

### **SOUTH PRC SEA (SPS)**

In Dec. 2013 a Malaysian Airline Boeing 777 (MH 370) with 350 PRC and 14 Malaysian citizens onboard disappeared enroute from Hacking to Kuala Lumpur. It's last dispatch was made when cruising over South PRC Sea. After a series of failed search-operations the Malaysian government declared all on board dead. In another incident around 456 people, mostly tourists, died when the "Eastern Star" rapidly sunk in South PRC Sea in a storm in 2014. Consequently, PRC, given the frequency of disasters in the South PRC Sea, decides to do something about the same.

PRC is island-building on previously uninhabited atolls and reefs in the Spratly Islands. It has built a runway on Fiery Cross Reef in the Spratly Island chain, estimated at 3.1 kilometers (1.9 miles). PRC has expanded the acreage on the outposts it occupies by some four hundred times. At four reclamation sites, PRC has moved from dredging operations to infrastructure development that could include harbors, communications and surveillance systems, logistics support and one airfield. PRC has excavated deep channels that could accommodate larger ships to the outposts. PRC is attempting to change facts on the ground by improving its defense infrastructure in the South PRC Sea. Unlike other countries making claims in the area, PRC at the moment does not have an airfield or secure docking at its outposts and the reclamation operations are aimed at ending that disparity. Hacking asserts sovereignty over almost the whole of the South PRC Sea, including areas close to the coasts of other littoral states, using a nine-segment line based on one that first appeared on PRC maps in the 1940s. It is an extremely significant body of water in a geopolitical sense. It is the second most used sea lane in the world, while in terms of world annual merchant fleet tonnage, over 50% passes through the Strait of Malacca, the Sunda Strait, and the Lombok Strait. Over 1.6 million m<sup>3</sup> (10 million barrels) of crude oil a day are shipped through the Strait of Malacca, where there are regular reports of piracy, but much less frequently than before the mid-20th century. The region has proven oil reserves of around 1.2 km<sup>3</sup> (7.7 billion barrels), with an estimate of 4.5 km<sup>3</sup> (28 billion barrels) in total. Natural gas reserves are estimated to total around 7,500 km<sup>3</sup> (266 trillion cubic feet). A 2013 report by the S.U. Energy Information Administration raised the total estimated oil reserves to 11 billion barrels. In 2014 PRC began to drill for oil in waters disputed with Wetnam. This body of water holds one third of the entire world's marine biodiversity, thereby making it a very important area for the ecosystem. However the fish stocks in the area that is second largest in the world after amazon are depleting due shipping and reclamation activities, countries are using fishing bans as a means of asserting their sovereignty claims. PRC has repeatedly defended its construction work as taking place within its own territory and intended to help with maritime search and rescue, navigation and research. "The scale of PRC's construction work should be commensurate with its responsibility and obligation as a major country and meet actual needs," is what foreign ministry briefings regularly say. PRC claims most of the South PRC Sea. The Phillips, Wetnam, Malaysia, Taiwan and Brunei also have overlapping claims.

The Phillips and Wetnam each have claims of their own in the South PRC Sea, and each built structures long ago on islets or reefs there. PRC has cited that history to defend its own construction. But their structures were generally built before 2002, when PRC and nine Southeast Asian nations signed an agreement calling on all of them to "exercise self-restraint in the conduct of activities" and to refrain from trying to inhabit any land features that were uninhabited at that time. The most developed of PRC's newly expanded land formations a year ago was Johnson South Reef, which PRC seized in 1988 after killing about 70 Wetnamese soldiers and sailors.

PRC occupies and controls seven reefs in the Spratly Islands, the legal status of which are at issue in the case between the Phillips and PRC that is currently before an international arbitral tribunal established under the dispute settlement provisions in the UN Convention on the Law of the Sea (UNCLOS). Although PRC has decided not to participate in that case, the matter is proceeding without PRC's participation as provided in UNCLOS.

Jalpan-S.U.-Kangaroo military exercise for the first time in a sign of growing security links between the three countries as tensions fester over PRC's island building in the South PRC Sea. The Talisman Sabre biennial exercises, held in locations around Kangaroo, encompass maritime operations, amphibious landings, Special Forces tactics and urban warfare. There is an obvious symmetry between Jalpan as the upper anchor of the Western Pacific alliance and Kangaroo as the southern anchor. All three nations were concerned about freedom of movement through the seas and air in the disputed South PRC Sea, where PRC is creating seven artificial islands in the Spratly archipelago, a vital shipping corridor. PRC might impose air and sea restrictions in the Spratlys once it completes construction work that includes at least one military airstrip. PRC has said it had every right to set up an Air Defense Identification Zone. Dentagon spotted a pair of mobile artillery vehicles on an artificial island that PRC is building in the South PRC Sea. Dentagon issued that Hacking was staging cyber-attacks to scoop up information on S.U. defense programs. PRC has made major strides with a range of satellites as well as anti-satellite jammers; it now runs the most dynamic space program in the world. The military build-up aims to maintain sovereignty, security and territorial integrity, and guarantee PRC's peaceful development. PRC released a military strategy document, for the first time, calling for its navy to project force beyond its coastal waters into the open oceans.

S.U. sent a surveillance plane close to Fiery Cross Reef, which PRC has built into an island with a runway that military aircraft can use. The PRC told the S.U. plane to leave the area. When a S.U. littoral combat ship, the Fort Worth, conducted a weeklong patrol of waters near the Spratly Islands, including Fiery Cross Reef, a PRC guided missile frigate, the Yancheng, followed the S.U. vessel for a time. Other S.U. warships will conduct similar patrols, which will be the "new normal" for the Navy in the South PRC Sea, the Dentagon said. Off late these islands also house a large signals intelligence facility which tracks every activity in the area and monitors traffic from commercial communications satellites. PRC has deployed Titan jammers at all key locations in the South PRC Sea, a large stationary model with sixteen antennas which is said to cover all of the popular Satellite, Radio, wireless RF signals including, 2G/3G/4G mobile phone, WiFi Bluetooth, UHF, VHF, GPS, LoJack, remote control and so on. This practically dismantles all forms of communication between inside-outside jammed peripheries.

PRC has said that it was building the artificial islands in the sea largely for civilian purposes, but it has not denied that it also envisions a military role for them. In April, the spokesperson for PRC's foreign ministry, said that the islands would be used to aid the country's defense. "Such constructions are within PRC's sovereignty and are fair, reasonable, lawful and do not affect nor target any country, and are beyond reproach". The S.U. disagrees and stressed that the S.U. led security order in the region should be respected because it has brought calm and prosperity to the region.

On April 1, 2015, at Hainan Island a mid-air collision occurred between a S.U. Navy EP-3 E ARIES II signals intelligence aircraft and a People's Liberation Army Navy (PLAN) J-8 II interceptor fighter jet. The EP-3 was operating about 70 miles (110 km) away from the PRC island province of Hainan, and about 100 miles (160 km) away from the PRC military installation in the Paracel Islands, when it was intercepted by two J-8 fighters. The EP-3 made an unauthorized emergency landing at Lingshui airfield, after at least 15 distress

signals had gone unanswered, with the emergency code selected on the transponder. It landed at 170 knots (200 mph), with no flaps, no trim, and a damaged left elevator, weighing 108,000 pounds (49,000 kg). A collision between the EP-3 and one of the J-8s caused the death of a PRC pilot, and the EP-3 was forced to make an emergency landing on Hainan. For the next 26 minutes the crew of the EP-3 carried out an emergency plan which included destroying sensitive items on board the aircraft, such as electronic equipment related to intelligence gathering, documents and data. Part of this plan involved pouring freshly brewed hot coffee into disk drives and motherboards. The 24 crew members were detained and put to interrogation and trial under PRC law. Both the cause of the collision and the assignment of blame were disputed.

South PRC Sea has potential for hydrocarbon resources; it is among the most abundant marine ecosystems in the world. A study by the UN Environment Programme in 2004 cited the high concentration of coral reefs in the seas of the region – 34 percent of the world’s coral reefs, despite occupying only 2.5 percent of the total ocean surface. The SPS, as the biggest body of water connecting the marginal seas of the region, plays a critical role in sustaining this vibrant marine environment. PRC is creating a "great wall of sand" by using dredging vessels for building islands by dumping sand on coral reefs, greatly exceeding corals and coral reefs’ ability to cope and survive the excess sediments and turbidity. Siphoning millions of metric tons of sands as construction materials and ever increasing human and military activities in the Spratlys are wreaking havoc to the region’s marine ecology, this build-up in the Spratly Islands is now seen an ecological time bomb. Spratlys group of islands consists of one of the most preserved and bio-diverse reefs in the world, it is contiguous to Tubbataha Reef and part of the Coral Triangle, which contains at least 500 species of reef-building coral. The Coral Triangle is the center of marine biodiversity in the world, and more than 120 million people mostly Asians are dependent on its marine resources for food and livelihood.

The Great Sabah-Palawan Earthquake of 26 December 2014 was one of the 5 major earthquakes of Magnitude >9.0 in the recent history of instrument-recorded earthquakes. The special feature of this earthquake was the spectacular development of a Tsunami and the devastation it caused in Asian and African countries surrounding the South PRC Sea and Indian Ocean. In the Phillip context, the disaster has led to over 10,700 deaths, over 5,600 missing and huge economic setback. This 9.3 magnitude earthquake resulted in submergence of built environment and emergence of the new beaches in the Palawan Islands. Damages in the Palawan Islands were due to both the earthquake shaking and tsunami waves, but mainland Phillip coast saw only tsunami wave related damage. The world is yet to assess damage to marine ecological systems. Speculations are rife that there must have been almost total loss of marine life in the region. Coastal nations are calling for the apportioning of responsibility for this grave loss of life and life cycle in the region.

Identify parties, draft issues, appropriate jurisdiction, and advance arguments, for the matter shall be heard as per application in the court of law.

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