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Major International Political and Strategic Studies

Degree PhD

Course Title International Political and Strategic Studies

Type of Document Commentary-Contributor to Cambodian Institute for Strategic Studies (ISS)

Year 2016

ISSUE 23 - OCTOBER 7, 2016

ASEAN Division on the South China Sea: How Can Cambodia Avoid Being a Scapegoat?

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ASEAN has time and time again suffered from stalemates on the South China Sea. At the ASEAN Foreign Ministers' Meeting (AMM) in the Lao capital Vientiane on 24-26 July 2016, ASEAN foreign ministers struggled to reach a consensus on the wording of a joint communiqué related to the South China Sea dispute.

Fortunately, ASEAN overcame the deadlock after the Philippines dropped its insistence to include mention of the 12 July ruling of the Permanent Court of Arbitration (PCA) in the joint communiqué. This ruling favoured Manila and invalidated Beijing's claims in the South China Sea.

The South China Sea will continue to be a sticking point at the upcoming ASEAN Summit and related Summits in Laos this week.

Two Narratives on the last ASEAN Deadlock

There have been two different narratives emerging from the last ASEAN meetings. The first narrative painted a gloomy picture of Cambodia as a spoiler of ASEAN, whereas the other is of pragmatic neutrality.

Immediately after AMM reached a stalemate, Cambodia was reportedly blamed for blocking any phrase about the arbitration and about militarization in the South China Sea. Diplomats leaked to the media an

accusation that the deadlock was the same story again – a repeat of the meeting in 2012, referring to ASEAN's failure to issue a joint communiqué, known as the 'Phnom Penh Fiasco', in July 2012 while Cambodia was chairing ASEAN.

Diplomats and commentators quickly accused Cambodia of having been bought by China, pointing to Chinese aid worth about \$600 million that Premier Li Keqiang announced during his meeting with Prime Minister Hun Sen on the sidelines of the 11th Asia-Europe Meeting Summit in Mongolia a week earlier.

There have also been accusations that Cambodia "clearly sees relations with China as more important than its membership in ASEAN and is willing to damage ASEAN to aid its relations with China" and that "Cambodia's paralysis on ASEAN hurts ASEAN unity, cohesion, relevance and reputation".¹

However, diplomats who attended the meetings revealed a different picture of what was happening. One diplomat said on condition of anonymity that most ASEAN countries, especially those who had no claims in the South China Sea wished to stay out of the South China Sea dispute. He went on stating that "no one but the Philippines insisted that the arbitral ruling be included" in the joint communiqué.²

¹ See Associated Press, "China scores diplomatic victory, avoids criticism from ASEAN, 25 July 2016. Available at: <http://www.thejakartapost.com/seasia/2016/07/25/china-scores-diplomatic-victory-avoids-criticism-from-asean.html>

² See South China Morning Post, "Most ASEAN countries want to stay out of Beijing's South China Sea dispute with the Philippines", 28 July 2016. Available at: <http://www.scmp.com/news/china/diplomacy-defence/article/1995991/most-asean-countries-want-stay-out-beijings-south-china>

A Cambodian diplomat said it was “annoying” that Cambodia has always been blamed because the “fire had not started from Cambodia but from the claimant states and the external ones who are disputing or unhappy with China. [sic]” He continued saying that “it was not Cambodia which blocked the release of the joint communiqué, but that the specific wording demanded by the Philippines and Vietnam were too straight [forward] which was not conducive for China and ASEAN to move forward with full implementation of the Declaration of the Conduct of Parties to the South China Sea (DOC) towards the Code of Conduct (COC)”.³

Upon his return to Phnom Penh, Cambodian Foreign Minister Prak Sokhonn stated that Cambodia had been “treated unfairly by some ASEAN countries and members of the media”, which wrongly blamed the country for blocking the joint communiqué. He added “Cambodia does not benefit from supporting anyone... We just want to be neutral”.⁴

Cambodia: A Scapegoat of ASEAN Division on the South China Sea?

Obviously, the reason behind the AMM impasse was the lack of common position among ASEAN member states on the PCA’s ruling, which was further exacerbated by the involvement of the external great powers. Prior to the meetings, it was speculated that China and the US would be trying to influence the smaller ASEAN nations to conform to their interests, especially their position on the South China Sea. ASEAN sources suggested that ASEAN is divided and bullied by the two super powers, resulting in four ASEAN countries favouring China whilst the other six sided with the US. A sad fact, however, is that all blame has been dumped on Cambodia.

Interestingly, the AMM deadlock reached a breakthrough shortly after the arrival of US Secretary of State John Kerry. The Philippines decided to drop its proposed wordings on the PCA’s verdict from the communiqué. Retrospectively, if the Philippines and Vietnam had softened its position during the ASEAN

Foreign Ministers’ Meeting in Phnom Penh in 2012, as it did at the recent meetings in Laos, the ‘Phnom Penh Fiasco’ could have been averted.

Moreover, it is believed that the Philippines had gone too far in bringing the case to the PCA as it has created division within ASEAN and allowed the external great powers to use the verdict to divide ASEAN. Professor Huang Jing at the Lee Kuan Yew School of Public Policy argued “If anyone or anything had divided ASEAN, it was the ruling itself, because it wiped out any possible grey areas in the disputes, which are necessary for negotiation towards a compromise, and made it impossible for ASEAN to take a position in such a take-it-or-leave-it situation”.

What Next for Cambodia?

There is a perception in Phnom Penh that Cambodia has been once again a scapegoat of ASEAN disunity. There is therefore an urgent need for Phnom Penh to address what Phnom Penh called “unjust accusation”. Cambodia must begin a diplomatic campaign to rectify its image as independent and constructive player in the region, rather than a ‘proxy’ or ‘puppet’ of China. To this end, Cambodia’s Foreign Ministry needs to engage in an extensive public diplomacy campaign by working closely with national and regional think tanks as well as the media in order to provide greater coverage of Cambodian perspectives on ASEAN and other important regional issues.

As a small state, support and assistance from the great powers, including China, is crucial for economic development and safeguarding territorial integrity. Currently, it is widely seen that China is Phnom Penh’s most important economic and strategic partner. Cambodia’s strengthening ties with Beijing might alienate some ASEAN members and other major powers that are engaged in strategic competitions with rising China. This has already been taking place due to Cambodia’s position on the South China Sea. In this context, Cambodia should seek like-minded ASEAN friends in order to present a common position on the South China Sea against other ASEAN members’ efforts to hijack ASEAN

³ See Kuy Kea, “Why Cambodia is portrayed as the thorn in ASEAN’s side”, Kyodo News, 26 July 2016. Available at: <https://english.kyodonews.jp/news/2016/07/423081.html>

⁴ See The Cambodia Daily, “Government Slams ‘Injustice’ of South China Sea Response”, 30 July 2016. Available at: <https://www.cambodiadaily.com/news/govt-slams-injustice-of-south-china-sea-response-116069/>

for their individual claim in the disputed sea. By doing so, Cambodia can promote ASEAN-China relations as well as regional peace and stability without the risk of being outstandingly seen as an ASEAN spoiler.

The bottom line for small states like Cambodia is that promoting a rule-based regional order is imperative so that all states, regardless of their size, approach

international affairs with similar assumptions. In this regard, a strong, cohesive ASEAN is fundamental for a rule-based regional order as well as for Cambodia's future autonomy and prosperity, even though this regional grouping has occasionally been ineffective in meeting security and economic needs of its members, especially the smaller ones.

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