

Preventive Diplomacy and Coordinated Settlement of Maritime Disputes at the South China Sea

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Preventive Diplomacy: definition

- ▶ Preventive diplomacy, by its definition, is a diplomatic action taken before the predictable crisis to prevent or limit violence.
- ▶ **“Preventive diplomacy** is action to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur” - UN Secretary General Report “Agenda for Peace”, in 1992
(<http://www.aseansec.org/15406.htm>)

- ▶ Michael S. Lund, the author of "Preventing Violent Conflict: A Strategy for Preventive Diplomacy", identifies it as "action taken in vulnerable places and times to avoid the threat or use of armed force and related forms of coercion by states or groups to settle the political disputes that can arise from the destabilizing effects of economic, social, political, and international change."

- ▶ Since the end of the Cold War the international community through international institutions has been focusing on preventive diplomacy. As the United Nations and regional organizations as well as global and regional powers discovered the high costs of managing conflict, there is a strong common perception of benevolence of preventive diplomacy.
- ▶ Preventive diplomacy actions can be implemented by the UN, regional organizations, NGO networks and individual states. One of the examples of preventive diplomacy is the UN Peace Keeping mission in Macedonia in 1995-1999. It was the first UN preventive action.

Inauguration of Preventive Diplomacy at East Asia

- ▶ In 2001, the 8th ASEAN Regional Forum (ARF) agreed on the concept and principles of preventive diplomacy (PD), drawing heavily from a document provided to the ARF by the CSCAP Working Group on Confidence and Security Building Measures (CSBMs). The 9th ARF (2002) agreed to "provide substantive follow-up to the Paper on Concept and Principles of Preventive Diplomacy adopted [the previous year]" as part of the set of agreements constituting the Future Direction for the ARF. At the 13th ARF in 2005, the group "looked forward to the development of concrete measures in PD".
- ▶ The ARF Inter-sessional Support Groups (ISGs) continue to emphasize the need to further study PD and to develop more specific recommendations and policies for governments to adopt. As part of this effort, the ARF will reportedly commission a study on Preventive Diplomacy to assess progress to date.


East Asia Embracing PD?

- ▶ The Study Group considered best practices and lessons learned by selected international and regional organizations in direct support of an ARF-proposed examination of PD. It drew from the work of the (now concluded) CSCAP CSBM Working Group and focused its discussions to relate to the subsequent ARF seminar of a similar focus.
- ▶ This study group held a one-off meeting on 30-31 October 2007 in Bandar Seri Begawan, Brunei.

ARF Framework and Preventive Diplomacy in East Asia

- ▶ 2011 Preventive Diplomacy Work Plan and the 2013 Concept Paper on Moving toward Preventive Diplomacy.
- ▶ Previous CSCAP Study Groups have done substantial work on confidence building and preventive diplomacy (PD). The ASEAN Regional Forum (ARF) concept and principles for preventive diplomacy drew heavily from a document provided to the ARF by the CSCAP Working Group on Confidence and Security Building Measures (CSBMs). Subsequently, the ARF commissioned a study on preventive diplomacy, which was completed by the Pacific forum CSIS (which manages USCSCAP) and the Rajaratnam School of International Studies (which manages CSCAP Singapore) in 2008.



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- ▶ The study considered best practices and lessons learned by selected international and regional organizations and provided a series of recommendations for moving from confidence building to preventive diplomacy and formed the basis for the development of the 2011 ARF Work Plan on Preventive Diplomacy.
 - ▶ The ARF Inter-sessional Support Group (ISG) continues to emphasize the need to further study PD and to develop more specific recommendations and policies for governments to adopt. The current study seeks to provide more specific guidance in the interest of facilitating implementation of the Work Plan.

- ▶ ARF PD Concept Paper calls for a three-stage approach beginning with “learning, sharing, and understanding”, followed by exploring and developing PD tools, followed by exploring ARF PD opportunities, this approach should not preclude the ARF from responding to requests for assistance and providing norm-setting support for other PD initiatives, while also welcoming external offers of assistance.
- ▶ The Council for Security Cooperation in the Asia Pacific (CSCAP) Preventive Diplomacy Study Group met at the Kandawgyi Palace Hotel in Yangon, Myanmar on December 7-8, 2013.

For what purpose PD could be exactly and effectively implemented?

- ▶ Stop war from happening?
- ▶ Stop conflict from happening?
- ▶ Stop violence from happening?
- ▶ Furthermore, it's risk-reducing, or danger-controlling?
- ▶ In any sense, preventive diplomacy would be forceful enforcement, or selective one?

To what extent the PD could be pursued?

- ▶ What's difference between preventive diplomacy and confidence building measures?
- ▶ How preventive diplomacy could be combined with regional efforts to approach security flash point?
- ▶ Who would be authoritative to judge and decide the applicability of preventive diplomacy?
- ▶ Is there any exclusion to preventive diplomacy?

Who will be trustable to enforce preventive diplomacy?

- ▶ UN Security Council?
- ▶ Regional Institutions like EAS, ARF, APEC or ASEAN + 3?
- ▶ Relatedly, in what way, acceptance of preventive diplomacy is mandatory?
- ▶ Ultimately, how does preventive diplomacy significantly attain to its goal even if it is started off?

South China Sea Disputes and Preventive Diplomacy

- ▶ It seems quite difficult to apply preventive diplomacy, whatever its form is, to the South China Sea issues. The reason is that the South China Sea disputes have gone much far beyond maritime territorial disputes. It is tending to be great power rivaling place.
- ▶ De-escalation of tension at the South China Sea and prevention of great power competition is only reliable way to increase the feasibility of preventive diplomacy.
- ▶ No single case in the post-Cold War is indicative of success of preventive diplomacy at regional level without great power collaboration.

Exploring the way to endorse on preventive diplomacy

- ▶ However, the South China Sea needs more regional attention to establish multilateral mechanism to prevent escalation of tension, and constrain any breakout of violence.
- ▶ Chinese Foreign Minister Wang Yi proposes “dual track” approach to settle down the disputes - resolving territorial disputes through bilateral negotiation and reinforcing stability and peace through China-ASEAN cooperation. The approach opens door for preventive diplomacy in the South China Sea.
- ▶ PD could be a parallel to COC negotiation, and turn into a concrete and constructive action plan of COC.
- ▶ Confidence building measures (CBMs) is supposed to make the way first.



▶ Thanks for your attention!

▶ October 19, 2014.