



SADF FOCUS

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South China Sea in India's Strategic Gambit: Interests and Policies

Introduction

On July 12, the Permanent Court of Arbitration (PCA) in The Hague ruled out the verdict on the landmark case of arbitration between China and the Philippines over the South China Sea. In its ruling, the international Arbitral Tribunal decided in favour of Philippines by rejecting China's claims to the South China Sea based on the "nine-dash line" map and specified that it has "no legal basis" and also pointed that Beijing's "historic rights" do not comply to the UNCLOS and that, there is "no evidence that China had historically exercised exclusive control over the waters or their resources" and that that China's maritime entitlements "exceed the geographic and substantive limits" under the UN Convention (1).

1 Permanent Court of Arbitration (2016), "PCA Case No 2013-19 in the matter of the South China Sea Arbitration", 12 July 2016, <https://pca-cpa.org/wp-content/uploads/sites/175/2016/07/PH-CN-20160712-Award.pdf>.

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To this ruling, India promptly reacted by taking a firm and unbiased stand towards either party to the dispute on the arbitration, as Indian official position stated that: “As a State Party to the UNCLOS, India urges all parties to show utmost respect for the UNCLOS, which establishes the international legal order of the seas and oceans”.² The statement on “Award of Arbitral Tribunal on SCS”, issued by the Ministry of External Affairs in New Delhi on 12 July, clearly specified that: “India has noted the Award of the Arbitral Tribunal constituted under Annex VII of the 1982 United Nations Convention on the Law of Sea (UNCLOS).” Further, it emphasized, “India supports freedom of navigation and over flight, and unimpeded commerce, based on the principles of international law, as reflected notably in the UNCLOS. India believes that States should resolve disputes through peaceful means without threat or use of force and exercise self-restraint in the conduct of activities that could complicate or escalate disputes affecting peace and stability”.³

From the above statement, it is clear that India’s position on the arbitral tribunal is in accordance with its official position on the South China Sea issue which stands firm in support of “freedom of navigation in the high seas” and ensures that “all countries in the region adhere to the international conventions on the law of the sea in this issue”. Although India’s standing on the verdict does not reflect a position on China but its adherence to the international law surely runs in contrary to Beijing’s strategic interests in the South China Sea. Needless to say, given India’s strategic interests and also according to UNCLOS, which defines South China Sea as a common sea lane of communication, the growing tensions in the region does hold significant ramifications for India. As the South China Sea has become the focal point of US-China rivalry in the Western Pacific, the sea has become linked to wider strategic issues relating to China’s naval strategy and America’s forward presence in the area.⁴ Of which, China’s assertive behaviour have called for serious strategic calculations

² Ministry of External Affairs, Government of India (2016), “Statement on Award of Arbitral tribunal on South China Sea Under Annexure VII of UNCLOS”, Government of India, 12 July 2016, <http://www.mea.gov.in/pressreleases.htm?dtl/27019/Statement+on+Award+of+Arbitral+Tribunal+on+South+China+Sea+Under+Annexure+VII+of+UNCLOS>.

³ Ibid.

⁴ Leszek Buszynski (2012), “The South China Sea: Oil, Maritime Claims, and U.S.-China Strategic Rivalry”, *The Washington Quarterly*, Vol. 35, no. 2, pp. 139-140.

by other claimants. In this view, it is the freedom of navigation in the South China Sea that has become a cause of concern for India. That is, although not a direct party to the dispute but as an extra-regional power, the South China Sea issue has become a vital factor in India's strategic calculations and security agenda.

In this context, the paper examines India's strategic interests in the South China Sea. It also explores India's policies with regard to the South China Sea and how it impacts India's Act East Policy. In doing so, the paper will explore the India-Vietnam ties in the backdrop of the South China Sea issue.

South China Sea in India's Strategic Calculus

Although India is not directly involved and has no claims at stake in the disputed maritime space of the South China Sea, it is increasingly being recognised as “an actor in the balance of power” in the South China Sea.⁵ That is, on one hand, India is not in the South China Sea in the sense of having coastline or island territories, or bases and suchlike. On the other hand, it is an extra-regional power that operates and impacts in the region through regular naval deployments, visits and exercises in these waters, through established and growing strategic-military partnerships with various South China Sea littoral states, through involvement in oil exploitation in these waters, and through diplomatic discussions in various regional forums and with other extra-regional actors about the South China Sea.⁶ In this perspective, India's interest in the South China Sea has a clear “strategic dimension”.⁷

What links South China Sea to India's strategic horizon are two conceptual perspectives: first, the “extended neighbourhood” concept, and second, the concept of “Indo-Pacific”.⁸

⁵ David Scott (2015), “India's Incremental Balancing in the South China Sea”, *E-International Relations*, 26 July 2015, <http://www.e-ir.info/2015/07/26/indias-incremental-balancing-in-the-south-china-sea/>.

⁶ David Scott (2013), “India's Role in the South China Sea: Geopolitics and Geoeconomics in Play”, *India Review*, Vol. 12, no. 2, pp. 51.

⁷ Ibid.

⁸ Ibid., pp. 53.

Wherein, the concept of “extended neighbourhood” first emerged in India’s official lexicon in 2000, which brought in the sense of geographic regions outside South Asia in which India feels it has interests to gain, maintain and defend. In linking South China Sea to India’s extended neighbourhood framework, in 2004, the then Indian External Affairs Minister, Yashwant Sinha clearly posited that the “area stretches from the Suez canal to the South China Sea and includes West Asia, the Gulf, Central Asia, South East Asia, East Asia, the Asia Pacific and the Indian Ocean Region”.⁹ This “external neighbourhood” linkage has also surfaced in India’s military maritime *qua* naval doctrinal and strategy documents such as the 2007 doctrine on *Freedom to Use the Seas: India’s Maritime Military Strategy*¹⁰ and the 2015 maritime doctrine on *Ensuring Secure Seas: Indian Maritime Security Strategy*, which identified the South China Sea among the “secondary areas” of focused maritime interests.¹¹

While with regard to “Indo-Pacific”¹² conceptual framework, South China Sea gets directly linked to India’s strategic calculus, as South China Sea lies in the middle of the maritime stretch running from the Eastern Indian Ocean to the Western Pacific. In this view, major interests of India in the Indo-Pacific region are to check the Chinese assertiveness in the Indian Ocean in order to endure the freedom of the navigation. It is this strategic connect due to which South China Sea dispute has paved way for increased Indian role in the Southeast Asia and Asia-Pacific.¹³ In his reference to the Indo-Pacific strategic framework, Indian

⁹ Embassy of India (2004), “Seventh Dinesh Singh Memorial Lecture by Shri Yashwant Sinha, Moscow, 3 February 2004, <http://www.indianembassy.ru/index.php/en/home/tender-notice/113-media/statements-speeches-interviews-archives/215-03022004-seventh-dinesh-singh-memorial-lecture-by-shri-yashwant-sinha>.

¹⁰ Indian Navy (2007), *Freedom to Use the Sea: India’s Maritime Military Strategy*, New Delhi: Integrated Headquarters, Ministry of Defence (Navy), pp. 60.

¹¹ Indian Navy (2015), “Ensuring Secure Seas: Indian maritime Security Strategy”, *Naval Strategic Publication (NSP) 1.2*, October 2015, pp. 32.

¹² The term of Indo-Pacific, was used by a strategic thinker Khurana in 2007 for the first time, in one of his articles, "Security of Sea Lines: Prospects for India-Japan Cooperation". According to him the meaning of this term, was a maritime space stretching from the littorals of East Africa and West Asia, across the Indian Ocean and western Pacific Ocean, to the littorals of East Asia.

¹³ Dr. Bawa Singh (2016), “New Geopolitical Great Game of Indo-Pacific: Challenges and Options for India”, *Modern Diplomacy*, 22 May 2016,

Prime Minister Manmohan Singh in 2012 stated: “the India-ASEAN engagement began with a strong economic emphasis, but it has also become increasingly strategic in its content”, and that “a stable, secure and prosperous Indo-Pacific region is crucial for our own progress and prosperity”.¹⁴ Thereby, with these twin conceptual frameworks, South China Sea is identified as an area of ‘strategic interest’ to India.

In this perspective, India’s strategic interests and involvement in the South China Sea can be understood through two aspects- geopolitical and geo-economics concerns.¹⁵ First, like other actors in the Asia-Pacific region, India’s fundamental strategic interest in the South China Sea is geopolitical, which is related to maritime security. In this view, China’s unilateral claims over islands and territories in the South China Sea impose a direct threat to the freedom of navigation and resource exploitation by other sovereign actors in the region. In addition, China’s actions directly challenge the existing status quo, which affects the peace and stability of the region.¹⁶ Thereby, India’s geopolitical interest lies in the intervening stretch of waters between the Indian Ocean and the Western Pacific, wherein a secure access through the intervening waters of the South China Sea becomes an important strategic interest for India. In this regard, India’s greater involvement in the South China Sea is a policy to check China’s increasing foothold in the Indian Ocean.¹⁷

Secondly, and more specifically, South China Sea occupies a central position in India’s geo-economic interest based on India’s two-fold strategic interests in the region: India’s trade

http://modern diplomacy.eu/index.php?option=com_k2&view=item&id=1438:new-geopolitical-great-game-of-indo-pacific-challenges-and-options-for-india&Itemid=645.

¹⁴ Ministry of External Affairs, “Opening Statement by Prime Minister at Plenary Session of India-ASEAN Commemorative Summit”, Government of India, 20 December 2012, <http://mea.gov.in/Speeches-Statements.htm?dtl/20981/Opening+Statement+by+Prime+Minister+at+Plenary+Session+of+India+ASEAN+Commemorative+Summit>.

¹⁵ David Scott (2015), “India’s Incremental Balancing in the South China Sea”.

¹⁶ Amrita Jash (2016), “The Legitimacy of India’s South China Sea Concerns”, *China-India Brief* #68, 26 January-09 February 2016, <http://lkyspp.nus.edu.sg/cag/publication/china-india-brief/china-india-brief-68#>.

¹⁷ David Scott (2013), “India’s Role in the South China Sea”, pp. 54.

with the Association of Southeast Asian Nations (ASEAN) and East Asian countries; and India's procurement of energy supplies such as oil and natural gas from fields located in the South China Sea. Both factors play a strategic role in the country's foreign policy.¹⁸ Almost 92-95% of India's total trade passes through the Indian Ocean, of which about 55% passes through the Strait of Malacca. Furthermore, in an effort to meet its rising energy demands, India has diversified its energy supply chain, so that almost 70% of its oil imports are shipped.¹⁹ With these strings attached, South China Sea has become "an integral part of India's security perimeter" crucial for "foreign trade, energy and national interests".²⁰

South China Sea in India's Act East Policy

Under the new leadership of Prime Minister Narendra Modi, India's long standing "Look East Policy" with the ten member ASEAN (Indonesia, Malaysia, Myanmar, Brunei, Cambodia, Laos, Vietnam, Philippines, Singapore and Thailand) countries embarked into a proactive "Act East Policy" (AEP), which was set in motion at the East Asia Summit in Myanmar in November 2014. It envisages accelerated across-the-board engagement between the two growth poles of a vibrant Asia.²¹ Under the AEP framework, India's multi-dimensional ties with ASEAN have been given greater vigour and dynamism. This is especially important in a context of rapidly-changing geopolitical realities, defined by China's extraordinary ascendance to the world stage and its gradually intensifying competition with the United States and Japan, which have led to tectonic shifts in Asia-Pacific politics. US Rebalancing towards Asia, Japan's Democratic Security Diamond, and China's Maritime Silk Road all have political-strategic grand-designs to shape the regional

¹⁸ Amrita Jash (2015), "India and the South China Sea", *Gateway House*, 11 June 2015, <http://www.gatewayhouse.in/india-china-and-the-south-china-sea/>.

¹⁹ Ibid.

²⁰ David Scott (2013), "India's Role in the South China Sea", pp. 56.

²¹ Manish Chand (2014), "Act East: India's ASEAN Journey", Ministry of External Affairs, Government of India, 10 November 2014, <http://www.mea.gov.in/in-focus-article.htm?24216/Act+East+Indias+ASEAN+Journey>.

architecture in their own way. In that context, India's greater role and participation in stabilising the security architecture of the region is pivotal.²²

In this context, one of the primary shifts under India's AEP is reflected in the case of South China Sea. To say so, with China's disputatious claim of a large track of the South China Sea, India has firmly articulated its principled position of freedom of navigation, maritime security, and expeditious resolution of disputes according to provisions of international law (the UN Convention on Law of the Seas, 1982), developing a Code of Conduct, and settlement through dialogue and peaceful means.²³

Given the strategic interests, safeguarding maritime security and ensuring the freedom of navigation in the South China Sea is of considerable importance to India. Stability in the South China Sea has direct implications on India's 'Act East policy', given India's increasing engagement with the countries in East and Southeast Asia. That is, India's strategic objectives in playing an extra-regional power in the Southeast Asia is based on the twin objectives: First, its ambitions to be the predominant power in the northeast Indian Ocean, which is mainly centered on the huge bay of the Bay of Bengal and the Andaman Sea. Here, it acts as a key defensive against potential threats from and through the Southeast Asian archipelago. And second, it stands within the broader objective to assume a greater strategic role in Southeast Asia and the Pacific. This interest is mainly driven by an imperative to balance China's growing influence in Southeast Asia as well as its aspirations to expand its own strategic space.²⁴

To note, it is the security concern related to the impending 'China factor' that has stepped up the strategic and defence aspect of India's AEP, where the parameters of the policy have been taken 'beyond ASEAN' and 'beyond economic interests'. In fact, India's primary strategic

²² Rahul Mishra (2014), "From Look East to Act East: Transitions in India's Eastward Engagement", *The ASEAN Forum*, 1 December 2014, <http://www.theasanforum.org/from-look-east-to-act-east-transitions-in-indias-eastward-engagement/>.

²³ Ashok Sajjanhar (2016), "India's Act East Policy so far and beyond", *Gateway House*, 12 May 2016, <http://www.gatewayhouse.in/indias-act-east-policy-far-beyond/>.

²⁴ David Brewster (2013), "India's Defense Strategy and the India-ASEAN Relationship," *India Review*, Vol. 12, no. 3, pp. 151.

objective lies in securing the maritime arena. There is an overlapping security concern that makes India and ASEAN share a common ground wherein both parties seek to maintain peace and security in the region. The ‘Vision Statement’ adopted at the India-ASEAN commemorative Summit 2012 reflected this attitude, which underlines the importance of maritime security, as it contends that:

“We are committed to strengthening cooperation to ensure maritime security and freedom of navigation, and safety of sea lanes of communication for unfettered movement of trade in accordance with international law, including UNCLOS”.²⁵

In this regard, the crucial area of concern for India is the South China Sea - which is seen to be located at the doorsteps of India, thereby, severely challenging the regions peace and stability. Given the strategic concerns, India holds a legitimate security interest in the stability of the South China Sea, as any instability in the region has an adverse impact on India’s national security. The primary interest is laid in the freedom of navigation through the South China Sea, which is very important for India’s sea-bound trade and commerce and also for energy security through the Sakhalin supplies from Russia.²⁶ Wherein, the economic interest lies in exploring hydrocarbon resources in the area with ONGC Videsh Ltd. (OVL) the global arm of the Indian petroleum company, Oil and Natural Gas Ltd. (ONGC) operating in two oil blocks in Vietnam. Thereby, China’s increasingly assertive posture makes it imperative for India to maintain its stakes and safeguard its interests in the region.²⁷

xxv “Vision Statement ASEAN-India Commemorative Summit,” Association of Southeast Asian Nations, 21 December 2012, <http://www.asean.org/news/asean-statement-communications/item/vision-statement-aseanindia-commemorative-summit>.

26 Dr. Subhash Kapila, “India’s Look East Policy, Act East and South China Sea: Politico-Strategic Dynamics,” South Asia Analysis Group, Paper No. 5603, 14 November 2013.

27 Darshana M. Barua, “India-ASEAN naval cooperation: An important strategy,” Observer Research Foundation, Analysis, 6 July 2013.

India's "Vietnam Angle" in the South China Sea

Although India acts as an extra-regional actor in the South China Sea, but India's relationship with Vietnam implicates India, to some extent, directly in the South China Sea.²⁸ Wherein, Vietnam is one of the six countries along with China locked in a bitter dispute over navigation rights through the South China Sea. India's state-owned ONGC started a joint oil exploration project in 1988 in Vietnam's territorial waters in the South China Sea. For a long time, China did not make any significant reference to this joint project. However, from the early 2000's China has objected to India's role in this venture. India has responded in two ways: First, it has asserted the right of its state-owned enterprise to carry out this venture as part of India's legitimate economic interests. Second, it has begun to sell patrol boats to Vietnam in order to bolster the latter's coast guard capability. India's warships have also made port calls to Vietnam and defended its right to do so. India has asserted that it will use its navy to defend installations related to this venture in the eventuality that these come under any threat.²⁹ That is, with Vietnam, as India's "diamond on the South China Sea" India's *Cooperation Framework* agreement of 2003 and *strategic partnership* proclaimed in 2007 has become strengthened in its military side, in the wake of China's growing strength in the South China Sea.³⁰

There is a noted upswing in India's ties with Vietnam, as reflected in the high-level exchanges. India's Defence Minister Manohar Parrikar led a high-level defence industry delegation on June 5-6, 2016, representing most major Indian arms companies to boost military relations. In 2015, President Pranab Mukherjee made a historic visit to Vietnam. A landmark that coincided with Parrikar's visit was that both countries completed 45 years of diplomatic relations and 10 years of strategic partnership³¹. Similarly, in October 2014,

²⁸ Joseph Chinyong Liow (2016), "What the United States and India can do together on the South China Sea", Brookings, 10 June 2016, <https://www.brookings.edu/2016/06/10/what-the-united-states-and-india-can-do-together-on-the-south-china-sea/>

²⁹ Ibid.

³⁰ David Scott (2015), "India's Incremental Balancing in the South China Sea".

³¹ Rajaram Panda (2016), "Upswing in India-Vietnam Ties After Parikkar Visit", *The Pioneer*, 19 June 2016, <http://www.dailypioneer.com/sunday-edition/agenda/backbone/upswing-in-india-vietnam-ties-after-parikkar-visit.html>.

Vietnam's Prime Minister, Nguyen tan Dung paid his state visit to India, which marked the signing of the Agreement between OVL and Petro Vietnam for exploration of new oil and gas projects in Vietnam.³²

This exhibits India and Vietnam's determination to strengthen their naval ties and establish a sustainable maritime presence as already, Indian naval warships have been granted permission to drop anchor at the Nha Trang port in southern Vietnam.³³ With high stakes in the South China Sea, India and Vietnam are broadening their relationship to encompass all possible areas of cooperation as well as deepen the existing strategic partnership, which acts in line with India's own AEP. To cite, OVL has decided to seek a third extension of exploration licence for Block 128, which falls under China's claimed sovereignty, to maintain India's strategic interest in the South China Sea. In 2011, Beijing had warned OVL that its exploration activities off the Vietnam coast were illegal and violated China's sovereignty, but the company continued exploring for oil and gas. The renewal of this policy is therefore, seen as India's attempt to assert its presence in the region where China has showed aggression. Besides, OVL continues to own 45 per cent in Vietnam's offshore block 6.1³⁴. Bilateral trade between India and Vietnam crossed \$8 billion in 2013-14, achieving the target of \$7 billion by 2015 well in advance, and have now agreed on a target of \$ 15 billion by 2020

One of the key aspects of India-Vietnam linkage in connection to South China Sea is the defence cooperation, which plays an important aspect in the growing strategic partnership.

³² Ministry of External Affairs (2014), "Joint Statement on the State Visit of Prime Minister of the Socialist Republic of Vietnam to India (October 27-28, 2014)", Government of India, 28 October 2014, <http://www.mea.gov.in/bilateral-documents.htm?dtl/24142/Joint+Statement+on+the+State+Visit+of+Prime+Minister+of+the+Socialis+t+Republic+of+Vietnam+to+India+October+2728+2014>.

³³ "Vietnamese Naval Chief Visits India to Foster Defence Ties", Defence Now, <http://www.defencenow.com/news/223/vietnamese-naval-chief-visits-india-to-foster-defence-ties.html>.

³⁴ "Eye on China: India and Vietnam advance their strategic partnership", *The Economic Times*, 17 September 2015, <http://economictimes.indiatimes.com/news/defence/eye-on-china-india-and-vietnam-advance-their-strategic-partnership/articleshow/49002738.cms>.

Prime Minister Modi in his statement on the visit of Vietnam's Prime Minister, Nguyen Tan Dung in 2014 stated: "Our defence cooperation with Vietnam is among our most important ones. India remains committed to the modernization of Vietnam's defence and security forces".³⁵ While with the visit of Vietnamese Defence Minister General Phung Quang Thanh to India in May 2015, both countries signed a five-year *Joint Vision Statement on Defence Cooperation for the period 2015-2020* and a MoU on cooperation between the coast guards of the two countries was also signed.³⁶ ³⁷ Besides, India has recently provided Vietnam with a US\$100 million Line of Credit, which is being utilised by Vietnam for procurement of Offshore Patrol Boats for their Border Guards.³⁸ While during Parikkar's June 2016 visit, Vietnamese Border Guards handed over the bid document to Larsen and Toubro for purchase of fast interceptor craft for coastal and maritime security.³⁹ In this spirit, India's "Vietnam card" against China in the South China Sea serves as some counterpart to China's "Pakistan Card" against India in the Indian Ocean.⁴⁰

With the strengthening of strategic ties, Indian Prime Minister Narendra Modi's maiden visit

³⁵ Ministry of External Affairs (2014), Media Statements by Prime Minister of India and Prime Minister of Vietnam in New Delhi (October 28, 2014), Government of India, 28 October 2014, <http://mea.gov.in/Speeches-Statements.htm?dtl/24143/Media+Statements+by+Prime+Minister+of+India+and+Prime+Minister+of+Vietnam+in+New+Delhi+October+28+2014>

³⁶ Ministry of Defence, "India and Vietnam Sign a Joint Vision Statement on defence Cooperation", Press Information Bureau, Government of India, 26 May 2015, <http://pib.nic.in/newsite/PrintRelease.aspx?relid=122033>.

³⁷ Gopal Suri (2016), "Vietnam and The South China Sea", Vivekananda International Foundation, 13 June 2016, <http://www.vifindia.org/article/2016/june/13/vietnam-and-the-south-china-sea>.

³⁸ "Parrikar holds talks with Vietnamese President, Prime Minister and Defence minister", *The Indian Express*, 6 June 2016, <http://indianexpress.com/article/india/india-news-india/manohar-parrikar-vietnam-president-prime-defence-minister-military-india-2838016/>.

³⁹ Devirupa Mitra (2016), "Modi to Visit Vietnam as India's 'Act East' Policy Takes It to South China Sea", *The Wire*, 31 July 2016, <http://thewire.in/55100/modi-headed-vietnam-indias-act-east-policy-stretches-south-china-sea/>.

⁴⁰ David Scott (2015), "India's Incremental Balancing in the South China Sea".

to Vietnam on September 3, 2016, further boosted the New Delhi-Hanoi defence equation. Of which the most significant outcome was Modi's offering of half a billion dollars for defence cooperation- a calculated move to enhance Vietnam's military deterrence capability amidst intensification in the South China Sea discord. To say so, as in an address to media, Modi said the credit was for "facilitating mutual defence cooperation" and that the relationship between the two countries would "contribute to stability, securities and prosperity in this region".⁴¹ It remains undisputed that India's equation with Vietnam is strategically connected to New Delhi's growing interests in the South China Sea.

Conclusion

With the strategic shifts at play, India's active role in South China Sea is not an exception. South China Sea falls in the primary national interest for India in its Act East Policy. This policy framework legitimises India's growing concerns as well as actions in the South China Sea given the rising tensions. In this perspective, India's strategic relations with Vietnam play a vital role in its South China Sea policy. India-Vietnam ties acts as a strong countervailing force against China's assertive actions in the South China Sea. Therefore, South China Sea looms large in India's strategic agenda vis-à-vis Act East Policy.

⁴¹ "India offers \$500 million defense credit as Vietnam seeks arms boost", *Reuters*, 3 September 2016, <http://in.reuters.com/article/vietnam-india-narendra-modi-idINKCN11905Y>.

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