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Joint development and China's bargaining strategies in the East and South China Seas

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Abstract

Over the issue of joint development in the East and South China Seas, on the one hand, China has repeatedly called for and proposed various schemes for joint development; on the other hand, China has increased harassing activities within other claimants' exclusive economic zones. Why has China adopted such an approach? Drawing on a bargaining framework, this paper argues that China pursues the policy of bargaining over the issue of joint development due to the existence of both cooperative and conflictual elements in its motivations. China believes that refraining from exerting pressure would weaken its claims in territorial maritime disputes, whereas gaining access to areas where it enjoys no legitimate right under international law or has no administrative control requires cooperation from other claimants. China's bargaining strategy comprises three components of persuasion, accommodation, and coercion. China uses persuasion in the form of diplomatic statements to convince the three claimants' leaders to embrace China's concept of "setting aside disputes and pursuing joint development". Accommodation has been operationalized through

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proposals for cooperation and agreements on joint surveys and resource exploration. Meanwhile, China has undertaken coercive measures in various forms, ranging from verbal threats of force to direct interference and harassment. However, despite decades of bargaining, China has not succeeded in getting any claimants to accept joint development projects in its proposed areas.

Keywords: Joint development, bargaining, China, East China Sea, South China Sea

Introduction

Since the late 1970s and 1980s, China has promoted the concept of "setting aside disputes and pursuing joint development" in the East China Sea and South China Sea, respectively. Over the decades, China has repeatedly called for and proposed various schemes for joint development, while simultaneously unceasingly interfering with and harassing oil and gas exploration activities conducted by other claimant states within their exclusive economic zones (EEZs).

Why has China adopted such an approach? Existing literature often treats China's behavior as either contradictory or poorly coordinated. This paper applies a bargaining framework to explain and analyze a process wherein a state uses both cooperative and coercive components in a unified strategy to influence other states' policy choices. Drawing on this framework, the paper attempts to answer the following sub-questions: Why and how does China bargain with other claimants over joint development? And to what extent has China's bargaining strategy been effective? It argues that China pursues the policy of bargaining over the issue of joint development due to the existence of both cooperative and conflictual elements in its motivations. On the one hand, China believes that refraining from exerting pressure would weaken its claims in territorial maritime disputes. On the other hand, gaining access to areas where it enjoys no legitimate right under the 1982 United Nations Convention on the Law of the Sea (UNCLOS) or has no administrative control requires cooperation from other claimants. The paper points out that China has combined all three components of persuasion, accommodation, and coercion in its overall bargaining strategies towards Japan, the Philippines and Vietnam. However, despite decades of bargaining, China has not succeeded in getting any of the claimants to accept joint development projects in the areas it proposes.

This paper is structured as follows. The first section reviews the existing literature on China's dispute management behaviors and joint development and highlights the gaps. The second section provides an analytical framework. The third section introduces disputes and maritime issues in the East and South China Seas and China's concept of "setting aside disputes and pursuing joint development". The fourth and fifth sections examine China's employment of bargaining strategies in the East China Sea with Japan and in the South China Sea with the Philippines and Vietnam over the issue of oil and gas joint development, respectively. The sixth section is a comparative analysis. The final section offers some concluding remarks.

China's dispute management behavior and joint development: The scholarly debates and gaps

Over the past two decades, as tensions in the East and South China Seas have intensified, China's behaviour in these disputes has attracted increasing scholarly attention. Ramses Amer (2015) analyzes the cooperative aspect of China's dispute management through analysing various arrangements that China has engaged in, including formally negotiated settlement of disputes, joint development, and bilateral as well as regional initiatives in the South China Sea. Zhang Ketian (2023), in contrast, focuses on coercive behavior, contending that Beijing resorts to coercion only infrequently and primarily when seeking to establish a reputation for resolve. Cronin (2014) and Green et al. (2017) examine tools and implementation of China's maritime coercion in the East and South China Sea. Kuik Cheng-Chwee (2017) takes a rather comprehensive approach to China's behaviors, which he argues sends mixed signals to other claimants due to a contradiction in its policy towards maritime disputes. Kuik (2017) uses structural factors such as the changing distribution of power and domestic legitimacy to explain this contradiction, whereas Linda Jakobson (2014) attributes it to poor coordination among various domestic actors in China.

Regarding joint development, the existing literature has mostly approached the issue from a legal perspective (Zou 2006; Beckman 2014). Xue Song (2021) shifts the focus to the failures of joint development agreements by analyzing other states' responses to China's joint development proposals. Using a case study of China and the Philippines, Kang Lin and Luo Chuanyu (2018) explore the prospects for joint development of hydrocarbon resources in the South China Sea. The Philippine scholars, however, argue that China's assertiveness has diminished the prospect for such projects (De Castro 2020).

While the existing literature has shed light on China's conflict behaviour and provided insights into the issue of joint development, several critical gaps remain. First, studies often either approach China's coercive activities, accommodation, and diplomatic persuasion separately or treat them as contradictory or poorly coordinated, without analyzing them as components of a unified strategy. Second, it lacks research specifically focusing on China's bargaining strategies in the territorial maritime disputes. Although Kai He (2016) studies China's bargaining strategies, he analyzes them in the context of China's bargaining for its overall peaceful rise. Third, comparative analyses of China's approach to joint development in the East China Sea and the South China Sea are absent.

This paper fills in these gaps by employing a bargaining framework to examine and compare China's bargaining strategies over joint development in the East and South China Seas.

Analytical framework: Bargaining strategy and components

A bargaining situation is characterized by the coincidence of cooperative and conflictual elements, as Iklé puts it, because "[w]ithout common interest there is nothing to negotiate for, without conflict nothing to negotiate about" (Iklé 1964, 2; Jönsson 2002, 230).

Bargaining "moves" "are designed to manipulate and change alternatives, incentives, and the other's image of them so as to shift the outcome in a direction favorable to oneself" (Snyder 1972, 222).

According to Christer Jönsson (2002, 291; 1990, 2–3), bargaining can include the exchange of verbal as well as non-verbal communication, formal as well as informal exchanges.

Glenn Snyder and Paul Diesing (1977, 493) treat bargaining as a process of influencing by coercion, accommodation, and persuasion. First, coercive bargaining puts pressure on the other party to accept one's demand or bargaining "position" (Snyder and Diesing 1977, 23, 195; Snyder 1972, 222). Coercive moves can include the threat of harm, a quick surprise transformation of the status quo or fait accompli, deployment of troops on a boundary, the establishment of a blockade, initiation of a small amount of violence, or stepping up the level of violence (Snyder 1972, 223). In the context of a territorial and maritime dispute, coercive bargaining can be exercised through a threat of or actual conduct of unilateral development of natural resources in disputed areas.

The second dimension of the bargaining process is accommodation. An accommodative move moves a party's bargaining position closer to the opponent's, thus closer to a settlement (Snyder 1972, 222). Accommodation includes trade-offs, pay-offs, and the moderation of one's stand (Swaine 2005, 8). Accommodative tactics can range from a hint of readiness to concede and de-escalate to proposals for a compromise settlement, and concession (Snyder 1972, 222; Snyder and Diesing 1977, 14).

The third component is persuasion. As Snyder and Diesing explain, persuasion attempts to influence the adversary's value structure and his perception of one's own values, usually to lower his estimate of the cost of yielding and to maximize his perception of the cost of concession for oneself (Snyder and Diesing 1977, 198, 488). In the bargaining tactic of persuasion, one party draws

on reasoned arguments to convince their bargaining partner(s) to accept the agreement or its demands (Walsh 2005, 642). Persuasion includes efforts to explain and justify a position and appropriate assurances of one's limited objectives (Swaine 2005, 8).

Bargaining strategies vary depending on the specific level and intensity of these three basic components of bargaining – coercive threats or actions, accommodative offers and concessions, and persuasion – and the sequences in which these elements are employed (George 1991, 17).

Disputes in the East and South China Seas and China's policy of "setting aside disputes and pursuing joint development"

Disputes and maritime issues in the East and South China Seas

In the East China Sea, China and Japan are involved in two maritime issues. The first is the maritime boundary dispute. Under the UNCLOS, a coastal state can claim an EEZ extending 200 nautical miles (nm) and may have a continental shelf up to 350 nm from the baseline (UN 1982). China and Japan's claimed EEZs overlap since the distance between their coasts is less than 400 nm (Guo 2010, 5). Japan advocates for the equidistance line (or median line) as the maritime boundary,² whereas China rejects this approach and applies the natural extension of its land territory toward Japan up to the Okinawa Trough (Cai 2018). According to UNCLOS, a coastal state also has the right to regulate economic activities such as fishing and oil exploration within its EEZs (UN 1982, 43), and the exploration and exploitation of the resources of the seabed within its continental shelf (UN 1982, 53–54). In the absence of an agreed maritime boundary, China and Japan find themselves in conflict over the development of natural gas in fields located along the western side of the Japan-claimed median line (Midford and Østhagen 2024, 235). The second issue involves the sovereignty of the Senkaku/Diaoyu Islands, located within the overlapping EEZ claims and currently administered by Japan. While Tokyo declares that "there exists no issue of territorial sovereignty" over the islands (JP MOFA, n.d.), Beijing claims them as its 'inherent territory' (FMPRC 2012).

In the South China Sea, disputes between China and other Southeast Asian coastal countries also revolve around two aspects: territorial sovereignty and maritime jurisdiction. The sovereignty disputes concern the Paracel Islands, contested by China and Vietnam; Scarborough Shoal,

² In interviews and talks with the author, Japanese officials and scholars claim that Japan insists on the median line, though it does not abandon a 200nm EEZ claim.

contested by China and the Philippines; and the Spratly Islands, subject to claims by China, Vietnam, the Philippines, Malaysia, Brunei, and Taiwan. Regarding the delimitation of jurisdictional boundaries of EEZs and continental shelves, bilaterally, Vietnam and China have yet to resolve the maritime delimitation in the area off the mouth of the Gulf of Tonkin. Complicating further the South China Sea maritime disputes, China asserts claims based on the so-called map of the 'nine-dash' line, which covers roughly 90 per cent of the South China Sea and overlaps with the EEZs of other Southeast Asian claimants (O'Rourke 2014, 10). The Chinese government has never clarified the meaning of the line but persistently claims maritime interests and rights, including priority rights of resource development within the area it encloses (Zou and Liu 2016, 132).

China's policy of "setting aside disputes and pursuing joint development" and the motivation for bargaining

The joint development of hydrocarbon resources has long been regarded as a practical means to manage tensions relating to disputed maritime areas (Beckman 2014; Espenilla 2020, 95). Its legal basis can be found in the obligations in UNCLOS Articles 74 (3) and 83 (3) (UN 1982, 52, 56). As a type of 'provisional arrangement of a practical nature', a joint development arrangement is applied only for disputed maritime areas pending delimitation (UN 1982; Davenport 2013, 110; Nguyen and Ton 2018, 47, 54). Furthermore, such arrangements shall be without prejudice to the sovereignty disputes or the final determination of the maritime boundaries (UN 1982, 52, 56).

China has also proposed the concept of "setting aside disputes and pursuing joint development", which its Ministry of Foreign Affairs explains as "a new approach for peaceful settlement of territorial disputes". This concept consists of four elements: (i) "the sovereignty of the territories concerned belongs to China"; (ii) "when conditions are not ripe to bring about a thorough solution to the territorial dispute, discussion on the issue of sovereignty may be postponed so that the dispute is set aside". "[T]o set aside dispute does not mean giving up sovereignty" and "[i]t is just to leave the dispute aside for the time being"; (iii) "the territories under dispute may be developed in a joint way"; (iv) the purpose of joint development is to enhance mutual understanding through cooperation and create conditions for the eventual resolution of territorial ownership" (FMPRC 2000).

However, China's joint development diverges from the concept under UNCLOS in two important respects. First, rather than a 'provisional arrangement' applied for disputed maritime areas awaiting delimitation, China frames joint development as an approach to settle territorial sovereign disputes (X. Zhang 2015, 41). Second, the Chinese concept of joint development stresses, first and foremost, on the principle of 'sovereignty belongs to China', which can be interpreted as the prerequisite for 'setting aside disputes' and 'pursuing joint development' (Yang 2016, 74; Yu and Li 2020, 39). Consequently, accepting China's joint development proposal can be equal to recognizing its sovereignty claims.

As aforementioned, Iklé (1964) characterizes bargaining situations as involving both cooperative and conflictual elements. There exist such motivations for China over the issue of joint development. On the one hand, as Li Mingjiang (2016, 52–53) argues, a military solution to territorial disputes is not a viable option for China. Despite significant military and naval modernization, Chinese leaders are well aware that the use of military force to reoccupy the disputed territories currently controlled by other claimants would result in high diplomatic costs, the destruction of relations with neighboring coastal states (Qi 2019, 233), and provide the U.S. a pretext to strengthen its regional presence (ICG 2012a, 29). On the other hand, in China's view, other claimants have undermined Chinese positions and claims through administrative measures and increasing resource development activities. Since China has not yet drilled a single oil or gas well in areas that it perceives as disputed (cited in ICG 2012b, 15), some Chinese analysts have urged the government to be more proactive and deter the other claimants from doing so (Li 2016, 63). Therefore, China bargains with other claimants over joint development in order to coerce them to halt what it perceives as 'unilateral' development activities (cited in Luo 2023, 478), and simultaneously, secure their cooperation to access resources in disputed areas, thereby legitimizing its claims.

China's bargaining strategies over joint development in the East China Sea

Japan was the first country to which China proposed "setting aside disputes and pursuing joint development". In June 1979, through the diplomatic channel, China formally conveyed its proposal for joint development of resources adjacent to the Senkaku/Diaoyu Islands to Japan (FMPRC 2000).

In the mid-1990s, China began opening the East China Sea for exploration (Manicom 2013). Chinese companies discovered oil and gas in the Chunxiao/Shirakaba No. 1 well in 1995 and in the No. 3 well in 2000 (Gao 2009, 294). China also developed other neighboring fields, including Tianwaitian/Kashi, Duanqiao/Kusunoki, Canxue/Kikyo, and farther north, Longjing/Asunaro (Peterson 2009, 457). All are located west of and close to Japan's claimed median line. Japan opposed Chinese resource development projects, concerned that the fields have or possibly have underground reserves extending into the Japanese side of the median line (cited in Peterson 2009, 457).

Tensions escalated when Japan discovered a Chinese drilling platform in the Chunxiao/Shirakaba gas field in May 2004 (Manicom 2013). Japan attempted to alter China's behavior by hiring a Norwegian ocean survey ship to survey from June 2004 to January 2005 and threatening to pursue the exploitation of resources east of the median line (Midford and Østhagen 2024, 235). On at least one occasion, two Chinese destroyers reportedly tailed the survey ship (Midford and Østhagen 2024, 235). Two months after Japan awarded Teikoku Oil the drilling contract (Midford and Østhagen 2024, 235), China dispatched five Chinese naval vessels to the Chunxiao/Shirakaba gas field in a show of force in September 2005 (Midford and Østhagen 2024, 236). Japan then asked China to ease its activities at the Chunxiao/Shirakaba gas field, failing which Japan would proceed with its own exploratory drilling (Midford and Østhagen 2024, 236). Eventually, China delayed the development of the Chunxiao/Shirakaba gas field (Midford and Østhagen 2024, 236).

In October 2005, Japan proposed its first joint development plan to China (Manicom 2009, 245). Both sides' targeted areas for joint development are worth noting. Japan called for joint development in four fields, including Chunxiao/Shirakaba, Tianwaitian/Kashi, Duanqiao/Kusunoki, and Longjing/Asunaro (Manicom 2009, 245; Kim 2012, 299), whereas China targeted the area surrounding the Senkaku/Diaoyu Islands, consistent with Deng Xiaoping's original proposal (Gao 2009, 292). As Gao Jianjun at China University of Political Science and Law explains, China aimed to realize joint development in the surrounding maritime zones of the islets, given that these islets are under the physical control of Japan (Gao 2009, 292).

After 11 rounds of negotiations, China and Japan reached two understandings on 18 June 2008: *Understanding on Japan-China joint development in the East China Sea* and *Understanding*

on the development of Chunxiao/Shirakaba oil and gas field (Zou 2019, 96). The first understanding establishes a joint development zone of about 2,600 square km that straddles Japan's claimed median line (JP MOFA 2008). Under the second understanding, Chinese enterprises welcome the participation of Japanese corporation(s) in the development of the existing Chunxiao/Shirakaba oil and gas field in accordance with relevant Chinese laws (JP MOFA 2008).

The understandings, however, were immediately followed by differing interpretations. Japan maintained that the Chunxiao/Shirakaba oil and gas field was subject to joint development. In contrast, Chinese Vice Minister of Foreign Affairs Wu Dawei argued that it is a kind of cooperative development, not a joint development (cited in Qi and Xue 2021, 4), because the field lying to the west of Japan's claimed median line is not subject to any dispute. Any joint development area, according to China, should be located on the eastern side, for this is the area of the disputed continental shelf (Gao 2009, 292).

As for coercive bargaining, China has continued what it calls "independent development" on the western side of the theoretical equidistance line. In 2009, China moved forward with the development of the Tianwaitian/Kashi natural gas field (EIA 2024a). A China National Offshore Oil Corporation (CNOOC) executive confirmed in 2010 that gas production was ongoing at Chunxiao/Shirakaba (Manicom 2013). Between 2013 and 2015, China built a dozen drilling platforms near the median line (AMTI 2022a). Alongside the stationary platforms, China also deploys mobile jack-up rigs, which conduct exploratory drilling as well as development work at existing platforms (AMTI 2022a). As of May 2025, 19 structures in total have been installed (NHK 2025). Many observers argue that China's acceleration of its natural resource development activities in the East China Sea appears to respond to the 2010 boat collision incident near the Senkaku/Diaoyu Islands and Japan's 2012 decision to nationalize three of the five Senkaku/Diaoyu Islands (Midford and Østhagen 2024, 236–37).

Since then, China has been reluctant to go further with the implementation of the 2008 agreement (Zou 2019, 97). As explained by Zhang Xinjun (2011, 60-61) from Tsinghua University, during the negotiation of the 2008 understandings, Beijing demanded joint development of energy resources in the area around the Senkaku/Diaoyu Islands in exchange for its compromise on joint development in other areas of the East China Sea. The failure to achieve greater reciprocity from Japan in the Senkaku/Diaoyu area made it domestically impossible for the Chinese government to

go any further with negotiating an implementation of the understanding (X. Zhang 2011, 60–61). According to Zou Keyuan at Dalian Maritime University, any resumption of talks on gas development would require Japanese concessions on bilateral issues, particularly the dispute over the Senkaku/Diaoyu Islands (Zou 2019, 97–98).

China's bargaining over joint development in the South China Sea

With the Philippines

Deng Xiaoping introduced the concept of "setting aside disputes and pursuing joint development" and persuaded the Philippines to embrace it in June 1986. Raised in a meeting with the Filipino Vice-President Salvador Laurel, Deng said that from a practical view, China had opted to put aside the issue of the Nansha/Spratly Islands, and that "maybe in several years' time, the Chinese government could propose a solution acceptable to all parties concerned" (FMPRC 2000). In his meeting with Filipino counterpart Corazon Aquino on April 16, 1988, Deng reiterated, "[a]fter many years of consideration, we think that to solve the issue [of the Nansha/Spratly Islands], all parties concerned could explore joint development under the premise of admitting China's sovereignty over them" (cited in Amer and Li 2012, 93–94). In the decades that followed, China has consistently made efforts to persuade the Philippines. Chinese Ambassador to the Philippines Ma Keqing emphasised in 2013 that "it is still a very valid formula pending the solution of the disputes. We can have cooperation with each other to [explore] the resources because we cannot see in the near future... that we can solve all the disputes" (Cabacungan 2013). Chinese Foreign Ministry Spokesperson Wang Wenbin reiterated in June 2022 that "[j]oint offshore oil and gas development is the right way for China and the Philippines to manage maritime differences and achieve win-win results without prejudicing either side's maritime positions and claims" (FMPRC 2022).

Besides persuasive bargaining, China has also adopted accommodation, particularly in periods witnessing great improvement in bilateral ties (Qi and Xue 2021, 9). During Gloria Arroyo's presidency (2001–2010), an Agreement for Joint Marine Seismic Understanding (JMSU) in the South China Sea was signed between CNOOC and the Philippine National Oil Company in September 2004 (Qi and Xue 2021, 8). The area covered under the agreement is about 142,886 square kilometers, located 80 nautical miles west of the Philippines' Palawan Island and includes Reed Bank within the Philippines' EEZ (Rabena 2021, 80). Then, under Rodrigo Duterte's

administration, China proposed several joint development schemes in the South China Sea (Qi 2019, 220). In 2017, China proposed "cooperative development" and established the Bilateral Consultation Mechanism (BCM) with the Philippines to discuss mutual issues of concern and work towards practical cooperation in the South China Sea (Lye 2024). At the third BCM in October 2018, both sides discussed the possibility of joint exploration and development in oil and gas (Lye 2024). This culminated in the signing of a Memorandum of Understanding (MOU) on Cooperation in Oil and Gas Development on November 20, 2018. The first meeting of the China–Philippines Inter-Governmental Joint Steering Committee on Cooperation on Oil and Gas Development took place in October 2019 (Qi and Xue 2021, 9).

However, China has not relied only on persuasion and accommodation in its bargaining strategy with the Philippines. It has also resorted to verbal threats and coercive tactics to send a clear message to the Philippines that Manila cannot conduct oil and gas activities, either unilaterally or jointly with third countries in areas claimed by Beijing without its approval (Lye 2024). President Duterte disclosed in 2017 that Xi Jinping had threatened “war” if the Philippines insisted on oil and gas drilling in the South China Sea (Wenxuecity 2017; Lye 2024). On the ground, China has engaged in direct harassment. In March 2011, two Chinese patrol vessels blocked the seismic survey operations by the survey ship *MV Veritas Voyager* near Reed Bank (Rabena 2021, 81). Again in April 2022, the Chinese Coast Guard and militia shadowed the *Geo Coral*, a Norwegian survey ship, while it conducted 3D seismic surveys within the Philippine EEZ (AMTI 2022b). According to some analysts, these actions appear to put pressure on the Philippines to conclude an oil and gas deal with Beijing via the BCM framework (Lye 2024).

To date, no joint development agreement has been concluded between the two countries. The 2004 JMSU was expanded into a tripartite agreement with the participation of Vietnam in 2005, but failed to get renewed in 2008 amid allegations of corruption and "sell-out" of national sovereignty in the Philippines (Santamaria 2018, 8–9). In 2023, the Philippines Supreme Court ruled the JMSU "unconstitutional" (Panti 2023). Amid heightened tensions in the South China Sea, the Philippines imposed a moratorium in 2015 on all drilling and exploration works, particularly in the Reed Bank (Cordero 2020). To facilitate the implementation of the 2018 MOU with China, Duterte lifted this moratorium in 2020 (Cordero 2020). Nevertheless, in June 2022, Duterte ordered a complete termination of oil and gas discussions with China (Lye 2024). At the eighth BCM in

January 2024, there was no more talk about oil and gas cooperation between Manila and Beijing (Lye 2024).

With Vietnam

Chinese leaders and officials proposed joint development to Vietnam on numerous occasions (Vu 2017, 240). In 2010, during a press conference in Hanoi, Chinese Ambassador to Vietnam Sun Guoxiang stated that "China's senior leaders have taken the initiatives to solve the South China Sea issue, especially in setting aside disputes and pursuing joint development" and that "[i]f the condition is ripe to solve maritime disputes, two sides would certainly enhance the relations; if time is not ripe yet and disputes become an obstacle for bilateral relations, what the two countries have to do and should do is to set them aside" (*Vietnamnet* 2010). He emphasized that shelving disputes for joint development is the only viable and realistic step pending final resolution in the South China Sea (*Vietnamnet* 2010). In October 2013, Chinese Premier Li Keqiang urged substantial progress in joint development outside the mouth of the Gulf of Tonkin, asserting that this cooperation would "demonstrate to the world that China and Vietnam have the ability and wisdom to maintain peace in the South China Sea, expand our common interests, and narrow as well as manage differences" (Xu, Guo, and Su 2013).

As part of its accommodation, in October 2011, China reached the Agreement on Basic Principles Guiding the Settlement of Sea-related Issues with Vietnam and agreed to discuss joint development outside the mouth of the Tonkin Gulf (ICG 2016, 22). The Vietnamese side prefers to refer to it as "cooperation for mutual development" (Thayer 2013, 23). In 2013, the two sides established a joint working group on joint development/cooperation for mutual development at sea within the existing joint governmental negotiation team on the Vietnam-China boundary and territory. This group held its first session in 2014 (Thayer 2016, 212). As of December 2024, 14 rounds of discussions have been conducted (*The Gioi & Viet Nam* 2024). In April 2016, the Geological Survey Department of China's Ministry of Land and Resources and the Survey and Mapping Department under Vietnam's Ministry of Natural Resources and Environment completed a joint survey of the waters off the mouth of the Gulf of Tonkin. This was hailed by both sides as an important first step toward the delimitation of the boundary of the continental shelf and EEZs off the mouth of the Gulf of Tonkin as well as the cooperation for mutual development/joint

development in the area (*Tuoitre Online* 2015; VNA 2016). During President/General Secretary Xi Jinping's visit to Vietnam in 2023 and 2025, the two sides have reached consensus on "actively speeding up discussions on cooperation for mutual development/joint development at sea, and on maritime boundary delimitation outside the mouth of the Gulf of Tonkin to soon achieve substantive progress" (*Vietnamplus* 2023; *Vietnamplus* 2025).

Moving further south in the South China Sea, China has increasingly employed coercive bargaining with Vietnam over joint development. Since the 1990s, Chinese vessels have repeatedly interfered with Vietnam's oil and gas exploration operations in waters that fell where China's nine-dash line intersects Vietnam's EEZ (Thayer 2012, 3). In 1993, a Chinese seismic survey ship interfered with British Petroleum (BP)'s exploration work in Vietnam's Oil Block 06 (Wong 1993). Between 2011 and 2012, Chinese law enforcement vessels and fishing boats severed the seismic cables of Vietnamese survey ships on three occasions (ICG 2016, 1). In July 2019, the Chinese survey ship, *Haiyang Dizhi 8*, escorted by coast guard and paramilitary vessels, spent several months near Vietnam's offshore oil block to prevent it from drilling in the region (CFR 2024). Since 2022, Chinese Coast Guard vessels have patrolled through energy exploration blocks operated by Russian firms within Vietnam's EEZ over 40 times (*The Straits Times* 2024). Again, in May 2023, China deployed a research vessel, *Xiang Yang Hong-10* (XYH-10), to the Vanguard Bank in response to Vietnam's decision to expand its drilling program (Luo 2023, 477).

In addition to direct interference on the ground, China has waged pressure campaigns on foreign investors to abandon offshore contracts signed with Vietnam (ICG 2016, 12). Besides, in 2017, Chinese authorities reportedly threatened to attack Vietnamese outposts in the area when Hanoi decided to move forward with drilling in one oil block part of Vanguard Bank (Poling 2019, 10).

To some extent, China's coercive bargaining has been effective in disrupting Vietnam's offshore oil and gas development plans. Under China's pressure, several foreign oil companies, including BP and Chevron, cancelled operations in Vietnam in the late 2000s (ICG 2016, 12). In the late 2010s and in 2020, Hanoi ordered foreign investors and drilling contractors to suspend exploration and drilling operations in waters around the Vanguard Bank (Le 2020). However, China's overall bargaining has not yielded any joint development projects between the two countries. Even in the waters off the mouth of the Gulf of Tonkin, where Hanoi has shown openness to

'cooperation for mutual development', no substantive progress has been achieved so far (cited in ICG 2012b, 5). Regarding the more contentious Vanguard Bank, Hanoi insists that no joint development can be negotiated since the area lies entirely within its EEZ and continental shelf (Hong 2021, 125). Despite suspending some oil and gas exploration activities, Hanoi continues cooperating and leasing its offshore blocks to U.S., Russian, Indian and Japanese oil companies for exploration and production (EIA 2024b).

Comparative analysis

China's bargaining strategies in the East China Sea and the South China Sea reveal numerous similarities. First of all, in the East China Sea or South China Sea, China has targeted areas where it claims, but does not enjoy legitimate rights under UNCLOS or has no administrative control. In such waters, joint development is the only viable option for China to gain access to and legitimize its claims without resorting to the use of force.

Second, in all three cases, China combines persuasive, accommodative and coercive tactics to bargain over the issue of joint development. Persuasion is applied in the form of diplomatic statements to convince the three claimants' leaders to embrace China's concept of "setting aside disputes and pursuing joint development". Accommodation is operationalized through proposals for cooperation and agreements on joint survey and resource exploration. Meanwhile, coercive measures are undertaken in various forms, ranging from verbal threats of using force to unilateral development and direct interference, as well as harassment.

Third, accommodative bargaining has often been used by China and has produced concrete results, particularly when bilateral relations between China and other claimants improve. For instance, the 2004 JMSU and 2018 MOU with the Philippines were reached under the Arroyo and Duterte presidencies, respectively. Similarly, the 2008 agreement was concluded under the Fukuda administration.

Fourth, China's overall bargaining strategies however have failed to get other claimants to embrace its concept. No substantive breakthrough or a single joint development project has been achieved between China and any of the three countries.

There are also several significant differences in the three cases. First of all, only in the East China Sea has China actually produced gas and reinforced its presence by installing multiple drilling

platforms. Japan, by contrast, has not conducted any exploration activities in the areas claimed by both countries. This favors China over this issue in the East China Sea.

On the contrary, China has not extracted any oil and gas resources in disputed waters in the South China Sea, not to mention within Vietnam and the Philippines' EEZs. Unlike Japan, the two Southeast Asian claimants have a high dependence on the oil and gas resources in the South China Sea, particularly Vietnam. In comparison with the Philippines, Vietnam is more active in developing these resources due to their critical impact on the country's overall economic development. Therefore, Vietnam is the primary and frequent target of China's coercive bargaining over oil and gas development.

Finally, only the East China Sea witnesses the issue-linkage dynamic. China's targeted area for joint development is the waters around the Senkaku/Diaoyu Islands, while Japan's primary objective is to achieve joint development with China in the oil and gas fields on the western side of its claimed median line. China has leveraged its advantage in existing oil and gas production and in possessing a number of drilling platforms on the western side of the line to bargain with Japan over the issue of the Senkaku/Diaoyu Islands, where Japan has a stronger position given Tokyo's current administrative control over the islands.

Conclusion

Drawing on the bargaining framework, this paper argues that China pursues bargaining over the issue of joint development with other claimants – namely Japan in the East China Sea, and the Philippines and Vietnam in the South China Sea – due to the coexistence of both cooperative and conflictual motivations. On the one hand, China believes that refraining from exerting pressure would undermine its claims in territorial maritime disputes. On the other hand, to access areas where it enjoys no legitimate right under UNCLOS or has no administrative control, China needs cooperation from other claimants. Furthermore, using military means would not serve China's interests in maintaining a stable neighborhood conducive to economic development and preventing U.S. intervention in the region.

In the East China Sea, China employs persuasion by proposing the concept of "setting aside disputes and pursuing joint development" to Japan and has accommodated Tokyo in reaching two understandings on oil and gas resources development. However, coercive bargaining through the

acceleration of resource development activities on the western side of Japan's claimed median line aims to pressure Japan on the linked issue of the Senkaku/Diaoyu Islands, an area over which China has no administrative control. In the South China Sea, China similarly adopts persuasion and provides accommodation. With the Philippines, particularly under pro-China administrations, China reached an agreement and an MOU on cooperation in oil and gas development. With Vietnam, China has gained Hanoi's agreement to cooperate on oil and gas development in the waters off the mouth of the Gulf of Tonkin. Nevertheless, China has resorted to a more coercive approach toward Vietnam, including verbal threats of force, direct harassment of oil and gas development activities within its EEZs, and indirect pressure on foreign oil companies. Despite these efforts, China's overall bargaining has thus far failed to persuade any of these three claimants to accept China's concept of joint development or initiate any actual joint development project in areas that China has proposed.

Joint development arrangements aim to enhance the legitimacy of China's claims in the East and South China Seas and help China gain access to resources in certain areas. Moreover, amid increasingly intense strategic competition with the U.S., an unstable region with tense territorial maritime disputes with neighbours would not serve China's strategic and economic interests. As a result, the promotion of joint development is expected to remain an important part of China's policy towards other claimants. In pursuing this objective, China continues to rely on a mix of persuasion, accommodation, and coercion as components of its overarching bargaining strategies.

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