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**Title:** The South China Sea and ASEAN Unity: A Cambodian Perspective

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Close-up of portolan chart of the South China Sea and the Gulf of Tonkin, [1701-157] by English cartographer Samuel Thornton.  
Photo Credit: Wikimedia Commons/The Bodleian Library, University of Oxford.

## The South China Sea and ASEAN Unity: A Cambodian Perspective

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Since 2010, the South China Sea has reemerged as one of Asia's hotspots due to increasing military tensions between China and other claimant states, especially the Philippines and Vietnam. Diplomatic stalemate between ASEAN and China as well as within ASEAN further exacerbates the uncertainty. The South China Sea has become what *The Economist* called a "sea of troubles."<sup>1</sup>

Clearly, China is being assertive in the disputed areas. Its massive land reclamation, the establishment of new military landing strips, and the deployment of anti-craft missiles are strong evidence for such a judgment. Moreover, despite the absence of major military clashes, China has been assertive in using Chinese Coast Guard (CCG) ships, civilian fishing ships as well as mobile oil explorations to assert and defend its maritime territorial claims.

China's growing assertiveness resulted in numerous confrontations with ASEAN claimant states. For instance, confrontation between China and the Philippines over the Scarborough Shoal escalated in 2012. In May 2014, China moved a large oil rig into waters near the Paracels, which Vietnam also claims. This resulted in confrontation between Chinese and Vietnamese civilian and military ships. In March 2016, Jakarta-Beijing bilateral relations soured due to alleged encroachments by Chinese fishing boats into Indonesia's exclusive economic zone (EEZ).

### Decoding China's Assertiveness in the South China Sea

There are many attempts to explain China's military and diplomatic posture in the South China Sea. Donald Emmerson argues that China's increasing assertiveness derives from Beijing's three fears and one megaproject.<sup>2</sup> The three fears include: (1) the repetition of humiliation that China experienced throughout the 19th century by Western powers—Britain, France, and the United States—that arrived in China in ships across the South China Sea, (2) attempts by external powers, the United States in particular, to contain the rise of China to assume its rightful place in the world, and (3) the disaffection of the Chinese over Beijing's handling of the country's territorial integrity.



Meanwhile, since becoming China's new leader in November 2012, President Xi Jinping declared the China Dream as a way to achieve a "rich and powerful country, the revitalization of the nation, and the people's happiness."<sup>3</sup> The goal is to exert China's primacy in Asia and the world. To this end, offshore dominance, especially in the South China Sea, may be viewed by Beijing as a requisite step forward toward the goal.

### **The US Involvement in the South China Sea: Constructive or Divisive?**

Another development that must also be considered while discussing about a more assertive China in the region is the American "pivot to Asia," which has been seen, at least in the eyes of Chinese strategists, as an attempt by Washington to encircle China.

Controversially, at the ASEAN Regional Forum meeting in Hanoi in 2010, then Secretary of State Hillary Clinton declared publicly that the United States has a national interest in the freedom of navigation and flights in the South China Sea. Since then, military tension has been unabated, and the Philippines and Vietnam have been more assertive both in their bilateral negotiation with China and in using ASEAN as a framework to deal with China. Arguably, Manila and Hanoi might share the same conviction that time is actually on the Chinese side and that it is the right time to push for more compromise from Beijing given the fact that China is not yet a full-fledged superpower and, more importantly, the United States is actively reengaging in Asia. As a result, the South China Sea has always been a hot agenda item in ASEAN meetings and ASEAN-related meetings since 2010.

Although the United States does not exert any claim, it has interests in the South China Sea, which include, but not limited to: (1) freedom of navigation; (2) commitments to its allies in the region, and (3) attempt to prevent regional hegemony.<sup>4</sup> To protect its interests in the region, the United States has strengthened its security cooperation with the Philippines, Vietnam, and Singapore. It has also increased joint military exercises with the regional countries and operated maritime patrol aircraft to challenge China's assertiveness in the disputed area. The US engagement in the South China Sea, in turn, gives ASEAN claimant states leverage in pursuing a firmer stance toward China, which is not supported by ASEAN non-claimant states due to their desire to maintain close ASEAN-China relations. As a result, ASEAN's division on the issue has been evident.

### **Hun Sen's Rebuke Against "Unjust Accusations"**

Inevitably, disagreement within ASEAN on the South China Sea caused a political crisis during the ASEAN Foreign Ministers' Meeting in Phnom Penh in July 2012 as the foreign ministers failed to issue a joint communiqué for the first time in ASEAN's history. The failure—known in ASEAN circles as the Phnom Penh Fiasco—has allegedly been interpreted as the result of enormous Chinese pressure on Cambodia: Beijing allegedly blocked any mention of the South China Sea in the joint communiqué.<sup>5</sup>

More recently, the ASEAN-China Special Foreign Ministers' Meeting in June 2016 in Yuxi, China was concluded without a

joint press conference by the co-chairs of the meeting—China and Singapore, ASEAN-China Coordinator—due to a lack of agreement on the South China Sea. Following the meeting, it has been reported that, under Beijing's pressure, Cambodia, Laos, and Myanmar forced the recall of the ASEAN joint press statement by withdrawing their support on the statement, which was to be released separately from the host, China.

Earlier in April 2016, China has reached a four-point consensus with Brunei, Cambodia and Laos that territorial disputes in the South China Sea were "not an issue between China and ASEAN as whole." Subsequently, Beijing has been accused of dividing ASEAN to preempt any ASEAN consensus on the verdict by the Permanent Court of Arbitration (PCA) on the Philippines's South China Sea case against China just issued on July 12, 2016.

In defending his country's position, Prime Minister Hun Sen recently rebuked that, "Cambodia has again and again become a victim of the South China Sea issue because of unjust accusations."<sup>6</sup> He added that the Phnom Penh Fiasco took place not because of Cambodia. The reason was, as he said, "They bullied Cambodia," referring to pressure from two ASEAN claimant states—the Philippines and Vietnam—to incorporate their strong wordings in the joint communiqué. He also blamed some ASEAN claimant states for "trying to drag Cambodia into the dispute," saying that "They have a dispute, but they get Cambodia to be responsible."

Cambodia's position on the South China Sea is aimed at: (1) continuing implementing the declaration of conduct (DOC); (2) urging ASEAN and China to make the utmost effort to finalize the code of conduct (COC); and (3) encouraging countries concerned to discuss and resolve their issue because ASEAN is not a court. Prime Minister Hun Sen stated that, "ASEAN cannot measure land for them...the South China Sea is not an issue between ASEAN and China."

With regard to the PCA's verdict, Prime Minister Hun Sen has revealed a clear position that Cambodia would "not make any joint declaration to support the decision of the court." The Philippines has gone too far in unilaterally bringing the South China Sea to the court without seriously anticipating the action's implications on ASEAN and ASEAN-China relations. Hun Sen made it clear that, "It is the Philippines who sues China. Let the Philippines deal with it. Why call for ASEAN's support?"

Prime Minister Hun Sen also called upon major powers outside the region to refrain from "pouring the oil into flame and try to keep detente in relations on the South China Sea." He referred to "one of the major powers outside the region"—widely taken to be the United States—has lobbied ASEAN members to jointly support the PCA's ruling.

### **Cambodia Between ASEAN and China**

Clearly, the South China Sea constitutes today's most difficult foreign policy dilemma for Cambodia since ASEAN and China are both crucially important for the kingdom's security and economic development. Since becoming an ASEAN member in 1999, Phnom Penh has attached a great importance to the integration of Cambodia into the regional grouping. In fact, ASEAN has always been the cornerstone of Cambodian foreign policy. Cambodian policymakers were convinced that ASEAN



would be a crucial platform through which their country could safeguard its sovereignty and territorial integrity as well as promote its strategic and economic interests.

Earlier this week, Prime Minister Hun Sen reminded again four main factors encouraging Cambodia to join ASEAN. First, ASEAN's principle of non-interference would help Cambodia, which is sandwiched by its "two giant ASEAN countries—Thailand and Vietnam," to address its external security challenges. Secondly, a consensus-based ASEAN would ensure that "Whether the country is rich or poor, big or small, every member has one voice equally." Thirdly, Cambodia would stand to benefit from ASEAN in terms of "economic construction, socio-economic development and connectivity." Finally, Cambodia would benefit from ASEAN's "big diplomatic outreach to partners."

Prime Minister Hun Sen's recall of reasons for Cambodia's membership in ASEAN can be understood as an expression of doubt in contrast to his past conviction on the role of the regional organization. First, it seems that Hun Sen's confidence in ASEAN has gradually faded due to the grouping's ineffective response to the Cambodia-Thailand border conflict between 2008 and 2011. In response to Cambodia's urge for help, what ASEAN and its member states did was the encouragement for Phnom Penh and Bangkok to bilaterally resolve the dispute. In fact, the border dispute was never tabled as an agenda of the ASEAN Summits until Prime Minister Hun Sen broke protocol, possibly out of his frustration, and raised the issue at the ASEAN Summit in May 2011.

Second, his statement related to the fact that Cambodia has been bullied by some powerful ASEAN members implies his unease at ASEAN's inability to enforce the principle of non-interference and equal sovereign rights among its member states. Last but not more importantly, China, not ASEAN, has become Cambodia's largest foreign investor and biggest economic benefactor. China is also the biggest provider of military assistance to Cambodia. Noticeably, China's military assistance increased remarkably at the time when Cambodia badly needed to build up its defence forces during the Cambodia-Thailand border dispute. Moreover, as for policymakers in Phnom Penh, China is not a threat but a protector of Cambodia's sovereignty and territorial integrity, ensured on many occasions by Chinese top leaders.

In this context, it is important for regional leaders and policymakers to reflect the reality of Southeast Asia and how to move forward. Firstly, it is not unreasonable to agree with a Cambodian scholar, Chheang Vannarith, who argues that, "If the regional and external countries keep pressuring the non-claimant states like Cambodia to build a united front against China, ASEAN will be disintegrated".<sup>7</sup>

Secondly, ASEAN-China relationship is not only about the South China Sea. There are many areas of cooperation that both sides stand to benefit from, including trade, investment, tourism, regional connectivity, and joint efforts in fighting against non-traditional security issues.

Thirdly, it is impractical to consider ASEAN a dispute-settlement mechanism. It has never fulfilled that role even in disputes between its member states. Like Cambodia and Thailand,

Malaysia, Singapore and the Philippines tried to initially resolve territorial disputes through bilateral mechanisms but eventually brought the issue to the International Court of Justice. At its best, what ASEAN can do is to be a dispute-avoidance mechanism.

Lastly, there is a dangerous risk of internationalizing the South China Sea, particularly by dragging in external powers. By so doing, ASEAN will lose its neutrality in its relations with major powers outside the region. Moreover, ASEAN's members might be drawn into great-power competition, which will eventually put ASEAN's unity at risk, for ASEAN members have different interests in the South China Sea and see the role of external powers through different lenses.

### Endnotes

1. See *The Economist*, "The South China Sea: Sea of Troubles", 2 May 2015. Available at: <http://www.economist.com/news/leaders/21650122-disputed-sea-growing-security-nightmare-and-increasingly-ecological-one-sea-troubles>
2. See Donald Emmerson, "Why Does China Want to Control the South China Sea", *The Diplomat*, 24 May 2016. Available at: <http://thediplomat.com/2016/05/why-does-china-want-to-control-the-south-china-sea/>
3. William A. Challahan, "The China Dream and the American Dream", *Economic and Political Studies* 1 (2014): 143-160.
4. See Ronald O'Rourke, "Maritime Territorial and Exclusive Economic Zone (EEZ) Disputes Involving China: Issues for Congress", CRS Report, 31 May 2016. Available at: <https://www.fas.org/sgp/crs/row/R42784.pdf>
5. Kishore Mahbubani, "Beijing in the South China Sea – belligerent or assertive?" *Financial Times*, 15 March 2016. Available at: <https://next.ft.com/content/58c676ed-f3f4-32ac-b3c9-69efd0ae07fd>
6. See Hun Sen's Remarks at the Graduation Ceremony of the Royal School of Administration, in Phnom Penh, on 20 June 2016. Available at: <http://cnv.org.kh/selected-impromptu-comments-graduation-ceremony-royal-school-administration-unofficial-translation/>
7. *Khmer Times*, "Hun Sen: Enough on South China Sea", 29 June 2016. Available at: <http://www.khmertimeskh.com/news/26635/hun-sen-enough-on-south-china-sea/>

