



International Conference on East Sea Disputes

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TABLE OF CONTENTS

No.	Content	Page
1.	ASEAN and Settlement of Disputes in the East Sea in New Context – A Personal View <i>Vo Minh Tap</i> <i>College of Social Sciences and Humanities, Vietnam National University - Ho Chi Minh City</i>	1-11
2.	Contrasting the Chinese and Japanese Views of the South China Sea Disputes <i>Ming Wan</i> <i>George Mason University, United States</i>	12-19
3.	Fostering Cooperative Trends in the South China Sea: Russian Perspective <i>Evgeny Kanaev</i> <i>Higher School of Economics, Leading Research Fellow, ASEAN Center, MGIMO-University</i>	20-30
4.	China's Game-Plan in the South China Sea <i>S.D. Pradhan</i> <i>Former Deputy National Security Advisor, Government of India</i>	31-56
5.	Contested Space: National and Micronational Claims to the Spratly/Truong Sa Islands - A Vietnamese Perspective <i>Giang Thuy Huu Tran</i> <i>Southern Cross University, Australia</i>	57-67
6.	The South China Sea Conflict: Great Powers' Behavior and the Role of United Nations <i>Vu Manh Cuong</i> <i>Ton Duc Thang University, Ho Chi Minh City, Vietnam</i>	68-80
7.	Vietnamese Foreign Policy and the South China Sea Disputes <i>Doan Thi Quang</i> <i>Academy of Politics, Vietnam</i>	81-100
8.	Nationalism in East Asia: Causes and Effects on Conflict Resolution in the East Sea <i>Tuong Vu</i> <i>University of Oregon, USA</i>	101-124

9.	Seabed Oil and Gas: Driver of Disputes or a Key to Settlement? <i>David Brown</i> <i>Fresno, California, USA</i>	125-141
10.	Science and Politics in Managing East Sea Disputes <i>Truong-Minh Vu and Nguyen The Phuong</i> <i>University of Social Sciences and Humanities, Vietnam National University, Ho Chi Minh City</i>	142-154
11.	Vietnam Marine Planning for Environment and Sovereignty - a Reference View <i>Du Van Toan and Le Vinh Truong</i> <i>Southeast Asian Sea Research Foundation</i>	155-174
12.	Clash of Vision: How the U.S. and China Interpreting the Norm “Freedom of Navigation” – The Case of East Sea Disputes <i>Pham Ngoc Minh Trang</i> <i>College of Social Sciences and Humanities, Vietnam National University, Ho Chi Minh City</i>	175-189
13.	Institutions and Methods for Resolving Maritime Territorial Disputes under International Law <i>Hoang Viet</i> <i>Law School in Ho Chi Minh City, Vietnam</i>	190-202
14.	UNCLOS in the Spotlight of International Territorial Disputes in the East Sea: Gaps and Ways out <i>Natalia G. Prisekina and Roman I. Dremlyuga</i> <i>School of Law, Far Eastern Federal University, Russia</i>	203-205
15.	The Case of Philippines v. China before the Arbitral Tribunal Constituted under Annex VII to UNCLOS: A Chinese Perspective <i>Cao Qun</i> <i>Center for Maritime Security and Cooperation at China Institute of International Studies, China</i>	206-216
16.	Taking China to Court and its Politico-Economic Impacts <i>Le Trung Tinh and Le Vinh Truong</i> <i>Southeast Asia Sea Research Foundation</i>	217-229
17.	Institutional Paradigms to Prevent Inadvertent Armed Conflicts in the East Sea <i>Hitoshi Nasu</i> <i>Australian National University</i>	230-243

Fostering Cooperative Trends in the South China Sea: Russian Perspective

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Not one generation of researchers focusing on the South China Sea issue has come to disappointment while their proposals on cooperation were facing harsh reality. At present, prospects for cooperation are undermined not only by the unresolved problems, but also by serious internal imbalances ripening in the issue.

At the current stage of the evolution of the South China Sea issue, the key prerequisite to keep it in a relatively stable, manageable state means to strengthen the overall cooperative milieu in Asia-Pacific. This can be done by Russia, an emerging regional power interested in strengthening peace and security in Asia-Pacific and the South China Sea and maintaining enough policy instruments to effectively cope with this task.

The paper is divided into three parts. Part One addresses the key imbalances in the South China Sea issue. Part Two gives insights into priorities, directions and instruments of Russia's Asia-Pacific policy. Part Three Russia's potential and possibilities in influence upon the South China Sea issue. The conclusion summarizes the foregoing analysis.

South China Sea Issue: Main Imbalances

Since the US has been “back in Asia”, the South China Sea issue has been much in the news. The contradictions are regularly escalating in spite of the fact that all the parties with stakes in the area are repeatedly stressing their preference for peace and stability. Multilateral efforts have complicated the problems rather than contributed to their successful resolution. Proposals endorsed by renowned scholars have been in overabundance, but no tangible progress is achieved. As a result, prospects for the South China Sea issue to remain the key security challenge in Asia-Pacific for many years to come are more and more obvious.

Arguably, this stalemate is predetermined by the interplay of the horizontal and the vertical imbalance in the issue. With no prospects for rectifying them, the time factor plays for the conservation of the contradictions rather than their effective resolution.

In analytical terms, the South China Sea issue has, figuratively speaking, three levels. They are closely intertwined and mutually dependent. The lowest level is the contradictions over the sovereignty over the disputed Paracel and Spratly islands. The mid-level is presented by negotiations between China and ASEAN on the Code on Conduct of Parties in the South China Sea instead of Declaration 2002. The top level is exemplified by Sino-American geopolitical rivalry in the South China Sea.

At present, the key contradictions have shifted to the Sino-American level. The question is whether in the years to come China or the US will set the rules of the game in maritime Asia-Pacific. Beijing and Washington have differing interpretations of what freedom of navigation stands for: in China's opinion, this implies an impeded passage of trade ships while for the US, this means freedom of military navigation. In conceptual terms, this resulted in a clash between the Chinese Active Defense (or, to put it differently, Anti-Access/Area Denial) and the American Air-Sea Battle strategies. The former is aimed at undermining the US' supremacy and hampering its freedom of action in maritime Asia-Pacific, or at least make these actions highly risky and prohibitively costly. The latter, in its turn, elaborates on measures to preserve American strategic pre-eminence in these waters and conduct any military activity as Washington sees it necessary¹.

This shift amply suggests that the essence of the South China Sea contradictions has acquired the pan-regional dimension. This logically presupposes using the potential of pan-regional multilateral institutions which embrace key the actors of Asia-Pacific security. But the effectiveness of these institutions has been limited.

The ASEAN Regional Forum is a case in point. Its expanded number of participants, many of which have nothing to do with the South China Sea issue, as well as principles of cooperation based on consensus and a pace comfortable to all parties, hampers goal-oriented steps taken to foster cooperation. More than that, an obvious conceptual stalemate of the ARF

¹ For a detailed elaboration on the South China Sea issue in Sino-American relations, see: Kanaev E. China's and the US' Approaches to the South China Sea Issue: Changing Patterns and Strategic Implications. // Security and Cooperation in the South China. M: Institute of Oriental Studies, Russian Academy of Sciences, 2014. P. 198-211.

activity, with a line between confidence-building measures and preventive diplomacy being blurred², has further undermined prospects for successful resolution of security issues.

The East Asia Summit and ASEAN Defence Ministers Meeting Plus Eight are also good examples. The majority of their participants are either American allies or are strengthening military ties with the US. This adds to China's apprehensions about possible "hostile encirclement" or "external pressure" on sensitive issues. Therefore, meaningful discussions on measures to make the contradictions on the South China Sea less intensive than they currently are remain out of the agenda.

In sum, while ASEAN has created quite a big number of pan-regional multilateral dialogue platforms aimed to raise and discuss urgent security issues, with respect to the South China Sea progress has been limited so far. This demonstrates the *horizontal imbalance*: the pan-regional level of multilateral diplomacy is hardly appropriate to effectively discuss and resolve a pan-regional security challenge.

At the Sino-ASEAN level, the problem has another dimension. There is the *vertical imbalance*: while the negotiations of the Code on Conduct of Parties in the South China Sea (CoC) are being conducted between China and ASEAN, the main contradictions are between China and the United States. With this in view, prospects for CoC are bleak. But at the same time, finalizing COC might be against the key interests of the negotiating parties.

China doesn't want to lose the advantages outlined in the Declaration on Conduct of Parties in the South China Sea. The key are specified by article 4 which stipulates that all the contradictions are to be resolved by sovereign states directly concerned, and article 10 which emphasizes the principle of consensus while making amendments to DOC. More than that, a DOC revision or renunciation would be disadvantageous to China for reputational reasons as China will stop being the rule-setter and become the rule-follower in the South China Sea geopolitical game.

² This conclusion can be drawn from analyzing the following documents adopted by ASEAN: ASEAN Regional Forum (ARF) Concept and Principles of Preventive Diplomacy. Adopted at the 8th ARF, 25.07. 2001. // <http://aseanregionalforum.asean.org/library/arf-chairmans-statements-and-reports/159.html>; ASEAN Regional Forum Preventive Diplomacy Work Plan. Approved by ARF SOM. 10.06.2011. // <http://aseanregionalforum.asean.org/files/library/ARF%20Chairman's%20Statements%20and%20Reports/The%20Eighteenth%20ASEAN%20Regional%20Forum.%202010-2011/2%20-%20ARF%20Work%20Plan%20on%20Preventive%20Diplomacy.pdf>

On its part, *ASEAN* cannot but realize that in the foreseeable future to live without COC might be easier than to strive to finalize it. The year 2015 marks the deadline for the establishment of ASEAN Community. A rush for COC will reveal both intra-ASEAN contradictions and its limited ability to manage the situation in the South China Sea as it sees appropriate. Also, a decisive move towards COC might well suspend current economic projects in which many Southeast Asian states participate owing to China's painful reaction on the steps taken by South China Sea claimants together with extra-regional states. Last but not least, attempts to internationalize the issue, for instance – through UN Arbitral Tribunal, might once again reveal ASEAN inability to effectively tackle security challenges within its own territorial domain. This will be all the more painful since the Association is harboring ambitious plans to raise its international status at the regional and global level.

These two imbalances – the horizontal and the vertical – are aggravated by conceptual *imbalance*. A rapid process of re-nationalization of domestic and foreign policies of the claimants to the South China Sea islands are encountering make it very difficult to elaborate on compromises and agree upon them. A politician or party that dares to suggest this will ruin his/her or its political future. As a result, the conceptual imbalance is between the globalizing nature of the South China Sea issue and an increasing influence of nationalism in elaborating upon steps to resolve the existing contradictions.

These imbalances – each being of a long-term, fundamental nature – influence upon the issue hampering prospects for its effective resolution. This is exemplified by a failure of numerous attempts to use the experience of the parties have obtained in managing other disputes – for instance, the Tonkin issue in Sino-Vietnamese relations. Consequently, a necessary and timely exercise is to “think outside the box”. This means to clearly understand: the maximum that can be achieved is not the final or an interim resolution but rather the manageable state of the contradictions over the South China Sea in relations between the parties with stakes in the area. Although this might sound unusual, Russia, an emerging power in Asia-Pacific, might contribute to this scenario – by not getting involved in the issue, but by fostering the cooperative paradigm of Asia-Pacific development.

Russia in Asia-Pacific: in Search of Cooperative Agenda

Russia's pivot to Asia-Pacific has become an irreversible trend. It has been

predetermined by not only the current state of its relations with the West, but rather necessity to expand the resources for both internal and external tasks the country has to deal with.

First, the turn to Asia-Pacific contributes to expanding an access to the external resources for implementing the internal economic and social modernization. This priority is outlined in the key documents adopted by the Russian Government and should be regarded as both a strategic guiding line of Russia's foreign policy and the key indicator to what extent it has been successful. Along with the current deterioration of relations between Russia and the US and the EU, in partnerships with Asia-Pacific countries Russia can obtain investment, technologies and expertise it needs.

By developing relations with its Asia-Pacific neighbors, Russia plans to diversify its foreign policy instruments. In the short-term perspective, energy diplomacy will probably remain the cornerstone of Russia's policy. Nevertheless, an important task lies in using possibilities of energy diplomacy for developing and strengthening cooperation in other sectors, including innovative and technologically-advanced ones. This will give a strong impetus to Russia's internal economic development.

Second, an urgent priority for Russia is to develop the potential of "smart power". The first step in this direction – to develop and preserve an emotionally positive image of both the country itself and its foreign policy. Asia-Pacific, where Russia doesn't have political problems with the majority of states, is a good platform for achieving this goal.

Third, raising its profile in Asia-Pacific will contribute to strengthening Russia's positions at the global level. In the present world, increasingly influenced upon by Asia-Pacific economic, political and security dynamics, to maintain high global status without strong positions in Asia-Pacific is impossible.

By developing relations with Asia-Pacific countries, Russia can contribute to "the other globalization" – different from the one under the American supremacy. This "other globalization" will focus upon the formation of the truly polycentric world based on the principles of equality, non-use of force and win-win cooperation.

To achieve this goal, Russia is developing a comprehensive Asian strategy. It includes both development of Russian Siberia and Far East and maintaining good relations with Asia-Pacific countries. In the latter realm, the following points are noteworthy.

The cornerstone of Russia's policy in Asia-Pacific is "indivisible security" outlined by

Russian Minister of Foreign Affairs S.V.Lavrov at the Brunei session of the East Asia Summit³. This means that the security of one state cannot be preserved at the expense of others, which gains growing understanding among Russian Asia-Pacific neighbors.

Against the backdrop of current geopolitical changes, Russia doesn't draw dividing lines in relations with its partners, be they American allies or not. As stated by S.V.Lavrov, "It's wrong to think that if someone is an ally of the United States he cannot be a partner of Russia and vice versa"⁴. This demonstrates that Russia is open to develop relations with all interested parties regardless their political preferences.

In practical terms, Russia has offered the region the cooperative agenda. It displays itself at both multilateral and bilateral levels.

First, the priorities of Russia's APEC agenda correspond with the developmental needs of its Asia-Pacific partners. Such directions of cooperation as food security, reliable transport and logistics and fostering innovations loom large in the priorities of many Asia-Pacific economies, first and foremost, ASEAN members. For the association, strengthening food security has traditionally been the top priority, as exemplified by ASEAN Integrated Food Security (AIFS) Framework and Strategic Plan of Action on Food Security in the ASEAN Region (SPA-FS) 2009-2013⁵ and other documents. In this connection, the adoption of Kazan Declaration on APEC Food Security couldn't pass by unnoticed by the association. Transport and logistics are being elaborated on within Master Plan on ASEAN Connectivity. As for innovative development, the current globalizing world leaves ASEAN countries no other choice than to develop innovative economic sectors as the key prerequisite to remain competitive.

Before and in the aftermath of APEC Summit in Vladivostok, Russian experts developed and endorsed Eurasian-Transpacific connectivity initiative. Emphasis is placed upon the comprehensive connectivity between Russia and its Asia-Pacific neighbors along with an

³ Speech by the Russian Foreign Minister Sergey Lavrov at the plenary session of the 8th East Asia Summit. Bandar Seri Begawan, 10 October 2013. // http://www.mid.ru/brp_4.nsf/0/0C7F5771728E0FB644257C06003674F2

⁴ US allies can be partners of Russia and vice versa – Lavrov. ITAR-TASS News Agency. 30 April 2014. // <http://en.itar-tass.com/russia/730123>

⁵ For details, see: ASEAN Integrated Food Security (AIFS) Framework and Strategic Plan of Action on Food Security in the ASEAN Region (SPA-FS) 2009-2013. // http://www.gafspfund.org/sites/gafspfund.org/files/Documents/Cambodia_11_of_16_REGIONAL_STRATEGY_ASEAN_Integrated_Food_Security_Framework.pdf

accelerated development of Russia's Siberia and Far East⁶. Many components of this initiative have much in common with policy directions outlined by Master Plan on ASEAN Connectivity. The same is true with regard to Russian elaborations and the connectivity discourse in the agendas of Indonesian and Chinese APEC chairmanship.

Second, Russia has expanded its policy leverage to deal with Asia-Pacific security challenges. North Korean nuclear and missile developments are a good example. At present, prospects for the resumption of the Six-Party Talks are bleak, but to maintain dialogue with Pyongyang remains an urgent necessity. North Korea develops its nuclear weapons outside the monitoring and control of the international community, and at this juncture, hardly anyone can predict what the next North Korean bomb might look like. In these circumstances, Russia, a responsible nuclear power, may serve as a "bridge" between DPRK and the international community. Taking into consideration the current upward trends in relations between Moscow and Pyongyang, this scenario is not unrealistic.

Russia could use the potential of its chairing Northeast Asian Peace and Security Mechanism – a working group established by the participants of the Six-Party Talks. This platform may function as a permanent security forum in Northeast Asia. Issues under consideration might include not only DPRK policy, but also American BMD in Asia-Pacific or the present escalation of sub-regional naval arms race. If translated into reality, these discussions might well contribute to strengthening trust among key Northeast Asian actors.

Third, in relations between Russia and its key Asia-Pacific partners the trend of separating politics from economy is evident. Russian-Japanese relationship is a case in point. In spite of Tokyo's joining anti-Russian sanctions, economic relations between two countries are on the rise. 19 March 2014, the next day after Tokyo announced anti-Russian sanctions, 6th Russia-Japan investment forum was held, and thirteen large-scale agreements and memoranda for cooperation between two countries were signed⁷. The plant Hitachi is harboring ambitious

⁶ For details, see: Sumsky V., Kanaev E., Koldunova E. Russia's Interests in the Context of Asia-Pacific Region Security and Development / Ed. by Ivanov I. – M.: Izdatelstvo Prospekt, 2012. // <http://russiancouncil.ru/common/upload/riacapren.pdf>; Sumsky V.V., Kanaev E.A., Koldunova E.V., Zavadsky M.S., Zinovyeva E.S., Iontsev V.A., Kireeva A.A., Likhachev V.L., Lukonin S.A., Menzhulin G.V., Novikov A.V., Prokhorova Yu.A., Sevastyanov S.V., Stapan N.V. Russia's Guiding Landmarks in the Asia-Pacific after the APEC Summit in Vladivostok /Ed. by Ivanov I.S. – M.: Spetskniga, 2013. // http://russiancouncil.ru/common/upload/AsiaPacific2_En.pdf

⁷ Thirteen Agreements and Memoranda Signed at 6th Russia-Japan Investment Forum. PR Newswire. 20.03.2013. // <http://www.prnewswire.com/news-releases/thirteen-agreements-and-memoranda-signed-at-6th-russia-japan-investment-forum-251149021.html>

plans to produce excavators in the Tver region.

The same is true with regard to Russian – South Korean relations. The fact that Seoul didn't recognize the results of the referendum in the Crimea doesn't hamper the plans of South Korean business to develop the North Korean zone Rason, where Russia has modernized part of the infrastructure of port Rajin, and the railway Rajin – Khasan. More than that, there is a clear understanding in South Korean political and expert circles that Washington's and Seoul's interests should be separated. The Ukraine is in all respects far from South Korea while Russia is near. And good relations with Russia will be the key factor behind the success in implementing the Eurasian initiative as the key foreign policy priority of the Park Geun-hue administration.

Fourth, Russia supports ASEAN centrality in regional multilateral dialogue mechanisms. Russia shares ASEAN objectives aimed to prevent the unfolding of strategic scenarios that could undermine regional peace and, by implication, continuing economic growth. Both Russia and ASEAN intend to achieve this through the creation of a regional security system with ASEAN at the center. Russia pledges its support to the association at sessions of ASEAN Regional Forum (ARF), ASEAN Defense Ministers Meeting Plus Eight (ADMM+8) and East Asia Summit (EAS). Arguably, Russia's possible joining the latest ASEAN-led project – Regional Comprehensive Economic Partnership – may further strengthen ASEAN centrality in the overall system of multilateral cooperation in Asia-Pacific, with positive repercussions for the whole region.

In sum, Russia is carving out the niche of a “regional non-allied power” genuinely interested in fostering peace and security in Asia-Pacific and establishing a polycentric regional and global order. The position undoubtedly welcomed by our regional partners.

The South China Sea Connection

As an emerging regional power, Russia cannot ignore the set of issues related to the South China Sea – the main Asia-Pacific security challenge in the years to come. In this regard, Russia's policy goals and means can be presented as follows.

At the official level, Russia's position was outlined in Joint Statement on Intensification of Comprehensive Strategic Partnership between the Russian Federation and the Socialist Republic of Vietnam (July 2012). The parties stressed that the territorial disputes should be resolved by peaceful means without use of force or threat to do it and according to the standards of

international law outlined in the UN Charter and UN Law of Sea Convention 1982. In the South China Sea, support was made to Declaration on Conduct of Parties in the South China Sea 2002 and the move from the Declaration to Code on Conduct of Parties in the South China Sea⁸. This reflects Russia's intention that the South China Sea issue be kept within manageable bounds.

Russia's priorities stem from the following calculations. First, Russia understands that in case the South China Sea escalates, Russia will be dragged into the overall instability. This will run counter to Moscow's key priority – to form a benign external milieu as an important factor for implementing the internal socio-economic modernization. More than that, the imminent instability will undermine prospects for building trust and confidence in relations between Russia and its regional partners.

Second, Russian companies are developing energy resources of the South China Sea. Among these companies are Gazprom, LUKoil Overseas, TNK BP as part of Vietsovpetro and some others. This factor looms large in Russia's priorities given that energy diplomacy remains one of the cornerstones of its Asia-Pacific policy. At the same time, however, the episode with Gazprom's projects in the South China Sea in summer 2012 amply demonstrated that Russia's commercial interests might well become the hostage of political contradictions⁹.

Third, China and Vietnam – the most uncompromising opponents in the South China Sea – are Russia's main partners and key buyers of Russia's arms in Asia-Pacific. This makes the situation very delicate as in case an armed conflict in the South China Sea should take place, Russia's image as a party genuinely interested in regional peace might suffer.

The factors outlined above predetermined a strong necessity for Russia to develop a pragmatic and goal-oriented approach to the South China Sea issue. Arguably, the key components of this approach should be as follows.

First, Russia should dissociate itself from all the existing contradictions. Moscow shouldn't strive for the role of the mediator between the conflicting parties. The evolution of the South China Sea issue has amply demonstrated that it is useless – suffice it to remember

⁸ Совместное заявление об укреплении отношений всеобъемлющего стратегического партнерства между Российской Федерацией и Социалистической Республикой Вьетнам. 27 июля 2012 года. // http://news.kremlin.ru/ref_notes/1279

⁹ Gazprom Falls Victim to China-Vietnam Territorial Dispute. Russia Today. 29.06.2012. // <http://rt.com/business/gazprom-oil-gas-057/>

Japanese failed attempts to act as an intermediary in Sino-Philippine dispute over the Mischief reef in 1995. More than that, current American efforts to get involved in the issue will result in nothing except its further complication.

These lessons should be carefully learned by Russia – and in fact, they are. Russia remains above the contradictions between China, the United States and ASEAN. Russia doesn't support both American interpretation of freedom of navigation and Chinese nine-dotted line in the South China Sea. Russia is carving out the niche of “the great non-allied regional power” interested in fostering peace and security in the South China Sea.

Apart from this, Russia should strengthen the cooperative paradigm of the regional evolution – with positive repercussions for the South China Sea issue. In this connection, three points bear relevance.

First, contradictions over the South China Sea issue are generated by the energy factor – oil and gas resources of the South China Sea. If it is so – why not buy more Russian oil and gas? This will make the afore-mentioned contradictions less intensive than they currently are. In this connection, the recent 30-year gas contract between Russia and China stipulating that 38 billion cubic meters of Russian gas will be annually delivered to China marks a good beginning.

Second, debates about the freedom of navigation might become somewhat less intensive in case Russia succeeds in developing transport links via its territory. The Trans-Siberian railway and Northern Sea Route are cases in point. Although the throughput capacity of the Malacca Straits and the Trans-Siberian Railway and the Northern Sea Route are hardly comparable, this can and should be changed, simultaneously contributing to lessening contradictions over the South China Sea issue.

Third, Russia could offer its partners within ARF or East Asia Summit to adopt a document, similar to USSR-US Agreement on the Prevention of Incidents On and Over the High Seas signed in 1972. In this document, detailed information on what is – and, more importantly, what is not – to be done in cases of bumping, threatening movements and other actions which may represent a danger to navigation or to aircraft in flight should be carefully specified. This might add substance to the concept of “indivisible security” advocated by Russia.

The steps outlined above should be supported by a proper information campaign presenting Russia's efforts as aimed to preserve peace and security in Asia-Pacific in general and the South China Sea in particular – by means of mitigating the existing contradictions.

Conclusion

The South China Sea issue is evolving on a complicating trajectory. At present, prospects for cooperation are undermined by a number of imbalances which exacerbate the existing problems. In this connection, the maximum that can be achieved is to keep the issue in a relatively manageable, non-threatening state.

The implementation of this task presupposes fostering the cooperative milieu around the South China Sea instead of testing next breakthrough ideas to resolve the contradictions. While creating these “external conditions”, the potential and possibilities of Russia should be carefully explored.

Russia’s positive contribution in the South China Sea issue doesn’t seem to be imaginary or unrealistic. The evidence that Russia currently has plenty of opportunities to strengthen the overall cooperative paradigm of Asia-Pacific evolution and therefore to lessen the contradictions over the South China Sea set of problems seems to be more than convincing.