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The Philippines and Vietnam's responses to the Permanent Court of Arbitration (PCA)'s final award on the arbitration case initiated by the Philippines against China over South China Sea (July, 2016)

Topic and Research Question

The Master's Thesis analyzes and compares the **Philippines and Vietnam's responses to the PCA's final award on the arbitration case initiated by the Philippines against China over South China Sea (July, 2016)**. The main objective of this Master's Thesis is to find answers for the following research question: **"What are the similarities/differences between the Philippines' responses to the PCA's final award and those of Vietnam?"**

- **Relevance of the topic:** South China Sea (SCS) dispute has been an area that is interested by both policy makers and scholars from the International Relations (IR) field. The arbitration case initiated by the Philippines against China was the first attempt to settle down conflicts in this sea area by an international legal mechanism. Altogether, it makes the topic practical and relevant. Besides, due to the scope of the Master program East Asian Economy and Society, this Master's Thesis is required to involve at least two East Asian nations. Research subjects are thus the Philippines and Vietnam.

State of the Art

Works on reactions of states to International Court of Justice's (ICJ) rulings: authors pay little attention to the reactions of states to the rulings made by ICJ. They merely describe how states greeted the ruling and what actions were undertaken by states in the aftermath by reviewing and quoting the statements of states' high-ranking officers, diplomatic circles and the local newspapers' comments on the issue.

Works on reactions of South East Asian (SEA) states to various IR events or phenomenon (Mostly involve with the China faction): The attitudes of SEA states are influenced by: (1) the convergent interests with the US (Southgate & Khoo, 2016) and (2) their domestic politics (leaders' ideology and preferences, power struggle, degree of trust in China, and social reactions) (Chen, 2018). Authors such as Thayer (2011) & Shoji (2016) also agree with these ideas. The authors, in general review governmental officer's comments, spokesperson's speech, and states' actions to clarify the states' responses.

Works on reactions of states to South China Sea arbitral award: most authors review states' reactions by stating states' governmental high-ranking officers' remarks, statements, and comments on the award (Thayer, 2017a; Zhang, 2017; Bautista, 2016). Authors such as Bautista (2016), Quintos (2018), Castro (2016b), etc. explain the Philippines' reactions by emphasizing the change of its SCS policy under president Duterte administration. Authors also pose hypotheses for Vietnam's responses: e.g. Vietnamese government needed more time to evaluate the award's pros and cons and Vietnamese government was being pressured by China (Vu & Nguyen, 2017).

IR theory: Scholars frequently use the Neo-realism school of thought as the theoretical background for their studies.

Methodology and Approach

CRITERIA FOR STATES' RESPONSES TO THE PCA'S FINAL AWARD ANALYSIS

Criteria	Sub-Criteria	Sources	
Immediate response(s)	Authority's perspective on the PCA's award	<ul style="list-style-type: none"> Government official announcement/ comments on the issue/ press-release Spokesperson's speech Press' articles, and news reports PCA's documents Academic journals, books and research papers by scholars and experts of the field. 	
	Authority's Actions: Public diplomacy, actions in the aftermath		
Targeting audience(s)			
The consistency of States' South China Sea policy throughout the arbitration	Policy towards South China Sea pre and post PCA's ruling in comparison		
	Authority's perspectives & actions, targeting audiences		
Explanation of state's response(s)	Foreign policy tendency		
	Leadership's ideology and personal preferences: Whether the leader choose to prioritize economic interests or security concerns (Economic aspect: the trade realities with China, Chinese FDI and ODA in the Philippines/Vietnam, Security aspect: military capability compared to that of China)		

Self-made table by author.

Main Facts

The Philippines: (1) "Welcomes" & fully "respects" the award; would take the "soft-landing" approach towards China; called for "restraint" and "sobriety", barely mentioned the award in the aftermath, the responses targeted China and the US. (2) **Pre-ruling:** was proactive and kept high profile in diplomatic confrontation against China, supported multilateral mechanism to resolve the dispute, supported internationalization of the dispute. **Post-ruling:** was willing to hold bilateral talks with China, ready to compromise and obtain economic benefits in return, wanted to solve the dispute bilaterally & distant itself from the US. (3) Tends to pursue new SCS policy whenever there is a new leadership, government's responses to China is substantially influenced by the US. Leader (the President) holds an enormous power that significantly affects the country's SCS policy; vulnerable and would be heavily damaged in case being sanctioned by China.

Vietnam: (1) "Welcomes" the award; called for parties' compliance, released ambiguous and general responses; barely mentioned the award in the aftermath; did not target any specific actors. (2) The actions of Vietnam in the post-ruling period was restrained and muted, which was different to the earlier period, its actions remained in line with Vietnam's traditional SCS policy and foreign policy (supports internationalization of the SCS dispute, the dispute must be multilaterally settled down). (3) Vietnam tends to pursue a firm and consistent SCS framework, which put national interests at first and in accordance with the main pillars of its foreign policy; the US factor, has a considerably impact on foreign policy making process. (4) The collective ideology and preferences of the Vietnam Communist Party's leaders is the decisive factor affecting foreign policy; trade reality with China and military capabilities compared to China are significant when making SCS policy.

Results

Similarities: (1) Both the Philippines and Vietnam welcomed the award and acknowledged the finality & abidingness of the award. (2) The responses of both the Philippines and Vietnam were low-key and even muted. The result of the arbitration has been barely mentioned in the aftermath. (3) In the pre-ruling period, the Philippines and Vietnam both agreed that the SCS dispute is a multilateral concern and thus should be

resolved multilaterally. They supported the internationalization of the dispute. During this period, the two states took proactive actions against China. Their actions targeted China and the international community. (4) Both states actions in the pre and post-ruling period were generally inconsistent. Both the Philippines and Vietnam remained their low profile positions in the post-ruling period. (5) The foreign policy tendency of each state, to a certain extent, can explain their responses to the PCA's final award as well as the consistency or inconsistency of their SCS policy in the pre and post-ruling period. (6) For both the Philippines and Vietnam, trade reality with China (Economic aspect) and military capabilities compared to China (Security aspect) are significant when making SCS policy.

Differences: (1) The Philippines clarified that they would not use the arbitration's result to take advantage over China. Meanwhile, Vietnam's responses were more ambiguous and general. (2) If in the aftermath of the arbitration, the Philippines specifically targeted China and the US, Vietnam simply adopted the 'play-it-safe' strategy and did not target any specific actors. (3) The SCS policy of the Philippines in the post-ruling period - was fundamental contradict to the previous period. The SCS policy of Vietnam in the two periods were generally consistent. (4) The leader's ideology and personal preferences can better explain the responses of the Philippines to the PCA's final award and its policy inconsistency in the two periods. Meanwhile, the leader's ideology and personal preferences may affect the extent Vietnam would confront against China, but may not change the overall framework of its foreign policy generally and SCS policy particularly.

References

All references can be found in the full version of the MA thesis available at <http://othes.univie.ac.at/>

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