



universität
wien

MASTERARBEIT / MASTER'S THESIS

Titel der Masterarbeit / Title of the Master's Thesis

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)

verfasst von / submitted by

Nguyen Huong Thach Thao

angestrebter akademischer Grad / in partial fulfilment of the requirements for the degree of

Master of Arts (MA)

Wien, 2018 / Vienna 2018

Studienkennzahl lt. Studienblatt /
degree programme code as it appears on
the student record sheet:

A 066 864

Studienrichtung lt. Studienblatt /
degree programme as it appears on
the student record sheet:

Wirtschaft und Gesellschaft Ostasiens

Betreut von / Supervisor:

Univ.-Prof. Mag. Dr. Rüdiger Frank

This page is intentionally left blank

TABLE OF CONTENTS

CHAPTER 1: INTRODUCTION	1
1. Topic and research question	1
2. Relevance of the topic	4
CHAPTER 2: STATE OF THE ART	6
CHAPTER 3: RESEARCH DESIGN	19
1. Theoretical Background: Neo-realism (Structural Realism)	19
1.1. Actors of International System	19
1.2. Nature of International System	20
1.3. Fundamental objective of states in International System	21
1.4. Distribution of capability among and between states in International System	23
2. Methodological framework	26
CHAPTER 4: OVERVIEW	34
1. The Philippines' arbitration case against China	34
2. PCA's final award on the South China Sea	36
3. Responses of China to the final award	38
CHAPTER 5: EMPIRICAL ANALYSIS	40
1. The Philippines' responses to PCA's final award on South China Sea	40
1.1. Immediate responses	40
1.2. The consistency of the Philippines' South China Sea policy throughout the arbitration	42
1.2.1. The Philippines' policy pre-PCA's final ruling	42
1.2.2. The consistency of the Philippines' policy	44
1.3. The explanation of the Philippines' responses	45
1.3.1. Foreign Policy Tendency	45
1.3.2. Leadership's ideology and personal preferences	51
2. Vietnam's responses to PCA's final award on South China Sea	57
2.1. Immediate responses	57
2.2. The consistency of Vietnam's South China Sea policy throughout the arbitration	58
2.2.1. Vietnam's policy pre- PCA's final ruling	58
2.2.2. The consistency of Vietnam's policy	60
2.3. The explanation of Vietnam's responses	61

2.3.1. Foreign Policy Tendency	61
2.3.2. Leadership's ideology and personal preferences	67
3. The Philippines 'responses and Vietnam's responses in comparison	73
3.1. Immediate responses	73
3.2. The consistency of states' South China Sea policy throughout the arbitration	75
3.2.1. States' policy pre-PCA's final ruling	75
3.2.2. The consistency of states' policy	76
3.3. The explanation of states' responses	78
3.3.1. Foreign Policy Tendency	78
3.3.2. Leaderships' ideology and personal preferences	81
4. Main findings	85
4.1. Summary of the main findings.....	85
4.2. Relevance of the main findings	92
CHAPTER 6: CONCLUSION	93
BIBLIOGRAPHY	98
APPENDIX - Abstract	111

This page is intentionally left blank

LIST OF ABBREVIATIONS

ASEAN	Association of Southeast Asian Nations
COC	Code of Conduct
DOC	Declaration on the Conduct ¹
EEZ	Exclusive Economic Zone
FDI	Foreign Direct Investment
ICJ	International Court of Justice
IR	International Relations
ODA	Official Development Assistance
PCA	Permanent Court of Arbitration
UN	United Nations
UNCLOS	United Nations Convention on the Law of the Sea 1982
US	United States
USD	U.S. Dollar
VCP	Vietnam Communist Party

LIST OF FIGURES

Figure 1 China- Philippines' total trade value from 2011 to 2016.....	54
Figure 2: China-Vietnam's total trade value from 2011 to 2016.....	70

LIST OF TABLES

TABLE 1: CRITERIA FOR STATES' RESPONSES TO THE PCA'S FINAL AWARD ANALYSIS	33
TABLE 2: MAIN FINDINGS –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)	86

¹ ASEAN-China Declaration on the Conduct of Parties in the South China Sea

CHAPTER 1: INTRODUCTION

1. Topic and research question

The origin of territorial dispute in South China Sea can be traced back to more than a hundred years ago. For the most part, the dispute was initially between China and Vietnam, whose claims of sovereignty were over a number of islands and rocks in the Paracel Archipelago. The development of International Law of the Sea in the post-World War II period has contributed to the escalation of sovereignty disputes in this sea area (Nguyen, 2012: 166). For example, the United Nations Convention on the Law of the Sea 1982 (UNCLOS) allows coastal states to expand their territory on the sea². UNCLOS' provisions also apply (fully or partly) to maritime features that coastal states possess as land territory (Nguyen, 2011: 155). This means having sovereignty over island features would give states the authority to control area of sea (including the control of oil and natural gas reserves, navigation and aviation rights in this sea area) that attaches to these island features. Coastal states gradually showed their interests in South China Sea by making statements about their legal status over certain sea territories in accordance to UNCLOS (Nguyen, 2011: 155). The dispute then expanded to the Spratly Archipelago and other maritime zones in the South China Sea. New claimants including the Philippines, Malaysia and Brunei appeared. However, sovereignty dispute in South China Sea did not gain special attentions and become a deep concern for the international community until China formalized its U-Shaped line (or Nine-dash line) by claiming “*indisputable sovereignty*” and reaffirming its sovereign rights and jurisdiction for approximately 80% of the South China Sea in 2009 (Nguyen, 2012: 166).

Ever since then, territorial and sovereignty dispute has made South China Sea with its geo-strategic significance become a flashpoint in the East Asian region, which mostly because of its complexity, the number of claimants (5 states 6 parties)³ and the interests of indirectly involved stakeholders (e.g. the United State (US), India, Russia, Japan, etc.). The dispute

²This means coastal states, according to UNCLOS, have fully jurisdiction over some sea area called the Territorial Waters (12 nautical miles from the baseline), the Exclusive Economic Zone (EEZ) (200 nautical miles of from baseline) and the Continental Shelf.

³ Claimants in South China Sea dispute include China, Vietnam, the Philippines, Malaysia, Brunei and Taiwan. Due to the fact that Taiwan is not yet recognized as a sovereign state by many countries, the number of claimants in South China Sea is usually considered as 5 states 6 parties.

remains a tough and unpredictable problem in global politics as new developments appear every year. Not only the directly involved states but also the international community condemns that regional peace & stability and beyond may be negatively affected by the potential escalation of tensions and China's militarization in the South China Sea.

Despite different efforts made by all the claimants and indirectly stakeholders, there is currently no mechanism that can completely settle down the dispute in South China Sea. In the earlier stages, the usage of force and the threat of using force remained a possible measure to resolve the dispute even though this measure went against the United Nation Charter. This can apparently be seen through various military clashes such as the Battle of the Paracel Islands in 1974⁴, the Spratly Islands naval battle in 1988⁵ or the Taiwan shooting a Vietnamese ship incident in 1995. In the later period, all the involved parties have been trying to resolve the dispute through bilateral and multilateral negotiations. Among which, the negotiation on the Code of Conduct (COC) in the South China Sea is the most desirable. Five parties want to engage China in a legally binding agreement to restrain its activities in the South China Sea (Tran, 2012: 147-148). However, only the ASEAN⁶-China Declaration on the Conduct of Parties in the South China Sea (DOC) has been signed in 2002.

Settling international disputes between states under the PCA⁷ mechanism is not a new phenomenon in International Relations (IR). However, the South China Sea Arbitration⁸ is the first case in which one country made an attempt to resolve dispute in South China Sea by instituting an arbitral proceedings against the other. Moreover, after the PCA issued its final

⁴ The Battle of the Paracel Islands was a navies clash between China and South Vietnam in 1974. After the match, China has established control over the Paracel Islands until recent days (Yoshihara, 2016: 41, 50-51).

⁵ This battle is also known as the Johnson South Reef Skirmish. It was another military engagement between China and Vietnam to compete for the control over Johnson South Reef in the Spratly Archipelago in 1988. By the end, the reef is occupied by China (Pedrozo, 2014: 25).

⁶ The Association of Southeast Asian Nations.

⁷ From hereafter, the term "the Tribunal" will also refer to the PCA.

⁸ From hereafter, the terms "the arbitration", "the arbitral case" or "the arbitral proceedings", if not specified, will all refer to the South China Sea arbitration.

award⁹ in 2016, the foreign ministers of ASEAN and China have endorsed the framework for the COC in 2017 (ASEAN, 2017: 3). It can be seen as a positive signal for the actual negotiations on the code in particular and for the dispute management process in general. The PCA's final ruling is expected to be an important milestone toward peacefully solving territorial disputes in the South China Sea.

South China Sea dispute has been an area that is interested by both policy makers and scholars from the IR field. For instant, the issue of South China Sea as well as the maintenance of peace, stability and cooperation in this sea area, which used to be a sensitive topic, has been publicly discussed in official conferences and fora of ASEAN or between ASEAN and its partners (Dang, 2012: 9). Since the Philippines initiated the arbitration case against China over South China Sea in early 2013, the final verdict of the permanent court has always been awaited. The PCA's final award on the arbitral case in 2016 and its implications, as well as regional and international responses to the ruling are thus the issues that also appeal to policy makers and scholars. Among all the claimants in South China Sea dispute, the Philippines is the actor that instituted the arbitration case. Vietnam is among the major claimants in the South China Sea, which supported the Philippines through the arbitral case against China more than any other states. In addition, researches on the responses of single country, especially China and the Philippines have been conducted. Works that compare the reactions of both countries, particularly Vietnam and the Philippines can hardly be found.

Due to these facts, this Master's Thesis concerns with *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)*.

The Master's Thesis aims at contributing comprehensive analysis of how the Philippines and Vietnam reacted to the final award of PCA over South China Sea and answering the following research question:

What are the similarities/differences between the Philippines' responses to the PCA's final award and those of Vietnam?

⁹ From hereafter, the terms "ruling", "final ruling", "verdict" or "final verdict", if not specified, will refer to the final award issued by the PCA over South China Sea dispute between the Philippines and China.

2. Relevance of the topic

South China Sea dispute has re-emerged as a complex and multilayer political issue in the East Asia region. Due to its complexity and geo-strategic significance, the issue itself has appealed to not only governments but also scholars in the 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.

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. I thus decided to compare the reactions of two South East Asian nations to an international event that caught many attentions from the international community. I chose the Philippines and Vietnam as the research subjects in my comparative analysis.

I chose the Philippines because it was the directly involved party in the arbitral case. There are several reasons to make Vietnam the second research subject of this Master's Thesis. Firstly, Vietnam, beside the Philippines, is also a small state that has been consistently struggling against regional rising power (China) in maritime dispute. Although Vietnam is not a party of the arbitration, it, similar to the Philippines, is a major claimant in South China Sea and has long been in maritime dispute with China. Secondly, even though Vietnam is not the party of the arbitral case, the arbitration's result may directly affect Vietnam's legal interests and rights, as stated by Vietnamese government (PCA, 2015b: 72). This is because in the arbitration, the Philippines asked the Tribunal to rule on the maritime entitlements of a number of features in the Spratly Archipelago, which are also claimed by Vietnam. Furthermore, the arbitral proceedings initiated by the Philippines against China refer to a legal mechanism that Vietnam could consider as a means for its own dispute settlement with China in the South China Sea. Lastly, Vietnam, as stated in the previous section, supported the Philippines more than any other states throughout the arbitration. Therefore, I would like to find out whether two different nations, with slightly similar position in regional dispute, would act similarly or differently in an event of IR.

By conducting this research, I am hoping to contribute a comprehensive comparative paper to the field so that whoever is interested, whether have a certain knowledge on the issue or not, can have an overall picture of how complex, diverse and uncertain the South China Sea

dispute is in general. This research would also provide an overall picture of how major claimants (the Philippines and Vietnam) in South China Sea concern about the arbitration case, the PCA's final award and its implication in particular. At the same time, my ambition is to provide a proper framework for future analysis of states' responses to any IR events or phenomenon.

CHAPTER 2: STATE OF THE ART

The topic of this Master's Thesis consists the comparison of the two different countries' reactions to a ruling on a multilateral conflict issued by an international judicial body. Even though besides the South China Sea arbitration, there are a number of interstate arbitral proceedings in IR provided by the PCA, studies on states' responses to arbitral proceedings provided by this judicial institution can barely be found in the academic database. The International Court of Justice (ICJ)¹⁰ is another international judicial body that also settle disputes submitted by states in accordance with international law. Because of this reason, I would like to start reviewing the academic works on the reactions of states to ICJ's rulings.

Works on reactions of states to ICJ's rulings

Butcher (2013) studies the impacts of ICJ's ruling in 2002 on the dispute settlement between Malaysia and Indonesia in the Sulawesi Sea. In his article, Butcher takes a small part to discuss about the reactions of both countries to the international court's ruling. He describes how these states greeted the award: while the Malaysian government was joyful and relieved with the decisions of the ICJ, the Indonesian authority accepted the ruling with embarrassment and humiliation. He quotes the statements of both states' high-ranking officers and the local newspapers' comments on the issue to reflect the general reactions in both countries. Butcher's explanation for both states' behaviors is that losing sovereignty rights over two tiny islands was tolerable. This was because sovereignty over these two islands as well as the ruling did not have much influence on the maritime boundary delimitation in the Sulawesi Sea. In other words, both states sovereignty rights in a greater area of sea (which is rich in oil and gas deposits) were not at stake. Butcher also points out how the ruling affected each state's perspective on the international judicial body. The ruling which was in favor of Malaysia, made the country's authority eager to submit other territorial disputed case to the ICJ. Indonesia, on the contrary, has no longer wanted to make use of the international court to settle territorial dispute.

¹⁰ It is worthy to note that the ICJ is a judicial organ of the UN. The PCA is also an international juridical institution; however, it does not have affiliation with the UN as the ICJ does. Moreover, while the ICJ has its own sitting judges, parties in the arbitral proceedings held by PCA must appoint the arbitrators by themselves. Besides, the PCA's sessions are not held in public and are confidential (The Hague Justice Portal, n.d.).

Askandar & Sukim (2016)'s work emphasizes the Malaysia and Singapore's decision to refer their territorial dispute to ICJ and the reactions of both states in post ICJ's ruling period. Regarding the responses of states to the decisions of the international court, the two authors mention the initial attitudes of both Malaysia and Singapore to the issuance of the ruling: both governments accepted the decisions. Similar to Butcher (2013), Askandar & Sukim also quote statements of Malaysian governmental officers and diplomatic circle to clarify the authority's point of view on the issue. The authors also review the actions taken by the Malaysian and Singaporean authority in the aftermath of ICJ's ruling. The action of Malaysian authority was taken in the light of problem arisen from the international court's decisions. To be more specific, it called for the media to stop using the Malay word Pulau (island) for Pedra Branca- a maritime feature that according to the ICJ's ruling, belongs to Singapore. By doing this, the Malaysia wanted to prevent the Singaporean government from claiming EEZ from Pedra Branca. As for Singapore, the country immediately asked the Malaysian fishermen to leave the surrounding area of Pedra Branca, which was to show its fully support and commitment to the ICJ's ruling.

Tun (2011) conducts a research on the peaceful resolution of the dispute between Thailand and Cambodia over the Preah Vihear Temple. In this case, the two countries decided to refer their dispute cases to the ICJ for adjudication. Tun, similar to Butcher (2013) and Askandar & Sukim (2016), pays most of his attention to the developments of the dispute rather than the responses of states towards the ICJ's ruling. However, the states' reactions are also included in his work. He mostly focuses on the responses of Thailand. The immediate reactions of Cambodia as the winner of the case is not mentioned. Beside quoting high-ranking officers' statements, and reviewing the actions of Thailand government after the issuance of ICJ's ruling, he also mentions the domestic public general reactions to the decisions of the international courts. In the context of Thailand, the domestic public was unpleasant to the ICJ because its ruling was favorable to Cambodia.

Zunes (2004) especially focuses on the implication of the US' reactions to the ruling of ICJ concerning the Israel's construction of barrier in the West Bank. Zunes reviews the reactions of both executive (the president and his cabinet) and legislative (the congress) branch. In order to do this, he restates the US' politicians' speeches, and governmental public documents' content. The US' government, in general, criticized the ruling of the ICJ. The US was doubt

about the courts' authority and jurisdiction over the case. US' senators alleged the ICJ to be bias against the Israel and thus its decisions would have affected the right to self-defense of the country while the Israeli's government claimed to build the barrier for security reasons (against terrorism) only. Zunes explains the anti-ICJ reactions of the US by putting an emphasis on this great power's political intentions. In accordance to this, the US wanted to use the ICJ as a meant to discredit the United Nations (UN) system and it simultaneously wanted to maintain its leading role in the Israeli-Palestinian peace process.

The upcoming works of Borgen (2010) and Falk (2011) are all about the ICJ's advisory opinion on the case of Kosovo's secession. Even though reactions of states to the decision of ICJ is not the main topic of Borgen's work, he leaves a small section for the issue. He, similar to other above-mentioned authors, reviews the perspective of states on the ICJ's advisory opinion by restating politician's statements. Among the countries that responded to the ICJ's advisory opinion, Borgen particularly focuses on Spain, as this European country has been facing the same problem of separatism. Spain, according to the author, neither recognized Kosovo nor supported the ICJ's decision. This was because the ICJ's decisions on Kosovo case could have become a precedent that facilitated and encouraged the separatist movements of other autonomous communities (such as the Catalonia and the Basque county in Spain). Falk (2014) follows Borgen (2010) by keeping the part on states' reactions to the international's advisory opinion short. He simply states that Serbia was angered and disappointed and points out the possibility of how Serbia government would have acted. The part on Kosovo's reactions is as brief as that of Serbia. Falk indicates that Kosovo welcomed the advisory opinion issued by ICJ and its next move was to broaden the support of respecting the advisory opinion.

As it can be seen, in most of the works that I mentioned above, the authors pay little attention to the reactions of states to the ruling made by the international court. They merely briefly discuss the issue. Moreover, the PCA's action of issuing the ruling on South China Sea is, in fact, an IR event. Therefore, I believe that reviewing studies on the responses of states to any incidents or phenomenon in IR can be useful in the process of extracting criteria for the analysis of states' response to the PCA's final award on South China Sea. To narrow down the scope of academic literature on this topic, I would only look for works focusing on Southeast Asia region because this Master's Thesis concerns two Southeast Asian countries. The following

paragraphs would then review academic works on reactions of South East Asian states to various IR events or phenomenon.

Works on reactions of South East Asian states to various IR events or phenomenon

Southgate and Khoo (2016) try to interpret ASEAN's responses to issues arose in the South China Sea in the post-Cold War period based on the logic of Neo-realism school of thought. Both authors agree that the responses of ASEAN as one unity are affected by the so-called vanguard state. Vanguard state refers to state "*which comes to the fore of the Association when it has vital interests at stake that it wishes to defend*" (Southgate and Khoo, 2016:227). In the South China Sea circumstance, ASEAN vanguard states are the Philippines and Vietnam. The most significant and influential external state is the US. The ASEAN's interests in convergence reflect the interests among Philippines, Vietnam and the US in South China Sea. To come to this conclusion, the authors examine ASEAN member states' reactions to Chinese actions and movements in the South China Sea in two periods: pre and post 2013. Accordingly, ASEAN failed to resist Chinese sovereignty violations in pre-2013 period because the Philippines and Vietnam's interests did not meet that of the US. However, the regional responses have been stronger and more effective because the interests of those parties have been increasingly convergent in the post-2013 period. It is also important to note that the two authors strongly emphasize that the ASEAN states' (and other external great powers) main interests consist of autonomy, sovereignty, and state survival throughout their research.

Similar to Southgate and Khoo, Shekhar (2012) also examines the Southeast Asian nations' responses to the rise of China collectively (via the ASEAN), based on Neo-realism theory. To analyze its responses, Shekhar states different ASEAN's perspectives on the rise of China (for example: welcome economic dimensions of China's rise, agree that China would remain assertive in the South China Sea disputes and thus the region needs to diversify its sources of balancing against China, etc.). He then assesses what policies are used by the ASEAN in response to this phenomenon. By the end of the day, he affirms that the ASEAN has been using hedging strategy, in which it tries to engage the US and other Asian powers in the regional matters (an effort to indirectly balance China) and at the same time make China "*commit to the ASEAN-driven cooperative process*" (Shekhar, 2012: 264).

Compared to Southgate and Khoo or Shekhar (2012), Chen (2018) assesses the responses of Southeast Asian nations to a more specific issue: Chinese 'Belt and Road' initiative. He proposes five hypotheses (most of which are made based on the Neo-realism theory) to explain Southeast Asian states' different reactions. In accordance to this, states responded differently to this Chinese initiative because of (1) trade relation with China, (2) Foreign Direct Investment (FDI) inflows from China, (3) territorial dispute with China, (4) The US' policy towards the Southeast Asian region and (5) the changing in states' domestic politics. He measures the responses (degree of support) of each state by drawing on two types of indicator (gesture and action) and assigning them different values. He then discusses about all above-mentioned factors in detail and concludes that the variety in Southeast Asian nations' responses was largely because of their domestic politics (leaders' ideology and preference, power struggle, degree of trust in China, and social reactions). The US' policy towards the region was a significant external element. The political element (territorial disputes) affected the responses of states, but not as much as the two formers. The impact of economic factors (trade balance and FDI inflow), however, cannot be verified.

Grieger (2016) also includes a brief summary of how regional states and exogenous actors respond to Chinese increasing assertiveness in the South China Sea in her paper. As for the regional states, responses include states' strategies/approaches towards China and their actual actions in certain issues arose by China in this sea area. As for the external actors, Grieger simply states their position or perspectives on territorial disputes in the South China Sea. Thayer (2011) also explores the same topic as Grieger. However, he merely pays attention to the responses of Vietnam and the Philippines towards China's aggressiveness directed at each state in first nine months of 2011. Thayer reviews the responses of each state by restating governments' immediate reactions (mostly actions) to each incident caused by China. China, according to Castro (2016a), has been applying the realpolitik approach or power politics approach— a concept of Realism theory- in territorial disputes against the Philippines. In his research, Castro (2016a) firstly mentions the main assumptions of Realism theory, the definitions of territorial disputes, the realpolitik or power politics approach in disputes. He then explains how these concepts are reflected in the South China Sea dispute. His work mainly assesses the consequences of this strategy of China against the Philippines began in 1995. Furthermore, a variety of matters is also examined, which include the Philippines' responses to Chinese

realpolitik approach in the 2012 Scarborough Shoal standoff specifically. Castro (2016a) clarifies the Philippines' responses by outlining its governmental official announcement and balancing policy (strengthen alliance with the US, promoting strategic partnership with Japan.)

Shoji (2016) provides a case study on the Vietnamese efforts to increase its maritime defense capacity in response to the rising China in his research. Criteria to study the responses of Vietnam include Vietnamese governmental officer's comments (on certain issue), spokesperson's speech, and actions (specific activities, projects, etc.). To sum up, in response to the rise of China in the region, Vietnam has been making effort to enhance its comprehensive maritime defense capabilities by actively obtaining military armament and modernizing its military. Besides, it tries to deepen relationships, especially security cooperation, with major powers within and outside the region, among which, the US is the most important factor. The country also attempts to maintain the stability of its bilateral relationship with China and at the same time, expects to explore new means that can reduce its dependence on the "*giant neighbor*".

Tran & Sato (2018) study the Vietnamese hedging strategy in the post-cold war period, particularly in its bilateral relation with China. The authors used the mix of Realist and Liberalist's assumptions to explain the hedging strategy of Vietnam. Accordingly, the hedging approach includes four ingredients: diplomatic engagement, economic engagement, hard balancing and soft balancing. Other aspects that influence Vietnam's policy are Chinese policy and movements in the South China Sea, domestic conditions and external security environment. Both Tran & Sato expect the Vietnamese government to continue maintaining its middle position in the near future, in which it hopes to benefit close economic ties with China and simultaneously reduce economic dependence on China, as well as increase the involvement of other regional and external powers in the South China Sea issues. Nguyen (2015)'s research paper also concerns the Vietnamese foreign policy, in which he explains Vietnam's choice of policy towards China in the South China Sea dispute settlements since 2014. His entire research uses the theories of Neo-realism and Constructivism as the theoretical background. For the empirical analysis, he chooses the HD-981¹¹ incident in 2014 as the case study. He leaves a

¹¹ The HD-981 incident refers to the case in which China placed its drilling oilrig HD-981 in Vietnam's EEZ as claimed by Vietnamese government. China also sent a great number of ships including military vessels and aircraft to support the oilrig.

section to review the responses of Vietnam when China placed its drilling oilrig HD-981 in Vietnam's EEZ as claimed by Vietnamese government. He collects the official responses (actions, speeches, etc.) that reflect Vietnamese authority's perspective in three levels: government, scholars and the media.

The works on reactions of states to South China Sea arbitral award would then be reviewed and discussed as below.

Works on reactions of states to South China Sea arbitral award

It is noteworthy that the PCA's ruling over South China Sea in 2016 is a contemporary matter, therefore most of the works on the issue are articles published in different international or regional academic journals and working papers for relevant conferences. Books written about the South China Sea ruling have been published but in a limited amount. Most of these are edited books, which consist a number of works written by different scholars of the field. In sum, most of the researches tend to focus merely on individual state. Comparison works, especially comparison between the responses of the Philippine and Vietnam is unfortunately undersupplied. Moreover, most of these works touch on a wide range of issues (juridical, political and diplomatic, economic, and environmental issues) affected by the Tribunal's final ruling rather than just assessing states' responses. Despite all of these problems there is a set of works- from which possible criteria for the comparison of the two countries' reactions to the final verdict can be excluded.

Thayer (2017a)'s article is about what happens to the South China Sea arbitral award after one year it was issued by the PCA. In this article, Thayer spends a large part to review the responses of ASEAN member states, ASEAN collectively, China and other external states to the award. He simply reviews states' reactions by stating states' government high-ranking officers' remarks, statements, and comments on the arbitral award, which reflect the authority's standpoint. As for the case of ASEAN as one unit, he indicates its stance by reviewing how the issue is mentioned and included in the ASEAN Joint Communiqués and statements. The mentioning of the arbitral award in bilateral meetings with China or in multilateral fora is also indicated in his article. Besides, Thayer also evaluates what kind of actions are taken by states (especially by China) in the post-arbitral award period, through which the reactions of states can be clarified.

Shoji & Tomikawa (2017) conduct a research on the South East Asian region, in which they particularly emphasize the changing in political leadership of Vietnam, the Philippines, Myanmar and the continuous changes in the South China Sea. The part written by Shoji has much to do with the topic of this Master's Thesis. Shoji assesses the ASEAN member states' reactions to the PCA's awards and attempts to point out its implications. He sees the separation among the response statements of seven ASEAN member states. Nevertheless, there is one thing in common, which is none of the countries directly demands China to abide the award. Other three member states of ASEAN did not issue any statements. These reactions illustrated three implications: (1) political identity is a matter of concern for ASEAN, (2) negotiations with China remains difficult and (3) other countries such as Japan or the US has been engaged in the South China Sea disputes and at the same time, the role of ASEAN, as a party of the dispute, in the dispute resolution is still in doubt. Shoji also puts a strong focus on the changing leaderships in the Philippines and Vietnam. Accordingly, the responses of these two states to the award and China- their rival claimant in the South China Sea- affected greatly by the ideology of the new leaders as well as the balance between security and economy.

Zhang (2017) assesses the responses of China to the ruling in his research. He initially stating the immediate reaction of Beijing (which was to keep insisting on its “four nos”¹² position). To explain the responses of China, he examines the changes in Chinese government's claims to the South China Sea throughout the arbitration from 2013 to 2016. He then tries to point out how China would have benefited from the result of the arbitration even though the award was referred as “*humiliating defeat for Beijing*” (Zhang, 2017: 445) in terms of juridical aspect. Accordingly, the final verdict opened up two opportunities for China. The first was that Chinese scholars had the possibility to produce substantive and deeper criticisms of the award aiming at proving that China's rejection to the arbitration is reasonable. The second was that Beijing could turn this into a chance to bring negotiations back to the table. To support his arguments, Zhang also considers the positions of other actors including the Philippines, ASEAN and the US. He also studies the final awards' impacts on the Beijing's South China Sea policy, which was to strengthen the position of the hardliner in Chinese internal debates about South China Sea thus harden its claim in this sea area.

¹² No participation, no acceptance, no recognition and no enforcement.

Bautista (2016) focuses on the responses of the Philippines. At the beginning, he also states out the immediate reactions of Manila to the verdict as Zhang (2017) does with Beijing in his research. Manila's reaction is then briefly explained by two arguments: (1) the power transition in the country leads to the changes in the Philippines' South China Sea policy and (2) the Philippines must consider a wide range of issues including economic and trade realities with China, the safety & welfare of its people in China, and military capabilities in case being threaten by China. Castro (2016b) analyzes the Philippines' foreign policy under Duterte administration. He uses the PCA's award as one of the evidences that reflects the shift in the Philippines' policy towards China. In regard to the Tribunal's verdict, he simply illustrates and gives an explanation for Duterte administration's responses. In accordance with his belief, the Philippines chose its modest approach partly because it was afraid of Chinese potential hostile and assertive reactions against its arm forces and fishermen. Even though, PCA's ruling accounted for only a small part, this article of Castro (2016b) is still useful for the understanding of the Philippines' responses, which is mostly due to the power transition domestically resulted in the changes in its foreign policy. Quintos (2018) is on the same path as Bautista (2016) and Castro (2016b). She also makes an in-depth analysis on the shift in South China Sea policy of the Philippines' new administration: Duterte. Taking Neo-realism as the theoretical background, Quintos tries to explain why and how the strategy of hedging becomes an optimal policy option for the Philippines in post-arbitration period within the context of which the US' policy in South China Sea is uncertain and China is not likely to give up its hardline stance. In Hayton (2017)'s work, Chinese responses to the PCA's award are discussed. He states that China's reaction can only be understood with a fundamental knowledge on Chinese territorial agenda, the depth of its historical roots and significances to modern Chinese national identity. As specified by Hayton, China is unlikely to give up on its territorial claims and at the same time tries to re-acquire its reputation as a responsible stakeholder of international system. Unless the China's interests in the South China Sea are maintained, the regional stability and peace are at stake.

Wang (2017) puts an attempt to assess the Chinese perspectives on the South China Sea arbitration and the impact of Tribunal award on China's attitude toward international law. He analyzes the limitations of UNCLOS, legitimacy of the tribunal and the jurisdiction of the award. He concludes his work by admitting the positive and practical contributions of the award to the international rule of law and peaceful measure to settle disputes in the region. At the same time,

he is skeptical about the jurisdiction and merit of the award. In spite of that, the Tribunal's final award is supported by the large part of the international community. The international community then puts pressure on Chinese public and government, urging them begin appreciate the importance of international law. According to Wang, the China may responded to the award, as it was a "*piece of useless paper*", it still "*takes the awards to heart*" (Wang, 2017: 208). If it does not, it would not make every efforts to damage the credibility of the Tribunal and its finding. The reactions of China also reflect the rise of Chinese nationalism, which believes that foreign states, led by the US, have always been using international law as a means to violate Chinese sovereignty. Hong (2016) mentions the continuation in Beijing South China Sea's policy since the Philippines brought the arbitration case against it in 2013, which can explain the immediate reactions of China to the Tribunal's final ruling. However, she particularly studies the political and legal implications of the award for China. She finds four important implications for China in the regard to its historic rights in foreign EEZ, interpretation of Article 121(3) of UNCLOS, China's land reclamation activities and UNCLOS's Article 298. In the opinion of Hong, the PCA's final award has failed to solve the key conflicts between the Philippines and China. She, nevertheless, is aware that the award could be a motivation for both China and ASEAN to speech up the negotiations of COC for South China Sea. She strongly believes that the award has offered China an opportunity to put its traditional approach to dispute settlement (bilateral negotiation) under consideration.

From a different perspective, Nguyen (2016) pays more attention to the potential opportunities that the award might bring to Vietnam. She re-affirms the position of Vietnam as a claimant in South China Sea dispute and explain how Vietnam would benefit from the award on the legal basis. She also mentions the urgent for Vietnam to clarify its claims thus open up a more effective approach to settle disputes in South China Sea. Vu & Nguyen (2017) also try to explain the responses of Vietnam towards the final award of PCA by analyzing and predicting its foreign policy in the post-ruling period. They propose two major hypotheses for Vietnam's soft reactions. The first hypothesis is that Vietnamese government needed more time to evaluate the award's pros and cons and reconsider the award's impacts on Vietnamese position in future South China Sea negotiations. The second hypothesis is that the Vietnamese government was being pressured by China. The two authors also mention two factors that make Hanoi more careful when responded to the award: the Philippines and the US. In the post-ruling period,

Vietnam was once again put in the prisoner's dilemma as the new Philippines' leadership adopted a contradict South China Sea policy and the US' South China Sea policy was rather uncertain. Vu & Nguyen expect Vietnam to continue its hedging policy in which it tries to maintain stable ties with China, with non-claimants stakeholders, rival claimants and ASEAN.

Hsiao (2016)'s paper is about the responses of Taiwan and the potential challenges posed by the verdict. Taiwanese rejected the final award and reclaimed its sovereignty over islands and its entitlements in the South China Sea, while simultaneously urged to resolve the dispute through multilateral negotiations. The reactions of Taiwanese government was targeting China, the domestic population, and the international community. In the article contributed by Parameswaran (2016), the traditional approach towards South China Sea of Malaysia is initially analyzed, followed by the assessment of its responses to the final award and the possible upcoming developments in this sea area. As stated by Parameswaran, Malaysia has always been maintaining its low-profile policy, which is often considered as "*playing it safe*" approach towards South China Sea (Parameswaran, 2016: 376). This explains Malaysian mixed responses to the ruling. Parameswaran ends his article by predicting that Malaysia would continue its "*playing it safe*" approach as long as it is not directly affected. He strongly believes that Malaysia is not the key actor influences the regional political environment. Laksmana (2016) follows a considerably similar analytical design to that of Parameswaran (2016) when evaluating the Indonesian approach. He starts straightforward to the responses of Indonesia to the ruling by quoting the official statements of Indonesian government. He then drives attention to the traditional aspect in which he talks about the challenges that brought to the countries for years by China and South China Sea dispute. After that, the South China Sea policy under Jokowi administration is discussed. In general, in the accordant with Laksmana's evaluation, the Indonesian South China Sea's policy is inconsistent due to both the "*Indonesia's China ambivalence and Jokowi's lack of interest in foreign policy*" (Laksmana, 2016: 387).

In his research, Nguyen (2017) evaluates the American view on the award by giving a comprehensive comparison among the reactions of American press, Congress, Government and views of scholars. His criteria for evaluation comprise the implication of the ruling, possible China's responses and cautions for the US' government in relation with China. He also mentions the regional and global responses, emphasizes the role of diplomacy and power politics. By the

end of the day, he points out the similarities in the responses and reactions of all the parties on the legal status of the award and US' South China Sea policy. However, Nguyen's work is not an in-depth research but merely a summary of different parties' responses. Bateman (2017) conducts another analysis on the US' responses to the award. He evaluates the US' reactions on regional perspective. Unlike Nguyen (2017), he addresses the responses of not only the US but also other states. For making such comparison, readers would have an overall idea of how the international community recognizes the PCA's verdict. Bateman also discusses about the US interests in the South China Sea to explain its reactions to the ruling. He then expands his analysis by evaluating the impacts of the award as well as both claimant and non-claimant stakeholders' responses on the overall cooperation in the region to solve the dispute. By the end, he makes a discussion about recent developments in the South China Sea concerning the US' presence in this sea area. In the conclusion, he expresses his belief that PCA's ruling is the US' bigger lost in regional influence compared to China.

In general, after the PCA' final award was issued in July 2016 a number of works concerning regional states' responses to the Tribunal's verdict were written by these countries' well-known scholars of the field. Nonetheless, the analyzed issues are just tip of an iceberg. Through these analyses, a general review of how the stakeholders react could be achieved. For a better understanding of states' reaction, it requires a long-term insight on the matter.

Regarding IR theories

It can be seen from the assessment of academic literature on reactions of South East Asian states to various IR events or phenomenon that, scholars tend to use Realist (Realism and Neo-realism), Liberalist (Liberalism) or Constructivist schools of thought (together or separately) as theoretical background for their analyses on issue regarding China and South China Sea. Most of the authors that I mentioned in the third part of the state of the art (who study the reactions of states to the PCA's South China Sea award), do not clarify what theory they use as theoretical background in their works. However, the usage of Realism and Neo-realism theory is apparent. For example, Bautista (2016) and Castro (2016b) strongly emphasize the capabilities factor, as well as the appearance of great power (in this circumstance the US) in the region; Vu & Nguyen (2017) mention the prisoner dilemma (of Vietnam); or Quintos (2018) focuses on the hedging strategy, etc.

Even though different IR theories has been adopted, it is clearly that the usage of Realist theories (Realism and Neo-realism) is more common when analyzing issues concerning South China Sea dispute. Furthermore, although IR studies consist of different theories, Neo-realism is one out of the two mainstream perspectives (besides Neo-liberalism), and among the most influential approaches. Neo-realism is said to have contributed enormously to the understanding of how international system works and how states tend to act similarly despite the diversification in economy, politics and ideology (Linklater, 1995: 258). In other words, Neorealism is assumed to surpass other IR theories in terms of explaining states' behavior. Because of these reasons, I believe that the Neorealist school of thought is superior to other IR theories and should be used as a theoretical background for this Master's Thesis, in which the responses of states to PCA's final awards, or, states' behaviors will be compared. I will conduct the entire research based on Neo-realism. In the next chapter, I will discuss in detail about the research design (theoretical background and methodological framework).

CHAPTER 3: RESEARCH DESIGN

1. Theoretical Background: Neo-realism (Structural Realism)¹⁵

1.1. Actors of International System

Classical realists and Neo-realists both agree that sovereignty states are the main actors of international political system (Mearsheimer, 2007:73; Gilpin, 1981:17). A state is considered as a sovereign one only when, according to Waltz, it owns the absolute independence in deciding how to deal with any domestic and international affairs. This includes the act of limiting its own freedom by seeking assistance and making commitment to foreign actors (Waltz, 1979: 96). Neo-realism assumes that states have the ability to make decisions in prudent and logical way, or in shorts, they are rational actors. Nevertheless, states occasionally behave in irrational way, mostly due to the uncertainty and lack of knowledge about other states. The international system's structure is said to be formed by the interactions of its units, which are sovereign states (Waltz, 1979: 95).

According to Waltz, sovereign states are all similarly autonomous and equal political units that generally perform similar domestic and international functions. Nonetheless, their capabilities are vastly different. On one hand, Waltz sees states as units that are similar functionally with different capabilities (Waltz, 1990: 37, 105). On the other hand, he states that capabilities shape functions. Because of this reason, Waltz's core assumptions have been criticized to be conflict (Milner, 1991:78).

While classical realism accepts states as the sole and only actor of international system, neo-realism also acknowledges non-state actors such as International non-government organizations, Transnational Corporations or terrorist groups, etc... and their increasingly

¹⁵ Neo-realism, sometimes called structural realism, is a perspective emerging as the new version of realism since the 1970s. Neo-realism is known to have been critical of the traditional or Classical Realism's assumptions. Despite the disagreement in central assumptions, the later approach indicated different emphasis within the realist school of thought rather than divided it into rival ideology (Heywood, 2011: 54). Outstanding Neo-realists include Kenneth Waltz, Robert Gilpin, Stephen Walt, Barry Posen, Stephen Van Evera, Joseph Grieco, John Mearsheimer, etc. Among whom works, Kenneth Waltz's "The Theory of International Politics" published in 1979 is considered as the key text for Neo-realism. John Mearsheimer is notably for his contribution to the Neo-realist school of thought by promoting the concept of Offensive Realism, which is different from the Defensive Realism originally developed by Kenneth Waltz.

growing in number and significance in international politics. In spite of their effective operation, non-state actors, in the view of Waltz, still fall behind sovereign states. Accordingly, such non-state actors, sooner or later, can only have the ability to act significantly only with support from states (Waltz, 1979: 35). Even though states are no longer the only actor in international political systems, their central importance remains the same (Waltz, 1979: 95; Booth, 1995: 336).

1.2. Nature of International System

Another aspect that shared between classical Realists and Neo-realists is the nature of international environment in which states operate. The system that states live in is anarchy. An anarchic system is a system in which there is no higher central authority that stands above sovereign states and other non-state actors (Waltz, 1979: 88; Mearsheirmer, 2014; Gilpin, 1981: 28). As stated by Waltz, anarchy forms the matters that states have to deal with (Waltz, 1990: 36).

The one and big challenge for states in international system is the lack of trust and certainty. Neo-realists assume that every states, whether big or small, powerful or weak, have the capability to cause harm to their neighbors. States thus can never be assured of how other states would act and what their real intentions and motives are. It is the anarchic characteristic of international system that inevitably leads to the frequent uncertainty and suspicion among states. This is because there is no central authority that a state can turn to for help and protection when being threatened or in case others inflict harm on it (Mearsheirmer, 2007: 73-74).

Because of the lack of trust and the frequent uncertainty in IR, states in general tend to rely merely on themselves instead of seeking for other states' assistances in coping with both internal and external affairs. States' reliance on their own capabilities and resources makes the international political system a self-help one (Waltz, 1979: 112, Heywood, 2011: 60). Altogether, the characteristic of a self-help system (states do not want or limit their cooperation with others to avoid dependency on external factors) as well as its unsecured condition (uncertainty, lack of trust, and full of suspicion) that limit or work against cooperation among or between states (Waltz, 1990: 105-106).

Another characteristic of an international system is that it is changeable. This is mostly due to the distribution of capabilities among or between states. The matter will be discussed further in the upcoming section.

1.3. Fundamental objective of states in International System

Classical Realism emphasizes the pursuit of national interests as states' primary goal. Classical Realists define national interests in terms of power. In accordance with Classical Realists assumptions, states are led by groups of elites whose are also human beings thus is characterized by the nature of human beings which are selfishness, greediness and the seeking for power. This results in the fact that state's national interests is motivated fundamentally by the will of dominant elites. No matter what the national interests may be (economic, ethic or territorial), pursuing notational interests may, for instant, aim at maintaining the elite's contemporary power. (Gilpin, 1996: 7). Power is therefore viewed as the end in itself (Waltz, 1990: 35).

In contrast to Classical Realists, Neo-realists have never specifically defined national interests. However, they make an argument on the concept of power. Power, in the view of Neo-realists, is not the end to it self but a mean to an ultimate end which is survival (Waltz, 1979: 92; Mearsheirmer, 2007: 72). This means power is only a tool of states to secure their survival. Accordingly, the main and primary objective of states is the ensuring of their own survival and security, particularly, in the context of anarchic environment that states live in. To ensure survival means to maintain sovereignty, territorial integrity and autonomy of their internal political order. Security, in this circumstance, is frequently seen as national security. States, in order to strengthen its security, must have the capacity for self-defense. Military power, as a result, takes priority over other factors. Neo-realists assume that "*the more militarily powerful a state is, the more it is likely to be*" (Heywood, 2011: 19). On the basis of this assumptions, states would try to build up their own military capability by developing and accumulating weapons to defense themselves in cases being attacked by other states. The attempt to increase military capacity is often interpreted as hostile and aggressive by other states hence lead to arms race or even more serious military counter-moves (Heywood, 2011: 19, 60).¹⁶

¹⁶ This situation is referred as security dilemma. There are two dilemmas existing here. The first one concerns the interpretation of other states' true motives and intentions and the second one is all about the responses of states to others' action of increasing their military capability (Heywood, 2011: 19).

Overall, ensuring survival and security is certainly not the only objective that states try to achieve. However, this objective is the highest priority as other aims can only be pursued if states survive. (Mearsheirmer, 2007: 74, Gilpin, 1996: 7).

As abovementioned, all states must pursue power to ensure their survival and security, especially in the context they live in, where neither there is higher central authority sits above sovereign states that they can turn to when being threatened nor true intentions of other states can be easily specified. However, there are two trends among Neo-realism in regards to what extent states should acquire power which then divide Neo-realism into Defensive and Offensive Realism.

Defensive Realism vs. Offensive Realism

Defensive Realists and Offensive Realists have contradict point of views on how much power states should control.

Defensive Realists believe that power is a useful means to ensure state's security but at the same time posing risks to states. Too little nor too much power is neither good for state. If a state has too little power, it will not be able to defend itself from its opponent's attack. Nonetheless, if this state controls too much power, weaker states may feel threatened which thus inevitably encourage them to strengthen their arms and intensify their efforts (Waltz, 1990: 36). Waltz also expressed his belief that states should only strive for appropriate amount of power (Waltz, 1979: 40). He once again puts an emphasis on the fact that power is merely the means to an end by saying that states' ultimate concern tend to be for security rather than power itself (Waltz, 1990: 36). For this reason, Defensive Realism is frequently said to see states as "security maximizer" (Heywood, 2011: 61).

Since states prioritize security over power, it is not a wise choice to possess too much power or to pursue hegemony. Too much power can lead to the stage of being unsecured. This is because once a state seems to gain its hegemonic status, other states will strengthen their military capability and forming alliance against the rising powerful state (Mearsheirmer, 2007: 75). Defensive Realists also argue that states, in general, rather remain its position in the balance of power than going to war because they recognize the logic in which state would be troubled

more than they can be benefited if seeking too much additional power (Heywood, 2011: 61; Mearsheimer, 2007: 76).

On the contradiction, the argument of Offensive Realists is that states should continuously put an attempt to acquire as much power as it is possible. Therefore Offensive Realism is always said to see states as “power maximizer” (Heywood, 2011: 61). Achieving hegemony should be prioritized because that is the best way, according to Mearsheimer, to guarantee state’s survival (Mearsheimer, 2007: 75). This is because if a state becomes a hegemon, other states will not be capable of causing harm to it. Becoming very powerful is the only way to eschew the vulnerable situation of a state, in an anarchic international system (Mearsheimer, 2014).

Similar to Defensive Realists, Offensive Realists also acknowledge the occurrence of balance of power. Notwithstanding, they see the maintenance of balance of power as inefficiency and a source for more aggressive behavior. In general, according to Offensive Realism, states will continuously seek for power (with the ultimate end is to become hegemonic) to guarantee their own survival. The intensification of security competition in international system hence cannot be avoided. Besides, once the balance of power break downs, there is a great possibility that war will as well breaks out. (Heywood, 2011: 61, Mearsheimer, 2007: 76-77)

1.4. Distribution of capability among and between states in International System

Another primary assumption of Neo-realism is that capability distribution among and between nations within the international system’s structure is essential for IR. This is mostly because the structure of international system is determined by the anarchic nature and the distribution of capabilities among its units. (Waltz, 1990: 29).

According to Neo-realism, the concept of capability is equivalent to that of power (Waltz, 1990: 30, 36). Although all states are equal political units in international system, each would hold different degree of power. Capabilities of states would then be compared to evaluate the distribution of power between or among them (Waltz, 1979: 98). As stated by Waltz, states’ capabilities vary from fields to fields. Economic development and military strength are strongly emphasized. Economic capability would be used as a means to achieve military and political desires. In reverse, military and political means would also be used for the pursuit of economic interests (Waltz, 1979: 96). Other elements of national power consist of population (level of

literacy, education, skill), and geography (land area, location, climate topography, natural resources) (Heywood, 2011: 212).

Waltz also pointed out that the change in distribution of power (or capabilities) among nations leads to the change in structure of international system which also has an impact on states' behavior and interaction with others (Waltz, 1979: 97). This process, in which context it was mentioned by Waltz, takes place largely among great powers (classified by the combined power that it possesses in comparison with other states) (Waltz, 1990: 30). In accordance to this assumption, in international political system, states with greatest capabilities will set the rules for smaller states as well as for themselves (Waltz, 1979: 105).

The distribution of capabilities (or power) among or between states in the international system, in the view of Neo-realists, forming the balance of power (Heywood, 2011: 236). The balance of power helps states prevent a great power from achieving hegemony, the stage of domination over others in international political system. This is simply due to the fact that the hegemonic status is specified by the control of power, especially economic and military capabilities. Other states' preferences and actions will then easily be shaped by the will of hegemon as it is superior to them in terms of power (Heywood, 2011: 221). To this circumstance, aiming at forming the balance of power, particularly when facing with important external threat, states frequently have to choose among the behavior of balancing, bandwagoning or hedging in IR to contain conflict.

The concept of Balancing, Bandwagoning and Hedging

According to Walt, balancing is simply to make alliance with the weaker side while bandwagoning is alignment with the stronger side (Walt, 1987: 21). To be more specific:

Balancing means to form alliances among numerous countries to oppose or challenge a stronger or rising power that pose threat to them (Heywood, 2011: p.236; Walt, 1987: 17). This means states tend to ally with those who are not ready to dominate their allies. By joining the weaker side, these states have a greater chance to increase their influences within the coalition, as assistances are needed in a greater degree (Walt, 1987: 18-19).

There are two form of balancing: hard balancing and soft balancing. While hard balancing is more about military aspect, the soft balancing put strong emphasis on diplomacy and politics.

By adopting the hard balancing strategy, smaller states can either strengthening its capabilities (internal balancing) or establishing formal alliances with other powers to balance against threatening state (external balancing). In case state adopts the soft balancing, it would diplomatically, economically or institutionally engage with other states to counter the threatening state (Tran & Sato, 2018: 76).

Contrary, bandwagoning means to take the stronger or rising power's side ("*the most threatening power*") hoping to increase its security and influences (Heywood, 2011: p.236; Walt, 1987: 17). States are assumed to be appealed by strength; therefore, they tend to ally with a more powerful side. Moreover, being in coalition with the dominated or the winning side during the wartime gives them the opportunity to share the spoils of victory (Walt, 1987: 20).

The concept of balancing and bandwagoning, however, are often limited in terms of capabilities or power. Walt argues that although power remains significant, other factors (state' aggregate power, geographic proximity, offensive power, and aggressive intentions) should also be considered when studying states' choice of whom to ally with or to against. The offensive capability includes e.g. amassing large, mobile military capabilities. Aggregate power consists of e.g. population, industrial and military capability, and technological prowess (Walt, 1987: 22). Regarding to geographic proximity, nearby states pose greater threat therefore balancing behavior is expected to be more common. Nevertheless, in some cases, surrounded states tend to bandwagon the great power because they are too vulnerable (Walt, 1987: 24). Last but not least is the intention factor. The more aggressive a foreign power, the more likely that other states will balance. (Walt, 1987: 25). In accordance to his argument, Walt revised the conception by saying that states have the tendency to ally with or against the foreign power, which poses greatest threat. Viewing balancing and bandwagoning as the responses to threat is hence thought to be more accurate (Walt, 1987: 21-22). Generally, balancing is supposed to be more common than bandwagoning in IR (Walt, 1987: 28).

Hedging is often seen as a multidimensional concept, which can be understood and interpreted broadly, and there has been no consensus on the definition of the term (Korolev, 2016: 377). For instant, hedging is the act of having multiple policy choices to eschew undesirable outcomes (Goh, 2007: 825). As in Kruik's work, hedging is thought as a human behavior, in which, states also use multiple alternative options at the same time to create

mutually counteracting effects that can minimize the risks they would have to take when coping with other actors in anarchic international system. In this context, there are three categories of risk: security, economic and political (Kruik, 2008: 163). In general, hedging is often refers to an insurance policy which lies somewhere between balancing and bandwagoning.

2. Methodological framework

Although states' responses to IR incidents or phenomenon (specifically to PCA's final award) is not an entirely new research area, it can be seen from the discussion on the state of the art in chapter 2 that there is currently no consensus analytical framework for the analysis of the issue. Scholars and experts use a variety of methods to explore and go deeper into the topic. Therefore, I believe that adopting one single approach is insufficient. I, at the same time, hope to benefit from the diversity of approaches that scholars and experts have already developed thus contribute a comprehensive analysis to the field. For this reason, I will combine various approaches mentioned in the state of the art to form my own analytical framework, which is presented in detail as below.

It is noteworthy that the responses to the final ruling of each state will be analyzed separately. All the criteria will later be compared to derive the similarities and/or differences between the responses of two countries.

Besides, because this Master's Thesis does not predict the responses of states but analyzes the existing reactions of states towards an IR event so I would like to start my empirical analysis by going straight to how the Philippines and Vietnam reacted to the final award of PCA. I would call this criterion 'Immediate responses of state'.

Immediate responses of state

On the basis of Nguyen (2017)'s work, responses of states include (1) views on the ruling (either welcome or refuse, to what extent, etc...) & its implications, and (2) states' actions (public and quiet diplomacy). Public diplomacy refers to governments' movements in the aftermath of the ruling that backed the statements on the authority's perspective about the arbitration's result. Quiet diplomacy consists of secret negotiations, confidential discussions, etc. among the parties.

As the matter of fact, China is a directly involved party in the arbitration. Therefore, no matter to what degree it can be, responding to the arbitration's result is equivalent to responding towards China. This means, the Philippines and Vietnam's viewpoints on how each state would deal with China, or in other words, the discussion on what kind of policy towards China both states would implement can be included in the responses of both states.

Moreover, it is important to emphasize that the "state" mentioned in this Master's Thesis is seen as one autonomy unit, which is run and managed by a central authority. Therefore, by mentioning the state's responses, I mean the reactions of the authority or the central administration of the country. Following scholars such as Nguyen (2015), Grieger (2016), Thayer (2011), Shoji (2016), Butcher (2013), or Askandar & Sukim (2016), a review of both governments' official statements/ press-releases/comments on the issues, etc. would be carried out. The main aim of the review is to shed the light on the each state's perspective on the final ruling of the Tribunal as well as their actions (what have been done)(public diplomacy) in the aftermath of the ruling. Nonetheless, different to Nguyen (2015), I would not address states' responses in all three levels (authority, scholars and media). I would only review the official statements from the governments that reflect the authority's perspective. The main source would be the official government's channel such as the website of each country's government or their Ministry of Foreign Affairs. Press' articles and news reports are other sources that would also be considered. These sources are, at the same time, the primary sources for my entire research. Quiet diplomacy, however, includes all the activities that keep away from public's view, thus hardly be assessed and verified. The analysis of quiet diplomacy would then be excluded due to the lack of reliable sources.

Besides, I would also try to point out the targeting audiences of the states' responses as Hsiao (2016) does in his analysis of Taiwanese reactions to the Tribunal's ruling. In my point of view, whom the states targeted to when responding to the ruling strongly affected how and to what extent they would respond. Because of this reason, I believe that in order to understand the states' responses better, it is necessary to discover the targeting audiences of these responses.

It is nonetheless certain that neither the Philippines nor Vietnam clarifies whom they aimed at when publicly responded to the final award of PCA. Therefore, I would propose my own assumptions about the targeting audiences of both states. My assumptions would be made

based on statements/remarks/ speeches and actions made by governmental officers on matters related to the South China Sea disputes around the time when the PCA issued its final award. I would also consider the explanations of other scholars who have already studied similar topic to strengthen my arguments and avoid over speculation of the matter.

To sum up, I would use three sub-criteria for the assessment of states' immediate responses to the PCA's final award, which are the authority's perspective, the authority's actions and targeting audiences.

The consistency of States' South China Sea policy throughout the South China Sea arbitration

Hong (2016) agrees that the continuation of Beijing's South China Sea policy can explain China's reaction to the final ruling. Based on her study, I believe that the assessment of both States' perspectives on the implications of the ruling and their actions are insufficient. For a more in-depth research, I would like to find out if there was a continuation in the South China Sea policy of the Philippines and Vietnam in the pre and post-ruling period. In other words, I want to find out whether the Philippines and Vietnam's standpoints are consistent throughout the arbitration case. To achieve this, the policy adopted by the Philippines and Vietnam before the final ruling was issued must also be assessed and then be compared with their latest reactions to PCA's decisions on South China Sea (State's policy on the arbitration cases in the pre and post period of PCA's ruling in comparison).

As explained, my intention is to compare the South China Sea policy of both states in the two periods. For that reason, I would analyze the policy of each state in the pre-PCA's ruling based on the same three criteria that I would use to assess the immediate responses of state: the authority's perspective, the authority's actions and targeting audiences. The usage of these criteria has already been discussed in detail above.

It is significance to clarify the time scope of the research on the states' policy consistency. This Master's Thesis' topic is all about the arbitral case between the Philippines and China on the South China Sea, thus the time scope would be from 2013 (when the Philippines referred the case to the Tribunal). Consequently, when I mentioned the states' policy in the pre-PCA's ruling, I meant the policy of each state from 2013 (when the arbitral case started) to before 12th

July 2016 (The PCA's issuance of the award on South China Sea). The comparison would point out the consistency or inconsistency in the South China Sea policy of each country. The assessments will be conducted based on states' official statement, press releases and actions ever made since the Philippines initiated this arbitral case against China (through official channels of the government). Press' articles and news reports are other sources that would also be considered.

The analysis of states' responses to the PCA's final award would remain incomplete if missing the explanation of states' reaction. Thus, after clarifying the reactions of both the Philippines and Vietnam to PCA's final award, I will then try to explain why they responded in such ways, what factors may have influenced states' responses to the PCA's final award.

The explanation of states' responses

Chen (2018) proves that the domestic political factors have a strong impact on the responses of ASEAN member states, especially towards China. Bautista (2016), Castro (2016b), Parameswaran (2016), or Laksmana (2016) stress the significance of domestic politics. They propose several sub-criteria to analyze the influences of domestic politics on states' responses to Chinese policy or initiatives. These criteria are, for examples, the regime type, leader's ideology and personal preference (whether to prioritize economic interests or security concerns); level of trust in China/public opinion, or foreign policy tendency (how states tend to respond to China in South China Sea dispute), etc. Moreover, in the circumstance of this Master's Thesis' topic, authors such as Shoji in Shoji & Tomikawa (2017), Bautista (2016), Castro (2016b) or Quintos (2018) especially emphasize the change in leadership to explain the reactions of the Philippines and Vietnam to the Tribunal's ruling. Accordingly, I believe that the domestic factor must be included in the analysis of the Philippines and Vietnam's responses to the Tribunal's ruling.

Among the criteria suggested by above-mentioned authors, I would focus on the changing leadership in both states as Shoji, Bautista, Castro or Quintos do. Consequently I would keep the criterion 'leadership ideology and preference' for my analysis. The 'foreign policy tendency' criterion is also added to my analytical framework because in the work of Parameswaran (2016), it is demonstrated to have possibly influenced state's responses to the ruling.

‘Foreign policy tendency’, in accordance to Parameswaran (2016), is state’s tendency of using certain policy in dealing with China concerning the South China Sea dispute. In order to make assessment on this, I would look back to a plenty of incidents/phenomenon regarding South China Sea dispute that involved both China and the state in the past and review how the state had acted. I would then compare that with state’s reactions to the recently ruling to find out whether the policy tendency would have affected how state responded.

Moreover, most IR analysts agree that Southeast Asian nations tend to pursuit multiple policy options. To be more specific, on one hand, these states appear to support Chinese deep engagement at political, economic and strategic levels hoping China would better abide international law. They, on the other hand, try to increase military capability and at the same time maintain the United States as well as other regional great powers’ involvement in the region to counterweight Chinese influences. South East Asian nations, in general, chose to adopt a more ambiguous policy, in which they neither balancing, bandwagoning nor being neutral (Goh, 2007: 825-826). In all academic sources reviewed in the first section of the state of the art, most scholars also agree on the fact that both the Philippines and Vietnam have been adopting the hedging and internationalization strategies.

Therefore, as for the criterion ‘foreign policy tendency’, I would also examine the ‘external security environment’ as proposed in Southgate and Khoo (2016), Vu & Nguyen (2017), Tran & Sato (2018) or Chen (2018)’s work for a more comprehensive analysis. More specifically, I would point out the impact of external security environment on the tendency of the Philippines and Vietnam’s foreign policy by making an evaluation on how the convergence or divergence of interests among these two states and other powers would affect their degree of responses towards China regarding the South China Sea dispute. The impact can be, for instant, country A tends to have restrained responses to China if other regional and external powers’ interests are divergent with that of A and via averse. From this assessment, I would find out whether the external security environment has also affected the responses of the Philippines/Vietnam to the Tribunal’s award. Furthermore, in this Master’s Thesis, among regional and external powers, I would merely focus only on the US (which has been appointed to be the most significant external power by other scholars). As for the case of Vietnam, I would

add the Philippines as a regional actor that would have influenced the Vietnam's response to the PCA's final award. This is because the Philippines was a party of the arbitration.

By examining the external security environment, I hope to explain the reason why state would strongly support (which is equivalent to strongly against China), partly support or against, etc. the award. Besides, this assessment may also give explanation to the consistency or inconsistency of states' policy pre and post-ruling period.

Leader's personal preferences, according to Chen (2018), is whether the leader choose to prioritize economic interests or security concerns. The analysis of 'leadership ideology and preferences' would be based on leaders' statements/speeches/remarks as well as secondary academic sources (academic journals, books and research papers by scholars and experts of the field) on the topic.

After clarifying the priority of states' leaders, I would go deeper into the economic and security aspects for a better understanding of the leaders' personal preference. Bautista (2016) also suggests this step in his work. He indicates that when states responded to the award, they must have considered a wide range of issues including economic and trade realities with China, the safety & welfare of its people in China, and military capabilities in case being threaten by China. Despite the lack of consensus on the interconnection of politics, economics and national security, my personal point of view is that these elements are inevitably intertwined. Therefore, I want to further develop the argument made by Bautista (2016) and to indicate the reason why states must have considered a range of economic and security aspects when responding to the award.

To be more specific, on economic aspect, I would look into the trade volume between the Philippines/Vietnam and China, as well as Chinese FDI and Official Development Assistance (ODA) in the Philippines/Vietnam to see to what extent China economically influences these states. On security aspect, I would review the military capabilities (in tern of the armed forces' size and sophistication of possessed weapon system) of the Philippines/Vietnam compared to that of China in the South China Sea.

The 'regime type' criterion is proved to have no significant correlation by Chen (2018). Besides, the criterion 'level of trust in China' or 'public opinion' are proposed by Chen when

trying to explain the reactions of states to a Chinese development initiative (One belt one road), which China has been persuading these states to take part in with promising economic benefits in return. These criteria thus, in my point of view, are not relevant in the assessment of states' responses to the result of an arbitration on territorial dispute. Because of these reasons, I would exclude those criteria ('regime type', 'level of trust in China' or 'public opinion') from my analytical framework.

Another possible criterion can be used to explain the reactions of states is the impact of the PCA's final award on states' claim sovereignty over some maritime territories/ islands in the South China Sea as proposed by Nguyen (2016) or Vu & Nguyen (2017). However, the assessment on how the conclusions of the arbitral tribunal would affect the maintenance of sovereignty, territorial integrity and internal political stability of the Philippines and Vietnam is rather speculative. Therefore, I would omit this criterion.

Moreover, this Master's Thesis focuses on responses to the PCA's ruling over South China Sea, I realize that it is also essential to include an overview on the Philippines' arbitration case against China over South China Sea and the summary of the Tribunal's conclusions expressed in the final awards. As mentioned above, China is the actor that directly involved in this arbitration case. Thus, an overview on China's responses to the PCA's ruling should also be included.

Consideration of the framework's limitations

I have above proposed variety of criteria to analyze the responses of the Philippines and Vietnam to the final verdict of PCA, which include data on, for example, military capability, aggressive intentions, trade volume, investment flow, etc. However the Master's Thesis might not be able to deliver the most accurate and sufficient evidences to support arguments arisen throughout the research. This is because the inaccuracy of the estimated figures is inevitable. Despite this limitation, the data would be chosen from the most reliable sources so that even the evidences may not be the most accurate; it can still provide an overall picture of the issue.

For a more generalized and systematic overview, all the criteria I discussed are summarized in the following table.

TABLE 1: 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
	Authority's Actions: <ul style="list-style-type: none"> Public diplomacy: government's official effort to persuade targeting audience to support or tolerate its objectives (projects, campaigns, etc...) What have been done in the aftermath of the ruling 	
	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 <ul style="list-style-type: none"> Authority's perspective Authority's actions Targeting audience(s) 	
Explanation of state's response(s)	Foreign policy tendency <ul style="list-style-type: none"> How states tend to act towards China regarding to South China Sea dispute. External security environment with special focus on the US. As for Vietnam case, the Philippines would also be considered (convergence of interests, degree of support or go against China concerning the PCA's final award) 	<ul style="list-style-type: none"> Government official documents/announcement/ press-release Press' articles, and news reports Academic journals, books and research papers by scholars and experts of the field.
	Leadership's ideology personal and preferences: Whether the leader choose to prioritize economic interests or security concerns <ul style="list-style-type: none"> Economic aspect: the trade volume between the Philippines/Vietnam and China, as well as Chinese FDI and ODA in the Philippines/Vietnam Security aspect:: military capability of the Philippines/Vietnam compared to that of China in the South China Sea 	

CHAPTER 4: OVERVIEW

1. The Philippines' arbitration case against China

The beginning of the South China Sea arbitration

For a long time, the Philippines and China have been engaged in sovereignty dispute over a number of islands and reefs in the South China Sea. The dispute is about not only sovereignty matters but also maritime rights and national interests in the adjacent waters in this sea area (Mincai, 2014: 1). The Philippines claimed to have “*exhausted almost all political and diplomatic*” initiatives aiming at settling down its maritime dispute with China by friendly and peaceful means (The Philippines Department of Foreign Affairs, 2013a). Even though the Philippines and China had been exchanging views since 1995, it seemed that both parties could hardly achieve a durable solution to resolve the dispute. Because of this reason, the Philippines decided to take legal action, which was to initiate the arbitral proceedings against China under the Article 287 and Annex II of UNCLOS.

The arbitral proceedings brought by the Philippines against China lasted for three years, from January 2013 to July 2016. The Philippines's Notification and Statement of Claim “*with respect to the dispute with China over the maritime jurisdiction of the Philippines in the West Philippine Sea*¹⁷” (The Philippines Department of Foreign Affairs, 2013b) presented to China in early 2013 marked the beginning of the arbitration procedures. China responded this action of the Philippines through a diplomatic note describing “*the Position of China on the South China Sea issues*” and returned the Philippines' Notification (PCA, 2013).

The arbitration, in general concerned “*the role of historic rights and the source of maritime entitlements in the South China Sea, the status of certain maritime features and the maritime entitlements they are capable of generating, and the lawfulness of certain actions by China that were alleged by the Philippines to violate the Convention*¹⁸” (PCA, 2016a: 1).

¹⁷ West Philippines Sea is the term that used by the Philippines administration to refer the South China Sea.

¹⁸ Convention here refers to the UNCLOS

The Tribunal consisted of five arbitrators, chaired by Ghanaian Judge: Thomas A. Mensah. Other members are Judge from France, Poland, Netherlands, and Germany. The PCA acted as the proceedings' Registry (PCA, 2014).

The absence of China in the proceedings

The Chinese government maintained its position of non-acceptance and non-participation in any arbitral proceedings: “*it does not accept the arbitration initiated by the Philippines*” and any Note Verbales or position papers that it addressed to the PCA “*shall not be regarded as China's acceptance of or participation in the proceedings*” (PCA, 2014). Throughout the arbitration, China reiterated this position in many of its submitted documents to the Tribunal, diplomatic notes and official public statements.

However, according to Article 9 Annex VII of UNCLOS, when one of the parties does not participate in the proceedings or defense its position, the remained parties can request the Tribunal to continue conducting the arbitration and later issue its award. Neither the absence of one party nor the fail to defense its position affects the arbitral procedures as long as the Tribunal clarifies its jurisdiction over the dispute and its final decision is well founded in fact and law (PCA, 2015a). The Tribunal fulfilled these requirements stated in UNCLOS, the proceedings over South China Sea, therefore continued despite the absences of China.

China, in spite of its absence, still had the right to present and defense its position in accordance to UNCLOS Article 5, Annex VII. Because of this reason, the Tribunal kept on updating new developments of the proceedings to China. China was, at the same time, asked to comment on the issues addressed in the proceedings. China, in any circumstance, was welcomed to participate in these proceedings in any time (PCA, 2015b: 12)

Conditions for the arbitral proceedings

In order to initiate the arbitration, the Philippines must fulfill a number of conditions, for instant, it must be able to prove the existence of dispute regarding interpreting and application of UNCLOS between the Philippines and China; or it had exchanged views on dispute settlement with China but no result was achieved. China rejected the arbitration initiated by the Philippines. China explained its rejection by stating that the Philippines did not fulfill all the above-mentioned requirements. The Tribunal later confirmed that the Philippines had fulfilled

all the procedural requirements and recognized the Philippines' unilateral right to initiate the arbitral proceedings. (PCA, 2015b: 45-48; 78-79)

Issued submitted by the Philippines

The Philippines raised up 15 matters in its memorial submitted to the Tribunal. These matters can be clustered into four different categories concerning (PCA, 2016b: 2-3):

(1) The invalid China's so-called "nine-dash line" in South China Sea due to the fact that the area is claimed based on historic rights instead of the UNCLOS.

(2) The clarification on the legal status of Scarborough Shoal and other nine maritime features claimed by both the Philippines and China in the Spratly Archipelago on the basis of UNCLOS Articles 121(3).

(3) China's violation of UNCLOS by interfering with the Philippines 'lawful exercise of its rights' within its legitimate maritime zones, failing to protect and preserve the maritime environment, as well as causing harm to the maritime environment.

(4) Requirements for China to desist from its illegal activities in South China Sea.

2. PCA's final award on the South China Sea

On July 12th 2016 the PCA issued its decisions on South China Sea arbitration initiated by the Philippines against China. The award, according to the Tribunal, is final and binding based on UNCLOS Article 296, Annex II. The Tribunal, within three-year proceedings, has adjudged 15 submissions of the Philippines. Its final decisions on these matters can be divided into five categories (PCA, 2016a:8-11)¹⁹:

(1) 'Nine-dash line' and the historic right:

The Tribunal denied the historic rights of China to resources within the sea area that is called 'Nine-dash line' by Chinese government due to the lack of legal basis.

(2) The status of features in South China Sea:

¹⁹ The following contents is a summary of the PCA's press release on its final award on South China Sea dispute between the Philippines and China.

The Tribunal agreed with four out of five submissions regarding the status of features in South China Sea. Specifically, the Tribunal agreed with the Philippines that Scarborough Shoal, Johnson Reef, Cuarteron Reef, and Fiery Cross Reef are high-tide features that generate entitlement to at least 12 nautical mile territorial sea, under UNCLOS Article 13 and 121. However, none of these high tide features are islands thus do not generate an entitlement to EEZ and continental shelf. Contradict to the Philippines' perspective, the Tribunal concluded that Gaven Reef (North) and McKennan Reef are high tide features which also generate an entitlement to 12 nautical mile territorial sea. Finally, Subi Reef, Hughes Reef, Mischief Reef, Gaven Reef (South) and Second Thomas Shoal are low-tide elevations²⁰ in their natural condition thus generate no entitlement to maritime zones.²¹

The Tribunal also made an interpretation of Article 121 of UNCLOS, according to which, the entitlement of maritime features can be clarified. In accordance with the Tribunal's interpretation, "*the entitlement of a feature depends upon on the objective capacity of a feature, in its natural condition, to sustain either a stable community of people or economic activity that is not dependent on outside resources or purely extractive in nature*" (PCA, 2016b: 9). Based on its interpretation, the Tribunal concluded that all maritime features in Spratly Archipelago are 'rocks' and low-tide elevations thus generate no EEZ and continental shelf. This means China owns no feature in this sea area that is capable of generating entitlement to EEZ and continental shelf. Therefore, between the Philippines and China, no overlapped area causing by China's possible entitlement exists. The Tribunal then proclaimed that Mischief Reef, Second Thomas Shoal and Reed Bank are parts of the Philippines' EEZ and continental shelf.

The Tribunal also noted that the Spratly Archipelago generates no entitlement to the maritime zones collectively as a unit.

(3) China's activities in the South China Sea

²⁰ According to Article 13, section 2, part II of UNCLOS, "*A low-tide elevation is a naturally formed area of land which is surrounded by and above water at low tide but submerged at high tide*" (UN General Assembly, 1982:29).

²¹ China occupies seven features including Mischief Reef, Subi Reef, Fiery Cross Reef, Cuarteron Reefs, Gaven Reefs, Johnson South Reef, and Hughes Reef. Three of the mentioned features are low-tide elevations, clarified by the Tribunal. This means China cannot claim sovereignty over these features and the China's act of constructing facilities on top of those features is unlawful.

The Tribunal concluded that China's activities in the South China Sea are unlawful and violate the Philippines' sovereign rights in its EEZ.

(4) Environmental issue

The Tribunal proclaimed that China has violated its obligations under UNCLOS, in which, it fails to preserve and protect the marine environment and at the same time, continues its land reclamation and construction of artificial islands in Spratly Archipelago, causing severe harm to the coral reef environment.

(5) Aggravation of Dispute:

The Tribunal concluded that China had conducted activities that intensified and extended disputes between parties during the pendency of the settlement process. At last, the Tribunal noted that the parties to the dispute should be complied with the award based on Article 11, Annex VII of UNCLOS.

3. Responses of China to the final award

Immediate responses

China government refused to recognize the final award issued on 12 July 2016 by the PCA: *"The ruling is null and void with no binding force... We oppose and refuse to accept any proposal or action based on the ruling"*. Chinese Vice-Foreign Minister called the award *"nothing than a piece of waste paper"* twice and at the same time proclaimed that the award *"will not be enforced by anyone"* (As stated in Hayton, 2017:104). Furthermore, China's spokesperson strongly emphasized that its *"territorial sovereignty and maritime rights and interests in the South China Sea, ..., will not be affected a bit by the ruling"* in any circumstance (China MOFA, 2016a). China also insisted that the dispute should be settled down by bilateral negotiations instead of any third party dispute resolutions (Xinhua, 2016).

Actions

Shortly after the issuance of PCA's final award, China immediately publicized the video footage of its air forces deploying in the Scarborough Shoal as well as the nine-dash line. It later mounted military training exercise over the Bashi Channel to the north of the Philippines. China maintained the militarization of its artificial islands on different features in the South China Sea

including Fiery Cross, Subi and Mischief Reefs. Moreover, China continuously put diplomatic pressure on ASEAN member states to prevent them from including critical references to the South China Sea as well as its behavior in this sea area in any of the association's joint declaration (Thayer, 2017a).

Overall, Ku & Mirasola indicates China's fully compliance to only one out Tribunal's 15 rulings, in which it accepts with the Philippines that South China Sea dispute should be settled downed by the means of international law including UNCLOS. It can also be seen from the assessment of Ku & Mirasola that China has clearly violated four rulings of the Tribunal while as for the rest, China neither shows that it is clearly in compliance nor in violations (Ku & Mirasola, 2016).

CHAPTER 5: EMPIRICAL ANALYSIS

1. The Philippines' responses to PCA's final award on South China Sea

1.1. Immediate responses

The Filipino authority's perspective

In response to the issuance of PCA's final award, the Philippines' authority showed neither its overwhelming support nor strong objection. The Philippines called the ruling of the PCA a "*milestone decision*" which has significantly contributed to the efforts in peacefully settle down disputes in the South China Sea. Under this circumstance, the country "*welcomes*" the award and fully "*respects*" the Tribunal's decision. (The Philippines Department of Foreign Affairs, 2016). In his remark at the Second Manila Conference on the South China Sea²², The Philippines' Secretary of Foreign Affairs- Perfecto R. Yasay Jr reaffirmed the acknowledgement of the Philippines to the award's finality and abidingness as well as its full respect to the Tribunal's decisions (Yasay, 2016).

Furthermore, President Duterte stressed that the Philippines would take the "*soft-landing*" approach in disputes with China, in which he made sure that the Philippines would not "*flaunt*" or "*taunt*" the Northern power with the favorable award. The Philippines' government, according to president Duterte, would have to consider with cautions how to use the Tribunal's award (Esmaquel II, 2016).

The Filipino Authority's actions

The Foreign Secretary initially called on "*all those concerned to exercise restraint and sobriety*" (The Philippines Department of Foreign Affairs, 2016). He also made clear that various foreign government representatives had wrong impression on the responses of the Philippines. Accordingly, the Philippines would not make any "*stronger statements*" on the South China Sea award (Esmaquel II, 2016a). The Secretary strongly emphasized that governmental experts would study the award and its implication carefully and thoroughly at first (The Philippines Department of Foreign Affairs, 2016).

²² Manila, 3 August 2016

The Philippines has barely mentioned the PCA's final award in the post-ruling period. In the event that the Philippines referred the award, the mention would be low key. For example during the ASEAN Foreign Ministerial Summit in Laos, the Philippines dropped its proposal to mention the PCA's award in ASEAN Joint Communique when facing the objection of Cambodia despite the fact that it had "*vigorously... pushed for the inclusion and mentioning of the arbitral tribunal award*" (Esmaguél II, 2016b; Rapper, 2016a). According to the Secretary of Foreign Affairs, the arbitral case was not a multilateral matter among ASEAN member states but a bilateral matter between China and the Philippines. Therefore, the Philippines would compromise to prevent the scenario in which ASEAN might fail to issue the joint communique for the second time (CNBC, 2016). The Secretary also stated that the Philippines did not want to provoke China by further bringing up the issue (CNBC, 2016).

In general, President Duterte did not intend to raise up the PCA's final award in either multilateral fora (with the ASEAN) or bilateral meetings (with China): "*In the play of politics now, I will set aside the arbitral ruling*" (As cited in Heydarian, 2018: 295). His administration also declared that the Philippines would not take advantage of its ASEAN chairmanship in 2017 to bring up the arbitral award (Heydarian, 2018: 295).

Targeting audiences

There is no official document of the government that can verify the targeting audiences of the Philippines when reacted to the PCA's final award. However, after going through speeches made by President Duterte around the time the ruling was released, my hypothesis is that the targeting audiences of the Philippines' reactions would have been China and the US.

Shortly before the PCA issued its final award, President Duterte had already showed his determination to enhance and deepen the bilateral relationship with China. Duterte's administration is open for direct talk with China on the South China Sea dispute: "*If it [the award] is favorable to us, let's talk*". President Duterte assured that he would consider negotiate joint agreement with China to share resources in the South China Sea as long as this brings greater interests to his country (The Straits Times, 2016). He had openly declared that if China "*build me a train around Mindanao, build me train from Manila to Bicol... build me a train [going to] Batangas, for the six years that I'll be president, I'll shut up*" (As cited in ABS-CBN News, 2016). The award, in the end, is favorable to the Philippines, which is seen as "*a national*

humiliation” – as frequently called by numbers of scholars and the media- for Chinese people. Moreover, Chinese authority always objects the internationalization of South China Sea dispute and traditionally demands to negotiate bilaterally with other claimants so that it can take advantage as the larger power. Therefore, I would assumed that the Philippines’s responses mostly targeted Beijing, as it wanted to show its will to strengthen relationship with the China in good-faith. President Duterte once announced that he “*will open alliances with China*” (As cited in Reuters, 2016b) and it seems that he would keep his words as he has made three presidential trip to China since 2016, more than to any other foreign countries.

Besides, President Duterte aims at distancing his country from its longstanding ally, the US: “*I will be chartering a [new] course [for the Philippines] on its own and will not be dependent on the United States*”, (As cited in Heydarian, 2017) said Duterte after he was elected as the 16th president of the Philippines in May 2016. The Philippines, in President Duterte’s words, was at the “*point of no return*” in relations with the US and “*ready to not really break (U.S.) ties but ... will open alliances with China*” (As cited in Reuters, 2016b). Thus, I once again assume that the Philippines also targeted the US when it responded to the award. Its goal was to confirm with the longstanding ally about its intention in the upcoming time.

1.2. The consistency of the Philippines’ South China Sea policy throughout the arbitration

1.2.1. The Philippines’ policy pre-PCA’s final ruling

The Filipino authority’s perspective

The Philippines’ stance in the pre-ruling period was that the South China Sea issues should be settled multilaterally. The Aquino²³ administration continuously attempted to seek international supports for the country’s position in the South China Sea (Sidel, 2015: 221). With international backing, the Philippines would diplomatically confront with China regarding the South China Sea dispute. The fact that Philippines initiated the arbitral proceedings to the PCA- a permanent intergovernmental organization- also reflects its adoption of internationalization strategy in resolving the maritime territorial disputes in South China Sea, especially with China. In the Philippines’ perspective, the country had failed to negotiate bilaterally with China in

²³ From hereafter, President Aquino refers to Benigno Aquino III, the 15h President of the Philippines.

resolving the dispute despite all its efforts, thus the arbitration “*shall bring this dispute to a durable solution*” (The Philippines MOFA, 2013a). The Philippines also asserted that none of the matters it requested the Tribunal to adjudge concerned sovereignty conflicts therefore the arbitration was appropriate and the Tribunal had full jurisdiction to hear the case.

The Filipino Authority's actions

During this period, the Philippines- under Aquino administration, was not willing to hold direct talks with China on the issue (The Strait Times, 2016). Instead, the Filipino government continued making efforts to internationalize the South China Sea issue. Since the initiation of the arbitral proceedings, the country had spread and asserted its “*narrative of the conflict*” to the international community through international media. The Philippines was successful. Its perspective on the dispute with China on the South China Sea was well received by the international public, as well as Westerner and Asian political leaderships. (Kreuzer, 2018: 10)

The Philippines not only tried to catch attention of the international community, but also enhanced and deepened security relations with the US- its longstanding ally-, and Japan- the main rival of China in the East Asian region to balance against China. To be more specific, in 2014 the Philippines signed the Enhanced Defense Cooperation Agreement (EDCA- an updated version of its 1951 Mutual Defense Treaty) with the US (Castro, 2017: 42). EDCA generally indicates the US’ military presence in the region. This presence of the US could be a great source for the Philippines to maintain and strengthen its position in confronting China. (Castro, 2016b: 144). The Philippines and Japan also held regular meetings between state leaders since late 2013. Starting from 2013, Japan frequently financed the Philippines’s acquisition of multi-purpose patrol boats from Japan by approving soft loans to the later. Furthermore, in 2015, the two states sign a joint declaration in which both the Philippines and Japan committed to ensure maritime safety and security. The joint declaration also reaffirmed the Philippines-Japan strategic partnership (Castro, 2017:42-44).

Targeting audiences

It is apparent that the Philippines targeted China and the international community during this period. The action of fostering security with other powers (the US and Japan) was a confirmation about its determination and readiness to confront China- in defense of the

Philippines' sovereignty in the South China Sea. The Philippines with the assistances from the US and Japan, could have then developed individual defense capabilities. Besides, if China intended to settle the conflict between the two countries by the mean of armed forces, it would have to take the US' military presence in the region into account (Castro, 2016b: 144).

The international community cannot be excluded from the Philippines' targeting audiences when adopting South China Sea policy in the pre-ruling period. As have been previously mentioned, the Aquino administration emphasized the internationalization of the South China Sea issues, especially in dealing with China. The Philippines government wanted to spread its own perspective on the conflict with China in the South China Sea to win sympathy and obtain as much as support from the international community as it could. This is mostly because the Philippines' authority worried that bilateral negotiations with China would place the country in an unfavorable position. The Philippines wanted to avoid emerging in a situation where China can take advantage over smaller country.

1.2.2. The consistency of the Philippines' policy

The Philippines' policy in the post-ruling period is fundamentally contradict to that in the previous period. Little consistency can be seen here. The first similarity in the two periods is the recognition of the Tribunal's jurisdiction and its conclusions issued in July 2016. The second is that the Philippines always targeted China in specific when it responded to the PCA's final award or when it conducted its policy in the previous period. The differences are detected as below.

In term of perspective, the Aquino administration did not want to pursuit bilateral means to resolve the South China Sea dispute, particularly dispute with China. Aquino was eager to obtain more support from the international community in countering against China. Therefore, the Philippines in the post-ruling period put much attempts to internationalize the South China Sea dispute and it strongly confronted China in diplomatic front. On the contrary, the Duterte administration has not seek for multilateral means in dealing with China. President Duterte has been open to bilateral negotiations with China. In dealing with China, the Duterte administration indicated that it would use a "*soft-landing*" approach.

In term of actions, President Aquino was proactive as well as openly and strongly challenged China when it came to South China Sea disputes. He refused to hold direct talks with

China. He tried to spread and assert the Philippines' narrative of the dispute to the international community. He at the same time fostered securities relations with regional and external powers (the US and Japan) and received assistances from these powers. Different to President Aquino, President Duterte has been responded mutely and in low-key to the PCA's final award. He simultaneously has been willing to sit at the negotiating table with China. He would make alliance with China as long as China invest to the Philippines and its national interests sustain. The Duterte administration also wanted a separate from its longstanding ally, the US.

In term of targeting audiences, the Philippines under Aquino administration conducted policy that also targeted the international community, an important element in its South China Sea policy against China. The Duterte administration did not target international community in general as the previous administration did. President Duterte aimed at specific objects, which were China and the US.

Overall, an apparent inconsistency can be noticed in the Philippines' South China Sea policy in the pre and post-ruling period.

1.3. The explanation of the Philippines' responses

1.3.1. Foreign Policy Tendency

Even though the Philippines has disputes and disagreements with not only China, but also other claimants in the South China Sea such as Vietnam and Malaysia, the country merely saw the overall dispute in this sea area as a test of its bilateral relations with China (Baviera, 2016:166). However, the inconsistency of the Philippines' South China Sea policy towards China can clearly be seen throughout the time, starting from the mid-1990s, when the dispute in South China Sea was seen as a major national security problem by the Philippines' authority (Baviera, 2016: 176; Storey, 2016a: 148). Ever since the South China Sea affairs became a priority in the Philippines's foreign policy, the country has been actively using both bilateral and multilateral diplomatic means to manage the dispute with China. Nevertheless, whether the emphasis is put on bilateralism (bilateral negotiations with China) or multilateralism (mostly ASEAN-China negotiations) depends on the will of the country's leaders. It is the leaders that would decide whether to be soft or tough when responding to China. The Philippines' South China Sea policy pre PCA's ruling will be reviewed in the following paragraphs to shed light on the inconsistency mentioned previously.

During the disputes in the late-1990s and early 2000s, which regarding the incidents in Mischief Reef²⁴ and Scarborough²⁵ between China and the Philippines, the Philippines showed its strong determination against China when responding to this giant neighbor's movement in the South China Sea. The country, in general, wanted to internationalize the issue (by engaging ASEAN, the UN, the US and Japan) and at the same time showed no interest to resolve the dispute bilaterally with China. The Philippines's argument was that the South China Sea dispute had already been internationalized because of the number of claimants thus they proposed a multilateral joint development rather than a bilateral talk as proposed by China (Zha & Valencia, 2001: 89). Some examples for the Philippines' strong determination against China during this period including: its urge for a statement call on Chinese cooperation and respect for international law in ASEAN summit in 1998; its request for an UN Security Council arbitration over South China Sea dispute in 1999; or its public warning to China in 2000 which referred to the US' back up the Philippines in the event of war with this giant neighbor in the North (Zha & Valencia, 2001: 90-91).

During the next period, the Philippines under the presidency of Arroyo, had a very different policy towards China. In contrast to the previous period, president Arroyo preferred bilateral talks and cooperation with China. The Arroyo administration aimed at enhancing and strengthening economic ties with China. The Sino-Philippines diplomacy relations was blooming in this period. China became an important ODA donor for the Philippines. The Arroyo administration received generous ODA (which increased every year) and easy loan payment scheme from Chinese government (Guzman, 2014:87). Besides, the boosting bilateral relations between the two countries can also be seen from the number of state visit of president

²⁴ In 1995, China built a number of structures and facilities and occupied Mischief Reef despite the Philippines' strong objections and protests (Zha & Valencia, 2001: 88).

²⁵ This refers to the incident near Scarborough Shoal, which took place in early 2000. The whole incident was a series of accusations and counteraccusations between the Philippines and China. Chinese authority at first accused the Philippines of firing shot at Chinese fishing boats, harassing and even robbing Chinese fishermen in the water near Scarborough Shoal. The Philippines, in return, accused Chinese fishermen of harvesting endangered coral and unlawful dynamite fishing in the Philippines' territory near Scarborough Shoal to explain its action of firing there warning shots near Chinese fishing boats (Zha & Valencia, 2001: 91).

Arroyo between 2001-2009. Within nine years, Arroyo travelled to China for twelve times, more than any other predecessors did (Guzman, 2014: 88). The number of joint agreements has been signed was 65 by 2008 (Guzman, 2014: 89). Among agreements signed under Arroyo administration, the most outstanding one was the Joint Marine Seismic Undertaking (JMSU). It was an agreement among Chinese, the Filipino and Vietnamese national oil companies, which was signed in 2005. This was an agreement in which all three countries consented to cooperate and together survey the seabed for natural resources in the disputed sea area. The JMSU, in fact, began as a bilateral agreement between the Philippines and China in 2004. A year after the JMSU in 2006, Arroyo expressed her belief that both countries could actually turn the dispute sea area into a cooperative one and called for more joint exploration activities during her visit to China (Zha, 2015: 250).

The successor of Arroyo, President Aquino did a 180-degree change to his foreign policy. His administration took a tougher stance towards China. As has been discussed in the previous sections, the Philippines under the presidency of Aquino wanted to resolve the dispute in South China Sea multilaterally. The country put in great deal of efforts to internationalize the South China Sea dispute. Aquino showed no interest to cooperate with Chinese government and he, at the same time, did not want to hold bilateral talks with China. He suspended all major new agreements that Arroyo administration had signed with China, particularly the JMSU (Bariera, 2014: 141). Aquino only undertook three state visits to China in his whole term as the president of the Philippines (Francisco, 2016). In the 2012 Scarborough incident, the Philippines did not hesitate to reveal that the Chinese government had broken the commitment to withdraw from the Scarborough Shoal and had taken advantage of the Filipino force's withdrawal to assume control of the shoal (Baviera, 2016: 167). This standoff between the Philippines and China in Scarborough Shoal was a factor that motivated the Aquino administration to take legal action against China in early 2013- a direct confrontation with China in the South China Sea. Aquino administration filed a suit against China over its disputes in the South China Sea to the International Tribunal on the Law of the Sea (ITLOS), which then appointed the PCA to undertake the case. This was the first time that a South East Asian state has ever sought for the arbitral proceedings against China as a meant to settle down disputes in the South China Sea.

The above examples indicate that the inconsistency in the Philippines' foreign policy, particularly, policy towards China in the South China Sea is not a rare case. The change of the country's leadership would lead to the change in its foreign policy. Therefore, the inconsistency in the Philippines' South China Sea policy in pre and post-ruling period is not something that is new and unexpected. The foreign policy tendency, in this case, has already explained the contradiction of the Philippines' South China Sea policy in two periods.

External security environment

As has been stated in the methodological framework, a number of scholars pointed out that the convergence in national interests among the Philippines and other powers, particularly the US, might have impact on the way the Philippines reacts to any incidents in the South China Sea. The following paragraphs includes several examples that strengthen this argument, especially for the case of the Philippines when responding to China in the South China Sea.

From the mid-1990s, the Philippines armed force was weak and the country did not have enough resources to increase the military capability to a degree that can match that of China in a scenario of being attacked (Zha & Valencia, 2001: 93). This might have been the reason why the Philippines wanted to obtain as much supports from regional and external powers (especially the US) as it can to counter against China in maritime territorial disputes. However, during this period, the US apparently and publically revealed its intention to be neutral on the sovereignty issue in the South China Sea despite its mutual defense treaty with the Philippines signed in 1951 (Zha & Valencia, 2001: 92). This was because the interests of the US and the Philippines during this period were not convergent. As it had been clearly illustrated by the US itself, the US' interest in the South China Sea at the time was merely freedom of navigation (Baviera, 2016: 172). China, at the time, did not make any movements that might have interfered with the matter of freedom of navigation. Therefore, there was no reason for the US to get deeply involved in the South China Sea dispute (Zha & Valencia, 2001: 92). The neutral and ambiguous behavior of the US showed that it was unlikely to assist the Philippines in case it had to confront with China militarily. This led to the Philippines' more reliance on the regional diplomacy (Baviera, 2016: 172) and its unforceful responses to China (Zha & Valencia, 2001: 94).

Under two presidential terms of Arroyo, the interests of the US and the Philippines were divergent. In the post 9/11 terrorist attacks, the US adopted the "War on Terror" and shifted its

focus to the Middle East. The South China Sea disputes, which had not been in the US' top priority remained low-key in the US' foreign policy. President Arroyo also refocused the Philippines' attention to the enhancement and fostering of bilateral relations with China. Whether it was the US factor or the merely ideology and preferences of the president herself that affected the Philippines' South China Sea policy cannot be verified. However, it remained a fact that when the interests of both states was not convergent, the behavior of the Philippines towards China was different compared to the previous period.

After president Aquino took over the office, a shift in the Philippines' South China Sea policy can once again be seen. Under presidency of Aquino, the interests of the Philippines and the US were no longer divergent. The US' Obama administration pursued the "Pivot to Asia" strategy, in which it refocused its attention on the Asia Pacific region. Acknowledging the significant role of China in international arena, President Obama initially had high expectation for a greater and more effective trade and economic cooperation with China and other Asian nations (Garrison & Wall, 2016: 51). According to this strategy of Obama, the Southeast Asia region is on top of the "Pivot to Asia" agenda (Garrison & Wall, 2016: 58). Nevertheless, China has gradually pursued approach to maritime disputes in the region that is more aggressive. The assertiveness and aggressiveness of China in the region made the US adopt a tougher policy towards China (Garrison & Wall, 2016: 59), in which it openly criticized Chinese government's unlawful actions in the South China Sea (such as land reclamation projects, artificial island building, etc...) and called for the stop of those actions. The US, at the same time, showed its deeper engagement with the South China Sea issues by fostering security cooperation with other states in the region. For instant, it updated the longstanding Mutual Defense Treaty (the EDCA) in 2014 and carried out military exercises with the Philippines. In the context that the US showed its will to boost confidence for the regional states in the resistance of Chinese aggressive rise, President Aquino adopted a hard and confrontational stance towards Chinese government. The most prominent example for the Philippines' strong stance is the issuance of international arbitration against China over South China Sea.

In the case of the PCA's final award, the external security environment, once again, may have affected the reactions of the Philippines. When the Tribunal issued its conclusions on the submissions made by the Philippines, the US was among the countries that supported the award.

In the statement made by State Department spokesperson, the US acknowledged the importance of the PCA's final award to multilateral dispute settlement mechanism in the world. (Nguyen, 2016: 126). However, the US kept low profile in the aftermath of the arbitration. The US merely called for whom concerned to show restraints and patience without insisting on the compliance of parties as well as the finality of the award (Heydarian, 2017: 231). Shortly after the issuance of the PCA's final award, the US National Security Adviser visited Beijing "*to advance... cooperation*" with China, which the US has "*the most consequential relationship*" with. Besides, the Chief of US Naval Operations also went to China to "*improve mutual understanding and encourage professional interaction*" between the US and China. (Nguyen, 2017: 127). The US Furthermore, when the Tribunal issued the final award, the US was in the middle of power transition. There was uncertainty about how the new US president and his/her cabinet would respond to China and the maritime territorial disputes in the South China Sea. Later in the same year, Donald Trump was elected as the new president of the US, who at the time had an ambiguous policy on South China Sea. Within his first year in the office, it can be seen that the South China Sea dispute has not been on top priority of his agenda. Instead, the Korean peninsula, with rising tensions, had caught more attention from the Trump administration. The president identified three major priorities in foreign policy, among which was to engage in cooperation with Chinese government, together with its traditional alliances in North East Asia (Japan, and Korea) to handle North Korea's nuclear issue (Thayer, 2017b). Until recently, the Trump administration has not made clear its foreign policy strategy for East Asia in general and for Southeast Asia in particular. In this circumstance, the Chinese government's actions and movements in the South China Sea remained aggressive and assertive. China is also testing whether the US is willing to confront China in South China Sea by continuously carrying out land reclamation projects in the sea area (Thayer, 2017b). Overall, the fundamental content of the US' South China Sea policy would not be different from those that has already been implemented by the Obama administration. Nevertheless, the degree of engagement with the issue would change (Gupta, 2017).

Regarding South China Sea disputes, it can be seen throughout the time that whether the Philippines would act forceful or unforceful towards China, to certain extent, depends on the convergence of interests between itself and the US. It is the tendency in the Philippines' foreign policy that if the US is willing to raise its voice and simultaneously adopts harder edge against

China, the Philippines will also strengthen its response towards China. This also explains the inconsistency and uncertainty in the Philippines' South China Sea policy in pre and post-ruling periods. The Philippines, not to mention the new leader's ideology and preferences, might have decided to react softly, mutely and cautiously to the PCA's final award and did not further mention the result of the arbitration because the Filipino government has been doubted about the regional policy of the giant external power, the US as well as its willing to assist the Philippines in case being sanctioned by China.

1.3.2. Leadership's ideology and personal preferences

From examples given in the previous section, the lack of continuity in the Philippines' South China Sea policy can easily be noticed. In the Philippines, the president has great power to affect strongly the foreign policy making process of the country. Therefore, the shift in the Philippines' South China Sea policy is occasionally marked with the change in leadership in the country. The new Philippines' elected president tends to criticize the previous administration's policy and make a shift in the country's policy to draw a clear distinction between him/her and his/her predecessors. This trend continued when Duterte was elected as the president of the Philippines. He had come to the office shortly before the PCA's awaiting final award on maritime disputes between the Philippines and China in the South China Sea was issued. The different ideology and preferences of the new president had a strong impact on the Philippines' responses to the award.

President Duterte has long criticized his predecessor Aquino for adopting the policy in which the Philippines had enhanced security cooperation with US and Japan to balance China in the South China Sea. During his campaign for presidency, he had openly announced his will to engage in bilateral negotiations with China. According to Duterte, the Philippines under his six-year term of presidency would stay temporarily low-key concerning maritime disputes in South China Sea to obtain Chinese assistances in infrastructure development and investment projects in return. Duterte also announced that he would not continue operating the military modernization program started by former president Aquino. He at the same time toughly expressed his belief that in spite of mutual defense treaty with the Philippines, the US is unlikely to make its commitment to the Philippines regarding the South China Sea dispute (Castro, 2016b: 146). Therefore, he would develop a foreign policy, in which, the Philippines would not depend

on the US (Heydarian, 2017: 220). The Philippines, under his leadership, thus would pursue an independent foreign policy, which in accordance to the explanation of the Philippines' secretary Cayetano, means that the Philippines would be "*friends to all and enemies to none*" (The Philippines' Department of Foreign Affairs, 2017). It is understandable that Duterte would distance the Philippines from the security umbrella of the US. Before becoming the president of the Philippines, Duterte has long been known as an anti-western politician, who was historically close to communist movement of the Philippines. He has been openly criticizing the US' military presence in the Philippines' territory (Heydarian, 2017: 221)

The issuance of PCA's final award over the South China Sea dispute was the first test for president Duterte to clarify his South China Sea policy. In consistency with what he had been declaring during the presidential campaign, president Duterte did not take advantage of the favorable award over South China Sea to put China under international pressure. President Duterte explained that if the Philippines keened on raising the arbitration's result, the state would provoke the hostility from the Chinese side and this would open up the possibility of using forces in the South China Sea. He simultaneously kept on doubting the US 'commitment to both countries' mutual defense treaty and was afraid that the US would not with the Philippines in the South China Sea (Heydarian, 2017:221).

Overall, South China Sea dispute is not on the top priority of president Duterte's agenda. He instead focuses on fostering bilateral relationship with China (even this means the Philippines would have to compromise certain issues in the South China Sea) in order to obtain assistances and investment projects from Chinese government while distancing itself from its long-standing ally: the US. President Duterte seemed to have prioritized economic concerns over security concerns. This preference of Duterte explained the restrained and muted responses of the Philippines to the PCA's final award. Besides, the shift in the country's South China Sea policy, which is fundamentally because of the change in national leadership, led to the country's inconsistency during the arbitration.

In the following paragraphs, I would go deeper into the economic and security aspects (what economic and security issues president Duterte would have had to consider when deciding on how to react to the PCA' final award) in order to understand better President Duterte's

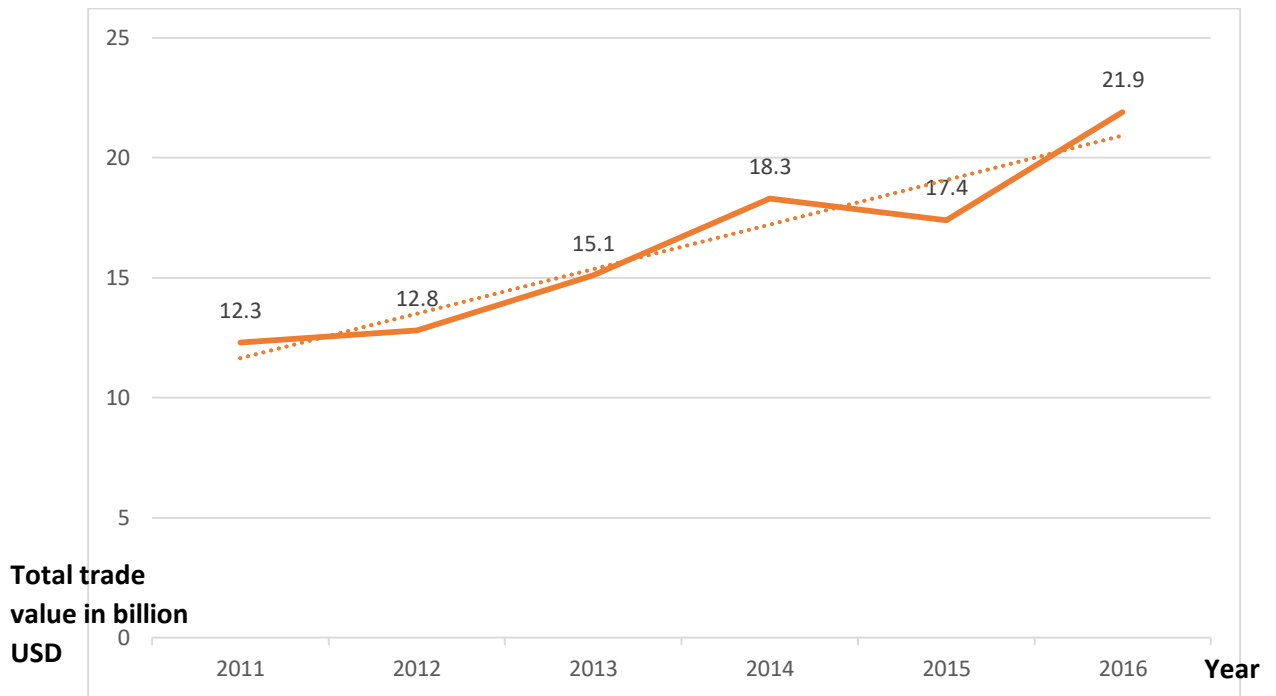
preferences and his South China Sea policy. By doing this, I hope to point out what factors that would have affected the Philippines' responses to the PCA' final award.

The economic aspect

The Philippines has close economic ties with China. China has grown to be among the largest trading partners of the Philippines. When the Mischief Reef incident took place in 1995, the bilateral trade value between the two states was 874 million USD (Ravindran, 2012: 110). The number has grown up to around 17.6 billion USD in 2015 (Philippines statistics authority, 2016: 30), which is approximately twenty times bigger than the trade value 20 years ago. In 2016, the bilateral trade with China worth about 21.9 billion USD, which accounted for around 15.5% total trade (Philippines statistics authority, 2017) and approximately 7.2% of the Philippines' Gross Domestic Product (GDP).²⁶ In general, since 2014, China has surpassed the US and become the Philippines' second largest trading partners, just one stage behind its main rival in the East Asian region: Japan (Philippines statistics authority, 2016: 30-46). In 2016, China has also surpassed Japan to become the largest trading partner of the Philippines (Philippines statistics authority, 2017). The following graph shows an increasing trend in bilateral trade volume of China and the Philippines.

²⁶ The Philippines GDP in 2016 was around 304.9 billion USD (World Bank, n.d.)

Figure 1 China- Philippines' total trade value from 2011 to 2016



Source: Philippines statistics authority, 2016: 30; Philippines statistics authority, 2017.

Besides, China ranks second when it comes to top export destinations of the Philippines in 2016. The total export value of the Philippines to China was about 6.4 billion USD (Philippines statistics authority, 2017), which accounted for 11% of the total export value of the country (OEC, n.d.). Imported goods purchased from China accounted for the largest percentage (18%) of the Philippines' total import value (OEC, n.d.), which worth around 15.5 billion USD (Philippines statistics authority, 2017).

Furthermore, the rising power is an important source of Official Development Assistance (ODA). Chinese government assists the Philippines mostly in the following fields: infrastructure, energy, mining and agriculture (Lum, Fishcher, Granger and Leland, 2009: 16). The total amount of ODA provided by the Chinese government to the Philippines was 1.56 million USD in 2016, which accounted for merely 0.01% of the total ODA by the Philippines' development partner (Philippines' National Economic and Development Authority, 2017: 23). China is also a source country of Foreign Direct Investment (FDI) to the Philippines. In 2016, the Philippines received approximately 16.9 million USD from China, which accounted for around 0.2% of the total FDI that it received (ASEAN statistical databases, 2018).

As it can be seen from all the numbers given above, China plays an enormously important role in the Philippines' economy. Especially in 2016, at the time when the Tribunal issued its final award on the arbitral case over South China Sea, China was the largest trading partner of the country. Moreover, a state can pursue certain political goal by imposing economic coercion against other state (Ravindran, 2012: 120). According to Hufbauer and others, there are three types of economic sanctions: restriction of export, restriction of import and cutting off aid (As cited in Ravindran, 2012: 115). In 2012, the Chinese government imposed import restriction on the Philippines' banana. The Chinese government announced that the restriction on the Philippines' banana was because it found pests in the Philippines' bananas shipped to China. The restriction on the import of the Philippines' banana in China, which has caused the loss of around 23.1 billion USD for Filipino businessmen (AsiaSentinel, 2012) and could affect the livelihood of up to 200,000 banana Filipino farmers (Poh, 2017: 149). Despite the fact that the import restriction of the Philippines' banana happened around the time the 2012 Scarborough incident took place, scholar such as Poh (2017) clarifies that the Scarborough incident had little to do with the banana import restriction²⁷ and that the import restriction was not a form of economic sanction. However, the import restriction on the Philippines' banana to China can be a good example that shows how hard the economy in general, and Filipino businessmen or farmers in particular, can be hit once China impose economic sanctions on the Philippines. Therefore, to whatever degree it could have been, the trade realities with China was among the factors that affected the Duterte administration's response to the PCA's final award.

The security aspect

All ASEAN claimants in the South China Sea share a common concern about the possibility of an open conflict with China (Sliwa & Górniewicz, 2017: 208). During the presidency of President Aquino, the administration operated a modernization program of national army hoping to increase the military capability of the country in regards to territorial

²⁷ This is, according to Poh, because of three reason: (1) the Philippines' banana industry was not being banned, reality has showed that the total bananas that exported to China in 2012 exceeded that of 2011; (2) the import restriction of the Philippines' banana happened a month before the Scarborough incident took place; (3) communication between the two states continued even during the peak of tensions over South China Sea issues (Poh, 2017: 150).

disputes in the South China Sea. However, the ambitious of the Philippines to modernize and acquire stronger maritime as well as air capability was not achieved due to its limited defense budget (The Military Balance, 2016: 212). In 2016, the number of active Filipino military forces was 125 thousands soldiers (in which there were 86 thousands soldiers in the Army, 24 thousands soldiers in the Navy and 15 thousands soldiers in the Air force) (The Military Balance, 2016:284). The Philippines military force has been using relatively old equipment. In spite of all the efforts to modernize the military force, there are remaining possibilities that the country does not have enough capabilities to defense its territory against stronger rivals (Sliwa & Górniewicz, 2017: 217). The Philippines thus must rely on its longstanding alliance, the US, in protecting itself from external forces.

Meanwhile, China possessed an approximately 2.3 million military force (in which the number of soldiers in Army, Navy, Air Force and Strategic Missile Forces was 1.6 million, 235 thousands, 398 thousands, and 100 thousands, respectively) in 2016 (The Military Balance, 2016: 240). The Chinese military force is more than 18 times larger than that of the Philippines. China also owns the largest Air force in Asia and the third largest in the world. Furthermore, China is known to have been continuously modernize its military equipment with the total military-related spending increased steadily every year. Even though it is unlikely, that Chinese military has achieved the same overall quality, sophistication or numbers of high-end systems as the US' armed forces, its potential and enormous capabilities cannot be denied (Andersen & Perry, 2017:19-21)

In term of military capabilities, the Philippines' force is incomparable with that of China. As mentioned above, Duterte once expressed his concern about the possibility that China would use forces in the South China Sea if the Philippines continued raising up the result of the arbitration. In theory, because of the Mutual Treaty Defense, the US would assist the Philippines in case of being attacked. However; whether it is merely based on the personal ideology of president Duterte (anti-America), or also based on the fact that the US did not insisting on China's fully compliance to the PCA's final award as well as the uncertainty of the US' South China Sea policy of the new administration; the Philippines under Duterte administration lost confidence in the US. President Duterte, use this as a reason to explain his policy in which the Philippines would distance itself away from its ally: the US and foster bilateral relation with

China (and to do so, it would not further mention the result of the arbitration). If looking to the aspect of military capability, this reason is understandable.

2. Vietnam's responses to PCA's final award on South China Sea

2.1. Immediate responses

Vietnamese authority's perspective

In response to the issuance of the PCA's final award, Vietnam announced that it "welcomes" the final decisions of the Tribunal and "*reaffirms its consistent position regarding this arbitration*" as fully explained in the Note Verbale sent to the Tribunal in December 2014 (Vietnam MOFA, 2016). In the Note Verbale, Vietnam stated its position that the country has "*no doubt that the Tribunal has jurisdiction in these proceedings*" and the Philippines' requests submitted to the Tribunal were justified and in accordance with UNCLOS (PCA, 2016b: 72). Vietnam acknowledged that the PCA's final award was legally binding. Vietnam, at the same time, showed its strong support to the peaceful settlement of disputes in South China Sea by legal and diplomatic means (Vietnam MOFA, 2016a).

Vietnamese authority's actions

Vietnam called on both China and the Philippines, noted that the two states were parties to UNCLOS, to abide the final award of the Tribunal (Storey, 2016b: 3). In his brief remarks concerning the reaction of Vietnam to the issuance of the final award by the PCA, the spokesperson of Vietnam Ministry of Foreign Affairs also noted that the Ministry would later "*make a statement on the content of this award*" (Vietnam MOFA, 2016). However, until the time this Master's Thesis is written, the Ministry has not issued the detail statement on the award's content.

In the post-ruling period, Vietnam has scarcely mentioned the Tribunal's final award. For example: Vietnam showed its expectancy to include the result of the arbitral proceedings as well as the call to respect international maritime law in the ASEAN Joint Communiqué during the 2016 ASEAN Foreign Ministerial Summit in Lao (Petty & Wroughton, 2016). However, to what extent the country pushed for the inclusion of the verdict in the ASEAN Joint Communiqué can hardly be verified. Other than that, the Vietnamese senior leaders are said to have avoided mentioning the award specifically (Thayer, 2017a). Concerning the South China Sea dispute,

Vietnam keens on reaffirming its longstanding position, for instant: to solve the disputes by peaceful means in accordance with the international law, especially the UNCLOS or strongly promote the establishment of Code of Conduct in the South China Sea (COC), etc. without mentioning the arbitral ruling.

Targeting audiences

The targeting audience of Vietnamese government's responses to the PCA's final award remains unverified. However, regarding this issue, I would prompt the hypothesis that the Vietnam authority was not specifically targeting any country when it reacted to the award. In the circumstance that Vietnam must respond to the award, its reaction was merely a '*play it safe*' strategy (neither object nor overwhelming support), which helped the country eschew any potential risks. South China Sea dispute has always been a core matter in Vietnam's foreign policy. Therefore, in regard to South China Sea, Vietnam has acted and implemented its policy with cautions at all time. There is a wide range of issues that Vietnam needs to consider before proclaiming its official legal stance on South China Sea issues in general and the arbitral award in particular. Vietnam, as suggested by Vu & Nguyen (2017: 11), needed more time to assess the award fully and thoroughly, then at the later stage, the country would evaluate how and to what degree the Tribunal's decisions may affect Vietnam's national interests in the South China Sea. Due to this reason, Vietnam would not put itself into the situation, which worst comes to worst.

2.2. The consistency of Vietnam's South China Sea policy throughout the arbitration

2.2.1. Vietnam's policy pre- PCA's final ruling

Vietnamese authority's perspective

Back to 2013, at the earlier stage of the arbitration, Vietnam already showed its support to the Philippines' position in the arbitral proceedings. The former Filipino Foreign Secretary- Albert del Rosario- confirmed that Vietnam is "*very supportive*" of the Philippines' arbitral case against China over South China Sea after a meeting with Vietnamese Foreign Minister in 2013 (Esmaquel II, 2013).

Vietnamese authority's Actions

In late 2014, the reaction of Vietnamese government became stronger. On 5 December 2014, Vietnam submitted to the Tribunal a statement about its stance on the South China Sea arbitration between the Philippines and China with annexed documents. In the statements, Vietnam initially stated that it “*has no doubt that the Tribunal has jurisdiction in these proceedings*” (Vietnam MOFA, 2014a: 1). The country at the same time showed its support to the Tribunal’s interpretation and application of variety of UNCLOS provisions²⁸ (Vietnam MOFA, 2014a: 5-6). Vietnam also expressed its perspective that the Philippines had requested the Tribunal to consider the issues under the Tribunal’s jurisdiction, in accordance with the UNCLOS (issues that did not related to the questions of sovereignty and maritime delimitation) (Vietnam MOFA, 2014a: 2-3). Furthermore, Vietnam clarified its stance about two issues considered by the Tribunal that related to the country’s core interests: the Chinese claim of historic rights and the maritime entitlements of features mentioned by the Philippines. To be specific, “*Vietnam resolutely protests and rejects any claim by China in the South China Sea which is based on the nine-dash line*” and all the features mentioned by the Philippines are low-tide elevations or rocks thus generate no entitlements in the maritime zones (Vietnam MOFA, 2014a: 3-5). Other than that, Vietnam reaffirmed its right to interfere in the proceedings in accordance with international law in case the country’s rights and interests of a legal nature are affected (Vietnam MOFA, 2014a: 7). Vietnam then requested the Tribunal to provide it with copies of relevant documents in the arbitral proceedings (PCA, 2016a: 14, para. 36)

Later in the same year, on 11 December 2014, Vietnam responded to Chinese Position Paper on the jurisdiction of South China Sea Arbitration, by reaffirming Vietnam’s fully rejection to Chinese claim over Spratly and Paracel Archipelagos and the adjacent waters, as well as its claim of historic rights to area within the so-called nine-dash line. Vietnam, at the same time, proclaimed its position to the Tribunal concerning the arbitral proceedings and requested the Tribunal to “*pay due attention to the legal rights and interests of Viet Nam*” (Vietnam MOFA, 2014b).

In early July 2016, when the Tribunal informed that it would issue the final award on the arbitral case over South China Sea, Vietnamese spokesperson released a statement, which reiterated Vietnam’s close observation of the arbitral proceedings. Vietnam, simultaneously

²⁸ Articles 60, 80, 194(5), 206, 293(1), and 300 of UNCLOS

hoped “*the PCA would make a just and objective award, laying foundations for peaceful settlement of the East Sea dispute*” (Vietnam MOFA, 2016b)

Targeting audiences

In the pre-ruling period, it seemed that Vietnam openly targeted China and the international community when pursuing such strategy in the South China Sea regarding the arbitral case between China and the Philippines.

In mid-2014, the HD-981 incident led to the worst breakdown in diplomatic relations between Vietnam and China. The tensions between the two states escalated to a highest extent in years. In response to this incident, Vietnam used tough rhetoric to criticize China and attract public support from international community. I would assume that Vietnam’s action (the submission of the Note Verbale to the Tribunal) in late 2014 might have targeted China to reiterate that Vietnam could act more proactively and determinedly to protect its maritime claim in the South China Sea.

Vietnam has long been making effort to internationalize the South China Sea as a mean to deter China. The country intends to draw the international community’s attention for the territorial disputes in this sea area so that it can gain more support from foreign states and partners in countering its northern neighbor - China. This can be clearly seen through, for instant, the fact that Vietnam always attempts to raise and include the matters of South China Sea dispute in all ASEAN’ agendas, documents and/or joint communiques. Going back to the arbitral case over South China Sea, Vietnam might have supported the Philippines in the hope that this would strengthen the jurisdiction of the Tribunal, simultaneously, attracting more support of the foreign partners. The arbitral proceedings between China and the Philippines is significant for Vietnam because if the conclusions of the Tribunal is favorable to the Philippines, Vietnam might use this result as an advantage in negotiation concerning South China Sea disputes with China in the future.

2.2.2. The consistency of Vietnam’s policy

The Vietnamese South China Sea policy in pre and post-ruling period is, in general consistent. However, the level of consistency varies from aspect to aspect. In term of perspective, from the very beginning to the end of the arbitral case, Vietnam recognizes that issues, which

the Philippines requested the Tribunal to consider, are under the Tribunal's jurisdiction and the award issued by the Tribunal is final and binding for both parties. By recognizing the authority of the Tribunal to adjudge the matters that were submitted by the Philippines as well as the final decisions of the Tribunal, Vietnam showed its strong support to the internationalization of South China Sea dispute.

Differences in actions and targeting audiences can be easily pointed out. In the pre-ruling period, Vietnam acted more proactively while in the later period, it took low-key and muted actions. The assumed targeting audiences are also different. In the post-ruling period, Vietnam did not seem to aim at any specific audiences when react to the arbitral award. In the earlier time, Vietnam seemed to target China and international community when pursuing its South China Sea policy.

The reason I stated that the policy of Vietnam's government is in general consistent even though differences in actions and targeting audience can apparently be seen in the two period (pre and post PCA's ruling), is that the actions of Vietnamese government in the later period was not contradict to its perspective. The extent in which Vietnam responded to the issue that directly involved China changed but still followed the general framework of the policy it adopted in the earlier stage.

2.3. The explanation of Vietnam's responses

2.3.1. Foreign Policy Tendency

In Vietnam and China bilateral relations, territorial dispute in the South China Sea is the most complicated issue, which has always taken a significant spot in Vietnamese Foreign Policy. In dealing with China, Vietnamese government aims at maintaining its sovereignty and political autonomy while keeping the bilateral relations with China stable, peaceful and beneficial (Tran, 2016: 89). Looking back to the history, the origin of South China Sea dispute can be traced back to more than a hundred years ago, which was initially between Vietnam and China over the Paracel Islands (Nguyen, 2011: 166). However, it was not until the mid-1990s that the current maritime policy of Vietnam has fully emerged and been implemented by the Vietnamese government (Thayer, 2017c: 193; Thayer, 2016: 203-204).

The Vietnamese government, in general, pursuits a consistent policy framework towards China in the South China Sea. According to Storey (2016a), this policy framework consists of

five different strategies that are implemented all at once. Firstly, Vietnam keeps maintain its regular dialogues with China despite all the tensions there might be during its dispute with China. Secondly, Vietnam promotes the implementation of DOC and the negotiations of COC. Thirdly, Vietnam attempts to “internationalize” the South China Sea issues, making the issue well known and appealing to the international community by raising the matter in different regional and international fora as well as hosting annual academic conferences on the issues. Fourthly, Vietnam attempts to increase its naval and air capabilities by modernizing the military. Finally, Vietnam diversifies and strengthen bilateral relationships with variety of world’s powers including the US, Japan, India and Russia. (Storey, 2016a: 146). The five strategies mentioned above are in accordance with the main five pillars of the Vietnamese foreign policy. Five main pillars of Vietnam’s foreign policy include the emphasis on independence & self-reliance, multilateralization & diversification of external relations, struggle and cooperation as well as pro-active international integration (Thayer, 2017c: 184).

It is important to note that, in 1988, the concept “*national interest*” was introduced in the Politburo Resolution for the first time. In accordance to this, the Vietnamese foreign policy would be oriented on the basis of the country’s national interests. This means, despite socio-political system, Vietnam would cooperate with any countries that have mutual interests with Vietnam and struggle against those that harm Vietnam’s national interest (Thayer, 2016: 2010). In the case of China, this power was categorized as friendly country because it has the same socialist background as Vietnam. Nevertheless, after the normalization of bilateral relations with China, it is apparent that Vietnam and China, in spite of their similar socialist background, have different national interests in the South China Sea (Thayer, 2017c:185).

Therefore, concerning South China Sea dispute, how Vietnam would react towards China (strongly or low-key) depends on the extent China may harm its national interests. For example: During the two incidents took place in 2011 regarding the China’s cutting cables of Vietnam’s seismic survey vessels, Vietnam reacted strongly against China. From May 26th , 2011 to June 9th , 2011 Vietnam accused Chinese maritime surveillance vessel and a number of Chinese fishing vessels with support of Chinese fishery administration ships of cutting the exploration cables of Binh Minh 02 (Vietnam National Oil and Gas Group or PVN’s seismic vessel) and Viking II (hired vessel by PVN) respectively. Most importantly, the two Vietnam’s seismic

vessels were doing seismic survey and conducting seismic exploration within the Vietnamese continental shelf and EEZ in accordance with UNCLOS. Thus, the acts of Chinese, according to the Vietnamese government, “*infringe upon Viet Nam’s sovereign and jurisdiction rights to its continental shelf and exclusive economic zone*”. Vietnam asked “*China to immediately cease and refrain from*” those acts and “*compensate for the damages caused to Viet Nam*” (Vietnam MOFA, 2014c). Furthermore, the Vietnamese spokesperson also strongly emphasized that the act of cutting cable of the Viking II was conducted just shortly after the first incident, which indicated that the China side did not show its good faith. The spokesperson strongly criticized China for its acts which aim at materializing the nine dotted line claim (Vietnam MOFA, 2014d).

Another example is that in 2014, China placed its drilling oilrig HD-981 in Vietnam’s EEZ as claimed by the Vietnamese government. The HD-981 was accompanied with a fleet of warships. Vietnam’s government then ordered the Chinese oil rig and warships to leave Vietnam’s EEZ and simultaneously sent small Coast Guard Ships and Fishery Surveillance Force vessels to counter the Chinese (Thayer, 2017c: 193). China, in return, carried on aggressive actions such as ramming Vietnam’s ships and vessels or firing high water cannon at them (The Guardian, 2014). The placement of HD-981 in Vietnam’s EEZ of China violated seriously Vietnam’s sovereignty in the South China Sea. Facing the situation when its national interests in the South China Sea were greatly harmed, the Vietnamese government reacted strongly by bringing up the issue in regional and international fora as well as publishing the video footage filmed by foreigner journalists in which the Chinese vessels were ramming and firing high water cannon on Vietnamese ships and vessels. The Vietnamese former Prime Minister Nguyen Tan Dung once announced, “*We [Vietnam] always want peace and friendship [with China] but this must ensure independence, self-reliance, sovereignty, territorial integrity, and maritime zones. These are sacred and we will never trade them off for some kind of elusive, dependent peace and friendship.*” after the oilrig incident took place (Vietnam embassy in Germany, 2014). Besides Vietnamese Ministry of Foreign Affairs publicly issued protests against China over its unlawful actions that seriously violated Vietnamese sovereignty, territorial integrity as well as peace and stability in the South China Sea (Thayer, 2017c: 194). Regarding to the HD-981 incident, Vietnam also implied that the country “*are prepared and ready for legal actions*”. If Chinese continued to maintain its aggressiveness in the South China

Sea and pushed Vietnam, Vietnam had no choice but to file an arbitration case against China (Keck, 2014).

Overall, Vietnam has a firm policy framework China in which it is ready to struggle against the northern neighbor if its national interests are in harm and at the same time is willing to cooperate if China show its good faith and Vietnamese national interests are secured. In the case of South China Sea arbitration award, the foreign policy tendency, to a certain extent can explain the Vietnamese response to the award. In its final award, the Tribunal has provided an interpretation of the Article 121 of UNCLOS over rocks and islands, and concluded the maritime status of features in the Spratly Archipelago, in which Vietnam claimed sovereignty over. Therefore, it is understandable that Vietnam made low-key and muted responses. This might be partly because it needed to assess thoroughly whether the arbitral award would have any negative impacts on its claims in the South China Sea and harm its national interests in this sea area. Vu and Nguyen (2017:11) also suggest the explanation for Vietnamese government's behavior is that it needed more time to analyze carefully the impact of the award on Vietnam. The actions of Vietnam in responses to the Tribunal final award might have been inconsistent to its own actions in the pre-ruling period; however, the reaction of Vietnam is consistent with its longstanding adopted policy framework towards China.

External Security Environment

Before the Obama administrations, South China Sea was not a central element in the US' foreign policy. In the 1990s, freedom of navigation was the only interest of the US in the South China Sea (Baviera, 2016: 172; Zha & Valencia, 2001: 92). The maritime dispute among claimant states did not affect its freedom of navigation in this sea area, which led to the neutral behavior of the US. In general, the US barely involved deeply in the South China Sea issues. In 2001, due to the September 11 attack against the US, the US president at the time George W. Bush launched the War on Terror that shifted all its focus in foreign policy to the Middle East. During President Bush's two presidential terms from 2001 to early 2009, the South China Sea kept a low profile in the US' Foreign policy.

In term of bilateral relations, Vietnam and the US normalized their diplomatic relations only in 1995. It was not until the mid-2000s that both countries agreed to foster military-to-military cooperation and exchanges (Manyin, 2008: 20). However, despite the promoting of

cooperation and exchanges in the military field, Vietnam has been maintaining its pillar in foreign policy framework: independence and self-reliance. This means, “*Vietnam consistently advocates neither joining any military alliances nor giving any other countries permission to have military bases or use its soil to carry out military activities against other countries*” (Vietnam Ministry of National Defence, 2009: 21-22).

During the period from the 1990s to 2008, Vietnam dealt with South China Sea issues with moderate attitude. For example, in 1997 and 1998, Vietnam found Chinese exploration ship operating in the Spratly Archipelago (which is claimed by Vietnam) and even deeply in the continental shelf of Vietnam. The operation of Chinese ships, according to the Vietnamese government, had seriously violated Vietnamese sovereignty. Vietnam publicized its dissatisfaction and protested against unlawful actions of China but in limited number of occasions. Vietnam government claimed that it had attempted to resolve disputes with China with persistence through diplomatic negotiations (Amer, 2014: 19, 31). Another example is that in 1999, China decided to ban fishing in the South China Sea. In Vietnam, there was a public protest against this decision of Chinese government. Other than that, Vietnam agreed to adopt the existing dispute settlement mechanism, which is to resolve disputes by the mean of bilateral dialogues (Amer, 2014: 20) through a forum that had been created specifically for negotiations with China since 1993 (Nguyen, 2012: 208).

In 2009, Barack Obama elected as the President of the US. He took the office with different foreign policy, in which the US would shift its emphasis on the Asia Pacific region rather than the Middle East. Throughout two terms Obama served as the President of the US (2009-2017), the administration engaged more deeply with the South China Sea affairs. Vietnam, during this period, has adopted a stronger and more proactive approach towards China. This can be seen from the two cutting cables incidents in 2011 or the HD-981 incident in 2014 that discussed in the previous section. More examples would be given in the following paragraph to show a more proactive Vietnam when responding to South China Sea dispute since 2009.

Similar to the earlier period, Vietnamese government continued to made its discontent about Chinese unlawful acts on the South China Sea, which is considered to have violated seriously Vietnam’s sovereignty and territorial integrity, widely known. However, during this period, Vietnam publicizes its dissatisfaction in greater extent. To be more specific, Vietnam

kept on verbally, diplomatically protesting with a stronger voice against Chinese assertive actions. These assertive actions from the China side include the arresting Vietnamese fishing boat and its fishermen, setting up hamlet administration in two islands of the Spratly archipelago, banning fishing, sending seismic survey vessels to conduct seismic study or exploring oil in Vietnamese continental shelf as well as some sea areas in the South China Sea that Vietnam also claim sovereignty over, etc. (Amer, 2014: 20-21). Shortly after the two incidents concerning China's cutting its seismic vessels' cables, Vietnam held its own live-fire drills (Branigan, 2011). In spite of the fact that Vietnam announced that these exercises had "*nothing to do with the recent incidents involving China*", a newspaper controlled by the Chinese Communist Party considered that as "*a military show of force to defy Beijing*" (As cited in BBC, 2011). In this year, Vietnam also held elections to Vietnam's National Assembly in the Spratly Archipelago to reclaim its indisputable sovereignty over the Archipelago. (Amer, 2014: 20-21). Moreover, Vietnam at the same time strengthens its military capability by modernizing its navy by, for instant, signing contract with Russia to purchase six Russian-made diesel electric attack submarines in 2009. The modernization of its navy was said to aim at defending every inch of its territory (Vnexpress, 2017).

If looking to how the external security environment has impact on Vietnam's behavior towards China, it is possible to explain the responses of Vietnam to the PCA's final award. It can be seen from the above-mentioned examples; that in the earlier period, when the US did not intensively engaged in the South China Sea, Vietnam had moderate and persistent attitude when dealing with China. In the later period, when the US has shifted its focus to the South China Sea, Vietnam showed more proactive and stronger responses to Chinese assertiveness and aggressiveness in the South China Sea.

Going back to the PCA's final award, as having been mentioned in section 2.3.1, the US' official responses to the final award was relatively low key and cautious. The strict insistence on both the Philippines and China's compliance to the award could not be seen. When the award was issued, the US was in the middle of changing power period. The new President's South China Sea policy was open to question. It was uncertain that in the upcoming future, to what extent that the US would engage in the dispute in the South China Sea. More importantly, the Philippines- a party of the arbitration, whom Vietnam supported more than any other states in

the earlier period-, responded restrainedly to the result of the arbitration, which in general is favorable for the Philippines. The Philippines, with the new leadership in the country, has adopted a totally contradict South China Sea policy and has shown its intention to further cooperate and strengthen bilateral relations with China. All these factors has, to a certain extent, helped understand the low-key and muted reactions of Vietnam towards the PCA's final award.

2.3.2. Leadership's ideology and personal preferences

In Vietnam, the Vietnam Communist Party (VCP) plays a crucial role in the foreign policymaking process. In the past, public opinion did not have much influence on the decisions of VCP's leaders on Vietnam's foreign policy. However, the situation has changed in the Vietnamese society. The leaders of VCP are now putting under social pressure when deciding on the adoption or implementation of certain foreign policy issues, especially those that concerns bilateral relations with China. According to Thayer, a Southeast Asia regional specialist, the legitimacy of Vietnam's one party regime would seriously be challenged by the public opinion concerning relations with China if it failed to deter the aggressive China in the South China Sea (Thayer, 2017c: 184). His point of view is not groundless. The Vietnamese had struggled for a long time until it became independent: nearly a millennium under imperial Chinese rule, more than six decades of the French's colonialism and about twenty years in war against the coalition led by the US. Among all the old enemies, the anti-sentiments towards China is the most outstanding and shared in greatest extent among the Vietnamese people. This is mostly because of the long history of tensions between the two countries (the one thousand years under Chinese rule and the border war in 1979²⁹). The Vietnamese people in general understand and treasure the value of freedom and independence, which made them highly concern the South China Sea dispute. Especially, Vietnamese people worry that the rising power and influences of Chinese in the region would harm Vietnam's national interest and sovereignty as well as territorial integrity (Bui, 2017: 173). Thayer also noted that there is a possible division on Vietnamese' leadership regarding the matter of how to manage relation with China: whether to prior and use the shared sociologist ideology or economic, political and defense-security

²⁹ This refers to the Sino-Vietnam war in 1979 when China employed more than 300,000 troops to Vietnam and conducted a punishment war to "*teach Vietnam a lesson it would not soon forget*" within a month, after Vietnam withdrew its troops from Cambodia. This arm conflict was seen as a response to Vietnamese policy towards China and its expansion in the Southeast Asian region. (Zhang, 2005: 851, 865, 867). Read more in Zhang, 2005.

significance as the basis when dealing with China. However, he strongly stated that it could be argued that there are no “pro-China factions” in Vietnam (Thayer, 2017c: 184).

In early 2016, Nguyen Phu Trong, a man whom considered being more conservative and less harsh when criticizing assertive of China in the South China Sea, reelected as the General Secretary of the VCP for the second term. Nguyen Tan Dung, who seemed to be friendlier towards the US and had strongly criticized China during the time he served as Vietnam’s Prime Minister, retired (BBC, 2016). As stated in Shoji & Tomikawa (2017, 143), many media reports had suggested that there would be shift in Vietnamese South China Sea policy in general and towards China as well as the US in particular. However, Shoji has reaffirmed that the changing of leadership in Vietnam did not have much impact on Vietnam’s policy in the South China Sea. Vietnam continues following strictly its foreign policy framework (Shoji & Tomikawa, 2017:144), which has been discussed in the previous section.

In general, as for the case of Vietnam, the collective ideology and preferences of the VCP matters more than the leaders’ personal ideology and preferences. The VCP always emphasizes the national interest faction and clarified its most important objectives in foreign policy: economic development, defense of national security (safeguarding Vietnam’s sovereign and territorial integrity) and the promotion of Vietnam’s standing in the international arena (Tran, 2016: 87). In relations with China, the leaders must act with cautions to defense the country’s national interests and at the same time avoid social pressure thus secure the legitimacy of its one party political system. The majority of Vietnamese people have high level of nationalism and traditionally have anti-China sentiment. This is largely due to the memories from the old days when Vietnamese had to struggles against China for its independence. An example that show Vietnamese’s strong nationalism and anti-China sentiments can be seen in the event of HD-981, when thousands of Vietnamese were extremely discontented with the placement of Chinese oil rig in Vietnamese EEZ and continental shelf and participated in public protests against China in Vietnam’s three big cities (Vnexpress, 2014).

Overall, the leaders’ personal ideology and preferences may have affected the extent of how Vietnam would react to China, which can thus explain the inconsistency in Vietnam’s actions in the pre and post ruling periods. However, rather than the leaders’ personal ideology

and preferences, it is the tendency of foreign policy that can give better explanation of Vietnamese reactions to the final award of PCA.

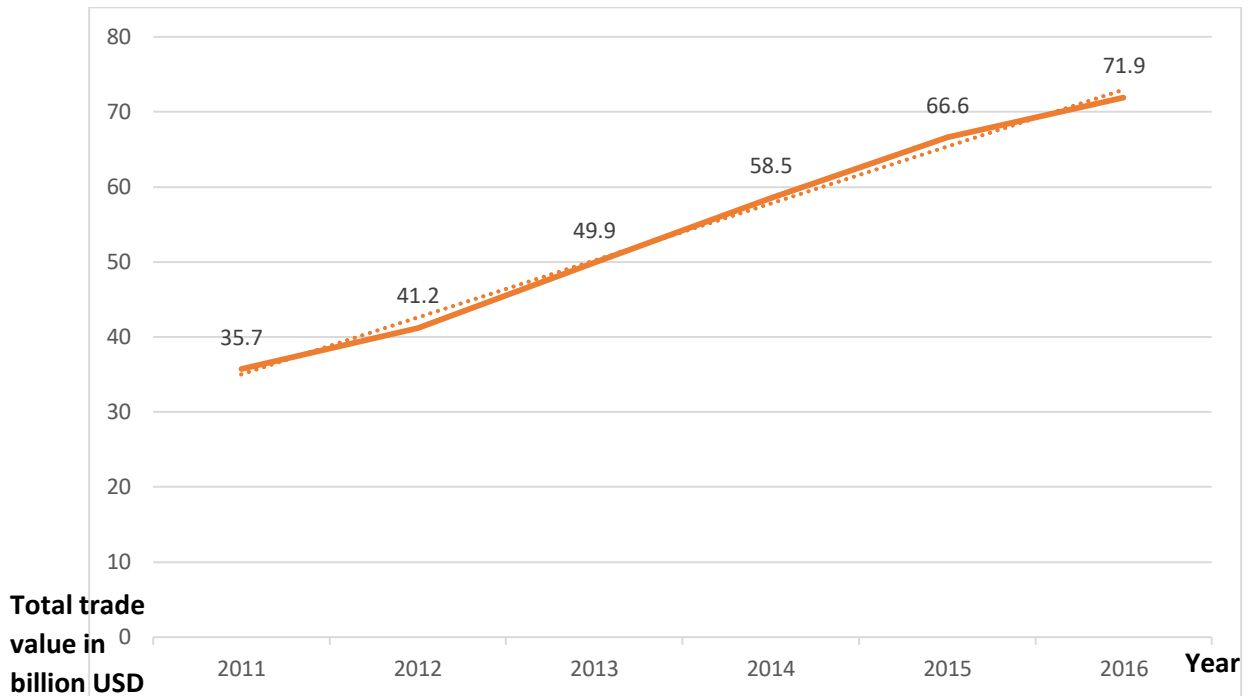
Vietnam has long adopted the foreign policy in which it stresses the independence and self-reliance. It developed strategic and comprehensive relations with different major powers to diversify its external relations and make it multilateral without absolute depending on these powers to achieve economic development or the safeguarding of national security. In other words, despite of all the assistances Vietnam can obtain from its cooperation with other large powers, Vietnam is on their own when it comes to dealing with China. Vietnam, in fact, could have taken advantages over China by the result of the arbitration between the Philippines and Vietnam. With the precedents created by the 2016 PCA's final award, Vietnam can expect to win if it decides to bring the dispute between Vietnam and China in Paracel Archipelago to the Tribunal. However, Vietnam is not ready for the potential intense hostility from China as well as the destabilization of the two countries' bilateral relations (Le, 2016). Moreover, in accordance to Bautista (2016)'s suggestion, states when responded to the PCA's final award, which is unfavorable to China, must consider a wide range of economic and security matters. This is particularly true for the case of Vietnam. In the following paragraphs, I would like to make an evaluation on Vietnamese trade reality with China as well as its military capabilities compared to that of China. This evaluation would help understand better why Vietnamese government is not ready to afford the potential hostility and destabilization of bilateral relations with China as well as what considerations the VCP would have had to take when deciding on how to react to an award that was disadvantageous to Chinese claims in the South China Sea.

The economic aspect

Ever since Vietnam and China normalized its diplomatic tie in 1991, the bilateral trade relation between the two countries has increasingly developed. China has become one of the leading trading partners of Vietnam. In 1991, the total value trade of Vietnam and China was approximately 30 million USD (Le, 2016: 20). 25 years later, in 2016, this number has increased to nearly 71.9 billion USD, which is more than 2300 times compared to that in 1991 (General Department of Vietnam Customs, 2017: 68). This means, the total value bilateral trade with

China accounted for around 20% of Vietnam's total trade value³⁰ and about 35% of Vietnam's GDP³¹ in 2016. It is apparently that China has grown to become a significant and inseparable factor in Vietnamese economy. The graph below indicates the increasing trend in Vietnam-China trade from 2011-2016.

Figure 2: China-Vietnam's total trade value from 2011 to 2016



Source: Le, 2016: 20; General Department of Vietnam Customs, 2017: 68.

Furthermore, the imported goods which have Chinese origin accounted for 28.6% of Vietnam total import turnover in 2016, which worth around 50 million USD. This made Chinese the largest import market of Vietnam this year. China, however, was not the largest export market of Vietnam. It ranked third with the total export value of roundly 21.9 million USD, which accounted for 12.4% total export value (General Statistic Office, 2017: 254; General Department of Vietnam Customs, 2017: 68). In term of exportation, in 2016 the US remained Vietnam's largest export partners with total export value of 38.5 million USD, accounted for 21.8% of Vietnam's exportation. (General Department of Vietnam Customs, 2017: 68).

³⁰ The total trade value of Vietnam in 2016 was approximately 351 billion USD (General Department of Vietnam Customs, 2017:10)

³¹ Vietnam's GDP in 2016 was approximately 205.3 billion USD (World Bank, n.d.b).

The normalization in diplomatic relations in 1991 opened up an important source of FDI to Vietnam. The first Chinese FDI in Vietnam was right after the two states normalized its diplomatic relations in 1991. 283 Chinese FDI projects were licensed in 2016 with the total value of approximately 2.1 billion USD, which accounted for about 7.9% of the total FDI Vietnam received this year (General Statistic Office, 2017:111; 149). China, together with other Asian investors including Korea, Japan, Singapore and Malaysia, are the largest FDI providers, which makes up 60% FDI in Vietnam (World Finance, 2016). In term of ODA, China is not among largest donors of ODA to Vietnam. According to the Vietnam Ministry of Planning and Investment, the total amount of ODA Vietnam received from China in the period 2016-2017 was about 250 million USD, accounted roundly 3,7% of its preferential ODA loans (Vu, 2018).

In general, despite the fact that China is not among the largest FDI and ODA providers for Vietnam, the two countries enjoy close economic relation. With the total amount of bilateral trade accounted for approximately 35% of its GDP in 2016, Vietnam's economy has been heavily depended on China. Vietnamese economy is, in general, relatively vulnerable because of its heavy dependency on China. If China decided to impose trade sanctions on Vietnam for any reasons, Vietnam's economy would hence be seriously damaged. In 2006, Vietnam as the host country of Asia-Pacific Economic Cooperation (APEC) summit, did not exclude Taiwan from the informal leaders' summit in Hanoi. In response to this action of Vietnam, China refused to provide more aids to Vietnam (Ravindran, 2012: 119-120). There is no further information on the cutting aids as well as its impact. However, this example indicates the possibility that China would impose economic sanctions (for instant under the form of cutting aids) on its neighbor if it could not obtain certain political goal. Because of this reason, economic aspects must have been an important factor of Vietnamese leaders when making policy towards China, as in this case, when deciding on the response towards the PCA's final award.

The security aspect

In its long-standing history, Vietnam has gone through a number of wars to fight for its independence. This makes the country rank first among its Southeast Asian neighbors when it comes to either military tradition or operational experience. However, this does not mean Vietnam's military capabilities can match with that of China. In 2016, Vietnam owned a total of 482 thousands active soldiers, among which there were 421 thousands, 40 thousands, and 30

thousands soldiers in the Army, Navy and Air Force, respectively (The Military Balance, 2016:297). Also in 2016, China had already owned a nearly five times bigger army which included approximately 2.3 million military force (the number of soldiers in Army, Navy, Air Force and Strategic Missile Forces was 1.6 million, 235 thousands, 398 thousands, and 100 thousands, respectively) (The Military Balance, 2016: 240). In recent years, facing with the attempts of Chinese government's assertive militarization in the South China Sea (through land reclamation activities, runways buildings, military facilities upgrading, or the increasing the number of naval and air patrols in this sea area), Vietnam has continuously modernize its military, particularly its navy and air force, to deter China. Other than that, Vietnam wants to indicate its potential ability to cause great harm to Chinese military forces in the event it is attacked by China (Grossman, 2018: 119). Although it is not publicized, Vietnam's defense spending is estimated to increase annually at the rate of 2.3% of its GDP and expected to keep on rising up in accordance to numerous Western sources (The Military Balance, 2016: 296; Grossman, 2018: 118). Even though Vietnam, in short period of time, has impressively acquired or produced a new weapon systems, many challenges are posed to the country as it still have to learn how to employ these systems effectively (Grossman, 2018: 130).

In spite of the fact that Vietnamese people have always announced that they understand and treasure the value of peace, in the events that the sovereignty and territory of their Fatherlands is violated by any external powers, they would still stand up and fight to protect every inch of their territory. However, as a country that was in war in a long period, they also understand how their country and the Vietnamese people would have to suffer from pains and losses if arm conflicts occurred. Furthermore, theoretically, in the case of arm conflict, Vietnam will defend by itself as it "*will not be a military ally to any country and will not allow any country to set up military bases on Vietnamese territory*" (Nguyen, 2015). It is because of this reason, Vietnamese leaders hope to avoid war with China at all costs (Grossman, 2018:130).

Overall, regarding the security aspect, despite its strong military tradition, military operational experience, as well as the effort to modernize and increase its military capability, Vietnam remains in unfavorable position to China if China decided to use arm force against it in the South China Sea. Therefore, as in the case of the arbitral award over South China Sea, Vietnamese leadership might have had to put these security aspects under consideration when

reacted to the award, in order to eschew Chinese more aggression and assertiveness in the South China Sea.

3. The Philippines ‘responses and Vietnam’s responses in comparison

3.1. Immediate responses

The Authorities’ perspective

The Tribunal and its final award on the South China Sea dispute between the Philippines and China received “welcomes” and recognitions on its finality and legal abidingness from both the Philippines and Vietnam. The two governments expressed their full respect to the Tribunal decisions. They were full of praise for the contributions of the Tribunal’s final award to the development of the world’s peaceful dispute settlement mechanism (Vietnam MOFA, 2016; The Philippines Department of Foreign Affairs, 2016; Yasay, 2016).

The Philippines further affirmed that it would not take advantage of the PCA’s final award, which is favorable to the Philippines, in negotiations with Chinese government over South China Sea conflicts. In the view of the Philippines’ leaderships, the award must be used with full cautious. Meanwhile, in all of its official statements regarding to the PCA’s final award, Vietnam did not mention how it would use the award in the circumstance of South China Sea dispute (Esmaquel II, 2016).

Authority’s actions

Despite the fact that the Philippines and Vietnam are the two ASEAN countries that frequently in the front when it comes to diplomatic confrontation against China, both states stayed low-key or even muted in the post-ruling period. Firstly, even though Vietnam stated that it would later make a comprehensive statement about the content of the PCA’s final award, this comprehensive official statement of the Vietnamese government was never released. It merely called on both the Philippines and China’s compliance to the award in the first statement and barely do this in the later period. The Philippines only call for the public to act restrainedly and soberly. The Filipino authority also clarified that the Philippines would not have any stronger statement on the PCA’s final award, which would be studied carefully and thoroughly. Secondly, both the Philippines and Vietnam have rarely mentioned the South China Sea award in any occasions in the aftermath of the arbitration. During the 2016 ASEAN Foreign Ministerial

Summit in Lao, the Philippines and Vietnam acted as they were expecting to include the arbitral ruling in the ASEAN Joint Communique. Nevertheless, there was no report on both states deliberately insistence on adding the ruling. The Philippines even showed its will to compromise on the inclusion of arbitral ruling in order to prevent the ASEAN from failing to issue the Joint Communique for the second time. According to Thayer, both states mentioned the UNCLOS arbitration as “*legal and diplomatic processes*” alluding to issues involved China without mentioning the northern neighbor by name. This was consistent with ASEAN traditional declaratory policy (Thayer, 2017a).

Even though both the Philippines and Vietnam stayed low-key or muted, their actions in the aftermath of the ruling were slightly different. The Philippines made clear that, it did not have the intention to further bring up the ruling in multilateral as well as bilateral fora and would not take the advantage of the ruling over China. Vietnam, on the contrary, did not have any detail comment on how it would use the ruling to strengthen its claim in the South China Sea or in negotiations with China. In general, Vietnam in comparison with the Philippines showed a more ambiguous intention in the post-ruling period.

Targeting audiences

In terms of targeting audiences, huge differences can be seen between the two states. After going through a number of statements made by the Philippines’ president: Duterte, I assumed that the Philippines specifically targeted China and the US when it responded to the final award of the PCA. There is a possibility that the Philippines chose to put the ruling aside because it did not want to make China more humiliated in the international arena. As the Filipino authority in the post-ruling period expressed the desire to foster bilateral relation, emphasizing the economic ties with China, thus it was a wise choice for the country to save face for China. Reducing dependence on the US, its old ally, is another problem that stressed by the Duterte administration. The responses of the Philippines to the ruling made by the international judicial body may have targeted the US as a strong and official signal that revealed the Duterte administration’s will to open alliances with China.

Different to the Philippines, Vietnamese government showed little about its targeting audience when responding to the award. I assumed that Vietnam, at the time, did not specifically target any states. My assumption can be explained as following. As a large claimant in the South

China Sea, the front state in diplomatic confront against China in this sea area and as the state that supported the Philippines more than any countries in issuing the arbitration against China, Vietnam had no choice but to publicize its reactions to the award issued by the PCA. In this circumstance, Vietnam chose not to show its overwhelming support to the award as a ‘play it safe’ strategy to eschew any potential risks.

3.2. The consistency of states’ South China Sea policy throughout the arbitration

3.2.1. States’ policy pre-PCA’s final ruling

Authority’s perspective

In the pre-ruling period, Vietnam publicly showed its full support to the Philippines’s decision on bringing the dispute case with China to the PCA. Vietnam recognized that all the issues that the Philippines had requested the Tribunal to adjudge were within the jurisdiction of the Tribunal in accordance with international law. The Philippines’ submissions of the case to an international juridical body reflected the fundamental strategy in its South China Sea policy in this period, which was to internationalize the issue. This adopted strategy of the Philippines was in line with strategy having existed and continuously used for long time in Vietnamese South China Sea policy. Overall, both states agreed that the South China Sea dispute should be internationalized and settled by a multilateral mechanism instead of bilateral one.

Authority’s actions

In the pre-ruling period, regarding the South China Sea arbitration, Vietnam and the Philippines performed variety of actions, none of which was similar to others but all showed bold positions of both states. The Philippines intensified its effort to internationalize the South China Sea dispute, particularly those disputes with China. As the matter of fact, the Philippines had successfully spread its own perspective of the conflict to the international community through international media. The Philippines’ success was that the international community received well the perspective (on the conflicts with China) that the Philippines wanted to transmit to them. Vietnam during this period unceasingly reaffirmed its position on the South China Sea arbitration. The most outstanding action was its submission of its official stance to the Tribunal, attached with some annexed documents. The Vietnamese government also used this chance to reclaim its sovereignty over the two archipelagos in the South China Sea and expressed its absolute determination to protest and reject any claims made by China in the South

China Sea based on the nine-dash line. Both Vietnam and the Philippines in this period openly and sharply criticized Chinese claims as well as its actions in the South China Sea. Besides, the Philippines individually attempted to not only internationalize its conflict with China in the South China Sea but also strengthen security relations with the US and Japan by, for instant, signing joint agreement on fostering defense cooperation.

Targeting audiences

The Philippines and Vietnam shared two targeting audiences in this period. My assumption is that both the Philippines and Vietnam targeted China as well as the international community. As for the Philippines, its strong reactions was to signal the Chinese side that it was exhausted and discontented with China. This is because despite all of its effort, both sides could not bring a durable solution to resolve the conflict between the two countries in the South China Sea, and that it was ready to directly confront China with the assistance of other powers, the US- the Philippines' long-standing traditional ally, and Japan- Chinese main rival in the region. The Philippines also targeted the international community because it wanted to obtain as much as support from international partners as it can to counter against China.

As for Vietnam, it targeted China because in the earlier 2014, tensions between Vietnam and China were intensified because of the HD-981 incident. The action of Vietnam in late 2014 (submission a declaration on its official stance on the arbitration to the PCA) indicated its more proactive attitude in struggling against China in the South China Sea. Vietnam might have wanted to signal China about its strong determination to protect its national interests in the South China Sea, and that China would not gain any concessions from the Vietnamese government on the South China Sea dispute. Vietnam also targeted the international community, because it was similar to the Philippines, has long been putting efforts in internationalizing the South China Sea dispute. By strongly supporting the Philippines, Vietnam might have hoped to help make the issue more widely known and thus obtain more supports from international partners in dealing with China.

3.2.2. The consistency of states' policy

In terms of the consistency of states' South China Sea policy, a major difference can be seen. If the South China Sea policy of Vietnam in the two periods is in general consistent, the South China Sea policy of the Philippines in the later period is clearly contradicted to that in the

earlier period. Both Vietnam and the Philippines, in the post-ruling period, stayed low-key when responding to the PCA's final award. However, even though the Vietnamese government acted differently, its reactions remained in line with its perspective, which unchanged throughout the arbitration. Vietnam insisted that the dispute must be settled by the peaceful means, in accordance with international law with good faith. Other than that, Vietnamese government frequently takes the viewpoint that the South China Sea dispute should be internationalized and resolved multilaterally.

The Philippines also acted differently in the later period in comparison to its actions in the pre-ruling period. Nevertheless, it is dissimilar to Vietnam in the point that, the actions of Filipino government were flatly contradict to its own perspective before the PCA issued the final award in July 2016. This was because there was a substantial shift in the Philippines' perspective on South China Sea policy. If in the pre-ruling period, the Philippines pushed hard for the internationalization of the South China Sea dispute and would not negotiate bilaterally with China to solve conflicts between the two states in this sea area; it was willing to hold bilateral talks with China even the final award of the Tribunal was favorable to the Philippines in the post-ruling period. The Filipino authority also opened a possibility for making alliance with China while distancing itself from the old ally- the US.

Nevertheless, the Philippines was more consistent when it came to the targeting audiences in comparison with Vietnam. In both periods, the most important targeting state of the Philippines was China. Other targeting audiences of the Philippines including the US and the international community. The changes in targeting audiences would have been because the objectives in foreign policy in two periods were different. For example, in the pre-ruling period, the Philippines needed more supports from as many partners in the international community as it could to deter China, thus it is understandable that the Philippines particularly selected the international community as a subject of attention. In the post-ruling period, the Philippines wanted to decrease its dependence on the US. The responses towards the award of the Philippines was a strong signal to the US that it really meant to spit apart from the US. This makes the choice to target a different actor in the later period comprehensible. As for Vietnam, it targeted distinct subjects in the two periods. If in the pre-ruling period, Vietnam targeted China and the international community, it did not seemed to target any specific subject in the post-

ruling period. This is also might have been because of foreign policy' objectives in the two periods were dissimilar. In the earlier period, Vietnam aimed at helping the Philippines, as well as itself, gain more supports from the international community and at the same time wanted to prove that it would and it could act more proactively and assertively against China to secure its national interests in the South China Sea. In the later period, Vietnam simply wanted to make a response and minimize any potential risks that can be posed to the country.

3.3. The explanation of states' responses

3.3.1. Foreign Policy Tendency

Both the Philippines and Vietnam's responses to the PCA's final award on South China Sea dispute between the Philippines and China, to a certain degree, can be explained by each state's foreign policy tendency, with special focus on the South China Sea policy.

The inconsistency of the Philippines' South China Sea policy, such as that in the case of the arbitration, was not something unique or extraordinary, but a familiar phenomenon in the foreign policy of this state. Throughout the past, starting from the mid-1990s, the South China Sea policy of the Philippines changes whenever there is a new leadership in the country. For instant, in the period from late 1990s to early 2000s, the Philippines preferred to solve the dispute with China by multilateral mechanism. The Philippines, knew better than any other states that, its military and economic capabilities could not match that of China. This resulted in the seeking for supports and assistances from other countries or the effort to internationalize the South China Sea dispute by the Philippines. However, since 2001, the new Filipino President, Arroyo, adopted a foreign policy towards China that was totally contradict to that in the previous period. President Arroyo would rather negotiate bilaterally with China. In the President's point of view, this would open up more opportunities for the Philippines to strengthen economic relations with China, which could considerably benefit the Philippines. There was another shift in the country's South China Sea policy when Arroyo stepped down and Aquino became the next Filipino President in 2010. The Philippines, under Aquino's presidency, implemented a policy that was similar to those adopted in the late 1990s: no bilateral talk with China, dispute settlement through multilateral mechanism and internationalization of the dispute. Nevertheless, the Philippines' government in this period become tougher against China. It also fostered

bilateral relations with its old ally- the US as well as the regional power- Japan aiming at countering against China in the South China Sea.

Vietnam is dissimilar to the Philippines in the point that its South China Sea policy has always been consistent throughout the time, which is particularly in line with its overall foreign policy framework. Vietnamese government emphasizes the internationalization of the South China Sea dispute and simultaneously wants to maintain its regular dialogues with China, even in the events of high tensions. No matter what strategy it may use, all the decisions and policy must be considered and pursued on the basis of Vietnamese national interests in the South China Sea. The Vietnamese government would cooperate with any partners that have mutual interests with Vietnam and struggle against any actors that threaten the national interests of Vietnam despite socio-political system. In sum, to what degree Vietnam would react to any issues involved China depends on the degree its national interests are threatened.

Overall, the Philippines and Vietnam might have responded to the PCA's award differently compared to the earlier period. However, the way both states responded to the award followed the trend in foreign policy that each state had continued for years. As for the Philippines, its South China Policy tends to change when there is a change in the country's leadership (new President). The Philippines reacted to the award restrainedly or mutely and signaled its intention to compromise with China mostly because there were a new leadership in the country when the PCA issued its final award over South China Sea. As for Vietnam, its South China Sea policy is generally consistent. The extent they would push hard in resistance to China depends on to what degree their national interests in the South China Sea are threatened. Vietnam also reacted to the PCA's final award in restrainedly or even mutely might have been because Vietnam needed more time to assess the impact of the award on its claim in the South China Sea and to avoid any potential risks posed to the country (Vu & Nguyen, 2017:11).

External Security Environment

From the assessment of how the external security environment affected the attitude of the Philippines and Vietnam in the past, I came to the conclusion that this factor also has impact on both countries when making responses to the PCA's final award. Nonetheless, it is important to note that the external security environment alone could not have an absolute effect on the

behavior of states. There are also variety of other factors that influenced the policy making process of each government.

The phrase “external security environment” is used to imply the standpoint of the US as well as the degree this great power would engage in the South China Sea dispute. In point of fact, if the US engages intensively and actively in the region, particularly in the South China Sea issues, both the Philippines and Vietnam will also act more forcefully by adopting harder edge against China. On the contrary, if the US shows little attention to maritime dispute and sovereignty issues in this sea area, the behaviors of both state will also change.

For instant, from the late 1990s to 2008, the US showed little attention to the South China Sea issue. During this period, the US publicly indicated its neutral position and mostly emphasized the freedom of navigation when mentioning the South China Sea. From the early 2000s, the US launched the “War on Terror” and showed its strong focus on the Middle East which made the South China Sea and the Asia Pacific region remained low-key in the US’ foreign policy for a long period. Facing with the US’ lacking of concern over the South China Sea, both the Philippines and Vietnam maintained moderate attitude and unforceful actions in dealing with China. Both states attempted to internationalize the issue to obtain supports from other international actors, however, their attempts were not definitive.

There were a huge shift in the later period, from 2009, when the US’ President Obama decided to pivot towards Asia, which was equivalent to a deeper and more active engagement with South China Sea affairs. In this context, the Philippines and Vietnam adopted a more proactive and definitive policy towards China. Nonetheless, there was a sharp distinction between the foreign policy of the Philippines and Vietnam. The Philippines and the US signed a Mutual Defense Treaty since 1951, which allows the presence of the US’ military within the Philippines’ territory. Meanwhile, Vietnam maintains one of its pillars in foreign policy, which is independence and self-reliance. This means despite all the cooperation and exchanges in the military fields, Vietnam would not make alliances and allow the US to have military bases within Vietnamese territory. This difference illustrated that the Philippines depends on the external security environment, in this case: the US, more than Vietnam.

Through the responses of the Philippines and Vietnam, it can easily be seen that the trend in external security environment continued. When the PCA issued its final award over South

China Sea, the US was in the middle of power transition. Whether the South China Sea would remain a priority in the US' foreign policy was in doubt. Even though, there would be no fundamental changes in the content of its South China Sea policy, the extent of its engagement with maritime dispute and sovereignty issues in this sea are might become different. Moreover, the US did not respond to the award decisively. It called for the compliance of both the Philippines and China but its request was not forceful enough. Based on the foreign policy tendency concerning the external security environment discussed above, I assume that the US fraction was among a number of elements that have influenced the policy making process of the Philippines and Vietnam, which is also the explanation for the inconsistency in actions of both states in the two periods. Furthermore, the Vietnamese government was also affected by the Philippines government, which made a 180 degree turn on its South China Sea policy.

3.3.2. Leaderships' ideology and personal preferences

If the tendency of foreign policy can explain both the Philippines and Vietnam's responses to the PCA's final award, it seems that only the Philippines' reactions can be well explained by the leader's ideology and personal preferences. This is because in the Philippines, the leader (the President) individually has enormous power to decide the country's foreign policy. In Vietnam, it is not the leader (the President or the Party's General Secretary) individually, but the VCP collectively is the most influential and decisive actor that decides on how the country's foreign policy should be pursued.

Accordingly, Filipino leader (to be exactly the President) has the tendency to criticize his/her predecessor's South China Sea policy and make a shift in the policy when he/she comes into the office. The Philippines got a new President (President Duterte) shortly before the issuance of PCA's final award. President Duterte, who has long known as an anti-America stalwart critic, seemed to have prioritized economic concerns over security ones. In many of his statements, he expressed the intention to foster and strengthen bilateral relations with China and obtain economic assistances and investments in return, even if the Philippines had to compromise in negotiations with China over dispute between the two states in the South China Sea. President Duterte also did not want to maintain the cozy relationship with the US. The President had himself given the reasons for the changes in its policy in several statements of his. Firstly, in accordance with President Duterte's belief, the US had lost the confidence of the

Philippines. He doubt the commitment of the US in case being sanctioned by China despite its mutual defense treaty. Secondly, if the Philippines was obstinate and kept mentioning the result of the arbitration repeatedly, China could be provoked and become more aggressive in the South China Sea, which would bring no benefit to anyone. Overall, the leader's ideology and personal preferences was the major factor that led to the inconsistency in the Philippines' policy pre and post-ruling period.

Different from the Philippines, the changing of leaderships in Vietnam did not seem to have great impact on its foreign policy in general and on its South China Sea policy in particular. If the Philippines showed a clear sign that indicated its leader's priority (economic concerns over security concerns), Vietnam consistently states that both economic development and the defense of national security are the most significant objectives of its foreign policy. Therefore, it could hardly tell whether the Vietnamese leaders would prioritize the economic concerns over security concern or vice versa. Nowadays, the social pressure is the one factor that the Vietnamese leaders or the VCP must consider when deciding on the adoption or implementation of policy towards China particularly, to secure the legitimacy of one party political system. This is mostly because of the fact that Vietnamese people tend to have high level of nationalism and traditionally anti-China sentiment, which was the result of long period of struggling against the northern neighbor for its independence. In sum, the change in Vietnamese leaderships may have effect on the extent of how Vietnam would criticize China, which may also explain the shift in its attitude toward the arbitration. It is the fact that Vietnamese foreign policy is decided based on the collective ideology of the VCP with cautions to eschew social pressure that make its policy be consistent in general during the two periods: pre and post-ruling.

The economic aspect

For both the Philippines and Vietnam, China has been among the states' leading trading partners. As in 2016, China has become the largest trading partner of the Philippines with the total value bilateral trade of 21.9 billion USD. The total bilateral trade value between Vietnam and China in the same year was 71.9 billion USD. To be more specific, imported goods from China accounted for the largest percentage of the total import value of the Philippines, as well as Vietnam. The total import value of the Philippine and Vietnam from China in 2016 were around 15.5 billion USD and 50 million USD respectively. China was the largest export market

for the Philippines with the total export value to China worth 6.4 billion USD. However, the US, instead of China, was the largest trading partner of Vietnam when the PCA issued its final award. Despite this, the total amount of goods that Vietnam export to China remained massive, which worth 21.9 million USD in 2016. Overall, if the total trade value with China accounted for roughly 7.2% of the Philippines' GDP, it accounted for approximately 35% of Vietnam's GDP. An increasing trend can be seen in two states' bilateral trade with China (General Department of Vietnam Customs: 2017: 68; General Statistic Office, 2017: 254; Philippines statistics authority, 2017; Philippines statistics authority, 2016: 30-46)

Besides, China has grown to be a major FDI and ODA donators. Vietnam, in comparison with the Philippines, received a greater amount of both FDI and ODA loans in 2016. FDI provided by China to Vietnam worth about 2.1 billion USD, and to the Philippines worth about 16.9 million USD (accounted roughly 7.9% and 0.2% of the country total received FDI respectively). The amount of Chinese ODA loans to Vietnam was approximately 250 million USD (3.7% of its total received ODA loans) and to the Philippines was around 1.5 million USD (0.01% of its total received ODA loans). Even though China was not the largest FDI and ODA providers or donators for both the Philippines and Vietnam, it remains as an important source for these investments and assistances (Philippines' National Economic and Development Authority, 2017: 23; ASEAN statistical databases, 2018; General Statistic Office, 2017:111 & 149; Vu, 2018)

Overall, it can be indicated from these figures that even though China has been the powerful trading partner of both the Philippines and Vietnam, the economy of the latter depends more heavily on China. In other words, Vietnam is more economic vulnerable in the event sanctioned by China. Because of the heavy economic dependency on China, the government of both states must have to put the economic aspect under consideration when responding to an award that is unfavorable for the Chinese stance in the South China Sea, and is completely rejected by the Chinese government.

The Security Aspect

The Philippines and Vietnam's military capabilities cannot match with that of China. According to the Military Balance (2016:240, 284 & 297), the size of China's armed force was about 2.3 million soldiers in 2016, which was around 18 times bigger than that of the Philippines

and nearly 5 times bigger than the armed force of Vietnam. Besides, China has been attempting to increase its military capabilities. It is known to possess the largest Air Force in Asia and the third largest in the world, with a number of sophisticated and high-end weapon systems. Both the Philippines and Vietnam put efforts to modernize its military capabilities. However, as for the case of the Philippines, the country did not achieve its ambition to obtain a stronger maritime and air capabilities due to the limited defense budget. In the case of Vietnam, it has successfully acquired new weapon systems but still have to manage how to operate these weapon systems effectively.

Compared to the Philippines, Vietnam has a longer military tradition and more operational experience because the country has gone through a long wartime in the past. It is also the long period of wartime that makes Vietnam understand how Vietnamese peoples would have to suffer from pains and losses in the event of arm conflict with China. It takes Vietnam time and effort to achieve the current stage of development. Moreover, Vietnam is not military ally to any countries, therefore in theory, Vietnam would have to defend against China by itself if arm conflict occurred. Altogether, it makes Vietnam leaders want to avoid arm conflict with China at all costs. The Philippines, different from Vietnam, is a military ally to the US. This alliance has been maintained since 1951 when both state signed a mutual defense treaty. Nonetheless, the Philippines, under the presidency of President Duterte, barely trusts the US and wanted to distance itself from this power.

Overall, whether it was for the Philippines or Vietnam, avoiding arm conflict with China would definitely be a wise choice. Therefore, the Philippines and Vietnam might have put the security aspect under careful consideration, no matter to what extent it might have been, when giving responses to the PCA's final award, which has been constantly dismissed as inappropriate by China.

In sum, the data on trade realities with China as well as the military capabilities compared to that of China has partly helped understand the strategies that President Duterte as well as the VCP adopted when responding to the PCA's final award. According to the provided data, both the Philippines and Vietnam can be heavily damaged (economically and militarily) if China is provoked and decides to use force in the South China Sea as well as imposes economic coercions on two states. The Philippines was in the circumstance in which the US' reliability

decreased (as stated by the President Duterte). All the provided figures, beside the personal ideology of President Duterte and the tendency of the Philippines' foreign policy, have explained why the Philippines would compromise on certain issues in the South China Sea to maintain the stable economic condition and to eschew any potential losses due to military cashes in the South China Sea. These numbers also give explanation why Vietnam did not want to face with Chinese intense hostility, which can threaten the stability of bilateral relations with China.

4. Main findings

4.1. Summary of the main findings

As it can be seen from the above analysis, there are a number of fundamental similarities and differences between the responses of the Philippines and Vietnam towards the PCA's final award over South China Sea dispute between the Philippines and China. In order to generalize my assessment on the topic of this Master's Thesis, as well as to provide a brief but comprehensive overview, I would summarize my main findings in the following table.

TABLE 2: MAIN FINDINGS –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)

Criteria		The Philippines	Vietnam
Immediate responses	Authority’s Perspective	<ul style="list-style-type: none"> ▪ “Welcomes” and fully “respects” the award. ▪ Acknowledged the finality and abidingness of the award. ▪ Would take the “soft-landing” approach towards China: would not “flaunt” or “taunt” China. ▪ Must consider with cautions how to use the award. 	<ul style="list-style-type: none"> ▪ “Welcomes” the award ▪ The PCA had full jurisdiction over the arbitral case between the Philippines and China. ▪ The Philippines’ submissions to the PCA were in accordance with international law, particularly the UNCLOS. ▪ Acknowledged the finality and abidingness of the award. ▪ Supported the peaceful settlement of disputes in the South China Sea.
	Authority’s Actions	<ul style="list-style-type: none"> ▪ Called for “restraint” and “sobriety”. ▪ Clarified that it would not make any “stronger statements” on the award. ▪ The government would study the award and its implication carefully and thoroughly. 	<ul style="list-style-type: none"> ▪ Called on the Philippines and China to abide the final award moderately. ▪ Would later “make a statement on the content of this award”(This statement was never released) ▪ Has barely mentioned the award.

			<ul style="list-style-type: none"> Has barely mentioned the award in the aftermath. <i>“Will set aside the arbitral ruling”</i> (President Duterte) 	
	Targeting audiences		<ul style="list-style-type: none"> China: A signal to indicate its will to hold bilateral talks with China and determination to enhance and deepen bilateral relations with China for economic assistances and investment projects in return. The US: A signal to confirm its intention to distant itself from the US. 	<ul style="list-style-type: none"> The country did not target any specific country. ‘Play it safe’ strategy to avoid any potential risks that can affect Vietnamese claims and position in the South China Sea.
The consistency of states’ South China Sea policy throughout the arbitration	States’ policy pre-PCA’s final ruling	Authority’s Perspective	<ul style="list-style-type: none"> South China Sea dispute should be settled by multilateral mechanism. Aimed at internationalizing the South China Sea dispute. The PCA had full jurisdiction to hear and adjudge its case. 	<ul style="list-style-type: none"> <i>“Very supportive”</i> of the Philippines’ arbitration against China => fully supported the internationalization of the South China Sea dispute, acknowledged the jurisdiction of the PCA.
		Actions	<ul style="list-style-type: none"> Was not willing to hold bilateral talks with China. Internationalized the issues to spread its <i>“narrative of the conflict”</i>. Deepened security relations with the US and Japan. 	<ul style="list-style-type: none"> Submitted the PCA a statement about its standpoint on the South China Sea arbitration with annexed documents. Emphasized that it had no doubt about the

				<p>jurisdiction of the PCA, the Philippines' submission to the Tribunal were justified and in accordance with international law.</p> <ul style="list-style-type: none"> ▪ <i>“Resolutely protests and rejects any claim by China based on the nine-dash line”.</i> ▪ Responded to Chinese Position Paper on the jurisdiction of the arbitration by fully rejecting Chinese claims over the two archipelagos in South China Sea. ▪ Requested the PCA to <i>“pay due attention to the legal rights and interests of Viet Nam”.</i>
		Targeting audiences	<ul style="list-style-type: none"> ▪ China: confirmed about its determination and readiness to confront China in defense its sovereignty in the South China Sea. ▪ International community: to win sympathy and get as much as support from the international community as it can. 	<ul style="list-style-type: none"> ▪ China: affirmed that Vietnam could act more proactively and determinedly to protect its national interests in the South China Sea. ▪ International community: to draw the international community's attention (internationalize the South China Sea

				dispute) and attract more supports from foreign partners.
	The consistency of states' policy		<ul style="list-style-type: none"> ▪ South China Sea policy in the aftermath of the ruling is fundamentally contradict to the previous period. 	<ul style="list-style-type: none"> ▪ South China Sea policy in the aftermath of the ruling is generally consistent with that in the previous period (Vietnamese reactions to issue directly involved China became low-key and even muted, however, it was not contradict to the general perspectives in the two periods).
The explanation of states' responses	Foreign Policy Tendency		<ul style="list-style-type: none"> ▪ The South China Sea policy has been inconsistent and uncertain. The policy changes whenever there is a new leadership in the country 	<ul style="list-style-type: none"> ▪ Follows the firm and consistent South China Sea framework, based on the five fundamental pillars of its foreign policy. ▪ Acts on the basis of its national interests in the South China Sea (flexible).
		External Security environment	<ul style="list-style-type: none"> ▪ Substantially influenced by the external security environment ▪ The extent of actions (forceful or unforceful) towards China depends on 	<ul style="list-style-type: none"> ▪ Substantially influenced by the external security environment. ▪ Will maintain moderate attitude towards China if the US' engagement with South China Sea affairs is

			the convergence of interests between itself and the US.	<p>superficial, and will become more proactive if the US intensively engages in the South China Sea issues.</p> <ul style="list-style-type: none"> ▪ The Philippines adopted a totally contradict South China Sea policy in the post-ruling period -> affected the responses of Vietnam.
	Leaderships' ideology and personal preferences		<ul style="list-style-type: none"> ▪ The leader's personal ideology and preferences have great impact on the country foreign policy. ▪ New leaders tend to criticize and make changes to the foreign policy to draw a distinction between him/her and the predecessors. ▪ President Duterte seemed to have prioritized economic concerns over security ones => would compromise on certain issues in the South China Sea to obtain economic benefits in return. 	<ul style="list-style-type: none"> ▪ Foreign policy is affected by the leaders' collective ideology and preferences. In Vietnam, it is the VCP that is the most influential. ▪ Leaders must act cautiously (particularly to the issues involved China) to avoid social pressure and secure the legitimacy of one-party political system. (This is because Vietnamese peoples tend to have high level of nationalism and anti-China sentiment due to memories from the old days struggling against China to fight for its independence).

		The economic aspect	<ul style="list-style-type: none"> ▪ China is the largest trading partner of the Philippines with the total bilateral trade value worth about 21.9 billion USD (2016), accounted for roundly 7.2% of its GDP. ▪ A good source for FDI and ODA loans. ▪ Could be heavily damaged if being sanctioned by China. 	<ul style="list-style-type: none"> ▪ China is a significant trading partner of Vietnam with the total bilateral trade value worth about 71.9 billion USD (2016), accounted for roundly 35% of its GDP. ▪ A good source for FDI and ODA loans. ▪ The economic would be extremely vulnerable if being sanctioned by China.
		The security aspect	<ul style="list-style-type: none"> ▪ Military capabilities is incomparable with that of China. ▪ Failed to acquire stronger maritime as well as air capabilities due to the limited defense budget. ▪ Heavily depends on external power (the US) for national defense. However, the Philippines doubted about the commitment of the US to back up the Philippines in the event e.g. being attack by China. 	<ul style="list-style-type: none"> ▪ Military capabilities falls behind that of China. ▪ Ranks first among Southeast Asian countries in term of military tradition and operational experiences. ▪ Has successfully and impressively acquired new weapon systems. ▪ Avoids arm conflict with China at all costs for the benefit of Vietnamese peoples (would not suffer from pains and losses; protect the current stage of development, etc...)

4.2. Relevance of the main findings

According to the Neo-realism theory, international system in which states operate, is uncertain and lacks of trust. The main findings about the responses of the Philippines and Vietnam have provided another good example that confirms the uncertainty of IR.

At the same time, the main findings have indicated the diversity and uncertainty of the South China Sea dispute. This diversity and uncertainty are partly characterized by the variety of states' South China Sea policy, which may change due to a plenty of factors. For instant, the tendency of foreign policy (how states tend to act), external security environment with special focus on the US (what kind of attitude states tend to have or what kind of policy states tend to implement depending on the level of engagement in the South China Sea of the US), the personal ideology and preferences of the leaders (whether the leaders prioritize economic concerns or security concerns).

Besides, the main findings have proved that the analytical framework established in this Master's Thesis is feasible for the analysis of states' responses to an IR event or phenomenon. However, as this analytical framework was established to analyze the responses of small states (the Philippines and Vietnam) to an IR event that is not favorable for a greater power (China), it might not be fully relevant and applicable for studies with the main research subjects are larger states with strong economic and security capabilities. This means a part of this framework can still be applied for larger countries such as the criteria "immediate response of states" and "the consistency of state's policy". The analytical framework introduced in this Master's Thesis can be used as the background for researches on the larger states' responses to an IR event or phenomenon. Nonetheless, more works will have to be done to improve and develop this analytical framework for a better and more comprehensive explanation of larger states' reactions.

Moreover, the main findings of this Master's Thesis may be a useful source for studies that aim at predicting future behaviors or reactions of the Philippines and Vietnam to any issues in the South China Sea. In this circumstance, the analytical framework introduced in this Master's Thesis may be developed for researches that focus on the prediction of future behaviors of states.

CHAPTER 6: CONCLUSION

This 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?"*.

In order to establish a set of criteria for the analysis of state's responses to the PCA's final award, I reviewed three sets of academic literature: on reactions of state's responses to ICJ's rulings, on reactions of South East Asian states to various IR events or phenomenon and on reactions of states to South China Sea arbitral award. The reason I chose ICJ instead of PCA is that even though there have been many interstate arbitrations provided by PCA, academic works on state's responses to awards issued by this international juridical body could rarely be found. Moreover, I considered the PCA's action of issuing the ruling on South China Sea was, in fact, an IR event. Therefore, I believed that the review of works on states' responses to various IR events or phenomenon was useful for my study. I narrowed down the scope of literature on this topic by focusing on the responses of South East Asian states. This was because the two main research subjects of this Master's Thesis were two South East Asian states: the Philippines and Vietnam. It is also important to restate that because the arbitral award issued in 2016 over South China Sea by the PCA is a contemporary matter, the academic sources on this are mostly articles published in different international or regional academic journals and working papers for relevant conferences. The number of books written about the South China Sea final award is limited. Besides, comparison works, especially comparisons between the responses of the Philippines and Vietnam are undersupplied.

After reviewing three sets of academic literature, I discovered that most scholars frequently use the Neo-realism school of thought as the theoretical background for their studies, which concern the issues in the South China Sea. Moreover, there has always been a belief that Neo-realism is superior to other IR theories when it comes to explaining state's behaviors. All these factors made me believe that my research on the responses of states towards an event regarding South China Sea dispute should also be conducted on the basis of Neo-realism. As a result, Neo-realism is used as the theoretical background of this Master's Thesis.

Another discovery that I made after going through the academic database is that there is currently no consensus analytical framework for the analysis of state's responses to IR events or phenomenon (in the circumstance of this Master's Thesis, the IR event is the issuance of the final award over South China Sea by the PCA). Scholars use a wide range of methods to explore the topic. In my point of view, adopting a single approach is inadequate for a comprehensive analysis. Thus, I combined various approaches that I found relevant from the state of art and form my own set of criteria. I then assessed the responses of each state separately and when these assessments were done, I started comparing all the criteria to derive the similarities and differences of the Philippines and Vietnam's responses to the PCA's final award. To analyze the responses of each state, I initially reported the immediate responses of state. The immediate responses of state include authority's perspective (point of view about the award, whether the state support or object the award, what policy would have been implemented in response to China, etc.), actions (what have been done in the aftermath of the award) and targeting audiences. I then tried to find out if the South China Sea policy of the state in the pre and post-ruling period was consistent or inconsistent. As to find the answer, I went through the policy of state in the pre-ruling period, which also included three criteria: authority's perspective, actions as well as targeting audiences, and then compared with the immediate responses of states to the PCA's award to indicate either the consistency or inconsistency of each state's South China Sea policy. Pre-ruling period started in the early 2013, when the Philippines decided to file the case to the Tribunal to before 12th July 2016, the issuance date of the final award. Finally yet importantly, I attempted to explain why states responded in such way. I used two criteria to explain the responses of both the Philippines and Vietnam, which were the tendency of each state's foreign policy and leader's ideology and personal preferences. Concerning the tendency of foreign policy, I tried to shed a light on how states tend to act towards China through time and how the external security environment (with special focus on the US) would affect their attitudes towards China. Concerning leader's ideology and personal preferences, I put effort to clarify whether the leaders of each state would prioritize economic concerns over security concerns or vice versa. I hoped to find out to what extent the leader individually would influence the foreign policy of the state. For a better understanding of the leaders' ideology and preferences, I also presented some economic and security facts about the examined states.

By applying this analytical framework, I was able to derive the similarities as well as differences in the way the Philippines and Vietnam responded to the PCA's final award, which are simultaneously the answers for the research question of this Master's Thesis. **Similarities in the responses of both states to the PCA's final award include:**

(1) Both the Philippines and Vietnam welcome the award and appreciate its distribution to the peaceful settlement of international disputes, which is in accordance with international law. The two countries also acknowledge the finality and 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) Both states actions in the pre and post-ruling period were generally inconsistent. In the pre-ruling period, the two countries were proactive and kept high profile in diplomatic confrontation against China. In the post-ruling period, both the Philippines and Vietnam remained their low profile position.

(4) In the pre-ruling period, the Philippines and the Vietnam both agreed that the South China Sea 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. Both states wanted to show China their determination and hard stance position against China in solving disputes in the South China Sea and internationalizing the South China Sea issues in order to obtain more sympathy and supports from the international community.

(5) The foreign policy tendency of each state, to a certain extent, can explain the responses of them to the PCA's final award as well as the consistency or inconsistency of their South China Sea policy in the pre and post-ruling period. The Philippines tends to pursue a new South China Sea policy whenever there is a new leadership in the country and the degree they would respond to Chinese actions in the South China Sea is substantially influenced by the external security environment, with US as the enormously influential actor. Vietnam tends to pursue a firm and consistent South China Sea framework, which put national interests at first and in accordance with the main pillars of its foreign policy. The external security, with the special focus on the US faction, also has a considerably impact on the foreign policy making process of Vietnam.

(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 South China Sea policy. China is an important trading partner for both states, whose economies heavily depend on China. Military capabilities of both the Philippines and Vietnam are incomparable with that of China in terms of the size of the armed forces and the sophistication of possessed weapon systems. Both states are vulnerable and would be heavily damaged in case being sanctioned by China either economically or militarily. Neither the Philippines nor Vietnam wanted to provoke China, which can lead to its intense hostility and destabilize the bilateral relations with this Northern neighbor.

Differences of both states' responses to the PCA's final award are detected as below:

(1) The Philippines clearly stated that they would further study the award and its implications. However, they would not use the arbitration's result, which was favorable to the Philippines, to take advantage over China. Meanwhile, Vietnam's responses were more ambiguous and general. The usage of the arbitral award of Vietnam remained unclear.

(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 when it responded to the PCA's final award.

(3) The South China Sea policy of the Philippines in the post-ruling period was fundamental contradict to the previous period. The Philippines, under President Duterte, was willing to hold bilateral talks with China for the enhancement of bilateral relations with China. The state was ready to compromise and obtain economic benefits in return. The Philippines also wanted to solve the dispute bilaterally and to distant itself from the US - its long-standing ally. The South China Sea policy of Vietnam in the two period was generally consistent. Even though 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 South China Sea policy and foreign policy. Vietnam maintains its support to the internationalization of the South China Sea dispute and its stance in which the dispute in South China Sea must be multilaterally settled down by peaceful means and in accordance with international law.

(4) In the Philippines, leader (the President) holds an enormous power that significantly affects the country's foreign policy in general and South China Sea policy in particular. Therefore, the leader's ideology and personal preferences is a significant element that affects the foreign policy making process. The new leadership has the tendency to criticize and make a 180 degree turn in the country's policy to make his/her presidency diverse from the previous leadership. In Vietnam, it is not the personal ideology and preferences of the leader (the President or the Party General Secretary), but the collective ideology and preferences of the VCP's leaders, that is the decisive factor affecting the Vietnamese foreign policy. Furthermore, the memories from the old days when Vietnamese people had to struggle against the Chinese for their independence make issues involved China sensitive and Vietnamese peoples in general hold a negative or anti-China negative sentiment. This is the reason why the Vietnamese leaders have to be more cautious when making policy towards China to avoid social pressure and maintain the legitimacy of one party political system. Overall, 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 preference may affect the extent Vietnam would confront against China, but may not change the overall framework of its foreign policy generally and South China Sea particularly as it does with the Philippines.

Despite the fact that the analytical framework established in this Master's Thesis is feasible for the analysis of the Philippines and Vietnam's responses to the PCA' final award, it seems to be more relevant to similar studies that also focus on the responses of small states to certain IR event or phenomenon. More works remain to be done to improve the current framework so that it can be fully applied to the analysis of larger states' reactions to any IR event or phenomenon. The main findings of this Master's Thesis may be a useful source for studies that aim at predicting future behaviors or reactions of the Philippines or Vietnam towards any matters concerning South China Sea dispute. An analytical framework for studies that emphasize the prediction of state's future behavior can also be developed on the basis of the one that introduced in this Master's Thesis.

BIBLIOGRAPHY

- ABS-CBN News. (2016). *Rodrigo Duterte: Pagbabago or bust*. Retrieved from: <https://news.abs-cbn.com/focus/06/29/16/rodrigo-duterte-pagbabago-or-bust> on 4 September 2018.
- Amer, R. (2014). China, Vietnam, and the South China Sea: Disputes and Dispute Management. *Ocean Development & International Law*, 45(1), pp.17-40. Retrieved from: <https://www.tandfonline.com/doi/abs/10.1080/00908320.2013.839160> on 3 November 2018.
- Andersen, B. & Perry, C.M. (2017). Weighing the Consequences of China's Control over the South China Sea. *The Institute for Foreign Policy Analysis*. Retrieved from: http://www.ifpa.org/pdf/PDF_South%20China%20Sea%20Book_BA_11.21.17.pdf on 29 October 2018.
- ASEAN statistical databases. (2018). *Flows of Inward Foreign Direct Investment (FDI) by Host Country and Source Country (in million US\$)*. Retrieved from: <https://data.aseanstats.org/fdi-by-hosts-and-sources> on 26 October 2018.
- ASEAN. (2017). *Chairman's statement of the 20th ASEAN-China Summit (13 November 2017, Manila, Philippines): "Partnering for Change, Engaging the World"*. Retrieved from <http://asean.org/storage/2017/11/FINAL-Chairmans-Statement-of-the-20th-ASEAN-China-Summit-13-Nov-2017-Manila1.pdf> on 23 September 2018.
- AsiaSentinel. (2012). *The China-Philippine Banana War*. Retrieved from: <https://www.asiasentinel.com/society/the-china-philippine-banana-war/> on 28 October 2018.
- Askandar, K. & Sukim, C. (2016). Making Peace over a Disputed Territory in Southeast Asia: Lessons from the Batu Puteh / Pedra Branca Case. *The Journal of Territorial and Maritime Studies*, 3(1), pp. 65-85. Seoul, Korea: Northeast Asian History Foundation.
- Bateman, S. (2017). U.S. Responses to the Arbitration Tribunal's Ruling—A Regional Perspective. *Journal of Chinese Political Science*, 22(2), pp.269-282. Retrieved from: <https://rdcu.be/3laY> on 30 June 2018.
- Bautista, L. (2016). The Philippines and the Arbitral Tribunal's Award: A Sombre Victory and Uncertain Times Ahead. *Contemporary Southeast Asia: A journal of International and Strategic Affairs*, 38(3), pp. 349- 355. Retrieved from: <http://muse.jhu.edu/article/647371> on 28 June 2018.
- Baviera, A.S.P. (2014). Domestic Interests and Foreign Policy in China and the Philippines: Implications for the South China Sea Disputes. *Philippine Studies: Historical and Ethnographic Viewpoints*, 62(1), pp.133-143. Retrieved from: <http://muse.jhu.edu/article/541513> on 29 September 2018.
- Baviera, A.S.P. (2016). The Philippines and the South China Sea dispute: Security interest and perspectives. In Storey I. & Lin C.Y. (Ed.), *The South China Sea Dispute: Navigating*

- Diplomatic and Strategic Tensions* (pp.161-185). Singapore, Singapore: ISEAS - Yusof Ishak Institute.
- BBC. (2011). Vietnam in live-fire drill amid South China Sea row. *BBC*. Retrieved from: <https://www.bbc.com/news/world-asia-pacific-13745587> on 5 November 2018.
- BBC. (2016). Vietnam Communist Party boss Nguyen Phu Trong re-elected. *BBC*. Retrieved from: <https://www.bbc.com/news/world-asia-35418284> on 5 November 2018.
- Booth, K. (1995). Dare not to know: International Relations Theory versus the Future. In Booth K. & Smith S (Ed.), *International relations theory today* (pp. 328-350). Cambridge, UK: Polity Press.
- Borgen, C.J. (2010). From Kosovo to Catalonia: Separatism and Integration in Europe. *Goettingen Journal of International Law*, 2(3), pp. 997-1033. Retrieved from: https://scholarship.law.stjohns.edu/faculty_publications/114/ on 28 September 2018.
- Branigan, T. (2011). Vietnam holds live-fire exercises as territorial dispute with China escalates. *The Guardian*. Retrieved from: <https://www.theguardian.com/world/2011/jun/14/china-vietnam-dispute-military-exercise> on 5 November 2018.
- Bui, T.N. (2017). Managing anti-China nationalism in Vietnam: evidence from the media during the 2014 oil rig crisis. *The Pacific Review*, 30(2), pp.169-187. Retrieved from: <https://www.tandfonline.com/doi/full/10.1080/09512748.2016.1201132> on 5 November 2018.
- Butcher, J.G. (2013). The International Court of Justice and the Territorial Dispute between Indonesia and Malaysia in the Sulawesi Sea. *Contemporary Southeast Asia: A journal of International and Strategic Affairs*, 35(2), pp. 235-257. Retrieved from: <https://muse.jhu.edu/article/518181> on 28 September 2018.
- Castro R.C.D. (2016a). Facing Up to China's Realpolitik Approach in the South China Sea Dispute: The Case of the 2012 Scarborough Shoal Stand-off and Its Aftermath. *Journal of Asian Security and International Affairs*, 3(2), pp. 157–182. Retrieved from: <https://doi.org/10.1177%2F2347797016645452> on 28 August 2018.
- Castro, R.C.D. (2016b). The Duterte Administration's Foreign Policy: Unravelling the Aquino Administration's Balancing Agenda on an Emergent China. *Journal of Current Southeast Asian Affairs*, 35(3), pp.139–159. Retrieved from: <http://d-nb.info/1124904409/34> on 27 June 2018.
- Castro, R.C.D. (2017). From Balancing to Appeasement: President Duterte's Untangling of the Aquino Administration's Geo-Political Agenda in the South China Sea. *Maintaining Maritime Order* (pp. 37-59). Tokyo, Japan: The National Institute for Defense Studies.
- Chen S. (2018). Regional Responses to China's Maritime Silk Road Initiative in Southeast Asia. *Journal of Contemporary China*, 27(111), pp.344-361. Retrieved from: <https://doi.org/10.1080/10670564.2018.1410960> on 28 August 2018.

- China MOFA. (2016, July 13). *Foreign Ministry Spokesperson Lu Kang's Remarks on Statement by Spokesperson of US State Department on South China Sea Arbitration Ruling*. Retrieved from: http://www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/2535_665405/t1380409.shtml on 22 August 2018.
- CNBC. (2016). Philippines says dropping South China Sea ruling from ASEAN statement no win for China. *CNBC*. Retrieved from: <https://www.cnbc.com/2016/07/26/philippines-says-dropping-south-china-sea-ruling-from-asean-statement-no-win-for-china.html> on 3 September 2018.
- Dang, D.Q. (2012). Lời giới thiệu [Introduction]. *Tranh chấp Biển Đông: Luật pháp, Địa chính trị và Hợp tác Quốc tế [The East Sea dispute: Law, Geopolitics and International Cooperation]* (pp. 9-16). Hanoi, Vietnam: Thế giới [The World] Publishers.
- Esmaguél II, P. (2013). DFA: Vietnam backs PH case vs China. *Rappler*. Retrieved from: <https://www.rappler.com/nation/35390-vietnam-philippine-case-china> on 7 September 2018.
- Esmaguél II, P. (2016a). Duterte: PH won't 'flaunt' sea dispute ruling vs China. *Rappler*. Retrieved from: <https://www.rappler.com/nation/138195-duterte-flaunt-ruling-case-china-yasay-cabinet> on 3 September 2018.
- Esmaguél II, P. (2016b). Yasay flip-flops on seeking ASEAN support for Hague ruling. *Rappler*. Retrieved from: <https://www.rappler.com/nation/141109-philippines-yasay-asean-support-hague-ruling-china> on 3 September 2018.
- Falk, R. (2011). The Kosovo Advisory Opinion: Conflict Resolution and Precedent. *The American Journal of International Law*, 105(1), pp. 50-60. Retrieved from: <https://doi.org/10.5305/amerjintelaw.105.1.0050> on 28 September 2018.
- Francisco, K. (2016). FAST FACTS: Philippines-China presidential visits. *Rappler*. Retrieved from: <https://www.rappler.com/newsbreak/iq/149509-philippines-china-presidential-visits> on 3 October 2018.
- Garrison, J & Wall, M. (2016). The Rise of Hedging and Regionalism: An Explanation and Evaluation of President Obama's China Policy. *Asian Affairs: An American Review*, 43(2), pp. 47-63. Retrieved from: <https://doi.org/10.1080/00927678.2016.1166892> on 12 October 2018.
- General Department of Vietnam Customs. (2017). *Niên giám Thống kê Hải quan về hàng hóa xuất khẩu, nhập khẩu Việt Nam 2016 – Bản tóm tắt [Customs Yearbook on International Merchandise Trade of Vietnam 2016- the summary]*. Hanoi, Vietnam: Nhà Xuất Bản Tài Chính [Financial Publishing House]
- General Statistics Office. (2017). *Niên Giám Thống Kê (Tóm Tắt) [Statistical Handbook of Vietnam (Summary)]*. Hanoi, Vietnam: Nhà Xuất Bản Thống Kê [Statistical Publishing House].

- Giplin R.G. (1981). *War and Change in World Politics*. Cambridge, UK: Cambridge University Press.
- Giplin R.G. (1996). No one loves a political realist. *Security Studies*, 5(3), pp. 3-26. Retrieved from: <https://doi.org/10.1080/09636419608429275> on 10 July 2018.
- Goh E. (2007). Southeast Asian perspectives on the China challenge. *Journal of Strategic Studies*, 30(4-5), pp.809-832. Retrieved from: <https://doi.org/10.1080/01402390701431915> on 15 July 2018.
- Grieger G. (2016). *China and South China Sea issue*. EU: European Parliamentary Research Service. Retrieved from: [http://www.europarl.europa.eu/RegData/etudes/BRIE/2016/586671/EPRS_BRI\(2016\)586671_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2016/586671/EPRS_BRI(2016)586671_EN.pdf) on 28 August 2018.
- Grossman, D. (2018). Can Vietnam's Military Stand Up to China in the South China Sea?. *Asia Policy*, 13(1), pp.113-134. Retrieved from: <https://muse.jhu.edu/account/authenticate> on 9 November 2018.
- Gupta, S. (2017). Trump Administration's South China Sea Policy. *ICAS Issue Primer: Topic on US-China Relations*. Institute for China-America Studies. Retrieved from: <http://chinaus-icas.org/wp-content/uploads/2017/06/ABSOLUTE-FINAL-SCS-Trump-Primer.pdf> on 13 October 2018.
- Guzman, D.C.J. Philippines-China Relations, 2001-2008: Dovetailing National Interests. *Asian Studies: Journal of Critical Perspectives on Asia*, 50(1), pp. 71-97. Retrieved from: <http://asj.upd.edu.ph/mediabox/archive/ASJ-50-1-2014/04-Philippines-China-Relations-Dovetailing-National-Interests-de-Guzman.pdf> on 3 October 2018.
- Hayton, B. (2017). Denounce but Comply: China's Response to the South China Sea Arbitration Ruling. *Georgetown Journal of International Affairs*, 18(2), pp.104-111. Retrieved from: <https://muse.jhu.edu/article/675157> on 25 June 2018.
- Heydarian, R.J. (2017). Tragedy of Small Power Politics: Duterte and the Shifting Sands of Philippine Foreign Policy. *Asian security*, 13(3), pp.220-236. Retrieved from: <https://doi.org/10.1111/aspp.12392> on 5 September 2018.
- Heydarian, R.J. (2018). Mare Liberum: Aquino, Duterte, and The Philippines' Evolving Lawfare Strategy in the South China Sea. *Asian Politics & Policy*, 10(2), pp. 283-299. Retrieved from: <https://doi.org/10.1111/aspp.12392> on 4 September 2018.
- Heywood, A. (2011). *Global politics*. New York, NY: Palgrave Macmillan.
- Hong, N. (2016). The South China Sea Arbitral Tribunal Award: Political and Legal Implications for China. *Contemporary Southeast Asia: A journal of International and Strategic Affairs*, 38(3), pp. 356- 361. Retrieved from: <http://muse.jhu.edu/article/647372> on 28 June 2018.

- Hong, N. (2018). The South China Sea Arbitration: A Test for the Efficacy of Compulsory Mechanism of UNCLOS and Implications for Dispute Management in the Region. *Asian Politics & Policy*, 10(2), pp.219-246. Retrieved from: <https://doi.org/10.1111/aspp.12395> on 4 July 2018.
- Hsiao, A.H.A. (2016). Taiwan and the Arbitral Tribunal's Ruling: Responses and Future Challenges. *Contemporary Southeast Asia: A journal of International and Strategic Affairs*, 38(3), pp.362-368. Retrieved from: <https://muse.jhu.edu/article/647373> on 29 June 2018.
- Kao, S.M & Pearre, N.S. (2018). Regional Cooperation in the Post-South China Sea Arbitration Era: Potential Mechanism and Cooperative Areas. *Coastal Management*, 46(2), pp.103-122. Retrieved from: <https://doi.org/10.1080/08920753.2018.1426377> on 27 June 2018.
- Kaye, S. (2018). The Law of the Sea Convention and Sea Level Rise after the South China Sea Arbitration. *International Law Studies*, 93, pp. 423-445. Retrieved from: <http://digital-commons.usnwc.edu/ils/vol93/iss1/14/> on 26 June 2018.
- Keck, Z. (2014). Vietnam Threatens Legal Action Against China. *The Diplomat*. Retrieved from: <https://thediplomat.com/2014/06/vietnam-threatens-legal-action-against-china/> on 1 November 2018.
- Ku J. & Mirasola C. (2016). Tracking China's Compliance with the South China Sea Arbitral Award. *Lawfare Blog*. Retrieved from: <https://www.lawfareblog.com/tracking-chinas-compliance-south-china-sea-arbitral-award> on 23 August 2018.
- Kuik C.C. (2008). The Essence of Hedging: Malaysia and Singapore's Response to a Rising China. *Contemporary South East Asia*, 30(2), pp.159-185. Retrieved from: <https://muse.jhu.edu/article/256501> on 15 July 2018.
- Laksmana E.A. (2016). The Domestic Politics of Indonesia's Approach to the Tribunal Ruling and the South China Sea. *Contemporary Southeast Asia: A journal of International and Strategic Affairs*, 38(3), pp. 382- 388. Retrieved from: <http://muse.jhu.edu/article/647376> on 28 June 2018.
- Le, Đ.M. (2016). Quan hệ thương mại Việt Nam-Trung Quốc: Trục trặc, vấn đề và giải pháp [Vietnam-China trade relations: Facts, problems and solutions]. *Journal of Science*, 4(3), pp.19-29. Ho Chi Minh, Vietnam: Đại học Văn Hiến [Van Hien University].
- Le, H.H. (2016). Hague ruling presents Vietnam with opportunities and dilemmas. *Today*. Retrieved from: <https://www.todayonline.com/commentary/hague-ruling-presents-vietnam-opportunities-and-dilemmas> on 3 December 2018.
- Linklater, A. (1995). Neo-realism in Theory and Practice. In Booth K. & Smith S (Ed.), *International relations theory today* (pp. 241-262). Cambridge, UK: Polity Press.

- Lum, T. & Fishcher, H & Granger J.G. & Leland, A. (2009). China's Foreign Aid Activities in Africa, Latin America, and Southeast Asia. *Congressional Research Service*. Retrieved from: <https://fas.org/sgp/crs/row/R40361.pdf> on 26 October 2018.
- Manyin, M.E. (2008). U.S.-Vietnam Relations: Background and Issues for Congress. *Congressional Research Service Report for Congress*. Retrieved from: <https://vnexpress.net/interactive/2017/suc-manh-6-tau-ngam-kilo-viet-nam> on 3 November 2018.
- Mearsheimer, J.J. (2014). *Structural Realism – International Relations (1/7)*. Podcast from: <https://www.youtube.com/watch?v=RXlIDh6rD18&t=365s> on 15 July 2018.
- Mearsheimer, J. J. (2007). Structural Neorealism. In Dunne T, Kurki M, and Smith S (Ed.), *International Relations Theories: Discipline and Diversity* (pp. 71-88). Oxford, UK: Oxford University Press.
- Milner, H. (1991). The Assumption of Anarchy in International Relations Theory: A Critique. *Review of International Studies*, 17(1), pp.67-85. Retrieved from: <http://www.jstor.org/stable/20097244> on 10 July 2018.
- Nguyen V.H. (2015). *Vietnam foreign policy: the rationale of its instruments towards China in solving South China Sea disputes since HD-981 incident in 2014*. Retrieved from: <http://hdl.handle.net/2105/32940> on 29 August 2018.
- Nguyen, H.T. (2011). Biển Đông- Ba giai đoạn, bốn thách thức, hai cách tiếp cận khu vực và một niềm tin [East Sea- Three periods, four challenges, two regional approaches and one belief]. *Biển Đông- Hướng tới một khu vực hòa bình, an ninh và hợp tác [East Sea – Towards a peaceful, secured and cooperative region]* (pp. 153-177). Hanoi, Vietnam: Thế giới [The World] Publishers.
- Nguyen, H.T. (2012). Vietnam's Position on the Sovereignty over the Paracels & the Spratlys: Its Maritime Claims. *Journal of East Asia International Law, V JEAIL* (1), pp. 165-221. Retrieved from: <http://dx.doi.org/10.2139/ssrn.2123861> on 23 September 2018.
- Nguyen, M.H. (2017). The Permanent Court of Arbitration's Award on the South China Sea Dispute between the Philippines and China Views from America. In Borton J. (Ed.), *Islands and Rocks in the South China Sea- Post-Hague Ruling* (pp.116-128). Bloomington, IN: Xlibris US.
- Nguyen, T.D. (2015). Building strategic trust for peace, cooperation and prosperity in the Asia-Pacific region. *Modern Diplomacy*. Retrieved from: <https://moderndiplomacy.eu/2015/01/04/building-strategic-trust-for-peace-cooperation-and-prosperity-in-the-asia-pacific-region/> on 9 November 2018.
- Nguyen, T.L.A. (2016). The South China Sea Award: Legal Implications for Vietnam. *Contemporary Southeast Asia: A journal of International and Strategic Affairs*, 38(3), pp.369-374. Retrieved from: <http://muse.jhu.edu/article/647374> on 29 June 2018.

- OECD. (n.d.). *Where does the Philippines import from?* (2016). Retrieved from: https://atlas.media.mit.edu/en/visualize/tree_map/sitc/import/phl/show/all/2016/ on 24 October 2018.
- Oral, N. (2016). The South China Sea Arbitral Award: Casting Light on Article 121 of UNCLOS. *The Law & Practice of International Courts and Tribunals*, 16(2), pp.354-364. Retrieved from: <https://doi.org/10.1163/15718034-12341353> on 30 June 2018.
- Parameswaran, P. (2016). Malaysia's Approach to the South China Sea Dispute after the Arbitral Tribunal's Ruling. *Contemporary Southeast Asia: A journal of International and Strategic Affairs*, 38(3), pp. 375-381. Retrieved from: <https://muse.jhu.edu/article/647375> on 27 June 2018.
- PCA. (2013, March 27). *Arbitration between the Republic of the Philippines and the People's Republic of China: Arbitral Tribunal Establishes Rules of Procedure and Initial Timetable* [Press release]. Retrieved from: <https://www.pcacases.com/web/sendAttach/227> on 20 August 2018.
- PCA. (2014, June 3). *Arbitration between the Republic of the Philippines and the People's Republic of China* [Press release]. Retrieved from: <https://www.pcacases.com/web/sendAttach/227> on 20 August 2018.
- PCA. (2015a, April 22). *Arbitration between the Republic of the Philippines and the People's Republic of China*. [Press release]. Retrieved from: <https://www.pcacases.com/web/sendAttach/1298> on 20 August 2018.
- PCA. (2015b). *Award on Jurisdiction and admissibility*. Retrieved from: <https://www.pcacases.com/web/sendAttach/1506> on 20 August 2018.
- PCA. (2016a). *The South China Sea arbitration (The Republic of the Philippines v. The People's Republic of China)* [Press release]. Retrieved from: <https://www.pcacases.com/web/sendAttach/1801> on 22 August 2018.
- PCA. (2016b). *Award*. Retrieved from: <https://www.pcacases.com/web/sendAttach/2086> on 22 August 2018.
- Pedrozo, R.P. (2014). *China versus Vietnam: An Analysis of the Competing Claims in the South China Sea*. Retrieved from: <https://southeastasiansea.files.wordpress.com/2014/08/china-versus-vietnam-an-analysis-of-the-competing-claims-in-the-south-china-sea.pdf> on 23 September 2018.
- Philippines Statistic Authority. (2016). *Foreign Trade Statistics of the Philippines 2015*. Retrieved from: https://psa.gov.ph/sites/default/files/Volume%20II%20-%20EXPORTS_FTS%202015%20e-Book_as%20of%2005-02-17.pdf on 24 October 2018.

- Philippines Statistic Authority. (2017). *Foreign Trade Statistics of the Philippines: 2016*. Retrieved from: <https://psa.gov.ph/content/foreign-trade-statistics-philippines-2016> on 25 October 2018.
- Philippines' National Economic and Development Authority. (2017). *ODA Portfolio Review Report*. Retrieved from: <http://www.neda.gov.ph/wp-content/uploads/2017/11/ODA-2016-As-of-August-22-2017.pdf> on 25 October 2018.
- Poh, A. (2017). The Myth of Chinese Sanctions over South China Sea Disputes. *The Washington Quarterly*, 40(1), pp. 143-165. Retrieved from: <https://doi.org/10.1080/0163660X.2017.1302744> on 28 October 2018.
- Quintos, M.F.A. (2018). The Philippines: Hedging in a Post-Arbitration South China Sea?. *Asian Politics & Policy*, 10(2), pp.261-282. Retrieved from: <https://doi.org/10.1111/aspp.12394> on 4 July, 2018.
- Rappler. (2016a). ASEAN ignores ruling on South China Sea. *Rappler*. Retrieved from: <https://www.rappler.com/world/regions/asia-pacific/140843-asean-joint-statement-south-china-sea> on 3 September 2018.
- Ravindran, M.S. (2012). China's Potential for Economic Coercion in the South China Sea Disputes: A Comparative Study of the Philippines and Vietnam. *Journal of Current Southeast Asian Affairs*, 31(3), pp.105-132. Retrieved from: <http://journals.giga-hamburg.de/index.php/jsaa/article/viewFile/1081/737> on 24 October 2018.
- Reuters. (2016b). *Philippines' Duterte wants to 'open alliances' with Russia, China*. Retrieved from: <https://www.reuters.com/article/us-philippines-politics-duterte-idUSKCN11W17T> on 6 September 2018.
- Schoenbaum, T.J. (2016). The South China Sea Arbitration Decision and a Plan for Peaceful Resolution of the Disputes. *Journal of Maritime Law and Commerce*, 47(4), pp. 451-477. Retrieved from: <https://search-proquest-com.uaccess.univie.ac.at/docview/1852723858?accountid=14682> on 30 June 2018.
- Schofield, C. (2016). A Landmark Decision in the South China Sea: The Scope and Implications of the Arbitral Tribunal's Award. *Contemporary Southeast Asia: A journal of International and Strategic Affairs*, 38(3), pp.339-348. Retrieved from: <http://muse.jhu.edu/article/647370> on 28 June 2018.
- Shekhar V. (2012). ASEAN's Response to the Rise of China: Deploying a Hedging Strategy. *China Report*, 48(3), pp. 253-268. Retrieved from: <https://doi.org/10.1177%2F0009445512462314> on 28 August 2018.
- Shoji T. (2016). Vietnam's Omnidirectional Military Diplomacy: Focusing on the South China Sea. *NIDS Journal of Defense and Security*, 17, pp. 41-61. Retrieved from: http://www.nids.mod.go.jp/english/publication/kiyo/pdf/2016/bulletin_e2016_4.pdf on 29 August 2018.

- Shoji, T. & Tomikawa, H. (2017). Chapter 5- Southeast Asia: Duterte Takes Office, South China Sea in Flux. *East Asian Strategic Review 2017* (pp. 131-155). Tokyo, Japan: The Japan Times, Ltd.
- Sidel, J.T. (2015). The Philippines in 2014: Aquino Fights Back. *Asian Survey*, 55(1), pp. 220-227. Retrieved from: <https://doi.org/10.1525/as.2015.55.1.220> on 10 September 2018.
- Sliwa, Z. & Gornikiewicz, M. (2017). The Selected ASEAN Nations' Military Capabilities Facing The South China Sea Disputes. *Defence Review: The Central Journal of the Hungarian Defence Force*, 145, pp.205-225. Retrieved from: <https://www.baltdefcol.org/files/files/publications/ASEANfacingChina.pdf> on 29 October 2018.
- Southgate, L. & Khoo N. (2016). Enter the Vanguard State: Reinterpreting ASEAN's Response to the South China Sea Issue. *Journal of Asian Security and International Affairs*, 3(2), pp. 221–244. Retrieved from: <https://doi.org/10.1177%2F2347797016645454> on 27 August 2018.
- Storey, I. (2016a). Rising tensions in the South China Sea: Southeast Asian Responses. In Storey I. & Lin C.Y. (Ed.), *The South China Sea Dispute: Navigating Diplomatic and Strategic Tensions* (pp.134-160). Singapore, Singapore: ISEAS - Yusof Ishak Institute.
- Storey, I. (2016b). Assessing Responses to the Arbitral Tribunal's Ruling on the South China Sea. *ISEAS Perspective*, 43. Singapore, Singapore: Yusof Ishak Institute. Retrieved from: https://www.iseas.edu.sg/images/pdf/ISEAS_Perspective_2016_43.pdf on 30 October 2018.
- Thayer, C.A. (2011). Chinese Assertiveness in the South China Sea and Southeast Asian Responses. *Journal of Current Southeast Asian Affairs*, 30(2), pp.77-104. Retrieved from: <https://journals.sub.uni-hamburg.de/giga/jsaa/article/view/446/444> on 28 August 2018.
- Thayer, C.A. (2016). Vietnam's Strategy of 'Cooperating and Struggling' with China over Maritime Disputes in the South China Sea. *Journal of Asian Security and International Affairs*, 3(2), pp.200–220. . Retrieved from: <https://doi.org/10.1177/2347797016645453> on 31 October 2018.
- Thayer, C.A. (2017a). Dead in the Water: The South China Sea Arbitral Award, One Year Later. *The Diplomat*. Retrieved from: <https://thediplomat.com/2017/06/dead-in-the-water-the-south-china-sea-arbitral-award-one-year-later/> on 6 September 2018.
- Thayer, C.A. (2017b). The Trump Administration's Policy on the South China Sea: Rhetoric and Reality. Retrieved from: http://www.viet-studies.net/kinhte/Thayer_TrumpSouthSeaPolicy.pdf on 13 October 2018.
- Thayer, C.A. (2017c). Vietnam's Foreign Policy in an Era of Rising Sino-US Competition and Increasing Domestic Political Influence. *Asian Security*, 13(3), pp.183-199. Retrieved from: <https://www.tandfonline.com/doi/full/10.1080/14799855.2017.1354570> on 31 October 2018.

- The Guardian. (2014). *Tensions rise in South China Sea as Vietnamese boats come under attack*. Retrieved from: <https://www.theguardian.com/world/2014/may/07/chinese-vietnamese-vessels-clash-south-china-sea> on 1 November 2018.
- The Hague Justice Portal. (n.d.). *Permanent Court of Arbitration*. Retrieved from: <http://www.haguejusticeportal.net/index.php?id=311> on 28 September 2018.
- The Military Balance. (2016). Chapter six: Asia. *The Military Balance*, 116(1), pp. 211-306. Retrieved from: <https://doi.org/10.1080/04597222.2016.1127567> on 29 October 2018.
- The Philippines Department of Foreign Affairs. (2013a, January 22). *SFA Statement on the UNCLOS Arbitral Proceedings against China* [Press release]. Retrieved from: <https://www.dfa.gov.ph/127-newsroom/unclos/216-sfa-statement-on-the-unclos-arbitral-proceedings-against-china> on 20 August 2018.
- The Philippines Department of Foreign Affairs. (2013b). *Notification and Statement of Claim on West Philippine Sea*. Retrieved from: <https://www.dfa.gov.ph/images/UNCLOS/Notification%20and%20Statement%20of%20Claim%20on%20West%20Philippine%20Sea.pdf> on 20 August 2018.
- The Philippines Department of Foreign Affairs. (2016, July 2012). *Statement of the Secretary of Foreign Affairs*. Retrieved from: <https://www.dfa.gov.ph/documents-on-the-west-philippine-sea> on 3 September 2018.
- The Philippines Department of Foreign Affairs. (2017). *PH Independent Foreign Policy Thrust Explained in Secretary Cayetano NY Media Event*. Retrieved from: <https://www.dfa.gov.ph/dfa-news/news-from-our-foreign-service-postupdate/14065-ph-independent-foreign-policy-thrust-explained-in-secretary-cayetano-ny-media-event> on 19 October 2018.
- The Straits Times. (2016). Philippines' Duterte to China: Let's talk on South China Sea claims. *The Straits Times*. Retrieved from: <https://www.straitstimes.com/asia/se-asia/philippines-duterte-to-china-lets-talk-on-south-china-sea-claims> on 4 September 2018.
- Tran T.B. & Sato Y. (2018). Vietnam's Post-Cold War Hedging Strategy: A Changing Mix of Realist and Liberal Ingredients. *Asian Politics & Policy*, 10(1), pp. 73–99. Retrieved from: <https://doi.org/10.1111/aspp.12368> on 29 August 2018.
- Tran, T.T. (2012). Tranh chấp Biển Đông: Tác động của những diễn biến gần đây và triển vọng cho tương lai [The East Sea dispute: Impacts of recent developments and outlook for the future] *Tranh chấp Biển Đông: Luật pháp, Địa chính trị và Hợp tác Quốc tế [The East Sea dispute: Law, Geopolitics and International Cooperation]* (pp. 135-150). Hanoi, Vietnam: Thế giới [The World] Publishers.
- Tran, T.T. (2016). Vietnam's Relations with China and the US and the Role of ASEAN. *Security Outlook of the Asia Pacific Countries and Its Implications for the Defense Sector*, pp.87-96. Tokyo, Japan: The National Institute for Defense Studies.

- Tun K.M. (2011). *Towards a Peaceful Settlement of the Preah Vihear Temple Dispute*. Singapore, Singapore: Institute for Security and Development Policy.
- UN General Assembly. (1982). *United Nations Convention on the Law of the Sea*. Retrieved from http://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf on 14 September 2018.
- Vietnam embassy in Germany. (2014). Prime Minister Nguyen Tan Dung answers to Associated Press on 21 May. Retrieved from: <http://www.vietnambotschaft.org/prime-minister-nguyen-tan-dung-answers-to-associated-press-on-21-may/> on 1 November 2018.
- Vietnam Ministry of National Defence. (2009). *Vietnam National Defence*. Retrieved from: <http://aseanregionalforum.asean.org/files/library/ARF%20Defense%20White%20Papers/Vietnam-2009.pdf> on 3 November 2018.
- Vietnam MOFA. (2014a). *Statement of the Ministry of Foreign Affairs of The Socialist Republic of Vietnam transmitted to the Arbitral Tribunal in the proceedings between The Republic of the Philippines and The People's Republic of China*. Retrieved from: <https://iuscogen.files.wordpress.com/2018/03/statement-of-mofa-of-vietnam-to-the-tribunal.pdf> on 7 September 2018.
- Vietnam MOFA. (2014b). *Remarks by MOFA Spokesperson Le Hai Binh on the South China Sea Arbitration case*. Retrieved from: http://www.mofa.gov.vn/en/tt_baochi/pbnfn/ns141212143709 on 7 September 2018.
- Vietnam MOFA. (2014c). *Press Conference on Chinese maritime surveillance vessel's cutting exploration cable of PetroViet Nam Seismic Vessel*. Retrieved from: http://www.mofa.gov.vn/en/tt_baochi/pbnfn/ns110530220030/view on 1 November 2018.
- Vietnam MOFA. (2014d). *Foreign Ministry Spokesperson Nguyen Phuong Nga answers question from the media at the Press Conference on June 9th 2011 concerning the Viking II incident*. Retrieved from: http://www.mofa.gov.vn/en/tt_baochi/pbnfn/ns110610100618/view on 1 November 2018.
- Vietnam MOFA. (2016). *Remarks of the Spokesperson of the Ministry of Foreign Affairs of Viet Nam on Viet Nam's reaction to the issuance of the Award by the Tribunal constituted under Annex VII to the United Nations Convention on the Law of the Sea in the arbitration between the Philippines and China*. Retrieved from: http://www.mofa.gov.vn/en/tt_baochi/pbnfn/ns160712211059 on 6 September 2018.
- Vietnam MOFA. (2016b). *Remarks by MOFA Spokesperson Le Hai Binh on Viet Nam's reaction to the final award of the arbitration case initiated by the Philippines against China by the Permanent Court of Arbitration (PCA)*. Retrieved from: http://www.mofa.gov.vn/en/tt_baochi/pbnfn/ns160704144510 on 9 September 2018.
- Vnexpress. (2014). Người dân ba miền tuần hành phản đối Trung Quốc [Peoples from three regions protest against China]. *Vnexpress*. Retrieved from: <https://vnexpress.net/tin->

- tuc/thoi-su/nguoi-dan-ba-mien-tuan-hanh-phan-doi-trung-quoc-2989072.html on 5 November 2018.
- Vnexpress. (2017). Đội tàu ngầm Kilo [The Kilo submarines]. *Vnexpress*. Retrieved from: <https://vnexpress.net/interactive/2017/suc-manh-6-tau-ngam-kilo-viet-nam> on 4 November 2018.
- Vu, Q.V. (2018). Việt Nam mượn của Trung Quốc bao nhiêu? [How much does Vietnam borrow from China?]. *Thời báo kinh tế Sài Gòn [The Saigon Times]*. Retrieved from: <https://www.thesaigontimes.vn/td/277786/viet-nam-muon-cua-trung-quoc-bao-nhieu-.html> on 6 November 2018.
- Vu, T.M. & Nguyen, T.T. (2017). Vietnam's Foreign Policy after the South China Sea Ruling. *Thinking ASEAN*, 20, pp.8-13. Retrieved from: http://admin.thcasean.org/assets/uploads/file/2017/02/Thinking_ASEAN_February.compressed.pdf on 15 August 2018.
- Walt, S.M. (1987). *The Origins of Alliances*. Ithaca, NY: Cornell University Press.
- Waltz, K.N. (1986). Reflections on Theory of International Politics: A Response to My Critics. In R.O. Keohane (Ed.), *Neorealism and Its Critics* (pp.321-345). New York, NY: Columbia University Press.
- Waltz, K.N. (1990). Realist thought and Neorealist theory. *Journal of International Affairs*, 44(1), pp.21-37. Retrieved from: <https://www.jstor.org/stable/i24356877> on 10 July 2018.
- Waltz, K.N. (2010). *Theory of International Politics*. Long Grove, IL: Waveland Press. (Original work published 1979).
- Wang, J. (2017). Legitimacy, Jurisdiction and Merits in the South China Sea Arbitration: Chinese Perspectives and International Law. *Journal of Chinese Political Science*, 22(2), pp.185-210. Retrieved from: <https://doi.org/10.1007/s11366-017-9472-0> on 25 June 2018.
- Whomersley, C. (2017). The South China Sea: The Award of the Tribunal in the Case Brought by Philippines against China—A Critique. *Chinese Journal of International Law*, 15(2), pp. 239–264. Retrieved from: <https://doi.org/10.1093/chinesejil/jmw011> on 29 June 2018.
- World Bank. (n.d.a). *The Philippines' GDP (Current US\$)*. Retrieved from: https://data.worldbank.org/indicator/NY.GDP.MKTP.CD?end=2017&locations=PH&name_desc=false&start=2016 on 28 October 2018.
- World Bank. (n.d.b). *Vietnam's GDP (Current US\$)*. Retrieved from: <https://data.worldbank.org/indicator/NY.GDP.MKTP.CD?end=2016&locations=VN&start=2005> on 7 November 2018.
- World Finance. (2016). FDI surges in Vietnam. *World Finance*. Retrieved from: <https://www.worldfinance.com/wealth-management/fdi-surges-in-vietnam> on 6 November 2018.

- Wroughton L. & Perry M. (2016). Philippines says ASEAN omission of arbitration case not a Chinese victory. *Reuters*. Retrieved from: <https://www.reuters.com/article/us-southchinasea-ruling-philippines/philippines-says-asean-omission-of-arbitration-case-not-a-chinese-victory-idUSKCN107064> on 6 September 2018.
- Xinhua. (2016). *China refuses South China Sea arbitration award*. Retrieved from: http://www.xinhuanet.com/english/2016-07/12/c_135507844.htm on 22 August 2018.
- Yasay, P.R. (2016). Come, Let us Reason Together. *Remarks of the Hon. Perfecto R. Yasay, Jr. Secretary of Foreign Affairs at the Second Manila Conference on the South China Sea*. Retrieved from: <https://www.dfa.gov.ph/speeches-and-statements/10079-come-let-us-reason-together> on 3 September 2018.
- Yoshihara, T. (2014). The 1874 Paracels sea battle: A campaign Appraisal. *Naval War College Review*, 69(2), pp. 41-65. Retrieved from: <https://digital-commons.usnwc.edu/nwc-review/vol69/iss2/6> on 23 September 2018.
- Zha, D.J. & Valencia, M.J. (2001). Mischief Reef: Geopolitics and implications. *Journal of Contemporary Asia*, 31(1), pp.86-103. Retrieved from: <https://www.tandfonline.com/doi/abs/10.1080/00472330180000061> on 30 September 2018.
- Zha, W. (2015). Personalized Foreign Policy Decision-making and Economic Dependence: A comparative Study of Thailand and the Philippines' China Policies. *Contemporary Southeast Asia: A journal of International and Strategic Affairs*, 37(2), pp.242-268. Retrieved from: <https://muse.jhu.edu/article/591882> on 29 September 2018.
- Zhang, F. (2017). Assessing China's response to the South China Sea arbitration ruling. *Australian Journal of International Affairs*, 71(4), pp. 440-459. Retrieved from: <https://doi.org/10.1080/10357718.2017.1287876> on 15 August 2018.
- Zhang, X. (2005). China's 1979 War with Vietnam: A Reassessment. *The China Quarterly*, 184, pp.851-874. Cambridge, UK: Cambridge University Press.
- Zunes, S. (2004). Implications of the U.S. Reaction to the World Court Ruling against Israel's "Separation Barrier". *Middle East Policy*, IX(4), pp. 72-85. Hoboken, NJ: Wiley-Blackwell.

APPENDIX – Abstract

English abstract

On 12th July 2016, the PCA issued its final award on the South China Sea dispute between the Philippines and China, which caught attentions of both policy makers and scholars from the IR field. Because this was the first time that a claimant in the South China Sea has ever referred the case to an international juridical body as an effort to settle down the dispute in this sea area, the responses of both claimant and non-claimant stakeholders were awaited. Realizing the relevance of the issue, a comparative study of the responses to the PCA's final award of two major claimants in the South China Sea: the Philippines and Vietnam, is conducted in this Master's Thesis. The main aim of this study is to indicate the similarities and/or differences in the way these two states responded to the final decisions of the PCA. The analytical framework of this study was established on the basis of Neo-realism school of thought as well as on a diversity of approaches that have been developed by scholars and experts of the field. This Master's Thesis has found that even though both the Philippines and Vietnam kept its reactions low-key or muted in the aftermath of the award, the South China Sea policy of the Philippines has always been less consistent than that of Vietnam, which can be explained through each state's foreign policy tendency. Other than that, if the Philippines' foreign policy in general and South China Sea policy in particular is heavily influenced by the leadership's ideology and personal preferences individually, Vietnam's South China Sea policy is in general in line with the main pillars of its foreign policy and mostly affected by the ideology and preferences of the Vietnam Communist Party's leaders collectively.

German Abstract

Am 12. Juli 2016 erließ der Ständige Schiedshof (PCA) seinen endgültigen Schiedsspruch im Streit um das Südchinesische Meer zwischen den Philippinen und China. Dieser rief große Aufmerksamkeit, sowohl bei politischen Entscheidungsträgern als auch bei Wissenschaftlern hervor, die sich mit dem Thema Internationale Beziehung befassen. Das Verfahren erhielt großes Interesse, da dies das erste Mal war, dass ein Kläger im Südchinesischen Meer den Fall an ein internationales Rechtsorgan verwiesen hat, um den Streit in diesem Seegebiet beizulegen. Eine Reaktionen von den Klägern sowie von anderen Interessensgruppen auf den Schiedsspruch wurde daher sehnlichst erwartet. In Anbetracht der Relevanz des Themas wird in dieser

Masterarbeit eine Vergleichsstudie durchgeführt über die Reaktion der zwei Hauptantragsteller, die Philippinen und Vietnam, den endgültigen Schiedsspruch des Ständigen Schiedshofs betreffend. Das Hauptziel dieser Studie ist es, die Unterschiede sowie ggf. Ähnlichkeiten aufzuzeigen, wie diese beiden Staaten auf die endgültigen Entscheidungen des PCA reagierten. Der analytische Rahmen für diese Studie wurde auf der Fundament des neorealistischen Gedankengangs sowie auf der Grundlage einer Vielzahl von Ansätzen festgelegt, die von Wissenschaftlern und Experten auf diesem Gebiet entwickelt wurden. Die Untersuchung in dieser Masterarbeit hat ergeben, dass, obwohl die Philippinen und Vietnam zurückhaltend bzw. gedämpft auf die Entscheidung des PCA reagierten, die Politik der Philippinen im Südchinesischen Meer stets weniger konsequent als die von Vietnam war, was sich durch die außenpolitische Haltung beider Staaten erklären lässt. Darüber hinaus ist die Außenpolitik der Philippinen im Allgemeinen und speziell im Südchinesischen Meer besonders stark von der Ideologie und den persönlichen Präferenzen der Führung beeinflusst. Vietnams Außenpolitik das Südchinesische Meer betreffend, steht unterdessen im Allgemeinen im Einklang mit den Hauptpfeilern ihrer Außenpolitik und ist am stärksten von der Ideologie und den Präferenzen der Führung der Kommunistischen Partei Vietnams beeinflusst.