

Geopolitical Analysis of Border and Territorial Disputes in the South China Sea

Bahador Zarei¹, Shahabeddin Shafi²

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Abstract

The South China Sea, along with the Korean Peninsula and the Taiwan Strait, is described as one of the three hotspots in East Asia because of its potential for conflict of interest and threat to peace and security. Therefore, the issue of its borders is of international importance. As a quasi-closed sea, it is home to numerous small islands and reefs, as well as abundant living and non-marine reserves, as well as providing key maritime routes for commercial navigation. For these reasons, the sea has become the target of conflict between coastal countries and their neighbors. In this sea, the main issues in dispute are: 1- Border disputes over the determination of the lines of origin, the boundaries of the territorial seas and also the exclusive economic zone². Territorial disputes over several islands, including the Paracel and Spratly archipelagos. Because of its superior power, as well as some unproven historical claims, China sets the nine-dash as the final line of its sovereignty, some of which extend as far as the coastal sea. The United States and the countries bordering the South China Sea strongly oppose this, as well as China's historical claims. The littoral states of the South China Sea consider the historic claims and the nine-dash claimed by the Chinese government to be contrary to the laws of the UN Convention. The United States, as a trans-regional player, also provides diverse support to coastal countries. In this research, with a descriptive analytical approach and using new sources, the disputed issues between the claiming countries have been studied and the role of the United States in terms of geopolitical competition has been analyzed.

Keywords: Border, South Sea, China, Paracel, Spratly, USA, Geopolitics.

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1. Introduction

Since 1994, when the law of the Convention on the Sea came into force, the legal situation in the South China Sea has become much more complex. All countries adjacent to the sea acceded to the Convention on the Seas and adopted their domestic laws on maritime areas in accordance with the Convention on the Sea. However, the delimitation of maritime borders in the South China Sea is becoming another security issue. Although China and Vietnam have resolved their maritime border issues in Tunkin Bay, they are struggling to delimit their maritime borders beyond Tonkin Bay in the South China Sea. This is all the more difficult if the issue of demarcating maritime borders in the South China Sea involves territorial disputes over islands. This is exactly what has happened in the South China Sea, according to six countries' claims to the Spratly Islands (Shicun Wu, Keyuan Zou, 2009: 15).

The role of international law is essential in exposing security issues and enhancing security cooperation. China and its ASEAN member states have stated on a number of occasions that they have guaranteed to resolve their disputes over the South China Sea through peaceful means and contemporary international law, such as the 1982 Convention on the Sea. The most prominent security issue in the South China Sea in the non-classical field of security is the security of maritime trade. The number of ships that cross the South China Sea is about 50,000 a year; also, the Strait of Malacca, which connects directly to the South China Sea, is a congested sea lane, making coastal states more difficult and cautious about its security (Shicun Wu, Keyuan Zou, 2009: 15).

Thus, given the scale of the conflict and the diversity of issues at stake in the sea, as well as the presence of a trans-regional power, the United States, in support of the littoral states against China as a growing power, in this study, the latest issues of disagreement between governments Shares in this sea are being investigated.



2. Problem statement

The issue of security around the South China Sea raises a great deal of international concern. As a semi-closed sea, the South China Sea is home to numerous small islands and reefs, as well as abundant living and non-marine reserves. The South China Sea also provides key sea lanes for commercial shipping and naval movement. Due to this important strategic position and its abundant reserves, this sea has become the target of conflicts between its peripheral countries.

Maritime trade security is a hot topic that is attracting the attention of the international community. In the modern era, maritime security is mainly related to issues such as: naval security, the extent of transnational crimes such as piracy and piracy, and conflict prevention and resolution. In the field of non-commercial security, topics such as marine environmental safety, research and rescue operations and assistance at sea are included. Maritime security is vital in the South China Sea, located in Southeast Asia and a critical sea route for East Asian shipping, including China. Although the concept of maritime security can be applied to all seas around the world, the South China Sea is an exception (Shicun Wu, Keyuan Zou, 2009: 17).

The situation on the Spratly Islands is too complicated. Six countries (Brunei, China, Malaysia, the Philippines, Taiwan and Vietnam) claim all or part of this small island group and have shown a physical presence (excluding Brunei) on their own residential islands. In 2002, China and ten ASEAN member states issued a statement on the administration of the South China Sea Sector to strengthen and develop friendship and cooperation between China and ASEAN, and to promote peace, friendship and environmental coordination in the South China Sea. They also signed an agreement to increase scientific and impartial principles in connection with the 1997 Declaration to the Summit of the ASEAN Member States and the President of the People's Republic of China. However, unilateral actions by the plaintiffs to strengthen their territorial and maritime claims have never stopped. The latest move was made by the Philippines, which filed a law on the archipelago of the archipelago to include the disputed Spratly

Islands in its territorial sea in February 2009 and other claimants, including China (Shicun Wu, Keyuan Zou, 2009: 19).

Given the two major developments affecting the security situation in the South China Sea (one is the intensification of the global fight against terrorism after the 11/9 attacks, and the other is the pace of economic growth and the emergence of unity and solidarity in East Asia), this is a challenging task.

The current legal framework governing maritime border security is enshrined in the 1982 United Nations Convention on the Law of the Sea (LOS Convention), commonly known as the Statute of the Seas and Oceans. This treaty has given uniform legal personality to almost all existing treaties and laws and previous norms related to the seas and oceans. In view of the above, this study has tried to investigate the disputes and conflicts of the coastal countries of the South China Sea. Also, as necessary and briefly, study the importance and role of the United States in resolving or not resolving the conflicts in this sea.

3. Research question

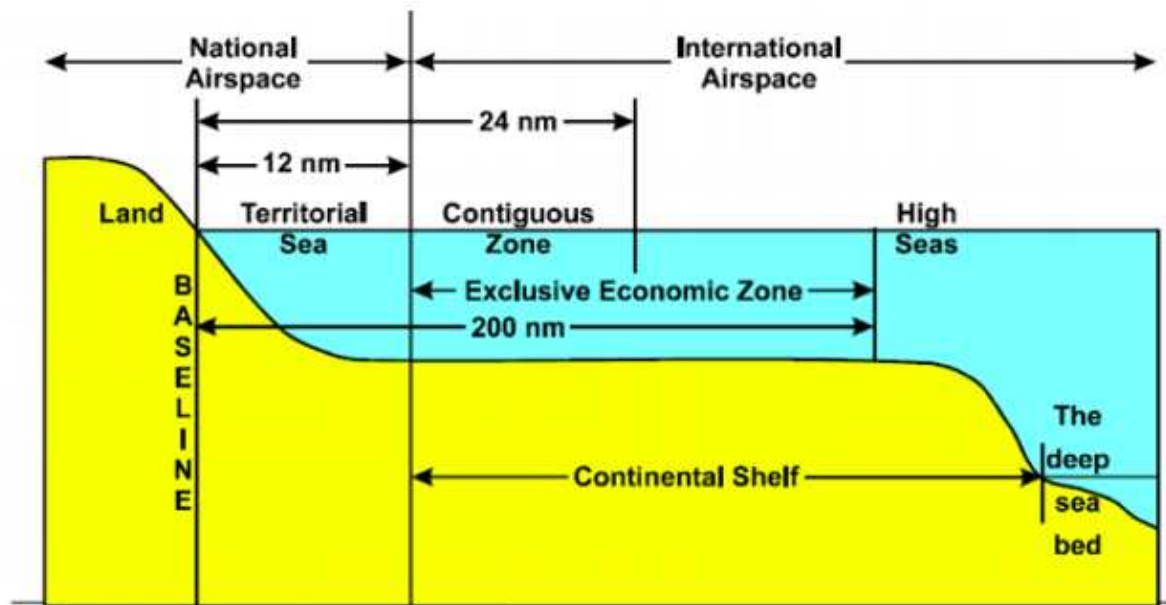
What is the cause of the conflict in the coastal countries of the South China Sea?

4. Research hypothesis

Border disputes over monopolies and territorial disputes over ownership of several islands in the sea and reefs, and especially over the Paracel and Spratly Islands, have exacerbated border disputes.

5. Conceptual framework

Figure 1: Maritime zones under international law and the 1982 Convention on the Law of the Sea.



Source C Schofield, 'Maritime Zones and Jurisdictions', p. 18, www.gmat.unsw.edu.au/ablos/ABLOS03Folder/SESSION3.PDF

6. Research Methods

The research method of this research is analytical-descriptive with an emphasis on the political geographical and geopolitical developments of the South China Sea region. It is also a method of collecting information, libraries and interviewing professors. Due to the fact that this topic has been less discussed in Persian sources, books in English related to this topic mentioned in the theoretical literature section have been used and translated.

7. Research territory

The South China Sea is a marginal sea that forms part of the Pacific Ocean and stretches across southeastern China, covering an area of about 3.5 million square kilometers from Singapore to the Taiwan Strait. After the world's five oceans, this sea is the largest sea area in the world. There are hundreds of islands in the South China Sea that together form an archipelago. These islands, which are

mostly uninhabited, as well as the sea itself, have been disputed by various countries. For this reason, even different names are used to refer to this sea, which, of course, is the internationally accepted "South China Sea", at least in English and European languages.

Map No. 1: Geographical location of the South China Sea.



(southchinasea, 2010).

8. Findings

1.8. The importance of the South China Sea

The South China Sea can be considered a geopolitical, economic and strategic issue and the most important issue in the world's seas. The need to trade goods in the South China Sea is a common, and strong interest for countries around the sea; The United States is an emerging power in Asia - China, India, Japan, and South Korea are among these countries (Shicun Wu, Keyuan Zou, 2009:15).

The South China Sea is defined in the Encyclopaedia of Seas as the largest sea in the world (Alastair Couper, 1998), covering an area of about 3.5 million



square kilometers (Lu Ning, 1998) and rich in biodiversity and rich in natural resources. (Shicun Wu, Keyuan Zou, 2009: 15). One hundred and twenty-five large rivers flow into the South China Sea, and more than thirty percent of the world's coral reefs are there - especially around the Indonesian archipelago and the Philippines - (David Rosenberg, 2006). Significant oil and gas reserves have been discovered off the coast of Borneo and Vietnam, but so far no exploration has been conducted on the disputed islands and they are predicted to vary depending on their potential (U.S. Government, 2009).

The South China Sea is the geostrategic center of East Asia. The sea is the main shipping route to and from the Philippines, Indonesia, Brunei, Malaysia and Singapore, and the mainland includes Thailand, Cambodia, Laos, Myanmar and Vietnam. The littoral states of the South China Sea have a diverse range of political systems; From the communist and socialist systems in China and Vietnam to the democratic systems in Malaysia, Singapore, Indonesia and the Philippines, and to the systems of absolute monarchy in Brunei. Sea routes in the South China Sea are of geostrategic and economic importance to non-coastal countries, especially Japan and the United States, as they are to coastal countries. Most coastal countries, especially Indonesia with their special meaning - the theory of the Algerian community - have a special dependence on the sea (Shicun Wu, Keyuan Zou, 2009: 15).

2.8. The general state of maritime borders in the South China Sea and the types of disputes in this region

The disputed area in the South China Sea includes the Paracel Islands, the Spratly Islands and various other areas, including the Pratas Islands, McClelland Bank and Scarborough. This claim includes the restoration of porcelain lands known as the "Great Wall of Sand" in some of these areas (state.gov, 2016: 1).

The initial government plan of the eleven (dash) U-shaped shows that this figure was published after the independence of the People's Republic of China on December 1, 1947. Two of the 11 dashes in Tonkin Bay were later removed by Chinese Prime Minister Chuen Lai and now include a total of nine dashes intended by the Chinese government. Despite the vague public claim made in

1947, China (in 2015) has no formal, registered, or specifically defined claim to areas within these nine dashes. In 2013, the People's Republic of China added a tenth dash from the east of Taiwan Island to the disputed areas in the South China Sea as part of its officially controlled areas (state.gov, 2014, 8).

According to Philippine President Benigno Aquino, "the nine-dash line claims China's territory over the entire South China Sea and is in violation of international law, in particular the United Nations Convention on the Law of the Sea (UNCLOS) or the United Nations Convention on the Law." of the Sea) "(maritimesecurity.asia, 2016: 2). Vietnam also rejects this claim, arguing that China's claim is unfounded and contrary to the provisions of the UN Convention (bbc.co.uk, 2009, 10).

In 2010, at a regional conference in Hanoi, Secretary of State Hillary Clinton declared that "the United States has a national interest in freedom of navigation, free access to public Asian maritime areas, and respect for international law in the South China Sea." The United States has also accused China of taking an increasingly aggressive stance on the high seas over unconditional access to territory claimed by China (Terradaily, 2010).

As early as 1958, the Chinese government issued a document on the boundaries of its territory; China's territorial waters include twelve nautical miles. It was also announced that this area will apply to the entire territory of the People's Republic of China, including the mainland and maritime islands of the island, Taiwan and the surrounding islands, Pyongyang, Dongsha Islands, Xisha Islands, Zhongsha Islands, Nansha Islands and other islands belonging to China. (Fmprc.gov.cn, 2015).

A 2014 study by the US Department of Defense's Office of Oceanic and Polar Affairs says of possible news and information: "... Modern Chinese maps and their atlases are border symbols for depicting nine-dash In fact, the marking on Chinese maps for land borders is similar to the symbol used for the dashed line, and in the text of the list of map symbols and abbreviations, and it is defined as



both "national border and international border". These maps use other border symbols to define national and international borders that are "undefined", but this symbol (for undefined borders) is not used for the nine-dash dashes (lines used in the South China Sea). The placement of dark lines in the open air of the oceans indicates the proposed boundary of a sea boundary (not an undefined boundary, but a defined boundary) or the delimitation of an area (Asia-Pacific Report, 2015: 32-33).

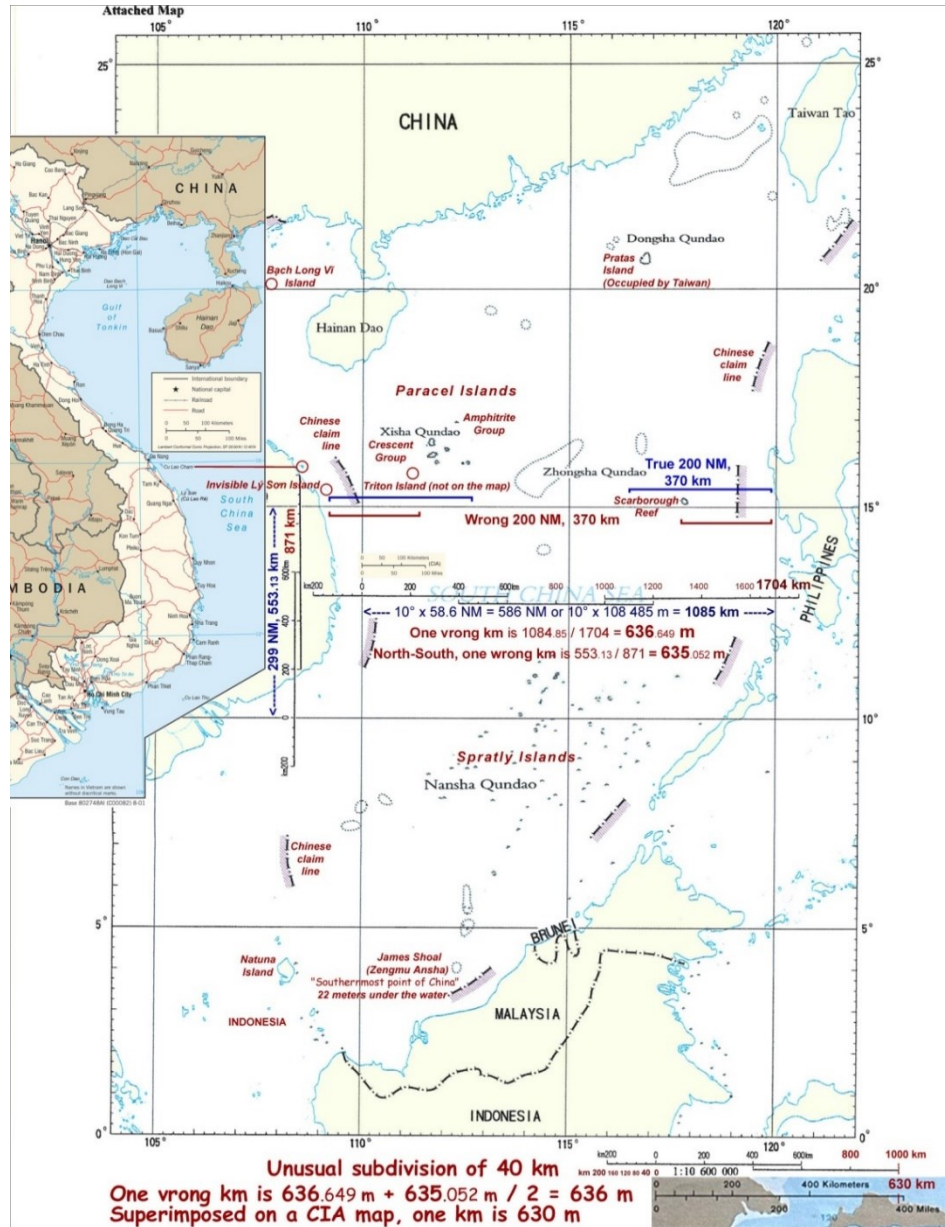
In October 2008, the WikiLeaks website published a document from the US Embassy in Beijing in which Yin Wenqiang, a senior Chinese government expert on maritime law, admitted that he was fundamentally ignorant of the historical basis for the nine published dark lines (reuters, 2012). Some groups have questioned the jurisdiction of the United Nations Convention on the Law of the Sea in disputed cases, arguing that it does not support claims based on historical sovereignty or title of a particular country and instead the right to continue to use them. Increases water for traditional purposes. The Chinese government has a similar view of the law of the Convention on the Law of the Sea.

At a conference on Marine Studies by the US-based Center for Strategic and International Studies (CSIS) in June 2011, Su Hao of China State University in Beijing delivered a speech on China's governance and policy in the South China Sea using arguments. Presented history as the main topic. However, Mr. Termsak Chalermpanupap, ASEAN Deputy Program Coordinator for Foreign Affairs, said: "I do not think the 1982 UN Convention on the Law of the Sea (UNCLOS) recognizes history as the basis for claiming sovereignty over maritime areas. Peter Dutton of the US Naval War College agreed that the powers of the convention, beyond the water issue, were irrelevant to history and that UNCLOS should be considered. Dutton emphasized that the use of history to explain sovereignty is destructive of the rules of this convention (M.english.vietnamnet.vn, 2011).

It is also clear that China ratified the Convention in 1996 (UN.org, 2013). Marine researcher Carlyle Tice, a retired professor of political science at the

University of New South Wales, says Chinese researchers have used historical heritage to prove their claim to sovereignty. Is. The Executive Director of the United States Oceanic Law Commission also stated that the "U-shaped line" or nine-dash is not based on the International Law of the Seas, as the historical basis of the argument is very weak. "I do not understand China's claim about the U-shaped line," he added. If they claim sovereignty over the islands within that line, the question is, are they able to prove their sovereignty over these islands? If China claims to have ruled the islands for 500 years and then they do not show its sovereignty, its claim to sovereignty becomes very weak. Only for uninhabited islands can they claim territorial seas, not the EEZ for inhabited and active islands (M. english.vietnamnet.vn, 2011).

Map ٧: The map that China submitted to the United Nations in 2009 (including bugs).

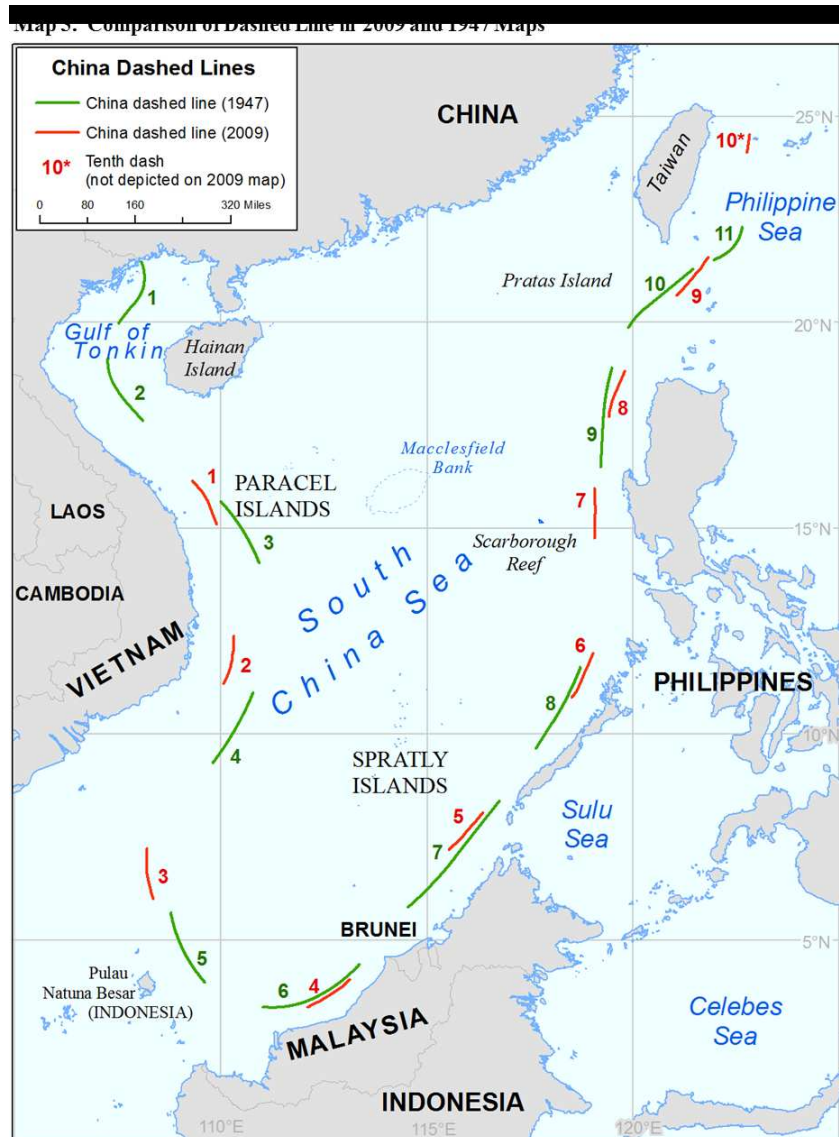


(UN.org, 2013).

This map has bugs in scale, mileage calculation and not showing some islands.

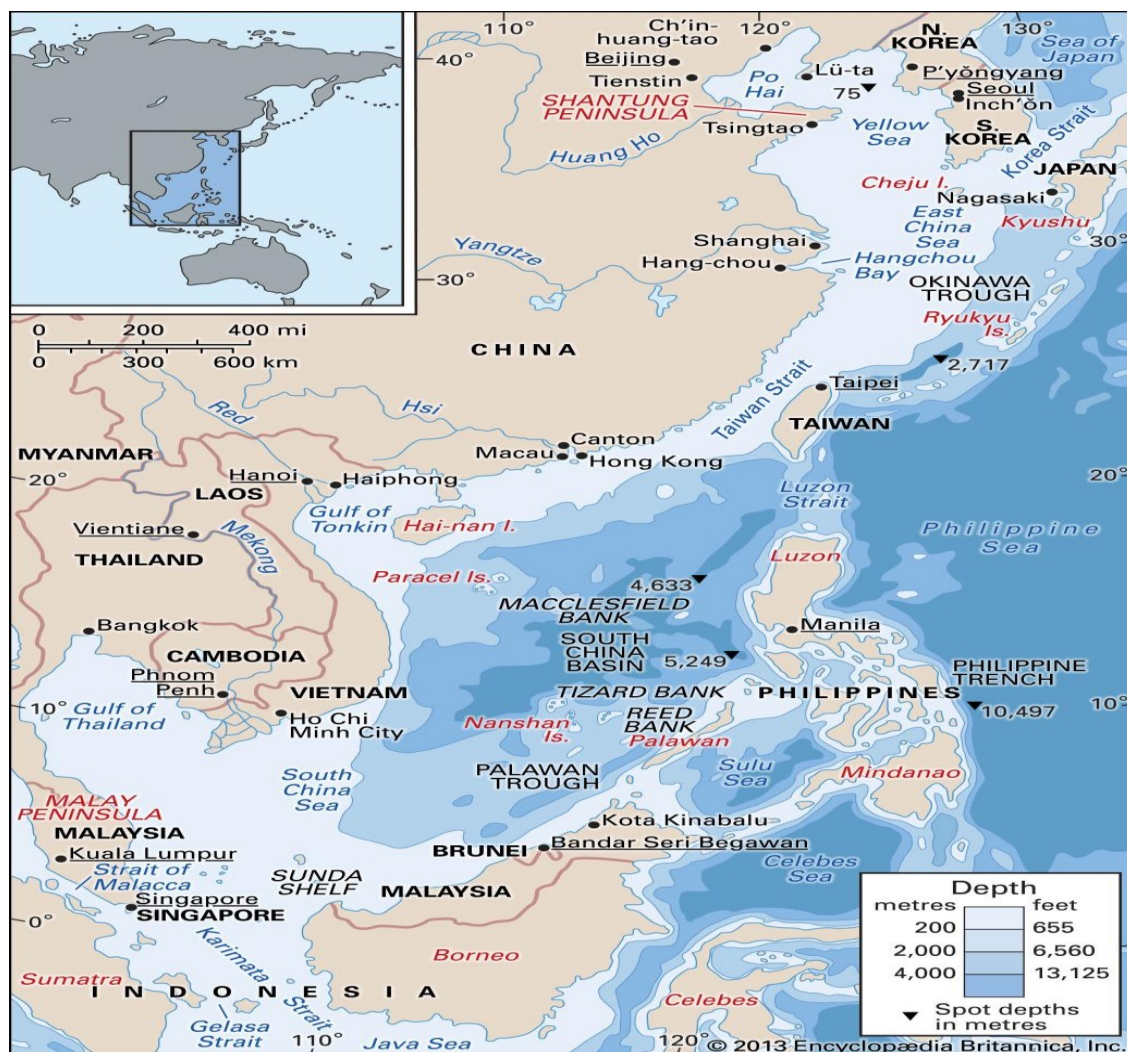
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Map No. 3: Nine-dash lines claimed by the Chinese government in 1947 and 2009.



(state.gov, 2014)

Map No. 4: East and South China Sea regions and the geographical location of neighbors and claimants in these two regions.



(Encyclopædia Britannica, 2016)

To date, maritime disputes in the region have involved three aspects.

- Disputes over islands and cliffs;
- Conflict over sovereignty over water territory, including demarcation of exclusive economic zones and continental shelf;
- The issue of the right to free shipping;

The first and second issues are regional issue related to China and neighboring countries, and the third issue is an issue that involves supra-regional powers. Beijing claims to have ruled the Paracel and Spratly Islands in the South China Sea as well as the surrounding waters since 2000 years (in some claims 500 years) and are an integral part of China; But Vietnam denies China's historic claim, and until the 1940s Beijing made no claim to sovereignty over the islands. In contrast, Vietnam claims that the archipelago is completely within the territory of this country and Vietnam ruled over these islands until the 19th century and its historical documents prove it. Another claimant in the South China Sea is the Philippines. Geographical proximity to the Spratly Islands is the main basis of Manila's claim. Malaysia and Brunei are also claiming sovereignty over part of the South China Sea. Citing the 1982 Convention on the Law of the Sea, they claim that part of the South China Sea is located in their exclusive economic zone (Khezri, 2012: 747).

3.8. The role of China's superior power and US involvement in the South China Sea conflict

Liu Xinhua, a professor in the Department of Political Science, Faculty of Philosophy, Jongnan University of Economics and Law, notes that the United States is reviewing its military bases in the Indo-Pacific region, including its strategic and static deployment. Its United States Air Force and Navy are clearly calling on their "like-minded" allies and partners to defend the so-called "rule of law" against China. One of the key goals of the US Indo-Pacific Strategy is believed to be to resist China's growing influence on international cooperation in the Indo-Pacific region (Strating, R, 2022).

The problem is that China's economic growth, and consequently the increase in military spending and the strengthening of its military might, especially its naval forces and movements in the South China Sea, have caused concern and suspicion among neighboring countries. This has led some countries to call for a more active US role in the region to control and balance China's growth. Japan



and South Korea are heavily dependent on the South China Sea as an energy transit corridor, and the United States, Australia, and India depend on it for trade and military navigation. On the other hand, due to the superiority of sea routes over land routes for the transfer of goods, the countries of the region have a good position to participate in international trade; But the strategic problem of this dependence on trade for maritime transit in the region and from there to other parts of the world and vice versa for these countries is the security of sea lanes. All of these countries see the growth of China's power and mobility as a prelude to challenging the freedom of access to the sea route in this watershed. As a result of escalating tensions in the South China Sea, the old policy of not engaging in Deng Xiaoping's era of dealing with foreign affairs calmly, hiding capabilities until the right time, and continuing to develop with the lights off, was replaced. The pursuit of a more active policy and the transformation from a mere surface power to an expanded naval power, and this issue has increased the concern of the countries in dispute with China over the South China Sea (Khezri, 2012: 747).

The Chinese Navy's mission in the area of security borders includes greater control and surveillance of the geostrategic naval hotspots of the Strait of Malacca, the South China Sea and the Taiwan Strait. Meanwhile, China's security frontier space is shifting to the Pacific to secure oil tankers. In other words, the protection zone of China's security frontiers includes the Strait of Malacca, the South China Sea, the Strait of Taiwan, and certain distances from the Pacific Ocean. China's navy, including surface and submarine vessels, air-sea and naval, actively defends coastal waters in adjacent waters, surrounding islands, and monitors and watches distances in the Pacific. China's naval strategy calls these missions active coastal defense. The strategy seeks to provide an actor model for trans-regional areas to support the prosperity of maritime trade, shipping safety, and countering threats. Protecting the Taiwanese islands of Xish and Nansh in the South China Sea are at the forefront of countering potential threats to the country's sovereignty. China seeks to use naval power to achieve energy security, boost trade, accelerate development, and, more importantly,

overseas diplomacy to expand and deepen transregional relations (Hadian, 2008).

The Chinese National Security Document places special emphasis on modernizing and equipping China's navy by 2050. In the planning and planning of the country's navy, its protected areas include the Yellow Sea, the South China Sea, the East China Sea, the islands in the Pacific Ocean - the boundary between the Pacific Valley - around the Philippines and the islands of Richelieu, Canberra - Located in the Sea of Japan, it stretches from the Philippine Sea to the Indonesia Sea and even around the island of Guam. China is one of the recipients of modern transport technology from Australia. The first modern dual-purpose freight and oil carrier is the Melbourne, which was purchased in 1994 for \$ 4.1 million. Its route is the valley around the South China Sea (Hadian, 2008).

This sea is the artery of the world's sea routes. More than half of the world's commercial cargo passes through this region, and one third of it is transported by sea. Eighty percent of China's oil imports, two-thirds of Korea's energy carriers, and 70 percent of Japan's energy pass through the South China Sea. In addition, the sea contains oil and natural gas reserves. Not only has the above reserves made the sea geostrategically important, but the existence of maritime disputes has also been influential. To stand up to China and thus become dependent on US political and military support. These claims will increase in the coming years as Asia's demand for energy increases significantly in the future, and as a result, the sea will be at the heart of the region's economic growth. To this end, the countries claiming in the region are modernizing their navy and turning to military development. Their military budgets have grown significantly in recent years. For example, from 2000 to 2011, Indonesia's military budget grew by 84%, Singapore by 146 % and Malaysia by 772%. Most of the expenses were related to the navy and air forces (Khezri, 2012).

The United States has already secured control of the situation in the South China Sea, which is why these countries are working to strengthen their strategic



relationship with the United States. Although their trade relations with China are deepening, what is interesting is that China has great economic power, why is it not able to have a strategic influence on the countries of the region? The only reason for this is that China has failed to turn economic power into a political advantage. China is the largest trading partner of Japan, South Korea, India and Australia. In theory, trade can be used as a carrot or a stick to bring others into power. The problem is that China can use its influence to impose trade sanctions on companies or countries, but if it does, production lines will be damaged and China itself will suffer. So the more powerful China becomes and the more it claims to be in conflict with other littoral states, the more they will have to develop their naval capabilities and rely more on the US Navy to maintain balance with China. Although China has sought to establish a relationship with the countries of the region by presenting an image based on trust and cooperation, the xenophobia between them and their proximity to the United States has turned the countries of the region into a siege around China. US military action in Asia and joint exercises with Vietnam, South Korea and Japan have left no doubt in China's intentions to challenge China's growing presence in the region. In its 2012 defense strategy, the United States emphasized the need to increase its naval presence in Asia-Pacific and announced that it would deploy 60 percent of its naval vessels in the region by 2020 (Khezri, 2012).

These US actions, along with the diplomatic defense of the liberation of the South China Sea, show the US reaffirming its security interests in Asia-Pacific. The United States is trying to bring China's neighbors together in like-minded networks and create groups that share the same military view of China. In fact, in the light of identifying China as a threat, the United States is guaranteeing the retention of its troops in Japan and the maintenance of its military bases in the region. As China grows in power, it is natural for East and Southeast Asian nations to engage in an arms race or to place themselves in the shadow of a stronger foreign power; Therefore, the United States will act as a safe haven for the region due to its numerous military bases in East Asia and close economic ties with them (Khezri, 2012), And will play a key role as a superior foreign power in the South China Sea border dispute.

According to a report by the US Department of Defense, disputes in the South China Sea include three areas:

"Maritime disputes in the South China Sea revolve around three issues: first, the competition of territorial claims between regional claimants; second, the competition of maritime claims between regional claimants; Territorial claims There are six land-claiming countries in the South China Sea: Brunei, China, Malaysia, the Philippines, Taiwan, and Vietnam. And Vietnam, over sovereignty over the "Paracel Islands" that China has occupied since ۱۹۷۴. The second is the dispute between China and Taiwan and the Philippines over the Scarborough Rock, and the third is the dispute with several claimants over the Spratly Islands. China, Taiwan, and Vietnam claim sovereignty over the whole, while Brunei, Malaysia, and the Philippines claim sovereignty over certain parts of the Spratly Islands. They have not specified their maritime boundaries. A combined sovereignty has defended the sovereign rights of judicial resources and claims in the maritime areas of the South China Sea. Some of these regional claimants have clarified the nature and extent of their maritime claims, and some have not yet taken action. The Indonesian government has not yet identified the so-called "nine-Dash" line for China (which overlaps with its exclusive economic zone), and the country (Indonesia) claims ownership of areas in the South China Sea and the conflict. It does not know. Due to the excessive maritime claims, several claimants who have made maritime border claims along their shores and around the toll sea, their border and maritime claims are inconsistent with the International Convention on Maritime Affairs. Malaysia, for example, has sought to limit military activity to its exclusive economic sphere, and Vietnam has sought to require prior notification of foreign warships intending to cross its territorial sea safely. A number of coastal countries have drawn their own lines of origin (the line on which maritime areas are calculated), which is contrary to international maritime law; Such as China, Vietnam; And the United States continues to have concerns about Taiwan's law on the territorial sea and the



surrounding area and its line of origin, as well as the law of safe passage through its territorial sea "(Asia-Pacific Report,2015:11).

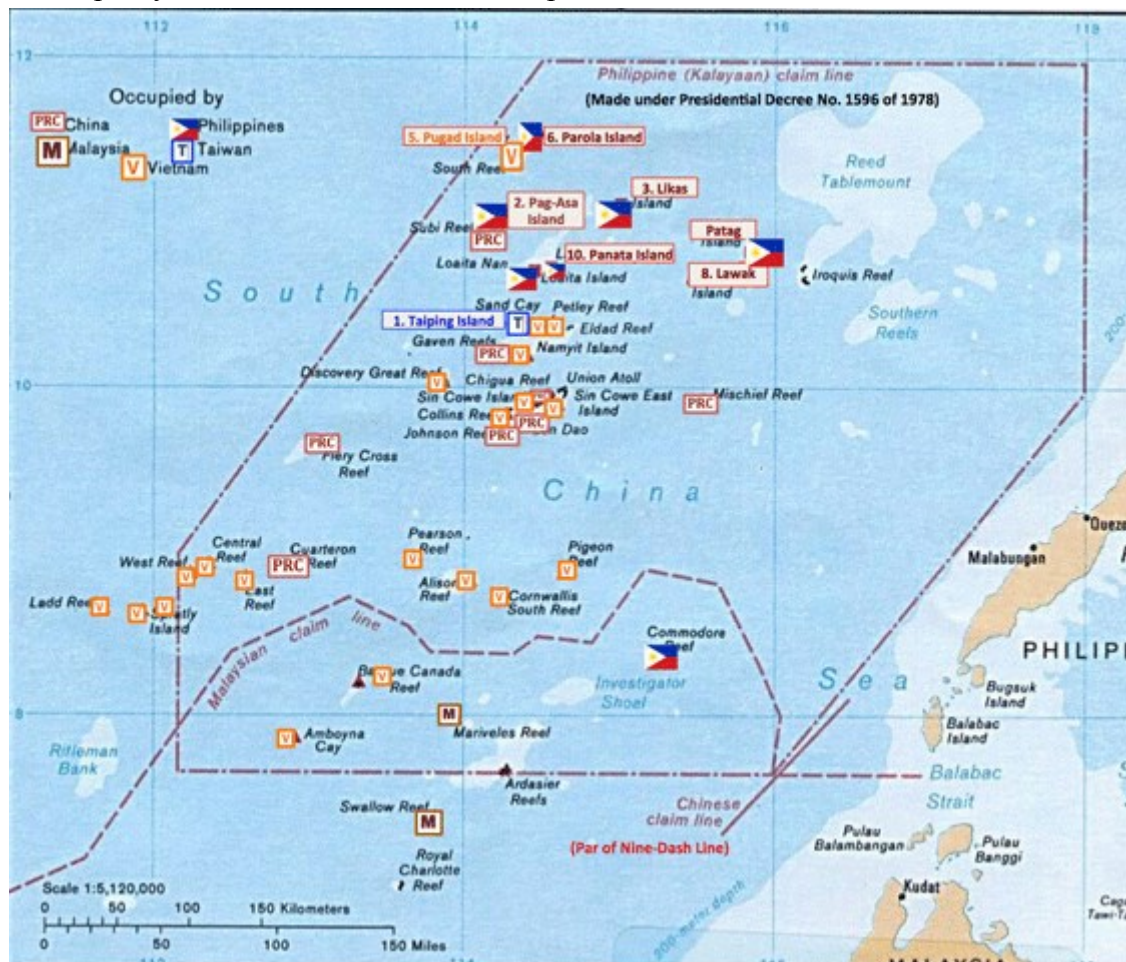
Although the United States commends the efforts of the Philippines and Vietnam to bring their maritime claims back into line with international law of the sea, more efforts are needed in the United States. In line with the United States' long-standing policy on free navigation, the United States encourages all efforts under International Maritime Law to designate maritime zones and challenges any additional claims through diplomatic statements and legal action. China has not clearly defined the scope of its maritime claims in the South China Sea. In May 2009, China sent two "Verbale" notes to the UN Secretary-General in response to protests by Vietnam and Malaysia (jointly) as well as Vietnam separately to the Offshore Commission. The notes, among other things, include a map depicting the nine-line (dashed) section of the maritime area, islands and other features in the South China Sea and an area of about two million square kilometers of maritime space. China's 2009 notes also included China's claim to unequivocal sovereignty over the islands in the South China Sea and adjacent land, and the exercise of sovereign and judicial rights in the region, such as the seabed and the seabed. The actions and statements of the Chinese have obscured the exact nature of China's maritime claim, including that China claims that all maritime territory and land tolls are within the line of origin (Asia-Pacific Report, 2015: 11).

4.8. The status of ownership, occupation and claims of sovereignty over the Spratly and Paracel Islands

One of the most important issues in the South China Sea is the disputes between the countries of the region over the Spratly and Paracel Islands. The following are the claims of these countries and their status regarding the occupation or non-occupation as well as the claims of the coastal states regarding some of these islands:

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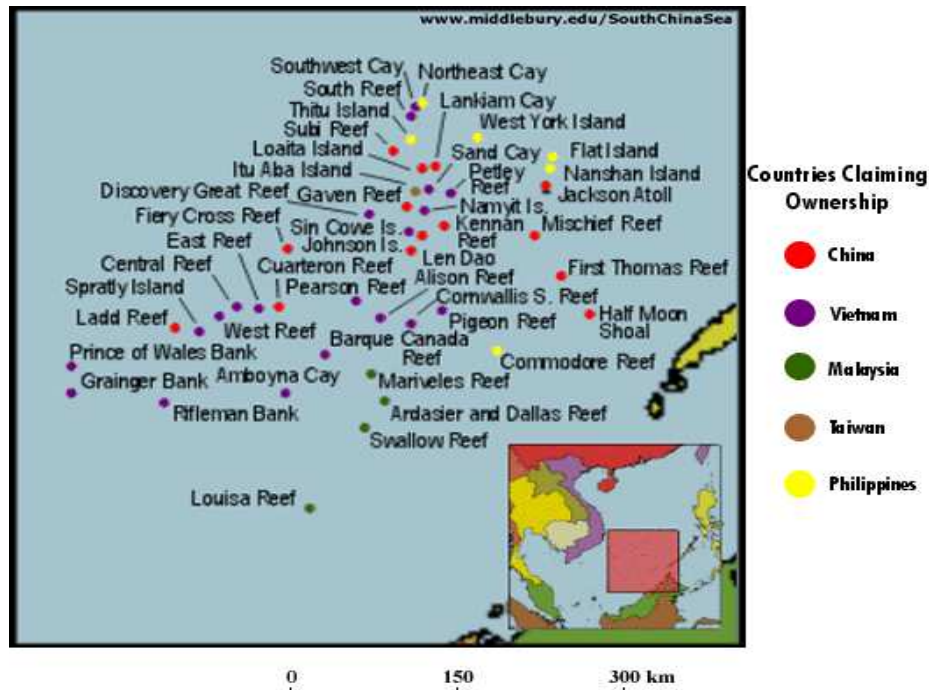
Map No.5: Situation of the South China Sea coastal countries in relation to the Spratly, Paracel Islands and other important islands of the South China Sea.



(infosperber.ch, 2010)

1- Brunei: It does not occupy any of the islands, but claims to be part of the South China Sea, which is closest to part of the continental shelf and the EEZ. The border lines are vertical and are drawn from 4 points on the outermost coastline of Brunei. In 1984, Brunei declared a monopoly economic zone that included the Louisa Reefs.

Map 9: Ownership status of the Louisa Reefs in the South China Sea.



(tomredd.co, 2012)

2- China: It claims that all the islands and many of the South China Sea, including the Spratly Islands (called Nansha Islands in Chinese), belong to China for historical reasons. This claim is not specified by the coordinates or is not clearly defined. China also claims that the Paracel Islands (called the Xisha Islands in Chinese) are part of China's Hainan Province. The Chinese claim to be based on a number of historical events, including the sending of the Chinese navy to the Spratly Islands by the Han Dynasty in 110 AD and the Ming Dynasty in 1433-1403 AD. Chinese fishermen and traders have been active in the area over time, and China has used archaeological evidence to bolster its claim to sovereignty. Since the 19th and early 20th centuries, China has been defending its claims to the Spratly Islands and the Paracel Islands. During World War II, the islands were claimed by the Japanese. In 1947, China produced a map with nine undefined and unregistered dotted lines, claiming that all the islands were located on those lines. Since 1992,

Chinese law has explicitly stated the country's claim. China has occupied eight of these islands to enforce its claim. In 1974, China seized the Paracel Islands from Vietnam.

Map7: The nine dashe border and the location of the Spratly and Paracel Islands claimed by China and other coastal countries of the South China Sea.



(Voanews, 2012)

3- Indonesia: It does not claim any of the Spratly Islands, however, China and Taiwan's claims to the South China Sea may extend to Indonesia's exclusive economic zone and offshore plateau, including Indonesia's Natuna gas field.

4- Malaysia: Malaysia's claims to the Spratly Islands are based on the laws of the continental shelf and its coordinates are clearly defined. Malaysia occupies three of the Spratly Islands, which are considered part



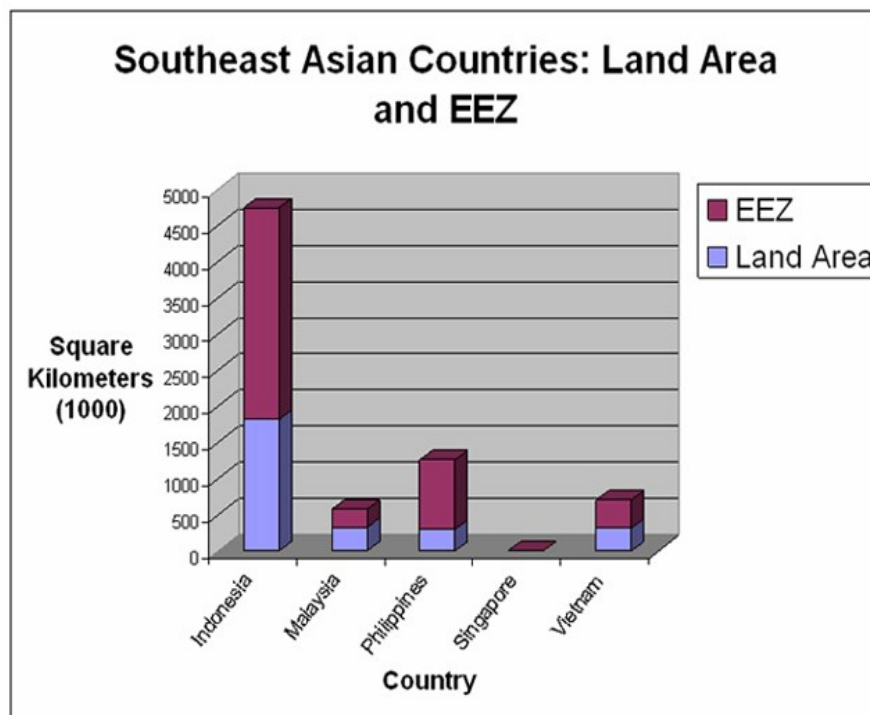
of its continental shelf. Malaysia is trying to build a coral island by bringing soil from the mainland as well as a hotel on the islands.

5- Philippines: The country's claims to the Spratly Islands are clearly defined by the two neighborhood principles, as well as the 1956 Philippine explorers' discoveries in the islands. In 1971, the Philippines officially claimed ownership of eight islands, known as the Kalayaan. This claim is based in part on these discoveries and on the argument that these islands: First, are not part of the Spratly Islands; And secondly, it does not belong to anyone and Bella claimed. Since 1972, these islands have been designated and occupied as part of Palawan Province.

6- Taiwan: Taiwan's claims are similar to China's and on the same principles. Like China, Taiwan's claims are not clearly defined. Taiwan has occupied the Pratas Islands in the Spratly archipelago.

7- Vietnam: Vietnam's claims are based on historical issues and the origin of the continental shelf. Vietnam claims the entire Spratly Islands ("Trong Sa" in Vietnamese) as an offshore area of Khanh Hoa Province. Vietnam's claims also cover a large area of the South China Sea, although these claims have not been clearly defined and substantiated. In addition, Vietnam claims ownership of the Paracel Islands ("Huang Sa" in Vietnamese) even though they were confiscated by the Chinese in 1974. The Vietnamese, like the Chinese, have used archaeological evidence to bolster their claim to sovereignty. In 1930, France claimed ownership of the Spratly and Paracel Islands on behalf of its colony, Vietnam. Vietnam has since occupied 20 islands in the Spratly archipelago to enforce its claim (southchinasea, 2012).

Table 1: Comparison of the size of the exclusive economic zone of some countries along the South China Sea.



Sources: CIA World Fact Book; Joseph R. Morgan and Mark J. Valencia, *Atlas for Marine Policy*, 1983: 4. (Morgan and Valencia data converted from square nautical miles to square kilometers for comparison.) The coastline and EEZ data are from 1983, therefore the independence of East Timor affects the totals for Indonesia. Compiled by Tamara Renee Shie, *Ports in A Storm?*, 2004. www.middlebury.edu/SouthChinaSea

(middlebury, 2012)

5.8. The impact of geotourism and tourism geoculture on the development of China's border and land territory in the South China Sea

Huang's study shows that tourists' feelings, perceptions, and experiences are never abstract, but are deeply embedded in the vast geopolitical climates and influenced by the geopolitical discourses that circulate in government narratives, popular culture, and the tourism industry. On the other hand, daily tourism encounters, practices, and movements engage and shape individuals' geopolitical fantasies, territorial conceptualizations, spatial knowledge, and political



attitudes, resulting in geopolitical subjectivization (Huang, 2022: 28); Therefore, this study shows that tourist movements can help territorialization and expand geopolitical boundaries (Mostafanezhad, 2020: 6).

Tourism transforms the emotional, visual, and cognitive dimensions of territorial sociability by transforming a distant "imaginary homeland" into a real one and creating an intimate, tangible, and positive encounter with national lands, thus beginning new geopolitical subjectivities. In particular, it helps to prove and develop the concept of national territory, to create emotional connections between tourists and the land, to increase tourists' awareness of territorial values, to provide a sense of political participation and to inspire tourists to feel defended. In tourism, a range of human and non-human elements, such as natural landscape, tour operators and their most prominent ideological realms, fellow tourists and fishermen, are important for influencing the deepening of realism in the geopolitics of tourism (Huang, 2022: 28).

Territorial sociability is a situational and relational effect produced by the geopolitical complex (Dittmer, 2014) that includes tourism (specific tours such as tourism and accumulated daily travel experiences) and other geopolitical-socio-physical components. According to existing research on geopolitical socialization and territorial nationalism (Benwell & Dodds, 2011; Kallio, 2016; Paasi, 1996), popular cultures, school education (primary school textbooks), historical events (such as naval battle), formal and governmental discourses. Cultural norms (the concept of the family-state), political-economic realities (the economic emergence of China), and personal thematic situations (personal memories, age, gender, and professional identity) are of particular importance. When these components interact in different spaces and times, tourism creates multiple and diverse effects of territorial and national identity on each tourist; Thus, in these cases, it is observed that tourism functions the relationship between the territory and the nation-state, and at the same time has the potential to unexpectedly align with government strategies and weaken the maritime territory of the government (Huang, 2022: 28).

6.8. Geopolitics from below

Wang's research provides a bottom-up perspective to see how the masses of the Chinese nation are framed by the official Chinese geopolitical literature, revealing the geopolitical influences and voices of Chinese citizens about the South China Sea dispute. Previous studies have often hypothesized that the Chinese people have a strong territorial nationalism toward the South China Sea, which has led in part to China's firm stance, without empirically proving it. This research challenges the unproven assumption of "nationalism without limits." Analysis shows that the maritime realm is as deeply rooted in the public mind as land. However, their understanding of maritime differences and the severity of maritime territorial nationalism is certainly not the same as, or stronger than, their understanding of the land (Wang, 2015; Wirth, 2020).

In addition, the perception of international territorial inequality adds justification for China's territorial claims and actions in the South Sea. Although the Chinese public still tends to see China as a victim of the South Sea conflict, they clearly do not see these differences as a matter of national humiliation, but rather as confident, arrogant, and decisive, as a result of China's growing control over the region and developments. The mentality of Chinese society is growing (Shi & Liu, 2019).

7.8. Geoeconomics and foreign direct investment

A study by Yu Li based on China's foreign direct investment data examines the impact of the South China Sea disputes on China's foreign investment in oil and gas-related sectors. The South China Sea conflict is a potential threat to China's energy supply. By making an estimate, we find that the South China Sea dispute increases the abundance of Chinese oil and gas-related investments in low-risk countries. This suggests that in the face of geopolitical uncertainty, energy importers are re-examining energy investment in the region to avoid potential disruptions to energy supply (Yu Z. & others, 2021).



8.8. Interim" Fisheries Agreements and Fisheries Implementation Agreements between China and Japan, Japan and Taiwan, Philippines and Taiwan, and Malaysia and Indonesia in the South and East China Seas

Studies show that under the "normal trade" scenario, in which coastal states continue to operate instead of cooperating unilaterally, ocean species in the South China Sea will become extinct by 59 %by 2045. Over the past three decades, fish stocks have now shrunk by a third, while coral reefs have shrunk by a staggering 16 percent over the past 10 years. Not only is cooperation in fisheries management important from a practical point of view, but it is also a legal obligation under Article 123 of the United Nations Convention on the Law of the Sea (UNCLOS). The lack of a South China Sea fisheries management regime has led to a fragile security environment in which there is a growing "fishing nationalism" and great potential for maritime events (Hsiao, A, 2020; L.S.L. The, 2017; M. Tsirbas, 2017).

9.8. Report of the 4th South China Sea Regional Cooperation Forum - Symposium on Construction and the Rule of International Security and Maritime Order in Wenchang, Hainan Province

It is proposed that China, together with other countries, address maritime threats and challenges, work to strengthen cooperation in the field of maritime security, actively fulfill its international responsibilities and obligations, ensure the safety of international shipping routes, and work to provide more people to increase. Marine security facilities, strengthening the construction of a marine ecological structure, achieving the goal of regular development and use of marine resources and achieving the goals of sustainable marine development. China also needs to change the traditional way of thinking about maritime security, implement the concept of an ocean society with a common future, develop ideas of comprehensive national security and common security for humanity, and commit to addressing maritime delimitation and other issues properly. Be. Maritime conflicts with neighboring countries through peaceful and meaningful negotiations, to begin the path to mutually beneficial maritime security (Sun, Y., Han, Y., Zhang, L., & Chang, Y. C. 2021).

The concept of an ocean society with a common future includes a common belief in maritime affairs, shared maritime security, mutual responsibility in dealing with maritime issues, and concerted action to address maritime challenges. The creation of an "oceanic society with a common future" is a practical desire to achieve coexistence and harmony between mankind and the oceans, the realization of justice and profit, and the increase of ocean prosperity by all countries (W. Zhang, Y.C. Chang, L. Zhang, 2020).

10.8 . Recent developments; Four sha³ lines are a new claim from China, showing the post-Covid-19 world order

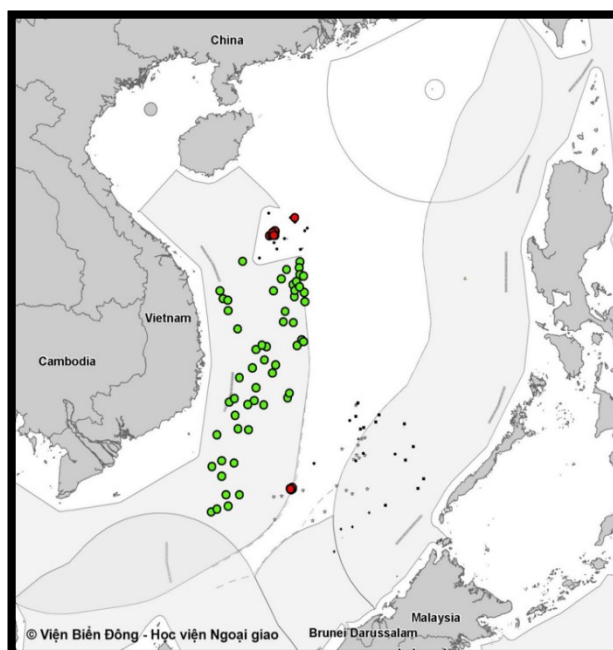
China uses "nine dashes" to refer to about 90 percent of the 3.5 million square kilometers of the South China Sea that other governments value for fishing and submarine fossil fuel reserves, citing maritime records from the time of the dynasties. To claim. ³dashes lead to the exclusive economic zones of some countries. The Permanent Court of Arbitration in The Hague issued a ruling on July 12, 2016, rejecting China's claims as unfounded in international law. China rejected the ruling at the time, and did the same in July this year. China's official Xinhua news agency called the World Court ruling illegal, invalid and invalid, and denied the British defense minister's remarks on July 27, citing a spokesman for the Chinese embassy in London. Arbitration violated the "principle of government consent" five years ago, and the court ruled "without regard to the law" (Voanews, 2021), the agency said.

The "four shahs" argument was raised separately and informally by Ma Xinmin, Deputy Director General of the Department of Foreign Affairs, at a meeting in Boston in 2017, as the basis for China's maritime sovereignty and

³ The "Four-Sha" argument was discretely and unofficially introduced by Ma Xinmin, Deputy Director General of Chinese Foreign Ministry's Department of Treaty and Law, in a meeting in Boston in ۲۰۱۷, as a basis for China's sovereignty and maritime claims in the South China Sea. In fact, "Four-Sha" is the literal expression of China's so-called Nanhai Zhudao (the South China Sea Islands). In a statement delivered right after the verdict of the South China Sea Arbitration on ۱۲ July ۲۰۱۶, China claimed that its Nanhai Zhudao consisted of Paracels, Spratlys, Pratas and Macclesfield (www.maritimeissues.com).

claims in the South China Sea. In fact, "For-sha" is the literal term for Nanhai Zhudao China (South China Sea islands). In a statement issued shortly after the South China Sea arbitration ruling on July 12, 2016, China claimed that Nanhai Zhudao consisted of Paracels, Spratlys, Pratas and Macclesfield. Dao means island in Chinese. However, China extended its claim to sovereignty far beyond the islands, including both tides and tides in the South China Sea. In a recent joint statement from China's Ministry of Natural Resources and Civil Affairs on April 19, 2020, China listed and documented the coordinates of 80 islands, cliffs, and mountains, 55 of which are seabed geographies. It should be noted that all geographical features that have been repeatedly presented in previous maps of China have been "discovered", and among them, 55 geographical nature of the sea 200 nautical miles from mainland Vietnam and 12 nautical miles from China (shown on the map). The following is shown below (maritimeissues, 2020).

Map No. 1: Features map of the newly registered features in the China announcement of April 19, 2020, entitled four sha



(maritimeissues, 2020)

Description of China's new alleged map called Four sha:

The map was produced by the IT team of the East Sea Institute (South China Sea). The 25 points that China claims are islands are marked with red circles and 55 submerged points are marked with green.

9. Conclusion

The twenty-first century is the century of the oceans. The order of international maritime security is shifting from a hegemonic pattern dominated by the United States and its allies to a multiplicity pattern. Strengthening China's naval power, a growing naval power, will inevitably affect the existing maritime security order. The international order of maritime security is being restored. International political patterns have undergone profound changes. The importance of the oceans in international politics, economics, security, science, technology and other fields is increasing day by day. Disputes over territorial sovereignty and the delimitation of maritime borders are becoming increasingly acute, affecting relations between countries. At the regional level, there is cooperation and competition in maritime affairs, which is closely linked to regional peace and stability. Globally, stance on new ocean laws is intensifying, and the peaceful, equitable, and sustainable development and exploitation of the ocean is of paramount importance.

The South China Sea is typically described as one of the three hotspots (along the Korean Peninsula and Taiwan Strait) in East Asia, as it has the potential to conflict with national interests and threaten peace and security. Hence, the issue of security around it raises some international concerns. As a semi-closed sea, the South China Sea is home to numerous small islands and reefs, as well as abundant living and non-marine reserves. The South China Sea also provides key sea lanes for commercial shipping and naval movement. Due to this important strategic position and its abundant reserves, this sea has become the target of conflicts between its peripheral countries.



The situation on the Spratly Islands is too complicated. Six countries (Brunei, China, Malaysia, the Philippines, Taiwan and Vietnam) claim all or part of this small island group and have shown a physical presence (excluding Brunei) on their own residential islands. In 2022, China and ten ASEAN member states issued a statement on the administration of the South China Sea Sector to strengthen and develop friendship and cooperation between China and ASEAN, and to promote peace, friendship and environmental coordination in the South China Sea. They also signed an agreement to increase scientific and impartial principles in connection with the 1997 Declaration to the Summit of the ASEAN Member States and the President of the People's Republic of China.

However, unilateral actions by the plaintiffs to consolidate their territorial and maritime claims have never stopped. The latest move was made by the Philippines, which filed a law on the archipelago of the archipelago to include the disputed Spratly Islands in its territorial sea in February ۲۰۰۹ and other claimants, including China.

The Chinese government's initial eleven-dash dash shows a figure that was published after the independence of the People's Republic of China on December 1, 1974. Two of the 11 dashes in Tonkin Bay were later removed by Chinese Prime Minister Chuen Lai and now include a total of nine dashes intended by the Chinese government. Despite the vague public claim made in 1947, China (in 2015) has no formal, registered, or specifically defined claim to areas within these nine dashes. In 2013, the People's Republic of China added a tenth dash from the east of Taiwan Island to the disputed areas in the South China Sea as part of its officially controlled territories. Toxic officials from the South China Sea littoral states, along with the United States, have consistently denied Beijing's claims, calling them in violation of the UN Convention on the Law of the Sea.

Thus, in discussing border disputes in the South China Sea, it can be concluded that Beijing's undefined as well as unsubstantiated claims are based on arguments outside the scope of the Convention on the Law of the Sea, such as historical and title arguments and nine-line maps Advocated by the Chinese

government since 1974, the main reason for the start of the conflict between the littoral states. The situation is the same with land disputes. China's claims to 2000 years of historic ownership and sovereignty over the 3.5 million-square-kilometer sea are too big and unacceptable to the coastal states. In addition, in the case of land disputes, the nine dash has intensified these disputes. It can also be concluded that these claims are supported by China's superior economic power. Of course, China has not yet been able to turn this growing economic power into political power, as countries in the region have been able to overcome their differences with Beijing, as well as ensure the security of their navigation and protect their sovereign interests. The claimed territories, as well as the United States, have resorted to supra-regional power to maintain the status quo. Most of these countries have signed military agreements with the United States, including the Philippines and Vietnam, which have the most disputes with China over land disputes.

In addition, it is concluded that the United States sees the issue of border and land disputes in the South China Sea as an excuse to advance its increasingly pervasive competitive game with China, and thus in the US Vision Document on a comprehensive presence in East Asia The general and the South China Sea region are particularly emphasized. Of course, the seemingly important issue for the United States as "open diplomacy" is the freedom of commercial and, in general, naval navigation in areas other than the territorial sea.

Therefore, it seems that considering the economic, environmental, tourism and security facilities in all regions of the South China Sea, as well as the existence of abundant oil and gas reserves in these regions in general and the Paracel and Spratly archipelagos in particular, and provocations and actions of supraregional powers including USA, Border and land disputes in the South China Sea continue for longer. On the one hand, China's economic power is increasing day by day, and the coastal countries of the South China Sea are forced to expand economic relations with this country. , Security, military and legal, and forces countries with economic relations to a kind of conservatism and



consideration of each other's interests. On the other hand, these relations are established in a different way between these countries and the United States of America. Among other things, in these relations, the issue of military cooperation and large military contracts is also present and adds to the importance of the issue. On the other hand, beyond the existing relations in the East Asian region, the relations between the two main powers should not be ignored; China and America. Despite differences in many cases, the two countries have good trade relations, which shows the political foresight of the two governments; Therefore, what has established the security of this region so far is not a factor but a set of factors, the most important of which are the needs of Asian countries, especially East Asia and the United States in Asia-Pacific and Trans-Pacific countries for trade and economic navigation security in these regions. Is. Including these countries; India, Japan, South Korea, Canada.

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