ACRIOPINION



AUSTRALIA-CHINA RELATIONS INSTITUTE 澳大利亚-中国关系研究院

COUNCIL on FOREIGN RELATIONS

Will Australia join South China Sea FONOPs? Don't count on it

James Laurenceson

March 2 2017

Note: This article appeared in the Council on Foreign Relations' *Asia Unbound* blog, March 2 2017.

News last month that a U.S. Navy carrier strike group had <u>moved into the South China Sea</u> raised expectations that under President Donald J. Trump the United States might dramatically step up freedom of navigation patrols (FONOPs) in the South China Sea. This in turn raises questions about how U.S. allies such as Australia, which has refused to join these patrols in the past, might respond to a shift in policy.

The Trump administration has yet to formally designate China a currency manipulator as promised during the election campaign, although the president himself has not shied away from labelling it as such in interviews. Nor has the administration moved beyond strong rhetoric to slapping tariffs on Chinese imports. But the South China Sea could provide the theatre for President Trump's tough words on China to become tough actions. The president has vowed to boost military spending, including on the navy. Several members of his administration, such as chief strategist Steve Bannon, have suggested that the United States and China could go to war over the South China Sea in coming years. Secretary of Defense James Mattis also has struck a hawkish tone on the South China Sea in the past, albeit this has been tempered more recently.

If the administration decides to dramatically increase the number of FONOP patrols in the South China Sea, Washington will almost certainly be going at it alone, despite significant concerns about China's militarization of parts of the South China Sea among U.S. partners like Singapore, India, Vietnam, Malaysia, and Australia. Over the last two years, U.S. admirals have regularly hinted that Australia and other countries should also be running freedom of navigation patrols that penetrate the twelve-nautical-mile zones around Chinese-claimed features in the South China Sea.

To date, no U.S. partners in the region have taken up the <u>invitation</u> from Washington. Australia has been seen widely in Washington to be the <u>most likely candidate</u> to join a new wave of stepped-up FONOPs. But the Australian position does not appear to be changing, even with the change in administration in Washington and a potentially tougher U.S. policy on the South China Sea. Canberra supports the right of the United States to run such patrols in accordance with both countries' understanding of international law. At the same time, as Foreign Minister Julie Bishop <u>explained to the Australian parliament</u> last October, Australia has resisted joining FONOPs because it is the

government's view that doing so would only escalate tensions in the South China Sea.

There is another factor that possibly helps to explain the limited Australian and regional response to Chinese assertiveness in recent years, even if it is rarely stated officially. A claim made repeatedly is that more than \$5 trillion of global commerce passes through the South China Sea annually. However, the bulk of this trade is to or from China, which Australian officials believe Beijing does not want to impede.

Foreign Minister Bishop <u>was reported</u> to have delivered the message that Australia would not join FONOPs to President Trump's foreign policy team in a visit to Washington last week. That the Australian media, after reports of a tense phone call between the Australian prime minister and President Trump, is alert to signs of Prime Minister Turnbull buckling to any pressure from President Trump, including on FONOPs, actually makes it less likely that Turnbull will commit to joining U.S.-led FONOPs.

There are, to be sure, voices in Australia that advocate joining the United States in conducting FONOPs in the South China Sea. Last November, Peter Jennings, the Director of the Australian Strategic Policy Institute, a Canberra-based think tank, said that if President Trump pressed on the issue: 'I think the only sensible answer is we too, like the Americans, should be undertaking freedom of navigation operations in the South China Sea.' In contrast, just last week, a respected former Australian defence chief, Angus Houston, expressed his support for the government's view that joining U.S.-led FONOPs in the South China Sea would be unwise.

Last week also saw a visit to Australia by Indonesian President Joko Widodo. Shortly before his arrival there was some <u>excited commentary</u> that Australia and Indonesia might do joint South China Sea patrols themselves. But such talk is <u>not new</u> and the <u>final joint statement</u> issued by the two countries made no mention of such plans; President Widodo has, overall, focused Indonesians on domestic issues rather than trying to stake out a role on major regional challenges. If any Australia-Indonesia joint patrols ever do materialize, they will likely focus on disaster preparedness and environmental management, not testing China's territorial claims.

There is one possible development that could cause Australia to change its current approach and embrace U.S.-led FONOPs. That would be if China began dredging at Scarborough Shoal. Last July, an international panel in The Hague <u>found</u> the shoal to be a high-tide elevation. This means that it could be a feature upon which China could attempt to base a territorial claim and claim a twelve-nautical-mile territorial sea. Still, following the tribunal's other findings that China had violated international law by building on low-tide elevations and causing environmental damage within the Philippines exclusive economic zone in the South China Sea, dredging at Scarborough and then using it to base a territorial claim would be highly provocative, and could cause Canberra to reconsider its approach to FONOPs.

For now, however, even if Washington increases the frequency of its freedom of navigation patrols, the Australian strategy is likely to remain unchanged. Canberra will continue focusing on de-escalating tensions and prioritizing diplomacy in dealing with the South China Sea.