

China's Misstep in the South China Sea

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After all, China's unlawful activities will soon meet up with resistance from directly involved nations. Furthermore, overplaying its hand would eventually prompt strategic realignments across the board to weaken its power foundation.

The Chairman's Statement of the 34th ASEAN Summit¹ in June this year is an additional evidence of ASEAN's continued interest and role in the South China Sea dispute. The South China Sea maintained its significance in the group's working agenda and exemplified the steady improvement of ASEAN-China cooperation. Of note, the Chairman's statement highlighted the positive progress of the COC negotiations and the adoption of the ASEAN Outlook on the Indo-Pacific that advocates ASEAN centrality, inclusiveness, complementarities, rules-based order and promotion of regional economic cooperation. However, some may criticize ASEAN of treading water as it repeated the carefully worded phrase of 'took note of some concerns on the land reclamations and activities in the areas, which have eroded trust and confidence, increased tensions and may undermine peace, security and stability in the region'. That reflects inherent reticence in ASEAN: 'no name, no shame' to avoid antagonizing China.²

ASEAN's wording on the South China Sea issue was surprisingly far from reflecting what happened in the maritime area in the first half of 2019. Addressing the summit, Vietnam Prime Minister Nguyen Xuan Phuc proposed fellow ASEAN counterparts not to disregard complicated developments in the field.³ He was sensible in his proposal. In June, a Chinese vessel sank a Philippine fishing ship near the Reed Bank and abandoned its 22 trawlers 'to the mercy of the elements'.⁴ After artificial island construction and military build-up in these outposts, China conducted anti-ship ballistic missile tests in the South China Sea in early July. Furthermore, the AMTI reported in May that China Coast Guard (CCG) vessel Haijing 35111 has hampered Malaysian oil-rig operation

near the Luconia Shoals off the coast of Malaysian state of Sarawak.⁵ Equally severely, in July China illegally deployed the Haiyang Dizhi 8 to conduct hydrographic survey in the Vanguard Bank which is well within Vietnam's Exclusive Economic Zone.

The survey ship was protected by at least four China Coast Guard (CCG) vessels, including a 12,000-tonne Haijing 3901. In response, Vietnam has deployed a group of coast guard ships, between 600 and 2,500 tonnes. Despite power disparity, Vietnam's maritime forces have surprisingly stood a weeks-long standoff with a much stronger rival. In an obvious show of anger to China's gross violation of international law and coercion, Vietnam shifted from quiet diplomacy in the first two weeks of the standoff to open rebuffals of China's transgressions. Vietnam Ministry of Foreign Affairs publicly named out China, its Haiyang Dizhi 8, and escort vessels as infringements on Vietnam's legitimate rights and, noticeably, underscored 'the international community should contribute to the joint effort to protect and ensure our common interest'.⁶ The US quickly followed up, directly criticize China's 'provocative and destabilizing' behavior in the South China Sea and reckoned it as a threat to regional energy security and the free and open Indo-Pacific.

Vietnam's handling the crisis reveals the limit of its patience and the modest effect of the high-level exchanges between Vietnam and China. The Chairperson of the National Assembly of Vietnam Nguyen Thi Kim Ngan, just paid an official visit to China from 8 - 12 July 2019. Hanoi hailed the visit as a great success with a number of important outcomes, a showcase of mutual political trust and the continued implementation of strategic consensus that leaders of the two parties and countries have come to terms with each other.⁷ Beijing was perfectly in tune with Hanoi's call for enhancement of traditional, friendly and cooperative relations to a new level. Highlighting the history of comradeship and brotherhood, Chinese President Xi Jinping called for a mutual protection of 'peace and stability at sea with concrete actions'.⁸ Nevertheless, comparing Xi's talks and what did happen in the field reveals that his 'nice talk ... is largely rhetoric'.⁹ As Professor Carlyle Thayer postulated in a personal conversation with the author, China might have underestimated Vietnam's reaction and is perhaps

arrogantly overconfident about its leverage over Vietnam in the South China Sea.

Some posited that the Haiyang Dizhi 8 operations are politically intended to warn Vietnam before the official visit to the U.S. by the top Vietnamese leader planned for the later this year.¹⁰ However, one should also doubt such a hypothesis. An intriguing question is what can China achieve by violating Vietnam's sovereign and territorial rights? It should be recalled that the deployment of HYHY 981 oil rig within Vietnam's EEZ in 2014 led to widespread anti-China sentiment in the region. In addition, Haiyang Dizhi 8's operation is doing damage to collective efforts toward COC negotiations between ASEAN and China. It is also go against the narrative of peaceful and stable South China Sea that China has promoted to delegitimize the presence of the U.S. Navy and other Western naval powers' in the area. As Professor Thayer opined, China's behavior will invite forceful interventions of major powers like the U.S., the U.K., or Japan individually and in regional multi-lateral institutions, such as the ARF, EAS and ADMM Plus.¹¹ Moreover, stakeholders in Beijing should have well-understood that Vietnam will serve as ASEAN chair and non-permanent UNSC member in 2020. Destabilizing the South China Sea would force Vietnam to lobby for united ASEAN and brought related issues to discuss in multilateral forums.

As shown in the last few years, it is no longer the case that Vietnam will deal with China privately first to save its face. If proper messaging does not work, Hanoi would go public to decry Beijing's transgressions in the area, was the Haiyang Shiyu Oil Rig 981 episode in 2014. History shows that Vietnam would stand and resort to all peaceful means possible to defend its legitimate interests. Vietnamese diplomatic source informed the author that it has some signs that Vietnam and other regional countries get frustrated with China's arrogance and aggressiveness. If this trend continues, China will lose out Vietnam as a friendly and helpful neighbor.

In a snap shot, while China can gain some ground in short term by flexing its muscle, it would risk greater backlash from its neighbors and collective actions from the international community in the long run. China should not interpret regional countries' patience and restraint as signs of weakness and

accommodation but gestures of goodwill to prompt second, constructive thinking. After all, its unlawful activities will soon meet up with resistance from directly involved nations. Furthermore, overplaying its hand would eventually prompt strategic realignments across the board to weaken its power foundation.

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Notes

¹ “The Chairman’s Statement of the 34th ASEAN Summit,” ASEAN website, June 23, 2019, accessed July 23, 2019, <https://www.asean2019.go.th/en/news/chairmans-statement-of-the-34th-asean-summit-bangkok-23-june-2019-advancing-partnership-for-sustainability/>

² Lyle J. Morris, “Time to speak up about the South China Sea,” *East Asia Forum*, March 14, 2019, accessed July 23, 2019, https://www.eastasiaforum.org/2019/03/14/time-to-speak-up-about-the-south-china-sea/?utm_source=subscribe2&utm_medium=email&utm_campaign=postnotify&utm_id=173863&utm_title=Time+to+spea+up+about+the+South+China+Sea

³ “Những kết quả nổi bật của Hội nghị Cấp cao ASEAN 34 và sự tham gia của Việt Nam,” Interview with Vietnam’s MOFA Deputy Minister Nguyen Quoc Dung, *Baoquocte.vn*, June 23, 2019, accessed July 23, 2019, <https://baoquocte.vn/nhung-ket-qua-noi-bat-cua-hoi-nghi-cap-cao-asean-34-va-su-tham-gia-cua-viet-nam-96407.html>

⁴ Rambo Talabong, “Chinese vessel sinks Philippine boat in West PH Sea ‘collision’,” *Rappler*, June 12, 2019, accessed July 23, 2019, <https://www.rappler.com/nation/232892-chinese-vessel-sinks-filipino-boat-collision-west-philippine-sea-june-9-2019>

⁵ “China risks flare-up over Malaysian, Vietnamese gas resources,” *AMTI*, July 16, 2019, accessed July 23, 2019, <https://amti.csis.org/china-risks-flare-up-over-malaysian-vietnamese-gas-resources/>

⁶ “Remarks by MOFA Spokesperson Le Thi Thu Hang on comments on the remarks made by the Spokesperson of the Ministry of Foreign Affairs of China on 17 July 2019 regarding the developments in the East Sea,” Ministry of Foreign Affairs of Vietnam, July 17, 2019, accessed July 23, 2019, http://www.mofa.gov.vn/en/tt_baochi/tcbc/ns190719190308

⁷ Hai Yen – Quang Sy, “Chủ tịch Quốc hội Nguyễn Thị Kim ngân kết thúc tốt đẹp chuyến thăm chính thức Cộng hòa Nhân dân Trung Hoa,” July 13, 2019, accessed July 23, 2019, <http://quochoi.vn/tintuc/Pages/tin-hoat-dong-cua-quoc-hoi.aspx?ItemID=41116>

⁸ “Xi calls on China, Vietnam to lift ties to new level,” *Global Times*, July 12, 2019, accessed July 23, 2019, <http://www.globaltimes.cn/content/1157707.shtml>

⁹ Xuan Loc Doan, “China-Vietnam: Comrades in words, not in actions?” *Asia Times*, accessed July 23, 2019, <https://www.asiatimes.com/2019/07/opinion/china-vietnam-comrades-in-words-not-in-actions/>

¹⁰ “Tại sao Trung Quốc tiếp tục ‘dẫn mặt’ Việt Nam ngay trong vùng đặc quyền kinh tế,” *RFA*, July 15, 2019, accessed July 23, 2019, https://www.rfa.org/vietnamese/in_depth/why-china-continues-threaten-vn-in-veez-07152019023423.html?searchterm%3Autf8%3Astring=+Carl+Thayer&fbclid=IwAR2yv07LZ-FtZh3OHqGaOQmtra6aFoUKgsQ6cxkwWmgDqSrwDSgr5VN5oX0

¹¹ Dong Phong – Phuong Nhi, “‘Đây là mức độ gay hấn mới của Trung Quốc trên Biển Đông,’” *Zing*, July 22, 2019, accessed July 23, 2019, <https://news.zing.vn/day-la-muc-do-gay-han-moi-cua-trung-quoc-tren-bien-dong-post969383.html>