

The underlying prerequisites of successful Kenyan and East-African regional development are the continuation of, or construction of a model similar to, the Africa Growth and Opportunity Act (AGOA, set to expire in 2025), and the movement of Kenyan manufacturing capacities 'up' the value chain. The attainment of both not only necessitate the sustainability of bilateral US-Kenya and Sino-Kenya relationships, but also the continuation of constructive cooperation between US and China. It is thus imperative that Kenya actively seeks to promote a peaceful world order, where existing tensions between US and China remain within the premises of 'competition' rather than escalating into direct confrontation.

Firstly, it is important to acknowledge that China will most likely veto the proposed resolution; thus, the vote will not result in any productive outcomes. China's historical claims to sovereignty in the South China Sea (SCS) dates back to 1947; furthermore, the issue of SCS has transcended beyond Chinese geopolitical supremacy, and has become the centrepiece of the party's expansionist ideology integral to 'Chinese Dream'. Against this background, any vote in support of the proposed resolution will be perceived by China as direct challenge against its national sovereignty, which may invite potential escalated militarization in the region. Given this, Kenya should consider abstaining the resolution in its current form in order to remain a neutral position on the issue until a solution arises which may produce a more constructive outcome.

Secondly, it is in Kenya's national interests in terms of security and economic prosperity that the US-China relationship strictly remains one of competition, and not military rivalry. In the immediate short-term pressure will mount for both China and US to intensify competition across economic and security fronts, and specifically with Kenya as a primary arena of competition in the African continent. This increased competition invites a unique opportunity for Kenya to use its resources as leverage to demand terms which better suit Kenya's developmental interests with both countries. It is thus in Kenya's foremost interests to minimize the possibility of direct conflict between US and China, and support all efforts towards de-escalation of tensions in the SCS.

Finally, the Minister should advise President Biden that whilst Kenya acknowledges the illegitimacy of Chinese claims to sovereignty in SCS under UN Convention on Laws of the Sea, the US-drafted UNSC resolution in its current form is not likely to result in any productive outcomes in contributing to a sustainable long-term solution on the issue of sovereignty in the region, which necessarily involve concessions from both US and China. Furthermore, this resolution risks undermining not only US-China relations but the stability of their respective relations with Kenya, thereby impeding progress towards its long-term development. The Minister should advise President Biden to seek alternate solutions, such as paving pathways for conflict mitigation by providing conditional economic incentives for China in return for demilitarization.