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Vietnam's maritime governance capacity: lacking a gray zone conflict strategy

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1 Recent discourses on Vietnam's maritime governance

As a state consisting of over 500,000 square miles of Exclusive Economic Zone (EEZ) (Yeo, 2023), it has been challenging for Vietnam to safeguard its maritime borders. Nevertheless, academics have argued that Vietnam is on the correct path (Hiep, 2013; Luvig, 2018; Phan, 2021). Anh recently reported that the priorities in Vietnam's maritime governance systems are in tune with the demands of its "claimant" status in the South China Sea (Anh, 2024). Prior to this, Quyet, Sen, and Tien argued that Vietnam is adopting a series of synchronized and harmonious policies in its maritime domain (Quyet et al., 2023).

Hanoi's changes in its outward policies have contributed much to this favorable perspective. In the 2019 National Defence White Paper, Vietnam ensured to the public that it will take appropriate measures to defend its sovereignty and jurisdiction in its waters and maintain freedom of navigation as its maritime governance priorities (MOD, 2019). This newly found focus on the marine sector is attributed to the 28 coastal provinces within its borders, potentially contributing to 60% of Vietnam's GDP (UNDP, 2022).

However, a crucial element lacking in Vietnam's maritime governance capacity is its gray zone conflict strategies. Gray zone conflicts involve tensions between states but with actions falling short of conventional warfare (Azad et al., 2022; McLaughlin, 2022). This causes issues, as the rules and regulations are unclear. Therefore, it has become challenging to hold states accountable for their actions in these situations (Hoffman, 2016). Among the challenges it faces in regard to gray zone conflicts is its need for a decisive strategy in the face of maritime border tensions, such as its response to the South China Sea. This article argues that despite the strengths of the discourses supporting Vietnam's evolved maritime governance capacity, it is severely lacking in its responses in gray zone conflict areas, such as the overlapping EEZ claims with Indonesia in the North Natuna Seas. This opinion builds on past suggestions that Vietnam is not decisive in deciding strategies vis-à-vis tensions at sea.

2 What are the strengths of Vietnam's current maritime domain policies?

Vietnam enjoys several advantages in establishing its contemporary maritime governance capacities. As a communist state, its one-party state leadership allows complete control over the national priorities it wishes to set. As seen in the implementation of its

maritime strategies, a diverse number of actors have the mandate to protect Vietnam's seas: the Coast Guard, Navy, Border Protection Force, and the Directorate of Fisheries (AMTI, 2022; Phan, 2021). This is likely due to the high political will among Vietnamese policymakers to abide by legal instruments regulating the seas, including the United Nations Convention on the Law of the Seas (Hiep, 2013).

Eventually, in the maritime domain, the policies adopted have adapted to the region's fast geopolitical shifts. For example, China's control over the Paracel Islands has resulted in Vietnam adopting a tough stance vis-à-vis China in the South China Sea. Vietnam is a claimant state, and based on its 2019 National Defence White Paper, it has concluded that traditional maritime security threats will be responded to decisively. In fact, in relation to its maritime tensions with China, it has displayed a solid stance to defend its jurisdictions when conflicts occur within Vietnam's defined EEZ according to the United Nations Convention on the Law of the Seas (UNCLOS). For example, Vietnam responded well to the "Hai Yang Shi You 981" standoff, a crisis perpetrated by the Chinese placing its oil rig in waters close to Vietnam's Paracel Islands in 2014. Vietnam did not respond with force but was vocal that China's actions undermined its sovereignty (Duong, 2021; Jevsejevas, 2020; Putra, 2023; Sangtam, 2021). Vietnam knew that the vast investment opportunities related to China's Belt and Road Initiative still drove its priorities in securing domains (Do, 2021; Gurung, 2018; Nguyen and Wu, 2023). Thus, as previously discussed by Thayer (2016), Vietnam's policy approach, with its combination of "cooperation and struggle" has been effective in defending sovereign claims whilst maintaining economic relations with China.

The vast developments in the maritime domain correspond to the "Four No's" adopted by Vietnam. It stipulates that Vietnam shall not have a military alliance, side with a country, have no military bases, and use no force (Luvig, 2018; MOD, 2014). In responding to tensions at sea, in which Vietnam is a clear claimant state, Vietnam has developed a successful strategy for safeguarding its interests. However, the adopted policies in relation to maritime governance capacities remain far from ideal in responding to gray zone conflicts, which it continues to face with countries such as Indonesia due to overlapping EEZ claims. This is a pivotal issue, as such tensions have lasted more than two decades and have caused major disruptions to the bilateral relations due to the emerging crisis. Therefore, despite considerable success in adapting to maritime-related geopolitical developments, it still lacks the capacity to respond to other emerging crises within the same domain.

3 The lack of a gray zone conflict strategy

For decades, the bilateral relations between Vietnam and Indonesia have encountered problems due to tensions at sea. Both states suffer from confusion due to overlapping EEZ claims in Indonesia's North Natuna Seas. Consequently, this has led to a rise of illegal, unreported, and unregulated (IUUF) taking place, with the addition of power projection policies to display effective occupancy over the seas (Putra, 2024a,b).

The situation with Indonesia is somewhat convoluted. Unlike Vietnam's claims in the Paracel and Spratly Islands, the issue with Indonesia constitutes a gray zone conflict as it constitutes unresolved maritime borders that require an EEZ demarcation agreement between the two countries. In the case of the tensions with China in the Paracel Islands, Vietnam's reference to the UNCLOS allows it to obtain an unstipulated claim over its maritime borders against China. This is contrary to tensions taking place in the North Natuna Seas, as confusion still exists over the precise EEZ boundaries due to overlapping maritime boundaries unresolvable by existing International maritime laws. Consistent with existing literature, the situation in several parts of the South China Sea (in this case, the North Natuna Seas) constitutes the term "gray zone conflicts" (Ormsbee, 2022) due to the dynamic policies taken to showcase effective occupancy in overlapping maritime borders.

The focus of Vietnam's current maritime governance capacity measures consists of responses to maritime security challenges. Vietnam is a claimant state to the South China Sea. It holds a claim over the Paracel Islands (*Hoàng Sa*) and the Paracel Islands (*Trường Sa*) in contestation to other claimant states such as China, the Philippines, Malaysia, and Brunei. Reports and academics have argued that Vietnam is aware of these tensions and has advanced its governance capacity measures to adapt to the emerging crisis (Fravel, 2011; VN, 2023). Besides those traditional maritime security challenges, Vietnam has also paid great attention to the non-traditional maritime security challenges it faces. This includes instances of IUUF, rising sea levels, smuggling, and marine environmental pollution (Anh, 2024). In combination, Vietnam's responses to the traditional and non-traditional security challenges indicate that Vietnam is decisive in the maritime domain, which has been the primary theme of existing literature.

However, these sets of governance capacity measures lack a decisive strategy in gray zone conflict areas. For example, tensions with Indonesia have risen in the past decade, where in the past, Vietnam has been accused of developing its fishing fleets and deploying fisheries surveillance vessels to intrude into Indonesia's EEZ (IOJI, 2022a,b). This issue is ongoing, as Indonesian officials have caught hundreds and thousands of illegal Vietnamese fishing boats in the past two decades. Indonesia even responded in a coercive manner by intentionally bombing these illegal ships in a public show of content to protect Indonesian waters from IUUF (Purba, 2019).

In December 2022, Indonesia and Vietnam decided to conclude a 12-year negotiation in relation to the overlapping EEZ between the two countries (KEMLU, 2022). Due to the tensions taking place at the sea for decades, both nations have now come to an agreement to conclude new coordinates that would make clear the EEZ boundaries. However, until the writing of this opinion, Vietnam has still been adopting strategies similar to those it did in the past. This includes continuous intrusions into Indonesia's EEZ by its fishing fleets and maritime constabulary forces, which, reported by the Indonesia Open Justice Initiative, have multiplied in numbers between January and June 2023 (IOJI, 2023a,b).

The strategy taken by Vietnamese officials at sea indicates a lack of a gray zone conflict strategy. This is concerning, as claimant states to the South China Sea have adopted grand strategies to showcase decisiveness in gray zone areas

(albeit not announced formally by the government). Vietnam's adversary in the North Natuna Seas, Indonesia, has been resilient in adopting maritime governance capacity measures to show effective occupancy in contested waters. It has done so by first fixing bureaucratic issues related to the multiple actors having the mandate to protect Indonesian waters. Indonesia's current president, Joko Widodo, first established the Indonesia Maritime Security Agency (BAKAMLA), which coordinates actions with the vast stakeholders of Indonesian officials at sea, including the Indonesian Navy, Indonesian Fisheries Surveillance, and the Indonesian Coast Guard.

For other claimant states to the South China Sea, the development of maritime constabulary forces has taken center stage in the attempt to respond to the emerging crisis at sea. States like Malaysia and the Philippines have taken precautionary measures in developing civilian ships, such as coast guards, and have placed them within gray zone areas of contestation against China. This follows the strategy employed by China over the last decade, in which China has refrained from using its navies to display effective occupancy within its Nine-Dash Line. In contrast, it has prioritized the deployment of its fishing militia, maritime constabulary forces, coast guards, and fisheries surveillance vessels to crowd the seas. This is also coupled with the intensification of land reclamation on the island features in the South China Sea.

Unlike the maritime governance capacity measures taken by claimant and non-claimant states in the South China Sea, Vietnam severely lacks a decisive gray zone conflict strategy. With the rise of coercive maneuvers taken by Vietnam's adversaries at sea, it should be Hanoi's priority to establish a gray zone strategy vis-à-vis tensions at sea. Its focus on traditional and non-traditional maritime security challenges is commendable. However, it needs to properly counter actions taken at sea by its adversaries in disputed waters of growing importance.

A decisive gray zone conflict strategy is essential for Vietnam, especially considering the nation's current disadvantages. The financial resources available for maritime security are severely limited, thus leading to difficulties in developing its maritime assets (GSO, 2022). There have also been comments about Hanoi's lack of political commitment to enforce the law across the coastal provinces within the state's boundaries (Phuong and Pomeroy,

2023). Similar to the issue encountered by Indonesia 5 years ago, Vietnam also consists of government institutions that have overlapping responsibilities in safeguarding its seas. Learning from how Indonesia responded to the issue, Vietnam can employ the following strategies to better respond to gray zone conflicts. The first is to construct a grand strategy on how to respond appropriately to the emerging crisis in gray zone areas. What follows is policy coordination among relevant government agencies mandated to safeguard Vietnam's Sea borders. Only then can the implementation of a decisive gray zone conflict be maintained by Vietnamese authorities despite the lack of resources, a problem that all Southeast Asian states encounter today.

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References

- AMTI (2022). *Vietnam's Major Spratly Expansion*. Available at: <https://amti.csis.org/vietnams-major-spratly-expansion/> (accessed June 12, 2023).
- Anh, T. N. H. (2024). *Assessing Vietnam's Maritime Governance Capacity: Priorities and Challenges*. Asia Maritime Transparency Initiative. Available at: <https://amti.csis.org/assessing-vietnams-maritime-governance-capacity-priorities-and-challenges/> (accessed January 26, 2024).
- Azad, T. M., Haider, M. W., and Sadiq, M. (2022). Understanding gray zone warfare from multiple perspectives. *World Aff.* 186, 81–104. doi: 10.1177/00438200221141101
- Do, T. H. (2021). Balance of risks: Vietnam's South China sea strategy. *East Asian Policy* 13, 37–56. doi: 10.1142/S1793930521000192
- Duong, N. N. (2021). *Vietnam's Conceptualizations of Maritime Security*. Available at: <https://amti.csis.org/vietnams-conceptualizations-of-maritime-security/> (accessed March 19, 2024).
- Fravel, M. T. (2011). China's strategy in the South China Sea. *Contemp. Southeast Asia* 33, 292–319. doi: 10.1355/cs33-3b
- GSO (2022). *Socio-Economic Situation in the Fourth Quarter and 2022*. Hanoi: General Statistics Office of Vietnam. Available at: <https://www.gso.gov.vn/en/data-and-statistics/2023/01/socio-economic-situation-in-the-fourth-quarter-and-2022/> (accessed January 26, 2024).
- Gurung, A. S. B. (2018). China, Vietnam, and the South China Sea an analysis of the "three nos" and the hedging strategy. *Ind. J. Asian Aff.* 31, 1–20. Available at: <https://www.jstor.org/stable/26608820>
- Hiep, L. H. (2013). Vietnam's hedging strategy against China since normalization. *Contemp. Southeast Asia* 35, 333–368. doi: 10.1355/cs35-3b
- Hoffman, F. G. (2016). *The Contemporary Spectrum of Conflict: Protracted, Gray Zone, Ambiguous, and Hybrid Modes of War*. Washington, DC: The Heritage Foundation.
- IOJI (2022a). *Ancaman IUUF di Indonesia Maret*. Jakarta. Available at: <https://oceanjusticeinitiative.org/2022/08/01/ancaman-iuuf-di-indonesia-maret-juni-2022/> (accessed January 26, 2023).

- IOJI (2022b). *Ancaman Keamanan Laut dan Illegal Fishing*. Jakarta. Available at: <https://oceanjusticeinitiative.org/2022/11/07/ancaman-keamanan-laut-dan-illegal-fishing-juli-september-2022/> (accessed January 26, 2023).
- IOJI (2023a). *Analisis Gangguan Keamanan Laut Di Wilayah Perairan Dan Yurisdiksi Indonesia Periode April Hingga*. Available at: <https://oceanjusticeinitiative.org/2023/12/29/analisis-gangguan-keamanan-laut-di-wilayah-perairan-dan-yurisdiksi-indonesia-periode-april-hingga-agustus-2023/> (accessed January 22, 2024).
- IOJI (2023b). *Threats to Maritime Security in Indonesian Waters*. Jakarta.
- Jevsejevas, T. (2020). *Vietnam's Increasing Naval Diplomacy and Future Possibilities*. Available at: <http://www.maritimeissues.com/politics/vietnams-increasing-naval-diplomacy-and-future-possibilities.html> (accessed June 12, 2023).
- KEMLU (2022). *Indonesia, Vietnam to Enhance Bilateral, Regional Cooperations*. Jakarta: Kementerian Luar Negeri Republik Indonesia.
- Luvung, A. (2018). *Vietnam's National Security Architecture*. Research Report. Hanoi. Available at: <https://www.jstor.org/stable/resrep26742?seq=2> (accessed April 8, 2023).
- McLaughlin, R. (2022). The Law of the Sea and PRC Gray-Zone Operations in the South China Sea. *Am. J. Int. Law* 116, 821–835. doi: 10.1017/ajil.2022.49
- MOD (2014). *Vietnam's Maritime Security Policy*. Hanoi.
- MOD (2019). *Vietnam National Defence White Paper*. Hanoi: Vietnam National Defence. Available at: <https://mod.gov.vn/en/intro/vnd/sa-en-dod-dp/sa-en-dv-mf-stqp/17493317-e8da-4830-ba9d-75d7b39df332> (accessed January 26, 2024).
- Nguyen, S. T., and Wu, Y. (2023). Vietnam's bilateral trade intensity: the role of China. *J. Chin. Econ. Bus. Stud.* 22, 183–204. doi: 10.1080/14765284.2023.2206785
- Ormsbee, M. H. (2022). Gray dismay: a strategy to identify and counter gray-zone threats in the South China Sea. *Small Wars J.* 1. Available at: <https://smallwarsjournal.com/jrnl/art/gray-dismay-strategy-identify-and-counter-gray-zone-threats-south-china-sea>
- Phan, X. D. (2021). *Managing the Vietnam–Indonesia North Natuna Sea Dispute*. Available at: <https://www.eastasiaforum.org/2021/04/30/managing-the-vietnam-indonesia-north-natuna-sea-dispute/> (accessed February 16, 2023).
- Phuong, T. V., and Pomeroy, R. S. (2023). Addressing illegal, unreported and unregulated fishing of Vietnamese fishing vessels in foreign waters. *Asian Fish. Sci.* 36, 24–36. doi: 10.33997/j.afs.2023.36.1.003
- Purba, D. O. (2019). *Ini Jumlah Kapal yang Ditenggelamkan Susi Selama Menjabat Menteri Kelautan dan Perikanan*. Available at: <https://regional.kompas.com/read/2019/10/07/06122911/ini-jumlah-kapal-yang-ditenggelamkan-susi-selama-menjabat-menteri-kelautan?page=all> (accessed June 24, 2021).
- Putra, B. A. (2023). Rise of constabulary maritime agencies in Southeast Asia: Vietnam's paragonboat diplomacy in the North Natuna Seas. *Soc. Sci.* 12:241. doi: 10.3390/socsci12040241
- Putra, B. A. (2024a). Testing Indonesia's decisiveness: Vietnam's continuous presence in the North Natuna Seas. *Front. Polit. Sci.* 6:1375198. doi: 10.3389/fpos.2024.1375198
- Putra, B. A. (2024b). Tread with caution: Vietnam's retaliatory and deference measures vis-à-vis assertiveness at sea. *Asian J. Polit. Sci.* 32, 57–76. doi: 10.1080/02185377.2024.2351390
- Quy, L. V., Sen, V. V., and Tien, T. A. (2023). The South Seas and Islands in Vietnam's maritime strategy: position and development potential. *IOP Conf. Ser.* 1247:e012008. doi: 10.1088/1755-1315/1247/1/012008
- Sangtam, A. (2021). Vietnam's strategic engagement in the South China Sea. *Marit. Aff.* 17, 41–57. doi: 10.1080/09733159.2021.1939868
- Thayer, C. A. (2016). Vietnam's strategy of 'cooperating and struggling' with China over maritime disputes in the South China Sea. *J. Asian Sec. Int. Aff.* 3, 200–220. doi: 10.1177/2347797016645453
- UNDP (2022). *Blue Economy Scenarios for Vietnam*. New York, NY. Available at: <https://www.undp.org/vietnam/publications/blue-economy-scenarios-viet-nam> (accessed January 26, 2024).
- VN (2023). *Việt Nam Reaffirms Willingness to Peacefully Settle South China Sea disputes*: Foreign Ministry. Available at: <https://vietnamnews.vn/politics-laws/1516751/viet-nam-reaffirms-willingness-to-peacefully-settle-south-china-sea-disputes-foreign-ministry.html> (accessed January 26, 2024).
- Yeo, M. (2023). *How a New Vietnam-Indonesia Deal Will Affect South China Sea Disputes*. Available at: <https://www.defensenews.com/smr/defending-the-pacific/2023/02/13/how-a-new-vietnam-indonesia-deal-will-affect-south-china-sea-disputes/> (accessed February 16, 2023).