

Nobody really knows how the South China Sea sovereignty issue will be sorted out. It featured in one way or the other at the recent ASEAN meeting and the follow-up East Asia summit in Laos.

So far, China is resolute about its sovereignty claims regarding islands/islets/rocks scattered about the waters. Indeed, it has dredged out new ones and has justified building airfields and other military structures as security measures to defend its sovereignty.

Beijing has flatly rejected the recent ruling of the Permanent Court of Arbitration in The Hague, Netherlands, that favored the Philippines, which had sought the court's arbitration on China's construction of military structures on Mischief Reef (Meiji Reef, 美济礁) in the Spratly Islands (Nansha Islands, 南沙群岛), to which Taiwan, the Philippines, China, Vietnam, Brunei and Malaysia have claims over all or some of the features.

In a sweeping judgement on China's sovereignty claims, the court rejected Beijing's "nine-dash line," which tends to turn almost all of the South China Sea into its exclusive territory.

An adverse finding from court was expected, but not with such vehemence.

"The tribunal concluded that there was no legal basis for China to claim historic rights to resources within the sea areas falling within the 'nine-dash line,'" the court's finding said.

It also found that the artificial islands that China has been building did not create exclusive economic zones, as they cannot naturally sustain human habitation. It declared that "certain sea areas [that China has claimed] are within the exclusive economic zone" of the rival claimant, the Philippines.

Worse still, the tribunal found that "China had caused severe harm to the coral reef environment and violated its obligation to preserve and protect fragile ecosystems and the habitat of depleted, threatened or endangered species."

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Written by Sushil Seth

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Not surprisingly, and considering that China boycotted the tribunal, Beijing said that the court's ruling "is null and void and has no binding force."

Chinese Minister of Foreign Affairs Wang Yi (王毅) said the ruling has placed the South China Sea "in a dangerous situation of intensifying tension and confrontation."

He called the unilaterally initiated case and the resulting ruling a "sheer political farce in the disguise of law," adding that: "The attempts of any power to harm or deny China's sovereignty and maritime interests in any form will be futile."

To this end, China is not averse to showing its military muscle by making it clear that it would employ all necessary measures it deems necessary to protect its sovereignty in the South China Sea. China has been holding military exercises, and reportedly even cut off outside access to parts of the South China Sea to host these exercises.

It has also conducted combat air patrols in the region, which are slated to become a "regular" occurrence, according to state-run Xinhua news agency. In other words, Beijing is steadfast in its position and is leaving no doubt that it means what it says.

China's regional neighbors, at odds with Beijing over the sovereignty issue, are reluctant to put up a united front. For instance, ASEAN has not been able to put up a joint front on this issue, as it looks to China for trade and investment. Besides, China is politically and militarily powerful.

The diplomatic option, sought to be exercised by the Philippines, has apparently failed, as China does not accept The Hague court's authority and writ. In any case, China's position is clear that it has sovereignty over the islands and over much of the South China Sea.

The only way to confront China would be to team up with the US. Washington is trying to rally regional countries to exercise their right to freedom of navigation through Chinese-claimed

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waters and islands, which the US has done on a few occasions and is determined to continue doing.

China has said that it might declare an air defense identification zone, requiring aircraft passing through the area to identify themselves. However, the US and its allies — Australia, for instance — might ignore this, potentially leading to a military confrontation.

Beijing believes that the US is creating trouble in China's backyard. It regards the US as an outside power that should stay out of regional affairs. However, in Beijing's view, if not for US "interference," the region would be peaceful based on China's "historical" sovereignty over the South China Sea.

The US rejects China's contention that it is an outside power seeking to stir up trouble, citing its large Pacific coast and vital economic, strategic and political interests.

During a recent visit to Australia, US Vice President Joe Biden was adamant that the US would remain a Pacific power.

As if addressing China and regional doubters about the US' stamina and determination, he said in Sydney: "We are not going anywhere, and that is vital because our presence in the region ... is essential to maintaining peace and stability, without which economic growth and prosperity, I believe, would falter."

"America is the linchpin, and we want to ensure the sea lanes are secure, the skies remain open. That is how to maintain the free flow of commerce, that is the life blood of this region," he added.

To fortify the US' resolve, Biden went on to say: "We have the most capable ground forces in the world and unmatched ability to project naval and air power to any and every corner of the globe, and simultaneously."

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Talking specifically of US commitment to the Pacific region, Biden said: “And we’ve committed to put over 60 percent of our fleet and our most advanced military capabilities in the Pacific by 2020.”

Biden’s choice of Australia to reiterate this commitment is interesting, as it was there that US President Barack Obama had announced the US “pivot” to Asia in 2011. In a sense, it is designed to bolster the flagging confidence of regional countries that are not keen to confront China, unsure of the US’ resolve and staying power.

There is a sense, rightly or wrongly, that the US is a declining power and that it is overstretched, while China is ascending.

As if to calm some of the frayed nerves in Australia about US politics due to Donald Trump being the US Republican presidential nominee, Biden said: “Don’t worry about our election. The better angels in America will prevail.”

However, that was more of a prayer than a policy prescription.

The point is that both China and the US are committed to their respective positions: China has sovereignty over the South China Sea and will defend it with all its power, while the US is determined to challenge that assertion by exercising the right to freedom of navigation through Chinese-claimed South China Sea waters.

If they mean what they say, one cannot rule out a military confrontation at some point, with unpredictable results.

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