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# Jaya: Spratly tensions worrying

He calls on parties to clarify extent of claims; says China, US must act to avoid conflict

■ BY ZAKIR HUSSAIN

THE current flaring of tensions over disputed islands and reefs in the South China Sea is "particularly dangerous and disturbing", Professor S. Jayakumar said yesterday as he called on parties involved to clarify the extent of their claims.

Major powers China and the United States must also act to avoid conflict there, he told a conference on joint development and the South China Sea.

"Such periodic escalation of tensions over competing claims is not conducive for regional stability," said the law and foreign policy veteran, who retired as senior minister last month.

He suggested parties work instead to jointly develop oil and gas resources in disputed waters.

The Spratly Islands and reefs are claimed entirely or in part by Brunei, China, Malaysia, the Philippines, Vietnam and Taiwan.

Many are occupied by claimants and some have even been fortified, he noted at the conference organised by the National University of Singapore's Centre for International Law.

Of late, tensions have escalated amid assertions by the Philippines and Vietnam that China is increasingly aggressive in staking its claims.

Vietnam last week accused China of interfering with a seismic survey off its coast. China separately denied claims by the Philippines that its forces intruded into Philippine-claimed areas.

Referring to these cases, Prof Jayakumar said there was a need to speedily conclude implementation guidelines for an existing agreement on how parties conduct themselves in the South China Sea, signed in 2002 between Asean members and China.

Also, China "should not continue to leave unaddressed the concerns and questions raised by many over its puzzling and disturbing nine-dotted-lines map".

The map did not seem to have any basis under the 1982 United Nations Convention on the Law of the Sea (Unclos), which China said it respected, and could be interpreted as a claim on all maritime areas that lie within the dotted lines.

This ambiguity has led to concerns not just among claimant states, he said, adding that it was in China's interests to clarify the extent of its claims and dispel apprehensions over its intentions:

"Failure to do so could jeopardise the trust essential for any peaceful resolution and undermine all the gains of Chinese diplomacy made in the last two decades."

It was also unfortunate that the US, whose regional engagement and presence was crucial for stability, had yet to ratify Unclos. He hoped the US Senate would do so, as acceding to the treaty would greatly enhance Washington's role and credibility.

He also said if talks among claimants in the Spratlys did not lead to an agreed political solution, his view was that the ideal would be "to follow the excellent examples set by Malaysia and Singapore, and Malaysia and Indonesia in the Pedra Branca and Sipadan and Ligitan cases, respectively".

Both cases were referred to the International Court of Justice. But he noted that as territorial disputes evoked intense political reactions, one alternative was for parties to set aside claims and consider jointly developing resources – a move Chinese leaders and others had previously called for.

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