НАУЧНЫЕ ИССЛЕДОВАНИЯ

Внутриполитические процессы и внешняя политика

DOI: 10.24411/2618-9453-2019-10035

Malgorzata Pietrasiak, Kamila Pieczara

VIETNAM'S DIPLOMACY TOWARDS THE CONFLICT IN THE SOUTH CHINA SEA AND ITS INFLUENCE ON ASEAN

Abstract. The article discusses the origins and contemporary stage of the conflict in the South China Sea through the prism of individual ASEAN countries, with particular emphasis on Vietnamese interests. The South China Sea is an area of special interest of many countries, due to its security, economic and transport importance. The problem is complicated by the contradictory interests of two superpowers: the US and China. China and ASEAN have taken steps to agree and sign the code of conduct (COC) in the South China Sea, but progress has been slow. Vietnam emphasizes legal mechanisms dealing with multilateral disputes: the United Nations Convention on the Law of the Sea (UNCLOS) and the decision of Permanent Court of Arbitration (PCA) in The Hague. The basic research thesis is that both Vietnam and most ASEAN countries are assuming a peaceful solution using the tools of the International Law of the Sea.

Keywords: ASEAN, Vietnam, diplomacy, conflict in the South China Sea, UNCLOS.

Introduction

In the second decade of the 21st century, one of the biggest — if not the biggest one — problem taken up by the Vietnamese diplomats both in bilateral relations with the states in the sphere of diplomatic relations of Vietnam and at international fora, is the conflict around the archipelagos of the South China Sea: the Spratly and the Paracel Islands. Currently the problem is viewed in the categories of the reason of state by the Vietnamese side. Taking into account its geographic reach, ASEAN is the organisation interested in that the conflict does not evolve into a military conflict; also, the parties are interested in not disturbing the established balance of power. The two big empires, the US and China, have different visions of the South China Sea. In addition, the engaged ASE-AN parties have conflicting interests.

The theoretical basis for the analysis is regionalism, analyzed through the prism of the neorealism theory, which emphasizes anarchical international system and the fight for the political influenc [Hurrell 1995]. Realists and neorealists emphasize the scale of an outer configuration of the force of powers. Powers often stimulate the formation of the regional organizations and the institutions regulating international system. Some organizations were founded to balance the influences, others formed to be anti-Power organizations. Hurrell assumes that all regional organizations can be understood but against the background of their respective regional balances of power and the policies of the regionally dominants power. In other words, regional organizations can be formed as the confirmation of balance of power in the region, however, also to prevent the domination of one of the States.

The article is based on various original sources: documents, expert opinions, scientific articles and monographs. Due to its topicality, the theme is very popular in scientific and political discourse. The works of American scholars, including M. Taylor Fravel, focus on presenting and defending the American position in conflict [Taylor: 12.02.2016]. Also in J. Kurlantzik's analysis, solutions that protect American interests come to the fore, and armed conflict in the sea would be such a threat [Kurlantzick: 01.02.2016]. Kent Bolton regards the development of American-Vietnamese relations with the Chinese factor in mind [Bolton 1999]. They all see China's efforts to control much of the South China Sea to be a serious threat, endangering regional security, freedom of navigation, and the liberal world order.

The analyses of Vietnamese scientists are convergent. They share the opinion of the US colleagues that China is the biggest threat to security in the South China Sea. Linh Tong believes that the most dangerous is the militarisation of the South China Sea, draws attention to the increase in militarisation of Vietnam, fears that this situation will affect the unity of ASEAN being the greatest threat to this organisation [Linh Tong: 21.12.2016]. The problem of ASEAN unity is raised in the other Vietnamese articles, e. g. Trang Truong Thuy stresses the need to "soften" China's policy towards the South China Sea using pressures: consensus and joint action by ASEAN and increased involvement from outside, including the US [Tran 2010: 115].

The problem of the South China Sea is of interest to Russian scientists (G. Lokšin, A. Lukin, E. Stepanov). For exemple, G. Lokšin gave a comprehensive analysis of current situation in his special title. In this case, the assessment of events and the analysis of the behaviour of the parties in the South China Sea seems to be very cautious. Russia is in a difficult position, because, on the one hand, it is developing comprehensive relations with China — it is therefore stressed that Russia will not participate in any initiatives to stop China. On the other hand, it has signed a comprehensive partnership agreement with Vietnam, so all Russian experts pay attention to the responsible presence of Russia in order to strengthen stability in the region and emphasise Russia's neutrality in the face of the conflict. They encourage the Vietnamese not to trust the US and not to involve third co-untries.

The aim of the paper is to analyze the complex approach of ASEAN, with special attention paid to Vietnam, to the South China Sea problem from the neorealistic perspective. The basic research thesis is that both Vietnam and most ASEAN countries are assuming a peaceful solution using the tools of the International Law of the Sea.

Political Situation in the South China Sea and Its Economic Significance

The South China Sea is an area of special interest of many countries, especially — but not only — due to its economic and transport importance. The Andaman Sea, the Strait of Malacca are the main transport routes joining the Pacific to the Indian Ocean. Here the shipping lanes of Europe, Africa, the Middle East and South Asia interlock. The merchandise that is most often shipped through these routes are: petroleum and its derivatives (about 50 per cent of transport), industrial minerals, machines and devices [Stepanov 2001: 429]. Cargos of value equal to 5 trillion USD flow through this shipping lane annually, including about a half of world trade of gas and 33 per cent — of

petroleum [Kurlantzick: 01.02.2016]. In the case of Japan, South Korea, China and Taiwan, 80 per cent of petroleum supplies pass through this route. Apart from that, this area is rich in deposits of petroleum, natural gas and other natural resources. The United States Energy Information Agency (EIA) estimates that the South China Sea contains 11 billion barrels of oil and 190 trillion cubic feet of natural gas in deposits under the sea as deposits confirmed and probable [New York Times: 14.07.2016].

The area is important not only because of potential energy resources deposits; its strategic location is equally valuable, with regard to the connection of the Pacific and Indian Oceans. That is why it lies in the area of interest of huge empires and there are opinions of experts saying that the conflict here may be transformed into another part of the cold war, this time between the US and China. The fight between them over control of the routes intermingles with interests of small and medium states of the region of Southeast Asia. The participants in the conflict over the Spratly archipelago are: Vietnam, China, Taiwan, the Philippines, Malaysia and Brunei. On the other hand, Vietnam, China, and Taiwan (whose international-legal situation should be judged differently), claim the whole archipelago, and the Philippines (which joined the conflict in 1951) and Malaysia (which joined the conflict in 1978) claim its parts. Brunei claims only one island, Louisa Reef (since 1984) [Melitsa, Kupfer: 27.06.2017]. China and Vietnam claim the Paracel Islands, the archipelago located to the north.

The conflict began in the 1950s, but political declarations at that time did not bring military actions with them. In the early 1970s the situation began to change. In 1974 China annexed the Paracel Islands, having used the difficult political situation of Vietnam and the ongoing at that time (until 1975) civil war, and in 1988 it took the first steps towards the Spratly archipelago. The Philippines were very active at that time. They increased the military contingent in Pag-asa, they built an airport and they began to build an active civil administration [Sobczynski 2008: 107]. In 1978 the Philippines took actions to declare a new state on a few islands, Freedomland or Kalayaan. The attempt was not successful.

In the 1970s Malaysia made territorial claims. Initially it was the atoll James Shoal, later also Amboyna Cay, Mariveles Reef and Commodore Reef. In 1984 Brunei joined the conflict, indicating Louisa Reef in the east side of the archipelago as its possession according to the law of the sea. It is also noteworthy that Indonesia does not claim any island, but the Chinese claims to the exclusive economic zone covering parts of the Indonesian exclusive economic zone, Natuna, natural gas deposits, among others.

Law of the sea forms the basis of the argumentation adopted by the Philippines, Brunei, Malaysia and Indonesia. On the other hand, among the conflicting sides China and Vietnam, the two biggest rivals and pretenders to the islands, use historic arguments. These are difficult to verify, especially as they intermingle with political interests.

In the early 1990s progress was achieved as for the regulation of the conflict over the archipelagos. In 1992 ASEAN states signed the Declaration concerning the South China Sea, and the most conflicting parties — Vietnam and China — normalized their relations in 1991 [Bolton 1999: 150]. In August 1993 for the first time the negotiations on border problems took place at the governmental level, and in October that year an agreement was signed concerning the rules of solving disputes. In December 1995, during a visit to Beijing of Do Muoi, the Secretary General of the Communist Party of Vietnam, the parties agreed on a joint communiqué, in which they confirmed the will to develop normal bilateral relations according to the rules worked out during the meeting in 1991 and to solve the territorial disputes [Communist Party 1995].

China and Vietnam finished negotiations on December 30, 1999 and they signed a border agreement. On December 25, 2000, during Vietnam's president visit, both sides signed an important joint communiqué with reference to the future development of bilateral relations in the 21st century

[Joint Statement: 15.06.2010]. The visit resulted in signing an agreement on demarcation of territorial waters except for the economic zones and continental shelf of the Gulf of Tonkin and on fishing in the Gulf of Tonkin. Unfortunately, it was impossible to solve the conflict of sovereignty over the Spratly and Paracel Islands. Yet, both parties agreed that they would do nothing that could complicate the process of normalization.

On November 2, 2002, the parties returned to the conflict of the Spratly and Paracel Islands during a meeting of representatives of 10 countries — members of ASEAN, and the PRC. The parties worked out the Declaration on the Conduct of Parties in the South China Sea; its aim was to decrease the tension in the region and to improve the political climate. The rules that accompanied Vietnamese diplomacy at that time are still valid today: softer China's policy toward the South China Sea involving ASEAN consensus and unity and increasing engagement from outside forces, especially the United States [Trang 2010: 124].

After the declaration had been signed, there were attempts, often with good results, to take up common economic and scientific activities connected with the islands. Even Vietnam, China and the Philippines, after some initial examinations, planned to have a joint exploitation of oil and natural gas by national companies [Glosy 2007: 165].

Aggravation of the Conflict in the Second Decade of the 21st Century

In the second decade of the 21st century the problem of the archipelagos between China and some of the countries participating in the conflict (the Philippines, Vietnam and partially Malaysia) aggravated. Due to the expiration of the date for filing in complaints about the continental shelf around the islands according to the Law of the Sea from 1982, in May 2009 Vietnam and the Philippines increased their activities concerning confirmation of their *de facto* sovereignty over the islands. On February 2, 2009, the parliament of the Philippines adopted a law "On delineating the basic border line of the Philippine archipelago" (Filipino: archipelago Kalaiaan). On March 10 the law was signed by the Philippine president, and on May 6 Vietnam and Malaysia appealed to the United Nations with a common project on delineating the shelf in the South China Sea above the border of the 200-mile exclusive economic zone [Commission on the Limits: 29.06.2017]. A permanent representative of China to the United Nations made a proposal to the parties in a note suggesting that the proposal of Vietnam and Malaysia should not be discussed. At the same time, China handed in a Chinese map of the South China Sea to the United Nations commission, with the borders of China marked, taking up 80 per cent of contentious territories. On May 8 Vietnam handed in its project again, this time individually, and an exchange of protest notes took place between Beijing and Hanoi [Portyakov 2012: 34].

Until the middle of 2011 China displayed force concerning the Paracel Islands, but a compromise was achieved, and on October 11, 2011, an agreement on basic principles of regulating maritime problems between China and Vietnam was signed. In the agreement both sides promised not to take any steps that could aggravate the situation. In February 2012 during the talks of ministers of foreign affairs, which took place in Beijing, working groups were called to solve conflicting matters and a "hot line" between the ministries was agreed. The parties agreed on six principles, on which the negotiations concerning the islands in conflict should be based [VN—China: 29.06.2017].

The members of ASEAN were not united as for future joint actions in this situation. In July 2012 the foreign ministers of this organization for the first time did not adopt a joint communiqué, because Cambodia, the host of the summit, did not agree to place formulations referring to China's

actions in the South China Sea. In November 2012, again during the summit of ASEAN, the problem appeared with appropriate wording of the communiqué, because Cambodia was aiming for placing in it a formulation that countries of the region would not intend to internationalize the conflict around the islands. This shows that it is difficult to work out a unified position in this matter, because the interests of the countries are in conflict, and they are more or less economically interlinked with China. A positive effect of the talks was the decision of Indonesia, which promised to prepare a new code of conduct of the parties in the South China Sea, to which China reacted positively.

In April 2013, again, the events took place that aggravated the conflict. The problem was that the Cartographic Bureau of China published a map with a U-shaped line. This is the so-called "nine-dash line", reaching as far as Borneo, to which the Vietnamese refer as the "tongue". On the previous maps it was serving as a line of territorial conflicts, but then it became an official border of the country. ASEAN countries paid attention to it, and the Ministry of Foreign Affairs of Vietnam and the Philippines protested to this act [Lokšin 2014: 254]. China did not react to these protests, and clearly signalled that it was not satisfied with their reaction and the closeness to the US in this area.

In May 2014 further escalation of the conflict took place; it was after the Chinese oil installations HYSY 981 had started boreholes in the area of the exclusive economic zone of Vietnam and the continental shelf. Additionally, China began to build an artificial island in the area of the southern reef of Johnson in the Spratly archipelago. Similar actions are planned by China towards other islets of the archipelago. On May 13 the Philippines protested against these actions, and the president of the Philippines in his statement from June 4, 2014, called to observe decisions of the 2002 Declaration [Nguyen Son: 29.06.2017]. These events became a reason for the rise of nationalistic, anti-China feelings both in the Philippines and Vietnam. The Chinese strategy in the region of the South China Sea is based upon the following rules: not allowing the internationalization of the conflict and intervention of third parties, especially the US; decreasing the unity of ASEAN states in that matter; using other unfinished disputes in the region in order to weaken alliances of the countries of the region with the US [Lokšin 2014: 249], which is confirmed by the talks led by the Chinese at various levels.

The conflict in the South China Sea is directly connected to the US interests in the region. For the US it is beneficial to maintain the status quo and to do everything not to destabilize the situation. The policy of the US towards the South China Sea is based on two basic principles. The first is the policy of openness and access to the areas of water, which for strategic and economic reasons could not be over-appreciated. Chinese control of the whole area could significantly reduce this accessibility. China, as it has been said, treats this area as its exclusive economic zone and uses all means to reduce economic and military presence of other countries. The second principle realized in this region is the endeavour to maintain stability, which serves the economic development. There are a few possible dangers to the American oil industry, among others the Vietnam—China conflict and the danger of small military activities [Taylor: 12.02.2016].

Whereas initially in the official statements there was no full support for the solutions proposed by Vietnam and the Philippines, in the period of aggravation of the conflict in the second decade of the 21st century, the US decided to support both positions in this conflict more openly. Since 2010 American secretary of state Hillary Clinton declared an increased interest in the region and strengthening of old alliances with Australia, Japan, South Korea, and — from among the ASEAN states — with the Philippines and Thailand. In 2010 during a summit of the Association, which took place in Hanoi, Hillary Clinton said that the US supported diplomatic solution of the territorial conflicts and it was against threats, and that it prepared initiatives facilitating a build-up of confidence measures. For Vietnam any help and political support was met with approval. The US proposed internationalization of the conflict about the contentious archipelagos. Although ASEAN countries

distanced themselves from this proposal, Vietnam saw in this appeal certain chance, at least a form, to make the matter more visible and a form of pressure on China. The problem became a subject of controversy inside ASEAN [Lukin: 01.02.2016].

From the above considerations it follows that the most active and determined parties of the conflict are above all Vietnam and China, and when it comes to the Spratlys, also the Philippines. The United States, within joint Cobra Gold exercises, tries to include not only the parties having unresolved border issues with China, but also Thailand, having friendly contacts with its neighbour.

The offer of cooperation directed to the countries of the region, including Vietnam, is getting broader. For Hanoi, in the conflict about archipelagos, the US — the biggest maritime power in the Pacific — is a natural ally, which does not mean that the rhetoric used by the US is confrontational. Contrariwise, any dramatic aggravation of the situation would be against American interests. That is why the US encourages its strategy by directing new initiatives to China, ASEAN and Vietnam. Such are among others the talks lasting from September 2013 on the topic of conduct by the ships carrying out activities in the South China Sea, joint academic and scientific projects, such as programmes of ordering maritime biological diversity or joint Sino-Vietnamese border patrols, although the American influence on Sino-Vietnamese border issues is very limited [Lukin: 01.02.2016].

Ruling by the Permanent Court of Arbitration

Certain hope for resolving the conflict was brought by a ruling by the Permanent Court of Arbitration (PCA) in The Hague, which on July 12, 2016, issued a judgment in which it accepted the Philippines' claims, and rejected those of China towards the islands in the South China Sea [PCA Case: 05.01.2016]. China did not participate in the issue and found the verdicts non-binding. The matter concerned two parties, exactly: the Philippines and China, but Vietnam issued a statement in which it finds the ruling by the PCA binding also for itself. We should pay attention to the fact that the ruling by the PCA does not refer to the most important issue of contentious islands, but it surely paves the path for decisions in accordance with international law. The most important conclusion from the verdict is the primacy of Law of the Sea UNCLOS (United Nations Convention on the Law of the Sea) norms and other norms from the International Law. The PCA decided that China does not have historic rights to the contentious islands. Another important conclusion is encouragement coming from the verdict for dialogue and cooperation in the region with the aim of working out solutions by the interested parties.

Currently, as we said before, the conflict in the South China Sea is the main area of activity of the Vietnamese diplomacy. The topic always resurges in discussions, conferences and other initiatives with the participation of the Ministry of Foreign Affairs. Although China does not accept this verdict, for Vietnam it brings hope that the international community will respect its arguments. This is not an easy task, especially in the area of Southeast Asia. China is the biggest trade partner of ASEAN, and ASEAN is the third one for China; the Association is one of the most important investment directions for China, and the new idea of the New Silk Road initiative should be an impulse for development processes in the region. Therefore, the caution is urged against such assessments which could be read as anti-China. The conflict has a tremendous influence on ASEAN. Given the issue's priority for ASEAN's survival, it is hard to be ignored; if ASEAN states remain conflicting towards the matter of the South China Sea, it will be hard to issue joint statements, and without joint statements (even at a minimal level), the message will be sent to the world that ASEAN is a very weak regional organisation indeed. Some regard the conflict as an "existential threat" to the unity of ASEAN [Linh Tong: 21.12.2016]. In 2016, at the summit in Vientiane the assessment of the verdict by the PCA in the Hague was omitted.

As has already been noted, Vietnam regards this situation to be a serious danger for regional security. Tran Dai Quang, the President of the Socialist Republic of Vietnam in his speech in Singapore on August 30, 2016, claimed that in case of further destabilization in the region, not to mention a military conflict, there will be no winners or losers [Thanh Nien News: 30.08 2016].

The role of mediator could be played by Russia, the only country with friendly relations and signed agreements on strategic partnership both with China and Vietnam. Moscow is trying to play a neutral role and it encourages dialogue. It is interested in ending the conflict [Baburin: 29.06.2017]. Nonetheless, some statements — especially by President Vladimir Putin — are assessed by Russian experts on Vietnam as itching towards Chinese interests, and harming good relations with Hanoi. Admittedly, President Putin calls for peaceful resolution of the dispute, but at a press conference after the G20 summit in Hangzou in China he supported China's position as for the PCA ruling in The Hague [RIA Novosti: 08.09.2016].

The American policy of "rebalance" corresponds to Vietnam's strategy for multilateralization of external relations, the search for "friends", especially among empires active in Southeast Asia, but it is principally about balancing the growing Chinese influences. In the face of a rigid position of China with regard to the South China Sea conflict, rejection of considering the verdict in any way, unclear (or even pro-Chinese) position of Russia, its strategic partner, Vietnam is searching for support of its interests in other combinations. India has expressed its support for the freedom of navigation and rules stipulated in the United Nations Sea Law Convention. India calls for peaceful resolution of the conflict, at the same time refraining from escalating tensions, for example by organizing military activities in the contentious area of water, and all other activities that could destabilize the situation is the region [Statement on Award: 29.06.2017].

But it is the United States that emerges as the most important ally in the islands dispute. The US uses various instruments to manifest dissatisfaction with the Chinese nine-dash line which marks its claims to the body of water. In January 2016, the US sent a warship to the proximity of the Paracels to manifest the freedom of navigation. For the US, even though it is not a party in the conflict, the verdict is beneficial for its interests connected to the freedom of navigation in these waters — this is the basic aim and rule stressed by American leaders. The Department of State of the US calls for peaceful resolution of the conflict in accordance with the International Law. At a press conference of the Department of State the need for avoiding all provocations and searching new peaceful solutions was stressed [Kirby: 10.12.2016].

ASEAN states could not issue a joint statement following the ruling given the lack of consensus among ASEAN states. In May 2017, ASEAN—China Senior Officials' Meeting on the Implementation of the Declaration on the Conduct of Parties in the South China Sea took place in Guiyang, China [Joint Press Briefing: 05.07.2017]. At the 30th ASEAN Summit in April 2017 in Manila the Southeast Asian states issued a soft stance on the South China Sea dispute, allegedly bowing down to pressure from China [ASEAN: 30.04.2017]. There was a reference to the United Nations Convention on the Law of the Sea (UNCLOS) (Chairman's Statement 30th ASEAN Summit). Also, there is a direct reference to the South China Sea issue. The statement reads: "We reaffirmed the importance of maintaining peace, stability, security and freedom of navigation and over-flight in and above the South China Sea" (Chairman's Statement 30th ASEAN Summit). There is a call to observe the Declaration on the Conduct of Parties in the South China Sea. There is no reference, however, to the Hague ruling.

In May 2017, China and ASEAN agreed on a "framework" for a code of conduct (COC) in the South China Sea [Economist: 27.05.2017]. A single draft of COC was first put forth in August 2018 with an agreement in November 2018 by two sides to finalize COC within three years, starting from 2019 [Nguyen Minh Quang: 29.10.2019]. Summit, held in Bangkok (23.06 2019) demonstrated a positive spirit among ASEAN members, but failed to yield progress over this document.

Conclusion

China's strategy in the South China Sea is based upon the following rules: not allowing the internationalization of the conflict and intervention by third parties, especially the US; weakening of the unity of the ASEAN members in this matter; using other unresolved conflicts in the region so as to weaken alliances of the regional states with the US [Loksin 2014: 249]. The Vietnamese strategy is based on contradictory assumptions.

The code of conduct in the South China Sea is to be agreed within three years, but the Vietnamese fear that this term will allow China to benefit from the difference of opinion that appears in ASEAN on this subject. That is why the new ASEAN—X formula, which bypasses the consensus, could help Vietnam.

Despite the verdict by the PCA which dismissed Chinese claims to the waters of the South China Sea, the solution of the conflict has been postponed. It is clear that the biggest possibilities for exerting influence on international relations in this region has one party — the PRC. ASEAN states are no counterbalance to the Chinese claims in this region. The other side of this bipolar confrontation might be the US, but it would not be a situation beneficial for the stability of ASEAN. For Vietnam, the US support remains an important bargaining chip. A statement of Michael Pompeo, the US Secretary of State, during his recent visit to Vietnam, was warmly welcomed in Hanoi. He supported Vietnam in its conflict with China [Nguyen Ha: 05.11.2019].

Contradictory interests of the members do not allow to work out a unified position vis-à-vis the conflict. Despite this, internationalization of the conflict and placing of the solution in hands other than the countries of the region does not seem appropriate.

It should be stressed with full responsibility that Vietnamese diplomacy does not intend to give up claims in the South China Sea despite the difficulties discussed in the article. It will do so in a consistent but balanced way. The evidence is President Nguyen Phu Trong's speech before the parliament: "We will resolutely and persistently maintain independence while fighting for the protection of our sovereignty, but we must maintain a peaceful environment for development... What belongs to our independence and national sovereignty, we will never give up. We are determined to fight and win" [South China Morning Post: 15.10.2019].

References

1. ASEAN gives Beijing a pass on South China Sea dispute, cites 'improving cooperation'. Retrieved on 30.04.2017 from URL: http://www.reuters.com/article/us-asean-summit-idUSKBN17W02E.

2. Baburin, S. Probliemy Južokitayskogo Morya — wzglyad iz Moskvy [Problems of the South China Sea — A View from Moscow]. Retrieved on 29.06.2017 from URL: http://baburin.ru/archives/7485.

3. Bolton, K. (1999). Domestic Sources of Vietnam's Foreign Policy: Normalizing relations with the United States. *Vietnamese Foreign Policy in Transition*, eds. Carlyle A. Thayer. Ramses Amer, Institute of Southeast Asian Studies, Singapore.

4. Commission on the Limits of the Continental Shelf (CLCS). Outer limits of the continental shelf beyond 200 nautical miles from the baselines: Submissions to the Commission: Joint submission by Malaysia and the Socialist Republic of Vietnam. Retrieved on 29.06.2017 from URL: http://www.un.org/Depts/los/ clcs_new/ submissions_files/submission_mysvnm_33_2009.htm.

5. Communist Party of Vietnam (1995). Information Bulletin no. 11. Hanoi, December.

6. Hurrell, A. (1995). Regionalism in Theoretical Perspective. *Regionalism in World Politics. Regional Organization and International Order*. Eds: L. Fawcett, S. Hurrell. Oxford; New York: Oxford University Press.

Вьетнамские исследования. Серия 2. 2019, № 4

7. Glosy, M.A. (2007). Stabilizing the Back Yard: Recent Development in China's Policy toward Southeast Asia. *China and the Developing World: Beijing's Strategy for the 21st Century*. Eds. J. Eisenman, E. Hegingotham, D. Mitchell. Armonk, N.Y.: M.E. Sharpe. P. 150—188. Retrieved on 13.06.2017 from URL: http://time.com/4421293/asean-beijing-south-china-sea-cambodia-philippines-laos.

8. Joint Press Briefing on the 14th ASEAN-China Senior Officials' Meeting Retrieved on 05.07.2017 from URL: http://asean.org/storage/2017/05/14th-SOM-DOC-Co-Chairs-Joint-Press-Briefing-Remarks-As-delivered-18-May-amen.pdf.

9. Joint Statement on All-round Cooperation in the New Century between the People's Republic of China and the Socialist Republic of Viet Nam. Retrieved on 15.06.2010 from URL: http://www.fmprc.gov.cn/eng/4471.html.

10. Kirby, J. Spokesperson Daily Press Briefing. Washington DC, July 12, 2016. Retrieved on 10.12.2016 from URL: https://www.state.gov/r/pa/prs/dpb/2016/07/259605.htm#CHINA2.

11. Kurlantzick, J. A China—Vietnam Military Clash. Retrieved on 01.02.2016 from URL: https://www.cfr.org/report/china-vietnam-military-clash.

12. Linh Tong. The ASEAN Crisis. Part 1: Why the South China Sea Is a Critical Test. *The Diplomat*, December 21, 2016. Retrieved on 09.07.2017 from URL: http://thediplomat.com/2016/12/the-asean-crisis-part-1-why-the-south-china-sea-is-a-critical-test.

13. Lokšin, G.M. (2014). Južno-Kitayskoe more: Do mira i spokoystwiya ješčyo daleko [Lokshin G.M. The South China Sea: A Long Way to Peace and Agreement]. *Tichookeanskoe Obozrenie 2012—2013*. Moscow.

14. Lukin, A. Tieritorialnye spory rasšatyvayut ASEAN [Territorial Disputes Divide ASEAN]. Retrieved on 01.02.2016 from URL: http://www.mgimo.ru/news/experts/ document232277.phtml.

15. Melitsa, A., Kupfer, J. Oil and Gas Resources and Transit Issues in South China Sea. Retrieved on 27.06.2017 from URL: http://asiasociety.org/files/SouthChinaSea_OilGas_brief.pdf.

16. Nguyen Ha. Vietnam Gets a US Confidence Boost in China Sea Dispute. Retrieved on 05.11.2019 from URL: https://www.voanews.com/east-asia-pacific/vietnam-gets-us-confidence-boost-china-sea-dispute.

17. Nguyen Minh Quang. Saving the China—ASEAN South China Sea Code of Conduct. Retrieved on 29.10.2019 from URL: https://thediplomat.com/2019/06/saving-the-china-asean-south-china-sea-code-of-conduct.

18. Nguyen Son. Exposing China's Artificial Islands Plan in the Spratly's. Retrieved on 29.06.2017 from URL: http://www.internationalpolicydigest.org/2014/06/17/exposing-chinas-artificial-islands-plan-spratlys.

19. PCA Case N 2013—19 in the matter of the South China Sea Arbitration. Retrieved on 05.01.2016. URL: https://pca-cpa.org/wp-content/uploads/sites/175/2016/07/PH-CN-20160712-Award.pdf.

20. Portyakov, V. (2012). O nekotorych osobennostyah wnešney politiki Kitaya w 2009—2011 [On Some Characteristic Features of China's Policy in the Years 2009—2011]. *Problemy Dalniego Wostoka*, N. 2.

21. RIA Novosti 08.09.2016. Retrieved from URL: https://ria.ru/world/20160908/1476379782.html.

22. Sobczyński, M. (2008). Uwarunkowania geopolityczne międzynarodowego sporu o Wyspy Spratly [Geopolitical Conditions of the International Conflict about the Spratly Islands]. *Problemy rozwoju państw azjatyckich* [Development Problems of Asian States]. Ed. J. Marszalek-Kawa, Wyd. Adam Marszałek, Toruń.

23. South China Morning Post, 15.10.2019. Retrieved from URL: https://www.scmp.com/ news/china/ diplomacy/article/3033086/vietnam-calls-restraint-south-china-sea-after-months-tensions.

24. Statement on Award of Arbitral Tribunal on South China Sea under Annexure VII of UNCLOS. Retrieved on 29.06.2017 from URL: http://www.mea.gov.in/pressreleases.htm?dtl/27019/Statement+on+Aw ard+of+Arbitral+Tribunal+on+South+China+Sea+Under+Annexure+VII+of+UNCLOS.

25. Stepanov, E.D. (2001). Spornye mieždunarodnye problemy w Južno-Kitayskom More [Conflicting International Problems in the South China Sea]. *Kitay w mirowoy politike* [*China in International Politics*]. Moscow: MGIMO, ROSSPEN.

Вьетнамские исследования. Серия 2. 2019, № 4

26. Taylor, Fravel M. The United States in the South China Sea Disputes. Retrieved on 12.02.2016 from URL: https://www.swpberlin.org/fileadmin/contents/products/projekt_papiere/BCAS2012_Taylor_Fravel_w eb_final_ks.pdf.

27. The Economist, May 27, 2017.

28. The New York Times, 14.07.2016. Retrieved from URL: https://www.nytimes.com/2016/07/15/ world/asia/south-china-sea-dispute-arbitration-explained.html.

29. Tran Truong Thuy (2010). Compromise and Cooperation on the SEA: The Case of Signing the Declaration on the Conduct of Parties in the South China Sea. *The South China Sea: Cooperation for Regional Security and Development*. Ed. by Tran Truong Thuy. Hanoi. P. 114–124.

30. VN—China basic principles on settlement of sea issues. Retrieved on 29.06.2017 from URL: http://www.mofa.gov.vn/en/nr040807104143/nr040807105001/ns131016150351.

For citation: Pietrasiak, M., Pieczara, K. (2019). Vietnam's diplomacy towards the conflict in the South China Sea and its influence on ASEAN. *Russian Journal of Vietnamese Studies*, series 2, № 4. P. 7–17.

Authors:

Pietrasiak Malgorzata, DSc, Full Professor, Lodz University, Poland. ORCID: 0000-0002-4279-1483. E-mail: mpietrasiak@uni.lodz.pl

Pieczara Kamila, Independent Researcher, Jaworzno, Poland.

Article history: Received: September 15, 2019 Received in revised form: November 10, 2019 Accepted: November 25, 2019

Малгожата Петрасяк, Камила Пичара

ЛИНИЯ ВЬЕТНАМСКОЙ ДИПЛОМАТИИ В КОНФЛИКТЕ В ЮЖНО-КИТАЙСКОМ МОРЕ И ЕГО ВЛИЯНИЕ НА АСЕАН

Аннотация. В статье рассматривается происхождение и современное состояние конфликта в Южно-Китайском море через призму видения отдельных стран АСЕАН с особым акцентом на интересы Вьетнама. Южно-Китайское море является областью особого интереса многих стран в силу своей безопасности, экономической и транспортной значимости. Проблема осложняется противоречивыми интересами двух сверхдержав — США и Китая. Китай и АСЕАН предприняли шаги для согласования и подписания Кодекса поведения (СОС) в Южно-Китайском море, но прогресс в этом вопросе незначителен. Вьетнам уделяет особое внимание правовым механизмам, касающимся многосторонних споров, — Конвенции ООН по морскому праву (ЮНКЛОС) и решению Постоянного арбитражного суда (ПАС) в Гааге. Основной тезис исследования заключается в том, что как Вьетнам, так и большинство стран АСЕАН придерживаются мирных решений, используя инструменты международного морского права.

Ключевые слова: АСЕАН, Вьетнам, дипломатия, конфликт в Южно-Китайском море, ЮНКЛОС.

Для цитирования: Петрасяк М., Пичара К. Линия вьетнамской дипломатии в конфликте в Южно-Китайском море и его влияние на АСЕАН // Вьетнамские исследования, сер. 2, 2019, № 4. С. 7—17 (на англ. яз.).

Авторы:

Петрасяк Малгожата, д.гум.н., профессор Лодзинского университета. ORCID: 0000-0002-4279-1483. E-mail: mpietrasiak@uni.lodz.pl

Пичара Камила, независимый исследователь, город Явожно, Польша.

Продвижение статьи: Дата поступления: 15.09.2019 Дата поступления в переработанном виде: 10.11.2019 Принята к печати: 25.11.2019