



Navigating Diplomacy in the South China Sea

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ABSTRACT

The increasing tensions in the South China Sea have escalated due to China's assertive actions, affecting economic and geopolitical stability in the region. This paper examines the issue through peer-reviewed journals, articles, and the treaties and frameworks established by governing bodies in Southeast Asia. Focusing on Asian perspectives, the research highlights the varying interpretations of treaties, leading to misunderstandings and inconsistencies in diplomatic efforts. Findings reveal a lack of clarity and cohesion among regional actors, exacerbating disputes and undermining peaceful negotiations. This underscores the urgent need for greater accountability from governing bodies and international organizations. To ensure stability, China must adopt a more transparent approach, considering different perspectives and striving for a diplomatic middle ground that ensures a fair solution for all affected nations.

BACKGROUND

The South China Sea is a crucial trade route rich in resources, but escalating disputes, mainly driven by China's *Nine-Dash Line* claim, have caused regional instability and economic uncertainty (Korkut). Conflicting treaty interpretations and weak diplomatic strategies hinder peaceful resolutions, affecting security, trade, and international law. Clear treaty enforcement and multilateral cooperation are essential for maintaining stability and ensuring fair solutions for all nations involved.

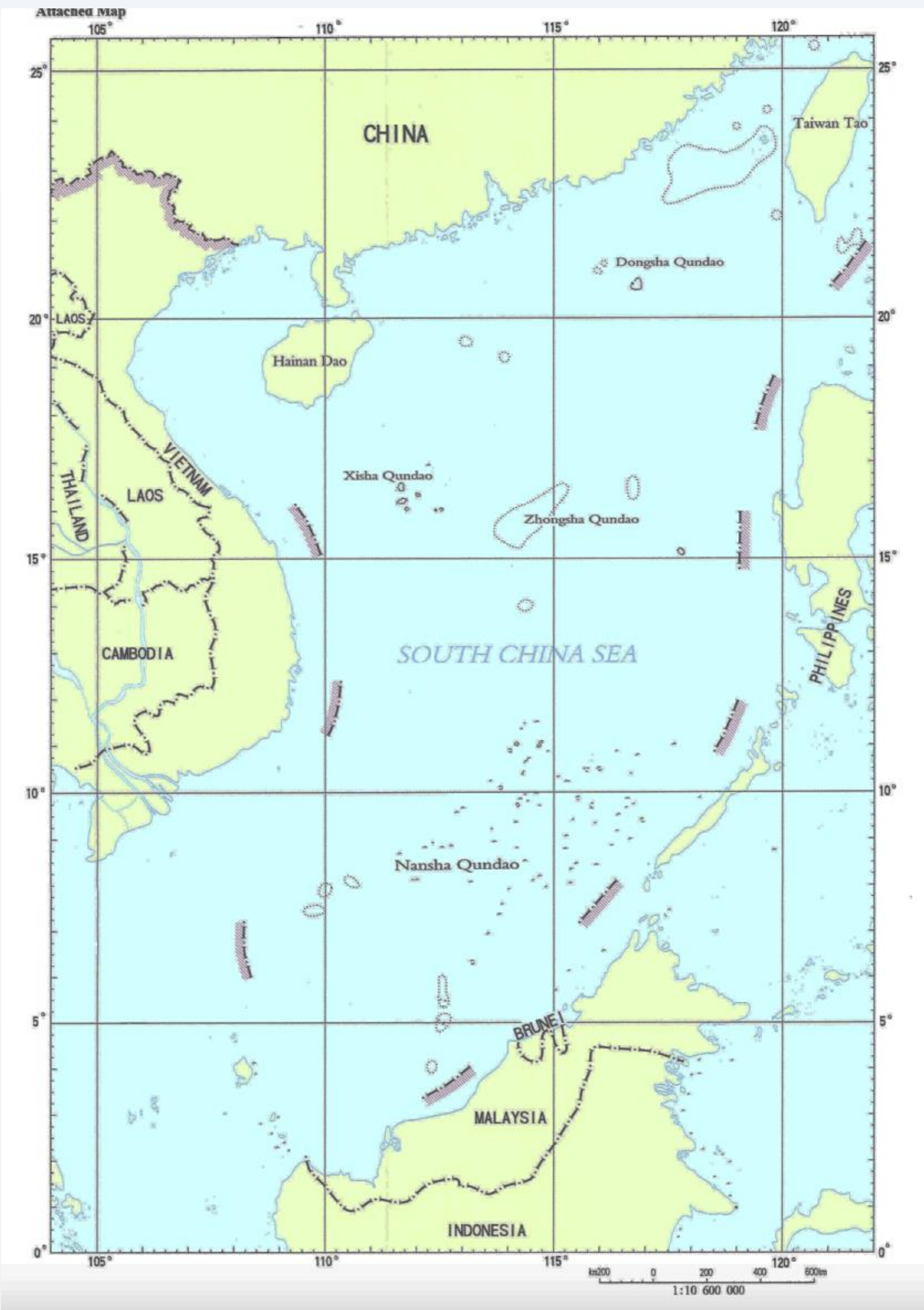


Figure 1 – The United Nations; Nine- Dash Line

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA (UNCLOS)

UNCLOS is the primary international treaty governing maritime rights, including territorial waters, Exclusive Economic Zones (EEZ), and resource claims. In the 2016 Permanent Court of Arbitration (PCA) ruling, UNCLOS was pivotal in rejecting China's *Nine-Dash Line* claim, stating that China's territorial assertions in the South China Sea lacked legal basis under UNCLOS (Camba). The ruling affirmed that the areas covered by the *Nine-Dash Line* overlapped with the EEZs of other Southeast Asian nations, violating their rights. This decision underscored the role of UNCLOS in resolving maritime disputes and ensuring adherence to international law.

THE ASSOCIATION OF THE SOUTHEAST ASIAN NATIONS (ASEAN)

ASEAN plays a key role in addressing the South China Sea dispute. As a regional organization, ASEAN seeks to promote stability, cooperation, and peaceful resolution of conflicts among its member states, many of which are directly impacted by China's territorial claims. ASEAN has worked to establish frameworks, such as the Declaration on the Conduct of Parties in the South China Sea (DOC), to encourage dialogue and prevent escalation (Fitria). However, differing national interests and varying approaches to China have sometimes hindered ASEAN's effectiveness in presenting a unified stance. Strengthening ASEAN's collective diplomacy is essential for fostering greater cooperation and ensuring adherence to international law in the region.

DIFFERING PERSPECTIVES

- China maintains its Nine-Dash Line claim based on historical maps, asserting sovereignty over nearly the entire South China Sea, which it views as critical for its economic and security interests (Korkut).
- Southeast Asian Nations such as the Philippines, Vietnam, and Malaysia contest China's claims, asserting their rights to the region's rich resources and strategic trade routes under UNCLOS (Velasco). These countries seek to protect their EEZs and maintain regional security.
- The United States, while not a claimant, emphasizes the importance of freedom of navigation and the rule of law, supporting Southeast Asian nations' rights under international law, and continuously confronting China's cherry-picking of maritime laws (Seo).
- ASEAN faces challenges in uniting its members, as some countries, like Cambodia and Laos, have been more accommodating to China, while others push for stronger collective action (Fitria).

CONCLUSIONS

The South China Sea dispute remains a significant challenge for regional stability, driven by China's assertive Nine-Dash Line claim and the lack of clear, unified interpretation of international treaties. Despite legal rulings, such as the 2016 PCA decision, tensions persist due to differing national interests and weak enforcement of existing agreements.

CALL TO ACTION

ASEAN's efforts to mediate are hindered by conflicting perspectives among its members. There is a clear need for stronger multilateral cooperation, clearer treaty enforcement, and greater accountability from international organizations. To achieve a fair and lasting solution, China must adopt a more transparent approach and engage in genuine dialogue with affected nations, seeking a middle ground that respects all parties' rights and regional stability.



Figure 2 – ASEAN Flag

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Figure 1. United Nations (2009), "Commission on the Limits of the Continental Shelf."

Figure 2. Association of the Southeast Asian Nations, "Guidelines on the Use of the ASEAN Flag."