

US disputes China's territorial claims in the South China Sea

By Joseph Santolan
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Daniel Russel, US assistant secretary of state for Asia, testifying before the House subcommittee on Asia and the Pacific on February 5, stated that the United States opposed the “incremental effort by China to assert control over the area contained in the so-called ‘nine-dash line,’ [i.e., China’s territorial claim to the South China Sea].” Russel further asserted that the scope of China’s claim lacked any “apparent basis under international law.”

This statement, repeated at several points during his testimony, as well as during a State Department press meeting on February 4, constitutes a shift in US foreign policy in the Asia-Pacific region and an escalation of Washington’s war drive against China.

Prior to Russel’s declaration, the official position of the United States regarding the maritime disputes in the South China Sea was that Washington maintained neutrality with regard to the various competing territorial claims, and that its sole concern was ensuring the “freedom of navigation.” This position served the purpose of an official disclaimer, and was trotted out by US diplomats as a means of denying the belligerent character of Washington’s involvement in the region.

China’s maritime claims have not altered an iota. What has changed is Washington’s position regarding these claims. The Obama administration is looking to use the invocation of portions the United Nations Convention on the Law of the Sea (UNCLOS), a treaty to which the United States is not a signatory, as a mechanism for denouncing Beijing’s maritime claims and ratcheting up pressure on China.

This shift in US policy was succinctly expressed in the title of the congressional subcommittee hearing, “America’s Future in Asia: From Rebalancing to Managing Sovereignty Disputes.” Washington is looking to move beyond its so-called “pivot,” as a

“rebalancing” of US forces to Asia-Pacific, to managing the region as its imperial master.

Russel stated: “I think it is imperative that we be clear about what we mean when the United States says that we take no position on competing claims to sovereignty over disputed land features in the East China and South China Seas ... we do take a strong position that maritime claims must accord with customary international law.” He continued: “This means that all maritime claims must be derived from land features and otherwise comport with the international law of the sea ... claims in the South China Sea that are not derived from land features are fundamentally flawed.”

Russel called upon China to “clarify or adjust its nine-dash line claim to bring it in accordance with the international law of the sea.”

Chinese Foreign Ministry spokesperson Hong Lei denounced Russel’s statements, calling his remarks “irresponsible” and “groundless accusations against China.” He added that China’s claim to the South China Sea had “developed and been formed during a long historical process.”

Russel’s statements reflect, almost verbatim, the position being laid out before the UN-backed International Tribunal on the Law of the Sea (ITLOS) by the Philippine government. President Benigno Aquino’s administration, under Washington’s supervision, has drawn up a legal case against China’s maritime claims in the South China Sea, which it will begin presenting for arbitration in The Hague on March 30.

The case is not aimed simply at defending the maritime claims of the Philippines, but challenging nearly the entirety of China’s claims in the South China Sea. Manila is arguing that China’s claims are

based only on historical documents and not on proximate land features, such as the Spratly Islands—tiny spits of sand and rock that dot the disputed waters.

Any finding issued by the ITLOS will be non-binding, but Washington is using the logic presented in this case to directly undermine China's claims.

Washington's public attack on Chinese territorial sovereignty is part of a concerted campaign of war propaganda against Beijing. It is no coincidence that on the same day as Russel's statements, the *New York Times* conducted an interview with President Aquino in which he compared Beijing's territorial claims in the South China Sea to Hitler's annexation of Czechoslovakia and likened China to Nazi Germany.

Aquino's inflammatory and absurd comparison was immediately defended by an article published on February 6 in the *Atlantic*. The author, liberal columnist and former editor of the *New Republic*, Peter Beinart, stated: "[T]here's only one rising power in today's world with the economic and military might to intimidate its neighbors into territorial concessions and then use those concessions to dominate a strategically important region of the world, and that's China."

This is a blatant lie. Beinart is not describing China, but rather the United States. The US is no longer a rising power—rather a decaying one—but Washington is using its military and economic might the world over to dominate regions, secure territorial concessions, or directly control neo-colonies.

Beinart wrote that Aquino's reference to Nazi Germany was "the right way to use a misunderstood analogy" and said the South China Sea territorial claims of Beijing constituted a "Munich moment" in global politics, referring to Hitler's 1938 occupation of the Sudetenland.

When leading pundits in Washington begin bandying about Nazi comparisons in reference to foreign powers, it is a clear sign that the US war machine is in high gear and has reached a state of advanced preparation for war. This was also in comments in two congressional subcommittee hearings on maritime disputes held in the past week.

Congressional representative Randy Forbes told the joint Foreign Affairs and Armed Forces subcommittee hearing that the US "must be 100 percent intolerant of

China's territorial claims." Representative Steve Chabot, joint chair of the meeting, stated: "We are witnessing a dangerously aggressive China ... Our interests are increasingly threatened ... China is attempting to take disputed territories by gradual force under the misguided view that the United States will just allow it."

Chabot cited unspecified government reports, which he claimed revealed that "China is now insisting that it will attack the Philippines forces ... to recover territory that [the Philippines] allegedly stole." Representative Ami Bera called for "provocative and strategic engagement with our allies," while another representative, Brad Sherman, said the "pivot" means "we are confronting China as our new enemy."

Bonnie Glaser, senior adviser on Asia for the Center for Strategic and International Studies (CSIS), testifying before the subcommittee hearing, called for "economic and military punitive measures" to be taken against China for its territorial claims. When asked what measures should be taken, she said the US and Japan should hold joint military flyovers of China's Air Defense Identification Zone (ADIZ) and the US military should engage in "targeted cyber-sanctions"—in reality, cyber-warfare.

This is nothing but the language of war. Glaser is advocating reckless provocations that have the potential to propel the US into a conflict with China that would rapidly escalate and engulf the world.

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