



## Building the Cooperative Mechanism's Peace, Stability in The East Sea Nowadays

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**Abstract.** Protect, utilize marine resources to promote sustainable development's the content of the UN's Sustainable Development Agenda to 2030. To do so, through cooperation between coastal states, in particular, for sealed coastal countries or semi-enclosed seas. East Sea's semi-enclosed sea according to the United Nations Convention on the Law of the Sea 1982 (Nordquist & Nandan, 2011). When exercising the rights and obligations of UNCLOS, coastal water or semi-enclosed sea cooperate with each other. Promote cooperation - peace - friendship between the countries' East Coast mean to the Commonwealth of China and ASEAN. At present, the East Sea situation's complicated, promote cooperation, discuss the establishment of cooperative mechanisms are an urgent requirement to maintain peace and stability in the region.

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### 1. Introduction:

The East Sea contains many elements of disagreement about conflicting sovereignty, sovereign rights and jurisdiction between the countries in the region. An urgent need for stakeholders to negotiate, build trust, seek solutions, innovate to reducing tensions, proceed to control and prevent armed conflict. Cooperation needs in the East Sea's vitally important, advance on cooperation - peace - friendship, reducing tensions. However, facing different views of sovereignty, sovereign rights and national jurisdiction, what parties have move in cooperation? What're the opportunities and challenges promoting cooperation in the East Sea? How collaborative experience and mechanism? Within the scope of this article, the author will answer these questions.

### 2. Contents' Research:

#### 2.1. Objectives' Research

(i) Analyze the situation and prospect for cooperation in the East Sea nowadays; (ii) Opportunities and challenges in promoting cooperation in the East Sea; (iii) World's experience in the East Sea; (iv) Consider promoting the mechanism of cooperation in the East Sea; and (v) Give some conclusions.

#### 2.2. Methods' Research

The author uses analytical and interpretive methods about collaborative status and prospects for cooperation in the East Sea contribute to reducing the risk of conflict. On this basis, the author made the comment about the

opportunities and challenges in promoting cooperation in the East Sea; lessons learned in the world of international cooperation; analysis of cooperation mechanisms in the East Sea through historical events in order of time, ensuring logic, science and systems. The author also uses regional and international studies methods to analyze the situation in the East Sea nowadays.

#### 2.3. Result's Studying

##### 2.3.1. Evolution of cooperation in the East Sea in the context

Over the years, countries in the region ever tested positive for promoting cooperation in the East Sea, especially the cooperation mechanism. Since 1990, Indonesia has held conferences to find solutions to potential conflict in the East Sea. This mechanism's an informal regional dialogue forum, members mainly countries and territories around the East Sea, initially, there're also some foreign countries involved such as Canada, USA, Australia, New Zealand etc., with goal's seeking dialogue in the East Sea and promote confidence-building in there. In the four chapters that discussed the potential conflict resolution process in the East Sea at that time, China has launched two contents: (i) Information and data warehouse network in the East Sea; (ii) Educational networks and exchanges at Southeast Asia's sea. Two remaining contents are (i) Training law's enforcement forces on the sea; (ii) The change of tide and sea level as well as the environmental impact on the



coastal East Sea. Entering the 21<sup>st</sup> century, the influence of this mechanism weakens political change, due to the complex situation in the East Sea, affect peace and stability in the region.

In 2011, China and ASEAN countries adopted the rules guiding the implementation of the Declaration on the Conduct of Parties in the East Sea (Embassy of the People's Republic of China in New Zealand, 2003). In the mechanism of China-ASEAN group perform DOC, China actively promotes the establishment of Scientific and Technical Committee for the Protection of the Marine Environment, proposed 6 items of cooperation, promote practical cooperation with ASEAN countries in less sensitive areas such as marine science research, environmental protection, disaster prevention, competency building. Some ASEAN countries have implemented multilateral cooperation in the sea. For example, in June 2017, Indonesia, Malaysia and the Philippines launched joint patrols at sea in waters near the province of North Kalimantan Tarakan, to strengthening cooperation, terrorist attacks and transnational crime in the region.

In addition, the East Asia Sea Coordination Agency (UN Environment, 2005) and Partnerships in Environmental Management for the East Asia Seas (PEMSEA, 1993) not directly related to the East Sea but have certain influence on cooperation in the East Sea. COBSEA was formed from the budget support of the Action Plan of Protection and sustainable development of East Asia Sea - one of the United Nations Environment Program's marine projects (Nairobi Convention, 2015). This action plan by Indonesia, Malaysia, Philippines, Singapore and Thailand through 1981, at the same time, Australia, China, Cambodia, Korea and Vietnam joined in 1994. Target mainly strategic planning comprehensive environmental protection for the East Asia Seas, promote sustainable development. Under the COBSEA there 's a project funded by the Global Environment Facility, including countries like China, Malaysia, Philippines, Vietnam, Indonesia, Cambodia, Thailand ..., that projects to prevent environmental degradation trends China Sea and the Gulf of Thailand. PEMSEA headquarters are located in Manila, Philippines, PEMSEA goals through sustainable regional mechanisms strengthen the commitment of countries and regions protection and management of the coastal and marine environment in East Asia, the participating countries are mostly East Asian countries, including all countries in the East Sea.

In terms of international cooperation on the sea, China has always actively promoted practical cooperation with ASEAN in the East Sea. Over many years of development, the Chinese maritime cooperation - ASEAN gradually reflected a new stage - promoting both bilateral and multilateral cooperation, deployed in many areas of cooperation, including, economic cooperation's sea, scientific research and protection sea's environment, joint

survey and interconnection at sea and build joint laboratories sea.

On the bilateral level, China has signed cooperation agreements about technical science sea with Malaysia in 2009, the content covers many areas such as marine policy, marine management, protection of the marine ecological environment, scientific research and marine survey, disaster prevention at sea, exchange of materials on the sea. China signed a memorandum of maritime cooperation with Indonesia, at the same time, establishing a maritime co-operation fund between China and Indonesia, China contributes 1 billion yuan make a capital startup, assist both sides to conduct practical cooperation at sea. In 2009, China and Indonesia jointly built the Bitung Marine Ecosystem, conduct surveys and studies on the typical ecosystems such as coral reefs, mangroves, seagrass beds and the diversification of marine organisms such as coral fish, plankton, benthic organisms, etc., as well as parameters related to seawater and sediment.

In 2013, China and Vietnam set up a Working Group on Cooperation for Maritime Development, enhance the working level of the group in waters outside the Gulf of Tonkin and expert working groups cooperate in less sensitive waters at sea. In October 2013, Prime Minister Li Keqiang visited Brunei, two parties signed bilateral cooperation documents such as Memorandum of Understanding on Cooperation in the Sea, Agreement between the China Petroleum Corporation and the Brunei National Petroleum Corporation on the establishment of joint ventures in the field of oilfield services.

After years of stagnation, sea cooperation between China and Philippines began to restart. On July 25, 1977, Chinese Foreign Minister Wang Yifei visited the Philippines, statement the two parties agreed to cooperate on energy exploration in disputed waters the East Sea. On 13/02/2018, the Second Meeting of the China - Philippines bilateral consultative mechanism on the East Sea was held in Manila, the Philippines, two sides agreed to continue discussions to build trust, agreed on the launch of the technical working group as fisheries, oil and gas, scientific research and marine environmental protection, political security, etc., within the framework of this mechanism, has confirmed a series of potential cooperation initiatives.

On the multilateral level, China actively initiating and promoting regional cooperation in the East Sea. In 2005, three oil companies of China, the Philippines, Vietnam sign agreement with seismic survey offshore East Sea, because of opposition from the Philippines, end of 2008, this agreement has not been the Supreme Court through the Philippines, so far unresolved. In 2011, China set up the China-ASEAN Maritime Cooperation Fund, investing more than 3 billion yuan, used for scientific surveys in the sea, environmental protection, maritime security and search and rescue, crime prevention, transnational. In 2014, China and ASEAN signed a



Memorandum of Cooperation on Disaster Management, it also promotes the ASEAN Regional Forum through the Declaration on Enhanced Coordination and Collaboration in Sea and Air Search and Rescue. In 4/2016, at the 11th ASEAN-China Senior Officials Meeting on DOC implementation, China proposed the committee quickly build cooperation on maritime security and search and rescue, scientific research and protection of the marine environment, attack transnational crime at sea.

In 8/2016, the 13th ASEAN-China Senior Officials Meeting on Implementation of the DOC has reviewed and approved two documents are the guideline for setting up a hotline between senior Chinese and ASEAN diplomats on emergency response at sea and the application of the Code of Conduct for Collision Avoidance at Sea in this area. At the end of October 2017, the first large-scale search and rescue exercise was held successfully between China and ASEAN. In November 2017, ASEAN and China ratified the Declaration on the Protection of the Coastal and Marine Environment in the East Sea, 2017 - 2027, this statement emphasizes parties will be based on not harm other countries stance research or conducting related cooperation activities.

In 8/2017, China and ASEAN adopted a negotiating mechanism for East Sea Code (The Diplomat, 2017), after nearly 4 years of negotiations. Both the two parties praised the move was a sign of progress, with China considering the negotiations an opportunity to enhance mutual understanding and trust. However, critics argue that Beijing's the time to consolidate power on the sea.

On 13/11/2017, within the framework of the 31st ASEAN Summit and Related Summits: The 5th ASEAN-US Summit, two sides held the 40th Anniversary of the Cooperation to review the results that have achieved in recent years and discuss development-oriented cooperation in the coming period. ASEAN - United States relations have developed extensively in many fields, from social culture, economic, political, security since dialogue relations were established in 1977. Relations between the two sides have many important steps, typically the two sides to upgrade relations to a strategic partnership in 2015. The United States ranks third in the ASEAN partners with two-way trade reaching \$215 billion and US direct investment in ASEAN reached \$11.7 billion in 2016. This is also the ASEAN Summit, the first US president to attend Donald Trump since coming to power. This, in part, confirms the US government's commitment to the region, demonstrate policy support for regional institutions and participate actively in ASEAN led mechanism, support the central role of the Association. Talking about politics and security, the two sides shared the situation in the East Sea, Korean Peninsula, anti-terrorism and extremism expressed concern about recent developments in tension and recalled the principle agreed to maintain an environment of peace, security and

stability in the region. Both sides reaffirmed the importance of security, safety, freedom of navigation and aviation in the East Sea; peaceful settlement of disputes; exercising control, not using force, non-militarizing, respecting diplomatic and legal processes, adhering to universally accepted principles of international law, including the United Nations Convention on the Law of the Sea 1982, strictly implement the DOC and soon achieved a Code COC effectively.

Economically, the leaders agreed oriented ASEAN - United States relations continue to focus on areas related to high-tech to support ASEAN countries competency development of microenterprises, small and medium (Sato, 2015), promote start-ups and digital economy. Socio-cultural, the two sides pledged to increase cooperation in many fields, especially youth cooperation through US interconnected initiatives such as Young Leadership Initiative in Southeast Asia (Parameswaran, 2017), The Fulbright Program on ASEAN and the ASEAN-US Program for Science and Technology. At the conference, in addition to the 40th anniversary of the Declaration relations and Presidential Statement of the Philippines, Leaders noted the document on ASEAN - United States in promoting communication trade and IT services with the aim of developing the digital economy and sustainable development.

ASEAN - China have highly appreciated the achievements in many fields as commercial, connection, narrowing the gap, developing infrastructure at the 20<sup>th</sup> ASEAN - China Summit Conference. About commercial, the leaders welcome China's continued leading trade partner of ASEAN in the 8th row; emphasized the effective implementation of the ASEAN - China Plan of Action 2016 - 2020 and the existing mechanisms between the two sides as ACFTA Agreement, taking advantage of resources from ASEAN - China Cooperation Fund and AIIB Bank as continue to strive to implement the goal of bringing trade turnover to \$ 1.000 billion and total investment to \$ 150 billion in 2020. Leaders' ASEAN and Chinese have reviewed the Declaration on Infrastructure Linkage Cooperation to strengthen links in the fields from macro to micro such as policy, strategy development to transport projects and business cooperation to promote economic, trade and investment cooperation between the two sides as well as promoting the link between the ASEAN Connectivity Master Plan (ASEAN, 2018) and China's Road Belt Initiative. This statement carries significance and practical support to the needs, priorities of ASEAN. China has announced that it will grant 20,000 scholarships, 500 scientific exchanges and 1,500 vocational scholarships to ASEAN in 2018 (KY, 2016).

The conference highlighted the success of the cooperative deployment in 2017 on tourism of both sides when two-way tourist arrivals have exceeded 30 million at mid-year. The leaders of ASEAN and China adopted the Declaration on Tourism Cooperation both sides,



towards better tourism promotion and management, improve quality and facilitate the tourists, expanding tourism resources for both China and ASEAN member countries. A statement issued specific content enhancing cooperation to meet the direct benefit of the people as facilitating travel and advantage tourism, improving the quality of tourism, training human resources for the tourism, enhanced connectivity, liberalization of air links and promote cruise tourism and yachting.

The leaders' ASEAN and Chinese has officially launched consultations and negotiations on the content of the Code of Conduct (COC) related to the East Sea at Conference. This's an important basis for maintaining peace in the East Sea; reaffirmed the strict implementation and full compliance with the DOC and international law, including the Convention on the Law of the Sea United Nations International in 1982. On this occasion, the two leaders adopted the Declaration on the Protection of the Marine and Coastal Environment in the East Sea with the aim of ensuring social security and improving economic life, improve the economic life of people in the region to cope with the impacts of climate change and environmental pollution. Ending the summit, the leaders agreed in 2018 as a milestone in ASEAN-China relations when the 15th anniversary of the two sides establish strategic partnerships and expects through Vision Strategic Partner of ASEAN - China Summit 2030 at the ASEAN - China 21st in 2018. The leaders also agreed to choose creative content as the focus of cooperation in 2018 (KY, 2016).

On the morning of February 5, 2018, senior ASEAN (Ministry of Foreign Affairs Republic of Indonesia, 2011) officer met in Singapore. At the meeting, countries agreed agenda and work program of the Conference narrow the ASEAN Foreign Ministers held from 5-6<sup>th</sup> February 2018 in Singapore. Accordingly, the Foreign Ministers discussed the main contents implementation of the 31st ASEAN Summit in the Philippines in November 2017, the process of building ASEAN community, focus ASEAN cooperation in 2018, international and regional issues. Besides, the Head of SOM countries also discussed some of the content within the charge, including reviewing the overall implementation of the plan ASEAN political security Community, discuss the content of the theme of ASEAN cooperation in 2018 and completed before submitting the documents to the Minister for consideration and discussion of ASEAN's external activities, including construction methods Code of Conduct in the East Sea - COC (Hung, 2018).

From 01 to 02/3/2018 in Nha Trang city (Vietnamese American Artists and Media Association, 2018), ASEAN and China held the 23rd Joint Working Group Meeting on the implement Declaration on the Conduct of Parties in the East Sea in the hope of completing the COC. Stakeholders exchanged views on

the implementation of the DOC, promoted maritime cooperation, and consultations on COC. At present, the situation in the East Sea remains unstable. Therefore, China and ASEAN need to continue dialogue and cooperation, strive to make more progress and consolidate improvements in the region, COC to start negotiations' positive step between ASEAN and China. Establish mechanisms for cooperation under the forums such as Asia-Pacific Economic Cooperation Forum (Asia-Pacific Economic Cooperation, 2017), East Asia Summit, the China-ASEAN Cooperation Framework. China and ASEAN have established cooperation mechanisms such as green economy forum, workshops on marine environmental protection, China Sea Cooperation Forum, China-ASEAN Sea Cooperation Center, East Asia Sea Cooperation Forum. In general, although the East Sea regional cooperation has many issues to study, but relatively few practical and specific issue, cooperation on less sensitive areas like the environment, scientific survey, search and rescue, but less cooperation on more sensitive areas such as natural resources, political, security, have many bilateral or multilateral, but little collaboration between countries along the East Sea, especially the cooperation mechanism focuses the East Coast country does not seem to exist. So, in the process of promoting cooperation East Sea, extend beyond the field, should specifically consider the construction of institutionalized cooperation between countries along the East Sea.

### 2.3.2. East Sea Cooperation Faces New Opportunities

After the judgment of the Court, Referee was established in accordance with Annex VII of the United Nations Convention on the Law of the Sea 1982 the lawsuit between the Philippines and China concerning the East Sea, there're complicated, causing tension in the region. Therefore, the East Sea coastal countries need to cooperate inpreserving the environment of peace, stability, and freedom of navigation in the East Sea. Together with the Court of Arbitration for the East Sea by the Philippines offer has ended, the countries concerned started to adjust policies and soothe the situation. The most dramatic change 's the change of China-Philippines relations in 2016 and 2017. Since then, President Duterte has chosen to turn the East Sea arbitration award aside, moved to express friendship with China, seeking to develop cooperative relations with China. In 10/2016, Duterte visited China, the two leaders agreed to restore full exchange between the two countries, return to the orbit of dialogue, handle the problem of East Sea. Representative in the Philippines, most countries claim sovereignty in the East Sea actively back-channel dialogue and consultation to resolve disputes, to create good atmosphere to further promote practical cooperation between countries along the East Sea.

Negotiations Code of Conduct of Parties in the East Sea (Galang, 2017) stabilized, providing the rule and legal



order for practical cooperation in the East Sea. In May 2017, the 14th meeting of senior Chinese-ASEAN officials on the implementation of the DOC adopted the COC framework. Considered as a periodic achievement, the draft COC framework includes such elements as principles, objectives and basic commitments laid a solid foundation for negotiations COC. In 8/2017, the China - ASEAN Foreign Ministers Meeting held in the Philippines approved the draft COC framework. In November 2017, Prime Minister Li Keqiang proposed that China and ASEAN officially initiate negotiations on COC while attending a summit meeting of ASEAN + 3 with China, Japan, South Korea 20th, has received the applause of many ASEAN countries (Thayer, 2014).

But COC is not related to territorial disputes and maritime boundary delimitation but may seek a breakthrough in the field of confidence building on the sea, provide anonymous layout mechanism that all parties can accept about crisis management, this became the basis of ensuring peace of East Sea. COC negotiation is the process of continuously narrowing the disagreement, build trust, it will play a positive boost to the cooperation in the East Sea.

The process of building the Silk Road on the sea of the twenty-first century, China will have an impact on cooperation in the East Sea. In October 2013, when Chinese President Xi Jinping made a state visit to Indonesia has taken the initiative to build the Sea Silk Road in the 21st Century and the Commonwealth of China and ASEAN. The idea of cooperation on building sea and road belt given in 6/2017 clearly identify in the future will promote connectivity and collaboration industries production competency, encouraging the development of service activities such as common interests in the sea, academic research, cultural exchanges, scientific and technological cooperation with non-governmental organizations in the countries along the route. China-ASEAN Cooperation Fund, China-made Silk Road Foundation will provide funding for important marine cooperation projects. Predictably with the impetus of the Silk Road Sea Route of the 21st Century, cooperation between China and ASEAN countries on the East Coast in such fields as economy, culture, protection of the marine environment will receive policy support and more funding (Minh, 2017a).

The research results of the organizations and advisory bodies will provide competency and prepare the public for the East Sea cooperation. Over the years, research results of scientists in and outside the region on cooperation in the East Sea are very rich: *Firstly*, focus on the areas of cooperation in the East Sea, including areas such as fisheries management, ecological environment protection, security cooperation nontraditional as against pirates, search and rescue at sea. *Secondly*, the proposed East Sea can follow the experience of the cooperation of the world seas. On cooperation in fisheries follow the

Mediterranean, the Caribbean, cooperation mechanism can be modeled by the Arctic Council or the Antarctic Treaty. Related studies have analyzed the feasibility of cooperation in the East Sea, many of which have been transformed into cooperative implementation. In addition, Chinese and foreign academics have pointed out that UNCLOS's obligation make the East Sea coastal states cooperate and from the angle as resource protection of the marine environment, emphasizes the urgency of promoting cooperation. These studies play role in leading public opinion conducive to the convergence of public awareness of international cooperation in the East Sea.

### 2.3.3. Facing the challenge of Promoting Cooperation in the East Sea

While the implementation of cooperation in the East Sea has many favorable conditions, it also faces a number of challenges:

*First, the inherent complexity of the dispute over sovereignty in the East Sea has hampered the dynamics of cooperation.* Sovereignty disputes in the East Sea involve many countries, there has been dispute over territorial sovereignty, and dispute over the demarcation of the boundary between countries in seas, the issues related to the East Sea dispute are complex and sensitive, can hardly solution in the future. Currently, cooperation in the East Sea area has a nice atmosphere, but countries have not changed their interests in the East Sea. Cooperation in dispute in the East Sea-related issues percentage distribution rights, and nationalistic spirit and public opinion of the country will affect the achievement of the cooperation agreement.

*Secondly, the lack of confidence between China and other countries in the region're unlikely to be eliminated in the short term.* Chinese-exist claims of territorial sovereignty and maritime delimitation with sovereignty claims in the East Sea such as Vietnam, the Philippines. Unilateral actions at sea happened that the parties involved in the dispute have psychological vigilance, therefore the mutual trust relatively low. With the rapid rise, China's influence in the East Sea continually increased, some countries claim sovereignty in the East Sea of China in power fear spokesman in building regional order, the anxiety of these countries increased markedly, the lack of confidence towards China constantly increasing, nationalism in these countries also increased. On the one hand the countries around the East Sea hope based on progress Belt and Road to attract investment and more aid from China, based on the rapid development of China, on the other hand, China's dependence on the economy will cause them to lose control over issues such as political security, so the cooperation with major countries outside to balance China's influence. Shortages have limited confidence boosting in-depth cooperation in the East Sea.



Thirdly, the involvement of major externalities such as the United States and Japan over claimants has contributed to ensuring freedom of navigation and aviation in the East Sea. The US considers East Sea's an important tool to curb the rise of China, actively promote political security cooperation with claimant countries such as Vietnam, Philippines, Indonesia ..., The United States 's not only strategic aid country for these countries, but in multilateral cases also the East Sea issue, criticizing China. The purpose of the ongoing US operations deployed maritime freedom in the East Sea to ensure freedom of navigation and aviation in the region. In 01/2018, US Defense Secretary James Mattis visited Indonesia and Vietnam, the US wants to join the three countries Indonesia, Malaysia and the Philippines in the East Sea. On March 5, 2018, the US sent USS Carl Vinson to visit Danang. These moves show that the United States will continue to engage deeply in the East Sea. Japan actively cooperate with the US in the East Sea issue, promote internationalization, legalize the East Sea issue, we also provide equipment or training for countries like the Philippines, Vietnam etc...US and Japan also cooperate with India to promote the exchange of information, connectivity in the region, as the US launched the idea of an economic corridor Indo-Pacific connects India and Southeast Asia, Japan and India set out the Asia-Africa growth corridor, with the aim of competing with initiatives Belt and Road of China.

Finally, complicated in the East Sea 's very large, is not conducive to promoting long-term stability and practical cooperation in the East Sea. On the other hand, in the perspective of the ASEAN consensus on the East Sea issue is not high, the different views on China's policy in the East Sea, affect the cooperation of the parties in the East Sea. For example, the Philippines, there's also disagreement with President Duterte's foreign policy. The political elite and the military in the country hardly change the pro-American ideology, the president and the defense ministry appear to have conflicting views on the East Sea issue. Whether President Duterte claims to cut ties with US allies, strengthening relations with China, Russia, but the US (Quan, 2017) remains the irreplaceable security partner of the Philippines, the counterterrorism situation's Philippines will also promote US-Philippine security cooperation. Opinion polls show the Filipino people's sympathy for the United States is higher than that of China. Philippines situation's not special case in Southeast Asia, these countries persisted in foreign policy balance between China and the US. In fact, some countries in the region have cooperated with China in economics, cooperating with the US on maritime security, high tides diplomatic balancing of often cause fluctuations in the issue of cooperation in the East Sea.

#### 2.3.4. Experience of Cooperation in the World

Institutionalized regional cooperation in the East Sea should learn experience from countries around the world. The experience of the seashore and semi-enclosed seas of other regions can be seen as lesson learned in cooperation among coastal states in the East Sea. For example, in the field of marine environmental protection, the associated cooperation of seawater and seascapes has three models of collaborative mechanisms: *Firstly*, the isolation model, establishing independent legal mechanisms for various maritime cooperation issues, such as the North Sea. *Secondly*, the synthesized model, together legislate to create regulations for all marine environmental issues, such as the Baltic Sea. *Thirdly*, combining and isolating models, it's the marine environmental protection mechanism of the United Nations Framework Convention on Climate Change and the Kyoto Protocol, such as the Mediterranean and the Caribbean. The Asia Economic Forum in 2017, Chinese Deputy Foreign Minister Liu Zhen Dan undertakes cooperation mechanisms between sealed or semi-enclosed seas similar to the East Sea, carry out practical and mechanized cooperation in the fields of: disaster prevention, search and rescue at sea, marine environment protection and diversification of marine life, marine scientific research and maritime security.

Arctic models can provide lessons learned and cooperation model for the East Sea. The Arctic Council is an intergovernmental forum for the Arctic countries to handle Arctic affairs, with the common goal of protecting the environment, prompting the Arctic countries to conduct research and discuss cooperation. The successful experience of the Arctic Council includes: (i) Arctic countries have built a sense region, building conception of the Arctic is the Arctic countries. Despite the controversy and disputes, the general acceptance of positions has increased mutual trust and cooperation; (ii) The Arctic Council has removed sensitive political and security topics, limited job responsibilities in promoting sustainable development and environmental protection; (iii) Building on the soft law, using scientific language, solving the problem of environmental pollution by scientific method.

The Arctic Council relies on the scientific community of the whole world, researchers, scientists from all over the world have joined the Arctic, it's beneficial to reduce collision or potential conflict; (iv) Limited number of Member States, in favor of building the atmosphere better cooperation and the Member States participating relatively few make assemblies aspirations of difficult opposition more openly. American scholar Scott J. Shackelford argues that, despite limited Arctic rights, environmental management has been successful, reducing the tension in the region, raise awareness of the regional countries, the attention of the international



community for the Arctic. The countries encourage and promote the building of the East Sea Council.

Experience of cooperation on the environment, fisheries and coastal Mediterranean countries also deserve attention. In the early 1990s, most Mediterranean countries did not declare in a hurry their exclusive economic zone and fishing grounds. On the whole, Mediterranean countries have an implicit agreement, i.e., that they do not declare exclusive economic zones or seas. On the protection of the marine environment, the Mediterranean countries signed the Mediterranean Convention to Protect from Pollution in 1976. This Convention works within the framework of the United Nations Environment Program's Mediterranean Action Plan, planned principles and general organizational framework for the environmental protection of Mediterranean. General Fisheries Commission of the Mediterranean (GFCM) formed from fisheries agencies have recommendatory, administrative ago, increased implementation competency and policy decisions, successful transition from soft law into hard law. The GFCM's range of management measures that are sufficiently robust to deal aggressively with illegal, unreported and unmanaged fishing activities. In the process of promoting cooperation in the Mediterranean, major countries such as France, Italy ... have played a key role in shaping the rules, breaking down the difficulty of the collective action.

From the collaborative experience of countries shows that maritime cooperation should adhere to international laws like UNCLOS. The UNCLOS sealed or sealed sea is the legal basis for cooperation between countries. In practice, however, co-operation does not necessarily imply a theme not explicitly stated in this clause, seeking the greatest common divisor of co-operation. Secondly, cooperation should start from the less sensitive areas. The closed sea or semi-enclosed sea that UNCLOS provides for regional cooperation aims at three aspects: fishery cooperation, marine environmental protection and marine scientific research, certain extent also considers three aspects of this relatively low sensitivity, which is the common interest of the coastal state, easy to achieve cooperation minded.

### 2.3.5. Consider promoting the mechanism of corporatization in the East Sea

Until now, the issue of the East Sea disputes always sovereignty of rocky islands and sea dominant interests, the progression of slow cooperation, the maritime cooperation of present chaotic state, resources have not been exploited effectively. Strengthen consultation exchanges, promote cooperation East 's always the common perception of the countries concerned, the issue lies in how to promote and strengthen cooperation. At the annual East Sea Conference in the Asia Economic Forum in 2017,

Chinese Deputy Foreign Minister Liu Zhen Dan presented China's idea of cooperative mechanism (Li, 2009): *East Coast states should actively follow the successful experience of other regions in the world, the premise does not affect the undertakings of the parties, can initiate and develop cooperative mechanisms involved, building an effective forum to enhance mutual trust, strengthen cooperation and shared interests.*

*Under favorable conditions, the tensions 'East Sea's cooling, cooperation opportunities in larger areas and challenges, countries should seize opportunities, promote cooperation in the East Sea, derived from the interests of the East Sea coastal states, feasibility studies and the execution path of the construction of cooperation mechanisms.* In the process of establishing a cooperative mechanism, coastal states can strengthen joint management of the East Sea, exploring potential cooperation, increase transparency and policy forecasts, promote mutual trust deepened, creating favorable environment for countries to negotiation peace in the East Sea (Minh, 2017b).

*Convert consciousness, express political aspirations of cooperation.* Now, the East Sea's reality because of the lack of confidence that makes the aspirations of cooperation in the region relatively low, but political, ideological differences and sovereignty regimes are not factors that inhibit cooperation, the keys to seek common interest's Parties in the East Sea, take common interests to develop and promote in-depth cooperation. From the experience of cooperation in the sea other shows in the current shortage of political trust, the dispute remains unresolved, the parties may implement non-traditional security cooperation, the most important give political promises of cooperation. Currently, the countries interested in the East Sea's the traditional security issues such as sovereignty but downplayed the importance of non-traditional security management to sea. Countries should converge public awareness, advocate reasonably sea rights, implementation of obligations under UNCLOS goodwill, at the same time, avoid making national spirit became the obstacle of cooperation, create a political atmosphere fine for cooperation in the East Sea.

*Promote cooperation in the field of marine environmental protection and fisheries in the East Sea.* Considering the complexity of geographical conditions and jurisdictional disputes in the East Sea, the situation of major disagreement remains unresolved, to promote cooperation from easy to difficult in this area, starting from less sensitive or high-awareness sectors such as marine environmental protection, fisheries resource management, humanitarian assistance ..., Completion of cooperation objectives in each phase, finally developing the mechanism of cooperation in the field. Cooperation on less sensitive areas may arise spillover effects, promote cooperation in other fields. As the field of fisheries cooperation, close's cooperation target survey of fish



resources and the amount allowed to be caught outlines the basic management plan for fisheries cooperation in the region; the focal point when appropriate conditions establish a regional co-management committee, in charge of joint fisheries policy in the East Sea. The countries which lay on the East Coast can build consultative cooperation mechanism to solve the problem of illegal fishing, law enforcement agencies between countries should coordinate and act with foreign officials and legal experts.

*Promoting the role of mechanisms forum today in the East Sea.* The region has a number of related mechanisms, such as the China - ASEAN Senior Officials Meeting on Implementation of the DOC and joint working group mechanism, under this mechanism has established Technical Committee for environmental protection and marine scientific research. Also, there's some cooperation forum of the maritime environment program of the United Nations, but the function's relatively dispersed and limited influence. East Coast states to consider promoting and achieving framework convention on cooperation in less sensitive areas, bringing unilateral and multilateral cooperation into the regional cooperation structure system. There're scholars in South East Asia that China proposed to build cooperation mechanisms between the East Sea coast 's very good initiative, but recommendations should not go the other way but should choose the current mechanism of the East Sea to inherit and expand.

### 3. Conclusion:

*Consider building a council of cooperation in the East Sea as a target for efforts in the implementation of international cooperation policy.* In fact, there're many initiatives on the mechanism of environmental security cooperation in the East Sea, unfortunately, most of these initiatives have not yet become reality. May consider establishing cooperation council in the East Sea's long-term goal, build this board into an intergovernmental forum as East Coast countries through friendly consultations to promote and strengthen practical cooperation in the fields of economics, environmental protection in the region and actively conduct dialogue and cooperation with countries or organizations outside the region.

The structure of the East Sea Cooperation Council 's composed the country's president, member country and country of observation. The president shall be rotated by the member countries for two-year rotation. Member states are the main coastal states of the East Sea such as China, Vietnam (Thayer, 2012), Malaysia, Brunei, Philippines and Indonesia. When newly formed, the country of chairman at East Sea cooperation will establish secretariat board, the appropriate time to establish long-term secretariat which can also consider arranging working groups such as environmental protection,

fisheries resource management, sustainable development, build trust.

Council set up cooperation and development fund in the East Sea, provide mechanism of capital for the operation and its work. On the activities of the East Sea Cooperation Council, the first phase follows the successful experience of the Arctic Council, with soft law basis, sign statement or memorandum in advance. Members' are the core of the Earth Sea Cooperation Council, all decisions of the council shall be decided by the High-Level Conference and concurrently agreed by the members. If conditions allow, on the basis of unified consultative member states possible for countries outside the region to join the cooperation council in the East Sea with the position permanent observer countries, observers, official or special observer countries, observers without voting rights decisions./.

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