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## **South China Sea: China's Floating Islands Next?**

*By Nguyen Hong Thao*

### **Synopsis**

*China has recently unveiled its intention to deploy floating islands in the South China Sea. If executed, this will be a new tool to assert its sovereignty claim in the disputed waters.*

### **Commentary**

IN RESPONSE to regional concerns over the large scale and pace of its conversion of coral reefs into military outposts in the South China Sea, China is contemplating an even more audacious move - floating islands in the Spratly Islands.

A recent report in the award-winning US magazine Popular Science says the floating islands have been designed and constructed by two Chinese companies -- Jidong Development Group (JDG) and Hainan Industrial Company, as announced by JDG at an April press conference. According to the magazine, the first floating island will be based as a deep sea support project in the South China Sea.

### **Civilian and military use**

The floating islands can support both civilian and military missions, will have a full displacement of 400,000 to 1.5 million tonnes, and can move at a speed of 16 km/h or 9 nautical miles per hour. These floating islands are capable of carrying many marine battalions and a squadron of fighter aircrafts. China, no doubt, will have a new tool to pursue its nine-dash line territorial claim over almost the entire South China Sea. Significantly, at the press conference, guests included a PLA officer, suggesting the Chinese military's interest in the dual use in JDG's technology.

The idea of floating islands has been historically rooted in World War II. In fact, there are many artificial constructions in the sea, which are used for civilian purposes and specialised scientific research such as Shell Australia's *Prelude*. But this is perhaps the first time that the new Chinese-designed mobile floating islands have amphibious functions and can also be used for large scale defence purposes.

The implications can be far-reaching in the context of the South China Sea which is grappling with competing maritime claims. What is the legal status of such floating islands? Are mobile man-made

islands considered artificial islands? If they are artificial structures, under Article 60 of the United Nations Convention on Law of the Sea (UNCLOS), they shall be given a safety zone of 500 metres around them. If they are ships/vessels, they enjoy under UNCLOS the right of innocent passage through the territorial seas of 12 nautical miles of coastal states.

If those ships belong to the armed forces, they may be entitled to immunity when operating wherever at sea under another international maritime convention for the prevention of pollution known as MARPOL. Indeed "floating islands" may fall within the meaning of "ship" - a vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, air-cushion vehicles, submersibles, floating crafts and fixed or floating platforms." International law has not yet had provisions appropriately adjusting for the development of new technologies.

### **Advantages of floating islands**

In its claim for sovereignty over parts of the South China Sea, China has thus far deployed aircraft carriers and mobile oil rigs as well as artificial islands built up from coral reefs. Beijing should perhaps clarify its intentions behind the construction of the mobile islands, which possess at least five advantages:

Firstly, they have *high mobility*. With a speed of 9 nm/h, these islands could be considered as ships which travel at less average speed, but more flexible than drilling platforms. In theory, unlike aircraft carriers and drilling platforms, they also do not require strong escorts which are rather costly. They are superior to artificial islands which are fixed in one place. The floating islands could also change their positions; and therefore, could deploy deterrent systems from many different directions, expanding the ability to control the sea and the sky. They are well-placed to support the establishment of an Air Defence Identification Zones (ADIZ) should one be built in the area.

Secondly, they have *high accessibility*. Aircraft carriers and drilling platforms are symbols of threats to security and natural resources while floating islands enjoying the rights of civilian vessels. These could easily approach the coast of the countries bordering the South China Sea (East Sea) and enter the 12-nautical mile territorial seas, thus directly threatening the security of the coastal states yet these countries could not easily prohibit and prevent. It is no different from the activity to extend the cow's tongue (China's nine-dash line claim) to the coastlines of Vietnam, the Philippines, Malaysia and Brunei.

Thirdly, they have an *excellent safety* profile. The design of floating islands is modular, which would also make them difficult to sink; in contrast the artificial islands cannot easily avoid being destroyed, for instance, by a ship-to-surface missile. The construction of a mobile island costs less than aircraft carriers and drilling platforms.

Fourthly, they have high adaptability. The floating islands could self-supply. They have the ability to transport and supply fuels, water, necessities and not depend on the sources of supply unlike artificial islands. This helps increase the operating time and space in the sea.

Fifthly, they have *high versatility*. They can serve both civilian and military purposes, and become construction equipment or vessels at sea. They clearly will be able to take advantage of whatever loopholes there are in the international law of the sea. Other countries will find it difficult to oppose or apply appropriate measures to prevent the operation of such islands or vessels.

### **Time for a special maritime law meeting**

The international law of the sea is effective only when there is a strong international consensus. Land reclamation and the construction of floating islands in the South China Sea are contrary to Article 5 of the Declaration on the Conduct of Parties (DOC) in the South China Sea signed between ASEAN and China in 2002. They cause serious concern for not only countries bordering the South China Sea but also threaten the peace, stability, freedom of navigation and overflight as well as the environment in the South China Sea.

It is high time for the leaders of the regional states to hold a joint meeting on the South China Sea issue, and a maritime law conference on the South China Sea. UNCLOS is an important document for

sea management but there are still many points to be elucidated. Scientific and technical developments have rendered many things changed and different from the provisions made 33 years ago.

The problem now is no longer one of sovereignty dispute only between countries. The international community is facing a common concern: the marine environment and the freedoms of navigation and aviation in the South China Sea are under threat.

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