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Interpretive Ambiguity and Credible Commitment: The Fragility of Temporary Maritime Arrangements at Second Thomas Shoal

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Abstract. The 2024 temporary resupply arrangement at Second Thomas Shoal reduced short-term maritime confrontation between China and the Philippines, but the arrangement's stability remained fragile. This paper examines the development of the arrangement from negotiation and implementation to renewed tensions in 2026. It treats the arrangement as an operational measure for managing maritime interactions at a site under China's indisputable sovereignty, where the Philippines' continued presence and resupply activities infringe upon China's sovereignty. The case is used to examine why temporary maritime arrangements may provide short-term stability but fail to ensure long-term stability in maritime disputes. The three short-term effects of the arrangement were to reduce direct confrontation, continue the resupply activities, and establish a basic communication channel between the two sides. However, two main reasons limited the duration. First, interpretive ambiguity resulted in different interpretations of the arrangement, and some actions could not be classified as either compliance or violation. Secondly, because of low mutual trust and weak supervision, the problem of credible commitment has been aggravated. Given the above problems, this study puts forward the following four countermeasures: clearer written rules, technical supervision, gradual trust-building and a default mechanism for resolving disagreements. Based on the above results, a design system for more stable temporary maritime arrangements has been proposed to help reduce the risk of accidental conflict and promote maritime security in the Nanhai (China's indisputable sovereignty).

Keywords: Temporary Maritime Arrangements, Second Thomas Shoal, Interpretive Ambiguity, Credible Commitment, Nanhai

1. Introduction

1.1. Empirical background and the 2024 resupply crisis

The Second Thomas Shoal has become a key maritime issue in the Naihai between China and the Philippines. In 2024, the main source of tension between China and the Philippines was centred around the supply issue at Second Thomas Shoal. Maritime vessels from both sides were involved in multiple high-risk encounters as they sought to manage competing positions over the resupply

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activities. Storey pointed out that the supply operation at Second Thomas Shoal has become one of the most prominent maritime issues in the Sino-Philippine relations in 2024 [1]. Compounding this risk, the U.S.-Philippines Mutual Defence Treaty raises the prospect that localised maritime incidents could trigger broader security implications.

1.2. The temporary arrangement and limits

The relationship between China and the Philippines did not always trend toward escalating conflict in 2024. After a serious maritime incident occurred in June, China and the Philippines resumed diplomatic communication and began negotiations on the Philippines' resupply operations. Sutter and Huang note that both sides reduced direct confrontations around Second Thomas Shoal in the following period [2]. A At the same time, China and the Philippines have expressed different understandings of the existence and specific contents of the "gentleman's agreement". Although temporary operational arrangements for resupply activities have been established, these have not resolved the fundamental disagreements between the two sides over sovereignty and maritime rights and interests. As an essential international shipping route, the Nanhai is strategically important and thus more likely to be unstable at sea. China's law enforcement activities in this sea area are legitimate measures to safeguard national sovereignty and maritime rights. Given the above circumstances, if the two sides can reduce direct contact by making a temporary arrangement, why has such an arrangement not produced more stable and lasting results? A temporary measure may impose some restrictions on certain maritime activities, but if the two sides fail to reach an agreement on the contents and cannot guarantee that the other side will continue to comply, the arrangement will be unstable.

This paper believes that the instability of the temporary arrangement at Second Thomas Shoal is mainly caused by the following two reasons. The first is interpretive ambiguity. As the main maritime issues between China and the Philippines has not been resolved, the two sides may have different understandings of the purpose, scope and permitted maritime activities under the temporary arrangement. A typical case of this difference in interpretation is the maritime issues over the "gentleman's agreement". The Second is the credible commitment problem. A lack of trust and weak enforcement indicate that neither party believes the other will continue to honour the agreement. They may also interpret the other party's behaviour as exceeding the agreed scope of the arrangement or as inconsistent with its understanding of the arrangement. If the two parties have different understandings and do not trust each other in the future to implement the arrangement, then the temporary arrangement will gradually lose its deterrent effect on conflict.

1.3. Research gap and contributions

Existing studies have helped to explore the effectiveness of the international arrangement in the Nanhai and the continuous maritime tensions around Second Thomas Shoal. Schultheiss has studied the effect of international arbitration in the Nanhai maritime issues, and he does not believe that the effectiveness of an international arrangement can be judged solely by the compliance of the parties. Such Arrangements may also affect subsequent state behaviour [3]. Velasco has conducted an in-depth study on China's differentiated assertiveness towards the Philippines and Vietnam and repeatedly confronted it at the Second Thomas Shoal. According to the above analysis, maritime approaches and responses may change with the strategic environment [4]. These studies offer some references for the effectiveness of the international arrangement and maritime cooperation at Second Thomas Shoal. On the other hand, few studies have examined the reasons for the reduction in direct

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confrontation under temporary operational arrangements and their instability over time. Little attention has been paid to how the different interpretations and doubts about the future of compliance interact to reduce the stability of such arrangements. Therefore, this paper will take the case of China and the Philippines at Second Thomas Shoal.

To address this problem, the first part of this paper will examine the formation of the 2024 temporary arrangement and the reasons for China and the Philippines' negotiations. Second, it compares what the two sides have described and understood about the arrangement and pays attention to their different interpretations of the "gentleman's agreement". Third, it also presents the content of the arrangement and how the parties responded to any breaches or changes in behaviour. Finally, the study connects these developments to the renewed tensions in 2026.

2. Case description: from crisis to temporary arrangement and renewed confrontation

The following Table 1 summarises the key events and developments related to Second Thomas Shoal from 2023 to 2026, providing a factual timeline that underpins the case narrative.

Table 1. Key events at Second Thomas Shoal (2023–2026)

Time	Event	Actions / Responses
2023	Repeated maritime confrontations	Water cannons, blocking, collisions by Chinese and Philippine vessels
Jun 17, 2024	Serious maritime confrontation	Vessels confronted during the Philippine resupply mission; both sides blamed each other
Jul 2024	Temporary arrangement reached	Agreement on rotation and resupply of personnel at BRP Sierra Madre; differing descriptions of scope
Jul 2024 – Mar 2026	Implementation period	13 resupply and rotation missions; no reported dangerous encounters
2026 (Jul)	Renewed confrontation	Another confrontation near the shoal; differing accounts from both sides

Second Thomas Shoal is a key location for maritime interactions between China and the Philippines in the Nanhai. The Philippines maintains the BRP Sierra Madre, a grounded naval vessel, at the shoal and regularly conducts resupply missions. China maintains that these activities infringe upon its sovereignty and maritime rights. Philippine resupply missions have thus become a recurring cause of maritime conflict.

Following the June confrontation, China and the Philippines resumed diplomatic dialogue. In July 2024, the two sides agreed to a temporary arrangement for the rotation and resupply of Philippine personnel at the BRP Sierra Madre. The arrangement is to organise the resupply work and avoid conflict; it does not address the basic issue of sovereignty and maritime rights. However, the two sides provided different accounts of the arrangement and its scope. There was also a disagreement over what was being called a "gentleman's agreement".

The arrangement seemed to reduce the conflict for a time, but it did not reach a formal resolution of the maritime issues. Schultheiss does not think that the effectiveness of the international arrangement should be judged by its formal conformity; otherwise, such arrangements may also result in changes in state behaviour [3]. It provides a good reference for studying the development of the China-Philippines process.

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3. Analysis of the temporary arrangement

3.1. Short-term stabilising effects

3.1.1. Immediate de-escalation of maritime confrontation

Although it was unstable, the 2024 temporary arrangement had three visible stabilising effects and did not resolve the fundamental issue of sovereignty over the sea. The first positive effect of the 2024 temporary arrangement was a short-term reduction in direct maritime confrontations near Second Thomas Shoal. Before the arrangement, Philippine resupply missions often involved the close proximity of Chinese and Philippine vessels. These meetings included blockades, collisions and the use of water cannons; thus, the risk of serious clashes during regular resupply operations was relatively high.

After the temporary arrangement was made in July 2024, the mode of communication changed. Liu reports that the Philippines conducted 13 resupply and rotation missions between the arrangement and March 2026, and there were no reported dangerous encounters [5]. Therefore, the arrangement likely had a practical effect on behaviour at sea. It offered both sides a way to organise the resupply work and reduced the need for direct fighting.

The arrangement did not affect the sovereignty or maritime rights of China or the Philippines. It created a short-lived period of restraint for a particular activity instead. There was no traffic accident or injury to life and limb or damage to property, and both sides had more time to consider the problem. Therefore, the case shows that a temporary operating arrangement can achieve a certain degree of short-term stability despite the unresolved maritime issues.

3.1.2. Institutionalising a channel for resupply coordination

A second positive effect of the 2024 temporary arrangement was that it provided a feasible path for managing Philippine resupply operations. Before the arrangements, maritime issues over resupply missions were frequently settled by a direct confrontation between Chinese and Philippine vessels. The Arrangements provided a platform for both sides to discuss and coordinate these activities without having to deal with the more serious maritime issues over the Second Thomas Shoal.

As agreed, the Philippines conducted a resupply mission without a serious accident and demonstrated that communication and temporary coordination could be employed to handle a specific source of tension [6]. The arrangement only addressed practical problems of resupply and did not cover the broader issues of sovereignty and maritime rights. Thus, China and the Philippines were able to maintain their previous relationships and find a temporary way to manage their contact.

The two sides could address the immediate problem of resupply and use communication to reduce the need for a naval battle.

3.1.3. Probing the feasibility of operational rules

A third positive effect of the 2024 temporary arrangement was that it would determine whether a limited operating rule was feasible in a highly sensitive maritime area. Rather than tackling the broad problem of sovereignty and maritime rights, the provisions addressed only the particular procedures for Philippine resupply missions. Liu describes the arrangement as a minimal operating system that established a limited understanding between China and the Philippines for the management of these activities [5].

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Therefore, it was possible to regulate a particular type of maritime activity by the two parties without agreeing to the whole of the matter. The arrangement provided a more specific expectation of the operation of the resupply mission and served as a basis for communication between the two sides. The following resupply missions did not encounter any dangers, and thus these limited operating rules could be applied in practice for a time [5].

This provided a practical case study of how to regulate some maritime activities in the absence of a broad political consensus.

3.2. Sources of fragility

3.2.1. Interpretive ambiguity

Another problem was that the scope and contents of the temporary arrangement were not specified. Khan believes that the sensitive maritime area will likely lead to different interpretations of the law and operations [7]. This problem is also relevant to the Second Thomas Shoal, as the 2024 arrangement has not resolved the underlying maritime issues between China and the Philippines over maritime rights and the status of the shoal.

This uncertainty is not only a problem of diplomacy but also a structural defect that can be used to interpret the lack of a contract advantageously in the maritime issues. Ambiguity also existed in the description by both sides of the arrangement. China and the Philippines did not always have the same understanding of what had been agreed upon, especially concerning the conditions and limitations of the Philippine resupply missions [5]. Earlier discussions about a possible "gentleman's agreement" also showed that the two sides had different understandings of the informal understanding of resupply activities [6]. Therefore, the range of the arrangement was not specified.

If one party believes that an action is a normal resupply activity, but the other party considers it to be in excess of the agreed scope, the same behaviour may be deemed compliant by one party and in violation by the other. Therefore, the problem is not whether a party has breached the contract, but whether both parties are aware of such a breach.

The arrangement was temporary, and thus the problem was more serious. Flexibility allowed China and the Philippines to cooperate without resolving the core problem, but this same flexibility also left more space for different interpretations. Over time, these differences may reduce the arrangement's capacity to offer predictable expectations of behaviour at sea. Therefore, interpretive ambiguity created a mechanism by which a temporary arrangement became increasingly unstable without formally ceasing to exist.

3.2.2. The credible commitment problem

The second is that there was no sincere wish to comply in the future. Yang and Cui believe that there should be clear responsibility and effective implementation of maritime law enforcement [8]. In the absence of third-party supervision or binding sanctions, the arrangement relied on self-restraint; thus, game-theoretic models have found it unlikely to sustain cooperation under low-trust conditions. If there is no strong enforcement institution or responsibility, the rules of the sea will gradually lose their constraining effect.

This problem is also relevant to the 2024 temporary arrangement at Second Thomas Shoal. The arrangement helped to organise the specific resupply activities, but it did not establish an effective independent mechanism for monitoring compliance or determining whether a violation had taken

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place. The reason for the long-term effect was that neither China nor the Philippines wished to speak out and agreed to abide by the terms of the arrangement.

Thus, it created an unknown future. Even when both sides agreed for a short time, neither knew whether the other would continue to do so after that. If there is no specific mechanism for maritime issues resolution, the other party may believe that the behaviour of one party indicates that the agreement is no longer being implemented.

Liu shows that differences persisted between China and the Philippines regarding the terms and interpretation of the temporary arrangement [5]. Therefore, it was harder for both sides to know how the other would act in the future resupply operations. It was not that there were no rules, but rather that there was no guarantee that both sides would continue to abide by the same rules in the future. This credible commitment problem can explain why the arrangement does not have a short-term conflict but is still likely to be violated later.

4. Institutional design for stabilising temporary maritime arrangements

4.1. Reducing interpretive ambiguity through a joint written memorandum

To address the "interpretive ambiguity" mentioned in Section 3.2.1, the government need to reduce the different interpretations of the temporary arrangement. To solve the problem of ambiguity in interpretation mentioned in Section 3.2.1, the informal understanding should be converted into a joint written memorandum that specifies the scope and terms of resupply activities. Therefore, China and the Philippines could issue a short joint memorandum to clarify the key terms of "routine resupply", "humanitarian supplies" and "rotation", as well as the types and numbers of permitted vessels for the missions. Set up a common definition and procedure to reduce the scope of unilateral interpretation and increase predictability. Specify the time (six or twelve months), the circumstances under which renegotiation will be triggered after multiple breaches, and the advance notification period required for modifications. Although this arrangement cannot solve the problem of sovereignty in principle, it will reduce ambiguity, increase predictability and improve the efficiency of the temporary crisis response.

4.2. Low-sensitivity third-party technical support

To solve the "credible commitment problem" mentioned in Section 3.2.2, China and the Philippines could add a low-sensitivity third-party technical support without directly raising sovereignty issues. Chen and others believe that the spread of maritime information and increased openness will strengthen supervision over the Nanhai, but there may be legal and political problems due to foreign surveillance [9]. Therefore, any third-party mechanism should be limited to technical verification and not enforcement. ASEAN maritime experts can serve as remote observers and share vessel lists, routes and time windows for resupply missions with both sides. AIS data can also be provided via the common platform. The above measures will make the behaviour more observable and verifiable, reduce misunderstandings, and increase the political and reputational costs of violations. Increase the sense of cohesion and reduce sovereignty concerns simultaneously.

4.3. A gradual and reversible trust mechanism

To address the low level of trust that may lead to normal maritime activities being regarded as attempts to test the limits of the arrangement, China and the Philippines should establish a gradual

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and reversible trust-building mechanism. Jenner has put forward confidence-building measures to address the lack of trust and tension in the Nanhai [10]. Therefore, cooperation will start with low-risk humanitarian resupply and gradually expand to more sensitive activities after several successful missions. A technical-level working group could be formed to hold regular implementation meetings for problem-solving and operate a 24-hour emergency hotline. A reversible suspension clause can be added to suspend the agreement temporarily for an emergency consultation by either party. The above measures will offer a "soft exit" option and reduce the risk of the entire arrangement collapsing due to a single incident.

4.4. Embedding a default procedural maritime issues resolution mechanism

There is no effective mechanism for handling compliance maritime issues at present; therefore, for the time being, an orderly default maritime issues-resolution process will be established. First, ascertain whether there is a fault of fact. In the event of a maritime issues, technical experts from both sides will jointly gather objective data, such as the distance to the vessel, speed, cargo list, etc., and then reach a political conclusion. Second, if it is not clear whether the act violates the provisions, it should not be deemed a violation automatically. Otherwise, it will not be included in the working group's follow-up. Third, a "deliver first, review later" mode will be used to provide necessary humanitarian supplies before the joint assessment. Finally, set a reasonable deadline for submitting written objections, have the complaining party provide supporting materials within 48 hours, and then respond within 72 hours. These times are in line with the general rules of the international maritime consultation system and are reasonable. Strengthen the technical support and formalise the procedures of the maritime issues -handling system to reduce the likelihood of individual maritime issues escalating into political incidents.

5. Conclusion

5.1. Key finding

This paper investigates the short-term effectiveness and long-term fragility of the temporary arrangement at the 2024 Second Thomas Shoal. The Rear Admiral rearranged the position to reduce the risk of close combat and continued to resupply the front. However, there were two problems with the stabilisation effect. First, there was an interpretive ambiguity in the arrangement, and thus, compliance could not be determined. Secondly, there was no mutual trust and a weak supervisory system. Based on the above results, this paper proposes the following five countermeasures: clearer rules, technical supervision, gradual trust-building, procedural maritime issues resolution and stronger institutional support. The above measures will help the temporary maritime arrangements last longer.

5.2. Research significance

This paper has both theoretical and applied purposes. Although the temporary measures may reduce the immediate conflict in theory, they are not feasible in the long run because of interpretive ambiguity and the credible commitment problem. In practice, it can be seen that informal understandings are prone to being vague in terms and difficult to monitor in their application. The above measures offer a practical choice for the maritime authorities and diplomats to improve communication and reduce miscalculation and maritime issues. Greater stability of the temporary

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arrangement would also reduce the risk of accidental conflict and support maritime security in the Nanhai.

5.3. Limitations and future studies

This study will only use secondary sources, such as academic papers, official documents and media reports. It does not contain the records of internal negotiations or the views of frontline commanders, and its policy recommendations have not been verified empirically. In the future, one will conduct interviews to explore the decision-making process, distribute questionnaires on the acceptance of third-party technical support, and apply game-theoretic modelling or crisis simulation to test various mechanisms. Other maritime issues in the Nanhai can also be selected for comparison to determine their external validity.

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