Dear Mr. Roy Anthony Rogers,

I hope this email finds you well. As mentioned in our earlier conversation, I’m writing to ask if you would like to contribute an article for the November issue of the ASEAN Newsletter. Details as follows.

The Institute of Strategic and International Studies (ISIS) Malaysia is currently undertaking a project with the Ministry of Foreign Affairs and Trade, Republic of Korea to publish a monthly ASEAN Newsletter. Articles published in the ASEAN Newsletter cover commentaries on a wide range of issues about the ASEAN region and member states. The newsletter is distributed to diplomats, international relations practitioners and interested individuals.

As such we were wondering if you would contribute an article for the November edition of the ASEAN Newsletter (previously known as the ASEAN Monthly Commentary). We are particularly interested in an opinion piece with regards to the South China Sea and the outcome of the recent Summit in Phnom Penh, the implications of finding or failing to find a solution and agreement to the COC. This will include the Chairman’s closing statement and lack of a unified position on the issue and the implications of this.

I’ve attached copies of the ASEAN Newsletter and the various issues of the ASEAN Monthly Commentary for your perusal. Additional editions of this year’s ASEAN Newsletter can be accessed through our website, at this link http://www.isis.org.my/index.php?option=com_content&view=article&id=1199. If there are any questions, my contact details are at the end of the email.

To summarize, the details of the article that is of interest to us are as follows:

SUBJECT: South China Sea

LENGTH: 800-1000 words

DUE DATE: November 29, 2012 (for the November issue)

PUBLICATION: ASEAN Newsletter, November Edition

If you are agreeable to write the article, please let me know by Friday November 22nd, 2012.

As a token of our gratitude, a remuneration of USD$200 will be given upon completion of the article within the allocated time.

We look forward to hearing from you soon.

Warmest Regards,

Natalie Shobana Ambrose

Analyst
Dear Ms. Natalie Shobana Ambrose,

Thanks for inviting me to contribute an article for the November issue of the ASEAN Newsletter. I will be submitting the article no later than 29 November 2012 (Thursday). Many thanks also for providing me with the information regarding the newsletter. I will contact you next week (before the due date). Have a wonderful weekend.

Regards
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The Association of Southeast Asian Nations (ASEAN) was established on 8 August 1967 with the aim of fostering political, economic and social integration. ASEAN turned 45 in 2012. Member states have increased from its original five member states to ten and three East Asian (China, Japan and South Korea) dialogue partners. However, ASEAN and its dialogue partners remain divided on the South China Sea territorial disputes. South China is alleged to contain oil and gas resources. According to the US Energy Information Administration (EIA) in March 2008, the area contains roughly 28 billion to 213 billion barrels of oil. Hence, it has attracted interest from various states in the area such as Brunei, China, the Philippines, Malaysia, Taiwan and Vietnam.

The disputes involving China and four of the members of ASEAN (Brunei, Philippines, Malaysia and Vietnam) received attention during the 21st ASEAN Summit which was chaired by Cambodia, and held in Phnom Penh from 19 to 21 November 2012. It was attended by the leaders of ten members of ASEAN and its East Asian dialogue partners. The East Asian Summit was also held at the same time. The East Asian Summit was attended by the President of the United States, Barak Obama, as part of his Southeast Asian trip to Thailand, Myanmar and Cambodia.

Though the leaders tried to avoid bickering publicly in the media, tension over the South China Sea broke out during the closing statement by the Chairperson from Cambodia, Prime Minister Hun Sen who claimed that ASEAN had reached a consensus not to internationalize the South China Sea disputes. Consequently, it prompted a statement of denial from the Philippines and Singapore. President Benigno Aquino III of the Philippines objected that a consensus had been reached by stating, “For the record, this was not our understanding. The ASEAN route is not the only route for us. As a sovereign state, it is our right to defend our national interest.”

China has always been consistent in its stand in the South China Sea disputes. It claims that the South China Sea as being part of its territorial waters whereas the other four ASEAN member states only claim parts of the territory. As far as China is concerned solution to the problem can only be reached through negotiation with individual claimant rather than the bloc. Therefore,

The Worrying Indifference of ASEAN in the Spratly Islands Dispute

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ASEAN consensus to not internationalize the South China Sea disputes can be seen as favoring China’s position.

In 2002, ASEAN and China agreed on the Declaration on the Conduct of Parties in the South China Sea (DOC) which was also signed in Phnom Penh. For the past 10 years (2002-2012), ASEAN has been trying to come up with a Code of Conduct (COC) which is acceptable by all parties. One of the latest initiatives was undertaken by Indonesia (non-claimant) in September 2012, and senior officials from ASEAN and China met in Thailand in October 2012 prior to the summit to discuss about proposed COC.

Although ASEAN attempted to push forward the COC, China preferred to have further discussions, and thus far, no timeframe has been set. According to Qin Gang, from the Chinese Foreign Ministry “it takes some time for you know, for China and ASEAN to talk about, discuss COC and this is not a waste of time because during the discussion we can build up and accumulate more consensus and mutual trust to find better ways to keep this region peaceful and stable.” Therefore the COC remains in limbo.

Moreover, ASEAN remains disunited over the South China Sea disputes. The association was unable to issue a communiqué at the end of the ASEAN Ministerial Meeting held in Phnom Penh, Cambodia on 9 July 2012. During the Ministerial Meeting, Cambodia who was the Chair opposed to include the disputed Scarborough Shoal in the communiqué which led ASEAN to be unable to issue a joint statement.

It is noteworthy to mention over the 45 years history of ASEAN, it never experienced such a diplomatic failure until now. It was indeed unprecedented. Both the Philippines and Vietnam expressed their disappointment over the issue. Secretary General of ASEAN, Surin Pitsuwan said, “ASEAN will need to learn how to consolidate and coordinate positions if it wants to take on the global community.” Cambodia, the Chair of ASEAN has been accused of pushing for China’s interest during the two ASEAN summits held in Phnom Penh. After all, it is common knowledge that in recent years, China has been providing loans and investments to Cambodia.

Nevertheless, China has repeatedly reiterated that solution can be achieved through bilateral negotiations. The Philippines has offered to host a meeting among the four ASEAN claimants on 12 December. This is part of Philippine efforts to push for a multilateral solution to the South China Sea dispute. According to Philippine Foreign Secretary, Albert del Rosario, “We respect what China is suggesting but we do not accept this.” President Benigo Aquino during the ASEAN summit said “Our position has always been that a multilateral problem does not lend itself to a solution on a bilateral basis.”

In addition, the US, despite of not being one of the claimants, has expressed its interest in the South China Sea disputes and support for a multilateral solution. Ben Rhodes, the White House Deputy National Security Adviser for Strategic Communications said “These need to be discussed in a multilateral context so that we can reaffirm the principles of maritime security that
can guide the resolution to something like the South China Sea.” During the East Asian Summit, President Obama told Prime Minister Wen Jiabao of China that both the US and China should “cooperate and build a more secure and prosperous future for the Asia-Pacific region.”

It is important to note that the Philippines and Vietnam have increased their military ties with the US whom they consider as leverage against China’s presence in the South China Sea. In fact, Vietnam and its former archrival, the US, have conducted joint naval exercises. In June 2012 the US Defense Secretary, Leon Panetta has expressed interest in the importance of Cam Ranh Bay, Vietnam for the US to send more ships into the region. Similarly, the Philippines has also made military arrangements with the US to deploy US P3C Orion spy planes over the disputed South China Sea.

However, some ASEAN members have expressed concern over the proactive role of the US may further complicate the disputes and increase tension between China and ASEAN. Moreover, China has reminded the members of ASEAN not to disrupt the overall cooperation and regional integration. During the ASEAN summit, Qin Gang said “This (South China Sea dispute) is not the key issue and this should not be a stumbling block between China-ASEAN relations.”

There have been several proposals to settle the South China Sea disputes peacefully. One of them is ASEAN and China should initiate joint cooperation and exploration. Hence the differences between them can be temporarily shelved. However, this suggestion is yet to be reality due to the political difficulties.

It is noteworthy to mention that the South China Sea disputes have been a litmus test for ASEAN. Despite 45 years of regional integration, ASEAN’s unity has remained frail. It is timely for ASEAN to be rejuvenated in order for it to remain relevant in the coming years. It should at the very least reach a common position vis-à-vis China on the South China Sea disputes.