

## Escalating Tensions in South China Sea

A five member tribunal formed by the United Nations Permanent Court of Arbitration in The Hague (PCA) upheld all the 15 submissions made by the Philippines in 2013 opposing the territorial claims made by China in the South China Sea. The ruling was made under the United Nations Convention of the Law of the Seas (UNCLOS).

South China Sea (SCS) with 3 million sq.km. of water is surrounded China, Taiwan, Philippines, Malaysia, Brunei and Vietnam. The SCS has 250 islets, reefs and atolls which are mostly uninhabited. One of the major sea trade routes passes through SCS with merchandise worth \$5.3 trillion. It is now believed that SCS contains 11 billion barrels of oil and 190 trillion cubic feet of gas.

The islands under dispute are Paracel islands, Scarborough shoal, Spratly islands Pratas and Macclesfield Bank. Peoples Republic of China claims sovereignty on SCS up to a line called Nine-dash Line. The disputes are there since 1947 when China became PRC with Vietnam, Philippines, Taiwan and Malaysia. There were clashes between China and Vietnam over the Paracel islands in 1974 and 1988 when China seized Paracel islands. Most of the islands are under the control of China.

The UNCLOS is an international agreement resulted from the negotiations held in UN Convention from 1973 to 1982 and it came into effect in 1994. It has 168 plus EU as participants who signed and ratified the UNCLOS. While the US imperialism participated in the negotiations and tried to impose terms to its advantage and agreed to the treaty, until now did not ratify it on flimsy grounds. The third world countries, particularly Latin American countries had waged a bitter struggle with the US imperialism to protect their rights. One example was the territorial waters which the US imperialism wanted to limit to 5 nautical miles while the Latin American countries demanded 20 nautical miles. Once it was decided as 12 nautical miles, it is the US imperialism which notified it along with 200 nautical miles of EEZ. Yet it did not ratify the UNCLOS.

The Spratly islands became a dispute between China and Philippines. First it can be resolved through bilateral negotiations. But the US imperialism never allowed its former colony Philippines to take such a course during all the years of communist rule in China.

US imperialism is not interested in the 'maritime right' of Philippines. In the past, it intervened in this regional disputes only to drive a wedge between China and its South East Asian neighbours. Since five years it is declaring that the US has "national interests" in the SCS. It is a broader US strategy of "Pivot to Asia" aimed at isolating China diplomatically and economically.

The US imperialism is repeatedly calling to abide by the existing "international rule-based order". This system, as we all know, is one in which US imperialism dominates, sets the rules for others and flouts them at will. It has scant respect towards this "rule-based order". This can easily be seen in its push towards SCS when the Pentagon moved aircraft carrier USS Ronald Reagan into the SCS along with several destroyers and cruisers just days before the PCA announced its decision. It also made a new basing agreement with Philippines. The US navy has conducted three "freedom of navigation" operations since October, sending destroyers within 12-nautical mile limit of Chinese controlled islands. All these underscores US imperialism's contempt for international law.

There is a dispute between China and Japan on Senkaku islands. Japan and China had ratified UNCLOS. But they never appealed to the PCA. Notwithstanding the dispute, China and Japan signed an agreement on fishing rights avoiding the issue of sovereignty over Senkaku islands. Meanwhile US imperialism had signed an agreement with Japan called "Treaty of Mutual Co-operation and Security between US and Japan". It requires the US to come to the aid of Japan if Japan resorts to defence of islands

In this back ground Philippines made appeal to the PCA. China declined to attend the PCA. The tribunal declared that there was “no legal basis” for China’s long standing “historic claims” to much of the SCS and its islands, reefs and atolls. This award is highly contrived. While China claims sovereignty right, the tribunal recognizes them as historic claims and thus declares there is no legal basis. In fact, the tribunal has not empowered to decide on the sovereignty, so it degraded China’s claims to historic claims.

It ruled that none of the land features in the Spartyly islands constitutes islands and so do not generate a 200-nautical mile Exclusive Economic Zone and thus limited the entitlements of Chinese controlled islets. At the same time it expanded the scope of the Philippines claims to an EEZ.

The China’s response to the decision of PCA was on expected lines. It declared the PCA’s decision as null and void and China neither accepts nor recognizes it. China called the Philippines government for bilateral negotiated settlement of the dispute.

By branding the claims of China as illegal, the PCA decision paves the way for the US imperialism to unleash slandering campaign against China by saying that China is not abiding by the decision of the international court. The mouth piece of US monopoly bourgeoisie, Wall Street Journal in its editorial calls for a bellicose response from the US when it said, “UN ruling will mean nothing if free nations won’t enforce it”, and then declared that the US is “the only real enforcement authority”. It called for more freedom of navigation operations in the SCS and more militarization of the region.(12-7-2016)

The US State Department issued a statement asking “not to issue provocative statements’, indirectly meaning China and called all the parties to abide by the PCA’s ruling. The Indian government followed suit. The Ministry of External affairs issued a statement calling the parties concerned to abide by the international law and resolve the dispute by peaceful means. It also stated that it believes in freedom of navigation and over flight and unimpeded commerce. It is nothing but echoing the version of US policy in South China Sea.

*The Class Struggle* calls for bilateral settlement of all the disputes between the nations around South China Sea without the interference of US imperialism. It is the US imperialism that is creating tensions by aggravating the disputes in order to establish its hegemony over the South China Sea. It should be condemned by all the countries, governments and people of Asia, Africa and Latin America.

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