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Finding a Balanced China Policy: Constraints and Opportunities for Southeast Asian Leaders

Renard Sexton is an Assistant Professor at Emory University and a 2021–22 Wilson China Fellow

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Abstract

Much of recent U.S. policy discussion of maritime conflict in East Asia, especially around the South China Sea, has focused on U.S. and China great power competition. Often left out are the political dynamics within and among Southeast Asian (explicitly or implicitly) claimant countries, which are highly important for the conduct of foreign affairs in the region and the ultimate disposition of the conflict. Specifically, this project examines the often highly nationalistic domestic political pressures that leaders in Southeast Asia face vis-à-vis China, at the same time that they navigate increasing trade reliance on the Chinese market and growing PRC assertiveness in terms of territorial claims in maritime Asia. It also documents the growing level of conflict between ASEAN (Association for Southeast Asian Nations) countries in the South China Sea, something that imperils any collective action on the topic.

Implications and Key Takeaways

- Policymakers in United States should recognize that confrontation with China is bad domestic politics for most leaders in Southeast Asia, including those with claims in the SCS.

- The United States should work to help SE Asian countries resolve their bilateral disputes in the SCS, along with disincentivizing posturing between ASEAN countries, as a critical precursor to any collective action vis-à-vis China.

- The United States should seek to understand and carefully navigate the divergence in views between elites and regular citizens in Southeast Asia on international affairs, which complicates strategic calculations and diplomatic engagement.

- U.S. economic engagement in SE Asia lags behind security cooperation, and although the latter is valued, without greater public and private economic engagement rebalancing towards China by most SE Asian countries is increasingly likely over time.

- Although 'ASEAN Centrality' is often viewed as a useful, if hollow, diplomatic buzz-phrase, ASEAN may in practice be an impediment to resolution of the issues by distracting limited political energy from other processes that would have a chance to succeed.

Introduction

Over the past decade, foreign policy discussions about Asian regional security have increasingly (and somewhat myopically) focused on U.S.-China relations and impending competition or confrontation. Although undoubtedly important, this lens often obscures important political dynamics within the region, especially as smaller countries in the region struggle to manage China's increasing military and economic assertiveness in its 'backyard.' Even as they fret about the PRC's expansionist tendencies and return of China as the 'big brother,' de-facto accommodation has been the main response. One emblematic case is the ongoing territorial disputes in the South China Sea, which include competing claims between Southeast Asian countries and China, as well as between themselves. Southeast Asian leaders find themselves stuck between multiple constraints.

On the one hand, public opinion is overwhelmingly hawkish and nationalistic, demanding that leaders take action to push back against incursions by China and their neighbors. In a recent survey conducted on representative samples of people in the Philippines, Indonesia, Malaysia, and Vietnam, 70 percent of respondents agreed that their government should "stand up to China [regarding the South China Sea], despite the risks."[1] For leaders like Joko Widodo of Indonesia, or Rodrigo Duterte of the Philippines, who are periodically accused[2] of being 'soft on China,' public pressure for strong action is politically impossible to ignore.

On the other hand, China has become the ASEAN region's largest trading partner and is an increasingly important source of foreign capital and investment, including infrastructure investments. Looking forward, many elites in Southeast Asia see this trend as only increasing further—with critical imports coming from China and China as a growing, vital market for exports. An escalation that hamstrung exports or interrupted investments would be extremely damaging to the economy, with obvious political ramifications. For business elites involved in international trade, who are inevitably well-connected with the political leadership, a serious crisis with China or neighbors would be a big problem. At the same time, China's growing military capabilities, and increasing willingness since 2012 to use them, raises the stakes further for Southeast Asian governments. Beyond the obvious mismatch between say the Indonesian Navy and the People's Liberation Army

Navy, China's demonstrated capacity to take offensive action in cyberspace is deeply troubling for ASEAN leaders.[3]

Given these countervailing political pressures, acute crises in the South China Sea can create no-win situations for Southeast Asian political leaders. It raises the profile and political salience of a topic that can expose them on both flanks: the nationalist crowd is reminded that national sovereignty remains under significant threat, and the free-traders and other elites are frightened about economic disruptions or who are politically favorable to China.

It would make sense, then, that finding a durable settlement that would take the issue off the table would be preferable to periodic episodes of conflict with risks of significant downsides. For Southeast Asian leaders, though, a lack of leverage, poor coordination with neighbors and pressure from hardliners at home has made finding and implementing a compromise infeasible to date. Ironically, the overwhelming hawkishness of the public in Southeast Asia constrains the ability of leaders to make deals that in the long run might protect a country's claims better than intransigence.

Considering things from the perspective of the United States, two major challenges are that the status quo largely favors China and the U.S. strategy of supporting a regionally-driven resolution in a hands-off/'ASEAN centrality' manner is unlikely to bear fruit. China's growing military strength, as well as the relative success of its 'gray zone' strategy (including military investments in the Spratlys) has meant that they have slowly but surely gained ground in the region. Also, Southeast Asian countries continue to have territorial disputes between themselves and ASEAN's non-interference and consensus rules limit regional action. Unless the United States and its allies play a more leading role, the combination of growing Chinese leverage and commitment problems/nationalist sentiment between Southeast Asian countries likely means that China will achieve their aims in the South China Sea, de-facto controlling much of the four archipelagos (Four Sha) that they seek to consolidate, unless a hot war forces the United States to engage in kinetic pushback.

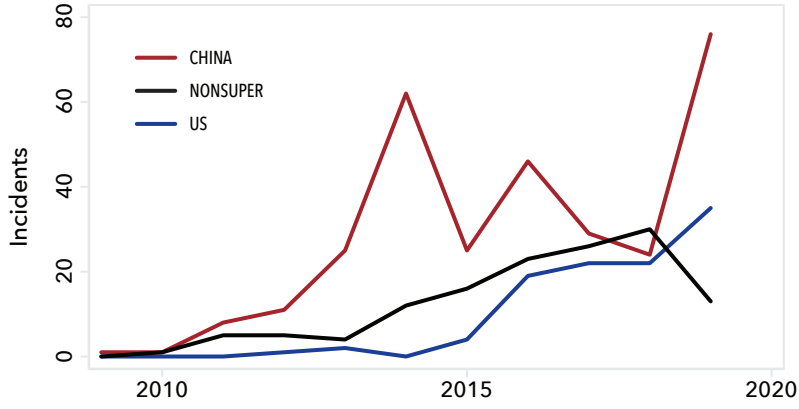
Part of the difficulty of implementing this is that the United States has become year-by-year less relatively economically important to Southeast Asia, even as nominal investment and trade levels have risen, with trade and investment with China and intra-regionally trade growing significantly faster. Perceptions of U.S. disengagement outpace the facts on the ground:

though the United States remains an important economic player in the ASEAN region by trade numbers and brand strength, elites and the general public perceive a slow by steady retreat of the United States in economic importance to the region.

Recent trends in the South China Sea

Although some territorial disputes in the South China Sea go back to post-World War II era, the upswing in conflict has been a relatively recent phenomenon (with some exceptions, like China seizing parts of the Paracel Islands from Vietnam in the 1970s). New data that catalogues major incidents related to conflict in the South China Sea from 2010 to the present shows that since Xi Jinping took power in China in late 2012, PRC maritime activities in the South China Sea have expanded dramatically.[4] This also roughly corresponds also with President Obama's "pivot to Asia." In Figure 1 below, we see that although incidents associated with U.S. vessels and ships from non-superpower countries have also risen, the scale is not to the same degree as China.[5]

FIGURE 1: Conflict Events Detected in SCS



As sovereignty claims in the South China Sea have gained political currency during this period, activities by ASEAN countries have also risen, both involving neighbors and China as targets. Most notably, Vietnam in the early 2010s mirrored China by sharply increasing the number of activities it was involved with. This includes an increase in Vietnamese "maritime militia" units who although not formal military units conduct many similar activities in contested areas.[6] The goal is typically to increase a country's sphere of influence without formally involving state vessels.

Although regional policy makers (as well as U.S. diplomats) have long focused on ASEAN as a coordinating mechanism by which Southeast Asian countries might work together to manage (read: push back in a collaborative fashion) China's regional expansionism, intra-ASEAN issues continue to be an important part of the story of the South China Sea disputes. Looking, for example, at the disputed Natuna Islands in the maritime border region where Indonesian, Malaysian and Vietnamese EEZs intersect (and claims in several cases overlap), the largest set of Indonesian maritime arrests detected from news coverage is not from Chinese vessels, but instead Vietnamese vessels, and in certain years arrests of Malaysian fishers also exceeds Chinese.

FIGURE 2: Conflict Events Detected in SCS

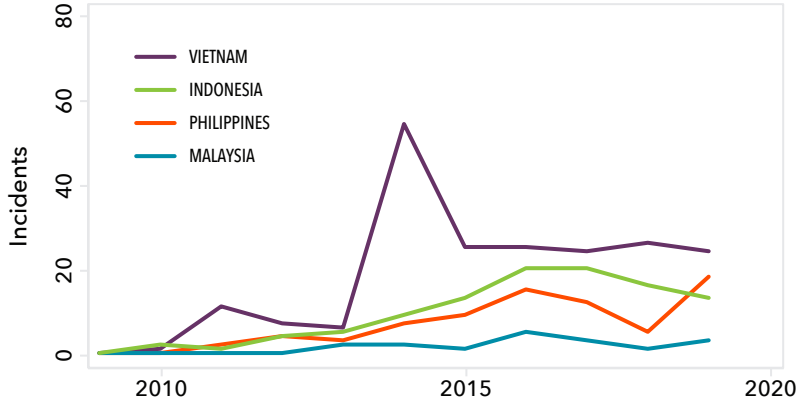
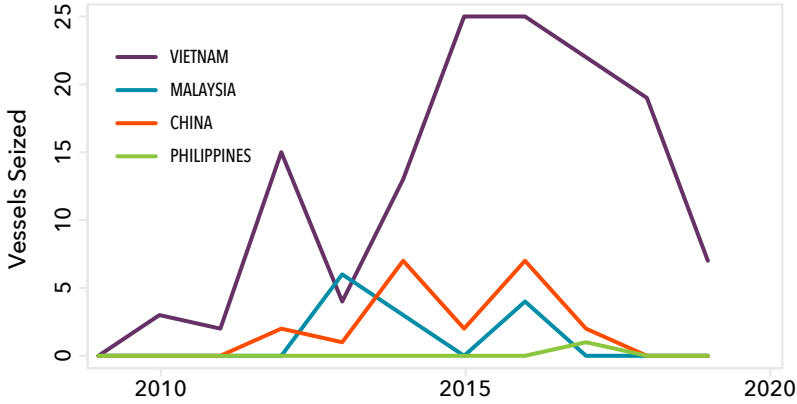


FIGURE 3: Indonesian arrests in Natuna Islands



It is difficult to know to what extent this represents a choice by the Indonesian government to enforce more aggressively against Vietnamese vessels than against Chinese, rather than a more significant presence of Vietnamese fishers. It is also possible that similar levels of enforcement are taking place, but the incidents involving Chinese vessels are less likely to be publicized or deployed by the government for domestic political advantage. In any case though, the fact is that Indonesia has significant unresolved maritime territorial issues with Vietnam and Malaysia that make a united front vis-à-vis China impossible at this stage. Similar intra-ASEAN issues occasionally plague Vietnam and the Philippines[7], along with periodic territorial disputes between the Philippines and Malaysia (both maritime and on-land, e.g. North Borneo dispute) and ongoing issues with Vietnamese fishermen in Malaysian-claimed waters. Since 2019, more than 1,600 Vietnamese fishermen have been apprehended in what Malaysia regards as its waters.[8] Indonesia and Malaysia have ongoing disagreements about the delineation of oil and gas blocks, although the most notable ones are just outside the South China Sea basin.[9]

In theory, ASEAN would be an excellent forum for such issues to be negotiated and resolved, whether on the official agenda or, more likely, during bi-

lateral side meetings during ASEAN summits. In practice, however, ASEAN meetings have taken a turn towards "shelving" contentious bilateral issues between members in an effort to forge consensus on the common issues faces the bloc.[10] Without commentary on the advisability of this approach, the fact remains that ASEAN has not served as a forum for progress on disputes in the South China Sea.

This has left bilateral negotiations as the primary way forward between Southeast Asian countries with competing claims. Although most existing disputes have seen escalation over the past decade, there have been a few instances of positive progress. For example, the Malaysian Maritime Enforcement Agency (coast guard) and the Vietnam Coast signed a Memorandum of Understanding in 2021 that was intended to increase cooperation between the agencies and reduce the number of vessel intrusions into disputed and territorial waters of both countries. Of course, this coordination mechanism does not address the underlying, and expanding, maritime territorial disagreement between the countries.[11] As recently as December 2019, Malaysia had filed new claims extending the scope of maritime territory it seeks to control, which would come at Vietnam's expense.[12]

An alternative pathway for bilateral negotiations is brokered negotiations with a disinterested third party. In the past, Thailand and Singapore have played this role, serving as intermediaries between ASEAN and China, as well as occasionally mediating intra-ASEAN maritime issues.[13] To date, however, these efforts have not produced transformative change or resolution. This is for at least three reasons. First, Thai and Singaporean efforts to mediate during an upswing in South China Sea conflict after 2012 happened to correspond with periods of considerable domestic political intensity in both countries. In Thailand, the 2014 coup d'état led to domestic uncertainty and a growing risk aversion and limited bandwidth in its foreign policy. In Singapore, the Prime Minister's fourth term (2015-2020) was intended to function as a hand-off to the 'fourth generation' PAP leadership in the face of growing (though still limited) challenges from the opposition workers party, again limiting bandwidth. Second, throughout the region, the COVID-19 pandemic has severely curbed any appetite for ambitious action on the South China Sea issue. Third, although Singapore and Thailand are important players in the region, they do not have either the enforcement capacity or sufficient

economic largesse to credibly incentivize a negotiated resolution between e.g. Indonesia and Vietnam in the Natunas or between Malaysia and Vietnam over the continental shelf.

For the United States, the strategy to date has been a primarily hands-off approach that encourages the claimants to resolve their issues peacefully through bilateral or multilateral forums, but has rarely involved American diplomatic, economic or security infrastructure to help midwife those resolutions. As a comparison, the United States has spent incredible foreign policy capital and energy helping to broker peace between e.g. recently Israel and Morocco, or Israel and the UAE. Countless other examples from ending active wars to helping settle territorial disputes is something the United States has long been known for doing, and yet in Southeast Asia the same level of urgency and effort has not been brought to bear.

What do Southeast Asian citizens think about it?

Although the policy discussion around the South China Sea, and Asian security in general, is driven largely by elite punditry and the news, leaders in ASEAN countries are subject to public pressure also from typical citizens. In the democracies in the region this can be realized at election time, but even in the authoritarian countries in Southeast Asia public opinion is closely monitored by the authorities. This is because especially on matters of nationalism and sovereignty, it is relatively easy to justify public marches or protest, which could eventually spill over into general criticism of the regime.[14]

In general, in Southeast Asia (as in many other places) foreign policy is a less pressing political topic, as compared to domestic issues. For example, on a recent representative survey of residents of the Philippines, Vietnam, Malaysia and Indonesia, foreign policy was ranked on average as having an importance of 7.3 out of 10, as compared to 8.5 for Covid-19 and 9.0 for education. That said, more than 80 percent of respondents rated foreign policy as a "high priority overall, indicating that it is nonetheless part of their political calculation.[15] Across the four countries, 75 percent agreed with the statement that with respect to maritime sovereignty disputes, the leader should "defend our claims at all costs."

Although respondents say they would like to see their leader stand up for national sovereignty in the South China Sea, even if brings greater risk of

Topic	Elites	Regular	Difference
Covid	79 percent	81 percent	2 percent
Unemployment	64 percent	48 percent	-17 percent
Inequality	34 percent	25 percent	-9 percent
Human rights	12 percent	20 percent	8 percent
Domestic political instability	28 percent	26 percent	-2 percent
Military tensions, esp. the South China Sea	37 percent	42 percent	5 percent
Typhoons, floods and other climate related issues	43 percent	41 percent	-2 percent
Terrorism	3 percent	19 percent	16 percent

conflict, they also are supportive of finding a fair compromise. Of the 8,600 respondents on the survey, 36 percent stated that they were supportive of standing up to China but also to working with China collaboratively to extract natural resources from their EEZ. Overall, the public in the Southeast Asian countries surveyed is split on that topic: 49 percent are in favor and 51 percent opposed to collaborating with China to extract natural resources from the sea.

Within the region, 82 percent of respondents said they would like their leaders to find compromise with their neighbors to resolve outstanding sovereignty disputes. They also hold ASEAN in high regard: 74 percent say they view ASEAN positively, and just 3 percent having a negative view, with 22 percent unsure. With regard to China, 83 percent of respondents say they would like their leaders to work together with neighboring countries to push back against China's incursions into the South China Sea. Lastly, 60 percent would like to see their country's leaders develop closer ties with the United States.

ASEAN citizen attitudes about the disputes in the South China Sea are complex and, in some ways, seemingly contradictory—how could one support both being very tough on China and neighbors, but also support compromise?—but there are important windows of opportunity to thread the needle on a diplomatic solution that fits with the domestic incentives for leaders. Settling competing claims and issues of fishing (and other natural resources access) between the neighboring Southeast Asian countries is a critical first step. Why has this not yet happened on its own?

Comparing the citizen surveys conducted by Ravanilla & Sexton (2021) with an identical question asked of ASEAN elites on the 2021 ISEAS survey (2021) we are also able to compare how the attitudes regular citizens of the Philippines, Vietnam, Malaysia and Indonesia are similar or different to business and political elites in those countries. In the following chart, we see how they responded to a question that asked what the top three challenges to their country was in the coming year. The chart indicates what percentage of respondents included each topic in their top three.

With no surprise, the Covid-19 pandemic topped the list for both elites and regular respondents, with about four out of five respondents among both elites and regular people picking it as a top problem. On average, though, elites were more concerned about unemployment and inequality than regular citizens, while citizens were more likely to list terrorism, human rights and military tensions like the South China Sea as a top concern. Overall, 37 percent of elites and 42 percent of regular citizens listed the military tensions (specifically mentioning the South China Sea) as a top problem.

Taking a broader view, military tensions in the South China Sea sits among the top few issues for ASEAN elites and publics, but in competition with other, often more pressing, topics like the economy, public health

and natural disasters. In the region's democracies, no major politician's campaign with territorial disputes at the top of their campaign. In fact, many of the government regularly downplay the issue in an effort to reduce the political temperature, whether it is the Vietnamese government stopping protests outside the Chinese embassy in Hanoi,[16] or Malaysia often studiously avoiding criticism of China in the disputed waters.[17]

What we see instead is a largely reactive set of activities, where governments are forced to respond when incidents in the South China Sea escalate to the point of becoming politically unavoidable. From the perspective of the Free and Open Indo-Pacific strategy, removing the irritant of intra-ASEAN disputes in the South China Sea is a likely pre-condition to more serious cooperation between the Southeast Asian actors.

What can leaders in SE Asia do? How about the United States?

It has now been more than 25 years since ASEAN leaders recommended developing a "code of conduct" for the South China Sea, with hundreds of sessions and drafts producing essentially nothing workable for the main issues at play.[18] Although the code of conduct provides a focal point for discussions, precious few observers believe that there is a transformative deal to be struck in the context of the CoC. China will not agree to anything binding that actually constrains their activities in the basin, while ASEAN countries are nervous about the possibility that even a non-binding code would simply legitimize Chinese claims and behaviors.

Much more likely to succeed, and indeed likely more useful for counter-pressuring China is for the Southeast Asian claimants to conclude durable agreements that resolve their maritime boundary and enforcement issues. To do this, a deal must not be seen as losing face or compromising the nation's sovereignty. One political frame is that cutting a deal with neighbors actually boosts the nation's ability to push back against Chinese coercion through a combined front with ASEAN neighbors.

Some recent successes provide the basic contours of what agreements might look like. In 2014, the Philippines and Indonesia resolved a longstanding dispute over parts of the Celebes Sea, where Filipino territorial zones under the

1898 Treaty of Paris conflicted with the 1982 UN Convention on the Law of the Seas (UNCLOS), which Indonesia sought to enforce. Although the Philippines understood that their claim was in violation of UNCLOS, fear of nationalist backlash kept successive governments from being willing to compromise or concede. In the end, the in 2011 the Aquino administration bit the bullet, agreeing to revise the boundaries in line with UNCLOS and essentially conceding the argument to the Indonesians.[19] Contrary to earlier political concerns, there was next to no political backlash, with the issue remaining very low salience for Filipino voters.

A second instructive case is the 2010 resolution of railway land issues between Malaysia and Singapore, where for two decades there was disagreement about how to implement a land swap deal that stemmed from unresolved issues from Malaysia and Singapore's separation in the 1960s. In the end, leaders from the two countries were able to agree on joint development of valuable plots of land in Singapore's central business district, in exchange for Malaysia relinquishing claims to certain railbeds and stations in Singapore.[20] In this case, both leaders were able to tell their publics that they had a concluded a deal that would benefit the nation.

Although these two successes are important, there are dozens of outstanding maritime boundary issues between ASEAN countries that have yet to resolved, and may not finding an agreeable solution in a timely fashion without outside encouragement or incentives. However, the general arrangements may be helpful for plotting the way forward.

In this relative vacuum could step the United States government, which has been struggling to find productive activities it can do to shape the South China Sea issue. Given that TTP and broader trade issues appear dead in Congress and the near saturation of security cooperation activities we have seen over the last several years, the United States needs to find new space if it is to show its value to the region. In the context of these intra-ASEAN conflicts, the United States could make a difference by playing not only an honest mediator role but through economic incentives for durable resolutions of the issue.

More specifically, on the front end, the United States could lead intensive diplomatic efforts on at least five specific topics in the South China Sea. At first, this would be a private diplomatic effort, akin to low-profile negotiations

the United States does on daily basis around the world. If it is deemed that a special envoy makes sense at some point, one could be deployed, although those sorts of gambits often backfire.

1. **Mediate between Vietnam and Indonesia regarding Natuna Sea.** Vietnam and Indonesia have overlapping Exclusive Economic Zone claims, which have led to a spate of arrests, clashes between the Vietnamese Coast Guard and Indonesian Navy, and public disagreements. The Indonesian government has quite dramatically and publicly sunk Vietnamese fishing vessels that were captured after fishing in what Indonesia regards as its waters.[21]

2. **Mediate between Vietnam and Malaysia regarding continental shelf.** In 2009, Malaysia and Vietnam completed a joint submission to the UN regarding continental shelf delineation, but surprised Vietnam and observers by extended their claims further in 2019 in a second filing.[22]

3. **Work with the Philippines and Vietnam to sign a declared Memorandum of Understanding in the Spratlys.** Vietnam and the Philippines have in the past argued about ownership over certain shoals in the Spratly islands, and the extent to which Spratly claims do or do not impinge on the coastally-derived Exclusive Economic Zones of each country. Vietnamese fishermen have been arrested and prosecuted for illegal fishing in Filipino waters. Given the larger challenges from China, the two countries have come into closer and closer alignment, choosing to quickly resolve or pardon illegal fishing cases and build closer relations between the coast guards of the two countries. Transforming this implicit alignment to an explicit mutual recognition would be powerful: accepting each other's claims, putting to rest EEZ disputes, and pledging mutual aid against coercion.

4. **Help broker continental shelf agreements between Indonesia and Malaysia.** Indonesia and Malaysia continue to have disagreements about continental shelf boundaries between the countries, including in the South China Sea, straits of Malacca, and the Sulawesi Sea east of Borneo.[23]

5. **Work with the Philippines to avoid escalation of the Sabah dispute with Malaysia.** Since the 1963 formation of the Federation of Malaysia, there have been differences of opinion between Indonesia, Malaysia and the Philippines regarding the disposition of northern Borneo. The Philippines continues to claim a piece of Sabah state, and periodically raises the matter, to the chagrin of the Malaysians.

What is the prospective role of the United States here? And why could the United States succeed where, for example, Thailand, Singapore and ASEAN more broadly, have so far not? One could rightfully be skeptical that outside American 'meddling' would improve the situation. There are four relevant ways that the United States could move the needle here.

First, the U.S. government can directly incentivize cooperative solutions through economic enticements. For example, the U.S. Development Finance Corporation is slowly making headway (among other investment and aid agencies)—commitments for investment can be another helpful carrot. If for example two countries are willing to sign up for joint natural resource extraction, the DFC can help finance it. Joint infrastructure proposals in the context of a settlement can be another incentive to compromise.

Second, the United States offers important opportunities for security cooperation, which are highly valued in all the mentioned countries. In the context of a settlement, the United States could provide access to coast guard cutters to help conduct coordinated enforcement in border zones, which would have the added benefit of providing capacity against Chinese incursions as well.

Third, the United States can credibly commit to helping to enforce the eventual deal that is made. Through international maritime activities and legal sanctions against any illegal fishing and natural resource extractions, the United States can provide credibility to a settlement. At the same time, the United States can provide political cover to leaders in the Southeast Asia so that they are not seen to be inappropriately compromising their sovereignty.

Fourth and finally, the United States can leverage potential contributions from outside allies, e.g. Japan, Australia, South Korea, or EU allies to incentivize resolution of the issues. This could include countering illegal fishing, in the oil and gas industry or in terms of countering smuggling and piracy.

Politically, the South China Sea region is in an important moment, with changes in government taking place around the basin. The ongoing presidential campaign in the Philippines currently favors Ferdinand (Bongbong) Marcos Jr., however current Vice President Leni Robredo has been gaining ground on the strength of large rallies and growing public recognition that her candidacy is the only practical alternative to Marcos. The election is a re-run of the Vice-Presidential race in 2016, which Robredo very narrowly won. For the United States, Marcos is a complicated figure, as his father was a longtime American ally, but Marcos Jr. has an unresolved Contempt of Court judgment against him in Hawaii, which has been extended through at least 2031.[24] Marcos has repeatedly indicated a conciliatory attitude towards China that largely follows Duterte's path of avoiding confrontation and poking at the United States. In contrast, Robredo has taken a harder line on Philippine sovereignty vis-à-vis China and has stated that building better ties with the United States is a priority. That said, she too has stated that good relations with China is important.

Malaysia's government has had considerable churn in recent years; after corruption scandals ended the Najib Rezak government in 2018, there have been already three Prime Ministers from two different parties. In 2021, changes in the upper-level leadership in Vietnam have not resulted in large scale changes in foreign policy, but have continued a slow but steady shift towards greater openness to cooperation with the United States. Although President Joko Widodo of Indonesia has a little over two more years in office, there is some uncertainty about how strongly he will prioritize foreign policy versus domestic issues, including his signature policy of moving the nation's capital to Borneo (planned for August 2024).

Overall, it is a good moment for the United States to take on a more active, even if initially quiet, role in working to resolve intra-ASEAN issues in the South China Sea. This will show the United States to be a responsible player in the region, who is willing to spend the time, effort and resources to reduce tensions. This, of course, will also provide greater opportunities for the Southeast Asian countries to cooperate against China coercion, and help insulate these leaders from the divide and conquer tactics that China has attempted to deploy in recent years.

The views expressed are the author's alone, and do not represent the views of the U.S. Government or the Wilson Center.

Notes

1 Renard Sexton and Nico Ravanilla, "South China Sea Data Initiative: 2021 Public Opinion Survey of the Philippines, Indonesia, Malaysia and Vietnam," *Working Paper* (2021).
2 Philippine Daily Inquirer, "Why is Duterte Soft on China?", Opinion Section, *Philippine Daily Inquirer*, April 9, 2021.
3 Jamie Tarabay, "Chinese Hackers Targeted Southeast Asian Nations, Report Says," *Bloomberg*, December 9, 2021.
4 Renard Sexton and Nico Ravanilla, "South China Sea Data Initiative: 2021 Public Opinion Survey of the Philippines, Indonesia, Malaysia and Vietnam," *Working Paper* (2022).
5 These data represent geo-coded incidents in the South China Sea from 2012 to 2020 that were pulled from a set of more than 30 international news sources in seven languages. Research Assistants spent about a year sifting through news archives and verifying the locations of the events. They range from EEZ violations, diplomatic protests, freedom of navigation operations and EEZ violations to collisions, water cannon incidents, arrests and seizures. These data represent events that were recorded in the news, meaning that only incidents that were important enough and with enough verifiable information to be published by reputable journalism outlets. In practice, many incidents in the South China Sea do not make it to this level. Based on field interviews in the Philippines, a considerable number of incidents of harassment of fishermen do not make it into the news, either because news agencies cannot verify the underlying information or due to deliberate suppression by governments that would prefer that the public not know the true level of coercion that is going on. In other cases, limited capacity of the news industry (or general restrictions on their operation, rather than specific to the South China Sea issue) means that some incidents are simply missed. The data presented here from Ravanilla and Sexton (2022) reflects therefore larger, major incidents.
6 Tomoya Onishi, "Vietnam Expands Maritime Militia off Southern Coast," *Nikkei Asia*, June 12, 2021.
7 Indonesia and the Philippines were able to resolve their main maritime boundary issue in 2014.
8 Sebastian Strangio, "Malaysia, Vietnam Set to Pen Agreement on Maritime Security," *The Diplomat*, April 7, 2021.
9 Resty Woro Yuniar, "Indonesia's land and maritime border disputes with Malaysia, the Philippines and Vietnam," *South China Morning Post*, January 12, 2022.
10 Interviews with former ASEAN secretariat staff, December 2021.
11 Strangio, "Malaysia, Vietnam Set to Pen Agreement on Maritime Security."
12 Commission on the Limits of the Continental Shelf, "Outer Limits of the Continental Shelf Beyond 200 Nautical Miles from the Baselines: Submissions to the Commission: Partial Submission by Malaysia in the South China Sea," UN Division for Ocean Affairs and the Law of the Sea, December 12, 2019.
13 Kasira Cheeppensook, "ASEAN in the South China Sea Conflict, 2012–2018: A Lesson in Conflict Transformation from Normative Power Europe," *International Economics and Economic Policy,* 2020.
14 Weiss, Jessica Chen Weiss, "Powerful Patriots: Nationalist Protest in China's Foreign Relations," Oxford University Press, 2014.

15 Renard Sexton and Nico Ravanilla, "South China Sea Data Initiative: 2021 Public Opinion Survey of the Philippines, Indonesia, Malaysia and Vietnam," *Working Paper* (2021).
16 James Pearson, "Vietnam Police Disperse Protest at Chinese Embassy Over South China Sea Standoff," *Reuters*, August 6, 2019.
17 Praveen Menon and Manuel Mogato, 'Host Malaysia Avoids Chinese Ire Over Disputed Sea at ASEAN Summit," *Reuters*, April 23, 2015.
18 Bill Hayton, "After 25 Years, There's Still No South China Sea Code of Conduct," *Foreign Policy,* July 21, 2021.
19 Arif Havas Oegroseno, "How Indonesia and the Philippines Solved Their Maritime Dispute," *The Diplomat*, June 14, 2014.
20 Reuters Staff, "Singapore, Malaysia Agree on Land Swap," *Reuters*, September 20, 2010.
21 Tia Asmara, "Indonesia to Sink More Foreign Boats Amid New Maritime Tensions with Vietnam," *Benar News*, April 29, 2019.
22 Hong Thao Nguyen, "Malaysia's New Game in the South China Sea," *The Diplomat*, December 21, 2019.
23 Yuniar, "Indonesia's land and maritime border disputes with Malaysia, the Philippines and Vietnam."
24 Lian Buan, "Marcos Jr. Continues to Evade $353-Million Contempt Judgment of U.S. Court," *Rappler*, January 13, 2022