and the ambiguousness in international law, the South China Sea issue, therefore, is exceptionally complex and complicated. However, thanks to the only big power of the South China Sea—China’s responsible attitude and rational position, the South China Sea conflict has been well managed, the occasional friction has never upgraded to military clash, and the tensions caused by some countries’ irresponsible acts have been effectively controlled. All those constructive functions exerted by China are possible to be realized only on condition that China abides by its explicit standpoint and principles, takes a rational and responsible attitude, and acts through coordination and cooperation.

## **I. China’s Sovereign Rights Supported by Historical Evidences**

To understand China's responses toward the South China Sea issue, we need to have a clear knowledge of China's stance on it. Generally speaking, China's claim for rights and interests in the South China Sea is based on its historical rights and international law.

China's rights over South China Sea have a long history. Firstly, China was the first country that discovered and named the South China Sea and its islands. Dating back to the Eastern Han Dynasty, a book entitled with “Yi Wu Zhi”, written by Yang Fu, noted that, "Reef flats in the South China Sea are covered by shallow water and full of magnets." When it came to the Tang and Song Dynasties, Xisha and Nansha Islands<sup>2</sup> were respectively called "thousand miles of sand" (Qian Li Chang Sha) and "thousands of miles of stones" (Wan Li Shi Tang). Plenty of historical data about the South China Sea and its islands were recorded in Chinese books from the Tang to Qing Dynasty, among which the book of “Dao Yi Zhi Lue” written by Wang Dayuan in the Yuan Dynasty gave a detailed account of Nansha Islands.<sup>3</sup> Besides, a handbook named “Geng Lu Bu”<sup>4</sup> in the Ming and Qing Dynasties, recording the sea routes in the South China Sea, specifically named the islands in South China Sea.

Secondly, Chinese were the first to exploit natural resources in the South China

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<sup>2</sup> Xisha Islands and Nansha Island in Chinese refer to Paracel Islands and Spratly Islands in English.

<sup>3</sup> (Yuan Dynasty) Wang Da-yuan, Brief of Island Babarians (*Dao Yi Zhi Lue*-□夷志略), proofread and translated by Su Jiqing, Zhonghua Book Company, May, 1981.

<sup>4</sup> “Geng Lu Bu” means a guideline for navigation in the South China sea.

Sea. Records have demonstrated that Chinese started to utilize submarine resources--coral--in the South China Sea since the Western Jin Dynasty. Chinese fishermen have been fishing in this sea area for generations. The China Sea Directory, published in the Great Britain in 1867, described the life of the Chinese living in Nansha Islands. Apart from submarine resources, Chinese also made good use of the Sea's transportation function. Zheng He, a famous fleet admiral, explorer and diplomat of the Ming Dynasty, made his naval expeditions to East Africa via the sea route of the South China Sea.

Thirdly, and the most importantly, China has governed the South China Sea islands and the sea area since ancient times. Chinese government announced Xisha Islands and Nansha Islands as part of China's territory and claimed sovereignty over them since the Song Dynasty. The *Wujing Zongyao*<sup>5</sup>, mainly focusing on military systems and big events of national defense, kept records of the fact that Chinese naval force made sea patrols to Xisha Islands during the Northern Song Dynasty. The *History of Yuan*<sup>6</sup> documented that the navy of the Yuan Dynasty carried out patrols to Nansha Islands and Guo Shoujing, a well-known astronomer of the Yuan Dynasty, once stepped onto Xisha Islands for astronomical observation. More records were kept about Chinese naval force's patrols to Xisha and Nansha Islands during the Ming and Qing Dynasties, especially in the Ming Dynasty, when southern navy made patrols to Xisha, Zhongsha and Nansha Islands. At the end of the Qing Dynasty, Chinese government lodged a protest against German and French invasion into Nansha Islands and in 1946, after World War II, the government of the Republic of China sent warships to the whole South China Sea including Xisha and Nansha Islands for patrols.

Fourthly, the South China Sea was recorded in the Chinese maps in history. Since the Song Dynasty, the South China Sea has been under the administration of Wanzhou County of China's Hainan Province. Xisha and Nansha Islands were both included in the territory of the Qing Dynasty, and were marked as "thousand miles of sand" and "thousands of miles of stones" respectively in Kangxi's World Map of Qing Dynasty, Yongzheng's Detailed Map of Direct Administrative Provinces of Qing Dynasty, Qianlong's Detailed Map of the Imperial Direct Administrative Provinces of Qing Dynasty, and Jiaqing's Map of Great Qing's Domination over the World, etc. This is a manifestation of national sovereignty.

All these facts prove that the South China Sea, including Xisha Islands, Nansha Islands, and nearby sea area, has been under China's exploration and administration since ancient times. And this is the historical factual basis for China's claim for the South China Sea.

## II. China's Claim Based on International Law

The above-mentioned China's historical rights of the South China Sea have long existed even before modern international law took form. The international law system of modern times cannot fully explain or decide China's rights and interests over the South China Sea, in the same sense as the territory of such ancient civilizations as China, was not determined by international law of modern times. Nevertheless, modern international law system was based on historical facts, so we

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<sup>5</sup> (Song Dynasty) Zeng Gangling, Ding Du, etc., *Collection of Martial Arts (Wu Jing Zong Yao Qian Ji-武經總要前集)*, (rare edition), the edition of 20 volumes, (Ming Dynasty), 1368-1644.

<sup>6</sup> (Ming Dynasty) Song Lian, Wang Wei, etc., *The History of Yuan Dynasty (Yuan Shi-元史)*, 210 volumes, Wu Zhou Tong Wen Publishing House, 1903.

can argue China's claim for the South China Sea by using the widely accepted territorial sovereignty principles of international law.

Firstly, according to international law, claim for territorial sovereignty is based on "the doctrine of discovery". That's to say, a country's discovery of "terra nullius" automatically leads to the country's sovereignty over it. Internationally speaking, the discovery of a "terra nullius" happens only once, and will never happen again. Any country which first discovers the land has the claim for it. The aforesaid historical facts have fully demonstrated that China was the first country that discovered the South China Sea islands, which serves as the basic proof for China's sovereignty over these islands. The best evidence is that China was the first to name these South China Sea islands.

Secondly, the "doctrine of uti possidetis" in international law also supports the legitimacy of China's claim for the South China Sea islands. Since ancient times, China has not only first discovered South China Sea islands, but also realized factual occupation of these islands through exploration and administration. Chinese navy has been patrolling this area as a part of China's national administrative domination and national security. When, as late as the first half of the 20th century, the then government of the Republic of China issued the names of South China Sea islands, and demarcated a "U-line" to claim for rights and interests in the South China Sea, the international community didn't raise any objection. This demonstrates that China has already realized "uti possidetis" over South China Sea islands by means of effective administration.

Thirdly, effective administration of territory is an important basis for gaining recognition by international law. The following may serve as evidences: the ancient Chinese government since the Song Dynasty has been including the South China Sea into national security patrol ring for the Chinese navy, the official maps published by the Ming and Qing governments marked the South China Sea and nearby island as Chinese territory. The Qing government protested German and French invasion, which can be taken as an administrative act in the sense of modern international law. In 1946, the government of the Republic of China sent warships to patrol South China Sea, land on some islands and also erect stone tablets to claim sovereignty. And in 1947, the government further publicly and officially denominated the islands in the South China Sea, and demarcated a "U-line" to declare the scope of China's rights. In one word, China has been administrating South China Sea constantly and continuously since ancient times, and the administration is obviously a national act.

Fourthly, the international law stresses that effective administration should be demonstrated by effective exploration and exploitation of the claimed area. As mentioned before, China has long been exploring the South China Sea by fishing, exploiting islands, extracting seabed resources, and using the sea routes, etc. Although many islands in the South China Sea are not suitable for human habitation, ancient Chinese people have left a lot of historical relics on the islands and nearby sea area, which further proved China's effective exploration of the South China Sea.

Fifthly, state succession is a basic principle of international order guarded by international law. The change of state system or regime is a country's internal affair, but the territory of a country, as a subject of action in international relations, should remain stable, and should not change as a result of regime change. In other words, a new regime enjoys legal rights to inherit all the territorial sovereignty of the old regime. Since the founding of the People's Republic of China in 1949, the Chinese government has legally inherited all the national sovereignty of the Republic of China, including its territorial sovereignty over South China Sea islands and maritime

administrative rights based on historical facts and international law.

Sixthly, it is one of the foundations of international law that "illegal acts do not generate rights". As the stable international order is decided by the stability of national rights, rights owned by China in the South China Sea since ancient times are reasonable and legitimate both from the perspective of historical process and international legal terms. However, during the Cold War, when China suffered greatly from containment by western countries and was unable to safeguard its overall rights of the South China Sea, some neighboring countries around the area illegally occupied the islands and reefs that had long belonged to China. But this violation of China's territory and maritime rights is illegal and invalid, and can not be used as legal basis for their unreasonable territorial claims.

Seventhly, recognition by the international community is the manifestation of a country's national sovereignty. China's rights in the South China Sea had received international recognition by many countries. As declared in the important international legal documents such as the Cairo Declaration, the Potsdam Proclamation and Japanese "capitulation", on Japan's surrender conditions during the Second World War, Japan must withdraw from all the Chinese territory including Xisha Islands and Nansha Islands. China's resumption of sovereignty to the South China Sea islands and reefs got widely recognized by the international community. For example, some official international meetings accepted the fact that China has taken over the islands and reefs in the South China Sea (See Table 1). It was also recorded by map publications and books in many countries.<sup>7</sup>

**Table 1. Recognition of China Position in the International Community**

Time	Conference	Facts
1951	San Francisco Treaty of Peace with Japan	Japan renounces all right, title and claim to the Spratly Islands and to the Paracel Islands. USSR Head of Delegation Andrei Gromyko pointed at the conference: Xisha and Nansha Islands are indispensable parts of China.
1952	Japanese Foreign Minister Katsuo Okazaki recommended World Atlas with his own signature, and page 15 of the Atlas is Map of Southeast Asia.	The Atlas plotted Xisha, Nansha, Dongsha and Zhongsha Islands as China's territory.

<sup>7</sup> Maps published by some other countries marking South China Sea Islands as Chinese territorise: *World Atlas of the Earth* (*Shi Jie Da Di Tu Ji* 世界大地图集), published by Germany, in 1954, 1961 and 1970; *World Atlas* (*Shi Jie Di Tu Ji* 世界地图集), published by the USSR, from 1954 to 1967; *World Atlas* (《世界地理图集》), published by Romania, in 1957; *Oxford Atlas of Australia* ( *Niu Jin Ao Da Li Ya Di Tu Ji* 牛津澳大利地图集) and *Philip Atlas* (*Fei Li Pu Di Tu Ji* 菲利普地图集), published by the UK in 1957; *The Atlas of Encyclopedia of Great Britain* (*Da Ying Bai Ke Quan Shu Di Tu Ji* 大英百科全图集) in 1958; *World Atlas* (*Shi Jie Di Tu* 世界地图), made by Headquarters of the General Staff of Vietnamese People's Army in 1960; *Hack World Atlas Earth* (*Ha Ke Shi Jie Da Di Tu Ji* 哈克世界大地图集), published by East Germany in 1968; *World Atlas of Daily Telegraph* (*Mei Ri Dian Xun Shi Jie Di Tu Ji* 每日图图世界地图集), published by the UK in 1968; *Larose Atlas* (*La Luo Si Di Tu Ji* 拉罗斯地图集), published by France in 1968 and 1969; *World Map* (*Shi Jie Pu Tong Di Tu* 世界普通地图), published by National Geography Institute of France in 1968; *World Atlas* (*Shi Jie Di Tu Ji* 世界地图集), surveyed and mapped by Vietnamese government and Bureau of Mapping in 1972; *Atlas of China* (*Zhong Guo Di Tu Ji* 中国地图集), published by Japanese Heibonsha in 1973.

Oct. 27, 1955	The first Aviation Conference of Pacific region of International Civil Aviation Organization (ICAO) was held in Manila, capital of the Philippines. Altogether 16 countries and regions attended the meeting, including Australia, Canada, Chili, Dominica, Japan, Laos, South Korea, the Philippines, Thailand, Great Britain, the US, New Zealand, France, and also delegates from the then South Vietnam, and Taiwan.	Delegates at the conference held that Dongsha, Xisha and Nansha Islands in South China Sea are the key passage in the Pacific Ocean, and weather reports of these areas are vital to the international civil aviation. Therefore, the conference passed No. 24 Resolution, requiring the Taiwan government reinforce meteorological observation (four times a day). When the Resolution was signed, no country, including the Philippines and South Vietnam, raised any objection or reserved opinions.
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Eighthly, traditional international law has a "Principle of Estoppel", which is considered an important foundation for protecting the rights of a country. Government leaders represent their country; their behavior on formal occasions is state acts; the international commitment they make as their country's representative, cannot be changed arbitrarily. It is important to note that the Vietnamese government explicitly admitted that China owns sovereignty over Xisha and Nansha Islands. Now, the current Vietnamese government is in breach of its promise, and has laid claim to part of our territory of Xisha and Nansha Islands. Vietnam is clearly making an allegation or a denial that contradicts its previous statement. As in this example, if the commitments by states are free to be changed, there would be no prestige at all between countries. In turn, the basis of international order would be hard to maintain, and the international community would be a mass of confusion and hard to manage. Therefore, based on the "Principle of Estoppel", the commitment made by Vietnam must be abided by, and its illegal claim should be renounced seriously. (See Table 2)

**Table 2. Vietnam's Official Commitment**

Time	Official	View
June 15, 1956	Vietnamese Vice Foreign Minister Yong Wen-qian met Li Zhi-ming, the charge d'affaires of Chinese Embassy to Vietnam	According to records in Vietnam, historically speaking, Xisha and Nansha Islands are China's territory.
June 15, 1956	Li Lu, Deputy Director of Asia Division of Vietnamese Foreign Ministry	Historically speaking, Xisha and Nansha Islands have been China's territory since Song Dynasty.
Sep. 4, 1958		On Sep. 6, People's Daily (Vietnam) reiterated this declaration.

Sep. 14, 1958	Vietnamese Prime Minister Pham Van Dong	When talking with Premier Zhou En-lai, he recognized and supported this declaration.
1974	The Vietnamese Geography Textbook, published by the Vietnamese Education Press	In the Chapter of The People's Republic of China, it says: Nansha, Xisha Islands to Hainan, Taiwan Islands..... constitute the Great Wall guarding the security of Chinese mainland.

It should be stressed that the acts of China that led to its sovereign rights over the islands, were mostly completed before the birth of modern international law, so the latter should not decide whether these rights are legal or not. That being said, China's sovereignty can be explained by the principles of international law that came into being later. This definitely strengthens the legitimacy and rationality of such rights. Based upon this cognition, "the United Nations Convention on the Law of the Sea" (UNCLOS) has been accepted by the Chinese government and become the important legal basis for its policies toward the South China Sea.

A noticeable phenomenon is that in current international community, some countries' territorial division is special but reasonable and legitimate, some settlements are based on complicated historical evolution, while some countries annexed far-away islands according to "the doctrine of discovery" and "the doctrine of uti possidetis" in international law. For instance, the Great Britain still occupies some islands in the Caribbean Sea, and insists that the Falkland Islands are part of its territory; France regards New Caledonia island and French Polynesian island as its overseas territory; the US takes the western Pacific island of Guam as its unincorporated territory, and the Northern Mariana Islands as a free federation. It's worth noting that the most islands in the Aegean Sea between Greece and Turkey are closer to Turkey in distance but instead belong to Greek territory. Therefore, it is rootless to regard a piece of land as a country's territory only because the land is close to the country. In the case of the South China Sea, although the Nansha Islands are farther in distance from China than from the Philippines, Vietnam, Malaysia and Brunei, it is against historical facts and international law for those countries to abruptly and unilaterally lodge claim for sovereignty over these islands. It can be concluded that, just as the case of some countries occupying their overseas territory, China's sovereign rights of Xisha and Nansha Islands in the South China Sea are both endowed by its historical rights and decided by current international legal terms.

### **III. China's National Interests in the South China Sea**

Theoretically speaking, China's national interests consist of three levels: vital interests, important interests and general interests. Vital interests refer to national unity and territorial integrity. Taiwan issue, Tibet issue and Xinjiang issue are all examples of such interests, which are not negotiable and should be safeguarded at any cost. Important interests are significant to national security and development, and require the country's great attention. The South China Sea issue belongs to this level, and the Chinese government, as well as the Chinese people, should take necessary measures to protect and guard. At the same time, China also needs to negotiate with

countries involved in this issue so as to find a satisfactory solution to the problem. A country's overseas interests are regarded as general national interests.

However, with the globalization of international relations and the development of regional cooperative integration, the definition of national interests are taking gradual changes, among which an important one is the spill-over of national interests. Traditional national interests are usually limited within a country's territory, while the overseas interests are decided by a country's national orientation. But in the current world of interdependence, all countries are prospering or declining as one, and interests of different countries are closely interwoven with each other. Chinese state councilor Dai Binguo once pointed: "The world is now an "interest community".<sup>8</sup> It's true that with China's rising, China's development has brought opportunities to neighboring countries as well as the whole Asia and has helped promote development of these countries and regions; in the meantime, the stability and development of the neighboring countries and regions also created a favorable environment for China. As the old saying goes, "China is stable and peaceful only when the four barbarian tribes are compliant and obedient." That's to say, China can enjoy peace and security only when China is on good term with its neighboring countries. So China's national interests rest on safeguarding peace and security in neighboring regions, and promoting neighboring countries' development and prosperity. That being said, some hard-to-settle territory issues can be shelved for the time being, and the parties involved should strengthen cooperation so as to create a sea of cooperation to submerge reefs of disputes.

In other words, the South China Sea issue, one of China's important national interests, is vital to China's stability and development. Specifically, China's interests in the South China Sea consist of the following:

Firstly, it's an extremely important national interest of China to safeguard the country's territory from being invaded. Because some countries have occupied some reefs and islands in the South China Sea, China's national territorial sovereignty has been violated. When confronted with issues of territorial sovereignty, no government could ever make absolute compromise, otherwise the regime will lose its legitimacy. Since territorial issues are hard to settle, China proposed "shelving disputes" and solving dissensions through peaceful negotiation.

Secondly, maintaining peace and stability of the South China Sea is of great importance to China's peaceful development. We can say that the South China Sea is the south gate of China's national defense and security, and is an important direction for the Chinese national security. Stability of the South China Sea is a key factor whether or not China can enjoy a peaceful security environment. On the contrary, any actions trying to destroy the peace and stability of the region become a major threat to China's national security.

Thirdly, establishing and maintaining friendly relations with other countries around the South China Sea region, are important national interests to China. While "10+1" among China and ASEAN countries is a foundation to East Asia regional cooperation and integration, the South China Sea is a direct and convenient platform on which China could build cooperative relations with ASEAN countries on the sea.

Fourthly, the natural resources are of great significance to China's economic development. The South China Sea is rich in natural resources, such as phosphoric

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<sup>8</sup> Dai Bin-guo, "Sticking to Peaceful Development", 2010/12/06, <http://www.fmprc.gov.cn/chn/gxh/tyb/zyxw/t774662.htm>.



acid and lime mines on islands, the world's largest tropical fishery in the sea, large quantities of metallic ores on the sea floor, and oil and gas on the continental shelf. These precious natural resources are of great value to China's economic development and people's living.

Fifthly, protection of freedom of navigation in the South China Sea determines whether China could develop external cooperation and strengthen ties with the outside world. The South China Sea is one of the busiest international navigation channels in the world, as well as a vital communication line for China's opening up to the outside world and participation in international economic cooperation. China's foreign trade, energy transportation, transfer of personnel and tourism are mainly implemented through the South China Sea. Among the big powers in the world, China has the highest needs for the freedom of navigation in the South China Sea; therefore, China needs the most to maintain and protect such freedom.

Sixthly, the South China Sea is an important platform for China to promote cooperation on non-traditional security issues with neighboring countries. The South China Sea is faced with many non-traditional security challenges, including pirating, the terrorism and cross-border crime, tropical storm, tsunami, earthquake and other natural disasters. These all present an enormous threat to vessels and safety of the people in the region.

Seventhly, "spill-over" of national interests determines that the security status of the South China Sea is decreasing. Regional integration is the trend of international relation development, and implementation of regional cooperation in the East Asia integration becomes the necessary choice by East Asian countries. In this context, China's peaceful development strategy makes it a need for constructing a harmonious East Asia featuring coordination and cooperation.<sup>9</sup> Therefore, the South China Sea disputes are technical level problems, and should not affect the overall framework of peace, coordination and cooperation in East Asia. The frictions between China and some countries around the region will not affect our cooperation on the strategic framework level.

China's interests in the South China Sea is a polymer mixing national interests and regional interests. In dealing with the South China Sea issue, China needs to focus on long-term and overall interests, and not rigidly adhere to the micro-level disputes and frictions. Only by adopting a responsible attitude and behaviour could China maintain and develop friendly relations of cooperation with neighboring countries, ultimately maintain peace and stability and promote the process of East Asian regional integration.

#### **IV. The Great Efforts of China to Maintain Peace and Stability in the South China Sea**

After the Cold War, the South China Sea issue became a sensitive security issue in East Asia. Some scholars predicted that the South China Sea issue was a potential danger which might lead to huge military conflicts or even wars between

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<sup>9</sup> Chinese Premier Wen Jiabao pointed: East Asian countries should "construct a harmonious East Asia which features mutual trust and co-existence in politics, mutual benefit and win-win in economy, sharing assistance and aids in security, and learning from each other and joint development in culture." Wen Jiabao: "Jointly Constructing a Peaceful, Prosperous and Harmonious East Asia—Address on the 10th Conference between ASEAN and Leaders of China, Japan and South Korea", January 14, 2007, Cebu, the Philippines, People's Daily, January 15, 2007, P 3.

countries.<sup>10</sup> However, although it's been more than twenty years after the end of the Cold War, there have never taken place any military conflicts or wars, not even any confrontation or dispute. On the contrary, the South China Sea area has always been maintained in a peaceful condition, and the friendly and cooperative relationship has been enhanced among countries around the South China Sea. All these are the direct result of China's responsible attitude and acts on the South China Sea issue.

China's responsible acts are decided by its traditional strategic culture. When dealing with foreign relations, China has been sticking to the "golden mean", and China's peaceful development and rising are an inward pacifist orientation, emphasizing the principle of "We will not attack unless we are attacked". Since the ancient times, Chinese had realized "China is stable and peaceful only when the four barbarian tribes are compliant and obedient." This required China to be "a benign giant" in the South China Sea. In history, China has often adopted "Huai Rou" (placation) policy toward neighboring countries; in current regional international relations, China sticks to the policy of "building friendship and partnership with neighboring countries", and maintains harmonious, friendly and cooperative partnership with other countries around the South China Sea by implementing the foreign policy of "bringing harmony, security and prosperity to neighbors".

In as early as the 1990s, the Chinese government proposed "shelving disputes and carrying out joint development", suggesting that the parties involved in the hard-to-settle sovereignty issues in the South China Sea should put aside disputes and pay more attention to enhancing common interests so as to eventually realize joint development of the South China Sea. Due to the complexity of the South China Sea issue, it cannot be solved in a short time, so this proposal is obviously a very rational idea. All the countries around the South China Sea have different claims, while their sovereign rights are interwoven with each other. Rational means to solve the issue is through bilateral negotiation and eventually arriving at agreement. Only in this way can the issue be resolved fundamentally.

In fact, the Chinese government does not reject solving the South China Sea issue through multilateral coordination. China has always been participating in the "Workshops of Managing the Potential Conflict in the South China Sea" held by Indonesia, and on the ASEAN Regional Forum made great effort to "confidence building measures" in the South China Sea area. It's worth noting that in 2002 China and ASEAN countries signed "Declaration on the Conduct of Parties in the South China Sea", stressing solving disputes by means of peaceful and friendly negotiation. Before the disputes are resolved, parties involved promise to keep restraint, avoid any act that may complicate or enlarge the disputes, and in the meantime, in the spirit of cooperation and understanding, seek mutual trust by carrying out cooperation in oceanic environmental protection, rescuing and asking for help, cracking down on cross-border crimes. As a big power, China is unique, in the practice of international relations, in making self-restraint commitment to the small neighboring countries concerning conflicting issues.

Moreover, the Chinese government and other countries around the South China Sea have made joint efforts to look for possibilities of exploring the South China Sea together. On Sep. 2, 2004, China National Offshore Oil Corporation and

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<sup>10</sup> Kenneth I Conboy "Conflict Potential in Southeast Asia and the South China Sea", Heritage Foundation (1992); Ralph A. Cossa "Security Implications of Conflict in the South China Sea: Exploring Potential Triggers of Conflict", A Pacific Forum CSIS Special Report, Honolulu, Hawaii, March 1998.

the Philippine National Oil Company signed an agreement to jointly explore potential oil and gas resources in the South China Sea. On March 14, 2005, the Philippine National Oil Company, China National Offshore Oil Corporation and Vietnam Oil and Gas Corporation signed “Tripartite Agreement for Joint Marine Seismic Exploration Agreement”<sup>11</sup> in Manila. According to this agreement, all of the three oil corporations will, in the following three years, carry out the promises their respective governments have made to “build the South China Sea area into a peaceful, stable, cooperative and developing region”. As close neighbors, China and ASEAN countries share common interests in fighting against piracy. China has worked closely with the Philippines, Malaysia and Vietnam in combating piracy since January 1999. In 2002, “*the Joint Declaration on the Cooperation of Non-Traditional Security*” was released by China and ASEAN countries, which indicates that it is necessary to strengthen regional and international cooperation, for non-traditional security issues such as piracy, terrorism and others have become increasingly prominent, which caused great challenges to the international and regional security. In November 2004, 16 countries including the 10 ASEAN countries, China, Japan, and South Korea jointly drafted “*Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia - ReCAAP*”, which can be regarded as an important step in jointly fighting against piracy.<sup>12</sup> Ever since the beginning of the 21st century, the 7 countries of China, Vietnam, Cambodia, Thailand, Malaysia, Indonesia, and Philippines, countries surrounding the South China Sea, launched an important initiative on South China Sea environmental protection. In 2002, United Nations Environment Programme (UNEP) formally put into place the project of “Reversing the Environmental Degradation Trend in South China Sea and Thailand Bay”, or shortened as the South China Sea Project. The project involves the participation of the above-mentioned 7 countries and works on areas concerning the 6 fields of red trees, coral reef, seaweed, wet land, fishery resources and land-sourced pollution control. The aim is to effectively protect biodiversity and maintain marine sustainable development.<sup>13</sup> It is obvious that through joint efforts China’s proposal of “shelving disputes and seeking joint development” will be possible to realize.

In order to guarantee the above-mentioned China’s national interests in the South China Sea, China needs to take actions in three levels: bilateral level between countries, multilateral level among countries around the South China Sea and the overall level in the international community.

Bilateral negotiation is the fundamental means to solve the South China Sea issue. China believes that although the territorial disputes are interwoven and overlapping, they should be solved through bilateral negotiations. The practice of international conflict resolution has proved that any territorial disputes can only be thoroughly resolved by means of bilateral negotiations. Although the sovereignty disputes in the South China Sea are complicated and complex, the basic question rests on disputes concerning boundaries and sea area division. Therefore, only through bilateral negotiations can the disputes be thoroughly resolved. Those who deny bilateral means but support multilateral one are irresponsible, or at least do not know the fundamental means to solve such problems. At the moment when the disputes cannot be resolved, both parties involved should strengthen communication,

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<sup>11</sup> “Philippines, China, Vietnam to conduct joint marine seismic research in South China Sea”, [http://english.peopledaily.com.cn/200503/15/eng20050315\\_176845.html](http://english.peopledaily.com.cn/200503/15/eng20050315_176845.html).

<sup>12</sup> Joshua Ho, “Combating Piracy and Armed Robbery in Asia: Boosting ReCAAP’s Role”, *RSIS Commentaries*, 23 June, 2008.

<sup>13</sup> “China Officially Launched the Project of Multilateral Cooperation on Environmental Protection in the South China Sea”, <http://finance.sina.com.cn/b/20020529/214038.html> .

effectively control differences, and appropriately manage sensitive problems, so as to enhance mutual trust. This will not only help maintain peace and stability in the South China Sea, but also lay a solid foundation for eventually resolving the problem.

Multilateral negotiation is an important platform for maintaining the South China Sea issue. China emphasizes solving the issue through bilateral means, but does not exclude multilateral ways. We can say that multilateral negotiation is a useful complement for bilateral negotiation. China and other countries around the South China Sea are all members of East Asian Multilateral Security Cooperation, and have made great efforts in the multilateral framework. The signing of the “Declaration on the Conduct of Parties in the South China Sea” is an important result of their efforts. China will make joint efforts with ASEAN countries to reach agreement on specific conduct guidance of the declaration, and put them into practice. When condition is mature, China will negotiate and sign “Code of Conduct in the South China Sea” with ASEAN countries on the basis of mutual trust and respect. What’s more, China is willing to promote maritime connectivity and industrial cooperation, making it a shining point in the cooperation between China and ASEAN, so as to build the South China Sea into a sea of peace and cooperation between China and ASEAN countries.

Coordination of big powers is the external guarantee for peace and stability in the South China Sea. For China, the US, Japan, Australia, India, Russia and European countries, the South China Sea is an international sea passage. The freedom and security of navigation in the South China Sea ensure the business and trade, and military exchange and conduct among the big powers. Among them, China and the US, the two Asia-Pacific big powers, should avoid any military conduct targeting at the other, and establish mutual trust and coordination in the South China Sea issue, on the basis of respect each other’s security concerns and national interests. The coordination between China and the US is a vital condition for maintaining peace and stability in the South China Sea.

It’s noticeable that the marine security issue in the South China Sea includes not only the traditional security problems of territory, continental shelf and sea area division, but also the non-traditional problems of sea passage security, terrorism, piracy, power supply, natural disaster, environmental protection, maritime rescue, etc. In this respect, China, other countries around the South China Sea and other big powers share plenty of common interests, and China has the power to help neighboring countries fight the non-traditional threat. We can say that military power is also an effective means to combat non-traditional threat. The gradual development of China’s maritime power in the South China Sea can provide other countries with more public goods. China can directly take part in combating maritime crimes, and conduct maritime rescue, and can also supply assistance to neighboring countries so as to increase their national capacities of combating non-traditional security problems.

In recent years, due to the interference of some big powers outside the region and the provocative acts of some countries around the South China Sea, contradictions among countries grew gradually, and the situation in the South China Sea became tense. Nevertheless, China, a country of great self-restraint, strived to negotiate with ASEAN countries in order to look for the joint point of common interests; in the meantime, China coordinated with big powers outside the region, including the US, and enhanced mutual communication and understanding by means of negotiating the Asia-Pacific security issues. It’s due to China’s responsible attitude of maintaining peace and stability and cooperative conduct of coordinating interests of all parties that helped to avoid the upgrade of the tension in the South China Sea. It’s safe to say that China is the support and source of stability of peace and security in the

South China Sea, and China's responsible acts will ensure the situation in the South China Sea remains controllable.

## **Conclusion**

China's sovereignty claims in the South China Sea rest on historical facts and legal terms, and are reasonable and legitimate. And China's rights and interests in the South China Sea are extremely important because they are closely related to its national security and development. In the context of globalization of international relations and integration of regional cooperation, China's national interests have surpassed its territory and spilled over to the entire region, turning the regional peace and development into China's national interests. Many Chinese islands and reefs in the South China Sea (mainly the Nansha Islands) are occupied by other countries around the South China Sea, who depend their claims on facts that took place in the recent several decades, and want to challenge China's vested interests in the South China Sea. Even so, China does not just focus on the narrow traditional national interests, although far superior to other claimant states in terms of national capacities, still takes into consideration the overall interest of peace and stability in the whole Asia-Pacific region, takes a very responsible attitude, is willing to solve the South China Sea issue through bilateral negotiation with these countries, and at the same time reach the agreement of maintaining peace and development in the South China Sea in the multilateral framework. This distinctively demonstrates China's image of "benign giant" which sticks to the "golden mean". China strives to establish the international relations with other countries in the South China Sea of mutual benefit and win-win. Proposed by China, the East Asian Way of "shelving disputes and seeking joint development" of dealing with sovereignty disputes is the most rational model of solving the South China Sea issue. In this framework, countries around the South China Sea will be able to take the overall interests into consideration and find an eventual resolution to the problems, in a creative way.