



3rd CSCAP EU Committee Meeting

'THE SOUTH CHINA SEA CONUNDRUM: LEGAL SOLUTIONS AND PREVENTIVE MEASURES'

Friday, 20 November 2015, Brussels

(Scotland House, Rond-Point Schuman, 6)

The South China Sea represents undeniably one of the world's most complex security hotspots. The continuous battle over overlapping sovereignty claims has managed to exacerbate existing geopolitical tensions, jeopardise the sea's rich and fragile natural marine environment and generate a real threat to regional stability. As a security puzzle, it is a combination of elements of traditional power rivalry, the complexities of international law, and the various non-traditional challenges related to the everyday management of one of the busiest waterways on the planet. Though the nations involved have not altered their positions, they are intensifying their rhetoric and bolstering their capabilities. Despite almost two decades of discussions and attempts to put in place various preventive measures, there is no breakthrough in sight.

The question of the relevance and applicability of the rule of law has become central to the debate, culminating in the arbitration case between the Philippines and China. Extensive dredging and land-reclamation activities and clashes between maritime agencies in the contested waters pose a serious challenge to the Freedom of Navigation, as well as to the rule-based international system in general. The EU, a major economic power and party to the Treaty of Amity and Cooperation, has an evident interest in the stability of the regional waters. Yet, its stance on the South China Sea has often been perceived to be too vague and too weak; this is subsequently used to undermine the image of an aspiring security actor in the region. If Europe is to contribute to the on-going debate and to regional stability, it is by making use of its extensive experience in peaceful settlement of disputes and its expertise in international law.

CSCAP EU regroups a select mix of experts from academia, EU institutions and think tanks, and as such provides a unique platform for discussing alternative solutions and demonstrating the EU's added value for regional security. The aim of the workshop is to gather European expertise on Asia, and international and maritime law, to discuss possible legal solutions in the South China Sea and the various preventive and provisional measures that have been - or still could be - put in place. At the same time, it attempts to foster arguments that could help to update and sharpen the EU position on the South China Sea issue.

This meeting is part of the expert outreach and consultation process for the preparation of the EU Global Strategy on foreign and security policy, coordinated by the EUISS and the Strategic Planning Division of the EEAS.