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## A Balanced Threat Assessment of China's South China Sea Policy

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### EXECUTIVE SUMMARY

U.S. lawmakers and analysts see China's efforts to control much of the South China Sea as a serious threat, endangering regional security, freedom of navigation, and the liberal world order. This paper finds that political leaders and experts exaggerate the dangers of China's South China Sea policy.

As the world's largest trading nation, China has a deep vested interest in ensuring that trade routes in the South China Sea remain open, and Beijing has no interest in military conflict with regional powers. Although China's South China Sea policy is inconsistent with some of the norms and institutions of the rules-based liberal world order, Beijing does not seek to undermine this order as

a whole and remains supportive of key elements of the international system.

To avoid needlessly entangling itself in the South China Sea dispute, the United States should not support the territorial claims of any state and should make clear that the U.S.-Philippine Mutual Defense Treaty does not apply to disputed territory and waters claimed by the Philippines. In addition, the United States should encourage claimant states to agree on de facto jurisdiction over disputed areas and to jointly exploit resources while more permanent resolutions are negotiated. Finally, Washington should understand that ratifying the United Nations Convention on the Law of the Sea will have little, if any, effect on the South China Sea dispute.

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“The South China Sea dispute looms large as a diplomatic and security challenge for the United States.”

## HIGH STAKES IN THE SOUTH CHINA SEA

The South China Sea (SCS) dispute is one of the globe’s most complex and volatile geopolitical flashpoints. Involving a patchwork of overlapping territorial and maritime claims made by China, Taiwan, Vietnam, the Philippines, Malaysia, Brunei, and Indonesia, the dispute centers on numerous atolls and islands and vast tracts of sea, encompassed within China’s so-called Nine-Dash Line (*Jiǔdǎnxiàn*) (see Figure 1).<sup>1</sup> In addition to issues of territorial sovereignty, maritime jurisdiction, resource access, and shipping routes, the SCS dispute is driven by nationalist sentiment.<sup>2</sup> This conflict rouses widespread and sometimes violent

public feelings in China, Vietnam, and the Philippines, in particular, and is regularly used by leaders in claimant states to mobilize political support.

The SCS dispute looms large as a diplomatic and security challenge for the United States. Claimant states include U.S. allies and partners like the Philippines and Malaysia, as well as increasingly close friends like Vietnam. It also involves China—the United States’ largest trading partner and the only likely military peer competitor of the United States in the coming decades.<sup>3</sup> The SCS conflict has already strained ties between Southeast Asian claimant states and China and has become a key point of diplomatic and strategic tension

Figure 1  
China’s nine-dash line encroaches on rival territorial and maritime claims



Source: Adapted from “Asia-Pacific Maritime Claims,” Asia Maritime Transparency Initiative, <https://amti.csis.org/maritime-claims-map/>.

between China and the United States. Washington and Beijing regularly trade diplomatic barbs over the SCS, and the U.S. and Chinese militaries are accustomed to operating in close and mutually suspicious quarters in SCS waters and airspace.

Although the SCS dispute involves five Southeast Asian states, senior U.S. officials like former and current secretaries of state John Kerry and Rex Tillerson focus on China's SCS policy as the primary source of instability and tension.<sup>4</sup> Unlike the smaller claims made by the five Southeast Asian states to portions of the SCS contiguous to their coasts, China seeks to assert territorial sovereignty and maritime jurisdiction over the bulk of the SCS—between roughly 62 percent and 90 percent of this sea.<sup>5</sup> Combined, Chinese territorial and maritime demands stretch more than 800 nautical miles from the Chinese island province of Hainan and encompass islands, rocks, reefs, and waters claimed by Vietnam, the Philippines, Malaysia, Brunei, and Indonesia.<sup>6</sup>

China's forceful declarations to so-called inviolable historic rights (*lishixing quanli*) over the SCS are matched by regular forced evictions of fishing vessels from neighboring states and numerous cases of naval brinkmanship with Southeast Asian states and nonclaimant states like the United States and Australia.<sup>7</sup> By dredging up sand onto seven shallow underwater features in the Spratly Islands, China created more than 3,200 acres of territory between 2013 and 2015.<sup>8</sup> That amounts to nearly 17 times more land creation in 2 years than all of the other claimant states combined in the past 40 years.<sup>9</sup> With China able to station an expanding arsenal of missiles, fighter jets, and even strategic bombers on its newly created artificial islands, those constructions could eventually serve as a fleet of "unsinkable aircraft carriers."<sup>10</sup>

At the same time, China has failed to justify its territorial and maritime claims in a manner consistent with the United Nations Convention on the Law of the Sea (UNCLOS), and refuses to recognize the adverse award against it rendered on July 12, 2016, by the Arbitral

Tribunal assembled at the Permanent Court of Arbitration under the auspices of UNCLOS.<sup>11</sup>

## Regional and Global Security

**THREAT LEVEL: LOW.** China has a history of using force to advance its territorial and maritime claims in the SCS, including two brief naval clashes with Vietnam in 1974 and 1988 that saw China gain control of disputed maritime features in the Paracel and Spratly Islands, respectively.<sup>12</sup> More recently, China seized Mischief Reef in 1994 and Scarborough Shoal in 2012, each located within 135 nautical miles of Philippine territory, while coercive tactics against competing claimant states (e.g., ramming and damaging vessels and evicting fishermen from contested waters) have increased in frequency since 2008.<sup>13</sup>

Recent years have also witnessed a series of confrontations between Chinese vessels and the U.S. Navy.<sup>14</sup> Tensions remain high in the wake of the long-standing attempted Chinese naval blockade of the Philippine marines stationed on Second Thomas Shoal, the 2014 deployment of a Chinese oil platform approximately 120 nautical miles off the Vietnamese coast, and China's interdiction of Philippine fishermen entering Scarborough Shoal—which satellite imagery suggests may be ongoing despite a tentative rapprochement between Manila and Beijing.<sup>15</sup>

Although the likelihood of large-scale military conflict between China and one or more Southeast Asian claimant states is low, the risk of accidents and small-scale skirmishes escalating to military confrontation remains. If, for example, the China Coast Guard expanded its presence around Second Thomas Shoal in a bid to block Philippine resupply efforts of its military outpost, the Philippine Navy might deploy additional marines and military hardware. An increased number of Chinese and Philippine vessels traversing the waterways around Second Thomas Shoal could lead to an elevated likelihood of collision at sea. If the relevant commanding officers lacked restraint, such an incident could lead to a naval standoff or even a skirmish between Chinese and Philippine forces.

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A Sino-Philippine naval skirmish in turn poses the real though small risk of igniting a military conflict involving major Asia Pacific powers. With the U.S.-Philippine Mutual Defense Treaty calling on the United States to “act to meet the common dangers” of any “armed attack” on Philippine “armed forces, public vessels or aircraft in the Pacific,” the United States is likely to support the Philippines in the event of a Sino-Philippine naval clash.<sup>16</sup> Such a Sino-Philippine military conflict could also draw in U.S.-allied regional actors, such as Japan, South Korea, Australia, and Thailand.<sup>17</sup>

The risk of the SCS dispute morphing into a major military conflict increased with the Obama administration’s “pivot” to Asia.<sup>18</sup> U.S. officials displayed greater willingness to criticize and challenge China’s territorial and maritime claims and actions in the SCS. Among other initiatives, the United States stepped up its diplomatic opposition to China’s SCS policy, reaffirmed its commitment to resolving the SCS dispute in accordance with international law, and sought to bolster the maritime surveillance and defense capabilities of Southeast Asian claimant states.<sup>19</sup>

The Trump administration has offered mixed signals on the SCS, ranging from the critical but measured statements from Secretary of State Tillerson to the former White House chief strategist Steve Bannon’s provocative comment before the 2016 presidential election that the United States will go to “war in the South China Sea in five to 10 years.”<sup>20</sup> It is, however, unlikely that President Donald Trump will moderate President Barack Obama’s strongly critical stance toward China’s SCS policy. Thus far, the most authoritative statements from senior Trump administration officials like Secretary of Defense James Mattis suggest that the United States will maintain its forceful rhetorical opposition to China’s SCS policy and will provide diplomatic and material support to Southeast Asian claimant states.<sup>21</sup>

Although the navy’s requests to conduct freedom of navigation operations in Chinese-claimed waters have reportedly been rebuffed by senior Pentagon officials, Commander of

U.S. Pacific Command Admiral Harry Harris’s suggestion in April 2017 that “we’ll be doing some soon” indicates that these operations will likely remain a hallmark of Trump’s SCS policy.<sup>22</sup> The economic dimension of the U.S. “pivot” to Asia might have ended with the Trump administration’s withdrawal from the Trans-Pacific Partnership trade pact, and yet the harder-edged security aspects of the “pivot” look likely to live on in the SCS.<sup>23</sup>

Notwithstanding China’s record of aggression in the SCS, Beijing has thus far been careful to use force only in circumstances where the risk to regional and global security is low.<sup>24</sup> Even China’s most aggressive actions in the SCS—its brief naval clashes with Vietnam in January 1974 in the Paracel Islands and in March 1988 in the Spratly Islands—were extremely unlikely to spark a larger military conflict.<sup>25</sup>

The battle with Vietnam in 1974 was against a collapsing and strategically isolated South Vietnamese regime, which, with the withdrawal of the last U.S. combat troops a year earlier, had lost its primary means of defense against the advancing North Vietnamese forces.<sup>26</sup> Meanwhile, the skirmish with communist Vietnam in 1988 was against a state whose primary strategic and diplomatic partner—the Soviet Union—was teetering toward dissolution and was inwardly focused on severe domestic economic, social, and political challenges.<sup>27</sup> These considerations by no means justify China’s acts of aggression against Vietnam. Yet they point to a pragmatic and strategically opportunistic SCS policy. China may be willing to resort to military aggression in the SCS, but it has been willing to do so only against weak or isolated adversaries and when the risk of sparking a large-scale conflict is low.<sup>28</sup>

China’s SCS policy continues to exhibit pragmatism and strategic opportunism. Since the reinvigorated U.S. effort to manage the SCS dispute in the wake of the Obama administration’s “pivot” to Asia, China’s SCS policy has included a suite of what might be described as “soft” forms of coercion. Featuring prominently are such tactics as (a) the creation or expansion of disputed maritime features, (b) the recalibration of China’s

military command structure to place greater strategic emphasis on China's territorial and maritime claims in the SCS, and (c) an increased tempo of naval patrols and surveillance by the maritime militias (i.e., irregular Chinese navy).<sup>29</sup>

Other soft forms of coercion include a sophisticated and assertive public relations effort by means of the “three warfares” (*sān zhǒng zhànfa*): “public opinion warfare” (*yúlùn zhàn*), “psychological warfare” (*xīnlǐ zhàn*), and “legal warfare” (*fǎlǜ zhàn*).<sup>30</sup> The three warfares are deployed in the SCS dispute to delegitimize the territorial and maritime claims of Southeast Asian states, to dissuade members of the international community from criticizing China's SCS policy, and to normalize Chinese territorial and maritime expansionism. Through its maritime militias, fishermen, and coast guard, China admittedly continues to deploy force, including evicting fishermen from competing claimant states and blockading the Philippine marines stationed on Second Thomas Shoal. However, in addition to keeping such uses of force at relatively low levels, China's overall SCS policy is weighted toward softer forms of coercion.<sup>31</sup>

Rather than, for example, launching naval assaults on Philippine, Vietnamese, or Malaysian outposts in disputed waters, China will probably continue its pragmatic and strategically opportunistic SCS policy. That policy might include tactics such as expanding the size and sophistication of its artificial islands and taking control of and developing the more than 200 maritime features that Chinese military officials have said are still unoccupied in the SCS.<sup>32</sup> Such tactics are likely to aggravate regional tensions. Yet, although they can be expected to elicit objections internationally, these forms of soft coercion are unlikely to provoke military conflict.<sup>33</sup> For Southeast Asian claimant states, the United States, and other regional powers, China's island construction activities are unlikely to cross the threat threshold that would justify economically costly and strategically risky responses, such as naval blockades of Chinese outposts, forcible evictions of Chinese dredging vessels, or economic sanctions against China.<sup>34</sup> Soft coercion will therefore probably allow China

to slowly but surely consolidate and expand its area of de facto control over the SCS without endangering regional and global security.

Of course, the risk of escalation cannot be ruled out. The uptick in China's island-building activities in the SCS has coincided with efforts to integrate Chinese-controlled maritime features into China's defense architecture and power projection capabilities. In the Spratly Islands, China recently constructed airfields and reinforced hangars on Subi, Mischief, and Fiery Cross Reefs, which according to the Center for Strategic and International Studies, will each soon have hangar space for 24 fighter jets in addition to three to four larger aircraft.<sup>35</sup> These airfields will be able to support a wide range of military aircraft, including fighter jets and strategic bombers, as well as high-tempo, high-sortie-rate military operations.<sup>36</sup> Combined with the large and well-established airfield on Woody Island in the disputed Paracel Islands, the newly constructed airfields in the Spratly Islands boost China's airpower projection capabilities across Southeast Asia and into the Indian and Pacific Oceans. China has also deployed—and then later removed—HQ-9 surface-to-air missiles (SAMs) to and from Woody Island and is suspected of having deployed YJ-62 anti-ship cruise missiles (ASCMs) to the same island.<sup>37</sup> The SAMs would allow China to intercept missiles and aircraft within roughly 125 miles of Woody Island, while the ASCMs would allow China to target any vessel within a range of approximately 250 miles.<sup>38</sup>

The long-term strategic intent behind China's buildup of military infrastructure in the SCS is hard to determine precisely, and there is no guarantee that China's future SCS policy will mirror the pragmatism and strategic opportunism that have characterized it thus far.<sup>39</sup> “Black swan” events—such as mass layoffs in the Chinese state-owned sector or a sudden financial shock—could push China to use its military infrastructure in the SCS to sharply escalate the SCS dispute in a bid to divert public attention from domestic troubles. China might, for example, use its

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airpower and missile capabilities to directly threaten and even attack a U.S. freedom of navigation operation in the SCS or perhaps dislodge a competing claimant state’s forces from a contested maritime feature.

Although such extreme scenarios are unlikely, the projected pace and scale of China’s ongoing economic and military rise mean one cannot assume that Beijing’s SCS policy will remain pragmatic and strategically opportunistic.<sup>40</sup> If China’s economic influence across Asia and the world expands, and its military strength continues to grow, the temptation may increase to use that power asymmetry to achieve a decisive win in the SCS dispute.<sup>41</sup> The United States and its Asian allies and partners should therefore remain alert to changes in behavior and possible threats to regional and global security.<sup>42</sup> Nevertheless, notwithstanding a dramatic and unexpected change in prevailing conditions, such threats seem unlikely to emerge in the short to medium term. For now, China can be expected to carefully calibrate its tactics in the SCS to avoid the kind of escalation that risks culminating in a military conflict with a neighbor or great power.<sup>43</sup>

### The Rules-Based Liberal World Order

**THREAT LEVEL: LOW.** A number of interrelated liberal principles have guided the evolution of the post–World War II international system. As the Council on Foreign Relations’ Stewart Patrick observes, those include:

- All sovereign states are entitled to political independence, territorial integrity, and freedom from intervention.
- The use of force—except in cases of self-defense—requires collective authorization by the United Nations Security Council.
- Vessels from all states are free to traverse the open ocean without hindrance.
- The commerce of all nations should be accorded nondiscriminatory treatment.
- All peoples should be entitled to political self-determination as well as the enjoyment of fundamental human rights.<sup>44</sup>

Those principles are reflected in the body of international law and multilateral institutions at the heart of the current rules-based liberal world order, including the United Nations, its charter, and associated treaties; the World Trade Organization; the International Court of Justice; and the International Criminal Court. These and other multilateral institutions and conventions regulate the division of territory and resources between states, provide mechanisms for the peaceful resolution of international disputes, and call on states to refrain from the use of force, except in a prescribed manner. Beijing has made clear—in both word and deed—that its SCS policy will not necessarily comply with the principles of the rules-based liberal world order.<sup>45</sup>

China has sought to exploit hydrocarbon and fishery resources over which Vietnam, the Philippines, Malaysia, Brunei, and Indonesia likely have sole jurisdiction because of the location of these resources within their exclusive economic zones (EEZs) that extend up to 200 nautical miles from their coasts.<sup>46</sup> In 2016 China also rejected arbitration of the SCS dispute, immediately dismissing the adverse award against it by the UNCLOS Arbitral Tribunal.<sup>47</sup> That arbitration was initiated by the Philippines and considered the legality of China’s Nine-Dash Line, the status of numerous SCS maritime features, Chinese island construction within the Philippine EEZ, and resource exploitation in disputed waters, among other issues. In addition to numerous other adverse findings against China, the Arbitral Tribunal concluded that “there was no legal basis for China to claim historic rights to resources within the sea areas falling within the ‘Nine-Dash Line,’” and that “China had violated the Philippines’ sovereign rights in its EEZ.”<sup>48</sup> Meanwhile, senior Chinese officials such as former foreign minister Yang Jiechi have implicitly endorsed the illiberal doctrine that “might makes right” in the SCS and indicated that Southeast Asian states should adopt a deferential position vis-à-vis China.<sup>49</sup>

China’s conduct in the SCS is certainly inconsistent with the principles of the rules-based

liberal world order. Yet a crucial conceptual and practical distinction exists between rejecting the application of these principles to a particular conflict or geographic region and seeking to undermine the order as a whole. China's SCS policy does the former, but it is not clear that Beijing aims to do the latter. In fact, although China judges that its national interest is best served by circumventing international institutions and norms in a particular geographic region (the SCS) and with respect to a particular conflict (the SCS dispute), China generally supports the existing order elsewhere. Rightly or wrongly, Beijing simply considers disputed islands in the SCS to be an "integral part of Chinese territory" (*Zhōngguó língtǔ bùkěfēngē de yībùfēn*).<sup>50</sup> Unsurprisingly, China will not allow its general support for the rules-based liberal world order to impede its efforts to ensure that the SCS becomes Chinese "blue national territory" (*lánsè guótǔ*).<sup>51</sup>

True, Beijing has also long violated the political and individual rights of its citizens and sought to aid Chinese companies with industrial espionage and protectionist measures.<sup>52</sup> Yet in most arenas—from global trade to the United Nations system—China supports and abides by international institutions and norms.<sup>53</sup> Notable examples include (a) enthusiastically pursuing bilateral and multilateral free trade agreements and membership in the World Trade Organization, (b) extensively contributing to the ongoing multinational anti-piracy operation in the Gulf of Aden, (c) becoming one of the largest financial and personnel contributors to United Nations peacekeeping missions, and (d) demonstrating leadership in post-global financial crisis efforts to govern the global economy via initiatives like the inaugural G-20 leaders' meeting in 2008.<sup>54</sup> Notwithstanding Beijing's behavior in the SCS, China is overall a strong supporter of the current international order.

Moreover, China's limited rejection of the principles of the rules-based liberal world order in the SCS and other discrete cases arguably reflects customary international practice. Great powers typically combine general support with a *realpolitik* rejection of those

principles in certain instances. For example, the United States has failed to ratify UNCLOS, the Comprehensive Nuclear-Test-Ban Treaty, the Rome Statute of the International Criminal Court, and other key multilateral treaties and has refused to pay reparations to Nicaragua that were ordered in 1986 by the International Court of Justice as compensation for intervention in the country's civil war.<sup>55</sup> If even standard-bearers of the rules-based liberal world order like the United States ignore these principles when they conflict with the national interest, it should be cause for neither great surprise nor great concern when China does the same in a particular case. Of course, that factor neither justifies China's behavior in the SCS nor implies that the United States and other nations should not call on Beijing to abide by international institutions and norms at all times.

Defending these principles should not be restricted to those countries that meet the biblical admonition, "Let him who is without sin cast the first stone." Such an impossible standard would likely leave no state able to defend these admirable principles. The point is rather that, as with U.S. behavior that is inconsistent with international institutions and norms, China's SCS policy should not be seen as a wholesale effort to undermine the current order.

## Global Trade

**THREAT LEVEL: LOW.** An estimated \$5.3 trillion worth of trade passes through the SCS each year.<sup>56</sup> That number accounts for a significant portion of the manufactured products and raw materials entering and leaving East Asia's powerhouse economies of China, Japan, South Korea, and Taiwan.<sup>57</sup> The downstream connections of those flows of goods and raw materials to the economies of Oceania, Southeast and South Asia, Africa, the Middle East, and Europe make the SCS an important transit point for global trade.<sup>58</sup> On that basis, notable policy experts, including Michael Green and Patrick M. Cronin, argue that China's SCS policy is a threat to global trade.<sup>59</sup> According to this popular view, an outbreak of conflict may render the SCS unnavigable for

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commercial vessels, or China may decide to use its expanding military infrastructure in the SCS to interdict commercial shipping.<sup>60</sup> Given the value of this trade corridor for U.S. allies and partners like Japan, South Korea, Taiwan, Thailand, the Philippines, Singapore, and Australia, analysts also claim that China’s SCS policy poses a severe potential threat to the economic health of the United States’ Asian allies and partners.<sup>61</sup>

Such fears about the threat of China’s SCS policy to global trade do not bear scrutiny. Any disruption to commercial shipping in the SCS would first and foremost be disastrous for China’s own economic and security interests.<sup>62</sup> China is the world’s largest trading nation overall and the largest trading nation of goods in particular.<sup>63</sup> China is also by far the world’s largest importer of liquid fuels and raw materials, such as petroleum and iron ore, and the largest importer of agricultural products.<sup>64</sup> Not only is China acutely dependent on global trade for its economic health and energy and food security, but as much as 90 percent of global trade is seaborne.<sup>65</sup> This Chinese reliance on maritime trade and the prominence of the SCS as a transit point for seaborne trade flows in and out of some of China’s busiest ports means that any barriers to commercial shipping in the SCS are likely to adversely affect China more than any other country.<sup>66</sup>

Conceivably, the security context could change dramatically such that Sino-U.S. relations deteriorate to the point of a large-scale military confrontation in the Western Pacific. China might then seek to use control of the SCS to blockade commercial shipping to U.S. allies, such as Japan, South Korea, Thailand, the Philippines, and Australia, while also interdicting commercial shipping to the United States. Although possible, such a scenario is incredibly far-fetched. If successful, a Chinese commercial shipping blockade of this scale that affects so many of China’s most important trading partners would impose colossal economic costs on China itself. That fact alone makes it highly unlikely that China would ever pursue such a strategy.

Of course, the economic irrationality of a Chinese commercial shipping blockade is not enough to discount as impossible scenarios in which trade cannot pass through the SCS. If a conflict erupted from a series of accidents or miscalculations, it is possible that China may feel it has no other option but to blockade commercial shipping to U.S. allies and the United States. Alternatively, inadvertent escalation may render the SCS unnavigable for commercial vessels despite Chinese efforts to avoid such an outcome. However, even assuming that China is willing to suffer steep economic costs and either follows through with a commercial shipping blockade or allows an unintended military clash to render the SCS unnavigable for commercial vessels, China’s SCS policy is still unlikely to pose a significant threat to global trade.

First, the disputed islands and constructed features that are the focus of China’s SCS policy would be of limited strategic value in the event of an attempted Chinese anti-shipping campaign.<sup>67</sup> The relative strategic depth and developed military infrastructure of Hainan Island—which is undisputed Chinese territory—would make it the fulcrum of any SCS anti-shipping campaign.<sup>68</sup> By contrast, the isolated, small, and strategically vulnerable disputed islands and constructed features that China controls in the SCS would likely play a subsidiary and comparatively unimportant role.<sup>69</sup>

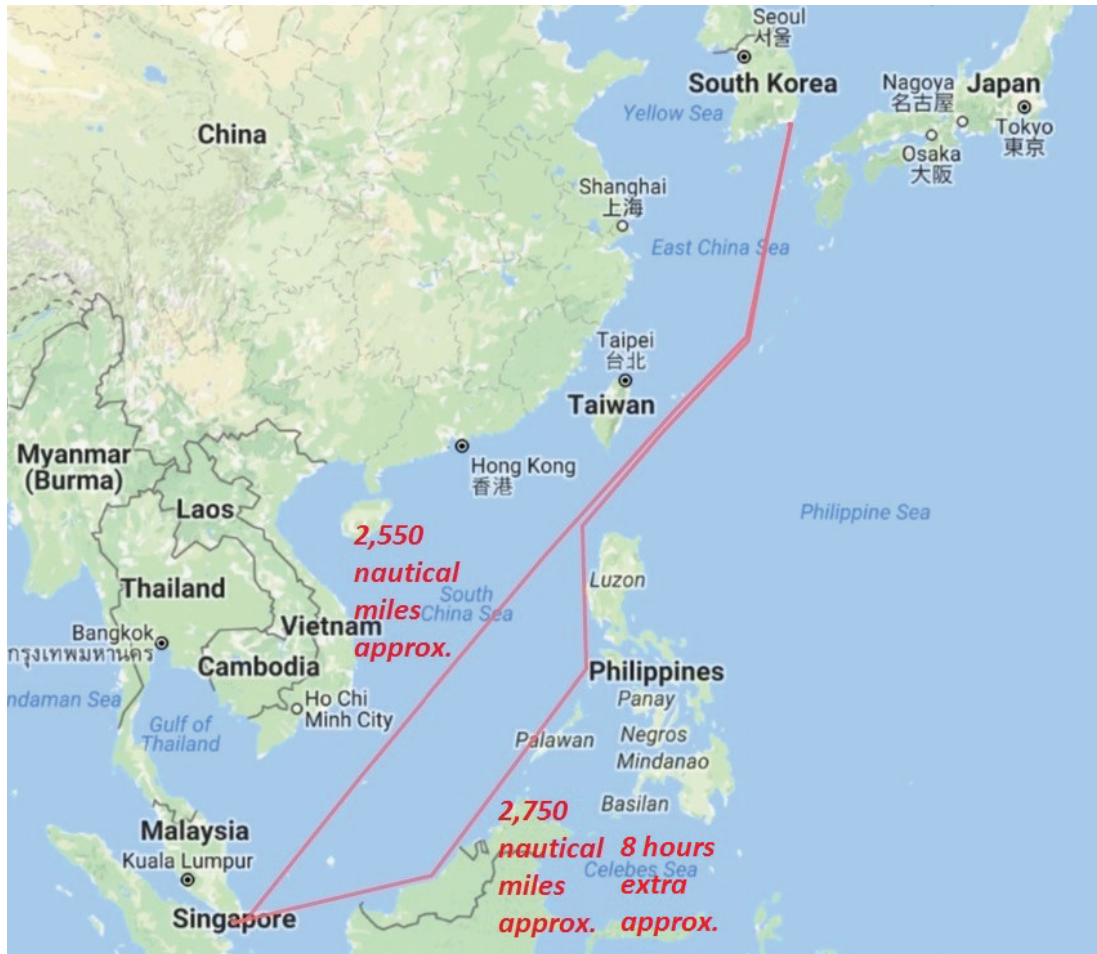
Second, and more important, shipping would not need to be radically rerouted even if the entirety of the SCS inside China’s Nine-Dash Line became unnavigable for commercial vessels. To avoid such contested waters, shipping routes would need to be moved only slightly west to hug the Vietnamese coast or slightly east to follow the coast of the Philippine islands of Palawan and Luzon.

Even for the trade routes that would be most adversely affected by this rerouting, the increase in distance would be relatively small. Roughly 200 more nautical miles would be added to the Singapore–Busan route (see Figure 2), while approximately 250 extra nautical miles would be added to the Singapore–Kaohsiung route



Figure 2

Traversing waters enclosed by the Nine-Dash Line versus bypassing those waters, Singapore-Busan route



Source: Sea-Seek–Google Maps Distance Calculator, <http://www.sea-see.com/tools/tools.php>.

(see Figure 3).<sup>70</sup> That would amount to only an 8 percent and 16 percent increase in distance for the Singapore–Busan and Singapore–Kaohsiung routes, respectively.<sup>71</sup> Assuming that vessels are traveling at the typical average speed of 25 knots, such an increase in distance would add only 8 hours to the Singapore–Busan route and 10 hours to the Singapore–Kaohsiung route.<sup>72</sup> Not only would these trade routes be among the most adversely affected of all the world’s shipping lanes, but the distances of many of the trade routes of most importance to the United States and its Asian allies are likely to remain entirely unaffected by a Chinese anti-shipping campaign or an unintended military clash in the SCS. For example, crucially important routes

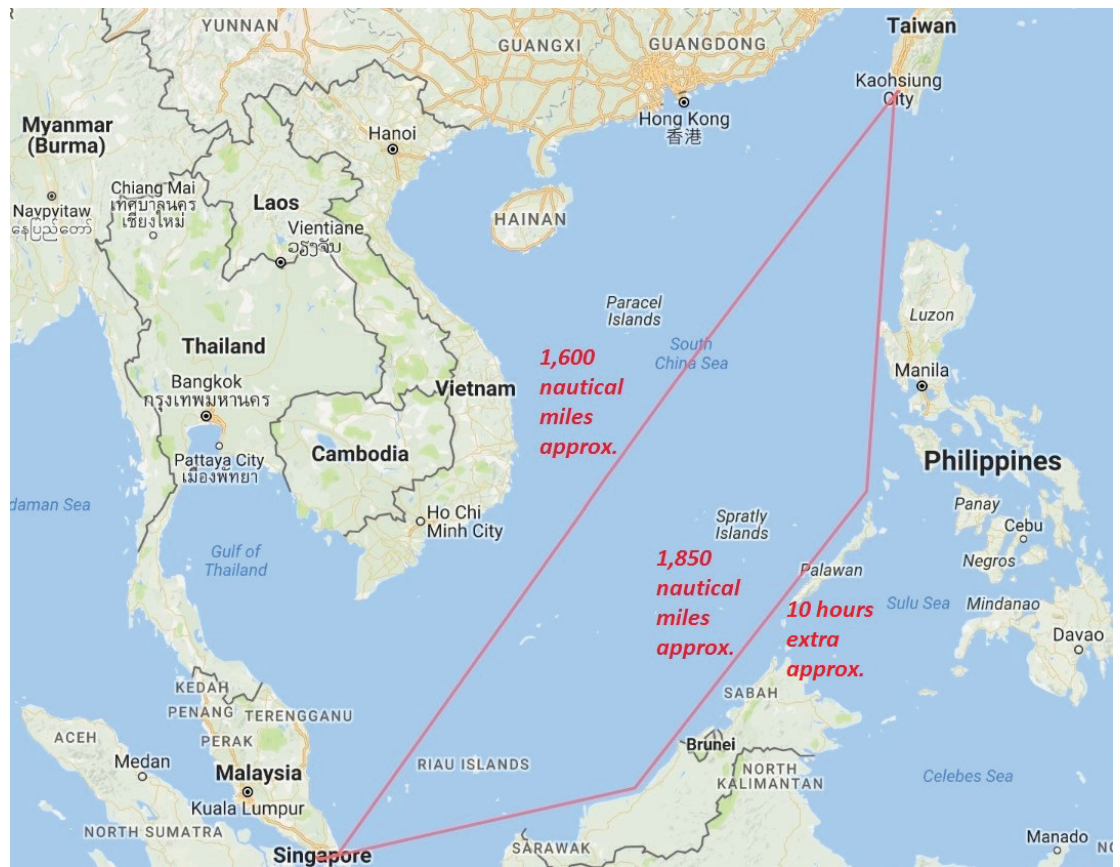
connecting Australia’s coal country with Japan’s megacities or South Korea’s manufacturing centers with markets on the West Coast of the United States totally bypass the SCS.

Shipping routes in Southeast and East Asia would, of course, need to be more extensively rerouted in the event of a more extreme scenario in which the entire SCS became unnavigable for commercial vessels. In such a scenario, vessels would need to traverse the archipelagic waters of Indonesia and the Philippines to skirt the SCS entirely. That would, for example, result in adding roughly 850 nautical miles to the Singapore–Busan route (see Figure 4) and approximately 1,100 nautical miles to the Singapore–Kaohsiung route (see Figure 5).<sup>73</sup>

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**Figure 3**  
Traversing waters enclosed by the Nine-Dash Line vs. bypassing those waters, Singapore–Kaohsiung route



Source: Sea-Seek–Google Maps Distance Calculator, <http://www.sea-seek.com/tools/tools.php>.

Those additional nautical miles would amount to a 33 percent and 69 percent increase in distance for the Singapore–Busan and Singapore–Kaohsiung routes, respectively.<sup>74</sup> Assuming that vessels are traveling at the typical average speed of 25 knots, such an increase in distance would add 34 hours to the Singapore–Busan route and 44 hours to the Singapore–Kaohsiung route.<sup>75</sup>

Although these diversions would be significant, the bulk of shipping routes in Southeast and East Asia would be much less severely affected. Moreover, as with the scenario affecting only the areas of the SCS inside China’s Nine-Dash Line, the distances of many of the most important trade routes for the United States and its Asian allies (e.g., between Japan and Australia and South Korea and the United States) would likely remain totally unaffected

by the entire SCS becoming unnavigable for vessels not destined for or originating from Chinese ports.

### Freedom of Navigation and Overflight of the U.S. Military and Allied Forces

**THREAT LEVEL: LOW.** The U.S. freedom of navigation and overflight program aims to assert the freedom of all vessels and aircraft to conduct innocent passage in and over the territorial seas of all countries (up to 12 nautical miles from the baseline, which is usually the low-water line of a coastal state).<sup>76</sup> This program also asserts the freedom of all vessels and aircraft to conduct military exercises, gather intelligence, and perform other activities inconsistent with innocent passage in and over the EEZs of all states (between 12 and 200 nautical miles from baselines).<sup>77</sup>

Crucially, the U.S. freedom of navigation and overflight program is conducted in territorial seas and EEZs without prior consent.<sup>78</sup>

China, Argentina, India, Indonesia, Malaysia, Vietnam, and a number of other states reject the U.S. interpretation of freedom of navigation rights under UNCLOS—a treaty the United States seeks to comply with despite not having ratified.<sup>79</sup> China insists that innocent passage within its territorial seas requires prior permission and strongly opposes foreign military vessels and aircraft even approaching Chinese-controlled maritime features in the SCS.<sup>80</sup> China has sought to demonstrate its opposition to the U.S. freedom of navigation and overflight program by publicly objecting to those operations and periodically tailing and harassing U.S. vessels and aircraft.<sup>81</sup> China has similarly criticized and sought to disrupt U.S. allies from conducting freedom of navigation and overflight operations in the SCS.<sup>82</sup>

China's tailing, surveillance, and verbal warnings directed at U.S. and allied vessels and aircraft raise the risks associated with freedom of navigation and overflight operations in the SCS.<sup>83</sup> Such tactics could easily lead to a repeat of the tense diplomatic standoff that followed the deadly 2001 collision between a U.S. EP-3E Aries II surveillance aircraft and a Chinese fighter jet.<sup>84</sup> Notwithstanding the risk of incidents of this nature, even China's deployment of additional military capabilities to disputed maritime features does not seriously threaten freedom of navigation. Despite periodic cases of brinkmanship, including apparent attempts to interdict the surveillance ship USNS *Impeccable* in 2009 and the guided missile cruiser USS *Cowpens* in 2013, Chinese challenges to U.S. and allied freedom of navigation and overflight operations have to date not deployed the force sufficient to materially block them.<sup>85</sup>

As previously noted, China's pragmatic and strategically opportunistic SCS policy seeks to expand and consolidate Chinese control over the SCS without provoking a serious military confrontation. However, to genuinely threaten U.S. and allied freedom of navigation and overflight operations, China would need to risk

precisely the kind of confrontation that it has for the sake of its own strategic interests heretofore sought to avoid. China would likely need to directly attack and inflict serious material damage on U.S. and allied sea and air assets to have a realistic chance of ending these operations.<sup>86</sup> The deep economic and security costs of such a military confrontation with the world's greatest military power and China's largest trading partner mean that Beijing has strong prudential grounds to avoid disrupting U.S. and allied freedom of navigation and overflight operations.<sup>87</sup>

However, China is developing military capabilities that will dramatically increase its ability to block the vessels and aircraft of the U.S. military and allied forces. China's evolving anti-access/area denial (A2/AD) capabilities—typically counter-maritime and counter-air systems designed to destroy surface ships and aircraft—are aimed at making power projection into the seas adjoining China costly—if not impossible—in the event of military conflict.<sup>88</sup> Such capabilities could be deployed to seriously threaten the freedom of navigation and overflight program throughout the first island chain, which runs from the southern end of the Japanese island of Kyushu to roughly the southern tip of China's Nine-Dash Line, thereby including the bulk of the SCS (see Figure 6).<sup>89</sup>

Despite the growing power and sophistication of China's A2/AD capabilities, they would pose a genuine threat to freedom of navigation and overflight only in the extreme scenario of a military confrontation on the Chinese littoral with the United States and its allies. Short of such a high-stakes conflict in its strategic backyard, China will remain extremely reluctant to make use of its expanding A2/AD capabilities. China certainly views U.S.-led freedom of navigation and overflight operations as unjustified provocations that violate its sovereignty and strain its relations with the United States, its Southeast Asian neighbors, and other regional powers.<sup>90</sup>

Nonetheless, the fear of sparking a military conflict means China is unlikely to avail itself of the elements of its A2/AD capabilities that could be deployed to materially block freedom of

“China’s deployment of additional military capabilities to disputed maritime features does not seriously threaten freedom of navigation.”

“China may not be able to threaten freedom of navigation operations without risking severe economic and security costs, but Chinese forces are still able to interfere with those operations.”

**Figure 4**  
Bypassing the entire South China Sea, Singapore-Busan route



Source: Sea-Seek-Google Maps Distance Calculator, <http://www.sea-seek.com/tools/tools.php>.

navigation and overflight operations (e.g., sinking vessels or shooting down aircraft). China might be able to better surveil and monitor vessels and aircraft with some of its nonkinetic A2/AD capabilities, including advanced optical and radar military reconnaissance satellites.<sup>91</sup> Yet the relatively modest nuisance of freedom of navigation and overflight operations is unlikely to ever justify the colossal economic and security costs associated with China deploying its A2/AD capabilities against an adversary as militarily powerful as the United States.

Although China may not be able to threaten freedom of navigation operations (FONOPs) without risking severe economic and security costs, Chinese forces are still able to successfully interfere with those operations. China's expanding irregular navy or "maritime militia" (*hǎishàng mínbīng*) complements China's A2/AD

capabilities in peacetime, allowing China to closely monitor and impede FONOPs without resorting to the use of much more aggressive and high-cost conventional A2/AD capabilities.<sup>92</sup> In October 2015, for example, maritime militia vessels maneuvered dangerously around the U.S. destroyer USS *Lassen* during its FONOP in the vicinity of the Chinese artificial island on Subi Reef.<sup>93</sup> That incident followed similar Chinese maritime militia harassment of the USNS *Impeccable* in 2009 and a number of other acts of brinkmanship directed at Vietnamese and Philippine vessels and naval outposts dating back decades.<sup>94</sup>

The freer rein that China gives irregular maritime militias to perform risky and provocative operations around U.S. and other foreign vessels raises the risk of accidents.<sup>95</sup> Meanwhile, the ambiguous status of maritime militia within

**Figure 5**  
**Bypassing the entire South China Sea, Singapore–Kaohsiung route**



Source: Sea-Seek–Google Maps Distance Calculator, <http://www.sea-see.com/tools/tools.php>.

the Chinese navy complicates the international responses to their activities and increases the likelihood of misunderstandings and unintended escalation.<sup>96</sup> With the apparent operational autonomy to perform much more provocative maneuvers than the conventional Chinese navy, China's maritime militia will continue to impede FONOPs while substantially raising the risk of accidents at sea and naval standoffs. Maritime militia surveillance and harassment will thereby frustrate FONOPs. Yet these Chinese tactics fall far short of seriously threatening the viability of the freedom of navigation and overflight program in the SCS.

### Security of Southeast Asian Claimant States

**THREAT LEVEL: LOW.** Whether China's SCS policy is a threat to the territorial integrity

of Southeast Asian claimant states depends on whether one supports their territorial claims. Asserting that China's SCS policy does pose such a threat amounts to a de facto endorsement of their territorial claims over China's, meaning their territorial integrity can be assured only if these states gain control over hotly disputed maritime features. Leaving aside the vexing question of whether China's SCS policy threatens the territorial integrity of the other disputants, it does clearly seek to deny claimant states maritime jurisdiction over waters that likely fall within their EEZs.<sup>97</sup>

China's effort to expand its area of de facto control over the SCS without submitting the dispute to international arbitration also prevents claimant states from receiving a fair and legal adjudication of the SCS dispute. Moreover, China used outright military aggression

“China's South China Sea policy does not entail a grave general threat to the security of other claimant states.”

“The disputed South China Sea maritime features are more valuable as symbols of national sovereignty than as substantial sources of natural resources.”

Figure 6  
China's first and second island chains



Source: *Military Power of the People's Republic of China 2009* (Arlington, VA: Department of Defense, 2009), p. 18.

against Vietnam in 1974 and 1988, and it continues to use force against competing claimants by evicting fishermen, attempting to blockade naval outposts, and ramming ships, among other tactics.

Having insisted that it has “indisputable sovereignty” (*wúkězhēngbiàn de zhǔquán*) over numerous disputed maritime features in the SCS, and privately indicated to U.S. officials that the SCS is a “core national interest” (*guójiā héxīn lìyì*), it is not surprising that China has periodically intimated that it is prepared to again deploy military force to defend what it considers its “blue national territory” (*lánsè guótǔ*).<sup>98</sup> Although it remains unclear when or if China will again deploy military force against Southeast Asian claimant states, the practical corollary of China’s stated policy objectives of exercising control and jurisdiction over the

bulk of the SCS is unambiguous: assuming that other claimant states cannot eventually be convinced through diplomacy or economic inducements to cede control and jurisdiction over maritime features and waters claimed by China, armed expulsions are a necessary long-term element of a successful SCS policy.

As already noted, China’s track record of pragmatic and strategically opportunistic SCS policy makes armed expulsions of competing claimants an unlikely tactic for the foreseeable future. Nevertheless, China has in a few cases already deployed such coercive tactics to evict other states. For example, such actions as China’s use of naval clashes to seize territory from Vietnam in 1974 and 1988 and China’s naval standoff with the Philippines to claim Scarborough Shoal in 2012 threaten the territorial and maritime claims of Southeast Asian states.<sup>99</sup>

This ongoing latent threat is underlined by the fact that on disputed maritime features China has deployed fighter jets, SAMs, and anti-ship cruise missiles and has built helicopter bases, close-in weapons systems, and runways capable of handling high-tempo, high-sortie-rate military operations and strategic bombers.<sup>100</sup>

China's SCS policy does not, however, entail a grave general threat to the security of other claimant states. China has engaged in only two brief naval clashes with Vietnam in 1974 and 1988 that killed fewer than 120 Vietnamese troops and destroyed only a few small Vietnamese vessels and has never battled Philippine, Malaysian, Bruneian, or Indonesian forces over the SCS. Moreover, no civilians have been forced to abandon their homes and flee contested territory. With only a handful of small isolated settlements in their midst, the disputed areas of the SCS are not part of the populated homelands of any of the claimant states.

Meanwhile, the economic costs of China's SCS policy are limited to difficulty accessing disputed fishing grounds and delays with the exploitation of relatively modest hydrocarbon reserves.<sup>101</sup> Indeed, the disputed SCS maritime features have much more value as symbols of national sovereignty than they do as substantial sources of natural resources and economic opportunities. Compared with the security threat that Russia's proxy war in Donbass poses to the Ukraine, for example, China's SCS policy represents a low security threat to Vietnam, the Philippines, Malaysia, Brunei, and Indonesia.<sup>102</sup>

Nor is there any indication that China is planning to carve off territory from claimant states beyond the contested territory within the Nine-Dash Line. The Nine-Dash Line has been at the core of the Chinese nationalist government's and the territorial and maritime claims of the Chinese Communist Party (CCP) in the SCS since the 1920s.<sup>103</sup> China resolved its land border dispute with Vietnam in 1999 and has never officially laid claim to areas of the SCS beyond the Nine-Dash Line.<sup>104</sup> Even hawkish Chinese academics and CCP theorists do not advocate seizing territory or

waters beyond the Nine-Dash Line.<sup>105</sup>

Successful implementation of China's SCS policy that hands China effective control over the bulk of the SCS is therefore unlikely to lead to a "Sudetenland moment" in which China is emboldened to carve off progressively larger slabs of Vietnamese, Philippine, Malaysian, Bruneian, or Indonesian territory.<sup>106</sup> Although China's SCS policy is a genuine challenge to those states' territorial and maritime claims, it poses only a low threat to their overall security.

## POLICY RECOMMENDATIONS

The election of President Trump has precipitated a period of U.S. policy uncertainty toward the SCS. Senior Trump administration officials have articulated inconsistent assessments of the seriousness of the threat of China's SCS policy and likely U.S. countermeasures.<sup>107</sup> Although former White House Press Secretary Sean Spicer said on January 23, 2017, that the United States would respond to China's SCS policy by defending "international territories from being taken over by one country," on February 4, 2017, Secretary of Defense Mattis stressed the importance of "diplomatic efforts" and said that the United States sees no "need for dramatic military moves at all."<sup>108</sup> President Trump and his cabinet should move quickly to dispel this ambiguity.

As outlined below, the Trump administration should pursue a set of policies that minimize American liabilities in the SCS and encourage claimant states to peacefully manage their conflicting territorial and maritime claims. By emphasizing U.S. neutrality and focusing on the prospects of mutually beneficial cooperation, these policy recommendations reflect the modest threat to U.S. interests posed by China's SCS policy.

**AVOID SUPPORTING THE TERRITORIAL AND MARITIME CLAIMS OF ANY CLAIMANT STATE.** Consistent with U.S. policy to date, Washington should maintain an impartial stance on the territorial and maritime claims of particular states—both on national interest grounds and as a matter of fairness.<sup>109</sup> U.S. interests are not

“U.S. support for a particular claimant state could embolden it to adopt reckless and provocative policies.”

“The inflated threat that political leaders, policymakers, and experts associate with China’s South China Sea policy risks drawing the United States into a search for a phantom monster to destroy.”

substantively served by particular claimant states realizing their territorial and maritime ambitions.<sup>110</sup> Although the United States might, for example, have a significant interest in the security of alliance partners such as the Philippines, it does not have a significant interest in the Philippines being able to freely exploit hydrocarbon and fishery resources in all of the waters that Manila claims fall within the Philippine EEZ.

Moreover, supporting the territorial and maritime claims of a particular claimant state could easily undermine U.S. national interests. First, the United States risks harming its relations with one or more of the other claimant states, as they are likely to view support for the territorial and maritime claims of a particular claimant state as unfairly partial. Second, U.S. support for a particular claimant state could embolden it to adopt reckless and provocative policies, which could further aggravate the SCS dispute.<sup>111</sup> If the United States specifically endorsed Philippine territorial and maritime claims, for example, Manila might pursue confrontational and destabilizing tactics, such as attempting to interrupt Chinese island construction activities on disputed features.

To avoid supporting particular states, freedom of navigation and overflight operations should continue to be used to challenge all excessive maritime claims in the SCS.<sup>112</sup>

**CLARIFY THE SCOPE OF THE U.S.-PHILIPPINE MUTUAL DEFENSE TREATY.** The U.S.-Philippine Mutual Defense Treaty calls on the United States to “act to meet the common dangers” of an “armed attack on the metropolitan territory . . . or on the island territories under [the Philippines’] jurisdiction.”<sup>113</sup> The United States should make clear that, for the purposes of interpreting this treaty, disputed Philippine-controlled maritime features in the SCS do not count as “island territories under [the Philippines’] jurisdiction.”<sup>114</sup> Applying U.S. security guarantees to disputed Philippine-controlled maritime features would be legally dubious since the Philippines had not extended its jurisdiction over these features at the time the treaty was signed in

1951, and jurisdiction in subsequent years has been debatable.<sup>115</sup>

Moreover, applying U.S. security guarantees to those features would force the United States to weigh in on the controversial process of determining precisely which disputed features are controlled by the Philippines. Consistent with the unambiguous provisions of the U.S.-Philippine treaty, the United States should nevertheless make plain that any “armed attack” on Philippine “armed forces, public vessels or aircraft in the Pacific”—whether in disputed waters or elsewhere—would activate the United States’ mutual defense obligations toward the Philippines.<sup>116</sup>

**ENCOURAGE CLAIMANT STATES TO EXPLOIT RESOURCES JOINTLY.** SCS claimant states have previously taken halting and cautious steps toward joint exploitation of hydrocarbon resources in disputed waters. In 2005, China, the Philippines, and Vietnam agreed to a three-year Joint Marine Seismic Undertaking (JMSU) to assess oil reserves for potential shared exploitation.<sup>117</sup> The JMSU eventually fell victim to domestic political scandals in the Philippines and was not renewed after it expired in 2008.<sup>118</sup>

More recently, Philippine lawmakers have expressed optimism about the prospect of jointly exploiting resources in the SCS with China in the wake of President Rodrigo Duterte’s October 2016 state visit to Beijing and warming Sino-Philippine relations.<sup>119</sup> Although such initiatives will not resolve the underlying territorial and maritime disputes, and have to date either failed or remained tentative, they nevertheless have the potential to foster cooperation and shared interests. The United States should therefore encourage claimant states to exploit resources jointly so as to foster a shared economic stake in cooperation, to improve diplomatic relations, and to further reduce the likelihood of military conflict.<sup>120</sup>

**CALL ON CLAIMANT STATES TO MUTUALLY ACCEPT DE FACTO JURISDICTION OVER DISPUTED AREAS OF THE SCS.** The steadfast determination of each claimant state to press territorial and maritime claims makes a final negotiated



settlement of the SCS dispute highly unlikely. In lieu of such a settlement, the United States should call on claimant states to provisionally agree to demarcate de facto jurisdiction over disputed areas of the SCS. That approach would mean establishing a patchwork of Lines of Actual Control (LACs) roughly dividing the Chinese, Vietnamese, Philippine, Malaysian, Bruneian, and Indonesian areas of de facto jurisdiction over the disputed areas of the SCS.<sup>121</sup>

By drawing tacitly accepted LACs, each claimant state would recognize the control of the other parties over certain maritime features and waters in exchange for the same assurances vis-à-vis their own areas of control. These assurances of mutual noninterference could be applied to the activities that are most likely to inflame tensions, including island construction, maritime patrols, fishing, and natural resource exploration and exploitation. A pragmatic LAC model has the advantage of not demanding what claimant states are unprepared to concede: acceptance of the legitimacy of the other claimant states' territorial and maritime claims.

Although coaxing claimant states to even agree to LACs may seem unrealistic, such a strategy has a successful precedent. Having traded numerous diplomatic barbs and having fought a brief war in 1962 over strategically valuable tracts of the Himalayas, China and India reached an LAC agreement in 1993.<sup>122</sup> Without prejudicing either the Chinese or Indian claims to disputed territory, this landmark accord saw China and India agree to restrict troop movements and air force overflights to their respective sides of the LAC.<sup>123</sup> The LAC has been violated many times—particularly by China—and the precise location of the dividing line is a matter of debate.<sup>124</sup> Yet the LAC still provides each country with a framework for calling for the withdrawal of armed forces when major transgressions occur.<sup>125</sup>

An LAC model would likely be harder to implement in the SCS as a result of the fluid maritime terrain and the complex jumble of maritime features in proximity to each other. Even so, by delineating de facto areas of

jurisdiction, LAC arrangements offer a promising means of dialing down geostrategic tensions and avoiding accidents and skirmishes at sea.

**RECOGNIZE THAT THERE IS NO PRESSING NEED TO RATIFY UNCLOS.** Experts such as Jeffrey Bader and Jerome A. Cohen claim the United States should ratify UNCLOS as a precondition for a principled and effective response to the SCS dispute.<sup>126</sup> Ratification, they argue, would give additional moral force to U.S.-led efforts to encourage all SCS claimant states to act in accordance with UNCLOS.<sup>127</sup> By making the United States a more consistent advocate of the rules-based liberal world order, final Senate approval of UNCLOS would likely lead to a modest improvement in U.S. moral standing.<sup>128</sup> However, given that the United States already acts in accordance with UNCLOS in the SCS and elsewhere around the globe, ratification would not substantively change U.S. behavior, thereby making it a largely symbolic gesture.<sup>129</sup> Moreover, ratification would not significantly advance the U.S. goals of de-escalating the SCS dispute and assisting claimant states to reach a final resolution of their territorial and maritime disputes. The SCS dispute remains intractable and a source of ongoing geostrategic tension as a result of the incompatible territorial and maritime claims of China and five Southeast Asian states. Claimant states are unlikely to modify their territorial and maritime claims in any way in the event of U.S. ratification of UNCLOS, and they are similarly unlikely to modify the tactics they employ to advance those territorial and maritime claims.

Admittedly, China would presumably cease reiterating its talking point about the supposed U.S. double standard of not ratifying UNCLOS while calling on other states to abide by the convention.<sup>130</sup> Yet that reaction would amount to nothing more than a minor rhetorical change in China's SCS policy. Notwithstanding the small benefit to the United States' international image, U.S. ratification of UNCLOS is unlikely to have any effect on either the substantive SCS policies of claimant states or the future course of the SCS dispute.

“A balanced threat assessment suggests China’s policy in the South China Sea poses only a modest danger.”

## A PLEA FOR PERSPECTIVE

On July 4, 1821, Secretary of State John Quincy Adams sketched a powerful noninterventionist vision of U.S. foreign policy. Adams argued that although “freedom and independence” for other nations invariably elicit U.S. support, the United States does not go “abroad in search of monsters to destroy.”<sup>131</sup> Whatever the merits of Adams’s injunction against combating living monsters—or, in more common parlance, nations that seek to deny other nations their freedom and independence—the United States should certainly not concoct imaginary monsters to destroy. China’s expansive and uncompromising SCS policy has had a negative net effect on international relations. Yet the inflated threat that political leaders, policymakers, and experts commonly associate with China’s SCS policy risks drawing the United States into just such a search for a phantom monster to destroy.

Contemporary security problems such as Russia’s proxy war in Ukraine, the Syrian civil war, and the Islamic State’s occupation of Mosul have all exacted steep costs. They have variously displaced populations, imposed famine and other forms of material deprivation, created global refugee crises, killed hundreds of thousands of soldiers and civilians, and caused trillions of dollars of damage to infrastructure and private property. Any realistic threat posed by China’s SCS policy pales in comparison—no armies are being launched into battle, no civilians are being slaughtered, and no cities are being reduced to rubble. The United States should remain alert to possible security threats emanating from China’s SCS policy. But a balanced threat assessment suggests that it poses only a modest danger.

## NOTES

1. The People’s Republic of China inherited the Nine-Dash Line from China’s previous nationalist government, which fled to Taiwan at the conclusion of the Chinese Civil War. Thus, although China and Taiwan share the same territorial and maritime claims in the SCS, they each believe these claims belong to a different China. Given that Chi-

na and Taiwan agree that the territory and waters in the Nine-Dash Line belong to China—albeit different Chinas—this report focuses on the substantive territorial and maritime disputes between China and the five Southeast Asian claimant states.

2. The Nine-Dash Line—which despite its name often includes 10 dashes—encloses the area of the SCS claimed by China. This U-shaped line features in government-issued documents, including passports and government-authorized maps. See, for example, Jamil Anderlini and Ben Bland, “China Stamps Passports with Sea Claims,” *Financial Times*, November 21, 2012, <https://www.ft.com/content/7dc376c6-3306-11e2-aabc-00144feabdco#axzz4I7IP5Cel>; and Michelle Florcruz, “China’s New Vertical Map Gives Extra Play to Disputed South China Sea Territories,” *International Business Times*, June 25, 2014, <http://www.ibtimes.com/chinas-new-vertical-map-gives-extra-play-disputed-south-china-sea-territories-1611550>. The Chinese Communist Party inherited what was originally the Eleven-Dash Line from its nationalist predecessor, reducing the number of dashes to nine in 1953 by removing two of the dashes between China and Vietnam in the Gulf of Tonkin. See Chris P. C. Chung, “Drawing the U-Shaped Line: China’s Claim in the South China Sea, 1946–1974,” *Modern China* 42 (2015): 19–20.

3. “Top Trading Partners—November 2016,” *Foreign Trade* website, U.S. Census Bureau, <https://www.census.gov/foreign-trade/statistics/highlights/toppartners.html>.

4. See, for example, “Kerry to Beijing: Further Provocations in South China Sea ‘Will Force Our Hand,’” *Japan Times*, July 1, 2016, <https://www.japantimes.co.jp/news/2016/07/01/asia-pacific/politics-diplomacy-asia-pacific/kerry-beijing-provocations-south-china-sea-will-force-hand/#.WZW6gT6GOUl>; and Jesse Johnson, “Behind the Scenes, Tillerson Tones Down Rhetoric on South China Sea,” *Japan Times*, February 7, 2017, <http://www.japantimes.co.jp/news/2017/02/07/asia-pacific/behind-scenes-tillerson-tones-rhetoric-south-china-sea/>.

5. Department of State, "China: Maritime Claims in the South China Sea," *Limits in the Seas*, no. 143, December 2014, p. 4; Council on Foreign Relations, "China's Maritime Disputes," CFR InfoGuide Presentation, 2017, <https://www.cfr.org/asia-and-pacific/chinas-maritime-disputes/p31345#1/p31345>.
6. China acknowledges that the Natuna Islands are Indonesian territory, and Indonesia insists that it does not have a territorial dispute with China. See "China Acknowledges Natuna Owned by RI," *Kompas*, March 23, 2016, <http://print.kompas.com/baca/2016/03/23/China-Acknowledges-Natuna-Owned-by-RI>. Nevertheless, China's Nine-Dash Line and Indonesia's claimed exclusive economic zone (EEZ) overlap for more than 34,000 square miles. See M. Taylor Fravel, *Traditional Fishing Grounds and China's Historic Rights Claims in the South China Sea* (Washington and Seattle: Maritime Awareness Project, 2016). Moreover, on the basis of claims to "Chinese fishermen's traditional fishing grounds," the Chinese Ministry of Foreign Affairs has explicitly contested Indonesia's claimed EEZ, stating in June 2016, "China and Indonesia have overlapping claims for maritime rights and interests." See "Foreign Ministry Spokesperson Hua Chunying's Remarks on Indonesian Navy Vessels Harassing and Shooting Chinese Fishing Boats and Fishermen," Ministry of Foreign Affairs of the People's Republic of China, June 19, 2016, [http://www.fmprc.gov.cn/mfa\\_eng/xwfw\\_665399/s2510\\_665401/t1373402.shtml](http://www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/t1373402.shtml). Meanwhile, Indonesian President Joko Widodo said in March 2015 that China's Nine-Dash Line has "no basis in any international law." See "Indonesian President Rejects China's Nine-Dashed Line," *Maritime Executive*, March 23, 2015, <http://www.maritime-executive.com/article/indonesian-president-rejects-chinas-nine-dashed-line>. Although Indonesia is not a party to territorial disputes to sovereignty over land features in the SCS and has no conflicting maritime claims with any other claimant state aside from China, this report considers Indonesia a party to the SCS dispute on the basis of conflicting Chinese and Indonesian maritime claims.
7. "People's Daily: China's Historical Rights in the South China Sea Must Be Respected by the 'Convention,'" *China News Service*, May 23, 2016, <http://www.chinanews.com/gn/2016/05-23/7879312.shtml>; Xin Bin, "Xiangshan Forum Debates China's Clear Sovereignty over the South China Sea," *Global Times*, October 19, 2015, <http://world.huanqiu.com/exclusive/2015-10/7786502.html>; "Statement of the Government of the People's Republic of China on China's Territorial Sovereignty and Maritime Rights and Interests in the South China Sea," State Council of the People's Republic of China, July 12, 2016, [http://www.gov.cn/xinwen/2016-07/12/content\\_5090631.htm](http://www.gov.cn/xinwen/2016-07/12/content_5090631.htm); M. Taylor Fravel, *Strong Borders, Secure Nation: Cooperation and Conflict in China's Territorial Disputes* (Princeton, NJ: Princeton University Press, 2008), pp. 267–99; M. Taylor Fravel, "China's Strategy in the South China Sea," *Contemporary Southeast Asia* 33 (2011): 292–319; Council on Foreign Relations, "China's Maritime Disputes"; "Philippine Ship Dodges China Blockade to Reach South China Sea Outpost," ABC News, March 30, 2014, <http://www.abc.net.au/news/2014-03-30/an-south-china-sea/5355154>.
8. Ronald O'Rourke, *Maritime Territorial and Exclusive Economic Zone (EEZ) Disputes Involving China: Issues for Congress* (Washington: Congressional Research Service, 2016), pp. 27–28.
9. Ibid.
10. Minnie Chan, "China Withdrew Missiles from South China Sea Island Ahead of Hague Ruling: Report," *South China Morning Post*, July 23, 2016, <http://www.scmp.com/news/china/diplomacy-defence/article/1993472/china-withdrew-missiles-south-china-sea-island-ahead>; Richard D. Fisher, "Imagery Suggests China Has Deployed YJ-62 Anti-Ship Missiles to Woody Island," *IHS Jane's Defence Weekly*, March 23, 2016; Asia Maritime Transparency Initiative, "Airpower in the South China Sea," July 29, 2015, <https://amti.csis.org/airstrips-scs/>; Asia Maritime Transparency Initiative, "Airstrips Near Completion," January 14, 2016, <https://amti.csis.org/airstrips-near-completion/>.

11. “Wang Yi: Using the Arbitration to Apply Pressure Is Political Arrogance and Legal Bias,” Ministry of Foreign Affairs of the People’s Republic of China, April 22, 2016, <http://www.fmprc.gov.cn/web/zyxw/t1357734.shtml>; “Chinese Foreign Minister Wang Yi’s Speech on the So-Called Ruling of the South China Sea Arbitration Tribunal,” Ministry of Foreign Affairs of the People’s Republic of China, July 12, 2016, <http://www.fmprc.gov.cn/web/zyxw/t1379787.shtml>.
12. Fravel, *Strong Borders*, pp. 267–99.
13. Council on Foreign Relations, “China’s Maritime Disputes.”
14. Ibid.
15. Asia Maritime Transparency Initiative, “Updated: Imagery Suggests Philippine Fishermen Still Not Entering Scarborough Shoal,” October 27, 2016, <https://amti.csis.org/china-scarborough-fishing/>; Martin Petty, “Exclusive: At Strategic Shoal, China Asserts Power through Control, and Concessions,” Reuters, April 10, 2017, <http://www.reuters.com/article/us-southchinasea-china-philippines-exclu-idUSKBN17B124>; Ely Ratner, “Learning the Lessons of Scarborough Reef,” *National Interest*, November 21, 2013, <http://nationalinterest.org/commentary/learning-the-lessons-scarborough-reef-9442>; “China-Philippines Navy Spat Captured on Camera,” BBC News, March 30, 2014, <http://www.bbc.com/news/world-asia-26806924>; “China Oil Rig to Keep Drilling in Waters Disputed with Vietnam,” Reuters, August 25, 2015, <http://www.reuters.com/article/us-southchinasea-china-vietnam-idUSKCN0QU0UG20150825>.
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