

# Hindsight

**Case:**  
H2O

**Logline:**

**Geographical Interest:**  
Asia

**Topic:**  
South China Sea Dispute

**Tagline:**

**Title:** Who Really Owns the South China Sea?

## 1. Hook

This is one of the most contested bodies of water in the world.

A third of all global maritime trade passes through this water, including more than half of China's exports. Vietnam's GDP is 50% dependent on its marine activity, and the Philippines depends largely on its resources to supply a growing demand for energy.

This is even before mentioning the strategic military importance, which got into high gear after the second World War, and which is escalating today over rising security concerns with the war in Ukraine.

These economic, strategic, military, diplomatic, and geopolitical reasons have led to each island in this sea to be claimed by at least two countries.

This video is a bit longer than you might be used to from this channel, but trust me, it will be worth it. I'll take you through the standoffs between the militaries of China and Vietnam, until the artificial islands and the strategic provocations from the U.S.

This is the South China Sea Dispute, with Hindsight.

## 2. Bumper

## 3. Body

Many building blocks of the South China Sea dispute resulted from the aftermath of WWII.

In the 1930s, France administered several colonies in Southeast Asia, collectively known as French Indochina.

To their north, Japan was pursuing an expansionist policy, and they already secured control over many cities on China's coast.

In Manila Bay, the United States had several bases, and in Singapore, the British had firmly established themselves.

The South China Sea suddenly became of urgent military importance. It was buffer zone for each of these country's military activities.

The two largest archipelagos, the Spratly and the Paracel Islands, were claimed by France a few years prior.

But they were mostly uninhabited. To secure their claim, they sent three naval ships to the Spratlys. They placed their flag on the nine largest islands.

The claim that France made was justified with historical records from Vietnam. These islands have appeared in maps and texts since the mid 1600s. This map, for example, describes how Vietnamese fisherman had settlements on the Spratly, and on the Paracel Islands.

France placed the islands, therefore, under the jurisdiction of what is now Vietnam.

But in May 1940, France was invaded by Germany, and they were defeated a few weeks later.

Almost immediately thereafter, Japan invaded French Indochina. It took them only 4 days to secure all their territory. This coincided with Japan establishing their military presence on the Paracel and on the Spratly Islands.

Two years later, in 1942, they controlled all the countries surrounding the South China Sea, and they had built a major submarine basis in the Spratly Islands.

During their occupancy, Japan had placed the Spratly Islands under the jurisdiction of Taiwan, and they had placed the Paracel Islands under the jurisdiction of Hainan, which today is part of China.

With the Japanese surrender in 1945, the French retook control over their colonies, and Taiwan immediately secured the submarine base in the Spratly Islands.

This was in territory that France had formally annexed. They sent warships to patrol the archipelago, but they made no effort to evict the Taiwanese.

This is something important you need to understand about the dispute in these early years.

These islands were very low on the list of priorities. They were disputed, and there already existed conflicting claims, but each of these countries had more important conflicts they were dealing with at this time.

Much of the importance that is now given to this history was not an urgent matter in those years.

After the Second World War came to an end, the claimants gradually made it a priority.

China, in 1947, published this now-famous map.

This map shows the South China Sea with eleven distinct dashes. From the Gulf of Tonkin, around the Paracel and Spratly Islands, and narrowly including Taiwan. This map showed all the land that the government of China, at that time, recognized as part of their sovereign territory.

They later updated this map with only 9 dashes, omitting the two in the Gulf of Tonkin.

In especially after 2013, they often included a small 10<sup>th</sup> dash, just off the coast of Taiwan.

This map still serves as an important cornerstone of Chinese policy in the region. [0]

China justifies claiming all these islands based on their historical records. It is well documented that Chinese fishermen were here before the arrival of European voyagers. They were from the island of Hainan, and they lived part of the year nomadically on these islands.

The historical narratives of China and Vietnam are critiqued for many of the same reasons – the evidence isn't abundant, it sometimes comes from uncredible sources, and many conclusions are based on implications. Besides that, there is limited precedent for asserting a legal claim solely on historical evidence without possessing undeniable proof of effective occupancy.

The Japanese, however, undeniably administered and controlled these islands during the Second World War. In the years that followed their defeat, the allied powers and Japan negotiated terms on formally ending the state of war.

In 1951, they signed this treaty.

Japan agreed to renounce all right, title, and claim to the Spratly Islands and to the Paracel Islands. [0]

This agreement, however, did not say to which country the territory was ceded, nor did it define exact borders.

A few years later, an agreement was reached to dismantle the French colonial administration in Southeast Asia. This agreement was primarily aimed at the cessation of hostilities in Vietnam, where an anti-colonial war had been raging for nearly a decade.

This agreement led to the partition of French Indochina into three sovereign countries, but the agreement failed to mention the archipelagos in the South China Sea.

The ambiguity in the peace treaty with Japan, and the lack of clarity with the partition of French Indochina, are amongst the building blocks of the dispute.

The archipelagos, in the 1950s, were already disputed, but they were still low on the list of priorities for all of the claimants.

That's when a little twist of fate changed the dispute forever.

In 1956, a group of Filipino fishermen was out on the water off the coast of Palawan when they were surprised by bad weather. It was a typhoon. They were forced to seek shelter and sailed into a remote area of the Spratlys. This event would change their lives.

When the storm passed, they found themselves to be in a fisherman's dream. These islands, which were previously unknown to them, were the most productive fishing grounds they had ever seen. They sailed around for a couple of days, they fished and explored, and ultimately concluded that they were completely uninhabited.

They returned home and spread excitement about their discovery. They found new land, rich in fish. They returned a few weeks later with 40 other men to declare an independent nation. They called it the Free Territory of Freedomland, with Flat Island as its capital city.

The captain and mastermind behind this plan was Tomas Cloma. He called himself "admiral" and dressed accordingly.

He announced the formation of his country by sending a statement to newspapers, government entities, and foreign embassies throughout the country.

He sent a short letter informing **the whole world** that the islands are claimed **based on the rights of discovery**. [0]

He wasn't aware at that time that these islands were already claimed decades earlier by a multitude of countries. But Cloma and his men actually lived here and didn't encounter anyone else. [0]

Cloma wasn't an ordinary fisherman. He was the head of a nautical school, he was an explorer, lawyer, and he had contacts high in the Philippine government.

He later reaffirmed his claim by citing the San Francisco agreement of 1951, where Japan renounced its claim to the Spratly Islands in order to lift the state of war. After this agreement, the islands weren't formally claimed by any country, and Tomas Cloma used this to support his claim.

The response from the international community was very telling about the nature of the dispute in those years. It was a good story, it received media attention, and the countries with stakes in the region formally protested. But only Taiwan approached Cloma in 1956 and invited him to have a "conference" on the issue. That was it. [0]

His country wasn't recognized by any other nation, but they lived there in relative peace for several decades.

In the late 1960s, the first oil was discovered in the Spratly Islands. Ferdinand Marcos became the president of the Philippines, and he commissioned the exploration of the archipelago.

Marcos ordered Tomas Cloma to be arrested and jailed on charges of impersonating a military officer. He was forced to declare that his country was now a principality of the Philippines, and the islands were formally annexed. Cloma was forced to sell whatever rights he had to the Spratly Islands for exactly one peso.

Two years later, The Philippines found their first major oil deposit, which would later supply 10% of the country's need for petroleum.

This area now comfortably fell within the new municipality of Kalayaan, which loosely translates to freedom or liberty.

On the other side of the South China Sea the world was expecting a major political shift.

Vietnam had been embattled in a war against the United States for almost 20 years, but two years earlier the Americans decided to withdraw. The North Vietnamese were now rapidly marching towards victory.

China was also following these events. They feared how a North Vietnamese victory would affect their claim to the Paracel Islands.

Both South Vietnam and China had several bases on the islands, which were manned by small garrisons of soldiers.

One evening, a boat with six South Vietnamese officers and an American observer went on a routine inspection tour of the islands, and they discovered a Chinese vessel detaching troops on the island. This alarmed South Vietnam. They asked them to withdraw, which they didn't, after which South Vietnam responded by launching a military offensive against the Chinese occupied islands.

The confrontation led to dozens of casualties on both sides, but it was eventually won by the Chinese after receiving air support from Hainan, and with the help of two more Chinese war ships.

China, after this confrontation, took full control over the Paracel Islands.

Meanwhile in the Spratlys, the South Vietnamese still controlled a large number of islands.

One night, a Philippine officer celebrated his birthday, and he invited all soldiers to come to his station for a celebration. South Vietnam was an ally of the Philippines and was aware of these plans. As a friendly gesture, they sent prostitutes to the party as a "gift".

As the Filipinos were leaving their stations, the South Vietnamese waited from a distance. At midnight, they drove to the unmanned stations and replaced the Philippine flags with their own.

The next day, the Filipinos returned and were baffled to find out that their "friends" had assumed control over their islands. They reported back to Manila, but high officials decided to ignore the event to not compromise their alliance with South Vietnam.

Meanwhile, on the mainland, North Vietnam was rapidly marching towards Saigon, the capital of South Vietnam. It seemed inevitable that they would soon deliver their final blow and end two decades of war.

As the North Vietnamese were preparing for victory, they had concerns about how this would impact their influence in the Spratly Islands. In recent light to what happened in the Paracels, they feared that a defeat for South Vietnam could trigger an offensive on their positions in the Spratly Islands.

As they were preparing for their offensive on Saigon, they were planning another offensive in the Spratly Islands.

They entered the archipelago disguised as fishermen. They laid low, took their positions, and tried to avoid attracting any unwanted attention.

In the early morning of April 9, 1975, they launched their attacks.

The entire offensive lasted 20 days, during which the North Vietnamese gradually took all South Vietnamese positions. The operation ended on April 29<sup>th</sup>, one day before Saigon fell and the Vietnam War came to an end.

North and South Vietnam merged into the Socialist Republic of Vietnam.

This was followed by an increased military presence of Vietnam in the Spratly Islands.

Much of the archipelago was now effectively controlled by Vietnam, an ally of the Soviet Union, and to a lesser extent by the Philippines, which was an ally of the United States.

The Philippines, in 1976, struck oil again. This time near Reed Bank.

Malaysia, a few years later, published a map claiming that these were their maritime borders. This included several of the Spratly Islands, which they saw as part of their exclusive economic zone. [0]

A few years later, Brunei made a similar claim. Their maritime borders, they argued, included at least one of the reefs of the Spratly Islands. They considered this part of their exclusive economic zone.

The United Nations, after nearly a decade of negotiations, reached a landmark agreement in 1982. This is the United Nations Convention on the Law of the Sea, or UNCLOS for short. It was signed by dozens of nations, including China, the Philippines, Malaysia, and Vietnam, and it specifies the legal rights and restrictions for claiming maritime territories.

This treaty defines on how to **measure the breadth of the territorial sea, the contiguous zone, the exclusive economic zone and the continental shelf.** [0]

In a nutshell, it states that each country can extend its territory by 200 nautical miles, provided that it doesn't collide with another country's EEZ before that. Within this zone, the territory's owner has the exclusive right to exploit natural resources.

But if a country's continental shelf exceeds the 200 nautical mile limit, a country can apply for an extended exclusive economic zone. A country can make a submission to of such a claim to the Commission on the Limits of the Continental Shelf (CLCS) whose recommendations are final and binding. [0]

Even though China was a signatory of this treaty, it didn't work in their favor. They claimed almost all these islands in the late 1940s, with the now-famous nine dash line. Their claims were primarily based on historical evidence. But especially after signing the UNCLOS treaty in 1982, their legal claim to the islands was razor thin.

Despite all of that, the region was more important to China than ever before.

The period from the 1840s until the 1940s is referred to in China as the century of humiliation. It is widely taught in schools how China lost its influence in the world to the superior naval powers of Europe. Especially during the opium wars.

In this century, the Qing Dynasty lost its global superiority, they were forced to seize land, and their once-great empire was in demise. It is often taught in Chinese schools that much of this is due to the inferior state of their maritime security.

This history is crucial to understanding China's stake in the South China Sea. In the mid 1980s, half of the world's supertankers passed through this region every year. This is three times greater than the Suez Canal, and five times more than the Panama Canal.

Controlling this region, to China, was a matter of protecting its military and economic interests.

The Philippines, in turn, was massively profiting from the oil exploration in the region, and Vietnam, with help from the Soviet Union, initiated exploration in three major fields within the parts of the archipelago that they controlled. [0]

China intensified its military presence in the region in the 1980s.

It started with an increased number of Chinese boats conducted patrols. Their presence was noticed by the Filipinos and the Vietnamese, but in the early 1980s it did not yet escalate.

In 1987, delegates from around the world came together in Paris for the 14<sup>th</sup> annual meeting of the IOC. They were discussing to set up research stations in the world's oceans to monitor sea level changes around the world. China was asked to install five of them, of which one was in the Spratly Islands.

The Chinese sent a boat with oceanographers to scout the perfect reef for their research station, and they reported back with a plan to build it on Fiery Cross Reef. This reef was outside the Exclusive Economic Zone of the Philippines, and far enough from the islands inhabited by the Vietnamese.

The Chinese government gave permission to build the station.

The oceanographers, however, were unaware of the territorial disputes. One morning, they were surprised to find that on the neighboring island, the Vietnamese military was establishing a presence. The scientists reported this to their superiors, who told them to continue their work.

Without them being aware, the Chinese sent four navy ships to keep an eye on the Vietnamese. They docked near London Reefs and Tizard Bank, where Taiwan also occupied a large island.

The Chinese reportedly started harassing the Vietnamese, and the standoff intensified.

The next day, a Vietnamese boat arrived at Johnson South Reef, carrying 100 soldiers and materials to construct a small station. The four Chinese boats followed them to the island, they

were heavily armed. This was close to a Vietnamese settlement which lay within the exclusive economic zone of the Philippines.

The Vietnamese had planted a flag on the island the previous day. In an attempt to keep the Chinese from taking this, they took a small boat to the island, but the Chinese followed.

As the Chinese soldiers entered on the island, they opened fire on the Vietnamese. They simultaneously launched attacks on their boats, sinking two out of three. The other managed to run aground on Colins Reef, to prevent being sunk.

The Vietnamese formed a circle around their flag but were gunned down. 64 casualties were registered that day.

China, from that moment onwards, assumed control over the island. They started building a bunker, and in the years that followed, they occupied five other reefs and atolls in its vicinity.

This firmly established the Chinese presence in the Spratly Islands.

The 1990s were relatively stable.

China controlled much of the Paracels, Vietnam controlled most of the Spratlys, followed by the Philippines, China, Malaysia and Taiwan.

There had been several diplomatic successes. China and Vietnam cooperated in a joint venture to explore parts of the Spratly Islands. They allowed foreign companies to explore the region, with Vietnam and China cooperating in offering protection.

In 1994, they all signed an updated version of the UN Convention on the Law of the Sea. This further solidified the legal framework to which they all agree. In 1995, they signed a Code of Conduct of Parties in the South China Sea, in which they agreed to notify each other of any military activity in the region. [0]

But with the turn of the millennium, the dispute got in high gear. The oil that The Philippines was extracting in this region now provided for one fifth of the country's needs.

The Philippines went through several energy crises in the early 2000s, underscoring the need to protect their assets in the South China Sea.

Vietnam's GDP, at this time, was for 50% dependent on its marine activity. This was mostly from mining natural resources, and to a lesser extent fisheries. These industries employed millions of its people. [0]

The year 2011 was eventful.

In February, three Philippine fishing vessels were fishing near Jackson atoll. A Chinese warship approached them and told them that they had to leave. One of the ships had trouble removing its anchor, upon which the Chinese fired three shots. [0]

This happened within the exclusive economic zone of the Philippines. Only a few days later, near a major oil field that the Philippines controls, a Chinese vessel ordered a research ship from the Philippines to leave. In the days that followed, they saw how the Chinese were laying buoys around the bank – an early sign of their intent to lay claim to this land.

This, to the Philippines, was a direct violation of the code of conduct, in which they agreed that each party would refrain from inhabiting the then uninhabited islands.

In March, China Mobile announced that they would include the entire South China Sea within their cell phone coverage, and in May, the Philippine President warned the Chinese Defense Minister of a potential arms race. [0]

Later that month, in the Paracel islands, a Vietnamese vessel was surveying the seabed for potential oil and gas exploration, when they discovered that they were followed by Chinese boats. The Vietnamese were laying cables on the seabed, and the Chinese were cutting them.

The foreign ministry of Vietnam accused China of deliberate sabotage, which was denied by their Chinese counterparts.

This was only days before a security conference was held in Singapore, which both countries were supposed to attend. [0]

In June, China organized a massive military training in the South China Sea. Complete with 14 warships, air support, and drills to protect and invade islands. This was interpreted by many media outlets as a message to Vietnam.

In September, an Indian company announced its cooperation with Vietnam to explore parts of the South China Sea. Shortly thereafter in The Global Times, a mouthpiece for the Chinese communist party, an article was published with the title “Don't take peaceful approach for granted.”

“If these countries don't want to change their ways with China, they will need to prepare for the sounds of cannons. We need to be ready for that, as it may be the only way for the disputes in the sea to be resolved.” [0]

At the end of that year, Barack Obama was visiting Australia, on what would become *their* most consequential visit of a U.S. President in history. [0]

*“So here is what this region must know: as we end today's wars, I have directed my national security team to make our presence and mission in the Asia-Pacific a top priority.” (...) “My guidance is clear.” (...) “The United States is a Pacific Power and we are here to stay.”*

The United States has clear stakes in the region. It too, seeks to protect its influence over maritime traffic. This is in their economic and military interest, as their naval bases in the region rely on supplies that are shipped through the South China Sea.

They also want to have influence to ease tensions over the disputed islands. They stand to benefit from stability and peace in the region.

And the final reason is that the U.S. wants to limit China's growing sphere of influence in the region, which they might use against the interests of the United States. [0]

To Barack Obama, the Pacific Theater was a top priority.

On April 8, 2012, a surveillance plane from the Philippine navy was flying its regular reconnaissance flights along its West Coast. When they neared the Scarborough Shoal, 250 km off the coast of Manila, they spotted 8 Chinese fishing vessels. They reported this to their superiors, who immediately sent a navy ship to inspect the situation.

The Philippine vessels remained at a distance and observed the fishermen for a few days. They then approached them to inspect their boats, and they found they were illegally harvesting corals, clams, and live sharks. They decided to arrest the fishermen but then they were surprised by two boats that approached them. It was the Chinese navy.

This was a direct standoff between the navy of the Philippines and China, which could easily escalate into an armed confrontation.

The Philippines decided retreat.

The Chinese have occupied the islands from this moment onwards.

This led to a fierce diplomatic battle between the two countries, where both placed periodic bans on importing each other's goods, and it led to multiple protests in both countries.

China started to militarize the shoal.

In the meantime, in the Great Hall of the People in Beijing, a vote was held, and Xi Jinping was elected China's new president near-unanimously.

Under his leadership, China's position on the dispute would be drastically different.

In 2014, a Chinese oil rig was moved to a position southwest of the Paracel Islands. This position is within what Vietnam considers to be its continental shelf. It bordered two hydrocarbon blocks that the Vietnamese were planning to explore.

The oil rig was escorted by several Chinese navy ships.

To the Vietnamese, this was a violation of their sovereignty. They sent 29 boats to try to disrupt the rig's placement and operations. This escalated into a conflict involving 6 Chinese warships, 40 Chinese coast guard vessels, and dozens of smaller boats. With Vietnam deploying nearly 60 boats from the coast guard, surveillance, and fisheries.

There were several direct assaults, and one Vietnamese boat was sunk. But moreover, it led to massive anti-Chinese protests in Vietnam. Thousands of Chinese were evacuated, as the protests gradually turned into riots.

The Chinese navy, in the mean time, sent one of their prime assets to the Spratly Islands.

This is a 127-meter-long dredger, the largest of its type in Asia, and since the beginning of 2013 it was deployed in the Spratly Islands. It started its work near Cuarteron Reef, where it stayed for a couple of months, before it moved to the south of Union Reefs, a few months later to the north, to Fiery Cross Reef, and ultimately to the Gaven Reefs. [0]

This was the largest of a fleet of dredgers that the Chinese used for a near-secret operation.

The presence of China in the Spratly Islands had thus far been limited to a few sparsely distributed stations, like this one in Fiery Cross Reef.

This is a satellite image from 2007, and this was in 2015. The island was completely reformed. In 2020, it was fully operational.

This hanger can accommodate four combat airplanes. These domes are radar and weather stations, and these are manned observation towers. There is a 3,000-meter concrete runway, with more hangars that accommodate an additional 20 airplanes.

This is the smallest of China's three big artificial islands.

This is Subi Reef, the picture is taken in 2012. In the next years, Chinese dredgers were working with unprecedented efficiency. In 2020, it became the largest of their artificial islands.

This is a mobile crane used to transfer cargo between ships and the dock.

There is a light house and a defense facility at the tip of the island. These are multi-story concrete buildings, presumably for offices and housing. This is an underground storage facility, most likely for fuel, water, and food.

The runway is 3,000 meters long and has hangars on both sides.

On the other side of the island there are underground tunnels for ammunition and other military personnel, and it's speculated that these buildings have retractable roofs for mobile missile launchers.

This island is of particular concern to the Philippines, who have a station on the nearby Thitu Island, and they are heavily out armed by the Chinese.

The last of the three large artificial islands is on Mischief Reef.

This is an image from 2015. And this was in 2020.

They reclaimed almost twice as much land here than they did on Fiery Cross Reef. The base is equipped with 4 defense facilities, 5 hangars, and state of the art communication towers.

These three artificial islands, together with smaller yet significant constructions on others, make up what Western media call "the great wall of sand." China states that its intend is to provide shelter, aid in navigation, and to provide assistance to ships passing through the region. [0]

Xi Jinping visited Washington in September 2015. He publicly stated that China is not militarizing the artificial islands in the South China Sea. [0]

In May that same year, the U.S. flew a spy plane over one of the artificial islands. On board were journalists from CNN. The Chinese navy urged them to leave.

[Clip] [0]

A former CIA deputy director commented shortly thereafter that the risk of war with China was real. [0]

Shortly thereafter, a U.S. warship was in operation in the South China Sea. This was the first of a series of "Freedom of Navigation" operations. The ship navigated to Subi Reef, where it entered the 12 nautical mile border of China's military base.

China considers this part of their sovereign territory, and for the U.S. navy to enter these waters, it would have to ask permission. With this act, the United States made clear it doesn't acknowledge Chinese sovereignty over the islands.

The U.S. Secretary of Defense later said the ship entered the 12 nautical mile limit of five maritime features.

(— Subi Reef, Northeast Cay, Southwest Cay, South Reef, and Sandy Cay —)

which are claimed by China, Taiwan, Vietnam, and the Philippines.

He clarified that “no claimants were notified” which is in accordance with “international law”

which is consistent with our normal processes and with international law

He reaffirms that the United States does not take a position on which nation has sovereignty in the Spratly Islands.

The United States does not take a position on which nation has the superior sovereignty claims over each land feature in the Spratly Islands.

This was consistent with the stance of the United States in the dispute. They don't formally take a side, but they aim to protect their national interests. [0]

The South China Dispute was a lightning rod for the relationship between China and the United States to worsen.

The dispute is now being played out on a local level through these kinds of interactions. The coast guard from one country rams a ship from the other. These are terrifying encounters with real danger to life and property. [0]

The United States operate in the South China Sea on a daily basis, and this leads to frequent standoffs with China, who interprets their presence as a provocation. [0]

In 2020, Exxon Mobil started drilling the Blue Whale Gasfield, in cooperation with Vietnam. The exploration of this field had long been postponed, but is expected to be worth 20 billion dollars, and is expected to supply 10% of Vietnam's surging demand for electricity. [0]

With the scarcity of natural resources, the increasing value of global trade, and a weakening global security, the importance of the South China Sea is more important and tenser than at any other point in history.

#### 4. CTA

I made a whole lot of other videos about the region. Continue watching by clicking one of these suggested videos next.

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