

ISEAS-EAI Joint Webinar

The South China Sea Dispute: US-China Rivalry, Lawfare and the
Prospects for a Code of Conduct
Friday, 18 September 2020

Welcoming Remarks by
Mr Choi Shing Kwok, Director, ISEAS – Yusof Ishak Institute

A very warm welcome to all of you here with us today. My name is Choi Shing Kwok and I am the Director of the ISEAS-Yusof Ishak Institute. It gives me great pleasure to co-organise today's webinar, the first ever joint event between ISEAS and the East Asia Institute (EAI) of the National University of Singapore. The topic for this webinar is "The South China Sea Dispute: US-China Rivalry, Lawfare and the Prospects for a Code of Conduct".

To kick start this inaugural collaboration between our two institutes, we thought that a good topic will be one that can highlight the shifting tectonic relationship between the world's two major powers, the US and China, and what it means for the countries in Southeast Asia where we reside in. In this connection, the South China Sea issue offers a very topical lens through which we can look at the current US-China dynamics. This will be done by examining the actions and counter-actions of China and the US in this area, the responses of the ASEAN claimant states, and the implications for international norms and the rule of law in addressing differences over this issue.

The US-China relationship has grown increasingly tense in the run-up to the US presidential elections due in a few weeks' time. While this itself is not unique as US elections go, most analysts will agree that the cliché "this time, it's different" really applies in this case. Over the last few years, the competition between the two big powers has been thrust to the forefront of their relationship, overshadowing any cooperation between them. US President Donald Trump and his administration have not only criticized but also taken some tough actions against China.

On the South China Sea issue in particular, the United States has increased its military activities in the form of freedom of navigation operations, military overflights and other presence missions in this very important waterway. It has shifted its position from not taking a stand on the claimant states' respective cases to one where it

endorsed the 2016 Arbitral Tribunal ruling, and rejected Beijing's nine-dashed line map as well as its claims to offshore resources in the EEZs of the Philippines, Vietnam, Malaysia, Brunei and Indonesia.

On its part, China has continued to assert its claims in the South China Sea. It has created two new administrative districts to oversee the Paracels and Spratlys, and given Chinese names to 80 geographical features in the South China Sea. More recently, it fired missiles into the waters between Hainan province and the Paracel Islands in an apparent response to a US spy plane intrusion into a Chinese exercise area in the Bohai Sea. We can expect such actions and counter-actions by the two sides to continue.

The ASEAN claimant states have had to grapple with the rising tensions between the United States and China, while trying to safeguard their own claims in the South China Sea. While they may quietly welcome America's rejection of China's nine-dashed lines and its claims in their respective EEZs, most are unlikely to openly take the side of either the United States or China in their bilateral exchanges. As can be seen at the meetings that took place last week, ASEAN is trying to maintain cooperation with China on issues of mutual interest without allowing the South China Sea issue to disproportionately overshadow everything else. At the same time, the pandemic has also affected ASEAN-China talks on a Code of Conduct, further raising doubts as to whether the aspirational timeline of 2021 can be met.

I am pleased that we have today brought together speakers with deep expertise to shed further light on the issues I have highlighted. Most of the experts, whom our usual audience may already be familiar with, are from ISEAS and EAI with the exception of Mr Julio Amador who is joining us from the Philippines. Mr Amador, I am very glad that you can be with us today.

To my counterpart Bert Hofman and other colleagues from EAI, I thank all of you for participating in this event, and hope that on the basis of today's webinar, we will soon find many other topics to further collaborate with EAI on. To conclude these brief remarks, I would like to wish all those attending this webinar a fruitful session. Now, let me invite Bert to give his opening remarks as well. Thank you!