The problems of ocean management in Southeast Asia are many and varied. They are political, legal and economic and are linked to one another. In the case of Southeast Asia, it is not the question of solving one problem as an isolated case. The priority is to find a working method and mechanism for better management of the ocean.

An issue such as the South China Seas dispute takes a precedence over other issues. It involves boundary disputes, national security, economic interest and expansionist tendencies on the part of China. Therefore it is complicated, and although avoiding conflict and a peaceful settlement to the dispute seem to be the most important aim at present, at the core lies the need for a functioning and successful ocean management mechanism.

Inspite of the many problems that accompany ocean management, there exist prospects to overcome them. The overall objective is to look after one's own national interest while at the same time, balancing it with regional interest and also accommodating the interest of maritime nations and external powers. The Southeast Asian countries have relied on
consensus and multilateral negotiations to work out problems. To a large extent, these methods are being applied to ocean management. The formation of the ARF and CSCAP show that the trend of working as a group continues. Several initiatives have also been taken to find a settlement to the South China Sea dispute and these have been concerted efforts.

The inclusion of extra-regional powers into the ARF and CSCAP have enlarged the dimension and scope of discussions and also the potential of settlements. Under the aegis of the ARF, the ASEAN countries can sit across the table with China. It is still early to foresee the future success of such groupings, but the most important part is that they are the beginning and the stepping-stones.

Further, if the quality of the regional navies have improved, it is more in terms of defensive, and not offensive capabilities. This fact concludes that the region recognizes that it cannot afford a needless conflict.
That ocean and maritime issues are important to Southeast Asia is beyond doubt; what gives it an added impetus is the crucial stage at which the region is now passing through. At the closing of this century, behind lies decades of armed conflict and Cold War division; at present is the uncertainty and anxiety of a post Cold War multi-polar world and ahead is the prospect of the Pacific Century.

Inspite of the conflicts of the past, the Southeast Asian leaders have been prudent enough to make the region one of the most dynamic and fastest developing regions in the world. It is for this reason too that the region holds such an enormous growth potential, and is becoming increasingly competitive in the world market. Central to this potential is the wealth of the oceans, the dependence on the regional seas and the vital role of the regional SLOCs.

History has always endowed Southeast Asia with an importance; its advantageous pivotal location and its wealth of natural resources has made it an area of conflicting foreign interest from ancient times. As a Malay saying goes "mana ada gula ada semut" (Where there is sugar, there are ants). History has shown too that any power that controlled the regional seas, particularly the Malacca Straits, could either control or wield
substantial influence over the region - even beyond the Indian Ocean, which, at the height of Great Britain's imperial power was known as a British lake. During the Cold War, the seas played a central role in the strategic thinking of the contending superpowers; the United States based its Seventh Fleet at Subic Bay in the Philippines and the Soviet Union maintained a naval base at Da Nang in Vietnam.

Times and politics have changed. The concept of security in the new era is economics. Noordin Sopiee of Malaysia's Institute of Strategic and International Studies put it succinctly when he said,

"Economics will be the central struggle of our times".

With a collective population 420 million people, Southeast Asia enjoys a buoyant economy with the ASEAN having a sustained growth of 7 percent per year. By 2024 the ASEAN along with East Asia will account for half of the world's economy. The ASEAN Free Trade Area (AFTA) is scheduled to be created by 2003. Vietnam, Burma and Laos are now part of the ASEAN. The developments in Cambodia have delayed its inclusion into

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1 Sopiee, Noordin New Straits Times (Kuala Lumpur) 14 October, 1995.
the Association. If this is achieved the whole region will be incorporated into the ASEAN a tremendous achievement for a region which, just a decade ago, was still ideologically divided owing to Cold War politics.

The 18-member Asia-Pacific Economic Cooperation (APEC) is one of the vehicles for Southeast Asia to forge ahead economically. The APEC forum has launched a trade liberalizing drive and its leaders have set 2020 as a deadline for free trade (with a target of 2010 for developed countries).

It is against this backdrop of great growth potential, that Southeast Asia enters the twenty-first century - the Pacific Century. To safeguard their hard-earned prosperity and protect precious resources, Southeast Asia has realized that it must not only ensure the safety of the region's SLOCs and work out a tangible ocean management programme. It requires an intelligent use of technology, a careful mix of high, medium and low technology. The Law of the Sea (following UNCLOS III) provides a structural framework for maritime policies. Various forums, bilateral and multilateral, also serve as mechanisms in ocean management. However such mechanisms also have their shortcomings, but it is the Southeast Asian genius for consensus that usually overcomes any handicaps.
The post Cold War has also seen a restructuring of the concept of security, and strategic thinking. Security now incorporates not only military strategy, but also economic and political factors. As mentioned earlier, the continuity of the region's progress and development is now considered the most important aspect of security thinking in present day Southeast Asia.

In terms of military strategy, land-based threat has diminished greatly and the region has re-oriented strategy towards maritime-based conflict. The South China Sea dispute, overlapping claims of Economic Exclusive Zones, fears of a resurgent Japanese militarism and the ever-present annuity over China are all centered on the sea-namely the South China Sea. Therefore, the security considerations about the structure of the armed forces and the definition of a national defence strategy are now primarily based on protection of territory including the EEZ and offshore resources and, surveillance and protection of the important SLOCs. Apart from these, there has been a change of the military doctrine from counter-insurgency to a conventional warfare strategy.

This new shift in maritime-oriented defence in evident by the arms purchase in Southeast Asia. All the ASEAN countries are purchasing
equipments to improve naval capabilities - frigates in Malaysia, helicopter carriers in Thailand and patrol boats in the Philippines. To improve Indonesia's naval and air force capabilities for surveillance of the county's long coastline and protection of SLOCs, the Indonesian government has recently acquired 39 ships (from the former East German navy), F-16s and HAWK 100/200 (from the UK).

A new trend in the region is acquisition of submarines. An analysis based on a study by Forecast International (Connecticut, USA) shows, that all the ASEAN countries with the exception of Indonesia (which already possesses two submarines). Brunei and the Philippines are likely to order 2-3 submarines between 1997-2006.

Such a trend has largely been criticized by outside analysts as also academicians in the region, as unnecessary and belligerent. Many of these countries also lack the technology and support system to maintain submarines. Besides, there is no focussed attempt yet to integrate command and control structures between the ASEAN countries.

Whether acquiring a submarine or modernizing one's navy will prove beneficial in the long run is yet to be seen. However, such trends derive home the point, that the Southeast Asian countries are taking
maritime security very seriously, and that strategy is largely maritime in nature now.

Besides military considerations, the interest in maritime security arises from such important needs as maintaining coastal security, checking piracy and preventing smuggling. For a country like Indonesia, one of the most important prerogatives is to ensure cohesion by protecting the archipelagic principle. Environmental concerns have become the new watchword and this area requires a very profound and co-ordinated effort on the part of all the regional problems to tackle the problem. Along with economics, the environment has given a new meaning to the concept of security. Ignoring it on failing to cope with environmental hazards now would snowball into a disastrous result for Southeast Asia's seas.

Southeast Asia is confronted with the need to look after its own security, while honouring the right of other maritime countries to traverse regional waters. It is a region, where all but one country, is bordered by sea, where millions depend on the seas for food and livelihood and intra regional communication and trade. It is home to two of the world's longest archipelagic states and the second busiest strait. Its regional waterways
are also vital for international trade and commerce. As the Pacific Century draws closer, so much is at stake, as far as ocean management is concerned. For if Southeast Asia allows itself to manage the seas badly, much of what the region has achieved may come to nought.
Zone of Peace, Freedom and Neutrality Declaration
(Kuala Lumpur, 27 November 1971)

We the Foreign Ministers of Indonesia, Malaysia, the Philippines, Singapore and the Special Envoy of the National Executive Council of Thailand:

FIRMLY believing in the merits of regional cooperation which has drawn our countries to cooperate together in the economic, social and cultural fields in the Association of South East Asian Nations;

DESIROUS of bringing about a relaxation of international tension and of achieving a lasting peace in South East Asia;

INSPIRED by the worthy aims and objectives of the United Nations, in particular by the principles of respect for the sovereignty and territorial integrity of all states, abstention from threat or use of force, peaceful settlement of international disputes, equal rights and self-determination and non-interference in the affairs of States;

BELIEVING in the continuing validity of the "Declaration on the Promotion of World Peace and Cooperation" of the Bandung Conference of 1955 which, among others, enunciates the principles by which states may coexist peacefully;

RECOGNISING the right of every state, large or small, to lead its national existence free from outside interference in its internal affairs as this interference will adversely affect its freedom, independence and integrity;

DEDICATED to the maintenance of peace, freedom and independence unimpaired;

BELIEVING in the need to meet present challenges and new developments by cooperating with all peace and freedom loving nations, both within and outside the region, in the furtherance of world peace, stability and harmony;

COGNIZANT of the significant trend towards establishing nuclear-free zones, as in the "Treaty for the Prohibition of Nuclear Weapons in Latin America" and the Lusaka Declaration proclaiming Africa as a nuclear-free zone, for the purpose of promoting world peace and security by reducing the areas of international conflicts and tension;

REITERATING our commitment to the principle in the Bangkok Declaration which established ASEAN in 1967, "that the countries of South East Asia share a primary responsibility for strengthening the economic and social stability of the region and ensuring their peaceful and progressive national development, and that they are determined to ensure stability and security from external interference in any form or manifestation in order to preserve their national identities in accordance with the ideals and aspirations of their peoples";

AGREEING that the neutralization of South East Asia is a desirable objective and that we should explore ways and means of bringing about its realization; and

CONVINCED that the time is propitious for joint action to give effective expression to the deeply felt desire of the peoples of South East Asia to ensure the conditions of peace and stability indispensable to their independence and their economic and social well-being,

DO HEREBY STATE:

1. that Indonesia, Malaysia, the Philippines, Singapore and Thailand are determined to exert initially necessary efforts to secure the recognition of, and respect for, South East Asia as a Zone of Peace, Freedom and Neutrality, free from any form or manner of interference by outside Powers;

2. that South East Asian countries should make concerted efforts to broaden the areas of cooperation which would contribute to their strength, solidarity and closer relationship.

DONE at Kuala Lumpur on Saturday, the 27th of November 1971.
ANNOUNCEMENT
"ESTABLISHMENT OF THE COUNCIL FOR SECURITY COOPERATION IN THE ASIA PACIFIC"

KUALA LUMPUR, 8 JUNE 1993

The ending of the Cold War and the fundamental transformation ensuing from the elimination of superpower rivalry have prompted a far-reaching re-evaluation of security arrangements in the Asia-Pacific region.

Four institutions in the region, namely the ASEAN Institutes of Strategic and International Studies (ASEAN ISIS), the Japan Institute of International Affairs (JIIA), Pacific Forum/CSIS (Honolulu), and the Seoul Forum for International Affairs, together with representatives of other research institutes from the region, have undertaken an in-depth examination of the security issues and challenges facing Asia-Pacific today and in the future.

A series of conferences on Security Cooperation in the Asia Pacific (SCAP) have been held: first in Honolulu (October 29-30, 1991); second in Bali (April 17-19, 1992); and third in Seoul (November 1-3, 1992). Participants from seventeen countries, including scholars as well as officials acting in their private capacities, have taken part in these meetings.

The discussions at these meetings have clearly shown the need for more structured processes for regional confidence building and security cooperation. The meetings welcomed the initiatives at the official level to develop a formal or informal inter-governmental regional forum for dialogue on political-security issues.

In particular, the meetings noted the concrete steps that have been taken by the ASEAN Post Ministerial Conference (PMC) at which the six ASEAN foreign ministers (Brunei, Indonesia, Malaysia, the Philippines, Singapore and Thailand) meet annually with foreign ministers of other Asia-Pacific countries (Australia, Canada, Japan, the Republic of Korea, New Zealand and the United States) and a representative of the European Community. The participants in the SCAP process believe that the PMC makes a significant contribution to the development of a multilateral political-security dialogue for the Asia-Pacific region. The participants support the multilateralisation of the ASEAN PMC process and the establishment of a Senior Officials Meeting (SOM). The participants believe that the ASEAN PMC process should be inclusive and welcome the early inclusion of other countries in the region.

The participants also welcomed initiatives for the establishment of other regional processes, such as the North Pacific Cooperative Security Dialogue Proposal. These initiatives can only strengthen the broader regional processes.

As representatives of non-governmental institutions concerned with the security, stability and peace of the region, we also feel that we have the responsibility to contribute to the efforts towards regional confidence building and enhancing regional security through dialogues, consultations, and cooperation.

It is with this objective in mind that we are establishing a Council for Security Cooperation in Asia-Pacific (CSCAP). It will be open to all territories and countries in the region. The Council's activities will be guided by a Steering Committee consisting of representatives of non-governmental institutions in the region who are committed to the ideals of regional security cooperation.

Steering Committee members will seek to establish broad-based committees in each of their respective countries or territories. These committees should include government officials in their private capacities.

We also propose that CSCAP establish Working Groups that will be given the tasks of undertaking policy-oriented studies on specific regional political-security problems.

Initially the CSCAP Steering Committee will be co-chaired by Amos Jordan (Pacific Forum/CSIS) and Juwai Wanandi (CSIS Jakarta). The Steering Committee will be served by a Secretariat. ISIS Malaysia has accepted this responsibility for the first two years.

The founding members of CSCAP are:

- Strategic and Defense Studies Centre, ANU, Australia
- University of Toronto-York University, Joint Center for Asia Pacific Studies, Canada
- Centre for Strategic and International Studies, Indonesia
- Japan Institute for International Affairs, Japan
- The Seoul Forum for International Affairs, Republic of Korea
- Institute of Strategic and International Studies, Malaysia
- Institute for Strategic and Development Studies, Philippines
- Singapore Institute of International Affairs, Singapore
- Institute for Security and International Studies, Thailand
- Pacific Forum/CSIS, United States of America
1. GOVERNMENT DECLARATION CONCERNING THE WATER AREAS OF INDONESIA, 13 DECEMBER 1957.

The Cabinet, in its session of Friday 13 December 1957, discussed the problem of the water areas of the Republic of Indonesia.

The geographical composition of Indonesia as an archipelago consisting of thousands of islands has its own particular characteristics.

For the purposes of territorial unity, and in order to protect the resources of Indonesia, all islands and the seas in between must be regarded as one total unit.

The delimitation of the territorial sea as laid down in the "Territorial Sea and Maritime Districts Ordinance of 1939," (Official Gazette, 1939, no. 442, Art. 1, par. 1) is no longer in accordance with the above-mentioned considerations (as it divides the land territory of Indonesia into separated sections, each with its own territorial waters).

On the basis of these considerations, the Government declares that all waters, surrounding, between and connecting the islands constituting the Indonesian state, regardless of their extension or breadth, are integral parts of the territory of the Indonesian state and therefore, parts of the internal or national waters which are under the exclusive sovereignty of the Indonesian state. Innocent passage of foreign ships in these internal waters is granted as long as it is not prejudicial to or violates the sovereignty and security of Indonesia.

The delimitation of the territorial sea (the breadth of which is 12 miles) is measured from baselines connecting the outermost points of the islands of Indonesia.

The above-mentioned provisions will be enacted as soon as possible.

This Government position will be maintained at the International Conference on the Law of the Sea which will be held in Geneva in February 1958.
PRESIDENTIAL DECREE NO. 1596
DECLARING CERTAIN AREA PART OF THE PHILIPPINE TERRITORY AND PROVIDING FOR THEIR GOVERNMENT AND ADMINISTRATION

WHEREAS, by reason of their proximity the cluster of islands and islets in the South China Sea situated within the following:

KALAYAAN ISLAND GROUP

From a point/on the Philippine Treaty Limits/at latitude 7°40' North and longitude 116°00' East of Greenwich, thence due West along the parallel of 7°40' N to its intersection with the meridian of longitude 112°10' E, thence due north along the meridian of 112°10' E to its intersection with the parallel of 9°00' N, thence northeastward to the intersection of the parallel of 12°00' N with the meridian of longitude 114°30' E, thence, due East along the parallel of 12°00' N to its intersection with the meridian of 118°00' E, thence due South along the meridian of longitude 118°00' E to its intersection with the parallel of 10°00' N, thence southeastwards to the point of beginning at 7°40' N latitude and 116°00' E longitude. Are vital to the security and economic survival of the Philippines.

WHEREAS, much of the above area is part of the continental margin of the Philippine archipelago.

WHEREAS, these areas do not legally belong to any state or nation, but, by reason of history, indispensable need, and effective occupation and control established in accordance with international law, such are as much now be deemed to belong and subject to the sovereignty of the Philippines.

WHEREAS, while others states have laid claims to some of these areas, their claims have lapsed by abandonment and can not prevail over that of the Philippines on legal, historical, and equitable grounds.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree as follows:
SECTION 1. The area within the following boundaries:

From a point/on the Philippine Treaty Limits/at latitude 7°40' North and longitude 116°00' East of Greenwich, thence due West along the parallel of 77°40' N to its intersection with the meridian of longitude 112°10' E, thence due north along the meridian of 112°10' E to its intersection with the parallel of 9°00' N, thence northeastward to the intersection of the parallel of the 12°00' N with the meridian longitude 114°30' E, thence, due east along the parallel of 12°00' N to its intersection with the meridian of 118°00' E, thence due South along the meridian of longitude of 118°00' E due its intersection with the parallel of 10°00' N, thence Southwestwards to the point of beginning at 7°40' N, latitude and 116°00' E longitude; including the sea-bed, sub-soil, continental margin and air space shall belong and be subject to the sovereignty of the Philippines. Such area is hereby constituted as a distinct and separate municipality of the Province of Palawan and shall be known as 'Kalayaan'.

SECTION 2. Pending the election of its regular officials and during the period of emergency declared in Proclamation No. 1081, and unless earlier provided by law, the administration and government of the area shall be vested in the Secretary of National Defence or in such officers of the Civil government or the Armed Forces of the Philippines as the President may designate.

SECTION 3. This Decree shall take effect immediately.

DONE in the City of Manila, this 11th day of June, in the year of Our Lord, nineteen hundred and seventy-eight.

(SGD) FERDINAND E. MARCOS
President of the Philippines

By the President:

(SGD) JACOBO C. CLAVE
President Executive Assistant

1. The Governments of the Republic of Indonesia, Malaysia and the Republic of Singapore held consultations with a view to adopting a common position on matters relating to the Straits of Malacca and Singapore.

2. Consultations between the Government of the Republic of Indonesia and the Republic of Singapore were held at the Ministry of Foreign Affairs, Singapore on 8 October 1971 and attended by the Minister of Communications, H. E. Frans Seda and the Indonesian Ambassador to Singapore, H. E. Major General Soenarsoto representing Indonesia while Singapore was represented by the Minister for Communications, Mr. Yong Nyuk Lin, the Minister of Defence, Dr. Goh Keng Swee and the Acting Minister for Foreign Affairs, Mr. E. M. Barker.

3. Consultations between the Government of the Republic of Indonesia and the Government of Malaysia were held at the Attorney-General's Chambers, Kuala Lumpur on 14 October 1971 and attended by the Minister of Communications, H. E. Frans Seda, the Indonesian Ambassador to Malaysia, H. E. Tan Sri, Major General H. A. Thalib, PMN and the Indonesian Ambassador to Singapore, H. E. Major General Soenarsoto representing Indonesia, while Malaysia was represented by the Attorney-General the Honourable Tan Sri Haji Abdul Kadir bin Yusof and the Deputy Secretary-General, Ministry of Foreign Affairs, Mr. Zainal Abidin bin Sulom.

4. The results of the above mentioned consultations were as follows:

   (i) The three governments agreed that the safety of navigation in the Straits of Malacca and Singapore is the responsibility of the coastal states concerned;
   (ii) the three governments agreed on the need for tripartite cooperation on the safety of navigation in the two straits;
   (iii) the three governments agreed that a body for cooperation to coordinate efforts for the safety of navigation in the Straits of Malacca and Singapore be established as soon as possible and that such body should be composed of only the three coastal states concerned;
   (iv) the three governments also agreed that the problem of the safety of navigation and the question of internationalisation of the straits are two separate issues;
   (v) the Governments of the Republic of Indonesia and of Malaysia agreed that the Straits of Malacca and Singapore are not international straits while fully recognizing their use for international shipping in accordance with the principle of innocent passage. The Government of Singapore takes note of the position of the Governments of the Republic of Indonesia and of Malaysia on this point;
   (vi) on the basis of this understanding the three governments approved the continuation of the hydrographic survey.

announced simultaneously in Jakarta, Kuala Lumpur and Singapore on Tuesday, 5 November 1971 at 12.00 hours Western Indonesian Time and at 12.30 hours Malaysian and Singapore Time.
IV. JOINT STATEMENT ON SAFETY OF NAVIGATION IN THE STRAITS OF MALACCA AND SINGAPORE, 24 FEBRUARY 1977

The meeting of the foreign ministers of Indonesia, Malaysia and Singapore was held in Manila on 24 February 1977 to consider measures to enhance safety of navigation and to promote close cooperation and coordination on anti-pollution policy and measures in the Straits of Malacca and Singapore.

H. E. Adam Malik, Foreign Minister of Indonesia, Y. B. M. Tengku Ahmad Rithauddeen, Minister of Foreign Affairs of Malaysia and H. E. S. Rajaratnam, Minister for Foreign Affairs of Singapore, attended the meeting.

The Foreign Ministers considered and reviewed the report of the senior officials meeting held in Jakarta from 20 to 21 December 1976 and signed the agreement on safety of navigation in the Straits of Malacca and Singapore, adopting the following recommendations:

(i) Vessels maintain a single under keel clearance (UKC) of at least 3.5 metres at all times during the entire passage through the Straits of Malacca and Singapore and that they also take all necessary safety precautions especially when navigating through critical areas.

(ii) The delineation of the traffic separation scheme (TSS) in three specified critical areas of the Straits of Malacca and Singapore, namely in the One Fathom Bank area, the Main Strait and Philip Channel, and off Hornburgh Lighthouse.

(iii) Deep draught vessels, namely vessels having draughts of 15 metres and above, are required to pass through the designated deep water route (DWR) in the Strait of Singapore up to Buffalo Rock and are recommended to navigate in the specified route from Buffalo Rock up to Batu Berhanti area. Other vessels are recommended not to enter the DWR except in an emergency.

(iv) Navigational aids and facilities be improved for the effective and efficient implementation of the TSS.

(v) The existing voluntary reporting procedure and mechanism for large vessels be maintained.

(vi) The principle of voluntary pilotage through the critical areas in the Strait of Singapore be applied.

(vii) VLCCs and deep draught vessels are advised to navigate at a speed of not more than 12 knots during their passage through critical areas, and that no overtaking be allowed in the DWR.

(viii) Charts and current tidal data be improved.

(ix) Rule 10 of the International Regulations for Preventing Collisions at Sea, 1972, be applied as far as practicable within the TSS.

(x) The implementation of the TSS should not pose a financial burden on the coastal states and the necessary funds be obtained from the users.

(xi) A joint policy to deal with marine pollution be formulated.

(xii) All tankers and large vessels navigating through the Straits of Malacca and Singapore be adequately covered by insurance and compensation schemes.

The Foreign Ministers of Indonesia, Malaysia and Singapore expressed their appreciation to the Government of the Philippines for having provided the facilities for their meeting in Manila.
ASEAN DECLARATION ON THE SOUTH CHINA SEA

We, the Foreign Ministers of the member countries of the Association of Southeast Asian Nations,

Recalling the historic, cultural and social ties that bind our peoples as states adjacent to the South China Sea;

Wishing to promote the spirit of kinship, friendship and harmony among our peoples who share similar Asian traditions and heritage;

Desiring of further promoting conditions essential to greater economic cooperation and growth;

Recognizing that we are bound by similar ideals of mutual respect, freedom, sovereignty and mutuality of interests;

Recognizing that South China Sea issues involve sensitive questions of sovereignty and jurisdiction of the parties directly concerned;

Conscious that any adverse developments in the South China Sea directly affect peace and stability in the region;

Hereby —

1. Emphasize the necessity to resolve all sovereignty and jurisdictional issues pertaining to the South China Sea by peaceful means, without resort to force;

2. Urge all parties concerned to exercise restraint with the view to creating a positive climate for the eventual resolution of all disputes;

3. Resolve, without prejudicing the sovereignty and jurisdiction of countries having direct interests in the area to explore the possibility of cooperation in the South China Sea relating to the safety of maritime navigation and communication, protection against pollution of the marine environment, cooperation in search and rescue operations, efforts towards combating piracy and armed robbery as well as collaboration in the campaign against illicit trafficking in drugs;

4. Command all parties concerned to apply the principles contained in the Treaty of Friendship and Cooperation in Southeast Asia as the basis for establishing a code of international conduct over the South China Sea;

5. Invite all parties concerned to subscribe to this Declaration of principles.

Signed in Manila, Philippines, this 22nd day of July, nineteen hundred and ninety-two.

For Brunei Darussalam: (signed)
(HRH PRINCE MOHAMED BOLKIAH) Minister of Foreign Affairs

For the Republic of Indonesia: (signed)
(ALI ALATAS) Minister for Foreign Affairs

For Malaysia: (signed)
(DATUK ABDULLAH BIN HAJI AHMAD BADAWI) Minister of Foreign Affairs

For the Republic of the Philippines: (signed)
(PAUL S. MANGLAPUS) Minister of Foreign Affairs

For the Republic of Singapore: (signed)
(WONG KAN SENG) Minister of Foreign Affairs

For the Kingdom of Thailand: (signed)
(ARSA SARASIN) Minister of Foreign Affairs
WORKSHOP STATEMENT
Yogyakarta, 2 July 1992

1. The third Workshop on “Managing Potential Conflicts in the South China Sea” was held in Yogyakarta from June 29 - July 2, 1992.

2. The Workshop, convened by the Research and Development Agency of the Department of Foreign Affairs of Indonesia and the Institute for Southeast Asian Studies, Jakarta, was supported by the Canadian International Development Agency and various governmental and non-governmental institutions in Indonesia.

3. Fifty-eight participants from the countries around the South China Sea region attended the workshop. Also present were Resource Persons from Canada.

4. The agenda for this workshop was as follows: Resource Management; Shipping, Navigation and Communications; Environment, Ecology and Marine Scientific Research; Political and Security Issues; Territorial and Jurisdictional Issues; Institutional Mechanisms for Cooperation; and Spratly and Paracel Issues.

5. In the session on Resource Management, participants supported the idea of living and non-living resource assessment, as well as investigating directions for further cooperation that did not impact on or attempt to prejudice questions of territorial sovereignty.

6. In the session on Shipping, Navigation and Communications, joint hydrographic surveys of dangerous areas in the interests of navigational safety, improving navigational aids, cooperation in combating marine pollution, search and rescue, and disaster mitigation, were considered possible areas for cooperation with further details to be worked out in the proposal.

7. Participants supported the concept of cooperative marine scientific research in the South China Sea, which was proposed during the session on Environment, Ecology and Marine Scientific Research.

8. At the remaining sessions participants discussed recent developments in the South China Sea region pertaining to jurisdiction, and security issues in the light of developments in world events since the 1991 Bandung meeting.

9. Participants reaffirmed the points agreed to at the second workshop held in Bandung in July, 1991 which the participants felt able to recommend to their respective governments, including a renunciation of the use of force to settle territorial and jurisdictional disputes, the settlement of disputes by peaceful means through dialogue and negotiation, the exercise of self-restraint in order not to complicate the situation, and cooperation in the disputed areas without prejudice to territorial claims and in the common interests of the countries concerned.

10. Participants agreed that the present informal workshop should continue to function to develop and promote cooperation in the South China Sea and to coordinate immediate cooperative plans and action, with appropriate recommendations to governments, on issues of common concern in the region.

11. Participants also agreed, as a concrete step towards cooperation in the South China Sea region, to establish two working groups consisting of experts, to prepare and, after approval by governments, organize joint activities on the following topics:
   - (A) resource assessment and ways of development;
   - (B) marine scientific research.

   The two working groups, after the necessary preparations have been made, shall be convened within the next nine months or as soon as practicable.

12. Among the activities in marine scientific research, the workshop agreed to support a meeting of scientists and an expedition in the South China Sea area to be conducted by scientists from all countries of the region. The preparations and modalities for this conference and expedition, including their terms of reference, shall be prepared by the working group on Marine Scientific Research.

13. Working Group A shall conduct technical meetings to cooperate on the assessment of living and non-living resources, and on options for the development of ground rules, including the possibility of joint development, in an area to be defined.

14. The participants devoted the final session to discussing the issues relating to the Spratly Islands group and the immediate surrounding areas. The participants considered that such an exchange of views was important and therefore should be continued in order to increase mutual understanding and to identify areas where cooperative efforts in the area might be undertaken.

15. The Workshop was conducted in an atmosphere of frankness, friendliness and mutual understanding.

16. The next workshop shall be convened to discuss the results of the working group activities and to continue the exchange of views on the Spratly Islands issues.

17. The Workshop expressed appreciation to Indonesia for having organized the informal meeting and encouraged it to continue with this constructive and positive initiative.

18. The Workshop also expressed appreciation to the Canadian contribution to this Workshop.
Delegations from the Philippines and China met in Manila on 9-10 August 1995 for consultations on the South China Sea and on other areas of cooperation.

The consultations were held in an atmosphere of cordiality and in a frank and constructive manner.

The two sides reiterated the importance they attach to their bilateral relations. They recognized that the continued prosperity of their economies depends upon the peace and stability of the region. They affirmed their commitment to regional peace, stability and cooperation.

Pending the resolution of the dispute, the two sides agreed to abide by the following principles for a code of conduct in the area:

1. Territorial disputes between the two sides should not affect the normal development of their relations. Disputes shall be settled in a peaceful and friendly manner through consultations on the basis of equality and mutual respect.
2. Efforts must be undertaken to build confidence and trust between the two parties, to enhance an atmosphere of peace and stability in the region, and to refrain from using force or threat of force to resolve disputes.
3. In the spirit of expanding common ground and narrowing differences a gradual and progressive process of cooperation shall be adopted with a view to eventually negotiating a settlement of the bilateral disputes.
4. The two sides agree to settle their bilateral disputes in accordance with the recognized principles of international law, including the UN Convention on the Law of the Sea.
5. Both sides shall keep an open-minded attitude on the constructive initiatives and proposals of regional states to pursue multilateral cooperation in the South China Sea at the appropriate time.
6. The two sides agree to promote cooperation in fields such as protection of the marine environment, security of navigation, prevention of piracy, marine scientific research, disaster mitigation and control, search and rescue operations, meteorology, and maritime pollution control. They also agree that on some of the abovementioned issues, multilateral cooperation could eventually be conducted.
7. All parties concerned shall cooperate in the protection and conservation of the marine resources of the South China Sea.
8. Disputes shall be settled by the countries directly concerned without prejudice to the freedom of navigation in the South China Sea.

In order to push the process forward, the two sides agreed to hold discussions among experts on legal issues and sustainable economic cooperation in the South China Sea. They agreed further that experts from the two countries shall hold consultations at a mutually acceptable date in order to explore the possibilities of fisheries cooperation in the disputed area.

The two sides agreed on the importance of bilateral cooperative activities as useful in and of themselves, and as confidence-building measures. They are dedicated to a pragmatic approach to cooperation.

In addition to the South China Sea issue, the two sides reviewed other fields of bilateral cooperation. They emphasized the usefulness of exchanging contacts at the various levels in strengthening cooperation. They noted the successful conclusion of the 18th Philippines-China Joint Trade Committee Meeting. They looked forward to concluding negotiations on the avoidance of double taxation and fiscal evasion. They noted the ratification by the Philippine side of the Bilateral Agreement on the Promotion and Mutual Protection of Investments.

The talks ended with both sides satisfied that some progress had been made in terms of substantially improving the atmosphere of relations and identifying and expanding areas of agreement by holding frank exchanges directly addressing contentious issues. They pledged to continue consultations in the same constructive spirit.