



## Current Situation and Prospects of International Cooperation in the South China Sea among ASEAN Countries

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### ABSTRACT

International cooperation in the South China Sea among ASEAN countries in the current context has become an urgent need. To well implement international cooperation, the concerned countries should have consultations based on scientific assessments of practices and prospects. In that spirit, the article will contribute to elucidating the current status of international cooperation in the sea in a number of specific areas now between national countries in the South China Sea and make judgments about development Hope in the future. Maritime Cooperation in the current context is an urgent need for most maritime areas worldwide. Since international cooperation on the sea, countries strengthen building trust, promoting marine economic development and reducing the risk of conflict. Due to the history of the South China Sea, there are many conflicting disagreements over sovereignty disputes, sovereignty rights, and national jurisdiction. Sea and island sovereignty disputes in the South China Sea have many complex developments both in the field and in bilateral and multilateral diplomatic forums. Therefore, international cooperation in the South China Sea among ASEAN countries in the current context has become an urgent need, this issue needs to be researched deeply to contribute to policy consultations. This article contributes to clarifying the current status of international cooperation in the sea in some specific areas between countries in the South China Sea and making judgments about the prospects in the coming time.

#### To cite this article

[Hoan, D. D. (2019). Current Situation and Prospects of International Cooperation in the South China Sea among ASEAN Countries. *The Journal of Middle East and North Africa Sciences*, 5(9), 14-20]. (P-ISSN 2412- 9763) - (e-ISSN 2412-8937). [www.jomenas.org](http://www.jomenas.org). 3

**Keywords:** International cooperation, South China Sea.

#### 1. Preamble:

At the end of the twentieth century and entering the first decades of the 21<sup>st</sup> century, the trend of peace, strengthening cooperation between countries in the region and the world is still a key priority. In that trend, cooperation and exchanges on the sea are getting more and more focused. The South China Sea region has an important geostrategic position in terms of economy, politics, and military, so countries inside and outside the region, especially large countries, have benefits and desires to secure National interests in this sea.

As a semi-enclosed sea surrounded by a number of ASEAN and Chinese countries, the South China Sea exists in disagreements and contradictions in the perception of territorial sovereignty and maritime boundaries. There have been disputes over sea and island sovereignty between ASEAN member countries and between ASEAN countries and China and Taiwan territory. At one point, the issue of disputes over the islands' sovereignty was not resolved by peaceful means, but instead was a measure of force and the threat of using force.

The objective requirements of the current South China Sea situation require relevant countries, especially ASEAN member countries, to promote cooperation with strategic vision, actively proactively propose cooperative initiatives. sea exchanges, contributing to the preservation of a peaceful and stable environment in the South China Sea to promote economic development, especially in the marine economy. The content and method of international exchange and cooperation in the South China Sea among ASEAN member countries should be implemented within the framework of the United Nations Charter, international law, modern international maritime law, the Convention of United Nations on the 1982 International Law of the Sea and regional agreements such as the Declaration on the Conduct of Parties in the South China Sea (Thao, 2003).

Currently, stakeholders are accelerating the process of negotiating the Code of Conduct of Parties in the South China Sea - COC. *The Code of Conduct (COC) for the South China Sea: ASEAN and China countries approved the draft Code of Conduct in the East Sea after nearly 4 years of starting negotiations. After the ASEAN and Chinese foreign ministers approved the draft*

*framework on the afternoon of August 6, 2017, the document was submitted to the leaders at the Summit from 11/2017. The adoption of a draft framework of the Code of Conduct in the South China Sea will be the first step for the substantive negotiation process. The Code of Conduct in the South China Sea is valid and legally binding, contributing to maintaining peace and stability in the area.* On August 6, 2016, ASEAN and China countries approved the draft of the Code of Conduct in the South China Sea after nearly four years of starting negotiations. At the ASEAN-China Summit held on the afternoon of November 13, 2017, in the Philippine capital of Manila, ASEAN leaders and Chinese Prime Minister - Li Keqiang officially declared ASEAN and China starting to consult and negotiate on the content of the Code of Conduct in the South China Sea and consider it an important basis for maintaining peace in the South China Sea. The leaders also reaffirmed the serious and complete implementation of the Declaration of Conduct in the South China Sea and compliance with international law, including the UN Convention on the Law of the Sea.

In addition, the leaders of the two sides approved the Declaration on the decade of protecting the marine and coastal environment in the South China Sea with the aim of ensuring social security and improving the economic life to help people in the region respond. deal with the impacts of climate change and environmental pollution. Speaking at the Conference, Vietnamese Prime Minister Nguyen Xuan Phuc welcomed the two sides' adoption of the Code of Conduct in the South China Sea and proposed early negotiations on the nature of the Code legally binding. Regarding the direction of cooperation between the parties in the coming time, the Prime Minister of Vietnam shares his view of supporting China's proposal to build the Vision of the Strategic Partnership ASEAN-China 2030 in the direction of continuing to support the construction of the Communist ASEAN and agreeing with other countries to choose the theme of ASEAN-China cooperation in 2018 is creative. At the Conference, ASEAN and China Leaders reviewed and approved the Declaration on strengthening cooperation on infrastructure connectivity, as well as promoting the coherence between the Master Plan on ASEAN Connectivity and Initiative. Belt Road of China.

## **2. Status of International Cooperation in the South China Sea among ASEAN Countries:**

In the current context, ASEAN member countries are speeding up international cooperation on the sea, in many different areas such as joint patrol cooperation on the sea, cooperating to jointly exploit marine resources in the sea area. international encroachment and cooperation on maritime delimitation, exchange, and exchange of information between ASEAN sea-

specialized forces, cooperation in combating piracy and armed robbery against vessels on the sea.

## **3. Joint Maritime Patrol Cooperation between ASEAN Countries:**

The South China Sea is an area with many international maritime routes passing through, being the second most bustling commercial area in the world, second only to the Mediterranean Sea. However, this sea has potential risks of instability due to piracy and armed robbery against ships still taking place regularly, while sovereignty disputes over the islands and islands tend to be complicated.

Remarkably, danger still lurks in the waters of countries in Southeast Asia. With a large area and a supposedly thin security system, this sea is becoming the world's number one hot spot for piracy and armed robbery (Regional Cooperation Agreement, 2014).

This is where 41% of global piracy attacks occurred between 1995 and 2013, causing losses of up to \$ 8.4 billion per year. According to statistics of the International Maritime Bureau (Vietnam), in the first quarter of 2015, there were 54 piracy cases in the world, of which more than half of the cases were concentrated in Southeast Asia. Indonesia is the country with the most attacks of piracy, with nearly 40% of the total. Vietnam is also witnessing an increase in armed robberies.

According to the Vietnam Maritime Administration, since the beginning of 2015, there have been 08 incidents related to maritime security within the waters of Vietnam. In particular, many strange ships attacked Vietnamese fishing vessels using illegal weapons to steal, rob property, threaten and injure crew members. The most typical is the attack on December 7, 2014, Vietnam's VP Asphalt 2 ship carrying 2,300 tons of asphalt and 16 crew members on the journey from Singapore to Vietnam were controlled by pirates, shot and injured 01 crew and arrest the remaining 15 people. Notably, the area occurred very close to the position of the 689 Sunrise ship hijacked in October 2014. Successive attacks have triggered an alarming rise in piracy in the region, causing concern for all vessels traveling through here. According to Recaap's special report, three armed robberies attacked and abducted tugboat crews in the East Sabah and South Philippine seas in late March to mid-April 2016.

Specifically, on March 26, 2016, Brahma 12 ships flagged Indonesia with the Anand 12 barge, carrying 7,000 tons of coal leaving the port of Kalimantan, Indonesia to the power plant in Batangas, Philippines, was armed with 17 intruders. board the train from a speedboat with 3 external engines and a hydraulic propulsion shell ship. The robbery team captured all 10 Indonesian crew members.

On April 1, 2016, Massive 6-nation Malaysian ships with 9 crew members were on their way from

Manila, the Philippines to Tawau, Malaysia to refuel, to the area about 27 nautical miles from Semporna, Sabah, east of Malaysia. 8 bandits armed with guns approached and boarded the ship, arrested 4 Malaysian crew members.

On April 15, 2016, the ship Henry of Indonesian nationality followed barge Christi on his way to Cebu, the Philippines went to Taraka, Indonesia was approached by several armed bandits using speedboats. The ship was attacked by a gun, causing one crew member to be injured and four others arrested.

Center for Quality and Safety Management Certification System (VRQC), Vietnam Register Department said: The situation of maritime security in general and piracy in Southeast Asia has been very complicated recently. Piracy tends to increase sharply in the Sulu-Celebes sea region in the southern Philippines and the Sabah East Sea area of Malaysia. From November 2016 to February 2017, there were 2 cases of Vietnamese ships on the journey of being attacked and arrested by pirates. Specifically, on February 19, 2017, Giang Hai ship of the International Shipping Joint Stock Company - Hai Phong was attacked by pirates in Philippine waters, 6 people were taken away. Previously, on 11/11/2016, pirates also attacked the Royal 16 in Philippine waters and arrested 6 hostages.

According to a representative of VRQC, previously the usual method of piracy was to attack ships to get a property, personal belongings, and then to attack oil tankers, but now pirates tend to switch to arrest people to ransom. Pirates attacked the ship very fragile and brutal, even willing to beat and kill victims. Pirates often use high-speed boats, remote gunfire to bully, attack transports, fishing vessels traveling through this area to catch people and hide in remote islands in the area to demand a ransom.

According to the statistics of Vietnam Maritime Administration, in January 2017, in Asia, 06 armed robberies were attacked and attacked, of which 04 cases were successfully carried out and 02 incidents were a city. In 04 armed robberies successfully attacked, there was one particularly serious incident, one serious incident, one less serious incident and one incident involving petty theft. The case was classified as particularly serious regarding armed criminals attacking Malaysian fishing vessels when the ship was operating in the Sulu Sea - Celebes and arresting three crew members hostage.

Since the security situation in the South China Sea tends to be complicated as analyzed above, the ASEAN member states have accelerated the process of joint patrol cooperation on the sea in recent years. In fact, before the 80s of the twentieth century, confidence-building measures were hardly mentioned, especially among forces directly on duty at sea. Specifically,

common patrol activities have not been widely discussed, there is no high consensus among the countries concerned in the South China Sea. Currently, the maritime task force of the concerned countries in the region has been conducting joint patrol cooperation on the sea step by step. With joint patrols between naval forces, marine police of the countries in the South China Sea region, especially among ASEAN member countries, it is increasingly appreciated and is considered one of the most important measures. importance on building trust that contributes to preserving a peaceful and stable environment at sea.

Specifically, since 1998 Vietnam has carried out joint maritime patrols with Thailand between Vietnamese naval forces and the Royal Thai navy. So far, the two countries have regularly maintained common patrol activities at sea by specialized forces. Through joint patrol activities on the sea, it has contributed to maintaining a peaceful and stable environment on the bordering waters of the two countries, thereby creating conditions for the two countries' fishermen to exploit marine resources on the sea. On the other hand, through joint maritime patrols of functional forces has contributed to building trust, strengthening mutual understanding, sharing information to jointly manage the waters in the Gulf of Thailand. In addition to Thailand, Vietnam and Cambodia regularly organize joint maritime patrols between specialized forces of the two countries, thereby contributing to maintaining security and order in the adjacent waters of the two countries.

Since early 2016, dozens of Indonesian and Malaysian people have been kidnapped by armed elements linked to Abu Sayyaf rebel groups in the southern Philippines in the waters bordering these three countries. Therefore, Indonesia, Malaysia, and the Philippines have been patrolling on the sea in the southern Philippines to prevent kidnapping and ransom activities in the region. The Sulu Sea patrol between the East of Malaysia and the Philippines is a new effort for the three Southeast Asian nations to fight off criminal activities originating from the southern Philippines. AFP news agency quoted Malaysia's defense minister, Hishammuddin Hussein, said in June 2017, Malaysian, Philippine and Indonesian military forces conducted joint patrols on the offshore waters of Mindanao to prevent and suppressing security risks from Islamic rebels and rebels belonging to the self-proclaimed Islamic State -IS.

According to the agreed specific plan, on June 19, 2017, the Philippine, Indonesian and Malaysian navies conducted joint exercises and patrols in the Sulu Sea, southeast of the East Sea, marking the three countries. began joint patrols to strengthen security in frequent waters raged by rebels and pirates. The opening ceremony of this joint patrol was held at Indonesia's naval base in Borneo with the participation of the

Minister of Defense and the Commander of the three countries. The three navies have deployed warships, helicopters and reconnaissance aircraft to participate in patrol activities to ensure regional security after the Islamic terrorists intensify their operations in the southern Philippines, especially the insurgents' attack on the city of Marawi.

Also, on June 19, 2017, Indonesia opened a naval command center at Taracan base, on Borneo island. Two other naval command centers were also established in Malaysia and the Philippines. Indonesian defense officials said the centers will operate on the basis of coordinating patrols and sharing information to form a regional security control triangle. The Indonesian Navy also asked locals and fishermen in the Philippine waters to report to security forces about suspicious subjects. In addition, a mobile police unit was sent to the northern region of Sulawesi, to prevent gunmen from crossing the border.

On October 13, 2017, the three countries of the Philippines, Indonesia, and Malaysia continue to joint patrols to contribute to strengthening aviation and maritime security in the region. The general air patrol activity was held immediately after joint maritime patrols to deal with threats such as piracy, kidnapping, other transnational crimes and especially preventing rebels. Islamic extremists favor IS in the southern Philippines overflowing to neighboring countries. Malaysian Defense Minister Hishammuddin Hussein said that the conflict in the southern Philippine city showed that terrorist organizations associated with IS took advantage of gaps in border management and collusion with terrorist groups. direction. In addition, stakeholders organized joint patrols in the Malacca Strait to ensure maritime security and suppress piracy and armed robbery against boats. Malaysia and Indonesia conducted a joint investigation on May 29, 2015, and lasted 12 days. The Malaysian maritime law enforcement units have collaborated with Indonesian side agencies such as the Navy, Coast Guard, and Maritime Security Council. Admiral Sulistiyanto, Indonesia's commander of Tanjungpinang naval base, said joint patrols would further strengthen cooperation between maritime law enforcement units between the two countries.

Overall, joint patrol activities are held annually among ASEAN countries, contributing to maritime safety and at the same time reducing the risk of potential conflicts in the South China Sea. Joint patrol cooperation is the practical action of the forces directly engaged in maritime missions between countries in the South China Sea in recent times, this measure has been coordinated by some countries. While the maritime sovereignty dispute has not been thoroughly resolved, joint maritime patrol cooperation is seen as an effective confidence-building measure in the South China Sea and the fact that this measure has gradually become into an urgent need

to contribute to the preservation of a peaceful and stable environment. Practices show that joint patrols contribute to the preservation of a peaceful and stable marine environment, thereby contributing to deterring piracy and conspiracy and armed robbery against boats in the area. East Sea.

#### **4. Cooperation in Joint Exploitation of Marine Resources:**

Joint exploitation cooperation can only be carried out on areas where there is overlap in accordance with UNCLOS. The South China Sea is both a place of common interest and a place of island waters under the sovereignty, sovereignty rights and exclusive jurisdiction of countries in the region. Therefore, strengthening the ability to cooperate and develop on some less sensitive areas in the overlapping waters according to the provisions of UNCLOS is an urgent need for stakeholders. Through cooperative measures to exploit marine resources together, it will contribute to preserving a peaceful and stable environment in the South China Sea. However, to strengthen confidence-building measures, the parties need to clearly identify joint exploitation that takes place only in truly overlapping waters, in which the parties have not signed an agreement on maritime delimitation. Accurate delineation of ownership and determination of the maritime legal status of geographical structures such as rocky islands, sunken beaches, shallow beaches, and undersea resources on the basis of UNCLOS is an urgent issue.

The reality shows that there must be common and highly consensus-based common solutions among the concerned countries, which is considered the basis for forming a joint exploitation viewpoint in the South China Sea on the basis of respect each other, equality to contribute to preserving a peaceful and stable environment. From historical experience, the joint exploitation model takes place in many different regions of the world while the issue of sovereignty has not been resolved completely. Therefore, joint exploitation is not a new idea in handling maritime disputes in the world.

Joint exploitation cooperation is considered an agreement between the countries concerned, to share resources on overlapping seas. The basis of these agreements is the provisions of international law, international maritime law, especially the provisions of UNCLOS. In terms of the law, UNCLOS requires related countries to negotiate temporary arrangements pending negotiations to sign the final agreement on the delimitation of maritime boundaries. Temporary settlements may include agreements to jointly exploit fisheries or jointly agree to exploit other marine resources such as oil and gas. Politically, a temporary agreement on joint exploitation is considered a temporary solution to reduce the risk of conflict between

the parties to the dispute and is only for the purpose of exploiting marine resources and this measure also does not affect sovereignty, sovereignty rights and national jurisdiction over the sea. Thus, a joint cooperation between ASEAN countries is implemented regularly and effectively, which will contribute to reducing the risk of instability and ensuring peace and freedom of navigation in the South China Sea. At international conferences on the East Sea, there have been many proposals for the application of joint exploitation cooperation on overlapping waters, but in fact, the implementation of this model is not always easy.

In fact, the waters bordering Vietnam and Malaysia exist in a sea area overlapping on the continental shelf of the two countries about 2,800 km<sup>2</sup> wide. This area is located at the mouth of the Gulf of Thailand with low depth, averaging about 50 m, the seabed terrain is relatively flat. Both Vietnam and Malaysia are members of UNCLOS, so the general principle for resolving the continental shelf and exclusive economic zone is the principle of equity recognized in Articles 74 and 83 of UNCLOS. At the request of reality, the two sides negotiated and narrowed the disagreements to find a fair solution that both sides could accept. Since both are members of UNCLOS, Vietnam and Malaysia accept the application of the principles of international law and the provisions of UNCLOS to resolve maritime delimitation. In early 1992, during the visit to Kuala Lumpur by Vietnamese Prime Minister Vo Van Kiet, an agreement was reached to negotiate the delimitation of the continental shelf between the two countries.

Based on that agreement, from 3-5 June 1992, in Kuala Lumpur, the first round of negotiations between Vietnam and Malaysia took place and succeeded successfully. Based on the contents of that first round of negotiations, the two countries agreed to agree on the application of the temporary settlement principle stipulated in Article 74 and Article 83 of UNCLOS, which is the boundary outlined and specifying on the chart the appropriate ratio to determine its position, in some cases the drawing of the outer boundary or the planned lines can be replaced by the lists of the geographical coordinates of the points. On that basis, the two sides quickly reached an agreement to apply the common exploitation model for the defined area in the spirit of understanding and cooperation. On June 5, 1992, the two countries officially signed a Memorandum of Understanding of the defined region, the two sides must appoint their representatives to conduct exploration and exploitation activities in the defined area and the agreement. Such exploitation does not compromise the final maritime delimitation planning results between the two countries.

The signing of the Memorandum of Understanding on June 5, 1992, shows that Vietnam has

always been at the forefront of the application of the provisions of Articles 74 and 83 of UNCLOS, not only in maritime delimitation but also in measures joint exploitation of marine resources in overlapping seas. However, in fact, the Memorandum of Understanding does not solve the problem of maritime delimitation between Vietnam and Malaysia. In fact, the two sides need to continue negotiating peace and based on the content of UNCLOS and Memorandum of Understanding to delineate continental shelf and exclusive economic zone. To implement the contents of the Memorandum, Vietnam has sent Petro Vietnam and Malaysia to send Petronas to cooperate in exploiting oil and gas resources in the specified area. On July 29, 1997, the first ton of oil was exploited at the Bunga kekwa mine and this event marked a great success for both parties in managing and cooperating in the exploitation of natural resources as well as contributions. valuable experience to resolve other disputes. Due to the distance between the coast and the islands of the two sides is less than 400 nautical miles, lying on a homogeneous continental shelf and moreover the claims of both sides are based on the median line, which is based on the standard of shore distance. The sea of the two countries, so the two countries can use a single delimitation line as the boundary for both the exclusive economic zone and the continental shelf of the two countries.

##### **5. Cooperation in Maritime Delimitation among Concerned Countries:**

The delimitation of the sea is an important content in the policy of coastal countries, archipelago countries and islands in the world and the region. The maritime delimitation between the contiguous waters is intended to create a clear maritime boundary, contributing to maintaining a peaceful and stable environment for managing and developing marine economic sectors. In fact, in the South China Sea, there have been many maritime delimitation agreements signed in the spirit of peace, stability and joint exploitation among the concerned countries. Vietnam has negotiated maritime delimitation with most of the neighboring countries sharing the sea border, which may include the Agreement on the delimitation of the Tonkin Gulf between Vietnam and China in 2000, the Agreement on Fisheries Cooperation in The Gulf of Tonkin between Vietnam and China in 2000, Agreement on the delimitation of the sea between Vietnam and Thailand in the Gulf of Thailand in 1997, Agreement on historic waters between Vietnam and Cambodia in 1982, Agreement on the delimitation continent between Vietnam and Indonesia in 2003. Vietnam and Indonesia are currently speeding up the negotiation process to delimit the EEZ boundary between the two countries. However, the issue of maritime delimitation not in any region can be easily carried out, because the most

difficult is the issue of negotiating settlement of sovereignty disputes, sovereignty rights, and jurisdiction. judge on the island areas because the views of the sovereignty of the parties are too far apart.

On December 15, 2016, the Indonesian Parliament (DPR) approved the maritime delimitation agreement between Indonesia and Singapore, whereby the maritime boundary between the two countries was determined to the east of the Singapore Strait. This agreement defines the border of 9.45 km between Singapore's Changi and Indonesia's Batam Island. This approval took place after 27 months since the maritime border agreement between the two countries was signed in September 2014. Notably, in the 1-month National Assembly session, DPR only approved 2 bills, including an agreement with Singapore, while delaying up to 40 other bills. Indonesia considered the ratification of the Agreement particularly important because it helped delimit maritime boundaries for the purpose of protecting the sovereignty and preserving its territorial integrity. Currently, Indonesia has solved all bilateral maritime boundaries with Singapore, except the boundary between Indonesia's Bintan Island and Pedra Branca island of Singapore. Singapore needs to negotiate the delimitation of the maritime boundaries of Pedra Branca island with Malaysia after being bounced off by the International Court of Justice (ICJ) as a Singapore sovereign in May 2008. The agreement has just been approved as the third maritime agreement between Singapore and Indonesia.

In May 1973, under the administration of President Suharto and Prime Minister Lee Kuan Yew, the two countries Singapore and Indonesia signed an Agreement on the Delimitation of the Sea Border along the central part of the Singapore Strait. This agreement was ratified by Indonesia in December 1973, Singapore ratified in August 1974. Then in March 2009, the second border agreement in the western part of the Singapore Strait, including the sea stretching between the Sultan of Singapore and the Indonesian waters of Pulau Nipa. This agreement was approved by both parties in August 2010. The good personal relationship between Prime Minister Lee Hsien Loong and President Susilo Bambang Yudhoyono and then President Joko Widodo helped the two countries quickly ratify the Third Border Delimitation Agreement. only one month after the two leaders had their first narrow meeting in November 2016. The ease and quickness of Indonesia's approval can also be attributed to domestic political support. Nationalism broke out in Indonesian society demanding that the government ensure Indonesia has a clearly defined border to protect the sovereignty and territorial integrity. With this agreement, Indonesia may have better conditions to manage and protect natural resources.

Delimitation of the Sea between Indonesia and the Philippines: On May 23, 2014, in Malacañang - The Philippine Presidential Palace, the host country minister Albert del Rosario and his Indonesian counterpart - Marty Natalegawa signed the Agreement on boundary delimitation, the exclusive economic zone between the Republic of the Philippines and the Republic of Indonesia in the waters of Mindanao and Celebes in the presence of the President of the two countries. The signing ceremony took place in the framework of a state visit to the Philippines, and to attend the East Asia Summit and the World Economic Forum of Indonesian President Susilo Bambang Yudhoyono.

Malaysia's maritime delimitation with Indonesia: Indonesian President Joko Widodo and Malaysian Prime Minister Najib Razak agreed to accelerate the completion of the maritime boundary delimitation between the two countries. This is one of the key points of an agreement between Indonesia and Malaysia in bilateral meetings between the leaders of the two countries in Putra Jaya, Malaysia on February 6, 2015. The technical negotiation of the sea border between Indonesia and Malaysia was held from February 24 to 26, 2015. In addition, to motivate early completion of negotiations, President Jokowi and Prime Minister Najib agreed to appoint the heads of the two countries' negotiating delegation. In addition, the two countries agreed to complete the standards of procedures for dealing with fishermen still overlapping. For Indonesian migrant workers, the two leaders agreed to strengthen efforts to protect better migrant workers, including strengthening labor supply through legal procedures.

The two leaders expressed their determination to continue to optimize the potential for economic cooperation between the two countries, including trade and investment. President Jokowi invited Malaysian businessmen to invest in Indonesia, especially infrastructure, such as highways, power plants, railways, and seaports.

## **6. Prospects of International Maritime Cooperation among ASEAN Countries:**

In the current trend of friendly peace among ASEAN countries, disagreements and conflicts between maritime nations will be attempted to cooperate by the concerned countries to resolve through peace negotiations. international law bases, especially UNCLOS and regional agreements. The security situation in the East Sea region tends to be complicated and unpredictable, so the content of joint patrol cooperation on the sea will become an urgent need of practice. Therefore, the maritime task force of ASEAN member countries should continue to cooperate, exchange information and coordinate the construction of a common patrol plan on the sea to achieve the highest efficiency.

In overlapping seas where there is no clear maritime delimitation agreement under the provisions of UNCLOS, there should be joint development agreements for marine resources. The joint development agreement will contribute to strengthening confidence building, reducing mutual distrust. Currently, in the South China Sea among ASEAN member countries, there are many overlapping maritime areas which have not been clearly defined, so the need for joint exploitation is huge. The South China Sea area also has many potential risks of instability, affecting international maritime freedom and causing unsafe for ships of fishermen. Therefore, the need for international cooperation among relevant countries to share information is urgent.

In the present context and in the coming time, ASEAN member countries need to strengthen coordination of information sharing, action coordination to maintain security, order, and safety and ensure freedom of navigation in the South China Sea. In order to establish a legal maritime order in the South China Sea requires three elements: (i) strictly adhere to UNCLOS, (ii) promote the intermediary role of international organizations to discuss security issues, maritime and promoting cooperation, (iii) consolidate standards and rules to resolve the crisis, control and prevent conflict.

### 7. Replace the Ending

The situation of the South China Sea continues to be complicated, stemming from different perspectives on sovereignty, sovereign rights, and jurisdiction. The study only offers approaches to build trust among countries, especially through agreements on the coordination of activities such as information exchange, joint patrol, and exercises of specialized forces. Responsible for maritime operations, coordinating maritime safety control. Related issues are very complex, there are many areas related to many benefits and conflicts between countries in the South China Sea region. In fact, in the face of increasing demand for confidence-building measures at

sea, concerned countries need to conduct goodwill cooperation to build trust that contributes to reducing the risk of conflict. International maritime cooperation between ASEAN member countries is a requirement of practice to reduce the potential risk of armed conflict and enhance mutual understanding between stakeholders. Collaborative activities may include maritime control, joint patrol, maneuvers strategy, maritime transport protection cooperation, and marine scientific research cooperation. A number of measures on international maritime cooperation among ASEAN member states have been initiated from international conferences on the South China Sea to achieve common understanding, coordination of activities, contributing to preservation, a peaceful and stable environment in the South China Sea region. The fact that the East Sea still has many potential risks of instability, so this issue should be further researched to clarify the relevant factors, including policies of major countries, to be able to draw and consult timely and effective response solutions in all situations, especially for forces directly performing tasks at sea.

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Received July 12, 2019; revised July 24, 2018; accepted July 27, 2018; published online September 01, 2019