

# Cooperation's Next Frontier: Marine Environment in the South China Sea

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## *"Who will speak for the fish?"*

This was a rhetorical question asked during an Asia-Pacific track-two security dialogue in Kuala Lumpur last year. In recent years, government officials and scholars have engaged in heated debates over territorial disputes in the South China Sea (SCS). Despite the intense conflict between littoral states, there has been no strong disagreement regarding the ongoing destruction of the SCS marine environment due to natural and man-made factors.

The lack of a comprehensive framework for cooperation is the biggest challenge for preserving the SCS marine environment. This is compounded by an atmosphere of strategic distrust as well as the fact that it has become an arena for major power competition. The sheer scale and complexity of the environmental issues demand a sense of urgency and the political will to shelve disputes in order to implement stop-gap measures and undertake marine preservation projects. An approach that incorporates an appreciation of the marine environment as a vulnerable area for human security is necessary for pursuing cooperation among states around the South China Sea.

## Collective Action Problem

The significance of preserving the SCS marine ecosystem cannot be overemphasized. It distinguishes itself as a center of global marine biodiversity. Almost 120 million people living on its coasts depend

on its rich marine resources for their livelihood. It is also a global maritime corridor given the sheer traffic of sea vessels that annually pass through it. To complicate things further, it is also a hotspot for maritime piracy and other transnational crime. Even with all these interlocking security issues, the imperatives for regional cooperation do not clearly impose themselves on the states surrounding the SCS.

Marine scientists have already raised numerous alarms on the destruction of the SCS, particularly its coral reefs. One-fifth of its reefs are already destroyed while another fifth is under threat. Overfishing prompted by increasing demand for seafood is taking a toll on fish stocks.

The recent arbitral ruling on the case filed by the Philippines against China reinforced the extent of marine destruction in the SCS. However, the ruling pinned the blame solely on China's land reclamation activities in the Spratly Islands and its complicity in allowing its fishermen to harvest endangered marine species. While these actions are supported by facts, other states have also contributed to the ecological destruction. It is fair to say that all the states concerned have failed to fulfill their obligations to protect and preserve a rare and fragile marine ecosystem within a semi-enclosed sea.

The lack of serious cooperation at the state level has not prevented initiatives from nongovernmental organizations, scientists, and researchers such as the Coral Triangle Initiative and PEMSEA (Partnerships in Environmental Management in East Asian Seas). These groups have made strides in promoting collaborative research and finding innovative solutions to environmental problems in the SCS. But without the support of governments, their impact will be limited as most of their recommendations have yet to be implemented as official policy.

The most critical policy agenda is a comprehensive regional framework for cooperation aimed at protecting the SCS marine environment. What exists are disparate efforts either between neighboring countries or within Southeast Asia. There is little doubt that this lack of cooperation mostly stems from the ongoing territorial and maritime disputes between claimant states. While China and South Korea have successfully cooperated to protect the marine environment in the Yellow Sea, for example, a similar joint endeavor remains a distant goal in the SCS.

## **Bilateral Cooperation Frameworks: Marine Protected Areas**

Along the fringes of this year's Asia-Pacific Economic Cooperation (APEC) leaders meeting, Philippine President Rodrigo Duterte announced a unilateral no-fishing zone in the internal lagoon of Scarborough Shoal. The lagoon is a fish-spawning area and is critical to preserving the marine

ecosystem and allowing fish stocks to replenish. Future steps could include making the shoal a marine protected area (MPA), which could protect existing coral reefs and endangered marine life. This step would also likely prevent further land reclamation since the area would be a marine sanctuary.

The Chinese government seemed open to Duterte's no-fishing zone idea and has not vehemently opposed it despite China's stringent sovereignty claims in the area. Experts have expressed apprehension and skepticism with Duterte's proposal. They argued that it is a stop-gap measure that might be detrimental to the Philippines' territorial claims in Scarborough Shoal. Many also see it as a form of appeasement given the Philippines' attempt to rekindle relations with China. The lack of strategic trust underpins these pessimistic interpretations. But could China's openness and its plan to offer a bilateral fishing deal with the Philippines be preliminary steps toward a latent compliance to the arbitral award of the tribunal? Will small states like the Philippines provide China the necessary space to save face given the arbitral ruling?

Making the Scarborough Shoal a MPA under the joint protection of China and the Philippines could provide a model of marine environment cooperation in the SCS. This measure is in line with the concept of stewardship established by diplomats and security specialists. Cooperation on "softer" security issues such as marine protection can lead to mutual confidence required in cooperative security arrangements.

## Role of Track-Two Diplomacy

There is still a lot of effort needed to build confidence regarding issues on the SCS. This is where track-two diplomacy can become a catalyst for new ideas and knowledge to facilitate cooperation. For example, a study group on marine environment cooperation of the Council for Security Cooperation in the Asia-Pacific has gathered marine scientists, security experts, diplomats, and other stakeholders to develop innovative solutions and actionable policy recommendations. A new network of think-tanks between China and ASEAN countries aims to promote joint research on the South China Sea. These initiatives seek to bridge the often separate worlds of science and policy.

However, the success of these initiatives and their impact on official policy depend on the de-escalation of the political tensions in the SCS. It is also dependent on the ability of powers, big or small, to exercise mutual restraint and exhibit trustworthy behavior. Only then can they credibly speak not only for their people but also for the fish and the marine ecosystem in the South China Sea.

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