Do the Sino-Vietnamese Tonkin Gulf agreements show ways forward in the South China Sea?

Stein Tønnesson,
Peace Research Institute Oslo (PRIO)

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Let’s talk about conflict resolution also when prospects look bleak
Land borders can be established through war or negotiation/arbitration

Maritime boundaries can be established only through negotiation/arbitration
The Tonkin Gulf agreement of 2000 was China’s first maritime boundary agreement - and remains the only one.

It will not be the last!
Lessons, precedents and opportunities created by the Tonkin Gulf agreements

1. Need for committed leaders and dedicated negotiators
2. The law of the sea is the shared framework
3. First an equidistant line; then adjustment for equity
4. Small islands carry little weight vis-à-vis opposite coasts
5. Fishing interests may be accommodated after delimitation
6. Boundary delimitation facilitates ‘joint development’
7. Boundary prolongation may clarify key issues
Delimitation line and joint fishing zones in the Tonkin Gulf

Need for committed leaders and dedicated negotiators
The law of the sea is the shared framework:
No solution is possible outside of international law
First an equidistant line; then adjustment for equity (and perhaps – somewhat – for power)
Thanks to Huy Duong for letting me reproduce this map, which shows that parts of the maritime boundary are closer to the Vietnamese than the Chinese coast.
Small islands carry little weight vis-à-vis opposite coasts
Fishing interests may be accommodated after delimitation
Boundary delimitation is the best basis for ‘joint development’
A prolongation of the boundary from the mouth of the Tonkin Gulf may contribute to clarifying two essential issues:

- The meaning of the U-shaped line
- How to get around the Paracels dispute
Map published by the Republic of China in 1948 with sea-lanes and eleven dashes indicating a Chinese claim to all islands inside
Oil blocs announced by CNOOC in June 2012, serving to indicate that China claims sovereignty to the resources in the whole area within the U-shaped line.

Note that the dashes on PRC maps differ from those on the original ROC maps, a fact tending to prove that the dashes are not boundaries but indications of a claim to islands.
Agreed boundaries (blue), 200 nm EEZs measured from the surrounding coasts (red), Paracel and Spratly islands with 12 nm territorial seas (green). The ‘doughnut’ in the middle cannot be claimed as part of any EEZ unless one or more Paracel and Spratly islands are deemed capable of generating an EEZ. A continental shelf may extend beyond 200 nautical miles if naturally prolonged.
Circles showing the maximum possible extent of EEZs around the Paracel and Spratly islands.

Thanks to Huy Duong for allowing me to reproduce this map.
Final reminder: Lessons, precedents and opportunities created by the Tonkin Gulf agreements

1. Need for committed leaders and dedicated negotiators
2. The law of the sea is the common framework
3. First an equidistant line; then adjustment for equity
4. Small islands carry little weight vis-à-vis opposite coasts
5. Fishing interests may be accommodated after delimitation
6. Boundary delimitation facilitates ‘joint development’
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